



City of Palm Coast
Agenda
City Council Workshop

Mayor David Alfin
Vice Mayor Ed Danko
Council Member Nick Klufas
Council Member Theresa Pontieri

City Hall
160 Lake Avenue
Palm Coast, FL 32164
www.palmcoastgov.com

Tuesday, September 24, 2024

6:00 PM

City Hall

City Staff

Lauren Johnston, Acting City Manager

Marcus Duffy, City Attorney

Kaley Cook, City Clerk

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Other matters of concern may be discussed as determined by City Council.
- If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while Council is in session.
- Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter 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.

A CALL TO ORDER

B PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

C ROLL CALL

D PUBLIC PARTICIPATION

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.

- (3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
- (a) direct all comments to the Mayor;
 - (b) make their comments concise and to the point;
 - (c) not speak more than once on the same subject;
 - (d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (e) obey the orders of the Mayor or the City Council; and
 - (f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

E PRESENTATIONS

- 1 DISCUSSION - CITY COUNCIL DISTRICT SEAT 4 VACANCY**
- 2 ORDINANCE 2024-XX AMENDING CITY OF PALM COAST ORDINANCES, CHAPTER 17, COMMUNITY DEVELOPMENT; AS AMENDED, TO ADD ARTICLE V, SHORT-TERM VACATION RENTALS**
- 3 RESOLUTION 2024-XX APPROVING A WORK ORDER FOR A TRAFFIC CALMING PLAN AS PART OF THE RESIDENTIAL SPEED LIMIT STUDY**
- 4 PRESENTATION - COMMUNITY CENTER PARKING LOT DESIGN AND EXPANSION UPDATE**

F PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

G DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

H DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

I DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

J ADJOURNMENT

5 AGENDA WORKSHEET AND CALENDAR

City of Palm Coast, Florida

Agenda Item

Agenda Date: September 24, 2024

Department CITY ADMINISTRATION	Amount
Division	Account #
Subject: DISCUSSION - CITY COUNCIL DISTRICT SEAT 4 VACANCY	
Presenter: Kaley Cook, City Clerk	
Attachments: 1. Voting Sheet	
Background: <u>UPDATED BACKGROUND FROM THE SEPTEMBER 17, 2024, WORKSHOP MEETING:</u> City Council held an interview session with the applicants present during the September 17, 2024, Workshop Meeting. The two candidates not in attendance were Regina Davis and John Scott McDonald. City Council concurred to select their top 3 candidates during the September 24, 2024, Workshop Meeting and a voting sheet has been attached to this item. <u>UPDATED BACKGROUND FROM THE AUGUST 27, 2024, BUSINESS MEETING:</u> At the August 27, 2024, Business Meeting, City Council approved the following process and timeline for filling the District Seat 4 vacancy: ✓ Application Period: Open until September 11, 2024, at 5:00 p.m. ✓ Interviews: September 17, 2024, at 1:00 p.m. ○ Discussion of Applicants: September 24, 2024, at 6:00 p.m. • Appointment Date: October 1, 2024, at 6:00 p.m. City staff received a total of 12 applications within the timeframe: Robert Bogges Darryl Boyer Regina Davis (does not reside within District 4) Charles Gambaro Leslie Giscombe Vincent Lyon Demetrios Maroosis John Scott McDonald Ronald Nakabaale Meredith Rodriguez Sandra Shank Jared Trueheart The applications within District 4 are attached to this item for Council consideration and interview.	

ORIGINAL BACKGROUND FROM THE AUGUST 27, 2024, BUSINESS MEETING:

On August 19, 2024, Palm Coast City Council Member Cathy Heighter announced her resignation effective August 23, 2024. The City will begin the process of filling the District 4 seat, which Council Member Heighter was originally slated to hold until November 2026.

The City Council will need to discuss the process and timeline for appointing a new District 4 representative per the City Charter:

"If, for any reason other than recall or assuming the office of Mayor, a vacancy occurs in the office of any Council seat within the first two years of a term, the office shall be filled by appointment within 90 days following the occurrence of such vacancy by majority vote of the remaining Council members. If said vacancy occurs within six (6) months of the next regularly scheduled election, the remaining Council members may delay the appointment. Such appointments shall last until the next regularly scheduled election, at which time the seat shall be declared open and an election held for the remaining two years of the original term, thus continuing the original staggering of district seats."

The proposed procedure and timeline for appointing a member to fill the remainder of the term:

- Application due date, to be determined by City Council.
- Interview and appointment date, to be determined by City Council.
- The City Clerk will advertise the vacant seat in media outlets, through emails to previous Citizen's Academy graduates in the district, as well as posted on the City website, consistent with previous Council vacancies.

**Recommended Action:
FOR CITY COUNCIL DISCUSSION**

City of Palm Coast, Florida

Agenda Item

Agenda Date: September 24, 2024

Department	COMMUNITY DEVELOPMENT	Amount
Division	CODE ENFORCEMENT	Account #
Subject: ORDINANCE 2024-XX AMENDING CITY OF PALM COAST ORDINANCES, CHAPTER 17, COMMUNITY DEVELOPMENT; AS AMENDED, TO ADD ARTICLE V, SHORT-TERM VACATION RENTALS		
Presenter: Jason DeLorenzo, Chief of Staff		
Attachments: 1. Presentation 2. Ordinance, Redline and Clean Versions 3. Business Impact Estimate		
Background: Council Priority: B. Safe and Reliable Services <u>UPDATED BACKGROUND FROM THE SEPTEMBER 3, 2024, BUSINESS MEETING:</u> Council requested the following changes to the Ordinance: • Section 17-67 - Definitions ○ Added ▪ Short term rentals do not apply to Single Family Dwelling occupied on a full-time basis by the owner as an on-premises, permanent resident and that has been declared and continues to be declared as homestead by the Property Appraiser. • Section 17-68 - ○ (A) ▪ Effective Date March 3rd, 2025 ○ (A)(2)(E) ▪ Added • A statement that recreational vehicles, boats and trailers may not be parked in the front of the house, except for temporary loading, unloading and cleaning. ○ (A)(3)(E) ▪ Changed one (1) responsible party's to (3) three. ○ (A)(8)(C) ▪ Added • Has completed a background check on the occupant who is renting the unit and said occupant certifies that all guests in the rented unit shall not be registered as a sex offender. • Section 17-71		

- (B)
 - Changed to maximum limit of ten (10) transient occupants
 - (C)
 - Added
 - Recreational vehicles, boats and trailers may not be parked in the front of the house, except for temporary loading, unloading and cleaning.
- Section 17-72
 - (D)
 - Added
 - The parking prohibition of RV's, boats, and recreational trailers except for temporary loading, unloading and cleaning;
- Section 17-73
 - Changed language to state
 - The Responsible Party shall be required to obtain confirmation of a nationwide background search that the prospective renter is not a registered sexual offender and also the prospective renter certifies that all guests in the rented unit are not registered sex offenders.

ORIGINAL BACKGROUND FROM THE SEPTEMBER 3, 2024, BUSINESS MEETING:

On June 4, 2024, City Council directed the City Attorney to provide new legislation to all of City Council regulating short-term rentals, aka Airbnbs within the areas of the City's jurisdiction. Section 509.032(7), Florida Statutes in which prevents a local law, ordinance, or regulation prohibiting vacation rentals or regulating the duration or frequency of rental of vacation rentals.

Single-family residential neighborhoods and their required infrastructure are generally designed to accommodate typical single-family residential homes with two (2) to three (3) persons per household on average. Local governments apply design standards tailored for residential neighborhoods for their roads, driveways, emergency services planning, public shelters, emergency evacuation plans, solid waste collection, utilities, and buffers, and also tailored in assessing their infrastructure impacts and their corresponding fair and proportionate impact/connection fees. Permanent single-family home residents inherently understand and know their physical surroundings, to include any safety gaps and potential risks to their families, because they have daily familiarity.

Short-term vacation rental occupants, due to the transient nature of their occupancy, are unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, and other similar safety measures that would readily be provided to guests in traditional lodging establishments. Short-term vacation rental owners may live elsewhere and not experience the quality-of-life problems and negative impacts associated with larger, unregulated short-term vacation rental units on residential neighborhoods.

Short-term vacation rentals with no application of mitigating standards when located in residential neighborhoods can create disproportionate impacts related to excessive occupancy, noise, trash, and parking. Short-term vacation rentals locating within established neighborhoods can disturb the quiet enjoyment of the neighborhood, lower property values, and burden the design layout of a typical neighborhood.

Short-term vacation rentals with no application of mitigating standards when located in residential neighborhoods can create disproportionate impacts related to their size, excessive occupancy, and the lack of proper facilities if left unregulated. The City desires to encourage short-term vacation rentals that are safe, fit in with the character of the neighborhood, provide positive impacts for tourism, increase property values, and achieve greater neighborhood compatibility.

The City seeks to balance respect for private property rights and incompatibility concerns between the investors/short-term vacation rentals and families/permanent single-family residences in established residential neighborhoods through the use of reasonable development standards.

These regulations are deemed necessary by the City Council to preserve property values and to protect the health, safety, and general welfare of permanent residents, lot/parcel owners, investors and transient occupants and visitors alike.

These regulations are being proposed to City Council to supplement, but not to replace, any existing federal or state law or regulation, or other controls within established residential neighborhoods served by a homeowner's association.

These regulations do not regulate duration or frequency of rentals but are intended to address the frequent change of many transient occupants housed within a single-family dwelling within an established residential neighborhood. This ordinance additionally establishes an enforcement mechanism for those short-term vacation rentals which do not adhere to the standards on an initial or continuing basis, with the overall goal of the short-term vacation rental program being compliance with the standards and not punitive in its scope.

This Ordinance is in the best interest of the public health, safety, and welfare of the citizens of Palm Coast.

Recommended Action:
APPROVE ORDINANCE 2024-XX AMENDING CITY OF PALM COAST ORDINANCES, CHAPTER 17, COMMUNITY DEVELOPMENT; AS AMENDED, TO ADD ARTICLE V, SHORT-TERM VACATION RENTALS

City of Palm Coast, Florida

Agenda Item

Agenda Date: September 24, 2024

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	\$98,427.29																		
Division	ENGINEERING	Account #	21055011-034000																		
Subject: RESOLUTION 2024-XX APPROVING A WORK ORDER FOR A TRAFFIC CALMING PLAN AS PART OF THE RESIDENTIAL SPEED LIMIT STUDY																					
Presenter: Vineesh Crawford, Traffic Engineer I																					
Attachments: 1. Presentation 2. Resolution 3. Proposal																					
Background: Council Priority: B. Safe and Reliable Services																					
A Residential Speed Limit Study was performed in early 2024, as part of this study, it was recommended that the city develop a Traffic Calming Plan. The objective of this plan is to provide the following: • The plan shall include strategies, recommendations, and an implementation schedule. • The plan is limited to residential collector roads within the city. • The plan will include post-implementation studies for select pilot strategies. • Materials used in a temporary traffic calming treatment may include delineators precast concrete curbing, rubber speed humps, precast or wood planters, rolled asphalt, pavement marking, and signage. Temporary is defined as effective for a time only, not permanent. Under the existing contract RFSQ-SWE-24-12, staff negotiated a scope and fee of \$98,427.29 with Kimley-Horn and Associates, Inc., to provide a Traffic Calming Plan. City staff has determined that the cost for the services is reasonable and fair and is consistent with these types of services for a project of this size and scope. Funds for this project are budgeted out of the FY 2025 Street Improvement Fund.																					
<table><tr><td colspan="2">Source of Funds Worksheet FY 2025</td><td></td></tr><tr><td>CM&E Other Contractural-21055011-034000</td><td></td><td>\$100,000.00</td></tr><tr><td>Total Expended/Encumbered to Date</td><td></td><td>\$0.00</td></tr><tr><td>Pending Work Orders/Contracts</td><td></td><td>\$0.00</td></tr><tr><td>Current (WO/Contract)</td><td></td><td>\$98,427.29</td></tr><tr><td>Balance</td><td></td><td>\$1,572.71</td></tr></table>				Source of Funds Worksheet FY 2025			CM&E Other Contractural-21055011-034000		\$100,000.00	Total Expended/Encumbered to Date		\$0.00	Pending Work Orders/Contracts		\$0.00	Current (WO/Contract)		\$98,427.29	Balance		\$1,572.71
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Balance		\$1,572.71																			

Recommended Action:

ADOPT RESOLUTION 2024-XX APPROVING A WORK ORDER FOR A TRAFFIC CALMING PLAN AS PART OF THE RESIDENTIAL SPEED LIMIT STUDY

City of Palm Coast, Florida Agenda Item

Agenda Date: September 24, 2024

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount
Division	ENGINEERING	Account #
Subject:	PRESENTATION - COMMUNITY CENTER PARKING LOT DESIGN AND EXPANSION UPDATE	
Presenter:	Eric Gebo, Architect III	
Attachments:	1. Presentation	
Background: Council Priority: B. Safe and Reliable Services	Staff will present City Council with an update on possible solutions and options for the expansion of the Community Center parking lot.	
Recommended Action:	FOR PRESENTATION AND DIRECTION	