

**MINUTES
SHORT TERM RENTAL (STR)
TASK FORCE MEETING
OCTOBER 29, 2019 – 2:00 PM
CITY HALL BOARDROOM**

1. CALL TO ORDER:

The Short-Term Rental (STR) Task Force met in regular session with the following members and City staff present:

2. ROLL CALL:

Members Present

Jeff Marken
Bruce Craul
Ken Wampler
Marcie Bell
Patti Brown
Shaun Hickey

Staff Present

City Manager Lance Johnson
City Clerk Rey Bailey
Code Compliance Manager Joey Forgione
Community Dev. Director Louis Zunguze
Code Compliance Officer William Morales

3. Approval of Minutes: October 22, 2019

Mr. Shaun Hickey noted that the goal discussed in Section 6 of the minutes is just one of the goals of the Task Force; not the primary goal. He asked that the word "primary goal" be changed to "a goal."

Referencing line 1 under "DISCUSSIONS" on page 4 of the minutes, Ms. Patti Brown pointed out that her recommendation was not to increase the size of the short-term rental signs but to increase the size of the wordings especially for "occupancy" and "parking" so they could be read from the street.

Motion by Ken Wampler, seconded by Marcie Bell, to approve the minutes of the October 22, 2019 Short-Term Rental Task Force meeting, as amended, passed 6-0.

4. New Business

Mr. Shaun Hickey moved to add "Visioning Session – Proposed Topics of Discussion" on the agenda, and for it to be the first topic of discussed under "New Business." Motion was seconded by Ms. Marcie Bell and passed 6-0.

A) Visioning Session – Proposed Topics of Discussion

At this time, Ms. Brown handed out a list of proposed Visioning Session topics, stating it is a compilation of items people often mentioned to her when the subject dealing with short-term rentals is discussed. She asked that they consider adding these items for discussion at the

Council Visioning Session. She briefly explained each item on the list.

➤ *Parking – Available spaces versus present parking*

Ms. Brown noted that even if the rental sign clearly marks the number of parking spaces, they are still seeing repeat offenders.

➤ *Golf Carts – Parking on sidewalks, City rights-of-way and in yards*

Ms. Brown stated that people are parking their golf carts on sidewalks, rights-of-way and in the yards.

Mr. Forgione stated these are not allowed, and that they have been issuing parking tickets to violators.

➤ *Registration of boats with City that are part of rental property use*

Ms. Brown noted that most of the calls she received regarding this topics are from Holiday Isle. These are boats parked behind houses in the canals.

Mr. Craul asked why it would be necessary to register these boats.

Mr. Forgione noted if the boats are being rented out as a secondary under the short-term rental program, it would fall under the livery vessel program and the boats would have to be registered.

Ms. Bell stated that Holiday Isle PC&Rs may not allow boat rentals; adding that guests can trailer their boat and park it during their stay if there are available slips.

Ms. Brown stated she was informed there are houses with boats included as part of their rental program.

Mr. Forgione stated that he would consult with the City's legal counsel about this issue.

➤ *Code Officers – Evening/night shift and Saturday nights*

➤ *Complaint Line – Magnetic refrigerator cards, signage in short-term rental units*

Ms. Brown stated that some people still do not know the number to the complaint line; and that there are no signage in front of the short-term rental units indicating those numbers.

Mr. Craul reiterated that a door hanger would work better than a refrigerator magnet.

➤ *Condominium short-term rental registration*

➤ *Increase the number of trash cans*

Ms. Brown noted there are still a lot of problems with rental houses not having enough trash cans.

➤ *Signage on beach flags in units*

Ms. Brown handed out copies of document showing beach warning flags, with explanations, as well as rip current safety tips. She mentioned that Mayor Jarvis requested they incorporate this issue into their discussions. She also noted that at her recent trip she stayed in a hotel where there are stickers with beach flag information placed on the back of every door as well as with hotel keys.

➤ *Repeat offenders on parking, trash and noise do not seem to be held accountable*

According to Ms. Brown, these problems occur in the same houses week after week.

Considerable discussions followed regarding trash pick-ups and required number of trash cans.

Mr. Forgione announced he has invited a Waste Management representative to attend the next meeting to discuss the trash can issue and what the company could offer with regards to special trash pick-up

Ms. Brown noted that many short-term rental companies already contract with companies that provide this special service and do not seem interested in switching to Waste Management or other companies.

Mr. Craul stated that Waste Management had put together a deal for a special trash pick-up for \$100 a month; but he feels they start picking up too early on Saturdays. He continued there is a company in his neighborhood called Trash Can Express that charges \$85 every 3 months including weekends to take the trash cans out to the curbside as early as 4 AM, and store them back at proper locations after trash is picked-up.

Ms. Bell suggests they require the rental homes to provide proof during the registration process that they have already set up a special trash pick-up.

Mr. Forgione stated that the Task Force could make that recommendation to the City Council.

Mr. Forgione noted that each can could hold 96 gallons of trash and could handle a family of six if trash is picked up twice a week.

Ms. Brown reported having trash lined up in the street creating a huge rat problem at Crystal Beach.

Mr. Forgione stated that a house that sleeps 24 but with only 2 trash cans would have a huge trash problem.

Mr. Hickey recommends predicating the number of trash cans on the number of people a house is approved for rather than on the number of bedrooms.

Ms. Brown noted that according to a study called Garbology 101, 30 people will utilize

5. 6 trash cans every 3 days.

Mr. Craul suggests requiring one trash can for every 3 bedrooms.

According to Mr. Hickey, the current requirement is one trash can for the first 3 bedrooms; and one can per two bedrooms thereafter. He also stated they have a lot of houses that are currently grandfathered in terms of occupancy; and so they would be short in trash cans if they base it on the number of bedrooms.

Ms. Brown stated they are still having trash problems in Crystal Beach with the current requirement of one trash can for the first 3 bedrooms; and one can per two bedrooms thereafter.

Mr. Marken pointed out that one of the problems is the Tuesday pick up. He stated that if trash is picked up late Saturday or early Sunday, people have to turn around and put out the trash Monday night for a Tuesday pick-up. There is not enough time to produce much trash for that short period of time, everything falls on the Friday pick up.

Ms. Bell stated that if they require more trash cans, they also need to take into account where to store them.

According to Mr. Forgione, since the cans cannot be placed outside of the front yard, a lot of the owners put them on the side of the house.

Mr. Craul pointed out that some neighborhoods are governed by homeowner's association that do not allow empty trash cans to be visible from the street; however, the City does not prohibit it and the original Task Force did not find a reason to address it. He added it would work better if Waste Management changes their Saturday pick-up time to 11 AM or later.

Mr. Wampler recommends requiring one 96-gallon trash can for every 6 people with a twice a week pickup.

Mr. Bruce Craul moved that they base the number of trash cans on the number of people listed on the rental home sign, requiring one can for every 6 people, plus one recycle can. Mr. Shaun Hickey provided a second to the motion.

According to Ms. Brown, this would result in less cans than what is currently required resulting in even more trash problems. She suggests requiring one trash can for every 2 bedrooms.

There was a consensus to add one can each time they hit the break point; such that 14 people would require 3 trash cans plus one recycle can.

Motion passed 4-2; with Ms. Patti Brown and Ms. Marcie Bell dissenting.

More discussions followed regarding special trash pick-up.

Ms. Bell recommends requiring rental home to prove they have a special pick-up set up as part of the registration process.

Mr. Hickey asked what happens if a home owner wants to conduct the special trash pick-up themselves rather than paying somebody else to do it.

Mr. Craul stated they should sign a contract stating they are taking the responsibility for doing it.

Mr. Marken suggests they add a language stating that the City does not force rental management companies to contract with specific provider for the valet service.

According to Mr. Forgione, the City cannot force rental companies to contract with any specific provider for special pick-up service.

Ms. Marcie Bell moved to require rental management companies to provide a copy of a contract with a third party for a special pickup of trash or sign an affidavit that states they are going to be the responsible party; seconded by Mr. Jeff Marken.

Mr. Wampler recommends modifying the motion stating that rental management companies must provide proof that they have contracted with a third party to perform Saturday afternoon pickup.

Ms. Marcie Bell offered an amended motion to require rental management companies to provide proof that they have contracted with a third party to perform Saturday afternoon trash pickup, or sign an affidavit stating they are going to be the responsible party; seconded by Mr. Jeff Marken. Motion passed 6-0.

There was considerable discussion regarding parking.

Ms. Bell stated that some garages are being used as extra bedrooms or recreational rooms and not for vehicle parking; adding that the garage of the home located behind her house has a pool table in it.

Ms. Brown noted that the signage on the new houses on Hutchinson Street indicates they have 8 parking spaces; but they are counting their garages as parking spaces even though these garages are filled with golf carts and other junk and are never used for parking. She continued they are parking on the sidewalk, right-of-way or in the yard. She added there is a continuing problem with houses exceeding their parking limitation, and they are routinely being warned or cited by Mr. Forgione.

Ms. Brown also noted that these same houses are being cited 2 or 3 times a week, and so it seems people are not being told they cannot park in the yard, on the sidewalks, in the right-of-way or on the street.

According to Mr. Forgione, they are going to start notifying both the property management company and the owners regarding the number of violations issued to their property. This will alarm the property owner, who may be residing in another state or country, that the management company they hired may not be doing the right thing.

Mr. Forgione stated that once a rental property has received a certain number of parking citations on any given week, they will issue a Notice of Violation to the property owner.

Mr. Wampler recommends that each address gets one warning each week; after which a Notice of Violation is issued. He added that habitual offenders should get one warning a week; and then a Notice of Violation.

There was some discussion relating to fines for illegal parking. Mr. Forgione noted that parking citations are currently worth \$30, which is well below the State average; and so, he would recommend increasing it to \$100.

The City Manager noted that increasing the fines needs to be discussed at the Visioning Session because it involves an ordinance change which requires Council's approval.

Mr. Wampler recommends that if there is a violation of City ordinance that relates to short-term vacation rentals, the citation should be issued to the homeowner. He asked if this would require an amendment to the ordinance.

According to Mr. Forgione, it would not require an amendment to the ordinance as it is in his prerogative as Code Compliance Manager to make this type of decision.

Ms. Brown stated that homeowners should be notified as some of them may not be aware how poorly their property is being managed.

Ms. Bell asked whether the parking policy will apply to everybody; so that if a homeowner has people over for a party and doing the same thing as the short-term rentals, then they would be cited.

Mr. Forgione stated they would be issuing a citation as the policy applies across the board.

Mr. Ken Wampler moved they recommends to the City Council that the ordinance be amended increasing the fines for parking violations up to the maximum amount allowed by Florida Statute; seconded by Ms. Marcie Bell. Motion passed 6-0.

Ms. Brown asked that they address the golf cart parking issue.

Mr. Forgione noted that golf cart parking is already covered in the ordinance; adding they issue warning tickets to golf carts parked in the street, sidewalk or in the yard.

Mr. Craul reiterated that if a house comes with a golf cart, it should not count as an additional parking space; so that a house with a golf cart that is authorized 8 parking spaces will have their golf cart parked in one of those spaces.

The next item discussed was the signage for beach safety. Ms. Brown reiterated that Mayor Jarvis had asked that they incorporate this issue into their discussions because he feels the

City should do something about all the drownings and near drownings that happened recently. Ms. Brown suggests they require educational information to be part of the packet which the rental owners hand to their guests when they check in.

Mr. Craul stated that a doorhanger would work much better since the last thing people check on their way out the door is the doorhanger; however, they should allow rental companies to decide how they want to handle this issue and whether they want to use a door hanger or a sticker.

Mr. Forgione noted that the City's Public Information Manager has reached out to Beach TV and posted items in social media to educate people on this issue.

After a brief discussion relating to the design for the signage, there was a consensus to allow Mr. Forgione to coordinate matters with the Public Information Manager and come up with a proposed design and bring it back for approval by the Task Force, and subsequently for Council's approval at the Visioning Session.

B) Commercial Events Ordinance

Mr. Forgione noted that by regulation, holding more than 5 special events within a calendar year at the same property in a residential neighborhood is prohibited. He stated they would document the event, and if a property exceeds the 5 documented event limit during the same calendar year, they would issue a Notice of Violation to the property owner.

Mr. Craul asked how they would handle a situation when someone arranged a big wedding in Destin in March and claims that this event was arranged the year before and was grandfathered .

Mr. Forgione noted that the ordinance was adopted on May 6, 2019; and so, anybody that has a signed contract prior to May 6, 2019 is grandfathered in.

Ms. Brown pointed out that some of the signs are not readable from the street. There are also signs that still say, "Wedding Venue."

Mr. Wampler noted that by regulation the required content of the sign shall be legible as viewed from public right-of-way; however, signage should not be placed in the public right-of-way.

Mr. Forgione stated they will inspect the signs to make sure they are following regulation.

A brief discussion followed relating to condominium registrations.

Mr. Craul stated that condominiums should not have to be registered with the City.

Ms. Brown noted it was brought up at one of the Council meeting by the Sheriff that there was an increase in calls coming from condominiums.

According to Ms. Bell, there are condominiums that apparently are not registering with the TDC.

Mr. Craul maintains this is a County problem and not a City problem; and that the County has people responsible for handling this issue. He added that condominiums are already regulated under Chapter 718 of State statute.

5. Public Comments

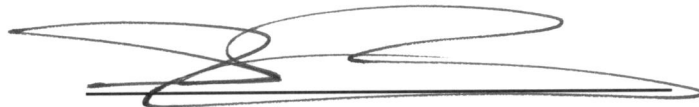
Mr. Bill Reddington commented that when he had vacation rentals in Crystal Beach, part of his management agreement was to have an extra pick up with Waste Management on Saturdays and paid for the extra pickup. When the contract was up for renewal, the company lowered their prices when other companies started bidding for the service. He suggests they consider hiring a different franchise.

Ms. Jeanne Dailey stated that it is the repeat offenders that are problematic. The City has rules already in place and they just need to come up with severe penalties for code violations. She continued that they could create door hangers or refrigerator stickers, but there is no guarantee they will be placed in the unit. She also stated they already have beach safety information included in their welcome packet. They are also sending out double red flag warnings and advising people not to go in the gulf. She added that most people do not like to read, and the more reading materials they receive, the less likely they would read the materials and adhere to them.

6. NEXT MEETING DATE: Tuesday, November 5, 2019, 2:00 PM, City Hall

7. ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 3:55 PM.

A handwritten signature in black ink, appearing to read 'Rey Bailey', with a horizontal line drawn underneath it.

Rey Bailey, City Clerk