

**Minutes of Regular City Council Meeting  
held Monday, March 21, 2016, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida.**



**OPENING CEREMONIES:**

Council Member Buck gave the invocation, 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                      Christine Hoffman (*absent*)  
Bruce Thomason                      Phil Vogelsang                      Jeanell Wilson

Also present were City Manager George Forbes and City Clerk Laurie Scott.

**APPROVAL OF MINUTES**

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

- City Council Workshop held on March 7, 2016
- Regular City Council Meeting held on March 7, 2016

**ANNOUNCEMENTS**

Council Member Wilson announced she and City Manager George Forbes attended the Florida Inland Navigation District (F.I.N.D.) Reception on Thursday, March 17, 2016.

Council Member Vogelsang stated the potential agreement between the City of Jacksonville Beach and the City of Jacksonville regarding fire service would not diminish the level of service and would be contractual. He will not support an agreement that diminishes the level of service. He is confident any agreement would address all concerns. He asked citizens to keep an open mind until a contract was negotiated and reviewed.

Council Member Doherty commented that Lynch's Irish Pub had the of honor of hosting a Cancer Relief Fundraiser for Kate Amato. The Jacksonville Women's and Men's Rugby Team raised \$2,500

for Team Kate. Lynch's Irish Pub also hosted their 21<sup>st</sup> St. Patrick's Day event and had 3,000 to 4,000 people in attendance.

Mayor Latham announced the end of the Florida Legislative session on Friday, March 11, 2016. He thanked Mayor Pro Tem Wilson for filling in during his absence while in Tallahassee attending the session. He also thanked the Atlantic Beach Experimental Theatre (ABET) for sponsoring a performance of their play, Tuna Does Vegas, for the Dial-a-Ride organization, on Saturday, March 19, 2016.

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

#### **Speaker(s):**

- Mr. Kurtis Loftus, 1948 Horn Street, Jacksonville Beach, spoke regarding Deck the Chairs Event. He is now the official director of the event. For the last three months, there has been strategic planning and budgeting for the six-week event. He stated he was grateful to the City of Jacksonville Beach for the services provided. He will be meeting with over 40 sponsors regarding the event.

### **MAYOR AND CITY COUNCIL**

#### **CITY CLERK:**

#### **CITY MANAGER:**

- (a) **Item #16-303, Accept the Monthly Financial Reports for the Month of February 2016**

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to accept the monthly financial reports for the month of February 2016, as submitted by the Chief Financial Officer.

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

- (b) **Item #16-313, Authorize the Project Development Agreement with *Johnson Controls, Inc.*, to Conduct an Investment Grade Audit of the City's Water Utility System and Develop a List of Potential Benefit Initiatives for the City to Consider for Implementation**

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to authorize the Mayor and City Manager to execute the Project Development Agreement with *Johnson Controls, Incorporated*, to perform an

investment grade audit of the City's water utility system and develop a list of potential benefit initiatives, as explained in the memorandum from the Public Works Director dated March 14, 2016.

Mr. Forbes explained the investment grade audit process is an opportunity for professional experts to look over the City's water infrastructure and facilities which includes a water meter replacement program, an automated water meter reading system, and an automated water main leak detection system. The City has never had a water meter replacement program.

The project will fund itself with energy, water, or wastewater cost savings over a maximum period of 20 years. The project timeline is 120 days; then the City would have 180 days to review the audit. Once an implementation contract is executed, Johnson Controls has one year to complete the project. If the City does not decide to go forward with the implementation project, then the total audit fee of \$247,900 is due to Johnson Controls.

Justin Newbern, an engineer with Johnson Controls, explained that this project is defined by Florida Statute 489.145, which provides for city, counties, municipalities, colleges, universities and school districts to develop projects that are self-funding via contractors that are preapproved on a state list. Although the City has continued to grow, there has been a 3.3% average annual decrease in monthly residential consumption since 2003. A portion of that is due to conservation, but another reason could be an inaccuracy in meter readings. The number of customers has grown by 9%. There is a 13% difference in the amount of water produced and what is being billed.

Mr. Newbern explained there were three key steps to this phase of the project which are analysis and development, implementation planning, and ongoing accountability planning.

Mr. Vogelsang questioned if the City had looked at agreements other cities had entered into. Mr. Forbes stated that he and Ty Edwards, Public Works Director, had both reviewed the agreement, and Mr. Edwards put the agreement together based on agreements other cities had implemented.

Mr. Thomason inquired if all of the meters would be replaced regardless of their age and function. Mr. Newbern explained that standardization is important and all of the residential meters should be the same style.

Mr. Thomason stated that due to the more correct readings of the new water meters, customers should be made aware of what has occurred. Mr. Forbes explained that Johnson Controls informed him that the increase would be 5% to 10% due to improved meter readings.

Mr. Doherty questioned if the water pressure could be improved and if the rates would increase due to this project. Mr. Newbern answered that the pressure is another scope of work that can be looked at later or be added to the contract. Mr. Newbern also explained that the rates would not increase as a part of this project.

**Note:** At 7:45 P.M., an unplanned computer shutdown occurred affecting the audio recording. Recording resumed after ten minutes.

Mr. Buck commented that to see savings within 20 years is important. Mr. Newbern stated the goal was to make the payback as best as possible. Their project range for payback is 10 to 20 years. The program is about water accountability and improved customer service.

Mayor Latham stated that tonight's vote was for approval of Phase B, the investment grade audit report. Once the report is submitted, there will be another City Council meeting to discuss Phase C of the project.

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

**(c) Item #16-308, Award Bid No. 1516-05 Beaches Energy 138kV Breaker Replacements to the Lowest Responsive Bidder, *J.L. Malone & Associates, LLC***

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to award Bid Number 1516-05, titled Beaches Energy 138kV Breaker Replacements to the lowest responsive bidder, *J.L. Malone & Associates, LLC*, as explained in the memorandum from the Director of Beaches Energy Services dated March 11, 2016.

Mr. Forbes explained the City has four (4) 138kV breakers at the Jacksonville Beach Substation that need to be replaced. These are oil circuit breakers, and the new ones are SF6 gas-filled breakers. Beaches Energy is in a major phase of upgrading the substations.

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

**(d) Item # 16-309, Award Bid No. 1516-06 Replacement of Load Tap Changers at Substations to the Lowest Responsible Bidder, *ABB, Inc.***

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to award Bid Number 1516-06, titled Replacement of Load Tap Changers at Substations to the lowest responsive bidder, *ABB, Inc.*, as explained in the memorandum from the Director of Beaches Energy Services dated March 11, 2016.

Mr. Forbes explained the City has 12 large substation transformers that have load tap changers. Load tap changers adjust the voltage based on weather conditions. The City needs to replace four (4) of the load tap changers at three (3) substations as part of substation maintenance.

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

**(e) Item #16-312, Award Bid No. 1516-03 Distribution Transformers to the Lowest Responsive Bidders**

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to award Bid Number 1516-03, titled Distribution Transformers to the lowest responsive bidders by line item as follows: line items 1 through 21 to *Central Maloney*; line items 22 through 24 and 26 to *Wesco Distribution*; and line items 25, 27 and 28 to *CG Power Systems*, as explained in the memorandum from the Director of Beaches Energy Services dated March 3, 2016.

Mr. Forbes explained these were the non-substation type transformers. There are 28 different types of transformers used by the City. The City would save about \$60,000 by awarding the lowest bidder of each different type of transformer.

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

**RESOLUTIONS:**

**(a) Item #16-307, RESOLUTION 1957-2016**

Mayor Latham requested that the City Clerk read Resolution No. 1957-2016, by title only, whereupon Ms. Scott read the following:

**A RESOLUTION AMENDING THE OPERATING BUDGET OF THE CITY**

**OF JACKSONVILLE BEACH, FLORIDA FOR THE FISCAL YEAR  
BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016**

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang to adopt Resolution 1957-2016 authorizing the mid-year budget adjustment.

Mr. Forbes stated that every year, the City makes two budget adjustments as additional revenues or expenses are approved by the Council. Everything in this adjustment has been approved except two items. One is \$20,000 for the Fire Department as a firefighter is going on maternity leave and this will pay for the difference for overtime. The second is \$9,237 for the Building Department to pay for a part-time employee to cover the staffing shortage in that department.

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

**ORDINANCES:**

**(a) Item # 16-310, ORDINANCE NO. 2016-8069 (First Reading) (PUBLIC HEARING)**

Mayor Latham requested that the City Clerk read Ordinance No. 2016-8069 (First Reading), 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. ZONING DISTRICTS, DIVISION 2, SECTION 34-340. RESIDENTIAL, MULTIPLE FAMILY: RM-2, PARAGRAPH (d) *CONDITIONAL USES* TO ADD "PRIVATE PARKS" TO SUBPARAGRAPH (26) PUBLIC PARKS, PLAYGROUNDS, AND RECREATIONAL FACILITIES; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES**

Mayor Latham opened the public hearing to give the audience a chance to address the ordinance. No one came forward, and Mayor Latham closed the public hearing.

**Motion:** It was moved by Ms. Wilson and seconded by Mr. Vogelsang, to adopt Ordinance No. 2016-8069, amending the Land Development Code to add

private parks as a listed conditional use in *Residential, multiple family: RM-2* zoning districts.

Mr. Forbes explained that if the Council approves this tonight, it will be just for the first reading and then in two weeks it will be back for a second reading. Ordinances require two readings. This ordinance adds private parks as a conditional use in Residential, multiple family: RM-2 zones. A resident wants to put in a sculpture park on private property across from the Oceanfront Park. The conditional use application would still have to go to a public hearing before the Planning Commission.

Mr. Vogelsang asked if private parks pay property taxes. Mr. Forbes answered that they do based on the value of the property.

Mr. Doherty asked if the City would have the right to approve the types of sculptures on display. Mr. Forbes said he did not believe the City would have the ability to disapprove the sculptures due to First Amendment rights.

Mr. Thomason stated he looked at the conditional use requirements and commented they were vague and open to wide interpretation. Mr. Thomason questioned if the City wants to get involved in First Amendment issues.

**Motion:** It was moved by Council Member Vogelsang and seconded by Mr. Buck, to table Ordinance 2016-8069 for two weeks. The motion carried unanimously.

Mayor Latham recognized students from Ms. Phillips' class and a group of Eagle Scout candidates attending the Council meeting.

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:22 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:

  
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William C. Latham, MAYOR

Date: 4/4/16