JACKSONVILLE BEACH

City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Council Briefing Notice

City Council

Monday, March 14, 2022	5:30 PM	Via Video Conference

City Manager Mike Staffopoulos will conduct a Council Briefing to update the City Council about ongoing items in the City. The Briefing will include, but not be limited to, the following topics:

A. Laura Edgecombe and Allan DeVault with Build Up Downtown talk on the J-Bill
B. ERP Program Update
C. Remote Participation
D. Order of Business
E. Height Limit Topic Revisit
F. Miscellaneous City Manager Items
G. Committee Assignment Report
H. Future Briefing Topics

This Briefing will be conducted using video technology. The City is providing options for public attendance at the Briefing as listed below. The public is not invited to speak or present on any matter or topic at the Briefing.

Council Members in attendance may include:

Mayor:	Christine Hoffman		
Council Members:	Georgette Dumont	Sandy Golding	Dan Janson
	Fernando Meza	Cory Nichols	Chet Stokes

Please note: Council members in attendance at this meeting may vary, according to their schedules.

INSTRUCTIONS FOR VIEWING AND/OR LISTENING

The following options are available to view and/or listen to the City Council Briefing:

1. **Hearing or speech impaired access**. Contact the agency using the Florida Relay Service at 1-800-955-8771 (TDD) or 1-800-955-8770 (voice).
2. **View and listen to a video of the briefing online**. Access the meeting by visiting the YouTube Channel for the City of Jacksonville Beach.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, no later than one business day before the meeting or by sending an email to CityClerk@jaxbchfl.net.

City of Jacksonville Beach ● 11 North Third Street ●Jacksonville Beach FL 32250

CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, CFO and Bill Rieger, CIO
DATE:	March 14, 2022
SUBJECT:	Enterprise Resource Planning Project Update

BACKGROUND

City Council approved additional funding for Enterprise Resource Planning (ERP) program oversight and implementation support to be provided by Gartner, Inc., at their April 1, 2021 meeting. Since that time, City staff and Gartner have worked diligently to complete the tasks set forth in the Council award with the goal of achieving an optimal ERP implementation outcome. The purpose of this briefing item is to give Council an update on progress made to date, outline future plans, and seek guidance on credit card processing.

PROJECT SCOPE

Implement ERP software solutions for Utility Billing (UB) and Human Capital Management (HCM) modules.

PROJECT STATUS

- UB and HCM modules will be implemented using Munis v.21 software.
- City servers are being upgraded to support the software.
- Detailed project plans for both modules are in development.

ACTIVITIES PERFORMED FROM APRIL 2021 TO MARCH 2022

- Developed business capability models for both UB and HCM to understand the scope of needs of different technologies.
- Comprehensively updated and prioritized functional requirements from 2016 for both UB and HCM to align with the City's business needs.
- Developed use cases for critical requirements to show vendors real-life scenarios of how solutions would be utilized.
- Completed demonstrations with Tyler/Munis to understand how their solutions will meet key UB and HCM requirements.
- Performed cost analysis of staying on premise vs. cloud.
- Evaluated Munis software versions 18, 19, and 21 to determine the best path forward.

ACTIVITIES PLANNED FOR NEXT YEAR

- Buildout servers to accommodate Munis v.21 buildout.

- Upgrade Financials module to Munis v.21.
- Provide city-wide training on Munis v.21 Financials Module.
- Finalize UB implementation project plan.
- UB ERP implementation project.
- UB payment processing integration project.
- ExecuTime time keeping software upgrade.
- HCM ERP implementation project.
- Pension software solution implementation project.

ISSUES/RESOLUTIONS

- Munis v.18 does not offer the capabilities needed to fully utilize both the UB and HCM modules. Staff evaluated software versions v.19 and v.21 and determined that v.21 was the best fit.
- Munis v.21 requires an upgrade to City server infrastructure. Staff evaluated both cloud and on-premise solutions and made the decision to proceed with an on-premise solution.
- The IS Department analyzed different server options and determined that expanding the Nutanix hyper converged server was the best option. A purchase order has been issued and the buildout is scheduled for May 2022.
- Payment processing support is not included in the implementation project. The City must select a payment processing partner that will integrate with Munis. Staff is working to find a resolution.

FINANCIAL IMPACT

None; for information purposes only.

COUNCIL DIRECTION REQUESTED

1. Does the Council support using the funds from un-optioned Gartner tasks for additional implementation support for payment processing?
2. Does the Council support a convenience fee to offset the cost of accepting credit cards?

ATTACHMENTS

City of Jacksonville Beach ● 11 North Third Street ●Jacksonville Beach FL 32250

CITY COUNCIL BRIEFING TOPIC	
TO:	Mayor and City Council
FROM:	Sandra R. Robinson, City Attorney
DATE:	March 14, 2022
SUBJECT:	Remote Participation

BACKGROUND

The topic of remote participation was discussed at the January 24, 2022 briefing wherein I shared a draft resolution setting forth a policy and procedure for requesting and approving a request to attend a council meeting remotely. I took the City Council's feedback from that briefing and made edits to the draft resolution, which is attached to this memo as "Second Draft."

In Section 2, subparagraph 3, the City Council needs to designate either the City Clerk or the City Manager for advance notice, not both (see highlight on Second Draft).

In Section 3, the position of the Mayor was designated as the approval authority to remove an appointee (City Manager) of the City Council (and a subordinate to the requesting member) from foreseeable conflicts of interest should circumstances warrant a denial of approval (see highlight on Second Draft).

In Section 5, it needs to be determined which technologies shall serve as approved Communications Media Technology (see highlight on Second Draft).

Finally, in Section 6, it needs to be determined how many times per calendar year remote attendance will be allowed (see highlight on Second Draft).

FINANCIAL IMPACT

There is no fiscal impact for allowing virtual attendance at a Council meeting.

COUNCIL DIRECTION REQUESTED

In addition to the designations to be made in Sections 2, 3, 5, and 6, does the City Council wish to make any further revisions to the Second Draft Resolution?

ATTACHMENTS

1. First Draft Resolution - Remote Participation
2. Second Draft Resolution - Remote Participation

BRIEFING DATE: March 14, 2022

FIRST DRAFT

Introduced by: ________________________
Adopted:____________________________

RESOLUTION NO. XXXX-2022

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

WHEREAS, the City Council of the City of Jacksonville Beach ("City Council") desires to create rules of procedure for its members to participate and vote in meetings of the City Council from a remote location; and

WHEREAS, there is no Florida statute prohibiting a member of a public body from participating and voting in an open meeting from a remote location, and through the use of communication media technology ("CMT"), and

WHEREAS, pursuant to Florida Municipal Home Rule Powers Act a Florida municipality is authorized to exercise any power and take any action, it deems desirable or necessary for the efficient performance and rendering of municipal services and governmental functions, if such is not prohibited or preempted by the state law; and

WHEREAS, because there is no case law directly on subject, Florida Attorneys General have been called upon to issue advisory opinions related to the subject in order to provide guidance; and, specifically, in Attorney General Opinion #2003-41 the Attorney General opined that where a rule or statute contemplates that a meeting will be held in a public place with the members physically present, the participation of an absent member in the meeting by telephone conference should be permitted under extraordinary circumstances and as long as a quorum of board members is physically present at the meeting place; and

WHEREAS, AGO #2003-41 also provided that it is in the discretion of a board to determine what circumstance constitutes an extraordinary circumstance; and

WHEREAS, upon analysis of the law and such legal opinions that such is permitted under Florida law, the City Council concludes that its members have the right to use CMT to attend, participate, and vote in at public board meetings from a remote location (and without regard to whether an executive order has been issued or state emergency declared) provided that these minimum conditions are met: (1) a quorum of its members is physically present at the time and place of the open meeting; (2) that the meeting place is reasonably open to the public; (3) that the remotely-located member's absence is based on at least one of the conditions adopted herein by City Council; (4) that adequate CMT is available to the "distant/remote" member and at the meeting place to ensure that the distant/remote member's voice can be heard by the members of the public and City Council who are physically present in the meeting place; and (5) such CMT participation by the member is not otherwise prohibited by the by state law; and

WHEREAS, the City of Jacksonville Beach does not currently have any Charter or Code provisions governing or otherwise related to this subject;

WHEREAS, the City Council has determined that establishing conditions for which automatic approval is granted for a City Council member's participation by CMT is in the best interest of the orderly and efficient transaction of City business, and the health, safety, and welfare of the City residents, City Council, City staff, and the members of the public attending Council meetings;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Jacksonville Beach, Florida as follows:

SECTION 1. The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

SECTION 2. The City Council of Jacksonville Beach shall be deemed to have automatically granted authorization for its members to attend, participate, and vote, by and through communications media technology, in any meeting of the City Council, and on any matter coming before the City Council in such meeting provided the following conditions exist:

1. A quorum of the membership is physically present in the open public meeting place;

2. The meeting has been properly noticed;

3. The City Council member(s) participating and from a remote location through CMT has provided advance notice to the City Clerk/City Manager of their need to participate remotely;

4. Members of the public are able to physically attend the open meeting or through CMT;

5. The City Council member(s) participating and voting from a remote location are doing so because such member(s) meet one or more of the conditions provided and defined herein, for convenience of use only, as "extraordinary circumstances", and such member(s) state on the record (a) that such member(s) is/are unable to physically attend the meeting (b) the extraordinary circumstance(s) applicable to their absence from the meeting place, and (c) the physical location from which the member(s) is/are participating by and through CMT.

6. For the purposes of this Remote Participation Policy, the City Council has determined, in its good judgment, that an "extraordinary circumstance" shall be constituted by, but not limited to any one of the following:

    a) Physical or mental impact due to or arising from the COVID-19 pandemic, including variant strains of COVID-19

    b) Health-related matter or issue

    c) Mandatory military duty or deployment

    d) Family or personal matter or issue requiring member(s) full attention

    e) Mandatory business obligation

f) Member is physically located in such a place so as to make his timely attendance at the meeting place impossible or highly improbable.

g) As otherwise shown as good cause.

SECTION 3. Member(s) shall notify the City Clerk of their need to participate remotely as far in advance of the open meeting as is practicable under the circumstances then-existing. It shall be the responsibility of the City Clerk to make arrangements for (so as to ensure) that the distant member's voice can be heard by those physically in attendance at the open meeting. The City Clerks shall also cause to be recorded in the minutes of the open meeting, the identification of the remote locating from which the distant member is participating, as well as the extraordinary condition applicable to that member.

SECTION 4. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

SECTION 5. This Resolution shall take effect immediately upon its passage and adoption.

AUTHENTICATED this _____ day of ___________, 2022.

____
Christine H. Hoffman, Mayor

____
Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

____
Sandra R. Robinson, City Attorney

SECOND DRAFT

Introduced by: ________________________
Adopted:______________________________

RESOLUTION NO. XXXX-2022

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

WHEREAS, the City Council of the City of Jacksonville Beach ("City Council") desires to create rules of procedure for its members to participate and vote in meetings of the City Council from a remote location; and

WHEREAS, there is no Florida statute prohibiting a member of a public body from participating and voting in an open meeting from a remote location, and through the use of communication media technology ("CMT"); and

WHEREAS, pursuant to Sec. 2(b), Art. III, of the Florida Constitution and the Florida Municipal Home Rule Powers Act, Sec. 166.021 *et seq*., F.S., a Florida municipality is authorized to exercise any power and take any action, it deems desirable or necessary for the efficient performance and rendering of municipal services and governmental functions, if such is not prohibited or preempted by the state law; and

WHEREAS, because there is no case law directly on subject, Florida Attorneys General have been called upon to issue advisory opinions related to the subject in order to provide guidance; and, specifically, in Attorney General Opinion #2003-41 the Attorney General opined that where a rule or statute contemplates that a meeting will be held in a public place with the members physically present, the participation of an absent member in the meeting by telephone conference should be permitted under extraordinary circumstances and as long as a quorum of board members is physically present at the public meeting place; and

WHEREAS, AGO #2003-41 also provided that it is in the discretion of a board to determine what circumstance constitutes an extraordinary circumstance; and

WHEREAS, upon analysis of the law and such legal opinions finding that such is permitted under Florida law, the City Council also concludes that its members have the right to use CMT to attend, participate, and vote in at public board meetings from a remote location (without regard to whether an executive order has been issued or state emergency declared) provided the following minimum conditions are met: (1) a quorum of its members is physically present at the time and place of the open meeting; (2) that the meeting place is reasonably open to the public; (3) that the remotely-located member's absence is based on one or more of the conditions approved herein by the City Council; (4) that adequate CMT is available to the "remotely-located" member to ensure that the remotely-located member's voice can be heard by the members of the public and City Council who are physically present in the public meeting place; and (5) such CMT participation by the remotely-located member is not otherwise prohibited by state law; and

WHEREAS, the City of Jacksonville Beach does not currently have any Charter or Code provisions governing or otherwise related to this subject; and

WHEREAS, the City Council has determined that establishing conditions for which automatic approval is granted for a City Council member's participation by CMT is in the best interest of the orderly and efficient transaction of City business, as well as the health, safety, and welfare of the City residents, City Council, City staff, and the members of the public attending Council meetings.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Jacksonville Beach, Florida as follows:

SECTION 1. The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

SECTION 2. A member of the City Council of Jacksonville Beach may be granted permission to attend, participate, and vote on any matter coming before the City Council in such meeting, by and through Communications Media Technology ("CMT"), if the following conditions exist:

1. A quorum of the membership is physically present in the open public meeting place;

2. The meeting has been properly noticed;

3. The City Council member participating and from a remote location through CMT has provided advance notice to the City Clerk/City Manager of their need to participate remotely;

4. Members of the public are able to physically attend the open meeting or through CMT.

SECTION 3. Any City Council member seeking such approval shall also, prior to the meeting, notify the Mayor that he or she is unable to attend the meeting due to the occurrence of an emergency or unforeseeable circumstance. In support of the council member's request for approval, the council member shall provide a written description of the nature of such emergency or unforeseeable circumstance with a level of specificity sufficient to support the Mayor's approval. For the purposes of this policy, an emergency or unforeseeable circumstance shall be constituted by the occurrence of one or more of the following conditions:

1. Health-related matter.

2. Mandatory military duty or deployment.

3. Family or personal matter.

4. Council member is physically located in such a place so as to make his or her timely attendance at the meeting place impossible or highly improbable.

The Mayor shall be authorized to grant or deny, in his or her sole discretion, approval for the remote participation based upon sufficiency of information provided to show one or more of the conditions specified in this section.

In the event a council member desires to attend, participate, and vote from a remote location and the reason for the council member seeking permission to do so is not one of the conditions specified by this section, permission may be granted upon written application for "good cause shown." A majority vote of the council members present determine whether the council member's reasons for needing to participate remotely constitutes "good cause shown" and whether the council member's request should be approved or denied. A request submitted pursuant to the "good cause shown" provision of this section shall be given priority on the public meeting agenda, and shall be taken up as the first item of business following the roll call and invocation.

SECTION 4. In all cases in which remote participation has been or may be approved, it shall be the responsibility of the City Clerk to make suitable arrangements to ensure that the remotely-located council member's voice can be heard by those physically in attendance at the public meeting. The City Clerk shall also cause to be recorded in the minutes of the public meeting, the identification of the location from which the remotely-located council member is participating, as well as the nature of the emergency or unforeseeable condition causing the council member's inability to be physically present in the public meeting place.

Should any request to participate from a remote location be denied, it shall be the responsibility of the Mayor to state the reason(s) for the denial with specificity during the public meeting and have the same recorded in the minutes.

SECTION 5. For purposes of this Resolution, "Communications Media Technology (or "CMT")" shall be constituted by any one of the following technologies:

1. ?

SECTION 6. No council member shall be granted approval to attend, participate, and vote remotely more than ________ times within a calendar year, except upon "good cause shown."

SECTION 7. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

SECTION 8. This Resolution shall take effect immediately upon its passage and adoption.

AUTHENTICATED this _____ day of ___________, 2022.

____
Christine H. Hoffman, Mayor

____
Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

____
Sandra R. Robinson, City Attorney

City of Jacksonville Beach ● 11 North Third Street ●Jacksonville Beach FL 32250

CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Sandra R. Robinson, City Attorney
DATE:	March 14, 2022
SUBJECT:	Order of Business and Consent Agenda

BACKGROUND

An unintended benefit resulting from the recent increase of speakers during the Courtesy of the Floor is that it precipitated a review to determine whether the City Council limited its ability to revise the order of business for its regular meetings (as such authority is generally provided by parliamentary procedure).

Sections 2-27 *et seq*, City Code (hereinafter "Division 2") pertains to the Rules of Order governing City Council meetings. Most of the provisions thereunder are the substantive equivalent of similar rules provided by parliamentary procedure, most notably referenced as Robert's Rules of Order.

In Section 2-33, however, the City Council sets forth the order of business for its regular meetings. Specifically, Section 2-33 provides:

> **Order of business.**
> The order of business of the council *shall* be as follows:
> (1) Approval of minutes of preceding meetings;
> (2) Announcements;
> (3) Courtesy of floor to any visitors;
> (4) Mayor and council;
> (5) City clerk;
> (6) City manager;
> (7) Resolutions;
> (8) Ordinances (emphasis added).

By having codified this and the other parliamentary rules, the City Council imbued these rules with the effect of law. And, with respect to the order of business, the City Council limited its ability to make adjustments to the conduct of its meetings, notwithstanding a provision that enables a vote to temporarily suspend the rule set forth in Division 2. See Section 2-39.

According to Rule 5-1:1, Legislative Policies Manual ("LPM"), the City Council meetings are to follow Robert's Rules of Order.

A review of Division 2 shows that its content substantively overlaps with Robert's Rules of Order pertaining to the same matters. The existence of Rule 5-1:1 of the LPM renders Division 2 unnecessary due to redundancy. Therefore, because the provisions of the LPM do not have the effect of law, City Council is, respectfully, asked to consider "transferring" the rules that

BRIEFING DATE: March 14, 2022

comprise Division 2 from the City Code to be solely contained in the LPM—if the Council deems it necessary for the rules to be restated at all.

Moving these rules to the LPM will contribute to administrative convenience/efficiency as the rules will be "centrally" located or contained. Having the rules contained in the LPM (versus the City Code) should also operate to make it less cumbersome (more efficient) for the City Council to make changes to its order of business, if such are deemed necessary or desirable under existing circumstances.

There is also a request that the Council considers including a Consent Agenda to its Order of Business, as many action items separately taken up at regular meetings have already been subjected to extended discussion at one or more previously-held City Council Briefings. By the time these items are on a regular meeting agenda, they are (typically) without controversy. For these items and other rudimentary matters, one vote to approve all (or several) will contribute to efficient conduct of a meeting (and a member's right to discuss is not circumscribed) by a Consent Agenda. Any member can remove an item from a Consent Agenda to provide questions, discussion, or a separate vote. The removal does not require a second to effectuate.

FINANCIAL IMPACT

None.

COUNCIL DIRECTION REQUESTED

1. Does Council wish to repeal City Code Section 2-33 Order of Business and thereafter incorporate Order of Business into the Legislative Policies Manual?
2. Does Council wish to add a Consent Agenda to its Order of Business in either the Code or the Legistlative Policies Manual?

ATTACHMENTS

BRIEFING DATE: March 14, 2022