



**MINUTES
CITY COMMISSION WORKSHOP MEETING
CITY OF ST. AUGUSTINE BEACH
MARCH 11, 2014 7:00 P.M.**

City Hall
2200 A1A South
St. Augustine Beach, FL 32080

CALL TO ORDER

The meeting was called to order by Mayor Samuels at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Andrea Samuels, Vice Mayor Rich O'Brien, Commissioner S. Gary Snodgrass, Commissioner Undine Pawlowski, and Commissioner Brud Helhoski.

Charter Review Committee Members: Michael Aulicino, Nick Binder, Henry Dean, Edward George, Grace Guido and Len Weeks.

Absent: Ron Brown, Nancy Nevacoff and Robert Rousseau

Also Present: City Manager Max Royle, City Attorney Doug Burnett, Police Chief Robert Hardwick, Deputy City Clerk Cathy Benson, Finance Director Melissa Burns, Building Official Gary Larson, and Facilitator Marilyn Crotty.

PUBLIC COMMENT

Bob Kahler, 29 Sunfish Drive, spoke in favor of free speech. He supported the use of "point of order" by the public at meetings. He wanted prohibitions against relatives or partners on the same board.

William Jones, 127 Cedar Ridge Circle, said the regulations regarding height limits are working fine now and do not need to be changed. He felt the City elections should not be changed.

OVERVIEW OF CHARTER REVIEW PROCESS

Mayor Samuels thanked Ms. Crotty and the committee members for their work on the City Charter.

Ms. Crotty thanked the Commission for having her work with the committee. She noted that the alternate members were active and participated in the process.

RECOMMENDED CHANGES TO EXISTING CHARTER

Ms. Crotty reviewed the recommended changes and committee members discussed certain items.

The preamble is an aspirational portion that sets the tone for the charter. The current charter had no preamble.

The metes and bounds description of the City's borders was removed and replaced with a statement that it is available on the City website and at city hall.

Ms. Crotty said there was no support for the election of the position of Mayor.

Sec. 1-7 provides expanded the grounds for forfeiture of office. Commissioner Palowski asked why the ethics violation portion was not kept. Ms. Crotty said the Ethics Commission had penalties, but did not require the forfeiture of office. Commissioner Helhoski suggested adding "Violates the code of ethics established by law for public officials". Ms. Crotty suggested examining the criteria of the Ethics Commission as some of their violations are minor, such as filing a report late. Commissioner Pawlowski asked why the number of votes to remove a Commissioner was reduced to 3. Mr. Dean said they felt since the reasons for forfeiture were more stringent, the number votes needed was lowered.

Commissioner Snodgrass asked about telephone attendance at meetings. Ms. Crotty said it is not usually mentioned in the charter, but covered by state law. She suggested adopting a policy in line with the Attorney General's opinion.

Ms. Crotty reviewed the changes to Sec 1-8, City Manager. Mr. Aulicino said the grandfathering of the current city manager was to prevent changes during his term as a matter of fairness. Ms. Crotty said with a 4/5 vote, one person controls the commission.

Mr. Dean reviewed Sec 1-9 on law enforcement. He said with the confirmation of hiring and firing by City Commission, putting the law enforcement under the city manager was best for accountability. He noted that Sheriff Shoar had recommended it. Commissioner Helhoski opposed the change and said in other cities some employees were not happy with that arrangement. Ms. Crotty explained that the City Manager is not an expert in any department, but a general manager who hires specialists. It was hard to hold the city manager responsible for the budget with the police being a large percentage of that budget. Commissioner Snodgrass supported the change. Ms. Guido said the Committee tried to make the decision based on how things will be in the future. Ms. Crotty explained that, while most cities have police and all departments report to the city manager, there are exceptions.

Ms. Crotty explained that Sec 1-13 and Sec 1-14 for City Clerk and City Attorney were added because those positions are usually identified in the charter.

In Sec 1-15 the committee required annual performance evaluations. This is not usually mentioned in city charters, but the committee felt it was needed. Mayor Samuels said it was not necessary because it is now part of the city policies. Mr. Binder said the charter reinforces the policy. Commissioner Snodgrass said evaluations were administrative practices and it did not belong in the charter. Commissioner Pawlowski said it defined the duty of the commission. Commissioner Helhoski said he felt it would be approved by the voters.

In Sec 1-16 Mr. Binder explained the Committee wanted to protect parks and plazas from sale and it was a quality of life issue for the public.

Mr. Aulicino addressed the section regarding the building height limit, noting it was not unanimous. Some felt it tied the Commission's hands and was not flexible. Others felt the desire to protect the building height limit from future commissions.

Mr. Binder reviewed Sec 2-3 regarding elections. The process would have all candidates for city commission running against each other. It was intended to prevent people winning a specific seat due to no opposition. It would also eliminate primaries and shorten the campaign season.

Commissioner Helhoski said the St. Johns County Supervisor of Elections told him it was not legal. Ms. Crotty said she was not correct and other Florida cities are currently doing it. Mr. Binder said he has experienced it and it worked well. Mr. Weeks was not confident about the change and recommended keeping the current election process. Mayor Samuels said the City of Marathon was changing their charter away from this method because of problems they encountered.

Mr. Weeks reviewed insertion of a term limit provision and noted that it was not unanimous. He felt only the voters would determine how many terms someone served, but others felt after 8 years, a person should sit out 2 years and then could run again. Mayor Samuels and Vice Mayor O'Brien preferred 3 terms. Ms. Crotty said the voters appear to love it, but Tallahassee has seen the negative impact of losing institutional knowledge.

Ms. Crotty explained that Sec 2-8 regarding initiative and citizen referendum was commonly placed in charters and seldom used.

ELECTION AND PRESENTATIONS OF AMENDMENTS ON BALLOT

Ms. Crotty reviewed her list of 18 potential charter ballot issues. She noted that space was limited for the November election ballot and they should try to shorten the list.

COMMUNITY EDUCATION

Ms. Crotty recommended the City Commission make every effort to educate the public on the city charter ballot questions.

REORGANIZATION OF CHARTER

Ms. Crotty said the city charter could be better organized to read more smoothly. City Attorney Burnett told her the reorganization could be done by ordinance after the election.

PUBLIC COMMENT

Michael Longstreet, 11 13th Street, said there was nothing in the charter authorizing the city manager to collect fines or money. Under law enforcement, nothing was said about what the chief has power over. He recommended under performance evaluations to replace the word "annual" with "according to a schedule that is set." He opposed a change in the election process. He was concerned the building height limit did not include all buildings.

Bob Kahler, 29 Sunfish Drive, said the problems with the City are on the Commission. He supported having the police chief report to the city manager.

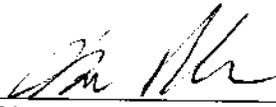
Margaret England, 760 Ocean Palm Way, asked the Commissioners to set aside past errors and grievances and keep in mind the model charter and what is common. Be careful with restrictions, as they can have unforeseen consequences. In Sec 1-5 it says Commissioners can't hold other office, so be careful of that.

Steve Mithers, 17 Sea Oaks Drive, liked the change to the election process and supported putting the height limits in the charter.

ADJOURNMENT

There being no further business to come before the City Commission, the meeting adjourned at 10:08 p.m.

ATTEST:



City Manager



Andrea Samuels, Mayor – Commissioner

(THIS MEETING HAS BEEN RECORDED IN ITS ENTIRETY. THE RECORDINGS WILL BE KEPT ON FILE FOR THE REQUIRED RETENTION PERIOD. COMPLETE VIDEO CAN BE FOUND AT WWW.STAUGBCH.COM, OR BY CONTACTING THE OFFICE OF THE CITY MANAGER.)