

**Minutes of Regular City Council Meeting  
held Monday, November 5, 2018, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



## **OPENING CEREMONIES**

Council Member Buck provided the Invocation, followed by the salute to the flag.

## **CALL TO ORDER**

Mayor Latham called the meeting to order at 7:03 P.M.

## **ROLL CALL**

Mayor: William C. Latham

Council Members: Lee Buck                      Keith Doherty                      Christine Hoffman  
Bruce Thomason                      Phil Vogelsang                      Jeanell Wilson

Also present was Interim City Manager Karen Nelson.

## **APPROVAL OF MINUTES**

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

- City Council Briefing held October 15, 2018
- Regular City Council Meeting held October 15, 2018
- Special Council Meeting held October 17, 2018
- Special Council Meeting held October 18, 2018
- Special Council Meeting held October 26, 2018

## **ANNOUNCEMENTS**

Mayor Latham stated there are students attending this meeting as part of earning credits in Ms. Phillips 7<sup>th</sup> Grade class at Fletcher Middle School. He asked them to take the floor to introduce themselves.

- Avery McAllister
- MacKenzie Hunt

Ms. Wilson reminded everyone about the special re-opening of the new Golf Course this weekend, and the Driving Range would open on Tuesday.

## **COURTESY OF THE FLOOR TO VISITORS**

**Kurtis Loftus**, 317 4<sup>th</sup> Avenue N., Jacksonville Beach, provided the schedule for the 6<sup>th</sup> year of the Deck the Chairs holiday event. He spoke about the schedule, partnerships and upcoming plans.

**Mick DuRocher**, 41 Millie Drive, Jacksonville Beach, spoke about an article in the Beaches Leader about the Downtown Redevelopment Agency and spoke about the continuing issues related to the homeless/transient population in the city.

**Ken Marsh**, 2011 Gail Avenue, Jacksonville Beach, requested an update on the following issues:

Economic Development contact person, a crosswalk across 3<sup>rd</sup> Street to downtown, the SRX Ordinance, maintenance on sculptures, and sidewalks.

Mayor Latham advised Mr. Marsh there would be a point of contact within the Planning Department. Mr. Latham confirmed all of the issues are being worked on.

## **MAYOR AND CITY COUNCIL**

### **CITY CLERK**

### **CITY MANAGER**

#### **Item #18-205 – Approve the Contract for the City Manager**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to appoint Michael J. Staffopoulos to serve as the City Manager for the City of Jacksonville Beach for an indefinite term beginning January 28, 2019, and approve the Employment Agreement.

**Discussion:** Mayor Latham reviewed the process taken to hire a professional placement agency to conduct a nationwide search for candidates for this position. Of the eight finalists, five were interviewed, as a group and then individually. It was unanimous for the selection of Michael Staffopoulos. He is the Assistant City Manager for Largo, Florida, for the past 12 years, and has been with Largo for 19 years.

Mr. Staffopoulos is scheduled to start at the end of January 2019, and Ms. Nelson will continue as Interim City Manager. Mayor Latham reviewed some of the contract details for the City Manager, including salary and benefits.

**Roll Call Vote:** Ayes – Buck, Doherty, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.

The motion passed unanimously.

#### **Item #18-206 – Authorize Agreement with JEA to Provide Water and Sewer Service for the Property at 4343 Ocean Course Drive and Surrounding Unimproved Properties**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize the Mayor and City Manager to execute an agreement with JEA that would allow JEA to provide water and sewer service to the property at 4343 Ocean Course Drive, Parcel ID RE# 180476-0000, and the surrounding unimproved parcels.

**Discussion:** Ms. Nelson identified the property location north of the St. Johns County line, east of the 2<sup>nd</sup> Street South right-of-way. Currently, the property has well water and a septic tank. The owner wants to connect to City water and sewer. This would require an extension

of our lines to within 100 feet of the property at an estimated cost of \$329,846, which is not a feasible expense for the City to connect to one property.

JEA has service just on the other side of the county line. JEA is willing to extend water and sewer service to the property at the owner's expense, which is significantly less. The property owner is willing to pay this cost. To accomplish this JEA requires a Memorandum of Understanding authorizing JEA to provide water and sewer within the Jacksonville Beach city limits.

A brief discussion ensued about the potential of adjoining properties also tapping into JEA water and sewer services, if and when developed.

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

**Item #18-207 – Award RFP No. 06-1718, “Oceanfront Cleaning – Continuous Services for 36 Months” to the Highest Ranked Respondent, *Beach Raker, LLC*, and Authorize the City Manager to Extend the Contract for up to an Additional Three (3) Years for a Total Contract Length Not to Exceed Six (6) Years**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award RFP No. 06-1718, “Oceanfront Cleaning – Continuous Services for 36 Months” to the highest ranked respondent, Beach Raker, LLC, and authorize the City Manager to extend the contract for up to an additional three years for a total contract length not to exceed six years.

**Discussion:** Ms. Nelson stated 11 proposals were issued, with two proposals received back. The Committee reviewed the two proposals, and Beach Raker received the highest ranking. The estimated cost for the services provided is \$305,240.

Mayor Latham called the names of people who wished to speak:

**Adam Hoyles**, 4355 Beverly Avenue, Jacksonville, spoke about the RFP award process and questioned why it was awarded to a south Florida company that does not have a business location in Duval County. He spoke about the current vendor, Beachcombers North, that has been used by Jacksonville Beach for the past 14 years. Mr. Hoyles asked the Council to reconsider awarding this to Beachcombers North.

**JoLynne Cordova**, 1810 Rambling Ridge Lane, Jacksonville, spoke about operating Beachcombers North with her husband and family for 30 years and cleaning for Jacksonville Beach for the past 14 years. Ms. Cordova asked the Council to reconsider this RFP award to her local company, stating it would be the most economical choice.

Mayor Latham asked staff to address the RFP selection criteria and cost concerns.

Luis Flores, Property and Procurement Officer, described the RFP process as an evaluated process, not a low bid process. He spoke about the process consisting of five criteria – past record, local project office, mechanical equipment, beach cleaning, and costs. Mr. Flores noted Beach Raker did state if they were awarded the contract, they would establish a business office in the Jacksonville area.

A lengthy discussion ensued resulting in questions about costs, the types of mechanical equipment used and demonstrated by both companies, any documented problems or complaints with the current vendor, the pros and cons of using local versus non-local businesses, and business plans including equipment upgrades.

Patrick Deighan, Public Works Supervisor, stated Beachcombers North uses a rake system that overturns the sand and seaweed, picks up bigger pieces, and collects trash. He stated there have been no complaints received about Beachcombers North. Ms. Nelson noted their contract has expired and they are working month to month.

Mr. Deighan stated Beach Raker uses a more mechanical and sifting type of equipment, which is newer and more efficient, and demonstrated they were able to remove more trash and debris from the beach. If awarded the contract, they stated they could be established in this area in 30 days.

Chip Jones, President of Beach Raker, addressed the Council. He stated this is a 41-year-old company based in south Florida and he would be the one relocating to this area. Mr. Jones provided a list of cities throughout four counties in Florida the company services 365 days per year. Mr. Jones stated as a military veteran; he utilizes DAV, American Legion, and military bases to employ locally. Mr. Jones described the equipment he would be using.

**Roll call vote:** Ayes – Vogelsang, Wilson, Buck, and Mayor Latham  
Nays – Hoffman, Thomason, Doherty  
The motion passed with a 4 to 3 vote.

**ORDINANCE:**

**Item #18-208 ORDINANCE NO. 2018-8112**

Mayor Latham requested the City Clerk read Resolution No. 2018-8112 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 VARIOUS SECTIONS OF THE LAND DEVELOPMENT CODE, 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. 2018-8112, amending the Land Development Code to amend text of Chapter 34, Article II, Article IV, Article V, Article VI, Article VII, and Article VIII, including the additional amendments recommended by the Planning Commission to include:

- Section 34-207 – Add language to clarify a copy of the staff report (for zoning atlas and code amendments) is due to the applicant no more than five working days after the report is completed.
- Section 34-222 – Strengthen the language to read “consideration of the report from,” instead of simply “report from.”

- Section 34-339(e)(4)g. – Following the change to townhouses standards in RM-1 zoning districts allowing no more than four townhouse units to be constructed in a row (in lieu of the current six), add language to state “existing townhouse developments containing more than four contiguous units in existence or with approved construction permits on or before the effective date of this ordinance, may be completed, repaired, or rebuilt within the same building footprint, subject to any other applicable state, federal or local laws.”

**Summary:** Ms. Nelson reviewed the proposed changes amending the Land Development Code for updates and improvements. The Planning Commission had two meetings to discuss and identify amendments for Council approval.

### **Public Hearing**

Mayor Latham opened the Public Hearing.

**Alex Sifakis**, 340 8<sup>th</sup> St., Atlantic Beach, spoke in opposition to this item. He stated with the amounts of changes proposed; there should be some workshops.

There were no other speakers, and Mayor Latham closed the Public Hearing.

Discussion and questions ensued about single family in a multi-family district, lot coverage variances, artwork definitions, and commercial messages, signs and temporary signs, and interior lot lines amendments. Bill Mann, Planning Director, answered all questions.

Denise May, an attorney with the City Attorney’s office, Marks Gray, took the floor and spoke at length about the process to request text amendments to the code (for interior lot lines) can be made, as stated in Chapter 34. The process can be initiated by application one of four ways – by the City Council, by the Planning Commission, by the Planning & Development Director, or by an owner or other person having a contractual interest in the property affected or their agent. Ms. May explained no application has been submitted.

Discussion and questions continued about existing sub-standard lots, variance applications, home occupation restrictions for social media advertising, the Board of Adjustment appeals process through Circuit Court, and hiring an outside source to do a complete review and rewrite of the Land Development Code Regulations. Bill Mann, Planning Director, answered all questions.

Mr. Buck spoke about the history of lot sizes and lot coverage for single family and two-family homes. He stated lot coverage should be changed from the current 35% and increased to 44%, and included in this amendment.

**MOTION:** It was moved by Mr. Buck, seconded by Mr. Doherty, to increase the current lot coverage from 35% to 44% for single family and two-family homes.

Discussion ensued about tabling action and hiring an outside source for a complete comprehensive review of the Land Development Code Regulations, instead of piecemeal amendments.

Ms. May stated the Land Development Code Regulations requires a heavy public vetting and Public Hearing process for amendments. Ms. May also reminded the Council to declare any ex parte communications. This is a quasi-legislative process impacting land use.

**MOTION WITHDRAWN:** Mr. Buck withdrew his motion, Mr. Doherty withdrew his second.

Discussion continued about the proposed amendments, the public process conducted before the Planning Commission three separate times, and before the City Council tonight and one previous time.

RECESS: Mayor Latham called for a recess at 9:07 PM. The meeting reconvened at 9:15 P.M.

Ms. May explained the purpose of ex parte communication is to maintain transparency and is standard practice. This should be done prior to the vote.

Mayor Latham read the ex parte statement into the record.

City Council declared ex parte communications as follows:

Mayor Latham – none

Mr. Vogelsang – emails via the City contact form

Mr. Thomason – none

Mr. Buck – email from Kim Storm

Ms. Wilson – none

Mr. Doherty – none

Ms. Hoffman – conversations with residents, spoke with Zak Miller about the appeals process

**Roll call vote:** Ayes – Thomason, Wilson

Nays – Vogelsang, Buck, Doherty, Hoffman, Mayor Latham.

The motion failed with a 2 to 5 vote.

**Item #18-209 ORDINANCE NO. 2018-8113**

Mayor Latham requested the City Clerk read Ordinance No. 2018-8113 by title only, whereupon Ms. Scott read the following:

**“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA ADOPTING AMENDMENTS TO THE JACKSONVILLE BEACH 2030 COMPREHENSIVE PLAN FOR THE PURPOSE OF ADOPTING THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN, IN ORDER TO COMPLY WITH CHAPTER 163.3177(6)(C)3, FLORIDA STATUTES, AMENDING THE POTABLE WATER SUB-ELEMENT, CONSERVATION ELEMENT, AND INTERGOVERNMENTAL COORDINATION ELEMENT OF THE**

**COMPREHENSIVE PLAN, ESTABLISHING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.”**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2018-8113, adopting text amendments to the Jacksonville Beach 2030 Comprehensive Plan, as related to the required Water Supply Facilities Work Plan.

**Summary:** Ms. Nelson stated this would update policies for the City’s Water Supply Facilities Work Plan. Ms. Nelson pointed out a scrivener’s error on page 1, at the third ‘Whereas,’ first sentence, the word ‘in’ after the word ‘into’ should be removed.

**Roll call vote:** Ayes – Vogelsang, Wilson, Buck, Doherty, Hoffman, Thomason, and Mayor Latham.

The motion passed unanimously.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 9:21 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:



William C. Latham, MAYOR

Date:

11/19/18

LS/njp