

City of St. Petersburg
Health, Energy, Resilience & Sustainability Committee
December 15, 2022 – 8:00 AM
City Hall, Room 100

Members: Council Chair Gina Driscoll, Council Vice Chair Brandi Gabbard, Council Member Lisset Hanewicz, and Council Member Richie Floyd.

Alternate: Council Member Ed Montanari

Support Staff: Bryan Casañas-Scarsella – City Council Legislative Aide

1) Call to Order

2) Approval of Agenda

3) Approval of the September 22, 2022, Minutes

4) New Business – December 15, 2022

- a) Discussion of a resolution affirming the right to privacy in women’s healthcare decisions (CM Floyd).
- b) A discussion of providing economic assistance to the Tampa Bay Abortion Fund (CM Floyd).

5) Upcoming Meeting Dates – TBA

General Attachments:

September HERS Minutes
Pending and Continuing Referral List
Agenda Item Support Material

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Also Present: Rob Gerdes, City Administrator; Claude Tankersley, Public Works Administrator; Heather Judd, Assistant City Attorney; Michael Dema, Assistant City Attorney; Sharon Wright, director of the Office of Sustainability and Resilience; Dean Hay, Operations Analyst for the Office of Sustainability and Resilience, Julie Rocco, Foundation for a Healthy St. Petersburg and the St. Petersburg Food Policy Council; and Cathy Harrelson, Chair of the Urban Forestry Committee.

1) Call to Order– 8:00 AM

2) Approval of Agenda—CM Floyd moved approval; motion passed unanimously.

3) Approval of the August 25, 2022, Minutes—VC Gabbard moved approval; motion passed unanimously.

4) New Business

A report regarding the implementation of a community food forest program. In addition, the discussion should focus on recurring funding from the general fund and with the initial seed funding coming from BP funds or other one-time funding sources.

VC Gabbard provided opening remarks for the New Business Item, stating that urban agriculture and the urban canopy goals are linked.

Mr. Hay provided definitions and explanations related to food forests and the seven layers of a food forests; he also broke down the benefits of food forests to homeowners and the community. He also explained how food forests and the Integrated Sustainability Action Plan (ISAP) in terms of goals and criteria. He then showed the Committee a slide of St. Petersburg’s mapped urban gardens and farms. Mr. Hay then explained that should a map like this become public and more developed, it could lead to farm tourism.

Mr. Hay detailed the timeline of the food forest work and engagement that has taken place to date and introduced Julie Rocco, who was representing the St. Petersburg Food Policy Council (SPFPC). Ms. Rocco described the guiding principles that the SPFPC recommended as guidance for the food forest pilot initiative, such as inclusivity, accessibility, education, awareness and ongoing support, affordability, and local agency and autonomy. Given that framework, Ms. Rocco explained that the SPFPC was fully supportive of the initiative.

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Mr. Hay then outlined the different organizational models for food forests that are possible, including the municipal model, the municipal/nonprofit partnership model and the nonprofit model. CM Hanewicz asked if we have looked at how this project would fit within the comprehensive plan on trees. Mr. Hay then replied that this program would work as an adjacency to urban forestry. She then commented on how she would like to see the program also encourage homeowners to plant their own fruit trees. She then asked about data on the effects of the urban agriculture ordinance. Ms. Wright said there hasn't been any tracking other than the map. Finally, Ms. Hanewicz asked about hurricanes and tropical storms as they relate to fruit trees.

Chair Driscoll then invited Ms. Harrelson to speak on this topic and asked her if the CBC or the Urban Forestry Committee had discussed the food forest pilot. Ms. Harrelson replied said she was seeing this for the first time. VC Gabbard said she met with the Urban Forestry Committee a year prior as part of her stakeholder research. CM Montanari asked about health codes, food safety and distribution as they relate to this project. Mr. Hay said there are some ideas going around but they plan to consult with the health department. Mr. Hay said that in terms of distribution Enoch Davis Center has been discussed as a potential distribution site with refrigeration of products for storage.

CM Floyd expressed concern with rodents and an interest in seeing projects like this on public land, as well as on private land. Chair Driscoll said she sees plenty of opportunity to develop a robust system of food forests throughout the city and she said sees the need for someone to be that a main resource, a hub for education, grant opportunities, and the like. She said she does see a justification for an Urban Agriculture position, which she said could start small and grow over time.

VC Gabbard then asked the committee if they would like the item to come back to committee when a pilot program is ready to be moved forward. CM Montanari said he would, and all Council Members agreed.

Chair Driscoll adjourned the meeting at 9:18 AM.

Health, Energy, Resilience, & Sustainability Committee Pending & Continuing Referral List **Thursday, December 15, 2022**

Topic	Return Date	Date of Referral	Prior Meeting	Referred by	Staff	Notes
A discussion of providing economic assistance to the Tampa Bay Abortion Fund.	12/15/22	11/10/22		Floyd	Michael Dema Jeannine Williams	
Discussion of a resolution affirming the right to privacy in women's healthcare decisions.	12/15/22	11/10/22		Floyd	Michael Dema Jeannine Williams	
A discussion on restricting smoking within the boundaries of city parks and beaches in accordance with HB 105.		8/4/22	8/25/22	Driscoll	Heather Judd Benjamin James	8/25/2022 –Will go to full Council
Respectfully requesting a discussion on Resilience Hub Concepts and an update on the Pilot funded by Foundation for a Healthy St. Petersburg: Childs Park Neighborhood Resilience Collective (NRC)		7/21/22	7/28/22	Driscoll	Claude Tankersley	7/28/22 –Update from OSR on this item within a few months.
A report regarding the implementation of a community food forest program. In addition, the discussion should focus on recurring funding from the general fund and with the initial seed funding coming from BP funds or other one-time funding sources. Presenters to include our Urban Forester and Sustainability Coordinator, Chair or members of the Urban Forestry Committee, Chair or members of the St. Pete Food Policy Council, and any other relevant staff.		5/19/22	9/22/22	Gabbard	Claude Tankersley Dean Hay Cathy Harrelson Member/s of the St. Pete Food Policy Council	
A report to the Health, Energy, Resiliency and Sustainability Committee regarding city policies and tools to increase and protect our tree canopy.		3/3/22	4/21/22	Gabbard	Claude Tankersley Dean Hay	7/22/2022 –A follow-up on the community food forest program and funding is scheduled for September.
A discussion on continued or planned investments in the context of the American Cities Climate Challenge commitments and Integrated Sustainability Action Plan (ISAP) implementation.		2/17/22	2/24/22	Driscoll	Claude Tankersley	2/24/2022 – Update provided at HERS.
Discussion of the City's Environmental Purchasing Policy (now being referred to as the "Sustainable Purchasing Policy) and a potential ordinance to formalize the City's commitment to sustainability as part of a broader discussion of a "Sustainable City Hall"		6/10/2021	6/4/2020	Driscoll	Claude Tankersley	7/30/2020 – Combined with the discussion of a "Sustainable City Hall" per Chair Driscoll's request 1/28/2021 - Update on EPP provided, action by Administration should occur by Spring 2021. 10/21/2021 - Mayor Kriseman approved the Sustainable Purchasing Policy
Review of the conceptual future metered reclaimed water fee structure.		4/8/2021	7/29/21	Driscoll		3/8/2021 – Item was discussed at BFT 4/8/2021 – Referred to HERS Committee 7/29/2021 — RW Conservation Campaign Update occurred; update may come back to this committee in early 2022.
Requiring 240-volt EV pre-wire in all new single-family home construction & a possible exemption for affordable housing		3/25/2021	9/6/2018	Gabbard	Liz Abernethy Claude Tankersley	10/12/2020 -Will go to COW on 10/22 1/30/2020 -CM Gabbard stated that this item will be included as part of the St. Pete 2050 discussion 3/25/2021 -Item was discussed at HERS but more time was needed 9/23/2021 -item requires feedback from key stakeholders 2/24/2022 -CM Gabbard said that this is in the community outreach stages with OSR, as requested by Council.
Discuss current herbicide/pesticide use & the potential adoption of restrictions on those containing harmful chemicals		12/10/2020	10/28/2021	Driscoll	Mike Jefferis Barbara Stalbird	10/10/2019 -Per Chair Driscoll, County formed a taskforce for this specific issue and City staff members including Mike Jefferis, are participating. Driscoll will report back with their findings. 12/10/2020 -Barbara Stalbird provided update on pesticide/fertilizer use by Parks and because she represents the City on the Integrated Vegetation Management Plan countywide taskforce, she also provided an update on that. She said she would provide another County taskforce update in 2021. 10/28/2021 -Update from Barbara Stalbird and Bryan Eichler.
Creating an incentive program for homeowner hurricane mitigation efforts in repetitive loss neighborhoods		3/14/2019	7/12/2018	Gabbard	Liz Abernethy	1/30/2020 - Chair Driscoll asked CM Gabbard to provide a brief update on the status of this program

RESOLUTION NO. 2022-_____

A RESOLUTION SUPPORTING THE RIGHTS OF RESIDENTS OF THE CITY OF ST. PETERSBURG TO MAKE REPRODUCTIVE HEALTH DECISIONS FOR THEMSELVES, INCLUDING ABORTION CARE; REQUESTING THAT ADMINISTRATION NOT APPROVE THE APPROPRIATION OF FUNDS FOR ANY ACTION OR ACTIVITY THAT WOULD ABROGATE OR CRIMINALIZE THE RIGHTS OF ITS RESIDENTS TO MAKE REPRODUCTIVE HEALTH DECISIONS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of St. Petersburg honors the rights of pregnant people to bodily autonomy and control over their private medical decisions; and

WHEREAS, access to safe and legal abortion is a deciding factor in long term health, safety, and quality of life; and

WHEREAS, the Supreme Court of the United States has overturned the 1973 landmark ruling, *Roe v. Wade*, which previously prevented individual states from directly banning abortion care; and

WHEREAS, on April 14, 2022, Florida Governor Ron DeSantis signed into law HB 5, which effective July 1, 2022, criminalizes providing abortion care after 15 weeks of pregnancy; and

WHEREAS, Article I Section 23 of Florida's State constitution guarantees all Floridians a Right of Privacy, a right that the Florida Supreme Court, in *In re T.W.*, 551 So. 2d 1186 (Fla. 1989) ruled also extends to protecting the right to abortion. Article I Section 23 states, "Every natural person has the right to be let alone and free from governmental intrusion into the person's private life..."; and

WHEREAS, anti-abortion centers, sometimes referred to as "crisis pregnancy centers" or "pregnancy resource centers," use deceptive tactics and propaganda to dissuade people from seeking abortion services. These anti-abortion centers do not provide abortions, do not offer a full range of reproductive health care, and are explicitly opposed to legal abortion; and

WHEREAS, people have a basic human right to medical treatment, up to and including abortion; and

WHEREAS, eliminating legal access to abortion has been empirically proven to dramatically increase the risk of death, bodily injury, and infertility, especially within low-income communities and communities of color; and

WHEREAS, the Supreme Court of Florida has affirmed that it is not a crime to end one's own pregnancy, State v. Ashley, 701 So. 2d 338, 340 (Fla. 1997), and Florida law prohibiting harm to fetuses specifically forbids criminal punishment of pregnant individuals with respect to their own pregnancies, Fl. Stats. §782.09(1); and

WHEREAS, medical experts such as the American Medical Association, American College of Obstetricians and Gynecologists, and American Public Health Association warn that the threat of criminal investigation or punishment harms individual and public health by deterring people from seeking medical care for obstetric emergencies; and

WHEREAS, the resources of the City of St. Petersburg must always be dedicated to the health and well-being of its residents; and

WHEREAS, the City Council has demonstrated its commitment to abortion access in Resolution No. 2019-837, wherein the City Council supported the Federal Medicare for All Act of 2019 which includes "reproductive care;" and

WHEREAS, the right to privacy should protect doctors, patients, and all others providing abortion-related medical care from any criminal investigation related to decisions made within the healthcare provider-patient relationship so long as those decisions occur without coercion, force, or negligence; and

WHEREAS, the City Council of the City of St. Petersburg supports the protection of its residents from any violation of their human rights and any criminalization of the free exercise thereof.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of St. Petersburg, Florida, that the City Council formally condemns any action intended to abrogate the fundamental liberties of people and affirms its commitment to protecting the rights of its residents to make reproductive health decisions, including abortion care, for themselves.

BE IT FURTHER RESOLVED that the City Council requests that the Administration not approve the appropriation of funds for any action or activity that would abrogate or criminalize the rights of its residents to make reproductive health decisions, including abortion care, for themselves, except as may be required by state or federal law; this includes but is not limited to:

- storing or cataloging any report of an abortion, miscarriage, or other reproductive healthcare act;
- providing information to any other governmental body or agency about any abortion, miscarriage, or other reproductive healthcare act, unless such information is provided to defend the patient's right to abortion care or the healthcare provider's right to provide that care; or

- conducting surveillance or collecting information related to an individual or organization for the purpose of determining whether an abortion has occurred, except for aggregated data without personally identifying information.

The policy stated above does not apply in cases where coercion or force is used against the pregnant person, or in cases involving conduct criminally negligent to the health of the pregnant person seeking care.

This Resolution shall take effect immediately upon adoption.

LEGAL:

City Attorney (Designee)

MEMORANDUM

Office of City Council



TO: The Honorable Gina Driscoll, Committee Chair, and HERS Committee Members

FROM: Councilmember Richie Floyd

SUBJECT: Economic Assistance to the Tampa Bay Abortion Fund

DATE: December 8, 2022

The Tampa Bay Abortion Fund is a local non-profit dedicated to removing financial and logistical barriers to abortion access, especially for people with low incomes. As you know, on June 24, 2022, the US Supreme Court overturned Roe v. Wade, the landmark piece of legislation that made access to an abortion a federal right in the United States. Accordingly, the services that TBAF provides are more crucial than ever.

In 2018, TBAF became a non-profit and to date, they have helped hundreds of pregnant people access abortion care in Florida. They work with local clinics, other abortion funds, and have a network of volunteers who provide rides, childcare, case management, judicial bypass, condoms, emergency contraception, and much more to our community. They are volunteer-run and are able to fund their services through economic assistance such as this.

Florida has recently enacted tougher abortion restrictions, and state leaders have since suggested further limitations. Nearly two dozen states have moved to restrict abortion or ban it altogether since the reversal of Roe v. Wade – meaning more people, especially those with low incomes and from marginalized communities, will be forced to carry unwanted pregnancies to term. Consequently, mothers and children in states with the toughest abortion restrictions tend to have less access to health care and financial assistance, as well as worse health outcomes. Pew research concludes that the majority of Floridians support abortion access. We must reassure our residents that we will work to protect their rights and autonomy.

I believe it is our most resolute duty to protect the members of the communities we were elected to serve. After discussions with the legal department over the past months, I believe supporting TBAF in their tireless work to keep reproductive healthcare safe and accessible to all is one of the most substantial legal paths forward in this regard.

I thank you for your consideration of this item, and I hope you will join me in supporting TBAF's life saving work.

Tampa Bay Abortion Fund Home Page: <https://tbafund.com/>