



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, SEPTEMBER 11, 2023 - 5:00 PM**

ALCAZAR ROOM

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- **Certificate of Recognition 2023-17 CR:** Recognizes the Honorable Marivi Monteserin, Mayor of Aviles and her delegation for their contributions to the cultural understanding and enrichment of our City and re-affirms the continuing sisterhood between Aviles Spain and the City. (N. Sikes-Kline, Mayor)
- **Proclamation 2023-30:** Designates September 15, 2023 - October 15, 2023 as Hispanic Heritage Month. (J. Springfield, Commissioner)
- **Proclamation 2023-32:** Proclaims the month of September 2023, as National Recovery Month. (N. Sikes-Kline, Mayor)
- **Proclamation 2023-33:** Proclaims September 2023 as St. Vincent de Paul Month. (N. Sikes-Kline, Mayor)

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

- ◆ 3 minutes per individual

5. CONSENT AGENDA

6. APPEALS

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

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

7.A. General Public Presentations

7.B. Items of Great Public Importance

7.C. Other Items Requiring Public Hearing

8. ORDINANCES AND RESOLUTIONS - PUBLIC HEARING REQUIRED

8.A. Ordinances - Second Reading

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

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

8.C.1. Resolution 2023-31: Sets the final Fire Assessment Fee for residential and non-residential properties for the fiscal year beginning October 1, 2023. *(M. Breidenstein, Assistant City Manager)*

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2023-26: Amends Section 1.04 of the City Charter to correct a scrivener's error in the legal description of the annexed property of Cat's Paw Marina. *(I. Lopez, City Attorney)*

9.A.2. Ordinance 2023-29: Designates the Code Enforcement Board as the local nuisance board as required by Section 893.138, Florida Statutes. *(I. Lopez, City Attorney)*

9.A.3. Ordinance 2023-27: Amends Chapter 4 of the Code creating a process and regulations for alcoholic beverage establishments to obtain a permit to sell and serve alcoholic beverages on site between the hours of midnight and two o'clock in the morning. *(I. Lopez, City Attorney)*

9.A.4. Ordinance 2023-30: Amends Section 1.04 of the City Charter to correct a scrivener's error in the legal description of the annexed property of the Shipyards. *(I. Lopez, City Attorney)*

9.B. Resolutions

10. STAFF REPORTS AND PRESENTATIONS

10.A. Memorandum of Understanding between the City and West Augustine Gateway, LLC regarding the intent to construct a public parking garage at 198-212 West King Street. *(R. Franklin, Assistant City Manager)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY CITY CLERK

12.A. Request for confirmation of one appointment to the St. Augustine Police Officers' Retirement Board. *(D. Galambos, City Clerk)*

12.B. Request to fill two appointments to the Planning and Zoning Board. *(D. Galambos, City Clerk)*

13. ITEMS BY CITY MANAGER

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

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

CONSENT AGENDA - SEPTEMBER 11, 2023

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON SEPTEMBER 25, 2023:

- Ordinance 2023-26 - Correcting Scrivener's Error - Cat's Paw
- Ordinance 2023-27 - Nightlife Ordinance
- Ordinance 2023-29 - Designating Code Enforcement Board as Nuisance Board
- Ordinance 2023-30 - Correcting Scrivener's Error - Shipyards

CA.3. Reminder of Upcoming Meetings:

- September 14, 2023, 5:05pm, Special Meeting (Public Hearing for 2024 budget and tentative millage rate adoption)
- September 25, 2023, 5:00pm, Regular City Commission Meeting
- September 28, 2023, 5:05pm, Special Meeting (Final Public Hearing for 2024 budget and final millage rate adoption)
- October 9, 2023, 5:00pm, Regular City Commission Meeting

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

- Special City Commission Meeting - August 14, 2023
- Regular City Commission Meeting - August 14, 2023

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

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

- **Certificate of Recognition 2023-14CR**: Recognizes the 50th Anniversary of EPIC Behavioral Healthcare. *(N. Sikes-Kline, Mayor)*
- **Proclamation 2023-28**: Proclaims September 17, 2023 through September 23, 2023 as Constitution Week in the City of St. Augustine. *(N. Sikes-Kline, Mayor)*
- **Proclamation 2023-36**: Proclaims the month of September 21, 2023 - October 20, 2023 as Compassionate Action Month. *(N. Sikes-Kline, Mayor)*

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

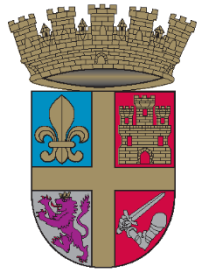
- Certificate of Recognition to *People Helping People* on their 35th anniversary of serving the community. (C. Garris, Commissioner)

CA.8. Ratification of collective bargaining agreement between the City and the Florida Carpenters Regional Council, Local 2038. (D. Hayes, Director Human Resources)

CA.9. Approval of Memorandum of Understanding between the City and the Nauti Institute of Spain regarding the implementation of cultural projects related to Sister Cities with Aviles, Spain. (N. Sikes-Kline, Mayor)

CA.10. Invoice from Cavendish Partners, P.A. for services in the Spadaro parcel swap matter for \$522.00;
Invoice from Cavendish Partners, P.A. for services in the 68 Anderson Street Quiet Title matter for \$899.00;
Invoice from Cavendish Partners, P.A. for services in the Marlowe v. City matter for \$5,920.00.

End Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

❧ CERTIFICATE OF RECOGNITION *❧*

WHEREAS, the City of St. Augustine, Florida recognizes the importance of the relations between our City and the City of Avilés, Spain; and

WHEREAS, the City of St. Augustine and the City of Avilés, enjoy a long and rich history and common heritage that dates to the founding of St. Augustine in 1565 by Pedro Menendez de Avilés; and

WHEREAS, the City Council of Avilés invited delegates from Florida, most from St. Augustine to attend the burial ceremony of Pedro Menendez de Avilés in August 1924 and to accept his outer coffin as a gift from Aviles to St. Augustine, it was the first official American delegation to visit Spain since the signing of the Treaty of Paris, after the Spanish-American War of 1898; and

WHEREAS, in October 1924, Menendez's outer coffin was shipped and today is on exhibit at Mission Nombre de Dios in St. Augustine, a tangible link of the Spanish founder of our city and the first event of decades to come of exchanges of gifts and mementos between both cities; and

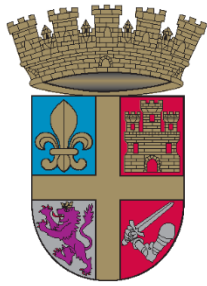
WHEREAS, Resolution 2108 was adopted by the City Commission of the City of St. Augustine on July 10, 1967, supporting a Sister City relationship between the City of St. Augustine and the City of Avilés for the purpose of creating goodwill and understanding between people of our two great nations; and

WHEREAS, on February 26, 2000, a Sister City agreement formalized and reaffirmed the bond between the two cities which continues to flourish through official visits, cultural exchanges including student artwork, works of fine art representing each community, traditional choirs, musicians, dancers, and a successful high school student exchange program; and

WHEREAS, the Mayor and Commission welcomes the Honorable Marivi Monteserin, Mayor of Avilés and her delegation, on their visit in preparation of the 100th anniversary of the collaboration of international relationships between our two cities to be celebrated in 2024; and

NOW, THEREFORE, THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, hereby recognizes the Honorable Marivi Monteserin, Mayor of Aviles and her delegation, for their contributions to the cultural understanding and enrichment of our City and re-affirms the historic and continuing sisterhood between Avilés Spain and St. Augustine, Florida.

IN WITNESS WHEREOF I hereunto set my hand and do cause the Seal of the City of St. Augustine, Florida, to be affixed this 11th day of September in the year of our Lord two thousand and twenty-three, in the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

Whereas, National Hispanic Heritage Month is observed from September 15 to October 15 to celebrate the histories, cultures, and contributions of American citizens whose ancestors came from Spain, Mexico, the Caribbean and Central and South America; and

Whereas, the day of September 15 is significant because it is the anniversary of independence for Latin American countries Costa Rica, El Salvador, Guatemala, Honduras and Nicaragua. In addition, Mexico and Chile celebrate their independence days on September 16 and September 18, respectively. Also, Columbus Day or Día de la Raza, which is October 12, falls within this 30-day period

Whereas, the observance was born in 1968 when Congress authorized the president to issue an annual proclamation designating National Hispanic Heritage Week. Just two decades later, lawmakers expanded it to a monthlong celebration; and

Whereas, Reflecting the remarkable diversity of the American people, Hispanics represent a wide range of nationalities and backgrounds; and like so many Americans, Hispanics have overcome great obstacles to persevere and flourish in every sector of our society. With enduring values of faith and family, hard work and sacrifice, Hispanics have preserved the rich heritage of generations past while contributing mightily to the promise of our Nation for their children and grandchildren; and

Whereas, the influence and history of Hispanics in St. Augustine has been profound and positive enriching every aspect of culture, bringing creativity and innovation to all aspects of this community, including local cuisine.

NOW, THEREFORE, the St. Augustine City Commission of the City of St. Augustine hereby designates **September 15 through October 15, 2023**, as **HISPANIC HERITAGE MONTH** and calls upon public officials, educators, librarians, and all the people of St. Augustine to observe this month with appropriate ceremonies, activities, and programs.

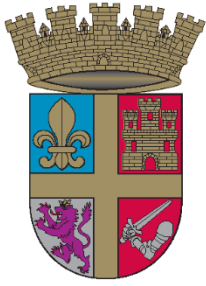
IN WITNESS WHEREOF, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 11th day of September in the year of our Lord two thousand twenty-three and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.

2023-30

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

***WHEREAS,** behavioral health is an essential part of health and one's overall wellness; and*

***WHEREAS** mental and/or substance use disorders affect all communities nationwide, but with commitment and support, people with these disorders can achieve healthy lifestyles and lead rewarding lives in recovery; and*

***WHEREAS,** through National Recovery Month, people become more aware and able to recognize the signs of mental and/or substance use disorders, which can lead more people into needed treatment, and managing the effects of these conditions can help people achieve healthy lifestyles, both physically and emotionally; and*

***WHEREAS,** the impact of substance use and/or mental health conditions is apparent in our local community, and programs such as Discover and Recover Community Organization helps more people achieve and sustain long-term recovery; and*

***WHEREAS,** we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and*

***WHEREAS,** the focus of National Recovery Month this September is to celebrate their journey with the theme "Recovery is for Everyone; Every Person. Every Family. Every Community".*

***NOW, THEREFORE,** the St. Augustine City Commission of the City of St. Augustine hereby proclaims the month of September 2023 as **NATIONAL RECOVERY MONTH** and encourages all citizens to observe this month with appropriate programs, activities, and ceremonies.*

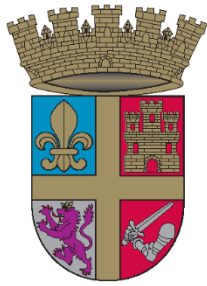
***IN WITNESS WHEREOF,** I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 11th day of September in the year of our Lord two thousand twenty-three and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

2023-32

Nancy Sikes-Kline, Mayor

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Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, founded in 1833, the Society of St. Vincent de Paul is a worldwide organization of lay Catholics, following Christ's call to serve the poor, the suffering, and the deprived; and

WHEREAS, The National Council of the United States was established to support local St. Vincent de Paul Conferences and Councils, and to represent them among the global Society's membership. Today, the National Council provides resources, training, and spiritual formation for nearly 90,000 Vincentians in 4,500 Conferences and Councils across the country; and

WHEREAS, St. Vincent de Paul responds to many community and individual needs through programs such as disaster relief services, job training and placement, thrift stores, food pantries, housing programs, prison reentry, medical services, and many others, always seeking longer-term pathways out of poverty and towards the full flourishing of every person; and

WHEREAS, St. Vincent de Paul Society's Neighbor Services provides support for local families and individuals in need in St. Augustine and surrounding areas. They offer referrals assistance, regardless of faith or demographic profile, through their Home Visitation Program; and

WHEREAS, Trained volunteers work directly with the poor and those in need to develop coping and success strategies and help develop action plans to deal with immediate problems while working with neighbors to create long-term strategies to escape the burdens of poverty.

NOW, THEREFORE, the City Commission of the City of St. Augustine does hereby proclaim the September 2023 as **ST. VINCENT DE PAUL MONTH** and urges all citizens to support community organizations that provide invaluable services to those in need.

IN WITNESS WHEREOF, I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 11th day of September in the year of our Lord two thousand twenty-three and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.

2023-33

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

RE: Proposed Resolution No. 2023-31 setting the Fire Assessment Fee rates for Residential and Non-Residential properties

Attached is proposed Resolution No. 2023-31 which will set the Fire Assessment Fee Residential rate at \$0.0776 per square foot and the Non-Residential rate at \$0.1391 per square foot. These rates will generate revenue to offset approximately 50% of the Fire Department budget.

Please place this Resolution on the agenda for the City Commission meeting of September 11, 2023. A public hearing is required with this Resolution.

If you have any questions about the attached Resolution and rates, please do not hesitate to contact me.

Thank you,



Mark E. Simpson
Director, Financial Services

RESOLUTION NO. 2023-31

A RESOLUTION OF THE CITY OF ST. AUGUSTINE, FLORIDA, RELATING TO THE PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF ST. AUGUSTINE; ESTABLISHING THE RATE OF ASSESSMENT; CONFIRMING THE PRELIMINARY RATE RESOLUTION; REIMPOSING FIRE PROTECTION ASSESSEMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF ST. AUGUSTINE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of St. Augustine, Florida (the "City Commission"), has enacted Ordinance 2016-20 (the "Ordinance"), which authorizes the imposition of Fire Protection Assessments for fire protection services, facilities, and programs against Assessed Property located within the City;

WHEREAS, the reimposition of a Fire Protection Assessment for fire protection services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning the Fire Protection Assessed Cost among parcels of Assessed Property;

WHEREAS, the City Commission desires to reimpose a fire protection assessment program in the City using the procedures provided by the Ordinance, including the tax bill collection method for the Fiscal Year beginning on October 1, 2023;

WHEREAS, the City Commission, on August 14, 2023, adopted Resolution No. 2023-16 (the "Preliminary Rate Resolution");

WHEREAS, the Preliminary Rate Resolution contains and references a brief and general description of the fire protection services, facilities and programs to be

provided to Assessed Property; describes the method of apportioning the Fire Protection Assessed Cost to compute the Fire Protection Assessment for fire protection services, facilities, and programs against Assessed Property; estimates rates of assessment; and directs the updating and preparation of the Assessment Roll and provision of the notice required by the Ordinance;

WHEREAS, pursuant to the provisions of the Ordinance, the City is required to confirm or repeal the Preliminary Rate Resolution, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties;

WHEREAS, the Assessment Roll has heretofore been made available for inspection by the public, as required by the Ordinance;

WHEREAS, notice of a public hearing has been published and mailed, as required by the terms of the Ordinance, which provides notice to all interested persons of an opportunity to be heard; an affidavit regarding the form of notice mailed being attached hereto as Appendix A and the proof of publication being attached hereto as Appendix B; and

WHEREAS, a public hearing was held on September 11, 2023 and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance.

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

SECTION 1. AUTHORITY. This resolution is adopted pursuant to Ordinance No. 2016-20; the Initial Assessment Resolution (Resolution No. 2016-25); the Final

Assessment Resolution (Resolution No. 2016-29), the Preliminary Rate Resolution (Resolution No. 2023-16), Article VIII, Section 2, Florida Constitution; sections 166.21 and 166.041, Florida Statutes; the City of St. Augustine Home Rule Charter; and other applicable provisions of law.

SECTION 2. DEFINITIONS AND INTERPRETATION. This resolution constitutes the Annual Rate Resolution as defined in Ordinance No. 2016-20. All capitalized terms in this resolution shall have the meanings defined in the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, and the Preliminary Rate Resolution.

SECTION 3. REIMPOSTION OF FIRE PROTECTION ASSESSMENTS.

(A) The parcels of Assessed Property described in the Fire Protection Assessment Roll, which is hereby approved, are hereby found to be specially benefited by the provision of the fire protection services, facilities, and programs described or referenced in the Preliminary Rate Resolution in the amount of the Fire Protection Assessment set forth in the updated Fire Protection Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing is incorporated herein by reference.

(B) It is hereby ascertained, determined and declared that each parcel of Assessed Property within the City will be specifically benefitted by the City's provision of fire protection services, facilities, and programs in an amount not less than the Fire Protection Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution.

(C) Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, and the Preliminary Rate Resolution, from the fire protection services, facilities, or programs to be provided and a legislative determination that the Fire Protection Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(D) The method for computing Fire Protection Assessments described and referenced in the Preliminary Rate Resolution is hereby approved. The apportionment methodologies described and adopted in the Preliminary Rate Resolution are hereby approved.

(E) For the Fiscal Year beginning October 1, 2023, the estimated Fire Protection Assessed Cost to be assessed is \$2,149,470.99. The Fire Protection Assessments to be assessed and apportioned among the benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Protection Assessed Cost for the Fiscal Year commencing October 1, 2023, are hereby established as follows:

**FIRE PROTECTION ASSESSMENTS
FISCAL YEAR 2023-2024**

<u>Residential Property Use Categories</u>	<u>Rate Per Square Foot</u>
Residential	\$0.0776
<u>Non-Residential Property Use Categories</u>	<u>Rate Per Square Foot</u>
Non-Residential	\$0.1391

(F) As authorized in the Ordinance, the Maximum Assessment Rates that can, but are not required, to be assessed and apportioned among the benefited parcels in future fiscal years without additional notice to Owners of the Tax Parcels as required by the Ordinance are hereby established as follows for the purpose of this Annual Rate Resolution:

MAXIMUM FIRE PROTECTION ASSESSMENTS

Residential Property Use Categories	Rate Per Square Foot
Residential	\$0.1053
Non-Residential Property Use Categories	Rate Per Square Foot
Non-Residential	\$0.1921

(G) The above rates of assessment are hereby approved. Fire Protection Assessments for fire protection services, facilities, and programs in the amounts set forth in the Fire Protection Assessment Roll, as herein approved, are hereby levied and imposed on all parcels of Assessed Property described in such Fire Protection Assessment Roll for the Fiscal Year beginning October 1, 2023.

(H) As authorized in Section 2.14 of the Ordinance, interim Fire Protection Assessments are also levied and imposed against all property for which a Certificate of Occupancy is issued after adoption of this Annual Rate Resolution based upon the rates of assessment approved herein.

(I) Fire Protection Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(J) The Fire Protection Assessment Roll, as herein approved, together with the

correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance. The Assessment Roll, as delivered to the Tax Collector, shall be accompanied by a Certificate to Non-Ad Valorem Assessment Roll in substantially the form attached hereto as Appendix C.

SECTION 4. EFFECT OF ADOPTION OF RESOLUTION. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Fire Protection Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the date of this Final Assessment Resolution.

SECTION 5. CONFIRMATION OF PRELIMINARY RATE RESOLUTION. The Preliminary Rate Resolution is hereby confirmed.

SECTION 6. SEVERABILITY. If any clause, section or other part of this resolution shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way effecting the validity of the other provisions of this resolution.

SECTION 8. EFFECTIVE DATE. This Final Assessment Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 11th day of September, 2023.

CITY OF ST. AUGUSTINE, FLORIDA

Mayor

ATTEST:

City Clerk

(Corporate Seal)

APPENDIX A

AFFIDAVIT REGARDING NOTICE MAILED TO PROPERTY OWNERS

APPENDIX A
AFFIDAVIT OF MAILING

BEFORE ME, the undersigned authority, personally appeared Mark Simpson who, after being duly sworn, depose and say:

1. Mark Simpson as Director of Financial Services of the City of St. Augustine, Florida ("City"), pursuant to the authority and direction received from the City Commission, timely directed the preparation of the Assessment Roll and the preparation and mailing of notices in accordance with the Fire Protection Assessment Ordinance adopted by the City Commission on July 11, 2016 (the "Assessment Ordinance") and in conformance with the Initial Assessment Resolution adopted by the City Commission on August 14, 2023 (the "Initial Assessment Resolution"). Mark Simpson has caused the notices required by the Assessment Ordinance to be prepared in conformance with the Initial Assessment Resolution. An exemplary form of such notice is attached hereto. Mark Simpson has caused such individual notices for each affected property owner to be prepared and each notice included the following information: the purpose of the assessment; the total amount proposed to be levied against each parcel; the unit of measurement to be applied against each parcel to determine the assessment; the number of such units contained within each parcel; the total revenue the City expects to collect by the assessment; a statement that failure to pay the assessment will cause a tax certificate to be issued against the property which may result in a loss of title; a statement that all affected property owners have a right to appear at the hearing and to file written objections with the local governing board within twenty (20) days of the notice; and the date, time, and place of the hearing.

2. On or before August 22, 2023, Mark Simpson caused the mailing of the above-referenced notices in accordance with the Assessment Ordinance and the Initial Rate Resolution by First Class Mail to each affected owner, at the addresses then shown on the real property assessment tax roll database maintained by the St. Johns County Property Appraiser for the purpose of the collection of ad valorem taxes.

FURTHER AFFIANTS SAYETH NOT.

STATE OF FLORIDA
COUNTY OF ST. JOHNS

Mark Simpson, affiant

The foregoing Affidavit of Mailing was sworn to and subscribed before me this ____ day of _____, 2023 by Mark Simpson, Director of Financial Services, City of St. Augustine, Florida. He is personally known to me or has produced _____ as identification and did take an oath.

Notary Public, State of Florida at Large

Printed Name
My Commission Expires: _____
Commission No.: _____

FORM OF NOTICE TO BE MAILED

******* NOTICE TO PROPERTY OWNER *******

City of St. Augustine
75 King Street.
St. Augustine, Florida
32085-0210

CITY OF ST. AUGUSTINE, FLORIDA NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR COLLECTION OF FIRE PROTECTION NON-AD VALOREM ASSESSMENTS NOTICE DATED: August 22, 2023,

Owner Name
Address
City, State Zip

Tax Parcel # _____
Legal Description: _____

As required by Section 197.3632, Florida Statutes, and City Ordinance No. 2016 – 20 notice is given by the City of St. Augustine that an annual assessment for fire protection services using the tax bill collection method, may be levied on your property for the fiscal year October 1, 2023 - September 30, 2024. The purpose of this assessment is to fund fire protection services benefitting improved property located within the City of St. Augustine. The total annual fire protection assessment revenue to be collected within the City of St. Augustine is estimated to be \$2,149,470.99 for the fiscal year October 1, 2023 – September 30, 2024. The annual fire protection assessment is based on the classification of each parcel of property and number of billing units contained therein.

The above parcel is classified as_____.

The total number of billing units on the above parcel is_____.

The type of billing units on the above parcel is_____.

The annual fire protection assessment for Fiscal Year 2023-2024 for the above parcel is \$_____.

The maximum annual fire protection assessment that can be imposed without further notice for future fiscal years for the above parcel is \$_____.

A public hearing will be held at 5:00 p.m. on September 11, 2023, in City Commission Chambers, Alcazar Room, of City Hall, 75 King Street, St. Augustine, Florida for the purpose of receiving public comment on the proposed assessments. You and all other affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If you decide to appeal any decision made by the City Commission with respect to any matter considered at the hearing, you will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact Darlene Galambos, City Clerk at (904) 825-1007, at least 7 days prior to the date of the hearing.

Unless proper steps are initiated in a court of competent jurisdiction to secure relief within 20 days from the date of City Commission action at the above hearing (including the method of apportionment, the rate of assessment and the imposition of assessments), such action shall be the final adjudication of the issues presented.

Copies of the Fire Protection Assessment Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution, the Preliminary Rate Resolution, and the preliminary assessment roll are available for inspection at the City Clerk, located at City Hall, 75 King Street, St. Augustine, Florida.

The fire protection service non-ad valorem assessment amount shown on this notice will be collected by the St. Johns County Tax Collector on the ad valorem tax bill mailed in November of each year that the assessment is imposed. Failure to pay the assessments could cause a tax certificate to be issued against the property which may result in a loss of title.

If there is a mistake on this notice, it will be corrected. If you have any questions regarding your fire protection service assessment, please contact the City's Financial Services Department office Monday through Friday between 8:00 a.m. and 5:00 p.m. at 904-825-1030.

***** THIS IS NOT A BILL *****

APPENDIX B
PROOF OF PUBLICATION

CITY OF ST. AUGUSTINE, FLORIDA

DATE: August 15, 2023

TO: legal@staugustinerecord.com

VIA EMAIL

RE: Legal Ad for **TUESDAY, AUGUST 22, 2023**

Please place the following advertisement in the legal section on **TUESDAY, AUGUST 22, 2023** using double column width and bill the Purchasing Division, City of St. Augustine, P. O. Box 210, St. Augustine, FL 32085-0210.



**NOTICE OF HEARING TO IMPOSE AND PROVIDE FOR
COLLECTION OF FIRE PROTECTION SPECIAL ASSESSMENTS**

Notice is hereby given, pursuant to section 197.3632, Florida Statutes, that the City Commission of the City of St. Augustine will conduct a public hearing to consider the imposition of annual fire protection special assessments for the provision of fire protection services using the uniform method of collection within the municipal boundaries of the City of St. Augustine. The hearing will be held at 5:00 p.m. on September 11, 2023, in City Commission Chambers, Alcazar Room, of City Hall, 75 King Street, St. Augustine, Florida, for the purpose of receiving public comment on the proposed assessments. All affected property owners have a right to appear at the hearing and to file written objections with the City Commission within 20 days of this notice. If a person decides to appeal any decision made by the City Commission with respect to any matter considered at the hearing, such person will need a record of the proceedings and may need to ensure that a verbatim record is made, including the testimony and evidence upon which the appeal is to be made. In accordance with the Americans with Disabilities Act, persons needing a special accommodation or an interpreter to participate in this proceeding should contact Darlene Galambos, City Clerk at (904) 825-1007, at least seven days prior to the date of the hearing. The assessment for each parcel of property will be based upon each parcel's classification and the total number of billing units attributed to that parcel. The following tables reflect the proposed fire protection assessment schedules.

**FIRE PROTECTION
ASSESSMENTS FISCAL
YEAR 2023-2024**

Residential Property Use Categories	Rate Per Square Foot
Residential	\$0.0776
Non-Residential Property Use Categories	Rate Per Square Foot
Non-Residential	\$0.1391

**MAXIMUM FIRE PROTECTION ASSESSMENT FOR
FUTURE FISCAL YEARS**

Residential Property Use Categories	Rate Per Square Foot
Residential	\$0.1053

Non-Residential Property Use Categories	Rate Per Square Foot
Commercial	\$0.1921

Copies of the Fire Protection Assessment Ordinance, the Initial Assessment Resolution and the preliminary Assessment Roll are available for inspection at the City Clerk, City Hall, located at 75 King Street, St. Augustine, Florida. The fire protection service non-ad valorem assessment will be collected on the ad valorem tax bill to be mailed in November 2023. Failure to pay the assessments will cause a tax certificate to be issued against the property which may result in a loss of title. If you have any questions, please contact the City's Financial Services Department office at 904-825-1030, Monday through Friday between 8:00 a.m. and 5:00 p.m.

[INSERT MAP OF THE CITY OF ST. AUGUSTINE]

**CITY COMMISSION
CITY OF ST. AUGUSTINE,
FLORIDA**

NOTICE TO PERSONS NEEDING SPECIAL ACCOMMODATIONS AND TO ALL HEARING IMPAIRED PERSONS: In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in the proceedings should contact St. Augustine City Clerk (904)825-1007, 75 King Street, St. Augustine, FL 32084; or St. Johns County ADA Coordinator (904)209-0650, 500 San Sebastian View, St. Augustine, FL 32084. For hearing impaired individuals: Florida Relay Service 1-800-955-8771 (TDD) or 1-800-955-8770 (V), not later than 5 days prior to the proceeding at the address given above.

Darlene Galambos
City Clerk, City of St. Augustine

APPENDIX C

**FORM OF CERTIFICATE TO
NON-AD VALOREM ASSESSMENT ROLL**

**CERTIFICATE
TO
NON-AD VALOREM ASSESSMENT ROLL**

I HEREBY CERTIFY that, I am the Mayor of the City of ST. AUGUSTINE, or authorized agent of the City of ST. AUGUSTINE, Florida (the "City"); as such I have satisfied myself that all property included or includable on the non-ad valorem assessment roll for fire protection services (the "Non-Ad Valorem Assessment Roll") for the City is properly assessed so far as I have been able to ascertain; and that all required extensions on the above described roll to show the non-ad valorem assessments attributable to the property listed therein have been made pursuant to law.

I FURTHER CERTIFY that, in accordance with the Uniform Assessment Collection Act, this certificate and the herein described Non-Ad Valorem Assessment Roll will be delivered to the St. Johns County Tax Collector by November 2023.

IN WITNESS WHEREOF, I have subscribed this certificate and directed the same to be delivered to the St. Johns County Tax Collector and made part of the above described Non-Ad Valorem Assessment Roll this_____day of_____, 2023.

CITY OF ST. AUGUSTINE, FLORIDA

By:_____

Mayor

[to be delivered to Tax Collector in November]

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

RE: **ORDINANCE 2023-26: AMENDING SEC. 1.04 TO CORRECT SCRIVENER'S ERROR**

Please find attached Ordinance 2023-26 amending Section 1.04 of the City Charter correcting a scrivener's error in the legal description of the annexed property of Cat's Paw Marina.

Please place Ordinance 2023-26 on the regular City Commission agenda for first reading on September 11, 2023.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Amends Section 1.04 of the City Charter to correct a scrivener's error in the legal description of the annexed property of Cat's Paw Marina.

ORDINANCE NO. 2023-26

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 1.04 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA TO CORRECT A SCRIVENER'S ERROR IN ORDINANCE NO. 2023-18 RELATING TO ANNEXING APPROXIMATELY 0.90 ACRES OF PROPERTY LYING WEST OF THE EXISTING DEVELOPMENT REFERRED TO AS THE CAT'S PAW MARINA, NORTH OF NIX BOATYARD ROAD, SOUTH AND WEST OF THE SAN SEBASTIAN RIVERINE ENVIRONMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on July 24, 2023, the City Commission of St. Augustine, Florida, passed Ordinance No. 2023-18 amending Section 1.04 of the Charter of the City of St. Augustine relating to annexing approximately 0.90 acres of property lying West of the existing development referred to as the Cat's Paw Marina, North of Nix Boatyard Road, South and West of the San Sebastian riverine environment, which ordinance became effective August 3, 2023; and

WHEREAS, Ordinance No. 2023-18 contains a scrivener's error in the legal description of the annexed property; and

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

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

Section 1. Section 1.04 of the Charter Laws of the City of St. Augustine, Florida is hereby amended by correcting new subsection "(vvvv)" to read as described in **Exhibit "A"** attached hereto and made a part hereof.

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

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

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

Section 5. Effective Date. This ordinance shall become effective immediately upon passage, pursuant to Section 166.041(5), Florida Statutes.

PASSED by the City Commission of St. Augustine, Florida, this _____ day of _____, 2023.

Nancy Sikes-Kline, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

EXHIBIT "A"

Comprehensive Plan Amendment

Cat's Paw Annex Parcel

A PARCEL OF LAND SITUATED IN THE G.W. PERPALL GRANT, SECTION 41, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST. JOHNS COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF THOSE LANDS DESCRIBED IN DEED BOOK 126, PAGE 146 OF THE PUBLIC RECORDS OF ST. JOHNS COUNTY, FLORIDA; THENCE NORTH 25°21'48" WEST ALONG THE EAST LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 121, PAGE 72 OF SAID PUBLIC RECORDS A DISTANCE OF 200.00 FEET; THENCE NORTH 61°15'29" EAST, A DISTANCE OF 185.81 FEET; THENCE NORTH 76°15'41" EAST, A DISTANCE OF 21.48 FEET TO THE POINT OF BEGINNING.

THENCE SOUTH 07°36'45" WEST, ALONG THE EASTERLY LINE OF A 30 FOOT INGRESS AND INGRESS EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 3512, PAGE 317 OF SAID PUBLIC RECORDS, A DISTANCE OF 151.17 FEET; THENCE SOUTH 18°49'01" WEST, CONTINUING ALONG SAID EASTERLY LINE, A DISTANCE OF 110.29 FEET, TO A LINE 20 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY LINE OF THOSE LANDS DESCRIBED IN 5424, PAGE 1337 OF SAID PUBLIC RECORDS; THENCE NORTH 88°44'11" EAST, ALONG LAST SAID LINE, A DISTANCE OF 199.49 FEET TO THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1890, PAGE 271 OF SAID PUBLIC RECORDS; THENCE NORTH 10°23'18" WEST, ALONG LAST SAID LINE, A DISTANCE OF 100.76 FEET; THENCE NORTH 04°57'52" WEST, CONTINUING ALONG LAST SAID WESTERLY LINE, A DISTANCE OF 178.34 FEET, TO THE NORTH LINE OF AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 5424, PAGE 1337; THENCE SOUTH 76°15'41" WEST, ALONG LAST SAID LINE, A DISTANCE OF 113.49 FEET TO, THE POINT OF BEGINNING.

CONTAINING 38,470.7 SQUARE FEET OR 0.88 ACRES, MORE OR LESS.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

RE: **ORDINANCE 2023-29: DESIGNATING THE CODE ENFORCEMENT BOARD AS THE LOCAL NUISANCE BOARD AS REQUIRED BY F.S. 893.138**

The following ordinance is a housekeeping matter in order for the City to officially designate the Code Enforcement Board the local nuisance board as required by state statute, F.S. 893.138.

Please place Ordinance 2023-29 on the regular City Commission agenda for first reading on September 11, 2023.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Designating the Code Enforcement Board as the local nuisance board as required by F.S. 893.138.

ORDINANCE NO. 2023-29

AN ORDINANCE OF THE COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 2 ARTICLE I OF THE CODE OF THE CITY OF ST. AUGUSTINE; CREATING SECTION 2-216 DESIGNATING THE CODE ENFORCEMENT BOARD AS THE NUISANCE BOARD PURSUANT TO STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of St. Augustine has previously created the City's code enforcement board, and has assigned various duties to that board consistent with Florida law; and

WHEREAS, the Florida legislature adopted Chapter 893.138, Florida Statutes that provides for a local nuisance board to be created by ordinance for certain qualifying nuisances; 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 amendment be adopted.

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

Section 1. Amending Chapter 2, Article I, Section 2-216. Chapter 2, Article I, of the Code of the City of St. Augustine is hereby amended to create Section 2-216, as follows:

"Sec. 2-216. – Nuisance Board.

The code enforcement board is designated the administrative board to hear complaints regarding nuisances pursuant to F.S.893.138, as may be amended from time to time."

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

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

Section 4. Severance of Invalid Provisions. 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 5. Effective Date. This Ordinance shall become effective immediately upon passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

RE: **ORDINANCE 2023-27: CREATING A PROCESS AND REGULATIONS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS TO OBTAIN A PERMIT TO SELL AND SERVE ALCOHOLIC BEVERAGES ON SITE BETWEEN THE HOURS OF MIDNIGHT AND TWO O'CLOCK IN THE MORNING**

After receiving data and analysis at the City Commission workshop of August 21, 2023, the City Commission unanimously directed the City Attorney to make certain revisions to the conceptual alcohol beverage establishment late-night permit program.

Attached is the proposed ordinance for first reading, it incorporates requested revisions to make the noise sections consistent with existing regulations, incorporates the existing requirements for crowd managers required by the Fire Marshal, removes reference to off-site activity, and clarifies relevant cross-references to state law and local ordinances. In addition, it includes the requested waiver for 4 events per calendar year, such as New Years, 4th of July, St. Patrick's Day, and Cinco de Mayo.

Although the requirements of the new "Local Ordinance" bill only become effective on Oct. 1, the attached financial analysis shows the basis for the permit fee and includes a simplified description of the proposed ordinance.

Amy Skinner, Planning Director, will be presenting the ordinance and its supporting information.

Please place Ordinance 2023-27 on the regular City Commission agenda for first reading on September 11, 2023.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Creating a process and regulations for alcoholic beverage establishments to obtain a permit to sell and serve alcoholic beverages on site between the hours of midnight and two o'clock in the morning.

Nightlife Employee

\$	70,000.00	Estimated salary & benefits
		2 hours worked per day: those serving 12-2am
		1 hours worked per day: those serving only until 12am
		5 hours spent on other duties
		8 total hours worked per day
		25% time spent on those serving after 12am
		28 establishments serving after 12am
\$	17,500.00	

		13% time spent on those serving only until 12am
		160 establishments serving only until 12am
\$	8,750.00	

\$	139.63	annual amount per business,
		but City pays for those who stop by 12am,
		businesses pay this amount if serving after 12am

Ordinance 2023-27 serves the public health, safety, welfare and morals of the City of St. Augustine by requiring an extended hours of operation permit for establishments serving alcoholic beverages from midnight until two a.m. The additional costs of compliance with the ordinance are estimated to be minimal based on permitting fees, and existing industry best practices including training of staff, last call procedures, in-person or camera security, restrictions on staff drinking during shifts, and penalties for violations. The complete proposed regulations can be found on the City's website and at the City Clerk's office at 75 King St., St. Augustine, Florida.

ORDINANCE NO. 2023-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 4-1 PROVIDING DEFINITIONS; AMENDING SECTION 4-3 PROVIDING FOR RESTRICTED HOURS OF SALE AND OPERATION; PROVIDING FOR EXTENDED HOURS OF OPERATION PERMITS; ESTABLISHING PERMIT REQUIREMENTS; ESTABLISHING VIOLATIONS; PROVIDING FOR HEARINGS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 2023-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 4-1 PROVIDING DEFINITIONS; AMENDING SECTION 4-3 PROVIDING FOR RESTRICTED HOURS OF SALE AND OPERATION; PROVIDING FOR EXTENDED HOURS OF OPERATION PERMITS; ESTABLISHING PERMIT REQUIREMENTS; ESTABLISHING VIOLATIONS; PROVIDING FOR HEARINGS; 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, the City has received a number of complaints concerning certain alcohol beverage establishments operating after midnight and the impact that they have on the public health and safety of city residents; and

WHEREAS, the City of St. Augustine adopted a Strategic Plan Initiative, September 2020, to initiate planning to preserve a safe, healthy, vibrant, and balanced historic downtown character; and

WHEREAS, the City of St. Augustine benchmarked comparable municipalities policies, procedures and sought the input of the Responsible Hospitality Institute on the proper oversight required to maintain a livable, vibrant, and sociable city; and

WHEREAS, the City of St. Augustine has engaged in multiple meetings with affected stakeholders and residents of the city; and

WHEREAS, the City of St. Augustine has experienced increased law enforcement costs as a result of the sale and consumption of alcoholic beverages by individuals who consume to the point of intoxication, and particularly after 12:00 a.m.; and

WHEREAS, the City's law enforcement personnel must respond to a greater number of calls for service directly resulting from the need to keep the peace after 12:00 a.m.; and

WHEREAS, § 562.14, Florida Statutes authorizes a municipality to regulate the hours of sale for alcoholic and intoxicating beverages at alcohol beverage establishments, including having the ability to stop the sale of alcoholic beverages entirely during certain times; and

WHEREAS, the City of St. Augustine has experienced increased trash, public littering, and inebriated public bodily functions from late night bar patrons, increasing the burden on

public works and its ability to maintain the cleanliness of public streets, sidewalks, and rights-of-way; and

WHEREAS, the City Commission for the City of St. Augustine heard testimony and received and reviewed data and analysis in the public record regarding negative secondary impacts of activities related to late night alcoholic beverage establishments at its special workshop meeting on August 21, 2023 and incorporates those documents and testimony by reference; and

WHEREAS, the City Commission heard testimony of operators and staff of alcohol beverage establishments throughout its public outreach and comment sessions, and finds that maintaining the ability of alcohol beverage establishments to continue serving alcohol after midnight is a substantial economic benefit to the nightlife industry of the City, and finds that providing a safe and comfortable environment for patrons of alcohol beverage establishments in the City through strategies such as the “Nightlife Manager” along with afterhours support services provided by police, first responders, sanitation and other municipal employees is an important benefit to the nighttime economy, and finds that reasonable regulations that address the negative secondary impacts to the community while requiring minimal permitting and compliance costs to those businesses choosing to serve alcohol after midnight is not arbitrary and is a reasonable exercise of legislative authority and bears a substantial relation to public health, safety, and welfare; and

WHEREAS, City staff estimates that the cost of permitting and compliance will be shared between the City general government and the permit applicants and will be no greater than the cost of administering the program; and

WHEREAS, the City Commission for the City of St. Augustine finds that the proposed permitting and compliance regulations are consistent with other Florida local government regulatory programs regarding alcoholic beverage establishments and existing state or municipal code requirements, as well as, recommendations from the Responsible Hospitality Institute, and industry standards and best practices, and are rationally related and proportionate to the proposed regulation; and

WHEREAS, § 162.21(8), Florida Statutes and Section 2-316 of the municipal code provide that the City of St. Augustine may enforce its codes by any means legally available to it; and

WHEREAS, the City Commission for the City of St. Augustine finds it is in the best interest of the residents, visitors, and business community of the City to encourage

responsible alcohol beverage establishments by providing for regulation of alcohol beverage establishments after 12:00 a.m.; and

WHEREAS, the City Commission for the City of St. Augustine finds that an Extended Hours of Operation Permit and regulations related thereto are the exercise of its police power and legislative function to regulate the hours of operations for alcohol beverage establishments; 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 § 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 4, Section 4-1. Chapter 4, Section 4-1 of the Code of the City of St. Augustine is hereby amended, as follows:

Sec. 4-1. - Definitions.

- (1) *Alcoholic Beverage* for purposes of this section shall mean distilled spirits and all beverages containing one-half of one percent or more alcohol by volume or as provided in F.S. § 561.01, as amended. For the purposes of this chapter, the definition of Alcoholic Beverage includes beer, wine, cider, distilled or fermented spirits, or liquor as that term is commonly used.
- (2) *Alcoholic Beverage Establishment* shall mean any place of business, and its owners, located in the city which allows for Alcoholic Beverages to be sold for consumption on the premises.
- (3) *Curfew* shall mean a regulation requiring people to generally remain indoors between specified hours, typically at night. Curfews may be issued during public health or weather emergencies, crises, or civil unrest by a competent authority.
- (4) *Establishment* shall have the same meaning as Alcoholic Beverage Establishment.
- (5) *Extended Hours of Operation Permit* shall mean a permit issued by the City of St. Augustine that allows an Alcoholic Beverage Establishment to operate and sell Alcoholic Beverages for purposes of consumption on the premises between the hours of 12:00 a.m. and 2:00 a.m.
- (6) *Last Call* shall mean the time when customers in an Alcoholic Beverage Establishment are told that they may order only one more Alcoholic Beverage before the Establishment closes.
- (7) *Mandatory Evacuation* shall mean a situation where emergency management officials put maximum emphasis on encouraging evacuation and limiting ingress to potentially affected areas.
- (8) *Mandatory Evacuation Zone* shall mean an area that may be inundated by an abnormal rise of water pushed onto shore by a hurricane or storm event or other natural or manmade disaster.

- (9) Restaurant shall mean any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared before being delivered to another location for consumption as defined in F.S. § 509.013(5)(a), as amended. For the purposes of this chapter, the definition of a restaurant shall include any business with a special food service establishment license issued by the Division of Alcohol and Tobacco of the Florida Department of Business and Professional Regulation.
- (10) Sale and Sell shall mean and include not only selling but also consuming, serving, and/or permitting to be served or consumed, any alcoholic beverages, except for Last Call procedures that are limited to consumption of alcoholic beverages on site.
- (11) Special Magistrate shall mean a person designated as the Special Magistrate by the City Commission under the authority of section 2-340 of this Code. In the event that a Special Magistrate is unavailable or has a conflict in a particular case, the city may elect to prosecute a violation utilizing all available legal avenues.
- (12) Transfer of Ownership shall mean a transfer of a license, change of officers or directors, or transfer of interest as defined and regulated under the provisions F.S. § 561.32, as amended.

Section 2. Amendment to Chapter 4, Section 4-3. Chapter 4, Section 4-3 of the Code of the City of St. Augustine is hereby amended, as follows:

Sec. 4-3 – Hours of sale.

- (a) Applicability. The provisions of this section shall apply to any place of business holding a license allowing for consumption on premises of Alcoholic Beverages under the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation within the corporate limits of the city.
- (b) Restricted hours of sale and operation. Except as provided in section 4-3(c), no Alcoholic Beverage Establishment licensed under the state alcoholic beverage laws to sell Alcoholic Beverages, shall Sell or offer for Sale, or serve or offer to serve, any Alcoholic Beverages of any kind, regardless of alcoholic content, or be open for operation, on any day of the week between the hours of 12:00 a.m. and 7:00 a.m.
- (1) Last Call procedures: All Establishments that sell or serve Alcoholic Beverages will have a "Last Call" for the sale of alcohol, but there will no further Sale of Alcoholic Beverages one-half hour prior to the applicable closing time of the Establishment, whether the closing time is set by city code, by a use by exception permit granted by the Planning and Zoning Board, or an Extended Hours of Operation Permit. All Alcoholic Beverage Establishments shall have a Last Call policy for the final consumption of Alcoholic Beverages and patron egress. At the time of Last Call, only one Alcoholic Beverage per person may be purchased.
- (2) Staff: All Alcoholic Beverage Establishments shall prohibit staff drinking or shift drinking of Alcoholic Beverages by servers and bartenders while they are on duty. Bartenders may taste alcoholic beverages as part of the preparation of a customer's cocktail or mixed drink, or in order to describe the attributes of the

alcoholic beverage as part of a tasting, consistent with the industry practice.

- (3) Alcoholic Beverage Establishments whose hours are restricted by a use by exception permit granted by the Planning and Zoning Board are not eligible for an extended hours permit, to the extent that the extended hours period conflicts with the use by exception-limited hours and must adhere to the conditions established by the use by exception permit.
 - (4) Alcoholic Beverage Establishments residing within a Mandatory Evacuation Zone shall cease the sale of Alcoholic Beverages during the duration of any Mandatory Evacuation issued by any local, state, or federal authority until such time as the order is lifted.
 - (5) All Alcoholic Beverage Establishments shall abide by Curfew hours, as ordered by a local, state, or federal official that is legally authorized to establish a Curfew.
 - (6) Sound: All Alcoholic Beverage Establishments shall remain compliant with noise control ordinances as published in Chapter 11, Article IV of the Code.
- (c) Extended Hours of Operation Permit is required for Alcoholic Beverage Establishments to sell Alcoholic Beverages between the hours of 12:00 a.m. and 2:00 a.m.
- (1) Permit required. Any Alcoholic Beverage Establishment licensed under the state alcoholic beverage laws to sell, offer for sale, or deliver Alcoholic Beverages, for purposes of consumption on the premises desiring to remain open to sell, offer for sale, or deliver Alcoholic Beverages for the purpose of consumption on the premises between the hours of 12:00 a.m. and 2:00 a.m., but in any case no later than 2:00 a.m., on any day of the week, shall make application with the Planning and Building Department for an Extended Hours of Operation Permit. An Alcoholic Beverage Establishment may request from the City Manager or designee, a temporary use approval for no more than four times per calendar year with each temporary use approval limited to one day only, without obtaining an extended hours of operation permit, and be otherwise consistent with section 28-351.
 - (2) The Alcoholic Beverage Establishment shall complete an application form provided by the city, including, but not limited to, the name and street address where notices related to this section are to be mailed. An annual fee, initially set at one hundred thirty-nine dollars and sixty-three cents per permit, payable upon issuance, shall be charged for the permit. The City Commission may set the permit fee annually by resolution or during the adoption of the municipal budget. The permit fee shall be rationally related and proportionate to the costs of administering this regulation. The application form shall include, but not be limited to, the following information.
 - a. Name and street address of the owner of the Alcoholic Beverage Establishment.
 - b. Valid business tax receipt for the Alcoholic Beverage Establishment.
 - c. Verification of compliance by the Alcoholic Beverage Establishment with city zoning regulations.
 - d. Specific type of state alcoholic beverage license held by the Alcoholic Beverage Establishment.
 - e. If the Establishment holds a state alcoholic beverage license other than a

4-COP Quota License, or its equivalent, the Establishment shall submit a copy of the proposed seating diagram, to include any proposed dining area.

(3) The city manager or designee shall review the application and, if the application is complete, and the Alcoholic Beverage Establishment is in compliance with the Code of Ordinances, a permit shall be issued allowing the Alcoholic Beverage Establishment to sell Alcoholic Beverages, as restricted by the alcoholic beverage establishment's state beverage license, for purposes of consumption on the premises, between the hours of 12:00 a.m. and 2:00 a.m. on every day of the week.

(4) *Extended Hours of Operation Permit* requirements. In addition to the permit application the following requirements must be shown by the Alcohol Beverage Establishment.

a. *Responsible Beverage Service Program*: All permit applicants will provide proof that at least one member of staff working on every shift has completed a *Responsible Beverage Service Training Program* within the previous 12 months. All permit applicants must provide a certification of completion at the time of application/renewal and within 5 business days of a request to provide the certification by the City. The standards and curriculum of alcohol server education courses reflect industry best practices and shall include but not be limited to the following:

1. Alcohol as a drug and its effects on the body and behavior, especially driving ability.
2. Effects of alcohol in combination with commonly used legal, prescription or nonprescription, drugs and illegal drugs.
3. Recognizing the problem drinker and community treatment programs and agencies.
4. State alcohol beverage laws such as prohibition of sale to minors and sale to intoxicated persons, sale for on-premises or off-premises consumption, hours of operation and penalties for violation of the laws.
5. Drunk driving laws and liquor liability statutes.
6. Intervention with the problem customer including ways to cut off service, ways to deal with the belligerent customer and alternative means of transportation to get the customer safely home.
7. Advertising and marketing for safe and responsible drinking patterns and standard operating procedures for dealing with customers.

b. *Security*: All Alcoholic Beverage Establishments shall provide reasonable security coverage in relation to the anticipated number of patrons, physical space and layout of the premises, areas dedicated to seating, dancing, or standing room only, type of entertainment (concert, special event, promotional event), and any other relevant factor that a prudent Alcoholic Beverage Establishment should reasonably consider in order to maintain a safe and orderly environment. Security coverage can be met by the human element of security staff on the premises each shift, or the presence of continuously operational security cameras.

c. *Last Call Procedures*: All Alcoholic Beverage Establishments with an *Extended Hours of Operation Permit* will have Last Call at 1:30 a.m. for the sale of Alcoholic Beverages. The period between 1:30 a.m. and 2:00 a.m. will be for the final consumption of Alcoholic Beverages only.

- d. *Daylight Savings Time:* All Extended Hours of Operation Permit holders shall cease the sale of Alcoholic Beverages at 2:00 a.m. and shall not operate during the additional hour due to the cessation of Daylight Savings Time.
 - e. *Crowd Management:* All Alcoholic Beverage Establishments shall maintain a Crowd Manager on site when assembly occupant loads exceed 50, and when occupant loads exceed 250, additional crowd managers are required at a ratio of 1 for every 250 occupants thereafter, consistent with Florida law (NFPA 1-20.1.5.6), as may be amended from time to time.
 - f. *Compliance with Fire Prevention Code and Life Safety Code:* All Alcoholic Beverage Establishments shall comply with the requirements for fire prevention and life safety per Section 8-501 and Section 8-502, and Chapter 12, Fire Prevention and Protection, of the municipal code. Proof of compliance with the City's Fire Inspection Program must be included with the application for, and any renewal to, an Extended Hours of Operation Permit and maintained on the premises of the Alcoholic Beverage Establishment and presented upon request to the City Fire Marshal or his or her designee.
- (5) Such permit shall be renewed with the city annually, corresponding with the renewal of the establishment's Business Tax Receipt renewal, unless any of the following occur:
 - a. The permit is under suspension at the time of renewal.
 - b. The Alcoholic Beverage Establishment's state beverage license has been revoked or suspended; or
 - c. A Transfer of Ownership or a change in location of the establishment has occurred, and this information was not provided to the city through a new permit as described in subsection (6) below.
- (6) The city shall be notified immediately, and the Alcoholic Beverage Establishment shall apply for a new permit if a Transfer of Ownership or a change in location of the Establishment has occurred. Until such time as the Alcoholic Beverage Establishment makes application, is approved, and receives a new permit, the privilege of extended hours for the sale of Alcoholic Beverages shall be suspended. Failure to renew the Extended Hours of Operation Permit on or before the 30th day of September of each year, or to pay the annual fee as set by resolution of the city commission, shall be cause for the immediate suspension of extended hours privileges pursuant to section 4-3(d), including any penalties described therein.
- (7) No Alcoholic Beverage Establishment is authorized to sell or serve Alcoholic Beverages for purposes of consumption on the premises after 12:00 a.m. unless it possesses a valid Extended Hours of Operation Permit from the city. No Alcoholic Beverage Establishment is authorized to sell or serve Alcoholic Beverages, or be open for operation, after 2:00 a.m. and before 7:00 a.m. on any day of the week.
- (8) The provisions of this section shall not impair or affect the right of an Alcoholic Beverage Establishment with a state alcoholic beverage license to remain open and Sell Alcoholic Beverages between the hours of 7:00 a.m. and 12:00 a.m.
- (d) *Notice of violations, hearings, and penalties.* The ability of an Alcoholic Beverage Establishment to Sell, offer for Sale, deliver, or permit to be consumed upon the

premises any Alcoholic Beverage Establishment between the hours of 12:00 a.m. and 2:00 a.m. on any day of the week is a permissive exercise of the police power over regulated activities within its jurisdiction conditioned on the applicant meeting all regulatory requirements, and subject to suspension or revocation of the permit for any violation of the terms of the permit or these regulations. Notice of violations will be deemed effective, and a hearing may ensue, on the tenth (10th) calendar day following notice by any of the following methods: leaving the notice of violation with an adult employee on-site of the Alcoholic Beverage Establishment, or posting the notice of violation at the location of the Alcoholic Beverage Establishment, or providing mailed notice by standard U.S. mail to the address identified in the Alcoholic Beverage Establishment's most recent application. Notice pursuant to this section will be deemed complete on the tenth (10th) calendar day following any of this

(1) Notice of Violations. A notice of violation to an Alcoholic Beverage Establishment may be issued by authorized officials of the City of St. Augustine for the following violations:

- a. Violations of any permitting or compliance requirement found in section 4-1 or 4-3 of the code of the City of St. Augustine.
- b. Illegal activity on the premises of the Alcoholic Beverage Establishment. Illegal activities on the premises of the Alcoholic Beverage Establishment requiring a police response to the illegal activities of the owner, employees, vendors and service providers, or patrons, of the Alcoholic Beverage Establishment, involving the use, sale, or delivery of controlled substances, allowing underage drinking, continuing to sell Alcoholic Beverages after closing time, violations of open container or drinking in public laws of the state or city ordinances, or violations of public nudity or gambling laws.
- c. Failure to maintain the elements meeting the definition of a Restaurant which possesses a Special Food Service (SFS) license for consumption on premises state alcoholic beverage license as addressed under the provisions of section F.S. § 561.20 and 565.045, as amended.
- d. Maintaining a public nuisance pursuant to the laws of the State of Florida.
- e. Violations of any provisions of the City of St. Augustine Code of Ordinances; including, but not limited to, Chapter 11, Article IV, relating to noise and sound limitations.
- f. Failure to obtain an Extended Hours of Operation Permit, or failure to renew the permit as required.
- g. Violations of state statutes and local code regarding fire prevention or life safety related to the maximum permissible occupancy at the Alcoholic Beverage Establishment location.
- h. Sales by employees during prohibited hours. No person, or any agent, servant, or employee of any person licensed under the state alcoholic beverage laws shall Sell, or offer for Sale, any Alcoholic Beverage of any kind during prohibited hours.
- i. Gifts. It is a violation of this section for any person, or any agent, servant or employee of any person licensed under the state alcoholic beverage laws,

during prohibited hours as set forth in this section, to gratuitously give any kind of Alcoholic Beverage, whether conditioned upon the purchase of any kind of Alcoholic Beverage or product of any nature, at any inflated price or otherwise, or in the form of a so-called bonus predicated upon another purchase, or as a gift.

(2) Initial violation and Successive violations.

- a. 1st notice of violation. Except as provided, a 1st notice of violation by an Alcoholic Beverage Establishment shall result in a written notice of violation that will not require an appearance before the Special Magistrate. The Establishment must cure the violation as identified in the 1st notice of violation within ten calendar days as directed in the written notice of violation. Issuance of a written 1st notice of violation for a violation of this section shall not prevent the prosecution of a violation against the Alcoholic Beverage Establishment or any person with any other violation of state statutes or city code. The 1st notice of violation shall be issued by an authorized official of the City of St. Augustine with responsibility for enforcing this chapter or state or local law. If the 1st notice of violation is the result of a felony criminal offense being committed on the premises consistent with the prohibition on illegal activities found in this chapter, the 1st notice of violation may be presented to the Special Magistrate for a hearing and consideration of the suspension of the Extended Hours of Operation Permit.
- b. 2nd or subsequent notice of violation. Any subsequent violation of this chapter or state statutes by an Alcoholic Beverage Establishment shall result in a written 2nd or subsequent numbered notice of violation. Subsequent notices of violation shall be issued by an authorized official of the City of St. Augustine with responsibility for enforcing this chapter or state or local law. All 2nd or subsequent notices of violation will result in a hearing before the city's Special Magistrate at least ten (10) calendar days after notice is given pursuant to this Chapter. Notice of the hearing will be effectuated in the same manner as notice of violation pursuant to this chapter.
- c. Special Magistrate. All 2nd and subsequent notices of violation shall be heard at a hearing before the city's Special Magistrate for consideration of suspension or revocation of the Alcoholic Beverage Establishment's Extended Hours of Operation Permit. The Special Magistrate's jurisdiction and authority to hear violations of this chapter shall be exercised consistent with Division 3, Article VI of the City's municipal code and Florida law. The city may also prosecute code violations in any other legally available procedure.
- d. Action by the Special Magistrate. Upon completion of the hearing, the Special Magistrate shall enter an order that either no action shall be taken against the Alcoholic Beverage Establishment's Extended Hours of Operation Permit, or that the Extended Hours of Operation Permit is be suspended or revoked due to a violation of this chapter and the terms of the permit.
 1. A suspension of the Extended Hours of Operation Permit for a first finding of violation by the Special Magistrate shall be for up to sixty (60) consecutive calendar days.
 2. A second finding of violation of the Extended Hours of Operation Permit by the Special Magistrate within one hundred eighty (180) days of

issuance of the first notice of violation regardless of whether the first notice of violation was heard by the Special Magistrate and regardless of findings shall be suspended for no less than thirty (30) days but no more than (90) consecutive calendar days.

3. A third and any subsequent finding of violations occurring within one-year (365 days) of the date of completion of the most recent suspension period shall result in revocation of the Extended Hours of Operation Permit.

4. In addition to any suspension or revocation of the Extended Hours of Operation Permit, the City may take any other legally available action in response to a violation of its codes.

The Special Magistrate shall base their determination of a violation upon competent, substantial evidence presented at the hearing. The Alcoholic Beverage Establishment owner may be represented by counsel, or by its agents, at the hearing and may present relevant evidence and testimony. The strict rules of evidence will not be required however, due process will be afforded to the Alcoholic Beverage Establishment's owners. The Special Magistrate may hear from other witnesses and experts. Factors considered by the Special Magistrate in determining the length of a suspension or the revocation of the permit may include the relative impact on public health, safety, morals, and welfare of the public caused by the violations, the repetitive nature of violations at the same location, any evidence of good faith attempts at compliance, and any efforts and remediation or mitigation of the negative impacts of the violation. The Special Magistrate's written order of suspension or revocation of the Extended Hours of Operation Permit shall state the effective date of suspension and shall give the Alcoholic Beverage Establishment at least (10) ten calendar days' notice of the suspension. A party may appeal an order of the Special Magistrate to the Circuit Court consistent with the rules of appellate procedure.

(e) Failure of alleged violator to appear. If an Alcoholic Beverage Establishment served with a notice of violation fails to appear at the hearing after having received notice pursuant to this chapter, the Special Magistrate shall take testimony from city staff, and other relevant testimony, as available, and shall enter an order either that no action shall be taken against the Alcoholic Beverage Establishment's Extended Hours of Operation Permit, or that the Extended Hours of Operation Permit shall be suspended for a period of time as set forth in this chapter, or revoked consistent with this chapter. An order that the Extended Hours of Operation Permit be suspended or revoked shall take effect on the eleventh calendar day after the order is issued and mailed by standard U.S. mail to the Alcoholic Beverage Establishment.

(f) Suspension. Any Alcoholic Beverage Establishment that has had an Extended Hours of Operation Permit suspended cannot avoid the consequences of the Special Magistrate's action by changing its business name or corporate status, as set forth in section 561.32, Florida Statutes.

(g) Enforcement procedures. The enforcement procedures contained herein are alternative procedures, and the city reserves the right to arrest, prosecute, or take action utilizing alternative procedures authorized by law.

Section 3. 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 4. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 6. Effective Date. This Ordinance shall become effective immediately upon passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)



**CITY OF ST. AUGUSTINE CITY COMMISSION
SPECIAL MEETING AGENDA
MONDAY, AUGUST 21, 2023
9:00 am to Noon
ALCAZAR ROOM**

-
- 1. Call to Order.**
Roll Call.
 - 2. General Public Comments.**
 - 3. Overview of the Proposed Nightlife Ordinance.** (A. Skinner,
Director, Planning and Building Department)
 - 4. Discussion and Recommendation(s) Related to the Drafted Nightlife Ordinance
Language and Action Moving Forward**
 - 5. Adjourn.**

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

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: August 21, 2023

RE: **City Commission Special Workshop - City of St. Augustine Responsible Alcohol Beverage Service Regulations**

As you are aware the City Commission reviewed Ordinance 2021-18 for Introduction and First Reading at their regularly scheduled meeting of July 24, 2023. Ordinance 2021-18 is commonly known as the “nightlife” ordinance.

The ordinance did not pass on first reading. The City Commission requested that a workshop be held to further discuss the need, potential impacts of the Ordinance, and garner additional input before making any subsequent decisions whether to move forward with the Ordinance, make changes to the proposed ordinance or not.

This memorandum outlines some background related to the development of the Ordinance, additional city data, and more details related to the proposed ordinance (what it does and doesn’t do and how it addresses specific issues).

This additional information is attached for discussion purposes. The proposed ordinance is also attached for your review and recommendation on how to proceed.

If you have any questions or require additional information, please let me know.



Amy McClure Skinner, AICP
Director
Planning and Building Department

Proposed Ordinance Regarding Areas of Concern

- **Sound**

1. Alcohol establishments shall ensure that amplified entertainers are encapsulated within the walls of the establishment with all windows and doors closed or directed towards OSHA-certified sound barrier devices.
2. If this is not feasible amplified sound in the exterior/open air is not permitted after 10:00 pm Sunday through Thursday and 12:00 am Friday and Saturday.
3. All Alcohol establishments shall otherwise comply with noise control ordinances as published in Chapter 11, Article IV of the land development code.

- **Security**

1. Any PZB use by exception conditions shall apply.
2. No alcohol sales allowed during a mandatory evacuation.
3. Alcohol establishments must adhere to any implemented curfew hours.
4. Alcohol establishments must provide security appropriate for each night's events. Security coverage can be human or security cameras.

- **Training**

1. Alcohol establishments must establish last call procedures.
2. Staff are prohibited from drinking or "shift drinking" while on duty.
3. At least one (1) staff member must complete a "Responsible Beverage Service Training Program" within the previous 12 months.

- **Infrastructure fatigue**

1. The volume of tourists, including local tourism creates a strain on livability.
2. Traffic, mobility and impacts on infrastructure, such as water and sewer, solid waste, maintenance, historic resources, and neighborhoods are impacted by the volume of tourists including local tourism.

Conclusions

- The impact of tourism, including local tourism, is felt by all of the taxpayers of the city. This includes all stakeholders' residents, businesses, and workers.
- There are tangible and intangible costs.
- The city Vision and 2040 Comprehensive Plan includes maintaining a livable city and maintaining a balance between quality of life, local commercial needs, maintaining a diverse economy and the life of neighborhoods (many historic) in an urban environment.
- The city's population projections are trending higher than expected right now and this may set up a potential for more conflict between residential and commercial uses in the future.
- Three (3) out of the four (4) areas of concern addressed by the proposed Nightlife Ordinance (sound, security, and infrastructure fatigue) are broad, citywide areas of concern that attempt to address the pressures on the historic city.
- The role of regulation is to attempt to balance needs and impacts and establish a level of fairness across the city, and to mitigate the impacts of doing business across the jurisdiction.

What this Ordinance does not do:

- Business establishments are not prevented from remaining open past 12:00 am.
- The city is not the only jurisdiction dealing with this issue, and the requirements for a “permit” are not overly onerous.

What this Ordinance does do:

- Business establishments are required to obtain a “permit” to sell alcohol after 12:00 am to 2:00 am.
- The “permit” to sell alcohol after 12:00 am does have certain conditions that businesses are required to meet, and will need to be renewed annually.
- In addition to the cities of Fort Lauderdale, Orlando, Melbourne, and Jacksonville Beach, 12 other jurisdictions in Florida have either passed or are considering similar ordinances.
- This ordinance is an attempt to balance interests among the different stakeholders within the city (residents, businesses, and workers alike).
- The ordinance requirements include general industry standards.
- The ordinance establishes a notice of violations, hearings, and penalty procedures regarding the afterhours permit, including potentially holding the business establishment responsible for negative behavior or impacts outside of their establishment.

Recommendations to Consider

- Change sound regulations to only refer to the existing City Noise ordinance within Chapter 11, Article IV of the Land Development Code.
- Clarify language so that it is clear that businesses can stay open and operate after 12:00 am, but not sell alcohol if they do not want to participate in the afterhours permit program.
- Revise and clarify language so that businesses are not responsible for behavior outside of their establishment.
- Relook at the enforcement sections of the proposed ordinance to ensure that they are not overly punitive and/or clarify standard Code Enforcement procedures.
- Recommend a waiver to these requirements three (3) times per year, for certain holidays, such as New Year's Eve, St. Patrick's Day, and 4th of July.

Additionally, the Fire Department has submitted a request for the Ordinance to address annual inspection requirements, and crowd manager training.

Background

The city extended the allowable hours for alcohol sales from 1:00 am to 2:00 am within the city limits when the City of Jacksonville hosted the Superbowl in 2005. By statute the city has the right to regulate alcohol sales after 12:00 am within the city limits. The extra hour of alcohol sales was never “rolled back” to 1:00 am after 2005. Meanwhile, the city and county have evolved since 2005. By 2020 there had also been several incidents of violence in and around the city that were of concern and brought to question whether the consumption of alcohol late at night contributed or could contribute to these types of issues, and the quality of life for all of those working and living in the city.

This ordinance was originally developed in 2021 to establish regulations and procedures to require business establishments that are serving alcohol to participate in certain programs, meet certain requirements and obtain a “permit” to sell alcohol after 12:00 am. After many community meetings and several City Commission discussion presentations an initial first reading of this ordinance was held on August 9, 2021.

It was determined that it was in the city’s interest to maintain and preserve a safe, healthy, vibrant, and balanced atmosphere within the city especially between the hours of 12:00 am and 2:00 am. This is in an interest to balance residential uses and neighborhoods and other safety concerns in the city. The city determined that there had been a noticeable increase in costs to services such as police response and maintaining sanitary conditions because of the sale and consumption of alcoholic beverages by individuals who consume to the point of intoxication, particularly after 12:00 am.

The city engaged a firm, Responsible Hospitality Institute (RHI), to look at the situation and conditions especially in the downtown area, and develop recommendations based on community engagement. RHI completed an extensive outreach and stakeholder program. The report based on the findings and recommendations was completed in June of 2022. The *Sociable City Assessment* Summary and full reports dated June 1, 2022, are also attached.

After further consideration the city revised the original proposed ordinance, eliminating some regulations that seemed beyond the city’s objectives or purview, and to focus more on setting protocols for alcoholic beverage establishments and the establishment of a required “extended hours of operation permit” for those alcoholic beverage establishments choosing to operate and sell alcoholic beverages for consumption on the premises between the hours of 12:00 am and 2:00 am.

Since the original first reading was held in August of 2021 staff recommended holding another First Reading which was held on July 24th this year.

**Ordinance 2021-18 City of St. Augustine “Nightlife” Ordinance – As
Proposed**

ORDINANCE NO. 2021-18

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 4 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 4-1 PROVIDING DEFINITIONS; AMENDING SECTION 4-3 PROVIDING FOR RESTRICTED HOURS OF SALE AND OPERATION; PROVIDING FOR EXTENDED HOURS OF OPERATION PERMITS; ESTABLISHING PERMIT REQUIREMENTS; ESTABLISHING VIOLATIONS; PROVIDING FOR HEARINGS; 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, the City has received a number of complaints concerning certain alcohol beverage establishments operating after midnight and the impact that they have on the public health and safety of city residents; and

WHEREAS, the City of St. Augustine adopted a Strategic Plan Initiative, September 2020, to initiate planning to preserve a safe, healthy, vibrant, and balanced historic downtown character; and

WHEREAS, the City of St. Augustine benchmarked comparable municipalities policies, procedures and sought the input of the Responsible Hospitality Institute on the proper oversight required to maintain a livable, vibrant, and sociable city; and

WHEREAS, the City of St. Augustine has engaged in multiple meetings with affected stakeholders and residents of the city; and

WHEREAS, the City of St. Augustine has experienced increased law enforcement costs as a result of the sale and consumption of alcoholic beverages by individuals who consume to the point of intoxication, and particularly after 12:00 a.m.; and

WHEREAS, the City's law enforcement personnel must respond to a greater number of calls for service directly resulting from the need to keep the peace after 12:00 a.m.; and

WHEREAS, Chapter 562.14 of Florida Statutes authorizes a municipality to regulate the hours of operation, ; and

WHEREAS, the City of St. Augustine has experienced increased trash, public littering, and inebriated public bodily functions from late night bar patrons, increasing the burden on public works and its ability to maintain the cleanliness of public streets, sidewalks, and rights-of-way; and

WHEREAS, the City Commission for the City of St. Augustine finds it is in the best interest of the residents, visitors, and business community of the City to encourage responsible alcohol beverage establishments by providing for regulation of alcohol beverage establishments after 12:00 a.m.; and

WHEREAS, the City Commission for the City of St. Augustine finds that an Extended Hours of Operation Permit and regulations related thereto are the exercise of its police power and legislative function to regulate the hours of operations for alcohol beverage establishments; 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 4, Section 4-1. Chapter 4, Section 4-1 of the Code of the City of St. Augustine is hereby amended, as follows:

Sec. 4-1. - Definitions.

- (1) Alcoholic Beverage for purposes of this section shall mean distilled spirits and all beverages containing one-half of one percent or more alcohol by volume or as provided in F.S. § 561.01, as amended. For the purposes of this chapter, the definition of Alcoholic Beverage includes beer, wine, or liquor.
- (2) Alcoholic Beverage Establishment shall mean any place of business, and its owners, located in the city which allows for Alcoholic Beverages to be sold for consumption on the premises.
- (3) Curfew shall mean a regulation requiring people to generally remain indoors between specified hours, typically at night. Curfews may be issued during public health or weather emergencies, crises, or civil unrest by a competent authority.

- (4) Establishment shall have the same meaning as Alcoholic Beverage Establishment.
- (5) Extended Hours of Operation Permit shall mean a permit issued by the City of St. Augustine that allows an Alcoholic Beverage Establishment to operate and sell Alcoholic Beverages for purposes of consumption on the premises between the hours of 12:00 a.m. and 2:00 a.m.
- (6) Last Call shall mean the time when customers in an Alcoholic Beverage Establishment are told that they may order only one more Alcoholic Beverage before the Establishment closes.
- (7) Mandatory Evacuation shall mean a situation where emergency management officials put maximum emphasis on encouraging evacuation and limiting ingress to potentially affected areas.
- (8) Mandatory Evacuation Zone shall mean an area that may be inundated by an abnormal rise of water pushed onto shore by a hurricane or storm event or other natural or manmade disaster.
- (9) Restaurant shall mean any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared before being delivered to another location for consumption as defined in F.S. § 509.013(5)(a), as amended. For the purposes of this chapter, the definition of a restaurant shall include any business with a special food service establishment license issued by the Division of Alcohol and Tobacco of the Florida Department of Business and Professional Regulation.
- (10) Sale and Sell shall mean and include not only selling but also consuming, serving, and/or permitting to be served or consumed, any alcoholic beverages.
- (11) Special Magistrate shall mean a person designated as the Special Magistrate by the City Commission under the authority of section 2-340 of this Code. In the event that a Special Magistrate is unavailable or has a conflict in a particular case, the city may elect to prosecute a violation utilizing all available legal avenues.
- (12) Transfer of Ownership shall mean a transfer of a license, change of officers or directors, or transfer of interest as defined and regulated under the provisions F.S. § 561.32, as amended.

Section 2. Amendment to Chapter 4, Section 4-3. Chapter 4, Section 4-3 of the Code of the City of St. Augustine is hereby amended, as follows:

Sec. 4-3 – Hours of sale.

- (a) Applicability. The provisions of this section shall apply to any place of business holding a license allowing for consumption on premises of Alcoholic Beverages under the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation within the corporate limits of the city.

(b) Restricted hours of sale and operation. Except as provided in section 4-3(c), no Alcoholic Beverage Establishment licensed under the state alcoholic beverage laws to sell Alcoholic Beverages, shall Sell or offer for Sale, or serve or offer to serve, any Alcoholic Beverages of any kind, regardless of alcoholic content, or be open for operation, on any day of the week between the hours of 12:00 a.m. and 7:00 a.m.

- (1) Last Call procedures: All Establishments that sell or serve Alcoholic Beverages will have a "Last Call" for the sale of alcohol, but there will no further Sale of Alcoholic Beverages one-half hour prior to the applicable closing time of the Establishment, whether the closing time is set by city code, by a use by exception permit granted by the Planning and Zoning Board, or an Extended Hours of Operation Permit. All Alcoholic Beverage Establishments shall have a Last Call policy for the final consumption of Alcoholic Beverages and patron egress. At the time of Last Call, only one Alcoholic Beverage per person may be purchased.
- (2) Staff: All Alcoholic Beverage Establishments shall prohibit staff drinking or shift drinking of Alcoholic Beverages by servers and bartenders while they are on duty.
- (3) Alcoholic Beverage Establishments whose hours are restricted by a use by exception permit granted by the Planning and Zoning Board are not eligible for an extended hours permit, to the extent that the extended hours period conflicts with the use by exception-limited hours and must adhere to the conditions established by the use by exception permit.
- (4) Alcoholic Beverage Establishments residing within a Mandatory Evacuation Zone shall cease the sale of Alcoholic Beverages during the duration of any Mandatory Evacuation issued by any local, state, or federal authority until such time as the order is lifted.
- (5) All Alcoholic Beverage Establishments shall abide by Curfew hours, as ordered by a local, state, or federal official that is legally authorized to establish a Curfew.
- (6) Sound: All Alcoholic Beverage Establishments shall ensure that sound derived from entertainers for entertainment purposes, not to include non-amplified conversations by patrons, are encapsulated within the walls of their Establishment with all doors and windows closed, or directed towards OSHA-certified sound barrier devices if it is not possible or feasible to encapsulate the sound within the Establishment's walls, beginning at 10:00 p.m., Sunday through Thursday, and 12:00 a.m., Friday and Saturday. Likewise, amplified and reproduced sound by way of speaker or electronic means is not permitted in the exterior/open air venue of the Establishment after 10:00 p.m., Sunday through Thursday, and 12:00 a.m., Friday and Saturday. All Alcoholic Beverage Establishments shall remain compliant with noise control ordinances as published in Chapter 11, Article IV of the Code.

(c) Extended Hours of Operation Permit is required for Alcoholic Beverage Establishments to sell Alcoholic Beverages between the hours of 12:00 a.m. and 2:00 a.m.

- (1) Permit required. Any Alcoholic Beverage Establishment licensed under the state alcoholic beverage laws to sell, offer for sale, or deliver Alcoholic

Beverages, for purposes of consumption on the premises desiring to remain open to sell, offer for sale, or deliver Alcoholic Beverages for the purpose of consumption on the premises between the hours of 12:00 a.m. and 2:00 a.m., but in any case no later than 2:00 a.m., on any day of the week, shall make application with the Planning and Building Department for an Extended Hours of Operation Permit.

- (2) The Alcoholic Beverage Establishment shall complete an application form provided by the city, including, but not limited to, the name and street address where notices related to this section are to be mailed. An annual fee, in an amount set by resolution of the city commission and payable upon issuance, shall be charged for the permit. The application form shall include, but not be limited to, the following information.
 - a. Name and street address of the owner of the Alcoholic Beverage Establishment.
 - b. Valid business tax receipt for the Alcoholic Beverage Establishment.
 - c. Verification of compliance by the Alcoholic Beverage Establishment with city zoning regulations.
 - d. Specific type of state alcoholic beverage license held by the Alcoholic Beverage Establishment.
 - e. If the Establishment holds a state alcoholic beverage license other than a 4-COP Quota License, or its equivalent, the Establishment shall submit a copy of the proposed seating diagram, to include any proposed dining area.
- (3) The city manager or designee shall review the application and, if the application is complete, and the Alcoholic Beverage Establishment is in compliance with the Code of Ordinances, a permit shall be issued allowing the Alcoholic Beverage Establishment to sell Alcoholic Beverages, as restricted by the alcoholic beverage establishment's state beverage license, for purposes of consumption on the premises, between the hours of 12:00 a.m. and 2:00 a.m. on every day of the week.
- (4) Extended Hours of Operation Permit requirements. In addition to the permit application the following requirements must be shown by the Alcohol Beverage Establishment.
 - a. Responsible Beverage Service Program: All permit applicants will provide at least one proof that a member of staff has completed a Responsible Beverage Service Training Program within the previous 12 months. All permit applicants must provide a certification of completion at the time of application/renewal and within 5 business days of a request to provide the certification by the City. The standards and curriculum of alcohol server education courses shall include but not be limited to the following:
 1. Alcohol as a drug and its effects on the body and behavior, especially driving ability.
 2. Effects of alcohol in combination with commonly used legal, prescription or nonprescription, drugs and illegal drugs.
 3. Recognizing the problem drinker and community treatment programs and agencies.

4. State alcohol beverage laws such as prohibition of sale to minors and sale to intoxicated persons, sale for on-premises or off-premises consumption, hours of operation and penalties for violation of the laws.
 5. Drunk driving laws and liquor liability statutes.
 6. Intervention with the problem customer including ways to cut off service, ways to deal with the belligerent customer and alternative means of transportation to get the customer safely home.
 7. Advertising and marketing for safe and responsible drinking patterns and standard operating procedures for dealing with customers.
- b. Security: All Alcoholic Beverage Establishments shall provide appropriate security coverage based upon the nature of each night's events. Security coverage can be met by the human element of security officers or the presence of security cameras.
 - c. Last Call Procedures: All Alcoholic Beverage Establishments with an Extended Hours of Operation Permit will have Last Call at 1:30 a.m. for the sale of Alcoholic Beverages. The period between 1:30 a.m. and 2:00 a.m. will be for the final consumption of Alcoholic Beverages only.
 - d. Daylight Savings Time: All Extended Hours of Operation Permit holders shall cease the sale of Alcoholic Beverages at 2:00 a.m. and shall not operate during the additional hour due to the cessation of Daylight Savings Time.
- (5) Such permit shall be renewed with the city annually, corresponding with the renewal of the establishment's Business Tax Receipt renewal, unless any of the following occur:
- a. The permit is under suspension at the time of renewal.
 - b. The Alcoholic Beverage Establishment's state beverage license has been revoked or suspended; or
 - c. A Transfer of Ownership or a change in location of the establishment has occurred, and this information was not provided to the city through a new permit as described in subsection (6) below.
- (6) The city shall be notified immediately, and the Alcoholic Beverage Establishment shall apply for a new permit if a Transfer of Ownership or a change in location of the Establishment has occurred. Until such time as the Alcoholic Beverage Establishment makes application, is approved, and receives a new permit, the privilege of extended hours for the sale of Alcoholic Beverages shall be suspended. Failure to renew the Extended Hours of Operation Permit on or before the 30th day of September of each year, or to pay the annual fee as set by resolution of the city commission, shall be cause for the immediate suspension of extended hours privileges pursuant to section 4-3(d), including any penalties described therein.
- (7) No Alcoholic Beverage Establishment is authorized to sell or serve Alcoholic Beverages for purposes of consumption on the premises after 12:00 a.m. unless it possesses a valid Extended Hours of Operation Permit from the city. No Alcoholic Beverage Establishment is authorized to sell or serve Alcoholic Beverages, or be open for operation, after 2:00 a.m. and before 7:00 a.m. on any day of the week.

(8) The provisions of this section shall not impair or affect the right of an Alcoholic Beverage Establishment with a state alcoholic beverage license to remain open and Sell Alcoholic Beverages between the hours of 7:00 a.m. and 12:00 a.m.

(d) *Notice of violations, hearings, and penalties.* The ability of an Alcoholic Beverage Establishment to Sell, offer for Sale, deliver, or permit to be consumed upon the premises any Alcoholic Beverage Establishment between the hours of 12:00 a.m. and 2:00 a.m. on any day of the week is hereby declared to be and is a privilege subject to suspension, and no person may reasonably rely upon a continuation of that privilege. As a condition of the continuation of the privilege, Alcoholic Beverage Establishments are required to take all necessary steps to minimize negative impacts of their activities and by their patrons and staff on surrounding residential and commercial properties and illegal activities.

(1) *Illegal activities included.* The following is a representative, but not all-inclusive, list of activities that may result in suspension of the privilege of extended hours of operation for authorized Alcoholic Beverage Establishments to sell Alcoholic Beverages for purposes of consumption on the premises:

- a. Activities requiring a police response that occur on or adjacent to the premises of an Alcoholic Beverage Establishment. Particular emphasis will be given to illegal activities of the owner, employees, patrons of the Establishment, or others associated with the Establishment; including, but not limited to, the use, Sale, or delivery of controlled substances, allowing underage drinking, continuing to sell Alcoholic Beverages after closing time, violation of open container or drinking in public laws of the state or city ordinances, serving Alcoholic Beverages to intoxicated persons, violations of the Florida Fire Prevention Code, any violations of this chapter, or other violations of law during all hours of operation. The city shall consider whether the need for police services is the result of the Establishment's failure or inability to maintain proper order and control during all hours of operation.
- b. Failure to maintain the elements meeting the definition of a Restaurant which possesses a Special Food Service (SFS) license for consumption on premises state alcoholic beverage license as addressed under the provisions of section F.S. § 561.20 and 565.045, as amended.
- c. Complaints verified and documented by a police officer, code enforcement officer, or fire department official arising from adverse effects of extended hours of operation upon neighboring properties, including, but not limited to, excessive noise, illegal parking, vandalism, public urination, defecation, or vomiting, generation of trash or garbage on or adjacent to the Alcoholic Beverage Establishment, disruptive behavior affecting the public's quiet enjoyment by intoxicated persons served at the Alcoholic Beverage Establishment, or exterior lighting on neighboring residential properties.
- d. Violations of any provisions of the City of St. Augustine Code of Ordinances; including, but not limited to, Chapter 11, Article IV, relating to noise and sound limitations.

- e. Failure to obtain an Extended Hours of Operation Permit, or failure to renew the permit as required.
 - f. Violations of state statutes and/or fire codes related to the maximum permissible occupancy at the Alcoholic Beverage Establishment location.
 - g. Sales by employees during prohibited hours. No person, or any agent, servant, or employee of any person licensed under the state alcoholic beverage laws shall Sell, or offer for Sale, any Alcoholic Beverage of any kind during prohibited hours.
 - h. Gifts. It is a violation of this section for any person, or any agent, servant or employee of any person licensed under the state alcoholic beverage laws, during prohibited hours as set forth in this section, to gratuitously give any kind of Alcoholic Beverage, whether conditioned upon the purchase of any kind of Alcoholic Beverage or product of any nature, at any inflated price or otherwise, or in the form of a so-called bonus predicated upon another purchase, or as a gift.
- (2) Successive violations. In order to invoke the enforcement provisions of this section, a violation must be traceable to the particular Alcoholic Beverage Establishment against which action is taken and must be verified and documented by a police officer, code enforcement officer, or fire department official.
- a. 1st notice of violation. Except as provided, a 1st notice of violation by an Alcoholic Beverage Establishment and/or its employee of any section of this Chapter or state statutes shall result in a written notice of violation that will not require an appearance before the Special Magistrate. The Establishment must cure the violation as identified in the 1st notice of violation as directed in the written notice of violation. Issuance of a written 1st notice of violation for a violation of this section shall not prevent the prosecution of a violation against the Alcoholic Beverage Establishment or any person with any other violation of state statutes or city code. The 1st notice of violation shall be issued by a police officer, code enforcement officer, or fire department official. The 1st notice of violation shall be sent certified mail to the property owner at the address listed in the tax collector's office or property appraiser's database and may be left with the owner, proprietor, manager, or highest-ranking employee then on the premises of the Alcoholic Beverage Establishment. If the 1st notice of violation is the result of a felony criminal offense being committed on the premises, or the incident resulting in a felony criminal offense being committed began on the premises of the Establishment, the 1st notice of violation may be presented to the Special Magistrate for consideration of the suspension of the Extended Hours of Operation Permit.
 - b. 2nd or subsequent notice of violation. Any subsequent violation of this chapter or state statutes by an Alcoholic Beverage Establishment and/or its employee shall result in a written 2nd or subsequent numbered notice of violation. Subsequent notices of violation shall be issued by a police officer, code enforcement officer, or fire department official. All subsequent notices of violation will result in hearing before the city's Special Magistrate. All notices of violation and notices of hearing shall be in accordance with code enforcement notification Issuance of a 2nd or subsequent notice of violation

for a violation of this section shall not prevent the prosecution of violations against the Alcoholic Beverage Establishment or any person with any other violation of state statutes or city code..

- c. Special Magistrate. All 2nd and subsequent notices of violation shall be taken before the city's Special Magistrate for consideration of suspension of the Alcoholic Beverage Establishment's Extended Hours of Operation Permit. The Special Magistrate shall exercise jurisdiction over such matters as set forth in chapter 2, article VI of the Code of Ordinances of the City of St. Augustine. The city may also prosecute code violations in any other legally available procedure.
- d. Action by the Special Magistrate. Upon completion of the hearing, the Special Magistrate shall enter an order that either no action shall be taken against the Alcoholic Beverage Establishment's Extended Hours of Operation Permit, or that the Extended Hours of Operation Permit is be suspended due to a violation of the terms of use.
 - 1. A suspension of the Extended Hours of Operation Permit for a first finding of violation by the Special Magistrate shall be for up to sixty (60) consecutive calendar days based on the severity of the violation(s).
 - 2. A second finding of violation of the Extended Hours of Operation Permit by the Special Magistrate within one hundred eighty (180) days of issuance of the first notice of violation regardless of whether the first notice of violation was heard by the Special Magistrate and regardless of findings shall be suspended for no less than thirty (30) days nor more than (90) consecutive calendar days based on the severity of the violation(s).
 - 3. A third and any subsequent finding of violations occurring within one-year (365 days) of the date of completion of the most recent suspension period shall result in revocation of the Extended Hours of Operation Permit.
 - 4. In addition to any suspension of the Extended Hours of Operation Permit, the matter may be referred to prosecution pursuant to chapter 162, Florida Statutes.

The Special Magistrate shall base his/her ruling upon substantial, competent evidence presented. The Special Magistrate's written order of suspension of the Extended Hours of Operation Permit shall state the effective date of suspension and shall give the Alcoholic Beverage Establishment at least (10) ten calendar days' notice of the suspension. (e) Failure of alleged violator to appear. If an Alcoholic Beverage Establishment served with a notice of violation fails to appear at the hearing after having received proper notice, the Special Magistrate shall take testimony from city staff, and other relevant testimony, as available, and shall enter an order either that no action shall be taken against the Alcoholic Beverage Establishment's Extended Hours of Operation Permit, or that the Extended Hours of Operation Permit shall be suspended for a period of time as set forth in this chapter. A order that the Extended Hours of Operation Permit be suspended or revoked shall take effect on the eleventh calendar day after the order is issued and mailed to the Alcoholic Beverage Establishment. The enforcement of such

order issued after failure of Alcoholic Beverage Establishment to appear shall be stayed if the Alcoholic Beverage Establishment files a request for an appeal with the COSA within 30 calendar days of the order.

(f) *Suspension.* Any Alcoholic Beverage Establishment that has had an Extended Hours of Operation Permit suspended cannot avoid the consequences of the Special Magistrate's action by changing its business name or corporate status, as set forth in section 561.32, Florida Statutes.

(g) *Enforcement procedures.* The enforcement procedures contained herein are alternative procedures, and the city reserves the right to arrest, prosecute, or take action utilizing alternative procedures authorized by law.

Section 3. 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 4. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. 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 6. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(4), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2023.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

Data and Analysis

Police Call Data and Reporting

The following data was obtained from the City of St. Augustine Police Department. This data indicates the number of calls for a **two (2) year period from August 2021 to August 2023 during the hours of 12:00 am to 2:30 am within the Police Zone 1 of the City**. Police Zone 1 of the city includes the downtown area, the area known as the Model Land Company, and the Lincolnville area.

The Table included in this memorandum indicates the general locations of calls or cross streets for this two (2) year period, and timeframe within Zone 1. The second Table indicates the types of calls for the same timeframes.

There were **1,446 calls distributed across 61 general locations**. The attached map illustrates the call locations. The general locations with the highest number of calls (**highlighted** in the table) for this timeframe are the areas of:

- San Marco Avenue and Orange Street
- Fort Alley
- Cuna Street and Hypolita Street
- Hypolita Street and Treasury Street
- Hypolita Street and Anderson Circle (the Bayfront)
- Charlotte Street and St. George Street
- King Street and Artillery Lane

There were **1,465 calls in the same zone for the same timeframe for 51 different types of calls**. The types of calls with the highest number (**highlighted** in the second table) for this timeframe were:

- Suspicious person (273)
- Traffic stops (175)
- Disturbance (164)
- Assisting a citizen (109)
- Business alarms (99)
- Sound complaints (63)
- Suspicious circumstance (46)

- **There were 5,855 total calls for police service for these same timeframes within the entire city (see attached Map 2). The timeframes include August 2021-August 2023 from 12:00 am to 2:30 am.**
- **The 1,465 calls represented in the table are 25% of the 5,855 total calls.**
- **The Police Zone 1 call area included 25% of the total calls within the city for this timeframe for only a total of 15% of the developable land area of the city.**
- The area zoned Historic Preservation [core downtown area and brown on the attached land use map, 165 acres] is only 5% of the total developable land area of the city when open land, recreation, public and conservation lands are removed from the total acreage (3,179 acres).
- The Model Land Company and the Lincolnville areas equal approximately 313 acres which is approximately 10% of the total developable land area of the city when open land, recreation, public and conservation lands are removed from the total acreage (3,179 acres).

Police Call Data

CALLS IN ZONE 1 FROM 8/8/2021 TO 8/8/2023 FROM 0000 - 0230 HRS	
LOCATIONS:	TOTAL OF CALLS:
W CASTILLO DR / ORANGE ST	46
W CASTILLO DR	13
S CASTILLO DR / CUNA ST	1
S CASTILLO DR / CHARLOTTE ST	1
S CASTILLO DR	22
VALENCIA ST	5
TREASURY ST / CATHEDRAL PL	9
TREASURY ST / ANDERSON CIR	1
TREASURY ST	13
TOQUES PL / ST GEORGE ST	8
TOQUES PL	2
TOLOMATO LN / SARAGOSSA ST	11
TOLOMATO LN / FORT ALY	7
TOLOMATO LN / CUNA ST	2
TOLOMATO LN	1
ST GEORGE ST / CORDOVA ST	6
ST GEORGE ST	25
ST ANDREWS CT	2
SPANISH ST / CORDOVA ST	10
SPANISH ST	8
SARAGOSSA ST / SAINT ANDREWS CT	1
SAN MARCO AVE / ORANGE/GE ST	12
SAN MARCO AV / ORANGE ST	158
SAN MARCO AV / CORDOVA ST	5
SAN MARCO AV / CO	11
ST GEORGE ST / SPANISH ST	2
ST GEORGE ST / CORDOVA ST	3
ST GEORGE ST	6
ORANGE ST / TOLOMATO LN	11
ORANGE ST	22
KING ST / ARTILLERY LN	72
KING ST	9
HYPOLITA ST/ TREASURY ST	54

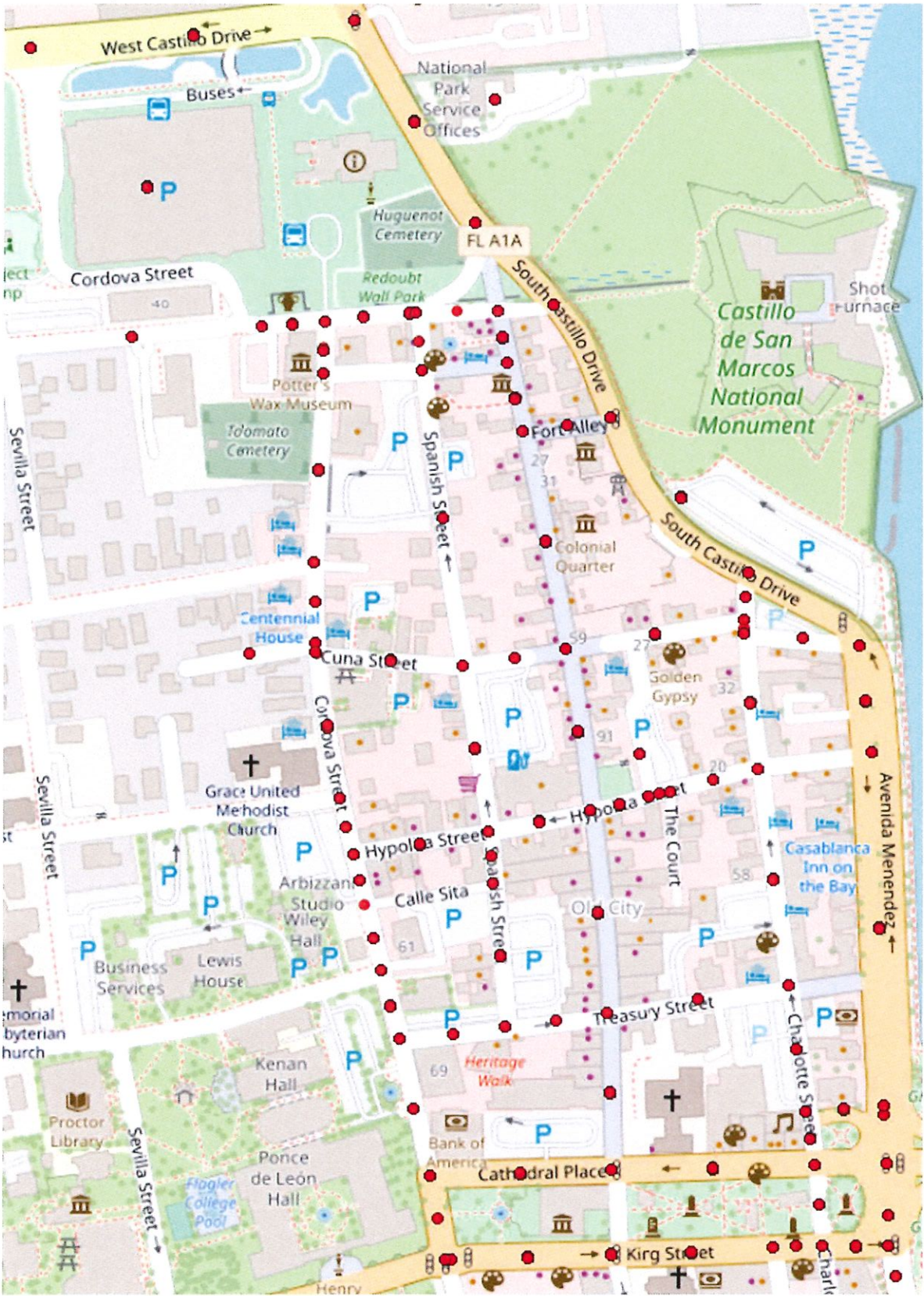
HYPOLITA ST / ANDERSON CIR	80
HYPOLITA ST	49
FORT ALY/ CUNA ST	6
FORT ALY/ CHARLOTTE ST	7
FORT ALLEY	139
CUNA ST / HYPOLITA ST	206
CUNA ST / CUNA ST	1
CUNA ST / CARRERA ST	1
CUNA ST	15
CORDOVA ST/ SEVILLA ST	2
CORDOVA ST / CORDOVA ST	1
CORDOVA ST	53
CHARLOTTE ST/ THE COURT	16
CHARLOTTE ST/ ST GEORGE ST	79
CHARLOTTE ST/ SAINT GEORGE ST	34
CHARLOTTE ST	31
CATHEDRAL PL / KING	2
CATHEDRAL PL	34
CARRERA ST	2
CALLE SITA / VALENCIA ST	1
CALLE SITA / TREASURY ST	1
BRIDGE OF LIONS	20
AVILES ST/ ST GEORGE ST	3
AVILES ST / ST GEORGE ST	1
AVILES ST	5
AVENIDA MENENDEZ / CHARLOTTE ST	47
AVENIDA MENENDEZ	23
ANDERSON CIR / CATHEDRAL PL	27
ANDERSON CIR	1
TOTAL	1446

CALLS IN ZONE 1 FROM 8/8/2021 TO 8/8/2023 FROM 0000 - 0230 HRS

TYPES OF CALLS:	TOTAL OF CALLS:
911 - HANGEUP	63
ALARM-BUS	99
ALARM-BUS HOLDUP	1
ALARM-RES AOOIBLE	1
ASSAULT/ BATTERY	25
ASSIST AGENCY	20
ASSIST CITIZEN	109
BICYCLE STOP	6
BURGLARY	1
CITY ORO VIOLATION	39
CITY PARK COMPLAINT	11
CIVIL DISPUTE	1
CONTACT	3
CRASH	9
CRIM. MISC /VANDALISM	3
DAV	4
DISTURBANCE	164
DISTURBANCE NIP	5
DUI	42
F/R DISPATCH LEO	10
FIRE RESCUE INFO	31
FOLLOW UP	3
FOUND PROPERTY	19
FRAUD	1
HIT AND RUN	3
INDECENT EXPOSURE	3
INFORMATION	9
INTOXICATED PERSON	25
JUVENILE PROBLEMS	1
K9 ASSIST	5
LOST PROPERTY	5
MISCELLANEOUS	1
MISSING ADULT	1
NARCOTICS VIOLATION	2
NOISE COMPLAINT	63
OBSTRUCTION OF HWY	4

RECKLESS DRIVER	6
ROUTINE PATROL	71
STOLEN VEHICLE	1
SUICIDE THREATS	1
SUPPLEMENT	1
SUSPICIOUS CIRCUMSTA	46
SUSPICIOUS PERSON	273
SUSPICIOUS VEHICLE	31
TEST - DO NOT DISP.	1
THEFT DELAYED	9
TRAFFIC STOP	175
TRESPASSING	37
VIOLATION CNTY ORD	8
WARRANT SERVICE	2
WATCH ORDER	9
WELFARE CHECK	2
TOTAL NUMBER OF CALLS:	1465

Map 1 - Mapping area for search criteria Police Calls



Map 2 - Mapping area for search criteria Police Calls Entire City

Solid Waste Division

Examples of city costs and ongoing maintenance efforts:

- The solid waste division has two (2) pressure washing staff that primarily focus on the downtown area seven (7) days a week, 5:00 am until roughly 9:00 am once foot traffic increases. They then go to other parts of the city.
- The city also contracts additional pressure washing tasks 4 times a year. The area(s) include Orange Street to King Street, Cordova to Avenida Menendez. Each cleaning is \$22,000 (\$88,000 total budgeted).
- The city has a street sweeper machine and crew that sweeps the streets in the historic district every morning. The city also has a dedicated litter crew from 4:00 pm until 1 am in addition to the regular litter crew during the day.

Summary

- The St. Johns County Tourist Development Council promotes St. Augustine and St. Johns County as a tourist destination.
- The city has been impacted by legislative actions that preempt the city’s ability to regulate certain issues, such as Short-Term Rentals (STRs) for example.
- The city is impacted by the population growth in St. Johns County and the surrounding areas that subsequently use St. Augustine as its downtown and “entertainment district”.
- The city taxpayers, including residents and all businesses, bear the cost of the numbers of people that enjoy our small city.
- **The city is trying to meet its obligations regarding impacts on the city including making lighting improvements, improving streetscapes and traffic patterns, stepping up trash collection, and pressure washing and maintenance especially in the downtown, as well as, providing an increased police presence, and stepping up police patrols around the city and in the downtown.**
- **The Police and Fire Departments are coordinating regarding response and anticipating needs for staffing levels.**
- **The city is also discussing and moving forward with a major initiative regarding homelessness, and unsheltered individuals within the city. The city has recently bought property near South Dixie Highway and State Road 207 to initially move the “Dining with Dignity” efforts to this location among other things.**
- The next phases of this initiative include coordinating with the many existing providers within the county under the Continuum of Care organization to establish a central location as a drop-in day center to provide resources and support services for those in need, such as, bathing, laundry machines, mail, and access to service providers.

Baseline 2040 Comprehensive Plan Conditions

The following are excerpts from the City’s Comprehensive Plan Data and Analysis. Describing some of the City’s existing conditions.

Proportion of City Populyation to County Population

Year	St. Johns County	City of St. Augustine	% of County
1970	30,727	12,352	40
1980	51,303	11,985	23
1990	82,829	11,692	14
2000	123,135	11,592	9
2010	190,039	12,975	7
2015	212,566 (projected)	13,590 (projected)	6
2018	238,742 (projected)	14,021 (projected)	6
2020	273,425 (Census actual)	14,319 (Census actual)	5
2022	306,841 (estimated)	15,180 (estimated)	5

Source: Planning and Building Department

The residential unit projected needs included in the following Table were based on a 5% increase in the city’s population over the years of analysis, however the actual 2020 Census number for population within the city was 14,319 people which is a higher number by 277 people (a 7.5% increase). Additionally, based on the BEBR 2022 projection of 15,180 people versus 14,790 people projected for housing units for 2025 (a 7.6% increase), it is apparent that BEBR is projecting a much higher city population moving forward.

Based on this data the city’s population will increase and may trend higher than projected in 2018-2020. Possibly establishing a potential for more conflict between residential and commercial uses, especially in mixed use areas.

Residential Units Needed

Comprehensive Plan 2040 BEBR Medium Population Projections & Need for Residential Units

Year	St. Johns County	City of St. Augustine	Population Change	Units Needed
Census 1990	83,829	11,692		
Census 2000	123,135	11,592		
Census 2010	190,039	12,975	1,383	601
Projected 2015	213,566	13,590	615	267
Projected 2018	238,742	14,021	431	187
Projected 2020	255,300	14,042***	21	9
Projected 2025	295,800	14,790*	748	325
Projected 2030	329,600	16,480*	1,690	735
Projected 2035	359,600	17,980*	1,500	652
Projected 2040	386,600	19,330*	1,350	587
		Total	7,738	3,363**

Sources: 1. 2015 BEBR Statistical Abstract
2. Florida Department of Community Affairs (DCA) in 2011
*Projections including and after 2025 are based on a steady rate of 5% of the projected St. Johns County population.
**Based on 2.30 persons per household in the City of St. Augustine, 2010 U.S. Census.
***Projection based on 5.5% growth rate.
The following steps were used to estimate the number of units and land necessary to accommodate the projected growth.

Affordable Housing/Workforce Housing

Florida Statutes requires that an affordable housing assessment be performed using a methodology established by the Florida Department of Economic Opportunity (DEO). Data and Analysis for the Affordable Housing Assessment was provided by the Schimberg Center for Housing Studies, using the best data currently available. The full discussion is included in the Housing Element of the Comprehensive Plan.

Based on the data provided 38.6% of the current households in 2016 earned 80% or more of the area median income. This percentage is expected to rise through 2040, so in general household incomes within the city are projected to go up. In total 53.4% of the households within the city were not cost burdened in 2016. However, 46.6% of households were cost burdened, almost 31% severely cost burdened. Using the median household income for the city in 2016, the lack of affordable housing is dramatically illustrated for each housing cost threshold group.

An affordable workforce housing plan is critical to maintain the City’s social and economic diversity. A diverse economy is also critical to maintain a viable, livable, healthy community. The Housing Element discusses specific housing considerations in detail.

Commercial Land Needed

The following steps were used to estimate the number of commercial acres necessary to accommodate the projected growth.

Additional Commercial Acres – vacant commercial acres = Additional need
381.30 – 221.50 = 159.80 needed commercial acres

The City projects a need for an additional 159.80 acres of commercial land. It is envisioned that these additional acres be utilized within and adjacent to the historic city limits to encourage mixed use, infill and compact development in and around the historic downtown. The existing commercial corridors including US Highway 1 may also redevelop at a higher intensity than currently exists.

Industrial Land Needed

The following steps were used to estimate the number of industrial acres necessary to accommodate the projected growth.

Additional Industrial Acres – vacant industrial acres = Additional need
63.55 – 15.38 = 48.17 needed industrial acres

The City projects a need for an additional 48.17 acres of industrial land. Appropriate industrial locations should be encouraged for the overall economic potential of the community. If existing industrial land is changed to another land use category consideration should be made regarding any other more appropriate locations for additional industrial acreage. Marine industrial locations should also be considered in an effort to retain working waterfronts.

Mixed Use

The City’s Land Use Plan contains approximately 773.23 acres of land designated residential mixed use. However, almost all of the City’s land use categories may be considered mixed use. The commercial categories allow residential uses, and the Historic Preservation Land Use category includes varying degrees of mixed uses with the highest concentrated mixed-use district in the core downtown area. Residential areas are also encouraged to include churches, schools, parks, and other uses supportive of healthy neighborhoods.

Economic Development (excerpted from the Comprehensive Plan)

Even though the City of St. Augustine has always had a small population and a small, town atmosphere it has functioned as a unique urban area. It is the County seat of St. Johns County although the County functions and services have moved out of the actual city limits. Nevertheless, it remains an important part of the identity of the County and northeast Florida.

It has always attracted tourists with a quaint old, world downtown, and its proximity to the water and the beaches; however, in recent years the level of attention and numbers of people that come to the City has increased dramatically. The volume of visitors is almost overwhelming to the sense of community for those that actually live and work here.

Lower paying service jobs catering to the tourist industry make it difficult to afford to live in the City, as the real estate market, and other market forces eliminate, change, and out price housing for the workforce.

It is important for the City to maintain its unique identity despite the pressure from outside influences.

Outlined below is a Community Profile that includes comparisons between the City and St. Johns County.

It can be noted that the City’s median household income is approximately 34% lower than the overall County rate, and it appears that a significant number of individuals below the poverty level live within the City limits. The highest employment industry in the County is the Leisure & Hospitality industry with Trade, Transportation & Utilities a close second with approximately 19% of the 2016 annual employment. The other largest employment industries are Education & Health Services, Government and Professional & Business Services. It can also be noted that based on food service sales, shipments, wholesaler sales, and retail sales a significant volume of business for the County takes place within the City limits.

The City should work to encourage both professional and business opportunity and growth within the city limits that will work to maintain a diverse and healthy local economy that also serves the needs of the local population.

Community Profile

• In labor force (% of Population Aged 18 and older)	67.3%
• Median household income (County)	\$69,523
• Median household income (in 2016) (City)	\$45,612*
• Per capita income (in 2016) (County)	\$61,423
• Per capita income (in 2016) (City)	\$27,787*
• All ages in poverty (County)	7.7%
• Individuals below poverty level (City)	20.4%*
• Unemployment Rate (in 2016)	3.7%
• Number of Companies (in 2012) (City)	3,431*
• Annual employment all industries, 2016 preliminary total	69,752
Leisure & Hospitality	20.4%
[Total accommodation and food service sales, 2012 (\$1,000)] (City)	191,883*
Trade, Transportation & Utilities	19.1%
Education & Health Services	15.8%
[Total health care and social assistance receipts/revenue, 2012 (\$1,000)] (City)	105,092*
Government	13.5%
Professional & Business Services	10.3%
Construction	5.4%
Financial Activities	4.9%
Other Services	4.7%
[Total manufacturers shipments, 2012 (\$1,000)] (City)	31,379*
[Total merchant wholesaler sales, 2012 (\$1,000)] (City)	37,229*
[Total retail sales, 2012 (\$1,000)] (City)	545,501*

Source: U.S. Census and/or Florida Legislature Office of Economic and Demographic Research
*Indicates information specific to City of St. Augustine, all other information references are St. Johns County in total

The growth in St. Johns County has also impacted the City as the population in the county increases, the residents use St. Augustine as a desirable entertainment district. This is beginning to change the livability and character of the entire city. The tourism industry is discussed in more detail below.

It has also been recognized that St. Augustine includes a significant arts community that pursue the full range of artistic expression and talent. This also contributes to the economy, potential economy and the appeal of St. Augustine as a destination.

Tourism

Tourism is a large part of the economy in St. Augustine. The St. Johns County Tourist Development Council (TDC) spends millions of dollars promoting the County for tourist opportunities in six (6) areas: outdoor recreation, family, arts and culture, history, romance, and golf. In 2016 a total of 6,780,462 visitors came to St. Johns County, 2,581,292 just for the day.

Funding

Funding for Tourist Development Council programs is provided by a “bed tax” paid by overnight visitors to St. Johns County. First established by County ordinance 86-72, the “bed tax” or Local Option Tourist Development Tax (LOTDT) is assessed on short-term transient rentals. Hotel/motel rooms, campground spaces, condominiums, apartments and even private home rentals are subject to the tax if they are rented for six months or less. The current level of the county-wide tax is four percent which generates approximately \$5 million dollars annually, Chapter 125.0104 Florida Statutes is the state enabling legislation which includes procedures for implementing the tax and how the proceeds can be used among other things.

How Revenue is Allocated

The St. Johns County Commission has set by ordinance (#92-32) the division of funds on a 40-30-30 basis with forty percent (40%) going to advertising and promotion, thirty percent (30%) going to culture and special events, and thirty percent (30%) going to beaches and recreation. Ordinance 92-32 further stipulates that the 40-30-30 split of tax revenues cannot be changed without a referendum election. The final 1% of tax added in 1991 is designated for advertising and is added to the 40% allocated to Category I. History had shown that a number of organizations applied for funds which the grants panel found to be worthy, but could not legitimately label some events as cultural. Direct promotion and advertising is referred to as Category I. Culture and special events are referred to as Category II, and recreation, beaches, and related facilities is referred to as Category III.

Additionally, at the time that the Comprehensive Plan was updated between 2018 and 2020 the TDC reported that:

- 62% of the visitors stayed more than one or more nights;
- 73% of the overnight visitors stayed in hotels or B&Bs;
- 96% walked historic St. Augustine (**6,509,244 people**);
- 86% Dined in restaurants;
- 55% Paid admission to visit a historical site or museum (**3,729,254 people**);
- 46% Took a trolley, walking or ghost tour (**3,119,013 people**); and,
- 23% Engaged in beach activities (**1,559,506 people**).

These statistics emphasize the importance of St. Augustine to the Leisure & Hospitality industry in St. Johns County. A total of 854,664 people toured the fort in downtown St. Augustine in 2016, which is almost 13% of all of the visitors to the County during that year. Outlined below are the numbers of people that toured the Castillo de San Marcos (fort) each year from 2006-2017, totaling 8.8 million people, and averaging 801,451 people a year. Since 1934 over 45 million people have toured the fort. In 2017, 876,975 people toured the fort, the most recorded, and one of the top four (4) years (1992, 2015, 2016, and 2017) ever recorded.

Table 7: Visitors to the Castillo de San Marcos (Fort)

		Average per year:
Total Visitors 2006-2017	8,815,966	801,451
		Average per month:
Total Visitors 2017	876,975	73,081
Total Visitors since 1934	45,502,022	

Source: National Park Service local office, St. Augustine, Florida, 2018

Although the information in the above table is dated according to the National Park Service, the Fort continues to attract approximately 800,000 visitors per year.

The volume of tourists coming to the City is a huge impact on the economy but is also a huge strain on the livability of a real City for the people that live here. This issue creates strains for mobility, impacts on infrastructure, such as water and sewer, historic resources, and neighborhood quality of life. The City population is only approximately 14,000 people with over 6 million visitors a year.

In Fiscal Year 2016 the remitted Tourist Development Tax within the two (2) area codes that include the City, was over 6.8 million dollars of bed tax. In Fiscal Year 2017 the bed tax paid in these areas was over 6.4 million dollars. This includes area code 32084, which includes Vilano and North Beach, and 32080 which is Anastasia Island, so not all of the revenue was generated from within the actual City limits; however, the majority of the City is in zip code 32084. This may also demonstrate tourist impacts throughout the city from North Beach to St. Augustine Beach as visitors pass through the city to stay at hotels in the immediate area and come into the city or go to the beaches as tourists.

Vision

Over the past 30 years, the City of St. Augustine has completed several planning exercises. The first and largest effort in the late 1980’s and early 1990’s included the submittal of the first statutory Comprehensive Plan and a complete compatible rezoning effort. This established the majority of the City’s existing Comprehensive Plan, and the current zoning district pattern for the City.

In 2014 a major visioning process was initiated. It included an open dialogue with the community to understand the trends and forces that will potentially shape the future of the City of St. Augustine. For well over a year volunteers worked together to garner input and provide feedback to develop a Vision Plan that was adopted in June 2015, the *Vision 2014 & Beyond* document.

The *Vision 2014 & Beyond*, as well as, other plans and studies, will help guide the direction and purpose of the City’s updated Comprehensive Plan.

In looking at all of the forces impacting the quality of life in the historic city the Land Use Plan has to balance quality of life, local commercial needs, broader economic commercial needs, and the life of neighborhoods in an urbanized area within a growing County, and increasing development and tourism pressures.

The perspective on the Land Use Plan includes focusing on the core downtown historic area, the historic neighborhoods, and corridors radiating out of the downtown, and the evolution of the more typical suburban development along the main arterials through the City. It is expected that with limited remaining vacant land, the majority of new development will include infill, and intensification or redevelopment of existing properties within the existing City limits.

Land Use Plan

The Future Land Use Plan for the City is the outline for the planned development of the City defined in the land use categories. The categories are defined in an effort to encourage the type of development, redevelopment or infill development as envisioned by the data and analysis and the citizens of St. Augustine. More specific uses, stipulations, and regulations are outlined in the City’s adopted Comprehensive Plan Goals, Objectives and Policies, land development code, as well as, depicted in the Future Land Use Map Series.

The adopted Future Land Use Map (FLUM) contains and identifies appropriate locations for the following land use categories which are established to encourage preservation, mobility, and livability, to provide for the protection of natural, historic and cultural resources and to balance quality of life and economic development **(not all categories are summarized below)**.

Preservation Categories: The preservation category is established to recognize and protect the historic and cultural value of the downtown core area.

Residential Categories: The residential categories are established to provide for the preservation of existing, predominantly residential neighborhoods. These categories allow a range of housing types of single-family low, single-family medium, multi-family and residential mixed-use.

Commercial Categories: The commercial category is established to encourage a mix of commercial uses that provide necessary businesses and services for residents as well as visitors and promote a diverse economy.

Industrial Categories: The industrial category is established to provide sufficient land for existing and anticipated future industrial needs, including working waterfronts and requisite support services.

The future land use plan included in the City’s Comprehensive Plan and adopted in the Goals, Objectives and Policies is intended to fulfill the desired development pattern for the City of St. Augustine through the year 2040. This plan is based on the community vision to maintain a balanced perspective on the history and future of the City. It tries to recognize the difficulties of facing the future in an ancient city. However, it is also realized that the city has evolved for over 450 years and will continue into the future.

2040 Future Land Use Map



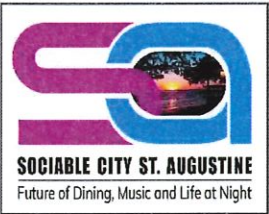
SOCIABLE CITY ASSESSMENT

Summary Report

June 1, 2022

PREPARED FOR:
St. Augustine, Florida
PREPARED BY:
Responsible Hospitality Institute
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Alicia@RHIweb.org





ST. AUGUSTINE, FLORIDA SOCIABLE CITY PLAN
PREPARED BY: RESPONSIBLE HOSPITALITY INSTITUTE
JUNE 2022

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EXECUTIVE SUMMARY

Project Overview

The Responsible Hospitality Institute (RHI) was invited to work with the City of St. Augustine to help facilitate safe and vibrant growth in the “social economy.”¹ The focus of the report’s analysis and recommendations is on the Historic Downtown. However, some findings and actions may address systemic challenges citywide.

Between November 2021 and March 2022, nearly 130 individuals representing 81 organizations/companies participated in twenty-four meetings hosted by RHI both on-site and virtually. Participants represented a diverse cross-section of public, private and government stakeholders, recruited by a Transformation Team (Sunshine Committee). RHI staff made three on-site visits to St. Augustine to conduct engagement meetings, information-gathering, observational tours of the city, and facilitate six roundtable focus groups. A final summary presentation will be July 2022.

Analysis of the Social Economy

RHI analyzed eight key content areas for this study:

Market Forces that have led to current trends driving change in the downtown social economy.

Governance: systems and policies that exist or are needed to ensure sustainable nighttime economy management.

Six Core Measures of a Sociable City: strengths, challenges and opportunities.



Action Plan

The Action Plan was primarily generated by Roundtable participants. Supplemental actions were created by RHI based on priorities identified during interviews and meetings that took place prior to the Roundtables. The Foundation section’s action plan is based on RHI’s research and experience with social economy governance systems worldwide.

TO LAY A FOUNDATION FOR THE SOCIAL ECONOMY 1: Form a Social Economy Alliance 2: Conduct an Economic Analysis of the Social Economy	TO ASSURE SAFETY IN THE SOCIAL ECONOMY 1: Facilitate Easier Access by Emergency Vehicles 2: Improve Lighting In “Dead Zones” 3: Form a Nighttime Social Venue Alliance 4: Educate Visitors to Not Carry Open Containers
TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY 1: Formalize and Raise Awareness of Rideshare Hubs 2: Provide Safe, Efficient Parking for Nighttime Employees 3: Bring Residents Back to Downtown 4: Refine Sound Management Process	TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY 1: Educate Visitors About Not Giving to Panhandlers 2: Create More Opportunities for Original Live Music 3: Update Event Procedures and Coordination

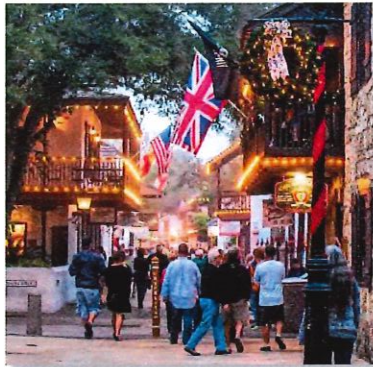
Report Organization

A summary version of the report is available to review a brief snapshot of each area of analysis, as well as a synopsis of the action plan. Access short version: https://sociablecity.info/st_augustine/short_report_2022.pdf.

A complete version of the report provides the full analysis of each content area, including in-depth background and a step-by-step implementation plan for each proposed action.

Access full version: https://sociablecity.info/st_augustine/full_report_2022.pdf

¹ RHI defines the social economy as the venues and events that facilitate sociability in the form of dining, entertainment, events and nightlife.



George Street was so filled with people that you could hardly move. Per the VCB, 2021 beat the record-breaking year of 2019 in bed tax collections by 20%.

68%+ of tourists have been to the city before. 35%+ of tourists have been to the city more than 10 times before.

Tourist = someone who lives outside the county

(Visitors & Convention Bureau)

St. Augustine similarly saw an influx in tourism in 2021.

Digital nomads and remote workers, staycationers and daytrippers, East coast snowbirds and families—they all flocked to the city. Weddings were not only limited to weekends—newlyweds could be seen nearly every day of the week. Day and night, St.

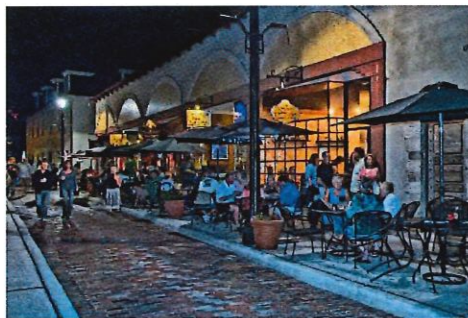
St. Johns County

- **10th fastest-growing county** in U.S.
- Est. **265,512 population**
- **6.3 million tourists** visit annually
- Est. **12,600 short-term rentable units** (incl. vacation rentals e.g. hotels, B&Bs, sharing economy accommodations i.e. Airbnb, VRBO, Home Away)

Sources: St. Johns County Gov't, 2022; TDC, 2017; Smith Travel Resources and All the Rooms (2022)

Although Florida remained open, St. Augustine was not immune to the national challenges caused by COVID-19 and, in the years prior, climate change. Severe weather events wreaked havoc on this coastal city—from hurricanes to flooding, which damaged businesses, displaced the unsheltered and threatened downtown’s fragile infrastructure. Two+ years into the pandemic, hospitality businesses still face supply shortages and difficulty hiring enough employees. Some businesses still close temporarily due to outbreaks or reduce hours due to insufficient staff. The pandemic also changed tourism patterns—no longer is there a predictable “peak” season with lows and highs; the city adapted to an all-season market with even greater demands.

Downtown is a finite resource with a carrying capacity that may already be maxed out. Insufficient affordable housing forces students and employees to live farther away and commute in, perpetuating traffic congestion. The rise in short-term rentals continues to drive up costs of housing, leading to gentrification, especially of the once predominantly African American neighborhood of Lincolnville. Parking is difficult to find and cited as a top barrier to attracting residents for a night out, as well as employees, who need safe access to and from work.



Despite limited resources, growth continues. Planned hospitality developments will infill the remaining gaps in real estate downtown and in the periphery. Retail shops are being converted into food and beverage establishments, one of the few remaining business models that can succeed in the era of online shopping. New hotels are also under development, which will bring more patrons. Businesses will need more staff. Where will they park? Where will they live? Where will new businesses store their trash, when standard size dumpsters don’t fit on narrow streets?



The growing pains of the city can no longer be ignored. There is already dramatic stress on infrastructure and human resources. Historic buildings have needed additional support structures to sustain visitation. Police resources are insufficient to maintain zone integrity, much less fulfill event security requirements.

The funding structure for the City (based on the residential population) may no longer be viable. The city's population has remained relatively stable since 1930, estimating between 12,000-14,000 people (Wikipedia, 2022). Yet St. Johns County has grown tremendously. There is growing tension between the city and county due to the perception that the county brings more tourists yet doesn't support the City with matching resources for management. Yet the Visitors & Convention Bureau (VCB)'s allocation of bed tax funds is restricted by state statute.

Has the "tipping point" already been reached? Is it already too late? In 2019, there were fears that this was indeed the case. City leaders expressed concern about violence downtown becoming a continuing trend. Although incidents were devastating to the community (i.e. stabbing on Spanish street, two impaired driving crashes, shots fired outside a social venue), they would not prove to be part of a trend (White, 2021). Violence and public safety incidents have remained rare and mostly isolated incidents. In fact, crime in 2020 was at a 25-year low (Clark, 2021). Managing continued growth in business development and increased visitation is the broader challenge.

Maintaining quality of life, facilitating coexistence of uses, and enhancing accessibility to downtown are the pervasive issues impacting downtown. Presence of unsheltered, panhandlers and transients (not a homogenous group) negatively impact the perception of safety, especially for women. Sound from amplified music and people leaving social venues disturb neighbors even as far as Davis Shores and Anastasia Island. Disturbances from intoxicated persons are nuisances, but also potential safety risks for impaired driving. Clearing the district quickly and efficiently after bar closing was identified as a solution to multiple challenges. After all, the faster people return home, the less problems they may cause.

A push and pull dynamic underlie many of the existential debates in the city. How can the city retain legacy residents while appealing to visitors? How can the city preserve authenticity while providing convenience and modern amenities? The fear of losing the city's charm, history and authenticity pervaded many discussions with stakeholders.

St. Augustine played a pivotal role in the Civil Rights movement. In fact, the Civil Rights Act in 1964 may not have been passed if Martin Luther King, Jr. had not stopped in St. Augustine to bolster the local protest movement prior to going to DC. Lincolnville's live music venues were also once part of the Chitlin' Circuit, which hosted prominent African American musicians. This history is not widely publicized outside of the Lincolnville Museum & Cultural Center. As the City explores how best to chart the future of the social economy, city leaders can both commemorate the past and strive to create an inclusive destination where all feel welcome.

Now is the time to capitalize on St. Augustine's many assets in preparation for the 250th anniversary of the nation's founding. In 2026, the city will be showcased in national celebrations. This is an opportunity for the City to polish the gem it has always been so it shines as a beacon of hope and resilience, where authenticity and adaption to the future are seamlessly melded together.



PROJECT OVERVIEW

RHI’s Sociable City Project in St. Augustine, Florida

The Responsible Hospitality Institute (RHI) was invited to work with the City of St. Augustine to help facilitate safe and vibrant growth in the “social economy.” The focus of the report’s analysis and recommendations is on the social economy contained within the Historic Downtown. However, some findings and actions may address systemic challenges and issues that affect social venues citywide.

Information presented in this report was generated from a variety of sources, including RHI staff observations; virtual and on-site interviews and meetings; online research; and background reports.

Timeline

Between November 2021 and March 2022, RHI staff made three on-site visits to St. Augustine, including facilitation of engagement and information-gathering meetings, as well as nighttime observational tours of the city. Twenty-four meetings were hosted by RHI both on-site and virtually, including six roundtable focus groups and a dozen interviews. A final summary presentation will be made July 2022.

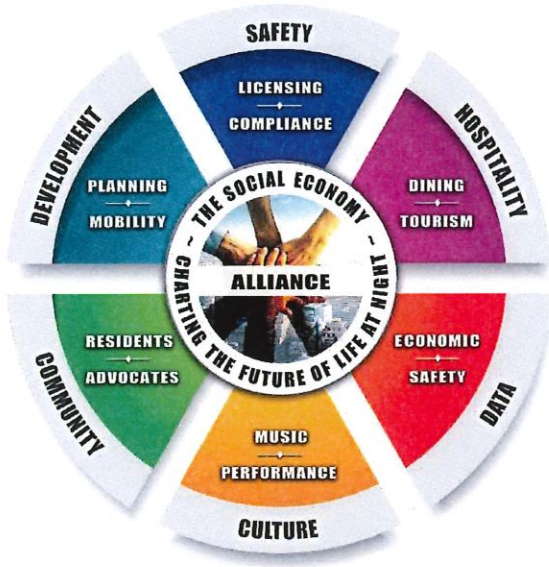
Stakeholder Engagement

Nearly 130 individuals representing 81 organizations/companies, including multiple city departments, were involved in virtual and on-site meetings. They represent a diverse cross-section of public, private and government stakeholders.



Steering Committee: The Sociable City Transformation Team

Stakeholder recruitment and outreach was provided by a steering group (formally a Sunshine Committee, per Florida statute) that strove to achieve a balance of perspectives.

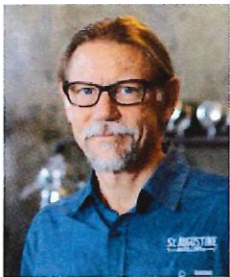


The Transformation Team is a steering group of 12 Project Leaders who recognize the need for change, can mobilize stakeholders and leverage resources to ensure the project’s success. Members are representative of diverse stakeholder perspectives to ensure broad input.

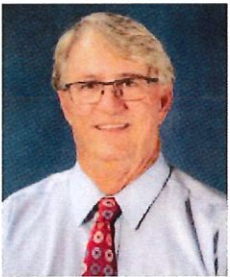
- Beth Sweeny**, Director of External and Governmental Functions, Flagler College
- Jayson Befort**, General Manager, No Name Bar
- Troy Blevins**, Consultant, Walking Man Consulting
- Jeanetta Cebollero**, Performer, Ancient City Entertainment Group
- Jon Depreter**, Retired, Planning and Zoning Board
- Tom Dolan**, Owner, Meehans
- Reuben Franklin**, Director, COSA Public Works
- Phil McDaniel**, Owner, St. Augustine Distillery
- Jennifer Michaux**, Chief of Police, St. Augustine Police Department
- Gabe Pellicer**, General Manager, St. Augustine Amphitheater
- Bob Porter**, Vice President, St. Johns County Chamber of Commerce

Support for the Project by City Leaders

The express support, participation and endorsement of key city leaders was vital to the Sociable City Project. During a virtual project orientation open to all project participants, Troy Blevins, Walking Man Consulting, welcomed the following stakeholders who provided opening remarks:



PHIL MCDANIEL
Owner
St. Augustine Distillery



JOHN P. REGAN, P.E.
City Manager
City of St. Augustine



NANCY SIKES-KLINE
Commissioner
City of St. Augustine

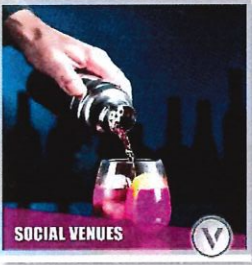
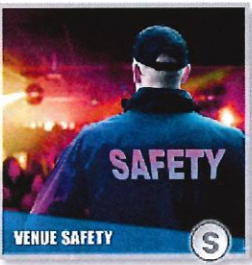
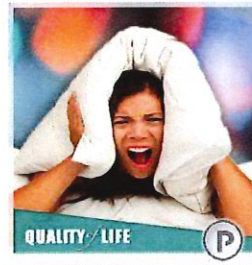
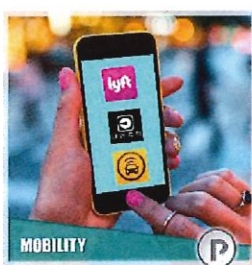


JENNIFER MICHAUX
Chief Of Police
City of St. Augustine

Analysis Framework: Building Blocks of a Sociable City



Project participants received e-learning trainings to learn how to evaluate a city’s nighttime economy based upon “Four Building Blocks” and “Six Core Measures” of a sociable city. RHI used this framework to analyze Downtown St. Augustine to generate an action plan.

CORE MEASURE DEFINITIONS	
SOCIAL VENUES	PUBLIC SPACE
 SOCIAL VENUES Social venues are defined as dining, dancing, live entertainment, theater, etc. in the city at night and the systems to recruit and retain talent. Entertainment is also measured by mix of clientele, systems for promotion, and retention of talent.	 PUBLIC SPACE Public space vibrancy offers a continuum of outdoor activities such as sidewalk dining, outdoor seating, street performers, markets, food vendors, festivals, and art walks. Truly vibrant cities maintain social activity during day and night.
PUBLIC SAFETY	VENUE SAFETY
 PUBLIC SAFETY Public safety in the nighttime economy requires an interagency collaboration to identify risks and coordinate intervention and education with the objective of improving compliance by nightlife venues and efficiently responding to nighttime incidents.	 VENUE SAFETY Venue safety is comprised of the initiatives that venue operators and event organizers undertake to protect the health and safety of their patrons and staff at night. Collaboration with regulatory and enforcement agencies increase industry safety and compliance.
QUALITY OF LIFE	MOBILITY
 QUALITY OF LIFE Quality of life in mixed-use social districts entails a balance of social amenities and requires effective management of sound, litter, trash, bio-waste and patron behavior. Updated policies, consistent enforcement and conflict resolution systems help facilitate high standards.	 MOBILITY Patrons and staff need safe and convenient transport to / from social districts at night. Providing nighttime mobility options can enhance the visitor experience; ensure safety of employees who work night shifts; prevent impaired driving and alcohol-related accidents.

ABOUT RHI

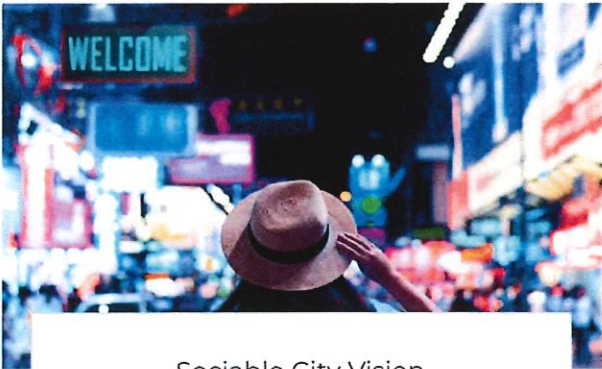
The City of St. Augustine commissioned the Responsible Hospitality Institute (RHI) with facilitation of a plan for the future of the historic downtown's social economy.

RHI brings decades of experience of nightlife and social economy management. A private non-profit organization founded in 1983, RHI is the leading source for events, resources and consultation services.

We help cities plan safe and inclusive places to socialize by convening diverse stakeholders to achieve a common vision.

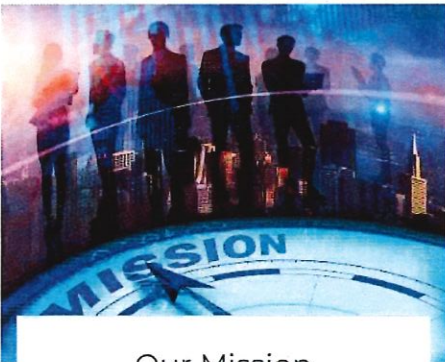
Aims of the Sociable City Project

- To preserve and advocate for the social, cultural and economic value of dining and entertainment
- To examine risk factors for crime, harm and disorder in social districts
- To sustain peaceful coexistence of residents and businesses in mixed-use areas
- To enhance communication between government and businesses regarding policy, procedures and resource allocation



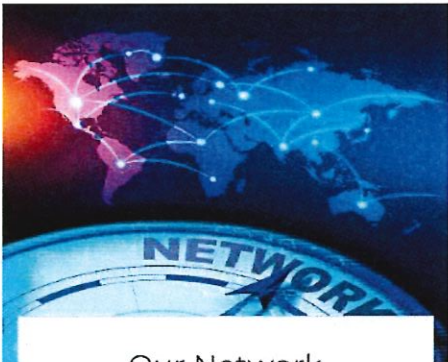
Sociable City Vision

We believe all people should have access to safe, vibrant places to socialize—regardless of age, life stage, race, ethnicity, sexual identity or disability. We help communities create diverse, welcoming social venues and districts where people have an opportunity to connect and lead more enriching lives.



Our Mission

RHI's mission is to provide technical assistance that builds local capacity; incubate and share cutting-edge information and proven strategies; and link a broad-based network of professionals who plan, manage and police nightlife districts



Our Network

RHI's influence extends throughout the world. Our services, media and events advance the professional development of nighttime managers and facilitates creation of collaborative alliances to guide the social economy

GOVERNANCE ANALYSIS: SNAPSHOT



Downtown St. Augustine has a large number of social venues, mostly serving the large tourism economy. Local government has tried to respond to this growth but has limited tools or consistent systems for oversight. Alcohol licenses are issued by the state, and local zoning and definitions have created what appears to be an uneven playing field for bars and restaurants in terms of operating requirements.

Bars and restaurants are defined in the historic core in ways that create incentives for operators to be less than forthcoming about their businesses plans. Permit costs and process reviews often push

operators to become restaurants; changes to operations are not reviewed by a renewal process, as outlined below:

St. Augustine's Historic Core: "Bar" vs. "Restaurant"		
	"Bar"	"Restaurant"
Definition	Any place that serves/sells alcohol on-premise that is NOT a restaurant	Any place that sells, dispenses prepares and serves food, refreshments or beverages from a menu
State alcohol licenses allowed	2COP: \$300-400 4COP "Quota": \$300,000-500,000	2COP: \$300-400 4COP "Quota" 4COP-SFS: \$20,000-30,000 If 150 occupancy; 2,500 sq. ft; 51% food sales
Alcohol Sales, Service, Consumption Ends	2:00 AM	2:00 AM
Live Music Allowed	Yes, with potential restrictions on amplified sound by PZB	Yes, potentially 24/hours (no mechanism to set hours of operation)
Use by Exception Permit	Yes	No
Planning & Zoning Board Review & Community Input	Yes	No
Conditions	Yes	No
Remediation & re-review if violations	Yes	No

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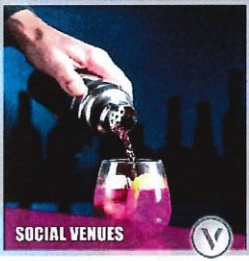
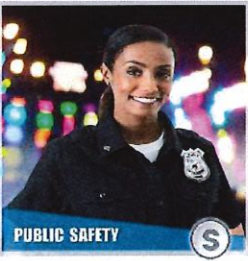
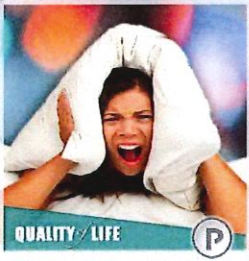
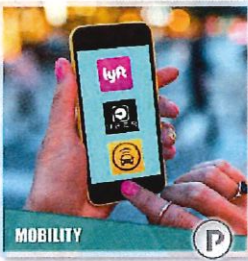
Enforcement of any locally placed conditions, or state level requirements, tend to happen reactively by complaint. Based on RHI's requests for data, the City seems to lack a consistently updated database by which to track and manage licensed venues. This also can lead to uneven enforcement. In addition, the state agency in charge of alcohol license enforcement, Alcoholic Beverages and Tobacco, is understaffed for the area, so little oversight is done. There is also a lack of clarity between police and Code Compliance regarding responsibility for sound complaints, overservice, and underage drinking. Therefore, some establishments are not taken to task on violations.

City officials identified these deficiencies pre-COVID and introduced legislation to address the lack of compliance and enforcement regimens. However, based on RHI's interviews, the process did not seem to include enough outreach to licensed operators, creating a situation of mistrust. RHI's work identified this oversight and arranged a meeting between City Manager John Regan and venue operators. As a result, the City is engaging venue operators to re-evaluate the initial legislation.



CORE MEASURES ANALYSIS: SNAPSHOT

RHI analyzed downtown St. Augustine’s social economy using Six Core Measures of a Sociable City.

SOCIAL VENUES: ST. AUGUSTINE  SOCIAL VENUESV St. Augustine is a destination for fine dining, historic architecture and heritage sites. Weddings and tourism are now an all-season market. Annual events have grown exponentially, but they are becoming difficult for police to staff. There is a disconnect between residents and downtown. Many venues offer live entertainment throughout the week, but it is limited to mostly top 40 cover bands that appeal to visitors. Original music is hard to find, though local talent exists.	PUBLIC SPACE: ST. AUGUSTINE  PUBLIC SPACEV St. George Street is a popular attraction, which leads to congestion, while other public spaces and parks are under-utilized. The street (and public space) itself has become a destination for people watching. Presence of unsheltered, transients and panhandlers (each a distinct population with unique service needs) generate negative perceptions of safety downtown. St. Augustine has become a destination for transients due to the climate and culture of giving.
PUBLIC SAFETY: ST. AUGUSTINE  PUBLIC SAFETYS Violent crime is rare, but when incidents do occur downtown, they result in a void of safety presence in other city zones. Downtown officers are described as “gracious” and “helpful” with a customer-service approach. Police are the “catch all”—responsible for crime, sound compliance, homelessness, nightlife safety AND event security. More officers are desired to increase the safety presence downtown. The PD has struggled to fill positions for nightlife that are fully funded, as well as meet event security requests.	VENUE SAFETY: ST. AUGUSTINE  VENUE SAFETYS Downtown St. Augustine is generally a safe community to go out at night to socialize. Some businesses have excellent approaches to manage crowds and public safety and can serve as a model for other businesses. Yet standards for safety and service are inconsistent due to a gap in standardization for door security and server training. The lack of formal organization among venue operators poses a challenge to improved coordination with the City, which would benefit from an industry point person to coordinate City initiatives.
QUALITY OF LIFE: ST. AUGUSTINE  QUALITY OF LIFE P Residents feel disconnected from downtown’s social amenities and attribute the decline in quality of life to the influx of tourists. The rise of short-term rentals has driven housing prices up, making it unaffordable to live in the city. Business owners are concerned about the comfort and safety of their employees, patrons and visitors. Finding safe parking for employees and access to restrooms at night are key amenities. Concern was also expressed about meeting the sound ordinance.	MOBILITY: ST. AUGUSTINE  MOBILITY P Highly walkable and compact, downtown was designed with historic, narrow streets. Different modes of transport are competing for limited space at different times of day. Parking is hard to find at peak times and traffic is congested day and night. Rideshare services (e.g. Uber, Lyft) are a key mode of transport for nightlife patrons, especially at closing time. Yet there are no current systems of coordination or designated locations for pick-up and drop-off.

WOMEN’S PERSPECTIVE ON THE SOCIAL ECONOMY: SNAPSHOT

RHI conducted a focus group among women of different ages to analyze St. Augustine’s downtown social economy.

Social Venues

St. Augustine has a variety of social assets downtown. Among the attractions ranked as “excellent” by the women’s focus group include high quality food and beverage, engagement with art and the “street as a venue” (where walking downtown is the attraction, especially on St. George Street). Events, festivals and sporting events (e.g. hosted by Flagler College) are key attractions, which draw a wide range of ages and life stages. Colonial Oak is particularly family friendly. Downtown has room for improvement in social options after 10:00 p.m. that appeal to a 30+ mature audience.



Inclusion

The City of St. Augustine has a complicated dynamic with current and historical diversity, equity and inclusion. There is a notable lack of racial and ethnic diversity in pedestrians, patrons and owners of social venues downtown. Musical diversity is limited and there is a gap in LGBT+ social venues. Wedding planners noted that while they do have diverse wedding parties, there are few social spaces where e.g. African Americans or LGBT+ community members would feel comfortable bringing their post-wedding “after party” downtown.



Public Safety



Women are often a key barometer of safety. In fact, social preferences by women often coincide with best practices for safety in nightlife venues and social districts. The physical environment of a downtown social district has a large impact on whether women feel safe at night. Environmental cues such as good lighting, cleanliness and presence of multi-generational eyes on the street contribute to a positive perception of safety. Areas that women’s focus group participants felt safest were: Plaza, Bayfront, St. George St and Hypolita St. However, participants commented that they intentionally avoid areas that are consistently dark (e.g. side

streets, alleys, parking lots) and are intimidated by groups of transients and panhandlers, especially if they are drinking in public.

Venue Safety

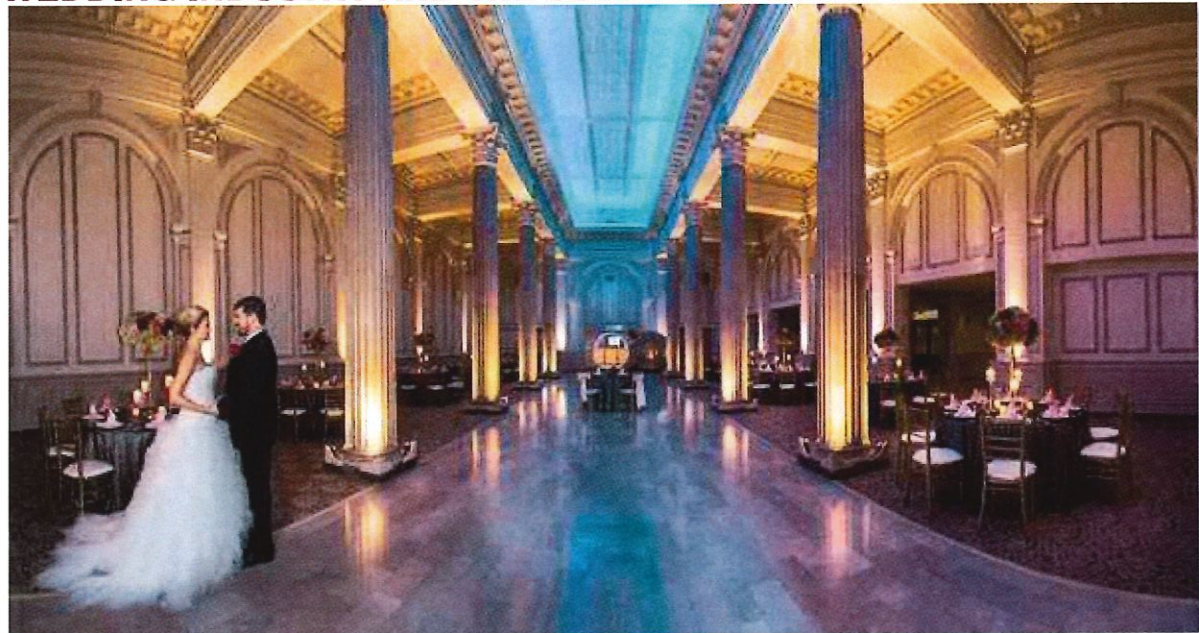
What makes women feel safe within social venues? Among ambience and design preferences include quiet spaces and lounges. Bathroom cleanliness and well-lit passageways are critical to a safe, comfortable social experience. Cues that an environment may be unsafe are when intoxicated people are allowed entry and served more alcohol, and where staff are seen drinking on the job.

Safety Resources for Women

- **Women Against Violent Encounters (WAVE)** class taught by PD to high school and college students about staying safe at house parties and venues through situational awareness.
- **Bathroom posters in DIY house party network**, Underwire Collective, a potential model for licensed venues.



WEDDING INDUSTRY AND THE SOCIAL ECONOMY: SNAPSHOT

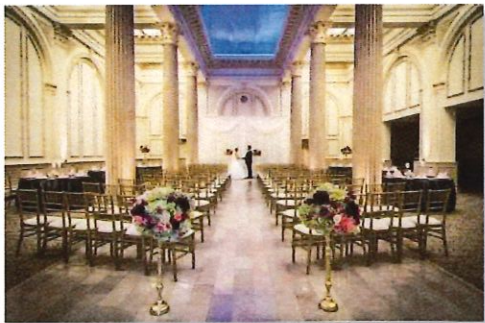


The wedding industry has a significant impact on the social economy year-round. Despite the boon to the local economy, weddings contribute to challenges in the social economy. There are concerns about the continuum of when and where drinking takes place, and the disruptions it causes to the quality of life and public safety of downtown.

Weddings comprise the majority of private events that take place downtown, but quantitative data is unknown. There are about a dozen formal wedding venues located in/around downtown, as well as several informal venues (e.g. short-term rentals for “backyard weddings”) nearby. Weddings anecdotally take place during the week and weekends year-round; one venue can even host multiple weddings simultaneously on multiple floors. Alcohol licensing, and therefore server training and security, varies, depending on the venue. Some venues have their own alcohol license associated with the property, while others rely on catering licenses. Over-consumption of alcohol has been reported at open bars. Standardization of policies for weddings (e.g. last call, refusal of service) is unknown. As part of this study, RHI worked to collect data on weddings, but only received partial data.

When weddings end (usually between 11:00 p.m.-12:00 a.m.), a crowd surge similar to bar closing time descends upon downtown social venues—potentially hundreds of people eager to continue to socialize, despite varying levels of intoxication upon arrival. Venue operators expressed concern about pre-loading among wedding guests. Anecdotal reports from venue staff indicated that some wedding guests are disruptive, demanding entry to venues or alcohol service despite already being intoxicated. Some try to occupy an entire venue for their after-party, but venue operators typically refuse due to concerns about disorderly behavior and passing of drinks to minors. Wedding attendees have also been seen to openly carry drinks; champagne bottles are often found littered downtown.

Events such as weddings contribute to impacts in the social economy that require planning, coordination, and resource management, especially for police as event security. But, there is a disconnect between the wedding industry and the City in terms of reporting, tracking and coordination of resources. Police department’s knowledge of weddings is limited to when off-duty officers are requested as event security. There is an opportunity to include wedding venue stakeholders in a broader plan for the social economy downtown.



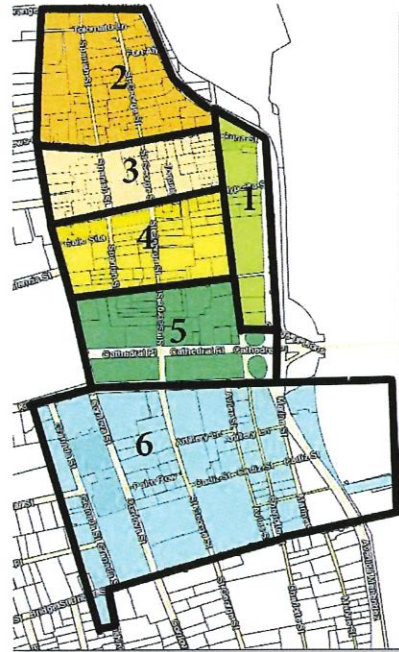
SOCIAL ASSET INVENTORY: SNAPSHOT

Data Summary

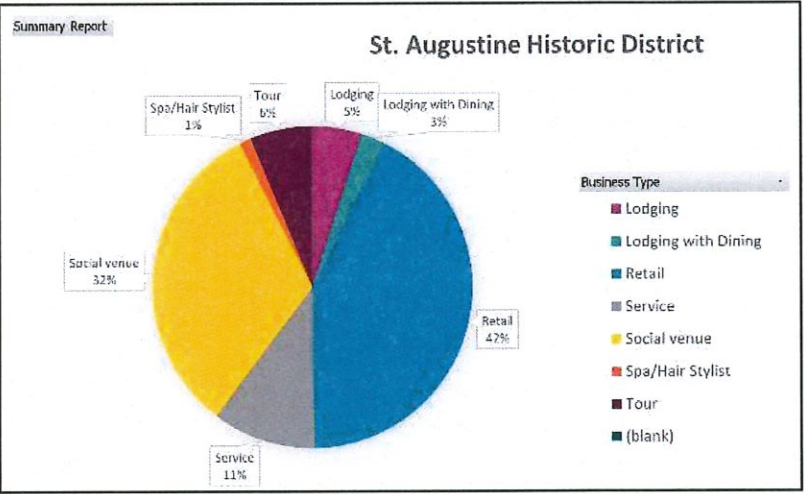
This is a summary of available data on the mix of businesses in the Historic District. Social venues are defined as cafes, restaurants, bars, music venues and wedding venues.

Social Venues in the Historic District

- 108 social venues (32.24%) of 335 total businesses
- 81 venues (75%) of 108 have an alcohol license
- 21 venues (19.44%) offer live entertainment
- Total seating/occupancy: 6,470 seats



By dividing a district into social clusters, improvements can be planned and monitored in a more focused way. The model helps identify areas in most need of lighting, where most social venues and/or greatest occupancy are located, etc. Calls for service and last drink data can also help pinpoint response for increased compliance training of venues located in particular clusters.



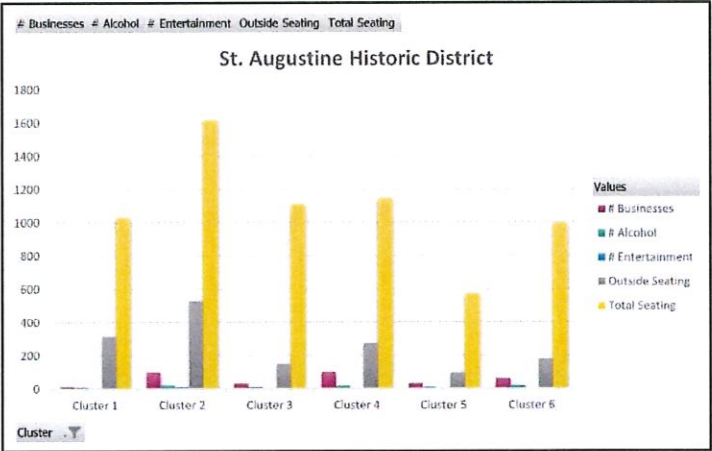
Why Should Social Venues be Analyzed?

Many market forces are driving change. The loss of storefront retail is placing pressure to transition these spaces to social venues. However, social venues have a much greater occupancy for the same square footage as retail or office space. With each new social venue comes more employees and the need for parking with numbers greater than the existing use. This business use can also generate more impacts to quality of life and public safety due to nighttime hours of operation and potential patron intoxication

Cluster Organization of Historic District

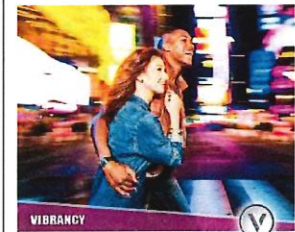
The Historic District has been divided into six clusters of businesses (as pictured). The evolution of several concentrated "clusters" of social venues within the Historic District has led to perceived and real shortages of parking in several blocks, as well challenges with closing time management in certain clusters.

How can this Methodology be Used?



ACTION PLAN: SNAPSHOT

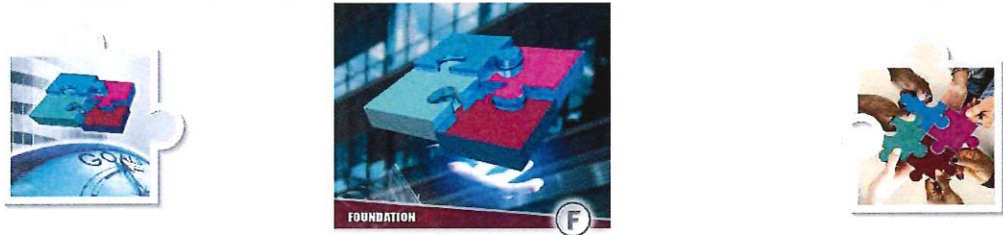
This is a one-page snapshot of all action items.

ACTIONS TO LAY A FOUNDATION FOR A SUSTAINABLE SOCIAL ECONOMY	
	■ Action 1: Form a Social Economy Alliance ■ Action 2: Conduct an Economic Analysis of the Social Economy
ACTIONS TO ASSURE SAFETY IN THE SOCIAL ECONOMY	
	■ ACTION 1: Facilitate Easier Access by Emergency Vehicles ■ ACTION 2: Improve Lighting In “Dead Zones” ■ ACTION 3: Form a Nighttime Social Venue Alliance ■ ACTION 4: Educate Visitors to Not Carry Open Containers
ACTIONS TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY	
	■ ACTION 1: Educate Visitors About Not Giving to Panhandlers ■ ACTION 2: Create More Opportunities for Original Live Music ■ ACTION 3: Update Event Procedures and Coordination
ACTIONS TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY	
	■ ACTION 1: Formalize and Raise Awareness of Rideshare Hubs ■ ACTION 2: Provide Safe, Efficient Parking for Nighttime Employees ■ ACTION 3: Bring Residents Back Downtown ■ ACTION 4: Refine Sound Management Process

ACTION PLAN: SYNOPSIS

The Action Plan was primarily generated by Roundtables input. On occasion, more than one Roundtable identified the same action. Some actions were created by RHI based on priorities identified during interviews and meetings that took place prior to the Roundtables. The Foundation section’s action plan is based on RHI’s research and experience with the governance systems that help sustain a nighttime economy management system in sociable cities worldwide.

ACTIONS TO LAY A FOUNDATION FOR A SUSTAINABLE SOCIAL ECONOMY



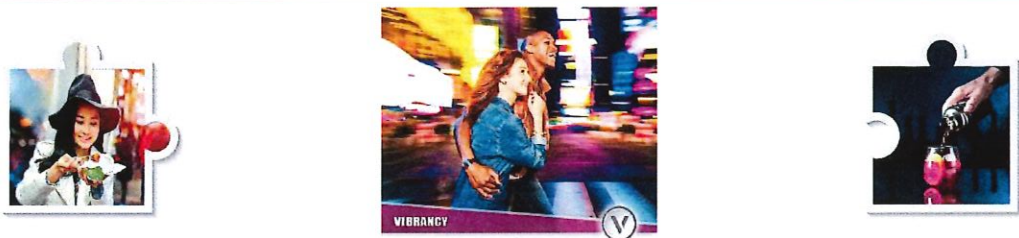
- 1) Form a Social Economy Alliance**
Progressive cities recognize the need for a sustainable system of social economy governance. This can be accomplished in a variety of structures, such as an Office of Nightlife and Advisory Board. Dedicated staff (“Night Manager”) are critical to maintain momentum and coordinate programming.
- 2) Conduct an Economic Analysis**
Conducting an economic analysis can achieve heightened recognition and legitimacy for the social economy. Compiling and analyzing information about the fiscal, economic and employment impacts of the social economy can help establish a baseline measure to better understand patterns of growth, decline and renewal in downtown St. Augustine.

ACTIONS TO ASSURE SAFETY IN THE SOCIAL ECONOMY



- 1) Facilitate Easier Access by Emergency Vehicles**
Emergency vehicles (e.g. fire trucks, ambulances, police cars) need to efficiently access locations when called for service. Closing strategic streets to public car access will help alleviate the challenge by removing traffic congestion and other barriers in key service areas to reduce response time.
- 2) Improve Lighting in “Dead Zones”**
There are pockets of “dead zones” devoid of light or people in downtown’s side streets and alleys. Consistent lighting can improve the perception of safety and deter crime and nuisance activities. Stakeholders will have to engage in the Historic Architectural Review Board process to ensure historic preservation standards are met.
- 3) Form a Nighttime Social Venue Alliance**
Starting a WhatsApp phone group among venues’ general managers and security is one small step towards creation of a more formal Nighttime Social Venue Alliance. The Alliance can develop self-regulation standards in a guide for operation, schedule quarterly meetings with police, and coordinate training.
- 4) Educate Visitors to Not Carry Open Containers**
Educating visitors that they’re not allowed to drink from open containers downtown can reduce pre-loading and assist licensed venues from having to intervene with patrons. A marketing campaign with a video for tourists and brochure for wedding parties will be key.

ACTIONS TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY



1) Educate Visitors About Not Giving to Panhandlers

St. Augustine can break the cycle of panhandling by addressing their source of income: visitor donations. Educating visitors on how to redirect their donations to social services can make long-lasting change. An educational campaign will include brochures on existing social service agency initiatives.

2) Create More Opportunities for Original Live Music

Elevate the caliber of nighttime social experiences by offering authentic, experiential options. An ecosystem of support is critical through better connectivity between event/festival planners and local musician networks, as well as dedicated loading zones. Fostering a robust live music scene also requires a local support base and higher wages.

3) Update Event Procedures and Coordination

Enhancement of current systems that track upcoming events held on private property, especially weddings, will help the City and venue operators know when additional staff resources are needed. There is an opportunity to continue to supplement police with private security but with vetting and approval standards for public events.

ACTIONS TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY



1) Formalize and Raise Awareness of Rideshare Hubs

Rideshare services are a key mode of transport for nightlife patrons, yet there are no current systems of coordination. Rideshare hubs create designated areas for pick-up and drop-off of passengers. They help reduce traffic congestion and expedite district egress. Three locations have already been selected, but there was limited awareness, nor signage.

2) Provide Safe, Efficient Parking for Employees

Provision of safe, efficient parking for employees who work downtown at night is key to supporting and expanding the current workforce. Explore options such as a Park and Ride location with a circulator/shuttle to pick up employees and drop them off at start and end of shift.

3) Bring Residents Back Downtown

Residents want to patronize local dining and entertainment businesses but feel disconnected from downtown. Facilitate a meeting among hospitality operators and residents to discuss amenities such as resident discounts and reservations to help restore a sense of community.

4) Refine Sound Management Process

There is a need to close loopholes in the sound management process. Revisiting the sound ordinance to set realistic sound standards for businesses, training noise control officers, creating a more robust tracking mechanism for complaints and ensuring follow-through in the judicial process will be critical.



RESPONSIBLE HOSPITALITY INSTITUTE

Additional information:

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www.SociableCity.org



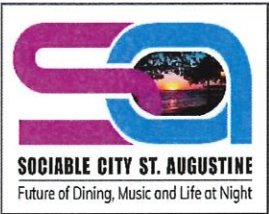
SOCIABLE CITY ASSESSMENT

Summary Report

June 1, 2022

PREPARED FOR:
St. Augustine, Florida
PREPARED BY:
Responsible Hospitality Institute
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ST. AUGUSTINE, FLORIDA SOCIABLE CITY PLAN
PREPARED BY: RESPONSIBLE HOSPITALITY INSTITUTE
JUNE 2022

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EXECUTIVE SUMMARY

Project Overview

The Responsible Hospitality Institute (RHI) was invited to work with the City of St. Augustine to help facilitate safe and vibrant growth in the “social economy.”¹ The focus of the report's analysis and recommendations is on the Historic Downtown. However, some findings and actions may address systemic challenges citywide.

Between November 2021 and March 2022, nearly 130 individuals representing 81 organizations/companies participated in twenty-four meetings hosted by RHI both on-site and virtually. Participants represented a diverse cross-section of public, private and government stakeholders, recruited by a Transformation Team (Sunshine Committee). RHI staff made three on-site visits to St. Augustine to conduct engagement meetings, information-gathering, observational tours of the city, and facilitate six roundtable focus groups. A final summary presentation will be July 2022.

Analysis of the Social Economy

RHI analyzed eight key content areas for this study:

Market Forces that have led to current trends driving change in the downtown social economy.

Governance: systems and policies that exist or are needed to ensure sustainable nighttime economy management.

Six Core Measures of a Sociable City: strengths, challenges and opportunities.



Action Plan

The Action Plan was primarily generated by Roundtable participants. Supplemental actions were created by RHI based on priorities identified during interviews and meetings that took place prior to the Roundtables. The Foundation section's action plan is based on RHI's research and experience with social economy governance systems worldwide.

TO LAY A FOUNDATION FOR THE SOCIAL ECONOMY 1: Form a Social Economy Alliance 2: Conduct an Economic Analysis of the Social Economy	TO ASSURE SAFETY IN THE SOCIAL ECONOMY 1: Facilitate Easier Access by Emergency Vehicles 2: Improve Lighting In “Dead Zones” 3: Form a Nighttime Social Venue Alliance 4: Educate Visitors to Not Carry Open Containers
TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY 1: Formalize and Raise Awareness of Rideshare Hubs 2: Provide Safe, Efficient Parking for Nighttime Employees 3: Bring Residents Back to Downtown 4: Refine Sound Management Process	TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY 1: Educate Visitors About Not Giving to Panhandlers 2: Create More Opportunities for Original Live Music 3: Update Event Procedures and Coordination

Report Organization

A **summary version of the report** is available to review a brief snapshot of each area of analysis, as well as a synopsis of the action plan. **Access short version:** <https://sociablecity.info/st-augustine/short-report-2022.pdf>.

A **complete version of the report** provides the full analysis of each content area, including in-depth background and a step-by-step implementation plan for each proposed action.

Access full version: <https://sociablecity.info/st-augustine/full-report-2022.pdf>

¹ RHI defines the social economy as the venues and events that facilitate sociability in the form of dining, entertainment, events and nightlife.

SUMMARY OF TRENDS AND MARKET FORCES

FROM A HIDDEN GEM TO A DESTINATION STRAINED BY TOURISTS

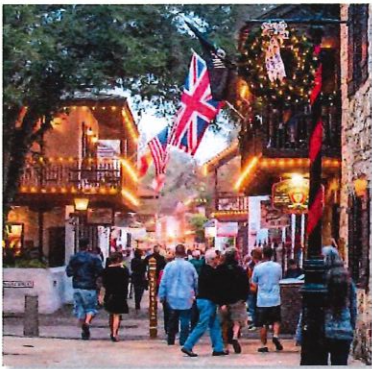


St. Augustine was once known as a “hidden gem” and a “sleepy town.” But, word got out. Full of historical landmarks in walking distance to downtown, balconies overlook narrow cobblestone streets and mini oases of nature are interspersed with Spanish moss. St. Augustine strives to be a modern city within the confines of Spanish colonial design—horse-drawn carriages share the road with cars, quads, pedestrians and trolleys. The city is marketed as an opportunity to “travel internationally without going abroad,” where visitors can experience “old-world charm, art, culture,” and romance (Smithsonian, 2022). Indeed, there is a jarring mix of the old and the new, classy and tawdry, in shops, social spaces and services that provide a unique atmosphere downtown.

Two turning points are identified as critical “before” and “after” moments that raised national awareness of the city. In 2013, the Gentlemen of the Road tour featured Mumford and Sons at Francis Field, giving new markets their first taste of the city. Then, in 2015, the 450th anniversary of the city’s founding in 1565 celebrated St. Augustine as the “oldest continuously-occupied European settlement in the continental United States” (Visit St. Augustine, 2022). An estimated 100,000 people visited downtown during 5-days of activities (Reynolds, 2015).



Five years later, in 2020, no one could have predicted how well Florida would fare during a global health crisis. While most of the country locked down, restricting “non-essential” businesses (which forced bars and restaurants to close except for take-out), and enacting mask mandates, Florida remained open and relatively “normal.” Tourism skyrocketed. Visit Florida announced that the state welcomed 31.4 million travelers in the second quarter of 2021 and that the state hosted nearly as many tourists as prior to the pandemic (Florida Trend, 2021; Durkee, 2021).



George Street was so filled with people that you could hardly move. Per the VCB, 2021 beat the record-breaking year of 2019 in bed tax collections by 20%.

68%+ of tourists have been to the city before. 35%+ of tourists have been to the city more than 10 times before.

Tourist = someone who lives outside the county

(Visitors & Convention Bureau)

St. Augustine similarly saw an influx in tourism in 2021.

Digital nomads and remote workers, staycationers and daytrippers, East coast snowbirds and families—they all flocked to the city. Weddings were not only limited to weekends—newlyweds could be seen nearly every day of the week. Day and night, St.

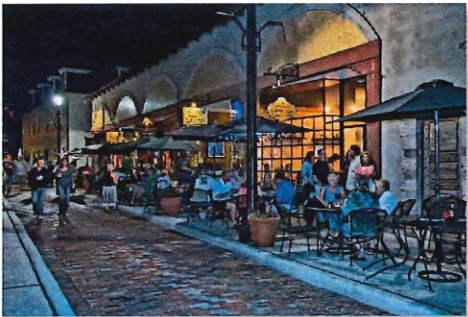
St. Johns County

- **10th fastest-growing county** in U.S.
- Est. **265,512 population**
- **6.3 million tourists** visit annually
- Est. **12,600 short-term rentable units** (incl. vacation rentals e.g. hotels, B&Bs, sharing economy accommodations i.e. Airbnb, VRBO, Home Away)

Sources: St. Johns County Gov't, 2022; TDC, 2017; Smith Travel Resources and All the Rooms (2022)

Although Florida remained open, St. Augustine was not immune to the national challenges caused by COVID-19 and, in the years prior, climate change. Severe weather events wreaked havoc on this coastal city—from hurricanes to flooding, which damaged businesses, displaced the unsheltered and threatened downtown's fragile infrastructure. Two+ years into the pandemic, hospitality businesses still face supply shortages and difficulty hiring enough employees. Some businesses still close temporarily due to outbreaks or reduce hours due to insufficient staff. The pandemic also changed tourism patterns—no longer is there a predictable “peak” season with lows and highs; the city adapted to an all-season market with even greater demands.

Downtown is a finite resource with a carrying capacity that may already be maxed out. Insufficient affordable housing forces students and employees to live farther away and commute in, perpetuating traffic congestion. The rise in short-term rentals continues to drive up costs of housing, leading to gentrification, especially of the once predominantly African American neighborhood of Lincolnville. Parking is difficult to find and cited as a top barrier to attracting residents for a night out, as well as employees, who need safe access to and from work.



Despite limited resources, growth continues. Planned hospitality developments will infill the remaining gaps in real estate downtown and in the periphery. Retail shops are being converted into food and beverage establishments, one of the few remaining business models that can succeed in the era of online shopping. New hotels are also under development, which will bring more patrons. Businesses will need more staff. Where will they park? Where will they live? Where will new businesses store their trash, when standard size dumpsters don't fit on narrow streets?



The growing pains of the city can no longer be ignored. There is already dramatic stress on infrastructure and human resources. Historic buildings have needed additional support structures to sustain visitation. Police resources are insufficient to maintain zone integrity, much less fulfill event security requirements.

The funding structure for the City (based on the residential population) may no longer be viable. The city's population has remained relatively stable since 1930, estimating between 12,000-14,000 people (Wikipedia, 2022). Yet St. Johns County has grown tremendously. There is growing tension between the city and county due to the perception that the county brings more tourists yet doesn't support the City with matching resources for management. Yet the Visitors & Convention Bureau (VCB)'s allocation of bed tax funds is restricted by state statute.

Has the "tipping point" already been reached? Is it already too late? In 2019, there were fears that this was indeed the case. City leaders expressed concern about violence downtown becoming a continuing trend. Although incidents were devastating to the community (i.e. stabbing on Spanish street, two impaired driving crashes, shots fired outside a social venue), they would not prove to be part of a trend (White, 2021). Violence and public safety incidents have remained rare and mostly isolated incidents. In fact, crime in 2020 was at a 25-year low (Clark, 2021). Managing continued growth in business development and increased visitation is the broader challenge.

Maintaining quality of life, facilitating coexistence of uses, and enhancing accessibility to downtown are the pervasive issues impacting downtown. Presence of unsheltered, panhandlers and transients (not a homogenous group) negatively impact the perception of safety, especially for women. Sound from amplified music and people leaving social venues disturb neighbors even as far as Davis Shores and Anastasia Island. Disturbances from intoxicated persons are nuisances, but also potential safety risks for impaired driving. Clearing the district quickly and efficiently after bar closing was identified as a solution to multiple challenges. After all, the faster people return home, the less problems they may cause.

A push and pull dynamic underlie many of the existential debates in the city. How can the city retain legacy residents while appealing to visitors? How can the city preserve authenticity while providing convenience and modern amenities? The fear of losing the city's charm, history and authenticity pervaded many discussions with stakeholders.

St. Augustine played a pivotal role in the Civil Rights movement. In fact, the Civil Rights Act in 1964 may not have been passed if Martin Luther King, Jr. had not stopped in St. Augustine to bolster the local protest movement prior to going to DC. Lincolnville's live music venues were also once part of the Chitlin' Circuit, which hosted prominent African American musicians. This history is not widely publicized outside of the Lincolnville Museum & Cultural Center. As the City explores how best to chart the future of the social economy, city leaders can both commemorate the past and strive to create an inclusive destination where all feel welcome.

Now is the time to capitalize on St. Augustine's many assets in preparation for the 250th anniversary of the nation's founding. In 2026, the city will be showcased in national celebrations. This is an opportunity for the City to polish the gem it has always been so it shines as a beacon of hope and resilience, where authenticity and adaption to the future are seamlessly melded together.



PROJECT OVERVIEW

RHI’s Sociable City Project in St. Augustine, Florida

The Responsible Hospitality Institute (RHI) was invited to work with the City of St. Augustine to help facilitate safe and vibrant growth in the “social economy.” The focus of the report’s analysis and recommendations is on the social economy contained within the Historic Downtown. However, some findings and actions may address systemic challenges and issues that affect social venues citywide.

Information presented in this report was generated from a variety of sources, including RHI staff observations; virtual and on-site interviews and meetings; online research; and background reports.

Timeline

Between November 2021 and March 2022, RHI staff made three on-site visits to St. Augustine, including facilitation of engagement and information-gathering meetings, as well as nighttime observational tours of the city. Twenty-four meetings were hosted by RHI both on-site and virtually, including six roundtable focus groups and a dozen interviews. A final summary presentation will be made July 2022.

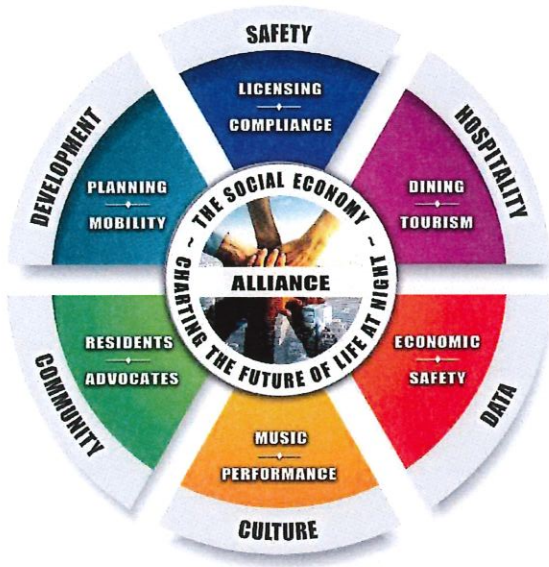
Stakeholder Engagement

Nearly 130 individuals representing 81 organizations/companies, including multiple city departments, were involved in virtual and on-site meetings. They represent a diverse cross-section of public, private and government stakeholders.



Steering Committee: The Sociable City Transformation Team

Stakeholder recruitment and outreach was provided by a steering group (formally a Sunshine Committee, per Florida statute) that strove to achieve a balance of perspectives.

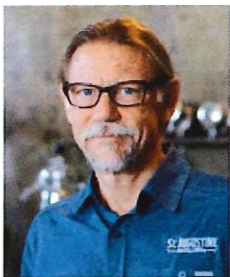


The Transformation Team is a steering group of 12 Project Leaders who recognize the need for change, can mobilize stakeholders and leverage resources to ensure the project’s success. Members are representative of diverse stakeholder perspectives to ensure broad input.

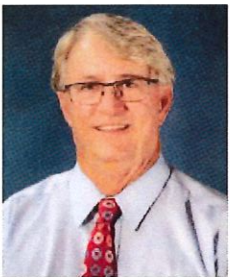
- Beth Sweeny**, Director of External and Governmental Functions, Flagler College
- Jayson Befort**, General Manager, No Name Bar
- Troy Blevins**, Consultant, Walking Man Consulting
- Jeanetta Cebollero**, Performer, Ancient City Entertainment Group
- Jon Depreter**, Retired, Planning and Zoning Board
- Tom Dolan**, Owner, Meehans
- Reuben Franklin**, Director, COSA Public Works
- Phil McDaniel**, Owner, St. Augustine Distillery
- Jennifer Michaux**, Chief of Police, St. Augustine Police Department
- Gabe Pellicer**, General Manager, St. Augustine Amphitheater
- Bob Porter**, Vice President, St. Johns County Chamber of Commerce

Support for the Project by City Leaders

The express support, participation and endorsement of key city leaders was vital to the Sociable City Project. During a virtual project orientation open to all project participants, Troy Blevins, Walking Man Consulting, welcomed the following stakeholders who provided opening remarks:



PHIL MCDANIEL
Owner
St. Augustine Distillery



JOHN P. REGAN, P.E.
City Manager
City of St. Augustine

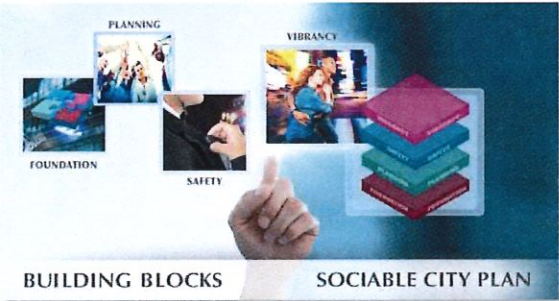


NANCY SIKES-KLINE
Commissioner
City of St. Augustine

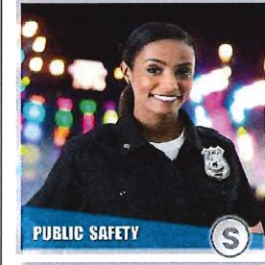
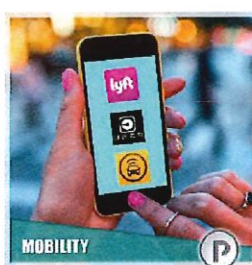


JENNIFER MICHAUX
Chief Of Police
City of St. Augustine

Analysis Framework: Building Blocks of a Sociable City



Project participants received e-learning trainings to learn how to evaluate a city's nighttime economy based upon "Four Building Blocks" and "Six Core Measures" of a sociable city. RHI used this framework to analyze Downtown St. Augustine to generate an action plan.

CORE MEASURE DEFINITIONS	
SOCIAL VENUES	PUBLIC SPACE
 SOCIAL VENUES Social venues are defined as dining, dancing, live entertainment, theater, etc. in the city at night and the systems to recruit and retain talent. Entertainment is also measured by mix of clientele, systems for promotion, and retention of talent.	 PUBLIC SPACE Public space vibrancy offers a continuum of outdoor activities such as sidewalk dining, outdoor seating, street performers, markets, food vendors, festivals, and art walks. Truly vibrant cities maintain social activity during day and night.
PUBLIC SAFETY	VENUE SAFETY
 PUBLIC SAFETY Public safety in the nighttime economy requires an interagency collaboration to identify risks and coordinate intervention and education with the objective of improving compliance by nightlife venues and efficiently responding to nighttime incidents.	 VENUE SAFETY Venue safety is comprised of the initiatives that venue operators and event organizers undertake to protect the health and safety of their patrons and staff at night. Collaboration with regulatory and enforcement agencies increase industry safety and compliance.
QUALITY OF LIFE	MOBILITY
 QUALITY OF LIFE Quality of life in mixed-use social districts entails a balance of social amenities and requires effective management of sound, litter, trash, bio-waste and patron behavior. Updated policies, consistent enforcement and conflict resolution systems help facilitate high standards.	 MOBILITY Patrons and staff need safe and convenient transport to / from social districts at night. Providing nighttime mobility options can enhance the visitor experience; ensure safety of employees who work night shifts; prevent impaired driving and alcohol-related accidents.

ABOUT RHI

The City of St. Augustine commissioned the Responsible Hospitality Institute (RHI) with facilitation of a plan for the future of the historic downtown's social economy.

RHI brings decades of experience of nightlife and social economy management. A private non-profit organization founded in 1983, RHI is the leading source for events, resources and consultation services.

We help cities plan safe and inclusive places to socialize by convening diverse stakeholders to achieve a common vision.

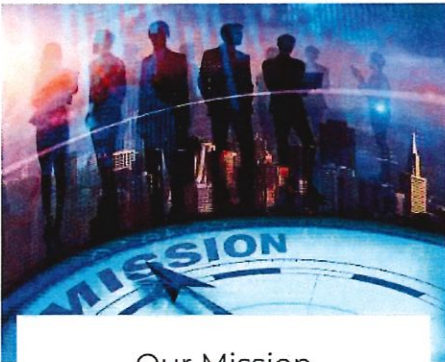
Aims of the Sociable City Project

- To preserve and advocate for the social, cultural and economic value of dining and entertainment
- To examine risk factors for crime, harm and disorder in social districts
- To sustain peaceful coexistence of residents and businesses in mixed-use areas
- To enhance communication between government and businesses regarding policy, procedures and resource allocation



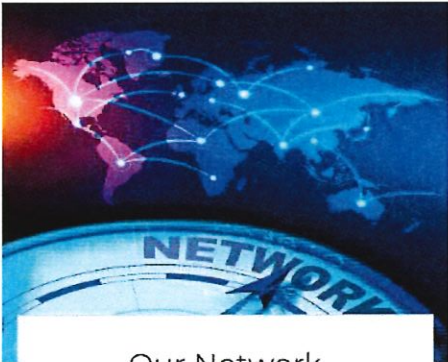
Sociable City Vision

We believe all people should have access to safe, vibrant places to socialize—regardless of age, life stage, race, ethnicity, sexual identity or disability. We help communities create diverse, welcoming social venues and districts where people have an opportunity to connect and lead more enriching lives.



Our Mission

RHI's mission is to provide technical assistance that builds local capacity; incubate and share cutting-edge information and proven strategies; and link a broad-based network of professionals who plan, manage and police nightlife districts



Our Network

RHI's influence extends throughout the world. Our services, media and events advance the professional development of nighttime managers and facilitates creation of collaborative alliances to guide the social economy

GOVERNANCE ANALYSIS: SNAPSHOT



Downtown St. Augustine has a large number of social venues, mostly serving the large tourism economy. Local government has tried to respond to this growth but has limited tools or consistent systems for oversight. Alcohol licenses are issued by the state, and local zoning and definitions have created what appears to be an uneven playing field for bars and restaurants in terms of operating requirements.

Bars and restaurants are defined in the historic core in ways that create incentives for operators to be less than forthcoming about their businesses plans. Permit costs and process reviews often push

operators to become restaurants; changes to operations are not reviewed by a renewal process, as outlined below:

St. Augustine's Historic Core: "Bar" vs. "Restaurant"		
	"Bar"	"Restaurant"
Definition	Any place that serves/sells alcohol on-premise that is NOT a restaurant	Any place that sells, dispenses prepares and serves food, refreshments or beverages from a menu
State alcohol licenses allowed	2COP: \$300-400 4COP "Quota": \$300,000-500,000	2COP: \$300-400 4COP "Quota" 4COP-SFS: \$20,000-30,000 If 150 occupancy; 2,500 sq. ft; 51% food sales
Alcohol Sales, Service, Consumption Ends	2:00 AM	2:00 AM
Live Music Allowed	Yes, with potential restrictions on amplified sound by PZB	Yes, potentially 24/hours (no mechanism to set hours of operation)
Use by Exception Permit	Yes	No
Planning & Zoning Board Review & Community Input	Yes	No
Conditions	Yes	No
Remediation & re-review if violations	Yes	No

Enforcement of any locally placed conditions, or state level requirements, tend to happen reactively by complaint.

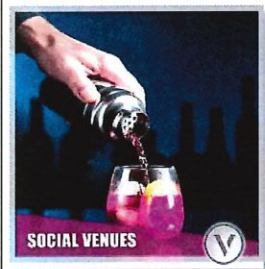
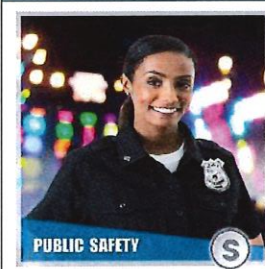
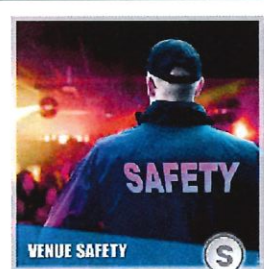
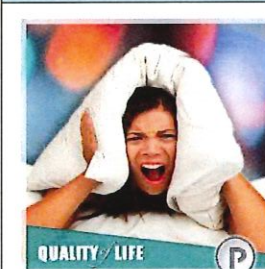
Based on RHI's requests for data, the City seems to lack a consistently updated database by which to track and manage licensed venues. This also can lead to uneven enforcement. In addition, the state agency in charge of alcohol license enforcement, Alcoholic Beverages and Tobacco, is understaffed for the area, so little oversight is done. There is also a lack of clarity between police and Code Compliance regarding responsibility for sound complaints, overservice, and underage drinking. Therefore, some establishments are not taken to task on violations.

City officials identified these deficiencies pre-COVID and introduced legislation to address the lack of compliance and enforcement regimens. However, based on RHI's interviews, the process did not seem to include enough outreach to licensed operators, creating a situation of mistrust. RHI's work identified this oversight and arranged a meeting between City Manager John Regan and venue operators. As a result, the City is engaging venue operators to re-evaluate the initial legislation.



CORE MEASURES ANALYSIS: SNAPSHOT

RHI analyzed downtown St. Augustine’s social economy using Six Core Measures of a Sociable City.

SOCIAL VENUES: ST. AUGUSTINE  SOCIAL VENUESV St. Augustine is a destination for fine dining, historic architecture and heritage sites. Weddings and tourism are now an all-season market. Annual events have grown exponentially, but they are becoming difficult for police to staff. There is a disconnect between residents and downtown. Many venues offer live entertainment throughout the week, but it is limited to mostly top 40 cover bands that appeal to visitors. Original music is hard to find, though local talent exists.	PUBLIC SPACE: ST. AUGUSTINE  PUBLIC SPACEV St. George Street is a popular attraction, which leads to congestion, while other public spaces and parks are under-utilized. The street (and public space) itself has become a destination for people watching. Presence of unsheltered, transients and panhandlers (each a distinct population with unique service needs) generate negative perceptions of safety downtown. St. Augustine has become a destination for transients due to the climate and culture of giving.
PUBLIC SAFETY: ST. AUGUSTINE  PUBLIC SAFETYS Violent crime is rare, but when incidents do occur downtown, they result in a void of safety presence in other city zones. Downtown officers are described as “gracious” and “helpful” with a customer-service approach. Police are the “catch all” — responsible for crime, sound compliance, homelessness, nightlife safety AND event security. More officers are desired to increase the safety presence downtown. The PD has struggled to fill positions for nightlife that are fully funded, as well as meet event security requests.	VENUE SAFETY: ST. AUGUSTINE  VENUE SAFETYS Downtown St. Augustine is generally a safe community to go out at night to socialize. Some businesses have excellent approaches to manage crowds and public safety and can serve as a model for other businesses. Yet standards for safety and service are inconsistent due to a gap in standardization for door security and server training. The lack of formal organization among venue operators poses a challenge to improved coordination with the City, which would benefit from an industry point person to coordinate City initiatives.
QUALITY OF LIFE: ST. AUGUSTINE  QUALITY OF LIFE P Residents feel disconnected from downtown’s social amenities and attribute the decline in quality of life to the influx of tourists. The rise of short-term rentals has driven housing prices up, making it unaffordable to live in the city. Business owners are concerned about the comfort and safety of their employees, patrons and visitors. Finding safe parking for employees and access to restrooms at night are key amenities. Concern was also expressed about meeting the sound ordinance.	MOBILITY: ST. AUGUSTINE  MOBILITY P Highly walkable and compact, downtown was designed with historic, narrow streets. Different modes of transport are competing for limited space at different times of day. Parking is hard to find at peak times and traffic is congested day and night. Rideshare services (e.g. Uber, Lyft) are a key mode of transport for nightlife patrons, especially at closing time. Yet there are no current systems of coordination or designated locations for pick-up and drop-off.

WOMEN’S PERSPECTIVE ON THE SOCIAL ECONOMY: SNAPSHOT

RHI conducted a focus group among women of different ages to analyze St. Augustine’s downtown social economy.

Social Venues

St. Augustine has a variety of social assets downtown. Among the attractions ranked as “excellent” by the women’s focus group include high quality food and beverage, engagement with art and the “street as a venue” (where walking downtown is the attraction, especially on St. George Street). Events, festivals and sporting events (e.g. hosted by Flagler College) are key attractions, which draw a wide range of ages and life stages. Colonial Oak is particularly family friendly. Downtown has room for improvement in social options after 10:00 p.m. that appeal to a 30+ mature audience.



Inclusion

The City of St. Augustine has a complicated dynamic with current and historical diversity, equity and inclusion. There is a notable lack of racial and ethnic diversity in pedestrians, patrons and owners of social venues downtown. Musical diversity is limited and there is a gap in LGBTQ+ social venues. Wedding planners noted that while they do have diverse wedding parties, there are few social spaces where e.g. African Americans or LGBTQ+ community members would feel comfortable bringing their post-wedding “after party” downtown.



Public Safety



Women are often a key barometer of safety. In fact, social preferences by women often coincide with best practices for safety in nightlife venues and social districts. The physical environment of a downtown social district has a large impact on whether women feel safe at night. Environmental cues such as good lighting, cleanliness and presence of multi-generational eyes on the street contribute to a positive perception of safety. Areas that women’s focus group participants felt safest were: Plaza, Bayfront, St. George St and Hypolita St. However, participants commented that they intentionally avoid areas that are consistently dark (e.g. side

streets, alleys, parking lots) and are intimidated by groups of transients and panhandlers, especially if they are drinking in public.

Venue Safety

What makes women feel safe within social venues? Among ambience and design preferences include quiet spaces and lounges. Bathroom cleanliness and well-lit passageways are critical to a safe, comfortable social experience. Cues that an environment may be unsafe are when intoxicated people are allowed entry and served more alcohol, and where staff are seen drinking on the job.

Safety Resources for Women

- **Women Against Violent Encounters (WAVE)** class taught by PD to high school and college students about staying safe at house parties and venues through situational awareness.
- **Bathroom posters in DIY house party network**, Underwire Collective, a potential model for licensed venues.



WEDDING INDUSTRY AND THE SOCIAL ECONOMY: SNAPSHOT

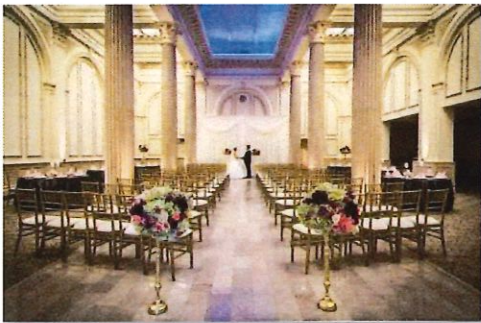


The wedding industry has a significant impact on the social economy year-round. Despite the boon to the local economy, weddings contribute to challenges in the social economy. There are concerns about the continuum of when and where drinking takes place, and the disruptions it causes to the quality of life and public safety of downtown.

Weddings comprise the majority of private events that take place downtown, but quantitative data is unknown. There are about a dozen formal wedding venues located in/around downtown, as well as several informal venues (e.g. short-term rentals for “backyard weddings”) nearby. Weddings anecdotally take place during the week and weekends year-round; one venue can even host multiple weddings simultaneously on multiple floors. Alcohol licensing, and therefore server training and security, varies, depending on the venue. Some venues have their own alcohol license associated with the property, while others rely on catering licenses. Over-consumption of alcohol has been reported at open bars. Standardization of policies for weddings (e.g. last call, refusal of service) is unknown. As part of this study, RHI worked to collect data on weddings, but only received partial data.

When weddings end (usually between 11:00 p.m.-12:00 a.m.), a crowd surge similar to bar closing time descends upon downtown social venues—potentially hundreds of people eager to continue to socialize, despite varying levels of intoxication upon arrival. Venue operators expressed concern about pre-loading among wedding guests. Anecdotal reports from venue staff indicated that some wedding guests are disruptive, demanding entry to venues or alcohol service despite already being intoxicated. Some try to occupy an entire venue for their after-party, but venue operators typically refuse due to concerns about disorderly behavior and passing of drinks to minors. Wedding attendees have also been seen to openly carry drinks; champagne bottles are often found littered downtown.

Events such as weddings contribute to impacts in the social economy that require planning, coordination, and resource management, especially for police as event security. But, there is a disconnect between the wedding industry and the City in terms of reporting, tracking and coordination of resources. Police department’s knowledge of weddings is limited to when off-duty officers are requested as event security. There is an opportunity to include wedding venue stakeholders in a broader plan for the social economy downtown.



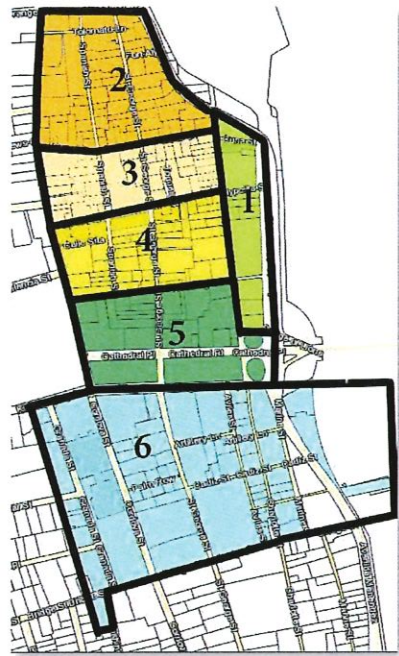
SOCIAL ASSET INVENTORY: SNAPSHOT

Data Summary

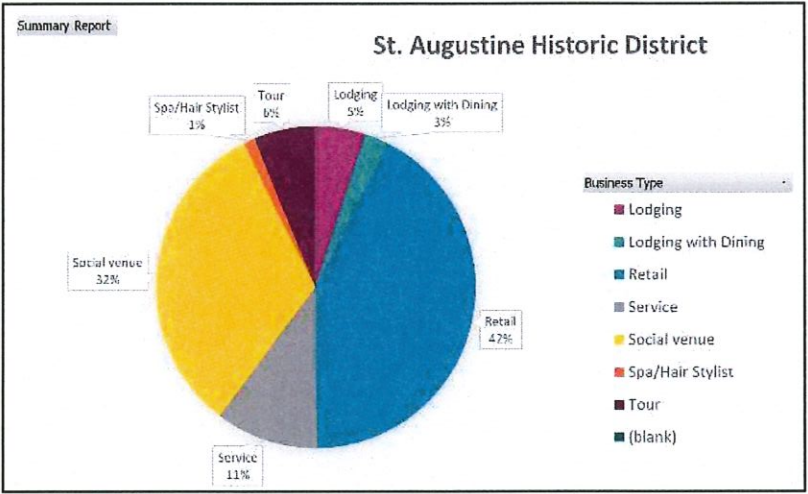
This is a summary of available data on the mix of businesses in the Historic District. Social venues are defined as cafes, restaurants, bars, music venues and wedding venues.

Social Venues in the Historic District

- 108 social venues (32.24%) of 335 total businesses
- 81 venues (75%) of 108 have an alcohol license
- 21 venues (19.44%) offer live entertainment
- Total seating/occupancy: 6,470 seats



By dividing a district into social clusters, improvements can be planned and monitored in a more focused way. The model helps identify areas in most need of lighting, where most social venues and/or greatest occupancy are located, etc. Calls for service and last drink data can also help pinpoint response for increased compliance training of venues located in particular clusters.



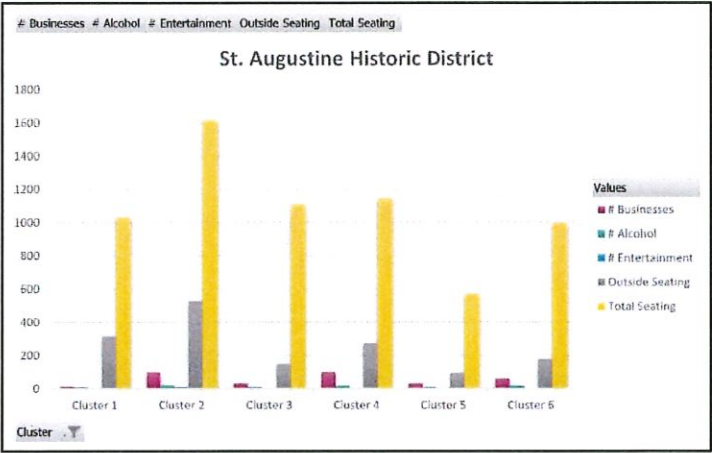
Why Should Social Venues be Analyzed?

Many market forces are driving change. The loss of storefront retail is placing pressure to transition these spaces to social venues. However, social venues have a much greater occupancy for the same square footage as retail or office space. With each new social venue comes more employees and the need for parking with numbers greater than the existing use. This business use can also generate more impacts to quality of life and public safety due to nighttime hours of operation and potential patron intoxication

Cluster Organization of Historic District

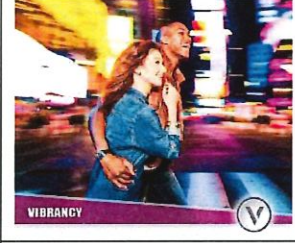
The Historic District has been divided into six clusters of businesses (as pictured). The evolution of several concentrated "clusters" of social venues within the Historic District has led to perceived and real shortages of parking in several blocks, as well challenges with closing time management in certain clusters.

How can this Methodology be Used?



ACTION PLAN: SNAPSHOT

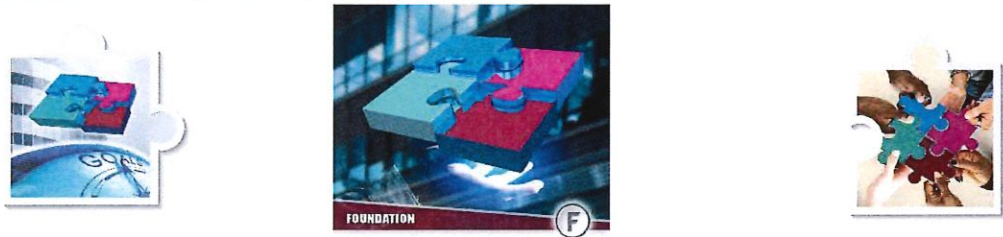
This is a one-page snapshot of all action items.

ACTIONS TO LAY A FOUNDATION FOR A SUSTAINABLE SOCIAL ECONOMY	
	■ Action 1: Form a Social Economy Alliance ■ Action 2: Conduct an Economic Analysis of the Social Economy
ACTIONS TO ASSURE SAFETY IN THE SOCIAL ECONOMY	
	■ ACTION 1: Facilitate Easier Access by Emergency Vehicles ■ ACTION 2: Improve Lighting In “Dead Zones” ■ ACTION 3: Form a Nighttime Social Venue Alliance ■ ACTION 4: Educate Visitors to Not Carry Open Containers
ACTIONS TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY	
	■ ACTION 1: Educate Visitors About Not Giving to Panhandlers ■ ACTION 2: Create More Opportunities for Original Live Music ■ ACTION 3: Update Event Procedures and Coordination
ACTIONS TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY	
	■ ACTION 1: Formalize and Raise Awareness of Rideshare Hubs ■ ACTION 2: Provide Safe, Efficient Parking for Nighttime Employees ■ ACTION 3: Bring Residents Back Downtown ■ ACTION 4: Refine Sound Management Process

ACTION PLAN: SYNOPSIS

The Action Plan was primarily generated by Roundtables input. On occasion, more than one Roundtable identified the same action. Some actions were created by RHI based on priorities identified during interviews and meetings that took place prior to the Roundtables. The Foundation section’s action plan is based on RHI’s research and experience with the governance systems that help sustain a nighttime economy management system in sociable cities worldwide.

ACTIONS TO LAY A FOUNDATION FOR A SUSTAINABLE SOCIAL ECONOMY



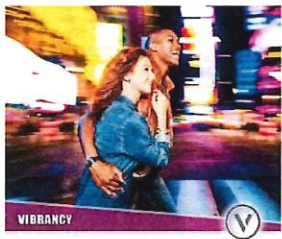
- 1) Form a Social Economy Alliance**
Progressive cities recognize the need for a sustainable system of social economy governance. This can be accomplished in a variety of structures, such as an Office of Nightlife and Advisory Board. Dedicated staff (“Night Manager”) are critical to maintain momentum and coordinate programming.
- 2) Conduct an Economic Analysis**
Conducting an economic analysis can achieve heightened recognition and legitimacy for the social economy. Compiling and analyzing information about the fiscal, economic and employment impacts of the social economy can help establish a baseline measure to better understand patterns of growth, decline and renewal in downtown St. Augustine.

ACTIONS TO ASSURE SAFETY IN THE SOCIAL ECONOMY



- 1) Facilitate Easier Access by Emergency Vehicles**
Emergency vehicles (e.g. fire trucks, ambulances, police cars) need to efficiently access locations when called for service. Closing strategic streets to public car access will help alleviate the challenge by removing traffic congestion and other barriers in key service areas to reduce response time.
- 2) Improve Lighting in “Dead Zones”**
There are pockets of “dead zones” devoid of light or people in downtown’s side streets and alleys. Consistent lighting can improve the perception of safety and deter crime and nuisance activities. Stakeholders will have to engage in the Historic Architectural Review Board process to ensure historic preservation standards are met.
- 3) Form a Nighttime Social Venue Alliance**
Starting a WhatsApp phone group among venues’ general managers and security is one small step towards creation of a more formal Nighttime Social Venue Alliance. The Alliance can develop self-regulation standards in a guide for operation, schedule quarterly meetings with police, and coordinate training.
- 4) Educate Visitors to Not Carry Open Containers**
Educating visitors that they’re not allowed to drink from open containers downtown can reduce pre-loading and assist licensed venues from having to intervene with patrons. A marketing campaign with a video for tourists and brochure for wedding parties will be key.

ACTIONS TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY



1) Educate Visitors About Not Giving to Panhandlers

St. Augustine can break the cycle of panhandling by addressing their source of income: visitor donations. Educating visitors on how to redirect their donations to social services can make long-lasting change. An educational campaign will include brochures on existing social service agency initiatives.

2) Create More Opportunities for Original Live Music

Elevate the caliber of nighttime social experiences by offering authentic, experiential options. An ecosystem of support is critical through better connectivity between event/festival planners and local musician networks, as well as dedicated loading zones. Fostering a robust live music scene also requires a local support base and higher wages.

3) Update Event Procedures and Coordination

Enhancement of current systems that track upcoming events held on private property, especially weddings, will help the City and venue operators know when additional staff resources are needed. There is an opportunity to continue to supplement police with private security but with vetting and approval standards for public events.

ACTIONS TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY



1) Formalize and Raise Awareness of Rideshare Hubs

Rideshare services are a key mode of transport for nightlife patrons, yet there are no current systems of coordination. Rideshare hubs create designated areas for pick-up and drop-off of passengers. They help reduce traffic congestion and expedite district egress. Three locations have already been selected, but there was limited awareness, nor signage.

2) Provide Safe, Efficient Parking for Employees

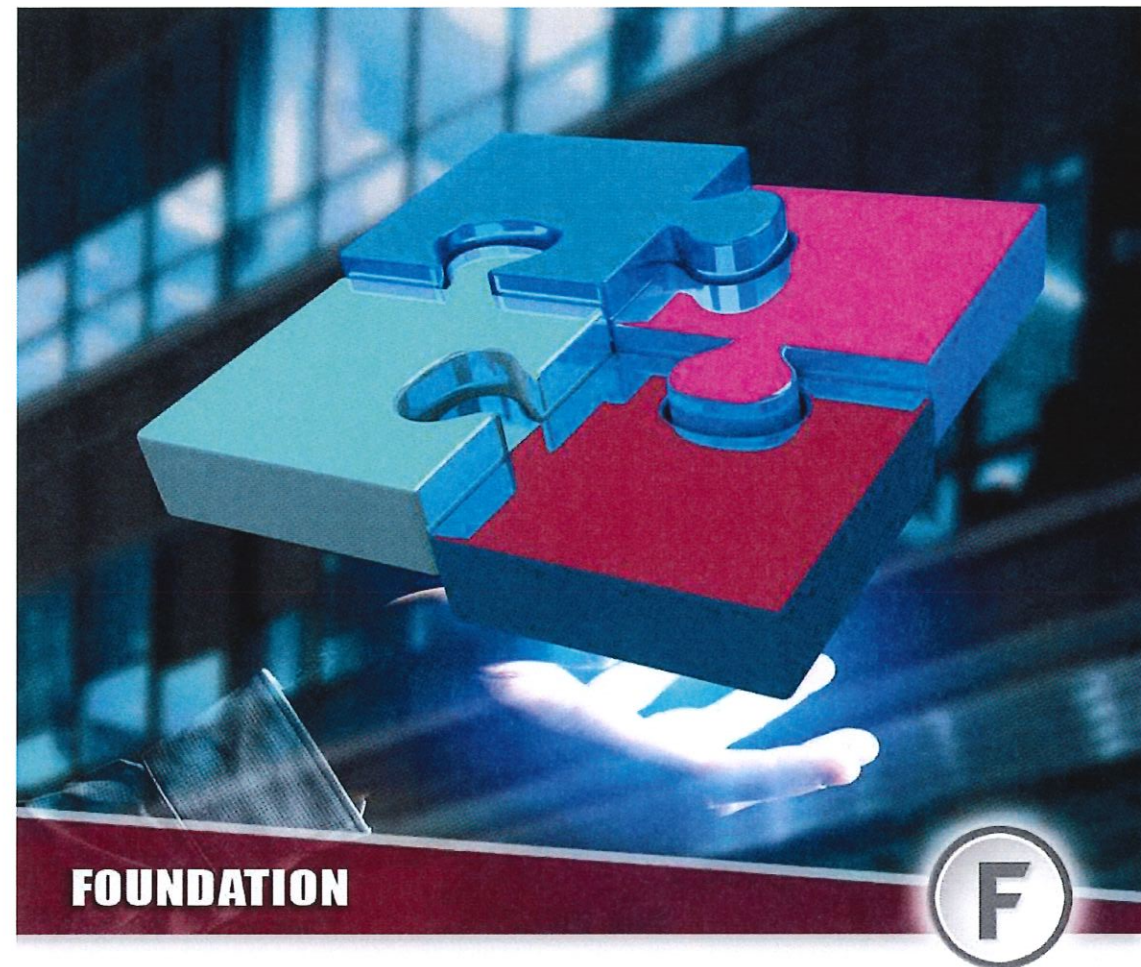
Provision of safe, efficient parking for employees who work downtown at night is key to supporting and expanding the current workforce. Explore options such as a Park and Ride location with a circulator/shuttle to pick up employees and drop them off at start and end of shift.

3) Bring Residents Back Downtown

Residents want to patronize local dining and entertainment businesses but feel disconnected from downtown. Facilitate a meeting among hospitality operators and residents to discuss amenities such as resident discounts and reservations to help restore a sense of community.

4) Refine Sound Management Process

There is a need to close loopholes in the sound management process. Revisiting the sound ordinance to set realistic sound standards for businesses, training noise control officers, creating a more robust tracking mechanism for complaints and ensuring follow-through in the judicial process will be critical.



ACTIONS TO LAY A FOUNDATION FOR A SUSTAINABLE SOCIAL ECONOMY

- Action 1: Form a Social Economy Alliance
- Action 2: Conduct an Economic Analysis of the Social Economy

ACTION 1: FORM A SOCIAL ECONOMY ALLIANCE

OVERVIEW

Cities throughout the world have recognized the need for a sustainable system of social economy governance, oversight and advocacy. This can be accomplished in a variety of structures, such as an Office of Nightlife and multi-disciplinary Advisory Board. Dedicated staff are critical to maintain momentum and coordinate programming, demonstrated in creation of “Night Manager” positions. Successful implementation will require a group of dedicated individuals working on a common vision of St. Augustine’s future as a destination for dining, entertainment and events.

NEEDS STATEMENT

St. Augustine does not currently have an organized body that represents different perspectives to examine the unique challenges and needs of a safe, vibrant social economy.

GOALS AND OBJECTIVES

The Social Economy Resource Alliance is proposed to achieve the following objectives:

- Guide government and business leaders on decision-making.
- Identify issues and remove barriers that inhibit the operation of safe, vibrant places to socialize.
- Streamline business opening and event applications to be simple and intuitive.
- Advocate for legislative changes and resource reallocation for public health and safety.
- Represent the perspective of the social economy on boards and committees.
- Facilitate implementation of priority actions.

IMPLEMENTATION

- Identify proposed members of the Social Economy Alliance. RHI suggests a total of 12 members with 2 stakeholders representing 6 perspectives:

ROLE	NAME	ORGANIZATION
SAFETY: Licensing		
SAFETY: Compliance		
HOSPITALITY: Dining		
HOSPITALITY: Tourism		
DATA: Economic		
DATA: Safety		
CULTURE: Music		
CULTURE: Performance		
COMMUNITY: Residents		
COMMUNITY: Advocates		
DEVELOPMENT: Planning		
DEVELOPMENT: Mobility		

- Identify permanent staff to coordinate and convene the Alliance.
- Explore how to formalize the Social Economy Resource Alliance through either legislation, commission appointments or as an advisory group.

RESOURCES

- NITECAP Alliance is a professional organization of nighttime economy management professionals.

ACTION 2: CONDUCT AN ECONOMIC ANALYSIS OF THE SOCIAL ECONOMY

OVERVIEW

Conducting an economic analysis can achieve heightened recognition and legitimacy for the social economy. Compiling and analyzing information about the fiscal, economic and employment impacts of the social economy can help establish a baseline measure to better understand patterns of growth, decline and renewal in downtown St. Augustine.

Needs Statement

The value of downtown St. Augustine’s social economy is not fully recognized, therefore opportunities may not be fully developed or supported with sufficient resources.

Goals and Objectives

The study’s results can be used in a variety of ways, including:

- ▣ **Identify appropriate allocation of resources** and public safety services to better manage social activity as a continued source of economic vitality.
- ▣ **Raise public awareness about nightlife** and the social economy as a legitimate economic sector and viable economic engine by promoting their fiscal, economic and employment contributions.
- ▣ **Elevate the professional status and communication** of social venues.
- ▣ **Propel greater coordination between government and nightlife representatives** to collaborate on sustaining vitality, while also reducing safety and quality of life impacts.
- ▣ **Track industry growth and change** by conducting assessments on a regular basis.

IMPLEMENTATION

- ▣ **Determine objectives and impact types** (e.g. arts and culture, economics, fiscal revenue, community, real estate, tourism).
- ▣ **Adjust study design based on needs** (e.g. geography, industry focus, time parameters, available data, capacity of local partners and budget).
- ▣ **Collect data:** Assign roles; Create a work plan; Collect data through 3rd party data, business surveys and visitor surveys.
- ▣ **Analyze data** and create a user-friendly report geared to a range of audiences and expertise.
 - Explain methodology for analyzing data.
 - Explain how to communicate findings and list target audiences.
 - Identify policy implications.
- ▣ **Communicate findings** to key stakeholders and decision makers.

RESOURCES

- ▣ **Visitors and Conventions Bureau (VCB):** This study may be supported by the VCB if an official proposal is submitted.
- ▣ **Flagler College** may also be able to provide possible support.



ACTIONS TO ASSURE SAFETY IN THE SOCIAL ECONOMY

- ACTION 1: Facilitate Easier Access by Emergency Vehicles
- ACTION 2: Improve Lighting In “Dead Zones”
- ACTION 3: Form a Nighttime Social Venue Alliance
- ACTION 4: Educate Visitors to Not Carry Open Containers

ACTION 1: FACILITATE EASIER ACCESS BY EMERGENCY VEHICLES

This action emerged from the Public Safety roundtable.

OVERVIEW

Emergency vehicles (e.g. fire trucks, ambulances, police cars) need to efficiently access locations within downtown when called for service. Closing strategic streets to public car access will help alleviate the challenge.

NEEDS STATEMENT

According to our research, emergency vehicles have a delayed response time to access people in need due to traffic congestion, limited road space and multiple obstacles in the roadway—including improperly parked cars, pedestrians and rideshare vehicles stopping to pick up or drop off passengers.

GOALS AND OBJECTIVES

- ▣ Reduce response time by emergency services.
- ▣ Improve access by emergency vehicles by removing traffic congestion and other barriers in key areas.

BARRIERS

- ▣ Narrow historic roads.
- ▣ Improperly parked cars (over the line).
- ▣ Pedestrians trying to share the road with cars (pedestrian safety risk).
- ▣ Rideshare vehicles stopping to pick up and drop off passengers.
- ▣ No dedicated lane for emergency vehicles.
- ▣ Residents live downtown, so can't close streets completely to public access.



IMPLEMENTATION

Steps

- ▣ Identify strategic streets to close to public vehicles at night (making them accessible only to pedestrians and emergency vehicles).
 - Determine exact times and days.
 - Start with closing Hypolita Street.
 - Create a special pass for residents to access homes.
- ▣ Develop signage to educate visitors of closed streets during certain hrs
- ▣ Research mobile emergency services e.g. paramedics on bike.

Stakeholders

- ▣ Parking enforcement
- ▣ DPW
- ▣ Residents (note: Quality of Life roundtable participants expressed support for some street closures.)
- ▣ Fire and Police Departments

ACTION 2: IMPROVE LIGHTING IN “DEAD ZONES”

This action emerged from the Public Safety roundtable, Women’s Focus Group and multiple interviews with venues.

OVERVIEW

Consistent lighting can improve the perception of safety and deter crime and nuisance activities. To improve lighting downtown, stakeholders must engage in the Historic Architectural Review Board process to ensure historic preservation standards are met. This process can require multiple meetings over several months, but will yield long-term dividends.

NEEDS STATEMENT

There are pockets of “dead zones” devoid of light or people downtown. While St. George Street is well lit, lighting on side streets and alleys are inconsistent, with some being very dim, presenting a safety hazard for pedestrians.

GOALS AND OBJECTIVES

- ▣ Improve lighting on strategic pathways downtown.
- ▣ Improve perceptions of safety at night.
- ▣ Reduce incidence of crime, in part attributed to dim lighting (e.g. robberies, physical assaults).

BARRIERS

- ▣ Lighting upgrades require review and approval by the Historic Architectural Review Board to ensure historic preservation standards for light fixtures.
- ▣ Architecture and design of each building determines what types of light fixtures are allowed.
e.g. a colonial light fixture would not be allowed on a Victorian style building.

LIGHTING IMPROVEMENTS ALREADY COMPLETED AND/OR UNDERWAY

In 2014 the City reconstructed Hypolita St, Treasury St and a portion of Spanish St. The project included lighting for the streets. The City is working on reconstructing Cuna St, the remainder of Spanish St, Tolomato Ln and the Tolomato Lot. The project includes lighting and is expected to start construction the summer of 2022. When completed, a total of 66 new streetlights will be added to the downtown area. Future projects in the downtown area that will incorporate lighting will be Cordova St, Granada St, Cathedral Pl, Charlotte St. These are in the 5-10 year capital improvement window.

IMPLEMENTATION

Steps

- ▣ Review Lighting Inventory conducted by Code Enforcement Division as a resource.
- ▣ Supplement and enhance current projects already underway/planned.
- ▣ Designate strategic pathways to prioritize for improved lighting e.g. to parking lots and the garage.
 - Charlotte Street was identified by project participants for lighting improvements.
- ▣ Engage with Historic Architectural Review Board about lighting fixtures pre-approved for different building design and materials to create a pre-approved fixtures list. (Note: a pre-approved list exists for streetlight fixtures.)
- ▣ Apply Crime Prevention through Environmental Design (CPTED) principles.
- ▣ Identify additional strategies for activation e.g. River and Fort’s outdoor dining provides natural surveillance.

Resources

- ▣ Lighting Inventory completed by Code Enforcement Division.
- ▣ Florida Power and Light is in the process of upgrading all street light fixtures to LED fixtures.

Stakeholders

- ▣ Code Enforcement Division (conducted lighting inventory)
- ▣ Venue operators
- ▣ Property owners
- ▣ Historic Architectural Review Board

ACTION 3: FORM A NIGHTTIME SOCIAL VENUE ALLIANCE

This action emerged from the Venue Safety roundtable.

OVERVIEW

There is an opportunity to lay the groundwork for formation of a formal Nighttime Social Venue Alliance. Small steps include starting a WhatsApp phone group among general managers and security. Next steps will be development of a self-regulation standards guide for operation, scheduling quarterly meetings with police, and coordinating training. Formalizing a group will also help provide a way for the City to coordinate with the industry on new initiatives and services to benefit the industry (e.g. employee parking plan).

BACKGROUND

Proposed legislation, which will create new systems of regulation, oversight and safety management of the hospitality industry, served as the catalyst for convening venue operators. A recent meeting held March 3, 2022, convened by RHI, was the first official meeting that gathered a group of 30+ venue operators and property owners of social venues. This group has the potential to continue to meet and develop a more formal association.

NEEDS STATEMENT

Nighttime social venues are operating in isolation but dealing with many of the same challenges. In some cases, they need to forcibly remove a disorderly patron, but there isn't any way to notify other security in case this patron attempts to enter another business.

Several different groups want to better connect with the hospitality industry but don't know how. The City wants to develop an employee workforce parking program, but needs to better understand the nighttime hospitality industry's needs. The Chief Resilience Officer wants to connect to partner on flooding mitigation strategies. Residents want to connect with businesses to develop incentives for bringing back residents to downtown.

GOALS AND OBJECTIVES

- ▣ High standards for venue operation and safety of both employees and patrons.
- ▣ Unified voice to advocate for changes in policy and compliance.
- ▣ Self-regulation, peer mentorship and education prior to enforcement action.
- ▣ Coordination and cooperation of general managers and security staff.
- ▣ Sharing of resources.
- ▣ Increase professionalization of the industry.

BARRIERS

- ▣ Privacy concerns about the WhatsApp phone group content being used against venues.
- ▣ Police used to organize meetings with hospitality businesses thru the County Chamber. But, they were not well attended by late-night venues due to the early morning time.
- ▣ Venue owners are concerned that their staff will be too busy to constantly monitor their phones.

IMPLEMENTATION

Steps

- ▣ **FRLA (Nicole Chapman)** volunteered to set up and run the WhatsApp group as the admin. Venues need to join the FRLA to be admitted.
 - (FRLA currently helps run a WhatsApp group for hotel general managers in Duval County.)
 - Identify 1 to 2 staff per venue.
 - Provide a list of contacts to Nicole.
 - Develop guidelines of what info should vs. shouldn't be shared.
 - Send invitation to general managers and security staff.
- ▣ **Schedule monthly or quarterly meetings** to discuss common challenges and concerns and for police to explain current deployment model. Initiate exchange of cell phone numbers between venue security and police officers deployed downtown at night.
- ▣ **Create a regular schedule for collaborative trainings.** Examples:
 - **Active shooter training by police** for venues (right now it's on-demand, but there's limited awareness about it).
 - **Women Against Violent Encounters (WAVE)** about situational awareness for female nightlife patrons. The Amphitheatre is currently having all staff take this training.
- ▣ **Create a best practices guide** outlining self-regulation standards.
- ▣ **Workforce survey developed by RHI can be replicated locally and distributed to nighttime social venues.** Information to be compiled and provided to Reuben Franklin regarding data on parking needs for the nighttime hospitality industry employees. <https://www.surveymonkey.com/r/R3P2RKZ>

Resources

- ▣ **Use FRLA's Model of a WhatsApp group for the general managers of hotels.**
- ▣ **Draft of a Best Practices Guide exists** (written by a roundtable participant).

ACTION 4: EDUCATE VISITORS TO NOT CARRY OPEN CONTAINERS

This action emerged from the Venue Safety roundtable.

OVERVIEW

Educating visitors that they're not allowed to drink from open containers can go a long way in reducing the perception of a permissive environment downtown, reduce pre-loading and assist licensed venues from having to intervene with patrons when they try to enter establishments with open containers.

NEEDS STATEMENT

Open containers have been observed among downtown visitors and transients. Evidence (empty cups, glass bottles) ends up as litter downtown. Many people assume St. Augustine is similar to New Orleans, where open containers can be carried from place to place and consumed on the street; they're unaware of city ordinance banning them. There are too few officers downtown to enforce the ordinance, except in the case of transients and unsheltered populations, whom they prioritize.

GOALS AND OBJECTIVES

- ▣ **Reduce open containers** in historic core.
- ▣ **Reduce opportunities for pre-drinking** prior to patrons arriving to licensed venues.
- ▣ **Don't allow intoxicated people in to social venues** who have "pre-gamed."

BARRIERS

- ▣ **Due to the limited number of officers (and time it takes to process a citation, arrest), transients and/or unsheltered are prioritized for open container citations** as they are more likely to stay in one place and become aggressive towards visitors. It's a \$100 citation or arrestable (misdemeanor). But, if an arrest takes place, the officer will be taken off the streets for hours if not the whole night. Visitors are asked to throw their containers away.
- ▣ **Gap in community outreach officers**, who used to go to court to advocate for police officers' citation reports for things like open container violations. They played a critical role in filtering out who needed social services.
- ▣ **Not all social venues have "security staff" at the door** because many are licensed as restaurants. They may just have a host/hostess, who may be intimidated and not have the training to intervene.

IMPLEMENTATION

Steps

- ▣ **Educate venue staff** about not letting people enter or leave the premises with open cups.
- ▣ **Create a marketing video by VCB, TDC:** have fun, but stay safe (1 min video on safety rules). Display a QR code to watch. Connect with DISCUS and responsibility.org for a grant to assist in the video production.
- ▣ **Education campaign:** hotels, airbnbs, b&bs, Lyft and Uber drivers: don't carry open drinks
- ▣ **Create and distribute a guide for wedding parties** that wedding venues can distribute re: after-partying in the city (conveying community standards; rules of community e.g. no open containers, no entry to venues if people are intoxicated).
- ▣ **If ambassadors are hired**, they can be an additional way to spread the message.
- ▣ **Convene a meeting between licensed bars and restaurants with the Wedding Alliance (an association of wedding venues)** to discuss how they're part of the full continuum of social economy, and how wedding guests impact venues.

Resources

- ▣ **FRLA**
- ▣ **Wedding Alliance** (a professional association of wedding venues for the city)



ACTIONS TO ENHANCE VIBRANCY IN THE SOCIAL ECONOMY

- ACTION 1: Educate Visitors About Not Giving to Panhandlers
- ACTION 2: Create More Opportunities for Original Live Music
- ACTION 3: Update Event Procedures and Coordination

ACTION 1: EDUCATE VISITORS ABOUT NOT GIVING TO PANHANDLERS

This action emerged from both the Public Space and Quality of Life roundtables; presence of panhandlers was identified as a challenge in multiple meetings and interviews.

OVERVIEW

St. Augustine can break the cycle of panhandling by addressing their source of income: visitor donations. Educating visitors on how to redirect their donations to social services can make long-lasting change that can potentially help deter panhandlers from coming to downtown.

NEEDS STATEMENT

Downtown St. Augustine has become a destination for unsheltered, transients and panhandlers. Their presence creates safety concerns for employees, students and visitors. Although most are not aggressive, they contribute to negative perceptions of safety, especially for women. A panhandling ordinance is in place, but it doesn’t deter their presence.

Unsheltered, transients and panhandlers are part of distinct communities with unique needs. Panhandlers are not always homeless; some have chosen panhandling in lieu of traditional work, yet have homes. Of the homeless population, only about 5% choose to live “home-free” and off the grid. Many have substance abuse issues; others need transitional housing.

When visitors give money to panhandlers, they continue a cycle of downtown St. Augustine as a destination for begging.

GOALS AND OBJECTIVES

- ▣ **Maintain the Compassionate City status** but direct funds to create change long-term.
- ▣ **Educate visitors about how to donate their money to social services** for longer-lasting change and positive impact on the lives of people in need.
- ▣ **Cut off the supply of donations to panhandlers** to make downtown a less desirable place for begging.

BARRIERS

- ▣ **Lack of awareness** among residents, businesses and employees about local social services and initiatives to address homelessness, transients and panhandlers.
- ▣ **Panhandlers are mistaken for being homeless.**
- ▣ **Police deploy homeless outreach officers, but they are limited in what they are able to do.** Being homeless and panhandling are not crimes. There are restrictions in place for the time, place and manner for panhandling.
- ▣ **Visitors** have compassion for homeless.
- ▣ **Concern over people breaking into** parking meters for the money.
- ▣ **Concern over drawing visitor attention** to the challenge the city is trying to address.

IMPLEMENTATION

Steps

- **Create educational materials for businesses and residents** about current initiatives and social services that address homelessness.
- **Create educational materials for visitors** e.g. flyers that can be distributed at hotels, airbnbs, and bed and breakfasts to educate visitors that not all panhandlers are homeless. Give info on how if they want to help, how to provide to social services.
- **Develop educational pamphlets about** what homeless are able to do vs. not do; what police are able to do vs. not do.
- **Educate residents about who are actually homeless** (St. Francis House data says 93% from the last quarter of 2021 were residents from the city of St. Augustine, many of whom are seniors on fixed incomes who cannot afford higher rents; many are working.)
- **Communicate to school groups** about panhandlers and how to donate to social services.
- **Install signage downtown** with information on how to donate to social services.
- **Create positive signage** with positive messaging e.g. Your dollar will go 15x farther if you donate to social services; keep our community beautiful.
- **Provide Homeless Outreach Team** pamphlets to distribute.
- **Create a QR code to** venmo or paypal a central social service agency e.g. Continuum of Care.
 - **Determine how funds should be distributed and by whom** e.g. should funds go to Continuum of Care?
- **Recycle old parking meters** to be used as change collectors. Station them inside hotels.

Stakeholders

- Continuum of Care
- Homeless outreach teams
- VCB
- TDC
- Hotels

Resources

- **Model:** Tampa has stone dolphins to put money into

ACTION 2: CREATE MORE OPPORTUNITIES FOR ORIGINAL LIVE MUSIC

This action emerged from the Social Venue roundtable.

OVERVIEW

Elevate the caliber of nighttime social experiences by offering authentic, experiential options that support the local talent pool. An ecosystem of support through better connectivity between event/festival planners and local musician networks, as well as facilitating logistical needs such as dedicated loading zones. Fostering a robust live music scene also requires a market base of support from local residents and a cultural standard for paying higher wages to performers.

NEEDS STATEMENT

Current live entertainment is oriented to tourists with cover bands that perform mainstream hits. There are minimal opportunities for local artists to showcase original music. Participants cited surveys that indicate tourists’ desire an authentic experience. Fostering a strong local resident support base is also critical.

GOALS AND OBJECTIVES

- ▣ **Retain and support** local talent.
- ▣ **Attract a broader range of musicians and artists.**
- ▣ **Connect local community** with local artists.

BARRIERS

- ▣ **Live music scene** described as “tourism music, cover music and mainstream pop” catering to tourists with few gigs for original artists. The same bands have played for years and have become “saturated.”
- ▣ **No clear music signature/brand of local music** in St. Augustine.
- ▣ **Lack of local support base:** Locals don’t come downtown to socialize or listen to music. Musicians expressed a need to change locals’ expectations of accessing downtown.
- ▣ **Low wages paid to musicians.** Musicians don’t feel valued.
- ▣ **Mass exodus of creative talent** because cost of entry is too high.
- ▣ **Hobbyist musicians** willing to perform for less; lower quality music compared to professional musicians.
- ▣ **Limited # of dedicated live music venues** (most venues are restaurants where bands perform).
- ▣ **Misperception among musicians that restaurants can’t charge a cover fee.** There is no code that prohibits restaurants from charging a cover fee, but this is a common misperception. Most social venues are licensed as restaurants, even though many feature live music. Because restaurants believe they can’t (or choose not to) charge a cover fee, the ability to hire high quality musicians is inhibited. Cover fees are often used to support musician costs.
- ▣ **Loading zones:** Musicians have been ticketed for unloading equipment in loading zones. The VIC parking garage is too far to unload equipment. Bands have said they get harassed while unloading equipment. This contributes to a perception that the city is “anti-musician.”
- ▣ **St. Johns Cultural Council** has limited connections with local artists and musicians.

IMPLEMENTATION

Steps

- **Book local talent for annual events** (e.g. Music in the Square, Nights of Lights, 4th of July). Connect event producers with local talent brokers i.e. Ancient City Entertainment.
- **Data Collection:** Map venues by music markets. Conduct a survey of venues and festivals **for the purposes of planning and promotion.**
- **Create a designated “musician parking pass/placard”** to identify legitimate musicians unloading equipment so they aren't ticketed by parking enforcement.
- **Create connections between event producers** and St. Johns Cultural Council to promote artists from within the region.

Resources

- **St. Augustine Cultural Council** has Arts and Tourism Grants
- **St. Augustine Music Guild**
- **ACE Alliance: A non-profit 501C(3)** that evolved from Ancient City Entertainment. Goal is to help professionalize the music industry by offering training on taxes, contracts, creation of LLCs, etc.
- **(Past Resource): Musicians Guild of St. Augustine:** In about 2016, a networking group was formed with musicians and venue owners. It was well attended, but the group lasted less than a year.

ACTION 3: UPDATE EVENT PROCEDURES AND COORDINATION

This action emerged from interviews with police and city staff.

OVERVIEW

Enhancement of current systems that track events held on private property, especially weddings, will help key city agencies and hospitality venue operators to be aware of anticipated crowd surges downtown and better coordinate staffing needs. Revisiting city guidelines to expand event security to private security (and not just police) for events with alcohol service on public property can potentially help event planners successfully meet security needs and address officer shortage.

NEEDS STATEMENT

Events contribute to impacts in the social economy that require planning, coordination, and resource management. Robust systems of tracking, inter-departmental coordination, risk management and operational review exist for events held on public property, but the same is not true for private events. Although private events may be smaller in occupancy than public events and festivals, the large number of events contribute to a combined potential attendance number comparable to a small-scale public event.

Weddings comprise the majority of private events that take place downtown, but quantitative data is unknown. There are about a dozen formal wedding venues located in/around downtown, as well as several informal venues (e.g. short-term rentals for “backyard weddings”) nearby. Weddings anecdotally take place during the week and weekends year-round; one venue can even host multiple weddings simultaneously on multiple floors.

When weddings end (usually between 11:00 p.m.-12:00 a.m.), a crowd surge similar to bar closing time descends upon downtown social venues—potentially hundreds of people eager to continue to socialize, despite varying levels of intoxication upon arrival. Social venues are already understaffed; knowing when to anticipate such crowd surges would be helpful for resource management.

Events (both public and private) are straining police department resources to provide sufficient staffing for both on-duty zone assignments and off-duty event requests. Certain events and concerts have required ratios for patrons to security, while some wedding venues proactively hire off-duty officers to provide security (despite the lack of security requirement for weddings held on private property). Police are required to provide security for events held on public property with alcohol service, according to the City’s Guidelines for Events Held on Public Property (2020).

The City’s Event Coordinator and the Police Department’s Special Events Scheduler both noted that certain events are becoming more difficult to staff with police. While weddings are easy to fill with police sign-ups, concerts at the Amphitheatre and some events/festivals that are city-permitted are more difficult to staff. Further, there are occasions where events have proceeded, despite not meeting required security presence, due to lack of available police officers. On rare occasions, the police chief may deem an event a public safety risk, and therefore order police to do overtime to staff the event if no one has voluntarily signed up.

GOALS AND OBJECTIVES

- ❑ **Create systems of connectivity, communication and transparency** between the City, wedding venues, and venue operators.
- ❑ **Facilitate coordinated planning of staff resources** (e.g. police, venue operations staff, etc.).
- ❑ **Update event policy to explore alternative options to police** for event security.
- ❑ **Reduce strain on the police department** from event security requests.
- ❑ **Address underlying issues for why police** may not choose to voluntarily sign up for events.
- ❑ **Ensure high standards for private security companies** if their use is expanded for events.

BARRIERS

- ❑ **Lack of data on the number of private events, especially weddings,** that take place in the City, and their approximate attendance due to a gap in a central tracking system. Further, there is no driving force (or required City touchpoint) to have event organizers report about private events.

- ▣ **Minimal touchpoints between the City and private events.** Wedding venues and private event organizers are not required to report upcoming events to the City, nor be part of the monthly event review meetings that convene multiple city agencies. *(This is not to say that there is a need, but rather to illustrate their exclusion from current systems where data is collected.)*
- ▣ **Wedding industry is difficult to define, organize and provide data.** (As part of this project, RHI requested data from venues dedicated to hosting weddings). But, it's difficult to analyze the full scope of the industry, as there are also unofficial/informal venues for hosting weddings e.g. renting a house for a “backyard wedding.”
- ▣ **Guidelines for events with alcohol service held on public property require police** as the provider of event security. (Private security are only allowed to supplement the minimum required number of police.)
- ▣ **No City vetting process to approve private security** that event planners hire to supplement police for city-permitted events and/or events on public property (potential liability risk to the City).
- ▣ **Police as event security are based on voluntary sign-ups for off-duty work.** Despite city requirement for police to provide minimum security (and permits issued by the City for events that expect police to provide staffing), working off-duty at events is at the discretion of officers. (The only exception is for the two city-sponsored events, Fourth of July and Nights of Lights’ kick off.) Some events are more preferable than others. Types of events:
 - **Weddings are highly desired and easy for police to fill requests** because they usually just require one officer, they're inside with AC, meals are served, and each wedding party is considered the employer (not the venue itself), so police don't have to submit a 1099 if paid less than \$600.
 - **St. Augustine Amphitheatre hosts 60-80 events annually** with each event requiring 4-7 officers, depending on the crowd. These are difficult to fill with requested police because after working about two concerts, officers will have made about \$600, so any further work would require submission of a 1099 form for taxes; payment takes 2-4 weeks.
 - **City-Permitted Events (e.g. 5k runs, parades, festivals on Francis Field),** which may require 2+ officers depending on crowd size. Some private event organizers are notorious for paying later than the requested 2-3 week time period. If events are for a few hours, some officers prefer not to break up their day to make a small amount of money.

IMPLEMENTATION

Steps

- ▣ **Request that dedicated wedding venues add their upcoming weddings with an approximate # of attendees to the existing Google Calendar** (maintained by the city's Events Coordinator).
- ▣ **Create a communication system for hospitality operators to be notified about upcoming weddings** for the next month with potential combined occupancy from multiple venues.
- ▣ **Consider revisions to city's event guidelines to expand security providers to include private security** for events held on public property that serve alcohol.
- ▣ **Set minimum standards for private security providers** that are hired by event planners to supplement police for events that require city permits and/or on public property. The purpose is to ensure safety standards are met for private security companies and to mitigate potential liability to the city if an incident occurs involving private security companies for events.
- ▣ **Explore how to address barriers** to working events identified by police.

Resources

- ▣ **City's Events Review Committee** convenes multiple city agencies every Wednesday to review upcoming city-sponsored events or private events that will take place on city property. The committee meets with the event organizer to review the operations plan for mobility, crowd management and risk mitigation. City-permitted events must be approved 6 months in advance to ensure sufficient management resources are planned for.
- ▣ **City's Event Coordinator** (Cori Niles).
- ▣ **Police Department's Special Events Coordination staff** (Jeff Truncellito).
- ▣ **Google Calendar exists for City-permitted events and some weddings on public property.** The City's Events Coordinator maintains a calendar outlining all public events, private events on public property and some partial data on weddings (if, say, a wedding party needs approval to host part of the wedding on public property e.g. Lightner Museum's courtyard).
- ▣ **Wedding Alliance.**
- ▣ **VCB** (a resource for event information and calendar hosting).



ACTIONS TO PLAN FOR PEOPLE IN THE SOCIAL ECONOMY

- ACTION 1: Formalize and Raise Awareness of Rideshare Hubs
- ACTION 2: Provide Safe, Efficient Parking for Nighttime Employees
- ACTION 3: Bring Residents Back Downtown
- ACTION 4: Refine Sound Management Process

ACTION 1: FORMALIZE AND RAISE AWARENESS OF RIDESHARE HUBS

This action was identified in both the Public Safety and Mobility roundtables.

OVERVIEW

Rideshare hubs create designated areas for pick-up and drop-off of passengers. They help reduce traffic congestion and expedite district egress for nightlife patrons to return to their residence safely.

NEEDS STATEMENT

Rideshare services (e.g. Uber, Lyft) are a key mode of transport for nightlife patrons to access and leave downtown. Yet there are no current systems of coordination for pick-up and drop-off. Narrow roads lead to traffic congestion from cars and waiting passengers, delays in pick-up and pedestrian safety challenges when trying to access vehicles. Emergency vehicles cannot access the area. The longer that crowds linger, there are more opportunities for fights and sound disturbances to occur.

Three rideshare hub locations have already been selected, per a presentation by City Manager John Regan²: (1) Clock Tower at Visitor Information Center (VIC); (2) Avenida Menendez; (3) Ponce Statue at the Plaza. However, only one is being used informally. There was limited awareness about the hubs' locations, nor signage to designate their authorized use as rideshare hubs.



GOALS AND OBJECTIVES

- Expedite district egress at closing time by improving efficiency for passenger pick-up.
- Decrease impacts generated by sound disturbances, fights and disorder from lingering crowds.
- Prevent impaired driving and reduce alcohol-related accidents and injuries; increase pedestrian safety.
- Reduce traffic congestion associated with ride-share services; provide access by emergency vehicles.
- Increase natural surveillance in strategic areas, thus enhancing public safety.

BARRIERS

- Limited awareness among participants about city's intention to use the three selected locations as rideshare hubs.
- Signage: No signage authorizing locations for ride-share vehicle use; no wayfinding signage to direct passengers.
- Taxi Stand Locations: Rideshare vehicles aren't allowed to use taxi stand locations per code.
- Lighting: Some of the three selected ride-share hub locations have dim lighting, which could be a barrier to use.
- Perceived inconvenience by patrons to walk to a new location when they are accustomed to being picked up directly in front of businesses.
- Process of engaging rideshare services to update their apps to direct passengers to the designated hubs and communicate with drivers about new procedures for nighttime pick-ups downtown.
- Surge pricing for rideshare services on weekend nights and during events make them expensive to use.
- Cell phone reception is limited to call for rideshare services when there are large numbers of people downtown.

² Quality of Nightlife Strategic Plan presented to the City Commission on August 12, 2019 by City Manager John Regan

IMPLEMENTATION

Rideshare Hub Locations: Challenges to Overcome

Each of the three selected locations have unique barriers/challenges to be overcome for them to succeed.

Clocktower at VIC 	Challenge: Dim Lighting at Night 	Current Signage 	Current/Future Use Proposed staging area for horse carriages. Current staging area for trolleys, trains and holly jolly trains during Nights of Lights.
Avenida Menendez 	Challenge: No Coordination The area is congested with rideshare vehicles trying to access passengers and vice versa. No coordination of line queues.	Current Signage Authorizes trolleys to use the area.	Current Use Being used informally as a rideshare hub (because located in front of No Name Bar and White Lion).
Ponce Statue at the Plaza (In Front of Market) 	Challenge: Dim Lighting at Night While technically lit, lighting is somewhat dim. When vendors set up in the Market, there is enhanced lighting.	Current Signage Authorizes sightseeing vehicle and taxis to park there. 	Current Use Trolleys use it to turn around; Uber Eats parks there for pick-up; Nightlife patrons and employees illegally park there.

Steps

- 1. **Conduct research:**
 - o Review RHI's case study on Orlando's rideshare hubs.
https://sociablecity.info/resources/case_studies/orlando_hub.pdf
 - o Contact other cities with rideshare hubs e.g. DC, Pittsburgh, Orlando
- 2. **Convene stakeholders (listed below) to re-confirm the 3 locations selected are the most appropriate:**
 - o Identify each location's unique needs and how to remove barriers to improve use.
- 3. **Determine hours of operation** for the rideshare hubs (i.e. at what time, days will they operate?)
- 4. **Begin engagement with Uber and Lyft** to discuss the process of updating their apps to direct downtown passengers to be picked up and dropped off at the rideshare hubs.³
- 5. **Review and update current signage to:**
 - o Designate locations as rideshare hubs with hours of operation
 - o Authorize rideshare vehicles to use the locations
 - o Provide wayfinding to direct passengers to their locations
- 6. **Review and upgrade lighting** for the rideshare locations' use at night.
- 7. **Create a public education and marketing campaign.**
 - o Create radio, newspaper, print and social media ads
 - o Distribute materials to hospitality venues open at night
 - o Educate business operators and staff
- 8. **Launch rideshare hubs and determine additional amenities.**
 - o Determine public safety staffing needs to monitor area.
 - o Determine if public restrooms can be provided/opened e.g. at the Clocktower VIC.
- 9. **Provide an education and notification period** for violators.
 - o Notify Ubers, Lyfts they must use the rideshare hubs.
 - o Notify illegally parked cars that they will be towed starting on a certain date.
- 10. **Begin enforcement:**
 - o Ticket rideshare vehicles that are operating in non-designated areas.
 - o Ticket parked cars that are illegally parked in rideshare hub locations.

Stakeholders

- ▣ Reuben Franklin, DPW (Rideshare hubs are an action item in the comprehensive mobility plan.)
- ▣ Police Department's Community Affairs Officer, nighttime beat patrol officers , traffic control officers
- ▣ Planning Department
- ▣ Rideshare service providers: Uber, Lyft
- ▣ Venue Operators to communicate to patrons
- ▣ Mobility operators (who will share rideshare hub locations): trolley service providers, taxi companies
- ▣ Parking Department (for enforcement at night)
- ▣ Code Compliance Division (for enforcement)

³ St. Augustine Police Department's Community Affairs Officer, Dee Brown announced on 2/28/22 he would initiate contact.

ACTION 2: PROVIDE SAFE, EFFICIENT PARKING FOR NIGHTTIME EMPLOYEES

This action emerged from both the Mobility roundtable and interviews with venue operators.

OVERVIEW

Provide safe, efficient parking for employees who work downtown at night. Explore options such as a Park and Ride location with a circulator/shuttle to pick up employees and drop them off.

NEEDS STATEMENT

Employee parking is a significant concern for downtown business owners. When garages and lots fill up, especially during night shifts and during events, employees find DIY places to park: in residential neighborhoods, on side streets and in “hidey holes” near their place of employment.

Residents are frustrated by employees parking in neighborhoods. Employees are frustrated by parking tickets, which may be almost as much as the money they made that day. Employers identified parking availability as a barrier to hiring workers.

Safe passage to parking is a concern for employees who may be carrying cash tips. Some businesses have a policy of walking female staff to cars to ensure their safety. Employees have reportedly quit due to safety concerns around parking.

GOALS AND OBJECTIVES

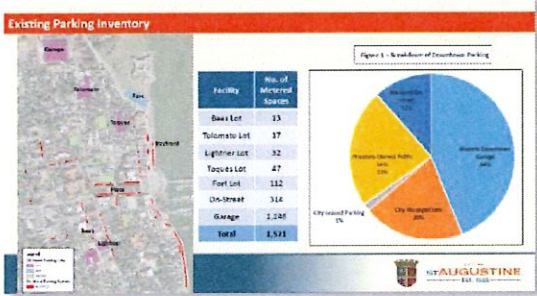
- Ensure sufficient parking availability in designated locations for employees
- Reduce illegal parking by employees.
- Provide safe passage for employees to parking areas.
- Provide incentives to business owners to help employees access safe parking (instead of penalizing them).

BARRIERS

- No organized data on the downtown workforce or their parking needs, especially nighttime hospitality employees.
- Parking Cost: A parking pass in the 1 Cordova Street garage is \$30-33/month for residents who are employees, but this discounted rate doesn't apply to employees who are not residents of the city (e.g. if they're a resident of St. Johns County). Some employers cannot afford to purchase parking passes for all employees.
- Parking Supply: The parking garage on 1 Cordova St is sometimes full on weekends between 4:00 p.m. – 2:00 a.m., as well as during events. Parking is typically available starting at 9:00 p.m. (but hospitality employees arrive earlier).
- New Parking Garages are Contentious: Community pushback against City's proposal to build more parking garages downtown due to the concern that it would bring even more visitors.
- Lack of alternative transportation to access downtown: There are no alternative mobility options for employees to access downtown and return home at night (rideshare is expensive), especially if they live outside the city.

Current Parking Inventory

There are a total of 1,571 parking spots available in lots, the garage and on the street.⁴



⁴ Parking Rate Analysis & Revenue Discussion Presentation (June 24, 2019)

IMPLEMENTATION

Steps

- **Data Collection** (see survey image)
 - How many employees are there downtown? (Or are we just focusing on nighttime employees)?
 - If fully staffed, how many employees would businesses have? How many do they have currently?
 - When do their shifts begin and end? Where do they live?
- **Workforce survey developed by RHI** to be replicated locally and distributed to nighttime social venues. Information to be compiled and provided to the Mobility Coordinator to provide needed data on parking needs for the nighttime hospitality industry employees.
<https://www.surveymonkey.com/r/R3P2RKZ>
 - Convene a meeting between City's Mobility stakeholders (see list below) and hospitality venue operators to discuss: |x Employee parking needs.
 - Explore potential options for employee parking to determine strategies that will be most used.
 - Identify location for a dedicated Park N Ride with a circulator/shuttle to provide safe transport.
 - Explore a resident permit parking program to ensure sufficient parking for residents.
- **Begin education and marketing campaign**
 - Provide information to hospitality venue operators. **Move forward with strategies:**
 - Track usage numbers.
- **Conduct check-in with venue operators**
 - Find out how the program is working; what are the barriers to expanding use.
- **Begin education process** (notices of violation for parking in residential permitted areas)
- **Begin enforcement process** for violators who park in residential permitted areas.

STAKEHOLDERS

- **Reuben Franklin**, DPW (Rideshare hubs are an action item in the comprehensive mobility plan.)
- **Xavier Pellicer**, Mobility Manager
- **Denise Medrano**, City's Parking and Garage Supervisor
- **Tarra Bennie**, City's Parking Supervisor
- **Hospitality venue operators** and staff.

* 1. Business Name:

* 2. Business Street Address:

* 3. Your name (First, Last):

4. How many employees does your business currently employ?

How many employees are full-time?

How many employees are part-time?

5. If your business was fully staffed, what is your ideal number of employees?

How many employees would be full-time?

How many employees would be part-time?

6. When do your employees...

Begin their shifts:

End their shifts:

7. How do your employees commute to work?

☐ Car

☐ Public Transportation

☐ Walking

☐ Small Vehicle (bike, scooter, etc.)

Other (please specify):

8. Where do your employees live? Where are they coming from?

9. On an average day, how many employees (full-time and part-time) drive to work and require parking?

10. On an average day from Monday to Thursday, how many employees (full-time and part-time) are working during the following time periods?

Day (before 5 PM):

Evening (from 5 PM to 10 PM):

Night (from 10 PM to closing):

11. On an average day from Friday to Sunday, how many employees (full-time and part-time) are working during the following time periods?

Day (before 5 PM):

Evening (from 5 PM to 10 PM):

Night (from 10 PM to closing):

Done

ACTION 3: BRING RESIDENTS BACK DOWNTOWN

This action emerged from the Quality of Life roundtable.

OVERVIEW

Residents feel disconnected from downtown and want to patronize local businesses, but need special incentives and barriers removed.

NEEDS STATEMENT

Residents don't often engage in downtown's assets. They live near dining and entertainment options but don't have an opportunity to participate in them due to the overwhelming presence of tourists.

September is considered "Resident/Reduced Month" due to the decline in tourism (because it's hurricane season). Unofficially, historic sites offer residents free access to attractions. But, some of the promos offered don't align with residents' interests (e.g. not interested in a discount on trolleys).

GOALS AND OBJECTIVES

- ▣ **Connect residents with downtown** to restore a sense of community.
- ▣ **Create a local resident patron base.**

BARRIERS

- ▣ **Factors that contribute to inconvenience:** difficulty finding parking, long wait times, restaurants don't take reservations. Addressing mobility in accessing downtown amenities is the primary barrier to be removed.
- ▣ **Resident Month (September) targeted by TDC** to bring in more tourists because it's known as a slow tourism month.

IMPLEMENTATION

Steps

- ▣ **Convene a meeting of hospitality operators with residents.** Discuss what residents want and how hospitality operators could realistically provide opportunities for residents.
- ▣ **Explore incentives for patronage** e.g. limited reservation system to hold 10% seats, 10% discount for residents.
- ▣ **Engage young new residents** (average age of new residents per TDC is mid-30s with families).
- ▣ **Partner businesses with neighborhood groups** so residents host social events and meetings downtown.
- ▣ **Gather data:** How many permanent residents are still living downtown? Compare utility bills of the resident population from 2010 to 2020 to see how many people live in the downtown core vs. migrated outside the city.

Resources

- ▣ **Key West a model.**
- ▣ **Neighborhood Council** of St. Augustine

ACTION 4: REFINE SOUND MANAGEMENT PROCESS

This action emerged from interviews with Venue operators and City Staff.

OVERVIEW

Sound is a complex and challenging topic. No other issue is quite as contentious as sound, especially when it prevents residents from sleeping. There is a continuum of needs from the measurement of sound, enforcement to legal processing. A snag in one part of the system will create loopholes and dissatisfaction.

NEEDS STATEMENT

The City of St Augustine's noise control ordinance is, in general, fairly robust. It defines both A and C weighted measures and uses measurements in relation to ambient. It also defines a sound meter and requires ANSI standards be used when measuring sound. However, while it defines a "Noise Control Officer," it's unclear who or under what supervision these officers exist (i.e. police, code enforcement, other). Also, it charts allowable dB levels through the city only in A weight. Testing procedures are outlined well throughout, and in particular spells out testing at the receiver's dwelling and C weight measurements are mentioned relative to ambient sound. Overall, it seems the tools exist but are not being used as well as they could be. Improvements would include a procedure to set sound levels for social venues when they begin operations, thresholds set for violation related to ambient sound, regardless of time of day.

Sound enforcement is a process rife with frustration on the part of the enforcers, the enforced upon, and complainants. Business owners feel the current sound ordinance impedes their ability to play live music, as the ordinance doesn't adjust for ambient sound. Residents are frustrated by the lack of relief in being able to identify and mitigate the source of sound, especially when sound travels across water. Police are stymied by a difficult measurement process, which requires measurements from a complainant's location (at the receiving end). Data systems are unable to track frequent sound violators and there are no consequences against the venue itself. Meanwhile, even when a sound violation does reach legal processing, judges dismiss the case, making it a perceived "waste of time" to begin with.

GOALS AND OBJECTIVES

- ▣ **Create realistic sound standards** for businesses to abide including a sound level for A and C weights when in operation. This could apply to both indoor and outdoor venues.
- ▣ **Achieve a balance** of business operations with residential quality of life.
- ▣ **Ensure legal follow-through** for violations.
- ▣ **Designate Noise Control Officers to work under one agency**, and train them with sound meters as described in the ordinance.
- ▣ **Create data systems to track all complaints (not just sound)**, like 311, to track frequent violators and complainants.

BARRIERS

- ▣ **Sound travels across the water**, so residents as far as Anastasia Island and Davis Shores may be impacted by amplified music and other nighttime sound disturbances that originate in the downtown historic core.
- ▣ **Ambient sound on St. George Street** can sometimes be higher than the sound ordinance allows inside a business for amplified sound.
- ▣ **Process for Sound Readings:** It can take about 30 minutes to do a proper sound reading (after police retrieve their sound meters from the police station). One officer is deployed to where the complainant is located (at the property line) and another is deployed to venue where the source of the sound is suspected. The two officers coordinate identification of the venue based on the lyrics heard. But, the most common complaint is about bass sound, so the officer must go inside the home to take a reading.
- ▣ **Police are the only agency** certified to do sound measurement and enforcement. Code Enforcement Division plans to have officers certified, but it requires a Rutgers University expert to be paid to provide the class.
- ▣ **Sound ordinance:**
 - **Doesn't adjust for ambient sound** (when determining acceptable DB limit for businesses' amplified music).
 - **Measures sound from the complainant's/receiver's property line.** If a complainant is in e.g. Davis Shores, no visible sight line can be established for the source of the sound. The complainant must be willing to be listed in the report; they can't be anonymous.

- ▣ **Citation for the sound violation goes to the bar manager or bartender on duty.** There is no consequence to the actual venue, venue owner or landlord, even for frequent violations.
- ▣ **Legal Processing of Sound Violations:** Judges reportedly either drop the charges or waive the fine (so there are minimal consequences. Some police are frustrated, as sound enforcement is viewed by some as a “time waster.”
- ▣ **Data Collection Process for Sound Complaints:** Noise complaints compiled by police only show the dispatch location (to the complainant’s location), which doesn’t necessarily correlate to the originating source of the sound (e.g. business location).

IMPLEMENTATION

Steps

- ▣ **Review and upgrade sound ordinance:**
 - Enforce sound from the source of sound’s property line, as opposed to the receiver’s location.
 - Adjust for ambient sound based on the time of day or night. (Make allowances for businesses to operate music a certain # decibels above ambient.)
 - Create a procedure to set sound levels for social venues when they begin operations so that they are aware if they are in compliance or not.
- ▣ **Identify funding source to bring the Rutgers University** sound class to the Code Enforcement Division.
- ▣ **Move forward with plan to have Code Enforcement Division supplement police resources with sound enforcement at night.** The division will be able to issue a “code notice” which deems a property a nuisance after a certain number of violations.

STAKEHOLDERS

- ▣ **Residents**
- ▣ **Social venues**
- ▣ **Police**
- ▣ **Code Enforcement Division**

GOVERNANCE ANALYSIS: DETAILED SUMMARY

Management of Alcohol Licenses

In St Augustine, social venues are a large and important part of the tourist economy. Local government has tried to respond to this growth but has limited tools or consistent systems for oversight. Alcohol licensing is handled primarily by the State of Florida, with some local control related to hours of service. Local municipal code struggles to provide adequate and useful distinctions between bars and restaurants, and as such, business owners are incentivized to be less forthcoming with operating plans to obtain permissions without scrutiny.

Distinctions between a “Bar” and “Restaurant”

The chart below illustrates how the definitions of “bar” and “restaurant,” and the associated costs, can drive decisions by business owners who want to pay less money and avoid more scrutiny via a public hearing process. The definitions below are city defined, which differs somewhat from the state.

St. Augustine’s Historic Core: “Bar” vs. “Restaurant”		
	“Bar”	“Restaurant”
Definition	Any place that serves/sells alcohol on-premise that is NOT a restaurant	Any place that sells, dispenses prepares and serves food, refreshments or beverages from a menu
State alcohol licenses allowed	2COP: \$300-400 4COP “Quota”: \$300,000-500,000	2COP: \$300-400 4COP “Quota” 4COP-SFS: \$20,000-30,000 If 150 occupancy; 2,500 sq. ft; 51% food sales
Alcohol Sales, Service, Consumption Ends	2:00 AM	2:00 AM
Live Music Allowed	Yes, with potential restrictions on amplified sound by PZB	Yes, potentially 24/hours (no mechanism to set hours of operation)
Use by Exception Permit	Yes	No
Planning & Zoning Board Review & Community Input	Yes	No
Conditions	Yes	No
Remediation & re-review if violations	Yes	No

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Perception of an Uneven Playing Field

Overall, there are systems in place that create what appears to be an uneven playing field from the standpoint of nightlife operators.

Restaurants in the historic core are not required to obtain a “use by exception” permit (as are bars), are exempt from a Planning and Zoning Board review and community input. There is little, if any, enforcement of the requirements regarding percentage of food sales versus alcohol. The state definition of restaurant does include a size requirement (minimum square footage), which potentially limits the development of smaller dining options. The cost of an alcohol license for a restaurant is substantially less than the cost of the same for a bar.

Consequently, there are a small number of “bars” in the downtown core, and those owners may feel as if they spent more money and time and have conditions placed on their licenses via the Planning and Zoning Board that others don’t have. Additionally, conditions are placed on a case by case basis based on a set of criteria, but the result is

inconsistency between similar businesses., and a lack of institutional memory, presumably by the Board members or staff. The lack of enforcement tools by City Departments means that neither bars nor restaurants are taken to task very often for violations.

It is our view that improving the definition of bars or restaurants is not likely to solve issues. What is more important is the mixture of people, alcohol, and other activities (eating, dancing, music, etc.). Risk factors increase over time, so regulation should not be as concerned with the definition of a venue, but how it handles these risk factors, particularly if a venue operates at night.

Government Tracking of Licensed Venues



Many businesses (non-hospitality) in the city open and operate without many touches to government. Not so with alcohol licensed establishments. However, RHI’s process did not identify a robust, shared database accessible to different city agencies or a tracking system to be able to quickly review state alcohol licenses and local conditions for each business. The data may certainly be available, but improvement on its location and shareability is indicated.

Locally, the city requires a Business Tax Receipt, which indicates payment of the local business tax each year. Renewals are required annually. However, it was clear

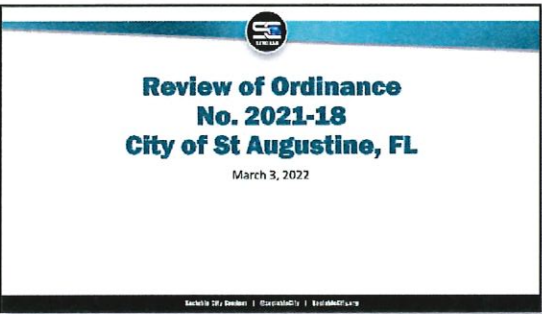
based on RHI’s request for a list of businesses by type of alcohol license and operating conditions set locally or otherwise, that the city may not retain this information in an easily accessible manner. This fact implies a disconnect between departments that issue licenses (P&Z Board and also Tax Collector) and those that enforce code and conditions (Police and Code Enforcement).

The businesses themselves are often unclear on what they are expected to be doing (and not doing) and this flows directly from the lack of process at the City level.

Gaps in Enforcement and Compliance Tools

Alcoholic Beverages & Tobacco (ABT) is understaffed and not able to regularly monitor the venues they license. St. Johns County is part of a region with 8-10 counties and only about 8 officers. The police are therefore expected to enforce the businesses that operate at night, but they are understaffed and see code compliance as a lower priority compared to other safety concerns. There is a plan to staff up Code Enforcement in the City, and the City Manager has appointed the retired police chief to head up Code Enforcement and make necessary changes. Code Enforcement’s work will benefit from a current list of businesses that have any type of city and state licenses, as well as any conditions that may have been placed on those licenses.





Proposed Legislation

City departments that handle only parts of the permit and licensing process are frustrated by the lack of tools to ensure compliance from businesses.

In recognition of this, local legislation was introduced in 2019 to provide those tools, including a local permit that provides operating conditions, and a scheme for code enforcement.

However, city staff unintentionally did not conduct what RHI would consider sufficient outreach to those impacted

businesses, and as such, an air of mistrust was created and uncovered through our work.

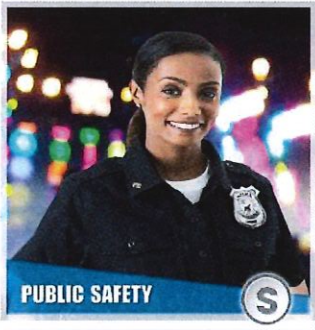
Additionally, COVID changed the landscape for many business owners, so the legislation also needed to be adapted to current issues and market forces post-COVID.

RHI convened impacted business owners on March 3, 2022 regarding the proposed legislation. With the help of the City Manager, those operators (now loosely organized) are working with the city on modifications to the ordinance in a timeframe that is deemed appropriate. In the meantime, Police and Code Enforcement respond to complaints regarding over-service and quality of life issues without much power to make change.

(For a summary of the March 2022 meeting, See APPENDIX II: VENUE LEGISLATION MEETING SUMMARY.)



CORE MEASURE 1: PUBLIC SAFETY



St. Augustine is notable for a positive view of the police expressed by diverse stakeholders interviewed for this project—from venue operators to community members. Officers out at night are described as “gracious, helpful, approachable, and highly responsive to calls.” They have a tourism-oriented approach with emphasis on customer service. The primary goal is to help visitors safely reunite with friends to get home safely. There is a disincentive to arrest people, given the time and resources required, which removes officers from the field.

However, there are too few officers out at night given the large number of downtown visitors. In part, this is due to the funding structure of the county and state (based on residential population, which has remained steady despite exponential growth in the county and a dramatic increase in visitors). The City has

struggled to fill positions dedicated to nightlife that are fully funded. Like police departments nationwide, the City is affected by a national hiring shortage of police officers.

Police have become the “catch all”—responsible for both crime and quality of life issues. Officers are deployed to monitor safety in four zones in the city; they are also responsible for providing event security (e.g. weddings, concerts), sound compliance/enforcement, addressing issues with the unsheltered, traffic control and nightlife safety. At any given time, there may be more officers working off-duty than on-duty, reducing ability to maintain zone integrity.

Desire was expressed for greater visibility of a safety presence downtown. In lieu of more police officers, other cities use a combination of safety ambassadors with other safety agencies to form an inter-agency collaboration deployed at night. These approaches are not currently being employed downtown. Violent crime is rare, but when incidents do occur downtown, they result in a void of safety presence in other city zones.

STRENGTHS	CHALLENGES
Low crime rate (in 2020 it was at a 25-year low). Less fights at closing time since COVID began. Positive working relationship between police and sheriff’s department. Joint inspections between police and ABT (1x/yr). Two new dedicated nighttime bike positions funded (will be nightlife liaisons), but not yet filled. Fire marshal does occupancy checks on holiday weekends (e.g. St. Patrick’s Day, Bike Week). On-demand active shooter training available for venues, taught by police. Plans for Code Enforcement Division to supplement PD with sound enforcement. Real-time crime data monitored via security camera. Women Against Violent Encounters (WAVE) class taught by PD to high school and college students about staying safe at house parties and venues through situational awareness. This training will be introduced to Amphitheatre staff.	Insufficient # of officers (4-5) deployed at night to downtown: 2 bikes, 1 foot, 1 car, 1 corporal.⁵ Booking process for arrests means an officer will be gone for 2hrs or potentially for the rest of the night. “Protective custody” process requires 2 staff monitors in jail or 1 at the hospital, per BAC. Gap in non-police safety presence at night. Events aren’t meeting safety officer requirements but are proceeding anyway. Limited formal coordination between police and venue operators. Code Enforcement Division is complaint-driven. St. George St. generates 20% calls to service for FD. Environmental contributors impede safety: dim lighting; traffic congestion increases response time of emergency vehicles. Presence of homeless, transients and panhandlers downtown generate negative perceptions of safety.

⁵ 1 foot officer deployed during the day Tues-Sat 5pm-1am; 2 bike officers deployed Thu-Sat 3pm-3am and Sun-Wed 12pm-12am; 1 corporal for supervision (when available); 1 patrol car officer for zone 1 (i.e. not dedicated to Downtown). Depending on sick time, PTO, etc., there may be only one officer out past 12am downtown.

Public Safety Models to Consider

This section outlines challenges that were identified during roundtable discussions, but were not prioritized for the action plan. Here are resources and models that may be considered to address these challenges.

Topic	Challenge in St. Augustine	Resources and Models to Consider
Difficulty Filling Open Nightlife Police Positions	There are two dedicated bike positions funded in the PD, but they're not yet filled. The vision is to have these officers serve as a liaison to the community and a consistent contact for venues. Officers report that nighttime downtown positions are undesirable positions due to the perception that they will have to be "the transient police" and have to "break up bar fights."	Nightlife district assignment should be considered a "special assignment" within the department's policy and procedures. This designation and the additional opportunities for leadership development, career enhancement and training offers the opportunity to expand the pool of candidates. Incentives for Hiring & Broadening Candidate Pool: ▣ Training opportunities associated with their position ▣ Opportunities to serve on citywide teams ▣ Key roles in planning and program development ▣ Leadership roles that broaden their career advancement ▣ Specialty assignment pay ▣ Assignment rotation timelines Washington, DC; Virginia Beach, VA; Charlotte and Raleigh, NC: Nightlife district officers get priority for motorcycle and bicycle training, which is key to effective deployment. More Tips Available in the free publication, <i>Public Safety and Policing in Nightlife Districts</i> authored by RHI and Former Charleston PD Chief Gregory Mullen. Access PDF: www.sociablecity.org/sociable-city-resources/public-safety-and-policing-in-nightlife-districts-2018
Gap in Safety Visibility, Especially Non-Police Presence at Night	No other eyes on the street regularly out at night besides police (no safety ambassadors, no other city departments). ABT is understaffed and is not able to regularly monitor venues they license. (St. Johns County is part of a region with 8-10 counties and only 8 officers).	<u>INTER-AGENCY TEAMS</u> Public Safety Teams facilitate a holistic process to assess and intervene with public safety challenges in nightlife districts with a continuum of compliance and enforcement agencies. A policy team meets to discuss collective issues and concerns, then a field team conducts joint monitoring and inspections. The purpose is to work first with venue operators to gain voluntary compliance and remedy concerns. Composition: police, fire, code enforcement, parking enforcement, health department, planning, transportation, ABT control and legal, elected officials, Night Mayor. Examples: Seattle, WA's Joint Enforcement Team (JET); Edmonton, AB's Public Safety Compliance Team. <u>SAFETY AMBASSADORS</u> Safety ambassadors provide a consistent presence of natural surveillance to supplement police as a deterrent to crime and assist with visitor inquiries. Examples: Santa Cruz, CA; Norfolk, VA; Milwaukee, WI

CORE MEASURE 2: VENUE SAFETY



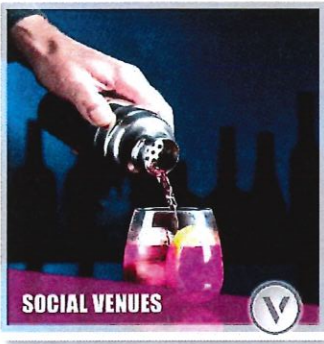
Downtown St. Augustine is generally a safe community to go out at night to socialize. Violent crime is rare in/around social venues. Venue operators engaged in this process have expressed a willingness to step up to help make the community safer. Some businesses have excellent approaches to manage crowds and public safety and can serve as a model for other businesses. Yet standards for safety and service are inconsistent due to lack of standardization for door security and server training.

The lack of formal organization among venue operators poses a challenge to improved coordination with the City. Government employees are stymied by not knowing how to reach a central contact who can serve as a unifying voice to the rest of the industry. There are several City initiatives underway in which hospitality industry input is sought.

Another type of “social venue” is wedding venues. A major industry in the city, wedding guests comprise a significant portion of patrons at downtown nightlife venues. Some have been described as disruptive and entitled, demanding entry or service of alcohol despite being already intoxicated. Operators report that wedding parties try to take over an entire venue for their after-party, but many venue operators resist due to concerns about disruptive behavior.

STRENGTHS	CHALLENGES
▣ Overall, social venues are safe environments, where violence is rare. ▣ Quarterly staff trainings: Some venues host mandatory Alcohol to Clients training (thru FRLA). ▣ Security Cameras: Some venues have security cameras, which are accessible to police. ▣ Best Practices Guide drafted for venues (needs to be finalized and vetted by industry representatives). ▣ Venue staff have a positive relationship with police on-duty at night. ▣ Informal communication with police: venue security flash a light to summon them for help. ▣ FRLA a resource for venues to help produce resources and host a phone group. ▣ St. Augustine Amphitheatre represents the highest level of security protocols for licensed security, security to patron ratios, etc. Potential model that could be used on a smaller scale for downtown venues.	Challenges for Dining & Entertainment Venues ▣ Labor Shortage: Difficult to recruit enough employees. Parking cited as a barrier to hiring. ▣ Employee safety at night: when employees need to walk to cars carrying cash tips. ▣ No clear best practices for security or servers. ▣ Sound Ordinance cited as a challenge to providing live and amplified music downtown. ▣ Fake IDs from underage customers. ▣ Open Containers: Patrons try to enter and leave venues with open containers. ▣ Pre-loading/“Gaming”: People drink throughout the day at hotels, airbnbs, b&bs, weddings, boats, cruises—prior to going out to venues. ▣ Gap in formal association & communication. ▣ Concern re: insufficient police presence at night. ▣ Business owners liable for security incidents, unless they use a licensed security company. Concerns re: Venues from Patrons, Police, City ▣ Over-service; server training not required. ▣ Some servers reportedly drink on the job. ▣ Gap in Consistent Door Security: Usually just Fri, Sat nights and holiday weekends. ▣ Gap in posted signage about code of conduct, sexual violence policy, consent, etc. ▣ No training required for security staff; some involved in physical assault of patrons.

CORE MEASURE 3: SOCIAL VENUES



St. Augustine is a destination with numerous assets. Heralded a dining destination full of culinary delights, the city hosts annual events like Nights of Lights and the Fourth of July, which have grown exponentially in popularity. Historic architecture and heritage sites make it a year-round destination for visitors and wedding parties. Upwards of 35% of tourists have been to the city more than 10 times (TDC, 2019). Many restaurants and bars offer live entertainment throughout the week. **While visitors are charmed by the City, residents seem disenchanted.**

There is a chasm of disconnect between the local community and the dining and entertainment assets of downtown. “Locals don’t go downtown” is a popular refrain. The live music performed has limited connection to the local culture, due to the preference for “crowd pleasers” like top 40 cover bands that appeal to

visitors.

Original music is difficult to find, in part because of the lack of vocal support or demand for it from locals. Talent may be educated locally, but then move on to other cities where they will be more valued. There are notable opportunities for local bands to be showcased, but these are exceptions to the rule. One roundtable participant noted, “In the 90s, we catered to locals and put up with tourists. Now we’re a town that caters to tourists and puts up with locals.”

The City’s Lincolnville neighborhood once hosted numerous live music venues that were part of the Chitlin’ Circuit, where African American artists came to perform during the time of racial segregation. Gentrification have since erased the existence of such rich history from the collective memory of the City, though it is still preserved in photographs and displays at the Lincolnville Museum & Cultural Center.

STRENGTHS	CHALLENGES
Fine dining and foodie destination. Live music offered throughout week, day & night. Colonial Oak and Amphitheatre are dedicated performance venues for bands and comedy. Heritage tourism for tours of the Fort, night tours. Arts & culture: museums, galleries, opera, ballet. Natural assets: boat tours, beach nearby. Annual events and festivals e.g. Nights of Lights, 4th of July, Music in the Plaza draw visitors. Sing Out Loud Festival: National acts and local bands perform in different venues in the City. Fort Mose Festival, Blues Festival, Porch Fest and Jazz at the Excelsior Music Series showcase diverse local, regional and national talent and celebrate the history of the city’s diversity, attracting a diverse audience. St. Augustine Tonight Show showcases local bands on TV to a live audience (YouTube). Underwire Collective showcases talent by POC and sub-genres in a DIY house party network. Special Events Committee Meetings every Wednesday to review city-sponsored events and private events on city property.	“Locals avoid going downtown,” especially on weekends and during events due to crowds. POC and LGBT+ have limited representation in downtown patronage and business ownership. Tourist-Oriented Music: Cover bands play mainstream hits; original music is hard to find. Lack of diversity in performers and music genres. No clear music signature for the City. Exodus of creative talent due to low wages paid and perception that musicians aren’t valued. Confusion about whether restaurants can legally charge cover fees for ticketed events (contributing to low wages paid to performers). Limited # of dedicated live music venues (most are restaurants and bars where bands perform). Gap in Loading Zones for Musicians: bands have been ticketed and harassed while unloading. Large # of events overwhelm city’s resources, especially for off-duty officers for security. No central calendar with all events (both those permitted by City AND private events e.g. weddings, concerts, church events) to help City coordinate resources.

CORE MEASURE 4: PUBLIC SPACE



Popular destinations for public space such as St. George Street are congested, while other public spaces and parks are under-utilized e.g. North City and Uptown. The street (and public space) itself has become a destination for people watching.

Due to the temperate climate, St. Augustine already had ample opportunities for outdoor dining (pre-COVID). With the exception of specific development projects e.g. River and Fort, there was no need to reconfigure entire streets for an Active Streets program.

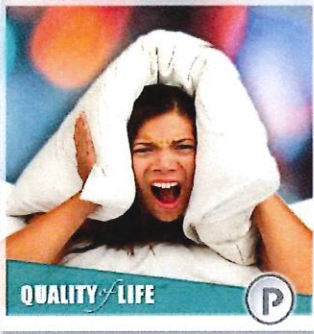
Roundtable participants cited the presence of unsheltered, transients and panhandlers as a significant challenge. In 2021, 1,348 people in the county were identified as homeless when requesting assistance from the Care Connect Information Network.⁶ St.

Augustine has become a destination for transients and panhandlers (not the same as unsheltered) due to the warm climate and culture of giving. Each population has unique services needs and strategies. Though most are peaceful, some contribute to negative perceptions of safety, especially for women, when drinking in public. This is a complex, challenging issues with no easy solutions.

STRENGTHS	CHALLENGES
Street Activation ▪ Walking around downtown is an experience in of itself (St. George Street has become a venue). ▪ Ample outdoor dining options. ▪ River and Fort Complex: allows a parklet for outdoor dining adjacent to the sidewalk. ▪ Street Performer Ordinance addressed nuisance activities e.g. stopped traffic, no retail visitors. Addressing Homeless, Transients, Panhandlers ▪ Mostly peaceful, non-aggressive unsheltered and transient population; crime is rare among them. ▪ Homeless Outreach Officers (2 budgeted; just 1 now) deployed Mon-Fri 8am-5pm to connect unsheltered with social services and housing, arrange reunions with family and pay for bus. ▪ Continuum of Care: Community of stakeholders united to end homelessness. Flagler Hospital is the lead agency to coordinate services. ▪ HUD funds Homeless Programs e.g. St. Francis House, street outreach, shelter, rapid rehousing, Betty Griffin, ESH (housing). ▪ Camping Ordinance: Police enforce a camping ordinance 10pm-6am to prevent sleeping downtown. ▪ Panhandling Ordinance Exists: Passed in 2018 and at the time heralded as a model for other cities in Florida, the ordinance bans panhandling via time, place and manner restrictions. ▪ Cold Weather Shelters by Churches: Provide safe places for unsheltered to sleep when temp is <40°. (Potential resource year-round.)	Street Activation and Public Space Uses ▪ Popular Public Space Destinations are congested (i.e. St. George Street). ▪ Under-Utilized Public Spaces: Lack of awareness and wayfinding to direct visitors to Uptown, North City, Fort Mose and Francis Field. ▪ Street performers: Currently banned from within 50' of St. George or Hypolita St. But, if managed well, could serve as positive activation in under-used areas. ▪ Mobile vendors sell timeshares, knickknacks. ▪ Open containers consumed downtown: People are seen drinking from glassware, beer bottles, and champagne bottles; litter is left on the streets. Presence of Homeless, Transients, Panhandlers ▪ Nuisance Activities: Drinking from open containers, trespassing and behaving in lewd ways. Some accost passersby. ▪ Visitors give to panhandlers, incentivizing their presence. Social service agencies clarify that most panhandlers are not unsheltered. ▪ Lack of awareness among residents, venue operators about social services' programs and current initiatives to address homelessness. ▪ Police are limited in their ability to address unsheltered, transients due to constitutional rights. ▪ Police can't enforce camping ordinance if 8 beds at St. Francis House are full or if homeless are laying down in plaza and market but not sleeping. ▪ Effectiveness of panhandling ordinance in question. ▪ Gap in permanent supportive housing.

⁶ Flagler Hospital serves as the Continuum of Care Lead Agency, which operates the Homeless Management Information System a.k.a. Care Connect Information Network, utilized by over 100 partner agencies.

CORE MEASURE 5: QUALITY OF LIFE



Priorities for “quality of life” are divided into two main groups: residents and businesses (the latter encompassing employee and visitor needs). This challenging dynamic has made it difficult to achieve balance and peaceful coexistence.

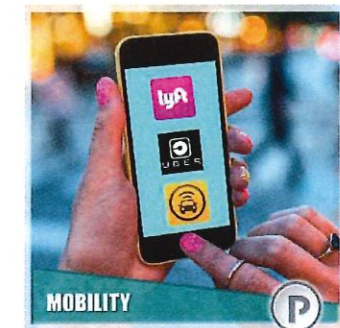
The influx of tourism has led to a significant decline in the quality of life of residents, who chose to live in St. Augustine for its many assets—historic beauty, excellent dining, mild weather, special events etc. The changes in the resident population (prioritizing short-term rentals) has driven housing prices up, making it unaffordable to live downtown and even the city. Many residents expressed frustration at having lost their downtown to tourists. Short-term rentals comprise 10% (630 residences mostly on Water Street and Lincolnville) of the 6,600 single family residences in the city.

Residents are impacted by the social economy in numerous ways—their yards are littered with bio-waste and alcohol containers, they have difficulty parking, and sound from a variety of sources keep them from achieving quality sleep. The more that long-term residents feel disconnected from their community, the more likely they are to convert their house into a short-term rental and live somewhere else, perpetuating the cycle of rising costs.

Yet business owners also have quality of life needs to assure the comfort and safety of their employees, patrons and visitors. For them, the presence of unsheltered and transient populations is of highest concern, as well as finding safe parking for employees. Limited wayfinding to public restrooms at night contributes to biowaste at closing time.

Strengths	Challenges
Small, but passionate base of long-term residents. St. Augustine is Florida’s first “Compassionate City.” Flagler College has a Town & Gown Committee that meets quarterly on parking, sound, and other issues. Student engagement in the community through programs like Dining with Dignity. Student-related issues reduced since COVID-19 (less house parties, so less disturbances). Public restrooms are well lit (inside) and clean. Sound ordinance is fairly robust: contains both A and C weighted measures, uses measurements in relation to ambient sound, and requires ANSI standards be used when measuring sound. But, this tool is not being used as well as it could be.	For Residents Inability to access social amenities and events downtown due to traffic, difficulty finding parking, long wait times, lack of reservations, etc. Loss of community due to changes in resident pop. Short-term rentals in proximity to downtown create parking impacts, sound disturbances from parties. Gentrification: Loss of historically African American community in Lincolnville. Disconnect between Downtown and people of color, who mostly live in West Augustine. Influx of tourism negatively impacts residents’ quality of life. Bio-waste (vomit, urination) in neighbors’ yards. Litter in yards: empty alcohol containers, glassware. Sources of Sound: Music from venues, people walking, engine revving and loud stereos on trucks. Water transmits sound: Sound carries miles away. For Businesses, Employees and Visitors Presence of unsheltered, transients, panhandlers, especially if drinking, as they become more aggressive. Bio-waste in front of businesses (vomit, urination), requiring extra clean-up services by the City. No access to public restrooms > 10pm. Wayfinding to public restrooms difficult; dark paths. Men (esp. transients) using women’s restrooms (public and private). Limited space for trash from commercial uses.

CORE MEASURE 6: MOBILITY



Part of the charm and historic authenticity of downtown is the Spanish colonial design. Highly walkable and compact, downtown was designed with European standards. Yet the city has evolved in America, where car culture reigns supreme. Few resident amenities are in walking distance (e.g. grocery store, pharmacy), making cars a necessity.

Different modes of transport are competing for limited space: cars, trolleys, horses and carriages, buses, shuttles, commercial delivery trucks, ride-share services, food delivery/takeout, bikes, musicians and emergency vehicles. Diverse users need access to downtown at different times of day: visitors, residents, employees and students. This has led to an increase in traffic and frustration as different entities try

to park, load/unload and move throughout the city.

Parking is a contentious challenge. Employers say parking (cost, supply, safety) is a barrier to hiring more workers. When garages and lots fill up at employees’ start of shift, they find DIY places to park: in neighborhoods, on side streets and in “hidey holes.” Residents are frustrated by employees and patrons parking in front of homes, but push back against construction of new lots. Employees’ parking tickets may cost as much as the money they made that day.

Rideshare services (e.g. Uber, Lyft) are a key mode of transport for nightlife patrons, especially at closing time. Yet there are no current systems of coordination or designated locations for pick-up and drop-off. Narrow roads lead to traffic congestion from cars, delays in pick-up and pedestrian safety challenges when accessing vehicles. The longer crowds linger, the more opportunities for fights and sound disturbances to occur. Clearing the district quickly and efficiently will aid in both traffic congestion and public safety.

Strengths	Challenges
▣ Walkable, dense downtown. ▣ Tourism-oriented transport: trolleys, horses & carriages. ▣ Micro-Transit Options: Pedicabs, quads, bikeshare, etc. ▣ Scooters being explored (but city is concerned about dockless scooters being littered on narrow sidewalks). ▣ Water taxis (“scenic shuttles) and boats are assets to be explored for hydraulic mobility. ▣ Some employers provide escorts to female employees back to parked cars. ▣ Police provide traffic control to help nightlife patrons safely cross A1A to access Fort Parking Lot. ▣ Multi-Modal Mobility Vision Plan of 2017 formally adopted by the city and will begin implementation. ▣ Park Once plan exists to provide access from the periphery to the core in the future. ▣ Circulator planned for downtown workforce (but will end at 10:00 p.m.—before hospitality employees end work). ▣ Monthly Parking Pass for employees is \$30/month. ▣ Free Park and Ride Shuttle during Nights of Lights: City transports passengers between 11am-11pm to/from downtown to remote parking locations. ▣ Lighting improvements underway and are planned.	▣ Limited space or coordination of modes of transport. ▣ Increase in traffic to/from downtown day and night. ▣ ADA accessibility standards difficult to adhere to. ▣ Street upkeep difficult due to historic infrastructure. ▣ “Last Mile” Access to Downtown. ▣ Pedestrian safety risks: Walking on narrow streets shared by cars; crossing A1A to Fort Parking Lot at closing time; trying to find ride-share vehicles. ▣ Upgrades to lighting and wayfinding require historic preservation review and approval process. ▣ Parking supply is limited (1,571 parking spots). ▣ Parking Spillover: employees, patrons, visitors park in neighborhoods when lots, garages are full. ▣ Rideshare services operate without coordination or designated pick-up locations, causing pick-up delays and traffic congestion. ▣ Emergency vehicles cannot access key locations due to traffic congestion at night. ▣ Safety concerns for employees returning to cars after closing time (i.e. 2:30 a.m.) carrying cash tips. ▣ 79% increase in DUIs (84 total) as of July 2019 compared to July 2018 (per Police Dept).

APPENDIX I: WOMEN’S PERSPECTIVE ON THE SOCIAL ECONOMY



Photos provided by FloridasHistoricCoast.com

There is a growing movement to integrate the perspective of women into downtown planning. RHI used this critical lens to analyze St. Augustine’s downtown social economy through insights generated by a focus group among women of different ages and life stages.

Social Venues

St. Augustine has a variety of social assets downtown. Among the attractions ranked as “excellent” by the women’s focus group include high quality food and beverage, engagement with art and the “street as a venue” (where walking downtown is the attraction, especially on St. George Street). Events, festivals and sporting events (e.g. hosted by Flagler College) are key attractions, which draw a wide range of ages and life stages. Colonial Oak is particularly family friendly. Downtown has room for improvement in social options after 10:00 p.m. that appeal to a 30+ mature audience.



entertainment.)

Downtown has room for improvement in social options after 10:00 p.m. that appeal to a 30+ audience by offering low-key, quiet lounge-type spaces and more experiential nightlife (where the focus isn’t on alcohol consumption as

Diversity, Equity and Inclusion

The City of St. Augustine has a complicated dynamic with current and historical diversity, equity and inclusion. There is a notable lack of racial and ethnic diversity in pedestrians, patrons and owners of social venues downtown. Musical diversity is limited, with few venues playing either recorded or live Latin music in Spanish or hip-hop. Similarly, there are no LGBT+ social venues, though there are a few rainbow flags flown from buildings. Wedding planners noted that while they do have diverse wedding parties, there are few social spaces where e.g. African Americans or LGBT+ community members would feel comfortable bringing their post-wedding “after party” downtown.

Part of the journey to making social spaces more diverse, inclusive and equitable will be to acknowledge stigmas and conscientiously work to provide greater opportunities for healing, training and diverse entrepreneurship.



Public Safety

Women are often a key barometer of safety. In fact, social preferences by women often coincide with best practices for safety in nightlife venues and social districts. Women make a series of decisions prior to going out and while they're in a social district at night to monitor and maintain their personal safety. From planning how to arrive and safely return home after a night out to constant vigilance while on foot, female patrons are noted for their conscientious diligence in safety.



The physical environment of a downtown social district has a large impact on whether women feel safe at night. Environmental cues such as good lighting, cleanliness and presence of multi-generational eyes on the street contribute to a positive perception of safety. Areas that women's focus group participants felt safest were: Plaza, Bayfront, St. George St and Hypolita St. However, participants commented that they intentionally avoid areas that are consistently dark and are intimidated by groups of unsheltered, transients and panhandlers, especially if they are drinking in public.

Venue Safety

A variety of factors were discussed about what makes women feel safe within nightlife and hospitality venues. Among ambience and design preferences are factors that facilitate social interaction, including lower music volume so patrons can have a conversation and lounge-oriented seating. Bathroom cleanliness and well-lit passageways are critical to a safe, comfortable social experience. Cues that an environment may be unsafe or facilitate inappropriate behavior are when rowdiness is tolerated, when intoxicated people are allowed entry and served more alcohol, and where staff are seen drinking on the job.





Photos provided by FloridasHistoricCoast.com

Ranking of Social Experiences in Downtown St. Augustine

	Poor	Ok	Excellent
High Quality F&B			X
Experiential social venues & competitive socializing	X		
Gamification (Arcade bars, board game cafes)	X		
Engagement w Art			X
Social Dancing	X		
Comedy & Improv		X (Colonial Oak)	
Street as a Venue (Walking around is the experience)			X

Social Offerings Downtown

Participants agreed that downtown does offer unique social options for a wide range of ages, yet there is an opportunity to expand offerings to broader, more diverse markets.

Strengths	Gaps and Challenges
■ Compact and walkable ■ Variety of restaurants ■ Always something going on. ■ Sporting events (Flagler College's sporting events are free for residents). ■ Colonial Oak in particular is family friendly and senior-friendly ■ Feels safe, especially in the presence of families. ■ Events and festivals e.g. Porch Fest, Blues Fest, Fort Mose, Jazz Fest, 1st Friday Art Walk, ■ Art galleries ■ Lectures on historical topics (hosted by Flagler College)	■ Social options after 10:00 p.m. for 30+ audience ■ Dance opportunities ■ LGBT+ spaces/bars/clubs ■ Diversity of patrons' race and ethnicity in social venues ■ Diversity of music styles ■ Low-key, quiet lounge atmosphere ■ Distinct music signature ■ Music venues you can pop into (not ticketed) ■ Highlighting local Florida folk singer Gamble Rogers ■ Showcasing civil rights history of the city ■ Black history and music tours ■ Opportunities for POC to connect and socialize ■ Lack of social options for LGBT+ community, especially after weddings take place. ■ Limited marketing of blues concerts, jazz events and other events that would draw a broader audience.



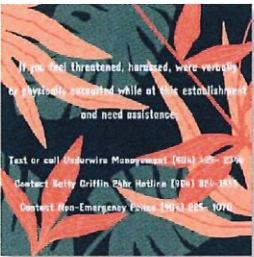
Women’s Insights on Venue Safety & Public Safety in the Social Economy

Women are often a key barometer of safety. In fact, social preferences by women often coincide with best practices for safety in nightlife venues and social districts. The physical environment of a downtown social district has a large impact on whether women feel safe at night. Environmental cues such as good lighting, cleanliness and presence of uniformed ambassadors contribute to a positive perception of safety.

What makes women feel safe and comfortable	What makes women feel unsafe and uncomfortable?
INSIDE NIGHTLIFE VENUES ■ Security staff don't let drunk people in. ■ Staff actively manages unruly, unsafe patrons to remove them from the venue. ■ Zero tolerance for patrons who are rude to people based on sexual orientation, race or ethnicity. ■ Servers cut off people who are intoxicated. ■ Restrooms are well lit and clean. ■ Venue is clean. ■ Signs in the bathroom e.g. "If you feel unsafe, who to contact."	INSIDE NIGHTLIFE VENUES ■ Too crowded and loud. ■ Server continues to serve visibly intoxicated people ■ Servers who drink on the job. ■ Dark pathways to the restrooms ■ Unclean restroom. ■ Hidey holes and alcoves where people can corner you.
IN THE SOCIAL DISTRICT ■ Well lit streets ■ Eyes on the street (but not too many people) ■ Police monitoring parking lots. ■ Quick response time and follow-up from police. ■ Safe places: Plaza, Bayfront, St. George, Hypolita St	IN THE SOCIAL DISTRICT ■ Homeless and transient men using women's restrooms. ■ Catcalling and accosting men. ■ Presence of homeless and transients drinking (tend to be more aggressive). ■ Dark areas, streets, parking lots.

Safety Resources for Women

- Women Against Violent Encounters (WAVE) class taught by PD to high school and college students about staying safe at house parties and venues through situational awareness.
- Bathroom posters in DIY house party network, Underwire Collective (see right).



APPENDIX II: VENUE LEGISLATION MEETING SUMMARY

Thursday, March 3, 2022 at 3:00-5:00 p.m. EST

Location: Roosevelt Room



City Manager John Regan addresses meeting participants.

Overview

City Manager John Regan was invited by the Responsible Hospitality Institute (RHI) to address a group of thirty-three (33) people on Thursday, March 3, 2022 between 3:00-5:00 p.m. at the Roosevelt Room to discuss proposed ordinance No 2021-18 regarding an Extended Hours Premises Permit.

The meeting was convened by RHI, which was conducting roundtable focus groups on-site in St. Augustine during the week of February 28-March 2, 2022. *This meeting was not an official part of RHI's Sociable City Assessment but was provided as an add-on to the project's scope, after RHI learned of the existence of the ordinance when the project began in 2021.*

Regan reported that this was the first time he had addressed a group of this size since the COVID-19 pandemic had begun. Participants were comprised of venue owners, operators, staff and property owners of bars, restaurants, and other venues that serve alcohol, which would be affected by the proposed ordinance. Regan reviewed and elaborated on the PowerPoint slide summary produced by RHI to explain the ordinance's key components.

This summary outlines the key discussion points, concerns raised, and requested amendments to be considered to the ordinance.

Attendee List: https://sociablecity.info/st_augustine/venue_ordinance/attendees.xlsx

Ordinance Contents

RHI produced a summary of the ordinance's contents in PowerPoint.

Presentation Slides: https://sociablecity.info/st_augustine/venue_ordinance/slides.pdf

Next Steps

Regan suggested that there be a charette to allow opportunity for industry engagement and revisions to the ordinance. He requested that the hospitality industry select (or elect by vote) seven (7) representatives to be part of the charette as a working group.

Background on Why the Ordinance was Drafted

Attendees asked City Manager Regan to explain why the ordinance was drafted and what the goals are. Regan stated the goal is to “create a safe, vibrant nightlife with consistent adherence to industry best practices, and for economic prosperity.” He said the ordinance’s goal is to have a mechanism to steer the direction of nightlife in the city and to create a level playing field, regardless of state alcohol license.

Regan elaborated that the City was motivated by the following trends:

- **National and International Trends**
 - Shift to food and beverage (F&B) establishments instead of retail
 - U.S. is over-built on retail space than for F&B
 - Cultural shift to buy online for retail goods; spending has increased for F&B
- **Downtown Trends**
 - Increase in violent crime. There was concern that it may have been part of a trend.
- **Research**
 - Conducted research on other cities with regulatory schemes for nightlife venues e.g. West Palm Beach, FL.
 - Attended RHI’s 2020 Sociable City Summit in Seattle, where Barry Fox and Nancy Sikes-Kline learned about how cities manage their nightlife.

Timeline for Ordinance’s Development

- **Late 2020:** Drafting of the ordinance began.
- **August 2021:** Ordinance was introduced with a “first reading.”
- **2021:** Ordinance was paused to allow for industry outreach and possible amendments.
- **TBD:** Ordinance will be considered for a "second read."

Reason for the Pause

Regan said the ordinance was paused because it would have been inappropriate to have a new ordinance during the start of the COVID-19 pandemic due to the focus on business survival. There was no opportunity to conduct an in-person engagement process during this time. He commented that the work to be done prior to the second reading is critical for making updates and amendments.

Does the City have a Desired Timeframe for the Second Reading?

Concern was expressed about whether a second reading was being rushed due to upcoming elections or the proposed state law that would require an economic impact study. Regan responded that he’s willing to take the time necessary to do a proper rewrite with venue engagement. He also said he wasn’t concerned about the state law requiring an economic impact study of new local ordinances.

Audience Response

Participants commented that the ordinance seemed to have been written from an enforcement point of view, rather than from a business operations point of view. Some attendees suggested that the process be started over to rewrite the ordinance from scratch. They also suggested that they wait for the results of RHI’s study. Regan suggested that the group move forward with revisions and updates, and that this could be done concurrently with development of RHI’s summary.

Concerns Raised by the Hospitality Industry

Representatives of the hospitality industry raised the following concerns about the ordinance and about downtown’s social economy:

- **Labor shortages:** Many businesses are unable to hire sufficient staff to be fully operational. There are concerns about the cost and ability to hire a security guard.

- **Business Hours Reduced:** Some businesses are closed two days/week or close early due to lack of employees.
- **Security at the Door Sending a Negative Perception about Safety:** What if the very presence of security personnel signals to patrons that an establishment is not safe?
- **Presence of Unsheltered and Transient Populations on the Street:** There was a discussion of the how unsheltered and transient populations affect perceptions of downtown, and how social services can be better connected to those in need.
- **Open Containers:** Participants commented that they have seen open containers being consumed by people walking on the street, as well as empty containers littered throughout downtown. They commented that they can only police “inside their venues” but not outside.
- **Sound Ordinance:** Concerns were brought up about the current sound ordinance impacting venues’ livelihood. It was suggested that the sound ordinance be recrafted to adjust for ambient sound. There was also discussion of setting up a special magistrate process for sound violations.
- **Cleanliness and Maintenance:** Participants requested that this ordinance be part of a full package that includes upgraded lighting, sidewalk maintenance and cleanliness.

Updates to the Ordinance

- **11pm to 12am:** Anywhere in which the time was originally noted as 11:00 p.m. in the original ordinance will be changed to 12:00 a.m. (midnight), per Regan.

Q&A Discussion

This section captures the main topic areas during Q&A discussion.

Intentions

- **Is there an intention to treat everyone the same, regardless of their state alcohol license?**
 - Yes, the qualifying criteria are having a state alcohol license (of any type) and serving alcohol after midnight.

Minimum Thresholds to Trigger the Ordinance

- **How many days out of the year must a venue operate** (i.e. serving alcohol after midnight) to trigger the ordinance?
- **Do special events count, like Halloween and St. Patrick’s Day?** What if a business only wants to do this on a few nights?

Ordinance Fee and Renewal

- **Fee:** Regan commented that he was considering a fee of \$250 but is willing to consider a different amount.
- **Renewal period:** It was suggested that renewal be for a longer period of time than one year, unless ownership changes.
- **Rules re: transfer of ownership:** Would this require a new permit?
- **Can the regulatory model used by ASCAP and BMI** be used as a model for determining the ordinance’s fee (on a sliding scale)?

Venue Occupancy

- **Is there a minimum occupancy** that triggers the security staff requirement? What if you have less than 150-person occupancy but stay open past midnight?
- **What if you have slightly more than a 150-person occupancy** (e.g. 155 people)? Would you have to hire a second security guard? Would anyone be counting occupancy to confirm the security to patron ratio?
- **What if a large wedding party shows up at midnight on a weekday** e.g. Tuesday night. Would a business have to provide security?

Security

- **What qualifies as a legitimate “security” guard?**
 - Can the designated “security” staff be someone already on staff e.g. manager, server?
 - Do they need to be licensed?

- Do they need to wear a uniform? What counts as a uniform?
 - Should they be armed? (Regan made a point to say that it would not be ideal for security to be armed.)
- **Badge:** Regan commented he didn’t like the language around “badge.” This may need to be updated to a particular style shirt labeled with e.g. “security.”

Sound and Music

- **Do businesses have to stop playing music at midnight?**
 - No, but “businesses have to have proper controls,” per Regan.
- **What about businesses that have the majority of their operations take place outside?**
 - Doesn’t that mean that they would not be allowed to have music after midnight if windows and doors have to be closed at 12am?

Tables and Chairs

- **What if you have a special event e.g. costume contest on Halloween:** Can tables and chairs be moved out for patron safety?

Food Service

- **Menu:** Clarify what “full menu” means.

Compliance and Enforcement

- **What does it look like if you commit a crime under this ordinance?**
 - Regan corrected that it would not be a criminal offense, but rather, a civil penalty.
- **Who would enforce this ordinance?**
 - Code Enforcement department, which is being supplemented with additional staff to provide services into the night.

Incentives for Compliance

- **What would be rewards and incentives for venues that serve alcohol?**
 - Instead of just penalties, what carrots would the industry like to balance out the “sticks”?

APPENDIX III: IMPACT OF CLIMATE CHANGE ON THE SOCIAL ECONOMY

RHI interviewed Jessica Beach, St. Augustine’s Chief Resilience Officer in February & March 2022, about the impact of climate change and sea level rise on the social economy and heritage tourism.

Precedent for Extreme Weather Events

Like many coastal communities in Florida, the state is considered “America’s ‘ground zero’ for climate change, global warming and sea level rise, because ‘the majority of its population and economy is concentrated along low-elevation oceanfront.’” (Wikipedia, 2022).

St. Augustine has experienced a series of extreme weather events, including Hurricane Matthew in 2016 and Hurricane Irma in 2017. On November 4, 2021, an unnamed storm or event equivalent to Hurricane Dorian’s level of flooding (due to a combination of rainfall coinciding with a king tide and 30+ mph Nor’easter) resulted in citywide flooding.

Risks to Downtown’s Historic Core

Per a study co-published by *The Guardian* and *Adapt*, a climate change publication from WJCT Public Media in Jacksonville, Florida: “Properties in the city’s historic districts are overwhelmingly at risk of flooding: 76% of land parcels are expected to be underwater during a 100-year flood” (Rivers, 2020). Jessica Beach defines a 100-year flood as “a flood event that has a 1 in 100 chance (1% probability) of being equaled or exceeded in any given year.” “And though historic districts make up just 7% of the land area in St Augustine—less than a square mile—more than a quarter of the city’s population lives in them.” (Rivers, 2020).

Impacts to the Social Economy

The risk of extreme weather events is an existential threat to the future sustainability of downtown.

The November 2021 compound flooding concretely demonstrated the impacts to the social economy:

Mobility	Roads and bridges were closed or flooded, making it difficult to access the historic district. The City functioned on emergency access only, restricting some tourism-oriented services and deliveries. Bridge of Lions drawbridge was closed to cars and pedestrians due to the depth of flooding. The Sebastian Bridge was also flooded and impassible at the base of the bridge. The lasting impact is that flooding has compromised the Capital Infrastructure Plan, which makes resurfacing and paving more difficult.
Quality of Life	Residents were trapped: stuck or stalled in cars. Access was limited and, in some cases, restricted to schools and churches.
Public Space	Downtown properties and streets were flooded south of King Street (Cordova, South Street, Washington Street). Plaza Park/Market Place were also flooded. Unsheltered populations were displaced by flooding of inland rivers, forced to find high ground. Anecdotally, some project participants attribute the rise in downtown’s unsheltered population to this displacement.
Social Venues	Events were cancelled or rescheduled. Some businesses and tour services were able to continue operating, but on a limited basis and with few tourists.
Venue Safety	Some social venues had to close temporarily to address flooding damage. The lasting effect is that flooding impacts underground archaeology of historic buildings, but property realtors are not required to disclose this fact.
Public Safety	City operated under emergency management.

St. Augustine’s Approach to Resilience

“St Augustine lives on its heritage tourism. It is the bread and butter of the St Augustine economy,” comments Steven Roberts, Castillo de San Marcos Fort.

The City of St. Augustine has a lot at stake: “Heritage resources (are) worth an estimated \$2.9bn. The city’s history is closely tied to its economy.” (Rivers, 2020). Luckily, St. Augustine is notable for centuries of efforts to address “sea level rise” before the term was even invented (Inclán, 2021).

The City of St. Augustine has implemented a series of projects to proactively prepare for and address the impacts of flooding. The City appointed its first chief resilience officers in 2019 and a citizens advisory committee was formed in 2020 to amend building codes to help address flooding risk (Rivers, 2020). Unfortunately, options are limited: elevating/replacing bridges and walls and raising streets are potential options. Yet, historic sites cannot be moved, just protected.

“St Augustine is too valuable. We can’t afford not to be addressing resiliency,” said John Regan, City Manager (Inclán, 2021).

Resilience Projects Underway

FEMA-Funded Project for 13 City Lift Stations (Halfway Completed)

If high water floods lift stations (which move sewage from toilets to the City’s Wastewater Treatment Plant and electricity has been shut down, then sewage can back up into the streets. To address this risk, the City is installing backup generators, flood proofing measures, and elevating 13 of the most vulnerable lift stations.

The Future of Resilience in St. Augustine

“Local, state, and federal agencies, officials and conservators are working together through a cobbled-together historic preservation and resiliency system to hold back the water. There are financial limits to what they can do” (Horn-Muller et al., 2021).

Resilience Officer Jessica Beach commented that a partnership between the City and businesses needs to be established in order to proactively plan for and address climate change impacts.

Definitions

Resilience	The ability to recover from shock or stress
Shock	Examples: hurricanes, sink holes or fire.
Stress	Traffic congestion, nuisance flooding
Nuisance flooding	Examples: rainfall, flooding from inadequate drainage systems, sunny day flooding, intracoastal storm drains backing up to the streets, King tides, Nor’easter, rainfall flooding
Compound Flooding	When rainfall flooding and sunny day flooding occur simultaneously

Resources

City of St. Augustine Vulnerability Study (2016): <https://www.staugbch.com/publicworks/page/vulnerability-study-0>
2020 Resilient Heritage Study: <https://www.citystaug.com/863/Resiliency>

SOCIAL ASSET INVENTORY: DETAILED ANALYSIS

Data Summary

This is a summary of available data on the mix of businesses in the Historic District. Social venues are defined as cafes, restaurants, bars, music venues and wedding venues.

Why Should Social Venues be Analyzed?

Many market forces are driving change. The loss of storefront retail is placing pressure to transition these spaces to social venues. However, social venues have a much greater occupancy for the same square footage as retail or office space. With each new social venue comes more employees and the need for parking with numbers greater than the existing use. This business use can also generate more impacts to quality of life and public safety due to nighttime hours of operation and potential patron intoxication.

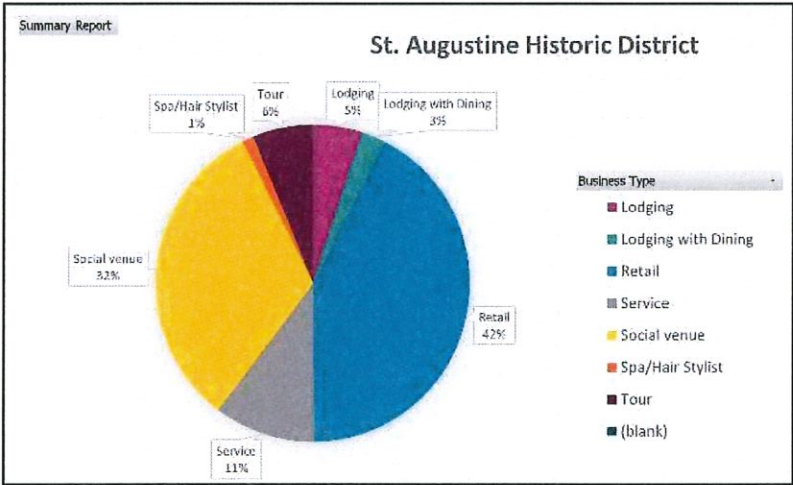
Social Venues in the Historic District

- 108 social venues (32.24%) of 335 total businesses
- 81 (75%) of 108 have an alcohol license
- 21 offer live entertainment (19.44%)
- Total seating/occupancy 6,470

Business Categories

Social Venue	Café, restaurant, bars, music venues and wedding venues
Lodging	Bed and Breakfast, Motel
Lodging with Dining	Hotel with restaurant
Retail	Gifts, clothes, books, etc.
Tour	Tour company or services
Service	Realtor, attorney, insurance, banking
Spa/Hair Stylist	Personal health services

Historic District Summary



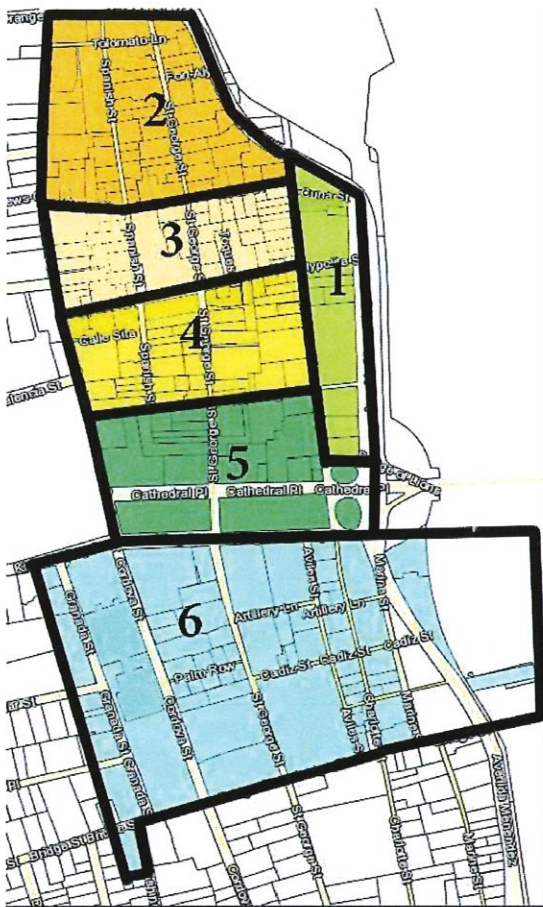
This chart shows the total number of businesses in the historic district, by number and percentage. It also shows the breakdown of alcohol licenses and entertainment.

Category	#	%	Alcohol License	% of Total with Alcohol
Lodging	17	5%		
Lodging with Dining	8	2%	8	2%
Retail	142	42%	4	1%
Service	35	10%		
Social venue	108	32%	69	21%
Spa/Hair Stylist	4	1%		
Tour	21	6%		
Grand Total	335	100%	81	24%

Cluster Organization of Historic District

The Historic District has been divided into six clusters of businesses (as pictured). The evolution of several concentrated “clusters” of social venues within the Historic District has led to perceived and real shortages of parking in several blocks, as well challenges with closing time management in certain clusters.

Cluster Breakdown



Cluster 1 is located along Avenida Menendez from Bridge of Lions to Castillo Drive and Charlotte Street. Limited metered parking spaces along the bayfront and along Charlotte Street. Hotels accommodate their guest parking.

Cluster 2 is located from Orange Street, along Cordova Street, Cuna Street and Castillo Drive. This cluster includes the Colonial District (many of these properties are owned by the University of Florida). It is near the Visitor Information Center, Public Parking Garage, and the Castillo De San Marcos. Parking is accommodated in Public Parking Lot (1,148 spaces) in the Fort Lot (112 spaces), the Tolomato Lot (17 spaces), Asta Parking at 50 Spanish Street. Limited metered parking spaces along the Bayfront.

Cluster 3 is located along Charlotte Street, Cuna Street, Cordova Street and Hypolita Street.

Cluster 4 is located along Charlotte Street, Hypolita Street, Cordova Street and Treasury Street.

Cluster 5 is located along Charlotte Street, Treasury Street, Cordova Street and King Street. The Plaza de la Constitución is in this cluster. The largest special event, Night of Lights is presented here. Limited metered parking is accommodated along the plaza, and in privately owned parking lots.

Cluster 6 is located along King Street, Avenida Menendez, St. Francis Street and Granada Street. This cluster is located adjacent to Lincolnville Historic District. Parking is accommodated in the Lightner Lot (32 spaces) and Baas Lot (13 spaces).

Cluster Analysis

The chart below shows the number of businesses in each of the designated clusters, by number and percentage. It also shows the breakdown of alcohol licenses and entertainment by cluster, and the percentage of licenses in each cluster. Finally, there is a breakdown of outdoor seating and total seating based on a visual inspection.

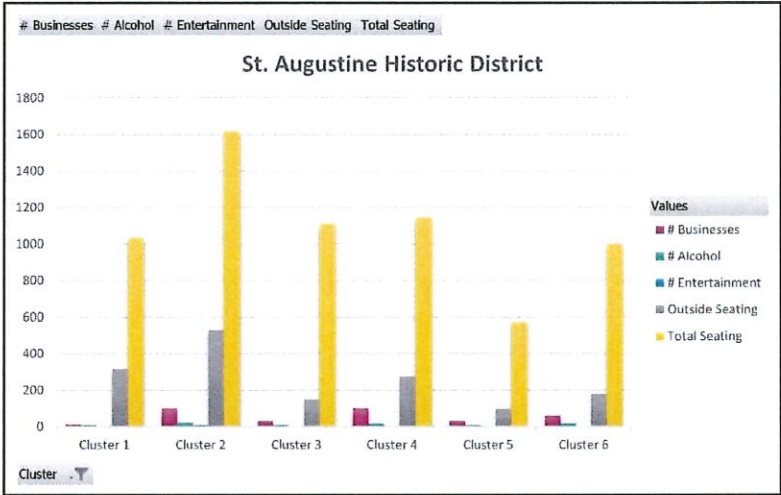
How can a Cluster Analysis be Used?

By dividing a district into social clusters, improvements can be planned and monitored in a more focused way. The model helps identify areas in most need of lighting, where most social venues and/or greatest occupancy are located, etc. Calls for service and last drink data can also help pinpoint response for increased compliance training of venues located in particular clusters.

Monitoring of outdoor seating, especially for venues open after 10 pm, can help mitigate potential impacts from late-night sound disturbances. Approval for expanded outdoor and rooftop seating can be determined by reviewing proximity to residential or hotel properties.

Monitoring total occupancies, especially with a follow-up employee survey, can be used to match parking availability. While adding new social venues might be a positive use, if the parking and mobility capacity is exceeded, then businesses may be unable to attract customers to maintain sustainable operations.

	# Businesses		# Alcohol		# Entertainment		Outdoor Seating		Total Seating	
Cluster 1	12	4%	7	9%	2	10%	314	20%	1,033	16%
Cluster 2	100	30%	20	25%	7	33%	527	34%	1,615	25%
Cluster 3	31	9%	10	12%	4	19%	148	10%	1,108	17%
Cluster 4	101	30%	17	21%	4	19%	273	18%	1,144	18%
Cluster 5	31	9%	8	10%	2	10%	96	6%	573	9%
Cluster 6	60	18%	19	23%	2	10%	178	12%	997	15%
Total	335		81		21		1,536		6,470	



Methodology

As part of the Sociable City Assessment for St. Augustine, RHI gathered available information between November 2021 – March 2022 to document a baseline of data. Sources of data included an exports of business names from City of St. Augustine and occupancy data from the fire department. This data was combined, then enhanced with observational data to distinguish indoor vs. outdoor occupancy, as well as web research to determine presence or lack of live entertainment.

However, the combined indoor and outdoor occupancy (based on observational data) did not correlate with the fire department’s records because the department only maintains records on indoor occupancy. Therefore, outdoor occupancy cannot be officially confirmed. In the future, RHI recommends maintaining a record of all businesses’ indoor AND outdoor seating occupancy to better estimate combined occupancy in a cluster.

Future Application

This should be considered a preliminary start rather than a complete analysis, which would require gathering of additional information and maintenance and updates to the data on an ongoing basis. Future analysis can include further breakdown of the social venues, including those providing wedding services and large events.

APPENDIX V: PROJECT TIMELINE

November 12-17, 2021 On-Site Meetings

- On-site meetings held with city leadership, residents, and venue operators.

December 2021 - January 2022 Virtual Interviews

- Virtual interviews held with Transformation Team members and additional stakeholders e.g. David Birchim.

January 11-14, 2022 On-Site Meetings

- On-site meetings held as follows:
 - Presented Evaluation summary to Transformation Team (Sunshine Committee mtg)
 - Venue operators
 - City leadership
 - Wedding venue representative
- Nighttime tour conducted.

February 16, 2022 Virtual Orientation

During a virtual project orientation open to all project participants, Troy Blevins, Walking Man Consulting, welcomed the following stakeholders who provided opening remarks:



Special guest speaker: Dominique Greco, former Nighttime Economy Manager of Orlando and Founder/Executive Director of the Orlando Hospitality Alliance



February 28-March 2, 2022 Roundtable Focus Groups and Stakeholder Meetings

6 roundtables on the core measures of a Sociable City: Public Safety, Venue Safety, Social Venue, Public Space, Mobility and Quality of Life.



March 3, 2022 Women's focus group



March 3, 2022 venue legislation review & input meeting



Leadership Summit: July 2022

Summary findings will be presented to the Transformation Team and project participants.

APPENDIX VI: PARTICIPANTS

Nearly 130 people representing 81 organizations and companies participated in one or more sessions (in person and/or virtually). *Participation does not imply an endorsement of recommendations in this report.*

Project Coordination was provided by: Barry Fox, Code Enforcement Manager, and Morganne Pratten, Administrative Coordinator, City of St. Augustine

Event Symbol: E = November Engagement Meetings | [T = Transformation Team](#) | O = Virtual Orientation | R = Roundtables | [W](#) = Women’s Focus Group | V = Venue Meeting about Legislation | I = Interview

97 Park & St. Augustine Business

Coalition
Karen Zander
Event: E

ABC Fine Wine / St. Augustine Business Coalition

Carole Everitt
Event: E

Adventure Boat Tours

Jimmy Hill | Owner
Event: O R

Agustin Inn / SAHI

Audra Hull
Event: E

Amore Chaple and The Wedding Authority

Carla Young
Event: V

Ancient City Entertainment Group

[Jeanetta Cebollero](#) | [Performer / Owner /Operator](#)
Event: E T R

Blackfly the Restaurant

Vaughn Cochran | Co Owner
Event: R

Boat Drinks

Rob Crabtree | Owner
Event: R V

Casa Maya

Marco A
Event: V

Hayley Williams
Event: V

City of St. Augustine

Jessica Beach | Chief Resilience Officer
Event: I

David Birchim | Assistant City Manager
Event: E R

Jerry Blalock | Police Officer
Event: O R

Meredith Breidenstein | City Manager’s Office
Event: E

Barry Fox | Code Enforcement Manager
Event: O R

[Reuben Franklin](#) | [Director of Public Works](#)
Event: E T O R

Darlene Galambos | City Clerk

Event: E
Todd Grant | Utilities Director
Event: E R

Donna Hayes | HR
Event: E

Cori Niles | Event and Venue Coordinator
Event: E O R [W](#)

Charles Pappas | P&Z Board Member
Event: O R

Xavier Pellicer | Mobility Manager
Event: E R

Jaime D. Perkins | CRA Admin
Event: O R

Jim Piggott | Director of General Services
Event: E

Morganne Pratten | Administrative Coordinator, Code Enforcement
Event: R [W](#)

John Regan
Event: V

Nancy Sikes-Kline | Vice Mayor
Event: I [W](#)

Amy Skinner | Director of Planning and Building
Event:

Melissa Wissel | Communications Director
Event: E O R [W](#)

City of St. Augustine: St. Augustine Municipal Marina

Eric Mauldin | Harbormaster
Event: O R

Classic Blends
Hugh Ward | Owner
Event: R

Colonial Quarter LLC
Jason Pilacek | Director of F&B, Booking Manager
Event: O R V

Dog Rose Brewing Co
Courtney Murr
Event: E

Doug Murr
Event: V

First Coast TV LLC / St Aug Tonight Show

Jorge Rivera | Owner/Director/Producer
Event: O R

Flagler College
Dirk Hibler | Dean of Students
Event: O

Jess Kobryn | Title IX Coordinator & Equity Investigator
Event: O

Tara Stevenson | Dean of Student Engagement & Career Development Center
Event: O

[Beth Sweeny](#) | [Director of External and Governmental Functions](#)
Event: T O R [W](#)

Flagler College Student Government Association
Rachel Hill | President
Event: O

Flagler Health
Lindsey Rodea | Team of Care
Event: O R

Flagler Model Land Co
Karen Valachovic
Event: E

Florida Restaurant & Lodging Associaton
Nicole Chapman | Northeast Regional Director
Event: O R V

Gwanda, LLC
Matt Hartley | Business Development Manager
Event: O

Harrahs Casa Rosa
Jeff Jaboo
Event: E V

Harry’s
Justin Griffin
Event: V

Hilton Hotel
Kanti Patel
Event: E

Historic Tours of America
Dave Chatterton | City Manager
Event: O R

Home Again St Johns
Ellen Walden | Executive Director
Event: O R

Ice Plant and Stogies
Zach Ramsey

Event: V
Ippolito Christon & Co.
Jenai Master | Executive Assistant
Event: O
Jimi Hula's
Charles Bernard
Event: V
Len Weeks Construction Design Development
Len Weeks | Owner
Event: E O R V
Schaffer Weeks
Event: E
Lincolnvile Museum and Cultural Center
Floyd Phillips | President
Event: O R
Regina Gayle Phillips | Executive Director
Event: O R
Lions Bridge Community Development Alliance Group Inc.
James Miletello | Community Organization
Event: O
Joseph Scott Bebry | President / Founder
Event: O R
JB Ziegler | MGMT
Event: O R
Marco's Piano Bar
Marco Barrea
Event: V
Marine Holdings
John Arbizzani | President
Event: O R V
Christopher Clarke | Accountant
Event: O R
Meehan's Irish Pub
Tom Dolan | Owner
Event: O R V
Reggie Maggs
Event: V
Milltop Tavern
Ron Cervelli | Owner
Event: E O V
James Franklin
Event: E
No Name Bar
Jayson Befort | General Manager
Event: E O
Warren Merrill | Owner
Event: E R V
OC Whites
Cathy White
Event: V
Overwatch Security Group
Sterling Dutton | Trainer
Event: R

Lenny Whetsel | President
Event: O R
Planning and Zoning Board
Jon Depreter | Retired
Event: O R
Prohibition Kitchen
Shane Sheltra | Owner
Event: O R
RCS Training
Jessica Tyree | Trainer, food and guest safety
Event: O
Refoundsound
JoJo Mafia | Owner/Artist
Event: O
Rendevous Barefoot Bills
William Smith | Owner
Event: E R V
Residents
BJ Khalaidi | Resident
Event: R W
Richardson's Museum
Gigi Best | owner merchant
Event: W
Ripley Entertainment
Kim Kiff | Regional Manager
Event: O R W
River and Fort
Bob Fleckenstein
Event: E V
Jeff McCusker | Restaurant Management
Event: E R V
Sailor Jane Productions and Prohibition Kitchen
Rachael Miller | Talent Booker
Event: E
Sherif's Department
Rob Hardwick | Sheriff
Event: R
Spanish Quarter Residents
Martha Mickler | Resident
Event: E O R W
N. Pellicer
Event: E
St Johns Cultural Council
Christina Parish Stone | Executive Dir
Event: R
St. Augustine Amphitheatre
Cari Baker | Program Manager
Event: O R
Gabe Pellicer | General Manager
Event: T R
St. Augustine Distillery
Lara Doolan
Event: W
Phil McDaniel | Owner
Event: T R V

St. Augustine Fire Department
Carlos Aviles | Fire Chief
Event: E
Abby Pedigo | Fire Safety Inspector
Event: R
St. Augustine Neighborhood Council
Melinda Rakoncaj | President
Event: R W
St. Augustine Pirate & Treasure Museum
Cindy Stavely | Executive Director
Event: E W
St. Augustine Police Department
Dee Brown | Public Information Officer
Event: R
Mike Castaing | Sergeant
Event: R
Caroline Drouin
Event: W
Brian Frasca | Sgt Community Resources
Event: O R
Brittney Garmon | Sergeant
Event: W
Jacob Godfrey | Patrol Officer
Event: O R
Jennifer Michaux | Chief of Police
Event: E T R W
Ezul Salifu | Police Officer
Event: R
Jeff Truncellito | Sergeant
Event: O R
St. Augustine Society, Inc.
Judith Dembowski | Executive Director
Event: O R
St. Augustine, Ponte Vedra & The Beaches VCB
Richard Goldman | President/CEO
Event: O R
St. Augustive Yacht Club
David Patrick
Event: V
St. Francis Inn / Casa de Suenas
Joe Finnegan
Event: E
St. George Inn
Irving Kass
Event: E
St. Johns County Chamber of Commerce
Bob Porter | Vice President
Event: O R
St Johns County - Cultural Events Division
Carl Liberatore | Production Manager
Event: R

St. Johns County Library

Harold George | Extension
Services Manager
Event: O R

St. Johns County Tourist Development Council

Tera Meeks | Executive Director
Event: O R

State of Florida/Recreation and Park

Michael Watkins | Anastasia State
Park Manager
Event: O

Sunshine Bus

Rachel Garvey | Transit Grant
Planner
Event: R

Superior Real Estate Services, LLC

Samuel Hale | Owner
Event: E O R V

The Treasury Collection

Brandy Boulette | Operations
Manager Weddings

Event: E O

Brenda Bushell

Event: V

The White Room

Julie Afford
Event: V

Thibault Law

Richard Thibault
Event: E

Trade Winds Lounge

Julie Leonard | Co-Owner
Event: V

Underwire Collective

Bianca Dawson | Co -Founder
Event: W

Venditio Group, LLC

Jen Hand | Stakeholder
Event: O R W

Victorian House B&B

Anthony Sexton
Event: E V

Walking Man Consulting

Troy Blevins | Consultant
Event: E T R V

White Lion

James Alexander | Owner
Event: O

Wild Concoctions

Fond Kiser | Musician/Entertainer
Event: O

Works/Scarletts

Jillian Smothers
Event: E

Organization/Company Unknown

Rob Gowen
Event: V

APPENDIX VI: REFERENCES

Clark, J. (April 12, 2021). *St. Augustine's crime rate declines to 25-year low*. First Coast News. <https://www.firstcoastnews.com/article/news/crime/st-augustines-crime-rate-declines-to-25-year-low-florida/77-1d23e55f-5710-4436-8904-d6893d4f8a85>

City of St. Augustine. (June 15, 2020). Terms of Use for Public Property: Guidelines for Events Held on Public Property. Retrieved May 2, 2022 from <https://www.citystaug.com/DocumentCenter/View/3533/-Terms-of-Use-for-Public-Property>

Durkee, A. (August 16, 2021). *Florida Getting Nearly As Many Tourists As It Did Pre-Pandemic, Report Finds As Covid Surges*. Forbes. <https://www.forbes.com/sites/alisondurkee/2021/08/16/florida-getting-nearly-as-many-tourists-as-it-did-pre-pandemic-report-finds-as-covid-surges/?sh=20b1b310500e>

Florida Trend. (August 19, 2021). *VISIT FLORIDA Announces Florida Welcomed 31.4 Million Travelers in Q2 2021*. Florida Trend: Florida's Business Authority. <https://www.floridatrend.com/article/32017/visit-florida-announces-florida-welcomed-314-million-travelers-in-q2-2021>

Historic Coast Culture (HCC). (May 15, 2020). *African American History in Lincolnville*. HistoricCoastCulture.com <https://www.historiccoastculture.com/stories/many-cultures/lincolnville-through-the-ages/>

Horn-Muller, A., Rivers, B. Uliano, D. (December 9, 2021). *Rising Seas Swamp Black, Spanish and Indigenous History In Northeast Florida*. Prevention Web. <https://www.preventionweb.net/news/rising-seas-swamp-black-spanish-and-indigenous-history-northeast-florida>

Inclán, L. (May 14, 2021). *St. Augustine 'too valuable' to ignore sea level rise, new state funding could help*. Action News Jax. <https://www.actionnewsjax.com/news/local/st-johns-county/st-augustine-too-valuable-ignore-sea-level-rise-new-state-funding-could-help/SV2KJ4NXRRENZO6JEXCLXMNS4M/>

Reynolds, T. (September 14, 2015). *450th Celebration marks a new standard for St. Augustine events*. Florida-Times Union. <https://www.jacksonville.com/story/news/2015/09/14/450th-celebration-marks-new-standard-st-augustine-events/15679835007/>

Rivers, B. (October 28, 2020). *Deluged by floods, America's 'oldest city' struggles to save landmarks from climate crisis*. The Guardian. <https://www.theguardian.com/us-news/2020/oct/28/st-augustine-florida-floods-climate-crisis>

Schindler, (January 7, 2022). *Rally held in St. Augustine in support of the Jan. 6 U.S. Capitol insurrection*. First Coast News. <https://www.firstcoastnews.com/article/news/local/rally-held-in-st-augustine-in-support-of-the-jan-6-us-capitol-insurrection-local/77-eb4a6c40-128f-4ecd-84d4-9349f625d7d7>

Smithsonian. *How to Travel 'Internationally' Without Going Abroad: Visit Florida's Historic Coast*. Retrieved April 17, 2022 from <https://www.smithsonianmag.com/sponsored/how-to-travel-internationally-without-going-abroad-visit-floridas-historic-coast-180979478/>

St. Johns County Government: Population Growth. Retrieved April 16, 2022 from <http://www.co.st-johns.fl.us/economicdevelopment/Population.aspx#.YltZU-jMKHs>

St. Johns County Tourist Development Council (TDC). (2017). 2017 St. Johns County Visitor Profile Survey Data. Retrieved April 27, 2022 from <https://www.floridashistoriccoast.com/about/industry-resources/tourism-facts-figures/visitor-profiles/>

St. Johns County Tourist Development Council (TDC). (2019). Visitor Tracking Report: October-December 2019. Retrieved April 27, 2022 from <https://www.floridashistoriccoast.com/about/industry-resources/tourism-facts-figures/visitor-profiles/>

U.S. Census Bureau. (July, 2021). QuickFacts: St. Augustine city, Florida. Retrieved April 27, 2022 <https://www.census.gov/quickfacts/staugustinecityflorida>

Visit St. Augustine. 450th Founder's Day 2015. Retrieved April 16, 2022 from <https://www.visitstaugustine.com/event/450th-anniversary-founding-day-commemoration#:~:text=Augustine's%20450th%20anniversary%20will%20culminate,in%20the%20continental%20United%20States.>

White, D. (May 30, 2021). *Police identify man killed in shooting outside downtown St. Augustine bar*. First Coast News. <https://www.firstcoastnews.com/article/news/crime/st-augustines-crime-rate-declines-to-25-year-low-florida/77-1d23e55f-5710-4436-8904-d6893d4f8a85#:~:text=Augustine.,Department%20of%20Law%20Enforcement%20numbers>.

Wikipedia. (December 31, 2021). "Climate Change in Florida." Last modified December 31, 2021. https://en.wikipedia.org/wiki/Climate_change_in_Florida#:~:text=The%20state%20has%20been%20described,along%20low%20elevation%20oceanfront.%22Add

Wikipedia. (April 3, 2022). St. Augustine, Florida. https://en.wikipedia.org/wiki/St._Augustine,_Florida#Demographics

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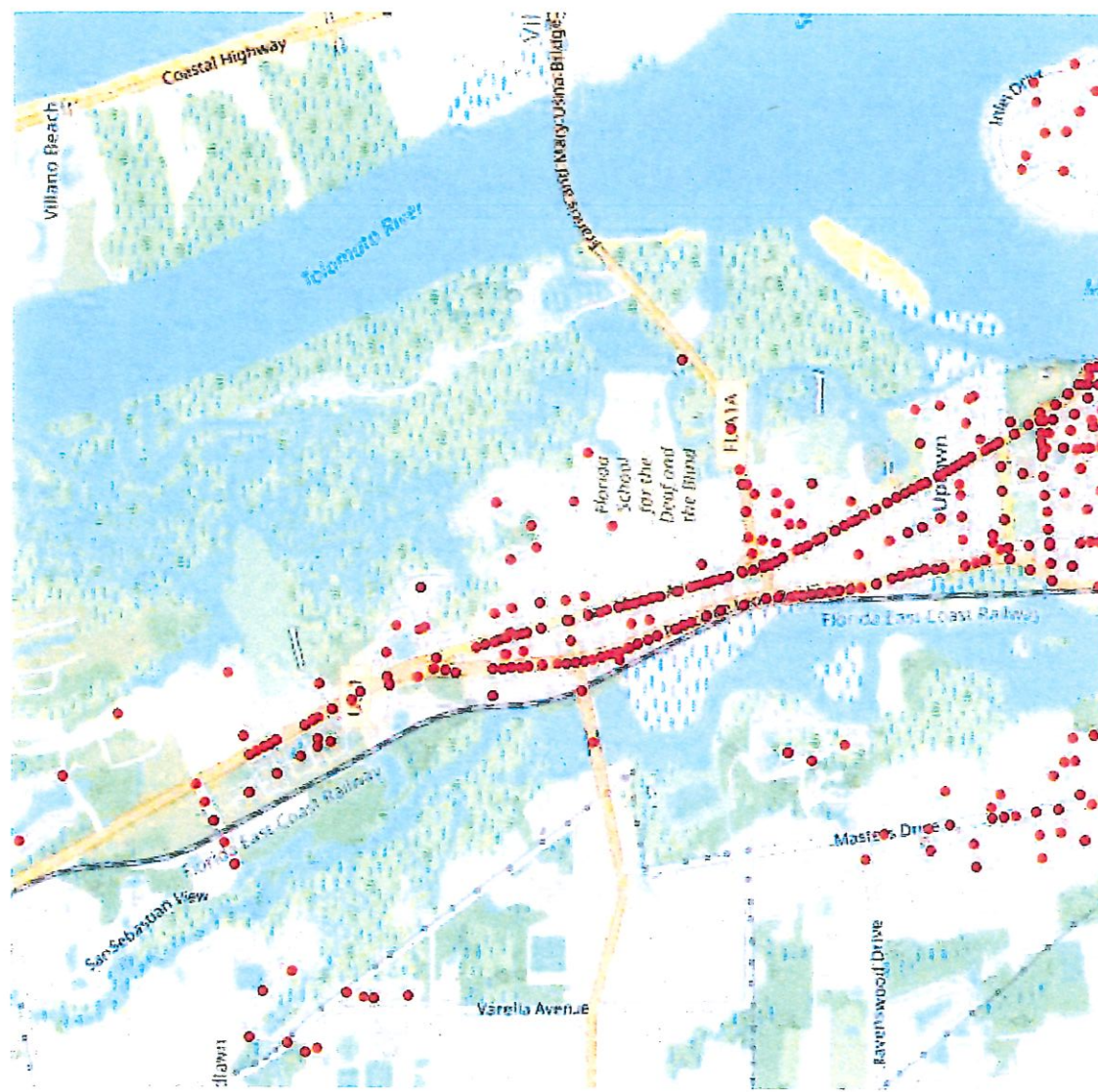


RESPONSIBLE HOSPITALITY INSTITUTE

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www.SociableCity.org

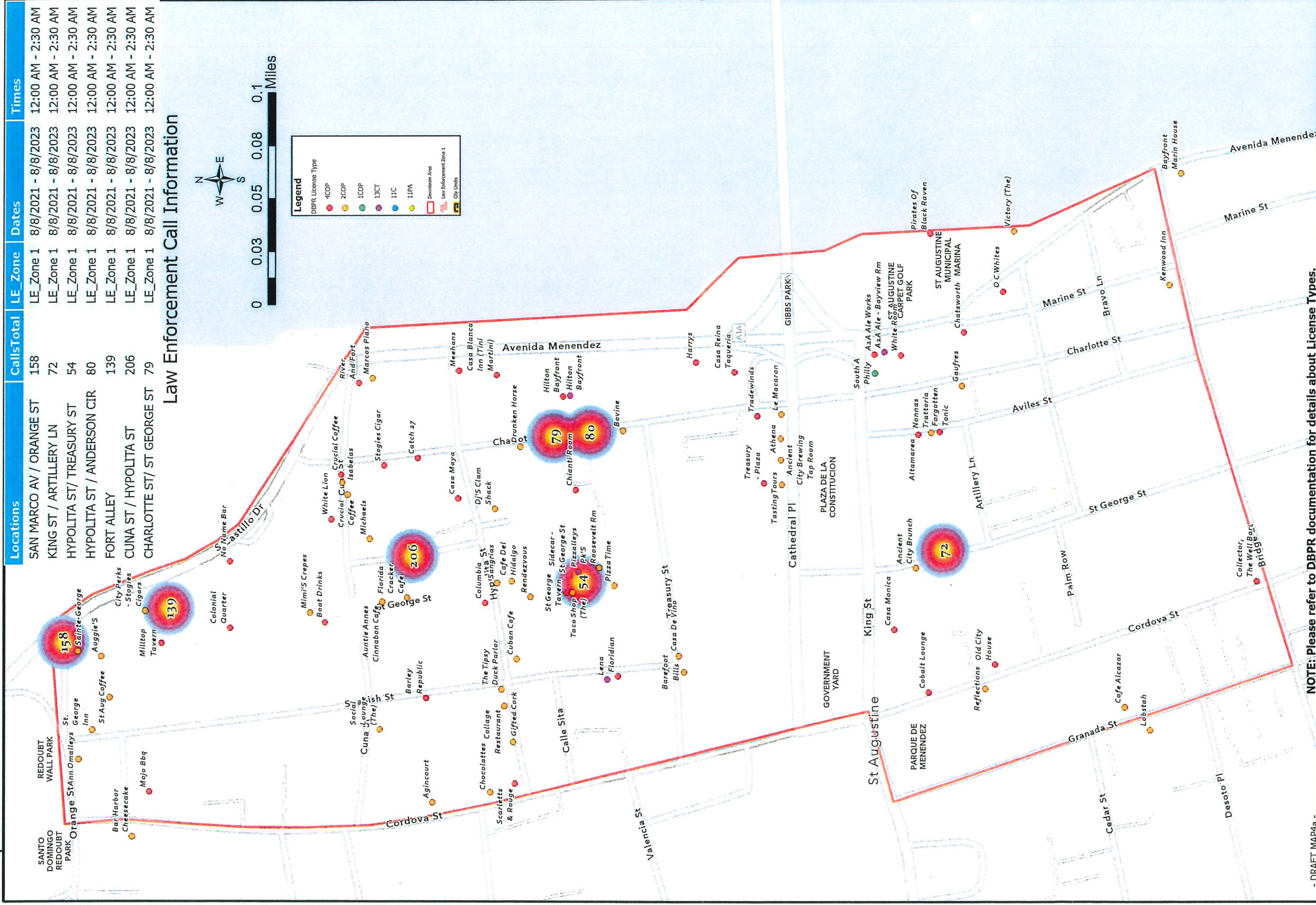
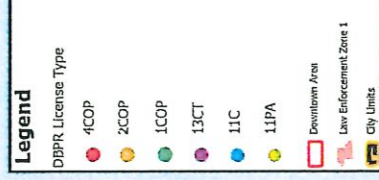
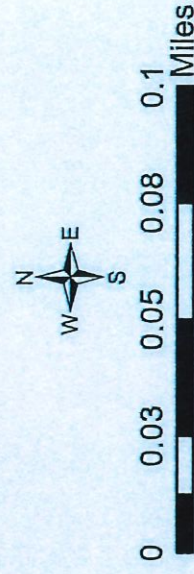


Map 3 – Heat Map Showing Highest Call Areas

11/11/23

Locations	CallsTotal	LE_Zone	Dates	Times
SAN MARCO AV / ORANGE ST	158	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
KING ST / ARTILLERY LN	72	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
HYPOLITA ST/ TREASURY ST	54	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
HYPOLITA ST / ANDERSON CIR	80	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
FORT ALLEY	139	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
CUNA ST / HYPOLITA ST	206	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM
CHARLOTTE ST/ ST GEORGE ST	79	LE_Zone 1	8/8/2021 - 8/8/2023	12:00 AM - 2:30 AM

Law Enforcement Call Information



NOTE: Please refer to DBPR documentation for details about License Types.

Retail Alcohol Beverage Licenses (DBPR)

Downtown Area

City of St. Augustine, Florida

www.CityStAug.com
P.O. Box 210
St. Augustine, FL 32085



DISCLAIMER: This map is for reference only. Data provided is derived from multiple sources with varying levels of accuracy. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown herein.

Date Saved: 8/16/2023 2:13 PM

Data Source:
This data has been downloaded from the Florida DBPR website as "Retail Alcohol Beverage License Active, escrow, temporary and delinquent licenses", additional points have been added for review and approval of the City of St. Augustine's Code Enforcement Division.



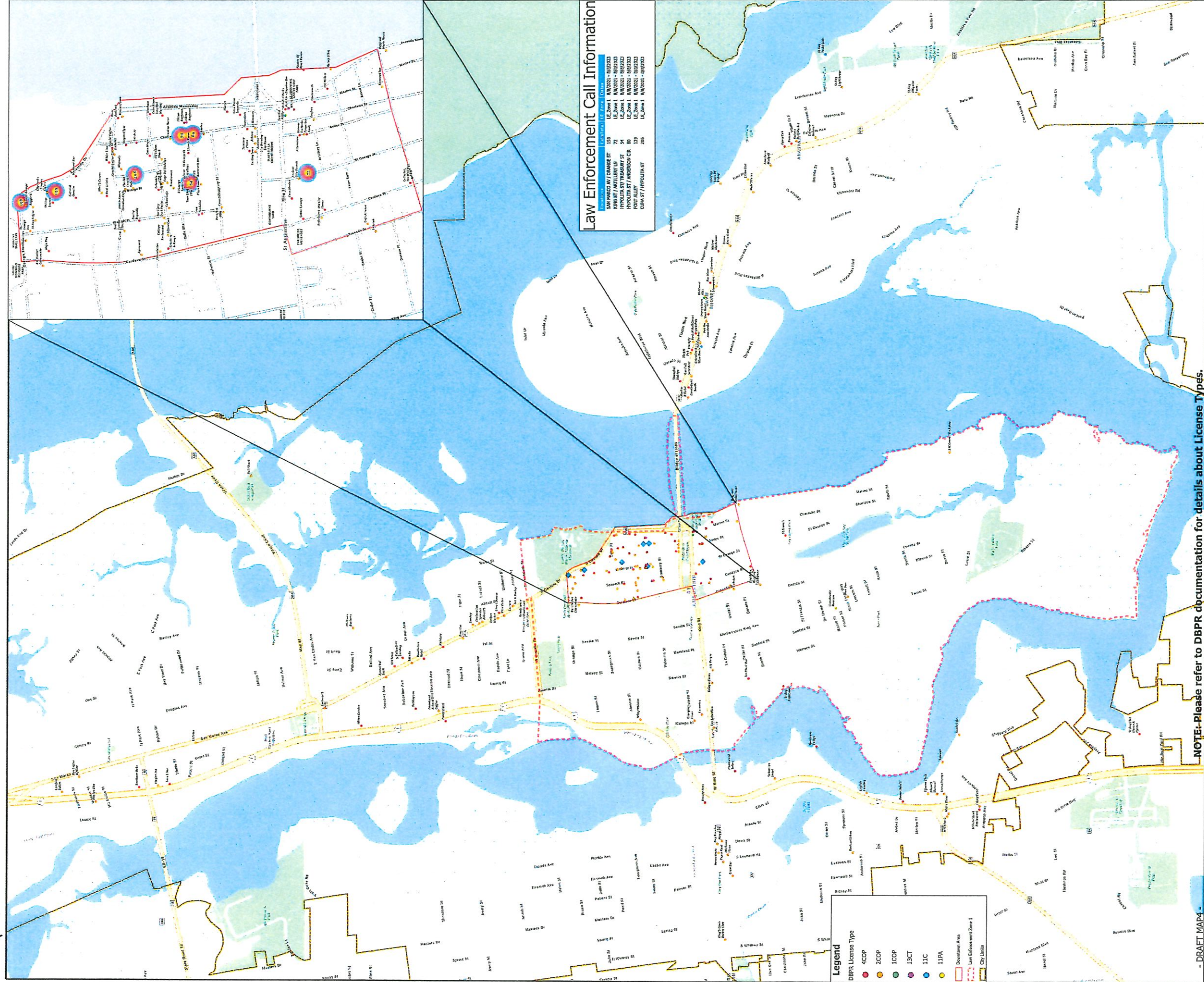
- DRAFT MAP4a -

Map 4 – Distribution of Alcohol Licenses throughout the City

Note: The scale is difficult to read. An interactive map will be placed on the City’s website, and large scale maps will be available at the meeting.

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Map 4



Law Enforcement Call Information

Zone	Call Number
Zone 1	72
Zone 2	54
Zone 3	90
Zone 4	22

NOTE: Please refer to DBPR documentation for details about License Types.

Retail Alcohol Beverage Licenses (DBPR)

City of St. Augustine, Florida

www.CityStAug.com
P.O. Box 210
St. Augustine, FL 32085

DISCLAIMER: This map is for reference only. Data provided are derived from multiple sources with varying levels of accuracy. The City of St. Augustine does not warrant the accuracy or completeness of the data shown herein.

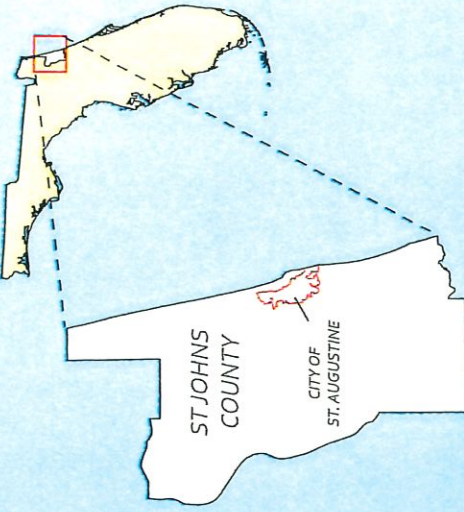
Data Source:
The data has been downloaded from the Florida DBPR website as "Retail Alcohol Beverage Licenses Active across temporary and delinquent licenses", additional points of interest for the City of St. Augustine's Code Enforcement Division.

Date Saved: 8/16/2023 2:13 PM



Map 1 - Future Land Use

2040 Comprehensive Plan
City of St. Augustine, Florida
Regional Airport



- LAND USE PROPOSED**
- COMMERCIAL LOW INTENSITY
 - COMMERCIAL MEDIUM INTENSITY
 - HISTORIC PRESERVATION
 - INDUSTRIAL
 - MARINE INDUSTRIAL
 - NO VALUE
 - OPEN LAND
 - RECREATION / OPEN SPACE
 - RESIDENTIAL LOW DENSITY
 - RESIDENTIAL LOW DENSITY / MIXED USE
 - RESIDENTIAL MEDIUM DENSITY
 - RESIDENTIAL MEDIUM DENSITY / MIXED USE
 - PUBLIC USE
 - INSTITUTIONAL
 - PROPERTY SHALL BE LIMITED TO 100 DWELLING UNITS
 - PROPERTY SHALL BE LIMITED TO CONSERVATION
 - PROPERTY SHALL BE LIMITED TO 450 DWELLING UNITS
 - PROPERTY SHALL BE LIMITED TO 455 DWELLING UNITS

***ALL LAND USES CITYWIDE ARE BASED ON A FORMAL DETERMINATION OF AREAS WATERWARD OF THE MOST RESTRICTIVE JURISDICTIONAL LINE TO DETERMINE THE AREAS DESIGNATED OPEN LAND (CONSERVATION)

*****AS OF THE DATE OF THE ADOPTION OF THIS FUTURE LAND USE MAP EXISTING CHURCHES IN ANY FUTURE LAND USE CATEGORY ARE NOT SUBJECT TO HEIGHT, LOT COVERAGE OR SETBACK LIMITATIONS BASED ON THE EXISTING BUILT CONDITIONS OF THE SITE

*ORDINANCE 2015-03 ALLOWING HISTORIC LIGHTHOUSE HEIGHT, RESTRICTING USE AND MAXIMUM LOT COVERAGE 35% (FROM RECREATION AND OPEN SPACE TO RESIDENTIAL MEDIUM DENSITY/MIXED USE)

***ORDINANCE 2019-07 RESIDENTIAL MEDIUM DENSITY/MIXED USE SPECIFIC MAP LIMITATION ALLOWING THE HISTORIC BOATBUILDING STRUCTURE HEIGHT

Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community
Sources: Esri, Airbus DS, USGS, NASA, CGIA, N Robinson, NCEAS, NLS, OS, NIMA, Geodastylrelset, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap and the GIS user community, Sources: Esri, HERE, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



City of St. Augustine
Planning, Zoning & Public Works Department
P.O. Box 210, St. Augustine, FL 32085
Phone: (904) 825-1065
DISCLAIMER
This map is for informational purposes only. Data provided is not guaranteed for use in any legal proceeding. The City of St. Augustine disclaims all responsibility for the accuracy or completeness of the data shown herein.



Future Land Use Notes
Data Sources
Future Land Use data is provided by the City of St. Augustine, GIS Division and is derived from land parcels identified and approved by the City of St. Augustine, Planning, Building, & Zoning Division.

2040 Future Land Use:
This map depicts 2040 Future Land Use for the City of St. Augustine
Comprehensive Plan:
The purpose of the Comprehensive Plan is to effectively manage growth and development by designating areas of anticipated future development which satisfy demand where feasible in a cost-effective and environmentally acceptable manner.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: September 1, 2023

RE: **ORDINANCE 2023-30: AMENDING SEC. 1.04 TO CORRECT SCRIVENER'S ERROR**

Please find attached Ordinance 2023-30 amending Section 1.04 of the City Charter correcting a scrivener's error in the legal description of the annexed property of the Shipyards.

Please place Ordinance 2023-30 on the regular City Commission agenda for first reading on September 11, 2023.

Thank you.



Isabelle C. Lopez
City Attorney

Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk

Agenda Title:

Amends Section 1.04 of the City Charter to correct a scrivener's error in the legal description of the annexed property of the Shipyards.

ORDINANCE NO. 2023-30

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 1.04 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA TO CORRECT A SCRIVENER'S ERROR IN ORDINANCE NO. 2023-10 RELATING TO ANNEXING APPROXIMATELY 14.79 ACRES OF PROPERTY LYING SOUTH OF THE EXISTING DEVELOPMENT REFERRED TO AS THE SHIPYARDS, EAST OF ARAPAHU AVENUE, NORTH AND WEST OF THE SAN SEBASTIAN RIVER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on June 12, 2023, the City Commission of St. Augustine, Florida, passed Ordinance No. 2023-10 amending Section 1.04 of the Charter of the City of St. Augustine relating to annexing approximately 14.79 acres of property lying South of the existing development referred to as the Shipyards, East of Arapaho Avenue, North and West of the San Sebastian River, which ordinance became effective June 22, 2023; and

WHEREAS, Ordinance No. 2023-10 contains a scrivener's error in the legal description of the annexed property; and

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

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

Section 1. Section 1.04 of the Charter Laws of the City of St. Augustine, Florida is hereby amended by correcting new subsection "(uuuu)" to read as described in **Exhibit "A"** attached hereto and made a part hereof.

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

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

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

Section 5. Effective Date. This ordinance shall become effective immediately upon passage, pursuant to Section 166.041(5), Florida Statutes.

PASSED by the City Commission of St. Augustine, Florida, this _____ day of _____, 2023.

Nancy Sikes-Kline, Mayor-Commissioner

ATTEST:

Darlene Galambos, City Clerk
(SEAL)

EXHIBIT "A"

Comprehensive Plan Amendment
Shipyards Annex Parcel

RESIDENTIAL (COUNTY PARCEL)

DESCRIPTION (BY SURVEYOR)

A PORTION OF THE M. SOLANA GRANT, THOSE LANDS LYING IN SECTION 19 & 40, TOWNSHIP 7 SOUTH, RANGE 30 EAST, ST JOHNS COUNTY FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF ARAPAHO AVENUE AND THE WESTERLY CORNER OF LOT 6, BLOCK H, SEMINOLE PARK SUBDIVISION; THENCE ALONG THE NORTHEASTERLY AND EASTERLY RIGHT OF WAY LINE OF SAID ARAPAHO AVENUE THE FOLLOWING 6 CALLS (1) S 68°21'25" E, 122.04 FEET; (2) S 53°15'10" W, 8.50 FEET; (3) S 68°29'21" E, 403.09 FEET; (4) S 26°52'43" E, 205.14 FEET; (5) S 26°47'43" E, 692.28 FEET; (6) S 39°56'09" E, 249.22 FEET TO THE POINT OF BEGINNING AND A 5/8" IRON ROD AND CAP STAMPED # 8177; THENCE FROM SAID POINT OF BEGINNING N 53°03'29" E, 333.34 FEET ALONG THE SOUTHERLY LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 779, PAGE 1160 TO THE SOUTHEAST CORNER OF SAID AFOREMENTIONED PARCEL; THENCE N 39°32'35" W, 251.17 FEET; THENCE N 52°52'20" E, 115.39 FEET; THENCE S 39°33'49" E, 251.55 FEET; THENCE N 53°03'29" E, 400.87 FEET ALONG THE NORTH LINE AS DESCRIBED IN OFFICIAL RECORDS BOOK 2683 PAGE 1261; THENCE RUNNING ALONG THE EAST LINE ALSO AS DESCRIBED IN OFFICIAL RECORDS BOOK 2683 PAGE 1261 THE FOLLOWING TWO (2) CALLS; (1) S 35°20'31" E, 339.67 FEET; (2) S 19°38'59" E, 428.60 FEET MORE OR LESS TO THE MEAN HIGH WATER LINE OF THE MARSH LANDS OF THE UN-SURVEYED SECTION 19 AND RUNNING THENCE WESTERLY ALONG SAID MEAN HIGH WATER LINE THE FOLLOWING ELEVEN (11) CALLS; (1) S 33°04'04" W, 15.22 FEET; (2) S 48°45'09" W, 45.97 FEET; (3) S 46°32'02" W, 25.70 FEET; (4) S 60°01'56" W, 77.65 FEET; (5) S 82°07'30" W, 84.00 FEET; (6) S 75°26'56" W, 60.60 FEET; (7) S 55°02'52" W, 71.93 FEET; (8) S 48°32'31" W, 58.45 FEET; (9) S 42°59'51" W, 50.85 FEET; (10) S 61°15'51" W, 23.94 FEET; (11) S 78°25'41" W, 35.83 FEET; THENCE N 67°03'55" W, 12.18 FEET LEAVING SAID MEAN HIGH WATER LINE TO A 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION; THENCE N 88°57'29" W, 396.30 FEET TO ANOTHER 4"X4" CONCRETE MONUMENT WITH NO IDENTIFICATION; THENCE N 45°57'29" W, 298.69 FEET TO THE SOUTH RIGHT OF WAY LINE OF ARAPAHO AVE. A 40 FOOT WIDE RIGHT OF WAY AS NOW ESTABLISHED; THENCE ALONG SAID RIGHT OF WAY LINE, N 47°28'56" E, 187.12 FEET TO THE EASTERLY RIGHT OF WAY LINE OF ARAPAHO AVE.; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE, N 39°39'06" W, 111.75 FEET TO THE POINT OF BEGINNING. CONTAINS 14.79 ACRES MORE OR LESS.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: August 31, 2023

RE: **Memorandum of Understanding between the City of St. Augustine and West Augustine Gateway, LLC to develop a public parking garage at 198-212 W. King Street**

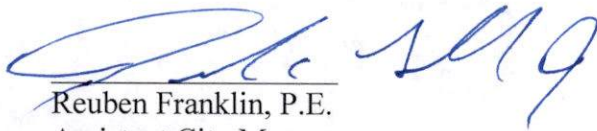
The attached Memorandum of Understanding (MOU) between the City of St. Augustine and West Augustine Gateway, LLC reflects the intent to enter a long-term lease for a public parking garage located at 198-212 W. King Street.

The Owner intends to construct a parking garage with approximately 752 spaces. Programming and design of the project will be done jointly by the City and the Owner. The Owner will fund, design, permit, construct and deliver the completed garage. The City shall operate, maintain, repair and insure the garage. A conceptual rent statement is included in the MOU which includes a 30-year principal and interest payment for the garage based on final construction cost. It also includes a lease of the land underneath the constructed garage that is based on the fair market value of rent and escalating at 3% per year for the same 30-year term. The MOU includes language that allows the City to extend this lease of the land for an additional 30 years once the initial 30-year term is complete. Finally, there is language in the MOU that includes options for the City to decline to proceed at various Project Delivery Milestones.

This item will be placed on the September 11, 2023, City Commission agenda for your consideration and city staff will be available to facilitate the discussion at that time.

Feel free to contact me if you have any questions.

Sincerely,



Reuben Franklin, P.E.
Assistant City Manager

Memorandum of Understanding

From: West Augustine Gateway, LLC
To: City of St. Augustine
Date: August 4, 2023
Re: **St. Augustine Gateway Parking Garage**

This "Memorandum of Understanding" (this "MOU") outlines the general terms and conditions under which the City of St. Augustine (the "City") would enter into a long-term lease agreement for the below-referenced project. City and Owner (as defined below) acknowledge this MOU is qualified and contemplates the execution of a more detailed lease agreement and related documents (the "Definitive Agreements", as further defined below) to be agreed upon by City and Owner. Therefore, City and Owner intend to be bound only by the execution of such Definitive Agreements and not by this MOU, except with respect to Sections 5 and 9 below, which Sections shall be binding on City and Owner upon the mutual execution of this MOU by City and Owner.

1. **Project**. The Project shall consist of a to-be-constructed Class A Parking Garage consisting of a minimum of 500 parking spaces and a maximum of 800 parking spaces (the "Project"). A trolley pick up / drop off area shall be provided as well as associated infrastructure to provide suitable access to the Project. A Conceptual Site Plan of the Project is attached as Exhibit A.
2. **Location**. The Project shall be located at approximately 194 West King Street, Saint Augustine, Florida 32084.
3. **Owner**. The Project shall be developed and owned by West Augustine Gateway, LLC, a Florida limited liability company (or another entity owned by or under the control of Barry Broudy) (collectively, "Owner"). Owner shall also act as Landlord and own the Project.
4. **Tenant**. City, without assignment rights, shall lease the Project pursuant to the terms of a mutually agreed upon long-term, absolute net lease agreement, development agreement and associated documents (collectively, the "Definitive Agreements"). Following the execution of this MOU and until ninety (90) days following the execution of the Definitive Agreements, City shall maintain an investment-grade credit rating.
5. **Credit Tenant Lease Financing**. The Definitive Agreements shall conform to commercially standard provisions necessary and appropriate for Credit Tenant Lease ("CTL") financing transactions with Investment-Grade tenants. This Section 5 shall be binding upon City and Owner unless both parties otherwise agree in writing.

6. **Owner's Obligations in order to Proceed.** Before executing the Definitive Agreements:
- a. Owner and City shall work collaboratively together in good faith regarding the Project design and specifications. Owner shall provide City with design drawings and associated permits necessary to commence construction of the Project.
 - b. Owner shall provide City with Definitive Agreements for review, approval and execution by City.
7. **Programming and Design Collaboration.** Owner and City will jointly program the Project to provide a parking facility which meets the City's needs from a functional, aesthetic, and cost standpoint.
- a. To do so, Owner will design the Project and provide updated plans together with cost and rent estimates at each of the following stages of the design process: 100% Schematic Design, 100% Design Development, 50% Construction Documents, 100% Construction Documents, and Interest Rate Lock ("Project Deliverable Milestones"). At each Project Deliverable Milestone, Owner will provide City its cumulative out-of-pocket costs applicable to City's obligations noted in Section 9; provided however that City's reimbursement obligations pursuant to Section 9 shall be staged as follows: reimbursement will be capped at \$150,000 until achievement of 100% Schematic Design, at which point reimbursement will be capped at \$300,000 until achievement of 100% Design Development, at which point reimbursement will be capped at \$450,000 until achievement of 50% Construction Documents, at which point reimbursement will be capped at \$650,000 until achievement of 100% Construction Documents, at which point reimbursement will be capped at \$750,000 until Owner locks the interest rate on the financing of the Project (the "Interest Rate Lock", which follows final lease agreement negotiation and begins the closing process), at which point reimbursement will be capped at \$1,250,000.
 - b. At each Project Delivery Milestone, Owner will submit the plans and associated costs and rent estimates to City for City's reasonable review, comment and approval to be completed within 30 days of submission. City and Owner will work in good faith to address and incorporate City's reasonable comments into the plans. If City fails to provide reasonably specific, actionable comments to Owner within 30 days of submission at any stage, then the plans and rent estimates will be deemed approved by City and Owner will proceed to the next step in the process. The City Manager is authorized to decide not to proceed with the Project, subject to Section 9 below.

- c. Owner will make commercially reasonable efforts to design the Project to a level which, subject to changes in market conditions, provides City with annual rents at or below the conceptual rent payment schedule attached as Exhibit B.
8. **Definitive Agreements.** The terms of the Definitive Agreements shall provide, among other items:
- a. Owner shall fund, design, permit, construct and deliver the completed Project to City on or prior to the agreed upon Lease Commencement Date.
 - b. City shall lease the Project on an absolute net lease structure consistent with CTL financing requirements, requiring City to appropriate, budget, and fund rent and professionally operate, maintain, repair, and insure the Project and its facilities in a first-class manner such that Owner is not required to conduct or fund any activities after the Lease Commencement Date.
 - c. City shall operate the Project as a Class A public parking garage.
 - d. A conceptual rent payment schedule for the initial term of the lease agreement is attached as Exhibit B. Owner and City agree the Land component of rent will be set at \$300,000 per year, increasing 3.0% annually, for the Initial Term.
 - e. Initial lease term of thirty (30) years commencing upon substantial completion of the Project. Upon the expiration of the Initial lease term, City shall have the option but not the obligation to purchase the Project (but not the underlying land) for a price of \$1.00 and simultaneously enter into a Ground Lease with Owner for a term of ten (10) years at a rental rate equivalent to annualized Fair Market Value of the land's highest and best use at that point in time as determined by the average of three (3) appraisals with Owner and City each selecting one (1) appraiser and those appraisers agreeing upon the third appraiser ("Fair Market Value Rent"). City shall have the option but not the obligation to extend such Ground Lease on equivalent terms two (2) additional times for 10 years each, at Fair Market Value Rent each time. Any subsequent extension of the Ground Lease term (beyond the first 30 years of Ground Lease Term and thus 60 years of total lease term) may be made on terms mutually agreed by City and Owner.
 - f. Upon request by Owner, City shall sub-lease up to 100 non-reserved garage parking spaces and 15 reserved garage parking spaces (located as close as practicable to the contemplated future Broudy's Liquors store) on a monthly basis at commercially reasonable terms to Owner in order to serve any future multifamily and/or commercial project on adjacent land.
9. **City's Option to Decline to Proceed.** Until such time as the Definitive Agreements are duly executed, City retains the option to decline to proceed with the Project. In the event City is unable or unwilling to proceed with the Project

and duly execute the Definitive Agreements, and Owner has complied with Owner's obligations as noted in Sections 6 and 7 above, then City shall reimburse Owner for its actual out-of-pocket expenses incurred pursuing the Project, subject to the limitations of Section 7.a above. City shall be deemed unable or unwilling to proceed with the Project if: (i) City provides Owner with a written determination that City will not proceed with the Project or (ii) City declines to duly execute the Definitive Agreements within 60 days of written request by Owner, which written request may only be made by Owner upon the conclusion of good faith negotiation of the Definitive Agreements. Within 15 days of City's declination to proceed with the Project, Owner will provide evidence reasonably sufficient to verify Owner's requested reimbursement amount. Within 15 days after Owner's submittal of information, City may request additional information to verify claimed amounts. Within 60 days of City's declination to proceed, City will reimburse owner all amounts which are not disputed by City with specific, commercially reasonable objections. This Section 9 shall be binding upon City and Owner unless both parties otherwise agree in writing.

10. **Source of Security.** Notwithstanding anything herein to the contrary, any financial obligations of the City associated with this MOU and the Project shall be solely secured in the manner and to the extent described in Exhibit C attached hereto.

Please understand that this MOU is only a proposal to enter into the Definitive Agreements. Any agreement reached as to any or all of the provisions of this MOU shall not be binding upon City or Owner, except as otherwise provided explicitly herein. Any portions of the Definitive Agreements may contain additional or different terms than outlined above. A breach of any binding obligations on the part of City or Owner shall entitle the non-breaching party to any and all remedies in law or equity as against the other party.

Sincerely,

Barry Broudy
Authorized Person
West Augustine Gateway, LLC

AGREED AND ACCEPTED:

Name:
Title:
City of St. Augustine
Date:

Exhibit A - Conceptual Site Plan

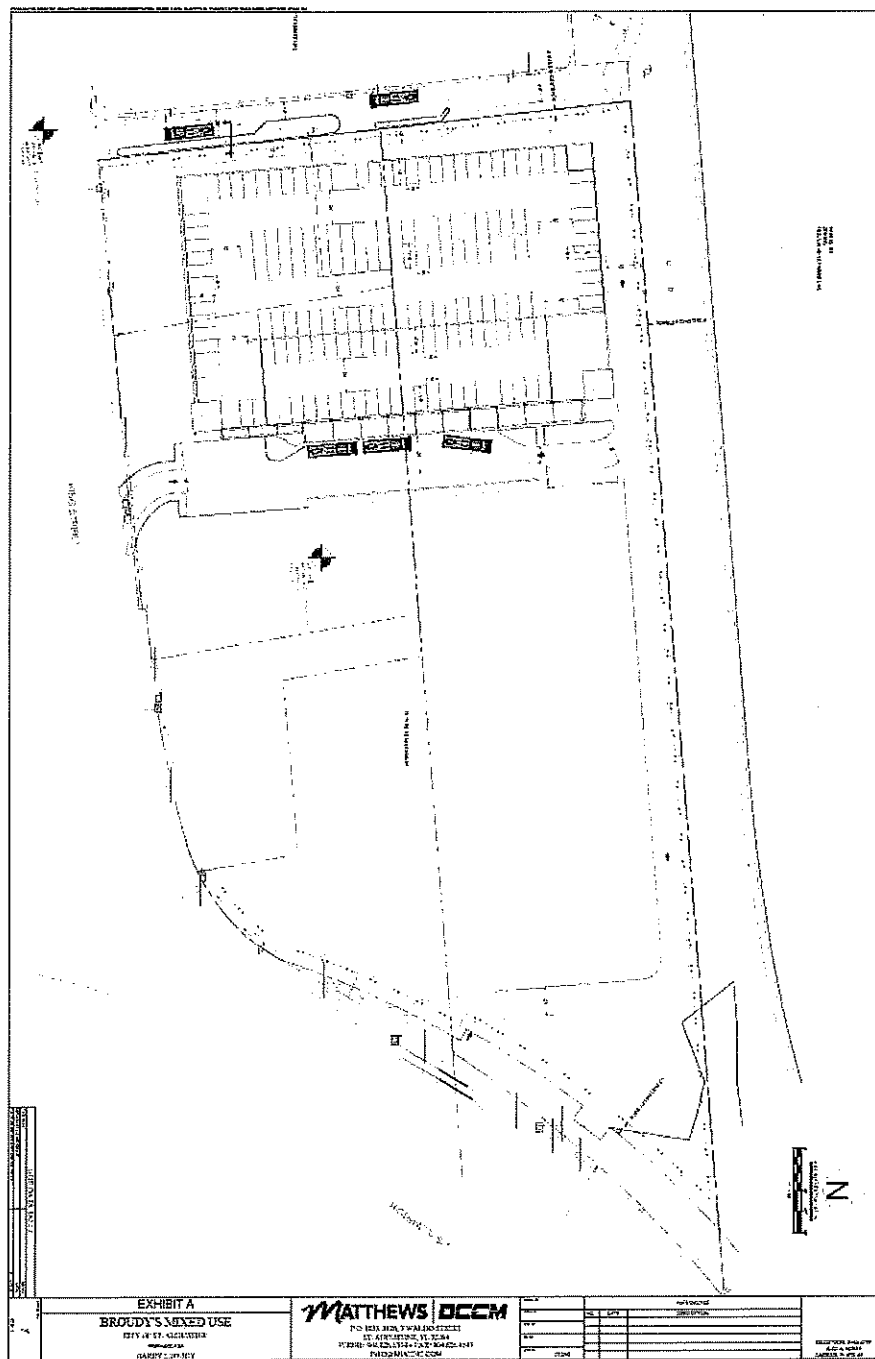


Exhibit B - Conceptual Rent Payment Schedule

Conceptual Rent Schedule based upon 752 parking spaces and 6.2% interest rate

Conceptual Rent Schedule			
Year	Debt Service	+ Land	= Total Rent
1	\$2,716,553	\$300,000	\$3,016,553
2	\$2,707,553	\$309,000	\$3,016,553
3	\$2,698,283	\$318,270	\$3,016,553
4	\$2,688,735	\$327,818	\$3,016,553
5	\$2,678,900	\$337,653	\$3,016,553
6	\$2,668,771	\$347,782	\$3,016,553
7	\$2,658,337	\$358,216	\$3,016,553
8	\$2,647,591	\$368,962	\$3,016,553
9	\$2,636,522	\$380,031	\$3,016,553
10	\$2,625,121	\$391,432	\$3,016,553
11	\$2,613,378	\$403,175	\$3,016,553
12	\$2,601,283	\$415,270	\$3,016,553
13	\$2,588,824	\$427,728	\$3,016,553
14	\$2,575,993	\$440,560	\$3,016,553
15	\$2,562,776	\$453,777	\$3,016,553
16	\$2,549,163	\$467,390	\$3,016,553
17	\$2,535,141	\$481,412	\$3,016,553
18	\$2,520,698	\$495,854	\$3,016,553
19	\$2,505,823	\$510,730	\$3,016,553
20	\$2,490,501	\$526,052	\$3,016,553
21	\$2,474,719	\$541,833	\$3,016,553
22	\$2,458,464	\$558,088	\$3,016,553
23	\$2,441,722	\$574,831	\$3,016,553
24	\$2,424,477	\$592,076	\$3,016,553
25	\$2,406,715	\$609,838	\$3,016,553
26	\$2,388,419	\$628,133	\$3,016,553
27	\$2,369,575	\$646,977	\$3,016,553
28	\$2,350,166	\$666,387	\$3,016,553
29	\$2,330,174	\$686,378	\$3,016,553
30	\$2,309,583	\$706,970	\$3,016,553

Exhibit C - Securing City Financial Obligations

The City covenants and agrees to appropriate in its annual budget, by amendment if necessary, for each Fiscal Year (defined to mean the period commencing on October 1 of each year and continuing through the next succeeding September 30, or such other period as may be prescribed by law) in which the City has financial obligations hereunder, sufficient amounts of Non-Ad Valorem Revenues (means all revenues of the City not derived from ad valorem taxation, and which are lawfully available to be used to make payments hereunder) to make required payments hereunder in each such Fiscal Year. Such covenant and agreement on the part of the City shall be cumulative and shall continue until all such required payments shall have been budgeted, appropriated, and actually paid. The City agrees that this covenant and agreement shall be deemed to be entered into for the benefit of the Owner and that this obligation may be enforced in a court of competent jurisdiction in accordance with the remedies set forth herein. No lien upon or pledge of such budgeted Non-Ad Valorem Revenues shall be in effect until such monies are budgeted and appropriated as provided herein. Notwithstanding the foregoing or any provision of this [Agreement] to the contrary, the City does not covenant to maintain or continue any activities, services or programs now maintained or provided by the City, including those programs and services which generate user fees, regulatory fees or Non-Ad Valorem Revenues. This covenant and agreement shall not be construed as a limitation on the ability of the City to pledge all or a portion of such Non-Ad Valorem Revenues or to covenant to budget and appropriate Non-Ad Valorem Revenues for other legally permissible purposes. Nothing herein shall be deemed to pledge ad valorem tax revenues or to permit or constitute a mortgage or lien upon any assets owned by the City and the Owner may not compel the levy of ad valorem taxes on real or personal property within the boundaries of the City for the payment of the City's obligations hereunder or to maintain or continue any activities, services or programs now maintained or provided by the City, including those programs and services which generate user fees, regulatory fees or Non-Ad Valorem Revenues.

However, this covenant to budget and appropriate in its annual budget for the purposes and in the manner stated herein has the effect of making available for such required payments the Non-Ad Valorem Revenues of the City in the manner provided herein and placing on the City a positive duty to appropriate and budget, by amendment if necessary, and deposit amounts sufficient to meet its obligations hereunder; subject, however, in all respects to the restrictions of Section 166.241, Florida Statutes, which make it unlawful for any municipality to expend moneys not appropriated and in excess of such municipality's current budgeted revenues. The obligation of the City to make such payments from its Non-Ad Valorem Revenues is subject in all respects to the payment of obligations secured by a pledge of such Non-Ad Valorem Revenues or a covenant to budget and appropriate Non-Ad Valorem Revenues heretofore or hereafter entered into (including the payment of debt service on bonds and other debt instruments), and funding requirements for essential public

purposes affecting health, welfare and safety of the inhabitants of the City; however, such obligation is cumulative and would carry over from Fiscal Year to Fiscal Year.

Such covenant to budget and appropriate does not preclude the City from pledging in the future or covenanting to budget and appropriate in the future its Non-Ad Valorem Revenues, nor does it require the City to levy and collect any particular Non-Ad Valorem Revenues, nor does it give the Owner a prior claim on the Non-Ad Valorem Revenues as opposed to claims of general creditors of the City.

THE FINANCIAL OBLIGATIONS HEREUNDER SHALL NOT BE OR CONSTITUTE GENERAL OBLIGATIONS OR INDEBTEDNESS OF THE CITY AS "BONDS" WITHIN THE MEANING OF ANY CONSTITUTIONAL OR STATUTORY PROVISION. THE OWNER SHALL NEVER HAVE THE RIGHT TO COMPEL THE EXERCISE OF ANY AD VALOREM TAXING POWER TO PAY MAKE REQUIRED PAYMENTS HEREUNDER, FOR THE PAYMENT OF ANY AMOUNTS PAYABLE HEREUNDER, OR IN ORDER TO MAINTAIN ANY SERVICES OR PROGRAMS THAT GENERATE NON-AD VALOREM REVENUES, OR BE ENTITLED TO PAYMENT OF AMOUNTS FROM ANY MONEYS OF THE ISSUER EXCEPT IN THE MANNER AND TO THE EXTENT PROVIDED HEREIN.



Map created with St. Johns County's iMap

DISCLAIMER:

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

Date Created: 8/1/2023



Sec. 28-210. - Mobility oriented development: MOD.

Intent: This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a mobility station including a required publicly owned, leased or available parking garage per the definition. The city's goal in allowing mobility-oriented development in conjunction with a mobility station is to reduce automobile use through the utilization of transit services, alternative mobility solutions and infrastructure for active modes, such as walking and biking. No drive in uses are permitted within the MOD zoning district regardless of whether specifically called out or not.

(1) *Definitions:*

- a. *Mobility-oriented development* or *MOD* shall mean a type of development or redevelopment in an area containing or directly contiguous to a mobility station.
 - b. *Mobility station* shall mean a location with either: (i) a transit station available to the public at large for general transportation needs, or (ii) a commuter rail station, and shall contain (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of two hundred (200) parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street.
 - c. *Pedestrian connectivity* shall mean the ability of people to walk from place to place on sidewalks, multi-use paths, pervious paths, greenway system or other type of pedestrian walkway.
 - d. *Transit station* shall mean more than one transit shelter in one location, or one large shelter, typically serving several transit routes and/or modes of transit, including pedestrian connectivity and which may or may not incorporate convenience retail and service establishments. A transit station is intended to be available to the public at large for general transportation needs and is not intended to be a recreational or tour service, nor is it intended to be a shuttle for use by hotel, motel, or resort guests only, or for single event transportation planning such as a wedding or event shuttle.
- (2) *Permitted locations:* MOD zoning must include a mobility station. Mobility stations must be located both (i) directly contiguous to the two (2) future rail stations identified on the city's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021; and (ii) along U.S. Highway 1.
- (3) *Permitted uses and structures:*
- a. Mobility station and any related mobility/transit features.
 - b. Commercial parking facilities and garages (public and private).
 - c.

Multiple-family dwellings; a major component of a mobility oriented development is a mix of uses, which shall include multi-family dwellings as an integral part of the project on the same site as the MOD development.

- d. Professional and business offices.
 - e. Medical and dental offices.
 - f. Restaurants, but not drive-in.
 - g. Retail sales and outlets such as specialty food stores and drug stores, but not drive-in, grocery stores/supermarkets, cafes, clothing and hobby shops, antique shops, pet shops (but not kennel or veterinarian), bookstore and news stand, stationery and card shops, leather goods and luggage (including repair but not pawn shops), art and photographic supplies, TV and stereo equipment (including incidental repairs), florist or gift shops, bakeries, sporting goods, sundries and notions, business office supplies, musical instruments, retail sale of alcohol and similar products.
 - h. Service establishments such as hair salons, shoe repair shops, interior decorator, photographic or art studio, dance or music studio, health club or facility, tailoring, catering, childcare, adult daycare, dog daycare, pet grooming, self-service laundry or dry cleaner, and similar activities.
 - i. Bars/taverns and breweries.
 - j. Banks, loan companies, mortgage brokers, stockbrokers and other financial institutions, but not drive-in.
 - k. Art galleries and museums.
 - l. Shopping plazas and shopping centers.
 - m. Public buildings and other public uses.
 - n. Indoor/outdoor recreation.
 - o. Outdoor sales and seating.
- (4) *Permitted accessory uses and structures.* See section 28-348.
- (5) *Permitted uses by exception:*
- a. See section 28-347(1) and (2), special event venue as per section 28-347(8) only allowed as an accessory uses to a principal use.
- (6) *Minimum lot requirements.* None.
- (7) *Maximum lot coverage by all buildings and structures.* Eighty (80) percent.
- (8) *Minimum yard requirements:*
- a.

Front, zero (0) feet minimum, provided that no portion of any building (including awnings, porte cocheres, balconies, porches, canopies or other non-occupied appendages may overhand the property line); ten (10) feet maximum.

b. Side, five (5) feet.

c. Rear, five (5) feet.

(9) *Maximum height of structures.* Sixty-five (65) feet maximum height to the tallest point of the building including any appurtenances, elevator shafts or towers or decorative features, parapet or the like. Building height adjacent to existing residential or commercial structures shall be incrementally and proportionately stepped down from the maximum allowed height of sixty-five (65) feet to a height not to exceed thirty (30) percent above the adjacent structure; and for purposes of this requirement, an existing residential or commercial structure located directly across an alley or located directly across a local road of no more than thirty (30) feet of right-of-way width from the MOD project will be deemed adjacent to it. The intent of the preceding sentence is to minimize a canyon effect and harmonize new structure height with the existing streetscape while providing the opportunity to build density into a project.

(10) *Landscaping category.* Classification 3, as defined in section 25-54(a).

(11) *Design standards.* Parcels zoned mobility oriented development (MOD) that are adjacent to West King Street shall comply with the King Street Design Standards as they relate to "West King Street", including the entire parcel or parcels contained in the project for the design elements listed below:

- a. Building placement for buildings adjacent to primary roadway. Interior buildings or buildings other than those facing King Street will not be required to comply with building placement.
- b. Building frontage for buildings adjacent to primary roadway.
- c. Architecture, including building materials, fenestration and glazing, awnings and canopies, building roof, parking structure design.
- d. Site access and parking.
- e. Site and building lighting.
- f. Stormwater facilities.
- g. Landscape and screening.
- h. Signs.

(12) A mobility-oriented development must have at least one (1) of the two (2) possible mobility station options for credit as a mobility/transit feature, and the required publicly owned, leased or available parking garage per the definition, plus the five (5) mandatory

mobility/transit features, and may include the two (2) optional mobility/transit feature options. A minimum of six (6) total mobility/transit features is required:

- a. Commuter rail station - As a component of the required mobility station.
- b. Transit station - As a component of the required mobility station.
- c. Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of two hundred (200) parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the historic downtown parking facility located at 1 Cordova Street - mandatory as a component of the required mobility station.
- d. Bicycle station - Mandatory.
- e. Pedestrian connectivity - Mandatory.
- f. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) - Mandatory.
- g. Park and ride hub - Mandatory.
- h. Charging station for electric vehicles - Mandatory.
- i. Water taxi station - Optional.
- j. Shared mobility device stand (e.g., bicycle or e-scooter as part of an approved shared mobility device program) - Optional.

(Ord. No. 22-15, § 3, 9-26-22)

LAMPE, ROY & ASSOCIATES, INC.

APPRAISERS - CONSULTANTS

1912 Hamilton Street, Suite 204

Jacksonville, FL 32210

(904)388-7020

Fax (904)388-9298

Email: lra@lamperoy.net

August 18, 2023

Mr. Barry Broudy
Broudy Bros. Ltd
35 N. Ponce De Leon Boulevard
St. Augustine, Florida 32084-3500
Barry@Broudys.com

Re: Estimate of Market Ground Rent for the
Proposed Parking Garage Site Located in
the Northwest Corner of Ponce De Leon
Boulevard and King Street Located in St.
Augustine, St. Johns County, FL; Our file
5147

Dear Mr. Broudy:

This is in response to your request for an estimate of market ground rent for the proposed parking garage site containing approximately 2.5 acres of land located in the northwest corner of the intersection of Ponce De Leon Boulevard and King Street in St. Augustine, Florida. The subject of this analysis is a portion of a 5.6-acre mixed-use tract that was previously appraised by this office in January 2023, our File No. 5098. All of the data and conclusions of value from that report are hereby incorporated by reference.

In the January 2023 appraisal of the overall 5.6-acre tract it was concluded that the market value at that time was \$10,213,000 which is equivalent to \$41.87 per square foot. Allocating the unit values from the January 2023 appraisal to the 2.5-acre site of the proposed parking garage, a value of \$4,559,375 is indicated for this property.

The purpose of this assignment is to estimate the market rental value of a ground lease for the 2.5 acres of land for the proposed parking garage site. The process of estimating the market rental rate for the 2.5 acres of land involves estimating the land value and multiplying that figure by an appropriate land capitalization rate.

LAMPE, ROY & ASSOCIATES, INC.
APPRAISERS – CONSULTANTS

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As previously stated, this is a portion of a proposed 5.6-acre mixed-use project that has been approved for up to 275 multifamily units, up to 50,000 square feet of commercial space and a parking garage (size to be determined). The property is also classified as a Mobility-Oriented Development which must include a minimum of six (6) total mobility/transit features are required:

- a. Commuter rail station - as a component of the required Mobility Station.
- b. Transit station - as a component of the required Mobility Station.
- c. *Publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street as a component of the required Mobility Station.*
- d. Bicycle station - Mandatory.
- e. Pedestrian connectivity - Mandatory.
- f. Ride-sharing hub or dedicated loading area (e.g., Uber or car sharing) - Mandatory.
- g. Park and ride hub - Mandatory.
- h. Charging station for electric vehicles - Mandatory.
- i. Water taxi station - Optional.
- j. Shared mobility device stand (e.g., bicycle or e-scooter as part of an approved shared mobility device program) - Optional.

As a result of this zoning and its requirements, the value of the land should be estimated as a part of the overall project versus as a standalone site since it is under the same ownership, part of the same zoning, development plan and its value is influenced by the other development rights associated with the overall project.

We have undertaken an analysis of recent land transactions, and it is our opinion that the overall value has not changed significantly. A total re-evaluation of the property is beyond the scope of this assignment and has not been developed.

Based on the site containing 2.5 acres, and the previously estimated land value of the entire development, its value as a part of the total property is estimated to be:

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Overall Value	\$10,213,000
Total Land Area (Ac.)	5.60
Value per Square Foot	\$41.87
Pkg. Gar. Site Size (Ac.)	2.50
Value of Pkg. Gar Site as Part of the Whole	\$4,559,643

The next step in the process is to estimate the appropriate land capitalization rate. In order to estimate the land capitalization rate, we have gathered information from the *Investor Survey* as published by *RealtyRates.com* for the twelve-month period extending from the 3rd and 4th Quarters of 2022 and the 1st and 2nd Quarters of 2023. The *Investor Survey* presents the results of polling of 312 appraisal firms, brokerage firms, developers, investors, and lenders nationwide.

The subject is a part of mixed-use development that includes apartments, commercial/retail and a parking garage. In the *Investor Survey*, these land uses are the most similar to the Apartments, Retail and Special Use categories. The average land lease capitalization rates for these three categories are summarized for the 12-month period from the 3rd Quarter of 2022 to the 2nd Quarter of 2023. This information is presented as follows:

Average Land Lease Cap Rates- Q3 2022 to Q2 2023

	Q3 2022	Q4 2022	Q1 2023	Q2 2023
Apartments	7.18%	7.28%	8.15%	7.99%
Retail	7.56%	7.73%	8.67%	8.53%
Special Purpose	9.35%	9.57%	10.44%	10.26%
Average	8.03%	8.19%	9.09%	8.93%
Minimum	8.03%			
Maximum	9.09%			
Average	8.56%			

Analysis of the data within the preceding table indicates the capitalization rates of each category have increased from the 3rd Quarter of 2022 through the 1st Quarter of 2023, a slight decrease was noted in the rates in the 2nd Quarter of 2023. These increases are believed to be in response to the Federal Reserve's policy of tightening monetary

LAMPE, ROY & ASSOCIATES, INC.
APPRAISERS – CONSULTANTS

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conditions which began in March 2022 and has extended through to the present. Generally speaking, with all other factors remaining equal, increases in interest rates usually result in increases in capitalization rates and correspondingly lower values for real estate assets. It is noted that the capitalization rates shown in the Investor Survey are historical in nature. The current capital markets indicate that interest rates are expected to continue to rise, which likely places capitalization rates toward the upper end of the range shown in the surveys.

The capitalization rate is also influenced by the perceived risk associated with the property. Although the subject is unique in being a Mobility-Oriented Development in relation to its allowed densities, the individual segments are experiencing good demand, thus reducing the overall risk.

Based on these factors, a land capitalization rate near the mid-point of the data is considered appropriate. Thus, a rate of 8.5% is utilized. Using this capitalization rate and the subject's estimated land value as a part of the overall project, its ground rent is calculated as follows:

Value of Parking Garage Site as Part of the Whole	\$4,559,643
Land Cap Rate	<u>8.50%</u>
Indicated Ground Rent	\$387,570

Since this rent was estimated using land capitalization rates, it is a net number and presumes that the tenant is paying all expenses associated with the site. If this is not the case, the expenses handled by the owner would need to be added as part of the rent.

Mr. Broudy, we trust this information is sufficient for your needs. If you have any further

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APPRAISERS – CONSULTANTS

Mr. Barry Broudy
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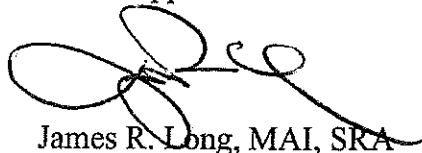
questions, please do not hesitate to contact us.

Respectfully Submitted,

LAMPE, ROY & ASSOCIATES, INC.



Michael C. Roy, MAI, SRA
State Certified General Real
Estate Appraiser No. RZ140



James R. Long, MAI, SRA
State Certified General Real
Estate Appraiser No. RZ1635

/dl

ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is made subject to the following:

Legal description and maps, as furnished to appraiser and as shown in this report, are assumed to be correct.

Property is assumed to be marketable, free and clear, under responsible ownership and competent management.

Any sketch or photo is approximate and merely intended to assist the client in visualizing the premises.

No obligation is assumed for accuracy of tax data and similar information supplied by others.

This report may be used only by the client and solely for purposes stated herein.

Survey exception: Any statement of facts an accurate survey might show.

Appraiser does not agree to give testimony in court relating to this appraisal except by previous arrangements.

All information provided the appraisers in relation to this assignment is true and accurate.

The subject property will, at all times, be under proper and professional management, aggressively marketed and adequately maintained.

Appraiser has no present or contemplated interest in subject property.

This report is not contingent upon any predetermined value or findings.

Valuation is made in conformity with rules and ethics of professional organizations, of which appraiser is a member.

No responsibility is assumed for matters, which are legal in character, nor is any opinion rendered as to title, which is assumed to be good and marketable. All existing liens have been disregarded and the property is appraised as free and clear under competent management.

Possession of this report, or a copy thereof, does not carry with it the right of publication, nor may it be used for any purpose by anyone but the recipient without written consent of the appraiser.

ASSUMPTIONS AND LIMITING CONDITIONS

(Continued)

The distribution of the total valuation between land and improvements, as shown in this report, applies only under the existing program of utilization. The separate valuation for the land and building must not be used in conjunction with any other appraisal and are invalid if so used. The appraiser assumes there are no hidden conditions of the property, soil or structure, which would render it more or less valuable.

The Market Value estimates reflected herein are forecasted based upon specific conditions and estimated events occurring during the near-term future. These value estimates are based upon current market conditions, past market activity, anticipated short-term economic supply and demand factors, as well as a continued reasonably stable economy. These forecasts are, therefore, subject to changes in future conditions, which cannot be accurately predicted or forecasted by the appraisers. It should also be noted that any changes in our forecasts, which are beyond the control of the appraisers, could dramatically affect our Market Value estimates and would, therefore, require reanalysis should they occur.

Unless otherwise stated in this report, the existence of hazardous substances including, without limitation, asbestos, polychlorinated biphenyls, petroleum leakage or agricultural chemicals, which may or may not be present on the property, or other environmental conditions, were not called to the attention of, nor did the appraiser become aware of such during the appraiser's inspection. The appraiser has no knowledge of the existence of such materials on or in the property unless otherwise stated. The appraiser, however, is not qualified to test such substances or conditions. The presence of such substances, such as asbestos, urea formaldehyde foam insulation or other hazardous substances or environmental conditions, may affect the value of the property, the value estimated is predicated on the assumption that there are no such conditions on or in the property, or in such proximity thereto that it would cause a loss in value. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them.

QUALIFICATIONS OF MICHAEL C. ROY, MAI, SRA

EDUCATION: B.S.B.A. Majors in Economics & Finance
University of Central Florida

**PROFESSIONAL
AFFILIATIONS:**

Board Member, FL Real Estate Appraisal Board (2014-2021)
Board Chairman, FL Real Estate Appraisal Board (2018)
Member, Appraisal Institute (MAI)
Appraisal Institute Nat'l Bd of Directors 1999-2001; 2003-2005
Current on Voluntary Education for Appraisal Institute
State-Certified General Real Estate Appraiser,
State of Florida - License No. RZ140
Associate, Jacksonville Board of Realtors
Certified General Real Property Appraiser
State of Georgia - License No. 215382

**PROFESSIONAL
EDUCATION:**

Seminars and Webinars 2017-2023

Complex Valuation	2023
Business Practices and Ethics	2022
FL Law and USPAP National Update	2022
What's Up in Technology for Real Estate Appraisers	2022
Review Theory – General	2021
Unconscious Bias Virtual Session for the Appraisal Profession	2021
Conservation Easement Webinar	2020
Aerial Inspection	2020
Evaluating Retail Investment Sales: Market Conditions & Trends	2020
Trial Components	2020
Florida Core Law	2020
How Tenants Create and Destroy Value	2020
7-Hour Nat'l USPAP Update Course	2020
Ignorance Is not Bliss: Understanding an Investigation by a State Appraiser Regulatory Board or Agency	2018
Hybrid Appraisals	2018
Florida Appraiser State Law Update Course	2018
Forest Valuation for Nonforesters	2018
Solving Land Valuation Puzzles	2018
7-Hour Nat'l USPAP Update Course	2018
Business Practices and Ethics	2017
General Appraiser Market Analysis & HBU	2018

LAMPE, ROY & ASSOCIATES, INC.

QUALIFICATIONS OF MICHAEL C. ROY, MAI, SRA
(Continued)

The Tough One: Mixed-Use Properties	2017
2-4 Unit Small Residential Income Property Appraisals	2017
Yellow Book Changes-Overview for Appraisers	2017

Seminars 2007-2016

Unique and Complex Property Appraisal	2016
7-Hour Nat'l USPAP Update Course	2016
Florida Appraiser State Law Update Course	2016
That's Logistics – The Valuation of Warehouses	2014
7-Hour Using Spreadsheet Programs in RE Appraisals – The Basics	2014
7-Hour Nat'l USPAP Update Course	2014
Florida Appraiser Core Law	2014
Complex Litigation Appraisal Case Studies	2013
Business Practices & Ethics	2012
Marketability Studies: 6-Step Process & Basic Apps	2012
Knowledge Center for Instructors	2012
7-Hour Nat'l USPAP Update Course	2012
Florida Appraiser Core Law	2012
Candidate for Designation Program	2012
Fundamentals of Separating Real Property, Personal Property & Intangible Business Assets	2012
Lessons from Old Economy: Working in the New	2012
RE Industry Perspectives on Lease Accounting	2011
Hotel Appraising – New Techniques	2010
Effects of Environmental Contamination	2010
Feasibility, MV, Invest Timing: Option Value	2010
Florida State Law for Real Estate Appraisers	2010
7-Hour National USPAP Update Course	2010
Valuation for Financial Reporting	2009
Business Practices and Ethics	2007

Seminars: (Taught)

Business Practice & Ethics	2007
The Valuation of Wetlands	2007
Office Building Valuation	2007
Valuation of Wetlands	2008
Office Building Valuation	2008
Subdivision Valuation	2006
Appraisal Consulting	2003

QUALIFICATIONS OF MICHAEL C. ROY, MAI, SRA
(Continued)

***PROFESSIONAL
EXPERIENCE:***

President, Lampe, Roy & Associates, Inc.
(2015-Present)
Vice President, Lampe, Roy & Associates, Inc.
(1997-2014)
Vice President, Walter M. Lampe, Inc. (1980-1996)
Real Estate Appraiser for the Florida Department of
Transportation (1974-1980)

***APPRAISAL
EXPERIENCE:***

Have appraised various types of real estate including single family residences, regional shopping centers, motels, professional offices, apartments, condominiums, utility plants, hospitals, warehouses, automobile dealerships and others.

Qualified as Expert Witness in numerous counties.

CLIENTS:

AT&T
Attorneys and Private Clients
City of Jacksonville, Office of General Counsel
CSX Real Property
Florida Power and Light
Jacksonville Transportation Authority
JEA
NAVFAC Southeast
U.S. Dept. of Agriculture (USDA), Natural Resources
Conservation Service (NRCS)
U.S. Dept. of the Interior Office of the Secretary
U.S. Dept. of the Treasury
Norfolk Southern Corporation
North FL Land Trust
Prudential Insurance Company
Rayonier
State of Florida, Department of Natural Resources
State of Florida, Department of Transportation
U.S. Department of Justice
U. S. Department of Housing and Urban Development
St. Johns County School Board
St. Johns County Land Management Department
St. Johns River Water Management District

LAMPE, ROY & ASSOCIATES, INC.

QUALIFICATIONS OF MICHAEL C. ROY, MAI, SRA
(Continued)

Cities of St. Augustine & St. Augustine Beach & Palm Coast
Duval County & Clay County Property Appraise

QUALIFICATIONS OF JAMES R. LONG, MAI, SRA

**PROFESSIONAL
AFFILIATIONS:**

MAI Designation, Appraisal Institute
SRA Designation, Appraisal Institute
State-Certified General Real Estate Appraiser,
State of Florida - License No. RZ1635
Current on Voluntary Education for Appraisal Institute

**PROFESSIONAL
EXPERIENCE:**

Appraiser, Lampe, Roy & Associates, Inc. (1997-Present)
Appraiser, Walter M. Lampe, Inc. (1987-1996)

**APPRAISAL
EXPERIENCE:**

Have appraised a wide variety of real estate, including residential, commercial and industrial properties over the last 43 years.

Qualified as an expert witness and given testimony in both Circuit and Federal Courts.

**MOST RECENT
PROFESSIONAL
EDUCATION:**

Standards of Professional Practice (Appraisal Institute)
General Appraiser Report Writing and Case Studies (Appraisal Institute)
General Appraiser Market Analysis and Highest and Best Use (Appraisal Institute)
Advanced Market Analysis and Highest and Best Use (Appraisal Institute)
Advanced Income Capitalization (Appraisal Institute)
Advanced Concepts and Case Studies (Appraisal Institute)
Quantitative Analysis (Appraisal Institute)

EDUCATION:

Bachelors of Business Administration Degree, Major in Real Estate and Urban Land Economics, University of North Florida

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- 1) The statements of fact contained in this report are true and correct.
- 2) The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- 3) We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- 4) We have provided services regarding the subject of this appraisal within the three-year period immediately preceding acceptance of this assignment. The subject of this analysis is a portion of a 5.6-acre mixed-use tract that was previously appraised by this office in January 2023, our File No. 5098.
- 5) We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- 6) Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- 7) Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinions, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- 8) The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice*.
- 9) I, Michael C. Roy, MAI, SRA, State Certified General Real Estate Appraiser No. RZ140, have made a personal inspection of the property that is the subject of this report. James R. Long, MAI, SRA, State Certified General Real Estate Appraiser No. RZ1635, has not made a personal inspection of the property that is the subject of this report.

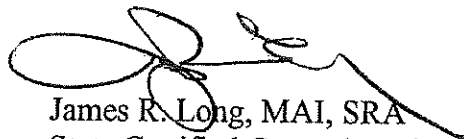
CERTIFICATION
(Continued)

- 10) No one provided significant professional assistance to the persons signing this report.
- 11) As of this date, we are in compliance with the continuing education requirements of the *Appraisal Institute* and of the *Florida Real Estate Appraisal Board*.
- 12) The use of this report is subject to the requirements of the *Appraisal Institute* relating to review by its duly authorized representatives and those of the *Florida Real Estate Appraisal Board*.
- 13) Neither all, nor any part, of the contents of this report shall be disseminated to the public through advertising media, public relations media, news media, sales media, or any other public means of communication without the prior written consent and approval of the undersigned.

LAMPE, ROY & ASSOCIATES, INC.



Michael C. Roy, MAI, SRA
State Certified General Real
Estate Appraiser No. RZ140



James R. Long, MAI, SRA
State Certified General Real
Estate Appraiser No. RZ1635

LAMPE, ROY & ASSOCIATES, INC.

APPRAISAL REPORT
OF THE
70,000+ SQUARE FOOT SECTION OF VACANT LAND
COMPRISED FROM FOUR (4) CONTIGUOUS PARCELS
LOCATED ON THE NORTHWEST QUADRANT OF
KING STREET & N. PONCE DE LEON BLVD.,
IN THE CITY OF ST. AUGUSTINE, FLORIDA 32084



TAX PARCEL ID#:

111200-0000, 111220-0000, 111225-0000 & 111225-0120

PREPARED FOR:

DAVID BIRCHIM, AICP

PREPARED BY:

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677
Pacetti Appraisal Services Inc.

PACETTI APPRAISAL SERVICES INC.

Real Estate Appraisers and Consultants

Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser
RZ 677

August 11, 2023

Mr. David Bircham
City Manager
City of St. Augustine
P.O. Box 210
City of St. Augustine, FL 32085

Property Desc. : 70,000± square foot section of vacant commercial land
comprised from four (4) contiguous parcels.
Property Location : Northwest quadrant of W. King Street and N. Ponce De
Leon Blvd., City of St. Augustine, St. Johns County,
Florida 32084.

Dear Mr. Bircham:

At your request, we have made an investigation and analysis of the above mentioned property.
The purpose of this investigation and analysis was to provide following opinions of value for the
Subject Property:

- "As-Is" Market Value
- "As-Is" Market Ground Rent

The property rights appraised are the rights of the Fee Simple Interest.

The Subject Property was inspected on August 8, 2023.

The Subject site is a cutout of a larger parcel of land that was comprised from four (4) contiguous parcels of land (#111200-0000, 111220-0000, 111225-0000 & 111225-0120), which together contain a total of 201,194± square feet. The Subject site contains 70,000± square feet, and consists of a rectangular shaped section of vacant land. This site is planned to either be leased or purchased by the City of St. Augustine, who are exploring the feasibility of constructing a multi-story parking garage on the site. The Subject's site sizes and dimensions used in our analysis were per the client, the City of St. Augustine, and are subject to a survey.

The Subject Property is zoned MOD, Mobility Oriented Development, and has a split land use of Commercial Medium Intensity and Industrial, by the City of St. Augustine, FL.

This appraisal is intended to comply with the reporting requirements set forth under Standards Rule 2 of the Uniform Standards of Professional Appraisal Practice for a Appraisal Report. As such, it presents a summary discussion of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's value estimate. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client. The appraiser is not responsible for unauthorized use of this appraisal report.

Mr. Bircham
Page Two,

This appraisal was not rendered on the basis of a requested minimum valuation, specific valuation, or an amount, which would result in the approval of a loan.

The appraisal is intended to conform with the Uniform Standards of Professional Appraisal Practice (USPAP), the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute, and applicable state appraisal regulations. The appraisal is also prepared in accordance with the appraisal regulations issued in connection with the Financial Institutions Reform, Recovery and Enforcement Act (FIRREA).

Subject to the definition of market rent as set forth in this report, as well as the General Assumptions, Extraordinary Assumptions and Limiting Conditions, we have formed the following opinions of value for the Subject Property as of August 8, 2023:

MARKET VALUE AS-IS - FEE SIMPLE INTEREST
ONE MILLION SIX HUNDRED EIGHTY THOUSAND DOLLARS
\$1,680,000

ANNUAL MARKET GROUND RENT
ONE HUNDRED THIRTY-FOUR THOUSAND FOUR HUNDRED DOLLARS
\$134,400

Thank you for the opportunity to be of service to you in this matter.

Respectfully submitted,

PACETTI APPRAISAL SERVICES INC.



Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677



Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911
File #2023-73

EXECUTIVE SUMMARY

PROPERTY TYPE : Vacant commercial land

LOCATION : Northwest quadrant of W. King Street and N. Ponce De Leon Blvd., within the City of St. Augustine, St. Johns County, Florida 32084.

DATE OF VALUE : August 8, 2023 - "as is" date of inspection

DATE OF APPRAISAL : August 11, 2023

PURPOSE OF APPRAISAL : To provide the following opinions of value for the above referenced property:

- "As Is" Market Value - Fee Simple Interest
- "As-Is" Annual Market Ground Rent

PROPERTY DESCRIPTION

LAND : The Subject site contains 70,000± square feet, and consists of a rectangular shaped section of vacant land that was comprised from four (4) contiguous parcels of land (#111200-0000, 111220-0000, 111225-0000 & 111225-0120), which together contain a total of 201,194± square feet. The Subject's site sizes and dimensions used were per the client, the City of St. Augustine, and are subject to a survey.

ZONING : The Subject Property is zoned MOD, Mobility Oriented Development, by the City of St. Augustine.

LAND USE PLAN : Commercial Medium Intensity, and Industrial, by the City of St. Augustine, Florida.

HIGHEST AND BEST USE : Commercial use

VALUE OPINIONS
(As of 8-8-23)

"AS IS" MARKET VALUE
FEE SIMPLE INTEREST : \$1,680,000

ANNUAL MARKET
GROUND RENT : \$134,400

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ADDENDA**QUALIFICATIONS OF THE APPRAISERS**

CERTIFICATION

We certify that, to the best of our knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are our personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- We have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- We have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.
- We have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- Our engagement in this assignment was not contingent upon developing or reporting predetermined results.
- Our compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- Our analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the *Uniform Standards of Professional Appraisal Practice*.
- Ronald N. Pacetti has made a personal inspection of the property that is the subject of this report.
- No one else provided significant real property appraisal assistance to the persons signing this certification.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

- As of the date of this report, Ronald N. Pacetti has completed the continuing education program for Designated Members of the Appraisal Institute.



Ronald N. Pacetti, MAI
State-Certified General Real Estate Appraiser RZ 677



Randall A. Pacetti
State-Certified General Real Estate Appraiser RZ 3911

LIMITING CONDITIONS

1. Title to the property is assumed to be good and marketable and the legal description correct.
2. No responsibility for legal matters is assumed. All outstanding taxes, liens, mortgages, or other encumbrances have been disregarded and the property is appraised as though free and clear, under responsible ownership and competent management.
3. It is assumed that surveys and/or plat furnished to or acquired by the appraiser and used in the making of this report are correct. The appraiser has not made a land survey or caused one to be made and, therefore, assumes no responsibility for their accuracy. If a survey and/or plat is not furnished or acquired the local property appraiser's records were used and were assumed to be correct.
4. All information in this report has been obtained from reliable sources. We cannot, however, guarantee or be responsible for the accuracy of information furnished by others. We have assumed that all information furnished by others is correct and complete, up to date and can be relied upon, but no warranty is given for its accuracy. We do not accept responsibility for erroneous information provided by others. We assume that no information that has a material effect on our appraisal has been withheld.
5. Unless otherwise stated, the opinion of value included in our report excludes any additional value attributable to goodwill, or to fixtures and fittings which are only of value, in situ, to the present occupier. We have made no allowance for any plant, machinery or equipment unless they form an integral part of the building and would normally be included in a sale of the building. We do not normally carry out or commission investigations into the capacity or condition of services being provided to the property. We assume that the services, and any associated controls or software, are in working order and free from defects. We also assume that the services are of sufficient capacity to meet current and future needs.
6. Subsurface rights (minerals, water, and oil) were not separately evaluated in making this appraisal.
7. The comparable sales data relied upon in this appraisal are believed to be from reliable sources; however, it was not possible to inspect the comparables completely, and it was necessary to rely upon information furnished by others as to said data, therefore, the value conclusions are subject to the correctness and verification of said data.
8. We inspected, as far as possible, by observation the land and the improvements thereon; however, it was not possible to personally observe conditions beneath the soil or hidden structural components within the improvements. Likewise, no tests were made on the roof, mechanical, plumbing or electrical systems. Unless otherwise stated, no representations are made as to geotechnical conditions of the land or the quality and condition of the roof, heating, cooling, ventilating electrical and plumbing equipment.
9. Unless otherwise stated in this report, the existence of hazardous substances were not called to our attention nor did we become aware of such during our inspection. We have no knowledge of the existence of such materials on or in the property unless otherwise stated. However, we are not qualified to test such substances or conditions. No responsibility is assumed for any such conditions, nor for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field of environmental impacts upon real estate if so desired..

10. Neither all nor any part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales, or other media, without the written consent and approval of the author, particularly as to the valuation conclusions, the identity of the appraiser or firm with which he is connected, or any reference to the Appraisal Institute.
11. We may have reviewed available flood maps and may have noted in the report whether the property is generally located within or out of an identified Special Flood Hazard Area. However, we are not qualified to detect such areas and therefore do not guarantee such determinations. The presence of flood plain areas and/or wetlands may affect the value of the property. Any opinion of value we include in our report assumes that floodplain and/or wetlands interpretations are accurate.
12. The Americans with Disabilities Act (ADA) became effective January 26, 1992. We have not made a specific survey or analysis of the property to determine whether it is in compliance with the ADA. We claim no expertise in ADA issues and render no opinion regarding the compliance of the property with ADA regulations.
13. We assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the opinion of value contained in the report is based.
14. It is assumed that the property is in compliance with all applicable federal, state and local laws, ordinances, regulations, building standards, use restrictions and zoning unless the lack of compliance is stated in the appraisal report. Determining and reporting on such compliance were not part of the scope of work for this assignment.
15. It is assumed that all water, sewer facilities, and utilities (whether existing or proposed) are or will be in good working order, are safe for use, and are or will be sufficient to serve the current or proposed uses of the subject property or any structures or other improvements. Determining and reporting on such matters were not part of the scope of work for this assignment.
16. We have not made any investigation of the financial standing of actual or prospective tenants unless specifically noted in the report. Where properties are valued with the benefit of leasing, we assume, unless we are informed otherwise, that the tenants are capable of meeting their financial obligations under the leases, all rent and other amounts payable under the leases have been paid when due, and that there are no undisclosed breaches of the leases.
17. We are not required to testify or provide court-related consultation or to be in attendance in court unless we have agreed to do so in writing.
18. The distribution of the total valuation in this report between land and improvements applies only under the existing program of utilization. The separate valuations for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
19. This appraisal/inspection is not a home/building inspection, structural inspection, or pest inspection. By preparing this report, the appraiser is not acting as a home/building inspector, structural engineer, or pest inspector. In performing the limited inspection of this property, areas that were readily accessible were visually observed and the review is superficial only. This inspection is not technically exhaustive and does not offer warranties or guarantees of any kind. It is advised to have the structure inspected by an inspector that offers such warranties or guaranteed inspection if there is any concern regarding adverse or negative conditions

In addition to the general special assumptions and limiting condition outlined in this report, the above value is subject to the following extraordinary assumptions and hypothetical conditions:

Extraordinary Assumption

An assumption, directly related to a specific assignment, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

1. The Subject site contains 70,000± square feet, and consists of a rectangular shaped section of vacant land that was comprised from four (4) contiguous parcels of land (#111200-0000, 111220-0000, 111225-0000 & 111225-0120). The Subject's site sizes and dimensions used were per the client, the City of St. Augustine, and are subject to a survey. If additional information is produced which would alter the size of the Subject site as stated above, then we reserve the right to amend our value conclusion accordingly.

The use of this extraordinary assumption may have affected the assignment result.

Hypothetical Condition

A hypothetical condition is a condition contrary to known fact on the effective date of the appraisal but is supposed for the purpose of analysis.

1. None



VIEW OF THE SUBJECT SITE LOOKING NORTH FROM W. KING STREET



**STREET VIEW LOOKING EAST DOWN W. KING STREET
WITH THE SUBJECT ON THE LEFT**



TYPICAL INTERIOR VIEW OF THE SUBJECT SITE LOOKING WEST



TYPICAL INTERIOR VIEW OF THE SUBJECT SITE LOOKING NORTHWEST



TYPICAL INTERIOR VIEW OF THE SUBJECT SITE LOOKING EAST



TYPICAL INTERIOR VIEW OF THE SUBJECT SITE LOOKING EAST



**TYPICAL VIEW OF THE REAR PORTION OF THE SUBJECT SITE
WITH THE RAILROAD TO THE LEFT**



**STREET VIEW LOOKING SOUTH DOWN HARTSHORN STREET WITH THE
SUBJECT ON THE LEFT**



Aerial view of the estimated Subject site drawn in Red
(This sketch is for visual purposes only as the measurements are not exact)



Aerial view of the Subject's 70,000± SF portion outlined in Red,
and the Four (4) parent parcels outlined in yellow

Scope of Work – Information Analyzed

The Subject Site was inspected including on and off-site improvements, roadways, visible easements, site conditions, drainage, utilities available, and site accessibility.

Photographs taken during the site inspection include the following:

- The Subject Site
- Improvements
- Roadways, and site access

Market Data Analyzed

Gathered and analyzed social, economic, governmental and environmental data from the St. Johns County area and the Subject's immediate submarket.

Data sources include: municipal Planning Departments, LoopNet, CoStar and the St. Augustine MLS.

Specific Data

Specific data relate to the property being appraised and to comparable properties. These data include legal, physical, locational, cost and income and expense information about the properties and the details of comparable sales.

Data gathered and analyzed pertaining to the subject property included zoning information, building plans, and site plans. Competitive property data included purchase prices, site size, zoning information and intended use of property.

Competitive Supply and Demand

Competitive supply and demand data relate to the competitive position of the property in its future market. Supply data include inventories of existing and proposed competitive properties, vacancy rates, and absorption rates. Demand data may consist of population, income, employment, and survey data pertaining to potential property users.

Demand was analyzed using current and projected population figures and historic demand based on comparable properties. Supply was analyzed using primary data gathered and confirmed during the assignment.

Scope of Work - Appraisal Method and Techniques Employed

The following appraisal methods and techniques were considered in the analysis of the Subject Property:

Cost Approach

Due to the Subject being vacant land, the Cost Approach was not considered applicable to provide a credible opinion of value.

Sales Comparison Approach***"As-Is" Market Value***

The sales comparison approach had good information available for critical analysis. This approach is generally considered to be a reliable indicator of value when the data available closely corresponds to the location, age, size and quality of the property being appraised, since it reflects the interaction of buyers and sellers in the market place. The sales approach was utilized to derive an opinion of the market value for the Subject Property.

"As-Is" Market Rent

Once the market value of the site was determined, an annual market rental rate can then be established by applying market oriented rental rate returns to the as-is land value.

Income Approach

Due to the Subject being vacant land, the income approach was not considered applicable to provide a credible opinion of value.

Reconciliation

The Sales Comparison Approach to value is the only approach utilized.

Report Type

This Appraisal Report is in conformance with Standard Rule 2 Report Options of the Uniform Standards of Professional Appraisal Practice, effective January 1, 2022. As such, the report presents summary discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation has been retained in the appraiser's file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated in this report.

GENERAL INFORMATION**Purpose of the Appraisal**

The purpose of this investigation and analysis was to provide the following opinions of value for the Subject Property:

- “As-Is” Market Value
- “As-Is” Market Ground Rent

Effective Date of Value

The date of value of this appraisal is August 8, 2023, which is the date the property was last inspected.

Intended User/Client of the Appraisal

The intended client and user of this appraisal is David Birchim, City Manager of the City of St. Augustine, and/or assigns.

Intended Use of the Appraisal

The appraisal report is intended to be used by the client for their internal decision making needs.

Market Value

Section 1110 of Financial Institutions Reform, Recovery, and Enforcement Act's (FIRREA) instructions to the Office of Thrift Supervision use the definition of Market Value below as developed by the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, and adopted by the Appraisal Foundation's Uniform Standards of Professional Appraisal Practice.

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- a. buyer and seller are typically motivated;
- b. both parties are well informed or well advised, and acting in what they consider their own best interests;
- c. a reasonable time is allowed for exposure in the open market;
- d. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- e. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale."

Exposure Time

According to The Dictionary of Real Estate Appraisal, 7th Edition, Exposure Time is:

“An opinion, based on supportive market data, of the length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.”

Exposure time is always presumed to occur prior to the effective date of the appraisal. The overall concept of reasonable exposure encompasses not only adequate, sufficient and reasonable time but also adequate, sufficient and reasonable effort. The estimate for exposure time in this report was based on statistical information from market data and interviews with market participants. From this analysis and discussion, it is estimated that the appropriate exposure time associated with the Market Value Opinion within this report would be 12 months.

Marketing Time:

According to The Dictionary of Real Estate Appraisal, 7th Edition, Marketing Time is:

“An opinion of the amount of time to sell a property interest at the concluded market value, or at a benchmark price during the period immediately after the effective date of an appraisal”

Marketing time differs from exposure time, which is always presumed to precede the effective date of appraisal. Considerations for estimating the marketing time are similar to that of the exposure time with the addition of any anticipated changes in market conditions. Since the market conditions are estimated to follow historical trends into the foreseeable future, it is estimated that the appropriate marketing time associated with the Market Value Opinion within this report would be 12 months. This estimate assumes that the appraised property is placed on the open market, aggressively marketed and competitively priced. This estimate is based upon discussions with real estate brokers active within the local market.

Interest Appraised

The interest appraised herein is the Fee Simple Estate of the Subject Property.

Fee Simple Estate

The fee simple estate is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

"The absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat."

Leased Fee Interest

The leased fee interest is defined in The Dictionary of Real Estate Appraisal, 7th Edition as:

“the ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.”

Market Rent

“The most probable rent that a property should bring in a competitive and open market under all conditions requisite to a fair lease transaction, the lessee and lessor each acting prudently and knowledgeably, and assuming the rent is not affected by undue stimulus. Implicit in this definition is the execution of a lease as of a specified date under conditions whereby:

- * Lessee and lessor are typically motivated;
- * Both parties are well informed or well advised, and acting in what they consider their best interests;
- * Payment is made in terms of cash or in terms of financial arrangements comparable thereto; and
- * The rent reflects specified terms and conditions typically found in that market, such as permitted uses, use restrictions, expense obligations, duration, concessions, rental adjustments and revaluations, renewal and purchase options, frequency of payments (annual, monthly, etc.), and tenant improvements (TIs).”

(Source: The Dictionary of Real Estate Appraisal, 7th Edition, Appraisal Institute, Chicago, Illinois, 2022)

LEGAL DESCRIPTIONS - The legal below is for the entirety of Parent Tract and is subject to a survey being completed for the Subject Site only.

Parcel #111225-0120 "Parcel A" & Parcel #111200-0000 "Parcel B":

Taken from a Warranty Deed located in O.R. Book/Page 1344/309.

PARCEL A: A parcel of land in the City of St. Augustine, being a North part of Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West on said East line of Hartshorn Street, 204.96 feet to the Point of Beginning on the South line of the now existing right of way of the Florida East Coast Railway Company at the Southwest corner of the herein described parcel of land; thence continuing North 6 degrees 26 minutes 31 seconds West 181.08 feet; thence North 85 degrees 19 minutes 13 seconds East, parallel with and 50 feet Southerly as measured at right angles from the centerline of the single tract mainline of said railway company, 853.69 feet; thence Southwesterly, on the Northwesterly right of way line of U. S. Highway No. 1, on a curve concave Southerly with radius of 888.51 feet (arc definition), through a central angle of 16 degrees 44 minutes 16 seconds, an arc distance of 259.56 feet (chord bearing and distance being South 41 degrees 18 minutes 59 seconds West 258.64 feet); thence South 85 degrees 12 minutes 22 seconds West, on said South line of railway right of way, 662.08 feet to the Point of Beginning.

PARCEL B: A parcel of land in the City of St. Augustine in Block A, DANCY TRACT, as recorded in Map Book 1, page 1, public records of St. Johns County, Florida, and being more fully described as follows:

Commencing at the intersection of the East line of Hartshorn Street (formerly Cedar Street) with the presently existing North line of King Street; thence North 6 degrees 26 minutes 31 seconds West, on said East line of Hartshorn Street, 204.96 feet; thence North 85 degrees 12 minutes 22 seconds East, on the South line of the now existing right of way of the Florida East Coast Railway Company, 112.80 feet to the Point of Beginning at the Northwest corner of the herein described parcel of land; thence continuing North 85 degrees 12 minutes 22 seconds East, on said South line of railway right of way, 233.87 feet; thence South 9 degrees 52 minutes 04 seconds East, on the West line of Depot Street, 199.04 feet to the North line of the right of way for U. S. Highway No. 1 ramp or turnout to King Street; thence Westerly, on said North right of way line and on a curve concave Northerly with radius of 898.31 feet through a central angle of 2 degrees 46 minutes 33 seconds, an arc distance of 43.52 feet (chord being South 83 degrees 27 minutes 00 seconds West 43.52 feet); thence South 5 degrees 09 minutes 44 seconds East, across the West end of said right of way for U. S. Highway No. 1 ramp or turnout, 1.95 feet; thence South 84 degrees 50 minutes 16 seconds West, on the North line of King Street, 189.38 feet; thence North 10 degrees 01 minute 21 seconds West, on the West line of those lands described in deed recorded in Deed Book 199, page 200, and in Official Records Book 105, page 394, public records of said County, a distance of 204.65 feet to the Point of Beginning.

Parcel #111225-0000 & Parcel #111220-0000:

Taken from a Receiver Deed located in O.R. Book/Page 1360/1032.

LOCATED IN ST. AUGUSTINE, FLORIDA, IN LOT A-6, BLOCK "A" DANCY TRACT AND BEGINNING AT A POINT WHICH POINT IS THE INTERSECTION OF THE SOUTHERN LINE OF THE PROPERTY OF THE FLORIDA EAST COAST RAILWAY COMPANY WITH THE EASTERLY LINE OF HARTSHORN STREET (FORMERLY CEDAR STREET); THENCE RUNNING IN A SOUTHERLY DIRECTION 50 FEET ALONG SAID HARTSHORN STREET (FORMERLY CEDAR STREET) TO A POINT; THENCE RUNNING IN AN EASTERLY DIRECTION IN A LINE PARALLEL TO KING STREET 100 FEET TO A POINT; THENCE RUNNING IN A NORTHERLY DIRECTION IN A LINE PARALLEL TO SAID HARTSHORN STREET (FORMERLY CEDAR STREET) 50 FEET MORE OR LESS TO THE PLACE OF INTERSECTION OF SAID PROPERTY LINE OF THE FLORIDA EAST COAST RAILWAY COMPANY; THENCE RUNNING IN A WESTERLY DIRECTION ALONG SAID FLORIDA EAST COAST RAILWAY COMPANY'S SOUTH PROPERTY LINE 100 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID LOT HEREBY CONVEYED BEING A PART OF LOT A-6, BLOCK "A", DANCY TRACT, AND BEING BOUNDED ON THE EAST BY LAND OF THE ESTATE OF S. G. WORLEY; AND ON THE NORTH BY PROPERTY OF FLORIDA EAST COAST RAILWAY COMPANY; ON THE WEST BY HARTSHORN STREET (FORMERLY CEDAR STREET) AND ON THE SOUTH BY LAND OF THE ESTATE OF S. G. WORLEY.

ALSO THE WEST 127 FEET OF LOT A-6, BLOCK "A" DANCY TRACT, EXCEPTING THEREFROM THE NORTH 50 FEET OF THE WEST 100 FEET THEREOF, WHICH NORTH 50 FEET OF THE WEST 100 FEET IS BEING CONVEYED TO GRANTEE IN PARAGRAPH ONE ABOVE.

NEIGHBORHOOD DATA

The Subject Property is located on the north side of W. King Street, just west of N. Ponce De Leon Blvd. (U.S. Highway 1), St. Augustine, St. Johns County, Florida. This area is approximately 90% built-up. A neighborhood is defined in terms of common characteristics, trends and groupings of similar or complementary land uses. The Subject Neighborhood may be delineated as follows:

Northern Boundary	-	State Road 16
Southern Boundary	-	SR 312
Eastern Boundary	-	U.S. Highway 1 South
Western Boundary	-	Holmes Blvd.



St. Augustine was chosen as one of the Best Coastal Small Town for 2023 by US Today 10Best Readers Choice. One of the other positive aspects of St. Augustine is its walkability, which is particularly important considering the scarcity of parking in some places. Also, Architectural Digest selected the Oldest City as on the “The 25 Best Small Towns in America”.

The Subject's immediate Neighborhood includes the commercial corridor along US Highway 1, between Moultrie Creek to the south and State Road 16 to the north. The commercial improvements in the neighborhood consist mainly of tourist related enterprises such as motels, restaurants, gift shops and a few professional office buildings. The residential developments include single and multi-family dwellings. The predominant uses along U.S. Highway 1 are commercial oriented.

The primary north/south roadway through the Subject Neighborhood is U.S. Highway 1, which is a primary central roadway connecting Saint Augustine to Jacksonville to the north and other parts of Florida to the south. U.S. Highway 1 is a four and six lane, divided highway that is commercially developed through most of the Saint Augustine area. The commercial corridor along U.S. Highway 1, from Lewis Point Road, north, to the city limits, is approximately 95% built-up. Commercial uses include shopping centers, restaurants, fast food restaurants, gas stations, retail and convenience stores, office buildings, branch banks, medical buildings, automobile dealerships, two hospitals and a marina.

The U.S. Highway 1 corridor, south of Lewis Point Road, includes a number of small office buildings, retail centers, small industrial properties, car dealerships and Saint Augustine's two largest residential developments, Saint Augustine South and Saint Augustine Shores. This area is approximately 80% built-out. These subdivisions are developed with over 2,500 homes each. The typical price range of homes in these two subdivisions is between \$250,000 and \$500,000.

The primary east/west traffic routes nearest the Subject are King Street (CR 214) and State Road 207. State Road 207 is a four-lane, paved highway that begins at U.S. Highway 1 and runs west through Hastings to Palatka. State Road 207 also has an interchange with I-95, leading directly into the main commercial and residential areas of Saint Augustine.

King Street is a commercial thoroughfare that runs in an east/west direction through the Subject neighborhood. It connects to the Bridge of Lions, which in turn, provides travel to and from the Anastasia Island area and the beach's area. King Street is a two-lane roadway that turns into CR 214 west of Holmes Boulevard. It should be noted that King Street is one of the main entrance points into the Downtown Historical District. King Street east of U.S. Highway 1 consists of restaurants, Flagler College, the Casa Monica Motel, the Lightner Building, retail shops, and commercial buildings. The Casa Monica Hotel, which contains 136 rooms and was completed in December 1999, is a full service luxury hotel that is located in the former county courthouse building. The Lightner Building is home to the Lightner Museum, City Hall as well as various other retail shops and government offices. Additionally, northeast of the Subject is Flagler College, which is a private college that has seen its student population grow from 160 students in 1971 to 2,600+ enrolled this year.

The Subject is located west of the Downtown Historic District. Within the primary historic/tourist area which is bordered by King Street on the south, Orange Street on the north, Matanzas Bay on the east, and Cordova Street on the west, there are numerous historic buildings, popular restaurants and tourist oriented retailers. One of the characteristics of the entire historic district and some of the surrounding blocks is the lack of parking. Some of the old streets are too narrow to accommodate two way traffic and street parking. Many of the old streets are narrow one way streets. Consequently, the historic area is generally promoted as a "walking" area. Tourists can park in City parking lots near a visitor information center at San Marco Avenue adjacent to Orange Street or at the Castillo de San Marcos Fort. This Fort is over 300 years old and is one of the most popular tourist attractions in Northeast Florida. By far, the most popular route for walking traffic is from the Fort or visitor information center to St. George Street. St. George Street is generally closed to automobile traffic. It is lined with several historic structures such as the oldest school house in the United States. Several of the very popular local restaurants such as the Mill Top and The Columbia Restaurant are located on St. George Street.

Just south of the main Downtown Historical District is the Lincolnville area, which is essentially residential in nature, is approximately 90% built-up. Lincolnville occupies a 140± acre area and it has been granted status on the National Register of Historic Places. Most of this area is developed with older, single and multi-family dwellings, some of which are in fair to average condition. However, it should be noted that ever since the City announced its intentions to develop the San Sebastian Tract in the early 1990's, a major revitalization effort in this neighborhood has taken place. The revitalization effort included the renovation of many of the older single and multi-family residences, as well as the renovation of a number of businesses located along Washington and Riberia Street.

The Subject is within two blocks of the San Sebastian River. The San Sebastian River is a navigable waterway that feeds into the Intracoastal Waterway and eventually the Atlantic Ocean. Along this river include a number of marina's, boat yards, hotels, restaurants, etc. Also, a number of new developments have recently been completed along this river and a number of new developments are planned.

Located northeast of the Subject is the proposed San Sebastian Project. In the early 1990's, the City of St. Augustine assemble eight contiguous parcels of land located along the eastern bank of The San Sebastian River in order to help revitalize this area. The parcels contained a total of 12.0± acres, and includes the new City Police Station site and the San Sebastian Winery. The remaining land is vacant, and the City sold the remaining acreage to a developer in order to construct a mixed use development that will include a 65± slip marina, a mid size hotel, restaurant, condominiums, loft apartments, and retail space. It should be noted that the development of this site was put on hold for a number of years while the City awaited permitting from the EPA to remove some contaminated soil along the proposed marina basin. After more than four years of waiting, the EPA permit was recently obtained, giving the green light to proceed with the development of this tract of land. According to representatives with the City of St. Augustine, development of the marina and infrastructure for this project has begun, but was again put on hold due to market conditions. This property was then foreclosed on by Wells Fargo Bank, who began marketing it for sale. In August of 2014 this property was purchased by a hotel developer who plans to develop this property with a hotel, marina, condos, retail shops, etc. To date construction has not started, but the developer has recently applied for a modification to the PUD, which entails adding more condominium units and decreasing the number of hotel units.

The Subject is located just northwest of the St. Augustine Shipyard, which fronts the San Sebastian River and is currently undergoing redevelopment. One of the owners of the 50 acre property, Robert Million stated that the project will eventually include up to five waterfront restaurants, a hotel, retail and office space, multi-family residences, marine service and sales areas, dry and marina boat storage, and a children's museum. As of now the only part of the project that is reportedly completed is a river front restaurant and the boat storage business with attach retail suites, which opened in the Summer of 2016. The storage building will have room for up to 400 boats with access to the San Sebastian River, as well as 80 slips in the water. With a planned half-mile promenade along the river, ample parking and attractions like restaurants and a museum, the Shipyard is poised to become a destination that cold be an alternative to St. Augustine's historic district. It should be noted that a South Florida Investment group recently purchased the 50 acre property, and intends on refining the plans for this development. According to Stephen Mask, director of operation, development for the shipyard will include

many of the same elements outlined by the previous owners “but the density is not going to be as intense” The first project is construction of a second dry boat storage barn, apartments and a parking garage.

About a mile south of Subject at the State Road 312 and US 1 corridor, is the Seabridge Square Shopping Center. The shopping center currently houses retailers Marshalls and Tuesday Morning but lost its anchor tenant when the Sears Holdings Corp. closed the St. Augustine Kmart, one of 79 Sears and Kmart stores it shut down across the country. Instead of bringing in one tenant to take the roughly 90,000 square feet that used to be Kmart, the owner demolished a significant portion of the interior and spent approximately \$10 million to turn it into five separate retail spaces. The new retail space was completed in 2014 and tenants include Ross Dress for Less, Staples, Ulta Salon, Cosmetics & Fragrance and a national pet supply chain. A new out parcel building was also constructed and is now occupied by Chipotle and Aspen Dental.

The Subject is located a short distance east of S. Dixie Highway, which is a secondary north/south roadway through the neighborhood. South of SR 207 this street becomes Old Moultrie. This is a two-lane paved road that runs from King Street on the north end, south to US Highway 1. It is along this roadway where a majority of the industrial/service oriented businesses are located. Property uses along this road include a mixture of scattered residential dwellings, commercial developments, service garages, warehouses, office buildings, apartments and it also provides rear access to many of the nearby shopping centers.

Surrounding Land Uses

Uses in the Subject’s immediate vicinity include the FEC Railway to the north followed by vacant land and marshlands. To the south are various retail buildings followed by single and multi-family residences. To the east and west along W. King Street include a Broudy’s Fine Wine & Spirits, auto-repair shop, pawn shop, hotels, offices, gas distributor, and numerous retail buildings and restaurants/bars. However, King Street becomes less developed heading west and turns into CR 214 approximately 1 mile west of the Subject.

Summary

While this neighborhood experienced slow growth from the period of 2007 to 2012, both residential and commercial construction in this area has picked up substantially in the past 5 to 6 years. Additionally, this neighborhood shows good prospects for continued growth, due to its proximity to downtown St. Augustine, major shopping centers, the area’s only hospital. Additionally, the Subject Property is located just east of the U.S. Highway 1 South commercial corridor, which is a major commercial thoroughfare. The majority of the area’s commercial development has occurred along US Highway 1, with secondary commercial development located along State Road 312, S. Dixie Highway, King Street and Old Moultrie Road. Land values in the Subject Neighborhood should remain stable and should see increases which will keep pace with inflation during the foreseeable future. A careful search of the immediate and general neighborhood did not reveal any other adverse influences or conditions.

PROPERTY DATA

Location	The parent parcel is located within the northwest quadrant of W. King Street and N. Ponce De Leon Blvd., within the City of St. Augustine, St. Johns County, Florida 32084. The Subject site is located at the northeast corner of W. King Street and Hartshorne Street.
Zoning	The Subject Property is zoned "MOD", Mobility Oriented Development, by the City of St. Augustine Zoning Department. This district is intended to facilitate and encourage development and redevelopment of areas containing or directly contiguous to a Mobility Station. A Mobility Station means either (i) a transit station, (ii) a commuter rail station, or (iii) a publicly owned parking garage, publicly leased parking garage, or publicly available parking garage containing a minimum of 200 parking spaces available for daily public parking at rates no greater than charged by the City of St. Augustine at the Historic Downtown Parking Facility located at 1 Cordova Street. Mobility Stations must be located both (i) at one of the two Future Rail Stations identified on the City's 2040 Mobility Plan contained in the Mobility Plan & Mobility Fee Technical Report Executive Summary dated June 2021; and (ii) along U.S. Highway 1. A MOD must include a Mobility Station. MODs shall promote a complimentary, concentrated mixture of transit-supportive uses at higher densities and intensities in conjunction with a Mobility Station. Such districts shall provide internal pedestrian linkage improvements with accommodations for park-and-ride and bikeshare/carshare programs for access into the downtown area. Allowable Uses within MODs may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.
Land Use Plan	The City's Comprehensive Plan, which is in compliance with the Florida Growth Management Act of 1985, supersedes the county's existing zoning code; however, both must be in basic agreement with each other. The future land use map shows the Subject Property as being located within both the Commercial Medium Intensity and Industrial districts.

According to the plan, the Commercial Medium Intensity category is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities. The Industrial category is intended to allow light manufacturing and related service, storage and commercial uses.

In summary, the Subject's current zoning category is consistent with its future land use designations.

Site Size & Shape

The Subject site contains 70,000± square feet, and consists of a rectangular shaped section of vacant land that was comprised from four (4) contiguous parcels of land (Parent Parcel - #111200-0000, 111220-0000, 111225-0000 & 111225-0120), which together contain a total of 201,194± square feet. The Subject's site sizes and dimensions used were per the client, the City of St. Augustine, and are subject to a survey.

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Access

Access is provided via King Street, a two lane commercial roadway that travels in an east/west direction. Access is also available via Hartshorn Street, which is a two lane limited access roadway that runs in a north/south direction stemming from King Street to the south, and ending at the FEC railway to the north.

Utilities

Water & Sewer	- City of St. Augustine
Electric Service	- Florida Power & Light
Law Enforcement	- City of St. Augustine
Fire Protection	- City of St. Augustine

Topography

The Subject site appears to be level and at the grade of the adjacent road and the drainage appears to be adequate.

Property History

Per the property appraiser's tax card, the Subject Parcels are all listed under the ownership of Broudy Bros LTD.

It should be pointed out that a complete title history of the Subject Property was not undertaken or conducted by the appraiser, nor was one provided. However, based on the St. Johns County Tax Rolls, no arms-length ownership transfers have taken place within the last three years.

Listings/Contracts

The Subject property is not currently listed for sale, or under contract to the best of our knowledge.

HIGHEST AND BEST USE

The market is the final arbiter of market value. One crucial determinant of value in the market is the highest and best use analysis. The market value of land/site and of an improved property are both developed under the assumption that potential purchasers will pay prices that reflects their analyses of the most profitable use of the land and the property as improved.

As per The Appraisal of Real Estate 15th Edition, Highest and Best Use is defined as:

“the reasonably probable use of property that results in the highest value. The four criteria that the highest and best use must meet are legal permissibility, physical possibility, financial feasibility, and maximum productivity.”

The highest and best uses of land and improved properties are selected from various alternative uses. The highest and best use conclusions provide the basis for the market value analysis. Thus, the remainder of the valuation process is conducted in relation to these conclusions. Consequently, it is essential that the highest and best use conclusions be related to the motivations of the market. In determining the highest and best use, it is necessary to study the following four factors:

1. **Physically Possible (adaptable uses):** The adaptability of the site and/or improvements to be used. The uses that are physically possible on the subject site or in the subject improvements, given the physical characteristics revealed by property analysis. Size, shape, area, terrain, utility, capacity and availability of public utilities, surrounding land use patterns, topography or subsoil conditions, and physical condition affect the uses to which land may be developed.
2. **Legally Permissible (allowable uses):** The uses that are permitted under existing zoning, private restrictions (long-term lease or deed restrictions), building codes, historic district controls, environmental regulations, etc.
3. **Financially Feasible (appropriate uses):** Among legally permitted and physically possible uses for the subject property, those considered appropriate and feasible, given the characteristics revealed by market, market area, and property analysis. Those uses that produce any net return to the owner, or a positive net present value.
4. **Maximally Productive (most profitable uses):** Among appropriate or financially feasible uses for the subject property, those that will produce the highest present value.

These criteria are often considered sequentially. The tests of physical possibility and legal permissibility must be applied before the remaining tests of financial feasibility and maximum productivity. A use maybe financially feasible but this is irrelevant if it is physically impossible to construct that use or if such a use is not legally permitted. Only when there is a reasonable possibility that one of the prior unacceptable conditions can be changed is it appropriate to proceed with the analysis.

Highest and Best Use as VacantPhysically Possible:

The Subject Property consists of a rectangular shaped parcel of land which contains 70,000± square feet, or 1.61± acres. The site is a section of land that was comprised from four (4) contiguous parcels (#111200-0000, 111220-0000, 111225-0000 & 111225-0120), which together contain a total of 201,194± square feet, and have 360± feet of frontage along the north side of W. King Street, and 389± front feet along the east side of Hartshorn Street. Also, during the inspection we observed existing developments in the immediate area which have been developed on land with similar physical characteristics to that of the Subject site. The existing improvements and surrounding developments are the best proof that the site can support development. It is our opinion that it is physically possible to develop the Subject site.

Legally Permissible:

As previously discussed, the Subject has a split future land designation of Commercial Medium Intensity and Industrial, and a zoning of MOD, Mobility Oriented Development.

According to the Commercial Medium Intensity category, it is intended to apply where adequate traffic circulation capacity is available to provide medium intensity automotive oriented commercial and service uses and related facilities, and to areas where adequate lot depth is available to provide meaningful development for service-oriented automotive uses, tourist accommodations, attractions and supporting facilities.

The Industrial category is intended to allow light manufacturing and related service, storage and commercial uses.

Under the MOD zoning category, allowable uses may include, but are not limited to, Mobility Stations, retail services, grocery stores, restaurants, other commercial and service uses, offices, hotels, multi-family residential units, public buildings and public uses, parks/plazas and similar uses and supporting facilities.

The legally permissible uses for the Subject site were considered to include all of those allowable uses under the MOD zoning and Commercial Medium Intensity/Industrial designations.

Financially Feasible:

Located along W. King Street, which is one of the main entrances to Historic Downtown St. Augustine, and within close proximity to Ponce De Leon Blvd. (US-1). Uses along the Subject's roadway include commercial and residential uses. The Subject is easily accessible from US-1, which is a highly trafficked and intensively commercially developed highway in St. Augustine.

Without an in-depth feasibility study and additional market data, which is beyond the scope of this appraisal report, it would be difficult to determine exactly which specific use would meet with the strongest market acceptance. However, the current demand for commercial and residential space is strong in the St. Johns County/St. Augustine area, with overall vacancy reported to be below 3%. In addition, our search of the market found no vacant single tenant commercial buildings in the general market of the Subject, and most residential spaces are rented

within weeks of being placed on the market. The low vacancy levels indicates a healthy commercial and residential market where new development would be feasible under current market conditions. Also, it should be mentioned that the current need for more parking within the City of St. Augustine was considered to be high, therefore, future development off a parking garage would also be considered a feasible use.

Maximally Productive:

Of the financially feasible uses, the maximally productive use and thus the ultimate highest and best use is that use which provides the highest return to the land after deducting all costs related to the improvements. As vacant, it is our opinion that the Subject site is a good location for an office or retail use, or as mentioned for use as a parking garage due to the current need for additional parking in the city. The Subject is located near the center of the W. King Street commercial district, in an area that contains a wide variety of secondary commercial related uses, due to its close proximity to US Highway 1 and most areas of Downtown St. Augustine. Based on the current uses in the area and the success they have achieved, as well as the Subject's visibility from King Street, it is our opinion that the highest and best use of this site as vacant would be for those uses allowed under the Commercial Medium/Industrial land use designations, as well as the MOD zoning category, which includes use as a professional office or retail building, or a future parking garage.

VALUATION ANALYSIS

Preface to Value

In estimating the Market Value of real estate, three Valuation procedures are typically utilized: the Cost Approach, Sales Comparison Approach, and Income Capitalization Approach. Since the Subject is a vacant site, the Sales Comparison Approach is the only applicable approach to value.

The Sales Comparison is used to estimate the value of the property as vacant. Data is gathered and analyzed on sales of properties as comparable in characteristics to the Subject Property as possible. Logical adjustments for dissimilar characteristics are then made, leading to an indicated value for the Subject Property.

ESTIMATE OF LAND VALUE

The Sales Comparison Technique is the preferred method to estimate the value of land. The Principle of Substitution affirms that an informed buyer should pay no more for a given site than an amount which a substitute site with equal or similar amenities could be obtained.

By the gathering and analysis of land sales of similar properties, a confirmed record of the range of prices paid by informed buyers is obtained. From this record, adjustments can be made for differences in property characteristics which would have an effect on value, and an indication of the Subject's property value by common units of measurement can be made.

Units of measurement often used in buying and selling vacant land are Price per Acre, Price per Square Foot, Price per Front Foot and Price per Lot. The unit of measure most used by the market in buying and selling land parcels similar to the Subject is the Price per Square Foot.

All properties have their own unique features which relate to location, size, shape, zoning, development potential, date of sale, deed restrictions, financing, etc. In order to accurately isolate most of these differences to determine their relative importance in a sale would require the use of what is known as a "paired sale" technique. In that process, two properties which are identical except for **one** feature (say time, for example) are compared. The difference in the unit value of comparison selected for analysis would then indicate if a property's value had increased or decreased over the time period between the sales. It is obvious that as two, three, four or more differences are added, the ability to accurately isolate differences and compare sales is diminished. Appraisers are required, in those instances, to use their training and experience to input subjective analysis to relate the sale property to the Subject Property.

Where market supported adjustments could be extracted, the comparative adjustments to the comparable sale properties are quantitative. When market data indicates relationships which cannot be quantified, a relative comparison analysis is used to examine the comparable sales to determine whether their characteristics are inferior, superior or equal to the Subject's.

Numerous land sales were located, analyzed and compared to the Subject Site, with the sales summarized below selected as reflecting the greatest comparability to the Subject Property. On the following pages a Land Sales Location Map and Land Sales Summary Chart can be found followed by a discussion of each land sale.

LAND SALE NO. 1 (Current Contract)**TRANSACTION DATA**

DATE:	Current Contract
GRANTOR:	Alfredo Munafo
GRANTEE:	Cloud View Investments LLC
SALES PRICE:	\$565,000
O.R.BK/PAGE:	N/A
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL #	097300-0000, 097310-0000 & 097330-0010
LOCATION:	Southwest quadrant of Old Moultrie Road and San Marco Street. The addresses are 1417 Old Moultrie Road and 229 San Marco Street, St. Augustine, St. Johns County, FL 32084.
ZONING:	CW, Commercial Warehouse
LAND USE:	Mixed Use

ELEVATION: Basically level and at the grade of the road.

SITE AREA: 32,760± square feet or 0.75± acres

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

Sale Price/Gross SF: \$17.25

COMMENTS

This Property consists of three adjacent parcels of marginally-improved land (097300-0000, 097310-0000 and 097330-0010) that contain a total of 32,760± square feet or 0.75± acres. The three parcels together form a rectangularly shaped parcel of land that have 205± feet of frontage along the west side of Old Moultrie Road and 162± feet of frontage along the south side of San Marco Street.

The property is considered to be entirely usable. All site sizes and dimensions were taken from the St. Johns County Property Appraiser website and are subject to a survey.

The property is currently listed for \$600,000, and under contract for \$565,000.

It should be noted that this property was previously purchased on 9/3/2021 for \$450,000, plus an additional \$50,000 for the cost of razing older improvements that were located on the site, and vacating the alleyways. Therefore, the adjusted price for the land only was \$500,000, or \$15.26 PSF. This represents an increase of 13% over a period of 23 months from the previous sale to this current contract price, or an annual increase of approximately 6.78%.

Confirmed with: Robin Arnold (Realtor and Grantee)

LAND SALE NO. 2



TRANSACTION DATA

DATE: 5/24/21
GRANTOR: J & J Mopar, Inc.
GRANTEE: Spadaro Holdings LLC
SALES PRICE: \$1,130,000
O.R.BK/PAGE: 5279/1629
TERMS OF SALE: Cash to Seller

PROPERTY DESCRIPTION

PARCEL # 128310-0000, 128290-0000 and 128260-0090
LOCATION: Southwest quadrant of SR-207 and S. Dixie Hwy. The addresses are 90 & 92 S. Dixie Hwy., St. Augustine, FL 32084.
ZONING: CM-2, Commercial Medium-Two
LAND USE: Commercial Medium Intensity
ELEVATION: Basically level and at the grade of the road.
SITE AREA: 1.399± acres or 60,962± square feet

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

Sale Price/Gross SF: \$18.54

COMMENTS

This was the sale of three adjacent parcels of marginally-improved land located at the southwest quadrant of SR-207 and S. Dixie Hwy, in the City of St. Augustine, FL. The parcels together form an irregular shape and contain 349 $\pm$ feet of frontage along the west side of S. Dixie Hwy., and 282 $\pm$ feet of frontage along the southeast side of SR-207. The site contains a total of 1.399 $\pm$ acres or 60,962 $\pm$ square feet and is considered to be entirely usable. The site is partially wooded.

As noted, the site is marginally-improved with a 3,231 $\pm$ square foot retail building that was constructed of a masonry frame in 1976 and is considered to be in below average condition. There is also a 768 $\pm$ square foot salon/barber shop that was constructed in 1943 and is in very poor condition. The buyer plans on razing all improvements in order to construct a strip retail center and therefore they were given no value.

Confirmed with: Sammy Hale - Listing broker

LAND SALE NO. 3**TRANSACTION DATA**

DATE:	3/17/2021
GRANTOR:	San Sebastian at the Landing Commercial LLC
GRANTEE:	Gate Petroleum Company
SALES PRICE:	\$2,650,000
O.R. BK/PAGE:	5210/590
TERMS OF SALE:	Cash to Seller

PROPERTY DESCRIPTION

PARCEL #	073581-0005
LOCATION:	Southwest corner of US 1 North and San Sebastian View.
ZONING:	CM-2, Commercial Medium-Two
LAND USE:	Commercial Medium Intensity
ELEVATION:	Basically level and at the grade of the road.
SITE AREA:	3.50± acres or 152,460± square feet

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

Sale Price/Gross SF: \$17.38

COMMENTS

This was the sale of the vacant site located at the southwest corner of US Highway 1 North and San Sebastian View. The site is basically rectangular shaped and contains roughly 625± feet of frontage along the west side of US Highway 1 N., and 225± feet of frontage along the south side of San Sebastian View. The site was heavily wooded at the time of sale, but appeared to be all usable land.

This site was purchased for future construction of a Gate gas station/convenience store and a car wash.

The FDOT reports a daily traffic county of 19,500 vehicles for 2020 along this portion of US 1.

Confirmed with: Mark Scott (listing broker with Foundry Commercial) 699-3518

LAND SALE NO. 4



TRANSACTION DATA

DATE: 5/24/22

O.R. BOOK: 5565/379

GRANTOR: Ham's Nursery, Inc.

GRANTEE: The Lovely Loo Portable Restrooms LLC

SALES PRICE: \$760,000

MINUS IMPROVEMENTS: \$60,000

EFFECTIVE PRICE: \$700,000

TERMS OF SALE: Cash to seller

PROPERTY DESCRIPTION

PARCEL #: 096790-0000

LOCATION: Southwest quadrant of SR-207 and Helen Street. The address is 1333 Helen St., St. Augustine, St. Johns County, FL 32084.

ZONING: CI, Commercial Intensive, by St. Johns County

FUTURE LAND USE: MU, Mixed Use

ELEVATION: Level and at the grade of the road.

SITE AREA: Irregularly shaped parcel that contains 37,500± square feet and is considered to be entirely usable.

UTILITIES: Central water and sewer

SALE ANALYSIS

EFFECTIVE PRICE PER SF: \$18.67

COMMENTS

This is the current contract of the vacant commercial site located at the southwest quadrant of SR-207 and Helen Street. The parcel contains roughly 314± feet of frontage along the southwest side of SR-207. The site is a commercially zoned parcel of land that has improvements in place from its former use as a nursery.

All site sizes and dimensions were per our estimates as taken from a survey provided (dated 6/26/07). It should be noted that there is a 10'x100' alleyway located on the south side of the site that was not included in the survey as it had been acquired by the owners subsequent to the survey date. The 1,000± square feet of alleyway area was included in our site size and is subject to a survey.

The improvements consist of four detached buildings that contain a total of 2,100± square feet. The buildings were constructed in 1982 of a mixture of wood and masonry frame and are in average condition. The site is entirely fenced in, and other site improvements include two septic tanks and an Artesian Well.

While the existing improvements may add nominal value to a certain percentage of end users, such as a nursery, a contractors office, laydown yard or automotive repair center, they probably would be razed if the end user were purchasing the property for office, office-warehouse or retail use. Therefore, to arrive at the effective price per square foot of the land only we have deducted a lump sum of \$60,000 for the improvements (including site work) that are located on this land tract.

Confirmed with: Grantor & previous appraisal

LAND SALE NO. 5**TRANSACTION DATA**

DATE: 1/27/23
GRANTOR: NDRVN LLC
GRANTEE: Grimes Realty 1 LLC
SALES PRICE: \$1,000,000
O.R.BK/PAGE: 5705,789
TERMS OF SALE: Cash to Seller

PROPERTY DESCRIPTION

PARCEL ACCOUNT # 190310-0000 & 190320-0000
LOCATION: Located on the northeast corner of Sebastian Avenue and N. Ponce de Leon Blvd. The site address is 30 & 34 Sebastian Avenue, St. Augustine, St. Johns County, Florida 32084.
ZONING: CM-2, Commercial Medium-Two
LAND USE DESIGNATION: Commercial Medium Intensity
ELEVATION: Basically level and at the grade of the road.

SITE AREA: .58 $\pm$ acres or 25,265 $\pm$ square feet

UTILITIES: Central water and sewer to the site.

SALE ANALYSIS

PRICE PER SQUARE FOOT: \$39.58

COMMENTS

This was the sale of two adjacent lots that together form a nearly rectangular shaped parcel of land that contains .58 $\pm$ acres or 25,265 $\pm$ square feet. The site has 145 $\pm$ feet of frontage along the east side of N. Ponce de Leon Blvd. and 150 $\pm$ front feet along the north side of Sebastian Avenue.

It is assumed access will be provided via Sebastian Avenue, which is a two lane, asphalt paved neighborhood roadway.

The site previously sold on 7/9/18 for \$390,000 (\$15.44 psf).

Confirmed with: Previous appraisal

LAND SALE NO. 6



TRANSACTION DATA

DATE: 9/30/2022
GRANTOR: Oceans 11 Real Estate Investment Group LLC
GRANTEE: Thor Medical Group LLC
SALES PRICE: \$1,212,500
O.R.BK/PAGE: 5644/23
TERMS OF SALE: Cash to seller

PROPERTY DESCRIPTION

PARCEL #: 162220-0042
LOCATION: Located at the northwest quadrant of SR 312 and Marina Cove Dr., St. Augustine, St. Johns County, Florida 32080.
ZONING: CM-2, Commercial Medium-2
LAND USE PLAN: Commercial Medium
SITE AREA: 1.32± acres, or 57,499± square feet
UTILITIES: All to the site

SALE ANALYSIS

PRICE PER SF: \$21.09

COMMENTS

This site (Parcel 3B) contains 1.32± acres, or 57,499± square feet, and is a cutout from a larger 3.96 acre tract of land. The Subject site is irregular shaped and has 129.60± feet of frontage along the south side of W. Marina Cove Drive, 204.99± feet of frontage along the west side of Marina Cove Drive and 222.57± feet of frontage along the north side of SR-312. The site is considered to be all usable. The underbrush has been cleared but the site is still heavily wooded. According to the proposed site plan, a portion of the retention will be onsite, with the remaining retention being via a shared pond located on the adjacent site (Parcel 3A). A cost sharing agreement is planned between the two parcels to handle the site development cost.

There is currently a mobile office trailer onsite that was considered personal property, thus no value was given. It should be noted that our sizes and dimensions were taken from the survey provided. The Subject Property is zoned CM-2, Commercial Medium-Two, and the future land use is Commercial Medium Intensity, by the City of St. Augustine, Florida.

Access to this comparable is provided from Marina Cove Drive via SR 312. The intersection of SR 312 and Marina Cove Drive is a signalized intersection. SR 312 is a four-lane divided highway that takes an east-west direction where the property is located.

The property is reportedly being purchased with the intent to construct a multi-tenant office building which will include a medical office space for the buyer.

Confirmed with: Robin Arnold - Listing Agent

LAND SALES MAP



Discussion of Vacant Land Sales

The six sales utilized in the valuation of the Subject site are summarized below:

Sale No.	Subject	1	2	3	4	5	6
Sale Date		Current Contract	05/24/21	08/17/21	05/24/22	01/27/23	09/30/22
Sale Price		\$565,000	\$1,130,000	\$2,650,000	\$700,000	\$1,000,000	\$1,212,500
Property Data							
Land Area (Useable SF)	70,000	32,760	60,962	152,460	37,500	25,265	57,499
Zoning	MOD	CRS-3-RG-2	CM2	CM2	CI	CM2	CM2
Land Use	CMIND	MU	CM	CM	MU	CM	CM
Sale Price/SF		\$17.25	\$18.54	\$17.38	\$18.67	\$39.58	\$21.09

These sales were analyzed on a price per usable square foot basis and ranged in time from May 2021 to January 2023, with the contract being current. The sales ranged in size from 25,265 to 152,460 usable square feet. The unit value considered most appropriate and referred to in this analysis is the price per square foot. All sales are compared to the Subject and consideration has been given to differences in financing, market conditions, location, zoning/land use and physical characteristics such as size, shape and access.

Property Rights Conveyed

Each of the sales considered conveyed the right of the fee simple interest and no adjustments were necessary.

Adjustment for Financing

All of the comparables were purchased with conventional financing, cash or had financing which did not impact their sales prices. Therefore, no adjustments were made nor any cash equivalencies performed on the comparable sales.

Condition of Sale

All of the sales were arms length and did not require an adjustment for condition of sale.

Market Conditions

From early 2012 to the present, values appeared to have stabilized, with increases in rents and occupancy rates being experienced in most areas over the past three years, as demand has picked up. Market participants and active brokers who specialize in real estate like the subject are reporting that market conditions were improving, and property values were increasing. In general, we tend to agree that overall market conditions were improving. Despite the Covid-19 pandemic, demand for commercial land has still remained strong and commercial market conditions within the Subject's submarket have still been improving. Brokers are of the opinion that value increases at a minimum of 4% to 6% per year were reasonable for the subject's market area.

For further support, and as mentioned previously, Sale 1 sold for \$500,000 on 9/3/2021, and was recently placed under contract for \$565,000. This represents an increase of 13% over a period of 23 months from the previous sale to this current contract price, or an annual increase of approximately 6.78%. Therefore, an upward market condition adjustment of 5% per year was considered to be reasonable and applied to the sales comparables.

It should also be noted that beginning in March of 2022 the Federal Reserve started to raise its benchmark interest rate to combat inflation. Since this time the Federal Reserve has raised rates a total of 11 times, for a total rate hike since early 2022 of 5.25%, bringing the overnight borrowing rate to its highest level in over 20 years. What overall impact these rate hikes have had on commercial real estate values is unclear at this time. However, in talking with commercial brokers in the area, it is clear that it has caused a slowdown in sales activity towards the end of 2022, but the price for most commercial properties still appear to be rising.

Location/Site Prominence

The Subject is located along the north side of W. King Street, in close proximity to US-1. Uses along King Street include mostly commercial uses in the Subject's immediate area, with some residential uses as well. The Subject is easily accessible from both US-1 and King Street, and also within close proximity to downtown St. Augustine.

Sale 1 is located along Old Moultrie Road in an area considered to be inferior to the Subject, requiring an upward adjustment.

Sales 2 and 4 were located south of the Subject along SR 207, which was considered to be inferior to the Subject's location. Both sales were considered to be inferior as compared to the Subject in terms of location, and required upward adjustments. However, Sale 2 was also located on a hard corner at a signalized intersection with good frontage along multiple roadways, and therefore a smaller upward adjustment was necessary.

Sale 3 is located along US 1 North, and has good highway frontage, however it is also in a less intensively developed commercial area and was considered to be inferior overall. This sale was adjusted upwards.

Sale 5 is located at the corner of N. Ponce De Leon Blvd (US Highway 1), and Sebastian Avenue, in a highly trafficked and developed commercial area. It was therefore considered to be superior as compared to the Subject, and was adjusted downwards accordingly.

Sale 6 is located at the corner of SR 312 and Plantation Island Drive, which is a signalized intersection. This sale was considered to be slightly inferior overall as compared to the Subject in this aspect, and required an upward adjustment.

Site Size

The comparables ranged in size from 25,265 to 152,460 usable square feet. Based upon the economies of scale, smaller sites tend to sell for a higher price per square foot than larger sites, considering all other characteristics are equal. The sales were adjusted accordingly based on their size differences as compared to the Subject.

Site Utility/Parcel Shape

The Subject site has a long narrow rectangular shape, with good frontage along W. King Street.

Sales 2 and 4 had highly irregular shaped sites which would increase the difficulty of development, and were considered to be inferior to the Subject's site in this aspect. These sales were therefore adjusted upwards accordingly.

Sale 3 had a rectangular shaped site which included superior frontage to depth ratios when compared to the Subject's site. Therefore, it was considered to be superior in this aspect, and were adjusted downwards accordingly.

The remaining sales were considered to be similar as compared to the Subject.

Access

The Subject has good access from W. King Street, and N. Ponce De Leon Blvd. All of the comparables were considered to have similar access as compared to the Subject, and no adjustments were required.

Zoning/Development Potential

As noted, the Subject has a split future land use designation of Commercial Medium Intensity and Industrial, and a zoning designation of MOD, Mobility Oriented Development.

Sale 1 had a future land use of Mixed Use, but an inferior zoning of CW, commercial warehouse, and was therefore given a slight upward adjustment.

All of the remaining sales were considered to be similar as compared to the Subject in this aspect, and no further adjustments were necessary.

Miscellaneous

No further adjustments were required.

Conclusion

The sales discussed above are considered the most similar to the Subject overall, and reflect the best available market data on which to base our estimate of land value. After adjustments, the sales ranged in price from \$22.42 to \$27.59 per usable square foot, with the average price being \$24.48 per usable square foot, and the median price being \$23.89 per usable square foot.

Therefore, based on the above sales, and taking into consideration the Subject's location, size, accessibility, etc., it is our opinion that the Market Value of the Subject Site is \$24.00 per usable square foot calculated as follows:

$$70,000 \text{ Square Feet @ } \$24.00 \text{ Per Square Foot} = \$1,680,000$$

COMPARABLE LAND SALES ADJUSTMENT CHART

Sale No.	Subject	1	2	3	4	5	6
Sale Date		Current Contract	05/24/21	05/17/21	05/24/22	01/27/23	09/30/22
Sale Price		\$565,000	\$1,130,000	\$2,650,000	\$700,000	\$1,000,000	\$1,212,500
Property Data							
Land Area (Useable SF)	70,000	32,760	60,962	152,460	37,500	25,265	57,499
Zoning	MOD	CFRS-3/RG-2	CM2	CM2	CI	CM2	CM2
Land Use	CMEND	MU	CM	CM	MU	CM	CM
Sale Price / SF		\$17.25	\$18.54	\$17.38	\$18.67	\$39.58	\$21.09
Property Rights Conveyed		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Financing		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Conditions of Sale		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Market Condition Adjustment		0.00%	11.00%	12.00%	6.00%	2.50%	4.00%
Adjusted Unit Price Range		\$17.25	\$20.58	\$19.47	\$19.79	\$40.57	\$21.93
Physical Adjustments							
Location/Site Prominence		30.00%	10.00%	20.00%	20.00%	-20.00%	10.00%
Site Size		-10.00%	0.00%	10.00%	-10.00%	-12.00%	0.00%
Site Shape/Utility		0.00%	5.00%	-10.00%	20.00%	0.00%	0.00%
Access		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Zoning/Development Potential		10.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Miscellaneous		0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Total Adjustment		30.00%	15.00%	20.00%	30.00%	-32.00%	10.00%
Adjusted Price Per SF		\$22.42	\$23.66	\$23.36	\$25.72	\$27.59	\$24.12
Avg. adjusted price Usable SF		\$24.48					
Med. Adjusted price Usable SF		\$23.89					

Market Ground Rent Estimate:

The next step in this analysis involves analyzing several recent ground leases and their respective beginning land prices/values. An annual rate of return will be derived from each comparable. An annual rate of return will be concluded from the comparable data and applied to the Subject's concluded land value to yield a supportable market ground rent estimate for the Subject.

We obtained ground rent information and starting land values from several outparcels located in the Atlantic North retail development, which is located in the northwest quadrant of Atlantic Boulevard and Kernan Boulevard in Jacksonville, Duval County, Florida. While not located in the St. Augustine market, these comparables are located in the Jacksonville MSA (of which the Subject market is a part of). The following chart summarizes the information confirmed with the development's owner representative:

GROUND LEASE RATE OF RETURN STUDY				
Rent:	1	2	3	4
Location:	Kernan Blvd. North Of Atl. Blvd. Jacksonville, FL	NWC Of Atl. Blvd. & Kernan Blvd. Jacksonville, FL	NS Of Atl. Blvd. West Of Marketplace Drive Jacksonville, FL	NWC Of Atl. Blvd. & Marketplace Drive Jacksonville, FL
Tax Parcel #	Part Of 167445-0500	Part Of 167445-0500	Part of 167445-0190	Part of 167445-0190
Tenant(s):	Med Express	Scrubble Car Wash	Whataburger	RaceTrac Petroleum
Lease Start	2017	2019	2020	2020
Land Size (Acres)	1.30	1.55	1.24	1.97
Land Size (SF)	56,628	67,318	54,014	85,813
Base Year Annual Rent	\$92,300	\$120,000	\$115,000	\$192,000
Base Rent/Acre/Year	\$71,154	\$77,419	\$92,742	\$97,462
Base Year Land Value	\$1,132,560	\$1,350,360	\$1,350,360	\$2,145,330
Rate Of Return	8.17%	8.89%	8.52%	8.95%

Annual rates of return ranging from 8.17% to 8.95% were derived from the market data confirmed for this analysis.

For further support of a market oriented annual rate of return we have consulted with RealtyRates.com which is an investor survey outlining land lease rates of returns for various property types. According to the RealtyRates.com 2nd Quarter of 2023 Investor Survey, the IRR range for retail land leases is from 6.60% to 12.00%, with the average reported being 9.53%. In addition, the Cap Rate for retail property indicated a range for 4.0% to 11.5%, with average being 8.53%. The reported range of return for a special purpose land lease is from 7.36% to 19.92%, with the average being 10.57%, while the reported Cap Rate range was from 5.0% to 17.35%, with the average being 10.26%. Also, the range for all properties was indicated to be from 6.46% to 18.25%, with the average being 9.91%, while the reported Cap Rate was 3.86% to 17.75%, with the average being 9.03%. This is in-line with the rate of return expected from most developer's that we have talked with in the past, all of which indicated that they typically look for a 7% to 10% return on leased land. This is also in-line with our ground lease rate survey from the Jacksonville area, which showed an indicated range of 8.17% to 8.95%.

RealtyRates.com INVESTOR SURVEY - 2nd Quarter 2023*						
LAND LEASES						
Property Type	Capitalization Rates			Discount Rates		
	Min.	Max.	Avg.	Min.	Max.	Avg.
Apartments	3.86%	10.55%	7.99%	6.46%	11.05%	8.99%
Golf	4.40%	15.97%	10.14%	7.00%	16.17%	11.14%
Health Care/Senior Housing	4.30%	11.85%	8.56%	6.90%	12.35%	9.56%
Industrial	4.21%	11.51%	8.43%	6.81%	12.01%	9.43%
Lodging	4.37%	15.80%	8.72%	6.97%	16.10%	9.72%
Mobile Home/RV Park	4.26%	14.15%	9.27%	6.86%	14.65%	10.27%
Office	4.22%	11.35%	8.09%	6.82%	11.85%	9.09%
Restaurant	4.89%	17.75%	9.93%	7.49%	18.25%	10.93%
Retail	4.00%	11.50%	8.53%	6.80%	12.00%	9.53%
Self-Storage	4.22%	11.65%	9.46%	6.82%	12.15%	10.46%
Special Purpose	5.00%	17.35%	10.26%	7.36%	19.92%	10.57%
All Properties	3.86%	17.75%	9.03%	6.46%	18.25%	9.91%

*1st Quarter 2023 Data

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Based on the above information, an 8.0% annual rate of return was concluded to be reasonable for the subject analysis. Multiplying the concluded land value of \$1,680,000 times 8.0% equals an estimated annual market ground rent of \$134,400 per year, which equates to just over \$1.92 per square foot of land. This estimate is effective as of August 8, 2023.

Market Value of the Subject Site as-is
 Annualized Expected Rate of Return
 Annual Ground Market Rent

\$1,680,000
 x 0.08
\$134,400 (\$1.92 psf)

ADDENDA

QUALIFICATIONS - RONALD N. PACETTI

Resident of Florida since birth, licensed by Real Estate Commission, State of Florida since 1987.

Formal Education

Bachelor of Science in Business Administration, 1986 from
University of Florida, Gainesville, Florida.

Master of Arts in Real Estate, 1989 from University of
Florida, Gainesville, Florida.

Real Estate Education

University of Florida Courses, Sponsored by the Appraisal Institute:

Real Estate Analysis, 1986
Real Estate Law, 1988
Real Estate Feasibility, 1988
Real Estate Valuation I and II, 1987, 1989
Case Studies in Real Estate Valuation, 1989
Valuation Analysis and Report Writing, 1989
Real Estate Finance, 1988

Recent Courses and Seminars:

*3-Hour Florida Appraisal Laws and Regulations - October 2022
*Business Practices and Ethics - October 2022
*Cool Tools - New Technology for RE Appraisers - November 2022
*Comparative Analysis - November 2022
*7-Hour National USPAP Update Course - September 2022
**Small Hotel/Motel Valuation - September 2020
*Appraising Automobile Dealerships - August 2020
*Appraisal of Medical Office Buildings - August 2020

QUALIFICATIONS - RONALD N. PACETTI - Continued

Memberships and Professional Affiliations

Member Appraisal Institute, MAI Designation 9277, 1992
Licensed Real Estate Salesman 0490317, State of Florida
State Certified General Appraiser Licensed No. RZ 677, State of Florida

Appraisal Experience

Started Pacetti Appraisal Services in July, 1994.
Appraiser, Clark, Hunter & Associates, March, 1992 to June, 1994.
Associate Appraiser, Callaway & Price, Inc., May, 1988 to February, 1992.
Staff Appraiser, Dub Clark & Associates, March, 1987 to August, 1987.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

Acreage	Medical Buildings
Apartment Buildings	Mobile Home Parks
Bed and Breakfast	Office Buildings
Commercial Buildings	Office Condominiums
Condemnation	Recreation Leases
Condominiums (Individual	Residences
Units and Discounted	Radio Towers
Sellouts of Total	Service Stations
Projects)	Shopping Centers
Country Clubs	Special Purpose
Duplexes	Store Buildings
Easements	Subdivisions
Farms	Vacant Commercial Land
Foreclosures	Vacant Industrial Land
Golf Courses	Warehouses
Industrial Buildings	R.V. Parks

QUALIFICATIONS - RANDALL A. PACETTI

Resident of Florida since birth, State-Certified General Real Estate Appraiser by the Florida Real Estate Appraisal Board, State of Florida since 2017.

Formal Education

Bachelor of Science in Business Real Estate, 2011 from
University of Central Florida, Orlando, Florida.

Real Estate Education

University of Central Florida Courses:

Fundamentals of Real Estate, 2010
Real Estate Law, 2010
Real Estate Appraisal & Valuation, 2010
Commercial Real Estate Finance, 2010
Real Estate Investment Analysis, 2011
Real Estate Development, 2011
Advanced Topics in Real Estate, 2011
Real Estate Internship, 2011

IFREC, Institute of Florida Real Estate Careers, Inc.:

USPAP, Uniform Standards of Professional Appraisal Practice, 2012

Memberships and Professional Affiliations

State-Certified General Real Estate Appraiser No. RZ 3911, State of Florida

Appraisal Experience

Staff Researcher, Pacetti Appraisal Services Inc., May, 2011 to November, 2012.
Staff Appraiser, Pacetti Appraisal Services Inc., November, 2012 to present.

Types of Properties Appraised

Appraisals made on the following types of property throughout the State of Florida for individuals, attorneys, insurance companies, banks, corporations, government agencies, and mortgage companies.

Acreage	Medical Buildings
Apartment Buildings	Office Buildings
Bed and Breakfast	Office Condominiums
Commercial Buildings	Shopping Centers
Condominiums	Store Buildings
Foreclosures	Vacant Commercial Land
Industrial Buildings	Vacant Industrial Land

APPRAISER LICENSES

Melanie S. Griffin, Secretary



ED GENERAL APPRAISER HEREIN IS CERTIFIED
VISIONS OF CHAPTER 475, FLORIDA STAT

PACETTI, RONALD NEIL
1301 PLANTATION ISLAND DRIVE SOUTH
SUITE 303A
ST AUGUSTINE FL 32080



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Melanie S. Griffin, Secretary



I, **PACETTI, RANDALL ANDREW**
 410 OCEAN DRIVE
 SAINT AUGUSTINE FL 32080



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CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim

DATE: August 31, 2023

RE: Request for Confirmation of appointment to fill one (1) term expiration to the St. Augustine Police Officers' Retirement Board

An Advertisement was placed in the St. Augustine Record and one application was received from Stephen Fricke and is attached.

At the regularly scheduled meeting of the St. Augustine Police Officers' Retirement Board held on August 23, 2023, the board re-appointed Stephen Fricke as the 5th member of the Board. This appointment is for a two-year term, which will expire on September 30, 2025. In accordance with City Charter section 9.04, City Commission ministerial approval is required.

If you concur, please place this on the Consent Agenda for the September 11, 2023, regular City Commission Meeting.



Darlene Galambos
City Clerk

Attachments: Application

xc: City Clerk Files

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

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

1. APPLICANT Stephen Fricke
2. RESIDENCE
(address) 2950 Lewis Speedway St Aug, FL PHONE 904 669-4643
3. BUSINESS OWNED (Address) N/A PHONE
4. PROPERTY OWNED (Address)
5. MAILING ADDRESS PREFERRED Same as above
6. E-mail Address fristeve@yahoo.com
7. BOARD DESIRED St Augustine Police Officers Pension Board
8. OCCUPATION (include resume) Retired Police Officer
9. PROFESSIONAL QUALIFICATIONS: (Attach additional information or Cover Letter)
42 Year Police Officer
Have served on the Pension Board for 38 years

10. OTHER COMMENTS OR INFORMATION

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

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

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

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

RACIAL CATEGORY (Check as many as apply)

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

12. SIGNATURE OF APPLICANT

Stephen Fricke DATE 07/15/2023

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

SGF
Initial

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: Mayor and City Commissioners

DATE: August 31, 2023

RE: Request for **TWO (2)** appointments - PLANNING AND ZONING BOARD (PZB)

Notification was previously given regarding two (2) term expirations on the Planning and Zoning Board, which will expire September 30, 2023.

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

Attached are the applications received from Jon DePreter and Christina Tucker, who are current Board members and eligible for re-appointment, in addition to the current PZB roster, Board profile and responsibilities.

I respectfully request that consideration be given to appointing these applicants.



Darlene Galambos
City Clerk

Attachments: Applications

xc: PZB – Clerk's File

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

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

1. APPLICANT NAME JON DE PRETER
2. BOARD/COMMITTEE DESIRED PZB
3. RESIDENCE (Address) 73 MAGNOLIA DRIVE
4. PHONE 845 901 9065 E-MAIL JONDEPRETEREGMAIL.COM
5. BUSINESS OWNED (Address) RETIRED
6. BUSINESS PHONE 845 901 9065 E-MAIL SAME AS ABOVE
7. PROPERTY OWNED (Address) 73 MAGNOLIA DRIVE, ST. AUGUSTINE
8. PREFERRED MAILING ADDRESS 73 MAGNOLIA DRIVE, ST. AUGUSTINE
9. OCCUPATION (include resume if available) RETIRED (RESUME ATTACHED)
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) SEE SUBMITTED RESUME + COVER LETTER
11. OTHER COMMENTS OR INFORMATION CURRENT MEMBER SEEKING RE-APPOINTMENT
12. "Ethnicity and race information is requested under the authority of 42 U.S.C. Section 2000e-16 and in compliance with the Office of Management and Budget's 1997 Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity. Providing this information is voluntary and has no impact on your employment status, but in the instance of missing information, your employing agency will attempt to identify your race and ethnicity by visual observation."

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

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

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

RACIAL CATEGORY (Check as many as apply)

☐ American Indian or Alaska Native
☐ Black or African American

☒ Asian
☒ White

☐ Native Hawaiian or Other Pacific Islander

13. SIGNATURE OF APPLICANT



DATE 7/30/23

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


Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

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

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

Please check those qualifications that apply to you:

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

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

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

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

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

Please check those qualifications that apply to you:

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

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

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

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

Please check those qualifications that apply to you:

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

Jon DePreter

73 Magnolia Drive
St. Augustine, Florida
jondepreter@gmail.com
845.901.9065

August 1, 2023

Dear City Clerk and City Commissioners,

I am submitting this application in the interest of renewing my current position on the Planning and Zoning Board of the City of St. Augustine.

Please find the two forms required by COSA along with this cover letter and my resume.

I am applying to renew my position because I want to continue serving this unique community. Our City is a wonderful mix of neighborhoods, businesses and non profits that draws people from all over the country and the world. I feel my experience on the PZB to date has increased my understanding of our regulations and allowed me to understand some of the issues and concerns that face our business and residential communities on a city wide basis. I would like to use that experience to continue to try to make good planning decisions for the City of St. Augustine.

Please feel free to contact me if you have any questions regarding my viability for this position.

Thank you for your consideration,

Jon DePreter
73 Magnolia Drive
St. Augustine, Florida
845.901.9065
jondepreter@gmail.com

Jon DePreter

73 Magnolia Drive
St. Augustine, Florida
jondepreter@gmail.com
845.901.9065

EDUCATION

MFA Univ. Of Colorado, Boulder 1980
BFA California State University, Chico 1974

PLANNING AND ZONING EXPERIENCE

2020 - 2021 City of St. Augustine PZB Chairperson

2019 - 2020 City of St. Augustine PZB Vice Chairperson

2018 - 2023 City of St. Augustine PZB member

2004 - 2009 **Planning Board Member (Town of Pine Plains, NY)** *During my time on the Planning Board, the Town faced an unprecedented number of building applications, from simple sub divisions to a proposed development from the Manhattan based Durst Corporation for a 2,200 acre parcel that would have almost doubled the housing units in the Township.*

2005 - 2007 **Chairman - Zoning Commission (Town of Pine Plains, NY)** *The Town of Pine Plains was one of the last townships in New York State without zoning. After passing a new Comprehensive Plan, The Town Board decided to appoint a committee of residents and business owners to draft a first time zoning law for the Town. I was appointed the Chairman of this group and worked directly with the Town Planner, Town Attorney and Town Engineer. As Chairman I also set the agenda, conducted and moderated all public hearings, and liasoned with the Town Board. Our finished Zoning Law included provisions for conservation sub divisions to protect valuable natural resources (wet lands, steep slopes, soils of agricultural significance, animal habitat, etc.), Mixed use Main Street concepts to help promote a healthy business area, and a "New Hamlet" land designation to protect open spaces by steering large development into tighter and denser arrangements.*

2002 - 2004 **Member - Comprehensive Plan Review Committee (Town of Pine Plains, NY)**

BUSINESS EXPERIENCE

1989 - 2012 **Owner /Operator - Depreter Designs Sign and Graphic Studio, Pine Plains, NY**
Sign Business that developed signage and graphics for property owners, municipalities, non-profits and small to medium size businesses in New York, Ct. and Mass.

1974 - Now **Exhibiting Artist**

ST. AUGUSTINE COMMUNITY EXPERIENCE

2014 - 2018 **President Lighthouse Park Neighborhood Association**

2015 **Anastasia State Park Management Plan Advisory Group Member**

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

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

1. APPLICANT NAME Christina Tucker
2. BOARD/COMMITTEE DESIRED Planning & Zoning
3. RESIDENCE (Address) 225 Lions Gate Dr.
4. PHONE 352-474-3650 E-MAIL christinagriggs1@gmail.com
5. BUSINESS OWNED (Address) N/A
6. BUSINESS PHONE _____ E-MAIL _____
7. PROPERTY OWNED (Address) same as residence
8. PREFERRED MAILING ADDRESS _____
9. OCCUPATION (include resume if available) Civil Engineer/Project Manager
10. PROFESSIONAL QUALIFICATIONS (you are encouraged to submit a cover letter) ET License.
I am working on obtaining PE License - BS degree in Civil Engineer
11. OTHER COMMENTS OR INFORMATION _____

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

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

13. SIGNATURE OF APPLICANT

Christina Tucker DATE 8/2/23

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

CT
Initial

QUALIFICATIONS FOR PLANNING AND ZONING BOARD (PZB):

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

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

Please check those qualifications that apply to you:

- | | |
|---|---|
| ☐ Architect, Florida registered | ☐ Preservation Organization Officer |
| ☐ Planner, member APA or AICP | ☐ Environmental or Land Use Organization Officer |
| ☐ Real Estate Broker, w/ County occupational license | ☐ Attorney, Florida Bar |
| ☐ Educator, college level | ☐ Landscape Architect, Florida registered |
| ☒ Engineer, Florida registered <i>(working on PE license)</i> | ☐ Contractor, City contractor's license |
| ☐ Merchant/Businessperson, City occupational license | <i>I have my EI license registered in FL</i> |

QUALIFICATIONS FOR HISTORIC ARCHITECTURAL REVIEW BOARD (HARB):

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

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

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

Please check those qualifications that apply to you:

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

QUALIFICATIONS FOR CORRIDOR REVIEW COMMITTEE (CRC):

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

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

Please check those qualifications that apply to you:

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

Christina Murray Tucker (Griggs)
225 Lions Gate Drive
St. Augustine, Florida 32080

To whom it may concern,

I am excited to apply for appointment on the Planning and Zoning Board. I have been serving on the Planning and Zoning Board for about a year and a half now, where I filled a term vacancy. I am now eligible for my first full term.

As you may know, I am a St. Augustine native. My family moved here in the mid 80's, and I am convinced this is the best City to grow up in. I graduated from St. Augustine High School (go Jackets!) and then attended the University of Florida where I obtained a degree in Civil Engineering. I have since gained working experience in both private land development as well as public utilities. I feel my experience gives me well rounded knowledge to understand both a developer and how important it is to protect a city's needs.

I have thoroughly enjoyed my short time on the Board and would like to keep serving. Being involved in the City I grew up in and still love to this day is very important to me, and as such, I appreciate being considered for appointment on the Planning and Zoning Board.

Thank you,

A handwritten signature in cursive script that reads "Christina Tucker". The signature is written in dark ink and is positioned below the "Thank you," text.

Christina Tucker (Griggs)

Christina M. Tucker, E.I.

(352) 474-3650 225 Lions Gate Dr., St. Augustine, FL 32080 christinagriggs1@gmail.com

EDUCATION

University of Florida, Gainesville, FL – Graduated May 2012
Bachelor of Sciences, CIVIL ENGINEERING

LICENSES

EIT, State of Florida EI #1100022968

WORK EXPERIENCE Keville Enterprises, Inc. – Jacksonville, FL

August 2022 – Present

Project Manager (JEA Project Engineering & Construction)

JBPro – St. Augustine, FL

February 2021 – August 2022

Engineering Project Manager

Eda Consultants – Gainesville, FL

October 2020 – February 2021

Project Designer

Gmuer Engineering - Gainesville, FL

November 2019-October 2020

Senior Engineer

Gainesville Regional Utilities (GRU) – Gainesville, FL

June 2016-November 2019

Utility Engineer II

Eda Engineers-Surveyors-Planners, Inc. – Gainesville, FL

May 2015-June 2016

Project Engineer

Larry T. Griggs, Attorney at Law – St. Augustine, FL

December 2014- May 2015

Office Assistant

Matthews Design Group – St. Augustine, FL

June 2014- December 2014

Project Engineer

CHW Professional Consultants – Gainesville, FL

March 2013- June 2014

Project Engineer

AWARDS AND ACCOMPLISHMENTS

JBPro Employee of the Year, 2021

ASCE Young Engineer of the Year, 2019

ASCE Volunteer of the Year, 2019

VOLUNTEER EXPERIENCE

City of St. Augustine Planning and Zoning Board Member

January 2022-Present

ASCE Gainesville Branch President

February 2019-October 2020

ASCE Gainesville Branch Treasurer

October 2018-February 2019

PLANNING & ZONING BOARD

Meets Monthly, 1st Tuesday - 1:00 p.m.
Alcazar Room, City Hall

Board Member	Contact information	Appointment	3-Year Terms Expire
J. Carl Blow Commercial Real Estate Property Manager	100 Santa Monica Ave, 32080 829-6985 710-2655 john.carl.blow@gmail.com	12/09/19 fill vacancy 09/27/21 1 st full term	09/30/2021 09/30/2024
Jon DePreter Retired	73 Magnolia Dr., 32080 845-901-9065 jondepreter@gmail.com	08/27/18 fill vacancy 09/28/20 1 st full term	09/30/2020 09/30/2023
Charles Pappas	46 Macaris St., 32084 617-519-3017 charlespappas@icloud.com	09/27/21 1 st full term	09/30/2024
Michael Davis General Contractor	23 Park Terrace, 32080 904-824-3533 mikedavis@addavis.com	09/23/19 1 st full term 09/26/22 2 nd full term	09/30/2025
Dr. Ashleigh Barnes Attorney	110 Bridge St., 32084 912-409-5849 barnesashleigh@gmail.com	09/26/22 1 st full term	09/30/2025
Matthew Shaffer Real Estate Broker	220 Lamego Lane, 32095 904-806-5020 matthew.shaffer@att.net	09/26/22 1 st full term	09/30/2025
Christina Tucker Civil Engineer	225 Lions Gate Dr., 32080 352-474-3650 christinagriggs1@gmail.com	12/13/21 fill vacancy	09/30/2023

PLANNING & ZONING BOARD

Authorization:	Chapter 28, Zoning, Code of the City of St. Augustine, Art II, Div. II. Section 28-57 Amended 4.14.2003, Ordinance 2003-14.
Number of Members:	Seven (7)
Terms of Office:	Three (3) years Original appointments staggered. No member may be appointed for more than two (2) consecutive full terms.
Appointment:	By City Commission
Reappointment:	Normal terms to expire on September 30 of each year.
Qualifications:	All members of the planning and zoning board shall reside in the city and shall hold no government office nor receive any salary or compensation for their services to the board herein created. No member shall be appointed for more than two 2 consecutive full terms.
	Member composition: architect, Florida registered; planner member APA or AICP; real estate broker, with County occupational license; educator, college level; engineer, Florida registered; landscape architect Florida registered; preservation organization officer; environmental or land use organization officer; attorney, Florida Bar; merchant/business person, City occupational license; or contractor, City contractor's license.
Duties:	The Planning & Zoning Board is established as the St. Augustine Local Comprehensive Planning Agency. The board may grant zoning exceptions and variances as provided in the zoning code ordinances; hear appeals of any decision of the Planning and Building Department; recommend to the Commission in the rezoning of land and changes to the Comprehensive Plan.
Attendance:	Ordinance 2018-11 amended Sec. 2-191 to remove the language regarding meeting attendance and instead states <u>"Members of Boards may be removed by majority vote of the Commission, upon notice of intent to remove the Board member mailed to the address on record at the office of the City Clerk by certified U.S. mail, return receipt requested, and a hearing before the City Commission providing the member an opportunity to be heard"</u> .
Meetings:	First Tuesday of each month, 1 P.M., the Alcazar Room, City Hall.

CITY OF ST. AUGUSTINE

City Commission Special Meeting
Monday, August 14, 2023

The City Commission met in formal session Monday, August 14, 2023, at 3:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner(absent)

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Todd Grant, Director, Public Works
Stephen Slaughter, Director, Utilities
Corey Sakryd, General Services Director
Mark Simpson, Finance Director
Jessica Beach, Chief Resiliency Officer
Anthony Cuthbert, Assistant Police Chief
Elyse Wiemann, Recording Secretary

2. General Public Comments

The Commissioners heard from the following members of the public:

Arthur Colbert
Tim Robinson
Greg Smith
Mattie Harms
Susan Creek
Lauren Thomas
Kristin Thomas
Scott Robinson

3. Review of the Five-Year Capital Improvement Plan (CIP). (T. Grant and S. Slaughter, Directors, Public Works and Utilities)

Stephen Slaughter, Utilities Director reviewed the five-year Capital Improvement Plan regarding utilities.

Commissioner Horvath asked if there was a reason why the structure under the bridge was being finished before the completion of the bridge.

Mr. Slaughter said the new water main had to be replaced to continue to supply water to the City before the existing bridge was demoed.

Mayor Sikes- Kline requested that future documents identify the locations of the lift station.

At the request of Commissioner Garris regarding the Pearl Street Gravity Sewer and Water Main Project he advised:

- New gravity sewer would be installed
- Would connect to the existing lift station and extend out as far as possible
- A possible forty-two residential homes would be converted to City sewer collection

Commissioner Blonder questioned if the Supervisory Control and Data Acquisition (SCADA) would protect against power outages.

Mr. Slaughter noted in the event of a power outage it could assist with the response times.

 Mayor Sikes-Kline asked if there was a specific time for ARPA monies to be used, and questioned how the project would be affected.

Commissioner Blonder questioned if the repairs would meet the same standards as the construction. She asked if there was a strategy to assist with the environmental impacts.

Mr. Slaughter advised further discussions regarding ARPA funding would need to take place or other CIP projects could be reorganized to help fund the cost needed for the Wastewater Treatment Plant Effluent Outfall Repair. He noted the construction would be a complete replacement, but the repairs were similar to ones in the past.

Mayor Sikes-Kline commented that the building that housed the Water Treatment Plant High Service Pump Motor Control Center and Emergency Generator was historic. She said the metal shutters covered the wooden windows and she noted an assessment of the building was needed in order to rehabilitate it.

Mr. Franklin noted the shutters were installed because of hurricane season and if able to be removed would do so afterwards.

Commissioner Blonder asked if the Homles Boulevard affordable housing development was incorporated in the West Augustine Master Plan.

Mr. Slaughter advised it was two separate projects; he said the West Augustine was from State Road 207 to the south, from the river to the east, including State Road 16 to the north and as far west as our service area.

Todd Grant, Public Works Director, reviewed the five-year CIP regarding the Public Works department.

Mayor Sikes-Kline asked for an update regarding the improvements in the CIP for the Tolomato Lot for freight movement.

Mr. Franklin advised it was in the project listed at phase 2b; however, would be separate and completed in a future year.

Commissioner Blonder noted the Inlet Drive Shoreline Stabilization and asked the cost difference between the riprap and bulkhead; she noted she did not like the idea of a bulkhead when there were alternatives.

Mr. Grant said this project was around 400 feet and an engineered wall was more costly; however, would have longevity and more aesthetic appeal than riprap.

Mayor Sikes-Kline was concerned about delaying solutions as that was where the water breached.

Commissioner Horvath questioned if dredging of Lake Maria Sanchez would be required if more water was being added.

Mr. Franklin commented that stormwater that was currently filtering to the lake was within the drainage basin and running toward the lake. He said the northern portion would be dredged for the new outfall that would be installed; however, no more water was being added.

Mayor Sikes-Kline, in reference to the Paving Management Program questioned if there was a gap in the Model Land Tract. She asked why Saragossa Street was not included and why other streets in the Model Land Tract were not incorporated.

Mr. Franklin noted an assessment of the roadways had been conducted, which was available on the City website. He said over the next seven years the worst roads would be addressed and after, another assessment would be done. He said a list would be provided for the Commissions review.

Mr. Grant advised maps would be provided for the upcoming years and those would be accessible online.

At the request of Commissioner Horvath, Jessica Beach, Chief Resiliency Officer, advised the Stormwater Tide Check Value map colors identified the owner, whether City Owned, Department of Transportation (DOT) or other.

Mayor Sikes-Kline encouraged staff to include the area of Hibiscus Street near Fort Mose Historic State Park.

Mr. Franklin noted he received an email regarding the issues and would speak with the correct departments.

At the request of Mayor Sikes-Kline, Mr. Birchim reported no funds had been spent on the Fire Station since the last state meeting. He said the City and Department of Environmental Protection had been in communication regarding a land swap with some private property; however, the offered property was not large enough. He said they inquired about a donation of land in exchange for a lease on the property and it was being considered; however, there had been no reply. He said an England Thims and Miller (ETM), an engineering firm was the consultant and could provide a more detailed site plan if an agreement was made with the DEP, and the State would ask for a

redesignation of their property. He said this expense would not take place without the agreement of the land donation and a lease.

Commissioner Blonder requested the neighbors be informed if the State communicated.

4. Status Update on FY2024 Budget (M. Simpson, Director, Finance)

- **Utility Rates**
- **Fire Assessment Fee**
- **Parking Fees**
- **Items Needing Attention**
- **Review of Reserves**

Mark Simpson, Finance Director reviewed Fiscal Year 2024 Budget highlights as follows:

- General fund millage was unchanged at 7.5 mills – revenue increase of \$3M up to \$20.8M
- Fire Assessment Fee Increase to cover 50% of Fire Department Budget
- Requested New Positions being analyzed/prioritized based on strategic plan
- Street paving program of \$800,000
- West Augustine Sidewalk design, \$300,000. Construction planned for FY 25.
- Utility Rate Analysis and Increases based on CPI of 4.4% - surcharge for outside reduced to 18%
- Public art study for the May Street intersection
- Pena Peck House windows and copper roof
- Continued window replacement at City Hall / Lightner Building
- Increased rental income revenue from City owned properties with 4.4% CPI increases
- Changes to the parking rates and hours of enforcement
- Increase in the garage to \$20 until 5pm then reduced rate from 5-9pm to incentivize garage use vs on street

parking. Analysis on-going regarding projected economic impact

- Expanding parking enforcement hours from 5pm to 9pm and adding Sunday's 1pm – 9pm
- Visitor Information Center window and floor replacement – preparation for exhibits
- Phase I of the Homeless Drop-In Center; Fence, restrooms, and security
- Francis Field Design
- Madeira Park Master Plan
- Finding of necessity for West City CRA

Mayor Sikes- Kline suggested having funds available for professional services on evaluations or appeals for the Planning and Zoning and Historic Architectural Review Board.

Commissioner Blonder supported the mayor's request.

Mr. Simpson proposed adding money to the budget for Conservation Land acquisition. He said the monies that could be used for this purpose was from reserves. He provided an update on the Reserve status and noted the following:

- General Fund had approximately \$7.5 million unrestricted funds left over as of September 30, 2022
- \$1.6 million had been appropriated to advance the Lake Maria Sanchez project and to purchase an armored personnel vehicle for the Police department
- Estimated unrestricted reserve funds potentially to use was \$6 million
- A portion of those funds could be used in this years budget for land acquisition
- Proposed having formal policy or discussion regarding land acquisition

Commissioner Blonder advised this was a high priority for the City. She read a letter from the Matanzas River Keeper, an expert on these issues. She said a precedent had been established and should be formalized as there was around five percent of buildable land within City limits that was

undeveloped and funds for land acquisition could be set aside yearly. She stated while staff was developing criteria for acquisition projects, an objective should be formulated, and the establishment of ranking criteria should be created. She asked the Commission for consensus moving forward to fund land acquisition within City limits for the purposes of conservation resilience and/or recreation.

Commissioner Garriss acknowledged the importance of obtaining land and proposed \$1 million dollars could be secured for the City Manager to facilitate and be proactive.

Commissioner Horvath agreed with the need for land; however, thought \$500,000.00 would be enough to have monies left over for the following year. She inquired about the property south of May Street before Comanche Cove. She asked if there was an overall scope that would assist with the resiliency or recreation need.

Mr. Birchim advised inventory was being developed by a program already established with a consultant from WSP USA Environment & Infrastructure Inc., who was assisting with the resilient shoreline project, and a phase was to identify a land set that could be considered for acquisition in a conservation land trust or similar program. He noted several properties had been identified and hoped the consultant could provide a ranking for the Commissions consideration.

Mayor Sikes-Kline agreed with using the reserves for the seed money. She reached out to the Matanzas River Keeper inquiring about how the program should be built and the response was an Ordinance from the County. She noted she wanted to discuss this in the future the creation of an Ordinance specifically for the City.

Mr. Birchim noted Commissioner Blonder requested a workshop to begin the program which was to take place in August; however, the Night Life Ordinance

workshop had to be addressed. He explained they wanted to move the policy workshop to September.

Mayor Sikes-Kline asked if the workshop would include how the program was to be funded on an annual basis if that was the request.

Mr. Birchim replied in the affirmative.

Mayor Sikes-Kline thought \$1 million would be reasonable considering the high cost of land.

MOTION

Mayor Sikes-Kline MOVED to support the \$1 million dollars coming from general reserves contingent upon the workshop. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Sikes-Kline, Blonder, Garris, Horvath

NAYES: None

MOTION APPROVED UNANIMOUSLY

Commissioner Blonder requested a budget line of \$50,000 to be added which was a small amount that could be revised annually to assist with consultant fees.

Mr. Simpson agreed and felt this could help his predecessors in the future and would serve as a reminder to add funds and reexamine the prior year's surplus.

MOTION

Commissioner Blonder MOVED to appropriate \$50,000.00 as a separate line in the budget to be approved at the final budget meeting for Land Acquisition for Conservation Rezoning and/or Recreation. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION:

AYES: Blonder, Horvath, Garris, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

Commissioner Blonder thanked the rest of the commissioners for their support.

Mr. Birchim advised there would be a Sister City Celebration for the 100th Anniversary relationship. He advised funds were needed for the celebration.

Commissioner Horvath asked if that included the Visitors Information Center display.

Mr. Birchim replied that \$800,000.00 had been requested from the State of Florida. He said improvements may not happen until the following budget year.

Mayor Sikes-Kline asked if a placeholder could be added until Commissioner Springfield was available as he was the liaison for Sister Cities.

Mr. Simpson commented he believed that was in Melissa Wissel, Communication Directors budget but would have to confirm. He advised the final budget hearing would be in September, although there was more work to be done in August to review the operating budget.

Mayor Sikes-Kline encouraged the Commissioners to consider all items that should be incorporated in the budget to help avoid outside budget cycle requests throughout the year.

5. Adjournment

There being no further business, the meeting was adjourned at 4:45 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Elyse Wiemann

DRAFT

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, August 14, 2023

The City Commission met in formal session Monday, August 14, 2023, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner

Absent: Jim Springfield, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Stephen Slaughter, Director, Utilities
Amy Skinner, Director, Planning and Building
Anthony C, Assistant Police Chief
Elyse Wiemann, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mike Belcher Grace Community Church delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Ms. Lopez request to add an update on the Shaffer litigation.

MOTION

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

3. Special Presentations, Recognitions and Proclamations

3.A. Proclamation 2023-27: Proclaims August 23, 2023, a Day for the Remembrance of the Slave Trade, and its Abolition. (C. Garris, Commissioner)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Chris Fulmer
- Holly Doucette
- Vicki Pepper
- Scott Robinson
- Mia Snyder
- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON AUGUST 28, 2023:

- Ordinance 2023-24 - Clarifies the code as it pertains to partial demolitions
- Ordinance 2023-25 - Increasing thresholds for competitive bids

CA.3. Reminder of Upcoming Meetings:

- August 21, 2023, 9:00am, Special Meeting (nightlife ordinance)
- August 24, 2023, 9:00am, Special Meeting (2024 tentative budget and action items)
- August 25, 2023, 9:00am, If needed, Special Meeting (2024 tentative budget and action items)
- August 28, 2023, 5:00pm, Regular City Commission Meeting

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

- Regular City Commission Meeting, June 12, 2023
- Special City Commission Meeting, June 21, 1012
- Special City Commission Meeting, July 10, 2023
- Regular City Commission Meeting, July 10, 2023

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

- 941 West 9 Street - Jerome Hope

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION.

(COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

NONE.

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

NONE.

CA.8. Invoice for payment to Cavendish Partners, P.A. in the amount of \$1,653 for Quiet Title lawsuit for 68 Anderson Street. (I. Lopez, City Attorney)

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Horvath MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Blonder and APPROVED BY UNANIMOUS VOICE VOTE.

6. Appeals

(None)

7. General Public Presentations, Items of Great Public Importance, and Other Items Requiring Public Hearings

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2022-23: Vacates a portion of Depot Street between 194 West King Street (PID 1111900000), 198 West King Street (PID 1112000000) and 35 North Ponce de Leon Boulevard (PID 1111300000). (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director presented Ordinance 2022-23.

Public hearing was opened, and Commissioners heard comments from the following member of the public:

- BJ Kalaidi

Commissioner Blonder confirmed no changes had been made since the first reading.

MOTION

Mayor Sikes-Kline MOVED to pass Ordinance 2022-23 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, VACATING, DISCONTINUING AND ABANDONING THAT CERTAIN PORTION OF DEPOT STREET LOCATED WITHIN THE CITY LIMITS OF ST. AUGUSTINE AND MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

VOTE ON MOTION:

AYES: Sikes-Kline, Horvath, Garriss, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

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

(None)

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

(None)

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2023-25: Amends Section 2-77 of the City Code regarding competitive bids increasing purchasing thresholds. (I. Lopez, City Attorney)

Isabelle Lopez, City Attorney, presented Ordinance 2023-25.

Ms. Lopez noted the Purchasing Director suggested a competitive solicitation process shall be implemented for acquiring goods or services for public use that exceed \$50,000, and bid solicitations procedures and procurement thresholds shall be set in the procurement policy and procedures manual.

Commissioner Garriss understood \$5,000.00 was difficult for competitive bids and suggested \$25,000.

After further discussion the Commission agreed that \$25,000 was more reasonable and could be addressed since this was first reading.

Ms. Lopez noted the short title was broad enough that changing it to \$25,000 was acceptable to pass to second reading.

MOTION

Mayor Sikes- Kline MOVED to pass Ordinance 2022-25 on first reading and moved to second reading. The motion was SECONDED by Commissioner Blonder.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 2, ARTICLE IV, DIVISION 1, SECTION 2-77 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE FOR BID SOLICITATION PROCEDURES AND PROCUREMENT THRESHOLDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Sikes-Kline, Blonder, Garris, Horvath

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Consideration of Resolution 2023-16, Establishes the estimated rates for fire protection assessments for the fiscal year beginning October 1, 2023, and clarifies hearing dates. (M. Breidenstein, Assistant City Manager)

Meredith Breidenstein, Assistant City Manager reviewed the Resolution.

MOTION

Commissioner Horvath MOVED to pass Resolution 2023-16. The motion was SECONDED by Mayor Sikes-Kline and APPROVED by UNANIMOUS VOICE VOTE.

9.B.2. Resolution 2023-23: Requests a reduction of permit application fees from the St. Johns River Water Management District and the Florida Department of Environmental Protection. (S. Slaughter, Director Utilities)

Stephen Slaughter, Assistant City Manager reviewed the Resolution.

MOTION

Commissioner Horvath MOVED to pass Resolution 2023-23. The motion was SECONDED by Commissioner Blonder and APPROVED by UNANIMOUS VOICE VOTE.

10. Staff Reports and Presentations

10.A. Petition for Voluntary Annexation and Pre-Annexation Agreement for Parcels of Land including the St. Joseph Academy Catholic High School at 155 State Road 207. (A. Skinner, Director Planning and Building).

Ms. Skinner reviewed the petition for Voluntary Annexation and Pre-Annexation agreement for 39.8 acers of property including St. Jospeh Academy Catholic High School.

Commissioner Blonder questioned the reason for the annexation.

Ms. Skinner advised the school had a history of being within the City boundaries and this would help formalize an agreement for police services.

Todd Declemente, Principal at St. Joe's Academy, said the City of St. Augustine Police would provide a resource officer for the campus every day to protect the staff and students. He noted they had been paying for a City officer and wanted to formalize that with an agreement. He said St. Johns County was unable to provide a resource officer.

Mr. Birchim said to proceed the action that would need to take place would be accepting the petition for voluntary annexation to allow this to proceed to the Planning and Zoning Board for their recommendation and then return to the City Commission for final approval.

Commissioner Horvath asked if this would allow them to have an officer onsite.

Mr. Birchim replied that a contract would be worked out to provide an officer while this was taking place.

MOTION

Commissioner Horvath MOVED to accept the Petition for Voluntary Annexation and Pre-Annexation Agreement for Parcels of Land including the St. Joseph Academy Catholic High School at 155 State Road 207. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION:

AYES: Horvath, Blonder, Garris, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

11. ITEMS BY CITY ATTORNEY

Ms. Lopez provided an update on the Shaffer hearing. She advised she had thirty days to appeal if supported by the Commission. She said a special shade meeting could be held to discuss strategy and the cost of litigation or a decision could be made tonight. She asked for direction regarding how the Commission wanted to proceed.

Mayor Sikes-Kline suggested scheduling a shade meeting no matter the outcome as there were other items that needed to be discussed.

Ms. Lopez agreed there were other items that could be discussed as this did not give the Shaffer's the permit. She said the time sensitive issue was if this would be appealed or not.

Mayor Sikes-Kline felt that discussion should be held at a shade meeting. She said she felt the City would not prevail if appealed to the appellate court. She suggested a shade meeting to discuss strategies on remand.

There was Board consensus to not move forward with the appeal but schedule a shade meeting to discuss the next steps with this litigation.

12. ITEMS BY CITY CLERK

(None)

13. ITEMS BY CITY MANAGER

Mr. Birchim announced the City closed on the land exchange and the City now owned 90 and 92 South Dixie Highway and the intent to develop a homeless drop-in day center.

14. Items by Mayor and Commissioners

14.A. Approval of letter of support for placing a conceptual paved, multi-use trail on the Florida Greenways and Trails Priority Map. (N. Sikes-Kline, Mayor)

Mayor Sikes-Kline asked for the Boards consent to write a letter of support in regard to agree to an amendment to the State Priority Trail Maps.

The Commission agreed.

Mayor Sikes-Kline asked for the City Clerk to prepare the letter as there was a short period.

Commissioner Horvath provided a card from a conference she attended.

Commissioner Garris thanked everyone involved with the crosswalk on West King Street. She said they needed to be proactive in the community. She expressed her gratitude in securing the land as it could assist the homeless population. She thanked the Commission for their support for standing behind her in improving the quality of the west side.

Commissioner Blonder asked for additional funds to be added to the budget for composting and tree planting and

requested that to be included in the August 24, 2023, meeting. She expressed her gratitude for being able to attend the Building Beloved Communities training. She said after attending the Conservation conference in Rwanda, she was grateful for St. Augustine and the community.

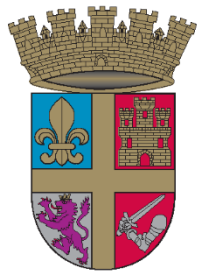
15. Adjournment

There being no further business, the meeting was adjourned at 6:07 P.M.¹

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

¹ Transcribed by Elyse Wiemann



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

❧ CERTIFICATE OF RECOGNITION *❧*

***WHEREAS**, a group of community members concerned about youth drug and alcohol use came together in 1973 to start a non-profit organization focused on the prevention and treatment of substance use; and*

***WHEREAS**, that organization was incorporated as JAM House on Oct. 10, 1973 and subsequently was known as the Drug Education and Prevention Center, EPIC Community Services, and now as EPIC Behavioral Healthcare and its focus has grown to include mental health, substance use, and co-occurring disorders; and*

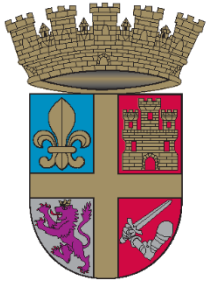
***WHEREAS**, EPIC Behavioral Healthcare, in its 50 years of service has worked to strengthen our community by providing person-centered care to individuals and families impacted by substance use and mental health disorders, and other behaviors through a comprehensive system of Education, Prevention, Intervention, and Counseling; and*

***WHEREAS**, EPIC Behavioral Healthcare has made a difference in the life of thousands of St. Johns County residents and their families throughout the past 50 years and has consistently “Saved lives & Transformed families” and has proven that Prevention Works, Treatment is Effective, and that People Can Recover from their substance use and/or mental health disorder; and*

***WHEREAS**, that while EPIC Behavioral Healthcare is celebrating 50 years, it has plans for the future to continue to provide quality behavioral health services to the residents of the City of St. Augustine.*

***NOW THEREFORE**, the City Commission of the City of St. Augustine does hereby recognize and joins in celebrating the **50th Anniversary of EPIC Behavioral Healthcare** and encourages all citizens to support and recognize the contributions that EPIC has made to the health and well-being of our community as the lead behavioral health provider and to congratulate EPIC on 50 years of service with many more to come.*

***IN WITNESS WHEREOF** I hereunto set my hand and do cause the Seal of the City of St. Augustine, Florida, to be affixed this 25th day of September in the year of our Lord two thousand and twenty-three, in the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, Our Founding Fathers did decree and establish a Constitution for the United States of America, to acquire the good fortunes associated with personal freedom for theirs and future generations; and

WHEREAS, it is vitally important that the terms, conditions and meaning of the Constitution be fully understood by all citizens, that we may uphold, protect and defend it against possible infringement; and

WHEREAS, September 17th is the 236th Anniversary of the signing of our Constitution, which provides a momentous opportunity for all Americans to discover and recognize the accomplishments of our Forefathers, and to ponder the rights and privileges of citizenship as well as the responsibilities thereof; and

WHEREAS, the Regents Council of Northeast Florida, Daughters of the American Revolution, join the national celebration and this annual observance serves as a time for all citizens to hold dear and celebrate the rights, privileges, and responsibilities this document affords to us as Americans; and

WHEREAS, all American citizens should respect their independence as guaranteed by our Constitution with fitting ceremonies and commemorative activities during Constitution Week as ordered and proclaimed in 1956 by President Dwight D. Eisenhower and Congress of the United States of America.

*NOW THEREFORE, the City Commission of the City of St. Augustine, Florida, hereby proclaims September 17th through September 23rd as **CONSTITUTION WEEK** in the City of St. Augustine and urges all our citizens to pay special attention during this week to our Constitutional government and the advantage of American citizenship; and further invite every citizen and institution to join in this national commemoration.*

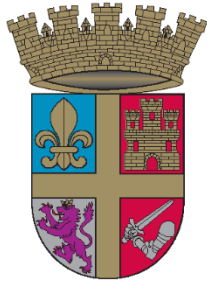
***IN WITNESS WHEREOF,** I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 17th day of September in the year of our Lord two thousand twenty-three and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

2023-28

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715



City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

Est. 1565

PROCLAMATION

***WHEREAS,** COMPASSIONATE ST. AUGUSTINE has been actively engaged in compassionate initiatives since the City of St. Augustine declared itself a Compassionate City on August 26, 2013; and*

***WHEREAS,** COMPASSIONATE ST. AUGUSTINE is influencing the citizens of St. Augustine to treat others as we wish to be treated ourselves by lifting up the core values of Democracy, Human Rights, Compassion and Freedom; and*

***WHEREAS,** COMPASSIONATE ST. AUGUSTINE is inspiring the citizens of St. Augustine to treat everybody, without exception, with absolute justice, equity, and respect; and*

***WHEREAS,** COMPASSIONATE ST. AUGUSTINE is growing a culture of compassion through advocacy, awareness, and action by encouraging our local government to exhibit compassionate values in public policy; and*

***WHEREAS,** COMPASSIONATE ST. AUGUSTINE is working to make compassion a clear, luminous, and dynamic force in our polarized world by establishing the first Compassionate Sister Cities program with Avilés, Spain; and*

***WHEREAS,** on this 10th Anniversary of the becoming a Compassionate City, the City Commission re-affirms the principles of compassion and encourages citizens and institutions to work together to embrace and apply compassionate solutions.*

***NOW, THEREFORE,** the City Commission of the City of St. Augustine does hereby proclaim the month of September 21, and ending October 20 as **Compassionate Action Month** and urges all citizens to contribute to the community through the practice of compassion.*

***IN WITNESS WHEREOF,** I hereunto set my hand and do cause the Seal of the City of St. Augustine to be affixed this 25th day of September in the year of our Lord two thousand twenty-three and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

2023-36

Nancy Sikes-Kline, Mayor

"Most Loyal and Valorous"

Title conferred upon the Presidio of St. Augustine by King Philip V of Spain, November 26, 1715

*City of St. Augustine
City Commission*

Certificate of Recognition

In Acknowledgement of and



Presented In Honor to

People Helping People

In celebration of

35th anniversary of serving the community through scholarships, financial assistance for individuals in need and supporting various community organizations.

Sunday, August 27, 2023



Nancy Sikes-Kline, Mayor

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim
City Manager

DATE: August 29, 2023

RE: Ratification of Collective Bargaining Agreement

The attached is the signed collective bargaining agreement between the City of St. Augustine and the Florida Carpenters Regional Council, Local 2038. The bargaining unit members voted and approved the agreement. The contract is for a 3-year period from October 1, 2023, until September 30, 2026, and needs to be ratified by the Commission.

Please add this to the consent agenda for the City Commission meeting on September 11th for approval.

As always, please do not hesitate to contact me if you have any questions.



Donna S. Hayes
Human Resources Director

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

RE: Memorandum of Understanding for Nauta Institute

DATE: September 11, 2023

A Memorandum of Understanding (MOU) has been drafted to establish an agreement for collaboration efforts between the City of St. Augustine and the Nauti Institute of Spain. The MOU allows Nauta Institute President Francisco S. Guitard to volunteer his time and talents, working closely with the Communications Department, to develop and implement cultural projects as they relate to Sister Cities with Aviles, Spain, the Underwater Archeology exhibit, the 250th Anniversary Celebration of the founding of the United States, and other initiatives, under the supervision of the City Manager.

Please place this on the Consent Agenda of the September 11 regularly scheduled City Commission meeting for review and approval by my fellow commissioners.

Thank you,

A handwritten signature in dark ink, appearing to be 'NS' with a stylized flourish.

Nancy Sikes-Kline, Mayor



MEMORANDUM OF UNDERSTANDING

PREAMBLE

The following is a Memorandum of Understanding (MOU) of collaboration and support between the City of St. Augustine and the Nauta Institute, under the supervision of the City of St. Augustine City Manager and the Nauta Institute President, Francisco S. Guitard.

Recognizing the commitment of the Nauta Institute and its President to promote cultural and historical ties between the United States and Spain, and specifically with the aim of strengthening the relationship between the City of St. Augustine, the Kingdom of Spain, and the City of Aviles, Spain, both parties agree to establish this agreement.

OBJECTIVE

The objective of this agreement is to establish a collaborative relationship where Nauta Institute volunteers to provide guidance, consultation, and assistance to the City of St. Augustine. This includes but is not limited to cultural development and growth, historical brand recognition, historic connection as it pertains to promoting the significant relationship between Spain, the State of Florida, and the City of St. Augustine, and serving as a liaison between the City of St. Augustine and Spanish entities.

ACTIVITIES

The Nauta Institute, through its President, undertakes to provide consultative services to the City of St. Augustine, in the capacity as a city volunteer, in the following areas:

Cultural project development: The Nauta Institute will closely collaborate with St. Augustine in the implementation and development of joint cultural projects such as "The Path of Mestizaje in America" (also known as the *Camino de Santiago*), the 100th Anniversary Celebration of Sister Cities with Aviles, Spain, an underwater archaeology exhibit in partnership with the Florida Department of State and the Division of Historical Resources, and the 250th Celebration of the founding of the United States.

The Nauta Institute will provide technical, logistical, and strategic guidance to ensure the success of these projects, including planning, management, promotion, and execution of cultural events and exhibitions.

Brand recognition: In addition to project development, the Nauta Institute will provide marketing and graphic design recommendations and solutions that will enhance the visibility of the project and the city partnership in local, regional, and Spanish markets.

This will include the development of marketing and communication strategies as well as the identification of promotion opportunities and collaborations with other civic and cultural entities, museums, and Spanish organizations.

DURATION AND TERMINATION

Duration: This collaboration agreement shall be effective upon the date of signature and shall remain in force for a period of three years.

Termination: Either party may terminate this agreement by providing written notice to the other party at least thirty (30) days prior to the intended termination date.

APPLICABLE LAW AND JURISDICTION

This agreement shall be governed by and construed in accordance with the laws of the State of Florida. Any disputes arising out of or in connection with this agreement shall be subject to the exclusive jurisdiction of the competent courts in St. Johns County, Florida.

Both parties agree to maintain regular and open communication, exchanging information and consulting each other regarding projects promoted by the Nauta Institute.

MODIFICATIONS

Any modifications or amendments to this agreement shall require mutual written consent from both parties.

IN WITNESS WHEREOF, the parties hereto have executed this collaboration and support agreement in two original counterparts, duly authorized, as of the date first written below:

For the St. Augustine City Commission:

For the Nauta Institute:

Mayor Nancy Sikes-Kline, Mayor
Date: _____

Francisco S. Guitard, President
Date: _____

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

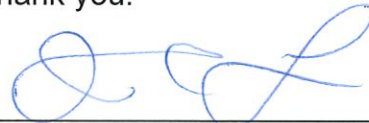
RE: SPADARO PARCEL SWAP – INVOICE FOR PROFESSIONAL SERVICES

Enclosed please find Invoice No. 08-2023-04-4051 dated August 31, 2023, from Cavendish Partners, P.A. for legal services rendered in the months of July and August 2023 regarding the Spadaro parcel swap project.

The amount due is **\$522.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the September 11, 2023 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$8,102.00.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 08/31/2023

Invoice #: 08-2023-04-4051

Matter: Spadaro Parcel Swap Project 2023

File #: 4051

INVOICE TOTAL AND BALANCE DUE \$522.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 09/30/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 08/31/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

RE: **QUIET TITLE FOR 68 ANDERSON STREET – INVOICE FOR PROFESSIONAL SERVICES**

Enclosed please find Invoice No. 08-2023-03-4052 dated August 31, 2023, from Cavendish Partners, P.A. for legal services rendered in the month of August 2023 regarding the quiet title lawsuit for 68 Anderson Street.

The amount due is **\$899.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the September 11, 2023 City Commission meeting.

*{ WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$5,533.00. }*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 08/31/2023

Invoice #: 08-2023-03-4052

Matter: 68 Anderson Street Quiet Title Lawsuit

File #: 4052

INVOICE TOTAL AND BALANCE DUE \$899.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 09/30/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 08/31/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

DATE: August 31, 2023

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

Enclosed please find Invoice No. 08-2022-06-3020 dated August 31, 2023 from Cavendish Partners, P.A. for legal services rendered in August 2023 regarding the Marlowe v. City of St. Augustine matter.

The amount due is **\$5,920.00**. We have reviewed the billing and submit same to you for placement on the consent agenda for the September 11, 2023 City Commission meeting.

*WITH THIS INVOICE THE TOTAL EXPENDED TO DATE FOR ATTORNEY'S
FEES AND COSTS ON THIS MATTER EQUALS \$108,251.85.*

Thank you.



Isabelle C. Lopez
City Attorney

/sl
Attachment

xc: Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Darlene Galambos, City Clerk
Mark Simpson, Financial Services

CAVENDISH PARTNERS

P.A.

200 West Forsyth Street, Suite 1300
Jacksonville, FL 32202

INVOICE

Date: 08/31/2023
Invoice #: 08-2023-06-3020
Matter: Marlowe Appeal
File #: 3020

INVOICE TOTAL AND BALANCE DUE \$5,920.00

Bill To:

Isabelle Lopez, City Attorney
75 King Street
P.O. Box 210

St Augustine, FL 32085

Due Date: 09/30/2023

Please Remit Payment To:

Cavendish Partners, P.A.
200 West Forsyth Street
Suite 1300
Jacksonville, FL 32202

**PAYMENTS RECEIVED AFTER 08/31/2023 ARE
NOT REFLECTED IN THIS BALANCE DUE INVOICE**