CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, June 8, 2020

The City Commission met by means of Communications Media Technology (CMT) Monday, June 8, 2020 at 10:03 A.M. The meeting was called to order by Mayor Tracy Upchurch, and the following were present:

1. Roll Call: Tracy Upchurch, Mayor/City Commissioner
Leanna S. A. Freeman, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
Nancy Sikes-Kline, City Commissioner
John Valdes, City Commissioner

John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Reuben Franklin, Director, Public Works
Todd Grant, Director, Utilities
Melissa Wissel, Communications Manager
Cindy Walker, Communications Specialist
Barry Fox, Police Chief
Candice Seymour, Recording Secretary
Laura Morse, Recording Secretary
Marie Lopes, Office Assistant

INVOCATION AND PLEDGE OF ALLEGIANCE

Mr. Tim Fleming, Deacon of Christ Church, Episcopal Missionary Church, delivered the invocation, and Commissioner Freeman led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

John Regan, City Manager, requested to add *Item 7.B.2. 'Statement by Police Chief'* Barry Fox.

Mayor Upchurch requested discussion of *Item 7.B.1.* prior to *Item 4. Public Comment*, to provide information on the topic to ensure a more informed public. He requested that the firework topic return to the Commission after the Consent Agenda approval.

MOTION

Mayor Upchurch MOVED to amend the Agenda as noted. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

3. Special Presentations, Recognitions and Proclamations

(None)

Item 7.B.1 discussed.

Mr. Regan reviewed the June 8, 2020 memo submitted to the Commission that provided a COVID-19 update and a July Fourth fireworks update.[1]

- The Commission decided on May 11, 2020 to postpone the *Fireworks over the Matanzas*, to a possible date in September
- The status of Daytona Beach and Jacksonville Beach fireworks had unknowingly been misrepresented, which was a factor in the Commission decision

Mr. Regan noted the decisions made by surrounding jurisdictions regarding the July Fourth fireworks:

- City of Jacksonville would have fireworks with no associated community events
- City of Fernandina would have fireworks with no associated community events
- City of Key West would have fireworks
- City of Jacksonville Beach postponed to New Year's Eve
- City of Orange Park postponed to Labor Day
- City of Ormond Beach postponed to Labor Day
- City of Altamonte Springs postponed to Labor Day
- Mayport Naval Station cancelled
- City of Palatka cancelled
- Flagler County cancelled
- City of Flagler Beach cancelled
- City of Daytona Beach cancelled
- City of Orlando cancelled, but planned a televised virtual fireworks tribute

Mr. Regan stated that on June 5, 2020, Florida began Phase 2 of re-opening, as directed by Governor DeSantis' Executive Order 20-139, and that Section 2.B. encouraged persons to avoid congregating in groups larger than fifty.

Mr. Regan provided an update on COVID-19:

- Florida cases increased in volume daily as predicted by medical experts, as the result of re-opening
- It was important to adhere to phasing recommendations to manage risk increase
- An increase was seen in St. Johns County since May 11, 2020; however, there was currently no risk of hospital overload
- As of May 11, 2020:
  - Florida had 40,982 confirmed cases, 7,224 hospitalizations and 1,735 deaths
  - St. Johns County had 222 confirmed cases, 36 hospitalizations and 4 deaths
- As of June 8, 2020:
  - Florida had 63,938 confirmed cases, 10,942 hospitalizations and 2,700 deaths
  - St. Johns County had 279 confirmed cases, 42 hospitalizations and 6 deaths

Mr. Regan addressed the historic *Fireworks over the Matanzas*:

- Tens of thousands of visitors had attended annually
- A concert was historically held during the day in the *Plaza de la Constitucion*
- Enhanced crowds expected as result of surrounding coastal district cancellations
- A significant load expected on first responders
- Unrealistic expectations for social distancing standards

[1] Attached to original minutes

- Unrealistic expectations for enforcement of capacity restrictions at bars and local restaurants
- No new information had surfaced to change the Commission decision of May 11, 2020

Mr. Regan restated the Commission's unanimous decision on May 11, 2020 to postpone the fireworks and noted that absent any motion by the Mayor or Commissioners to change that decision, the decision remained.

Mayor Upchurch turned the meeting to public comment.

4. General Public Comments (3 minutes per individual)

The Commission heard from the following members of the public:

- B.J. Kalaidi
- Richard Marquis
- Ed Slavin
- Tom Reynolds
- Pete Nelson
- Susana Esclasans
- Chris Fulmer
- Mary Ann and John Morrow
- Jim Satterley
- Carol Cuyler
- Charles Johnson
- Dave Salce
- Peter Klein
- Kathryn Schirmacher
- Kristi Robertson
- Sharon Green
- Gail DeVries
- Drew Burchenal
- Yvonne Puckett and Michelle Ward
- Ali Burchfield
- James and Eileen Colvin
- Michele VanDoren
- Christy and Jeff Pepper
- Jill Leslie
- Joe Snyder
- Cydney Connor
- Craig Chambers
- David Abraham
- Joe and Patty Mark
- Becky Greenberg

5. Consent Agenda

Mr. Regan read the Consent Agenda.

CONSENT AGENDA - JUNE 8, 2020

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON JUNE 22, 2020:

- Ordinance 2020-22

CA.3. Reminder of Upcoming Meetings:

- June 22, 2020, Regular Commission Meeting
- July 13, 2020, Regular Commission Meeting
- July 27, 2020, Regular Commission Meeting

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

- April 13, 2020, Regular Commission Meeting

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

- Ivan Zamora-Almeida and Glendaly Rosa - 1549 North Whitney 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 Settlement Agreement between the City and the United Brotherhood of Carpenters and Joiners of America, Local 2038. (D. Hayes, Director, Human Resources)

CA.9. Approval of the Madeira Phase 2A (Unit 1) subdivision plat. (D. Birchim, Director, Planning and Building)

CA.10. Approval of Permanent Easement Agreement between the Claude L. Weeks, Jr. and Kristina G. Weeks and the City for 62 Spanish Street. (R. Franklin, Director, Public Works)

CA.11. Second quarter for year 2019-2020 report for the City Attorney's office. (I. Lopez, City Attorney)

CA.12. Approval of License for Use of City Right-of-Way for 207 Inlet Drive. (I. Lopez, City Attorney)

End of 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 Commissioner Valdes 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

7.B.1. Discussion regarding the Fourth of July celebration.

Item discussed prior to Item 4.

Mayor Upchurch experienced technical issues; therefore, he turned the meeting over to Commissioner Freeman.

7.B.2. Statement by Police Chief

Barry Fox, Chief of Police, acknowledged the tragic death of George Floyd on behalf of the Florida Police Chiefs Association and the City of St. Augustine Police Department (SAPD). He stated that recent demonstrations and numerous community emails received by himself and the Commission questioned police 'use of force' policies and therefore, prompted his presentation.

Chief Fox reviewed the SAPD's *Response to Resistance Policy:*[2]

- SAPD trained with the St. Johns County Sheriff's Office (SJSO) for 40 hours in crisis intervention techniques, including de-escalation and disengagement training for individuals possibly in mental health crisis or drug psychosis
- SAPD banned chokeholds, strangleholds (called Lateral Vascular Neck Restraint) in non-lethal situations
- Transparency and an open-door policy were stressed for SAPD officers to report incidents to the Command Staff Sergeant, who was tasked to ensure public safety
- Officers were restricted from shooting at motor vehicles, unless

[2] Attached to original Commission packet

there was danger to an individual or the officer

- Terrorism responses in place to respond to use of a vehicle or a weapon of injury or destruction
- Officers were to exhaust all reasonable means before resulting in deadly force
- Officers required to give verbal warnings
- Officers required to report each time force was used or they threatened to use force
- Appropriate medical response required when lethal or less-lethal force used that resulted in an injury to offender
- Officers trained in advanced ground fighting techniques to readily defend themselves without resorting to certain types of action
- An officer must defend their life in a lethal situation
- Trained with teams to disengage primary officer from offender upon arrival of backup team
- Anytime officer fired weapon, a Response to Resistance Report required completion
- SAPD received approximately 300,000 service calls in the past 4-1/2 years, of which 332 were response to resistance which many included to put down a sick or injured animal
- The Florida Police Chief's Association appointed Chief Holloway of St. Petersburg Police Department to chair a subcommittee on accountability and societal change, and the SAPD was tracking that subcommittee to incorporate their best practices

Chief Fox discussed body cameras:

- Law enforcement needed to evolve
- Public perception was important on the topic
- Pricing was being researched
- Conversations would continue with area chief law enforcement executives, including the St. Johns County Sheriff candidates
- Research would be provided to the Commission

There was Commission support and appreciation for Chief Fox and the SAPD action plan.

Chief Fox discussed the Florida Law Enforcement Accreditation, Inc. which ensured the adherence of best practices and policies of police departments. Chief Fox noted that the SAPD began their accreditation two years ago, and introduced Jennifer Smalls, Accreditation Manager of the SAPD.

Ms. Smalls, provided an update on the SAPD accreditation:

- SAPD policies were up to date
- Reviewed all 250 standards in place by the Accreditation Commission for the State of Florida (CFA)
- Reviewed SAPD policies and Standard Operating Procedures as they related to the CFA standards, and minor changes were necessary, such as wording
- Process started December 17, 2019, with original goal to present to the City Commission in February 2021; however, COVID-19 delayed that goal
- Would have a mock assessment on January 19-21, 2021 where the SAPD would be advised of any necessary changes or updates to the policies
- Planned to be at CFA in Orlando on April 13, 2021 to be fully accredited by the June 2021 Commission meeting

Commissioner Sikes-Kline inquired about embracing community involvement in SAPD's policies and when that involvement would occur.

Chief Fox noted the policies themselves for best practices were identified from the agencies' through community involvement; however, the SAPD did not have a community advisement board. He stated that this could be explored.

Commissioner Horvath inquired about whether the public could review the assessment in January 2021.

Chief Fox noted there was public involvement on the assessments where individuals came in and looked at the SAPD policies to ensure they were correctly written and followed by SAPD officers. He noted the proofs for training were the standard for whether policies were followed.

7.C. Other Items Requiring Public Hearing

(None)

8. Ordinances and Resolutions – Public Hearing Required.

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2020-18: Amends the Future Land Use Map designation of 415 South Ponce de Leon Boulevard from Residential Medium Density/Mixed Use to Commercial Medium Intensity.

David Birchim, Director, Planning and Building, reviewed the Ordinance.

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

- B.J. Kalaidi
- Barbara Blonder
- Gina Burrell (provided written comments on the following three ordinances)[3]

James Whitehouse, St. John's Law Group, represented the property owners and noted his availability for questions.

Commissioner Horvath noted her agreement with Ms. Burrell that workforce housing was in need.

Mr. Birchim noted the following:

- City's land development code did not have anything requiring a set-aside for workforce housing
- The State of Florida recently instituted a law requiring local jurisdictions to compensate property owners if workforce housing was required in their land development code
- The City may be required to pay the difference between market rate housing and workforce housing if it was required
- At this point the City was not required

Isabelle Lopez, City Attorney, noted that the State statute during the last legislative session addressed the issue.

Commissioner Horvath stated that the Commission should bring this matter to the next legislative session and keep pressure on the State. She noted this had been addressed before but was 'cut off at the knees' by State regulations.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-18 on second reading. The motion was SECONDED by Commissioner Valdes.

Isabelle Lopez read the title as follows:

ORDINANCE NO. 2020-18

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION OF APPROXIMATELY

[3] Attached to original minutes

1.64 ACRES OF PROPERTY LOCATED AT 415 S. PONCE DE LEON BOULEVARD IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT DESIGNATION OF RESIDENTIAL MEDIUM DENSITY/MIXED USE TO A DESIGNATION OF COMMERCIAL MEDIUM INTENSITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Sikes-Kline, Valdes, Freeman, Upchurch[4], Horvath
NAYES: None
MOTION APPROVED UNANIMOUSLY

<u>8.A.2.</u> Ordinance 2020-19: Amends the zoning of 415 South Ponce de Leon Boulevard from Planned Unit Development to Commercial Medium Two.

Mr. Birchim reviewed the Ordinance.

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

- B.J. Kalaidi

Commissioner Horvath stated her belief that adult entertainment and marijuana sales had been restricted to a tighter zone.

Ms. Lopez noted they were restricted; however, adult entertainment was considered First Amendment speech and could not be banned throughout the jurisdiction. She noted the availability of similarly identified commercial zoned properties on US1 for medical marijuana sales.

Mr. Birchim noted that the uses were allowed by exception, medical marijuana dispensaries were allowed in CM2 zoning, if direct public access to US1, and required approval by Planning and Zoning Board at a public hearing, but was not a use proposed for this property.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2020-19 on second reading. The motion was SECONDED by Commissioner Valdes.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-19

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 1.64 ACRES OF PROPERTY LOCATED AT 415 SOUTH PONCE DE LEON BOULEVARD IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT ZONING CLASSIFICATION OF CITY OF ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD) TO THE CITY OF ST. AUGUSTINE ZONING CLASSIFICATION OF COMMERCIAL MEDIUM TWO (CM-2); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

<u>8.A.3.</u> Ordinance 2020-20: Amends the zoning of Flagler Crossing Planned Unit Development to Residential Low One.

Mr. Birchim reviewed the Ordinance and introduced the applicant, Paul Harden, Esq.

[4] Mayor Upchurch confirmed vote via phone and noted his ability to hear the meeting; however, he was not visible through Zoom

Mr. Harden presented a slide show in review of the topic.[5]

Ms. Lopez stated for the record that since Mr. Harden was an attorney, he was not placed under public oath.

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

- B.J. Kalaidi

Commissioner Sikes-Kline inquired about the concerns of the members of the Planning and Zoning Board (PZB) regarding this topic.

Mr. Birchim noted the following:

- Primary concern was that the conservation easements remained in-tact when the property was re-zoned, which the PZB reviewed at two separate public hearings
- The applicant provided legal descriptions and information regarding the conservation easements at the second public hearing
- The two board members who voted against re-zoning wanted it to remain in a Planned Unit Development (PUD) and be developed as multi-family
- PUD required a demonstration of public benefit
- PZB members who voted in favor of re-zoning believed that since most of the property being held in conservation easements with the Water Management District demonstrated a public benefit; therefore, nothing else was required through the PUD process
- Reservation of land with the Water Management District acted as the public benefit if re-zoned to PUD

Mayor Upchurch noted his assumption that the proposed zoning reduced the intensity of the current zoning.

Mr. Birchim stated there was no reduction in intensity.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-20 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-20

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA REZONING APPROXIMATELY 135.2 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF THE SAN SEBASTIAN RIVER SOUTH OF SAN SEBASTIAN VIEW AND WEST OF LASA DRIVE IN THE CITY OF ST. AUGUSTINE, AS MORE PARTICULARLY DESCRIBED HEREINAFTER, FROM ITS CURRENT CLASSIFICATION OF CITY OF ST. AUGUSTINE PLANNED UNIT DEVELOPMENT (PUD) TO THE CITY OF ST. AUGUSTINE CLASSIFICATION OF RESIDENTIAL LOW ONE (RL-1); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERANCE OF INVALID PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

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

(None)

[5] Attached to original Commission packet

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 2020-22: Amends Section 11-89 of the City Code to correct a scrivener's error conforming lettering from numeric to alpha.

Ms. Lopez reviewed the Ordinance.

MOTION

Commissioner Freeman MOVED to place Ordinance 2020-22 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-22

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING SECTION 11-89 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO CORRECT A SCRIVENER'S ERROR IN ORDINANCE NO. 2000-16 RELATING TO NOISE CONTROL; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF THE CITY OF ST. AUGUSTINE; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

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

9.B. Resolutions

9.B.1. Resolution 2020-18: Authorizes the annual renewal of the Traffic Signal Maintenance and Compensation Agreement between the Florida Department of Transportation and the City for the fiscal year 2020-2021.

Reuben Franklin, Director, Public Works, reviewed the Resolution.

MOTION

Commissioner Horvath MOVED to pass Resolution 2020-18. The motion was SECONDED by Commissioner Sikes-Kline and APPROVED BY UNANIMOUS VOICE VOTE.

VOTE ON MOTION

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

10. Staff Reports and Presentations

10.A. Presentation of the Draft Transportation Improvement Program by Wanda Forrest, Transportation Planning Manager for North Florida Transportation Planning Organization.

Mr. Franklin introduced Ms. Forrest, who presented the draft five-year Transportation Improvement Program (TIP) in St. Augustine for fiscal years 2020-2021 to 2024-2025.[6]

Ms. Forrest noted the following key projects:

- Avenida Menendez (SR A1A) from King Street to Castillo de San Marcos
- King Street (SR 5A) from Malaga Street to Avenida Menendez (SR A1A)
- US1 (SR 5) from SR 207 to City Gates
- SR 313 from SR 207 to S. Holmes Boulevard

[6] Attached to original Commission packet

- I-95 (SR 9) from International Golf Parkway to Duval CL
- I-95 (SR 9) from south of International Golf Parkway to south of SR 23 interchange
- First Coast Expressway (SR 23) from I-95 to east of CR 16
- First Coast Expressway (SR 23) from east of CR 16A (Spur) to East of CR 209

10.B. Presentation of the 2019 Comprehensive Annual Financial Report by the City's independent auditor, David Howie, of Masters, Smith & Wisby, P.A.

Mark Simpson, Director, Finance, introduced Mr. Howie, who summated a letter dated May 20, 2020 to Mayor Upchurch, the Commission and John Regan:

- Provided 'boilerplate' audit results
- Intention was to address professional housekeeping
- Nothing in the Comprehensive Annual Financial Report (CAFR) was out of the ordinary
- CAFR was similar to other municipalities
- Accounting estimates were all reasonable
- CAFR was full of standard disclosures with nothing significant
- A subsequent events footnote included notation on COVID-19 pandemic which had universally impacted the financial world
- No significant difficulties
- Page 189 listed management comments
- Management made any corrected and un-corrected misstatements and all proposed general entries
- There were no disagreements with management and staff was very helpful

Mr. Howie provided a review of the 2019 Comprehensive Annual Financial Report.[7]

- Auditors verified information in the financial and compliance sections, with exception of management's discussion and analysis
- Statistical section was not reviewed
- Balance sheet (page 55) showed 2019 fiscal year ending strong:
  - $37 million in cash
  - $203 million in assets
  - $83 million in liabilities
  - Net position of $126 million
- Reviewed Profit and Loss
- Compliance section required a federal single audit because of federal funds used from hurricanes and drinking water project
- The required State single audit looked fine

Mayor Upchurch stated that as an audit committee member, he had recommended that the City change auditors every 3 to 4 years; however, the other members disagreed. He noted it was positive that this was Mr. Howie's first audit of the City, hence a fresh set of eyes. He added that with Mark Simpson and Meredith Breidenstein, the City was blessed with an exceedingly strong financial team.

Mayor Upchurch stated that previous concerns on the City's timeliness with submitting information to the auditors had been corrected and was no longer an issue.

MOTION

Mayor Upchurch MOVED to accept the audit as presented. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

VOTE ON MOTION

AYES: Upchurch, Valdes, Horvath,

[7] Attached to original Commission packet

Sikes-Kline, Freeman
NAYES: None
MOTION APPROVED UNANIMOUSLY

10.C. Discussion regarding moving Engine 42 from North City Fire Station to the Florida School for the Deaf and the Blind.

Carlos Aviles, Chief, St. Augustine Fire Department, was absent for the meeting; therefore, Mr. Regan provided an update on the topic.

Mr. Regan noted that the St. Augustine Fire Department had successfully transferred back to the main station from the Florida School for the Deaf and Blind (FSDB), temporarily used for first responders to minimize the risk of COVID-19 infection.

Mr. Regan expressed his appreciation for Chief Aviles and Dr. Jeanne Prickett, President of FSDB, for their efforts to ensure the changes were successful.

10.D. Discussion regarding increased pressure washing activity, painting and cleaning in the downtown City area.

Todd Grant, Director, Utilities, provided an update on the pressure washing and enhanced cleaning performed downtown.[8]

- During March and April deployed full-time pressure washing staff and the grounds department
- The City contracted with 'Crystal Clean' prior to allowing the return of tourism
- Map showed areas cleaned by regular staff and Crystal Clean
- Under normal tourism, regular staff could pressure wash 4 to 6 times per year

Mr. Grant discussed the Florida Power and Light (FPL) program to replace the City's 'cobra head' high pressure sodium lights with LED lights.

- Requested the Commissioners go view the installed LED light placed at an easy to view location
- FPL would install, maintain and repair the LEDs at no cost to the City
- Could install LED lights of varying intensities to allow a better selection
- High-pressure sodium lights used way more energy than LEDs
- High-pressure sodium lights had a warmer look from a historic preservation perspective; however, LED lights were clear and brightened street
- LED lights would save the City $5,000 to $8,000 on FPL bill, based on wattage
- LEDs eliminated need for more power plants
- LEDs could accurately be directed to certain areas, avoiding light pollution and providing better security
- FPL installed highest wattage for the light shown, but if preferred, a step down on wattage was available
- LEDs still had hot spots, as did the high-pressure sodium lights
- LEDs could be installed outside of the historic district, as FPL's plan was not 'all or nothing'

Commissioner Horvath noted that the LEDs appeared more 'cool' or 'cold' than the high-pressure sodium, hence losing the historic downtown appeal.

Commissioner Sikes-Kline stated her assumption that a comprehensive lighting plan was in the process for the downtown historic district and this approach seemed fractured. She noted her concerns on the cohesiveness of the lighting modifications.

Discussion continued:

[8] Attached to original Commission packet

- There were numerous components to the lighting plan
- Mr. Franklin was moving forward with lighting improvements, such as the easement approved earlier on the Consent Agenda
- LED displayed lowered power consumption and improved ability to see color, which was part of the lighting plan
- Seeing color was imperative for safety reasons
- FPL program was a City-wide light change, and they would do specialty lights; however, it was typically for the cobra-heads over the streets and sidewalks
- Could install in various neighborhoods for a better idea of appearance outside of historic area
- Cobra-head lights were not located in the historic districts
- Complaints from neighborhoods on the dark spots or low light
- Lighting plan would go before the Historical Architectural Review Board (HARB)

11. ITEMS BY CITY ATTORNEY

11.A. Sunshine, Public Records and Ethics Minute.

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

12. ITEMS BY CITY CLERK

12.A. Request for three (3) appointments for the Corridor Review Committee.

Darlene Galambos, City Clerk, reviewed the topic.

Mayor Upchurch suggested that the Commission voice vote to appoint Mr. Michael Dixon, as he was the only applicant meeting the professional position requirements. He suggested the selection of the other two positions through email vote to Ms. Galambos.

There was Commission consensus to vote for the appointments as suggested by Mayor Upchurch.

MOTION

Mayor Upchurch MOVED to appoint Michael Dixon to the Corridor Review Committee. The motion was SECONDED by Commissioner Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

Ms. Galambos read the Commissioner votes submitted via email:

Commissioner Valdes:
- Lorna MacDonald
- Vaughn Cochran

Commissioner Horvath:
- Lorna MacDonald
- Matthew Shaffer

Mayor Upchurch:
- Mary Clukey
- Vaughn Cochran

Commissioner Sikes-Kline:
- Lorna MacDonald
- Vaughn Cochran

Commissioner Freeman:
- Mary Clukey
- Vaughn Cochran

The Commission appointed Lorna MacDonald and Vaughn Cochran to the Corridor Review Committee.

13. ITEMS BY CITY MANAGER

Mr. Regan referenced the Phase II plan for the City and stated the following:

- CMT meetings were technically unstable, as shown during the current meeting

- Suggested Commission return to the Alcazar room for the June 22, 2020 meeting
- General Services implemented a room layout plan which separated the Commission and adhered to social distancing practices
- Total room capacity would be 31 people
- Additional requirements could be imposed, such as mandatory masks

Commissioner Horvath noted the increase in number of cases, and she believed it was too early to return the meetings to the Alcazar Room.

Mayor Upchurch noted his strong support for the in-person meetings and his comfort level based on the social distancing plan seen for the Alcazar room. He believed the Commission members were disadvantaged with experienced technical issues, and that important items had been postponed that were believed to generate a high level of public interest. He concluded that the Commission business was better done in person.

Commissioner Valdes stated that he shared the concerns of Commissioner Horvath, but also recognized the necessity of good governance. He noted that returning to in-person meetings depended on protocols set for participants, such as mandatory mask requirements, social distancing and proper cleaning.

Commissioner Sikes-Kline noted her concern for the recent case increase, validated by her KINSA app. She questioned the exacerbation of Florida cases due to the protests. She agreed that CMT meetings were not ideal; however, they were the best option for now, and should be re-assessed at each Commission meeting.

Commissioner Freeman acknowledged the disadvantages of CMT and the difference in ability to voice opinions. She noted the shared goal for the Commission's return to in-person meetings and suggested that the Commission review the proposed plan for discussion at the next CMT meeting. She stated that the COVID numbers just showed a sixth day of over 1,000 new positive results.

Mr. Regan stated that the Commission would receive the plan for review. He suggested that standard operating procedures be written based on the comments heard regarding cleanliness and masks so that when the Commission returned to in-person meetings, the procedures would exist. He noted the plan would be reviewed at the June 22, 2020 CMT meeting and discussion would ensue at subsequent meetings, until a return to in-person meetings occurred.

Ms. Lopez noted that Governor DeSantis' last Order extended use of CMT meetings through June 30th, 2020, that an extension to July was possible; however, currently that was the deadline.

There was Commission consensus to review Mr. Regan's plan for discussion at the June 22, 2020 Commission meeting, and such time the members would be apprised as to the legal ability to proceed forward with CMT meetings, or a return to in-person meetings.

Mr. Regan noted the recent resignation of Mike Cullum, Chief Resiliency Officer. He wanted to acknowledge the important work Mr. Cullum completed at the City and thank him for being instrumental in the advancement of sea-level rise strategies during his tenure.

14. Items by Mayor and Commissioners

Commissioner Sikes-Kline noted she had attended several meetings with black community leaders to obtain their input and she would continue to provide feedback to the Commission. She stated the community requested that the Commission look into body cameras. She noted the importance of remaining open to the equality of the community and the necessary changes required.

Commissioner Freeman stated that body cameras were at the forefront of her mind and she was pleased to hear the SAPD was moving forward on the topic. She noted that it was a matter of respect for minorities.

Mayor Upchurch apologized for his connection issues and noted the difficulty of the past two weeks. He noted his fear and confusion, but that he had seen the St. Augustine community coming together. He attended several demonstrations and believed, along with others, that St. Augustine was fortunate to be absent police brutality issues and that our community had an excellent police department with excellent leadership.

Mayor Upchurch noted his appreciation for the time with Chief Fox and that he showed professionalism and courage during his interactions with all segments of the community. He believed that although the City was in good shape, the issues society faced were broader than policing and were all issues of social justice discrimination that would not be solved overnight, there was work to do and we all wanted to be better. He acknowledged his appreciation for the Commissioners' actions and Mr. Regan's leadership.

Mayor Upchurch concluded that there was broad consensus for body cameras among our elected officials and candidates and the topic would merely become a matter of how to pay for them.

15. Adjournment

There being no further business, the meeting was adjourned at 1:00 P.M.[9]

Tracy Upchurch, MAYOR

Darlene Galambos, CITY CLERK

[9] Transcribed by Laura Morse