Minutes of Regular City Council Meeting
held Monday, February 19, 2018, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida

OPENING CEREMONIES

A moment of silence was held for the victims of the Broward County School shooting and in memory of Clyde Eugene Radar, followed by the salute to the flag.

CALL TO ORDER

Mayor Latham called the meeting to order at 7:00 P.M.

ROLL CALL

Mayor:	William C. Latham		
Council Members:	Lee Buck	Keith Doherty*(absent)*	Christine Hoffman
	Bruce Thomason	Phil Vogelsang	Jeanell Wilson

Also present were City Manager George Forbes, Deputy City Manager Trish Roberts, City Attorney Susan Erdelyi, Chief Financial Officer Karen Nelson, Public Works Director Ty Edwards, Planning and Development Director Bill Mann, Beaches Energy Director Allen Putnam, Property and Procurement Director Luis Flores, City Clerk Laurie Scott, City Engineer Marty Martirone, and Staff Assistant Mandy Murnane.

APPROVAL OF MINUTES

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed unanimously, to approve the following minutes:

- City Council Briefing held February 5, 2018
- Regular City Council Meeting held February 5, 2018

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

- James Sorrell, 1410 Pinewood Road, Jacksonville Beach, spoke regarding the state of the beaches.
- Trey Thompson, 522 3rd Avenue South, Jacksonville Beach, spoke regarding future Jacksonville Housing Authority plans.
- Lori Anderson, 800 Shetter Avenue, Jacksonville Beach, provided an update on the impact of the Mission House.
- Tony Komarek, 533 11th Avenue South, Jacksonville Beach, spoke regarding the Notice of Public Hearing by the Jacksonville Housing Finance Authority. [*on file*]

MAYOR AND CITY COUNCIL

(a) Item #18-024 - Employee of the Quarter Presentation - Jeff Nash, Fire Department and Dave McDonald, Public Works Department

Mayor Latham presented Jeff Nash, Fire Department, and Dave McDonald of Public Works with the Outstanding Employee Award for the fourth quarter of 2017.

CITY CLERK

CITY MANAGER

(a) Item #18-025 – Accept the Monthly Financial Reports for the Month of January 2018

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the financial reports for the Month of January 2018, as submitted by the Chief Financial Officer.

Discussion: Mayor Latham requested a roll call vote as there was no discussion.

Roll call vote: Ayes – Buck, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.
The motion passed unanimously.

(b) Item #18-026 – Public Hearing and City Council Approval of Projects for Inclusion in the FY 2018-2019 Community Development Block Grant (CDBG) Application to the City of Jacksonville

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the Mayor and City Manager to submit a Community Development Block Grant application for the fiscal year 2018-2019 as described in a memorandum from the Parks and Recreation Director dated February 7, 2018.

Discussion: Mr. Forbes stated the CDBG funds must be spent to improve the quality of life for people with low and moderate incomes. The City's portion is utilized to fund the Community Assisted Policing Effort (CAPE) Program and the Carver Center Program.

Mayor Latham opened the public hearing.

No one in attendance wished to speak on the matter.

Mayor Latham closed the public hearing.

Discussion: Mayor Latham requested a roll call vote as there was no discussion.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.
The motion passed unanimously.

(c) Item #18-027 – Approve the Revised Contract with Garland/DBS, Inc. for Water Intrusion Repairs at the Community Services Center Facility Located at 850 6th Avenue South

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the revised contract with Garland/DBS, Inc. for water intrusion repairs at the Community Services Center facility as described in a memorandum from the Property and Procurement Officer dated February 12, 2018.

Discussion: Mr. Forbes said the revised cost for Garland and all contractors to address stucco, window, landscape, and canopy issues throughout the facility is $253,623. A contingency allowance of $15,000 is included for additional framing, decking, and flashing or window repairs per the established unit costs. The additional funding of $80,211 will come from the Leased Facilities Fund and will be included in the mid-year budget modification.

Property and Procurement Officer, Luis Flores, stated the estimated repair timeline is about two to three months.

Roll call vote: Ayes – Thomason, Vogelsang, Wilson, Buck, Hoffman, and Mayor Latham.
The motion passed unanimously.

(d) Item #18-028 – Award Sand Fencing Construction from 16th Avenue South to the St. Johns County Line to Lloyd's Construction and Consulting, LLC. and Authorize Construction Administration Services to Applied Technology & Management, Inc.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Unit Price Bid Number 1718-10, titled "Sand Fencing Construction from 16th Avenue South to St. Johns County Line" to the lowest qualified bidder, Lloyd's Construction & Consulting, LLC, and authorize Construction Administration Services with the project's design firm, Applied Technology & Management, Inc., as described in the memorandum from the Public Works Director dated February 7, 2018.

Discussion: Mr. Forbes provided a brief summary of the project and City Engineer, Marty Martirone, stated the bid award is for the work to be completed within thirty days and be completed before hurricane season.

Roll call vote: Ayes – Vogelsang, Wilson, Buck, Hoffman, Thomason, and Mayor Latham.
The motion passed unanimously.

(e) Item #18-029 – Approval of Bid No. 1718-04 - Electric Tools and Equipment - 12 Months Requirements

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Bid No. 1718-04 for Electric Tools and Equipment – 12 Months Requirements to Stuart Irby.

Discussion: Mr. Forbes said the bid covers six (6) different items used by Beaches Energy Services for maintenance of the overhead and underground electric system.

Roll call vote: Ayes – Wilson, Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.
The motion passed unanimously.

RESOLUTIONS:

(a) Item #18-035 – RESOLUTION NO. 2004-2018

Mayor Latham requested that the City Clerk read Resolution No. 2004-2018, by title only, whereupon Ms. Scott read the following:

"A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY PLAN FOR MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE AND UNCLASSIFIED (NON-UNION) POSITIONS, EFFECTIVE FEBRUARY 19, 2018. (Adds a Procurement Associate, and Assistant Ocean Rescue Supervisor.)"

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution 2004-2018, amending the Classification and Pay Plan for Managerial, Professional, Administrative, and Unclassified (Non-union) positions, effective February 19, 2018. This will add a Procurement Associate position to the Property and Procurement division and an Assistant Ocean Rescue Supervisor to the Ocean Rescue division.

Discussion: Mr. Forbes added there would be no over hiring by adding the positions.

Roll call vote: Ayes – Buck, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.
The motion passed unanimously.

Mayor Latham recognized the Ocean Rescue personnel who were in attendance.

(b) Item #18-030 – RESOLUTION NO. 2005-2018

Mayor Latham requested that the City Clerk read Resolution No. 2005-2018, by title only, whereupon Ms. Scott read the following:

"A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS A PARTICIPANT OF FLORIDA MUNICIPAL POWER AGENCY'S ALL-REQUIREMENTS PROJECT, (I) PROVIDING FOR THE INCORPORATION OF CERTAIN FINDINGS, DEFINED TERMS, AND GENERAL PROVISIONS; (II) APPROVING AMENDMENT NO. 2 TO THE ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT

BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF JACKSONVILLE BEACH; (III) CONSENTING TO THE TRANSFER AND ASSIGNMENT OF POWER SUPPLY ENTITLEMENT SHARES BETWEEN THE CITY OF VERO BEACH AND FLORIDA MUNICIPAL POWER AGENCY; (IV) CONSENTING TO THE WAIVER OF CERTAIN REQUIREMENTS OF THE ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF VERO BEACH, AND WAIVING CERTAIN RIGHTS OF THE CITY OF JACKSONVILLE BEACH TO HAVE SUCH WAIVERS FOR THE CITY OF VERO BEACH MADE APPLICABLE TO THE CITY OF JACKSONVILLE BEACH'S ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT; (V) PROVIDING FOR THE MUTUAL RELEASE BY THE CITY OF JACKSONVILLE BEACH AND THE CITY OF VERO BEACH, FLORIDA, FOR OBLIGATIONS AND CLAIMS RELATED TO FLORIDA MUNICIPAL POWER AGENCY; (VI) PROVIDING FOR THE MUTUAL WAIVER AND RELEASE OF THE CITY OF VERO BEACH FROM OBLIGATIONS AND CLAIMS RELATED TO THE POWER SUPPLY PROJECTS; (VII) PROVIDING FOR THE ASSIGNMENT OF CERTAIN RIGHTS AND OBLIGATIONS UNDER THE VERO BEACH CONTRACTS TO BE ASSIGNED TO THE BOND TRUSTEE FOR THE ALL-REQUIREMENTS POWER SUPPLY PROJECT FOR THE ENFORCEMENT OF SUCH CONTRACTS; (VIII) AUTHORIZING THE CITY OF JACKSONVILLE BEACH TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA MUNICIPAL POWER AGENCY; (IX) DESIGNATING AUTHORIZED OFFICERS OF THE CITY OF JACKSONVILLE BEACH; (X) TAKING CERTAIN OTHER ACTIONS; AND (XI) PROVIDING AN EFFECTIVE DATE. (Approve amendments to the All-Requirements Power Supply contract to remove Vero Beach from the All-Requirements Project, consents to the transfer and assignment of Vero Beach power entitlements, and consents to waivers of certain requests of the All-Requirements Project.)"

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2005-2018 authorizing Florida Municipal Power Agency's All-Requirements Project to assume the power entitlement shares of the City of Vero Beach and authorizing the City of Vero Beach to exit the All-Requirements Project.

Discussion: Mr. Forbes said the City of Vero Beach wants to sell its electric utility to Florida Power & Light. There are two significant barriers to completing the sale.

First, the City of Vero Beach's project entitlements for power, pursuant to Florida Municipal Power Agency's All-Requirements Project contract, cannot be transferred and assigned to an investor-owned utility because of Internal Revenue Service Restrictions on assets funded with tax-exempt bonds.

Secondly, Florida Municipal Power Agency contracts governing the Stanton, Stanton II and St. Lucie projects do not allow for a complete sale of the utility.

The All-Requirements Project is proposing to resolve the first issue by assuming the

City of Vero Beach's entitlements for power and corresponding responsibilities.

To resolve the second issue, all cities participating in the Stanton, Stanton II, and St. Lucie projects must provide consent allowing the City of Vero Beach to terminate its contracts and exit the projects. This will require waivers of certain provisions in each participant's power sales and project support contracts.

The City of Vero Beach will pay to Florida Municipal Power Agency a negotiated amount of $108 million. The payment includes $76 million to compensate All-Requirements Project participants for assuming the Vero Beach entitlement shares and a $32 million payment to offset additional risk assumed by the All-Requirements Project.

The transaction will require:

- Approval from third-party entities including credit rating agencies, bond trustees, bond insurers, bondholders and credit providers
- Approval from the nineteen (19) cities that are in these power projects
- Florida Municipal Power Agency's Board must approve the transaction
- Florida Power & Light must secure regulatory approval from the Florida Public Service Commission

Our participation in the All-Requirements Project means that we are contractually obligated to purchase all of our power from Florida Municipal Power Agency.

Under existing contracts, the City of Vero Beach receives fifty-one (51) megawatts (MW) of power from three (3) Florida Municipal Power Agency power supply projects: St. Lucie Project, Stanton Project and Stanton II Project.

Jody Finklea, an attorney for the FMPA, was present and stated all nineteen municipalities must approve the sale.

Mr. Forbes responded to Ms. Hoffman's inquiry regarding future departing entities by explaining that as the industry changes, the agency will need to change too. In the future, FMPA needs to pay off all debt and get out of being an All-Requirements Project where you have to buy all power from FMPA to a project-based one. Mr. Forbes added that, as for other members who want to get out of FMPA, they would have to buy out our contracts and it is unlikely that will happen in the near future.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.
The motion passed unanimously.

(c) **A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS A PARTICIPANT OF FLORIDA MUNICIPAL POWER AGENCY'S ST. LUCIE PROJECT, (I) PROVIDING FOR THE INCORPORATION OF CERTAIN FINDINGS, DEFINED TERMS, AND GENERAL PROVISIONS; (II) APPROVING AMENDMENTS TO THE ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF JACKSONVILLE BEACH; (III) CONSENTING TO THE TRANSFER AND ASSIGNMENT OF POWER SUPPLY ENTITLEMENT SHARES**

BETWEEN THE CITY OF VERO BEACH AND FLORIDA MUNICIPAL POWER AGENCY; (IV) CONSENTING TO AMENDMENTS OF THE ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF VERO BEACH, AND WAIVING CERTAIN RIGHTS TO HAVE SUCH AMENDMENTS INCLUDED IN THE CITY OF JACKSONVILLE BEACH'S ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT; (V) PROVIDING FOR THE MUTUAL RELEASE BY THE CITY OF JACKSONVILLE BEACH AND THE CITY OF VERO BEACH, FLORIDA, FOR OBLIGATIONS AND CLAIMS RELATED TO FLORIDA MUNICIPAL POWER AGENCY; (VI) PROVIDING FOR THE MUTUAL WAIVER AND RELEASE OF THE CITY OF VERO BEACH FROM OBLIGATIONS RELATED TO THE ST. LUCIE PROJECT; (VII) PROVIDING FOR THE ASSIGNMENT OF CERTAIN RIGHTS AND OBLIGATIONS UNDER THE VERO BEACH ST. LUCIE CONTRACTS TO THE ST. LUCIE BOND TRUSTEE TO ENFORCE SUCH CONTRACTS; (VIII) AUTHORIZING THE CITY OF JACKSONVILLE BEACH TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA MUNICIPAL POWER AGENCY; (IX) DESIGNATING AUTHORIZED OFFICERS OF THE CITY OF JACKSONVILLE BEACH; (X) TAKING CERTAIN OTHER ACTIONS; AND (XI) PROVIDING AN EFFECTIVE DATE. (Approve amendments to the FMPA St. Lucie Project Power Sales and Project Sales Contract and authorized The City of Vero Beach to exit the St. Lucie Project.)"

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2006-2018, authorizing amendments to Florida Municipal Power Agency's St. Lucie Project Power Sales and Project Support contracts. These amendments will allow the City of Vero Beach to exit the St. Lucie Project.

Discussion: Mr. Forbes said the St. Lucie Project provides the nuclear power under a separate contract from the All-Requirements Project but that it needs the same authorizations as the All-Requirements Project.

Roll call vote: Ayes – Thomason, Vogelsang, Wilson, Buck, Hoffman, and Mayor Latham.
The motion passed unanimously.

ORDINANCES:

(a) Item #18-032 - ORDINANCE NO. 2018-8102 (Second Reading) (Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8102, by title only, whereupon Ms. Scott read the following:

"AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NUMBER 2011-8001, AS AMENDED BY ORDINANCE NO. 2017-8086, SUPPLEMENTING THE COMPREHENSIVE ZONING

REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. (Updates proposed site plan for the Baptist Medical Center-Beaches.)"

Mayor Latham read the following:

"This ordinance to amend the PUD zoning regulations of a property that is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an application to amend the zoning regulations governing a property is handled as a 'quasi-judicial' proceeding. A quasi-judicial proceeding means that a governing body is now functioning in a manner similar to a court with the Mayor and Council sitting as impartial decision makers hearing testimony and questioning presenters, who are to provide substantial and competent evidence to support their side of the issue. It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed use of the neighborhood, especially where the input is fact-based and not a simple expression of opinion.

It is the applicant's burden to demonstrate that their application is consistent with the Land Development Code and the Comprehensive Plan. If the applicant is successful in showing consistency, then it is up to the local government to produce competent, substantial evidence of record that the application should be denied. The Council's decision on a zoning amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

In addition, the Council has received a copy of the application, and the staff and Planning Commission reports on this PUD zoning amendment request."

Public Hearing
Mayor Latham opened the public hearing on Ordinance No. 2018-8102 and asked for the spokesperson of the applicant to address the City Council.

Speakers
No one in attendance wished to speak on the matter.

Mayor Latham closed the Public Hearing.

Ex-Parte Communications
Mayor Latham read the following statement for the record:

"Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record both the names of persons and the substance of any ex parte communications regarding this application. An ex parte communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process."

Mayor Latham spoke with a spokesperson of the applicant, Mr. Harden, and the City

Attorney, Susan Erdelyi after the City Council Meeting held February 5, 2018.

Mr. Vogelsang had a few discussions regarding the height element with a member of Mr. Harden's firm, Mr. Zach Miller.

Ms. Wilson spoke with Mr. Harden regarding the height issue after the City Council Meeting held February 5, 2018.

Ms. Hoffman met with Mr. Harden and Mr. Miller regarding the height issue on February 14, 2018.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2018-8102, amending *Planned Unit Development:* PUD Ordinance (Ordinance 2011-8001), as amended, by revising the approved Preliminary PUD Development Plan to provide updated proposed building footprints for the hospital campus.

Summary: Mr. Forbes briefly reviewed the applicant's proposal to modify the existing PUD ordinance governing the campus.

Roll call vote: Ayes – Vogelsang, Wilson, Buck, Hoffman, Thomason, and Mayor Latham.
The motion passed unanimously.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the Findings of Fact - Ordinance No. 2018-8102, dated February 19, 2018.

Roll call vote: Ayes – Wilson, Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.
The motion passed unanimously.

(b) Item #18-033 - ORDINANCE NO. 2018-8103 (Second Reading)

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8103, by title only, whereupon Ms. Scott read the following:

"AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII, DIVISION 2. SECTION 34-347. *REDEVELOPMENT DISTRICT: RD* TO AFFIRM AND STATE THAT ARTICLE VI, DIVISION 3. ZONING ATLAS AND TEXT AMENDMENTS REGULATIONS ARE APPLICABLE TO THE REVIEW AND APPROVAL OF APPLICATIONS FOR *REDEVELOPMENT DISTRICT: RD* ZONING DESIGNATION, AND PROVIDING FOR CODIFICATION,

SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (Requires rezonings to *RD* be approved or denied based on the same standards as other rezoning requests.)"

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt City Ordinance 2018-8103, amending the text of the Land Development Code Section 34-347, to reference Article VI, Division 3, "*Zoning Atlas and Code Amendments*" regulations as being applicable standards for processing *Redevelopment District: RD* rezoning applications.

Summary: Mr. Forbes said the review of the *RD* rezoning requests should be based on the same standards that all other rezoning requests must comply with.

Mayor Latham opened the Public Hearing.

Speakers:

- Steven Diebenow, 1 Independent Drive, Suite 1200, Jacksonville, FL, the applicant, said the proposed legislation makes substantive changes to the *RD* zoning district and takes away the purpose of the *RD* zoning district, which is to allow for flexible development standards. Utilizing a handout, *(on file)*, Mr. Diebenow stated the *RD* zoning district has different standards than the setback provisions provided 34-391(b), 34-392(4), and 34-394. He used the example of a pool approved for *'The Atlantis'* that was adopted through the provisions of 34-347 but does not comply with the requirements of LDC 34-392(4). Mr. Diebenow concluded by stating the provisions are missing parking and supplementary standards.

Mayor Latham closed the Public Hearing.

Discussion: Mr. Vogelsang stated his concern for Section 34-211(c).

City Attorney, Susan Erdelyi, stated Section 34-211(c) allows for flexibility by requiring the applicant to meet at least one of the standards and does not require the applicant to meet all of the Section 34-211(c) standards.

Mr. Mann stated the standards in which the applicant desires to be solely applicable to the *RD* district are specifically intended for the review of preliminary *RD* development plan which is part of the rezoning application. Exercising the flexibility changes is not inconsistent with the balance of the code. He agreed with Ms. Erdelyi's statement, as a rezoning decision does not need to be based on all standards set in Section 34-211(c), it just needs to be based on one or more of them.

Mr. Vogelsang asked if an *RD* zoning application is meant to have lighter standards as compared to any other application due to the location.

Mr. Mann responded no; a PUD application requires consideration of the Land Development Code versus an *RD* application which requires consideration of the Land Development Code and the Downtown Redevelopment Plan, including the

specific restricted uses in RD districts.

A discussion ensued regarding the purpose of *RD* zoning and the flexible standards of 34-211(c), where Ms. Erdelyi reiterated that the City is interpreting the code in the same manner in which it always has.

Mr. Buck stated his support for Mr. Mann's and Ms. Erdelyi's recommendations.

Ms. Hoffman stated her opposition to stifling the development downtown and preferred to obtain more information before making a decision.

Roll call vote: Ayes – Buck, Thomason, Wilson, and Mayor Latham.
Nays – Hoffman, and Vogelsang.
The motion passed 4-2.

(c) Item #18-021 - ORDINANCE NO. 2018-8104 (Second Reading)(Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8104, by title only, whereupon Ms. Scott read the following:

"AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE IV. DEFINITIONS TO ADD DEFINITIONS FOR "MEDICAL MARIJUANA TREATMENT CENTER", "MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY" AND "PHARMACY", BY AMENDING ARTICLE VIII, SECTION 34-343 TO ADD "MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY" AND "PHARMACY" TO THE LIST OF PERMITTED USES IN THE COMMERCIAL GENERAL: C-2 ZONING DISTRICT, BY AMENDING SECTIONS 34-342 AND 34-345 TO ADD "MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY" AND "PHARMACY" TO THE LIST OF CONDITIONAL USES IN COMMERCIAL LIMITED: C-1 AND CENTRAL BUSINESS DISTRICT: CBD ZONING DISTRICTS, BY AMENDING ARTICLE VIII SUPPLEMENTAL STANDARDS, DIVISION 2, TO CREATE A NEW SECTION 34-408 MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES AND PHARMACIES FOR THE INCORPORATED AREA OF THE CITY, AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE."

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2018-8104, amending the text of the Land Development Code by adding new definitions, and permitting and regulatory language regarding Medical Marijuana Treatment Center Dispensing Facilities and Pharmacies.

Summary: Mr. Forbes stated the proposed ordinance includes hours of operation limitations (may not operate between 9:00 pm and 7:00 am), and proximity requirements (cannot be located within 500 feet from another dispensing facility, or public or private school) that are consistent with Florida Statutes.

Mayor Latham opened the Public Hearing.

Speakers:

No one in attendance wished to speak on the matter.

Mayor Latham closed the Public Hearing.

Discussion: Mayor Latham called for a roll call vote as there was no discussion by the Council.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.
The motion passed unanimously.

ADJOURNMENT:

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

Submitted by: Mandy Murnane
Staff Assistant

Approval:

William C. Latham, MAYOR

Date: 3/5/18