

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, October 26, 2020

The City Commission met by means of Communications Media Technology (CMT) Monday, October 26, 2020 at 5:02 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
Leanna S. A. Freeman, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
Nancy Sikes-Kline, City Commissioner
John Valdes, City Commissioner

Staff: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Director, Planning and Building
Todd Grant, Director, Utilities
Reuben Franklin, Director, Public Works
Jim Piggot, Director, General Services
Mark Simpson, Director, Financial Services
Barry Fox, Chief of Police
Melissa Wissel, Communications Manager
Candice Seymour, Recording Secretary
Laura Morse, Recording Secretary
Marie Lopes, Office Assistant

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Anthony Britton, Serenity Christian Fellowship, delivered the invocation, and Commissioner Freeman led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

MOTION

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

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:

In person:

- BJ Kalaidi

Via e-mail:

- Town and Gown Committee

Public comment was closed.

5. Consent Agenda

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA—OCTOBER 26, 2020

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON NOVEMBER 9, 2020:

- Ordinance 2020-31

CA.3. Reminder of Upcoming Meetings:

- November 9, 2020, 5pm, Regular City Commission Meeting
- December 7, 2020, 7:30pm, Special City Commission Meeting
- December 14, 2020, 5pm, Regular City Commission Meeting

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

- August 14, 2020, City Commission Special Budget Meeting
- September 14, 2020, Regular City Commission Meeting

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

(None)

CA.6. PROPOSED PROCLAMATIONS, CERTIFICATES OF APPRECIATION/RECOGNITION. (COMMISSION APPROVAL REQUIRED). (TO BE READ AT A SUBSEQUENT MEETING).

- Proclamation 2020-13: Proclaiming November 2020 as National Hospice Palliative Care Month. (*T. Upchurch, Mayor*)

CA.7. NOTIFICATION OF PROCLAMATIONS/CERTIFICATES OF RECOGNITION ISSUED:

(None)

CA.8. Approval of Tourist Development Agreement between the City and St. Johns County. (*J. Piggott, Director General Services*)

CA.9. Annual status report, City Attorney's office. (*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 Sikes-Kline MOVED to approve the Consent Agenda. The motion was SECONDED by Commissioner Horvath 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

8.A.1. Ordinance 2020-27: Repeal of mandatory retirement age and inconsistent provisions regarding normal and early retirement age found in this section of the code.

Isabelle Lopez, City Attorney, reviewed the Ordinance.

Public hearing was opened; however, there was no response.

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Ordinance 2020-27 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-27

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, REPEALING SECTION 20-82 OF THE CODE OF THE CITY OF ST. AUGUSTINE THAT PROVIDED FOR A MANDATORY RETIREMENT AGE AND EMPLOYMENT BEYOND NORMAL RETIREMENT; PROVIDING FOR INCLUSION IN THE CODE 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: Sikes-Kline, Horvath, Upchurch, Freeman, Valdes
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2020-28: Amends Commercial Sign Zone 4.

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

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

- BJ Kalaidi

Public hearing was closed.

MOTION

Mayor Upchurch MOVED to pass Ordinance 2020-28 on second reading. The motion was SECONDED by Commissioner Freeman.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-28

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 3, ARTICLE II, DIVISION 1 OF THE CODE OF THE CITY OF ST. AUGUSTINE RELATING TO ADVERTISING AND SIGNS; AMENDING SECTION 3-22, DEFINITIONS; AMENDING THE DEFINITION OF COMMERCIAL ZONE 4; PROVIDING FOR INCLUSION IN THE CODE 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, Freeman, Valdes, Sikes-Kline, Horvath
NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2020-29: Defines professional and occupational qualifications for HARB membership

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

8.C.1. Resolution 2020-35: West San Sebastian Brownfield designation.

Ms. Lopez reviewed the Resolution.

Trey Mills, Esq., the attorney for the project, was virtually present to discuss the topic and answer questions. He noted the process was in the early stages, required more data collection, and required assembly of a remedial action plan which was targeted for January 2021.

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

- BJ Kalaidi

Public hearing was closed.

MOTION

Commissioner Sikes-Kline MOVED to pass Resolution 2020-35. The motion was SECONDED by Mayor Upchurch.

VOTE ON MOTION

AYES: Sikes-Kline, Upchurch, Valdes, Horvath, Freeman

NAYES: None

MOTION APPROVED UNANIMOUSLY

9. Ordinances and Resolutions - No Public Hearing Required

9.A. Ordinances – First Reading

9.A.1. Ordinance 2020-31: Provides for notifications required by Section 162.09(1), Florida Statutes, to be made to the City Manager and for the board to hear applications for reduction of fines and fees prior to and after recording liens.

Ms. Lopez reviewed the Ordinance.

MOTION

Commissioner Sikes-Kline MOVED to place Ordinance 2020-31 on second reading, read by title only and passed. The motion was SECONDED by Commissioner Horvath.

ORDINANCE NO. 2020-31

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA AMENDING CHAPTER 2, ARTICLE V, DIVISION 2, SECTIONS 2-212 AND 2-213 OF THE CODE OF THE CITY OF ST. AUGUSTINE TO PROVIDE NOTIFICATION TO CITY MANAGER OR HIS OR HER DESIGNEE; TO PROVIDE FOR APPLICATION TO THE CODE ENFORCEMENT, ADJUSTMENTS, AND APPEALS BOARD FOR REDUCTION OF FINES AND FEES PRIOR TO LIEN RECORDATION OR FOR RECOMMENDATION TO THE CITY COMMISSION FOR REDUCTION OF FINES OR FEES ON RECORDED LIENS; PROVIDING FOR INCLUSION IN THE CODE 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: Sikes-Kline, Horvath, Freeman, Valdes, Upchurch

NAYES: None

MOTION APPROVED UNANIMOUSLY

9.B. Resolutions

(None)

10. Staff Reports and Presentations

10.A. Discussion regarding police department body cameras and 2019 Annual Unified Crime Report.

Barry Fox, Chief of Police, delivered a presentation and provided updates on the following:¹

- Annual Crime Report
- Homeless Outreach Program
- Commission for Law Enforcement Accreditation (CFA) Program
- Body cameras

Body cameras and crime were discussed in further detail by the Commission, Chief Fox and Mr. Regan, and the following was noted:

- Received 60 sets of cameras and tasers for 58 officers
- Cameras linked into taser program
- Camera or tasers received free upgrades during contract terms
- Cameras received upgrades while charging
- AXON technical support available for duration of 10-year contract
- Video quality and lighting improved vastly with type of camera
- No likely hidden contract costs
- Cameras replaced for free if broken, and automatically replaced every two and one-half years
- Equipment technology already used in judicial circuit, and would speed up the judicial process
- Reduction in Florida crime was at about 6% over last ten years, City was between 6% to 10%, and last four years about 33% decrease
- Violent crime on decline, with exception of 2019, it was up 15%, with only 10 to 12 incidents
- Semi-annual 2020 report showed violent crime down 22%, and property crime down another 3%
- Increase in force authorized for additional officers in downtown area was significant help
- Push for stronger presence on community outreach for use of

preventative measures, identifying risks and property crime watch

- Training and professionalism important for good officer retention
- 25 demonstrations handled by the SAPD as of October 24, 2020
- Body camera program protected officers, residents and all involved

Mr. Regan acknowledged Sharon Whitener and the Purchasing Department, who dealt with complex national contracts to discover an option that worked for the SAPD. He also commended Chief Fox for his leadership.

Mayor Upchurch noted that after 25 demonstrations, the City was not affected by criminal justice issues that plagued other parts of the country after George Floyd's death, such as property damage, injuries, and constitutional rights violations. He stated this was the result of the SAPD professionalism and the leadership of Chief Fox and body cameras were another proactive vision to maintain the safety and beauty of the City.

10.B. Presentation regarding the registration process for short term rentals.

Mr. Birchim reviewed the topic and introduced Patrick Doty, Senior Planner, whom he credited for the hard work and development of the short-term rental webpage and registration links.

Mr. Doty delivered a presentation which stepped through the entirely digital registration process on the short-term rental webpage.²

At the request of Mayor Upchurch, Mr. Birchim stated that outreach reminders for the January 4, 2021 registration deadline were conducted through social media, the Commission meeting, an upcoming radio program and the newspaper. He noted that

¹ Attached to original packet

² Attached to original packet

although the response was not substantial, the program was gaining momentum.

10.C. Discussion regarding the goals of the building code advisory committee.

Mr. Birchim discussed the three committee goals, noting the ability to add to or modify them before the selection of members at the November 9th Commission meeting. He stated this project specifically focused on residential construction, as most commercial construction had stormwater retention rules at local and State levels.

The Commission discussed:

- Staff correctly identified the committee goals that could be narrowed
- Permitted about one to two houses per week
- Impervious surface ratios not broken down on new home sites and would require viewing aerial photos to estimate coverage
- Anything under roof, such as carports and garages were captured under lot coverage

MOTION

Mayor Upchurch MOVED to confirm the three goals as set forth in the memorandum dated October 26, 2020 from Mr. Birchim to Mr. Regan. The motion was SECONDED by the Commission and APPROVED BY UNANIMOUS VOICE VOTE.

Darlene Galambos, City Clerk, reminded meeting participants that the Building Code Advisory Committee applications were due Wednesday, October 28, 2020 by 5:00 P.M.

10.D. Quarterly Public Works and Utilities update.

Reuben Franklin, Director, Public Works, delivered a presentation on the status of

six Public Works' projects and added the following:

FEMA 13 Lift Stations Rehabilitation:

- Damaged in Hurricane Matthew
- Received FEMA public assistance grant
- 87-1/2% of improvements would be made by State and Federal government, 12-1/2% by City contribution from the Utility Fund
- Went through procurement process to be managed by Construction Manager at Risk (CMAR)
- Anticipated as a ten-year plan; however, they would be constructed in two years
- Construction would begin July 2021 and end July 2022

Mr. Franklin stated the project was ready for the construction phase and requested Commission approval to move forward.

MOTION

Mayor Upchurch MOVED to authorize City staff to proceed with the construction phase of the lift stations. The motion was SECONDED by the Commission Horvath and APPROVED BY UNANIMOUS VOICE VOTE.

Mr. Franklin continued his review:

Maria Sanchez Flood Mitigation Project:

- Funds identified with Hurricane Matthew for local mitigation strategy
- Required observation easement through Planning and Zoning Board (PZB) and permitting with St. Johns River Water Management District and Army Corps of Engineers
- Included complete rebuild of Cordova, Bridge (between Cordova and Granada) and Granada Streets with improved underground utilities, water, sewer, stormwater, roads, and new sidewalk
- Constructing a pumping station at south end of Maria Sanchez to

control level and allow stormwater to drain into the lake, with expected start by 2022

West Augustine Sewer Improvements:

- Improvements were ongoing
- Septic to sewer conversion originally focused along St. Johns and Duval Streets

Mr. Franklin advised Mayor Upchurch that he would perform an analysis of the existing septic systems that met qualifications for the septic to sewer conversion program and provide data at a later meeting.

Lincolnvile Drainage and Utility Improvements:

- Construction complete between De Haven and South Street (between Riberia and MLK) with new underground utilities, road and drainage system
- Total cost was \$1.6 million, funded through grants
- Expected completion of sidewalk on South Street in two weeks, which was not part of the grant

Major Projects in Design Phase:

- Design Milestones were reviewed

Mobility Program: Activity Management:

- Reviewed progress of each activity
- Anastasia Boulevard Study, funded by North Florida TPO, anticipated robust public outreach

Todd Grant, Director, Utilities, reviewed the Utilities Department projects, and highlighted the following:

- Avenida Menendez Seawall grant was approved, and was the section of wall between the marina and the former Santa Maria restaurant site
- Wastewater treatment plant in house flood proofing was 100% complete and a presentation would follow at a subsequent Commission meeting

- Moving into final 'Phase 4' of the automatic meter replacement, which allowed a drive-by read, providing staff with time to focus on important water quality issues

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. Notification of two vacancies on the Lincolnvile Community Redevelopment Steering Committee; one vacancy and three expirations on the Code Enforcement Adjustment and Appeals Board and one vacancy on the Police Officer's Retirement System Board of Trustees.

Darlene Galambos, City Clerk, reviewed the topic and noted that applications were also being accepted for the Building Code Advisory Committee. She noted the following deadlines for applications:

- SAPD Pension Board was Wednesday by 5:00 p.m.
- Lincolnvile Steering Committee was extended until January 2021
- Code Enforcement, Adjustment and Appeals Board was Wednesday December 2 by 5:00 p.m.

Mayor Upchurch requested that Ms. Galambos send a short memo to the Commission that addressed the due dates and available board positions to prompt the Commissioners to seek qualified citizens to apply for the positions.

13. ITEMS BY CITY MANAGER

(None)

14. Items by Mayor and Commissioners

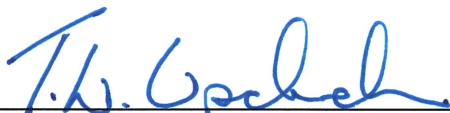
Mayor Upchurch thanked Mr. Regan for his leadership of the thriving SAPD and noted the appreciation of his broad perspective of all City staff and his recognition of those who did great work.

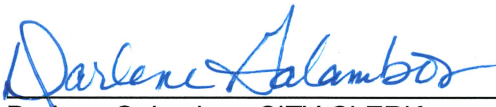
Commissioner Valdes concurred with the statements of Mayor Upchurch.

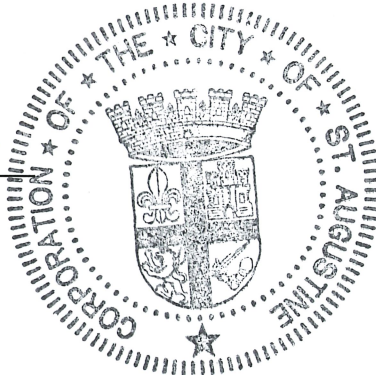
Commissioner Sikes-Kline referred to the Resilient Heritage Report released by Taylor Engineering which showed St. Augustine's Historic District represented 41% of the City's total assessed value, and 75% of the Historic District land area was in a high risk flood zone. She noted the importance of Planning and Building's continued pursuit in this area and suggested they access the report and the many examples of problem solving in communities nationwide. She stated Mr. Regan agreed to deliver a presentation at November's meeting where a comprehensive view of addressing flooding and resiliency would be presented.

15. Adjournment

There being no further business, the meeting was adjourned at 7:06 P.M.³


Tracy Upchurch, MAYOR


Darlene Galambos, CITY CLERK



³ Transcribed by Laura Morse