

**MINUTES
REGULAR MEETING
DESTIN CITY COUNCIL
APRIL 20, 2020
CITY HALL ANNEX COUNCIL CHAMBERS
6:00 PM**

The Council of the City of Destin met in regular session with the following members and staff present:

Destin City Council

Mayor Gary Jarvis
Councilmember Rodney Braden
Councilmember Cyron Marler
Councilmember Prebble Ramswell

Councilmember Parker Destin
Councilmember Skip Overdier (Virtual)
Councilmember Steven Menchel (Virtual)
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
Public Info Manager Catherine Card
Deputy Public Services Director John Hart
Code Compliance Manager Joey Forgione
Parks/Recreation Director Lisa Firth
Community Dev Director Louis Zunguze
Public Services Director Michael Burgess
City Land Use Attorney Kimberly Kopp

City Clerk Rey Bailey
Deputy City Manager Webb Warren
Julio Lezcayo, GSG Inc.
HR Manager Karen Jankowski
Grants/Project Manager Jeffery Cozzard
Krystal Strickland, GSG Inc.
IT Manager Matthew Pace
City Attorney Kyle Bauman

CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Gary Jarvis called the meeting to order at 6:00 PM; which was then followed by the recitation of the Pledge of Allegiance.

AGENDA APPROVAL

Councilmember Braden requested that item number 7A(1): "*Holiday Isle Spoils Easement*" be added to the agenda.

Motion by Councilmember Destin, seconded by Councilmember Marler, to approve the agenda, as amended, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

1. APPROVAL OF MINUTES

A. Approval of minutes of April 1, 2020 Special City Council Meeting

Motion by Councilmember Marler, seconded by Councilmember Destin, to approve minutes of April 1, 2020 Special Council meeting passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

B. Approval of minutes of January 6, 2020 Regular City Council Meeting

Councilmember Marler moved for approval of January 6, 2020 regular City Council meeting; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

2. PROCLAMATIONS / RECOGNITIONS / SPECIAL PRESENTATIONS / ANNOUNCEMENTS

A. Raymond James update on City Investments - Brian Haugen

Mr. Brian Haugen provided a brief update on the City’s reserve investments; reporting that the City’s portfolio of bonds and certificates of deposit are performing very well. He added that last year was their best year with the City since 2013, and that this year is on track to be even better.

B. Proclamation Arbor Day Celebration

The Mayor read the proclamation designating April 24, 2020 as Arbor Day in the City of Destin and then presented it to Ms. Lisa Firth, Parks and Recreation Director.

C. Patrick Maddox/Okaloosa County Emergency Management and COVID-19 Updates

Mr. Patrick Maddox of Okaloosa County Emergency Management provided a brief update on the County’s plan for demobilization of emergency protective measures against COVID-19:

Demobilization Plans

- Opening up America again plan – Phased reintegration plan proposed by President Trump which uses gating criteria as a metric to enter into progressively less-restrictive, defined phases of demobilization
- Limited reopening of beaches – Phased reintegration of municipal and county beach access plan proposed by administration which uses virus trend data and logistical data as metrics to enter into progressively less-restrictive, defined phases of beach access and use

Opening Up America Again Plan

- Based on up-to-date data and readiness
- Mitigate risk of resurgence
- Protects the most vulnerable
- Implementable on statewide or county-by-county basis at Governor’s discretion
- Gating criteria to be satisfied prior to entering phases
- Phases with guidelines for individuals, employers and “specific types of employers”
- Success is predicated upon:

- ❖ Continuing to practice good hygiene (washing hands, covering coughs and sneezes, disinfecting frequently touched items, avoid touching face, wearing face coverings)
- ❖ Sick people staying home from work, school and leisure activities
- ❖ Following CDC, state and local guidelines
- Gating Criteria
 - ❖ Symptoms
 - Downward trajectory of influenza-like illnesses reported within a 14-day period
 - Downward trajectory of COVID-like syndromic cases reported within a 14 – day period
 - ❖ Cases
 - Downward trajectory of documented cases within a 14-day period
 - Downward trajectory of positive tests as percent of total tests within a 14-dayp period (flat or increasing volumes of tests)
 - ❖ Hospitals
 - Treat all patients without crisis care
 - Robust testing program in place for at-risk healthcare workers, including emergency antibody testing
- Phase I – Individuals
 - ❖ All vulnerable individuals should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents
 - ❖ All individuals, when in public should maximize physical distance from others. Social settings of more than 10 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed
 - ❖ Avoid socializing in groups of more than 10 people in circumstances that do not readily allow for appropriate physical distancing
 - ❖ Minimize non-essential travel and adhere to CDC guidelines regarding isolation following travel
- Phase I – Employers
 - ❖ Continue to encourage telework, whenever possible and feasible with business operations
 - ❖ If possible, return to work in phases
 - ❖ Close common areas where personnel are likely to congregate and interact, or enforce strict social distancing protocols
 - ❖ Minimize non-essential travel and adhere to CDC guidelines regarding isolation following travel
 - ❖ Strongly consider special accommodations for personnel who are members of a vulnerable population

- Phase 1 – Specific Types of Employers
 - ❖ Schools and organized youth activities that are currently closed should remain closed
 - ❖ Visits to senior living facilities and hospitals should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene
 - ❖ Large venues can operate under strict physical distancing protocols
 - ❖ Elective surgeries can resume, as clinically appropriate, on an outpatient basis at facilities that adhere to CMS guidelines
 - ❖ Gyms can open if they adhere to strict physical distancing and sanitation protocols
 - ❖ Bars should remain closed
- Phase 2
 - ❖ For states and regions with no evidence of a rebound, and which satisfy the gating criteria a second time
- Phase 2 – Individuals
 - ❖ All vulnerable individuals should continue to shelter in place. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not practical, they could carry the virus back home. Precautions should be taken to isolate from vulnerable residents
 - ❖ All individuals, when in public should maximize physical distance from others. Social settings of more than 50 people, where appropriate distancing may not be practical, should be avoided unless precautionary measures are observed
 - ❖ Non-essential travel can resume
- Phase 2 – Employers
 - ❖ Continue to encourage telework, whenever possible and feasible with business operations
 - ❖ Close common areas where personnel are likely to congregate and interact, or enforce moderate social distancing protocols
 - ❖ Strongly consider special accommodations for personnel who are members of a vulnerable population
- Phase 2 – Specific Types of Employers
 - ❖ Schools and organized youth activities can reopen
 - ❖ Visits to senior living facilities and hospitals should be prohibited. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene
 - ❖ Large venues can operate under moderate physical distancing protocols
 - ❖ Elective surgeries can resume, as clinically appropriate, on an outpatient and inpatient basis at facilities that adhere to CMS guidelines
 - ❖ Gyms can remain open if they adhere to strict physical distancing and sanitation protocols

- ❖ Bars may operate with diminished standing-room occupancy, where applicable and appropriate
- Phase 3
 - ❖ For states and regions with no evidence of a rebound, and which satisfy the gating criteria a third time
- Phase 3 – Individuals
 - ❖ Vulnerable individuals can resume public interactions, but should practice physical distancing minimizing exposure to social settings where distancing may not be practical, unless precautionary measures are observed
 - ❖ Low-risk populations should consider minimizing time spent in crowded environments
- Phase 3 – Employers
 - ❖ Resume unrestricted staffing of worksites
- Phase 3 – Specific Types of Employers
 - ❖ Visits to senior living facilities and hospitals can resume. Those who do interact with residents and patients must adhere to strict protocols regarding hygiene
 - ❖ Large venues can operate under limited physical distancing protocols
 - ❖ Gyms can remain open if they adhere to standard sanitation protocols
 - ❖ Bars may operate with increased standing room occupancy, where applicable

Identified Factors/Metrics

- State and local virus statistics
 - ❖ State/Local virus statistics – up? Down? Trending? Levels? Deaths?
 - ❖ Regional virus statistics – up? Down? Trending? Levels?
 - ❖ Drive-to market virus statistics – up? Down? Trending? Levels?
 - ❖ Other travel market virus statistics
- Hospital virus statistics – Okaloosa County
 - ❖ Available hospital beds: Total – 451, Available – 193 (42.79%)
 - ❖ Available ICU beds: Total – 57, Available – 22 (40.74%)
 - ❖ Available ventilators: At
 - ❖ FWB Medical Center alone: 31
 - ❖ Hit surge capacity – No
 - ❖ Availability of PPE and supplies
 - Has SNS and state supply chain caught up?
 - In-progress/Improving
 - Are first responders and hospitals stocked up?
 - Improving
 - Is there surplus PPE/Does inventory exceed burn rate?
 - Improving
 - ❖ Availability of staff
 - Are first responder/hospital staff levels sufficient?
 - Locally, yes
 - Have exposed staff returned to duty?
 - EMS, yes. New protocols help

- Is leave still being cancelled?
 - Never had to cancel leave
- Pace and tone of executive orders
 - ❖ Are more-restrictive E.O.'s still being issued?
 - No, demobilization procedures being implemented, Opening Up America Again
 - ❖ Are existing E.O.'s being allowed to expire or being extended:
 - 20-87 Vacation Rentals extended via 20-103
 - ❖ Are support agencies issuing additional E.O.'s (FDEM/FWC)?
 - Last restrictive one FWC 3-27-20 50-foot rule recreational vessels

Recommendations – Summary

- Data discussed indicates that new local cases vary with test numbers. Over the last 2 weeks, an average of 9% of cases tested have been positive
- Data suggests that rate on infection is slowing, but not stopped
- Data suggests that local, regional and state healthcare system has not been overwhelmed
- President Trump has directed Governors to develop and implement demobilization plans. Some beaches in Florida reopened
- The reasonable goal was never to prevent everyone in Okaloosa County from contracting COVID-19, it was to prevent catastrophe in vulnerable populations and prevent collapse of the healthcare system
- The mental health of the population is something to consider. These mitigation measures only work and last as long as they are tolerated

Recommendations

- Created Demobilization Unit led by DCA Coffey with Jason Autrey as Deputy
- Don't face same challenges during demobilization which were faced during mobilization. Coordinate with our City Managers and/or other counties to demobilize at similar pace
- Observe statistics for other demobilizing jurisdictions as control groups
- Have contingency plan for "administrative pause" if signs of reinfection begin

Recommendations – Timing

- Begin demobilization with limited beach and park hours, voted upon at date TBD. This will allow time for trend monitoring and more than two weeks prior to Governor's Safer at Home E.O expiring or extending to look at further demobilization or administrative pause
- Implement phased demobilization in 2-week stages if no need for administrative pause

A question was asked whether asymptomatic testing is being conducted.

Mr. Maddox stated that no asymptomatic testing is currently being conducted. People must show symptoms of the virus to be tested; however, if there is an outbreak in a certain facility, they may test all the people who work in that facility.

Councilmember Ramswell asked what percentage of those being tested have the virus.

Mr. Maddox noted that it is different locally and statewide. It is somewhere in the 10 percent range statewide, and between 8 and 9 percent locally. He added it is hard to determine the impact on the total population since only the people that are symptomatic are being tested.

Councilmember Menchel asked whether there have been discussions with public or private hospitals or any of their testing facilities about their capabilities and future plans for testing.

Mr. Maddox replied those discussions are being held by the Department of Health with the hospitals.

Councilmember Menchel inquired as to the cost for each test.

Mr. Maddox noted each test costs approximately \$100.

3. PUBLIC COMMENTS ON AGENDA ITEMS THAT ARE NOT PUBLIC HEARINGS AND ANY OTHER MATTERS NOT ON THE AGENDA

Mr. Ron Adams, a Destin resident, stated that this Council may find the need to open up as quickly as possible so people do not lose their jobs or their businesses; however, they do not want to open up too soon and put people's well being in jeopardy. They need to really plan when and how to open the beaches and businesses and let people know as quickly as possible.

Ms. Karen Lugo, a Destin resident and short-term rental owner, stated that the only legitimate role of the government in the COVID-19 case is to "flatten the curve" and to not overwhelm hospitals. The curve has been managed almost everywhere except probably in two cities – Chicago and Boston. There have been a lot of unrest in this nation because people have begun to realize that the entire justification for this issue both constitutionally and medically has shifted to the government keeping everyone safe, which a government is not going to be able to do. Once people begin to move around again, so as the virus. It would not take long to destroy a two-week gating data because each region is unique and different. She continued that people have been patient and cooperative, but they have begun to ask a lot of questions due to the unknowns into their future. As a vacation rental owner, she talked to a lot of other owners about this issue; many of which have already refunded thousands of dollars due to cancelled reservations. Some of them are now living on their savings and retirement money. She stated that it is very important to recognize the known casualties of this virus, and the total devastation and destruction on businesses because people are being forced to stay inside and to not have the freedom and liberty to move and conduct their businesses.

Ms. Marcie Bell, a Destin resident, noted that today's news discussed the State of Arkansas having a 34% increase in confirmed cases of the virus over the past week. One of the reasons may be that the State did not shutdown during this pandemic. She also stated there were people from Arkansas here in Destin even during the prohibition of short-term vacation rentals in Florida by the Governor. There are people sneaking into the beaches despite the fact they are closed. She added that her family live on the beach, but they do not go to the beach; and that they are making that sacrifice to protect themselves and their fellow citizens.

At this time, the City Clerk read the following written comments (email) from a viewer:

"My name is Sean Christian. I manage the Hobby Lobby in Destin and I was wondering if there was a timeline for when businesses such as Hobby Lobby may reopen? And if we can open up, are there any special requirements or limitations that we may need to be aware of?"

Councilmember Destin noted that the Governor's executive order is binding on big box retailers such as Hobby Lobby. This decision ultimately belongs to the Governor and not within the City of Destin's jurisdiction.

The City Attorney clarified that the Governor's decision has nothing to do with the size of a retailer. The type of businesses is defined as essential or non-essential.

Next, Mr. Ken Wampler (virtual participation) commented that whatever action this City Council decides to take should be in conjunction with the County's action. The gating mechanism in place by May 1st is positive and they can expect a positive turnaround. He also stated that he disagrees with any movement to segregate short-term vacation rentals because they are not different from hotels and motels. He urged the council to plan for a beach opening by May 1st.

4. CITY MANAGER REPORTS

A. Discussion regarding Demobilization

The City Attorney noted that the City's Resolution 20-04 closed down the beaches; and that resolution will expire on April 30th. He continued that if the Council takes no action tonight, City beaches will completely reopen on May 1st. The Council has the following options:

- The Council could direct City staff and attorneys to draft a resolution which would extend Resolution 20-04 at least through May 4th, which is a regular meeting day for the Council. Further actions could then be taken at that time
- There is a proposed Resolution 20-09 the Council could adopt, making any appropriate changes. The Council could choose an effective date prior to or after April 30th (May 1st)
- Schedule a special meeting before April 30th, at which time the Council could decide on the next course of action

Councilmember Destin moved to schedule a special City Council meeting for April 29th at 6:00 p.m. to discuss demobilization plans for the City of Destin; seconded by Councilmember Overdier.

Councilmember Braden stated he would support reopening the beaches for two hours in the morning and night effective May 1st to allow people to get out and walk around. He does not think it would encourage visitors to come to Destin and swarm the beaches as short-term vacation rentals are still prohibited. He added they could always call a special meeting and shut down the beaches again if things get out of hand.

Councilmember Menchel stated that he supports re-opening the beaches in conjunction with other jurisdictions. Reopening their beaches earlier than the others would result in a large

crowd swarming their beaches. He also asked how opening the beaches would affect the Sheriff's Office, who will help police the beach, manpower-wise.

According to Capt. Nix of the Sheriff's Office, they would continue to use the manpower they currently have, to include the beach and marine units, to police both Okaloosa Island and the City of Destin, but it would also depend on the nature of the Council's decision to reopen the beaches.

Councilmember Ramswell stated that this Council had the responsibility to take some actions to protect the citizens when this pandemic started. They have seen that the majority of citizens had been very responsible following the guidelines and taking the necessary precautions to be safe and prevent the spread of the virus. She would support taking the next step and reopen the beaches. She feels that people are ready to get out and enjoy the beach and that they are eager to prove they can be responsible. She would prefer they reopen the beaches full-time because a part-time reopening would be very hard to enforce. She added they could always schedule a special meeting and make some changes, if necessary.

Councilmember Morgan expressed support of reopening the beaches full time explaining that reopening the beaches only during certain hours of the day would create a bottleneck of people defeating the purpose of social distancing and would create a bigger challenge on the City's code compliance officers and the Sheriff's Office to enforce. He also stated they need to be ready when they reopen their beaches and the tourists are allowed to return as their inadequate beach accesses, and a complicated issue regarding private vs. public beaches, would create an even bigger challenge.

Capt. Nix stated it would create a mass confusion if the County and City open up their beaches at different times; and that it would create a bigger problem for the Sheriff's Office with a very limited manning when it comes to policing the beaches.

Councilmember Ramswell noted that the Board of County Commissioners has a scheduled meeting on April 21st, and it is possible they would make a decision on reopening their beaches at that time.

The Mayor called for a vote on the motion, which passes 6-1 (Council members Morgan, Destin, Marler, Overdier, Menchel and Ramswell voted "yes"; Councilmember Braden voted "no").

Following a brief discussion, the Council agreed to schedule the special meeting earlier than April 29th if the County takes action related to beaches at their April 21st meeting, and the effective date of their resolution is before April 29th. It was also the consensus of the Council to have the City Attorney bring back a proposed resolution substantially similar or almost exactly similar to the County's resolution, and then the Council can amend it as appropriate.

B. First Amended Declaration of State of Emergency and Extensions 1 and 2

According to the City Attorney, some state agencies are updating their already issued State of Emergencies relating to COVID-19, to reflect that the virus is physically causing property

damage due to its tendency to attach to surfaces for prolonged period of time. The First Amended Declaration of State of Emergency relating to COVID-19 is created for that purpose. He recommends adoption of the Amended Declaration which contains the additional finding of fact that the virus is physically causing property damage.

The Mayor noted that a couple of local restaurant owners are planning on joining a class-action lawsuit with some restaurant groups from Chicago that are using this emergency declaration as part of their argument in trying to make a claim against business interruption insurance.

Councilmember Morgan noted he has business interruption coverage, but it does not cover pandemics, viruses or flu; and so, they were denied coverage. However, he would support this measure since the State is advocating for the small business community.

Councilmember Ramswell pointed out that a particular claim is subject to a determination by an insurance adjustor and the insurance company will make their own ruling; and so, and so this emergency declaration should not really matter.

Councilmember Morgan explained they are basically trying to raise awareness on the State level, for the lawmakers and judges who make decisions on this matter, that there is more to this issue than just business interruption coverage. The argument businesses are trying to make in court is that the damage COVID-19 has done to their facility is no difference than that of a hurricane or a tornado.

Councilmember Overdier moved to direct and authorize the City Manager to issue the First Amended Declaration of State of Emergency and further direct the City Manager to issue extensions 1 and 2 thereto, if the City Manager determines that the State of Emergency still exists on the dates specified in extensions 1 and 2. Councilmember Marler provided a second to the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

C. Resolution 20-08 - Permitting the Use of Communications Media Technology to Conduct Quasi-Judicial City Public Hearings

The City Attorney explained that proposed Resolution 20-8 permits the City and its boards to use communications media technology to conduct quasi-judicial public hearings. It further provides detailed instructions for how quasi-judicial public hearings are to be conducted. He asked Council to approve a modification to the proposed resolution section 5, para 13a changing the sentence, "*The access point shall be at City Hall Annex*" to "*The access point shall be at a physical location described in the notice at described in paragraph 4.*"

Councilmember Marler moved for approval of Resolution 20-08, as amended, and direct the Mayor to execute the resolution; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

D. Milling, Resurfacing and Restriping of a portion of Beach Drive, authorization to execute task orders

The City Manager stated that this project is over \$15,000, therefore Council authorization is required. The total cost for the project is \$152,952.75 and it provides for the milling and resurfacing of Beach Drive from US Hwy 98 to Kelly Street. Funding for this project will be provided by the Gas Tax.

Councilmember Destin moved to authorize the City Manager to execute a task order consistent with the quotes from H&T Contractors LLC and Emerald Coast Striping to mill, resurface and re-stripe Beach Drive, from US98 to Kelly Street, in the amount of \$182,794.15; seconded by Councilmember Marler.

Councilmember Braden asked City staff to make sure the road is re-stripped immediately after it is paved, and not wait until several months later.

Councilmember Menchel recommends rebidding this continuing services contract moving forward following this project. He also recommends putting cones or barrels down in lieu of the temporary paint to save money.

Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

E. FY20 Re-Striping Projects, authorization to execute a Task Order

According to the City Manager, the City's Fiscal Year 2020 budget has allocated \$65,000 for the re-striping of City streets. Three street have been identified that require re-striping for this fiscal year at total cost of \$76,582.50. The Public Works and Safety Committee passed a motion recommending the remaining \$22,755.30 to be paid from the half-cent sales tax funds.

Councilmember Destin moved to authorize the City Manager to execute a task order for the Fiscal Year 2020 re-striping projects and make up the difference from the Gas Tax; seconded by Councilmember Overdier. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

F. Development Review System Software Update

The City's Information Technology Manager Matthew Pace provided a brief update on the progress of the Development Review System Software (EnerGov) implementation. He stated that despite of the interruption caused by COVID-19, they are still working towards the implementation date of January 2021. They are still in the build and validate stage of EnerGov, configuring the software to work with the City's processes. The City's GIS Manager has been working with the County for the implementation process of the mapping system, which is an intricate part to EnerGov. Their review and submittal process can now be administered within a paperless, browser-based environment, and will allow them to easily digitize plans so all stakeholders can access and manage a more collaborative review and approval process.

G. Update on Beach Paid Parking (Parking South of Highway 98) and Resident Passes

The Deputy City Manager announced that staff has identified the paid parking zones along Scenic Hwy 98 and Gulf Shore Drive and ordered the proper signage and resident passes. The residential pass program will be free for all full-time residents of Destin and will offer two passes per eligible household. It will be administered in similar ways that the Joe's Bayou and Henderson Beach Pass programs are administered and enforced through the City's paid parking system used by Code Compliance Department. Each full-time resident will have to provide a tag number that will correspond with each registered resident beach pass permit issued. The beach paid parking program was prepared to go live in March but was delayed due to COVID-19 as well as staff turnover. Facilities must reopen to process passes. Staff will begin to provide public information on the paid parking and residential pass program as soon as the timing is appropriate regarding the COVID-19 situation.

Councilmember Ramswell asked how many parking spaces will be available.

Public Services Director Michael Burgess noted that the long section of Gulf Shore Drive will have approximately 47 spaces and there will be approximately 30 spaces in the area down in Norriego Park.

Councilmember Morgan recommends delaying this program a few months rather than putting it into effect immediately after the City reopens.

Councilmember Morgan moved to continue this item at the first meeting in June; seconded by Councilmember Destin. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

H. Request for Direction and Capt. Royal Melvin Heritage Park Status Update

The City Manager noted that the Capt. Royal Melvin Heritage Park RFP resulted in receipt of one bid. City staff had a conference call with representatives from the U.S. Treasury and the County to discuss whether the project should be rebid in an attempt to obtain additional responses. While the US Treasury is not requiring the City to rebid this project at this time, they recommend the City rebid the project at least once to attempt to obtain more than one bidder to make it more competitive.

Councilmember Destin moved to direct staff to conduct the following actions:

- a. Reject the initial bid.**
- b. Transmit the Council's decision to rebid the project to the County on Tuesday, April 21st for approval.**
- c. Advertise the project within 24 hours of the County's approval.**
- d. Place a Capt. Royal Melvin Heritage Park update under City Manager Report at every Council meeting.**

Councilmember Menchel recommends adding a deadline date for obtaining the bid proposals.

The Land Use Attorney stated they could give a timeframe of 30 days from the date the City receives approval from the County.

Councilmember Menchel also recommends expanding the bid area for advertising to increase the chance of receiving more bids for the project.

Councilmember Ramswell would like a copy of the 2018 and 2019 Stewardship Report with the Community Land Trust that is required annually for the park.

The Mayor called for a vote on the motion, which passes 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

I. Finance Director Candidate Approval

Motion by Councilmember Overdier, seconded by Councilmember Ramswell, to confirm the appointment of Mrs. Krystal Strickland as Finance Director, City of Destin passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

J. Distribution of City-Issue Phones and Training, and Scheduling of Workshop for Additional Public Records Training

The City Attorney provided an overview of Council Resolution 19-27, which constitutes the City’s Enhanced Public Records policy:

Brief History of the City’s Public Records Policies

- In addition to requirements set forth in Florida Statutes, the City has had in place additional internal requirements and protocols since 2009 relating to public records and how to handle public record requests. These policies help ensure that the law is adhered to and that the City’s goal of full transparency is met
- These policies were legally sufficient and represented more stringent requirements than those in place at most state agencies and local governments
- While legally sufficient the City’s internal public records policies were disjointed and located in separate locations, making compliance more difficult than necessary
- The attorneys and City staff identified this as an area that could be strengthened and made more efficient by adopting a new policy containing all internal requirements in a single location and strengthening mechanisms already in place beyond those found in Chapter 119, Florida Statutes
- On November 4, 2019, the attorneys and City staff presented Resolution 19-27 for Council’s consideration and Council adopted the resolution in its entirety
- Resolution 19-27 is substantially similar to the City of Tallahassee’s policy which legal scholars believe is the “model template for other agencies and local government to adopt and apply

Emails – Do's and Don'ts for Elected Officials

- Do use your city of Destin email address for all correspondence relating to City business
- If you receive an email at your private email address, then immediately transfer it to your City of Destin email address
- Do not use any other email address for any correspondence relating to city business

Text Messaging and Other Forms of Instant, Written Communication

- Use your City issued phone for all City related text messages
- If you receive or inadvertently send a text message from your private phone, then you must transmit the text message to your City issued phone or City email address
- Do not use any other phone for any correspondence relating to City business

Social Media Accounts

- If you maintain social media accounts, then you must maintain all public records on such accounts
- If you maintain accounts and the City receives a public records request, then you must thoroughly search your account and produce any responsive material to the City Clerk
- Do not delete any social media account
- Do not delete any public or private message that you may have created or received from any individual or entity

The City Attorney will bring back a slightly revised version of Resolution 19-27 at the May 4th Council meeting to correct some internal consistency issue and to reflect some technological upgrades mainly due to COVID-19.

K. Announcements

- Mr. Jeff Cozadd provided a brief report on COVID-19 related grant and assistance programs for small businesses and individuals
- The City Manager announced that FDOT has selected an engineering firm to provide designs for the US Hwy 98 medians between Airport Road and Marler Bridge. He requests Council appoints a Council representative to participate in meetings with FDOT.

Motion by Councilmember Marler, seconded by Councilmember Ramswell, to appoint Councilmember Braden as the Council representative to participate in meetings with FDOT passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”).

5. PUBLIC HEARINGS

A. First reading of Ordinance 20-09-PC - Amending the Future Land Use Map as referenced in Chapter 1 of the Comprehensive Plan to include a change in the future land use designations of the parcel described and generally depicted in Exhibit A from Residential, Office, Institutional (ROI), Recreation (REC), and Institutional (INST) to Institutional (INST)

The City Attorney read Ordinance 20-09-PC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI), RECREATION (REC), AND INSTITUTIONAL (INST) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance.

Ms. Marcie Bell noted that Parcel B is approximately 12 acres and Parcel C is approximately 2 acres, and that state land is approximately 20 acres; totaling 34 acres. The sand was put there with public funds by the Army Corps of Engineers (ACOE). They have public land which have been ignored for years. She stated that she has a letter dated May 5, 2008 from the Department of the Environmental Protection (FDEP) which states to ACOE, "*The State of Florida holds title to 34 acres at Norriego Point by Quit Claim Deed executed in 1982.*" She stated that these 34 acres of public land is covered by spoils easement 101-6. She stressed that Parcels B and C are publicly owned parcels. She also learned there was approximately 130,000 cubic square yard of sand placed on Norriego Point to build the park for the citizens. She urged the Council to consider changing the land designation from HDR back to Conservation.

Having no further comments from the public, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration.

Councilmember Overdier moved to approve proposed Ordinance 20-09-PC – Mattie Kelly Arts Foundation – and direct staff to send the ordinance to the Florida Department of Economic Opportunity for review of the Future Land Use Amendment prior to second reading; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes")

B. First reading of Ordinance 20-10-PC - Amending the Future Land Use Map as referenced in Chapter 1 of the Comprehensive Plan to include a change in the Future Land Use designations of the parcels described and generally depicted in Exhibit A from North Harbor Mixed Use (NHMU) and Residential, Office, Institutional (ROI) to Institutional (INST).

The City Attorney read Ordinance 20-10-PC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCELS DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM NORTH HARBOR MIXED USE (NHMU) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration

Councilmember Overdier moved to approve proposed Ordinance 20-10-PC – City Parking Lot – and direct staff to send the ordinance to the Florida Department of Economic Opportunity for review of the Future Land Use Amendment prior to second reading; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”)

C. First reading of Ordinance 20-11-PC - Amending the Future Land Use Map as referenced in Chapter 1 of the Comprehensive Plan to include a change in the future land use designations of the parcel described and generally depicted in Exhibit A from Medium Density Residential (MDR) and Residential, Office, Institutional (ROI) to Residential, Office, Institutional (ROI).

The City Attorney read Ordinance 20-11-PC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM MEDIUM DENSITY RESIDENTIAL (MDR) AND RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI) TO RESIDENTIAL, OFFICE, INSTITUTIONAL (ROI); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING

PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration

Motion by Councilmember Overdier, seconded by Councilmember Ramswell, to approve proposed Ordinance 20-11-PC – Sugarloaf Apartments – and direct staff to send the ordinance to the Florida Department of Economic Opportunity for review of the Future Land Use Amendment prior to second reading, seconded by Councilmember Ramswell, passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”)

D. First reading of Ordinance 20-12-PC - Amending the Future Land Use Map as referenced in Chapter 1 of the Comprehensive Plan to include a change in the future land use designations of the parcel described and generally depicted in Exhibit A from Bay Estates (BE) to Recreation (REC)

The City Attorney read Ordinance 20-12-PC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM BAY ESTATES (BE) TO RECREATION (REC); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration

Councilmember Overdier moved to approve proposed Ordinance 20-12-PC – Cemex Plant – and direct staff to send the ordinance to the Florida Department of Economic Opportunity for review of the Future Land Use Amendment prior to second reading passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”)

E. First reading of Ordinance 20-13-PC - Amending the Future Land Use Map as referenced in Chapter 1 of the Comprehensive Plan to include a change in the future land use designations of the parcel described and generally depicted in Exhibit A from Institutional (INST) and Town Center Mixed Use (TCMU) to Institutional (INST).

The City Attorney read Ordinance 20-13-PC by title, and then presented it to the City Council on first reading.

AN ORDINANCE OF THE CITY OF DESTIN, FLORIDA, AMENDING THE FUTURE LAND USE MAP AS REFERENCED IN CHAPTER 1 OF THE COMPREHENSIVE PLAN TO INCLUDE A CHANGE IN THE FUTURE LAND USE DESIGNATIONS OF THE PARCEL DESCRIBED AND GENERALLY DEPICTED IN THE ATTACHED EXHIBIT A FROM INSTITUTIONAL (INST) AND TOWN CENTER MIXED USE (TCMU) TO INSTITUTIONAL (INST); PROVIDING FOR AUTHORITY; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR JURISDICTION; PROVIDING FOR FUTURE LAND USE MAP AMENDMENT; PROVIDING FOR INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTING PROVISIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The Mayor opened a public hearing to receive comments for or against the proposed ordinance. Having none, the Mayor closed the public hearing and turned the matter over to the City Council for discussion and consideration

Councilmember Overdier moved for approval of proposed Ordinance 20-13-PC – DUMC – and direct staff to send the ordinance to the Florida Department of Economic Opportunity for review of the Future Land Use Amendment prior to second reading; seconded by Councilmember Marler. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted “yes”)

6. CONSENT AGENDA

7. COMMENTS/PRESENTATIONS FROM MAYOR, COUNCIL, LAND USE ATTORNEY AND CITY ATTORNEY

A. Councilmember Braden

Councilmember Braden recommends the Christmas Parade Committee considers adding Capt. Tommy Browning to the list of potential candidates for Grand Marshall for the Destin Christmas Parade this year.

1) Holiday Isle Spoils Easement

Ms. Marcie Bell noted there are property owners that believe they have private ownership of deeded beach accesses and decided to put up fences and prevent access to public sand. City staff has informed her there were nothing they could do about the fences. She stated it is very important for this Council to be aware of this problem and take action to remediate it.

Councilmember Braden noted that the Osteen deeded beach access stops at the concrete fence from the adjacent property and does not run to the water's edge, which is state land.

Councilmember Ramswell stated that originally, all of that area was public beach. It was deeded to the State of Florida, and the State had it for public usage. It ended at a public beach where the public could walk freely. She also stated that she previously communicated this issue

with former City Manager Greg Kisela and former City Land Use Attorney Scott Shirley in 2015 to try to clarify the issue related to the Osteen beach access. She also discussed this matter with another former City Manager Carisse Lejeune two years ago. Based on the original information that she received from Mr. Shirley, she went on the FDEP website and learned that parcel was subdivided into 4 different parcels called parcels 1, 2, 3 and 4. It encompasses more than 33 acres of land. Parcel 4 is now the big beach land down at the bottom. Parcel 3 includes Osteen, but the State records actually show it going all the way to the water. Parcel 2 is located to the west of the Ultimate Condominiums. She added she has forwarded this information to the current City Land Use Attorney to investigate.

B. Councilmember Ramswell

Councilmember Ramswell asked the Land Use Attorney to look into the ownership issue regarding the Osteen access and how far the Osteen access extends.

Councilmember Ramswell asked the City Manager to follow up on her previous request for the City to send a letter to Governor Desantis encouraging him to consider the US Hwy 98 project among the critical infrastructure projects that are being fast-tracked per the Governor's direction.

Councilmember Ramswell requested a copy of the letter asking FDEP'S formal written position on the issue relating to Norriego Point embayment.

C. Councilmember Menchel

Councilmember Menchel asked staff to have the street name signage be placed on the new mast arms that were installed as part of the widening project on US Hwy 98.

D. Councilmember Overdier

E. Councilmember Marler

1) Rescheduling upcoming City events/Founder's Day Discussion

Councilmember Marler requests Founder's Day be rescheduled to September after Labor Day.

F. Councilmember Destin

G. Councilmember Morgan

Councilmember Morgan requests Coleman Lake Outfall be placed on the next Council meeting agenda.

H. Mayor Gary Jarvis

I. Land Use Attorney

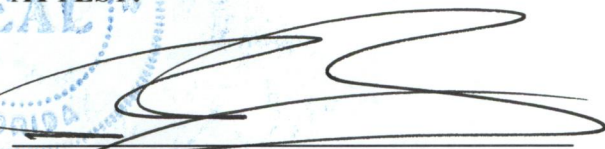
J. City Attorney

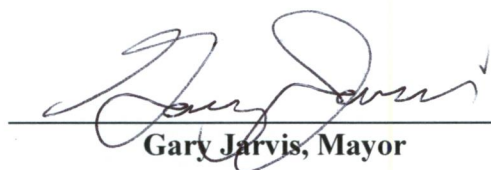
8. PUBLIC COMMENTS

ADJOURNMENT:

Having no further business at this time, the meeting was adjourned at 9:50 PM.

ATTEST:


Rey Bailey, City Clerk


Gary Jarvis, Mayor