CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, November 8, 2021

The City Commission met in formal session Monday, November 8, 2021 at 5:03 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
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Mark Simpson, Director, Finance
David Birchim, Director, Planning and Building
Todd Grant, Director, Utilities
Melissa Wissel, Communications Manager
Jennifer Michaux, Police Chief
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor LaVoy Newton, Lighthouse Church of God, delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Mr. Regan requested the addition of *Item 13.B.* to brief the Commission regarding the recent nor'easter storm.

MOTION

Mayor Upchurch MOVED to approve the Regular Agenda with understanding the City Manager would present a post action report of the storm under Item 13. The motion was SECONDED by Commissioner Horvath 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:

- Tyrone Bennett
- Ed Slavin
- Eric Schaefer
- John Grapsas
- Debbie Wicker
- Lauren Giber
- Matthew Murphy

- Stanley Paris
- Justin Muller
- C.H. Hooks
- Tyrone Bennett[1]
- Mark Eidman
- Taylor Pelchat
- Mark Pelchat
- Rory Jaeger
- Tom Fleming
- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA
NOVEMBER 8, 2021

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON DECEMBER 13, 2021:

(None)

CA.3. Reminder of Upcoming Meetings:

- December 13, 2021, 5:00pm, Regular City Commission Meeting
- January 10, 2022, 5:00pm, Regular City Commission Meeting
- January 24, 2022, 3:00pm, Special City Commission Meeting (work force housing)
- January 24, 2022, 5:00pm, Regular City Commission Meeting

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

- September 27, 2021, Regular Commission Meeting
- October 11, 2021, Regular Commission Meeting

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

• Shakia Collier - 900 W. 4th Street

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 final subdivision plat for Phase 6 - Pelican Reef. *(D. Birchim, Director Planning and Building)*

CA.9. Approval of grant awarded by the Florida Department of Law Enforcement, Office of Criminal Justice in the amount of $4,380. *(J. Michaux, Chief, St. Augustine Police Department)*

CA.10. Approval of grant agreement with FDEM regarding South Whitney and West King Streets flood mitigation project. *(R. Franklin, Director Public Works)*

CA.11. Approval of request for carry-forward funds from the 2021 fiscal year. *(M. Simpson, Director Finance)*

End Consent Agenda

<u>5.A.</u> Additions, deletions, or modifications to Consent Agenda

(None)

<u>5.B.</u> Approval of Consent Agenda

[1] Mayor Upchurch allowed Mr. Bennett to speak twice

MOTION

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

VOTE ON MOTION

AYES: Sikes-Kline, Valdes, Horvath, Blonder, 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

(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

8.A.1. Ordinance 2021-25: Amends the zoning of 36 Granada Street (CL-1) and 8 DeSoto Place (RG-1) to Planned Unit Development (PUD) and approval of License Agreement to accompany PUD.

David Birchim, Director, Planning and Building, reviewed the Ordinance and allowable uses and limitations in the PUD. He noted at the previous second reading of the Ordinance on October 25th, which was tabled, the Commission asked the applicant to make several changes, which were made. He reviewed the changes, indicated passage of the Ordinance would require a City license agreement for public right-of-way (ROW) use, and the applicant was present for questions.

Mayor Upchurch inquired about the Garden View, Granada Street, and Parking View elevations, the location of the old commercial sign, and maintaining the commercial 1920s theme.

Mr. Birchim confirmed there was no architectural review since the building was not in a historic district, and the applicant went to the Historic Architectural Review Board (HARB) for a Certificate of Partial Demolition with conditions that there would be five feet of clearance before the windows, and glazing placed on the front of the building. He stated the architect confirmed HARB's requirement would be met, and the building would maintain the old feed store form with the front opened to a patio style area.

The Commissioners provided ex parte communication.

Public hearing was opened, and the Commission heard from the following members of the public:

Eric Schaefer supported the Ordinance and stated this was a 'win-win'. He felt the applicant addressed all Commissioner's concerns, and this was an effective use of the building which was better than prior uses.

Ed Slavin did not support the Ordinance. He believed the building should be a replacement movie theatre for public benefit, and PUDs were a sneaky way to circumvent zoning. He expressed concerns with flooding, applicant's responsiveness, the potential for applicant to turn location into a bar, City noise and trashy-ness, and a potentially unsuccessful PUD.

B.J. Kalaidi did not support the Ordinance and expressed concerns with the addresses listed for the property owners, code violations, traffic law enforcement, and actual public benefit.

Public hearing was closed.

Commissioner Valdes supported the Ordinance and stated this was a reinvention of a building in disrepair, a good use of the structure, the area was not residential, and the Lake Maria Sanchez project would mitigate flooding in that area.

Commissioner Sikes-Kline requested clarification of verbiage with the rideshare program incentivization and the *"enhanced percentage of tips to employees who carpool, restaurant manager transportation of employees who open restaurant in the morning, and additional tips for employees who use Uber/Lyft to get to work".* She said tips came from customers, not from management and noted where it read Uber / Lyft it should say rideshare.

Darlene Galambos, City Clerk, swore in the applicant, Jay McGarvey.

Mr. McGarvey addressed the financial incentive for taking Uber, Lyft, or a taxi, versus parking, and noted there were additional dollars to be added to tips if the employees used rideshare to work.

Commissioner Sikes-Kline stated the text of the PUD was a legal binding document and clearly articulated the restaurant manager would pick up employees to open the restaurant; however, she requested language modification, since this was mostly unenforceable as written but should be understandable.

Mr. McGarvey stated there may be future incentives to employees and it was impossible to enunciate every type of future potential incentive in the document, but financial incentives worked best.

Commissioner Sikes-Kline and Mayor Upchurch both expressed concerns with the wording, they were not arguing the concept, and the Commission did not provide language; therefore, this was an open issue.

Commissioner Blonder stated the proposal was much tighter; however, she shared concerns with the language, there were quite a few spelling errors, and she suggested tabling the Ordinance again. She noted positively a bioswale and pervious pavers were added; however, the landscape plan still included non-native species which were requested twice, and above ground irrigation not coherent with the low impact irrigation referenced. She noted her appreciation on the steps in the right direction, but the pieces were still not quite there; therefore, she did not see a compelling reason this was a public benefit that merited a PUD.

Mr. McGarvey indicated the landscape architect disagreed with the native species, and as soon as the plants were established, the irrigation systems would be turned off.

Commissioner Valdes stated there was a small amount of landscaping, he wrestled with idea of using native plants, and recognized the many other plant materials injected into the area that were acceptable.

Mayor Upchurch expressed support for the project, and shared the Commissioner's concerns with loose language, and typographical errors. He appreciated Commissioner Blonder's concerns with use of native plants but would defer to the professional architect as this was not a deal breaker. He saw a public benefit with the project, noted alcohol sales were ancillary to a restaurant operation and not a bar, and the project created more vibrant commercial activity, which at this time and location was acceptable for a small-scale PUD. He asked Isabelle Lopez, City Attorney, if they could make a motion to approve the Ordinance with the understanding that appropriate language would be included regarding the rideshare program incentive.

Ms. Lopez was amiable to the Commission's will, and suggested they have a brief recess, or address another item on the agenda while she and Mr. McGarvey worked through the language.

Commissioner Horvath asked if they could add a modification to the landscape plan and was informed the architect's redesign could not be addressed during a recess.

There was Commission consensus to clean up the language.

MOTION

Mayor Upchurch MOVED to temporarily table Ordinance 2021-25 to bring it back at the end of the meeting. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

Item 8.A.1. was continued after Item 13.B.

Ms. Lopez reminded the Commission emails were sent to the Commission by several constituents, and during ex parte this was not acknowledged; therefore, she requested concurrence that some of the Commissioners received emails regarding the old 'Pot Bellies' or Granada Street.

Commissioner Horvath, Commissioner Blonder, Commissioner Sikes-Kline, and Commissioner Valdes acknowledged receipt of the emails noted by Ms. Lopez.

Mayor Upchurch stated he did not receive any emails.

Ms. Lopez reviewed the language drafted with the applicant which would substitute the questionable tip language:

'Management of the business or businesses within the PUD shall provide employee incentives to encourage non-vehicular commuting by employees to the site, or ride share options for the employees. This plan for alternative methods of commuting to the site shall be memorialized by each business within the PUD. This plan must be provided to the City upon request for purposes of code enforcement."

Ms. Lopez noted the applicant requested the addition of *'native landscape species shall be verified by City staff'* to address Commissioner Blonder's concern. She reminded the Commission two votes were required, since adoption of the PUD would then require adoption of the license agreement.

MOTION

Mayor Upchurch MOVED approval of Ordinance 2021-25 with the added language as annunciated by the City Attorney. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021 - 25

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE ZONING FOR APPROXIMATELY .75 ACRES OF PROPERTY LOCATED AT 36 GRANADA STREET (PID# 203240-0000) AND 8 DE SOTO PLACE (PID# 203230-0000), AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF COMMERCIAL LOW ONE (CL-1) AND RESIDENTIAL GENERAL ONE (RG-1) TO THE CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

MOTION

Mayor Upchurch MOVED approval of the License Agreement. The motion was SECONDED by Commissioner Sikes-Kline.

VOTE ON MOTION

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

8.A.2. Ordinance 2021-28: Adopting the Property Rights Element into the City's Comprehensive Plan.

Mr. Birchim reviewed the Ordinance which included language required by the State of Florida and recommended by the Planning and Zoning Board (PZB), and he noted changes to the Comprehensive Plan could not be made until this element was adopted.

Public hearing was opened, and the Commissioner heard from the following member of the public:

- Ed Slavin

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to approve Ordinance 2021-28 on second reading. The motion was SECONDED by Commissioner Sikes-Kline.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE CITY OF ST. AUGUSTINE 2040 COMPREHENSIVE PLAN TO INCORPORATE CHANGES REQUIRED BY HOUSE BILL 59; HOUSE BILL 59 REQUIRES THAT LOCAL GOVERNMENTS ADOPT A PROPERTY RIGHTS ELEMENT INTO THE COMPREHENSIVE PLAN; PROVIDING FOR INCLUSION IN THE COMPREHENSIVE PLAN OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

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

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

(None)

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

8.C.1. Resolution 2021-40: Public Hearing Required: Approves the increase of the Stormwater Utility Fee Rate.

Mark Simpson, Director, Financial Services, reviewed the Resolution which raised the Fee from $8.00 to $9.00 per month in accordance with the Revenue Workshop held earlier in the budget year.

Public hearing was opened, and the Commission heard from the following member of the public:

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2021-40. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

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

8.C.2. Resolution 2021-42: Public Hearing Required: Approves the increase of the water and sewer rates by the CPI.

Mr. Simpson reviewed the Resolution which increased rates based on a tier of low, middle, and high consumers of water. He noted the higher consumers of water who used 20,000 to 30,000 gallons per month had the rate raised to 7.5%, and the rate for those who used over 30,000 was raised to 10% to encourage water conservation.

Commissioner Blonder was pleased with the tiered system which encouraged water conservation by the heaviest users, and she thanked Mr. Simpson for his efforts.

Mayor Upchurch stated it was important to have this tiered method advertised so consumers had the opportunity to reduce their water bill by consumption. He noted a public comment at an earlier meeting addressed the idea of holding smaller users harmless to minimize the impact.

Public hearing was opened, and the Commission heard from the following member of the public:

- B.J. Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2021-42. The motion was SECONDED by Commissioner Valdes.

VOTE ON MOTION

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

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

(None)

9.B. Resolutions

(None)

10. STAFF REPORTS AND PRESENTATIONS

(None)

11. ITEMS BY CITY ATTORNEY

(None)

12. ITEMS BY CITY CLERK

Ms. Galambos reminded the Commission of the second budget ordinance reading and the final millage rate resolution on November 15th at 5:05 p.m. She explained the ad valorem revenue budget was advertised and based on the County's preliminary estimates, but when the final numbers posted, the budget and advertised figures were not adjusted to reflect the final numbers; therefore, the second and final public hearing would take place on that date.

Mayor Upchurch confirmed with Ms. Galambos that only one meeting was necessary without the need to go through the entire process again.

13. ITEMS BY CITY MANAGER

13.A. Discussion regarding the donation of property at 110 Carver Street and the lease agreement for same.

Mr. Regan reviewed the topic which required Commission discussion and a decision on whether to further vet the project. He noted the following information:

- Topic was presented and discussed at length during the October 14, 2019 Commission meeting
- Topic was off public radar for a while and had been delayed due to the monument relocation, then COVID, which forced only essential business to come before the Commission
- Significant neighborhood outreach would be necessary
- Stanley Paris' donation of the property intended to bring sailing education to the forefront, with the idea to move youth to the residential property
- Key item was an agreement to a deed condition, and language was specific which called it a sailing center in the first draft, but the primary purpose was instructional sailing
- Genesis of project came from neighborhood complaints about compression, stability, and the neighborhood had current government uses ranging from the boat ramp, government owned property, tennis courts, recreational facilities, elementary schools, skate park, and the lighthouse
- A gift should be made without strings attached; however, it was not uncommon for government to accept a gift with additional use conditions, and the deed was specific
- Yacht Club would have one year to bring sailing instruction to fruition, operated continuously, and if they failed the property would revert to use as a passive park
- Extremely difficult for government to acquire this type of property and future generations would benefit from a sailing instruction center or a passive park
- Lease agreement conditions in the draft agreement were explicit and protected things such as no obstruction to Carver ROW, and no activities permitted as special events that took away from use as a sailing instruction center
- Yacht Club was responsible for the property with operation hours 8:00 a.m. to 6:30 p.m. and summer hours may go longer, not to exceed 10:00 p.m.
- Rebuilding the dock was necessary and the lease stated a new dock could only go into the existing footprint of an old dock which required appropriate review

Commissioner Sikes-Kline believed the discussion was unbalanced with those who publicly spoke earlier in meeting, and she looked forward to more neighborhood participation and public input. She stated the youth sailing center was the premise which got her support since it was a safe location for students and children, and the boat ramp was dangerous. She noted appreciation of the archeological protection of the parking lot at the original lighthouse.

Commissioner Valdes concurred this project was about kids and youth learning to sail, and if the property fell into private sector hands, a dock and building would be constructed under the current zoning; therefore, they were doing a service to the community, this was a wonderful gift to the youth, and it saved the property from over-development. He stated the project had low impact use, the County's growth boat ramps were overrun, and there was certainty with the Yacht Club taking this with prohibitions placed onto the development.

Commissioner Blonder inquired about the existing building and whether it would be demolished and reconstructed, and she was advised by Mr. Regan that parts would be demolished, and others would remain indoor classroom space, but overnight accommodations were off the table. She said that much of the disagreement she heard was the result of significant changeover of Yacht Club leadership which contributed to the delay, and in the changeover process the neighbors did not have certainty. She stated if they moved this forward, the language should be tightened up with transparent communication and the neighbors' deep involvement. She also indicated boating traffic was out of control in recent years, and she worried about sailboats and waterway safety issues which should be handled before someone got hurt.

Mr. Regan advised that both parties were committed to the requests, and much of the iteration was the Yacht Club trying to rework terms of the original lease agreement.

Mayor Upchurch thanked Mr. Regan for his leadership, the Commissioners for their comments, and the Parises for their generosity. He remained committed to the project, suggested they go slow and address concerns that came forward, as well as remember that Lighthouse Park was a neighborhood association before there were words for neighborhood association, which the Commission should respect. He concluded a positive situation could be created for all parties, and he mentioned the pressure encountered at the proposed roundabout in the Anastasia Boulevard area, which was drastically impacted by the Lighthouse Park traffic solution. He asked Mr. Regan to recommend the next steps.

Mr. Regan stated if it was the will of the Commission to move forward, the next step would be contacting Debbie Wicker, President, Lighthouse Park Neighborhood Association, to schedule an initial neighborhood meeting with a public outreach goal on finding solutions that addressed concerns.

There was Commission consensus to move forward, but not rush, with the next step reaching out to the neighborhood association.

There was Commission consensus that alcohol sales and consumption were prohibited at the sailing center, unless there was a compelling reason.

<u>13.B.</u> Update on recent nor-easter storm

<u>Item administratively added.</u>

Mr. Regan reviewed the events of the weekend nor'easter and noted the following:

- Wind gusts reached 60 mph
- 10 vessels broke free from anchorage, none were on City mooring balls, and all but one boat had people or pets on board, so these were life-saving rescues
- 12 houses had some type of flooding, 10 were in South Davis Shores, 1 was in North City, with no reports from Lincolnville as of the meeting
- Of the 12 houses that flooded, only 4 were engaged with the City's current grant cycle and/or next year's cycle
- Worked with 42 people and 25 applicants 'surviving' the federal grant process
- Should work with those with flooding to provide available resources
- Tree fell on the west side with significant damage to one home, and minor damage to another
- There were no sewage spills, a first in his 23-1/2 years with a nor'easter of this magnitude, which was attributed to the significant work put into the resilience of the wastewater system
- Key issues were flooding, sea level rise, and connecting people to available resources
- All resources for this storm type were exhausted from personnel, materials, equipment, and barricades

Mr. Regan advised an 'After Action' meeting would occur with staff the following day to collect information and view actions that could have been done better, and he requested feedback from the Commission.

Commissioner Blonder noted the following concerns:

- Driving down flooded streets after the storm exacerbated the flooding, and this required a more proactive approach with personnel, signage, and barriers
- Suggested better preparation, keeping drivers off roads they did not need to access, and urgent continuance on resiliency workshops

Mayor Upchurch stated the following:

- Other City events were planned with barricades and signage; therefore, there should be preparation with appropriate signage tailored for problem flood areas
- Questioned the cause of flooding where Flagler, Oglethorpe, and St. Augustine Boulevard intersected, and noted the importance for City leadership to understand which storm drains were under City control, and those under FDOT
- Concerned about flooding at the intersection of Douglas Avenue and Macaris Street

Commissioner Valdes stated the following:

- Nor'easter pushed a six-foot North American Vertical Datum (NAVD) and Lake Maria Sanchez was benchmarked at seven; therefore, if the Lake Maria Sanchez project was in place there would not have been flooding
- Advised Martin Luther King Avenue was high and did not flood, many cars were stuck on Riberia Street, Marine Street was good ingress to the City, and Charlotte Street was good egress
- Should prepare a map showing roads less likely to flood during a storm
- Big trucks ignored flooding signs because they had no risk, and City could handle with education, barricades, writing tickets, or police boats
- Bulkheads were topped in Davis Shores; should establish a base elevation for new bulkheads or refurbishing which should be at eight or nine feet NAVD
- Questioned efforts regarding the park and backflow preventers prior to the bulkheads being topped, and the answer was higher bulkheads and bigger pumps, or elevate buildings

Mr. Regan stated they worked one on one with property owners to elevate berms and bringing up seawalls to a defined elevation was great idea. He exclaimed "you are only as strong as your weakest link", and once water went over the bulkheads, it was game over. He cited the elevation difference needed between the road and the bay, which could not drain with all the rainfall, it was an FDOT system, and they had discussed a pumping operation to speed up the recovery. He said bulkheads worked for sunny day flooding, and elevation was the key answer which was the reason the Hazard Mitigation Grant Program (HMGP) was so important. He stated the Lake Maria Sanchez project would solve the type of flooding problem occurring today.

Commissioner Horvath noted her firsthand experience with flooding at South Street and Washington, and suggested placement of a webcam to capture license plates of those causing wakes on flooded streets. She commended the great job accomplished with social media and asked about City website information for those not accessing social media.

Mr. Regan advised the communication channels included all social media platforms, specific targeted information on Nextdoor, Nixle phone alert service, working with the media, and knocking on doors. He noted a report was sent advising the community to expect at least one to two feet above the roads in low-lying areas, and as much as they pushed the message across so many platforms, many people still asked why they did not hear about the flooding. He stated many closed road signs were up and people still drove around them, more resources and workforce were needed to provide more interlocks and blockages on these flooded roads. He concluded nor'easters came with higher tides so the problem would only get worse, and he suggested issuing tickets.

Ms. Lopez advised that the City Manager and Police Chief had the authority, based on the City Charter, to close streets and handle emergencies, and violations of signage or instruction would be a ticketable offense.

Commissioner Horvath inquired about County assistance with boating during the nor'easter, and Mr. Regan replied that marine rescue was highly coordinated with other agencies, but answers on specifics would need to be addressed by Carlos Aviles, Fire Chief, who was resting after the long weekend and not present.

Commissioner Sikes-Kline indicated she was pleased Mr. Regan was putting a plan together, working through the issues, and reeling to people who had flooded. She stated it was important to note why some people did not participate in the federal grant program, and the HMGP should be discussed since there were areas which consistently flooded. She commended the first responders and public works and thanked everyone for their efforts during the flooding, which she noted was intense for a very long time.

Mr. Regan advised approximately one-third of the City workforce was in dangerous operations, two-thirds supported them, and a lot of heroism occurred within the police and fire departments with their success attributed to a team effort.

Mr. Regan mentioned the 'After Action' meeting would publish a public document which showed how they had evolved.

Mayor Upchurch stated we were a small City that had tremendous needs with the County, State government, and Congress as other players. He reminded the Commission an infrastructure bill recently passed with $42 billion in climate resiliency and neither of the local congressman supported the bill; however, they should be part of the conversation since they all had a role to play.

<u>Item 8.A.1. reviewed.</u>

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Sikes-Kline acknowledged her attendance at the Florida Advocacy meeting which provided notes and expectations for legislative bills in January 2022. She stated Senator Hudson's SB 280 / HB 403 required any ordinance passed by a municipality to provide a business impact statement prepared by experts, and she would bring resolutions concerning these bills. She noted there were bills on tree trimming which she hoped would clarify the horrible 2019 bills.

Commissioner Sikes-Kline advised the Florida League of Cities proposed bills on regulation of smoking in public places, which gave local municipalities the ability to ban smoking in public places. She said they wanted to involve as many voices as possible with their campaign called Local Voices United, a grass roots advocacy group, and she encouraged the Commission to access their website 'Advocacy' toolbox. She commended Ms. Lopez for forwarding things to the Commission and was happy everyone was tightening up and rising to the challenge on the increasing onerous bills that removed local powers.

Mayor Upchurch thanked Commissioner Sikes-Kline for her willingness to engage in those issues at such a deep level.

Commissioner Valdes mentioned the plight of the City's homeless and the impact on residents and businesses. He stated as a Commission they should press until a solution was found to the problem, or at least mitigate it in some way, and they should 'put their money where their mouths were or their mouths where the money was'. He concluded they could not do much for ocean rise and climate change, but they could do something about the homeless.

Mayor Upchurch suggested they schedule the topic as a workshop at the first opportunity in the new year.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 7:39 P.M.[2]

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

[2] Transcribed by Laura Morse