

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, July 22, 2024

The City Commission met in formal session Monday, July 22, 2024, 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

Absent: Roxanne Horvath, excused

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Corey Sakryd, Director, General Services
Barbara Moore, General Services Group Manager
Amy Skinner, Director, Planning and Building Department
Stephen Slaughter, Director, Public Works and Utilities
Melissa Wissel, Director, Communications
Jennifer Michaux, Police Chief
Elyse Wiemann, Recording Secretary

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Sikes-Kline requested a moment of silence and Commissioner Blonder led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

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

3. Special Presentations, Recognitions and Proclamations

(None)

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- Lauren Giber
- John Valdes
- 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 DATE: August 12, 2024

- Ordinance 2024-24: Annexes nine (9) parcels of land adjacent to the Cat's Paw Marina on Nix Boatyard Road.
- Ordinance 2024-25: Amends the future land use designation of 10.38 acres of annexed property at 199 and 200 Nix Boatyard Road.
- Ordinance 2024-26: Amends the zoning designation of 10.38 acres of annexed property at 199 and 200 Nix Boatyard Road.

CA.3. Reminder of Upcoming Meetings:

- AUGUST 12, 2024, 5:00PM, Regular City Commission Meeting
- AUGUST 22, 2024, 9:00AM, Special City Commission Meeting-Budget Workshop
- AUGUST 23, 2024, 9:00AM, Special City Commission Meeting-Budget Workshop (if necessary)
- AUGUST 26, 2024, 5:00PM, Regular City Commission Meeting

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

- JUNE 24, 2024-Regular City Commission Meeting

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

- 1089 West 15th Street-John McElroy III and Sandra Barbour

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:

Certificate of Recognition for Ms. Johnnie Mae Van's One Hundredth Birthday. (C. Garris, Commissioner)

CA.8. Quarterly Report: 3rd Quarter FY 2023-2024. (I. Lopez, City Attorney)

CA.9. Edward Byrne Memorial Justice Assistance Grant (JAG) application. (J. Michaux, Chief of Police)

CA.10. Authorizes execution of the annual Nights of Lights operating agreements between the City of St. Augustine and Old Town Trolley Tours. (C. Sakryd, Director General Services)

CA.11. Savannah Sweets and Florida Cracker Cafe Lease Approval. (B. Moore, General Services Group Manager)

End Consent Agenda

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

(None)

5.B. Approval of Consent Agenda

MOTION

Commissioner Springfield MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Blonder 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 2024-27: Amends regulations relating to floodplain management. (R. Schauland, Building Official)

Richard Schauland, the Building Official reviewed the Ordinance.

Mayor Sikes-Kline said she liked the technical amendment and thought this would help bring clarity for citizens.

Commissioner Springfield asked if the property appraiser had a standard factor or if it was done per property.

Mr. Schauland replied that there was a factor that was assessed per property and location. He said it could be specific to a property or a group of properties assessed,

and it could be used for three months. He said after speaking with the property appraiser's office, a factor was not generally available; however, it was set on the first day of January for taxes. He said from January until July every property was reassessed, and by July 1st their website had the updated adjusted market value, which would be codified in October.

Mayor Sikes-Kline asked if this would provide more flexibility in the City code.

Mr. Schauland replied in the affirmative.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2024-27 on first reading and moved to second reading. The motion was SECONDED by Commissioner Springfield.

Isabelle Lopez, City Attorney, read the Ordinance.

ORDINANCE No. 2024-27

AN ORDINANCE OF THE CITY COMMISSION OF ST. AUGUSTINE FLORIDA, AMENDING CHAPTER 8 OF THE CODE OF THE CITY OF ST. AUGUSTINE; REPEALING SECTION 8-117; AMENDING SECTION 8-149 AND 8-460; AND CREATING SECTION 8-466 TO CONFORM TO FLORIDA BUILDING CODE REQUIREMENTS FOR FLOODPLAIN MANAGEMENT REGULATIONS AND MARKET VALUE; PROVIDING FOR SERVERABILITY PROVIDING INCLUSUON IN THE CODE OF ST AUGUSTINE; AND PROVIDING AND EFFECTIVE DATE.

VOTE ON MOTION:

AYES: Blonder, Springfield, Garris, Sikes-Kline

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

9.B.1. Resolution 2024-23: Proposed millage rate for Fiscal Year 2024-2025. (M. Breidenstein, Assistant City Manager)

Meredith Breidenstein, Assistant City Manager reviewed the Resolution.

Mayor Sikes-Kline said this Resolution set the millage rate at 7.5%, and if the Commission chose to reduce the rate, they could do so in the future.

Ms. Breidenstein said the rate could be lowered; although, at the revenue workshop meeting, there was consensus to keep the rate at 7.5%. She advised it could be lowered but if increased, there were many statutory requirements.

MOTION

Commissioner Springfield MOVED to pass Resolution 2024-23. The motion was SECONDED by Mayor Sikes-Kline.

VOTE ON MOTION:

AYES: Springfield, Sikes-Kline, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

9.B.2. Resolution 2024-24: Grants and ad valorem tax exemption for a historic property located at 115 Bridge Street and provides an effective date. (J. Courtney, Historic Preservation Officer)

Julie Courtney Historic Preservation Officer reviewed the Resolution.

Commissioner Garris said she thought the house looked amazing.

Mayor Sikes-Kline stated the ad valorem tax exemption program was an important incentive the City used to encourage owners to preserve their homes. She said the program was not widely used but it was

a ten-year tax abatement, the maximum the state would allow. She expressed her thanks to the Griffin family and John Valdes for their work on the home. She thanked staff for their hard work and dedication to the project and noted that rehabilitation standards were extremely high to receive this incentive.

Commissioner Springfield congratulated the Griffin's on such a beautiful building. He pointed out that the tax abatement would only be applied to the original structure and not the additions.

Commissioner Blonder noted the timing considering the recent demolitions that had taken place in the City. She said this type of program should be highlighted because it was a wonderful program.

MOTION

Commissioner Springfield MOVED to pass Resolution 2024-24. The motion was SECONDED by Mayor Sike-Kline.

VOTE ON MOTION:

AYES: Springfield, Sikes-Kline, Garris, Blonder

NAYES: NONE

MOTION APPROVED UNANIMOUSLY

10. Staff Reports and Presentations

10.A. Florida Department of State-Division of Historical Resources Grant Update. (B. Moore, General Services Group Manager)

Barbara Moore General Services Group Manager reviewed the Florida Department of State-Division of Historical Resources. She provided an update on the five projects in the City which were:

- Painting the Pena Peck House
- Repair/ Replace the Roof of the Pena Peck House
- Visitors Information Center Wood Floor Replacement

- Window Replacement in the Lightner Building/City Hall
- Waterproofing Exterior of the Lightner Building/City Hall

Commissioner Garris said she was very pleased that these items were being fixed and thanked Ms. Moore for her hard work.

Mayor Sikes-Kline thanked Paul Rener, Cindy Stevenson and Travis Hudson for assisting in obtaining the grant. She said it was disheartening to know the entire building could not be waterproof at this time. She said more grants would be applied to help preserve the building.

Commissioner Garris thanked the Mayor Sikes-Kline and David Birchim, City Manager for making many trips to Tallahassee seeking the funds to help with the different projects.

10.B. 2024 Conservation Program-Nominated Properties Ranking Presentation. (R. Franklin, Assistant City Manager)

Reuben Franklin Assistant City Manager presented the 2024 Conservation Program nominated properties and their ranking. He said the two properties nominated were Fredman, 0.96 acers and the Sobenes Desme, 2.47 acers. He said the appraisals for both properties were underway.

Mayor Sikes-Kline asked if the next step in the process was to obtain the appraisals and asked how the Commission wanted to proceed.

David Birchim, City Manager, replied that properties were purchased through a Resolution. He said the final appraisals of the properties would be provided and then the Commission could choose which property to purchase. He said this was the beginning of the program so the process was being fine-tuned. He asked if there was anything else the Commission recommended before making a decision.

Commissioner Blonder expressed her excitement with the program. She said she thought the program was moving swiftly and effectively. She asked if the funds budgeted were not spent in this budget cycle, could the funds be moved to the following year. She further asked if there was another funding source that could be used for the lower ranked property.

Mr. Birchim replied if the funds were not used, they could be rolled over to the following year. He said there were other funds potentially that could be used for the lower ranked property. He said since it had a stormwater component or drainage ditch, the utility fund could be used.

Commissioner Blonder advised she was reluctant to support the use of funds from the Conservation Program with a property that ranked so low, and she did not want to set a precedent. She said if there were other funding options, she wanted to explore that as the drainage ditch was important to the area.

Mr. Birchim stated in the past other properties had been purchased to relieve flooding and drainage problems and to provide open space in neighborhoods. He said purchasing this property for the dual purpose of drainage and open space would be consistent with past purchases.

Commissioner Springfield asked if the conservation application process was open currently.

Mr. Franklin replied that the application process for properties was not open but would be in the coming fiscal year.

Commissioner Springfield said it was important to keep all options open. He asked if landowners were being contacted and informed of this opportunity.

Mr. Birchim said they were in touch with landowners. He said he thought a timeline could be provided for when properties

would be ranked then reviewed by the Commission, which he would develop that with staff.

Commissioner Garris said she was pleased to know another fund could be used to purchase the Fredman property at 0 Christopher Street. She noted this could also be used as a back way to get into a City yard, as there was a fence on the corner, and thought this was a good addition.

Mr. Franklin noted it was strategic property from a stormwater perspective, as it gained access to the ditch that ran along the Fleet Maintenance area and the City's compound. He said using the stormwater fund or the utility fund could be better suited.

Mayor Sikes-Kline said there was nothing for the Commission to compare against since this was the beginning of the program. She said she was satisfied with a score of forty-nine rather than twenty-nine. She said as the program progressed there may need to be a baseline for applications.

10.C. Building for Flood Prevention Citizen Group. (A. Skinner, Director Planning and Building)

Amy Skinner, Director of Planning and Building, said during the Planning and Zoning Board (PZB) meeting, the Board discussed the difficulty of recent applications in relation to bulkheads, retaining walls, bringing in fill, and subsequent building permit applications for construction in low lying areas. She said applications were reviewed on a case-by-case basis with valuable input from staff. She said PZB recommended creating a citizen board to help establish rules and regulations related to building for flood prevention or work with a consultant and staff. She asked the Commission if they wanted to form a citizen group to work with the consultant or work with the existing PZB as the land planning agency and hold

workshops hosted by PZB to gain valuable information from citizens, the consultant, and staff to develop a path forward.

Commissioner Blonder questioned the reason as to why this was brought up by PZB.

Ms. Skinner replied this had been brought up by PZB because they were concerned with a combination of things, from storms to other projects that could impact the conservation overlay zones.

Mayor Sikes-Kline supported the concepts and thought PZB could hold a workshop with the public to let everyone have an equal say or a joint workshop with the Historic Architectural Review Board (HARB). She said PZB had the most expertise. She said she could support a task force as it would dissolve after the goal was achieved.

Commissioner Springfield agreed that option two was best. He said it would allow PZB to make a recommendation. He said it would be good to have HARB attend as they would be able to provide a different perspective.

Commissioner Garris said she was in support of option two even though she felt there would not be a lot of public participation. She said the City should be very proactive when advertising to make sure the public was aware.

Commissioner Blonder felt option two was the best and thought the consultant from WSP should be included as they had a lot of expertise.

MOTION

Mayor Sikes-Kline MOVED to support option two, work with the existing PZB as the land planning agency for the city to hold open workshops hosted by PZB to work with interested citizens, the consultant, and staff to develop a path

forward and any suggested amendments to the land development code. The motion was **SECONDED** by Commissioner Blonder and **APPROVED BY UNANIMOUS VOICE VOTE**.

10.D. Abbot Tract National Register Historic District nomination update. (J. Courtney, Historic Preservation Officer)

Julie Courtney Historic Preservation Officer provided a brief update about the Abbot Tract National Register Historic District nomination.

Mayor Sikes-Kline thought it was a good time to update the districts.

Ms. Courtney said Abbot Tract was the first district to be updated and advised Model Land Company and Lincolnville were also being worked on. She said Abbot Tract was the easiest as the boundary nor the period of significance were not being expanded.

Commissioner Blonder asked if it would be helpful if the Commission made a formal statement of support.

Ms. Courtney agreed.

Mayor Sikes-Kline advised a letter of support would be provided. She said she would be traveling and would be unable to attend the virtual meeting on August 8, 2024.

Ms. Courtney noted the meeting would be virtual, and she and the consultants would be attending.

10.E. Mid-Year Update for 100th Anniversary Celebration of Sister City Relationship with Avilés, Spain. (M. Wissel, Communications Director)

Melissa Wissel Communications Director provided a brief update for the 100th Anniversary Celebrate with Aviles, Spain the City of St. Augustine's Sister City. She

reviewed the schedule of events in Avilés, Spain and the events taking place in St. Augustine in September.

Mayor Sikes-Kline questioned the size of the painting that would be sent to Avilés, Spain and thanked Commissioner Springfield for collecting the funds.

Commissioner Springfield said the painting was three meters or nine feet by two meters or six feet.

Mayor Sikes-Kline thanked Ms. Wissel for her hard work as there were a lot of moving parts and a lot of people involved. She said the community had been engaged especially in the businesses and tourism sectors.

Ms. Wissel said the reason for such a large delegation was to keep a historic record, and these trips helped to keep the spark of inspiration between the two cities.

Commissioner Garriss thanked Commissioner Springfield for his presentation for the Rotary Club. She said he provided a vast amount of information about the upcoming 100th anniversary and the history of Spain.

10.F. Education and Outreach Communications Campaign for Florida-Friendly Fertilizer Use on Urban Landscapes. (M. Wissel, Communications Director)

Melissa Wissel Communications Director provided an update regarding the education and outreach to the public on the Fertilizers Uses on Urban Landscapes.

Commission Blonder asked if they were working with Glabra Skipp Deputy Director Environmental Compliance.

Ms. Wissel responded in the affirmative and said she helped develop the website content.

Commissioner Blonder felt this was more of an opportunity for education and outreach rather than citations.

**10.G. City Heat Safety Related Policies.
(S. Slaughter, Director Utilities and Public Works)**

Stephen Slaughter Utilities and Public Works Director discussed the new policy regarding heat safety. He said the City was committed to implementing the latest industry standards and best management practices to help mitigate heat stress. He said over the past ten years there had been a total of four incidents in the City and none this year.

Commissioner Garriss asked how this would be managed for Solid Waste and Streets and Ground crews.

Mr. Slaughter replied that the Solid Waste workers should communicate with their drivers, and they were encouraged to take necessary heat breaks in the vehicle or under a shade tree. He said for Streets and Grounds, workers had air-conditioned vehicles, sunshade hats, moisture wicking clothing, necessary breaks, and water coolers available.

Commissioner Blonder was pleased that there were not many documented cases of heat stress. She said being mindful and proactive was key.

Commissioner Springfield said he hoped there was a lot of training, and the culture was encouraging of breaks.

Mr. Slaughter said supervisors informed the workers when the day would be very hot, and the workers were encouraged to communicate.

Mayor Sikes-Kline asked Mr. Slaughter to convey their 'thanks' on these very hot days during the summer.

11. ITEMS BY CITY ATTORNEY

11.A. Final 2024 Legislative Session Update-For information only. (A. Owen, Assistant City Attorney)

No presentation made, provided by the City Attorney's Office for information purposes.

Commissioner Garriss said during public comment, a citizen mentioned the homeless and asked if Ms. Lopez could provide more information regarding the homeless legislation.

Ms. Lopez said the ruling of the Grants Pass case would not affect the City. She said it was a recent United States Supreme Court case that noted local governments could enforce their ordinances against public camping even if there were no shelter beds available in the community. She said the City ordinance required shelter beds to be available in order to enforce the no camping ordinance.

Commissioner Blonder noted House Bill 321, Release of Balloons, and said there was a City balloon ordinance recently passed. She said, in the summary, there was a notation 'action required: Section 22-2 of the City code should be repealed' as the bill covered the same release of balloons as the ordinance. She asked what the process was to repeal that ordinance.

Ms. Lopez replied that it would be an ordinance before the commission repealing the local ordinance because it was not preempted by a state statute.

Commissioner Blonder requested that to be done.

12. ITEMS BY CITY CLERK

12.A. Notification of two (2) upcoming term expirations-Planning & Zoning Board (PZB). (D. Galambos, City Clerk)

Darlene Galambos City Clerk notified the Commission of two upcoming Planning and Zoning Board term expirations. She said both members were eligible for reappointment. She said applications for the vacant position were being accepted. She said in total there were three positions to fill for the PZB.

12.B. Notification of two (2) upcoming term expirations-Board of Trustees, St. Augustine Police Officers' Retirement System. (D. Galambos, City Clerk)

Darlene Galambos City Clerk notified the Commission of two upcoming term expirations for the Board of Trustees for the Police Officers' Retirement System, which both members were eligible to reapply; however, the positions would be advertised as required.

12.C. Request for One (1) appointment to the St. Augustine Audit Review Committee. (D. Galambos, City Clerk)

Darlene Galambos, City Clerk requested the appointment of Dominic Scine to the Audit Committee. She said he was a former member and qualified to serve on the board.

Motion

Mayor Sikes-Kline MOVED to appoint Dominic Scine to the Audit Committee. The motion was SECONDED by Commissioner Springfield and APPROVED BY UNANIMOUS VOICE VOTE.

13. ITEMS BY CITY MANAGER

David Birchim City Manager said he wanted to follow up on the request from Commissioner Garriss about the concerns about the City's Human Resources Department and work force practices specifically related to discrimination complaints from employees. He said there was an impartial investigation completed

by an employment lawyer Avery McKnight from Allen, Norton and Blue. He said Mr. McKnight had extensive experience reviewing these types of matters. He said the final report was submitted on May 2, 2024, and the recommendations were as follows:

- City should appoint a separate Equal Employment Opportunity (EEO) officer, rather than have the Human Resource Director as the EEO
- Update the definitions of discrimination including protected classes by law
- Clarify the policy that the City prohibits discrimination from any employee and from any person(s) representing or doing business on behalf of the City to include elected officials, appointed officials and board members, vendors and volunteers
- Should incorporate a clearer concise complaint and investigation procedure to address complaints
- Address how harassment or complaints against the City Manager or City Commissioner would be addressed
- City Employees should be provided with the City's discrimination and harassment policy annually
- Manager and Supervisors should receive training related to the discrimination policies and procedures at least every two years

Mr. Birchim stated in response to the recommendations, the City was requesting a Deputy Director for Human Resources to fulfill the role of the EEO. He said the definitions had been updated and completed. He said the recommended complaint process had been incorporated as recommended, changes to address if a City Manager or Commissioner had a complaint against them had been addressed. He said city employees were provided the discrimination and harassment policy as a refresher and supervisors and managers were receiving training about said policies. He stated Mr. McKnight had reviewed the complaints that

had been filed against the City since 2017 and the general allegations against City employees and found no evidence of a pattern or practice of treating employees differently in hiring, promoting, discipline, or termination based on their race or age. He said Mr. McKnight found no evidence of unlawful or racial employment practices. He said Mr. McKnight recommended continuing with a diverse workforce and the City was working towards this goal. He said this exercise was not easy, but the outcome was positive and resulted in meaningful changes and improvements to the organization.

Commissioner Springfield said he spoke with Mr. McKnight several times and felt he was very well informed. He felt the lack of evidence did not mean people were innocent; however, it was not at a level where it could be identified as systemic and an individual problem. He stated the culture was the responsibility of those who lead the staff to promote this would not be tolerated. He agreed that hiring an EEO was a requirement, and that person should have specific training to conduct training and surveys to evaluate the climate of culture of the organization.

Commissioner Blonder thought this was a good reminder.

Mayor Sikes-Kline said the recommendation for an EEO was welcomed. She agreed that the culture of the City was important and understood it took time to change the culture.

Commissioner Garris thanked her fellow commissioners for proceeding with the investigation. She said this was the first time the results had been provided to the public. She stated she spoke with Mr. McKnight extensively but was concerned that he did not speak with anyone who had filed a complaint, he did not meet with any of the Commissioners, nor did he publicly recount his findings. She asked the

commission to be mindful of their responsibilities as representatives.

Mr. Birchim requested from the state for a five-million-dollar appropriation for the septic to sewer conversion; however, it was vetoed by the governor. He said instead the City applied for a grant in the amount of \$6.4 million dollar grant for the water quality improvement at Lee and Irving Streets gravity sewer and water main improvements, which would cover converting septic to sewer for 136 existing homes and sewer would be available for fifty-one vacant lots in West Augustine.

Commissioner Blonder thanked the City Manager and staff for following through with the commitment, as this was much needed in the neighborhood.

14. Items by Mayor and Commissioners

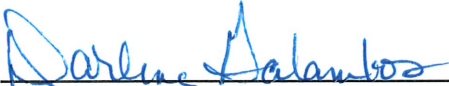
Mayor Sikes-Kline requested that the maps on the desk of the City limits be updated to include the CRA's. She said the governor vetoed the special grant program for Culture and Arts, which was unexpected. She said the Cultural Council was funded through the Tourist Development Council (TDC) through the Arts, Culture, and Heritage grant program. She said a recommendation was sent to the Board of County Commissioner (BOCC) to fully fund the request list from the arts, culture, and heritage organizations in the county. She said she hoped the BOCC would consider the request from the TDC.

15. Adjournment

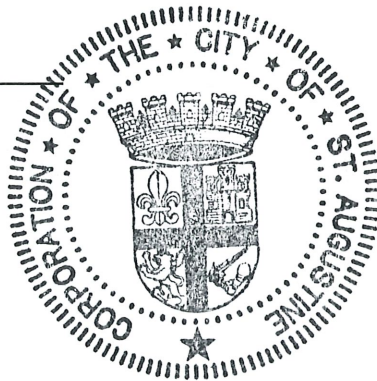
There being no further business, the meeting was adjourned at 7:16 P.M.¹



Roxanne Horvath, VICE MAYOR



Darlene Galambos, CITY CLERK



¹ Transcribed by Elyse Wiemann