

Introduced By: Council Member Christine Hoffman
Adopted: March 2, 2020

RESOLUTION NO. 2052-2020

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, DIRECTING THE CITY MANAGER TO PLACE STANDARD HOSPITAL EMERGENCY SERVICES WAYFINDING SIGNS ON CITY PROPERTY TO HELP THE TRAVELING GENERAL PUBLIC LOCATE THE ONLY LICENSED HOSPITAL EMERGENCY MEDICAL CARE FACILITY LOCATED IN THE CITY, AS DEFINED BY SECTION 395.002, FLORIDA STATUTES; PROVIDING FOR LEGISLATIVE FINDINGS, COUNCIL AUTHORITY, PUBLIC PURPOSES, ADMINISTRATIVE ASSIGNMENT AND DELEGATION OF RESPONSIBILITIES, CONFLICTS, SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach (“City”) has the authority to approve this Resolution pursuant to Article VIII, Section 2 of the Constitution of the State of Florida; Chapter 166, Florida Statutes; Part I Chapter I. Sections 1 and 2 of the City Charter; and Section 34-447.2 City Code of Ordinances; and

WHEREAS, government entities may erect all manner of signs to promote and protect public safety, as well as erect their own directional signs. *Reed v. Town of Gilbert*, 135 S.Ct. 2218, 2233-34 (2015); and

WHEREAS, Section 34-458(1) of the City Code of Ordinances in part defines a Wayfinding sign as a non-commercial government sign that shows route directions and distances for the aid of the traveling public and in order to encourage orderly traffic flow and prevent sudden stops from drivers who cannot easily find their destination; and

WHEREAS, Section 395.002(12), Florida Statutes, defines “Hospital” as any establishment that: (a) Offers services more intensive than those required for room, board, personal services, and general nursing care, and offers facilities and beds for use beyond 24 hours by individuals requiring diagnosis, treatment, or care for illness, injury, deformity, infirmity, abnormality, disease, or pregnancy; and (b) Regularly makes available at least clinical laboratory services, diagnostic X-ray services, and treatment facilities for surgery or obstetrical care, or other definitive medical treatment of similar extent; and

WHEREAS, Section 395.002 (8), Florida Statutes, defines “Emergency medical condition” as: (a) A medical condition manifesting itself by acute symptoms of sufficient severity, which may include severe pain, such that the absence of immediate medical attention could reasonably be expected to result in any of the following: 1. Serious jeopardy to patient health,

including a pregnant woman or fetus. 2. Serious impairment to bodily functions. 3. Serious dysfunction of any bodily organ or part.

(b) With respect to a pregnant woman: 1. That there is inadequate time to effect safe transfer to another hospital prior to delivery; 2. That a transfer may pose a threat to the health and safety of the patient or fetus; or 3. That there is evidence of the onset and persistence of uterine contractions or rupture of the membranes; and

WHEREAS, Baptist Health Medical Center Beaches (“Hospital”) located in Jacksonville Beach is the only licensed hospital and full emergency care department provider east of the Intracoastal waterway; and

WHEREAS, the Hospital reports that in 2018 it provided over \$4 million in uncompensated medical care and charity community care, over \$5.4 million in unreimbursed Medicaid costs, over \$12 million in unreimbursed Medicare costs, and \$244,000 in community programs; and

WHEREAS, the Hospital reports it receives approximately 32,000 emergency room (ER) visits per year, 26,000 ER visits by private car, 10,000 geriatric ER visits, 2,100 pediatric ER visits, 85,000 outpatient visits, 11,000 hospital admission (6,400 being senior patients), and it annually provides healthcare services to approximately 2.2 million Jacksonville Beach area visitors; and

WHEREAS, the Hospital reports that eighty-one percent (81%) of the ER patients arrive by private vehicle; and

WHEREAS, the Hospital provides the Jacksonville Beach community and public with emergency room physicians, surgeons, medical assistants, radiologist, medical consultants, nursing staff, trauma units, fully equipped emergency rooms, patient treatment rooms, radiological and imaging facilities in a comprehensive hospital-based on-premises emergency medical care center 24-hours a day, 7 days a week, 365 days a year; and

WHEREAS, the Hospital is not located on a primary road, is not visible from a primary roadway, is situated many blocks away from major roadways, is not directly served by a main arterial or collector road, and is inconspicuously located in a low-density residential area; and

WHEREAS, residents and Hospital ER physicians, nurses, staff and volunteers have publicly stated to the City Council that they have had countless experiences concerning people that are in desperate need of emergency medical care for themselves or loved ones, and have had trouble locating the Hospital ER, and in some cases, did not find the Hospital at all; and

WHEREAS, reported events include patients, family and friends driving erratically, fearfully and frantically while trying to locate the Hospital ER as the patient suffers urgent, severe and life threatening medical conditions, some cases involved pregnant women, and the conditions become more unstable as they drive about trying to find the Hospital ER; and

WHEREAS, the City will see two large hotels open in the near future which will increase the number of non-residents who potentially will require emergency medical care, be unfamiliar with Jacksonville Beach, and unable to locate the Hospital ER; and

WHEREAS, appropriately placed hospital emergency room wayfinding signs in the City could help reduce these problems and provide guidance and wayfinding information to direct the private motorists to the Hospital ER in order to receive critical emergency medical care; and

WHEREAS, the signs should be suitably located and situated in a manner which provides information clearly and efficiently to help persons in the community locate the Hospital emergency care facility when faced with serious and life threatening medical conditions, but with a minimum of confusion and visual clutter to preserve the aesthetic qualities of the City; and

WHEREAS, municipalities may exercise broad governmental powers to enable them to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes not expressly prohibited by the constitution, general or special law, or county charter. Article VIII, § 2 Fla. Const., F.S. §166.021(4); and

WHEREAS, the City Council finds it serves substantial and significant government interests and public purposes to help citizens, residents, guests and tourists, locate the Hospital ER when emergency medical situations arise and create a safer, quicker and effective transit which will also help improve pedestrian and traffic safety for all; and

WHEREAS, the City Council finds that a reasonable number of hospital emergency care services signs with directional arrows placed in functional locations in the City will serve the health, safety and general welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA:

SECTION 1. Recitals and Legislative Findings Adopted. The above recitals and legislative findings are adopted by the City of Jacksonville Beach City Council, and made a part of this Resolution. The City has taken all appropriate and required action necessary to the processing and majority vote approval of this Resolution.

SECTION 2. Council Authority. Municipalities may exercise broad governmental powers to enable them to conduct municipal governance, perform municipal functions and render

municipal services, and may exercise any power for municipal purposes not expressly prohibited by the constitution, general or special law, or county charter. Art. VIII, §2 Fla. Const., §166.021(4), Fla. Stat.

SECTION 3. Public Purposes. The City Council finds it is in the best interests of the City and it serves valid public purposes to place a reasonable number of wayfinding signs to assist the vehicular traveling public, citizens, residents, visitors, guests and tourists, to locate the hospital emergency room for the reasons set forth herein. The City Council's desires is to help people that are in need of emergency medical care to save time, travel safely, avoid confusion and arrive at the emergency room to promptly receive the critical emergent care that the Hospital can provide. The wayfinding signs are expected to help reduce erratic driving and distractions for people looking for emergency medical care in the community. An additional public purpose of the placement of these signs is increased traffic and pedestrian roadway safety throughout the community. The signs should help with safer traffic flow, reduce the number of speeding vehicles and accidents, and prevent sudden stops by anxious drivers who cannot find the Hospital ER.

SECTION 4. Administrative Assignment and Delegation of Responsibilities. The City Council hereby authorizes and directs the City Manager and staff to commence activities and steps to effectuate and implement the intentions and directions of this Resolution. The City Manager and/or designee is authorized and directed to take such actions as he may deem necessary and appropriate in order to implement the provisions of this Resolution, including to let contracts, execute and enter into agreements and take any other steps on behalf of the City to install the wayfinding signs described herein as set forth in the applicable sections of the Manual on Uniform Traffic Control Devices. The City Manager may delegate responsibilities and powers set forth herein to City employees as the Manager deems appropriate and necessary.

SECTION 5. Conflicts. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Resolution are repealed to the extent of conflict or inconsistency herewith.

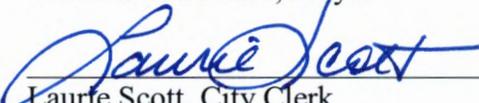
SECTION 6. Severability. If any section, sentence, phrase, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

AUTHENTICATED this 2nd day of March, 2020.



William C. Latham, Mayor



Laurie Scott, City Clerk