

MINUTES
REGULAR CITY COMMISSION MEETING
April 8, 2013
CITY HALL, 800 SEMINOLE ROAD

IN ATTENDANCE:

Mayor Mike Borno	City Attorney Alan C. Jensen
Mayor Pro Tem Maria Mark	City Manager Jim Hanson
Commissioner Mark Beckenbach	City Clerk Donna L. Bartle
Commissioner Jonathan Daugherty	Recording Secretary Nancy E. Bailey
Commissioner Carolyn Woods	

Call to Order/Pledge:

Mayor Borno called the meeting to order at 6:47 p.m. Commissioner Woods gave the Invocation, followed by the Pledge of Allegiance to the Flag.

1. A. Approve the minutes of the Regular Commission Meeting of March 25, 2013.
- B. Approve the minutes of the Commission Briefing of March 21, 2013.

Mayor Borno asked if there were any corrections to the above minutes and there being none, he stated the minutes will stand as submitted.

2. Courtesy of the Floor to Visitors.

Mayor Borno opened the Courtesy of the Floor to Visitors. Mayor Borno welcomed the audience and explained the process for public comments.

- A. Jacksonville Electric Authority (JEA) – Presentation of check for Energy Rebate.

Donna Kaluzniak explained this is a rebate per JEA's Investsmart system and when you invest money in doing things that reduce electrical use they give you some money back. She explained for our TMDL project, the energy reductions gave us a rebate of around \$142,000 and we also had the energy grant program that we did a lot of work on air conditioners and lighting around the City for which we received \$5,000+. She introduced Carlos Simms, Peter King and Marissa Carbone, representatives of JEA, who presented a check in the amount of \$147,781.72 to Mayor Borno for the City as an Investsmart rebate.

Richard Selby, 3 Forrestal Circle N., addressed the Commission stating they keep beating the police station to death. He stated they have already spent \$450,000 on architect plans and now they want to spend another \$60,000 for another study. He stated they should put a referendum on the next ballot to see if the people of Atlantic Beach want to go for this. He also questioned why they are building a water treatment plant for Selva Marina to water their fairways. He asked why they are spending tax dollars for a private entity that contributes nothing. They should be more inclined to start looking at getting some businesses in this town. He stated businesses are moving out hand over fist, the population is dropping, and the tax base is going to go into the dumper because they have nothing to support it. He stated this used to be a real nice community and it still can but they seem to be stuck too much on beautification and aesthetics as opposed to getting down to the hard facts that if they don't get some businesses in this town, they are going to die.

William (Hank) Brigman, 307 9th Street, addressed the Commission about the police station, stating he believes they are getting a lot of push back because they are asking the wrong people the wrong questions. He stated they keep asking about a building without understanding what they need as a community, what type

of policing they want and need. He stated those aren't the questions you ask an architect; they are the questions they ask people in police business, but not our police because they are biased. He stated they haven't started where they need to start. He stated the question to be asked is what do we as a City need from our police. He stated after we understand the needs of our community as it relates to a police force, then we can talk about a police station.

Lou Keith, 1845 Tierra Verde Drive, addressed the police building stating he did a comparison of the five police departments of the Florida First Coast including Fernandina, Atlantic Beach, Neptune Beach, Jacksonville Beach and St. Augustine. He stated the average square footage for each employee of these five departments is 221 s.f. He stated Fernandina and St. Augustine at the end of the 2010 census were the only ones that had any significant growth. He stated Atlantic Beach had a declining population of 5.3%. He stated the Chief is asking for 60% more square footage than these comparable police departments. He stated this could have been built back in 2005 for \$1million and now they have spent \$500,000. He stated those that vote on it tonight, remember it, because he knows the voters will.

Douglas Speed, 1207 Seminole Road, addressed several issues, including the pension issue; dumpster companies; stormwater utility charge; and Art in the Park. He stated the City Manager is giving recommendations on the pension, making decisions for somebody who is going to work for the City for their lifetime, when a City Manager is basically always looking for a new job in a bigger City. He stated the Commission may be taking their recommendations from an already biased person who is trying to save taxpayers dollars, which he is for because he is a taxpayer. He further stated he doesn't understand why they charge a dumpster company for construction when they don't charge any of the other construction companies to come into our City roads. He stated a concrete truck weighs just as much as a dumpster truck. He stated when we are strong arming people who want to renovate a home and they charge them additional dollars and they have to use a certain dumpster company it reminds him of an issue of the Sopranos. He also discussed the stormwater utility charge which was started to raise money for the stormwater improvements. He stated after the improvements were done the fee was never removed. Lastly, he discussed Art in the Park, stating it has grown from 39 artists in 2007 to 97 artists last year. He stated he is not sure Johansen Park is festival material with 2,000-3,000 guests expected to attend. He asked if the property is zoned for that kind of festival, do they collect a fee, does it take from our local retailers who also pay property taxes and overhead, and is that kind of festival allowed in a residential area. Mayor Borno stated they are not able to provide information back but the City Manager has been taking notes and they will have answers for him in the next agenda.

No one else from the audience spoke so Mayor Borno closed the Courtesy of the Floor to Visitors.

3. Unfinished Business from Previous Meeting

A. City Manager's Follow-up Report.

None.

4. Consent Agenda

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE CITY COMMISSION AND WILL BE ENACTED BY ONE MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS. IF DISCUSSION IS DESIRED, THAT ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND WILL BE CONSIDERED SEPARATELY. SUPPORTING DOCUMENTATION AND STAFF

RECOMMENDATIONS HAVE BEEN PREVIOUSLY SUBMITTED TO THE CITY COMMISSION ON THESE ITEMS.

- A. Acknowledge receipt of the Financial Report for February 2013 and List of New Businesses for March 2013.
- B. Renew the continuing engineering services contracts with Applied Technology & Management, Connelly & Wicker, and Bowen Civil Engineering and authorize the City Manager to sign the contracts for the City.
- C. Authorize staff to begin negotiations with the top-ranked firm, Edwards Engineering, for engineering services for the Stormwater Improvements for East Coast Drive.
- D. Authorize the City Manager to sign the Agreement with the Jacksonville Emergency Preparedness Division.

Mayor Borno read the Consent Agenda.

Motion: Approve Consent Agenda Items A, B, C, and D as read.

Moved by Daugherty, Seconded by Mark

Votes:

Aye: 5 – Borno, Beckenbach, Daugherty, Mark, Woods

Nay: 0

MOTION CARRIED

5. Committee Reports

None.

6. Action on Resolutions

A. RESOLUTION NO. 13-05

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF ATLANTIC BEACH, FLORIDA, RELATING TO THE NORTHEAST FLORIDA REGIONAL COUNCIL AND THE 2013 UPDATE TO ITS STRATEGIC REGIONAL POLICY PLAN; PLEDGING SUPPORT FOR REGIONAL COOPERATION AND THE COMMON POLICY FRAMEWORK PROVIDED BY THE UPDATED STRATEGIC REGIONAL POLICY PLAN AND PROVIDING AN EFFECTIVE DATE.

Mayor Borno read Resolution No. 13-05 by title.

Motion: Approve Resolution No. 13-05 as read.

Moved by Woods, Seconded by Mark

Votes:

Aye: 5 – Borno, Beckenbach, Daugherty, Mark, Woods

Nay: 0

MOTION CARRIED

7. Action on Ordinances

A. ORDINANCE NO. 25-13-43, Public Hearing and Final Reading

AN ORDINANCE BY THE CITY COMMISSION AMENDING THE CITY OF ATLANTIC BEACH CODE OF ORDINANCES TO REPEAL CHAPTER 8 FLOOD HAZARD AREAS; TO ADOPT A NEW CHAPTER 8 FLOODPLAIN MANAGEMENT ORDINANCE; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; REPEALER; SEVERABILITY; AND AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 25-13-43 by title.

Motion: Approve Ordinance No. 25-13-43 as read.
Moved by Daugherty, Seconded by Beckenbach

Mayor Borno summarized the Ordinance stating it amends the Floodplain Management Ordinance to comply with State requirements so the residents remain eligible for flood insurance discounts. He stated if the residents in flood plains have any questions they can contact Building and Zoning Director Mike Griffin, give him the address and he can look it up and tell them how it applies to them individually.

Mayor Borno opened the Public Hearing. No one from the audience spoke so he closed the Public Hearing.

Votes:

Aye: 5 – Borno, Daugherty, Mark, Woods, Beckenbach

Nay: 0

MOTION CARRIED

B. ORDINANCE NO. 60-13-18, Public Hearing and Final Reading

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, AMENDING CHAPTER 17 OF THE CODE OF ORDINANCES, SIGNS AND ADVERTISING STRUCTURES, ARTICLE I, IN GENERAL, SEC. 17-2, DEFINITIONS, AND ARTICLE II, SIGNS PERMITTED, SEC. 17-26, EXEMPT SIGNS, TO PROVIDE FOR THE NUMBER AND SIZE OF FLAGS, AND PROVIDING AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 60-13-18 by title.

Motion: Approve Ordinance No. 60-13-18 as read.
Moved by Mark, Seconded by Daugherty

Mayor Borno summarized the Ordinance.

Mayor Borno opened the Public Hearing. No one from the audience spoke so he closed the Public Hearing.

Votes:

Aye: 5 – Borno, Daugherty, Mark, Woods, Beckenbach

Nay: 0

MOTION CARRIED

C. ORDINANCE NO. 5-13-58, Public Hearing and Final Reading

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, ADMINISTRATION, ARTICLE II, CITY COMMISSION, SEC. 2-16, TIME AND PLACE OF REGULAR MEETINGS, TO PROVIDE FOR ONE (1) REGULAR MEETING AND ONE (1) SCHEDULED WORKSHOP PER MONTH, AND PROVIDING AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 5-13-58 by title.

Motion: Approve Ordinance No. 5-13-58 as read.
Moved by Beckenbach, Seconded by Woods

Mayor Borno summarized the Ordinance.

Mayor Borno opened the Public Hearing.

Mark Tomaski, 448 Snapping Turtle Court West, spoke in favor of the Ordinance, stating he believes it is a very good move to have citizens have a second look at any item that may come before the Commission. He stated it gives citizens time to talk about things that are occurring within the workshops, so at the voting Commission meeting they may appear.

No one else from the audience spoke so he closed the Public Hearing.

Mayor Borno stated he is not in favor of changing this, giving his reasons why.

Commissioner Beckenbach gave his reasons for why he is in favor of this.

Commissioner Daugherty stated he believes there are a lot of problems with this but would give it a try with a sunset provision.

Motion: Amend Ordinance to sunset at the first meeting of October and at that time the Commission reconsider the Ordinance.
Moved by Daugherty

Motion died for lack of a second.

Mayor Borno stated they already have a tool; if they believe they don't have sufficient information, they have the right to ask for the item to be deferred so there can be more research.

Commissioner Woods stated she still wants to only have one meeting in December and have the workshop follow the regular meeting on the second Monday. Discussion ensued.

City Attorney Jensen clarified that Commissioner Woods is saying that they change paragraph (b) (2) talking about scheduled workshops, in the month of December, to be on the second Monday of the month immediately following the regular meeting. Commissioner Woods stated that was correct. Further discussion ensued.

Motion: Amend to have the regular meeting with the workshop immediately following on the second Monday in December.
Moved by Woods, Seconded by Daugherty

Discussion ensued.

Commissioner Woods withdrew her amended motion; Commissioner Daugherty withdrew his second.

Commissioner Beckenbach called the vote.

Roll Call Votes:
Aye: 3 – Beckenbach, Mark, Woods
Nay: 2 - Daugherty, Borno
MOTION CARRIED

D. ORDINANCE NO. 20-13-122, Introduction and First Reading

AN ORDINANCE AMENDING THE OPERATING BUDGET FOR THE CITY OF ATLANTIC BEACH, FLORIDA FOR FISCAL YEAR BEGINNING OCTOBER 1, 2012 AND ENDING SEPTEMBER 30, 2013, AND PROVIDING AN EFFECTIVE DATE

Mayor Borno read Ordinance No. 20-13-122 by title.

Motion: Approve Ordinance No. 20-13-122 as read.

Moved by Woods, Seconded by Daugherty

Mayor Borno summarized the Ordinance, stating this is adding a budget expense of \$35,675 to capital outlay for videotaping.

Commissioner Mark stated she is opposing this due to the cost. She stated she supports the videotaping but cannot support spending \$35,000 for this type of system with a recurring expense of \$12,000/year. She stated this breaks down to about \$500 to produce a meeting every time they meet, if they are only 2 hours long. She stated the employees have not received raises for four years and this is coming out of the general fund. She stated there are other systems out there that meet the same needs that are not as expensive and she would support that.

Commissioner Daugherty stated he has a problem with the monthly operating cost, not the cost of the equipment. He asked staff if there are any other options for us in having a multiple camera system and doing it ourselves.

Mr. Hanson explained the cost of the capital equipment will be bid out and the estimate of that is \$31,000; the cost of hosting the live streaming of the videos is \$695/month and the remote switching is a separate component at \$240/month. Commissioner Daugherty asked if this will come back to the Commission once it is bid out. Mr. Hanson stated the \$31,000 price for the camera system will be brought back for Commission approval. He stated the contract for the ongoing service will come in under the \$25,000, but if the Commission wants that brought back for review also they can certainly do that. Commissioner Daugherty stated he would like to have that brought back also because \$695 seems very high for hosting and streaming.

Mayor Borno stated he has been contacted by too many people questioning his sanity of approving this money at this time so he is not in support of spending the money at this time.

Commissioner Beckenbach stated as far as the cost of \$31,000, it is \$3,000/year if they look at capitalizing it. He stated they are looking at \$12,000 per year and they have over 12,000 people citywide which would come out to \$1/year/person. He stated he ran on open government and for \$1/year/person he has to agree to this because it would give every single person in the town, and outside our town, the opportunity to see us labor at making decisions on what is for the benefit of the City and what is not for the benefit of the City.

Commissioner Daugherty stated his big hang up is the \$935/month; the capital cost doesn't really make a difference. He stated he would like to have staff research doing this in-house.

Commissioner Woods stated listening to Commissioner Beckenbach say \$1/year/person and she is thinking what can you buy for \$1, a bag of chips? Commissioner Daugherty stated there are so many things they do that they could break down and say it is a \$1/year/person. Commissioner Woods stated for open government she believes they are getting a lot for their \$1, compared to a bag of chips or a cup of coffee. Commissioner Woods called the vote.

Roll Call Votes:**Aye: 3 – Daugherty, Woods, Beckenbach****Nay: 2 – Mark, Borno****MOTION CARRIED****8. Miscellaneous Business****A. Presentation of scope for Police Building review.**

Mayor Borno stated a recommended correction to the language in the proposed RFP was sent out and read it for the record (which is attached and made part of this Official Record as **Attachment A**).

Motion: Amend RFP as above.**Moved by Borno**

Motion died for lack of a second.

Commissioner Beckenbach stated he wrote up a possible amendment to the RFP, which he distributed before the meeting (which is attached and made part of this Official Record as **Attachment B**). Commissioner Mark stated she just received that and has not been able to read it yet. Commissioner Woods stated they should defer because this is a lot of new information to consider.

Motion: Defer to next regular meeting, May 13, for action.**Moved by Woods, Seconded by Beckenbach**

Commissioner Daugherty asked that staff go back to the Fleet and Associates report and brief them on their recommendations at the next workshop.

Discussion ensued.

Votes:**Aye: 5 – Borno, Beckenbach, Daugherty, Mark, Woods****Nay: 0****MOTION CARRIED****9. City Manager****A. City Manager's Report.**

City Manager Hanson reported the draft of the strategic plan has been distributed to the Commission tonight. He asked for their input so it can be put on the May 13 agenda for approval.

10. Reports and/or requests from City Commissioners and City Attorney**Commissioner Daugherty**

- Thanked Commissioner Woods for her comments tonight related to his mother. He gave an update on his mother's condition and asked that they continue to keep her in their prayers.
- Reported on the health screenings that Sue Danhauser has scheduled.
- Wants to put on the next meeting agenda to schedule some community meetings.

Commissioner Beckenbach

- Reported on the Roberts St. ditch meeting he had with Mr. Davis and Lewis Washington, who was in the audience, and stated he will be taking them to look at the ditches around the City and will continue the discussion with them on what can be done for the Roberts St. ditch. Commissioner Daugherty stated that ditch is very dirty and asked Rick Carper to have someone look at it.

Commissioner Woods

- Reported on incorporating local businesses into the Economic Growth Umbrella Program, stating she would like the City to start a program on this.
- Asked the City Attorney for a formal opinion about whether she may have a conflict of interest with Selva Marina and how she should proceed. Mr. Jensen asked her to provide him with any documents related to this.

Commissioner Mark

- Reported on an upcoming workshop presented by the Florida Redevelopment Association on Community Redevelopment Areas on 6/12/13 at City Hall in Jacksonville from 10:00 a.m. – 3:00 p.m.

Commissioner Beckenbach asked Mr. Hanson to report on Selva Marina at the next workshop.

Mayor Borno

- Pointed out that there is an impact on City Clerk's office related to recording equipment for community meetings that came to light during the strategic planning meetings. He stated the equipment we have is not good for recording at these type meetings and the Commission needs to do something to give them reliable equipment that can be utilized and is efficient.
- Wants to put on the agenda a request that we consider contributing \$5,000 to the fireworks event in Jacksonville Beach.
- Was tasked by the Governor's office Chief of Staff to collect some information on the ferry. He stated if things come together as envisioned, we will have some decisions for the long-run. He stated he believes the end result is that they will be pleased, when they can finally pull it together.

Adjournment

There being no further business to come before the Commission, the Mayor declared the meeting adjourned at 8:32 p.m.



Mike Borno
Mayor/Presiding Officer

ATTEST:



Donna L. Bartle, CMC
City Clerk

Bartle, Donna

From: Hanson, Jim
Sent: Monday, April 08, 2013 2:35 PM
To: Bartle, Donna
Cc: Borno, Mike
Subject: FW: RFP for Police Building Review

Donna;

Can you forward this along to the other commissioners? It is a proposed revision of the paragraphs in the RFP for the Police Building Review that were discussed at the pre-agenda workshop last Thursday.

These are redrafts of parts of the original RFP shown as paragraphs III C and D. They were assigned "A" and "B" when copied to the following e-mail.

Jim

From: Hanson, Jim
Sent: Friday, April 05, 2013 3:29 PM
To: Borno, Mike
Cc: Carper, Rick
Subject: RFP for Police Building Review

Mike;

Rick Carper has changed some of the language in the proposed RFP for the police building per your request in the Workshop yesterday. Following is the new language. If you think it is okay, we will distribute to the other commissioners.

Jim

- A. Determine whether the existing building can be expanded and renovated to meet current building codes for a critical facility (including determination of modifications necessary to comply with 100 year flood zone requirements) and whether the department could continue to operate out of the existing building while it is being expanded and renovated.
- B. The overall evaluation is to determine what the capabilities and limitations are on the existing site; whether sufficient expansion to meet current Public Safety needs can be accomplished on this site in a one or two story design; and what the feasibility is of future expansion of that building should needs dictate.

Depending on answers to C. and D., develop a phased plan for expansion of existing facility. Plan should include cost of moves and temporary facilities if necessary to maintain daily operations of Police and Emergency Communications.

From Commissioner Beckenbach - Please find my recommendations for revisions in red for item 8A – This evening I will ask that the present RFP be amended as follows:

PUBLIC SAFETY BUILDING **NEEDS ASSESSMENT, EXPANSION AND REMODELING
FEASIBILITY STUDY
RFP 13-0X**

I. INTRODUCTION AND SCOPE OF PROJECT:

The City of Atlantic Beach is soliciting proposals from qualified Architectural and Engineering (A & E) firms with critical facility experience to participate in a competitive process to provide professional services to conduct a **needs assessment** and feasibility study regarding improvements to the current Atlantic Beach Public Safety Building. **Five copies of the proposals must be submitted by Friday, 4:30PM, May 31, 2013 and addressed to:**

Michael Griffin, Building and Zoning Director
800 Seminole Road
Atlantic Beach, FL 32233
RFP-13-0X
Police Building Needs Assessment & Feasibility Study

II. BACKGROUND:

III. DRAFT SCOPE OF WORK

The City desires a consultant to examine new construction and renovation options for a modern police facility that eliminates current inadequacies. Since a police building should be designed for the purpose of supporting and facilitating police operations for the present and future, the needs assessment coupled with the community requirements should provide a framework for the size and type of facility needed to support optimum police operations.

The Consultant selected to perform this work shall be responsible for providing all architectural, engineering and consulting services necessary for completing the feasibility study in accordance with federal, state and local building codes and regulations. The City reserves the right to retain the designer selected for this phase of the project to perform services for the final design, permitting and construction phases.

1. Space Needs Assessment

a. Review Existing Facility

- Review of historical documents, including original design plans, 2005 Renovation Plans, 2011 new Construction Plans, 2012 Building Design Review Committee Proceeds and floodplain maps.
- Conduct physical survey of existing building and site to evaluate condition and potential for expansion. The building evaluation should take into consideration, but is not limited to, accessibility and public/police accommodation. The site evaluation should take into consideration impacts related to existing parking, landscaping (trees), floodplain and campus architecture.
- The overall evaluation is to determine what the capabilities and limitations of the existing site/building are; whether the spatial needs assessment (delete 14,000 SF) can be met on this site in a one or two story design; and what would be the future expansion capabilities of that building?
- Can the existing building be renovated and brought within current building codes (including meeting FEMA requirements within the 500 year floodplain) and could the department continue to operate out of the existing building and/or phased expansions while it is being expanded and renovated?
- Depending on answers to above item, develop a phased plan for expansion of the existing facility. Plan should include cost of moves and temporary facilities if necessary to maintain daily operations of Police and Emergency Communications.
- Compare functional area existing square footages with standards of police facilities built today, taking into account the size of the police force and the community.

b. Review Existing Workload and Demands

Review all available data, including but not limited to:

- Number of Calls-for-Service
- Number of complaints
- Number of crimes committed
- Number of investigations
- Number of evidence collected/destroyed

c. Analysis of Citizen and Community Policing Needs

Analysis begins with the present day needs, projected increase in volume of demands and anticipated developments in the community police operations from the present day to 20 years hence.

- Determine if police building needs to be a critical facility
- Define services requested from police
- Population growth
- Personnel staffing considerations
- Contiguous community collaboration possibilities
- Policy changes that cut workload needs
- Community Policing philosophy impacts

Analysis, assumptions, projections, and forecasts are to be consistent with National Accreditation Standards for Police Facilities.

2. Space Planning

a. Building functional areas to be included in this study

- Main entrance and reception area
- Communication and dispatch area
- Interview rooms
- Detective interrogation rooms
- Police Chief offices
- Staff – administrative offices
- Records room
- Evidence room
- Equipment storage area
- Forensic processing area
- Prison SallyPort
- Lunch break room
- Roll call room, meetings
- Cell blocks, male, female, juvenile
- Training room, seminars, in-house training
- Conference room
- Janitorial room
- Male & female locker rooms, showers, toilets
- Armory

All functional areas are to include security of the most advanced (yet affordable) variety, including but not limited to video, audio, security glass, master locks, card and recognition access. Of prime importance is the proximity of certain functional areas to each other to effect the most efficient and user friendly layout(s).

b. With an understanding of Atlantic Beach's needs gained through the Space Needs Assessment above, the Consultant shall provide a hierarchy of the functional areas together with a justification for placement within the building size affordable with the City's budget spending cap of up to \$3,000,000.

c. Present final plan at a Public Meeting of the City Commission with cost estimates and any non-cost considerations.