



**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, OCTOBER 14, 2019 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ❖ Roll Call
- ❖ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

- Proclamation 2019-22 proclaiming October 2019 as Domestic Violence Awareness Month. (*T. Upchurch, 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 – Modification(s); Motion to Approve

6. APPEALS

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

(Presentations (maximum of **10** minutes per presentation)). Presentations for Commission meetings must be presented to the City Manager for approval no later than ten (10) working days prior to the next City Commission meeting. A Presentation Support Services Request (available on the City's website) MUST accompany all presentations. The Form is available at:

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

A. GENERAL PUBLIC PRESENTATIONS

7.A.1. PUBLIC COMMENT: Presentation by Stanley Paris, Ph.D. and the St. Augustine Yacht Club regarding a proposal to donate property at 110 Carver Street East to the City to be used as a sailing center. (*J. Regan, City Manager*).

7.A.2. PUBLIC COMMENT: Request for Vesting Determination regarding the Santa Maria Restaurant for the owner, White's Wharf, LLC. by attorney, Robert McLeod II. (*J. Regan, City Manager*).

B. ITEMS OF GREAT PUBLIC IMPORTANCE

7.B. PUBLIC COMMENT: Charter Amendments: Discussion and direction regarding amending Sec. 2.03 of the City Charter to provide for a residency requirement for City Commissioners of a period of one (1) year prior to the date of qualification for election and amending Sec. 2.01 and Sec. 4.09 to provide for a four (4) year term for the candidate elected to City Commission Seat Three and to allow the mayor and vice-mayor to be elected by the members of the City Commission. (*I. Lopez, City Attorney*).

C. OTHER ITEMS REQUIRING PUBLIC HEARING

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

A. ORDINANCES – SECOND READING

8.A.1. Ordinance 2019-15: Amends all sections necessary to use gender neutral terminology. (*I. Lopez, City Attorney*).

8.A.2. Ordinance 2019-23: Charter update to Article III, Sections 3.02, 3.04 and 3.05 updating reference to state and federal regulations, removing reference to municipal courts and conforming language to current usage. (*I. Lopez, City Attorney*).

8.A.3. Ordinance 2019-38: Creates Section 28-355, providing regulations for the cultivation, distribution, and retail sale of hemp and hemp extract. (*J. Cary, Assistant City Attorney*).

B. ORDINANCES – FIRST READING (*ONLY IF REQUIRED BY LAW*)

C. RESOLUTIONS – PUBLIC HEARING (*ONLY IF REQUIRED BY LAW*)

9. ORDINANCES AND RESOLUTIONS – NO PUBLIC HEARING REQUIRED

A. ORDINANCES – FIRST READING

9.A.1. Ordinance 2019-24: Charter update to Article IV, Sections 4.01, 4.07, 4.09, 4.10, 4.12, 4.13, 4.14, 4.16, 4.19, 4.21 and 4.44 updating the powers and authority of executive and administrative officers, removing reference to municipal judges and the department of public safety and welfare and conforming language to current usage and policies of the City. (*I. Lopez, City Attorney*).

9.A.2. Ordinance 2019-25 Ordinance 2019-25: Charter update to Article V, Sections 5.21 and 5.28 clarifying the city attorney's responsibility to approve resident petition driven ordinances as to form only prior to consideration before the City Commission and requiring that ordinances passed as emergency measures are subject to federal and state requirements, not referendum type procedures. (*I. Lopez, City Attorney*).

9.A.3. Ordinance 2019-40: Amendment to Sec. 28-37 to modify the defined development permits to conform to state statute and to provide for review and resolution of conflicts between development permit applications and other legal documents. (*I. Lopez, City Attorney*).

9.A.4. Ordinance 2019-43: Updates Section 28-29 of the Zoning code to provide lot coverage variances for handicapped accessibility in zoning districts HP-1, HP-2 and HP-3. (*D. Birchim, Director, Planning and Building*).

9.A.5. Ordinance 2019-46: Vacates the street rights-of-way in the Antigua Phase One residential subdivision. (*M. Cullum, Director, Public Works*).

B. RESOLUTIONS

9.B.1. Resolution 2019-41: Establishes the City Manager's authority to close city streets for certain events. (*P. Williamson, Director, Public Affairs*).

9.B.2. Resolution 2019-42: Allows for the extension of the 2019-2020 *Nights of Lights* program. (*P. Williamson, Director, Public Affairs*).

10. STAFF REPORTS AND PRESENTATIONS

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

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

11.B. Short-Term Rental Committee Memo: Discussion and direction regarding possible codification of short-term (vacation) rental regulations based on the STR Committee recommendations. *(I. Lopez, City Attorney).*

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

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

14. ITEMS BY MAYOR AND COMMISSIONERS

15. ADJOURN

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

CONSENT AGENDA – OCTOBER 14, 2019

CA.1. Preview of upcoming Commission meetings.

a) The following ordinances are tentatively scheduled for second reading on October 28, 2019:

- Ordinance 2019-24
- Ordinance 2019-25
- Ordinance 2019-40
- Ordinance 2019-43

b) Reminder of upcoming meetings:

- October 28, 2019, 4:00 p.m., LCRA Regular Meeting
- October 28, 2019, 5:00 p.m., Regular Meeting
- November 12, 2019, 5:00 p.m., Regular Meeting
- December 9, 2019, 5:00 p.m., Regular Meeting

CA.2. Approval of Minutes from prior commission meetings:

- June 24, 2019 Regular Meeting
- September 12, 2019 Community Redevelopment Agency Special Meeting
- September 12, 2019 Special Meeting
- September 19, 2019 Special Meeting
- September 23, 2019 Regular Meeting

CA.3. Releases of Lien for Unit Connection Fee Mortgage(s):

- Sharon L. Badger, Sherry Lynn Badger and Dawn Louann Brown – 2725 South Collins Avenue

CA.4. Proposed Proclamations, Certificates of Appreciation/Recognition. (Commission approval required). (To be read at a subsequent meeting).

- 2019-10CA - Certificate of Recognition to Charlotte Pichotta on her hundredth birthday. (*N. Sikes-Kline, Commissioner*).

CA.5. Invoice in the amount of \$4,704.00 dated September 30 from Cavendish Partners, P.A. for legal services regarding the Seavin v. City of St. Augustine matter. (*I. Lopez, City Attorney*).

End of Consent Agenda