CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, June 26, 2023

The City Commission met in formal session Monday, June 26, 2023, at 5:00 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Roxanne Horvath, Vice Mayor/City Commissioner
Barbara Blonder, City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Amy Skinner, Director, Planning and Building
Melissa Wissel, Director, Communications
Brandon Miller, Information and Technology Department
Jennifer Michaux, Police Chief
Elyse Wiemann, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Dan Ott, from Anastasia 16 Church, delivered the invocation, and Commissioner Horvath led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Commissioner Blonder requested a to add Resolution 2023-19 as a modification to the agenda under item 9(b).

MOTION

Commissioner Blonder MOVED to approve the Regular Agenda with the above modifications. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

3. A. Certificate of Recognition: 2023-05CR: Celebrating the 30th anniversary of the Tale Tellers of Saint Augustine. (R. Horvath, Commissioner)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Doug Russo
- Rhonda Brennan
- Nancy Murray
- Chris Fulmer
- John Miller
- Scott Robinson
- Vicki Pepper

- BJ Kalaidi

5. Consent Agenda

David Birchim, City Manager, read the Consent Agenda.

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JULY 10, 2023:

• Ordinance 2023-21 - Naming alley "Love Lane"

CA.3. Reminder of Upcoming Meetings:

• July 10, 2023 - 3:00pm - Special City Commission Meeting (Discussion of 2023 Budget Assumptions - Revenues)
• July 10, 2023 - 5:00pm - Regular City Commission Meeting - (Adoption of Resolution of proposed millage rate and other budget related resolutions)
• July 24, 2023 - 5:00pm - Regular City Commission Meeting
• August 14, 2023 - 3:00pm - Special City Commission Meeting (Discussion of 2024 Budget Assumptions and 5-year Capital Improvement Plan)
• August 14, 2023 - 5:00pm - Regular City Commission Meeting

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

• May 22, 2023, Special City Commission Meeting
• May 22, 2023, Regular City Commission Meeting

CA.5. RELEASES OF LIEN FOR UNIT CONNECTION FEE MORTGAGE(S):
• 48 North Holmes Boulevard - Andrew Ambrose

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. May 2023 financial update. (M. Simpson, Director Finance)

CA.9. Consideration of the nomination of Dr. Susan Parker for the 2023 Order of La Florida award. (R. Horvath, Commissioner)

CA.10. Approval of a petition to vacate Depot Street which is a remnant right-of-way between 194 West King Street (PID 1111900000), 198 West King Street (PID 1112000000) and 35 North Ponce de Leon Boulevard (PID 1111300000) in order for it to be incorporated into the adjacent future development. (A. Skinner, Director Planning and Building)

CA.11.

• Invoice in 68 Anderson Street Quiet Title matter to Cavendish Partners, P.A. in the amount of $2,981.00. (K. Traynor, Assistant City Attorney)
• Invoice in Spradaro Parcel Swap matter to Cavendish Partners, P.A. in the amount of $4,044.00. (K. Traynor, Assistant City Attorney)
• Invoice in Ponce Associates/Madeira matter to Baker & Hostetler LLP in the amount of $165.00. (S. Slaughter, Director Public Works)

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda
MOTION

Commissioner Horvath MOVED to approve the Consent Agenda. The motion was SECONDED by Mayor Sikes-Kline 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 2023-18: Annexation of 0.90 acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) and contiguous to the city limits. (A. Skinner, Director Planning and Building)

Amy Skinner, Planning and Building Director reviewed the three Ordinances.

The Commission provided their ex parte communication.

Brad Wester introduced and reviewed the project.

Mayor Sikes-Kline asked where the restaurant would be located.

Mr. Wester replied it was located on the waterfront and under construction. He said the decking area and outdoor area increased in square footage and was noted in the PUD.

Mayor Sikes-Kline asked if outdoor dining was included in the plan, and if there was a prevision for outdoor music. She noted there was a lot of residential neighborhoods in the area and asked if they were amenable to having that prevision.

Mr. Wester replied there was outdoor and indoor dining to accommodate everyone. He said currently there was not a noise prevision; however, they would adhere to the City Code. He said they were on the water's edge and the restaurant orientation was towards water. He said there was not a threat of residential encroachment.

Mayor Sikes-Kline requested that limitations be added to the PUD prior to the Second Reading.

Board Discussion:

- St. Johns County Parks and Recs Department purchased property adjacent to this and noted it could be a busy area for boats and boat trailers
- County property would have a park, boat ramp, and parking

- In favor of having native plants in the design
- Reluctant of having asphalt parking and recommended permeable parking instead

MOTION

Commissioner Springfield MOVED to pass Ordinance 2022-18 on first reading and moved to second reading. The motion was SECONDED by Commissioner Horvath.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA ANNEXING APPROXIMATELY 0.90 ACRES OF PROPERTY NOW LOCATED IN ST. JOHNS COUNTY, FLORIDA, LYING WEST OF THE EXISTING DEVELOPMENT REFERRED TO AS THE CAT'S PAW MARINA, NORTH OF NIX BOATYARD ROAD, SOUTH AND WEST OF THE SAN SEBASTIAN RIVERINE ENVIRONMENT AS DESCRIBED HEREIN; REDEFINING THE BOUNDARY LINES OF THE CITY OF ST. AUGUSTINE TO INCLUDE SAID PROPERTY; AMENDING SECTION 1.04 OF THE CHARTER LAWS OF THE CITY OF ST. AUGUSTINE, FLORIDA; PROVIDING FOR FILING OF A COPY HEREOF WITH THE CLERK OF THE CIRCUIT COURT OF ST. JOHNS COUNTY, FLORIDA, WITH THE CHIEF ADMINISTRATIVE OFFICER OF ST. JOHNS COUNTY, FLORIDA AND WITH THE FLORIDA DEPARTMENT OF STATE; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

<u>VOTE ON MOTION</u>:
AYES: Springfield, Horvath, Garris, Blonder, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

9.A.2. Ordinance 2023-19: Amends the future land use designation of the annexed 0.90 acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) from St. Johns County Mixed-Use District to City Marine Industrial. (A. Skinner, Director Planning and Building)

MOTION

Commissioner Horvath MOVED to pass Ordinance 2022-19 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY 0.90 ACRES OF PROPERTY LOCATED NORTH OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF ST. JOHNS COUNTY MIXED USE DISTRICT TO A CITY DESIGNATION OF MARINE INDUSTRIAL; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

<u>VOTE ON MOTION</u>:
AYES: Horvath, Springfield, Garris, Blonder, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

9.A.3 Ordinance 2023-20: Amends the zoning designation of the annexed 0.90

acres west of the existing Cat's Paw Marina, which is a portion of 200 Nix Boat Yard Road (PID 1248320000) from St. Johns County Residential, Manufactured/Mobile Home (RMH) to City Planned Unit Development (PUD) and including amending the existing Cat's Paw Marina PUD at 220 Nix Boat Yard Road (PID 1348300000). (A. Skinner, Director Planning and Building)

MOTION

Commissioner Springfield MOVED to pass Ordinance 2022-20 on first reading and moved to second reading. The motion was SECONDED by Commissioner Horvath.

Isabelle Lopez, City Attorney, read the Ordinance.

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 0.90 ACRES OF PROPERTY LOCATED NORTH OF NIX BOATYARD ROAD AS A PORTION OF THE G.W. PERPALL GRANT ADJACENT TO THE CAT'S PAW MARINA DEVELOPMENT IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF ST. JOHNS COUNTY RESIDENTIAL MANUFACTURED/MOBILE HOME (RMH) TO THE CITY CLASSIFICATION OF PLANNED UNIT DEVELOPMENT (PUD); THIS INCLUDES THE AMENDING AND RECONSTITUTING OF THE EXISTING CAT'S PAW MARINA PUD INCORPORATING THE PROPERTY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

<u>VOTE ON MOTION</u>:
AYES: Springfield, Horvath, Garris, Blonder, Sikes-Kline
NAYES: None

MOTION APPROVED UNANIMOUSLY

<u>9.A.4</u> Ordinance 2023-21: Names a presently unnamed alley near Cincinnati Avenue and Rohde Avenue to "Love Lane". (R. Franklin, Assistant City Manager)

Mr. Franklin, Assistant City Manager, reviewed the Ordinance.

Board Discussion:

- Disappointed with the number of responses returned
- If more information was needed, in favor of a continuance
- Felt there was no justification for the name of the lane
- Did not mind naming the street but thought the name should be more historic
- Questioned if complaints were received

Mr. Franklin replied the complaints received were more focused on Airbnb's and the name being out of place.

Mayor Sikes-Kline thought the Comprehensive Plan suggested using historic names when naming streets; however, she was not opposed to the name Love Lane.

Commissioner Springfield advised he would research the issue more and provide his findings.
Commissioner Blonder noted it was troublesome that other road signs had been added as it could hinder emergency services and set a precedence that was not appropriate.

Mayor Sikes-Kline said the offer was to withdraw and continue the Ordinance.

Mr. Birchim advised it could be continued to a time uncertain and first reading would be rescheduled after more research was completed.

MOTION

Commissioner Springfield MOVED to CONTINUE Ordinance 2022-21. The motion was SECONDED by Commissioner Horvath.

<u>VOTE ON MOTION</u>:
AYES: Springfield, Horvath, Garris, Blonder, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

<u>9.B.</u> Resolutions 2023-19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ST. AUGUSTINE, FLORIDA OPPOSITION TO OFFSHORE DRILLING ACTIVITIES AND EXPANSION OF OFFSHORE DRILLING IN THE GULF OF MEXICO.

Commissioner Blonder reviewed the Resolution and noted Hunter Miller from the Oceana Organization a non-profit for protecting ocean environments. She supported his request to have a letter from the Commission to oppose offshore oil drilling which was in tandem with the letter to President Biden. She asked the Ms. Galambos to provide the letter from Mr. Miller; however, she developed a resolution in opposition of the offshore drilling.

Ms. Galambos advised in 2010, a resolution was passed in opposition of offshore drilling and in 2015, a resolution was adopted against anti-fracking. She said this outlined the same position but opposed any new offshore drilling in the five-year plan.

Mayor Sikes-Kline noted Mr. Miller had asked her to sign a petition in opposition of the offshore drilling. She felt both the petition and resolution were beneficial.

Commissioner Blonder said she was grateful for the environment that was shared in St. Augustine.

MOTION

Commissioner Blonder MOVED to SUPPORT Resolution 2023-19 Florida opposition to offshore drilling. The motion was seconded by Commissioner Horvath.

<u>VOTE ON MOTION</u>:
AYES: Blonder, Horvath, Garris, Springfield, Sikes-Kline
NAYES: None
MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

<u>10.A.</u> Final report by consultants, Brooks and Scarpa, on 450 North Holmes Boulevard. (R. Franklin, Assistant City Manager)

Mr. Franklin introduced Mr. Hubert and Mr. Berk consultants from Brooks and Scarpa provided the Commission with a brief presentation regarding 450 Holmes Boulevard.

Commissioner Horvath questioned if there were other examples from around the state.

Mr. Hubert replied there were not many developments that had inclusionary zoning; however, there were some programs immerging nationally especially through the Mayors Institute on City Design. He said there was precedence of this happening more and more.

Commissioner Blonder commented that the team captured the reality and the other components as to why this was needed. She appreciated the sustainability elements that were incorporated and thought it was forward thinking.

Board Discussion:

- Wanted to have the dollar value for the people that would qualify

- Felt it would take a lot of investigation to understand how and who this could affect
- Was giving the County a gift due to the property location
- Unsure if safeguards could be built in
- Questioned how this would be a value to the people of the City
- Would lose a staging area and mineral rights potentially

Mayor Sikes-Kline asked Mr. Birchim if he wanted to discuss the appraisal and the recommendations.

Mr. Birchim replied no decision needed to be made at the moment; however, there were options which were as follows:

- Could remain the Public Works and Utility Department staging area and conservation land
- Sell property and use the proceeds to help incentivize affordable housing projects within the City
- Lastly, site could be developed into affordable housing

He noted the appraised value was $2.180 million dollars with all its current entitlements. He said the proceeds could not be used to find another staging area for the Public Works and Utility Departments; however, questioned where that could be established on owned City property. He said to start development of the property, they would have to have development review by St. Johns County. He said St. Johns County had their own development review committee and once reviewed, comments of the site plan would be received. He said those comments could result in a change to the site plan. He said before this could be sent out for an RFP, the County's comments were needed to clearly understand what it would take to develop the site as affordable housing. He said the City wanted to keep some of the mineral rights on the property to mine coquina in the future if necessary. He said St. Johns County development process was longer than the City's and could take up to a year of work before an RFP could be sent out. He said this would be an open discussion during that period. He advised Reuben Franklin would be the point of contact for the City. He said they were meeting with mobility housing in the coming weeks.

Mayor Sikes-Kline commented fact-finding trips could help with site design, architecture, and development, and hearing from people who help develop these types of projects could assist with the concept. She noted she was not a member of the Mayor's Institute; however, wanted to have more information regarding that provided. She said she would like for this project to stay on track as a commitment had been made for the water and sewage for the site and monies were received from the State. She said this could be a catalysis to the community that the City was serious in investing in West Augustine. She said she was in favor of option five but was open to hearing from the rest of the Commission.

Commissioner Blonder thought this was an opportunity to expand the septic to sewer conversion. She was in favor of continuing the process and thought the time frame would help answer the questions and concerns. She asked if there was space at the end of Fish Island Road for the staging area.

Mr. Birchim replied that was the site they were looking at. He clarified the appropriation from the state was for a sewer expansion and force main extension, which was served by City water but would serve the neighbors outside the community and would be a spinoff benefit to the neighborhood.

Commissioner Horvath felt this site should be built out for affordable housing. She said after more research they understood it was good to have a mix of housing was good to help offset low-income housing, and they thought they could earmark some units for the City; however, after further research, that did not seem feasible. She said the City was small and this seemed to be a gift to the County who would benefit most. She felt the appraisal was not realistic since it came back at $2.180 million dollars for twenty-seven buildable acers due to wetland buffers and parking. She agreed the staging area should be moved and felt the county should waive the impact and traffic fees associated with the project and the City and County should work together.

Commissioner Garris felt the County was not concerned with affordable housing and did not feel they would be accessible with helping even though it would benefit them. She said this entire property would not be affordable housing but mixed income, which would address some of the issues but not all. She agreed that the value of the land should be known before moving forward with development as this was an asset and benefit to the City. She thought more discussion was needed.

Commissioner Horvath replied the property was always perceived to be mixed housing as the higher cost housing helped to offset the lower cost housing.

Commissioner Springfield agreed with moving ahead but asked if the property were rezoned, would that increase the value.

Mr. Birchim said it could; however, a Planned Unit Development (PUD) was the vision for the location and those entitlements would be specific and would have to be sold.

Commissioner Springfield noted he was in favor of moving forward, doing more research, and continuing the discussion.

Mayor Sikes-Kline thought the appraisal was sound; however, thought it could be reviewed. She said they needed to consider the special appropriation from the state, which was a significant investment that was specifically tied to this being affordable housing.

Mr. Birchim said if the site were not developed for affordable housing, they could go back to state and use the money in the utility service area elsewhere to benefit low-income housing.

Mayor Sikes-Kline said it was not a unanimous agreement; however, three commissioners wanted to move forward with item five and the county.

Mr. Birchim said that process could begin, and a report would be annually or quarterly.

Mayor Sikes-Kline replied reports preferably should be provided quarterly.

Commissioner Blonder felt this was a time to develop relationships with the County Commissioner in the hopes of working together.

11. ITEMS BY CITY ATTORNEY

<u>11.A.</u> Statutory notice of proposed Madeira CDD budget for Fiscal Year 2023-2024. No Action Required - For Information Only. (K. Traynor, Assistant City Attorney)

<u>11.B.</u> Proposed St. Johns County Ordinance prohibiting floating structures. No Action Required - For Information Only. (I. Lopez, City Attorney)

12. ITEMS BY CITY CLERK

(None)

13. ITEMS BY CITY MANAGER

Mr. Birchim asked the Board if they would confirm Reuben Franklin as the Co-Assistant City Manager.

MOTION

Commissioner Horvath MOVED to confirm Reuben Franklin as the Co-Assistant City Manager. The motion was SECONDED by Commissioner Blonder and was approved by UNANIMOUS VOICE VOTE

14. Items by Mayor and Commissioners

14.A. Review of proposed letter to President Biden supporting the prevention of new offshore oil leasing. (N. Sikes-Kline, Mayor)

Mayor Sikes-Kline said this was the signing of a letter of what was approved as Resolution 2023-19.

There was consensus for the proposed letter to President Biden supporting the prevention of new offshore oil leasing

Commissioner Springfield noted the oil spill in the gulf and said it had been long enough to forget but it was a disaster. He thanked the Commission for the support.

Commissioner Garris received an email from resident Kimberly Boyer whose daughter passed from a heart condition. Ms. Boyer asked for the alley behind her home to be named Kelly's Alley. She said from the information provided from Ms. Boyer, Kelly was a great human. She noted she would provide the information and once done the process could begin.

Commissioner Garris mentioned having an after-school program at the Galimore Center. She noted Greg White had a successful program for the past twenty-four years and was willing to be involved. She advised she spoke to the Mr. Birchim about the use of the Galimore Center and this could be beneficial. She said the hours would be from 2:00p.m.-6:00p.m, and the children would be safe and supervised. She felt the Galimore Center was not being utilized enough and thought this would be great for the community. She said they would have a meeting and she could bring the specifics back for review.

Commissioner Horvath noted she liked the idea but was unsure if it was similar to the Boys and Girls Club.

Commissioner Garris replied this was not similar as they offered different activities and the fees were higher.

Commissioner Horvath reminded the Commissioners about their F1 forms as they were due by July 3, 2023.

Mayor Sikes-Kline noted they may want to consider having a joint meeting with the County Commission as affordable housing would be a topic of discussion; however, she was unsure how that would affect going before them for review of the Holmes project.

15. Adjournment

There being no further business, the meeting was adjourned at 7:14 P.M.[1]

Nancy Sikes-Kline, MAYOR

Darlene Galambos, CITY CLERK

CORPORATION OF THE CITY OF ST. AUGUSTINE

[1] Transcribed by Elyse Wiemann