

MINUTES
REGULAR CITY COMMISSION MEETING

June 14, 2010

CITY HALL, 800 SEMINOLE ROAD

Attendance

IN ATTENDANCE:

Mayor Mike Borno

City Attorney Alan C. Jensen

Mayor Pro Tem John L. Fletcher

City Manager Jim Hanson

Commissioner Jonathan Daugherty

City Clerk Donna L. Bartle

Commissioner Paul Parsons

Recording Secretary Nancy E. Bailey

Commissioner Carolyn Woods

Call to Order/Pledge

Mayor Borno called the meeting to order at 6:00 p.m. Commissioner Fletcher gave the Invocation, followed by the Pledge of Allegiance to the Flag.

Item 8B was taken out of sequence and acted on at this time.

8B. Request from Jacksonville Transportation Authority for Beaches Trolley funding.

Mayor Borno explained we received a letter from JTA asking the City of Atlantic Beach for funding of \$5,000 for the Beaches Trolley.

Mike Miller, JTA, explained the Beaches Trolley service started on Memorial Day and will run through Labor Day. He explained the route and frequency changes and stated the fare has been increased to \$1.00 each trip. He stated there are a number of funding sources they received last year that they will not receive this year. He further explained JTA will have meetings on June 16 and June 24 to get feedback from the beach residents related to planned changes in service for the beaches that will begin in September. He stated one of the changes they are hoping to make is that the beaches will have trolley service twelve months out of the year.

Commissioner Parsons asked if they are going to do the trolley route twelve months out of the year or just bring trolleys to the beach. Mr. Miller stated the beaches are currently serviced by the BH1 that goes up and down 3rd Street, which would be the services provided by trolley during the nine-month period outside of summer.

Commissioner Fletcher asked if the economic benefit of having the trolley is worth the \$5,000 the City contributed. Mr. Miller stated no service provided by JTA or any other transit agency in the United States breaks even. He stated this is basically a subsidized public service that the government has felt should be provided to people, particularly those people who cannot afford or have no other means of transportation. He stated the benefit to Atlantic Beach is more to get the traffic off Atlantic Blvd. and 3rd Street, particularly later in the evenings when some may have imbibed a little more than we would want. He stated, from their perspective, they are not running the trolley for the economic value, but as a public safety and convenience vehicle to keep people off the street and to mitigate for the limited parking at the beaches and hopefully to provide a service that people will come back to all the beach communities to enjoy.

Commissioner Daugherty agreed the trolley is not an economic benefit to our City but sees the benefit through public safety and keeping someone off the road who shouldn't

be on the road. He asked what amounts the other cities gave toward the trolley last year. Mr. Miller stated Jacksonville Beach gave \$3,750, Neptune Beach gave \$2,500 and Atlantic Beach gave \$5,000. Commissioner Daugherty asked why Atlantic Beach gave more when the majority of the route is in Jacksonville Beach and Neptune Beach. Mayor Borno stated that was a decision of the Commission at the time and they followed the initial request. Mr. Hanson stated all three cities were requested to pay \$5,000 and Atlantic Beach gave what was requested and the other two reduced the amount.

Commissioner Parsons asked if JTA ridership was down throughout Jacksonville. Mr. Miller stated overall ridership is up because more people are using JTA as a commuter service to work than they have in the past. Commissioner Parsons asked if he knew why ridership was down at the beach. Mr. Miller stated they believe the \$1.00/ride is having an impact. He stated next year they hope to have daily and weekend passes which would enable people to use the trolley in an unlimited manner.

Commissioner Daugherty stated he supports the trolley but is not in favor of supporting it more than Jacksonville Beach, who benefits much more from the service.

Commissioner Woods asked about advertising, whether they are still reaching out to the business community and what that partnership is like. Mr. Miller stated the advertising last year did not work as well as they had hoped. He stated one of the challenges has been the signage outside the trolley. He stated the signs kept blowing off. He stated he has been in touch with Ed Jones who represents the Merchants Association to discuss this at greater length. He stated they may be able to lease the inside signage space of the trolleys for the weekends. He stated if they do it through the week they have to go through JTA's transit advertising agency, but as a direct method they can put up partner signs on the weekends and take them down on Sundays when the trolleys go back into regular service. He further stated they would still like to tap into that if it is at all possible this season but with what their anticipated operating costs are going to be for this year, even if combined with whatever generosity they can get from the beaches and the fare box return, they are still going to have a very large deficit on the cost of running this service. Commissioner Woods asked if the trolley stops are marked. Mr. Miller stated they are all marked with their beach ball logo.

Commissioner Fletcher stated he agreed with Commissioner Daugherty regarding being on par with the funding from the other beach cities.

Mayor Borno stated Jacksonville Beach approved funding for \$4,000 and Neptune Beach had on their agenda to try to approve \$500.

Motion: Approve \$2,500 funding to Beaches Trolley

Moved by Parsons, Seconded by Woods

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

Mr. Miller left flyers for the trolley with the City Clerk.

Approval of Minutes

1. **Approval of the minutes of the Regular Commission Meeting of May 24, 2010.**

Motion: Approve the minutes of the Regular Commission Meeting of May 24, 2010, as written.

Moved by Fletcher, Seconded by Parsons

Commissioner Woods stated she asked the City Clerk's Office to rewrite a portion of Item 3A because she believed the basic concept of the discussion had not been relayed right and proposed this wordage replace what is in the minutes in the agenda packet.

Mayor Borno stated Commissioner Woods is referring to the amended version that is at their seats. Commissioner Woods stated the City Manager gave a follow-up report that she had commented about and she thought this would clarify both their points. Commissioner Fletcher stated his concern was that this may refer or incorporate material from another meeting and if she really wanted to amend this she would have to go back two meetings ago and pull statements from City Manager Hanson and also include those because otherwise the amended wording makes no sense at all. Commissioner Woods stated that was what was said at the meeting so that is what actually happened at the meeting and if we went back to other meetings and pulled in that information then that would not be what actually happened at this meeting, which you are always very opposed to. She stated she is requesting what was said be put in the minutes.

Motion: Amend the minutes to include the revised wording in Item 3A.

Moved by Wood, No second

Motion failed for lack of a second.

Mayor Borno called for a vote on the original motion.

Votes:

Aye: 4 – Borno, Daugherty, Fletcher, Parsons

Nay: 1 - Woods

MOTION CARRIED

Courtesy of the Floor

2. **Courtesy of the Floor to Visitors.**

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

Mark Beckenbach, 2210 Oceanwalk Drive W., thanked Donna Kaluzniak and Troy Stephens for the tour of the sewage treatment plant last week. He also thanked Commissioner Woods for joining the tour.

Reverend George Young, 25 Lewis Street, addressed the Commission stating there are some serious concerns in the Donner Park area regarding the streets, ditches and

the safety of the young and senior citizens. He stated they should move expeditiously to try to get something done for the safety of the citizens.

Opio Sokoni, 610 Old Baymeadows Road, thanked Commissioner Woods for her part in having the recordings of the meetings put on the website, which allowed him to listen to the last meeting online. He further thanked the Commission and staff for movements they have made in the community surrounding Donner and Jordan Parks. He gave background of the families living in that community, stating they have decided they will do more to make this a proud, responsible and beautiful part of the Mayport Corridor. He stated they ask that the City continue positive movement in that area and they will do the same.

Lillie Lee Wingfield, 45 Robert Street, stated every time it rains, water covers her yard and under her house and she cannot get in or out of her house. Mayor Borno stated staff will look into her problem and get back to her.

Mike Whalen, 1420 Mayport Road, expressed his concern about the future of Mayport Naval Station, which he believes is about to be shut down because the carrier is not coming until 2020 and 13 of the 21 ships there now will be decommissioned in three years. He asked for the Commission's support in taking a more proactive role. He stated Mayport is a great money generator with a trickledown effect which he believes we should be paying more attention to.

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

**Unfinished Business
from Previous
Meeting**

3. Unfinished Business from Previous Meeting

- A. City Manager's Follow-up Report.

None.

Consent Agenda

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 List of New Businesses in May 2010, Utility Sales Report for May 2010 and Public Works and Utility Departments Project Status Report for June 1, 2010.
- B. Authorize the Mayor to sign the related paperwork for the applications and the subsequent paperwork related to the JAG grant and authorize Michael D. Classey to submit the applications on line and have the authorization to electronically sign the on-line applications on behalf of the Mayor and the City.

- C. Award the Bid 0910-07 for Rehabilitation of Tanks at Water Plant Nos. 1 and 4 to TankRehab.com, LLC in the amount of \$101,420.

Mayor Borno read the Consent Agenda.

Commissioner Daugherty asked to pull Item C. Commissioner Woods asked to pull Items A and B.

Commissioner Daugherty asked if there would be a significant impact if this work was delayed for a year or two. Director of Utilities Donna Kaluzniak stated she does not recommend delaying the work and explained why a delay would end up costing us more. Commissioner Daugherty stated he understands the initial budget was around \$55,000. Ms. Kaluzniak explained she didn't use an engineer to help her budget and didn't think she would need to add any escalators because of the economy, but the economy evidently doesn't affect this type of work as much as some of the pipe work and other things they have had done. Commissioner Daugherty stated she has saved us money other times so she has enough to cover this one.

Mayor Borno asked, on these tanks, are any of them internal work that would be related to quality of water. Ms. Kaluzniak explained the ground storage tanks are internal, the other two, elevated storage tank at Water Plant 1 and the stand pipe tank at Water Plant 4, are both external. She stated she has budgeted the internal work for those two for next year. Mayor Borno asked if there were any safety issues with the external tanks on any of the ladders, etc. other than just rust and appearance. Ms. Kaluzniak stated the ladder on Water Plant 4 is definitely a safety issue and needs to be taken care of, even if done separately from this entire project. She stated she doesn't believe there are safety issues on the elevated storage tank, just a matter of maintenance.

Motion: Approve Consent Agenda Item C, as read.

Moved by Parsons, seconded by Fletcher.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

Commissioner Woods asked why the percentage of water loss continues to increase on the Utility Sales Report. Ms. Kaluzniak explained several things can add up to water loss, i.e. the meters in the system which are getting older. She stated they are replacing some and will probably ask for budget money to replace more of those this coming year. She stated the large meters were just tested and 8 out of 31 failed and had to be repaired, which was completed the end of May. She stated they had also completed 20 miles of leak detection on the pipes and found three leaks that have also been repaired. She stated she believes the answer will be to ramp up the meter replacement for some of the smaller residential meters. She stated they will be discussing this more in the upcoming budget. City Manager Hanson further explained they read the meters at the end of the month and sales usually lag what the meter readings are at the plant, so a large loss for one month this time of year usually tells them that the sales are going to

go up dramatically. He stated it is not necessarily that we are losing that much water; it is just the out of sync meter reading at your house from the readings at the plant. Ms. Kaluzniak stated other things that can add to water losses are contractor usage, water breaks, flushing new pipes, etc. Discussion ensued regarding the customer base.

Motion: Approve Consent Agenda Item A, as read.

Moved by Woods, seconded by Fletcher.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

Commissioner Woods expressed concern regarding Dale Hatfield's position possibly being lost without the JAG grants, stating she does not want to lose his position. Mr. Hanson stated we anticipate receiving grants for one less person next year than we currently have. Mr. Hanson stated Mr. Hatfield's position is very much in jeopardy, we do not have grant funding for it and will discuss it in the budget meetings. Commissioner Woods stated she believes Mr. Hatfield is basically the guts of that whole Mayport Corridor program and believes we really need to be paying attention to that.

Motion: Approve Consent Agenda Item B, as read.

Moved by Woods, seconded by Fletcher.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

Committee Reports

5. Committee Reports

A. Recommendation from the Audit Committee.

Commissioner Fletcher thanked his fellow Commissioners for entrusting him with the responsibility of representing this body on the Audit Selection Committee. He summarized the actions taken and stated, after ranking all firms, the Committee recommended Purvis Gray & Company as the highest ranking respondent.

Motion: Authorize the City Manager to enter into a contract for audit services with Purvis Gray & Company for a four-year period totaling \$158,000 plus related service costs, if needed, per the request for proposal specifications with an option to renew for an additional two years if mutually agreed upon.

Moved by Fletcher, seconded by Parsons

Commissioner Parsons stated he believes the Audit Selection Committee did a thorough job.

Commissioner Woods asked if there is any way to negotiate this price. Nelson Van Liere stated these are the negotiated prices responding to the RFP. He stated it would

be unfair, at this point, to go back and start negotiating. Commissioner Woods asked if when Purvis Gray first started working for us, and didn't have that past relationship with us, if they suffered the same fate in the technical qualifications. Commissioner Fletcher stated the expertise and experience categories were judged on what they do for a broad number of municipalities and were followed up with reference checks. He stated they treated them like a brand new applicant; they were not given any advantage and everybody was on a level playing field. He stated what they did for us in the past was only a small part of what was considered. Mr. Van Liere stated, regarding the past references and staff resources, the cities Purvis Gray listed as clients are some they have had for years and they have many more than any of the other firms. He stated this isn't just their past experience with us; it is their past experience with all of their clients. He stated they have made a niche for municipal governments, counties and also have expertise in utilities. Mr. Hanson added that a major factor the committee looked at was the experience of the person here leading the effort and most of the accounting firms have those senior people staying at the main office. He stated the person that he and Mr. Van Liere deal with regularly is the head person here and while they will have some people fresh out of accounting school, the person they are looking to for advice is the head person. He stated that was very heavily weighted in this, so it is not just the experience of the firm, it is the experience of the people who are coming to this job.

Commissioner Fletcher and Mr. Van Liere discussed the additional fees that were quoted.

Mayor Borno thanked the Committee, stating he was impressed reading the reports and summaries.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

Action on Resolutions

6. Action on Resolutions
None.

Action on Ordinances

7. Action on Ordinances

A. Ordinance No. 33-10-17, Introduction and First Reading

AN ORDINANCE OF THE CITY OF ATLANTIC BEACH, FLORIDA, CALLING FOR A REFERENDUM TO AMEND SECTIONS 14, 36, 39, 40 , 41 AND 43 OF THE CITY CHARTER TO AMEND THE SCHEDULE AND PROCEDURES FOR CITY ELECTIONS, AND PROVIDING AN EFFECTIVE DATE.

Mayor Borno read Ordinance No. 33-10-17 by title.

City Clerk Donna Bartle explained the Commission directed staff to prepare an ordinance that would incorporate the proposed Charter changes, as requested by Supervisor of Elections Jerry Holland, to be put on the November ballot as a

referendum. She stated, as a result, Ordinance No. 33-10-17 was prepared and is presented tonight for approval on 1st reading.

Commissioner Parsons asked about the swearing in. Ms. Bartle explained the procedure to him.

Commissioner Daugherty questioned why the times the polls are open was eliminated. Ms. Bartle explained it was not necessary to have this in our Charter because we have to go by what the statute says.

Motion: Approve Ordinance No. 33-10-17 as read.

Moved by Daugherty, seconded by Fletcher.

Commissioner Fletcher asked about the qualifications of being an elector they discussed at the meeting with Jerry Holland. He stated it doesn't have anything requiring an elector to be a citizen, which concerns him, and he would like to insert the language that a candidate or sitting Commissioner must be a citizen of the United States of America. Mr. Jensen stated this Ordinance is for the dates of qualifying, voting dates, time periods etc. He stated there is a separate section in the Charter about qualifications to hold office and that would be a different referendum. He further stated the law requires that any referendum be a single subject/topic. Commissioner Fletcher stated he would like to put this on the agenda to bring it up for another Charter referendum. Mayor Borno stated we would not be able to do that for this election but they can work on that later.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

**Miscellaneous
Business**

8. Miscellaneous Business

A. Sewer Rehabilitation in Salt Air Subdivision.

Donna Kaluzniak summarized her staff report stating the Sewer Master Plan recommended that we do quite a bit of sewer rehabilitation and showed a map of the areas completed and those still needing rehabilitation. She explained these sewer rehabilitations are being done with \$282,000 from a hazard mitigation grant and we are paying \$118,000. She stated these two contracts will be piggybacked on with JEA for this work.

Ms. Kaluzniak answered questions from the Commission. Discussion ensued.

Motion: Authorize Insituform Technologies, Inc. to provide cured-in-place pipe (CIPP) for the Salt Air Sewer Rehabilitation Project in the amount of \$340,000, using specifications and pricing in JEA Contract No. 82768. Authorize Concrete Conservation, Inc. to provide manhole rehabilitation for the Salt Air Sewer Rehabilitation Project in the amount of \$60,000 using specifications and pricing in

JEA Contract No. 88990. Authorize the City Manager to sign the contracts with Insituform Technologies, Inc. and Concrete Conservation, Inc.

Moved by Fletcher, Seconded by Daugherty

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

- B. Request from Jacksonville Transportation Authority for Beaches Trolley funding.

This item was taken out of sequence and acted on earlier in the meeting.

- C. Request from Beaches Habitat for Humanity to Keep Impact Fees at Pre-Increase Levels.

Donna Kaluzniak summarized her staff report and explained the request from Beaches Habitat for Humanity. She stated staff is asking for the Commission's recommendation and direction on how to proceed.

Commissioner Parsons stated he does not see how we can justify giving anyone a break on the impact fees without giving a lot more people a break on them as well and believes this could snowball. He stated he does not support this.

Motion: Deny request to lower impact fees.

Moved by Parsons, Seconded by Fletcher

Commissioner Woods stated she agreed with Commissioner Parsons.

Mayor Borno agreed with Commissioners Woods and Parsons and stated we do not want to set a precedent.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

- D. Request to Evaluate Feasibility of Adding a Second Canoe / Kayak Launch Site to Dutton Island Preserve.

Rick Carper explained Commissioner Daugherty requested that staff evaluate the feasibility of adding a second kayak launch facility at Dutton Island Preserve. Using aerial slides he explained where the launch was proposed. He further stated, due to the cost of this project just to get permitting, it is his recommendation to not approve this request.

Commissioner Daugherty explained his reasons for making this request. He agreed the cost right now is prohibitive but he would like to open up that section of marsh when

they do the master plan. He stated he believes this launch would take a lot of the environmental impact off of Tideviews. He further stated since this would be improving access to Jacksonville's portion, he believes it appropriate to contact Jacksonville to see if they would be interested in contributing to this and asked staff to explore this.

Commissioner Woods asked what funding sources would be available. Mr. Carper stated there is no money in the budget this year, nor next year. Assistant City Manager David Thompson stated the Florida Inland Navigation District grants can be applied for after a master plan is in place.

City Manager Hanson asked if permitting would be less expensive if it was done in connection with permitting of other facilities in the Tideviews area. Mr. Carper stated yes. Mr. Hanson asked if this would be something that could be added to another application in the future for other improvements. Mr. Thompson stated yes, adding that is why he would like a master plan that would include a variety of other things. He stated as long as it enhances the public access, making it part of a bigger plan would be advantageous to us.

Mayor Borno asked if developing the master plan for the Preserve area was identified during the Strategic Planning. Mr. Hanson stated they talked about master planning for the Preserve as one of the items under the strategic plan.

Commissioner Fletcher thanked Commissioner Daugherty for prompting consideration of these things. He believes it is good to look at elements they might want to include in the master plan.

Mayor Borno stated this item is deferred until they get more into the master planning concept.

- E. City Commitment Supporting the Basin Management Action Plan 2 for 15 Lower St. Johns River Tributaries (including Hopkins Creek and Sherman Creek) Classified as Impaired for Fecal Coliform by the Florida Department of Environmental Protection.

Rick Carper summarized his staff report explaining how the City participated in the Base Management Action Plan development, round two, in Northeast Florida in the lower St. Johns River Basin for fecal coliform. He stated his recommendation is to authorize the Mayor to sign the letter of commitment.

Motion: Authorize Mayor to sign the statement of commitment to support the Lower St. Johns River Tributaries Basin Management Action Plan II.

Moved by Fletcher, Seconded by Parsons

At the request of Commissioner Woods, Mr. Carper explained what encompasses Sherman Creek. He further stated everything in Atlantic Beach that flows north is Sherman Creek; everything that flows south is Hopkins Creek. He stated they will be monitoring Sherman Creek at the eastern and western entrances to Fleet Landing and at Assisi Lane at Pocket Creek, and for Hopkins Creek right at Atlantic Blvd.

Commissioner Woods asked if Mr. Carper thought there would be any problems. Mr. Carper stated he is very confident about Sherman Creek but he is not sure the problem has been solved in Hopkins Creek. He stated the sample station used in the past, which resulted in Hopkins Creek being placed on the impaired list, is at the Kings Road crossing near the border of Jacksonville Beach.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

F. Direction to staff related to the Audio Recordings being put on the City's Website.

City Clerk Donna Bartle summarized her staff report explaining it takes approximately 30 minutes to post each audio of the Commission meetings, the average number of recordings being requested per year is 12, and the City's current server can accommodate up to 10-12 meetings, but more can be posted if a new server is purchased. She further stated if the Commission determines they want staff to post audio recordings to the website, guidance is needed as to what meeting date to start with and how long each recording should remain posted. She stated if the Commission wants to have more than 10-12 meetings posted, we will need to purchase a server to do that and the cost is explained in the staff report.

Commissioner Woods thanked Donna Bartle and Keith Randich for their quick response. She noted several people who had listened to the audios, stating it is already helping. She stated she does not believe we need to go to the expense of getting a new server at this point but likes the ability of being able to put the 10-12 recordings on line that the system can hold.

Commissioner Parsons stated he does not like the idea and believes it goes above and beyond staff's duties and eats up the room on our server. He does not believe it is necessary. He stated anytime someone wants a tape they can request it. He stated he is not in favor of putting the audio of the meetings on the web.

Commissioner Fletcher stated the time it takes to post the audio is not that big a deal and he would like to give it a try for a year to see how often it is utilized. He stated he would not want to buy another server for it.

Commissioner Daugherty stated he is in favor of having more access and transparency to our meetings for the general public. He stated he does not think it is necessary to have 10-12 meetings archived on the server because he believes the purpose of the audio is to be able to go back and see what happened at the last meeting. He stated he is in support of making this a regular part of what we do.

Mayor Borno stated the quality of the audio is poor and you cannot identify the speakers. He stated he would consider one audio being posted until the next meeting and then replaced by the next recording but does not support a lot of recordings being there.

Mr. Thompson explained since the recordings are put on the FTP server, it does not affect the website.

City Clerk Bartle asked if, when Mr. Randich came up with the availability for the 10-12 audios, he considered the possibility of another department needing to post something out there. Mr. Thompson stated he believed he did, but was just giving a ballpark estimate. He stated Mr. Randich stated it could occupy as much as 100M for a single meeting and estimated 10-12 would be the maximum we would be able to keep, but it depends on the length of the meetings. He stated the fact that we do put other things on that site was considered.

Commissioners Daugherty and Fletcher discussed using a pod cast, rather than storing these on our server. Discussion ensued.

Motion: Direct staff to keep 6 audio recordings of meetings.

Moved by Fletcher, Seconded by Woods

Votes:

Aye: 4 – Borno, Daugherty, Fletcher, Woods

Nay: 1 - Parsons

MOTION CARRIED

G. Designate a Voting Delegate to the Florida League of Cities Annual Conference to be held in Hollywood on August 19-21, 2010.

Mr. Hanson explained the voting delegate and stated the only Commissioner who has indicated an interest in going is Mayor Borno.

Motion: Designate Mayor Borno to be the Voting Delegate

Moved by Fletcher, Seconded by Parsons

Commissioner Woods asked what the cost was. Mayor Borno stated he does not have that information because he does not have the registration forms in front of him.

Commissioner Daugherty asked if there was money in the travel budget for the Commission. Mr. Hanson stated there is money in the budget for Commission travel and expects it will be at least met by the end of the year but will have to go back and look at the specific numbers.

Commissioner Fletcher stated our representation on the Florida League of Cities is very important and we need to commit to that. Mayor Borno agreed stating, since he won't be around forever, somebody needs to pay attention to these things and get involved with the Florida League of Cities because we deserve to have our representation there.

Votes:

Aye: 5 – Borno, Daugherty, Fletcher, Parsons, Woods

Nay: 0 -

MOTION CARRIED

H. Police Report – 1st Quarter, 2010.

Chief Mike Classey summarized the highlights of the quarterly report and answered questions from the Commission. Discussion ensued regarding vacancies in the Police Department and DUI enforcement.

City Manager

9. City Manager

A. City Manager's Report.

City Manager Jim Hanson reported on the latest alcohol deployment, stating of the 13 businesses checked only one sold to a minor. He further reported the police department has put their first hybrid vehicle into use for patrol.

Mr. Hanson stated Comcast Cable has informed the City that they will exercise their option to be regulated under the statewide franchise, rather than the City franchise. He stated he has some concerns about the provisions we had in our franchise ordinance on right-of-way use. He stated City Attorney Jensen advised that we write a new ordinance for the Commission's consideration that would not just cover Cable TV companies, but all utilities operating in our right-of-way.

Mr. Hanson announced there will be a 5K race on Labor Day on Selva Marina Drive, which will be closed off in the morning. He stated the race is sponsored by Selva Marina County Club and will benefit the organization, Friends, which provides support for cancer victims and their families.

**Reports/Requests
City Commissioners
City Attorney**

10. Reports and/or requests from City Commissioners and City Attorney

A. Discussion of Resolution opposing Amendment 4.

Commissioner Parsons stated this was tabled previously and he has to make a motion to take it from the table for discussion purposes.

Motion: Remove from table for discussion purposes.

Moved by Parsons, Seconded by Fletcher

Commissioner Parsons stated there is nothing to vote on; he just wanted to discuss some issues. He gave a handout to the Commission to sign if they are opposed to Amendment 4 which gives them the right to use their name. He stated even though he has more to say about it, this is not the place and it will be brought up at Exchange Clubs and Rotary Club, etc., which are better locations for discussion than here.

Mayor Borno agreed stating there is a lot of information out there on this and it is very critical, with the referendum coming up, for citizens to be informed so they can make a knowledgeable decision.

Commissioner Parsons stated the last election for the State Senate seat and the Atlantic Beach election cost Duval County over \$700,000.

Commissioner Daugherty

- Reported on his attendance at the International Council of Shopping Centers convention in Las Vegas. He also discussed the vacancy that will occur when Publix leaves.
- Stated there is a Resolution before the Jacksonville City Council to revisit the Interlocal Agreement. Stated he would leave a copy with the City Clerk if anyone wanted a copy. Mayor Borno explained our Interlocal Agreement resulted from a settlement by the court which is different than the other two beach cities. He stated we are staying on top of this.
- Asked for status of the Dog Park. Mr. Hanson stated we are still waiting on the easement from the church.

City Clerk Bartle

- Reminded the Commission she will be out for 3-6 weeks beginning June 23 and Nancy Bailey will be Acting City Clerk.

Commissioner Woods

- Agreed with Commissioner Parsons that she has made a lot of public records requests and has been looking at all that information and trying to figure out where as a city we should go. The information we used to make our recommendation for approval of the TMDL project has changed. She stated we are about to tie up almost all of our capital improvement money for twenty years or so. We've based our actions on the total capacity of the plants, not the actual projected usage of them and, as our population numbers remain low, the usage just isn't projected to be there the way that it was at the time. She stated the City has economic hardships coming like everybody else and believes the thing to do is to phase this plan in. She stated some of the projections showed that we would not be at capacity until 2025 or so, but that's fifteen years out, and by then they will be doing repairs to excess capacity that you have never even used. She stated she would really appreciate the Commission taking the time to seriously think about this and make sure that moving ahead all at once is the right thing to do for the City. She further stated she didn't realize at the time they voted on this that all of the effluent from north of Atlantic Beach and east of the river is going to be coming into the heart of Atlantic Beach. She stated they had a wonderful tour of the wastewater treatment plants with Donna Kaluzniak but there is an awful lot of odor there. When you think about doubling the amount of effluent that's going to come into that part of our City, you are really going to increase the aromas and they are not pleasant out there. She stated there is a permanent odor in the air over at Jordan Park that cannot be good for economic growth in that area. She stated we have worked so hard on everything we are doing to improve the Mayport Road Corridor, yet here we are working against ourselves by bringing all that effluent right into the middle of our City.
- Reported on the event put on by the Vineyard Church on Sunday at Donner Park. She stated their hearts are in the right place and they are very committed to working with us and our communities and she really appreciates everything they are doing.

Mayor Borno

- Stated he had the privilege of representing the City on the Ark Royal and the Spanish training ship. He stated they were two great crews.
- Regarding Publix, he stated staff has been making phone calls and keeping in contact with everyone. He stated they are trying to be proactive and if the Commission has any suggestions, please let them know. Commissioner Daugherty stated when he was at the conference in Las Vegas there was a service called Loop Net which is like MLS for commercial property. He stated that property wasn't listed on there. He stated that, with the lack of them returning phone calls, concerns him.

Adjournment

There being no further discussion, the Mayor declared the meeting adjourned at 8:47 p.m.



Mike Borno, Mayor/Presiding Officer

ATTEST:



Nancy E. Bailey
Acting City Clerk