

**Minutes of Regular City Council Meeting
held Monday, August 3, 2020, at 7:00 P.M.
via Video Conference
Jacksonville Beach, Florida**



STATEMENT OF THE MAYOR:

Mayor Charlie Latham made the following statement:

“Governor DeSantis’ Executive Order No. 20-150, extended the Governor’s authorization for local government bodies to continue to conduct meetings without an in-person quorum at any specific location and to hold meetings using communications media technology (CMT).

On April 6, 2020, the City of Jacksonville Beach approved at their public meeting the use of CMT and alternative start times to conduct their Council meetings and briefings.

Accordingly, this City Council meeting is being held in a modified manner using CMT. The Council, staff and the public are not physically present in City Hall tonight.

In a moment, the City Attorney will explain the CMT procedures and adaptations for public attendance and public comment that have been put in place.

The City Council members and City personnel are appearing through CMT.”

OPENING CEREMONIES:

Council Member Vogelsang provided the Invocation, followed by the Pledge of Allegiance.

CALL TO ORDER:

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

Mayor Latham invited City Attorney Chris Ambrosio to state the CMT procedures and adaptations being utilized for this meeting.

Mr. Ambrosio explained the CMT instructions and opportunities for the public to attend and participate were published on various platforms in a public notice [*on file*] and went over the options.

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, City Attorney Chris Ambrosio, and City Clerk Laurie Scott.

APPROVAL OF MINUTES:

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

- Council Briefing held on July 20, 2020
- Regular Council Meeting held on July 20, 2020

ANNOUNCEMENTS:

Mayor Latham congratulated Chief Gene Paul N. Smith and the Police Department on the 1st Annual Corporal Andy Lavender Memorial 5K Run held on August 2, 2020. He also mentioned the CPAAA (Citizen Police Academy Alumni Association) put together some framed Thin Blue Line flags and presented them to police officers today (August 3, 2020).

Council Member Dumont congratulated the UNF (University of North Florida) Summer 2020 virtual graduates.

Council Member Nichols mentioned he observed some sea turtles hatch at 11th Avenue South and thanked the Beaches Sea Turtle Patrol for doing a fantastic job protecting the sea turtles and marking the nests.

Mr. Staffopoulos stated he had been contacted by Rebecca Perry with the North Florida Land Trust regarding multiple properties in which the Land Trust has an interest. One of which they are seeking to make an active donation to the City of land. Another two parcels they would like to discuss pursuing purchase for preservation. Mr. Staffopoulos planned to meet with the organization in the next couple weeks, and Council Member Sandy Golding agreed to also participate as the Council Liaison.

COURTESY OF THE FLOOR TO VISITORS:

Mayor Latham extended Courtesy of the Floor to visitors.

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about areas in the downtown area he believed could be cleaned up and improved. He referenced submitted photos [on file].

CITY CLERK: *No items*

MAYOR AND CITY COUNCIL: *No items*

CITY MANAGER:

Item #20-145 – Approve/Disapprove Bid No. 1920-08, Lift Stations LS-17 (Part A), and LS-23 (Part B) Rehabilitation and Site Upgrades to PBM Constructors, Inc. for Construction Services, and Authorize Construction Administration Services with the Project Design Firm Four Waters Engineering, Inc.

Mr. Staffopoulos stated this item is for the reconstruction and repairs of two lift stations in the city. Director of Public Works Dennis Barron explained the project was advertised to 15 contractors and five contractors submitted bids. PBM Constructors, Inc. was the low bidder on both parts of the project.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to award City Bid No. 1920-08 Lift Stations LS-17 (Part A) and LS-23 (Part B) Rehabilitation and Site Upgrades to PBM Constructors, Inc. for construction services, and authorize construction administration services with the project design firm Four Waters Engineering, Inc., as

described in the memorandum from the Public Works Project Engineer dated July 27, 2020.

Discussion:

There was no Council discussion.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, Mayor Latham
The motion passed 7-0.

Item #20-146 – Approve/Disapprove a Purchase Order in the Amount of \$90,170 Plus a 10% Contingency with Siemens Industry, Inc., to Fund Upgrades to Our Existing Substation Access Control Security System

Mr. Staffopoulos explained this project would update security enhancements at all of the City substation locations. Director of Beaches Energy Services Allen Putnam explained the enhancements.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to approve a purchase order in the amount of \$90,170 with a 10% contingency with Siemens Industry, Inc., to fund upgrades to our existing Substation Access Control Security System.

Discussion:

There was no Council discussion.

Roll Call Vote: Ayes – Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion passed 7-0.

RESOLUTIONS: *None*

ORDINANCES:

Item #20-147 – ORDINANCE NO. 2020-8146 (First Reading)

Mayor Latham requested the City Clerk read Ordinance No. 2020-8146 by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT: PUD ORDINANCE NUMBER 2019-8121, ESTABLISHING A PLANNED UNIT DEVELOPMENT: PUD ZONING DISTRICT, 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.”

Mayor Latham read the following:

“This ordinance to amend the PUD zoning regulations of a property 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 on 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:

Senior Planner Heather Ireland explained the owner had amended their original proposed plan to have two buildings with an additional 84 dwelling units. Instead, they are now proposing to have one building connecting the two existing buildings, which decreases the number of dwelling units being added. The PUD amendment would amend both their site plan and their narrative to reflect the new plans. They would also be adding additional parking to meeting the parking requirement of one space per unit for elderly housing.

Ms. Golding asked why the number of units was being reduced when the owners had indicated such a long waitlist at both Pablo Hamlet and Pablo Towers. Melissa Gilreath [with Elderly Housing Management Corporation, Inc., 115 South Third Street, Jacksonville Beach] stated there is an approximate 1½-2 year waitlist. The way the rents are structured under the subsidy currently is based on an extremely low income, very low income, and low income. With the tax credits they would be using for the new units, it's based on just a low income, so there won't be as many people on the waiting list as they had anticipated.

Ex Parte:

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."

All Council members indicated they had not received any ex parte communications.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang to adopt Ordinance No. 2020-8146, amending PUD Rezoning Ordinance No. 2019-8121, governing the property located at 1600 Shetter Avenue, by providing a new project narrative and site plan. (Pablo Hamlet Senior Living)

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.”

Discussion:

There was no discussion by the Council.

Roll Call Vote: Ayes – Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed 7-0.

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:33 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:



William C. Latham, MAYOR

Date: 8/17/2020

LS: sg