

**Minutes of Regular City Council Meeting  
held Monday, February 20, 2017, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida**



**OPENING CEREMONIES:**

Council Member Wilson 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 (*absent*) Keith Doherty Christine Hoffman  
Bruce Thomason Phil Vogelsang(*absent*) Jeanell Wilson

Also present were City Manager George Forbes, City Clerk Laurie Scott, and Staff Assistant Mandy Murnane.

**APPROVAL OF MINUTES**

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

- Council Briefing held February 6, 2017
- Regular City Council Meeting held February 6, 2017
- City Council Workshop held February 8, 2017

**ANNOUNCEMENTS**

**COURTESY OF THE FLOOR TO VISITORS**

**Speakers:**

- Dr. Barbara McCombs, 41 Tallwood Road, informed the City Council of the ongoing concern she has regarding excessive water usage charges and provided the council with a handout outlining the water usage history for her property. Dr. McCombs requested the Council review the prepared documents and consider a form of compensation, such as a reduced payment moving forward.
- Mr. Jim Sorrell, 1410 Pinewood Road, recounted the topic of outdoor seating discussed during the Planning Commission meeting on February 13, 2017. Mr. Sorrell expressed his concern about the proposal to allow outdoor seating under 200 square feet without going through the Planning Commission for approval and the recommendation of not

having parking requirements. Mr. Sorrell suggested the outdoor seating permits be handled on a case-by-case basis.

### **MAYOR AND CITY COUNCIL**

**(a) Item #17-026, Employee of the Quarter Presentation**

Mayor Latham read a letter of appreciation to Ms. Betsy Kirshbaum of the Fire Department and presented her with the Employee of the Quarter pin for the Third Quarter of 2016, as she was unable to attend the prior presentation date.

Mayor Latham read letters of appreciation for Chuck Saunders, Public Works, and Joshua Wilcher, Beaches Energy Services, and presented them with Employee of the Quarter pins for the Fourth Quarter of 2016.

### **CITY CLERK**

### **CITY MANAGER**

**(a) Item # 17-027, Accept the Monthly Financial Reports for the Month of January 2017.**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the financial reports for the month of January 2017, as submitted by the Chief Financial Officer.

Mayor Latham requested a roll call vote, as there was no discussion on the item.

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

**(b) Item # 17-028, Adopt Projects for Inclusion in the FY 2017- 2018 Community Development Block Grant (CDBG) Application to the City of Jacksonville.**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the Mayor and City Manager to submit a Community Development Block Grant application for the fiscal year 2017-2018 as recommended in the memorandum.

Mr. Forbes reviewed the details of the memorandum and indicated that the Federal grant monies would be allocated to fund programs for low to moderate income people. The Carver Center Recreation Program provides recreational activities as well as tutoring and mentoring to help provide young adults with the tools they need to succeed. Any monies awarded would be put towards the \$174,000 total operational cost, which includes funding for two (2) full-time employees and one (1) part-time tutor and a Police Officer through the Community Policing Program.

Additionally, Mr. Forbes stated the money needed in addition to the anticipated grant award of \$137,000.00 would be calculated in the budget for next fiscal year.

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

**(c) Item # 17-029, Authorize the City Manager to Sign an Access Agreement with EVgo Services LLC., for an Electric Vehicle Fast Charging Station.**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize the Mayor and City Manager to sign the Access Agreement with EVgo Services LLC.

Mr. Forbes summarized the Access Agreement with EVgo Services as a four-year contract to install a ‘fast-charge,’ electric vehicle charging station that would be located in the Latham Plaza parking lot.

- Beaches Energy Services will provide electric service to the charging station as well as carry insurance coverage for the station.
- EVgo Services LLC will install the charging station and then turn over ownership of the station to the City.
- EVgo Services LLC will also provide all preventive and corrective maintenance services for the four (4) year term of the contract. The only exclusion is the coupler.
- After the four (4) year term, the agreement will automatically renew for successive one (1)-year periods, unless terminated by either party upon at least thirty (30) days’ prior written notice.
- If the City terminates the agreement prior to the end of the four (4) year term, the City will be obligated to pay EVgo a portion of the total value of the charging station which is \$12,000. In addition, the charging station would be removed and become the property of EVgo.
- The charging station becomes the permanent property of Beaches Energy Services at the end of the four (4) year term.

To begin, Mr. Forbes introduced Mr. Jules Toraya as a representative of EVgo Services LLC and asked Mr. Toraya why the coupler is excluded from the Access Agreement.

Mr. Toraya replied by stating the responsibility of maintaining the coupler encourages the city to take ownership of the equipment, including vandalism prevention. Should the coupler fail, it costs a total of \$850 for parts and labor to replace; however, it is in the best interest of EVgo Services LLC to ensure it is in proper working condition.

Mr. Thomason asked for clarification of the relocation of the handicap spaces on the sides of the charging station. Mr. Forbes confirmed the handicap spaces would be relocated elsewhere in the parking lot.

Furthermore, Mr. Thomason requested confirmation the Access Agreement is in actuality a binding contract with EVgo Services LLC, to which Mr. Forbes confirmed that it was Binding Contract.

Mr. Thomason, Mr. Forbes, and Mr. Toraya discussed the definition of ‘failure’ as it pertains to both the potentially defective product provided by EVgo Services LLC and the product quality over the course of the contract.

Secondly, Mr. Thomason addressed the ownership of the equipment upon early termination, whereupon Mr. Toraya stated GoSpace LLC, an electrical contractor located in Florida, would assume ownership and GoSpace LLC, is not a subsidiary of EVgo Services. It was agreed upon to have each party involved sign the contract.

Mr. Doherty and Ms. Hoffman shared in their support of the progressive concept and also their concerns on the location for the charging station.

Ms. Wilson stated her support for the project and the chosen location because of the low impact it proposes on the businesses. Ms. Wilson asked who would maintain the charging station after the contract expires and what the estimated return value of the station is.

Mr. Forbes stated an independent contractor or the City of Jacksonville Beach would continue maintaining the equipment and that this is a pilot project starting with a single station and moving forward from there.

In order to proceed, the City Council has agreed upon the following contractual changes:

1. EVgo Services LLC must provide additional information defining equipment 'failure' as it applies to the City of Jacksonville Beach and the coupler.
2. The Notice to Proceed be part of the contract with all three parties, City of Jacksonville Beach, EVgo Services LLC, and GoSpace LLC.
3. The City of Jacksonville Beach will provide a minimum of twenty-four hours' notice of any event in which the charging station will be closed

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

## **RESOLUTIONS:**

### **(a) Item # 17-030, RESOLUTION NO. 1971-2017**

Mayor Latham requested that the City Clerk read Resolution No. 1971-2017, by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION REVISING ELECTRIC RATES FOR BEACHES ENERGY SERVICES.”**

**Motion:** It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution Number 1971-2017, amending the energy rate for Beaches Energy.

Mr. Forbes explained the two parts to the energy rates, the power piece and the operation and maintenance piece. An increase of \$1.00 per 1,000-kilowatt hours allows for capital improvements. To offset the increased electric rates, a decrease in the bulk power adjustment in the amount of \$2.00 per 1,000-kilowatt hours will be made. The net to the customer will be a reduction of \$1.00 per 1,000-kilowatt hours which would save the average customer another \$12- \$24 a year. This means Beaches Energy Services has reduced its electric rates by \$20.00 per 1000-kilowatt hours since March 2010. This

represents a savings of \$20 to \$40 per month per customer and much more for commercial customers depending on their usage.

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

**(b) Item # 17-031, RESOLUTION NUMBER 1972-2017**

Mayor Latham requested that the City Clerk read Resolution No. 1972-2017, by title only, whereupon Ms. Scott read the following:

**“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, SUPPORTING INITIATIVES IN FLORIDA TO LESSEN THE NEGATIVE IMPACT OF PLASTIC BAGS ON OUR ENVIRONMENT. (Requested by Council Member Hoffman)”**

**Motion:** It was moved by Ms. Hoffman and seconded by Ms. Wilson, to adopt Resolution Number 1972-2017, supporting initiatives in Florida to lessen the negative impact of plastic bags on our environment.

Mr. Forbes gave an overview of the Resolution by reciting the following three items:

1. The City of Jacksonville Beach is committed to the long-term goal of reducing plastic pollution to protect marine life.
2. The City supports initiatives to lessen the negative impact of single-use plastic bags, and supports the promotion of reusable shopping bags.
3. Encourages and supports the State Legislature to allow local municipalities in the State of Florida to regulate their own local communities in an effort to alleviate the harm caused by plastic shopping bags.

Mr. Forbes explained that currently in the State of Florida, municipalities are not allowed to regulate plastic bags. This resolution demonstrates the support effort to allow cities to choose their own destiny and if the City so chooses, regulate plastic bags.

Mayor Latham received three (3) speaker cards supporting the resolution from the following attendees:

- Lisa Blizzard, 9447 Bruntsfield Drive, Jacksonville
- Jessica Bontempo, 711 7<sup>th</sup> Avenue South, Jacksonville Beach
- Haley DiGano, 7632 Southside Boulevard, Apartment 251, Jacksonville

Ms. Wilson supports the decrease in plastic bags and other litter as they are harmful to the environment and would like to see additional ‘keep our beaches clean’ signage in the future.

Mayor Latham reaffirmed that the resolution was centered on the subject being a home rule issue. Mr. Thomason agreed with the Mayor but requested the record note his exception to remove the “single-use paper bags” language.

Ms. Hoffman showed her appreciation for the Council's consideration of the legislative support.

Mr. Doherty supports the Resolution and moving towards the way of the future.

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

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 8:12 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:



William C. Latham, MAYOR

Date: 3/6/17