



A M E N D E D

**CITY OF ST. AUGUSTINE CITY COMMISSION
REGULAR MEETING AGENDA
MONDAY, OCTOBER 28, 2019 - 5:00 PM
ALCAZAR ROOM**

1. CALL TO ORDER

- ❖ Roll Call
- ❖ Invocation and Pledge of Allegiance

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of REGULAR AGENDA

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

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

- ❖ **3** minutes per individual

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

6. APPEALS

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

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

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

A. GENERAL PUBLIC PRESENTATIONS

- 7.A. 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).*

B. ITEMS OF GREAT PUBLIC IMPORTANCE (WITH PUBLIC COMMENT)

- 7.B.** Amends Sec. 2.01, Sec. 4.09 and Sec. 6.23 of the City Charter to provide for a four (4) year term for the candidate elected to City Commission Seat Three, to allow the mayor and vice-mayor to be elected by 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 2019-40:** 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).*

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

- 8.B.1. Ordinance 2019-41:** Amends Sec. 2.03 of the City Charter to provide for a residence requirement for City Commissioners for a period of one (1) year prior to the date of qualification for election and for continuous physical residency and voter registration within the City for the term of their office. *(I. Lopez, City Attorney).*

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 2019-43:** 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.2. Ordinance 2019-19:** Amendment to Sec. 10.54 of the City Charter to extend the terms for police and fire department representatives on the Civil Service Board from one (1) year to three (3) years to provide greater continuity and the ability to discuss and review issues that may require multi-year context. *(I. Lopez, City Attorney).*
- 9.A.3. 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.4. Ordinance 2019-25:** Charter update to Article V, Sections 5.21 and 5.28 providing intent regarding the provisions for ordinances submitted by petition of voters, clarifying the city attorney's responsibility to approve resident petition driven ordinances as to form only prior to consideration before the City Commission and repealing resident petition emergency measures as impracticable due to federal and state emergency procedure requirements. *(I. Lopez, City Attorney).*
- 9.A.5. Ordinance 2019-26:** Charter update to Article VI, Sections 6.14, 6.18, 6.19, 6.201 and 6.26 updating the charter to conform with the Florida Election Code that superseded local rules and regulations regarding electoral procedures and incorporates the procedures found in Chapter 166.21(4) regarding charter amendments by ordinance. *(I. Lopez, City Attorney).*
- 9.A.6. Ordinance 2019-44:** Creates Chapter 28, Article II, Division 1, Section 28-29 of the Code to the City of St. Augustine to provide consistency of appeals for all development permits and utilizes the statutory language, provides for uniform lower board procedures for appeals and conforms and clarifies the appeals procedure. *(I. Lopez, City Attorney).*

9.A.7. Ordinance 2019-45: Creates Chapter 28, Article II, Division 5, Sections 28-126 through 28-134 of the Code of the City of St. Augustine to establish the Corridor Review Committee to interpret the new Design Standards for Entry Corridors. *(I. Lopez, City Attorney).*

9.A.8. Ordinance 2019-47: Creates Chapter 2, Division 3, Sections 2-340 through 2-343 creating the office of the special magistrate for code enforcement violations. *(J. Cary, Assistant City Attorney).*

C. 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.

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

12.A. Notification of board term expirations and vacancies on the Code Enforcement Adjustments and Appeals Board (CEAAB) and St. Augustine Firefighters' Pension Trust Fund Board of Trustees advising that advertisements will be placed requesting applications. *(D. Galambos, City Clerk).*

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

13.A. APPLICATION WITHDRAWN BY APPLICANT

~~Discussion regarding right-of-way use permit application by the Diocese of St. Augustine, Inc. to allow a fence to remain on Pine Street. *(J. Regan, City Manager).*~~

14. ITEMS BY MAYOR AND COMMISSIONERS

- 14.A.** Briefing on the mayor to mayor meeting with the Mayor of the City of Aviles and the representative for the mayor of the Island of Menorca recently held in St. Augustine. *(T. Upchurch, Mayor)*.
- 14.B.** Briefing on attendance at the Florida Mayors Summit on Flooding and Sea Level Rise and legislative meetings recently held in Washington, DC. *(T. Upchurch, Mayor)*.

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 28, 2019

CA.1. Preview of upcoming Commission meetings.

a) The following ordinances are tentatively scheduled for second reading on November 12, 2019:

- Ordinance 2019-43

b) Reminder of upcoming meetings:

- 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:

- October 14, 2019 Regular Meeting

CA.3. Releases of Lien for Unit Connection Fee Mortgage(s): None.

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

- Proclamation 2019-26: Proclaiming November 30, 2019 as *Small Business Saturday*. (T. Upchurch, Mayor).
- Proclamation 2019-27: Declares October 21-27, 2019 as *Florida City Government Week*. (T. Upchurch, Mayor).

CA.5. Approval of carry-forward funds in the amount of \$81,146.00 from the 2018-2019 fiscal year. (M. Litzinger, Director, Finance).

CA.6. Notification from FEMA of the increase to a Class 5 rating in the National Flood Insurance Program Community Rating System which will improve the discount rate of property owners in the Special Flood Hazard Area when their insurance is renewed. (R. Schauland, Building and Code Enforcement Manager).

CA.7. Fourth quarter review for the City Attorney's office. (I. Lopez, City Attorney).

CA.8. Fourth quarter review for the Public Works department. (M. Cullum, Director, Public Works).

- CA.9.** Ratification of the Memorandum of Understanding between the City and the Florida Carpenters Regional Council, Local 2038 regarding vacation leave. (*D. Hayes, Director, Human Resources*).
- CA.10.** Approval of the recommended branding style for the City. (*M. Wissel, Public Information Coordinator*).
- CA.11.** Approval of release of lien for 274 South Matanzas Boulevard. (*D. Birchim, Director, Planning and Building*).
- CA.12.** Approval of transfer of funds **not to exceed \$37,000.00** from Municipal Marina Reserves to fund work to breakwater dock due to damage by Hurricane Dorian. (*T. Fleming, Deputy Director, General Services*).
- CA.13.** Fourth quarter review of the mobility program. (*R. Franklin, Mobility Manager*).

End of Consent Agenda