

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, February 8, 2021

The City Commission met in formal session Monday, February 8, 2021 at 5:15 P.M. in the Alcazar Room at City Hall. The meeting was called to order by Vice Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Absent: Tracy Upchurch, Mayor/City Commissioner

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Tim Fleming, Christ Church, delivered the invocation, and Vice Mayor Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

John Regan, City Manager, requested removal of Item 13.A. from the Agenda.

MOTION

Commissioner Horvath MOVED to approve the Regular Agenda as amended. The motion was SECONDED by Commissioner Blonder and

APPROVED BY UNANIMOUS VOICE VOTE.

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

(None)

4. PUBLIC COMMENTS FOR GENERAL PUBLIC COMMENTS OR FOR AGENDA ITEMS NOT REQUIRING A SEPARATE PUBLIC HEARING

The Commission heard from the following members of the public:

- Shawn Morrison
- Michele Bova
- Charles Pappas
- Doug Russo
- Jaime Parham

- Michael Mann
- BJ Kalaidi

Public comment was closed.

5. CONSENT AGENDA

Mr. Regan read the Consent Agenda.

CONSENT AGENDA—FEBRUARY 8, 2021

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON FEBRUARY 22, 2021:

(None)

CA.3. Remainder of Upcoming Meetings:

- February 8, 2021, 5pm, regular City Commission Meeting
- February 22, 2021, 5pm, regular City Commission Meeting
- March 8, 2021, 5pm, regular City Commission Meeting

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

(None)

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

- 149 Palmer Street-Andrew Deming

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. Satisfaction of pre-application conditions in order for the City to apply to the Florida Department of Economic Opportunity (FDEO) for a Small Cities Community Development Block Grant-Coronavirus (CDBG-CV) program. (C. Sakryd, Grant Administration Coordinator)

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

7.A.1. Presentation by Eric Becher, PhD, representing the Epicentre Alliance regarding a concept plan for a Performing Arts Center.

Commissioner Blonder introduced Dr. Becher, founder of Vavarde Strategic Funding (Vavarde), which assisted nonprofit organizations reach sustainable futures in partnership with Epi Centre Alliance.

Dr. Becher delivered a presentation and discussed the following:

- Twelve nonprofit organizations represented in St. Augustine who performed in art, music, dance, and theatre
- Vavarde launched in 2016 from requests to assist local nonprofits with problem solving
- Nonprofits required a reliable facility to rehearse, prepare, perform, promote fundraising, and secure advanced schedule; therefore, construction of facility was planned
- In January 2020 Vavarde held two-day retreat to collect ideas, dreams, visions, needs, and group goals
- Project was met with great reception across City and County
- Ten sites researched but unable to purchase until next stages secured
- Sites not downtown based on County's Johnson study indicating parking issues and traffic congestion

Dr. Becher requested a signed letter from Mayor Upchurch, required for several grants, indicating the City's desired partnership with Vavarde and support for the project, thus allowing preliminary funding for planning and design. He stated several persons were interested and prepared to fund the facility; therefore, the City and County would have zero costs.

Commissioner Valdes noted his support for a letter and the wonderful direction of this project which was long past due.

Commissioner Horvath thanked Dr. Becher and remarked on the great project progress seen during her involvement.

Isabelle Lopez, City Attorney, clarified Dr. Becher's request was general conceptual support from the Mayor and if the Commission's consensus was a letter of support from the Mayor, it was not supporting a partnership or any other language implying an ongoing commitment, preliminary financial commitment, or City oversight. She stated full Commission consensus was required.

There was Commission consensus to proceed with a letter of support from Mayor Upchurch.

Mr. Regan echoed the observation of all four Commissioners' support of the Mayor's letter and noted that although the Mayor signed the letter, it represented a position of the entire Commission and City.

7.B. Items of Great Public Importance

(None)

7.C. Other Items Requiring Public Hearing

(None)

8. ORDINANCES AND RESOLUTIONS – PUBLIC HEARING REQUIRED

8.A. Ordinances – Second Reading

8.A.1. Ordinance 2021-01: Amends the General Employees' Retirement System to comply with federal law changes to the mandatory distribution age and correct scrivener's errors.

Ms. Lopez reviewed the Ordinance.

Public hearing was opened, however there was no response.

Public hearing was closed.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2021-01 on second reading. The motion was SECONDED by Commissioner Blonder.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-01

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING CHAPTER 20, PENSIONS AND RETIREMENT, ARTICLE IV, 1977 CITY

EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF ST. AUGUSTINE; AMENDING SECTION 20-116 OF THE CODE OF THE CITY OF ST. AUGUSTINE; PROVIDING FOR COMPLIANCE WITH THE SECURE ACT OF 2019; CORRECTING SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Horvath, Blonder, Valdes, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.2. Ordinance 2021-02: Amends the St. Augustine Police Officers' Retirement System to comply with federal law changes to the mandatory distribution age and correct scrivener's errors.

Ms. Lopez reviewed the Ordinance.

Public hearing was opened, however there was no response.

Public hearing was closed.

MOTION

Commissioner Horvath MOVED to pass Ordinance 2021-02 on second reading. The motion was SECONDED by Commissioner Valdes.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-02

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING PART I, ARTICLE IX, POLICE OFFICERS RETIREMENT SYSTEM OF THE CHARTER OF THE CITY OF ST. AUGUSTINE; AMENDING SECTIONS 9.08 AND 9.11 PROVIDING FOR COMPLIANCE WITH THE SECURE ACT OF 2019;

CORRECTING SCRIVENER'S ERRORS; PROVIDING FOR SEVERABILITY OF PROVISIONS; PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Horvath, Valdes, Blonder, Sikes-Kline

NAYES: None

MOTION APPROVED UNANIMOUSLY

8.A.3. Ordinance 2021-03: Amends Article X of the City Charter to correct scrivener's errors and provide gender neutral language.

Ms. Lopez reviewed the Ordinance.

Public hearing was opened, however there was no response.

Public hearing was closed.

MOTION

Commissioner Blonder MOVED to pass Ordinance 2021-03 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, AMENDING PART I, ARTICLE X OF THE CHARTER OF THE CITY OF ST. AUGUSTINE; CORRECTING SCRIVENER'S ERRORS; PROVIDING FOR GENDER NEUTRAL LANGUAGE THROUGHOUT; PROVIDING FOR INCLUSION IN THE CHARTER OF THE CITY OF ST. AUGUSTINE; AND PROVIDING FOR AN EFFECTIVE DATE.

VOTE ON MOTION

AYES: Blonder, Horvath, Sikes-Kline Valdes

NAYES: None
MOTION APPROVED UNANIMOUSLY

8.A.4. Ordinance 2020-17: Renames Bravo Street between Riberia Street and Sanford Street as Carrie Johnson Way honoring Ms. Johnson, a native resident who was known as "The Voice of Lincolnville".

Reuben Franklin, Director, Public Works, reviewed the Ordinance and stated upon passage an unveiling ceremony would occur in Lincolnville on Saturday, February 20, 2021 which was Ms. Johnson's birthday.

Public hearing was opened, however there was no response.

Public hearing was closed.

MOTION

Commissioner Valdes MOVED to pass Ordinance 2020-17 on second reading. The motion was SECONDED by Commissioner Horvath.

Ms. Lopez read the title as follows:

ORDINANCE NO. 2020-17

AN ORDINANCE OF THE CITY OF ST. AUGUSTINE, FLORIDA, CREATING SECTION 22-167 OF THE CODE OF THE CITY OF ST. AUGUSTINE, TO PROVIDE FOR THE RENAMING OF BRAVO STREET AS "CARRIE JOHNSON WAY;" 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 AN EFFECTIVE DATE.

VOTE ON MOTION

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

Vice Mayor Sikes-Kline cited the great appreciation for the street rename and stated Ms. Johnson was loved and dearly missed.

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

(None)

9.B. Resolutions

(None)

10. STAFF REPORTS AND PRESENTATIONS

10.A. Discussion regarding legislative tracking priorities authorizing the Mayor to sign letters in support of or in opposition to the Commission's priority list.

Ms. Lopez reviewed the topic and suggested that in place of Resolution format for item support or opposition, that legislative tracking be reviewed at every meeting so Commissioners could inform staff which bills were priorities, then the City Clerk and City Attorney draft a mayoral letter to send the following day. Ms. Lopez suggested the Commission provide the following information at each meeting:

- Bills they requested current information on for next meeting
- Bills they preferred the Mayor write a letter in support or opposition
- Bills the City Manager should focus on with legislative consultant

Mr. Regan stated the importance to make administrative staff aware of items Commissioners wanted to fight during legislative session. He noted prior to the meeting, an update was received regarding HB 219 / SB 522 (Vacation Rentals) set for February 10, 2021 in the House, and the week of February 16th in the Senate. He advised that typically he and Vice Mayor Sikes-Kline would clear their calendars to testify; however, Tallahassee rules were completely different this legislative session due to COVID, and providing oral argument was difficult, so the ability to quickly draft a letter relevant to a particular committee was more significant.

Mr. Regan notified the Commission the appropriation request of \$600,000 for the two-block construction project at West Third Street project was assigned HB 3411.

Mr. Regan mentioned bills with an assigned number under 100 directly reflected Tallahassee leadership's priority.

Vice Mayor Sikes-Kline restated the tasks suggested by Ms. Lopez, advised the Commission was in agreement to draft letter on discussed bills for the Mayor's signature and requested a motion and vote.

Commissioner Horvath MOVED that a letter be prepared with the Mayor's signature for the discussed bills. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

There was Commission discussion and consensus that letters regarding the following bills be drafted and submitted with the Mayor's signature:

- SB 62 (Regional Planning Councils)
- SB 514 / HB 315 (Resiliency)
- SB 522 / HB 219 (Vacation Rentals)

Vice Mayor Sikes-Kline provided top bills requiring focus and noted the short-term rental topic would be a fight:

- SB 62 (Regional Planning Councils)
- SB 522 / HB 219 (Vacation Rentals)
- SB 268 / HB 115 (Local Licensing)

Commissioner Horvath suggested focus on the following bills:

- SB 514 / HB 315 (Resiliency)

Commissioner Blonder suggested focus on the following bills, in addition to those already highlighted on the tracking sheet:

- HB 6003 (Vaccinations During Public Health Emergencies)
- SB 60 (County and Municipal Code Enforcement)
- SB 484 / HB 1 (Combatting Public Disorder)
- HB 215 (Prohibition of Public Funds for Lobbying by Local Governments)

Commissioner Blonder requested a Public Works report regarding reclaimed water and affects to City and infrastructure planning as they pertained to the following:

- SB 60 (County and Municipal Code Enforcement)
- HB 263 (Reclaimed Water)

Commissioner Blonder opposed passage of the following bills:

- SB 266 / HB 463 (Home Based Business)
- SB 496 / HB 59 (Growth Management)

Commissioner Blonder supported passage of the following bills and requested Commission consensus to submit letters in support to State legislation:

- SB 514 / HB 315 (Resiliency)
- SB 596 / HB 6023 (Repeal of Tree Pruning, Trimming and Removal)
- SB 594 / HB 6027 (Pre-emption of Recyclable and Polystyrene Materials)

There was Commission consensus to submit letters in support of the three bills suggested by Commissioner Blonder.

Ms. Lopez advised the Commission HB 115 (Local Licensing) had been withdrawn and was replaced with HB 735, which was a companion bill to SB 268 (Pre-emption of Local Occupational Licensing). She stated HB 115 had focused on construction trades and did not affect the City since local licensing was not required for those trades; however, the language in HB 735 was broadened from just construction trades to include nearly any method to earn a living, which made it possible to preempt City's ability to test and license tour guides.

Ms. Lopez stated this bill would be added to the legislative tracking list:

- SB 268 / HB 735 (Pre-emption of Local Occupational Licensing)

Vice Mayor Sikes-Kline stated she would contact those committee members for whom she had information through the Florida League of Cities prior to the Wednesday, February 10th meeting and reminded the Commission emails were very helpful as everyone prepared for a big battle on short-term rentals.

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

(None)

13. ITEMS BY CITY MANAGER

13.A. Review and discussion of the addendum to the City's agreement with Lightner Museum.

Item administratively removed.

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Horvath requested support opposing the elimination of statutory authorization for Regional Planning Councils in Florida as proposed in Senate Bill 62.¹ She declared this a critical Commission issue, procedure should be followed, and Commission should ask the Mayor to draft letter in their support and send immediately. She stated she would meet with the City Clerk to review and 'specialize' a Resolution which would be brought to the next meeting with preparation to be passed.

Commissioner Blonder requested Mr. Regan's assistance for ways to comprehend, implement and address the following pertaining to the COVID vaccine:

- Connect community to needed information for registration, eligibility and decision making on vaccine
- Address potential transportation hurdles for those interested in getting vaccine

Commissioner Blonder told a personal story which indicated differences with local health administration of the first vaccine round and extreme wait times versus the second vaccine round provided at the Solomon Calhoun Community Center (Center). She praised the professionalism, organization and friendly manner of everyone at the Center, commended those who worked so hard and appreciated the time City staff and community dedicated to make this the best possible setup.

Mr. Regan notified the Commission a State auditor recently conducted a surprise Center visit and revealed the Center was the best ran and efficient operation seen with her audits. He noted more volunteers were needed to assist others with online appointments and help people get connected.

Commissioner Blonder stated she had a meeting with some potential volunteers and would pass Mr. Regan's information to them.

¹ Copy provided to Commission at meeting

Mr. Regan reviewed outreach efforts made to get vaccine information to the underserved community:

- Extensive effort made to reach those regarding a vaccine appointment
- Heavy outreach focused on people of color and the elderly
- Big push to assist people in Hastings, Flagler Estates, Armstrong, and West Augustine
- Five people at Flagler Hospital were instrumental in working one on one with appointment assistance which enabled nearly 400 people who were unable to use a computer to secure appointments
- Effort extended with plan to deal with elderly shut-in population by working with Council on Aging transportation network and Paratransit system use which set up routings for geographic appointments enabling transport of four to six people to the Center
- Medical presentation prepared by County and delivered by Chief Aviles was making way around the County
- Presentation brought to faith-based leadership and shown in underserved communities
- Program set up in West Augustine to get vaccines to homes, but more volunteer groups needed
- West Augustine's American Legion Post assisted people with a van

Mr. Regan advised more help was needed to connect people and questioned "What else could we do that we were not doing?" He stated the following answers:

- Putting together a fact sheet
- Critical links to phone calls
- Ways to obtain presentation
- Link to presentation
- Flyer in utility billing system would be a powerful tool for anyone not on social media or with subscription to the Record

Vice Mayor Sikes-Kline referenced a topic mentioned during public comment regarding cash for junk signs in medians or 'snipe signs' which were a Code Enforcement

issue. She noted an increased amount were seen in public rights-of-way, particularly on weekends when it was assumed Code Enforcement was not out, and she requested special attention to this.

Vice Mayor Sikes-Kline noted her conversation with Mr. Regan concerning the upcoming laying of the wreath ceremony celebrating Pedro Menendez' birthday, wherein she expressed concerns regarding actions that could be taken to fully recognize Pedro Menendez' impact on the area population. She asked for consideration of developing a Land Acknowledgement ceremony prior to laying the wreath for more balance and diversity and requested the Commission's support.

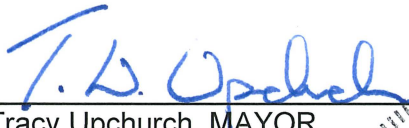
There was Commission consensus to support Vice Mayor Sikes-Kline's request.

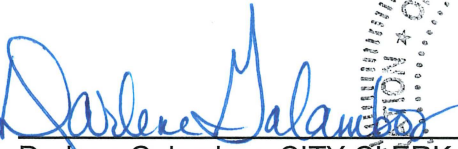
Commissioner Valdes expressed his appreciation for the manner which the Solomon Calhoun Center was operated and noted his experience was wonderful. He requested that Mr. Regan pass thanks and congratulations to City and County staff involved at the Center.

Mr. Regan acknowledged the tremendous support from City employees of which six to nine volunteered daily at the Center and assisted with administrative entries or wherever needed.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:25 P.M.²


Tracy Upchurch, MAYOR


Darlene Galambos, CITY CLERK

² Transcribed by Laura Morse