

**Minutes of Regular City Council Meeting
held Monday, September 16, 2019, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

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

CALL TO ORDER:

Mayor Latham called the meeting to order at 7:08 P.M.

Mayor Latham recognized Boy Scouts Donovan Rodriguez, Quinn Naccarato, and Bodhi Abercrombie from Troop 15 in Jacksonville Beach.

ROLL CALL:

Mayor: William C. Latham

Council Members: Keith Doherty Georgette Dumont Sandy Golding
Christine Hoffman Cory Nichols Phil Vogelsang

Also present were City Manager Mike Staffopoulos and Acting City Attorney Denise May.

APPROVAL OF MINUTES:

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

- Regular Council Meeting held on August 19, 2019
- Special City Council Meeting held on August 23, 2019

ANNOUNCEMENTS:

Council Member Nichols recognized Chip Davis and his son, Tyler, who were in attendance in the audience. Mr. Davis puts on the Flounder Pounder Tournament that supports the Jacksonville School for Autism for the last ten years. The Tournament would be held on October 26, 2019. Mr. Nichols announced he had a donation check of \$3,000.

Council Member Hoffman thanked staff who worked preparing for Hurricane Dorian.

COURTESY OF THE FLOOR TO VISITORS:

- Chip Davis, Flounder Pounder Tournament Director, and his son, Tyler, 558 6th Avenue South, Jacksonville Beach, spoke about the Tournament and thanked Council Member Nichols for donating his salary.
- Lisa Brown, 1115 2nd Street South, Jacksonville Beach, read a statement [on file] about road construction near her home and other concerns.
- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about the downtown area.
- Casey Jones, 125 11th Street, Atlantic Beach, spoke about sea turtle nests and light pollution.
- Dabni McCrary, 113 8th Avenue South, Jacksonville Beach, spoke about the Fletcher High School Band and the need for new percussion equipment.

MAYOR AND CITY COUNCIL:

CITY CLERK:

CITY MANAGER:

Item #19-151 – Approve the Monthly Financial Reports for the Month of August

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the Monthly Financial Reports for the Month of August 2019.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, Mayor Latham
The motion passed unanimously.

Item #19-152 – Approve Employment Agreement for the City Attorney

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the Employment Agreement with Mr. Chris Ambrosio for the position of City Attorney.

Council Member Golding referenced an International Municipal Lawyers Association Model Employment Agreement for In-house Council handout and a list of recommendations she provided [copies on file]. Mayor Latham stated the Council members have not had sufficient time to go over the information.

Motion to Defer: It was moved by Ms. Golding and seconded by Mr. Doherty, to defer discussion on the contract to the next meeting [October 7, 2019].

Discussion ensued on whether a delay due to adding additional language would affect the start date to the contract. Council Member Vogelsang, who had been handling the contract negotiations, asked for permission from the Council to speak with Mr. Ambrosio and include additional language to the contract for discussion at the next City Council meeting. Discussion continued on language in the current proposed contract and other possible changes needed.

Roll Call Vote: Ayes –Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion to defer passed unanimously.

Item #19-153 – Approve Funding for the Replacement of Two HVAC Units at City Hall

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve a budget adjustment of \$74,617 for the urgent replacement of two failed Trane Unitary Split System Indoor and Outdoor Units according to pricing provided under Trane’s GSA Federal Supply Schedule (FSS) contract, GS-07F-0248K.

Mr. Staffopoulos stated this is for the replacement of the two HVAC units on the second floor of City Hall. They were due for replacement in fiscal year 2020, but due to the failure of both units this summer, the replacement was moved up to this year.

Roll Call Vote: Ayes –Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed unanimously.

Item #19-154 – Award RFP No. 05-1819 for Property and Liability Insurance to Thompson Baker Agency, Inc. and Workers Compensation Insurance to Florida League of Cities

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to Award RFP No. 05-1819 for Property and Liability Insurance to the highest-ranked respondent, Thompson Baker Agency, Inc. (PGIT), and authorize the City Manager to enter into an agreement with Thompson Baker Agency, Inc., to provide Property and Liability coverage.

Mr. Staffopoulos explained the item is for two different insurance coverages for the City, Property and Liability insurance and Workmans' Compensation insurance.

Roll Call Vote: Ayes – Hoffman, Nichols, Vogelsang, Doherty, Dumont, Golding, Mayor Latham
The motion passed unanimously.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to Award RFP No. 05-1819 for Workers' Compensation Insurance to the highest-ranked respondent, Florida League of Cities and authorize the City Manager to enter into an agreement with the Florida League of Cities to provide Workers' Compensation coverage.

Human Resources Director Ann Meuse stated the City had been self-insured for Workers' Compensation coverage and with this proposal, the City would no longer be self-insured. It would be fully insured.

Roll Call Vote: Ayes –Nichols, Vogelsang, Doherty, Dumont, Golding, Hoffman, Mayor Latham
The motion passed unanimously.

Item #19-155 – Approve Contracts, Effective January 1, 2020, with:

- **Florida Blue for Medical Insurance**
- **MetLife for Dental Insurance**
- **Standard Insurance Company for Life Insurance**
- **Advantica for Voluntary Vision Insurance**

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve contracts, effective January 1, 2020, with Florida Blue for medical insurance, MetLife for dental insurance, Standard Insurance Company for life insurance, and Advantica for voluntary vision insurance.

Mr. Staffopoulos stated this is for insurance for all of the employee benefits for medical, dental, life insurance and voluntary vision insurance.

Roll Call Vote: Ayes –Vogelsang, Doherty, Dumont, Golding, Hoffman, Nichols, Mayor Latham
The motion passed unanimously.

Item #19-156 – Approve a Commercial Lease Agreement with the Department of Navy, for Space at the O & M Communication Tower

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve a Commercial Lease Agreement with the Department of the Navy, Naval Facilities Engineering Command Southeast, as described in the memorandum from the Property and Procurement Officer dated September 6, 2019.

Mr. Staffopoulos stated this is for a communications system on the City's communications tower at the O&M Facility.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, Mayor Latham
The motion passed unanimously.

Item #19-157 – Approve Bid No. 1819-06, Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway) to A.W.A. Contracting Co. Inc.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award Bid No. 1819-06 titled "Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway) to A.W.A. Contracting Co. Inc.

City Engineer Marty Martirone explained this project was bid out several years ago, but came in over budget. The project was re-evaluated and they came up with three new options, which were then bid out. The least expensive alternative was selected. The work is in the ditch where JTB and the Target shopping center is located. The ditch takes the drainage from Osceola Avenue down through Ocean Cay and Paradise Key and goes under JTB.

Planning and Development Director Bill Mann answered questions about possibly combining projects for drainage for nearby condominiums on The Greens Way and explained the discharge from this system goes through the communities, but the downstream project is a future project that

has not gone through analysis and design yet. There are no identified problems with the downstream basin other than foliage. This project would be funded by the Community Redevelopment Agency (CRA).

Council members commented about improving communication with the public on the status of projects, ways to hold contractors accountable in the contracts through penalties and/or incentives.

Roll Call Vote: Ayes –Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion passed unanimously.

Item #19-158 – Approve Bid No. 1819-15, Offsite 12” Well Header for Water Treatment Plant #1, Well No. 16 and 6” Water Main Replacement to The Kenton Group, Inc., dba Baldwin’s Quality Plumbing

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award Bid No. 1819-15, Offsite 12” Well Header for Water Treatment Plant No. 1 and Well No. 16, and 6” Water Main Replacement, to The Kenton Group, Inc. dba Baldwin’s Quality Plumbing as described in the memorandum from the Public Works City Engineer dated August 22, 2019.

Mr. Staffopoulos explained this is new potable water piping to help move some of our water around the city.

Roll Call Vote: Ayes –Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed unanimously.

Item #19-159 – Award Bid No. 1819-16, Landscape Maintenance to BrightView Landscape Services Inc. for Sections 2 and 3 and to Down to Earth-Jacksonville for Section 1

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award Bid No. 1819-16 titled Landscape Maintenance Sections 2 and 3 to BrightView Landscape Services, Inc., and Section 1 to Down to Earth-Jacksonville as explained in the memorandum from the Public Works City Engineer dated August 20, 2019.

Mr. Staffopoulos explained the City has a need for contractual landscape services throughout the city to maintain a lot of the City’s properties and sites, which is broken down into three zones.

Mr. Martirone answered questions related to why there was a *No Bid* by one of the contractors on an item and whether the City asks for a *No Bid* letter. Mr. Staffopoulos stated landscape companies are aware of what they can and cannot do for a workload capacity perspective. Pollution Control Plant Supervisor Phil Brown answered questions about the number of bids received versus the

number of invitations to bid sent out. Mr. Brown explained some landscape companies pick and choose what they want to do.

Roll Call Vote: Ayes – Hoffman, Nichols, Vogelsang, Doherty, Dumont, Golding, Mayor Latham
The motion passed unanimously.

Item #19-160 – Award Bid No. 1819-17, 4th Street South Stormwater Improvements to Kirby Development, Inc. for Construction Services, and Authorize Construction Administration Services with Applied Technology & Management, Inc.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award Bid No. 1819-17, 4th Street South Stormwater Improvements, to Kirby Development, Inc., for construction services, and authorize construction administration services with the project design firm Applied Technology & Management, Inc., as described in the memorandum from the Public Works Project Engineer dated August 15, 2019.

Mr. Staffopoulos stated the project involves the installation of two new drainage structures.

Public Works Project Engineer Kayle Moore explained the project is to facilitate maintenance of that portion of the drainage system. It is currently a ditch which gets a lot of growth and trash in it, requires cleaning, and occasionally requires sediment to be removed. The project is to remove the ditch and enclose it in with a large pipe. It is on the dead-end portion of 4th Street South off 16th Avenue South.

Roll Call Vote: Ayes – Nichols, Vogelsang, Doherty, Dumont, Golding, Hoffman, Mayor Latham
The motion passed unanimously.

Item #19-161 – Award Bid No. 1819-18, 120/204V, 1,500 kVA, Distribution Transformers to the Lowest, Responsive Bidder, Gresco

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to award Bid No. 1819-18 120/208V, 1,500 kVA, distribution transformer to the lowest, responsive, responsible bidder, Gresco, as explained in the memorandum from the Director of Beaches Energy Services dated August 23, 2019.

Beaches Energy Services Director Allen Putnam explained a routine inspection found a transformer installed in 1975. It was decided to put out a bid on it, but it was discovered additional transformers were needed for upcoming projects and to have a spare. The previous lowest responsible bidder could not meet the criteria, so it was decided to rebid it.

Roll Call Vote: Ayes – Vogelsang, Doherty, Dumont, Golding, Hoffman, Nichols, Mayor Latham
The motion passed unanimously.

RESOLUTIONS:

Item #19-162 – RESOLUTION NO. 2033-2019

Mayor Latham requested the City Clerk read Resolution No. 2033-2019 by title only, whereupon Ms. Scott read the following:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING FEES RELATED TO SHORT TERM VACATION RENTALS; PROVIDING FOR REFUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Resolution No. 2033-2019 establishing fees related to Short-Term Vacation Rentals.

Mr. Staffopoulos explained this is the establishment of Short Term Rental Ordinance fees that go with the adoption of the Short Term Rental Ordinance. The fees were assembled by Acting City Attorney Denise May and the Planning and Development Department. Research was done with regard to what other agencies are currently charging for Short Term Rental fees.

Ms. May stated City Planner Heather Ireland did research with the City of Fernandina Beach. The fees were reduced based on feedback from Council. The research found other cities had started fees low and found it was not covering the expenses for implementing the program. Recommendations based on the research are presented as an option.

Public Comments:

The following spoke regarding the agenda item:

- Erin Sandoval, 1300 Florida Boulevard, Neptune Beach

The following spoke in support of the agenda item:

- Steve Cooper, 534 14th Avenue South, Jacksonville Beach

The following spoke in opposition to the agenda item:

- Jeanell Wilson, 2014 South Oceanfront, Jacksonville Beach, owner of All South Realty

Discussion:

Ms. Dumont believes the recommended fees are too high and doesn't expect them to cover the cost in the first year. She said the goal is to get the rentals registered and was open to adjusting the fees.

Mr. Mann responded to a request from Mr. Doherty to explain the process. Mr. Mann explained there is not a unit cost for processing at this time. There is a cost for administrative time at the front counter, consultation time, staff time on data entry, fire marshal and possible other staff inspections. The research was done with communities that already do this and the recommended fees are somewhere in the middle based on the other communities' fee structure. City Clerk Laurie Scott responded to a question about the Local Business Tax fee and explained the current fee of \$79.20 per year, half that rate if registered after April 1st, and it is based on individual properties.

Mr. Mann advised the City would contract with an outside professional services firm to do the initial identification and the subsequent compliance.

Mr. Nichols likes the low initial registration fee. If the fee is not enough, staff would be able to track in order to make a determination in the future for what the costs are with the ability to modify the costs. He is not in favor of the collective registration and would get rid of it and keep the fee low at \$150 for everyone.

Mr. Mann responded to questions from Ms. Golding related to how many short term rental properties there potentially could be. He explained the firm would identify all the short term rentals and then City staff would look at the code to see which properties have to register. Ms. Golding believed everyone should pay the same registration fee across the board.

Ms. Dumont stated if everyone pays the same fee and there is no more collective registration, she didn't believe the fee should be any higher than \$150.

In response to a question from Mr. Vogelsang, Ms. May clarified the ordinance excludes homeowner occupied properties renting fifty percent (50%) or less of their home. Mr. Vogelsang stated he is fine with one flat fee of \$150, but suggested a review in one year for a reduced renewal fee once there is a gauge as to what it costs, the amount of time, and the compliance obtained.

Ms. Hoffman agreed with keeping the fee as originally proposed to gain compliance. She stated the registration process needs to be streamlined. Ms. Hoffman said there would be a significant impact in Local Business Tax Receipts to the City Clerk's office. She likes the collective registration, but believed \$10 is too low with \$50 being more reasonable.

Amended Motion: It was moved by Mr. Vogelsang and seconded by Mr. Nichols, to do a single \$150 fee per unit.

Discussion continued about the fees, renewals, and collectives. Mr. Vogelsang clarified his amended motion covers initial registration and renewals; \$150 across the board.

Modified Amended Motion: It was moved by Mr. Vogelsang and seconded by Ms. Golding, for \$150 across the board initial and renewal [fee] with a one (1) year revisit to look at the renewal fee rate.

Ms. May asked for clarification on the motion and Mr. Vogelsang clarified his motion is for \$150 for initial and annual, and \$150 for collective registration. Mr. Mann summarized the types of services the professional company could provide, including registration, monthly monitoring, and a hotline.

Roll Call Vote: Ayes – Doherty, Golding, Nichols, Vogelsang, Mayor Latham
Nays – Dumont, Hoffman
The motion passed 5-2

Restated Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Resolution No. 2033-2019, as is, establishing fees related to Short-Term Vacation Rentals as amended.

Roll Call Vote: Ayes –Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed unanimously.

ORDINANCES:

Item #19-163 – ORDINANCE NO. 2019-8124 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8124 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING EMPLOYEE BENEFITS AND LEAVE POLICY PROVIDING FOR ADDITIONAL PAID HOLIDAY; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance Number 2019-8124, amending Employee Benefits and Leave Policy to provide for an additional paid holiday. This would add Christmas Eve as an official paid holiday observed by the City.

Mr. Staffopoulos explained this would take the total number of paid holidays for employees from nine (9) to ten (10). The reason it is being done by ordinance is each of the labor agreements references adoption by ordinance for paid holidays and once adopted, would automatically be effective in all three bargaining unit agreements.

Mayor Latham read the number of holidays per year for surrounding jurisdictions – Jacksonville Beach – 9 [10 with adoption of Ordinance 2019-3124]; Atlantic Beach – 12; Neptune Beach – 11; Jacksonville – 11; St. Augustine – 12; St. Johns County – 12; Orange Park – 11; Fernandina Beach – 11. [on file]

Roll Call Vote: Ayes –Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion passed unanimously.

Item #19-164 – ORDINANCE NO. 2019-8118 (Second Reading) (Public Hearing)

Mayor Latham requested the City Clerk read Ordinance No. 2019-8118 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 34. LAND DEVELOPMENT CODE; ARTICLE VIII. SITE DEVELOPMENT STANDARDS, DIVISION 2. SUPPLEMENTAL STANDARDS, CREATING A NEW SECTION 34-411 SHORT TERM VACATION RENTALS, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES; AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE IV. DEFINITIONS, PROVIDING DEFINITIONS;

**AMENDING CHAPTER 34. LAND DEVELOPMENT CODE
ARTICLE VII. ZONING DISTRICTS, DIVISION 2. ZONING
DISTRICTS, SECTION 34-336. RESIDENTIAL, SINGLE-FAMILY:
RS-1, SECTION 34-337. RESIDENTIAL SINGLE-FAMILY: RS-2,
SECTION 34-338. RESIDENTIAL, SINGLE-FAMILY: RS-3,
SECTION 34-339. RESIDENTIAL MULTIPLE-FAMILY: RM-1,
SECTION 34-340. RESIDENTIAL, MULTIPLE-FAMILY: RM-2,
SECTION 34-341. COMMERCIAL PROFESSIONAL OFFICE: CPO,
SECTION 34-342. COMMERCIAL LIMITED: C-1, SECTION 34-343.
COMMERCIAL GENERAL: C-2, SECTION 34-345. CENTRAL
BUSINESS DISTRICT: CBD; PROVIDING THAT SHORT TERM
VACATION RENTALS ARE A PERMITTED USE; PROVIDING
FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING
FOR REPEAL OF CONFLICTING ORDINANCES, AND
PROVIDING FOR AN EFFECTIVE DATE.”**

Mayor Latham read the following:

“This ordinance for the amendment of the Land Development Code is before this Council for a public hearing and consideration on its second reading. Under the laws of the State of Florida, an ordinance which changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or which otherwise changes the text of the Land Development Code, is a ‘quasi-legislative’ proceeding. A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity.

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 uses within a zoning category.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Land Development Code and the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the Land Development Code.

The Council’s decision on a text 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.”

Public Hearing:

Mayor Latham opened the public hearing on Ordinance No. 2019-8118.

The following spoke in support of the agenda item:

- Tony Komarek, 533 11th Avenue South, Jacksonville Beach
- Jim Sorrell, 1410 Pinewood Road, Jacksonville Beach [handout on file]

The following spoke in opposition to the agenda item:

- Jeanell Wilson, 2014 South Oceanfront Drive, Jacksonville Beach

The following spoke regarding the agenda item:

- Erin Sandoval, 1300 Florida Boulevard, Neptune Beach
- Evan Greenfield, 1800 The Greens Way #208, Jacksonville Beach

The following were in support of the item, but preferred not to speak:

- Terry Phillips, 534 14th Avenue South, Jacksonville Beach

Mayor Latham closed the Public Hearing and read the following:

“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 stated he had no ex parte communication.

Mr. Nichols stated he had no ex parte communication since the last reading [of the ordinance].

Ms. Dumont stated she received an email from Jeanell Wilson and others received through City email related to changes to both the fee structure and the ordinance.

Mr. Vogelsang stated he received the same emails received through his City email.

Ms. Hoffman stated she received the same emails through City email.

Mr. Doherty stated he received the same emails as listed before.

Ms. Golding stated she submitted a list to the City Clerk [on file] of all her ex parte communication primarily received through email, but also several face to face conversations with concerned citizens.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to adopt Ordinance Number 2019-8118, as amended, amending the Land Development Code Chapter 34 to define and regulate short-term vacation rentals, where permitted.

Ms. May explained the amended language incorporated into the ordinance included:

- maximum occupancy changes
- removing subsections regarding evacuation maps
- removing reference to N.F.P.A.
- adding language requiring property owners to publish where the rental property is located in regard to unlawful sexual offenders
- drafted alternative parking of one (1) per four (4), and to allow vacation rental properties with legal nonconforming parking grandfathered into two (2) spaces, at no time blocking the sidewalk

Ms. May stated based on an extensive review to make the ordinance enforceable and ensure there are no problems, she had additional recommendations not included in the ordinance, for Council consideration, to include in the minutes. They include:

- changes to the solid waste and containment Sec. 34-411(c)3 to be in line with the City's Franchise Agreement
- removing 34-411(i) in regard to suspension of certificates
- remove the limitation for twelve (12) months on existing lease agreement vesting
- move the effective date to November 1, 2019, and move other dates accordingly

Ms. May suggested an additional amendment to add into Sec. 34-411 to require providing proof of the short term vacation rentals current and active account with Duval County Tax Collector for the purpose of collecting and remitting Tourist Development taxes and other taxes as required by law. Currently the City is asking for the Department of Revenue, the County, and DBPR [Department of Business and Professional Regulation]. This amendment would require they bring proof they registered with Duval County Tax Collector.

Discussion: Mayor Latham read the following statement for the record:

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, and the Council is required to approve a clear statement of specific findings of fact stating the basis upon which such facts were determined and the decision was made.”

Motion: It was moved by Mr. Vogelsang and seconded by Ms. Dumont, to adopt the amendments as outlined by the City Attorney.

Roll Call Vote: Ayes – Hoffman, Nichols, Vogelsang, Doherty, Dumont, Golding, Mayor Latham
The amended motion passed unanimously.

Council discussion ensued related to age of an occupant, when and why the responsible party should be contacted, parking, and penalties for noncompliance.

Motion: It was moved by Ms. Dumont and seconded by Ms. Golding, to add twenty-four (24) months for age under Maximum Occupancy (c)(1), Page 9.

A brief discussion ensued.

Roll Call Vote: Ayes –Nichols, Vogelsang, Dumont, Golding, Hoffman, Mayor Latham
Nays - Doherty
The motion passed 6-1

Mayor Latham summarized his thoughts on the process of how the City got to this point in relation to home rule and stated once the ordinance is passed, he would use it as a template with Representative Jaime Grant for future legislation.

Roll Call Vote: Ayes –Vogelsang, Doherty, Dumont, Golding, Hoffman, Mayor Latham
Nays – Nichols
The motion passed 6-1 as amended.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:51 P.M.

Submitted by: Laurie Scott
City Clerk

LS/sg

Approval:



William C. Latham, MAYOR

Date: 10/07/19