



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, MARCH 25, 2024 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ◆ Roll Call
- ◆ Moment of Silence and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

- ◆ Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- 3.A. *Proclamation 2024-11*:** Proclaims April 2024 as Water Conservation Month in the City of St. Augustine. *(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)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

9.A. Ordinances - First Reading

9.A.1. Ordinance 2024-06: Sunsets the Code Enforcement, Adjustment and Appeals Board and establishes the Nuisance, Appeals and Adjustment Board. *(I. Lopez, City Attorney)*

9.A.2. Ordinance 2024-07: Edits and bring into conformity references to the Nuisance, Adjustments and Appeals Board and Special Magistrate throughout the municipal code. *(I. Lopez, City Attorney)*

9.B. Resolutions

9.B.1. Resolution 2024-11: Supports the grant application under the Florida Inland Navigation District (FIND) waterways assistance program. *(J. Perkins, Neighborhood Services and CRA Manager)*

9.B.2. Resolution 2024-12: Sets the dates for the traditional Nighits of Lights celebration. *(M. Wissel, Director Communications)*

10. STAFF REPORTS AND PRESENTATIONS

10.A. Staff presentation of the Neighborhood Grant Program Guidelines and Application Booklet. *(J. Perkins, Neighborhood Services and CRA Manager)*

10.B. Staff presentation on updating the City's 2014 Vision Plan. *(A. Skinner, Director Planning and Building)*

10.C. Madeira Development City Commission update. *(A. Skinner, Director Planning and Building)*

11. ITEMS BY CITY ATTORNEY

12. ITEMS BY 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 materials prepared and presented are part of the City's ongoing Florida Public Records and Government in the Sunshine compliance and are not intended to be relied upon or to reach investors or the trading markets.

CONSENT AGENDA - MARCH 25, 2024

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON APRIL 8, 2024:

- Ordinance 2024-06 - Sunsets the Code Enforcement Adjustments and Appeals Board
- Ordinance 2024-07 - Edits and brings into conformity references to the Nuisance, Adjustment and Appeals Board and Special Magistrate

CA.3. Reminder of Upcoming Meetings:

- April 8, 2024, 5:00pm, Regular City Commission Meeting
- April 22, 2024, 4:00pm, Community Redevelopment Agency Meeting
- April 22, 2024, 5:00pm, Regular City Commission Meeting
- May 13, 2024, 5:00pm, Regular City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS: NONE.

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).

Proclamation 2024-14: Proclaims April 2024 as Autism Awareness month in the City of St. Augustine. *(J. Springfield, Commissioner)*

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

End Consent Agenda



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

WHEREAS, Florida's natural beauty, crystal blue waters and white sand beaches attract residents and visitors from around the world; and

WHEREAS, clean and sustainable water resources are vital to Florida's environment, economy and quality of life; and

WHEREAS, more than 90 percent of Florida's drinking water is supplied by underlying aquifers, and our quality of life and the economy depend upon a clean and healthy environment; and

WHEREAS, Floridians consume more than 7.9 billion gallons per day of fresh water, and the future of Florida depends greatly upon the availability of water; and

WHEREAS, The State of Florida, Water Management Districts and the City of St. Augustine are working together to increase awareness about the importance of water conservation; and

WHEREAS, the City of St. Augustine and the State of Florida has designated April, typically a dry month when water demands are most acute, as Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

WHEREAS, the City of St. Augustine has always encouraged and supported water conservation, through various educational programs and special events.

***NOW, THEREFORE, BE IT PROCLAIMED** the City Commission of the City of St. Augustine, does hereby proclaim **April 2024** as "**Water Conservation Month**" and calls upon each citizen and business to help protect our precious resources by practicing water-saving measures and becoming more aware of the need to save water. For this, the 25th year of Water Conservation Month, there will be a special focus on fixing leaks and all forms of water loss.*

***IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 25th day of March in the year of our Lord two thousand and twenty-four and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

Nancy Sikes-Kline, Mayor

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

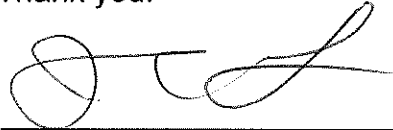
DATE: March 15, 2024

RE: **ORDINANCE 2024-06: NUISANCE, APPEALS AND ADJUSTMENT BOARD**

Please find attached Ordinance 2024-06 which sunsets the Code Enforcement, Adjustment and Appeals Board, establishes the Nuisance, Appeals and Adjustment Board, and provides that all code enforcement violation matters will be heard by a Special Magistrate.

Please place Ordinance 2024-06 on the regular City Commission agenda for first reading on March 25, 2024.

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:

Ordinance 2024-06 sunsets the Code Enforcement, Adjustment and Appeals Board and establishes the Nuisance, Appeals and Adjustment Board.

Business Impact Estimate

Proposed ordinance's title/reference: **ORDINANCE 2024-06: AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 2 ARTICLE V, DIVISION 2 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTIONS 2-211, 2-212, 2-213, AND 2-216 NAMING THE NUISANCE, APPEALS AND ADJUSTMENT BOARD; PROVIDING FOR ORGANIZATION AND POWERS; REPEALING SECTIONS 2-214 AND 2-215; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of St. Augustine is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of St. Augustine hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare): The proposed ordinance furthers the public purpose of serving the public health, safety, morals, and welfare of the community because it provides for a more streamlined redistribution of the matters currently assigned to the Code Enforcement, Adjustment and Appeals Board to the Special Magistrate and separately to the newly formed Nuisance, Appeals and Adjustment Board, allowing each to better develop a consistent body of decisions.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any: none.

(a) An estimate of direct compliance costs that businesses may reasonably incur: none.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: none.

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: the ordinance itself does not add any new charges or fees, the Special Magistrate will bill hourly to the City directly and the cost of enforcement overall may be reviewed annually during the City's budget cycle.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: none.

4. Additional information the governing body deems useful (if any): This ordinance simply redistributes the current duties of one publicly appointed board to a contracted Special Magistrate for code enforcement proceedings, and reassigns other duties to a newly created Nuisance, Appeals and Adjustment Board.

ORDINANCE NO. 2024-06

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 2 ARTICLE V, DIVISION 2 OF THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTIONS 2-211, 2-212, 2-213, AND 2-216 NAMING THE NUISANCE, APPEALS AND ADJUSTMENT BOARD; PROVIDING FOR ORGANIZATION AND POWERS; REPEALING SECTIONS 2-214 AND 2-215; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of St. Augustine has previously created the City's Code Enforcement, Adjustment and Appeals Board and has assigned various duties to that board consistent with Florida law; and

WHEREAS, section 162.03, Florida Statutes, authorizes a municipality to appoint special magistrates, which have the same status as the code enforcement board; *Sarasota County v. Bow Point on Gulf Condominium Developers, LLC*, 974 So.2d 431 at FN 1 (Fla. 2nd DCA 2007); and

WHEREAS, the City of St. Augustine incorporated the use of a Special Magistrate as an alternative to the City's Code Enforcement, Adjustment and Appeals Board as adopted by Ordinance 2019-47; 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 V, Division 2, Section 2-211. Chapter 2, Article V, Division 2, Section 2-211 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 2-211. - Created.

There is hereby created the Nuisance, Appeals and Adjustment Board code

~~enforcement board~~ of the city which shall consist of ~~five~~^{seven} (57) members who are residents of the city, whose members ~~may~~^{shall} include, when possible, ~~an~~ architects, ~~a~~ business ~~persons~~ ^{man}, ~~an~~ engineers, ~~a~~ general contractors, ~~a~~ subcontractors, and ~~a~~ realtors, in addition to members of the general public. Members shall be appointed by the city commission for ~~a specific term upon notification that a matter must be determined by the board~~^{terms of three (3) years}. Consistent with Florida law, the members of the Nuisance, Appeals and Adjustment Board will perform ex officio the duties of the nuisance board, and board of adjustment, and appeals, and only hold one office. The Code Enforcement, Adjustment and Appeals Board as it exists upon the effective date of this ordinance will sunset and cease operations. All decisions and orders of that board entered before the effective date of this ordinance will continue in full force and effect. Hearings scheduled after the effective date of this ordinance will be assigned to the special magistrate without need to modify any existing notice. Membership on the Code Enforcement, Adjustment and Appeals will be terminated on the effective date of this ordinance, and individuals who served on that board may be appointed by the city commission to serve on the Nuisance, Appeals and Adjustment Board. A member may be reappointed for one (1) successive term and appointment to fill any vacancy shall be for the remainder of the unexpired term of office."

Section 2. Amending Chapter 2, Article V, Division 2, Section 2-212. Chapter 2, Article V, Division 2, Section 2-212 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 2-212. - Organization.

The members of the ~~Nuisance, Appeals and Adjustment Board code enforcement board~~ shall elect a chair~~person~~^{man} from among the members of the board. ~~A majority of the~~ The presence of four (4) or more members shall constitute a quorum of the ~~enforcement~~ board. Members shall serve without compensation, but may be reimbursed for such travel, mileage and per diem expenses as may be authorized by the city commission or as are otherwise provided by law. All notifications to the local governing body ~~required by F.S. § 162.09(1),~~ shall be made by notification to the city manager or his or her designee."

Section 3. Amending Chapter 2, Article V, Division 2, Section 2-213. Chapter 2, Article V, Division 2, Section 2-213 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 2-213. - Powers.

~~Enforcement proceedings, conducting of hearings and powers of the code enforcement board shall be as provided by the Local Government Code~~

~~Enforcement Board Act [F.S. § 162.01 et seq.].~~

~~The code enforcement board shall hear applications for reduction of fines or fees prior to recordation of lien and approve or deny applications based on the evidence presented after consideration of factors as outlined in section 162.09(2)(b).~~

~~The Nuisance, Appeals and Adjustment Board code enforcement board shall hear Building and Fire Code appeals, statutory nuisance complaints, and floodplain adjustment questions consistent with Florida law. application for reduction of recorded liens and make recommendation for approval or denial to the city commission. The city commission shall make final determination and approve or deny reduction, modification, or release of recorded liens."~~

Section 4. Repealing Chapter 2, Article V, Division 2, Section 2-214. Chapter 2, Article V, Division 2, Section 2-214 of the Code of the City of St. Augustine is hereby repealed in its entirety, as follows:

"Sec. 2-214. -- Contractor disciplinary board.

~~The code enforcement board is designated as the local jurisdiction enforcement body to conduct disciplinary proceedings against a locally licensed or regulated contractor as authorized by F.S. § 489.131(7) and to enforce codes and ordinances against unlicensed contractors pursuant to F.S. § 489.27 and shall have all powers authorized by such sections. Hearings shall be held before the code enforcement board."~~

Section 5. Repealing Chapter 2, Article V, Division 2, Section 2-215. Chapter 2, Article V, Division 2, Section 2-215 of the Code of the City of St. Augustine is hereby repealed in its entirety, as follows:

"Sec. 2-215. -- Contractor disciplinary proceedings.

~~(a) *Investigation by planning and building department.* The planning and building department, acting on behalf of the City of St. Augustine, Florida (the "city"), shall cause to be investigated any complaint which is filed before it if the complaint is in writing, signed by the complainant, and legally sufficient. A complaint is legally sufficient if it contains ultimate facts which show that a violation of this Code, of any of the practice acts relating to the building contractors regulated by the department of business and professional regulation (the "department") or the city, or of any rule promulgated by the department, the city or a regulatory board in the department has occurred. Prior to finding legal sufficiency, the city may require supporting information or documentation as necessary to determine legal sufficiency. The city may investigate or continue to investigate, and the city may take appropriate final action on a complaint even though the original complainant withdraws it or otherwise indicates his desire not to cause the complaint to be investigated or~~

~~prosecuted to completion. The city may investigate any anonymous complaint if the complaint is in writing and is legally sufficient, if the alleged violation of law or rules is substantial, and if the city has reason to believe, after preliminary inquiry, that the alleged violations in the complaint are true. The city may investigate a complaint made by a confidential informant if the complaint is legally sufficient, if the alleged violation of law or rule is substantial, and if the city has reason to believe, after preliminary inquiry, that the allegations of the complainant are true. Unless a complaint has been filed with the city or the city has been specifically authorized by statute, the city may not initiate an investigation unless it has reasonable cause to believe that a licensee or a group of licensees has violated a Florida Statute, a rule of the department, a rule or ordinance of the city, or a rule of a board. When an investigation of any person is undertaken, the city shall promptly furnish to the person or his attorney a copy of the complaint or document which resulted in the initiation of the investigation. The person may submit a written response to the information contained in such complaint or document within twenty (20) days after service to the person of the complaint or document. The person's written response shall be considered by the planning and building director (the "director"). However, if the city manager agrees in writing that such notification would be detrimental to the investigation, the city may withhold notification. The city may conduct an investigation without notification to any person if the act under investigation is a criminal offense.~~

- ~~(b) *Determination of probable cause.* The director shall make his determination of probable cause within thirty (30) days after receipt by him of the final investigative report of the city. The city manager may grant extensions of the thirty-day time limit. If the director does not find probable cause within the thirty-day time limit, as may be extended, or if the director finds no probable cause, the city manager may determine, within ten (10) days after the director fails to determine probable cause or ten (10) days after the time limit has elapsed, that probable cause exists. In lieu of a finding of probable cause, the director may issue a letter of guidance to the subject. If the director finds that probable cause exists, he shall direct the city to file a formal complaint against the licensee. The city shall follow the directions of the director regarding the filing of a formal complaint. If directed to do so, the city shall file a formal complaint against the subject of the investigation and prosecute that complaint pursuant to the provisions of section 2-214 hereof. However, the city manager may decide not to prosecute the complaint if he finds that probable cause had been improvidently found by the director.~~
- ~~(c) *Notification to complainant.* The city shall periodically notify the person who filed the complaint of the status of the investigation, whether probable cause has been found, and the status of any civil action or administrative proceeding or appeal.~~
- ~~(d) *Hearings.* A request for a hearing shall be granted or denied within fifteen (15) days of receipt. All parties shall be afforded an opportunity for a hearing after reasonable notice of not less than fourteen (14) days. The notice shall include:~~

- ~~(1) A statement of the time, place and nature of the hearing.~~
- ~~(2) A statement of the legal authority and jurisdiction under which the hearing is to be held.~~
- ~~(3) A short and plain statement of the matters asserted by the city and by all parties of record at the time notice is given. If the city or any part is unable to state the matters in sufficient detail at the time initial notice is given, the notice may be limited to a statement of the issues involved, and therefore, upon timely written application, a more definite and detailed statement shall be furnished not less than three (3) days prior to the date set for the hearing.~~

~~All parties shall have an opportunity to respond, to present evidence and argument on all issues involved, to conduct cross examination and submit proposed findings of fact and orders, to file exceptions to any order and to be represented by counsel. When appropriate, the general public may be given an opportunity to present oral or written communications. If the city proposes to consider such material, then all parties shall be given an opportunity to cross-examine or challenge or rebut it. All pleadings, motions or other papers filed in the proceedings must be signed by a party, the party's attorney or the party's qualified representative. The signature of a party or party's attorney or a party's qualified representative constitutes a certificate that he has read the pleading, motion or other paper and that, to the best of his knowledge, information and belief formed after reasonable inquiry, it is not imposed for any improper purpose, such as to harass or to cause unnecessary delay or for frivolous purpose or needless increase in the cost of litigation. If a pleading, motion or other paper is signed in violation of these requirements, the enforcement board, upon motion or its own initiative, shall impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay the other party or parties the amount of reasonable expenses incurred because of the filing of the pleading, motion or other paper, including a reasonable attorney's fee.~~

~~The record in a case governed by this subsection shall consist only of:~~

- ~~(1) All notices, pleadings, motions and intermediate rulings.~~
- ~~(2) Evidence received or considered.~~
- ~~(3) A statement of matters officially recognized.~~
- ~~(4) Questions and proffers of proof and objections and rulings thereon.~~
- ~~(5) Proposed findings and exceptions.~~
- ~~(6) Any decision, opinion, proposed or recommended order, or report by the officer presiding at the hearing.~~
- ~~(7) All staff memoranda or data submitted to the enforcement board during the hearing or prior to its disposition, after notice of the submission to all parties.~~
- ~~(8) All matters placed on the record after an ex parte communication.~~
- ~~(9) The official transcript.~~

~~The city shall, upon the request of any party and at that party's expense, make arrangements to accurately and completely preserve all testimony in the proceeding and, on the request of any party, it shall make a full or partial transcript available at no more than actual cost. At the request of any other party, full or partial transcripts shall be provided at no more than cost.~~

~~Findings of fact shall be based exclusively on the evidence of record and on matters officially recognized.~~

Section 6. Amending Chapter 2, Article V, Division 2, Section 2-216. Chapter 2, Article V, Division 2, Section 2-216 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 2-216. – Nuisance Board.

The Nuisance, Appeals and Adjustment Board ~~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 7. 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 8. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 9. 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 10. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this
_____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, City Manager

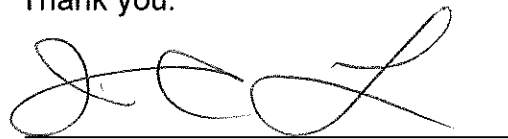
DATE: March 15, 2024

RE: **ORDINANCE 2024-07: REMOVING REFERENCE TO THE CODE ENFORCEMENT, ADJUSTMENT AND APPEALS BOARD AND MAKING ALL REFERENCES CONFORM**

Please find attached Ordinance 2024-07 removing reference to the Code Enforcement, Adjustment and Appeals Board and making all references conform.

Please place Ordinance 2024-07 on the regular City Commission agenda for first reading on March 25, 2024.

Thank you.

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

Isabelle C. Lopez
City Attorney

Attachment

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

Agenda Title:

Ordinance 2024-07 edits and brings in conformity references to the Nuisance, Adjustment and Appeals Board and Special Magistrate throughout the municipal code.

Business Impact Estimate

Proposed ordinance's title/reference: **ORDINANCE 2024-07: AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTIONS 3-23, 8-3, 8-4, 8-5, 8-446, 8-447, 8-448, 8-452, 8-453, 19-2, 19-5, 22-3, 25-56, 25-57, 28-35, 28-90, 28-347, AND 29-43 TO CONFORM TO THE SUNSETTING OF THE CODE ENFORCEMENT, ADJUSTMENT AND APPEALS BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), Florida Statutes. If one or more boxes are checked below, this means the City of St. Augustine is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless, providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant or other financial assistance accepted by the municipal government;
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, Florida Statutes, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;
 - b. Sections 190.005 and 190.046, Florida Statutes, regarding community development districts;
 - c. Section 553.73, Florida Statutes, relating to the Florida Building Code; or
 - d. Section 633.202, Florida Statutes, relating to the Florida Fire Prevention Code.

In accordance with the provisions of controlling law, even notwithstanding the fact that an exemption noted above may apply, the City of St. Augustine hereby publishes the following information:

¹ See Section 166.041(4)(c), Florida Statutes.

1. Summary of the proposed ordinance (must include a statement of the public purpose, such as serving the public health, safety, morals, and welfare): The proposed ordinance furthers the public purpose of serving the public health, safety, morals, and welfare of the community because it provides concordance of cross-citations for the Special Magistrate and separately for the newly formed Nuisance, Appeals and Adjustment Board, providing clarity as to each jurisdiction.

2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City of St. Augustine, if any: none.

(a) An estimate of direct compliance costs that businesses may reasonably incur: none.

(b) Any new charge or fee imposed by the proposed ordinance or for which businesses will be financially responsible: none.

(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs: the ordinance itself does not add any new charges or fees, the Special Magistrate will bill hourly to the City directly and the cost of enforcement overall may be reviewed annually during the City's budget cycle.

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance: none.

4. Additional information the governing body deems useful (if any): This ordinance simply makes the cross-references to the Special Magistrate, and to the Nuisance, Appeals and Adjustment Board consistent throughout the municipal code.

ORDINANCE NO. 2024-07

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE, FLORIDA, AMENDING THE CODE OF THE CITY OF ST. AUGUSTINE; AMENDING SECTIONS 3-23, 8-3, 8-4, 8-5, 8-446, 8-447, 8-448, 8-452, 8-453, 19-2, 19-5, 22-3, 25-56, 25-57, 28-35, 28-90, 28-347, AND 29-43 TO CONFORM TO THE SUNSETTING OF THE CODE ENFORCEMENT, ADJUSTMENT AND APPEALS BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of St. Augustine has previously created the City's Code Enforcement, Adjustment and Appeals Board and has assigned various duties to that board consistent with Florida law; and

WHEREAS, section 162.03, Florida Statutes, authorizes a municipality to appoint special magistrates, which have the same status as the code enforcement board; *Sarasota County v. Bow Point on Gulf Condominium Developers, LLC*, 974 So.2d 431 at FN 1 (Fla. 2nd DCA 2007); and

WHEREAS, the City of St. Augustine incorporated the use of a Special Magistrate as an alternative to the City's Code Enforcement, Adjustment and Appeals Board as adopted by Ordinance 2019-47; and

WHEREAS, the City of St. Augustine is considering Ordinance 2024-06, an ordinance that would sunset the current Code Enforcement, Adjustment and Appeals Board and disperse its function to a newly created Nuisance, Appeals and Adjustment Board and to the Special Magistrate, requiring all referenced sections of the code to be amended to concord; 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 3, Article II, Division 1, Section 3-23. Chapter 3, Article II, Division 1, Section 3-23 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 3-23. – Sign regulations generally.

- (a) Permits. No sign of any kind shall be installed, erected, painted, altered or relocated by any person, business or institution, except as described in subsection (b) below, until a permit has been issued by the planning and building department. Applications for sign permits shall be accompanied by a survey of existing signs to remain, linear dimensions of primary and secondary street frontages, a complete list of proposed signs (including sign types, heights, widths, individual and cumulative square feet, letter styles, colors and materials used), a site plan indicating all sign locations, a sketch of all proposed signs and elevations showing all sign locations, as well as any additional specific information required by the planning and building department. Failure to submit all required information will delay review of the application. Continued failure to submit all required information within fifteen (15) working days following notification by the planning and building department shall result in the nullification of the application. A new, complete application must then be filed.

(...)

- (2) Failure to obtain a permit prior to installation or other work on a sign on more than three (3) occasions within a one-year period shall result in the property owner, agent and/or sign contractor being cited and brought before the ~~code enforcement board~~ Special Magistrate and shall be subject to a fine of not less than fifty dollars (\$50.00) and not more than two hundred fifty dollars (\$250.00) per violation. Such property owner, agent and/or sign contractor who has failed to obtain a permit on more than three (3) occasions within a one-year period shall be brought before the city commission, who may revoke such person's occupational license and/or suspend such person from obtaining sign permits for a period of up to one (1) year.

(...)

- (d) *Sign locations.* Notwithstanding more specific or stringent requirements of this article, all signs shall meet the following location requirements:
- (1) *Right-of-way.* No sign other than government signs and traffic control devices may be posted, affixed, attached, or placed on a right-of-way for a public street, road, highway, alleyway, sidewalk or trail, or private street or alleyway open to the public. Signs placed in the right-of-way may be removed without notice by law enforcement, code enforcement officers, building official, the city engineer, or any other city employee at the direction of the city manager. The cost of such removal shall be charged

to the sign owner and/or contractor, or the property owner. Failure to submit payment within thirty (30) days shall result in the case being brought before the ~~code enforcement board~~Special Magistrate except as specifically outlined in section 3-23(b)(10).

(...)

- (i) *Obsolete signs, removal.* Any sign which advertises a use no longer existing shall be removed by the property owner or agent within fifteen (15) days after written notification from the planning and building department. Failure to remove the sign shall result in the case being brought before the ~~code enforcement board~~Special Magistrate.

(...)

- (m) *Violations.* Any person violating any section, subsection or requirement of this article shall be guilty of an offense and shall be cited and brought before the ~~code enforcement board~~Special Magistrate. The ~~code enforcement board~~Special Magistrate may impose a fine of up to two hundred fifty dollars (\$250.00) per day for each day the violation exists."

Section 2. Amending Chapter 8, Article I, Sections 8-3, 8-4, and 8-5. Chapter 8, Article I, Sections 8-3, 8-4, and 8-5 of the Code of the City of St. Augustine are hereby amended, as follows:

"Sec. 8-3. - Impact of decisions.

All decisions of the building official and fire official and all decisions of the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ shall be in writing and shall be binding upon all persons, but shall not limit the authority of the state fire marshal, pursuant to F.S. § 633.161. Decisions of general application shall be indexed by building and fire code sections and shall be available for inspection during normal business hours.

Sec. 8-4. - Nuisance, Appeals and Adjustment Board~~Code enforcement, adjustments and appeals board.~~

- (a) The Nuisance, Appeals and Adjustment Board ~~code enforcement board~~ created pursuant to Chapter 2 of the Code of the city is hereby designated as the board of adjustments and appeals, as referenced in this chapter as well as other chapters within the Code of the city, and is hereby designated as the local administrative board as referenced in F.S. § 553.73, (hereinafter referred to as the Nuisance, Appeals and Adjustment Board ~~Code Enforcement, Adjustments and Appeals Board~~ for the City of St. Augustine, Florida). Upon receipt of an appeal in writing, or application for a variance, along with a fee of fifty dollars (\$50.00), the Building official shall schedule a hearing before the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ within thirty (30) days of receipt of the appeal or application.

- (b) The Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ shall, to the greatest extent possible, be composed of members with expertise in building construction and fire safety standards.

Sec. 8-5. - Conflict resolution.

- (a) In the event of a conflict between the minimum building code and the minimum fire prevention code, it shall be resolved by agreement between the building official and the fire official in favor of the requirement of the code which offers the greatest degree of life safety or alternatives which would provide an equivalent degree of life safety and an equivalent method of construction.
- (b) Any decision made by the fire official and the building official may be appealed to the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~. If the decision of the fire official and the building official is to apply the provisions of either the building code or the fire prevention code, the board may not alter the decision unless the board determines that the application of such code creates any one or more of the following conditions:
- (1) The true intent of the codes or ordinances described in this Code has been incorrectly interpreted;
 - (2) The provisions of the codes or ordinances do not fully apply;
 - (3) A decision is unreasonable or arbitrary as it applies to alternatives or new materials.
- (c) If the decision of the fire official and the building official is to adopt an alternative to the codes, the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ shall give due regard to the decision rendered by the officials and may modify that decision if the board adopts a better alternative, taking into consideration all relevant circumstances. In any case in which the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ adopts alternatives to the decision rendered by the fire official and the building official, such alternatives shall provide an equivalent degree of life safety and an equivalent method of construction as the decision rendered by the officials.
- (d) In the event that the building official and the fire official are unable to agree on a resolution of the conflict between the building code and the fire prevention code, the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ shall resolve the conflict in favor of the code which offers the greatest degree of life safety or alternatives which would provide an equivalent degree of life safety and an equivalent method of construction."

Section 3. Amending Chapter 8, Article V, Division 7, Sections 8-446, 8-447, and 8-448. Chapter 8, Article V, Division 7, Sections 8-446, 8-447, and 8-448 of the Code of the City of St. Augustine are hereby amended, as follows:

"Sec. 8-446. - General.

The ~~Nuisance, Appeals and Adjustment Board code enforcement, adjustments and appeals board~~ shall hear and decide on requests for appeals and requests for variances from the strict application of this article. The ~~code enforcement, adjustments and appeals~~ board's written decision on variance requests shall be made within ten (10) days after the public hearing required by section 8-4. Pursuant to F.S. § 553.73(5), the ~~code enforcement, adjustments and appeals~~ board shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code, Building.

Sec. 8-447. - Appeals.

The ~~Nuisance, Appeals and Adjustment Board code enforcement, adjustments and appeals board~~ shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the administration and enforcement of this article. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

Sec. 8-448. - Limitations on authority to grant variances.

The ~~Nuisance, Appeals and Adjustment Board code enforcement, adjustments and appeals board~~ shall base its decisions on variances on technical justifications submitted by applicants, the considerations for issuance in section 8-452 of this article, the conditions of issuance set forth in section 8-453 of this article, and the comments and recommendations of the floodplain administrator and the building official. The ~~code enforcement, adjustments and appeals~~ board has the right to attach such conditions as it deems necessary to further the purposes and objectives of this article."

Section 4. Amending Chapter 8, Article V, Division 7, Sections 8-452 and 8-453.

Chapter 8, Article V, Division 7, Sections 8-452 and 8-453 of the Code of the City of St. Augustine are hereby amended, as follows:

"Sec. 8-452. - Considerations for issuance of variances.

In reviewing requests for variances, the ~~Nuisance, Appeals and Adjustment Board code enforcement, adjustments and appeals board~~ shall consider all technical evaluations, all relevant factors, all other applicable provisions of the Florida Building Code, this article, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the city;

- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;
- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 8-453. - Conditions for issuance of variances.

Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this article or the required elevation standards;
- (2) Determination by the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;

(...)"

Section 5. Amending Chapter 19, Article I, Sections 19-2 and 19-5. Chapter 19, Article I, Sections 19-2 and 19-5 of the Code of the City of St. Augustine are hereby amended, as follows:

"Sec. 19-2. - Declaration of nuisances; abatement.

Violations of this chapter are nuisances. The Special Magistrate ~~code enforcement board~~ may order the building official to abate such nuisances. If the city manager or

the building official determines that the nuisance presents an immediate threat to the health, safety, and welfare of the City of St. Augustine and/or its residents, visitors, or property, the city manager or the building official may declare the nuisance and immediately abate it, in which case the cost of abatement shall be imposed as a lien. The determination of a nuisance by the city manager or the building official and/or the reasonableness of such lien may be appealed to the Special Magistrate code enforcement board.

Sec. 19-5. - Remedy; procedure.

Failure to remedy nuisances as required by this chapter, within fifteen (15) days after service of notice to do so, is a violation and shall be enforced in accordance with F.S. ch. 162. However, the notice may provide an alternative remedy period, in which case that remedy period shall be controlling. In cases where the city manager or the building official declares and/or abates a nuisance without an order by the Special Magistrate code enforcement board, an appeal shall be filed within thirty (30) days of service of notice, with the same penalties and same rights as provided in F.S. ch. 162.”

Section 6. Amending Chapter 22, Article I, Section 22-3. Chapter 22, Article I, Section 22-3 of the Code of the City of St. Augustine is hereby amended, as follows:

“Sec. 22-3. - Underground utilities required in historic preservation district.

(...)

- (c) All new electrical services or electrical service upgrades installed within the historic preservation district defined herein shall be served underground from the existing public service utilities, whether or not the existing public service lines are installed aboveground or underground. However, in the event that installation of such service is a hardship, an owner may apply to the Nuisance, Appeals and Adjustment Board ~~board of adjustments and appeals~~ for a variance from this section.

(...)”

Section 7. Amending Chapter 25, Article III, Sections 25-56 and 25-57. Chapter 25, Article III, Sections 25-56 and 25-57 of the Code of the City of St. Augustine are hereby amended, as follows:

“Sec. 25-56. - Tree removal and replacement.

(...)

- (f) Appeals. When a tree removal permit, including a permit for the removal of a preserved tree not involved with a site plan for new development, has been denied by the planning and building division, the property owner or agent may appeal this decision to the Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~. The ~~code enforcement, adjustments and appeals~~ board shall approve or deny the appeal and may impose conditions as required, such as specific tree species and sizes for the required replacement trees. The board may require more stringent replacement

requirements than is required by this chapter. The Nuisance, Appeals and Adjustment Board ~~code enforcement, adjustments and appeals board~~ shall not be empowered to relax the standards and requirements contained herein. If a preserved tree is approved by the board to be removed, a minimum of two (2) shade trees a minimum of ten (10) feet in height shall be used as replacement. The replacement of trees that have been removed after board approval shall be done within thirty (30) days after the tree has been removed.

(...)

Sec. 25-57. - Enforcement.

(...)

(c) *Violations and penalties.*

- (1) Any person violating any of the provisions of this chapter may be cited in accordance with sections 2-316 through 2-329 of the Code of the City of St. Augustine, or referred to the ~~municipal code enforcement board~~ Special Magistrate for appropriate action. The ~~municipal code enforcement board~~ Special Magistrate may impose a fine up to two hundred fifty dollars (\$250.00) per day. Each day that a violation of this chapter continues shall be deemed a separate offense.
- (2) In addition to any fine or penalty imposed by citation or the ~~municipal code enforcement board~~ Special Magistrate, any person found in violation of this chapter shall replace any tree removed in a manner contrary to this chapter and shall replace such tree or trees under the criteria set forth in section 25-56(g) of this Code."

Section 8. Amending Chapter 28, Article II, Division 1, Section 28-35. Chapter 28, Article II, Division 1, Section 28-35 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 28-35. - Penalties.

Any person who shall violate any of the codes, regulations, restrictions and limitations promulgated under the authority of this chapter shall be brought before the ~~municipal code enforcement board~~ Special Magistrate and be subject to a fine of up to two hundred fifty dollars (\$250.00) per day, and each day that a violation is permitted to exist shall constitute a separate offense."

Section 9. Amending Chapter 28, Article II, Division 3, Section 28-90. Chapter 28, Article II, Division 3, Section 28-90 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 28-90. - Administration and records.

- (g) Any decision of the historic architectural review board certified by the planning director to be in conflict with a determination or decision of the planning and zoning board or of the Nuisance, Appeals and Adjustment Board ~~board of~~

~~adjustments and appeals~~; shall be reviewed by the city commission in the same manner as an appeal and the commission shall review the determination of the historic architectural review board, and the decision of the planning and zoning board or ~~board of the Nuisance, Appeals and Adjustment Board adjustments and appeals~~ as to which it is certified to be in conflict and shall determine whether the decision of the historic architectural review board should be affirmed, modified or reversed and the decision of the commission shall supersede the decision reviewed. All affected persons shall be notified of the hearing by the city commission in the same manner as that provided for appeals from decisions of the planning and zoning board. The hearing before the commission shall be de novo.

Section 10. Amending Chapter 28, Article IV, Division 1, Section 28-347. Chapter 28, Article IV, Division 1, Section 28-347 of the Code of the City of St. Augustine is hereby amended, as follows:

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

(...)

4. If at any time evidence is provided that a mobile food dispensing vehicle is being operated in a way that does not comply with these regulations, a notice of violation shall be issued to the lot owner and mobile food vendor and the violation shall be referred to the ~~code enforcement board~~ Special Magistrate for a hearing and disposition in accordance with the provisions of chapter 2, article VI of this Code of Ordinances.

(...)"

Section 11. Amending Chapter 29, Article III, Section 29-43. Chapter 29, Article III, Section 29-43 of the Code of the City of St. Augustine is hereby amended, as follows:

"Sec. 29-43. - Violations, enforcement, and penalties.

(...)

- (e) Any person found in violation and/or who fails to comply with the requirements of any provision of the article shall, without limitation on the city's legal recourse, be subject to prosecution before the City of St. Augustine's Special Magistrate ~~Code Enforcement Board~~, pursuant to the City of St. Augustine Code of Ordinances. Each day of violation shall constitute a separate violation.

(...)"

Section 12. 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 13. Conflict with Other Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 14. 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 15. Effective Date. This Ordinance shall become effective ten (10) days after passage, pursuant to § 166.041(5), Florida Statutes.

PASSED by the City Commission of the City of St. Augustine, Florida, this _____ day of _____, 2024.

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(SEAL)

RESOLUTION NO. 2024-11

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

WHEREAS, the City of St. Augustine is interested in carrying out the following described project for the enjoyment of the citizenry of St. Augustine and the State of Florida:

Project Title: Eddie Vickers Park Kayak Launch

Total Estimated Costs: \$350,000

Total Grant Request: \$175,000

Brief Description of Project: the Lincolnville community desires to have the City of St. Augustine build a kayak launch on the southeast end of Eddie Vickers Park in Lincolnville. This dock will be approximately 118' long. The kayak launch will spill into the Maria Sanchez Creek which is connected to the Matanzas River. We are asking for a grant that will help pay for the construction of the kayak launch. This launch will be open to the community and general public.

WHEREAS, The Florida Inland Navigation District (FIND) provides grant funding through its Waterways Assistance Program to local governments for the project mentioned above; and,

WHEREAS, the City requires the assistance of the FIND grant for funding the described Project in cooperation with funding provided by the Lincolnville Community Redevelopment Area TIF funds in the amount not to exceed \$175,000;

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

That the City Commission hereby authorizes the construction of this kayak launch project as described herein.

1. That the City Manager is hereby authorized to apply to the Florida Inland Navigation District (FIND) for a grant of funds not to exceed one-half of the total estimated cost of the kayak launch Project, \$350,000. The City Manager is further authorized to complete and

execute all documents necessary to seek and receive the described grant.

2. That the Commission hereby certifies that the City will accept and abide by the terms and conditions as provided in Rule 66B-2, F.A.C., and agrees to incorporate said terms and conditions into any agreement for construction and completion of the kayak launch Project.
3. That the City Commission agrees to complete the kayak launch Project in the manner described in the description of the kayak launch Project and in accord with the plans and specifications contained in that description.
4. That the City possesses the administrative and financial ability to complete the kayak launch Project in a satisfactory manner provided the City receives from the Lincolnville Community Redevelopment Area TIF funds in an amount not to exceed \$175,000.00 needed to satisfy the estimated \$350,000.00 cost of the kayak launch Project. The City, however, suffers no obligation to appropriate City funds for the kayak launch Project.
5. That it will not discriminate against any person on the basis of race, color or national origin in the use of any property or facility acquired or developed pursuant to this proposal, and shall comply with the terms and intent of the Title VI of the Civil Rights Act of 1964, P. L. 88-352 (1964) and design and construct all facilities to comply fully with statutes relating to accessibility by handicapped persons as well as other federal, state and local laws, rules and requirements.
6. That it will maintain adequate financial records on the proposed

project to substantiate claims for reimbursement.

7. That it will make available to FIND, if requested, a post-audit of expenses incurred on the kayak launch project prior to, or in conjunction with, request for the final 10% of the finding agreed to by FIND.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida this _____ day of _____, 2024.

CITY OF ST. AUGUSTINE, FLORIDA

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(Seal)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: March 13, 2024

RE: Resolution 2024-11
Florida Inland Navigation District (FIND) Grant Application

The Neighborhood Services and Community Redevelopment Agency (CRA) Manager is asking that the attached Resolution 2024-11 be placed on the March 25, 2024, Regular City Commission Meeting Agenda under Ordinances and Resolutions- No Public Hearing Required.

Staff requests the adoption of Resolution 2024-11, A Resolution of the City Commission of the City of St. Augustine, Florida, Supporting the Grant Application for Assistance Under the Florida Inland Navigation District's Waterways Assistance Program.

In 2017, the City of St. Augustine was awarded a grant through FIND in the amount of \$90,000 to assist in funding the construction of a kayak launch at Eddie Vickers Park. Due to unforeseen circumstances related to the 2018 storm season, those funds were reallocated to more critical obligations.

In October of 2023, the Community Redevelopment Agency Board approved a recreational conceptual masterplan, specifying improvements to Eddie Vicker Park. Several recreational elements for improvement were specified in the conceptual plan, including the construction of a kayak launch.

Staff used several resources and tools to engage residents on the priority of the park improvements. The construction of the kayak launch ranked the highest. Challenges related to funding could delay the City/CRA's ability to complete the project in a timely manner. The FIND Grant allows for the City/CRA to leverage funds to implement the project.

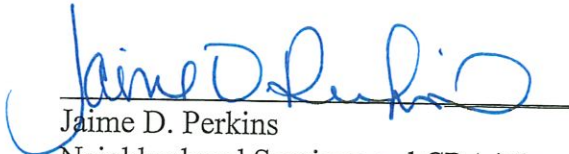
Staff has completed the application and proposes to request \$175,000 which will be a 50 percent match of the projects total estimated cost of \$350,000. The Lincolnville Community Redevelopment Area Tax Increment Fund (TIF) will fund the remaining project cost.

This Resolution, like the one adopted in 2017 would become part of the final application and clarifies to the FIND Grant Application Review Committee that the City accepts and will abide by grant terms, will administrate the grant accurately, will complete the proposed project and maintain records throughout the project process.

Recommendation | Action Item:

Place Resolution 2024-11 on the March 25, 2024, Regular City Commission Meeting Agenda under Ordinances and Resolutions- No Public Hearing Required.

I am available for questions via phone at 904.209.4234 or by email at jperkins@citystaug.com.
Thank you for your attention to this matter.


Jaime D. Perkins
Neighborhood Services and CRA Manager

cc: Reuben C. Franklin, Assistant City Manager, Meredith Breidenstein, Assistant City Manager,
Isabelle Lopez, City Attorney

Attachments:
Resolution 2024-11

RESOLUTION NO. 2024-12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA, SETTING THE DATES FOR THE TRADITIONAL NIGHTS OF LIGHTS CELEBRATION.

WHEREAS, Section 3-23 of the Code of the City of St. Augustine allows the City Commission to set the dates for illumination standards for seasonal light displays in the historic districts during the period between the first Saturday in November until the first Sunday of February in the ensuing year; and,

WHEREAS, the annual Nights of Lights celebration occurs during the time period described in Section 3-23 of the municipal code; and,

WHEREAS, in recent years the Nights of Lights celebration dates have changed in response to challenges and pressures caused by adverse economic conditions and natural disasters; and

WHEREAS, the City Commission finds that setting the traditional dates of the Nights of Lights celebration absent a special year change will assist in the routine planning for the event and the community's expectations without need to adopt a redundant resolution year-to-year; and,

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

Section 1. The traditional dates for the seasonal illumination display and celebration of the Nights of Lights are from the Saturday before Thanksgiving through the last Sunday of January of the ensuing year.

ADOPTED in Regular Session of the City Commission for the City of St. Augustine, Florida
this _____ day of _____, 2024.

CITY OF ST. AUGUSTINE, FLORIDA

ATTEST:

Nancy Sikes-Kline, Mayor-Commissioner

Darlene Galambos, City Clerk
(Seal)

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: March 13, 2024

RE: Neighborhood Services
Neighborhood Grant Program (NGP) Guidelines and Application

The Neighborhood Services and Community Redevelopment Agency (CRA) Manager is asking that the attached Neighborhood Grant Program Guidelines and Application Booklet be placed on the March 25, 2024, Regular City Commission Meeting Agenda under Staff Presentations and Reports.

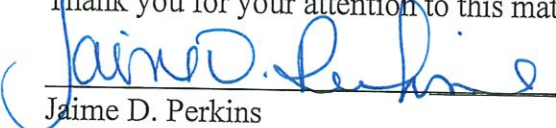
Per request of the Mayor, City Commissioners, and City Manager the Neighborhood Services and CRA Manager has completed the guidelines and application booklet for the Neighborhood Grant Program. This grant program will allow organizations to apply for grant funding which is designed to invest funds into specific neighborhoods within the City of St. Augustine. The maximum grant award is \$3,000 and the guidelines include a non-exclusive list of eligible projects.

Staff has vetted the program through the City Attorney's office and with Assistant City Manager, Reuben Franklin. Staff would like the opportunity to present the Neighborhood Grant Program to the Commission and recommend adoption of the program which will allow for the acceptance of applications beginning April 1, 2024.

Recommendation | Action Item:

Place the Neighborhood Grant Guidelines and Application Booklet on the Monday, March 25, 2024, Regular Commission Meeting Agenda under Staff Presentations and Reports.

I am available for questions via phone at 904.209.4234 or by email at jperkins@citystaug.com.
Thank you for your attention to this matter.


Jaime D. Perkins
Neighborhood Services and CRA Manager

cc: Reuben C. Franklin, Assistant City Manager, Meredith Breidenstein, Assistant City Manager,
Isabelle Lopez, City Attorney

Attachments:
Neighborhood Grant Program Guidelines and Application Booklet

City of St. Augustine Neighborhood Services

Neighborhood Grant Program

Funding for Neighborhood Improvement Projects

Guidelines & Application Booklet

FY 2024



CITY OF
ST AUGUSTINE
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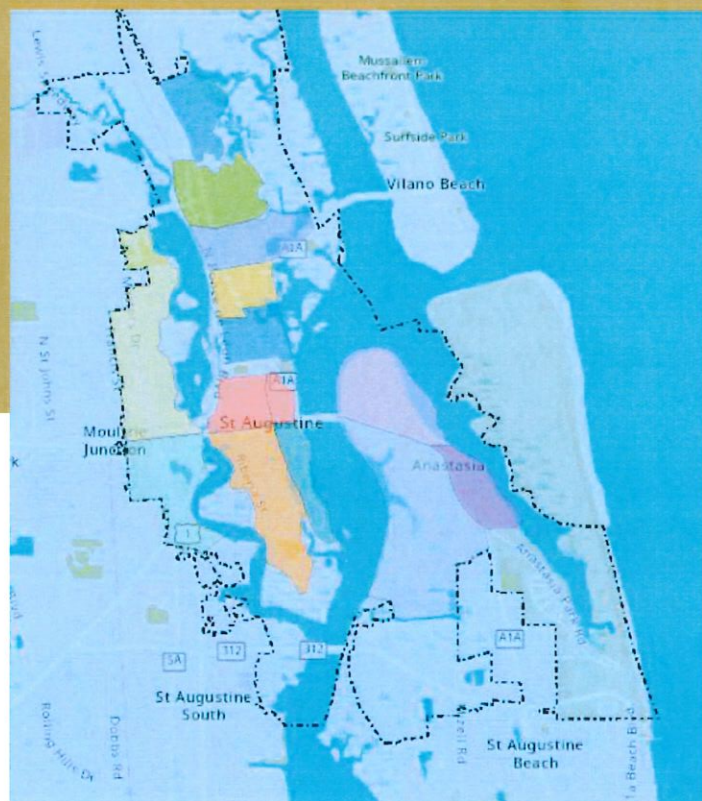


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PROGRAM DESCRIPTION

The Neighborhood Grant Program (NGP) is a grant program that provides grant funding up to \$3000 to formally and informally organized groups that undertake small-scale neighborhood improvement, enrichment, and enhancement projects or events.

The Neighborhood Grant Program allows community organizations to utilize grant funding to support initiatives that will create opportunities that benefit the neighborhood as a whole, improves the neighborhood stakeholder's quality of life, supports beautification initiatives, strengthens local culture, and community engagement.

NGP funds accompanied with City Staff's technical assistance, is designed to empower neighborhood organizations to effectively plan and implement neighborhood and community initiatives.

Emerging and established neighborhood organizations, associations, and councils may apply. An application will be considered complete when all required documents are submitted within the required timeframe. Applicants are encouraged to submit letters of support, proof of additional project donations, project budget spreadsheet, organization documents, and volunteer sign-up sheets. Organizations that apply and are awarded grant funding will be required to be involved in the project from concept to completion.

An organization may apply more than once each fiscal year, but an organization may not receive more than \$3,000 in one fiscal year for any one or multiple grant awards. Separate organizations may apply to help fund a joint project, but City Staff or the reviewing board may deny an application at their discretion for challenges related to conflict of interest and /or unethical practices.

To be approved for grant funding the project must not illegally discriminate based on sex, race, ethnicity, age, religion, or sexual orientation.

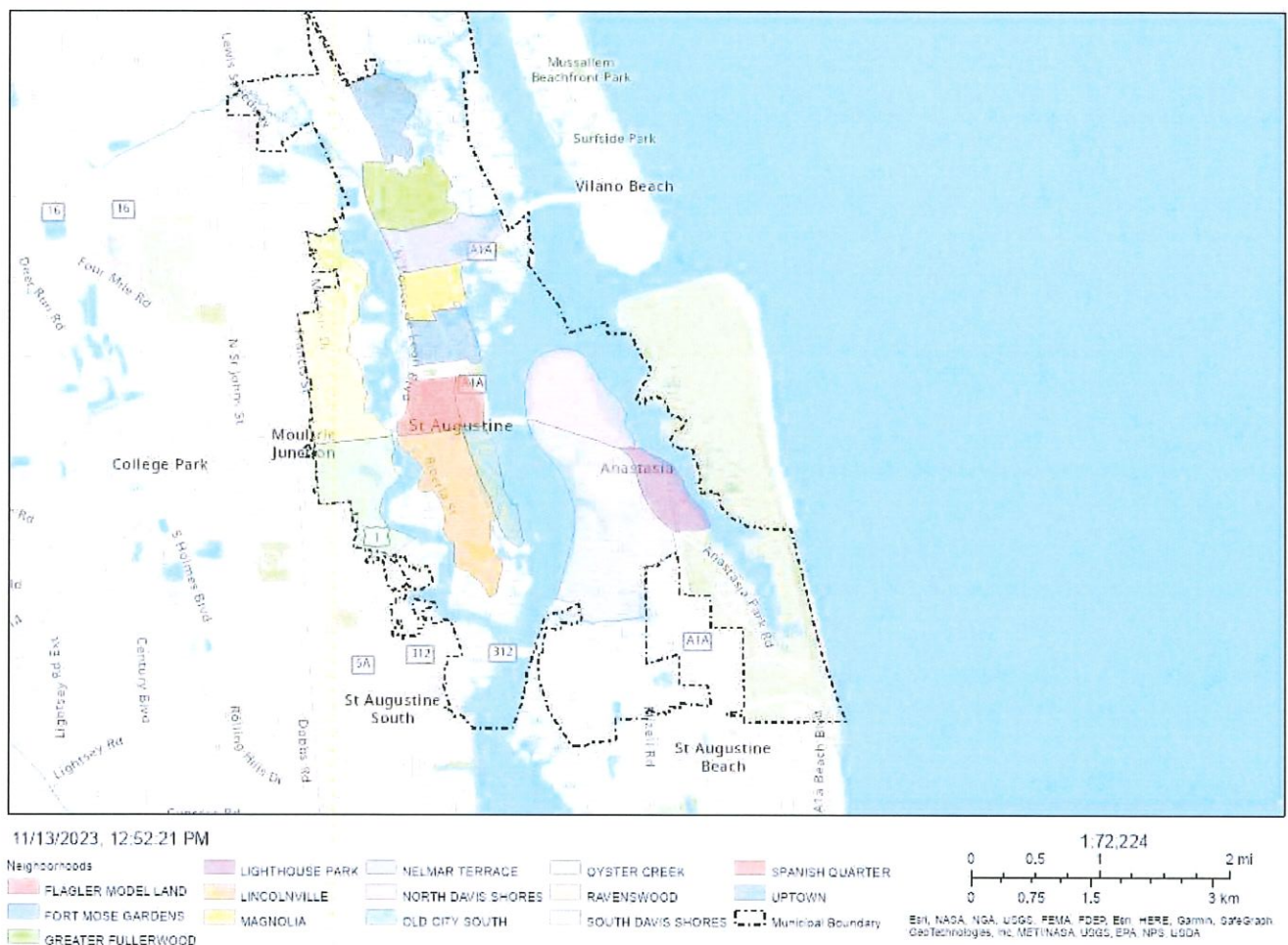
If an organization has an established Executive Board or a Board of Directors, the organization must submit meeting minutes with the application reflecting a majority vote for the project application submission.

Applications may be sent via email to Jaime D. Perkins at jperkins@CityStAug.com. In the subject line state "NGP Application Submission". Applications can also be submitted via mail. Please submit the original application and any supporting attachments to the City of St. Augustine Neighborhood Services Division, 75 King Street, St. Augustine, FL, 32084. Applications can also be submitted in person to the Neighborhood Services Division, 75 King Street, St. Augustine, FL 32084, Lobby B, 4th Floor.

NEIGHBORHOOD MAP

Neighborhood Grant Projects should be within a defined neighborhood within the City of St. Augustine, or within the City of St. Augustine municipality boundary. Utilize the map shown below for reference when submitting a grant application.

For a more definitive location of which neighborhood you are requesting grant funding for, you may utilize the City's Geographic Information's Systems (GIS) Maps. The GIS system allows you to key in an address and determine which neighborhood or area of the City that the project will be located in. Visit StAug.Maps.ArcGis.com to complete this process.



GRANT GUIDELINES OVERVIEW

- Neighborhood Grant Program (NGP) grants range from a minimum of **\$1,000** to a maximum of **\$3,000**.
- Applicants may apply for grant funding from the 1st through the 15th of **January, April, July, and October** each year. Grant awards or denials will be distributed within the same quarter.
- Grants are funded based on the fiscal budget and available funds.
- Grant applications requesting more than the \$3,000 maximum will be denied.
- Grants are reimbursable with proof of paid invoices, or delayed payments reconciled directly with the selected vendor.
- Certain grants *may* be subject to the City of St. Augustine's public purchase procurement policy and procedures.
- Grants will not be awarded to individuals. Grants will be awarded to organizations both formally and informally organized of at least three (3) active members. The organization must be able to provide date stamped proof that it has been an active organization for at least 365 calendar days prior to submitting the application. The applying organization cannot be comprised of members who are all related by birth or marriage.
- Award priority will be given to formally organized groups that have been active for 2 or more consecutive years, with record keeping data (minutes, meeting attendance logs, sign-in sheets, social media presence, neighborhood associations, neighborhood councils, proof of previous successful community projects or events, etc.).
- NGP Grants will be awarded to eligible applicants on a first come, first serve basis.
- NGP applicant must provide a clear benefit in one of the following categories:
 - Community/Neighborhood Beautification/Placemaking/Revitalization
 - Community/Neighborhood Enrichment Initiative or Program
 - Community/Neighborhood Events
- NGP will not fund projects that may require ongoing subscription payments (i.e.: websites), excessive upkeep, maintenance, or projects that conflict with existing or proposed public/capital improvement projects or programs.
- If all budgeted grant funds are liquidated during the first quarter/grant cycle grant application submissions will be suspended until funds are allocated in the next Fiscal Year

APPLICATION PROCESS

1. Submit your application to the City of St. Augustine Neighborhood Services and CRA Division

Email: jperkins@citystaug.com

Mail or In-person: City of St. Augustine Neighborhood Services Division

75 King Street, St. Augustine, FL, 32084, Lobby B, 4th Floor

Note: All pages of the application must be completed, signed, and have attached supporting documents to be considered. For email submissions, please specify in the subject line: “**NGP Application Submission**”.

2. Once the application is received, staff will review the application to ensure all necessary documents have been submitted and that the project meets the NGP guidelines.

Note: Applications deemed incomplete or not meeting the guidelines will be returned to the applicant.

3. Once staff deems the application meets the guidelines, the application will be reviewed by the Neighborhood Grants Program Award Committee (NGPAC).

Note: The NGPAC is a committee selected by the Neighborhood Services Division Manager.

The committee will be a three (3) to five (5) member committee. The NGPAC will further review the application, and determine if the application meets the adopted criteria, and is aligned with one of the three benefit criteria categories. The NGPAC will score grant applications utilizing a three (3) category, five (5) point score sheet. Applications will be scored in order of receipt and awarded based off of highest score for that grant cycle. If the application is approved, it will be progressed forward in the process. If the application is denied, the applicant will receive a notice advising the application was denied with attached reasoning.

4. Once the application is approved by the committee, the application may be sent to the City Attorney’s office for legal review.

Note: Certain applications may not require review by the City Attorney’s Office.

5. Following the review by the City Attorney, a letter of award will be sent to the applicant, advising next steps regarding permits, purchase orders, vendors payments, and how to request reimbursements.

6. Applicant can initiate the scope outlined in the grant application.

Note: Applicant and project team is required to complete project from concept to completion. City staff will offer support where applicable.

7. Following project completion, applicant must submit project progress/completion report.

Note: Failure to submit a report following the conclusion of the project may prohibit an organization from being eligible for future NGP awards.

ELIGIBLE | NON-ELIGIBLE PROJECTS

ELIGIBLE PROJECTS

- Banner Programs
- Playground equipment repair and installation
- Gazebo, bench, seating, repair/installation
- Common area or recreational area improvements
- Pressure washing or painting
- Sign installation or repair
- Kiosk or public book case/mini library
- Community events or activities (farmers market, community market, festival)
- Community event/activity signage, or marketing material
- Streetlight programs
- Community Garden improvements
- Sustainability/environmental efforts
- Art projects

NON-ELIGIBLE PROJECTS

- Website development, maintenance, or service fees
- Organization marketing material
- Improvements to private property*
- Construction of new walls or infrastructure
- Equipment purchases (office, lawn, gardening)
- Purchase of real estate/real property
- Newsletters, pamphlets, brochures
- Staff/employee wages
- Reimbursements for past expenditures unrelated to the project or incurred prior to application being approved
- Speedbumps, traffic calming, studies
- Projects not located within an identified neighborhood, common area, or community outside of the municipality

The information listed above is not intended to be an inclusive list of eligible or non-eligible projects. Only native, or native friendly plants will be considered for projects requesting landscaping. All projects listed as eligible are still subject to review and may be denied based on context, funding, or city staff discretion. Organizations requesting grant funds must participate in the project from concept to completion. Non-participation or lapse in participation throughout project progress could prohibit an organization from being eligible for future Neighborhood Grant Program funding and suspension of the project.

*Improvements to institutional or commercial properties *may* be considered if substantial proof of public benefit can be obtained. Any cost related to permitting and easements must be included in the grant award amount. Applicant must submit a signed property owner authorization form.

FREQUENTLY ASKED QUESTIONS

- **How many NGP awards can an organization receive?**

An organization may apply and may receive grant funding multiple times each fiscal year, *but* an organization may not receive more than \$3,000 in one fiscal year for any one or multiple grant applications.

- **How many grant award can a neighborhood or community receive?**

NGP is awarded to the organization, not the community, so a community may receive multiple grants depending on the community or neighborhood the organization intends to apply the grant award toward.

- **What if the project cost is more than the maximum \$3,000 NGP award?**

The applicant may be required to show proof of additional funds for the cost of the project. The applicant is solely responsible for any project cost above the grant award.

- **What happens if grant funding is liquidated within the initial grant cycle?**

Once grant funds are liquidated, applications for NGP will no longer be accepted. New grant funds must be allocated and adopted by the Commission each budget year.

- **How many grants will be awarded or funded each cycle/quarter?**

Grant awards will continue to be awarded to approved applicants each quarter until funds are liquidated. If all grant funds are utilized during the initial quarter, applications will not be accepted until the next fiscal year when new grant funds are approved.

- **What if I submit the application after the 15th of the month?**

Any applications received prior to or after the Grant Application Acceptance Period will not be accepted and will need to be resubmitted during the appropriate acceptance period.

- **Who is responsible for applying for any necessary permits?**

The applicant or hired vendor must apply for any necessary permits or easements.

- **When will applications be accepted?**

Applications are accepted between the 1st and the 15th of January, April, July, and October each calendar year. These dates are known as the Grant Application Acceptance Period.

- **When will grants be awarded?**

Grants will be awarded within the quarter that the application is received and approved. For example: If a grant application is received in October, an applicant will be advised if the application is approved or not, and the award will be granted **before** December 31st, the end of the quarter.

- **How long do I have to spend the grant award?**

Grant awards must be utilized within the same fiscal year that they were approved. Failure to complete the project and request the reimbursement within the award fiscal year will result in the grant award being terminated.

- **Can I submit an application in January, even if my project/event is later in the year?**

Yes, you can apply during any grant application acceptance period, but funds must be expended in the same fiscal year.

DEFINITIONS

Formal Organization- Are organization systems with well defined authority structures with rules, or bylaws, and identified goals. This organization may be registered with a state agency (ex: Florida Division of Corporations) and have a tax identification number. A formal organization typically has a President or Chairperson that oversees an executive board or committee that meets regularly.

Informal Organization- Is an organization that typically engages through interpersonal relationships, and its members don't typically hold specific roles or have a consistent, established pattern of conducting business. An informal organization may identify as a book club, interest group, or social club.

Familial Oriented Organization- An organization that is solely (or predominantly) managed and formed to include executive board members or lay members that are related through blood or marriage.

Public Benefit- A benefit that accrues to the public at large, rather than to an individual or small group of people or private enterprise. A positive impact on society or the environment as a whole. Public benefit is reflective of the City's Vision Plan to include livability, authenticity, character, and vitality.

Fiscal Year- The one-year period used for financial reporting and budgeting. The City of St. Augustine Fiscal year begins on October 1st and ends on September 30th, annually.

Calendar Year- The time period of 365 days (366 days during leap year) beginning January 1st and ending December 31st.

Grant Application Acceptance Period- The timeframe in which grant applications are accepted and considered for funding. NGP applications are accepted on the 1st through the 15th day of January, April, July, and October of each fiscal year.

NEIGHBORHOOD GRANT APPLICATION

The next pages contain the NGP application and all documents necessary to apply for grant funding. Complete all applicable documents with attachments and return by the grant submission deadline. The application can be submitted in person or via mail at City of St. Augustine, Neighborhood Services Division, 75 King Street, St. Augustine, FL 32084, Lobby B, 4th Floor. Applications may also be submitted by email. Please scan and send the completed application with attachments to jperkins@citystaug.com. In the subject line state "NGP Application Submission". Please be advised that any notarized form must have an original signature and can not be scanned or sent electronically.

Applications are accepted from the
1st through the 15th day of
January, April, July, and October *only*.
Applications submitted after these deadlines will not be
accepted and will need to be resubmitted
during the next grant cycle



NEIGHBORHOOD GRANT PROGRAM APPLICATION

Neighborhood Association/ Organization Name:		Tax ID:
Authorized Agent Name:		
Mailing Address:		
Phone Number:		
Email:		
Project Title:		
Location of Project or Nearest Intersection:		
Name of Neighborhood:		
Requested Award Amount: (\$3000 maximum request)	\$	
Total Project Estimated Cost:	\$	

Grant Award Category (select one)

☐

Beautification, Placemaking, or
Revitalization

☐

Enrichment Initiative or
Program

☐

Community Events

Project Description

Please specify the details of the project, how funds will be used, timeline, and how the project will benefit the community.
Please add additional pages, if necessary.

Check Yes or No

Are you within the city limits?

Has your organization been awarded an NGP grant in the current fiscal year?

Do you have an active project team?

Yes	No

Application Submission and Conflict of Interest Statement

It is prohibited for any applicant, contact person, or project affiliate to receive financial benefit from the Neighborhood Grant Program (NGP). Grants are subject to audit by the City of St. Augustine Neighborhood Services Division Manager and the City of St. Augustine Finance Department. Any evidence of violation, misrepresentation of the details of the grant request, or conflict of interest will result in the loss of grant and/or repayment of disbursed funds to the City of St. Augustine. I hereby certify that the information provided in this application is true and accurate. I further certify that I possess the authority to apply for the grant on behalf of the applicant organization. I attest that I, or no person affiliated with this grant request will receive any financial benefit from the NGP funds disbursement. By signing below, I hereby acknowledge that I have read and understand the NGP Guidelines and Application Booklet, and I take responsibility for the receipt of grant funds. I will ensure the grant project is executed as outlined in this application packet, and the NGP Guidelines and Application Booklet. I understand I must submit a grant progress/completion report form within ninety days of project completion.

Applicant Name

Date

Applicant Signature

Additional Grant/Project Team Members

Print Name	Role/Title	Phone Number	Signature

Internal City Staff Use

Grant Cycle QT/FY: ____/____ Approved: Yes___ No___ Grant Award Amount: \$_____

Staff Notes:



Authorized Agent Form

_____ is hereby authorized to act on behalf of
(name of agent)

_____. The authorized agent may
(name of organization)

submit an application for the Neighborhood Grant Program and operate with a decision-making authority on behalf of the aforementioned organization. Proof of organization affiliation and "ownership" is attached.

By: _____
Signature of Organization Owner or E-Board Chair/President

Print Name

State of Florida
County of St. Johns

Sworn to and subscribed before me by means of ___ physical presence or ___ online notarization.
On this _____ day of _____, 20_____.

Notary Public: _____
My Commission Expires: _____

___ Personally Known to me -OR- ___ Produced Identification
Type of Identification produced: _____



Property Owner Authorization Form

Please attach proof of property ownership

I, _____, owner of property located at _____, authorize _____

to apply for a grant and complete the Neighborhood Grant Project (NGP) within the specified boundaries of my property. I am aware of the project scope, and I understand and agree to the NGP guidelines. By signing this authorization I hereby agree to the project establishment on my property and understand that the City of St. Augustine ("City") is held harmless and indemnified from any responsibility to maintain or improve the project including but not limited to providing materials or labor on my property.

Property Owner Print Name

Property Owner Signature

State of Florida
County of St. Johns

Sworn to and subscribed before me by means of ___ physical presence or ___ online notarization.
On this _____ day of _____, 20____.

Notary Public: _____

My Commission Expires: _____

___ Personally Known to me -OR- ___ Produced Identification

Type of Identification produced: _____



NGP Project Progress and Completion Report Form

Please attached project photos to this report and/or email them to jperkins@citystaug.com

Project Title:		
Recipient Organization Name:		
Project Completion Date: (if an event list event date)		Reporting Date:

Report Details

Vendor/Contractor Used:	
Project Cost: (attach invoice/receipts)	
Approx. Public Impact:	

Project Performance Narrative

This report is accurate and has been completed to the best of my knowledge.

Print Name of Person Submitting Report

Date

Signature

Application Checklist

- _____ Completed and signed application
- _____ Signed Conflict of Interest statement
- _____ Attached organization meeting minutes*
- _____ Attached organization structure documentation (Division of Corporations Detail Page) *
- _____ Attached project quote and timeline
- _____ Attached notarized authorized agent form*
- _____ Attach notarized property owner authorization form*
- _____ Proof that organization has been active for at least 365 days

***Only submit if the form applies to your grant application**

ACKNOWLEDGEMENTS | CONTACT INFORMATION

Mayor Nancy Sikes-Kline

Vice Mayor Roxanne Horvath

Commissioner Barbara Blonder

Commissioner Cynthia Garris

Commissioner Jim Springfield

David Birchim, AICP, City Manager

Reuben C. Franklin, P.E., Assistant City Manager

Meredith Breidenstein, CPA, Assistant City Manager

Neighborhood Services and Community Redevelopment Agency Division

Jaime D. Perkins, MPA, PMP, FRA-RA
Division Manager

75 King Street, St. Augustine, FL, 32084
Lobby B, 4th Floor

904.209.4201
jperkins@citystaug.com
CityStAug.com

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: March 13, 2024

RE: 2014 Vision Update – Staff Reports and Presentations

This memorandum is a request to update the City Commission regarding a process to move forward to update the city's 2014 Vision Plan.

The City Commission has noted that the current Vision Plan was completed 10 years ago in 2014, and that the city should move forward to update this document. The update is timely to potentially address more recently recognized issues and concerns such as sustainability and resiliency, as well as update the Vision before the city is required to submit the next Comprehensive Plan Evaluation and Appraisal Report (EAR) by December 2025.

Staff has contacted the Northeast Florida Regional Council (NEFRC) to request a Scope of Work to help the city facilitate public meetings to garner input to update the 2014 Vision Plan.

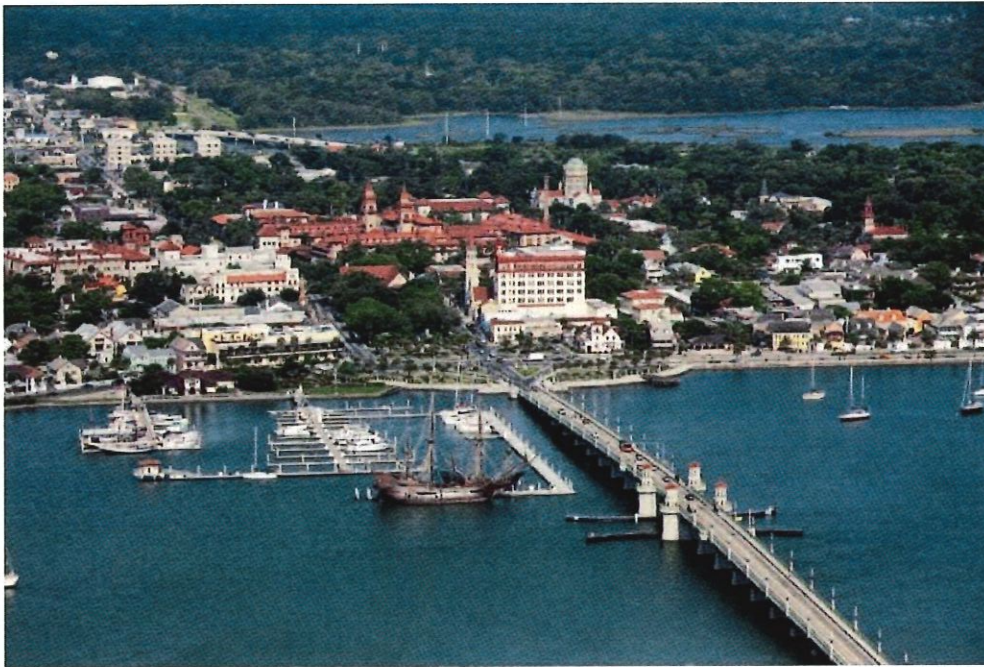
Staff suggest several meetings in different locations around the city (up to five (5) meetings) to ensure that the public has an opportunity to participate. Additionally, staff have requested that the NEFRC include a meeting with the Planning and Zoning Board (PZB) and a joint meeting with the Historic Architectural Review Board (HARB) and the Corridor Review Committee (CRC) in their scope to review an updated draft document. Staff requested that the public meetings take place by June and July in an effort to complete the update by October/November 2024.

I respectfully request that this item be placed on the March 25, 2024, City Commission Agenda, under Staff Reports and Presentations. The current 2014 Vision Plan is attached for your review, as well as a draft Scope of Work.

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



Amy McClure Skinner, AICP
Director, Planning and Building Department



CITY OF ST. AUGUSTINE VISION PLAN

2 0 1 4 A N D B E Y O N D

Prepared by: Vision 2014 & Beyond Steering Committee
Prepared for: City of St. Augustine City Commission
Completed June 2015



CITY OF ST. AUGUSTINE VISION 2014 AND BEYOND

To: Nancy Shaver, Mayor
Leanna Freeman, Commissioner
Todd Neville, Commissioner
Nancy Sikes-Kline, Commissioner
John Regan, City Manager

From: The *Vision 2014 & Beyond* Steering Committee

June 8, 2015

For well over a year, The *Vision 2014 & Beyond* Steering Committee engaged in a open dialogue with the St. Augustine community through surveys, town halls, and many neighbor-to-neighbor conversations with one aim: to understand the trends and forces that will shape the future for the City of St. Augustine.

Then, after many hours working to define the future our community desires, taking into account the needs, hopes, expectations, and values of our residents, property owners, businesses and visitors, we developed a roadmap to that future: The 2014 & Beyond Vision Plan.

We believe this vision plan articulates a shared vision, the underlying principle that will guide our efforts, the results we seek to achieve through this effort, and specific goals and objectives to focus our future work.

We thank you for the opportunity to participate in the initiative and look forward to a bright future for the Nation's Oldest City.

The *Vision 2014 & Beyond* Steering Committee
Roxanne Horvath, Vice Mayor/Commissioner
Steering Committee Chair

Steering Committee Members

(* Original committee members serving throughout the visioning initiative)

Katherine Batenhorst
Jeanette Berk*
Cathy Brown
Vaughn Cochran*
Rob DePiazza
Linda Dixon*
George Jacunski

Phillip McDaniel
Jan Miller*
Ryan Murphy
Grant Misterly*
Rhey Palmer*
Jeanne Prickett*
Pat Reilly

Wolfgang Schau
Tracy Upchurch*
Len Weeks*
Greg White
Andy Witt*
Carolyn Wright

Facilitator
Herb Marlow, Analytica Consulting

THE VISION STATEMENT

St. Augustine will be a livable, authentic, waterfront city that builds upon its rich history and environment to create a distinctive community character founded on a healthy and vibrant economy, a diverse mix of people and experiences, and a valuing of its natural assets.

GUIDING PRINCIPLE: BALANCE

The development and execution of the Vision Plan will consistently seek to develop and use a set of governing principles, practices, and processes that balance the interests of residents, businesses, institutions, and visitors which contribute to a livable, authentic, character based, and vital community.



THE FOUR APPROACHES

The Steering committee reached consensus that there are four approaches critical to the success of the *Visioning 2014 & Beyond* Vision Plan.

A CALL TO ACTION

Time and time again, whether among ourselves or in community dialogue, we heard “we have been saying this for years” or “the 1995 vision said this and nothing was done.” The fact that the same challenges were repeatedly identified by various studies with no results was a familiar statement.

We recognize that much of what is proposed will take time to implement, and acknowledging that we don’t want to engage in “ready...fire...aim” approaches, we still need to “fire.”

There are actions that can be initiated now and those should be identified and implemented quickly. Also, recognizing that trying to do everything at once means nothing gets done, we have identified the priority that should be the first focus of the City. We believe creating progress on this first priority will generate the confidence, trust, and energy to address other goals and objectives. Communication of this progress in multiple ways will be critical.

THE FIRST PRIORITY

In order to ascertain the first priority, we analyzed two critical concerns.

The first was livability. Residents, businesses, and visitors all want a City that is livable, a City that retains those important quality of life aspects critical for resident and visitors alike.

There was agreement that the community wants a more vibrant and dynamic city, and there was agreement that a strong and viable business community is critical to sustain the City. As these concerns were analyzed, we identified one barrier that stands in the way of successfully addressing these two concerns: the lack of mobility.

Traffic and parking were consistently identified in every conversation with every group, thus we recommend that the first priority of the City be developing and implementing a holistic solution that encompasses parking solutions, alternative means of transport, creative uses of existing assets, and accessibility.

THE NEED FOR BALANCE

A constant voice throughout the community was the value placed on St. Augustine as a living community and the need to manage the tensions and pressures that all living communities have as they seek to make choices about their future.

St. Augustine experiences the natural tension present in communities with an extensive tourism industry, the pressures of large numbers of visitors vs. the daily experience of residential life in such a community. St. Augustine certainly has those tensions.

Tourism undergirds much of our economy, bringing both benefits and costs, and while tourism generates much of the tension mentioned before, we also recognize that the industry brings economic benefits and is the source of the many quality of life features that would not otherwise exist in a similar sized city.

Therefore we stress as our core principle the practice of balance where the values and needs of all community members be heard, understood and considered as decisions are made and policies established. This requires a process in which balanced solutions or decisions are the explicit goal.

EXECUTION AND ACCOUNTABILITY

A vision is just that, a vision, if there is no action. For this vision plan to become realized, we all must assume responsibility for it.

We propose an annual community review of progress toward the goals and objectives stated in this vision plan so there may be a discussion of accomplishments and renewed commitment to priorities. We leave to the Commission the decision as to the format for this review, but we do encourage that it be as public and participatory as feasible. To review status, the Commission will need to ensure that there is a measurement system in place to measure progress.

STRATEGIC RESULTS

This Vision Plan is intended to produce four results:

LIVABILITY

The City of St. Augustine is a safe and pleasant place to live where the experiences and services that make life enjoyable and rewarding are accessible. It is a welcoming and compassionate community that embraces diversity in all senses of that term. The intent of this theme is that St. Augustine be an even more desirable place to live by offering the full range of experiences that make a city highly livable.

AUTHENTICITY

The City of St. Augustine has protected its rich layers of history while adding to those layers as a living and dynamic community which is fully engaged in today's world. The intent of this theme is that St. Augustine remain a work, live, play city that is multi-generational and culturally diverse and that it will manage change while also protecting its distinctive features.

CHARACTER

The City of St. Augustine has protected its historic physical character by maintaining its built scale, its architecture, its intensity and density of uses, and its natural environment. It has also maintained and strengthened its social and cultural character through continued development as an arts and culture hub, a culinary destination, and a small town of both historical and architectural depth. It is the intent of the Vision Plan to protect, retain or enhance those features of the city (be they natural, built, or human) which make St. Augustine a historic and distinctive community.

VITALITY

It is the Vision Plan's intent to enhance the level of economic activity in the City so as to encourage the development of diverse existing and new entrepreneurial economic drivers, maintain and restore a rich and healthy physical eco-system, and support a diverse group of people who find St. Augustine home.

R O A D M A P

Following, in a strategy map format, is the work proposed by the Vision Plan to realize the vision and achieve the four strategic results.

CITY OF ST. AUGUSTINE • 2014 & BEYOND VISION PLAN ROADMAP
VISION: THE DISTINCTIVE COMMUNITY

PRINCIPLE		BALANCE			
		LIVABILITY	AUTHENTICITY	CHARACTER	VITALITY
STRATEGIC RESULTS		Maintain the quality of life for residents by focusing on City policies and resources to enhance livability.	Encourage and facilitate development and redevelopment in ways that are consistent with the look and feel of the various areas of the City.	Maintain St. Augustine as a small residential community while protecting its historic features and scale, distinctive neighborhoods, hospitality, and natural environment.	Secure the vitality and sustainability of St. Augustine for the future through policies and practices that support economic vitality, environmental assets, and human diversity.
		Improve mobility.			
GOALS		Increase diversity of people, places, and economic opportunity.	Promote those local features that are found only in St. Augustine.	Strengthen the distinctiveness of various neighborhoods and districts.	Promote attracting visitors who value the City's unique blend of history, arts, architecture, and culinary features.
		Establish a greater sense of place.	Encourage the growth of small businesses and experiences that are historically accurate or consistent with respect to St. Augustine.	Improve the City aesthetics.	Support regional cooperation in economic development.
OBJECTIVES		Establish as the first priority of the City the implementation of a comprehensive mobility plan with funding strategies to address all transportation modes: visitor and resident parking, ADA* accessibility, visitor way finding and intercept.	Recognize and promote historic diversity.	Review the event management policies and procedures with the intention of promoting diversity and neighborhood protection.	Promote a vibrant arts and cultural life.
		Develop budget and metrics that align with vision.	Expand the use of neighborhood empowerment zoning standards and tools to support the interests and goals of the various areas of the City.	Develop and promote a brand identity and accompanying message that features the distinctiveness of our neighborhoods, art communities, culinary experiences, and historical diversity.	Promote and enforce policies and practices to maintain a rich and healthy physical ecosystem.
		Participate in the homelessness strategy developed by the County.	Establish a heritage tourism task force as recommended by the 2003 NHTP** report. Among its assignments should be: overhauling the training, testing, and enforcement of the City's tour guide program that will result in historically comprehensive tours that capture the distinctiveness of St. Augustine, and developing an incentive program to encourage historically accurate and diverse businesses.	Eliminate overhead cabling.	Recognize and promote diversity in the cultures and histories that comprise St. Augustine of the past and present.
			Complete historic preservation plan and put policies in place to promote historic and cultural diversity and encourage and facilitate redevelopment in ways that are consistent with the current and historic look of the City and with the vision.	Eliminate billboards.	Create incentives to ensure a balance in the development of business, recreation, education, and culture for residents and visitors.
				Re-design entry corridors into distinctive destinations.	Increase City participation in regional economic development strategies and activities.
					Develop a sustainability report on our ecosystem to address protection of natural assets, foreseeable environmental changes, and potential responses.
					Develop a comprehensive Utility and Infrastructure Plan to remedy deficiencies, increase efficiency and resiliency, and reduce environmental and aesthetic impacts including overhead utility lines.
					Complete a study of the fair and accurate economic contribution to the City of tourism.

*ADA - Americans with Disabilities Act **NHTP - National Trust for Historic Preservation



For more information, contact:

The City of St. Augustine
P.O. Box 210
St. Augustine, Florida 32085
904.825.1006
cosa@citystaug.com



Draft St. Augustine Vision Plan Scope of Work

Planning/Building Dept.

Project Description

St. Augustine's 2014 and Beyond Vision Plan has served as a foundational document for the community's decision making over the past decade. As the City has evolved, the City of St. Augustine would like to update the vision plan to include the most up-to-date community feedback, goals, and objectives that will guide the community in the coming years.

The 2024 City of St. Augustine Vision Plan will establish the guiding principles for how the community takes shape over the next 10-20 years. The final Vision Plan will establish a vision statement, guiding principles, as well as a roadmap of how to work towards the vision.

Basic Services

The Northeast Florida Regional Council (NEFRC) will provide the following services to the City of St. Augustine. Services including meeting with city staff, public outreach, and report development.

Presentations

- City Commission Presentation (date TBD) – A NEFRC representative will make a presentation to the Commission to introduce the project, scope, and timeframe.
- Planning and Zoning Board Presentation (date TBD) – A NEFRC representative will present the draft vision plan and outreach results to the Board.
- Architectural Review Board Presentation (date TBD) – A NEFRC representative will present the draft vision plan and outreach results to the Board.
- City Commission Presentation (by TBD) – A NEFRC representative will provide a presentation to the City Commission to submit the final Vision Plan.

Public Outreach

- Online Survey (approximately 6/24 – 7/24) – The NEFRC will create an online survey for community members to provide feedback on vision themes. The NEFRC will work with the City of St. Augustine to post the survey to relevant media and websites. Results from the online survey will be submitted to City staff.
- Community Meetings (approximately 5/24 – 7/24) – The NEFRC will hold a series of community engagement meetings to create consensus on the vision's themes, develop goals and objectives, confirm the 2014 St. Augustine Vision Plan. The City of St. Augustine will determine the meeting venues and reserve all meeting spaces. The NEFRC will develop outreach flyers for all meetings. The City of St. Augustine will advertise every meeting at least one week prior to the meeting date. Notes and outcomes from every meeting will be submitted to City staff.

- *Community Meeting #1* (date TBD) – The first community meeting will identify the guiding principle themes and confirm the themes presented in the 2014 and Beyond Vision Plan (Livability, Vitality, Authenticity, and Character). The outcome of this meeting is to determine four to five guiding principle themes.
- *Community Meetings #2-4* (approximately 6/24 – 7/24) – In community meetings 2-4, the NEFRC will receive community input on one to two guiding principle themes to generate potential goals and objectives for the final Vision Plan.
- *Community Meeting #5* (date TBD) – The NEFRC will hold one interactive community discussion to confirm the draft Vision Plan and Vision Statement.

Staff Meetings

- *Kickoff Meeting* – NEFRC representatives will conduct a kickoff meeting with City of St. Augustine staff at the beginning of the project.
- *Weekly Meeting* – NEFRC and St. Augustine staff will virtually meet on a weekly basis, or as-needed to coordinate community meetings and presentations, present meeting or survey results, and discuss other project components.

Draft and Final Report

- *Draft Report (date TBD)* – The NEFRC will electronically provide the City with a draft report for which the City will provide suggested edits and specific comments within two weeks.
- *Final Report (date TBD)* – Upon receipt of suggested edits and comments, the NEFRC will develop a final report. The final Vision Plan will be submitted electronically to the City.

Project Schedule and Compensation

This project is expected to be completed in 6 months, as outlined by the schedule. The compensation for all services will be \$, subject to modification for additionally requested services.

Conditions and Assumptions

- The project schedule will be based on the availability of information and securing of venues provided by the City. If schedule delays are anticipated based on weather and/or other conditions, City staff and the NEFRC will address changes in the schedule.
- City staff will notify NEFRC project personnel, prior to mobilization, of any restrictions or special site access requirements.
- City staff will provide existing plans and data for review.
- City staff will provide a written document of the strategic results, goals, and objectives that have been completed, partially completed, or are in-progress from the 2014 and Beyond Vision Plan prior to the first community meeting.

- The NEFRC will provide the City with outreach flyers for the online survey and all community meetings. The City of St. Augustine will be responsible for advertising every community meeting at least one week prior to the meeting date. The City will also be responsible for advertising the Online Survey at its launch and periodically throughout the time the survey is open.
- Additional services that may be required during the life of the project shall be performed, as agreed upon by the City and NEFRC, and as approved in writing by the City, prior to such services being performed.
- The City is responsible for providing complete and thorough data in a timely manner as requested by the NEFRC, including all necessary data from City archives. The NEFRC shall have the right to rely on this data and is not responsible for data not made available through this Agreement or during the project.
- The NEFRC, in accordance with the Contract Documents, is solely responsible for the completion of the Project in a quality and timely manner. This means that the NEFRC's work tasks for the Project are limited to those specified in this Scope of Work. Should additional services be desired, the NEFRC will inform the City Staff of potential scope and budget modification.

CITY OF ST. AUGUSTINE

MEMORANDUM

TO: David Birchim, AICP
City Manager

DATE: March 14, 2024

RE: Madeira Development Update – Staff Reports and Presentations

This memorandum is intended to update the City Commission regarding the status of the Madeira Development in the north area of the city.

This development is a large project encompassing single family residential, potentially multifamily, and commercial development. There are also significant marsh pieces along the Tolomato River, including the Kurth Island set aside and a 10-acre future park site.

General Chronology

- The property was a long-standing resort, restaurant, convention center golf course development within St. Johns County.
- **2001** - The property was annexed into the City with modifications to the existing (County) Planned Unit Development (PUD).
- **2003** - A settlement was reached, the City PUD is in effect.
- **2004** – Identified archaeological sites are investigated the Florida Department of State issues letter accepting the findings (See attached).
- **2007** – The city Planning and Zoning Board (PZB) approves the site plan and conservation overlay zone development.
- **2015-2016** – Site contamination issues are addressed by remediation including tree removal, site work and fill.
- **2015** – City Comprehensive Plan is updated incorporating the property into the city land use map.
- The developer continues to plat single family residential lots in phases. Currently, 461 single family lots are platted. A total of 749 residential units are approved; therefore 288 additional units may be approved.

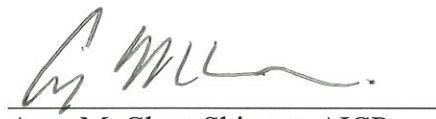
Madeira	Phase 1A	95
	Phase 1B	137
	Phase 1C	98
	Phase 2A Unit1	74
	Phase 2A Unit2	57
	Total	461

Current Development

- The current development includes approximately 583 acres of wetlands (light green), approximately 454 acres of Residential Medium Density Mixed Use (pink) with a maximum of 749 residential units, 21 acres of Commercial Medium Intensity (red), and 10 acres of Recreation/Open Space (dark green) (See attached map).
- Single family homes continue to be permitted on residentially platted lots (See attached map).
- Based on the information provided in the 2004 letter, the professional archaeological firm, who mitigated the adverse impacts to the sites (i.e., Phase III archaeological data-recovery excavations), recommended no further archaeological investigations of the four sites, and the Florida State Historic Preservation Officer (SHPO) concurred. In other words, the SHPO concurred with professional archaeologists' recommendations that no further investigations were needed per state and federal regulations.
- A NE Florida Blueway Boundary Amendment is proposed containing property in St. Johns County. The Madeira developer clarifies that the upland property potentially under consideration for purchase by Florida Forever is not available. The marsh piece owned by the developer is privately owned, but currently within the NE Florida Blueway boundary (See attached map).

I respectfully request that this item be placed on the March 25, 2024, City Commission Agenda, under Staff Reports and Presentations.

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



Amy McClure Skinner, AICP
Director, Planning and Building Department



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FLORIDA DEPARTMENT OF STATE
Glenda E. Hood
Secretary of State
DIVISION OF HISTORICAL RESOURCES

Mr. Greg C. Smith
Environmental Services, Inc.
7220 Financial Way, Suite 100
Jacksonville, Florida 32256

April 16, 2004

Re: DHR Project File No. 2004-2692 (2000-10016, 2000-2150)
Received by DHR: March 18, 2004
The Ponce de Leon Resort Sites: Data Recovery and Mitigation at 8SJ3228, 8SJ3227, 8SJ3226, and 8SJ3190, St. Johns County, Florida.
ESI Report of Investigations No. 476 (EJ02279.01)

Dear Mr. Smith:

Our office received and reviewed the above referenced survey report in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992; 36 C.F.R., Part 800: *Protection of Historic Properties*; and Chapter 267, *Florida Statutes*, for assessment of possible adverse impact to historic properties listed or eligible for listing in the *National Register of Historic Places (CRHP)*, or otherwise of historical, architectural or archaeological value.

In 2000, Environmental Services, Inc. (ESI) conducted Phase II archaeological investigations of four previously identified archaeological sites on the Ponce de Leon Resort Property: 8SJ3190 and 8SJ3226 - 8SJ3228 (DHR Project File Nos. 2000-10016, 2000-2150). Based on the results of these investigations, it was the opinion of ESI that each site appeared eligible for listing in the *NRHP*; our office concurred. The current survey report presents the results of Phase III mitigative procedures conducted at 8SJ3190 and 8SJ3226 - 8SJ3228 between January and June 2003, in accordance with the *Scopes of Work* submitted by ESI and approved by this office.

The Araquey Midden Site (8SJ3190) is the location of the early 18th century Gualc/Mocama Indian village Capuaca. Eight loci were investigated at 8SJ3190, revealing over 300 postholes and 105 features including a square structure, a well, a hearth, and several trash pits. Two clusters of agricultural furrows in the center of the site appear to be related to the operation of the plantation associated with the nearby Sanchez residence (8SJ3228). A Late Archaic component was also identified in the northern portion of 8SJ3190.

Mitigation of the FAS Site 2 (8SJ3226) focused on two areas: Locus 6 in the northern half of the site and Locus 5/7 in the southern half. Eleven additional shovel tests and twelve excavation units resulted in the identification and investigation of thirty-four features. Locus 6 appears to be a poorly defined extension of the 8SJ3190 Capuaca village to the north. Locus 5/7 featured the remains of a 19th century American structure. In addition, proto-historic San Marcos materials and prehistoric artifacts representing the Orange and St. Johns periods were dispersed throughout 8SJ3226.

500 S. Bronough Street • Tallahassee, FL 32399-0250 • <http://www.flheritage.com>

☐ Director's Office
(850) 245-6300 • FAX: 245-6435

☐ Archaeological Research
(850) 245-6444 • FAX: 245-6436

☒ Historic Preservation
(850) 245-6333 • FAX: 245-6437

☐ Historical Museums
(850) 245-6400 • FAX: 245-6433

☐ Palm Beach Regional Office
(561) 279-1475 • FAX: 279-1476

☐ St. Augustine Regional Office
(904) 825-5045 • FAX: 825-5044

☐ Tampa Regional Office
(813) 272-3843 • FAX: 272-2340

Mr. Greg Smith
April 16, 2004
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Eighteen additional shovel tests and seven excavation units at the FAS Site 4 (8SJ3228) revealed a very dense historic deposit of kitchen and personal items, clothing, weaponry, and architectural remains. Thirteen features, including two barrel wells and several large posts and trash pits were investigated. This site likely represents the 2nd Spanish period log frame residence of freed black couple Lewis and Diane Sanchez, burned and abandoned during the Patriot War. A sparse prehistoric St. Johns component at 8SJ3228, previously deemed ineligible for listing in the *NRHP*, was not investigated in depth.

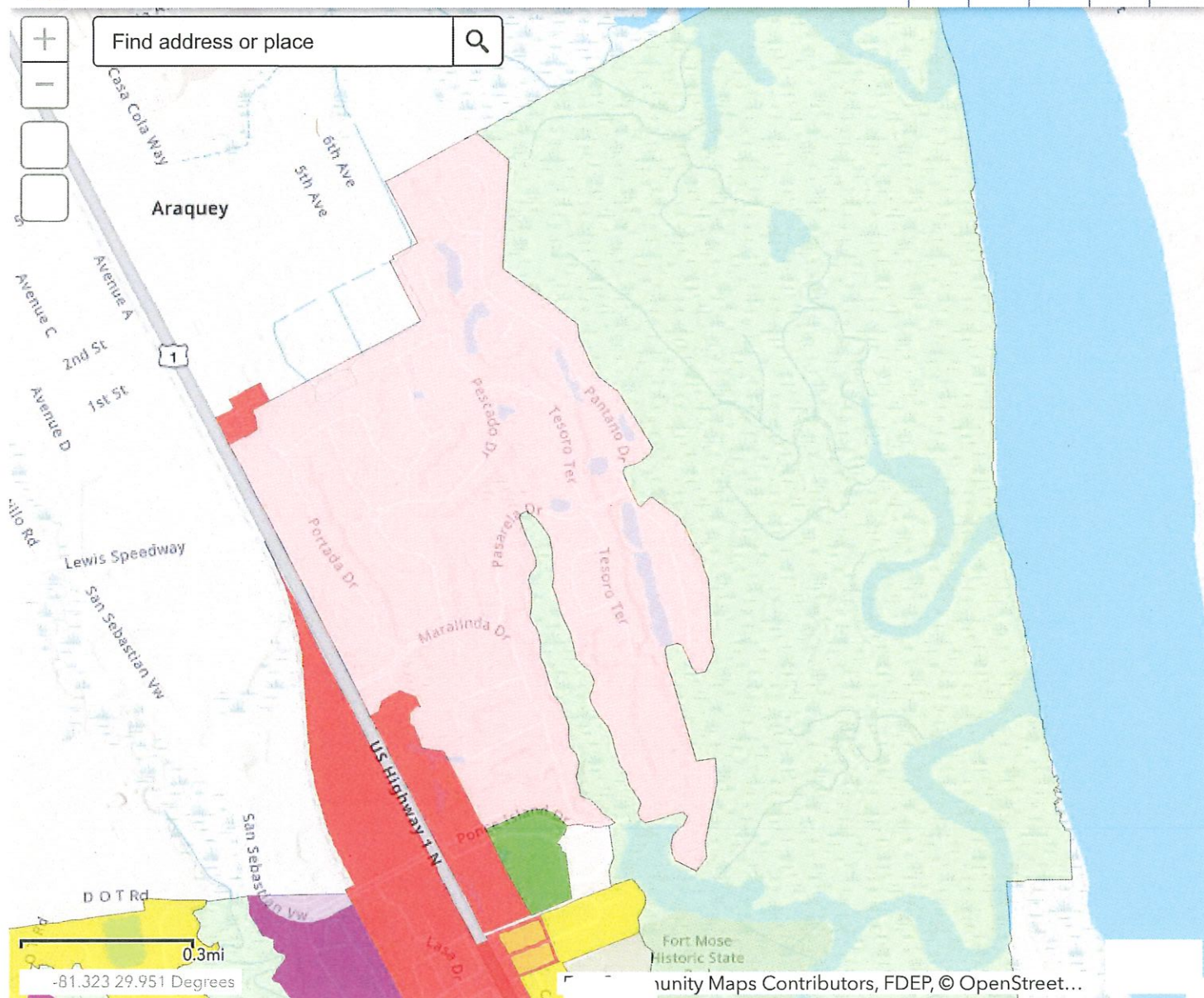
Eighteen additional shovel tests and five excavation units at the FAS Site 3 (8SJ3227) revealed a concentration of kitchen and household related materials from the 2nd Spanish period. The location of a previous structure(s) could not be identified. Fifty-five prehistoric and historic features were investigated. Relict agricultural ditches, furrows, and a sunken fence indicate 8SJ3227 was part of the Sanchez plantation. St. Johns period cooking pits and associated materials at 8SJ3227 may be associated with the Capuaca village at 8SJ3190.

It is the opinion of ESI that significant data has been recovered from each site to sufficiently mitigate adverse impacts resulting from the development of the Ponce de Leon Resort property. ESI recommends no further investigation of 8SJ3226 – 8SJ3228. ESI recommends further subsurface investigation of 8SJ3190 in the event of future development in areas of the site known to exist outside the property boundaries, on the adjacent northwest land parcel. Based on the information provided, our office concurs with these determinations and finds the submitted report complete and sufficient in accordance with Chapter 1A-46, *Florida Administrative Code*.

If you have any questions concerning our comments, please contact Ariana Slemmens, Historic Sites Specialist, at aslemmens@doh.state.fl.us or (850) 245-6333. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

Barbara C. Mattial
DSHPO for Survey & Registration
for Frederick Gaske, Acting Director, and
Deputy State Historic Preservation Officer



NOTICE OF CUSTODIAN OF PUBLIC RECORDS: The City of St. Augustine has designated the City Clerk, Darlene Galambos, its Custodian of Public Records pursuant to Chapter 119, Florida Statutes. Anyone wishing to inspect or copy public records consistent with Florida law should contact the Custodian of Public Records at:

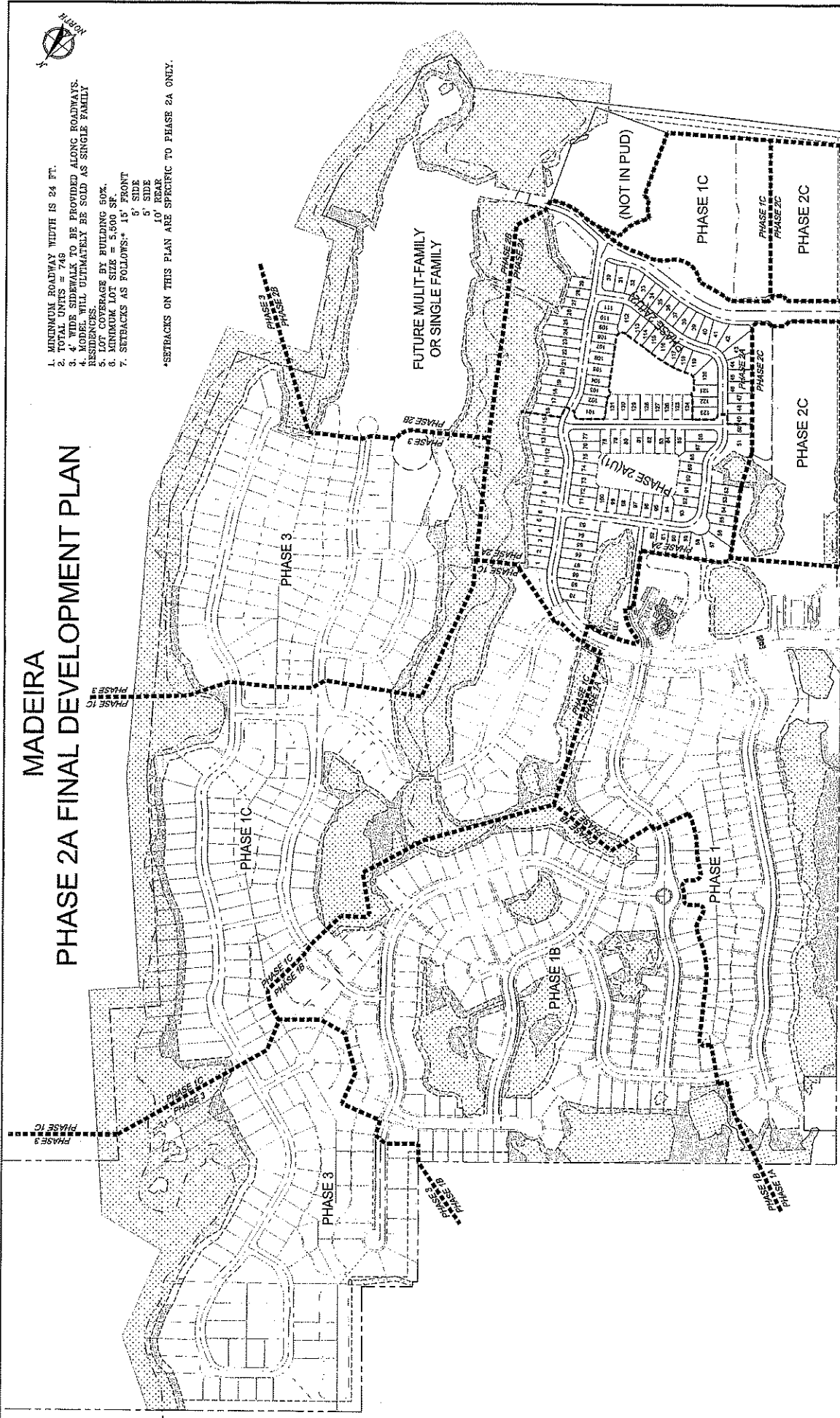
City of St. Augustine
Custodian of Public Records
Darlene Galambos, City Clerk
75 King Street
PO Box 210
St. Augustine, FL 32085
Phone: (904) 825-1007

MADEIRA

PHASE 2A FINAL DEVELOPMENT PLAN

1. MINIMUM ROADWAY WIDTH IS 24 FT.
2. TOTAL UNITS = 749
3. 4' WIDE SIDEWALK TO BE PROVIDED ALONG ROADWAYS.
4. MODEL WILL ULTIMATELY BE SOLD AS SINGLE FAMILY RESIDENCES.
5. LOT COVERAGE BY BUILDING 50%.
6. MINIMUM LOT SIZE = 5,500 SF.
7. SETBACKS AS FOLLOWS: 15' FRONT
5' SIDE
10' REAR

*SETBACKS ON THIS PLAN ARE SPECIFIC TO PHASE 2A ONLY.



U.S. HIGHWAY NO. 1
(PHILLIPS HIGHWAY)

ODEG
DOMINION ENGINEERING GROUP, INC.
10000 W. BAYVIEW BLVD., SUITE 200
JACKSONVILLE, FLORIDA 32218
904-854-1500 fax 904-854-4505
www.odeng.com

NE Florida Blueway Boundary Amendment

State of Florida

FL Forever
Boundary Amendment
(25.2 acres)

Ponce Associates LLC

State of Florida

Madeira PUD

-  FL Forever Boundary Amendment
-  Ponce Associates LLC
-  NE FL Blueway FL Forever Boundary
-  GTMNERR Boundary
-  City Boundary

0 500 1,000 Feet

N



Est. 1565

City of St. Augustine

La Lealísima y Valerosa Ciudad de San Agustín de la Florida

PROCLAMATION

***WHEREAS**, individuals with disabilities, such as those with Autism, and their families, are a valuable part of any community; and*

***WHEREAS**, engagement with those individuals is foundational to a healthy community, where inclusion is its norm, recognizing these individuals are an integral part of the community; and*

***WHEREAS**, in addition to the clinical and educational assistance, the need for social, recreational, & emotional support is vital for the overall wellness of these individuals and their families; and*

***WHEREAS**, individuals with intellectual and developmental disabilities in our local community have limited access to these supports; and*

***WHEREAS**, organizations such as Ability Tree First Coast help these individuals and their families experience REST (recreation, education, supports, and trainings); and*

***WHEREAS**, the strength and sustainability of Ability Tree First Coast is dependent on support from businesses, churches, civic groups, and members of this community, and*

***WHEREAS**, the focus of Autism Awareness Month in April is supporting these individuals' journeys by being engaged with them and supporting organizations, such as Ability Tree First Coast, who have a mission to create inclusive and supportive communities where they can enjoy healthy relationships in their neighborhoods, schools, workplaces, and churches.*

***NOW, THEREFORE, BE IT PROCLAIMED** the City Commission of the City of St. Augustine, does hereby proclaim **April 2024**, as **AUTISM AWARENESS MONTH**, and encourages all citizens to observe this month with appropriate programs, activities, and ceremonies.*

***IN WITNESS WHEREOF**, I have hereunto set my hand and caused the Seal of the City of St. Augustine to be affixed this 8th day of April in the year of our Lord two thousand and twenty-four and the four hundred and fifty-eighth year of the founding of St. Augustine, the Nation's Oldest City.*

Nancy Sikes-Kline, Mayor