

**Minutes of Regular City Council Meeting
held Monday, October 18, 2021, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

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:	Georgette Dumont	Sandy Golding	Dan Janson
	Fernando Meza	Cory Nichols	Chet Stokes

Also present were: City Manager Mike Staffopoulos, City Attorney Sandy Robinson, Chief Financial Officer Ashlie Gossett, Director of Planning and Development Heather Ireland, Director of Beaches Energy Allen Putnam, and Deputy City Clerk Jodi Byrd.

APPROVAL OF MINUTES:

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

- A. Council Workshop held on September 27, 2021 (Charter Review)
- B. Regular Council Meeting held on October 4, 2021

ANNOUNCEMENTS:

Mayor Hoffman welcomed new City Attorney Sandy Robinson.

Ms. Golding announced a Gonzalez Park community meeting would be held on October 20, 2021, at Gonzalez Park. The purpose of the meeting was to let residents see the proposed redesign for the park.

COURTESY OF THE FLOOR TO VISITORS: *None*

MAYOR AND CITY COUNCIL: *No items*

CITY CLERK: *No items*

CITY MANAGER:

Item A **Accept/Reject the Monthly Financial Reports for September 2021**

Motion: It was moved by Mr. Nichols and seconded by Ms. Golding to accept the Monthly Financial Reports for September 2021.

Discussion: Chief Financial Officer Ashlie Gossett responded to a question about the City's financial recovery from the pandemic stating the City had seen a strong recovery near the end of fiscal year 2021.

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

Item B **Approve/Disapprove an Agreement of Assumption and Release with Gates of Times Square, LLC, transferring ownership, operation, and maintenance of six power poles, light fixtures, conduits, and wires inside the conduits on the property of Seawalk Village Shopping Center to Gates of Times Square, LLC**

Director of Beaches Energy Services Allen Putnam said the City was transitioning away from maintaining lights on private property.

Motion: It was moved by Mr. Nichols and seconded by Ms. Golding to approve an Agreement of Assumption and Release with Gates of Times Square, LLC, transferring ownership, operation, and maintenance of six power poles, light fixtures, conduits, and wires inside the conduits on the property of Seawalk Village Shopping Center to Gates of Times Square, LLC.

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

Item C **1. Approve/Disapprove attorney's fees due to Roper, P.A., in excess of \$25,000 for FY2021; and**

2. Approve/Disapprove Amendment 1 to the Legal Services Agreement between the City of Jacksonville Beach and Roper, P.A.

Motion: It was moved by Mr. Nichols and seconded by Ms. Golding to approve attorney's fees due to Roper, P.A., in excess of \$25,000 for FY2021.

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

Motion: It was moved by Mr. Nichols and seconded by Ms. Golding to approve Amendment 1 to the Legal Services Agreement between the City of Jacksonville Beach and Roper, P.A.

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

RESOLUTIONS

None

ORDINANCES

Item A Approve/Disapprove Ordinance No. 2021-8167 amending PUD Ordinance No. 7411, as amended, supplementing the comprehensive zoning regulations (South Beach Regional Shopping Center)

Director of Planning and Development Heather Ireland said the applicant requested an amendment to the site plan to allow outdoor seating and display of retail merchandise. Changes pursuant to the Council's motions at the October 4, 2021, meeting were reflected in the ordinance.

ORDINANCE NO. 2021-8167 (Second Reading) (Public Hearing)

Mayor Hoffman requested the Deputy City Clerk read Ordinance No. 2021-8167 by title only, whereupon Ms. Byrd read the following:

"AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NO. 7411, AS AMENDED, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CITY OF JACKSONVILLE BEACH LAND DEVELOPMENT CODE."

Mayor Hoffman read the following:

"This ordinance to amend the PUD zoning regulations of a 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 to amend the zoning regulations governing a property is handled as a 'quasi-judicial' proceeding. A quasi-judicial proceeding means that a governing body 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 zoning amendment 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 received a copy of the application, and the staff and Planning Commission reports on this PUD zoning amendment request."

Public Hearing:

Mayor Hoffman opened the public hearing on Ordinance No. 2021-8167.

Speakers:

- Applicant's Representative Stacy Rewis, 1 Independent Drive, Suite 1200, Jacksonville, agreed with all the changes made to the ordinance.

Ex-Parte:

Mayor Hoffman closed the public hearing and 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."

Council Member Stokes advised he spoke to Mr. Diebenow and Patrick McKinley regarding different sections of the ordinance. Ms. Golding stated she spoke to Mr. Diebenow and Ms. Fisher. All others reported no ex-parte communication.

Motion: It was moved by Mr. Nichols and seconded by Ms. Golding to approve Ordinance No. 2021-8167 amending PUD Ordinance No. 7411, as amended, supplementing the comprehensive zoning regulations (South Beach Regional Shopping Center).

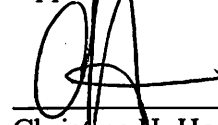
Roll Call Vote: Ayes – Stokes, Dumont, Golding, Janson, Meza, Nichols, Mayor Hoffman
The motion passed unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:17 P.M.

Submitted by: Jodi Byrd
Deputy City Clerk

Approval:



Christine H. Hoffman, MAYOR

Date:

11/1/21