



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Meeting Agenda

City Council

Monday, November 2, 2015

7:00 PM

Council Chambers

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council.

OPENING CEREMONIES:

INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

ROLL CALL

APPROVAL OF MINUTES

- a. 15-164 Special City Council Meeting held October 19, 2015
- b. 15-165 Regular City Council Meeting held October 19, 2015

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

- a. 15-166 Employee of the Quarter Presentation

CITY CLERK:

CITY MANAGER

- a. 15-167 Approve a Draw from the Law Enforcement Trust Fund for Equipment and Related Expenses for the Community Assisted Policing Effort (CAPE) Program and Community Relations Programs at the Carver Center
- b. 15-168 Approve the 2016 Jazz Series
- c. 15-169 Approve a Change in Beaches Energy Services' Authorized Positions

RESOLUTIONS

- a. 15-170 **RESOLUTION NO. 1955-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, REPEALING RESOLUTION NUMBER 1864-2010; PROVIDING FOR AN EFFECTIVE DATE. (This Resolution repeals regulations regarding certain temporary signs)

ORDINANCES

ADJOURNMENT

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk or to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, ext. 10, no later than one business day before the meeting.

**Minutes of Executive Session of the City Council
held Monday, October 19, 2015, at 5:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Latham called the meeting to order at 5:00 P.M.

The following Council Members were in attendance:

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson (*absent*)

Also present were City Manager George Forbes, City Attorney Susan Erdelyi, and City Clerk Laurie Scott.

Mayor Latham opened the meeting by stating that this agenda item concerns one of the City's ongoing lawsuits. He asked City Attorney Susan Erdelyi if she had any statements to make before they begin.

The City Attorney responded by stating that she would like to inform Council that she needed advice concerning Duval Royal Investments, Inc. and Brothers Five of Jacksonville vs. City of Jacksonville Beach, Case No. 3:15-cv-1163-J-32-JRK. The City is a party to that lawsuit. Florida Statute Chapter 286.011 allows the City Council to hold a private meeting to provide that advice.

Mayor Latham announced a closed attorney-client meeting concerning the Duval Royal lawsuit will commence at 5:15 P.M. in the City's boardroom and is estimated to last about one (1) hour. Those who will be attending the meeting are Mayor Charlie Latham, Council Members Christine Hoffman, Keith Doherty, Phil Vogelsang, Lee Buck and Bruce Thomason, the City's outside attorney William Brinton, City Manager George Forbes, City Attorney Susan Erdelyi, and the Court Reporter.

Mayor Latham stated that the City Council will continue the meeting to the City's boardroom.

Mayor Latham closed the Public Meeting at 5:05 P.M. and the meeting continued in the City's boardroom.

Mayor Latham re-opened the Public Meeting at 6:32 P.M. to announce the termination of the closed attorney-client meeting.

No formal action was taken. Mayor Latham closed the Public Meeting at 6:34 P.M.

Minutes of the Executive Session of the City Council
held Monday, October 19, 2015

Submitted by: Laurie Scott
City Clerk

Approval:

William C. Latham, MAYOR

Date: November 2, 2015

DRAFT

**Minutes of Regular City Council Meeting
held Monday, October 19, 2015, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

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

OPENING CEREMONIES:

The invocation was given by Council Member Buck; followed by the Salute to the Flag.

ROLL CALL:

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty Christine Hoffman
 Bruce Thomason Phil Vogelsang Jeanell Wilson (*absent*)

Also present was City Manager George Forbes, and City Clerk Laurie Scott.

APPROVAL OF MINUTES

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

- Special Council Meeting held on October 5, 2015
- Regular Council Meeting held on October 5, 2015

ANNOUNCEMENTS

Council Member Doherty

- Mr. Doherty expressed his gratitude to all for their participation in the Beaches Oktober Fest event held on October 16-18, 2015. He reported approximately 4,000 citizens and visitors rode the Ferris Wheel [pilot project] in the Latham Plaza parking lot. Also, he reported the "First Coast No More Homeless Pets" charity event generated 27 successful dog adoptions.

Council Member Hoffman

- Ms. Hoffman congratulated Mr. Doherty and Mr. Vogelsang on their Beaches Oktober Fest event.

- She expressed her appreciation to Mayor and Mrs. Latham, Mr. Tom Taylor, and others for their hard work in making the Dial-a-Ride 40th Anniversary and fundraiser a successful event.
- She announced the Naval Station Mayport: Guardian of the Southern Frontier Exhibit, located at the Beaches Museum & History Park, opened on October 13, 2015, and runs through February 12, 2016.

Council Member Vogelsang

- Mr. Vogelsang announced the upcoming Sea and Sky Spectacular event occurring on October 24-25, 2015.

Mayor Latham

- Mayor Latham recognized the Public Works Department for their efforts in organizing the Open House held in the City Hall Council Chambers on October 7th, 2015, for citizens regarding reconstruction of public infrastructure in the downtown redevelopment area.
- He expressed his appreciation and gratitude to all who supported the 40th Anniversary and fundraiser event for the Beaches Dial-a-Ride on Saturday, October 17, 2015. He recognized Council Member Doherty and LIP (Lynch's Irish Pub) for sponsoring the event.

COURTESY OF THE FLOOR TO VISITORS:

Speakers:

- Susan Taylor, 603 15th Street North, Jacksonville Beach. Ms. Taylor inquired as to why the City would refuse to dispose of the yard waste by property owners who employ lawn people or lawn services.

MAYOR AND CITY COUNCIL

(a) Public Works Recognition

Public Works Director Ty Edwards recognized before the City Council, three (3) Public Works employees [listed below] for their outstanding efforts during the annual review process by the staff of the Florida Department of Environmental Protection (FDEP), on the on the City's stormwater management programs.

In his assessment letter, Mr. Cioccia, staff member of the FDEP Stormwater Program stated:

“The Year 3 Annual Report submitted by the permittee is complete, and the City is implementing permit requirements satisfactorily. The City’s Annual Report and Annual Loading and EMCs Report are clear and thorough. The staff is commended on their excellent Year 3 Annual Report submittal.”

Mayor Latham and Public Works Director Ty Edwards presented Letters of Appreciation to the following Public Works Department staff:

- Tony Campo, Engineering Design/GIS Technician Administration Division
- Pat Deighan, General Supervisor, Street Division
- Michael Taylor, Acting Supervisor, Water Plant Division

CITY CLERK:

CITY MANAGER:

(a) Accept the Monthly Financial Reports for the Month of September 2015

Motion: It was moved by Ms. Hoffman, seconded by Mr. Vogelsang, to accept the Monthly Financial Reports for the Month of September 2015 as presented by the Chief Financial Officer.

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

(b) Award Unit Price Bid Number 1415-09, “Water Main Improvements Project (Various Locations),” to John Woody, Inc., and Authorize Construction Administration Services with the Project Design Firm, Jones Edmunds & Associates, Inc.

Motion: It was moved by Ms. Hoffman, seconded by Mr. Vogelsang, to award Unit Price Bid Number 1415-09, “Water Main Improvements Project (Various Locations),” to *John Woody, Inc.*, and authorize construction administration services with the Project Design Firm, *Jones Edmunds & Associates, Inc.*

The City Manager reviewed the PowerPoint slide of the City map [on file] pointing out the locations in red as part of the water main improvements program where existing deteriorated, unlined cast iron and galvanized water mains are being replaced. This project entails replacing four (4) blocks [approximately 2,200 linear feet] of 2” galvanized water mains with 6” PVC water mains. He

stated the City started this mission to replace the water pipes approximately thirty years ago, and this is one more step towards completing the improvements. He reported that during the budget sessions with Council, the staff has demonstrated the many miles of water mains that were replaced over the years.

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

RESOLUTIONS:

(a) RESOLUTION NO. 1954-2015

Mayor Latham requested that the City Clerk read Resolution No. 1954-2015, by title only; whereupon Ms. Scott read the following:

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY ONLINE.

Motion: It was moved by Ms. Hoffman, seconded by Mr. Vogelsang, to adopt Resolution No. 1954-2015, Providing for the Sale of Surplus Property Online.

The City Manager stated the City conducts a public auction for surplus equipment that is no longer needed by the City. This is accomplished on-line by GovDeals at no charge to the City. The majority of the items are obsolete IT/Computer equipment, old vehicles [primarily Police vehicles], miscellaneous office equipment and tools.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Buck, Doherty and Mayor Latham. The motion carried.

Mayor Latham recognized Property and Procurement Officer Jason Phitides for his efforts on several recent projects.

ORDINANCES:

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:24 P.M.

Minutes of the Regular City Council Meeting
held Monday, October 19, 2015

Submitted by: Laurie Scott
City Clerk

Approval:

William C. Latham, MAYOR

Date: November 2, 2015

DRAFT

MEMORANDUM

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6263

Fax: 904.247.6169

www.jacksonvillebeach.org

TO: George Forbes, City Manager

FROM: Ann Meuse, Human Resources Director *AM*

DATE: October 20, 2015

RE: Employee of the Quarter Award
3rd Quarter 2015

This is to advise that the final determinations for Employee of the Quarter for the 3rd Quarter of 2015 have been made. It is my pleasure to announce the following selection:

<u>Name</u>	<u>Department</u>
Tammi Leonard	Beaches Energy

Please refer to the attached letter on her achievements.

According to our Awards Program, Tammi should be recognized by the City Council with a personalized letter from you and the City of Jacksonville Beach Employee of the Quarter pin. I am forwarding this information to you so that a presentation can be made at the November 2, 2015, Council Meeting. The recipient will be notified to attend.

Additionally, for your information, the Department Director will be having a departmental award ceremony which will include the presentation of a check in the amount of \$100 and a personalized certificate.

Attachment



City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6268
Fax: 904.247.6276

www.jacksonvillebeach.org

October 20th, 2015

Tammi Leonard
Beaches Energy Services

Dear Tammi,

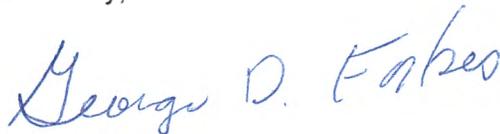
It is with great pleasure that we present you this letter of appreciation for your outstanding job performance with Beaches Energy Services. You have been selected as an Employee of the Quarter for the 3rd Quarter of 2015.

You are being recognized for:

- Providing exceptional administrative support to the new Beaches Energy Director, bringing him up to speed on all issues and making his transition seamless and ensuring that he did not miss any deadlines;
- always going out of your way to assist others, including employees outside your department. You ensured staff was aware of the City Wellness events and assisted in the set up and coordination of the event; and
- you clearly go above and beyond the expected.

Please accept our sincere gratitude and thanks for your outstanding performance. It truly exemplifies the dedication and spirit for which we all strive to attain as public employees.

Sincerely,



George D. Forbes
City Manager

GDF:as



City of
Jacksonville Beach
Police Department
101 Penman Road, South
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To: George D. Forbes
City Manager

From: Patrick K. Dooley
Chief of Police

Subject: Draw from Law Enforcement Trust Fund for Crime Prevention
Programs for the C.A.P.E. Program at the Carver Center

Date: October 22, 2015

ACTIONS REQUESTED

Approve a draw from the Law Enforcement Trust Fund for equipment and related expenses for the Community Assisted Policing Effort (CAPE) program and community relations programs at the Carver Center.

BACKGROUND

The police department's Community Assisted Policing Effort in South Pablo Beach, has scheduled several crime prevention and community relations programs to provide positive interaction between members of the police department and young people of the community. The programs scheduled during FY-15-16, as follows:

- Two movie nights with children of South Pablo Beach;
- Assistance to Carver Center staff with South Pablo Beach Christmas party; and
- Assistance with a Fall Festival and cookout provided by Citizens on Patrol and police officers.

These programs can be presented at a cost of \$1,000. This amount includes materials and food associated with the programs.

RECOMMENDATION

Approve a draw of **\$1,000** from the Law Enforcement Trust Fund as described in the October 22, 2015, memorandum from the Police Chief entitled, "Draw from Law Enforcement Trust Fund for Crime Prevention Programs for the C.A.P.E. Program at the Carver Center".



City of
Jacksonville Beach
2508 South Beach
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Fax: 904.247.6143

www.jacksonvillebeach.org

TO: George D. Forbes
City Manager

FROM: Trish Roberts
Deputy City Manager

DATE: October 22, 2015

SUBJECT: Jazz Series for 2016

ACTION REQUESTED:

Approve the 2016 Jazz Series.

BACKGROUND:

About 15 years ago, the City began to produce a series of concerts that evolved into the summer Jazz Series. The popular and well attended Jazz Series has historically consisted of two to three jazz concerts on Sunday evening during the summer months.

During budget workshops for the 2016 budget there was discussion about the merits of the City's continued production of its Jazz Series, and it was agreed to bring the item back to the City Council for final approval. The cost of the two-concert series is about \$57,000, with the cost of performers and production (sound and lighting) representing about 90% of the total cost. The remaining costs are for items such as security, portable toilets and supplies.

If the Jazz Series is to be held next summer, performance contracts need to be finalized by December because popular performers are normally booked well in advance of the summer.

RECOMMENDATION:

Approve the 2016 Jazz Series as described in a memo from the Deputy City Manager dated October 22, 2015.





MEMORANDUM

To: George D. Forbes
City Manager

From: Allen Putnam
Director of Beaches Energy Services

Date: October 22, 2015

Re: Approve a Change in Beaches Energy Services' Authorized Positions

ACTION REQUESTED:

Approve a change in Beaches Energy Services' authorized positions by adding an electrical engineer position and eliminating an apprentice lineworker position.

BACKGROUND:

The 2015 budget included the addition of an Internal Compliance Officer position and offset the addition by reducing one electrical engineer position within the Engineering Division. As NERC standards were evolving, there was uncertainty about the amount of effort that would be required to meet their requirements. Currently, the Compliance Officer has both regulatory compliance and engineering duties on a daily basis.

During the process of analyzing the operations of the various work groups within Beaches Energy over the past several months, the need for an additional electrical engineer position has become apparent. The need has been created by the increase in the scope and volume of work required to comply with North American Reliability Corporation (NERC) Electric Reliability Standards. The increase in the effort to comply with NERC requirements is expected to continue to grow as current standards are modified and new standards are added.

The addition of an electrical engineer will allow the Engineering Division to become more efficient in serving our customers and will allow our Compliance Officer to focus strictly on NERC regulatory and compliance issues. In addition, Beaches Energy Services has a significant number of senior personnel who will be eligible to retire in the next 3 to 5 years. This position will help Beaches Energy Services meet its current customer needs and prepare it for successful workforce transition over the next several years.

RECOMMENDATION:

Approve a change in Beaches Energy Services' authorized positions by adding an electrical engineer position and eliminating an apprentice lineworker position.

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Memorandum

To: George D. Forbes, City Manager

From: Susan Erdelyi, City Attorney

Date: October 29, 2015

Re: Adopt Resolution 1955-2015 that Repeals Resolution 1864-2010 regarding certain temporary signs

Action Requested:

Adopt Resolution 1955-2015 that repeals Resolution No. 1864-2010 relating to certain temporary signs in the City of Jacksonville Beach.

Background:

In 2010, the City Council passed Resolution No. 1864-2010, entitled “**A RESOLUTION ESTABLISHING CONTENT AND VIEWPOINT NEUTRAL STANDARDS FOR THE PLACEMENT OF TEMPORARY BANNER SIGNS, TEMPORARY SPECIAL EVENTS SIGNS, AND TEMPORARY SEASONAL SIGNS; AND FOR WAYFINDING, DIRECTIONAL SIGNS, AND VERTICAL STREETLIGHT BANNERS WITHIN OR ADJACENT TO PUBLIC RIGHT OF WAYS WITHIN THE CITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**”

A recent U.S. Supreme Court Opinion in the case of *Reed v. Town of Gilbert, Ariz.*, (U.S. June 18, 2015), impacts the traditional regulation of temporary noncommercial signs in municipal codes across the country. The *Reed* case reached a decision that sign code provisions which separately categorize or classify temporary noncommercial signs, such as special event signs based upon the information conveyed, are now subject to strict scrutiny rather than intermediate scrutiny by the courts.

In response to this recent opinion, the City should repeal Resolution No. 1864-2010 and take action to revise or replace its sign code and related provisions to comport with the Supreme Court’s guidance in the *Reed* case and to ensure that its signage regulations will be interpreted as content neutral, except where a compelling government interest requires a content-based distinction.



Recommendation:

Adopt Resolution No. 1955-2015 that will repeal Resolution 1864-2010 regarding temporary signs, and related provisions to comport with the recent Supreme Court Opinion in *Reed*.

Introduced By: Council member _____

Adopted: _____

RESOLUTION NO. 1955-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, REPEALING RESOLUTION NUMBER 1864-2010; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Resolution No. 1864-2010, the City Council adopted a statement of policy related to certain temporary signs within the City of Jacksonville Beach.

WHEREAS, pursuant to the Supreme Court opinion in the case of *Reed v. Town of Gilbert, Ariz.*, — U.S. —, 135 S. Ct. 2218, 2221, 192 L. Ed. 2d 236 (2015), the traditional regulation of temporary noncommercial signs in municipal codes across the country was impacted in that any sign code provisions that separately categorized or classified temporary noncommercial signs, such as special event signs, based upon the information conveyed, are now subject to strict scrutiny rather than intermediate scrutiny by the courts.

WHEREAS, in response to this recent opinion, it is in the City's best interest to repeal Resolution No. 1864-2010 and to take action to revise or replace its sign code and related provisions to comport with the Supreme Court's guidance in the *Reed* case and to ensure that its signage regulations will be interpreted as content neutral except where a compelling government interest requires a content-based distinction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF JACKSONVILLE BEACH, FLORIDA, THAT:

SECTION 1. Recitals Adopted. The above recitals are confirmed and adopted.

SECTION 2. Repeal of Resolution. That Resolution 1864-2010 is repealed and shall be of no further force or effect.

SECTION 3. Implementation. That the City Manager is authorized to take all action

necessary to implement the purposes of this Resolution.

SECTION 4. Effective Date. This Resolution shall take effect immediately upon its passage.

DONE IN OPEN MEETING, THIS _____ DAY OF _____, 2015.

Charles Latham , MAYOR

Laurie Scott, CITY CLERK