

**MINUTES
SPECIAL MEETING
DESTIN CITY COUNCIL
APRIL 29, 2020
DESTIN CITY HALL
ANNEX COUNCIL CHAMBERS
6:00 PM**

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

Destin City Council

Mayor Gary Jarvis
Councilmember Rodney Braden
Councilmember Cyron Marler
Councilmember Steven Menchel (Virtual)

Councilmember Prebble Ramswell
Councilmember Parker Destin
Councilmember Skip Overdier (Virtual)
Councilmember Chatham Morgan

Destin City Staff

City Manager Lance Johnson
Public Information Manager Catherine Card
Parks/Recreation Director Lisa Firth
Community Dev. Director Louis Zunguze
Land Use Attorney Kimberly Kopp

Deputy City Manager Webb Warren
City Clerk Rey Bailey
Code Compliance Manager Joey Forgione
IT Manager Matthew Pace
City Attorney Kyle Bauman

CALL TO ORDER

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

NEW BUSINESS

1. PUBLIC COMMENTS

Mr. Bill Reddington, a Destin resident, urged the Council to vote to fully open the beaches. He stated that Walton and Bay started out with limited opening of their beaches, and then later on decided to open their beaches up from dawn to dusk. He asked that this Council make a similar decision for Destin beaches because doing so would prevent a mass of people flocking to the beach at the same time. It would also be a lot easier for law enforcement and code compliance officers from the enforcement standpoint.

Mr. Kim Brazile, a Destin resident, stated that as a private beach owner they should be able to utilize their private beach. He also stated that opening all the beaches from dawn to dusk would be easier to enforce and avoid having a crowd of people walking shoulder to shoulder on the beach.

Ms. Marcie Bell, a Destin resident, stated that public beach access points are so narrow they would not allow safe social distancing among beachgoers. She also expressed concern with sanitizing of short-term rental units when short-term rental is reopened. She also questioned how people coming from out of town and would affect the residents especially elder residents, which are the most vulnerable to the virus, when it comes to shopping for food and other necessities. She

urged the City to reach out to local grocery stores and pharmacies and asked them to set aside special hours for residents to shop at their stores.

Mr. Tim Broom, a Destin resident, stated that he would prefer opening the beaches 24 hours a day, 7 days a week; however, it is of utmost important for the City to work in partnership with Okaloosa County and the adjacent counties. They should all operate under the same rules otherwise it would be confusing to all especially to visitors to this area. He also stated that he operates a business in the City, and he is finding it very difficult to explain to prospective customers when and why they should or should not come to Destin. He added it is critical to be able to provide accurate information to all.

Ms. Lisa Renkus (online call) from St. Louis, Missouri, stated they have a vacation planned for May 16th in Destin and it is important they get accurate information regarding the condition in this area. They would not want to drive 11 hours to Destin just to be isolated inside the condominium facility they are renting and unable to go to the beach and visit other locations. At this time, they are not sure whether they should cancel or postpone their trip to September. She urged the Council to consider re-opening all the beaches in Destin.

At this time, the City Clerk read the following email correspondence received during the meeting:

Ms. Sam Perman wrote, *"In considering the reopening of beaches and businesses, what is the City's plan for testing for the Corona virus?"*

According to the City Manager, the Okaloosa County Health Department will take the lead. There is a facility at the Okaloosa County and Walton County border which is open two days a week. Also, the Florida Governor has stated just before this meeting that if the demand increases, he would see fit to increase their ability to provide additional testing. There will be more information coming from the two presenters tonight.

Mr. Sean Christian, General Manager of Hobby Lobby Store, wrote, *"If the Governor does not extend or alter his 'Safer at Home' executive order, will businesses such as Hobby Lobby be able to reopen on Friday, May 1st? Does the City have any plans to enact their own restrictions or limitations on businesses reopening?"*

The City Manager stated he does not believe the Governor's executive order actually states that stores cannot reopen; perhaps decisions to close the stores were made at the corporate level.

Ms. Tammy Preus (online call), from Tulsa, Oklahoma, stated they plan to come to Destin and stay at the Emerald Grande around May 15th. However, they would cancel their plan if the beaches are not going to reopen. She urged the Council to consider reopening the beaches.

Ms. Ann Marie Diaz (online call), a Destin resident, asked how the City plans to regulate all the people who will be coming to Destin to go to the beaches, parks and other places to make sure proper social distancing guidelines are followed.

According to Capt. Nix of the Sheriff's Office, social distancing guidelines are recommendations only and are not enforceable. They could only hope people would continue to abide by these guidelines as they have done so far.

Mr. Steven Kepner (online call), a Destin resident, stated that since Okaloosa County public beaches have limited hours, they could run into an issue of people flooding Destin beaches, if they decide to reopen them, to a point where things could become unmanageable.

Mr. Tim Broom addressed the question about the reopening of the stores, stating that according to the Governor, retail businesses could open at 25 percent capacity. However, the Governor did not address the short-term rental issues.

According to the Land Use Attorney, if the Governor does not extend his executive order banning short-term rental by April 30th, it would expire and short-term rentals would be back in operation on Friday, May 1st.

Mr. Bill Reddington noted that Okaloosa County beaches will reopen on May 1st at limited hours, and then from dawn to dusk beginning May 9th. However, they plan to meet before May 9th if things get out of control and they need to take a different course of action. He also mentioned that people on Panama City beach have been very polite and respectful of one another and are following the social distancing guidelines.

The City Attorney noted that the County voted to develop a resolution to vote on next Tuesday, May 5th to reopen their beaches full-time beginning May 9th.

Councilmember Braden stated that if tonight's vote was to reopen the beaches, this Council has the purview of scheduling another special meeting to close their beaches indefinitely if things get out of hand.

2. NEW BUSINESS

A. Okaloosa County Health Department Presentation – Dr. Karen Chapman

Dr. Karen Chapman of Okaloosa County Health Department provided the following update relative to COVID-19:

- The Governor spoke on moving to "Opening America Again" phase one plan on May 4th
- Since she spoke before the Destin City Council on March 20th
 - ❖ There have been 154 cases in Okaloosa County. During this period, the health department has conducted extensive contact tracing, which is something they do in a routine basis
 - ❖ Investigating cases and isolating contacts helped keep the numbers down. Hospitals have not been severely impacted
- Many years ago, the health department installed an electronic bio-surveillance system in all their hospitals. There are no personal information on an individual but chief complaints for all visit are entered into the system

- They monitor influenza-like illness, and they are now monitoring COVID-like illness since January 2020
- Through April 25th, 2,125 tests had been performed in Okaloosa County
 - ❖ The vast majority occurred in April
- The health department alone has now been conducting approximately 33 tests per day, including symptomatic individuals in the community and symptomatic healthcare workers and asymptomatic residences and staff in long-term care facilities
- White-Wilson Medical Center has been willing to provide primary care services and medical evaluation to people with respiratory symptoms. There have been a very short supply of physicians willing to see patients who need medical evaluation
- Eglin AFB has also been a major service provider and are conducting approximately 11 tests per day
- Okaloosa County still has the need for increased testing
- The State of Florida is doing approximately 10,000 tests per day
- There are some concerns for the more vulnerable population as visitors start to come in as they move forward reopening in phased approach including the reopening of the beaches and potential opening of the short-term rentals
 - ❖ Local facilities particularly grocery stores will be more crowded
 - ❖ Grocery stores were wiped out back in March and are just now recovering
 - ❖ The community must take steps to protect their more vulnerable residents
- Twenty-five percent of people who were hospitalized for the disease have no underlying conditions
- Contrary to what some people believe, there is no protection for closed gathering just because they are outside
 - ❖ UV light will not kill the virus. The only UV light that comes from the sun and penetrates the atmosphere are UVA and UVB, which burns the skin
 - ❖ The UV light that kills viruses is called UVC and it does not penetrate the atmosphere. It is manufactured and it is used to kill viruses and bacteria in hospitals and laboratories. It is a very dangerous form of UV light and human beings cannot be exposed to it

Councilmember Ramswell inquired as to the result of the testing of asymptomatic workers at healthcare facilities and the percentages of those that have tested positive.

According to Dr. Chapman, she does not have the exact data but the numbers are small, however, the testing numbers are also small; which is why she feels very strongly that they need to expand testing particularly asymptomatic healthcare workers and first responders.

Councilmember Ramswell asked how long the virus stays inside the body and would be caught during testing.

Dr. Chapman stated they are learning more about this case, but they are finding that it varies based on individuals. Some people would not have any more symptoms and would test negative within a week. There are also people that are still shredding virus after 21 days and they have not been able to release them from isolation.

Councilmember Ramswell inquired as to the likelihood of people that were asymptomatic who are being tested and ultimately testing positive but who only had a sinus infection or a minor case of a cold days earlier.

Dr. Chapman replied they are finding overtime that there is a broader range of symptoms for this virus than just cough, fever, and shortness of breath. They have broadened testing to typical upper respiratory symptoms, sore throat, nausea and vomiting, and a loss of taste or smell. She added there are people who tested positive but with absolutely no symptoms and have no idea they are shredding this virus.

Councilmember Ramswell stated that if they continue ramping up the testing as Dr. Chapman had mentioned, it could result in more positive tests which could then artificially elevate the rates of incidence and cause a panic even though the numbers of those actually infected might really be the same or even lower with respect to the rest of the population.

Dr. Chapman stated that as they increase the number of tests, they are actually seeing positivity rates going down. What they increased in test do is identify individuals who are at risk of spreading the virus, promptly isolate them, identify and quarantine their contacts.

Councilmember Ramswell pointed out that the number of Okaloosa County residents that have tested positive of the virus was .06% of the entire population which can be considered a very small number without demeaning those who have suffered and even died of the disease.

According to Dr. Chapman, the County represents approximately .97% of Florida population and represents about 4.6% of all the cases. They intervened quickly as the number of cases started to rise which helped control the spread of the virus.

Councilmember Menchel stated that with some facility reopening being planned for next week, if they would be looking for spike of the virus in approximately two weeks.

Dr. Chapman stated they tend to look at the data in two-week timeframe and not day-by-day, and they look at the data at the end of those two weeks. They could expect to see a little bit of an uptick, which can be considered natural due to increased social interaction; adding that increased testing would be quite beneficial.

Councilmember Menchel inquired about protocol and current procedure for testing.

Dr. Chapman noted they have a telephone line 850-344-0566, which is COVID-19 public information line where symptomatic people would be switched over to medical screeners who would discuss the symptoms and schedule people to come to their COVID-19 testing clinic. If people are sick enough and feel a doctor needs to evaluate them, then they would be referred to White-Wilson Medical Clinic for a scheduled appointment.

B. Okaloosa County Emergency Management COVID-19 Updates – Patrick Maddox

Mr. Patrick Maddox of Okaloosa County Emergency Management provided the following information relative to COVID-19:

- “*Why did the County choose to have limited hours on the beach?*” They are trying to limit out of town visitors from coming to their beaches, especially those travelling from areas severely affected by the virus.
- Having coordination among the surrounding counties makes sense and attempts were made very early; however, it is not as easy as it would seem. They were not able to come to a consensus because there were a lot of individual decisions and opinions
- Contents of the Governor’s speech include:
 - ❖ “Small, deliberate, methodical and data driven” are words to consider when implementing different measures and demobilization tactics
 - ❖ Goals:
 - Protect the elderly and vulnerable citizens
 - Make certain hospitals are supplied and have capacity
 - They need an economic recovery
 - Protect individual rights and civil liberties
 - Increase testing
 - Supply chain is moving much more rapidly
 - Test kits are beginning to flow. As they receive more test kits, they can expand some drive-thru testing sites
 - Prevent the introduction of the virus from outside the State especially from places severely impacted by the virus
 - ❖ State gating criteria:
 - Cough trends and influenza like illness (ILI) dropping
 - Cases declining
 - Last two weeks is positive (between 4.5 and 6 percent for Florida)
 - Crisis care
 - Walk-up testing sites
 - ❖ Phase 1 – May 4th
 - School to continue distance learning
 - Long-term care facilities/nursing homes remain no visitors allowed
 - Elective surgeries can resume but hospitals must provide their own PPEs and must maintain surge capacity
 - Restaurants – allow outdoor seating with 6-foot social distancing and indoor capacity at 25% with social distancing
 - Movie theatres remain closed
 - Retail facilities to open at 25% capacity with social distancing
 - Bars, gymnasiums, personal services shall remain closed
 - Vulnerable population (65 years and over and those with underlying health condition) should avoid close contact to people outside the home

- CDC guidelines of 10 or less for social gathering will still be in place
- Recommendation for face mask in public but no fines for refusal. Specially requested to be practiced by opened businesses
- ❖ Next steps to get to Phase 2
 - Monitoring hospital capacity and resources
 - Monitoring COVID tests positivity rate
 - Monitoring syndromic trends
- Current Data – Okaloosa County
 - ❖ 153 cases (.46% of statewide cases and .07% of County population)
 - ❖ 3 people currently in hospital being treated for COVID-19
 - ❖ 3 deaths but there are many cases in long-term care facilities
 - 27 cases in long-term care facilities including residents and staff
 - ❖ Florida cases including non-residents – 33,193
 - Okaloosa County has less than one percent (.46%) of the positive cases in Florida
 - ❖ ILI syndromic data is generally declining
 - ❖ Okaloosa County has over 30% of available regular bed capacity without counting surge capacity. No ICU bed is currently taken
 - ❖ Over 70 ventilators are available
 - ❖ Each hospital has more than 20 days of M-95s currently in stock and are being replenished

Councilmember Overdier noted that the County's action opening the beaches on a limited basis now is just delaying the inevitable for only a week if they decide to reopen the beaches from dawn to dusk on May 9th; and that he does not fully understand the logic behind it since the Governor is not planning to lift the ban on short-term rentals any time soon.

Mr. Maddox stated he would not comment on it at this point because the resolution to open the beaches full time has not been signed; and that it could possibly change direction based on the Governor's speech today.

Councilmember Morgan stated that it is important to realize that Destin and Okaloosa County's beaches are very different in terms of the public versus the private nature. Destin has been dealing with the inadequacies of their public beach access. Opening the beach for two hours during the day and then in the evening would create a bottleneck for their inadequate public beach accesses and will defeat the purpose of social distancing.

The Land Use Attorney pointed out that the Governor issued Executive Order 20-11 which extends vacation rental suspensions until at least Monday, May 4th. The Governor also extended the executive order dealing with essential services to May 4th.

Councilmember Morgan stated that the question they need to answer is if they are ready to reopen this town to tourism. He does not believe there is going to be a slow reopening. Tourist will return to Destin in groups just as soon as they reopen the beaches and they need to be prepared

for them. He added they do not have enough public beach to service all the short-term rentals and maintain social distancing protocols. He also added that different counties have different time restrictions and different protocols for their beaches which would also create a lot of problems.

Councilmember Marler stated that Destin's economy is based upon tourism. They currently have a lot of jobless residents, and that he himself is in furlough because everything has been shut down. He also stated they should not blame the tourists for breaking rules that even their residents are not following. He added he is in favor of reopening the beaches full time because they need the tourists to come back to Destin.

Councilmember Braden asked how long it would take for restaurants like Harbor Docks to reopen and operate 100 percent.

Councilmember Morgan stated it would be a little quicker for Harbor Docks because they did not completely close; and so, it would probably take a week of solid preparation to open their dining room.

The Mayor stated they also need to get their employees back if they are willing to work or hire new people and train them.

Councilmember Ramswell expressed her opposition to opening the beaches on a limited basis stating that everybody will cram to the beaches during those hours defeating the social distancing guidelines, which according to Capt. Nix is nothing more than a recommendation and not enforceable. She continued that if they open the beaches from dawn to dusk, the crowd would be dispersed throughout the day which would be safer for everybody. She added that if things get out of control, they could always schedule a special meeting to address the situation.

Councilmember Overdier expressed his support to opening the beaches up from dawn to dusk beginning Friday, May 1st.

Councilmember Menchel stated that part-time reopening of the beaches would not make sense and it would be impossible to enforce, and that he would support opening them up on a full-time basis. He also stated that contrary to a previous comment, they are not necessarily blaming the tourists or targeting any individual groups. Part of the decision to close the beaches was to prevent having people from heavily infected areas such as New York, New Jersey or New Orleans from coming to Destin.

Councilmember Braden moved to reopen the Destin beaches from dawn to dusk effective May 1, 2020; seconded by Councilmember Ramswell.

Councilmember Morgan inquired as to the status of Henderson Beach Park.

According to the Deputy City Manager, the park is currently closed, but park representatives are hoping to receive directions from State Park management soon.

Councilmember Menchel asked the City Manager to coordinate with Eglin AFB and convey to them the actions taken by Council tonight.

Councilmember Destin stated that reopening the beaches on a part-time basis would create a lot of confusions from the public. However, he would like to make sure they are not creating some hardships on the part of law enforcement by reopening the beaches full time, which is contrary to the County's decision.

Capt Nix stated that either decision would create a little bit of confusion at first, but this community has done an outstanding job following the rules and they hope they continue to do so. He added that Destin beaches are extremely different than Okaloosa County beaches with the limited amount of public beaches Destin has as compared to private beaches which create so much confusion from visitors coming to town.

Councilmember Ramswell suggests they describe permissible activities if they decide to reopen the beaches.

The City Attorney asked the Council to review Resolution 20-09, particularly section two and provide direction on how they want staff to modify the language in that section. He then read the following language as currently stated in section two for the record:

"Partial Reopening of Certain Properties and Facilities"

- 1. Except as otherwise described herein public and private beaches, beach accessways, trails, parking areas solely for accessing public and private beaches, and City beachfront parks (collectively heretofore referred to as the "Beaches") are reopened between the hour of 6:30 a.m. and 9:00 a.m., and 4:30 p.m. and 7 p.m., daily.*
- 2. Pursuant to Executive Order 20-91, a social gathering is not an essential activity. No group of greater than 10 is permitted to congregate on the Beaches, regardless of whether that group is engaging in an 'essential activity'."*
- 3. No commercial activity is allowed outside of hours that the Beaches are reopened."*

Councilmember Morgan wants to know if adoption of this resolution would effectively reopen City parks.

According to the City Attorney, it will reopen only beachfront parks, and that the City Manager has discretion on reopening regular City parks, or the City Council can direct the City Manager in that regard.

The City Manager suggests including the beachfront parks in this resolution and reopening the other park amenities that they shutdown as the trends go to a positive direction.

There were considerable discussions relative to activities that are allowed and those that are prohibited under the newly released Governor's Executive Order 112.

The City Attorney advises that they include a language in this resolution such that Resolution 20-09 is not intended to supersede the Governor's Executive Order 112 and the list of essential activities that area contained therein.

Councilmember Braden offered an amended motion to reopen the Destin beaches from dawn to dusk effective May 1, 2020; and to include a language in Resolution 20-09 that this resolution is not intended to supersede the Governors Executive Order 112 and the list of essential activities that are contained therein. Motion was seconded by Councilmember Ramswell and passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

Councilmember Destin moved to instruct the Mayor to encourage and recommend to all local grocery stores and pharmacies to continue holding the hours that they have set for seniors and vulnerable citizens until they get through Phase 3 of their process of reopening the State of Florida, which would be at the expiration of the Phase 3 of the Executive Order issued by the Governor; seconded by Councilmember Ramswell. Motion passed 7-0 (Council members Morgan, Destin, Marler, Overdier, Menchel, Ramswell and Braden voted "yes").

Councilmember Menchel recommends they advertise on social media and website, and coordinate with the TDD, to educate people to bring supplies with them when they come to Destin.

Councilmember Ramswell requests they put some sort of a Frequently Asked Questions (FAQ) on social media and websites that addresses the different types of questions relating to this subject.

The City Manager noted they have not closed any of the bayside parks except for the playground amenities in Clement Taylor Park. Morgan Sports Center is still closed, and they have not resumed sporting events.

Councilmember Morgan asked staff to include discussion on the opening of City parks that are currently closed including playgrounds on the May 4th Council meeting agenda.

3. PUBLIC COMMENTS

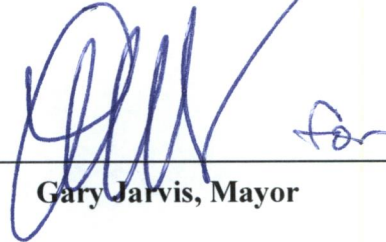
Ms. Marcie Bell noted that short-term rentals are currently renting despite the Governor's executive order suspending it indefinitely. She also stated she is still very confused regarding the decision the Council made tonight.

The Mayor clarified that the Council voted to reopen the Destin beaches from dawn to dusk starting Friday, May 1st.

Mr. Bill Reddington expressed his gratitude to the decision the Council made tonight; stating that it will help a lot of people who are currently struggling to make ends meet. He also stated there are many short-term rentals that are not renting but allowing members of their families to use the house, which is within their rights to do so.

ADJOURNMENT

Having no further business at this time, the meeting was adjourned at 7:45 PM.


A handwritten signature in blue ink, appearing to be 'G. Jarvis', is written over a horizontal line.

Gary Jarvis, Mayor

ATTEST:


A handwritten signature in blue ink, appearing to be 'Rey Bailey', is written over a horizontal line.

Rey Bailey, City Clerk