

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 (absent)	Dan Janson
	Fernando Meza	Cory Nichols	Greg Sutton

Also present were: City Manager Mike Staffopoulos, Director of Public Works Dennis Barron, Public Safety Communications Manager Erin Citrullo, Director of Planning and Development Heather Ireland, Interim Legal Counsel Cliff Shepard, 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:

- Regular City Council Meeting held on November 20, 2023

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 provided an update from the Florida League of Cities Legislative Conference Municipal Administration Policy Committee, noting the 2024 priority was Public Safety recruitment and retention. The Committee's Policy Statement was vacation rentals. She mentioned a vacation rental bill, Senate Bill (SB) 280, was filed for the 2024 legislative session. Ms. Golding said she attended the Moonlight Movie at Deck the Chairs and encouraged others to attend Tuba Christmas on December 9, 2023. She noted the Urban Trails Community Meeting would be held on December 13, 2023, at the Parks and Recreation Community Center.

Council Member Janson also provided an update from the Florida League of Cities Legislative Conference Land Use & Economic Development Committee, where the priority was impact fees. He would still work on Sovereign Immunity policies.

Council Member Meza summarized the Florida League of Cities Legislative Conference Finance, Taxation & Personnel Committee priority was the Enterprise Fund Transfer.

Mayor Hoffman attended the ribbon cutting of the new MRI Suite at Baptist Beaches Hospital. She stated the Jacksonville Beach Police Department was participating in the No More Empty Stockings Program, collecting holiday items for local children.

Ms. Golding stated the Police Department would host a Christmas Party on December 10, 2023.

COURTESY OF THE FLOOR TO VISITORS:

- Jacob Crenshaw, 1212 Fantasy Drive, Atlantic Beach, spoke about a property eviction.

CONSENT AGENDA: None

MAYOR AND CITY COUNCIL: None

CITY CLERK: None

CITY MANAGER/NEW BUSINESS:

Item A **Accept/Reject an Agreement with Greenway Bridge, LLC for Additional Walkover Funding for Change Order and Contingency for an amount not to exceed \$321,701**

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

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to accept an Agreement with Greenway Bridge, LLC for Additional Walkover Funding for Change Order and Contingency for an amount not to exceed \$321,701.

Discussion: None

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

Item B **Approve the Interlocal Agreement with St. Johns County Fire Rescue for radio system use**

Public Safety Communications Manager Erin Citrullo explained the item would allow Beaches Energy radio users to use the St. Johns County radio system network.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Interlocal Agreement with St. Johns County Fire Rescue for radio system use.

Discussion: None

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

RESOLUTIONS:

Item A **Adopt/Deny Resolution No. 2161-2023 adopting a Live Local Act Policy**

Director of Planning and Development Heather Ireland provided background on the item.

Mayor Hoffman requested the City Clerk read Resolution No. 2161-2023 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ADOPTING A LIVE LOCAL ACT POLICY; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2161-2023 adopting a Live Local Act Policy.

Discussion: A discussion ensued about affordable housing, multi-family in single-family areas, House Bill (HB) 1339, unintended consequences, and tax exemptions. Ms. Golding stated for the record she was not comfortable with allowing multi-family in single-family areas.

Roll Call Vote: Ayes – Meza, Nichols, Golding, and Mayor Hoffman
Nays – Sutton, Janson

The motion passed 4-2.

Item B **Adopt/Deny Resolution No. 2162-2023 to tentatively approve and transmit to the State for review a Comprehensive Plan Text Amendment to add a Marina Mixed Use Future Land Use Category to the Adopted 2030 Comprehensive Plan**

Ms. Ireland provided background on the item.

Mayor Hoffman requested the City Clerk read Resolution No. 2162-2023 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TENTATIVELY APPROVING AMENDMENTS TO THE JACKSONVILLE BEACH ADOPTED 2030 COMPREHENSIVE PLAN FOR THE PURPOSE OF ADDING A NEW FUTURE LAND USE, MARINA MIXED-USE TO THE FUTURE LAND USE ELEMENT; AUTHORIZING TRANSMITTAL OF SAID AMENDED ELEMENT TO THE FLORIDA DEPARTMENT OF COMMERCE, DIVISION OF COMMUNITY PLANNING; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Public Hearing:

The following spoke in support of the resolution:

- T.R. Hainline, representative for Windward Marine, 1301 Riverplace Boulevard, Jacksonville

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2162-2023 to tentatively approve and transmit to the State for review a Comprehensive Plan Text Amendment to add a Marina Mixed Use Future Land Use Category to the Adopted 2030 Comprehensive Plan.

Discussion: A discussion ensued about examples of mixed-use districts from other cities, and the conservation area.

Roll Call Vote: Ayes – Nichols, Sutton, Golding, Janson, Meza, and Mayor Hoffman

The motion passed unanimously.

ORDINANCES:

Item A Adopt/Deny Ordinance No. 2023-8206 on the second reading amending Ordinance No. 6950 to provide for two alternate Community Redevelopment Agency members

Ms. Ireland provided background on the item.

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8206 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING ORDINANCE NO. 6950 ESTABLISHING A COMMUNITY REDEVELOPMENT AGENCY TO PROVIDE FOR TWO ALTERNATE MEMBERS; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE."

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

I will now open the public hearing on Ordinance No. 2023-8206."

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2023-8206 on the second reading amending Ordinance No. 6950 to provide for two alternate Community Redevelopment Agency members.

Discussion: A discussion ensued about the term start date.

Motion to Amend: It was moved by Ms. Golding, seconded by Mr. Sutton, to amend the by-laws to have the start date begin on January 1, 2024.

Discussion: None

Motion to Amend Roll Call Vote: Ayes – Sutton, Golding, Janson, Meza, Nichols, and Mayor Hoffman

The motion to amend passed unanimously.

Discussion: None

Amended Motion Roll Call Vote: Ayes – Golding, Janson, Meza, Nichols, Sutton, and Mayor Hoffman

The amended motion passed unanimously.

Item B Approve/Disapprove Ordinance No. 2023-8207 on the first reading amending Chapter 6 "Beaches and Bulkheads", Article III "Use of Atlantic Ocean

Beach", Section 6-57 "Enforcement; citation form; hearing; penalties", and schedule a second reading for December 18, 2023

City Manager Mike Staffopoulos provided background on the item.

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8207 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 6 "BEACHES AND BULKHEADS," ARTICLE III "USE OF ATLANTIC OCEAN BEACH," SECTION 6-57 "ENFORCEMENT; CITATION FORM; HEARING; PENALTIES," TO INCREASE PENALTIES FOR VIOLATING CHAPTER 6; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, SCRIVENER'S ERRORS, CODIFICATION, AND AN EFFECTIVE DATE."

Mayor Hoffman read the following: "This ordinance is before this Council for a public hearing and consideration on its first reading.

I will now open the public hearing on Ordinance No. 2023-8207."

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve Ordinance No. 2023-8207 on the first reading amending Chapter 6 "Beaches and Bulkheads", Article III "Use of Atlantic Ocean Beach", Section 6-57 "Enforcement; citation form; hearing; penalties", and schedule a second reading for December 18, 2023.

Discussion: A discussion ensued about the beach violations and pier violations, Special Magistrate discretion, the amount of the fine, and tabling the item.

Motion: It was moved by Mr. Sutton, seconded by Mr. Meza, to withdraw the item.

Discussion: A discussion ensued about withdrawing, tabling, or continuing the item.

Roll Call Vote: Nays – Janson, Meza, Nichols, Sutton, Golding, and Mayor Hoffman

The motion failed.

Motion: It was moved by Mr. Meza, seconded by Mr. Sutton, to table the item.

Discussion: None

Roll Call Vote: Ayes – Meza, Nichols, Sutton, Golding, Janson, and Mayor Hoffman

The motion passed unanimously.

Item C **Approve/Disapprove Ordinance No. 2023-8203 on the first reading for a Small Scale Future Land Use Amendment for properties owned by Windward Marina, and schedule a second reading for a date to be determined**

Ms. Ireland provided background on the item and noted staff requested a continuance.

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8203 by title only, whereupon Ms. Gosselin read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING THE 2030 COMPREHENSIVE PLAN FUTURE LAND USE MAP, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATIONS ON APPROXIMATELY 31.78 ACRES OF LAND LOCATED NORTH OF BEACH BOULEVARD BETWEEN NINETEENTH STREET NORTH AND THE INTRACOASTAL WATERWAY, FROM COMMUNITY COMMERCIAL (CC), RECREATION OPEN SPACE (ROS), CONSERVATION (CON) AND LOW DENSITY RESIDENTIAL (LDR) TO MARINA MIXED-USE (MMU), RECREATION OPEN SPACE (ROS) AND CONSERVATION (CON); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.”

Mayor Hoffman read the following: “This ordinance for the amendment to the text of the 2030 Comprehensive Plan is before this Council for a public hearing and adoption on its first reading.

Under the laws of the State of Florida, an ordinance which changes the text of any Element of the City’s 2030 Comprehensive Plan is a ‘quasi-legislative’ proceeding.

A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity. It is the duty of the Council to arrive at sound decisions regarding proposed changes to the text of the adopted 2030 Comprehensive Plan. This includes receiving citizen input regarding any proposed text change.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the City’s 2030 Comprehensive Plan. The Council’s decision on a Comprehensive plan amendment application is based on the criteria set forth in Section 34-182 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

I will now open the public hearing on Ordinance No. 2023-8203.”

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to continue the first reading and public hearing for Ordinance No. 2023-8203 until December 18, 2023.

Discussion: None

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

Item D **Approve/Disapprove Ordinance No. 2023-8204 on the first reading to Rezone property owned by Windward Marina and schedule a second reading for a date to be determined**

Ms. Ireland provided background on the item and noted staff requested a continuance.

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8204 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 first 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. 2023-8204."

Public Hearing: No one came forward to speak. Ms. Ireland stated staff was requesting to continue Item D as it contingent on Item C. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to continue the first reading and public hearing for Ordinance No. 2023-8204 until December 18, 2023.

Discussion: None

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

ADJOURNMENT:

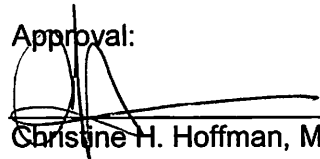
Motion: It was moved by Ms. Golding, seconded by Mr. Nichols, to adjourn.

Voice Vote: Ayes: Golding, Janson, Meza, Nichols, Sutton, Mayor Hoffman
The motion passed unanimously.

There being no further business, the meeting adjourned at 7:04 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:


Christine H. Hoffman, MAYOR

Date: 12/18/23