

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

Council Member Janson provided the invocation, followed by the Pledge of Allegiance.

CALL TO ORDER:

Mayor Hoffman called the meeting to order at 6:00 P.M.

ROLL CALL:

Mayor: Christine Hoffman

Council Members:	Sandy Golding	Bill Horn	Dan Janson
	Fernando Meza	Cory Nichols	Greg Sutton

Also present were: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Director of Public Works Dennis Barron, Community Redevelopment Agency (CRA) Coordinator Taylor Mobbs, Beaches Energy Substation Supervisor Jamison Parker, Beaches Energy Construction & Maintenance Supervisor Wayne Hughes, Beaches Energy Electrical Engineering Project Supervisor Matthew Seeley, Senior Planner Christian Popoli, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

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

- Special City Council Public Hearing held on June 20, 2023
- Regular City Council Meeting held on June 20, 2023

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the minutes of the Council Briefing held on July 10, 2023.

Motion: It was moved by Ms. Golding, seconded by Mr. Horn, to amend the July 10, 2023, minutes to incorporate an action item to include the City Manager in receipt of the emails that are sent to all City Council.

Voice Vote: In a voice vote, the motion to amend passed unanimously.

Voice Vote: In a voice vote, the amended motion passed unanimously.

APPROVAL OF THE AGENDA

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the agenda.

ANNOUNCEMENTS:

Council Member Golding thanked Police Chief Gene Paul Smith for speaking at the Beaches Watch Annual Police Panel. She announced the Citizens Police Academy would begin on August 24, 2023. She mentioned the joint City Council and CRA meeting would be held on July 24, 2023. She noted the budget showcase would be held on July 28 and workshops on July 31, August 1, and August 7, 2023. She announced the Penman Road Community Meeting on August 16, 2023. Ms. Golding mentioned receiving a phone call from Senator Yarborough regarding Senate Bill (SB) 718 and noted he said the bill would prevent any future changes to the height limit. A Beaches Watch Town Hall would be held on August 2, 2023, with Jacksonville City Council

President Ron Salem and all other At-Large Jacksonville Council Members. She wished Happy Birthday to City Manager Mike Staffopoulos.

Mr. Staffopoulos mentioned the City was recently contacted by two different Florida Department of Transportation (FDOT) representatives regarding investigating semi-truck parking on A1A.

Council Member Horn noted the annual Volunteer Life Saving Corps (VLSC) Marathon Swim would be held on July 29, 2023.

COURTESY OF THE FLOOR TO VISITORS:

- Roger Whiting, 1103 2nd Avenue North, Jacksonville Beach, spoke about murals and the pier parking lot.
- Brittany Norris, Director of Intergovernmental Affairs for City of Jacksonville (COJ), spoke about COJ collaborating with the Beach cities and the City of Baldwin.
- Barbara Bauer, 604 13th Avenue South, Jacksonville Beach, spoke about the recent Latham Plaza redesign workshops and the July 12, 2023, CRA Workshop and Special Meeting.

CONSENT AGENDA:

- Item A Accept the Monthly Financial Reports for the month of June 2023**
- Item B Award RFP No. 01-2223 to Robin Shepherd Studios, Inc., d/b/a Shepherd for Marketing Services for Beaches Energy Services and authorize the Mayor and City Manager to execute the Contract Agreement**
- Item C Approve a five-year Lease Agreement with the Sulzbacher Center with an option to renew the lease agreement for five additional three-year terms, for a maximum lease period of no more than 20 years**
- Item D Approve a Memorandum of Agreement with North Florida Utility Coordinating Group Members for a period of three years and authorize the City Manager to execute the Agreement**
- Motion:** It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Consent Agenda.

Voice Vote: In a voice vote, the motion passed unanimously.

MAYOR AND CITY COUNCIL: *None*

CITY CLERK: *None*

CITY MANAGER:

- Item A 1. Award/Reject Bid No. 2223-06 to Petticoat-Schmitt Civil Contractors, Inc., for the construction of Phase IIIC-Project 4 & 5 Infrastructure Improvements for an amount not to exceed \$27,356,084**
- 2. Award/Reject Contract Administration and Construction Engineering Inspection Services to GAI Consultants, Inc., for an amount not to exceed \$1,309,970**

3. Approve/Disapprove a per day early completion incentive up to 150 days for an amount not to exceed \$975,000 in total

Director of Public Works Dennis Barron provided background on the items.

Public Hearing:

The following spoke in opposition of the item:

- Sarah Bryan, 403 12th Avenue South, Jacksonville Beach

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award Bid No. 2223-06 to Petticoat-Schmitt Civil Contractors, Inc., for the construction of Phase IIIC-Project 4 & 5 Infrastructure Improvements for an amount not to exceed \$27,356,084.

Discussion:

A discussion ensued about Ms. Bryan's concerns, the bid process, contractor accountability, incentive, project costs, project communications, liquidated damages, and resident notification.

GAI Project Manager and Engineer Matt Bolyard spoke about the schedule, plans to ensure safety, and addressed Ms. Bryan's concerns.

Discussion continued about project communications, project website, citizen complaints, blueprints, quality control, and the number of daily Project Administrator/Senior Roadway Inspector hours.

Roll Call Vote: Ayes – Golding, Horn, Janson, Meza, Nichols, Sutton, Mayor Hoffman
The motion passed unanimously.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award Contract Administration and Construction Engineering Inspection Services to GAI Consultants, Inc., for an amount not to exceed \$1,309,970.

Discussion:

Council Member Nichols recognized the City's funding toward the Construction Engineering Inspection (CEI).

Roll Call Vote: Ayes – Horn, Janson, Meza, Nichols, Sutton, Golding, Mayor Hoffman
The motion passed unanimously.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve a per day early completion incentive up to 150 days for an amount not to exceed \$975,000 in total.

Discussion:

A discussion ensued about the daily incentive rate.

Roll Call Vote: Ayes – Janson, Meza, Nichols, Sutton, Golding, Horn, Mayor Hoffman
The motion passed unanimously.

Item B **Approve/Disapprove the purchase and installation of a mural on the back side of the Seawalk Pavilion by Ernesto Maranje for an amount not to exceed \$50,000.**

CRA Coordinator Taylor Mobbs provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the purchase and installation of a mural on the back side of the Seawalk Pavilion by Ernesto Maranje for an amount not to exceed \$50,000.

Discussion:

A discussion ensued about visibility of the mural in the alleyway, scaling the design, and the selection process.

Roll Call Vote: Ayes – Meza, Nichols, Sutton, Golding, Horn, Janson, Mayor Hoffman
The motion passed unanimously.

Item C **Award/Reject Bid No. 2223-02 for Lawn Care and Landscape Maintenance for Beaches Energy Services to Refined Land Inc. (primary), Arazoza Brothers Corp. (secondary), and Trimac (tertiary).**

Beaches Energy Substation Supervisor Jamison Parker provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award Bid No. 2223-02 for Lawn Care and Landscape Maintenance for Beaches Energy Services to Refined Land Inc. (primary), Arazoza Brothers Corp. (secondary), and Trimac (tertiary).

Discussion: *None*

Roll Call Vote: Ayes – Nichols, Sutton, Golding, Horn, Janson, Meza, Mayor Hoffman
The motion passed unanimously.

Item D **Approve/Disapprove the purchase of a 45-foot bucket truck from Ring Power in an amount not to exceed \$185,258**

Beaches Energy Construction & Maintenance Supervisor Wayne Hughes provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the purchase of a 45-foot bucket truck from Ring Power in an amount not to exceed \$185,258.

Discussion:

A discussion ensued about the fire investigation and the bucket truck.

Roll Call Vote: Ayes – Sutton, Golding, Horn, Janson, Meza, Nichols, Mayor Hoffman
The motion passed unanimously.

Item E **Award/Reject RFQ No. 02-2223 to Tietjen Technologies for Fiber Optic and Network Drop Services and authorize the Mayor and City Manager to execute the final contract**

Beaches Energy Electrical Engineering Project Supervisor Matthew Seeley explained this item was the next step in preparing the fiber network system for a foundation to connect with technology. Mr. Seeley stated due to a specific requirement for someone knowledgeable in fiber but also electrically certified, there was only one qualified respondent.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award RFQ No. 02-2223 to Tietjen Technologies for Fiber Optic and Network Drop Services and authorize the Mayor and City Manager to execute the final contract.

Discussion: *None*

Roll Call Vote: Ayes – Golding, Horn, Janson, Meza, Nichols, Sutton, Mayor Hoffman
The motion passed unanimously.

RESOLUTIONS: *None*

ORDINANCES:

**Item A Adopt/Deny Ordinance No. 2023-8199 on the second reading for the BEAM
Planned Unit Development: PUD Rezoning Application**

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8199 by title only, whereupon Ms. Gosselin read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING A PLANNED UNIT DEVELOPMENT: PUD ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.”

Mayor Hoffman read the following: “This ordinance for the rezoning of property is before this Council for a public hearing and consideration on its second reading.

Under the laws of the State of Florida, an application for the rezoning of a specific property or development site is handled as a ‘quasi-judicial’ proceeding.

A quasi-judicial proceeding means that the City Council 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 rezoning 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's recommendations on this rezoning request.

I will now open the public hearing on Ordinance No. 2023-8199."

Public Hearing:

Senior Planner Christian Popoli provided background on the item.

The Agent for the applicant, Hunter Faulkner, 1 Independent Drive, Jacksonville, stated they stood by the staff report and were available for questions.

No one from the public came forward to speak. Mayor Hoffman closed the public hearing.

Mayor Hoffman read the following:

"Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record whether the member has had any ex-parte communications on the matter, and if so, disclose both the names of persons and the substance of the 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. Written ex-parte communications, whether sent to one member or all members, do not have to be disclosed on the record, but must be made a part of the record by sending/forwarding them to the City Clerk."

Ex Parte Communications: Ms. Golding disclosed she spoke with Mr. Faulkner and Ms. [Lori] Richards about the ordinance language. No additional City Council members had ex-parte communications.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2023-8199 on the second reading for the BEAM Planned Unit Development: PUD Rezoning Application.

Mayor Hoffman read the following: "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:

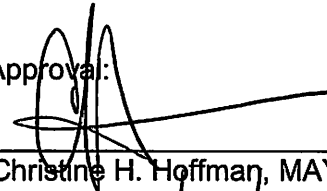
A discussion ensued about the definition and language of the use of the property.

Roll Call Vote: Ayes – Horn, Janson, Meza, Nichols, Sutton, Golding, Mayor Hoffman
The motion passed unanimously.

ADJOURNMENT:

There being no further business, in a vote voice, the meeting adjourned at 7:22 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval: 

Christine H. Hoffman, MAYOR

Date: 8/7/23