

**Minutes of Regular City Council Meeting
Held Monday, December 18, 2006 at 7:00 P.M.
In the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



Call to Order

The meeting was called to order by Mayor Fland Sharp.

Opening Ceremony

Invocation was by Council member Knight; Salute to the Flag.

Roll Call

Mayor: Fland Sharp

Council members: Lee Buck Steve Hartkemeyer Rick Knight
Pete Mittleman Tom Taylor

Also present were City Manager George Forbes, and City Clerk Heidi Reagan.

City Attorney Stephen Stratford and Council member Penny Christian were absent.

Approval of Minutes

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, and passed, to approve the minutes of the Regular Council meeting held December 4, 2006, and the Special Council meeting held December 6, 2006, as presented.

Communications

None

Courtesy of the Floor to Visitors

Mayor Sharp extended Courtesy of the Floor to Visitors.

Speakers: Larry Buchanan, 1031 1st St., S. Unit #505 – Expressed concern that a certificate of occupancy was issued to Costa Verano Condominiums.

Gary Wetherhold, 922 S. 1st St. - Expressed concern that a certificate of occupancy was issued to Costa Verano Condominiums.

P.J. Wetherhold, 922 S. 1st St. - Expressed concern that a certificate of occupancy was issued to Costa Verano Condominiums.

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City Council “a”

Consideration of Proposed Stipulation for the Circuit Court Case of the Southern Waterview Development, Inc. vs. City of Jacksonville Beach

The Mayor requested if there were no objections that the agenda be amended by removing this item. There were no objections and the item was removed.

City Clerk “a”

Appointment to Codes Enforcement Board (2nd Alternate – term to expire 11/30/2009); and Board of Adjustment (Regular Member – term to expire 08/06/2008)

Motion: It was moved by Mr. Buck to appoint Josh Corey as a Second Alternate to the Codes Enforcement Board. Motion died for lack of a second.

Motion: It was moved by Mr. Hartkemeyer, seconded by Mr. Taylor to appoint Batey McGraw as a Second Alternate to the Codes Enforcement Board, term to expire November 30, 2009.

Roll call vote: Ayes – Buck, Hartkemeyer, Knight, Mittleman, Taylor and Mayor Sharp.

Motion carried unanimously.

Motion: It was moved by Mr. Hartkemeyer, seconded by Mr. Taylor to appoint Joseph Loretta to the regular position on the Board of Adjustment (*term to expire August 6, 2008*).

Discussion: Mayor Sharp asked if Mr. Loretta was the 1st alternate, to which Mr. Hartkemeyer replied that he is the 2nd alternate.

Charlie Sellers, 1901 First Street, N. – Stated that he is currently the 1st alternate on Board of Adjustment and that he would like to be considered for the regular position on the board.

Roll call vote: Hartkemeyer - yes, Knight - yes, Mittleman - yes, Taylor – yes, Buck –yes, and Mayor Sharp – no.

Motion carried by a vote of 5 to 1.

Motion: It was moved by Mr. Hartkemeyer, seconded by Mr. Taylor to appoint Josh Corey as 2nd alternate to the Board of Adjustment (*term to expire February 1, 2007*).

Roll call vote: Ayes – Knight, Mittleman, Taylor, Buck, Hartkemeyer and Mayor Sharp.

Motion carried unanimously.

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**City Manager “a”
Monthly Financial Reports – Month of November 2006**

Motion: It was moved by Mr. Knight, seconded by Mr. Taylor, and passed, to accept the Monthly Financial Reports for the month of November 2006.

**City Manager “b”
Dedication to the City and Acceptance for Maintenance of Public Infrastructure Improvements for the Boulevard Retail and Office Center**

Motion: It was moved by Mr. Knight, seconded by Mr. Taylor, to approve the dedication to the City and acceptance for maintenance of the public infrastructure improvements for the Boulevard Retail and Office Center. (*Development located southwest of the intersection of Beach Boulevard and South 15th Street*).

Roll call vote: Ayes – Mittleman, Taylor, Buck, Hartkemeyer, Knight and Mayor Sharp.

Motion carried unanimously.

**City Manager “c”
Approval of Kings Oaks Subdivision Final Plat**

This item was removed from the agenda at the request of the City Manager.

**City Manager “d”
Approval of Energy Efficiency Program for Beaches Energy Services**

Motion: It was moved by Mr. Knight, seconded by Mr. Taylor, to authorize the City Manager to approve Phase One of Beaches Energy Services Energy Efficiency Program as stated in the memo from Don Ouchley to George Forbes, dated December 7, 2006.

Discussion: Mr. Forbes explained that this is an energy conservation program and stated that the Department of Energy has determined that if everyone would replace just one incandescent bulb with a Compact Fluorescent Lamp (CFL) it would create a significant savings in energy consumption. To encourage customers to begin to use fluorescent bulbs, approval of this program would allow Beaches Energy Services to offer one free CFL to all residential customers and a package of CFL’s to many commercial customers.

Roll call vote: Ayes – Taylor, Buck, Hartkemeyer, Knight, Mittleman and Mayor Sharp.

Motion carried unanimously.

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City Manager “e”

Approval of Penman Road Conceptual Design to Glatting Jackson

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, for approval of the Penman Road conceptual design to *Glatting Jackson*.

Clarification of motion: Mr. Forbes confirmed with Mr. Knight that his motion also included authorizing the hiring of *Glatting Jackson* to perform a conceptual right-of-way design for Penman Road at a cost not to exceed \$19,500. (*Cost of project is \$18,000 plus other direct costs such as mileage, photography, and reprographics; funding would be from the General Fund unallocated*)

Mr. Knight confirmed that this authorization is included in his motion.

Discussion: Mr. Forbes explained that the City is on working many road improvement projects such as improvements to A1A - which are scheduled for 2008, the award of the Penman Road alignment project - which is on tonight’s agenda for Council consideration, South Penman Road - which has already been re-built, and 9th Street. Mr. Forbes further explained that Penman Road north of Beach Boulevard is a county road, not a city road. Since the County has asked what improvements the city would like, it is proposed that Council approve hiring an urban design team to work with the city and the citizens to come up with a design plan for Penman Road that would improve aesthetics and traffic flow without widening the road.

Roll call vote: Ayes – Buck, Hartkemeyer, Knight, Mittleman, Taylor and Mayor Sharp.

Motion carried unanimously.

City Manager “f”

Recommendation on Awarding RFPs:

RFP #14-0506 – Golf Cart Lease

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, to award RFP #14-0506 to *E-Z-Go Textron* for 70 electric carts and 13 gas work carts for two successive 3-year leases with an option to renew for 3-additional years at the end of year six; in compliance with a memo from Boots Farley titled “Golf Cart Lease” dated December 5, 2006, and to authorize the City Manager to execute the contract documents. (*Cost of \$61.83 per cart per month; total of \$51,937.20 per year for the fleet of carts*)

Discussion: Mr. Forbes explained this is just for golf carts for the golf course.

Roll call vote: Ayes – Hartkemeyer, Knight, Mittleman, Taylor, Buck and Mayor Sharp.

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Motion carried unanimously.

City Manager “g”

Recommendation on Awarding Bid No. 0607-3 – Penman Road Alignment Project

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, to approve the unit price bid award for Bid Number 0607-3, Penman Road Alignment Project, to R & B Contracting, Inc., at a cost, based on estimated quantities, of \$1,468,340.25 plus a 10% contingency for a total cost not to exceed \$1,615,174.28 and approve funding of construction administration for this project with the design firm, Waitz & Moye Engineers, for the price of \$61,092.10 plus a 10% contingency, for a total cost not to exceed \$67,201.31.

Discussion: Mr. Forbes explained that we have \$1.5 million in financing coming from JTA for this project. Mr. Forbes stated that this will align Penman Road and provide a longer turn lane for vehicles turning north on Penman Road from Beach Boulevard. This will alleviate a traffic problem that has been an issue for many years.

Roll call vote: Ayes – Mittleman, Taylor, Buck, Hartkemeyer, Knight and Mayor Sharp.

Motion carried unanimously.

City Manager “f”

Recommendation on Awarding RFPs (Con’t):

RFP #16-0506 – Professional Services for Infrastructure Improvements Program for Redevelopment Districts

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, to award RFP #16-0506 for Engineering Services for the Redevelopment Districts to *GAI Consultants, Inc.*, and authorize the Mayor and City Manager to execute the contract. *(Initial Phase: Preliminary Study for the Downtown Redevelopment Area at a cost of \$209,700 plus a 10% contingency, for a total cost not to exceed \$230,670)*

Discussion: Mr. Forbes confirmed with Mr. Lindorff that the Redevelopment Agency approved this for financing. The program is to prepare recommendations on infrastructure improvements beginning with the Downtown Redevelopment Area. Mr. Forbes stated that this program will coordinate well with the downtown visioning project scheduled for next year.

Roll call vote: Ayes – Knight, Mittleman, Taylor, Buck, Hartkemeyer and Mayor Sharp.

Motion carried unanimously.

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RFP #17-0506 – Design of Wastewater Treatment Plan Modification for TMDL-Related Treatment Process Upgrades

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, to authorize award of RFP #17-0506 to *Waitz and Moye, Inc.*, for the Design of Wastewater Treatment Plant Modifications as described in the memorandum dated December 13, 2006, from Ty Edwards, Public Works Director; and authorize the Mayor and City Manager to execute the contracts. *(Cost of \$1,229,854 plus a 10% contingency, for a total cost not to exceed \$1,352,839.40; establish a budget of \$100,000 for an additional consultant to aid the city, the cost will be over and above the design fee and will be paid through the design firm, for a total project design budget of \$1,452,830.40.)*

Discussion: Mayor Sharp stated that he has asked Mr. Forbes to provide him with an analysis of this project in relation to all three beaches cities to see if we can combine our efforts in any way on this project.

Roll call vote: Ayes – Taylor, Buck, Hartkemeyer, Knight, Mittleman and Mayor Sharp

Motion carried unanimously.

RESOLUTIONS

Resolution No. 1752-2006 – PUBLIC HEARING

Mayor Sharp requested that the City Clerk read Resolution No. 1752-2006, by title only; whereupon Ms. Reagan read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA TENTATIVELY ADOPTING AN AMENDED POTABLE WATER SUBELEMENT OF THE JACKSONVILLE BEACH 2010 COMPREHENSIVE PLAN, AND AUTHORIZING TRANSMITTAL OF SAID AMENDMENT TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS.”

Motion: It was moved by Mr. Knight, seconded by Mr. Buck, to adopt Resolution No. 1752-2006, as read by title.

The Mayor opened the Public Hearing.

There being no one wishing to speak, the Mayor closed the Public Hearing.

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Discussion: Bill Mann, Senior Planner advised that as with all Comprehensive Plan amendments we are required to complete a form and make it available to any citizen who wishes to receive information concerning the date of publication of the notice of intent by the Department of Community Affairs. We have submitted our proposed change to the Department for their review, and they are required to publish in the paper a notice of intent as to whether they will find it in compliance or not. If any citizen wants to be individually notified by mail of the Department's intent, the citizen only needs to sign the form and mail it in. He stated that the forms are at the Planning and Development front counter.

Roll call vote: Ayes – Buck, Hartkemeyer, Knight, Mittleman, Taylor and Mayor Sharp

Motion carried unanimously.

ORDINANCES

Ordinance No. 2006-7931 – SECOND READING

Mayor Sharp requested that the City Clerk read Ordinance No. 2006-7931, on its second reading, by title only; whereupon Ms. Reagan 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 DIVISION 4. REVIEW FOR ADEQUATE PUBLIC FACILITIES OF ARTICLE X. ADEQUATE PUBLIC FACILITIES STANDARDS TO ADD A NEW SECTION 34-565, PROPORTIONATE FAIR SHARE PROGRAM, AND TO RENUMBER SUBSEQUENT SECTIONS WITHIN DIVISION 4; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.”

Motion: It was moved by Mr. Knight, seconded by Mr. Buck to adopt Ordinance No. 2006-7931,(as read by title, on its second reading), finding it consistent with Chapter 163, F.S., the 2010 Comprehensive Plan, and with the balance of the Land Development Code.

Roll call vote: Ayes – Hartkemeyer, Knight, Mittleman, Taylor, Buck and Mayor Sharp

Motion carried unanimously.

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Adjournment

There being no further business coming before the Council, Mayor Sharp adjourned the meeting at 7:31 pm.

Submitted by: Heidi Reagan, City Clerk

Approval:

/s/Fland Sharp
Mayor

January 16, 2006
Date