

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, May 24, 2021

The City Commission met in formal session Monday, May 24, 2021 at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Absent: Tracy Upchurch, Mayor/City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Jim Piggot, Director, General Services
Melissa Wissel, Communications Director
Barry Fox, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Tom Marsh, Stake Presidency of the Church of Jesus Christ of Latter-Day Saints, delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

John Regan, City Manager, requested the addition of a public safety item to be presented by Jim Piggot, Director, General Services, under *Item 10. Staff Reports and Presentations*.

Darlene Galambos, City Clerk, requested the addition of an item under *Item 12. Items by City Clerk*, which was a request to use the City seal.

MOTION

Commissioner Valdes **MOVED** to approve the Regular Agenda as modified. The motion was **SECONDED** by Commissioner Horvath and **APPROVED BY UNANIMOUS VOICE VOTE**.

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

3.A. Annual Citizenship Awards - Graduating Seniors/2021:

Vice Mayor Sikes-Kline presented the Awards to the following graduating seniors, who had exemplified leadership and service to both their St. Johns County school and the community:

- Abigail Huber, Bartram Trail High School
- Jacob Douberly, Creekside High School
- Lucy Morfit, Ponte Vedra High School

- Devon Philcox, St. Augustine High School
- Peyton Gatlin, Pedro Menendez High School
- Ja'Myra Harris, Florida School for the Deaf and the Blind
- Seth Bowman, St. Johns Technical High School
- Chiara Brambilla, St. Joseph Academy

Vice Mayor Sikes-Kline requested a brief recess.¹

3.B. Proclamation 2021-06 - Proclaiming June 2021 as Pride Month

Vice Mayor Sikes-Kline delivered the Proclamation which was accepted by Sara Bloomberg, Protea Montessori Consultants and LGBTQIA activist.

Proclamation 2021-11 - Proclaiming May 2021 as National Drug Court Month

Vice Mayor Sikes-Kline delivered the Proclamation which was accepted by former Commissioner and Honorable Judge Alexander R. Christine, Jr., Seventh Judicial Circuit, St. Johns County.

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

The Commission heard from the following members of the public:

- Jenai Master
- Trish Becker
- Mary Cobb
- Avery Black
- Chris Fulmer
- Bruce Bates
- Rachel Erickson
- Mattie Harms
- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

Mr. Regan read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JUNE 14, 2021:

- Ordinance 2021-10
- Ordinance 2021-11

CA.3. Reminder of Upcoming Meetings:

- June 14, 2021, 5pm, City Commission Meeting
- June 21, 2021, 3pm, Special Meeting, Discussion of 2022 Budget Assumptions (Revenues)
- June 28, 2021, 5pm, City Commission Meeting

CA.4. APPROVAL OF MINUTES FROM PRIOR COMMISSION MEETINGS:

(None)

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):

(None)

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION / RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

(None)

CA.7. NOTIFICATION OF PROCLAMATIONS / CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Approval of Contract between the City and the School Board for two resource officers for the City elementary schools. (*M. Breidenstein, Assistant City Manager*)

¹ Recess taken from 5:18 P.M. until 5:24 P.M.

CA.9. Annual report evaluating the progress of the implementation of the floodplain management plan. (*R. Franklin, Director Public Works*)

CA.10. Invoices for payment:

- Cavendish Partners, P.A. Marlowe Case \$1,189.00
- Cavendish Partners, P.A. Masci Case \$4,757.08

End Consent Agenda

At the request of Vice Mayor Sikes-Kline, Mr. Regan advised the Floodplain Management Plan would be posted on the City's website.

5.A. Additions, deletions or modifications to Consent Agenda

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Valdes MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

6. APPEALS

(None)

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

7.A. General Public Presentations

(None)

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

8.A. Ordinances – Second Reading

(None)

8.B. Ordinances – First Reading (only if required by law)

(None)

8.C. Resolutions – Public Hearing (only if required by law)

(None)

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

9.A.1. Ordinance 2021-10: Amends certain sections of Chapter 8 and updates portions of the City Code.

Richard Schauland, City Building Official, reviewed the Ordinance. He delivered a presentation which indicated the updated building and building regulations to the City's Code, to include modifications to the Floodplain Management and Coastal Construction sections for compliance with the Federal Emergency Management Agency (FEMA) regulations.² He advised that language included in the Ordinance had been approved by the State and FEMA.

Mr. Schauland advised Commissioner Valdes that although trailer homes did not exist in the City, language changes were made to that section to comply with FEMA.

² Included in original Commission packet

MOTION

Commissioner Horvath **MOVED** to approve Ordinance 2021-10 on first reading and move to second reading. The motion was **SECONDED** by Commissioner Blonder.

Isabelle Lopez, City Attorney, read the title as follows:

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 8, ARTICLE II ADOPTED BUILDING CODES; ARTICLE III COASTAL CONSTRUCTION, AND ARTICLE V FLOODPLAIN MANAGEMENT OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING CRITERIA FOR ACCESSORY STRUCTURES IN FLOOD HAZARD AREAS; TO SPECIFY ELEVATION OF MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Horvath, Blonder, Valdes, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2021-11: Provides for administrative procedures for various categories of real estate acquisitions by the City.

Ms. Lopez reviewed the Ordinance provisions which related to 'ground rule' revisions in the City's purchasing manual and addressed purchasing commodities and other procurements. She requested Commission feedback regarding the changes.

The Commission discussed:

- A 'Paramount Public Purpose' example was expending substantial funds to re-engineer infrastructure such as sea walls or lift stations that must be located in a particular place
- Essentiality need for City to obtain particular property if seller did not want to go through a lengthy and expensive condemnation
- Language should state 'any purchase price above \$250,000 should require one appraisal', as requiring two appraisals for properties above one million was excessive
- Small property purchases, such as easements, would become more prevalent as City worked with sea-level projects

There was Commission consensus on the following modifications to the Ordinance:

- Remove the requirement for two appraisals in Section 2.2 of the Ordinance, and state 'one appraisal for anything over \$250,000'
- Raise the maximum level for the first category, which would be purchases by the City Manager, up to \$75,000

Ms. Lopez stated she would appropriately adjust all numerical measures within the Ordinance to adhere to the requested changes.

MOTION

Commissioner Valdes **MOVED** to approve Ordinance 2021-11 on first reading with the requested changes, place on second reading read by title only and passed. The motion was **SECONDED** by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-11

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, CREATING CHAPTER 2, ARTICLE I, SECTION 2-2 PROVIDING PROCEDURES FOR REAL

ESTATE ACQUISITIONS BY THE CITY;
PROVIDING FOR SEVERABILITY OF
PROVISIONS; PROVIDING FOR
CODIFICATION; REPEALING ALL
ORDINANCES IN CONFLICT HEREWITH;
AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Valdes, Horvath, Blonder,
Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

(None)

10. STAFF REPORTS AND PRESENTATIONS

Item 10.A. added to Agenda.

10.A. Jim Piggot, Director, General Services, updated the Commission regarding the status of Swing Park, a community playground constructed in 1997, and designed by Play by Design, LLC. He stated the City was contacted by Lee Archin, Certified Playground Inspector, and the original on-site project consultant, to perform an informal walkthrough and advise of safety issues.

Mr. Piggot noted the larger kids' park on the south side of the pavilion was inspected, and not the toddler's side. He indicated that Mr. Archin brought attention to loose towers, splintered posts, spongy deck, rotted flooring, damaged slide, broken tire chain and deficiency with current ADA standards.³

Mr. Piggot advised that out of an abundance of caution, fencing was placed around the area, and the park had been temporarily closed at the suggestion of Mr. Archin. He stated City staff would thoroughly review Mr. Archin's formal report once received, and the City would have option to fix or replace the playground, which had surpassed the

general lifespan of 20 years due to attentive City repairs. He concluded the cost to repair or replace the playground was unknown; however, the City could seek financial contributors to assist with repairs, should that be the direction taken.

The Commission and Mr. Regan discussed:

- Closure of park was correct action
- Numerous style options for replacement of park would be reviewed by City staff
- Future work would be subject to the procurement standards with bids and proposals appropriately vetted
- Community involvement encouraged, as park was a special City asset in a great location
- Refurbishment of park would maintain the nostalgia
- Institute a campaign around Park's 25th anniversary to rally the community
- Park closed until further notice
- Consider all options including repair, refurbish, replace, or a combination after receipt of Mr. Archin's report

11. ITEMS BY CITY ATTORNEY

(None)

12. ITEMS BY CITY CLERK

Darlene Galambos, City Clerk, advised the City's Archeology Department had requested use of the City seal to grace the back of a children's book 'Diego the Donkey' which would be provided free to local schools. She noted Diego was an impressive archeological find and an important part of the City's history.⁴

MOTION

Commissioner Horvath MOVED to approve the use of the City Seal by the City's Archeology Department on the book 'Diego the Donkey'. The motion was SECONDED by Commissioner

³ Photographs attached to original minutes

⁴ Letter of request attached to original minutes

Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

13. ITEMS BY CITY MANAGER

Mr. Regan announced the opening of the Gallimore Community Pool for the summer season on Friday, May 28th at 1:00 P.M.

Mr. Regan reminded the Commission of the dedication of the Herbie Wiles Park.

Mr. Regan advised that based on prior meeting discussions regarding the Red Cox Road intersection, Xavier Pellicier, Mobility Manager, was assigned to follow up with the Florida Department of Transportation.

Mr. Regan informed the audience that the City did not fund the www.visitstaugustine.com site.

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Blonder requested that City staff clarify language regarding construction adjacent to a wetland within the Conservation Overlay Zone, and stated consistency was needed with the Conservation Overlay Zones, the City's Code and the Comprehensive Plan. She suggested staff update the Code regarding wetlands protection, specifically the Land Development Code, which should be consistent with the Comprehensive Plan as well as the conservation overlay development section.

There was Commission consensus to support the requests listed by Commissioner Blonder.

Commissioner Horvath advised that she had shared with the Commission the Northeast Florida Regional Council document which listed the productive work done for the past six months.

Commissioner Valdes announced a San Sebastian River cleanup plan to occur after July 4th. He noted local restaurant and hotel

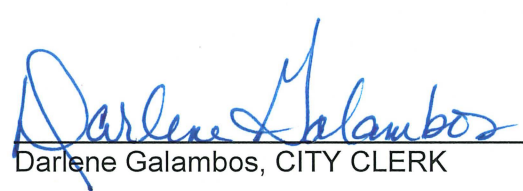
owners along the River and the public would be invited to participate in the cleanup to preserve sea-life, and updates would be forthcoming.

15. ADJOURNMENT

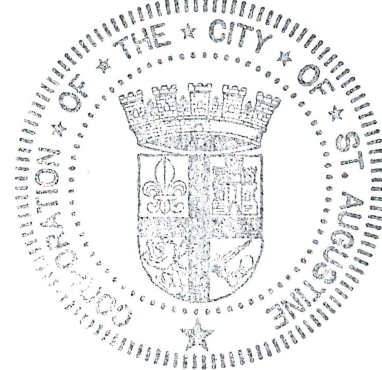
There being no further business, the meeting was adjourned at 6:39 P.M.⁵



Nancy Sikes-Kline, VICE MAYOR



Darlene Galambos, CITY CLERK



⁵ Transcribed by Laura Morse