

CITY OF ST. AUGUSTINE

Regular City Commission Meeting
Monday, April 11, 2022

The City Commission met in formal session Monday, April 11, 2022, at 5:00 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
Nancy Sikes-Kline, Vice Mayor/City Commissioner
Roxanne Horvath, City Commissioner
John Valdes, City Commissioner
Barbara Blonder, City Commissioner

Staff Present: John Regan, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
David Birchim, Assistant City Manager
Jim Piggott, Director, General Services
Reuben Franklin, Director, Utilities
Amy Skinner, Director, Planning and Building
Melissa Wissel, Communications Manager
Laura Morse, Recording Secretary

INVOCATION AND PLEDGE OF ALLEGIANCE

Rabbi Bella Bogart, First Congregation Sons of Israel, delivered the invocation, and Commissioner Sikes-Kline led the Pledge of Allegiance.

2. ADMINISTRATIVE ITEMS

2.A. Modification and Approval of Regular Agenda

Isabelle Lopez, City Attorney, requested the addition of three settlement participation agreements under *Item 11 – City Attorney* which pertained to Florida's plan regarding opioid litigation, which was spearheaded by the Florida Attorney General.

MOTION

Commissioner Horvath **MOVED** to approve the Regular Agenda as modified. The motion was **SECONDED** by Commissioner Valdes and **APPROVED BY UNANIMOUS VOICE VOTE.**

3. SPECIAL PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

3.A. Proclamation 2022-10 - Proclaims April 2022 as National Poetry Month.



Commissioner Horvath expressed gratitude to address items that pertained to arts and architecture, and she commended PoetFest 2022 which fostered and supported the arts and community. She read the Proclamation, which was received by Chris Bodor, Ancient City Poets.

Mr. Bodor thanked the Commission and acknowledged National Poetry Month and

the history of Ancient City Poets which met the last Sunday of every month.

3.B. Proclamation 2022-11 - Proclaims April 2022 as Water Conservation Month.

Commissioner Blonder noted the importance of water conservation for Floridians and the extensive riches of the aquifers which risked water overuse. She read the Proclamation, which was received by Douglas Conckie, St. Johns River Water Management District (SJRWMD).

Mr. Conckie thanked the Commission and cited management's decision to perpetuate water conservation by waiving fees to plug unused, abandoned, or artesian wells. He said 62 wells had been plugged, which was more than any fiscal year compared to SJRWMD's first 50 years and saved 10.4 million gallons of water daily. He shared the website www.floridawaterstar.com which was a SJRWMD owned program that provided suggestions for water use and conservation, and savings when purchasing their certified homes.

3.C. Proclamation 2022-13 – Proclaims April 12, 2022 as Education and Sharing Day St. Augustine.

Commissioner Sikes-Kline read the Proclamation, which was received by Rabbi Vogel, Chabad of St. Augustine.

Rabbi Vogel thanked the Mayor and Commissioners and honored Rabbi Menachem for his societal contributions which established a Chabad center network.

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:

- Susan Hill
- Jon Hodgkin

- B.J. Kalaidi

Public comment was closed.

5. CONSENT AGENDA

John Regan, City Manager, read the Consent Agenda.

CONSENT AGENDA – APRIL 11, 2022

CA.1. Preview of upcoming Commission meetings.

CA.2. THE FOLLOWING ORDINANCES ARE TENTATIVELY SCHEDULED FOR SECOND READING ON APRIL 25, 2022:

(None)

CA.3. Reminder of Upcoming Meetings:

- April 25, 2022, 5:00pm, Regular City Commission Meeting
- May 9, 2022, 5:00pm, Regular City Commission Meeting
- May 23, 2022, 5:00pm, 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):

- Bernice and Marvin Evans - 924 Collier Boulevard

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

- Proclamation 2022-08: Proclaims April 17-23, 2022 as Volunteer Appreciation Week. (T. Upchurch, Mayor)

reservoirs, and horse troughs or areas with standing water

- Education programs involved schools and City and State officials
- Worked with Department of Defense on a project to develop a warfighter protection program
- Introduced common backyard sources which allowed mosquito breeding, along with single use plastics
- AMCD was not considering use of genetically modified mosquitoes like other Florida counties
- Access services online at amcdsjc.org, or download their app 'MGIS'

Mayor Upchurch thanked Commissioner Becker, and personally noted AMCD staff was responsive, a tremendous asset, and he was grateful for the services provided.

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)

8.C.1. Resolution 2022-10: PUBLIC HEARING REQUIRED Per State law identifies City owned lands appropriate for affordable housing.

David Birchim, Assistant City Manager, reviewed the Resolution required by State law, which stated every municipality must adopt a list of City owned properties appropriate for affordable housing, which the City Commission identified as 450 N. Holmes Boulevard at their March 28th meeting. He said the statute was specific to properties within the City's jurisdiction, staff believed the Resolution committed to the spirit of affordable housing, and he requested Commission approval.

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

- B.J. Kalaidi

Public hearing was closed.

MOTION

Mayor Upchurch **MOVED** to approve Resolution 2022-10. The motion was **SECONDED** by Commissioner Horvath.

VOTE ON MOTION

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

9. ORDINANCES AND RESOLUTIONS - NO PUBLIC HEARING REQUIRED

9.A. Ordinances – First Reading

(None)

9.B. Resolutions

9.B.1. Resolution 2022-09: Adopts the Land and Property Management Guidelines for the City's land and rental properties.

Ms. Lopez stated the Resolution was guideline criteria for the City Manager and staff to review when evaluating the best use of

City owned land. She said Ordinance 2021-11 provided a tiered structure on what the City Manager could approve regarding property purchases or sales and would be used if an amount was above the City Managers signature capability.

In response to Commissioner Blonder's inquiry on whether the criteria were ranked based on public interest, Ms. Lopez stated the criteria was laundry listed since so many competing factors existed. She noted one policy objective was to individually evaluate and appropriately weigh each parcel.

Commissioner Blonder requested a mechanism that allowed the Commission an opportunity to weigh into the decision-making process, such as for two competing land interests which were mutually exclusive.

Ms. Lopez said the request could be explicitly added, and in *Administrative Guideline 1* the City Manager could present a recommendation to the Commission, if there were two competing policies, which allowed the City Manager to bring his or her recommendation back to the Commission.

Commissioner Blonder asked for the verbiage to be more clearly written.

Ms. Lopez stated if there was Commission consensus to further elaborate on *Administrative Guideline 1*, she would update the Resolution and provide it to the City Clerk for the Mayor's signature.

There was Commission consensus to edit the Resolution.

Mayor Upchurch suggested the item be placed on a future Consent Agenda.

9.B.2. Resolution 2022-11: Modifies and updates Resolution 2017-08 by consolidating and establishing policies and procedures for the nomination, selection, and presentation of certain awards by the City Commission.

Melissa Wissel, Director, Communications, noted the Resolution cleaned up the current procedures for the Citizenship Award nominations.

Mayor Upchurch noted two issues under *Section 2, Item A) 'Order of La Florida'*:

- Membership should be raised to 10 living persons
- Awards given to spouses should be considered one award

Commissioner Blonder requested the addition of 'high school' in front of the term 'Senior' for clarity.

Ms. Wissel said Mrs. Gudren Hall recently passed, the flag should be lowered to half-staff on the day of her internment, and a conversation on the topic should take place outside the meeting.

MOTION

Mayor Upchurch MOVED approval of Resolution 2022-11 with the following amendments: qualifications for the Order of La Florida would be raised from nine to ten, spouses would be considered as one person for purposes of the Order, and the addition of 'high school' in front of the term senior. The motion was SECONDED by Commissioner Horvath.

VOTE ON MOTION

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

NAYES: None

MOTION APPROVED UNANIMOUSLY

10. STAFF REPORTS AND PRESENTATIONS

10.A. Discussion regarding the City's derelict vessel program.

Jim Piggott, Director, General Services, stated the program's working relationship with funding sources and law enforcement

agencies was considered the 'gold standard' by other municipalities within Florida, who sought to replicate the City's program. He reviewed the following:

- Derelict vessel definition was a vessel that was wrecked, junked, or substantially damaged; junk meant stripped of vessels components, missing motor, sail, or could not steer
- Funding partners and law enforcement agencies were as follows:
 - Port Waterway Beach District
 - Florida Wildlife Commission (FWC) led by Lieutenant Steve Zukowsky
 - Florida Inland Navigational District (FIND)
 - City Marine patrol unit led by Officer Pat Harvey
 - St. Johns County Sheriff's Office Marine Unit led by Lieutenant Josh Underwood
- Four years prior to mooring field installation, 30 derelict vessels were removed and \$112,000 spent
- Between 2008 and 2010, mooring planning processes began with five public meetings that indicated boaters did not want the free anchoring areas removed to be forced to a mooring field
- Around 2012, the County contacted the City for direction on developing its own mooring field south of the 312 bridge, but decided against it
- Mooring fields were successful because:
 - Proven safe place to anchor boats
 - No vessels were lost from mooring failure through nor'easters and hurricanes, and downline failure was the reason boats did break loose
 - Moorings provided a cost benefit versus dockage rates
 - Boaters enjoyed free pump out service, which was also offered to boats outside the mooring field
 - Boaters enjoyed the shuttle service offered from moorings to the Marina
- City acted as manager / coordinator of the derelict vessel removal program, and in coordination with law

enforcement agencies, assisted with removing the vessels from inside the City and Port district limits

- To legally pull a derelict vessel, paperwork was required from a law enforcement agency declaring the vessel derelict, a funding source for removal was determined from grant money, FIND, or FWC, and State statutes were followed
- Once the vessel was touched, the City was responsible for it
- Six 'ugly' vessels currently anchored south of the 312 Bridge were owned by one person who fixed them up
- A certified letter was sent to the registered vessel owner and then waited 90 days for a response
- If law enforcement could not find hull numbers to look up an owner, and the boat was not a hazard, it would remain in place until the 90 days expired
- If boat was deemed a hazard to navigation or an immediate public danger, vessel would immediately be pulled and placed at the Wastewater Treatment Plant for 90 days
- After the 90 days, if the owner did not step forward, the City Grants Coordinator would request written approval from the law enforcement agency to pull the vessel which was then considered derelict
- The funding source paid for the removal, towing, and destruction of the vessel
- A contracted marine towing company would move the vessel to St. Augustine Marine, then take it to the Wastewater Treatment Plant for destruction
- If SB 494 passed, law enforcement agencies would only wait 21 days to move a vessel with no owner response, then wait 90 days at the Wastewater Treatment Plant before destruction
- Since 2019, 12 vessels were removed from City waters, 16 from outside City limits, and 7 were waiting to be removed
- Since 2019, \$288,000 had been spent to remove derelict vessels from waterways; \$185,000 came from FWC,

\$46,000 from FIND, and approximately \$56,000 from the Port District

The Commission and Mr. Piggot discussed:

- Questioned requirement for using strongest downline available to prevent breakage
- Provided boaters additional lines to use during storms, but the boat owner was responsible for tying their boat
- Location of free mooring area only 100-foot from the Bridge of Lions was inadequate and required a larger buffer to avoid boat strikes
- City owned submerged lands; however, Florida Statute preempted regulation of waterways
- Monitor water quality and pump outs from those who used free anchorage or mooring
- Law enforcement was aware of those who used free anchorage or mooring, and performed inspections and could drop dye tablets
- The mooring field and Marina did not pay for pump outs, which were also offered for boats anchored outside the City limits and cost \$5
- Discussed expansion of mooring fields which were not at capacity, revenues had increased but prices had not, and in three to five years would potentially meet capacity
- St. Augustine Marine placed derelict boats on a crawler and brought them to the Wastewater Treatment Plant

Mayor Upchurch applauded the intergovernmental cooperation for the program.

11. ITEMS BY CITY ATTORNEY

Ms. Lopez reminded the Commission of the previously approved opioid settlement agreements led by the Florida Attorney General and noted three additional participation agreements were received earlier from CVS, Teva, and for Allergena.

She said the template was the same, the City should not anticipate much money, and she requested approval for the City Manager to sign these agreements.

MOTION

Commissioner Horvath MOVED to approve the participation agreements and direct the City Manager to execute them on behalf of the City. The motion was SECONDED by Commissioner Valdes and APPROVED BY UNANIMOUS VOICE VOTE.

12. ITEMS BY CITY CLERK

(None)

13. ITEMS BY CITY MANAGER

Mr. Regan said the Pope Family and the Women's Exchange had worked with him to reschedule the Adelaide Sanchez Award to the May 23rd Commission meeting, which was previously scheduled for May 9th.

14. ITEMS BY MAYOR AND COMMISSIONERS

Commissioner Blonder expressed she was pleased to move forward on exploring affordable housing at the 450 N. Holmes Boulevard property, and she commended everyone involved for their efforts.

Commissioner Blonder said staff continued work on the Mayor's Monarch Pledge, and she encouraged spring planting with flowering native plants.

Commissioner Sikes-Kline requested City stewardship for the Fish Island Award until a facility was available for its display.

There was Commission consensus for the City to take responsibility for the Award.

Commissioner Sikes-Kline asked the Commissioners to put their thinking caps on for the nearing budget cycle. She requested

re-instituting the Neighborhood Grant Program which was not in place for years and provided an opportunity for neighborhood improvements.

Commissioner Sikes-Kline stated she was asked to memorialize Mrs. Gudren Hall. She said Mrs. Hall and her husband were De Aviles Award recipients in 2016, they were both beloved history champions for the City, and they brought authentic food, clothing, and music to life. She continued Ms. Gudren was a talented seamstress with influence during the time the Preservation Board ran the Colonial Quarter, the Cross and Sword Play, and all components of the historic Florida Militia, and Mr. and Mrs. Hall would be missed tremendously.

Commissioner Horvath stated the Northeast Florida Regional Council recently held a day conference at the World Golf Center, which was well attended and provided a wealth of information on opioid abuse, and it scared her with how prevalent this issue was in the community.

Commissioner Horvath shared her time spent at PoetFest 2022 to hear Dr. David Axlerod, Volusia County Poet Laureate. She thought a Poet Laureate for the City would be valuable, Paul Williamson had brought this to her attention, and this should be researched since a Poet Laureate would be of no cost to the City.

Mayor Upchurch stated Commissioner Horvath's request was feasible and consistent with the City's Strategic Plan, long range vision, and cultural element, and many communities had Poet Laureates.

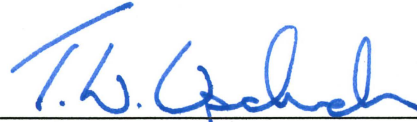
There was Commission consensus to research the topic of a Poet Laureate.

Mayor Upchurch asked Mr. Regan to discuss the advisability of expanding the archeological zone to address Fish Island, and other observations of the website and Master Plan with Dr. Andrea White.

Mr. Regan stated this topic would be discussed at a future Commission meeting.

15. ADJOURNMENT

There being no further business, the meeting was adjourned at 6:26 P.M.¹



Tracy Upchurch, MAYOR



Darlene Galambos, CITY CLERK



¹ Transcribed by Laura Morse