Minutes of Regular City Council Meeting held Monday, December 18, 2023, at 6:00 P.M. in the Council Chambers, 11 North 3rd Street, Jacksonville Beach, Florida

JAX EST. 1907 BEACH

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, Director of Public Works Dennis Barron, Director of Planning and Development Heather Ireland, Public Safety Communications Manager Erin Citrullo, Events Coordinator Alyson Riley, 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 December 4, 2023
- Council Briefing held on December 11, 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 attended Tuba Christmas on December 9th, 2023 and thanked Deck the Chairs staff for their work. She also thanked City staff and citizens who attended the Urban Trails community meeting [December 14, 2023]. She recognized Farm Share, who hosted a recent Christmas food giveaway. Ms. Golding announced Senate Bill [SB] 280 (vacation rental legislation) was heard by the Senate Regulated Industries Committee and passed. The Senate Fiscal Policy Committee would hear the bill next on January 11, 2024. She encouraged residents to share their concerns about vacation rentals with representatives. Ms. Golding stated Beaches Watch would host the 2024 State of the Beaches on January 10, 2024, and would include all three beaches mayors.

Council Member Janson mentioned the dance recitals held at Deck the Chairs. He explained the Decker Backmann Act legislation, which focused on cold cases.

Mayor Hoffman announced the completion of three Zoom interviews with City Attorney candidates. Interim Legal Counsel Cliff Shepard provided direction on options for the next steps.

COURTESY OF THE FLOOR TO VISITORS:

- Amanda Napolitano, 1018 Buddy Crout Lane, Neptune Beach, Executive Director of the Donna Foundation, spoke about the 2024 Donna Marathon Weekend

- The following spoke about the Urban Trails Project
    - Michele Matisoo, 139 37th Avenue South, Jacksonville Beach
    - Peter Matisoo, 139 37th Avenue South, Jacksonville Beach
    - Ken Marsh, 2011 Gail Avenue, Jacksonville Beach
    - Debbie Harris, 1133 Penman Road, Jacksonville Beach
    - Susan Hartman, 193 Saint George Court, Jacksonville Beach

Mayor Hoffman provided additional comments on the Urban Trails Project.

<u>CONSENT AGENDA</u>:

Item A **Accept the Monthly Financial Reports for the month of November 2023**

Item B **Adopt Resolution No. 2163-2023 adopting fee schedules for use of City parks and recreational facilities**

Item C **Adopt Resolution No. 2164-2023 amending golf course rates, charges, and fees**

Item D **Adopt Resolution No. 2165-2023 adopting the revised Special Event Policy**

Item E **Approve the 2024 calendar of City-produced Special Events**

Item F **Approve the indirect transfer of the Commercial Lease Agreement with Franklin Electric Service, Inc., for property in the Industrial Park**

Item G **Approve reclassification of the Construction Coordinator position to full-time and reclassification of one Mechanic position to Lead Mechanic**

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Consent Agenda.

Mayor Hoffman requested to pull Item E from the Consent Agenda.

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

Item E **Approve the 2024 calendar of City-produced Special Events**

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the 2024 calendar of City-produced Special Events.

Alyson Riley, Events Coordinator, provided background on the item.

Discussion: A discussion ensued about the Country Music Festival.

Motion to Amend: It was moved by Ms. Golding to remove the Country Music Festival from the calendar until more information is provided at the January 8, 2024 Council Briefing.

The motion to amend died due to lack of second.

Discussion: A discussion ensued about special events.

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

The motion passed unanimously.

MAYOR AND CITY COUNCIL: None

CITY CLERK: None

CITY MANAGER/NEW BUSINESS:

Item A **Approve/Disapprove an Agreement between the City of Jacksonville Beach and Deck the Chairs, Inc.**

City Manager Mike Staffopoulos provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve an Agreement between the City of Jacksonville Beach and Deck the Chairs, Inc.

Discussion: A discussion ensued about Deck the Chairs.

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

The motion passed unanimously.

Item B **1. Award/Reject Bid No. 2223-11 to MAER Homes, LLC, d/b/a MAER Construction, for the construction of 4th Street South Drainage Improvements for an amount not to exceed $7,088,824; and**

2. Approve/Disapprove an Agreement with JB Pro, Inc., for Construction Administration Services for an amount not to exceed $46,310

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

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award Bid No. 2223-11 to MAER Homes, LLC, d/b/a MAER Construction, for the construction of 4th Street South Drainage Improvements for an amount not to exceed $7,088,824.

Discussion: A discussion ensued about nearby parking, construction impact, 4th Street North, project, timeline, Capital Improvement Project (CIP), budget, liquidated, damages, laydown location, and bids.

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

The motion passed unanimously.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve an Agreement with JB Pro, Inc., for Construction Administration Services for an amount not to exceed $46,310.

Discussion: None

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

Item C **Approve/Disapprove the purchase of three pumps for the Madrid Stormwater Station and declare Custom Pump and Controls a sole source provider for this replacement project**

Mr. Barron provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the purchase of three pumps for the Madrid Stormwater Station and declare Custom Pump and Controls a sole source provider for this replacement project.

Discussion: None

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

Item D **1. Approve/Disapprove the reappointment of Christi Elflein to a new four-year Regular Member term on the Community Redevelopment Agency expiring December 31, 2027; and**

2. Approve/Disapprove the reappointment of Gary Paetau to a new four-year Regular Member term on the Community Redevelopment Agency expiring December 31, 2027; and

3. Appoint a new Regular Member to a four-year Regular Member term on the Community Redevelopment Agency with a term expiring December 31, 2027

Mayor Hoffman provided background on the items.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the reappointment of Christi Elflein to a new four-year Regular Member term on the Community Redevelopment Agency expiring December 31, 2027.

Discussion: None

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

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the reappointment of Gary Paetau to a new four-year Regular Member term on the Community Redevelopment Agency expiring December 31, 2027.

Discussion: None

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

The motion passed unanimously.

Mayor Hoffman opened the floor for nominations for a new Regular Member on the Community Redevelopment Agency (CRA).

Council Member Golding nominated Ken Marsh.

Council Member Janson nominated Meghan Leslie.

Roll call vote: Horn – Marsh
Janson – Leslie
Meza – Leslie
Nichols – Leslie
Sutton – Marsh
Golding – Marsh
Mayor Hoffman – Leslie

Meghan Leslie was appointed as the new Regular Member to a four-year term on the Community Redevelopment Agency with a term expiring December 31, 2027.

Item E **1. Appoint one new Alternate Member to the Community Redevelopment Agency to serve a four-year term beginning January 1, 2024, and term expiring December 31, 2027; and**

2. Appoint one new Alternate Member to the Community Redevelopment Agency to serve an initial three-year term beginning January 1, 2024, and term expiring December 31, 2026

Mayor Hoffman opened the floor for nominations for the first Alternate Member.

Council Member Golding nominated Ken Marsh. No additional nominations were received. Ken Marsh was appointed as the 1st Alternate Member on the CRA.

Mayor Hoffman opened the floor for nominations for the second Alternate Member.

Council Member Golding nominated Thad Moseley. No additional nominations were received. Thad Moseley was appointed as the 2nd Alternate Member on the CRA

Item F **Appoint a Chair and Vice-Chair for the Community Redevelopment Agency**

Mayor Hoffman provided background on the item.

Mayor Hoffman opened the floor for nominations for the Chair position.

Council Member Golding nominated Francis Povloski.

Council Member Janson nominated David McGraw.

Council Member Meza nominated Christie Elflein.

Council Member Sutton nominated Gary Pateau.

Roll call vote:

Janson – McGraw
Meza – Elflein
Nichols – McGraw
Sutton – Pateau
Golding – Pavloski
Horn – Pateau
Mayor Hoffman – McGraw

David McGraw was appointed as the new chair of the CRA.

Mayor Hoffman opened the floor for nominations for the Vice-Chair position.

Council Member Janson nominated Gary Pateau. No other nominations were received. Gary Pateau was appointed as the Vice-Chair of the CRA.

Item G **1. Authorize the following elected officials to attend the Florida League of Cities' Legislative Action Days on January 29-31 in Tallahassee: ________________;**

2. Authorize the Mayor to attend the Florida League of Mayors additional events within the Legislative Action Days; and

3. Authorize the following elected officials to attend the Florida League of Cities Inaugural Leadership Class on February 9th in Orlando: ____________________

Mr. Staffopoulos provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to authorize the following elected officials to attend the Florida League of Cities' Legislative Action Days on January 29-31 in Tallahassee: Council Members Golding, Janson, Nichols, Meza, Horn, Sutton, and Mayor Hoffman.

Discussion: None

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

The motion passed unanimously.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to authorize the Mayor to attend the Florida League of Mayors additional events within the Legislative Action Days.

Discussion: None

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

The motion passed unanimously.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to authorize the following elected officials to attend the Florida League of Cities Inaugural Leadership Class on February 9th in Orlando: Council Members Golding, Janson, and Meza.

Discussion: None

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

Item H **Approve/Disapprove the purchase of a replacement Animal Control vehicle for an amount not to exceed $50,470**

Mr. Staffopoulos provided background on the item.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the purchase of a replacement Animal Control vehicle for an amount not to exceed $50,470.

Discussion: None

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

The motion passed unanimously.

RESOLUTIONS: None

ORDINANCES:

Item A **Approve/Disapprove Ordinance No. 2023-8208 on the first reading amending City Code of Ordinances Chapter 28 - Streets, Sidewalks, and Other Public Places, Section 28-12(m) Expiration, and schedule a second reading for January 16, 2024**

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

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8208 by title only, whereupon Ms. Gosselin read the following:

> **"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 28- STREETS, SIDEWALKS, AND OTHER PUBLIC PLACES, BY ADDING SECTION 28-12 ESTABLISHING A SIDEWALK DINING PROGRAM IN THE DOWNTOWN REDEVELOPMENT DISTRICT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY, 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. 2023-8208."

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. 2023-8208 on the first reading amending City Code of Ordinances Chapter 28 - Streets, Sidewalks, and Other Public Places, Section 28-12(m) Expiration, and schedule a second reading for January 16, 2024.

Discussion: None

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

The motion passed unanimously.

Item B **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 on a date to be determined**

Mayor Hoffman provided background on the item and noted the incorrect attachments were posted to the public for the December 4, 2023 Council meeting.

Mayor Hoffman re-opened the public hearing on Ordinance No. 2023-8203.

Public Hearing:
The following spoke but did not express support or opposition to the ordinance:

- Kaye Lee, 11774 Jocelyn Road, Jacksonville

Ms. Ireland provided additional background on the item.

T.R. Hainline, 1301 Riverplace Boulevard, on behalf of the applicant, introduced additional project team members and provided additional background on the item. He distributed materials [on file] and addressed Council Member Golding's questions about airboats and affordable housing.

Stefan Johansson, Windward Marine CEO, provided additional comments.

Public Hearing:
The following spoke but did not express support or opposition to the ordinance:

- Brenda Shields, 315 8th Street North, Jacksonville Beach

Jennifer Klich, GAI Civil Engineer, addressed Ms. Shields' concerns on behalf of the applicant.

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 both the names of persons and the substance of any 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."

Ex-Parte:
Mayor Hoffman disclosed she had a brief phone call with Mr. Hainline and multiple emails from Ms. Valerie Britt.

Council Member Sutton disclosed he received a message from Mr. Hainline, but they did not speak.

Council Members Horn, Meza, Nichols, Janson, and Golding disclosed they had a brief phone call with Mr. Hainline.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve 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 on a date to be determined.

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, Staff's report, the recommendation of the Planning Commission and the public input at all hearings."

Discussion:
Ryan Carter, 42 Masters Drive, Environmental Consultant for the applicant, addressed questions regarding a potential eagle nest.

A discussion ensued about the possible eagle nest, maintaining access to the roadway, restaurant access, drainage, parking maintenance, and the boat ramp.

Mr. Hainline, Mr. Johansson, and Ms. Klich also addressed questions from the Council.

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

The motion passed unanimously.

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

Mayor Hoffman re-opened the public hearing.

Public Hearing: No one came forward to speak.

Ms. Ireland provided background on the item.

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 send 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:
All City Council members confirmed ex-parte communications, as previously mentioned.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve Ordinance No. 2023-8204 on the first reading to Rezone property owned by Windward Marina and schedule a second reading on a date to be determined.

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 airboats. Mr. Hainline and Mr. Johansson addressed questions from the Council.

Motion to Amend: It was moved by Ms. Golding, seconded by Mr. Janson, to add the prohibition of the operation commercial airboats from the Beach Marine (Windmard Marine) property as a condition.

Discussion: None

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

The motion to amend passed unanimously.

Discussion: A discussion ensued about flooding vulnerability and preservation. Ms. Ireland addressed questions from the Council.

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

The amended motion passed unanimously.

ADJOURNMENT:
Prior to adjourning, a discussion ensued about scheduling a Special City Council meeting.

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

Voice Vote: Ayes: Golding, Janson, Meza, Nichols, Mayor Hoffman,
Nays: Horn, Sutton
The motion passed 5-2.

There being no further business, the meeting adjourned at 8:25 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:

Christine H. Hoffman, MAYOR

Date: 1/16/24