CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, March 8, 2021

The City Commission met in formal session Monday, March 8, 2021 at 5:15 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

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

Absent: John Valdes, City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Director, Public Works
David Birchim, Director, Planning and Building
Todd Grant, Director, Utilities
Stephen Lauber, Information Technology Manager
Barry Fox, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Upchurch read a sermon by Reverend Dr. Silvester Beamen, Bethel African Methodist Episcopal Church, Wilmington, Delaware, for the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

(None)

MOTION

Commissioner Blonder MOVED to approve the Regular Agenda. The motion was SECONDED by Commissioner Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

(None)

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:

- Robert Testa
- Seber Newsome III
- Shawn Morrison
- Rhonda Brennan
- BJ Kalaidi

Public comment was closed.

5. CONSENT AGENDA

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA – MARCH 8, 2021

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON MARCH 22, 2021:

(None)

CA.3. Reminder of Upcoming Meetings:

- March 22, 2021, 5pm, City Commission Meeting
- April 12, 2021, 5pm, City Commission Meeting
- April 26, 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):

- L. John Arbizzani - 5 Cordova Street
- Debra and Bobby Nelson - 498 Pomont Avenue

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 Antigua Phase Two subdivision plat. (*D. Birchim, Planning and Building Director*)

End of Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION

AYES: Sikes-Kline, Blonder, Horvath, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

6. APPEALS

(None)

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

7.A. General Public Presentations

7.A.1. Presentation by Gayle Phillips, Executive Director, Friends of Lincolnville, Inc. (dba Lincolnville Museum and Cultural Center) on House Bill 3409 (Sponsor Cyndi Stevenson). This bill appropriates state funding for staffing, operations, upgrades and historic preservation of the museum formerly known as Excelsior High School. The Friends of Lincolnville, Inc. are seeking an endorsement by the City of St. Augustine.

Ms. Gayle Phillips delivered a presentation discussing the history and current needs of the Lincolnville Museum and Cultural Center (Museum) and she requested the Commission's support for HB 3409. She mentioned the extensive grant writing, National Park Service awards, and exhibit and program grants received over her five years of affiliation; however, those monies were insufficient to cover the extensive needs of the Museum.

Mayor Upchurch reaffirmed Ms. Phillips' request for the Commission's endorsement along with a mayoral support letter to the appropriate committees, and he questioned whether a resolution was necessary.

Commissioner Blonder suggested that other tracked bills had resolutions; therefore, this bill deserved the same.

MOTION

Commissioner Blonder MOVED to endorse the project that directed the Mayor to convey the Commission endorsement to the appropriate legislative and executive bodies, and that City staff bring back a Resolution for the next meeting. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

AYES: Blonder, Horvath, Sikes-Kline, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

Mayor Upchurch advised the letters would be sent that week and the resolution handled at the next meeting.

Mr. Regan acknowledged that once the Commission endorsed a position, the City's Legislative Consultant in Tallahassee was immediately contacted to work with the City to achieve a successful outcome.

<u>7.A.2.</u> Presentation by Greg White, President West Augustine Historical Community Development Corporation (CDC) on House Bill 3901 (Sponsored by Cyndi Stevenson). This will appropriate funding to construct a medical complex in historic West Augustine. This organization is seeking an endorsement by the City of St. Augustine.

Mr. Greg White recited the West Augustine Historical CDC mission statement: *'To improve the quality of life for residents in historic West Augustine and surrounding areas"* and stated to date they had 21 letters of support from State, City and County officials, local clergy, St. Johns County Sheriff's Office and Flagler Hospital. He advised that an engineer, architect, consultant and developer had been hired and concluded that Wells Fargo and Bank of America issued a grant to cover soft project costs. He requested Commission support for a resolution.

Dwala Willis, Board Member, West Augustine Historical CDC, restated the CDC's intent to assist West Augustine residents with long-time financial and medical disparities. She discussed their partnership with Flagler Hospital to create a desperately needed West Augustine health village with on-site, follow up and preventive care for increases in diabetes, hypertension and kidney disease, with medical providers for mental health, illness, vision, dental, substance abuse and pharmacy. She advised of the plan with Flagler Hospital for a medical mobile bus and a local church on-site vaccine location that would assist with vaccinating over 275 residents, when prior to this action only 3% of blacks in St. Johns County were reported as vaccinated. She concluded the City's support with CDC resources would allow the project to move forward and positively impact and change the historic West Augustine trajectory.

Commissioner Sikes-Kline thanked Ms. Willis and Mr. White for their service and project support and for spreading information to the community. She noted the Commission was amiable to a letter of support and a resolution.

Mayor Upchurch thanked Ms. Willis and Mr. White for their work achieved in the community.

MOTION

Commissioner Sikes-Kline MOVED to write a letter of support to the appropriate legislative and executive bodies as well as the appropriate resolution to be brought back to the next meeting. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION

AYES: Sikes-Kline, Upchurch, Horvath, Blonder
NAYES: None
MOTION APPROVED UNANIMOUSLY

<u>7.A.3.</u> Request for commission support regarding bills introduced to respond to sea-level rise and inland flooding.

Mr. Regan reviewed the topic and the accompanying HB 1379 / SB 1186 which prohibited rising appraisal values for elevated homesteaded and non-homesteaded residential properties during homeowner mitigation resulting in negative taxation. He stated a constitutional amendment was required; therefore, there were two necessary joint resolutions; House Joint Resolution 1377 and Senate Joint Resolution 1182.

Mr. Regan summated the focus of comprehensive SB 1954 as planning, creating appropriation funding, establishing requirements to make vulnerability assessments possible for communities and establishing requirements for a State comprehensive vulnerability and risk assessment. He reviewed what the bill package would provide for the community and he requested Commission endorsement.[1]

MOTION

Commissioner Blonder MOVED that the Commission endorse these summarized bills and follow with a supporting resolution. The motion was SECONDED by Commissioner Horvath.

Commissioner Blonder thanked City staff and those who assisted with getting priority bills to the legislature. She suggested prioritizing and preparing a resiliency topic list to enable expedient proposal submittal for emerging funding opportunities from organizations such as the following National Fish and Wildlife Foundation, National Oceanic and Atmospheric Administration and U.S. Environmental Protection Agency (EPA) FEMA.

Commissioner Blonder encouraged Mr. Regan to explore the addition of City staff to prepare and submit these resiliency proposals to capitalize on opportunities. She recommended partnering with local and regional academic institutions for research and suggested the Building Code Task Force for New Construction continue their plan development to educate and promote residential property owners' participation in voluntarily raising structures for tax breaks.

VOTE ON MOTION

AYES: Blonder, Horvath, Sikes-Kline, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

<u>7.B.</u> Items of Great Public Importance

(None)

<u>7.C.</u> Other Items Requiring Public Hearing

(None)

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

[1] Included with original Commission packet

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

(None)

9.B. Resolutions

9.B.1. Resolution 2021-11: Amends the special events calendar to reschedule the Rhythm & Ribs Festival.

Isabelle Lopez, City Attorney, reviewed the Resolution which permanently rescheduled the Rhythm & Ribs Festival to October. She advised that for clarity, the accompanying Exhibit "A" included all events itemized and contemplated by the original resolution and noted events were not included if they did not require the use of Francis Field or road and bridge closures.

Commissioner Sikes-Kline MOVED to pass Resolution 2021-11. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

AYES: Sikes-Kline, Horvath, Blonder, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

10. STAFF REPORTS AND PRESENTATIONS

10.A. Final Report by Commissioner John Valdes on the Building Code Task Force for New Construction.

David Birchim, Director, Planning and Building, summarized the Building Code Task Force for New Construction (BCTF) Final Report goals and recommendations based on their four meetings and thanked the following BCTF members for volunteering:

- Sarah Ryan
- Rob Matthews
- Robin Moore
- Jon Benoit
- Les Thomas
- Irene Arriola
- John Wooldridge
- Commissioner John Valdes

Mr. Birchim reviewed Final Report adoption procedures, noting the State required the Planning and Zoning Board (PZB) to review and make recommendations for all changes to the Land Development Code, and Flood Mitigation Code changes required FEMA approval. He concluded that after all necessary reviews, the Final Report would return to the Commission for final adoption.

The Commission discussed:

- Shade trees acted as straws and provided significant water retention
- Lot grading plan required elevation surveys 10 feet into neighbor's property on all sides, causing possible need to re-survey homes
- Additions 400 square feet or more would trigger re-surveying and submittal of new plans
- Educational materials provided to residents were to the betterment of the community and homeowners
- Addition of rain gardens and rain barrels in swales to assist City drainage system
- Native wetland materials

The Commission expressed gratitude towards Mr. Birchim, the Final Report and BCTF success within only four months.

Mayor Upchurch confirmed procedurally that Mr. Birchim required a motion to accept the Final Report to be forwarded to the PZB for review, with recommendations from the Commissioners about exploring other suggestions.

Commissioner Blonder requested the following spelling error corrections:

- Goal #3B 'impervious' instead of 'imperious'
- 'damning' on page 85

Commissioner Blonder requested the following additions and modifications for future BCTF plans:

- Include larger commercial construction projects
- Create additional incentives for sustainable and resilient stormwater management, including rain gardens, bioswales and rooftop gardens
- Requested staff review of Goal #1) A) 2) a) regarding lot grading and stormwater for more on-site water retention
- Size and number of shade trees to be planted were important and required specification
- BCTF recommendation should mirror the City Tree Ordinance which listed allowable native tree species

Commissioner Sikes-Kline requested inclusion of rooftop gardens and specific tree size and species within the recommendations.

MOTION

Commissioner Sikes-Kline MOVED to accept the Final Report and forward it to the PZB for review with recommendations from Commissioner Blonder and Commissioner Sikes-Kline as added items supported by the Commission. The motion was SECONDED by Commissioner Blonder.

VOTE ON MOTION

AYES: Sikes-Kline, Blonder, Horvath, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

11. ITEMS BY CITY ATTORNEY

<u>11.A.</u> Legislation update.

Mayor Upchurch stated the Commission packet included the Legislative update from the City Attorney; therefore, no specific presentation would be made.

12. ITEMS BY CITY CLERK

<u>12.A.</u> Request for two appointments on the Historic Architectural Review Board (HARB).

Darlene Galambos, City Clerk, advised the Commission that two applications were received, and both applicants were current HARB members and eligible for re-appointment:

- Catherine Duncan
- Jon Benoit

Commissioner Sikes-Kline MOVED to re-appoint Catherine Duncan and Jon Benoit. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

AYES: Sikes-Kline, Horvath, Blonder, Upchurch
NAYES: None
MOTION APPROVED UNANIMOUSLY

<u>12.B.</u> Notification of a vacancy on the Code Enforcement, Adjustments & Appeals Board (CEAAB).

Ms. Galambos notified the Commission of the vacancy, the position was being advertised and applications would be brought back to the Commission.

Ms. Galambos advised that Jamie Perkins, Community Redevelopment Agency (CRA) Administrator, requested to schedule a CRA meeting on March 22, 2021 at 4:00 PM, prior to the Commission meeting.

There was Commission consensus to hold the CRA meeting at the specified time.

13. ITEMS BY CITY MANAGER

(None)

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Sikes-Kline advised that SB 522 regarding short-term rentals would be heard on Thursday, March 25th, and the Florida League of Cities would notify Lena Juarez, City Lobbyist, on the manner with which to act, and Ms. Juarez would advise the Commission. She stated three new bills regarding short-term rentals had been filed and were friendly to the City's cause.

Commissioner Sikes-Kline stated the Board of County Commissioners (BCC) had discussed a fifth penny for the value-added tax (VAT) at a March 2nd meeting, and it appeared to be on a fast track. She stated the topic would be presented to the Tourist Development Council (TDC) on March 11th with requested recommendations due to the BCC by April 5th. She noted the Commission was previously on record with a vote under Commissioner comments in support of a fifth penny for the TDC, specifically for transportation needs pertaining to infrastructure. She asked the Commission to quickly consider the topic based on the time restriction.

Mayor Upchurch indicated his unfamiliarity with the issues and stated he did not serve on the Commission when they went on record; therefore, he deemed it appropriate to revisit the topic with background information due to personnel changes, so the Commission would understand available options prior to making a decision.

Commissioner Sikes-Kline asked Mr. Regan to assimilate reasons to support the fifth penny for presentation and discussion at the March 22nd Commission meeting.

Mr. Regan clarified with Commissioner Sikes-Kline that the Commission position on record with the TDC was to advocate for transportation improvements, including a parking garage, shuttle operations and emerging transportation issues, and that she was asking colleagues to maintain their position on the fifth penny with planned discussion at the next meeting.

Mayor Upchurch clarified that Mr. Regan would take the lead on the topic.

Commissioner Sikes-Kline stated she was intrigued with and supported Commissioner Blonder's suggested priority list for 'shovel ready' resiliency projects.

There was Commission consensus regarding the necessity of a resiliency project priority list with encouragement of public input.

Mr. Regan advised a presentation would be prepared to discuss the current status of resiliency projects at a future meeting.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:43 P.M.[2]

T. W. Upchurch

Tracy Upchurch, MAYOR

Darlene Galambos

Darlene Galambos, CITY CLERK

CORPORATION OF THE CITY OF ST. AUGUSTINE

[2] Transcribed by Laura Morse