



Agenda
City Council

Monday, March 5, 2018

7:00 PM

Council Chambers

MEMORANDUM TO:

The Honorable Mayor and
Members of the City Council
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council.

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- a. **18-036** City Council Briefing Held February 19, 2018
- b. **18-037** Regular City Council Meeting Held February 19, 2018

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

- 18-038** Future Changes Planned for the Jacksonville Housing Authority Units in Jacksonville Beach

CITY CLERK

CITY MANAGER

- a. **18-039** Accept the Independent Auditors' Report on the General-Purpose Financial

Statements of the City of Jacksonville Beach for the Fiscal Year Ending September 30, 2017

- b. **18-040** Approve the City Manager's Decision to Appoint Michael Nadeau to the Position of Chief Financial Officer, Effective April 1, 2018
- c. **18-041** Award Parts A, B, C, D, and E of Unit Price Bid Number 1617-05, Titled "Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements," to *Petticoat-Schmitt Civil Contractors, Inc.*, Authorize Construction Administration services with the Project Design Firm *GAI Consultants, Inc.*, and Construction Inspection Services through the *City's Public Works Department*
- d. **18-042** Award Bid Number 1718-05 General Contract for the Expansion of Beaches Energy Services Guana Substation
- e. **18-043** Approve the Purchase and Installation of Outdoor Exercise Equipment to Replace Existing Fitness Stations at South Beach Park

RESOLUTIONS

ORDINANCES

18-044 ORDINANCE NO. 2018-8105 (First Reading) (PUBLIC HEARING)

AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT: PUD ORDINANCE NUMBER 2013-8031, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. **(This Ordinance applies to the Ocean Terrace residential subdivision on South Beach Parkway. It would revise the allowable uses and structures in Tract D - Open Space, located along the western edge of the subdivision.)**

ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The public is encouraged to speak on issues on this Agenda that concern them. Anyone who wishes to speak should submit the request to the City Clerk or to the recording secretary prior to the beginning of the meeting. These forms are available at the entrance of the City Council Chambers for your convenience.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299, extension 10, no later than one business day before the meeting.

The Council Briefing began at 6:15 P.M.

The following City Council Members were in attendance:

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty (*absent*) Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present were City Manager George Forbes, Deputy City Manager Trish Roberts, Chief Financial Officer Karen Nelson, and Director of Parks and Recreation Jason Phitides.

Purpose of Briefing

The purpose of the briefing was to update the Council Members on projects including the following items:

City Manager

Tennis Court Fees

Mr. Forbes reported that at the last City Council meeting, there were concerns expressed regarding the tennis court fees and court availability. Mr. Forbes stated he and Director of Parks and Recreation, Jason Phitides, believe the fees are accurate in terms of market value, and the tennis court availability is good. Mr. Forbes stated there are no recommended changes at this time.

Turf Field

Mr. Forbes stated the installation of the new turf for the multipurpose field at South Beach Park has a pending permit from St. John's River Water Management District. An updated survey is required to complete the permit process. Mr. Forbes stated the construction would take up to six weeks to complete once the permit is obtained.

Splash Pad

Mr. Forbes stated that purchase orders had been issued to the contractors and vendors for the renovations for the splash pad at South Beach Park. A construction-planning meeting is scheduled for March 2, 2018. The new splash pad is scheduled to open by Memorial Day.

Fitness Stations:

Mr. Forbes stated there would be an item on an upcoming City Council agenda regarding a plan to replace seven of the eleven fitness stations along the walking trail at South Beach Park. The stations would include

safety fall zones and would be ADA accessible. Mr. Forbes reported the Community Redevelopment Agency has already approved the funding for the purchase.

Skate Park

Mr. Forbes explained that Team Pain, the contractor [and designer] for the Skate Park, conducted the annual inspection of the Skate Park located at South Beach Park. Minor repairs were made. The contractor proposed an estimate of \$8,500 for the annual maintenance costs for the Skate Park. Mr. Phitides stated he would include the costs with his upcoming budget.

Golf Course

Mr. Phitides stated the construction of the golf course has begun and is going well. The first areas of the course to be worked on are holes # 2-7, 12, 13 and 14. Mr. Phitides stated the golf course is still going through the permit process for re-routing the water from the lake at hole # 8.

Mr. Phitides reported the previously approved pump station would be delivered within the next two weeks.

Mr. Forbes stated the City would advertise for a new restaurant to fill the currently vacant space. The City is looking for a true restaurant to fill the spot, *servicing dinner and possibly becoming a destination place*. They would like to consider possibly expanding the area and having outdoor seating.

Easter Egg Hunt

Mr. Forbes stated he would be moving this year's Easter Egg Hunt event to the golf course from the multipurpose field at South Beach Park, which would most likely be under construction.

Tractor donation from the Timucuan Ecological and Historical Preserve

Mr. Phitides explained the grounds crews of the Timucuan Ecological and Historical Preserve donated a John Deere tractor to the City of Jacksonville Beach. Mr. Phitides stated a mechanic inspected the tractor and saw no mechanical issues. This tractor will be used at the City's golf course.

Jacksonville Housing Authority

Mr. Forbes stated he would be contacting Mr. Fred McKinnies, President, and CEO of the Jacksonville Housing Authority, inviting him to the next City Council meeting to provide an update regarding replacing some of the public housing in South Jacksonville Beach.

Mayor Latham stated due to the lack of communication and cooperation from the Jacksonville Housing Authority and letters from citizens stating they were told by the Housing Authority staff that there were no agendas, meetings minutes or other information available to review. Mayor Latham may be contacting the Mayor of the City of Jacksonville, Lenny Curry.

Other Announcements

Mr. Forbes announced starting April 1, 2018, Chief Financial Officer, Karen Nelson would be promoted to Deputy City Manager. Financial Business Analyst, Michael Nadeau would be promoted to Chief Financial Officer.

Mr. Forbes stated the previously discussed *over hire* position of Procurement Associate [Property and Procurement division] would no longer be an *over hire*. Also, the City would be hiring an Assistant Ocean Rescue Supervisor [Ocean Rescue division]. Both positions would have minimal effect on the budget.

The briefing adjourned at 6:50 P.M.

Submitted by: Jodilynn Byrd
Administrative Assistant

Approved:

William C. Latham, MAYOR

Date: _____

**Minutes of Regular City Council Meeting
held Monday, February 19, 2018, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES

A moment of silence was held for the victims of the Broward County School shooting and in memory of Clyde Eugene Radar, followed by the salute to the flag.

CALL TO ORDER

Mayor Latham called the meeting to order at 7:00 P.M.

ROLL CALL

Mayor: William C. Latham

Council Members: Lee Buck Keith Doherty(*absent*) Christine Hoffman
Bruce Thomason Phil Vogelsang Jeanell Wilson

Also present were City Manager George Forbes, Deputy City Manager Trish Roberts, City Attorney Susan Erdelyi, Chief Financial Officer Karen Nelson, Public Works Director Ty Edwards, Planning and Development Director Bill Mann, Beaches Energy Director Allen Putnam, Property and Procurement Director Luis Flores, City Clerk Laurie Scott, City Engineer Marty Martirone, and Staff Assistant Mandy Murnane.

APPROVAL OF MINUTES

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed unanimously, to approve the following minutes:

- City Council Briefing held February 5, 2018
- Regular City Council Meeting held February 5, 2018

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

- James Sorrell, 1410 Pinewood Road, Jacksonville Beach, spoke regarding the state of the beaches.
- Trey Thompson, 522 3rd Avenue South, Jacksonville Beach, spoke regarding future Jacksonville Housing Authority plans.
- Lori Anderson, 800 Shetter Avenue, Jacksonville Beach, provided an update on the impact of the Mission House.
- Tony Komarek, 533 11th Avenue South, Jacksonville Beach, spoke regarding the Notice of Public Hearing by the Jacksonville Housing Finance Authority. [*on file*]

MAYOR AND CITY COUNCIL

- (a) **Item #18-024 - Employee of the Quarter Presentation - Jeff Nash, Fire Department and Dave McDonald, Public Works Department**

Mayor Latham presented Jeff Nash, Fire Department, and Dave McDonald of Public Works with the Outstanding Employee Award for the fourth quarter of 2017.

CITY CLERK

CITY MANAGER

- (a) **Item #18-025 – Accept the Monthly Financial Reports for the Month of January 2018**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to accept the financial reports for the Month of January 2018, as submitted by the Chief Financial Officer.

Discussion: Mayor Latham requested a roll call vote as there was no discussion.

Roll call vote: Ayes – Buck, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.
The motion passed unanimously.

- (b) **Item #18-026 – Public Hearing and City Council Approval of Projects for Inclusion in the FY 2018-2019 Community Development Block Grant (CDBG) Application to the City of Jacksonville**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the Mayor and City Manager to submit a Community Development Block Grant application for the fiscal year 2018-2019 as described in a memorandum from the Parks and Recreation Director dated February 7, 2018.

Discussion: Mr. Forbes stated the CDBG funds must be spent to improve the quality of life for people with low and moderate incomes. The City's portion is utilized to fund the Community Assisted Policing Effort (CAPE) Program and the Carver Center Program.

Mayor Latham opened the public hearing.

No one in attendance wished to speak on the matter.

Mayor Latham closed the public hearing.

Discussion: Mayor Latham requested a roll call vote as there was no discussion.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.
The motion passed unanimously.

(c) **Item #18-027 – Approve the Revised Contract with Garland/DBS, Inc. for Water Intrusion Repairs at the Community Services Center Facility Located at 850 6th Avenue South**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the revised contract with Garland/DBS, Inc. for water intrusion repairs at the Community Services Center facility as described in a memorandum from the Property and Procurement Officer dated February 12, 2018.

Discussion: Mr. Forbes said the revised cost for Garland and all contractors to address stucco, window, landscape, and canopy issues throughout the facility is \$253,623. A contingency allowance of \$15,000 is included for additional framing, decking, and flashing or window repairs per the established unit costs. The additional funding of \$80,211 will come from the Leased Facilities Fund and will be included in the mid-year budget modification.

Property and Procurement Officer, Luis Flores, stated the estimated repair timeline is about two to three months.

Roll call vote: Ayes – Thomason, Vogelsang, Wilson, Buck, Hoffman, and Mayor Latham.
The motion passed unanimously.

(d) **Item #18-028 – Award Sand Fencing Construction from 16th Avenue South to the St. Johns County Line to Lloyd's Construction and Consulting, LLC. and Authorize Construction Administration Services to Applied Technology & Management, Inc.**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Unit Price Bid Number 1718-10, titled “Sand Fencing Construction from 16th Avenue South to St. Johns County Line” to the lowest qualified bidder, Lloyd’s Construction & Consulting, LLC, and authorize Construction Administration Services with the project’s design firm, Applied Technology & Management, Inc., as described in the memorandum from the Public Works Director dated February 7, 2018.

Discussion: Mr. Forbes provided a brief summary of the project and City Engineer, Marty Martirone, stated the bid award is for the work to be completed within thirty days and be completed before hurricane season.

Roll call vote: Ayes – Vogelsang, Wilson, Buck, Hoffman, Thomason, and Mayor Latham.
The motion passed unanimously.

(e) **Item #18-029 – Approval of Bid No. 1718-04 - Electric Tools and Equipment - 12 Months Requirements**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to award Bid No. 1718-04 for Electric Tools and Equipment – 12 Months Requirements to Stuart Irby.

Discussion: Mr. Forbes said the bid covers six (6) different items used by Beaches Energy Services for maintenance of the overhead and underground electric system.

Roll call vote: Ayes – Wilson, Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.
The motion passed unanimously.

RESOLUTIONS:

(a) Item #18-035 – RESOLUTION NO. 2004-2018

Mayor Latham requested that the City Clerk read Resolution No. 2004-2018, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY PLAN FOR MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE AND UNCLASSIFIED (NON-UNION) POSITIONS, EFFECTIVE FEBRUARY 19, 2018. (Adds a Procurement Associate, and Assistant Ocean Rescue Supervisor.)”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution 2004-2018, amending the Classification and Pay Plan for Managerial, Professional, Administrative, and Unclassified (Non-union) positions, effective February 19, 2018. This will add a Procurement Associate position to the Property and Procurement division and an Assistant Ocean Rescue Supervisor to the Ocean Rescue division.

Discussion: Mr. Forbes added there would be no over hiring by adding the positions.

Roll call vote: Ayes – Buck, Hoffman, Thomason, Vogelsang, Wilson, and Mayor Latham.
The motion passed unanimously.

Mayor Latham recognized the Ocean Rescue personnel who were in attendance.

(b) Item #18-030 – RESOLUTION NO. 2005-2018

Mayor Latham requested that the City Clerk read Resolution No. 2005-2018, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS A PARTICIPANT OF FLORIDA MUNICIPAL POWER AGENCY’S ALL-REQUIREMENTS PROJECT, (I) PROVIDING FOR THE INCORPORATION OF CERTAIN FINDINGS, DEFINED TERMS, AND GENERAL PROVISIONS; (II) APPROVING AMENDMENT NO. 2 TO THE ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT

BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF JACKSONVILLE BEACH; (III) CONSENTING TO THE TRANSFER AND ASSIGNMENT OF POWER SUPPLY ENTITLEMENT SHARES BETWEEN THE CITY OF VERO BEACH AND FLORIDA MUNICIPAL POWER AGENCY; (IV) CONSENTING TO THE WAIVER OF CERTAIN REQUIREMENTS OF THE ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF VERO BEACH, AND WAIVING CERTAIN RIGHTS OF THE CITY OF JACKSONVILLE BEACH TO HAVE SUCH WAIVERS FOR THE CITY OF VERO BEACH MADE APPLICABLE TO THE CITY OF JACKSONVILLE BEACH'S ALL-REQUIREMENTS POWER SUPPLY PROJECT CONTRACT; (V) PROVIDING FOR THE MUTUAL RELEASE BY THE CITY OF JACKSONVILLE BEACH AND THE CITY OF VERO BEACH, FLORIDA, FOR OBLIGATIONS AND CLAIMS RELATED TO FLORIDA MUNICIPAL POWER AGENCY; (VI) PROVIDING FOR THE MUTUAL WAIVER AND RELEASE OF THE CITY OF VERO BEACH FROM OBLIGATIONS AND CLAIMS RELATED TO THE POWER SUPPLY PROJECTS; (VII) PROVIDING FOR THE ASSIGNMENT OF CERTAIN RIGHTS AND OBLIGATIONS UNDER THE VERO BEACH CONTRACTS TO BE ASSIGNED TO THE BOND TRUSTEE FOR THE ALL-REQUIREMENTS POWER SUPPLY PROJECT FOR THE ENFORCEMENT OF SUCH CONTRACTS; (VIII) AUTHORIZING THE CITY OF JACKSONVILLE BEACH TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA MUNICIPAL POWER AGENCY; (IX) DESIGNATING AUTHORIZED OFFICERS OF THE CITY OF JACKSONVILLE BEACH; (X) TAKING CERTAIN OTHER ACTIONS; AND (XI) PROVIDING AN EFFECTIVE DATE. (Approve amendments to the All-Requirements Power Supply contract to remove Vero Beach from the All-Requirements Project, consents to the transfer and assignment of Vero Beach power entitlements, and consents to waivers of certain requests of the All-Requirements Project.)”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2005-2018 authorizing Florida Municipal Power Agency's All-Requirements Project to assume the power entitlement shares of the City of Vero Beach and authorizing the City of Vero Beach to exit the All-Requirements Project.

Discussion: Mr. Forbes said the City of Vero Beach wants to sell its electric utility to Florida Power & Light. There are two significant barriers to completing the sale.

First, the City of Vero Beach's project entitlements for power, pursuant to Florida Municipal Power Agency's All-Requirements Project contract, cannot be transferred and assigned to an investor-owned utility because of Internal Revenue Service Restrictions on assets funded with tax-exempt bonds.

Secondly, Florida Municipal Power Agency contracts governing the Stanton, Stanton II and St. Lucie projects do not allow for a complete sale of the utility.

The All-Requirements Project is proposing to resolve the first issue by assuming the

City of Vero Beach's entitlements for power and corresponding responsibilities.

To resolve the second issue, all cities participating in the Stanton, Stanton II, and St. Lucie projects must provide consent allowing the City of Vero Beach to terminate its contracts and exit the projects. This will require waivers of certain provisions in each participant's power sales and project support contracts.

The City of Vero Beach will pay to Florida Municipal Power Agency a negotiated amount of \$108 million. The payment includes \$76 million to compensate All-Requirements Project participants for assuming the Vero Beach entitlement shares and a \$32 million payment to offset additional risk assumed by the All-Requirements Project.

The transaction will require:

- Approval from third-party entities including credit rating agencies, bond trustees, bond insurers, bondholders and credit providers
- Approval from the nineteen (19) cities that are in these power projects
- Florida Municipal Power Agency's Board must approve the transaction
- Florida Power & Light must secure regulatory approval from the Florida Public Service Commission

Our participation in the All-Requirements Project means that we are contractually obligated to purchase all of our power from Florida Municipal Power Agency.

Under existing contracts, the City of Vero Beach receives fifty-one (51) megawatts (MW) of power from three (3) Florida Municipal Power Agency power supply projects: St. Lucie Project, Stanton Project and Stanton II Project.

Jody Finklea, an attorney for the FMPA, was present and stated all nineteen municipalities must approve the sale.

Mr. Forbes responded to Ms. Hoffman's inquiry regarding future departing entities by explaining that as the industry changes, the agency will need to change too. In the future, FMPA needs to pay off all debt and get out of being an All-Requirements Project where you have to buy all power from FMPA to a project-based one. Mr. Forbes added that, as for other members who want to get out of FMPA, they would have to buy out our contracts and it is unlikely that will happen in the near future.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.

The motion passed unanimously.

- (c) **A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS A PARTICIPANT OF FLORIDA MUNICIPAL POWER AGENCY'S ST. LUCIE PROJECT, (I) PROVIDING FOR THE INCORPORATION OF CERTAIN FINDINGS, DEFINED TERMS, AND GENERAL PROVISIONS; (II) APPROVING AMENDMENTS TO THE ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF JACKSONVILLE BEACH; (III) CONSENTING TO THE TRANSFER AND ASSIGNMENT OF POWER SUPPLY ENTITLEMENT SHARES**

BETWEEN THE CITY OF VERO BEACH AND FLORIDA MUNICIPAL POWER AGENCY; (IV) CONSENTING TO AMENDMENTS OF THE ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT BETWEEN FLORIDA MUNICIPAL POWER AGENCY AND THE CITY OF VERO BEACH, AND WAIVING CERTAIN RIGHTS TO HAVE SUCH AMENDMENTS INCLUDED IN THE CITY OF JACKSONVILLE BEACH'S ST. LUCIE POWER SALES CONTRACT AND PROJECT SUPPORT CONTRACT; (V) PROVIDING FOR THE MUTUAL RELEASE BY THE CITY OF JACKSONVILLE BEACH AND THE CITY OF VERO BEACH, FLORIDA, FOR OBLIGATIONS AND CLAIMS RELATED TO FLORIDA MUNICIPAL POWER AGENCY; (VI) PROVIDING FOR THE MUTUAL WAIVER AND RELEASE OF THE CITY OF VERO BEACH FROM OBLIGATIONS RELATED TO THE ST. LUCIE PROJECT; (VII) PROVIDING FOR THE ASSIGNMENT OF CERTAIN RIGHTS AND OBLIGATIONS UNDER THE VERO BEACH ST. LUCIE CONTRACTS TO THE ST. LUCIE BOND TRUSTEE TO ENFORCE SUCH CONTRACTS; (VIII) AUTHORIZING THE CITY OF JACKSONVILLE BEACH TO PROVIDE A CERTIFIED COPY OF THIS RESOLUTION TO FLORIDA MUNICIPAL POWER AGENCY; (IX) DESIGNATING AUTHORIZED OFFICERS OF THE CITY OF JACKSONVILLE BEACH; (X) TAKING CERTAIN OTHER ACTIONS; AND (XI) PROVIDING AN EFFECTIVE DATE. (Approve amendments to the FMPA St. Lucie Project Power Sales and Project Sales Contract and authorized The City of Vero Beach to exit the St. Lucie Project.)"

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 2006-2018, authorizing amendments to Florida Municipal Power Agency's St. Lucie Project Power Sales and Project Support contracts. These amendments will allow the City of Vero Beach to exit the St. Lucie Project.

Discussion: Mr. Forbes said the St. Lucie Project provides the nuclear power under a separate contract from the All-Requirements Project but that it needs the same authorizations as the All-Requirements Project.

Roll call vote: Ayes – Thomason, Vogelsang, Wilson, Buck, Hoffman, and Mayor Latham.
The motion passed unanimously.

ORDINANCES:

- (a) **Item #18-032 - ORDINANCE NO. 2018-8102** (Second Reading) (Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8102, by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT ORDINANCE NUMBER 2011-8001, AS AMENDED BY ORDINANCE NO. 2017-8086, SUPPLEMENTING THE COMPREHENSIVE ZONING

REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. (Updates proposed site plan for the Baptist Medical Center-Beaches.)”

Mayor Latham read the following:

“This ordinance to amend the PUD zoning regulations of a property that is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an application to amend the zoning regulations governing a property is handled as a ‘quasi-judicial’ proceeding. A quasi-judicial proceeding means that a governing body is now functioning in a manner similar to a court with the Mayor and Council sitting as impartial decision makers hearing testimony and questioning presenters, who are to provide substantial and competent evidence to support their side of the issue. It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed use of the neighborhood, especially where the input is fact-based and not a simple expression of opinion.

It is the applicant’s burden to demonstrate that their application is consistent with the Land Development Code and the Comprehensive Plan. If the applicant is successful in showing consistency, then it is up to the local government to produce competent, substantial evidence of record that the application should be denied. The Council’s decision on a zoning amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

In addition, the Council has received a copy of the application, and the staff and Planning Commission reports on this PUD zoning amendment request.”

Public Hearing

Mayor Latham opened the public hearing on Ordinance No. 2018-8102 and asked for the spokesperson of the applicant to address the City Council.

Speakers

No one in attendance wished to speak on the matter.

Mayor Latham closed the Public Hearing.

Ex-Parte Communications

Mayor Latham read the following statement for the record:

“Before requesting a motion on this ordinance, beginning with myself, each of the members is requested to indicate for the record both the names of persons and the substance of any ex parte communications regarding this application. An ex parte communication refers to any meeting or discussion with a person or citizen who may have an interest in this decision, which occurred outside of the public hearing process.”

Mayor Latham spoke with a spokesperson of the applicant, Mr. Harden, and the City

Attorney, Susan Erdelyi after the City Council Meeting held February 5, 2018.

Mr. Vogelsang had a few discussions regarding the height element with a member of Mr. Harden's firm, Mr. Zach Miller.

Ms. Wilson spoke with Mr. Harden regarding the height issue after the City Council Meeting held February 5, 2018.

Ms. Hoffman met with Mr. Harden and Mr. Miller regarding the height issue on February 14, 2018.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2018-8102, amending *Planned Unit Development*: PUD Ordinance (Ordinance 2011-8001), as amended, by revising the approved Preliminary PUD Development Plan to provide updated proposed building footprints for the hospital campus.

Summary: Mr. Forbes briefly reviewed the applicant's proposal to modify the existing PUD ordinance governing the campus.

Roll call vote: Ayes – Vogelsang, Wilson, Buck, Hoffman, Thomason, and Mayor Latham.
The motion passed unanimously.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the Findings of Fact - Ordinance No. 2018-8102, dated February 19, 2018.

Roll call vote: Ayes – Wilson, Buck, Hoffman, Thomason, Vogelsang, and Mayor Latham.
The motion passed unanimously.

(b) **Item #18-033 - ORDINANCE NO. 2018-8103 (Second Reading)**

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8103, by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE VII, DIVISION 2. SECTION 34-347. REDEVELOPMENT DISTRICT: RD TO AFFIRM AND STATE THAT ARTICLE VI, DIVISION 3. ZONING ATLAS AND TEXT AMENDMENTS REGULATIONS ARE APPLICABLE TO THE REVIEW AND APPROVAL OF APPLICATIONS FOR REDEVELOPMENT DISTRICT: RD ZONING DESIGNATION, AND PROVIDING FOR CODIFICATION,

SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (Requires rezonings to *RD* be approved or denied based on the same standards as other rezoning requests.)”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt City Ordinance 2018-8103, amending the text of the Land Development Code Section 34-347, to reference Article VI, Division 3, “*Zoning Atlas and Code Amendments*” regulations as being applicable standards for processing *Redevelopment District: RD* rezoning applications.

Summary: Mr. Forbes said the review of the *RD* rezoning requests should be based on the same standards that all other rezoning requests must comply with.

Mayor Latham opened the Public Hearing.

Speakers:

- Steven Diebenow, 1 Independent Drive, Suite 1200, Jacksonville, FL, the applicant, said the proposed legislation makes substantive changes to the *RD* zoning district and takes away the purpose of the *RD* zoning district, which is to allow for flexible development standards. Utilizing a handout, (*on file*), Mr. Diebenow stated the *RD* zoning district has different standards than the setback provisions provided 34-391(b), 34-392(4), and 34-394. He used the example of a pool approved for ‘*The Atlantis*’ that was adopted through the provisions of 34-347 but does not comply with the requirements of LDC 34-392(4). Mr. Diebenow concluded by stating the provisions are missing parking and supplementary standards.

Mayor Latham closed the Public Hearing.

Discussion: Mr. Vogelsang stated his concern for Section 34-211(c).

City Attorney, Susan Erdelyi, stated Section 34-211(c) allows for flexibility by requiring the applicant to meet at least one of the standards and does not require the applicant to meet all of the Section 34-211(c) standards.

Mr. Mann stated the standards in which the applicant desires to be solely applicable to the *RD* district are specifically intended for the review of preliminary *RD* development plan which is part of the rezoning application. Exercising the flexibility changes is not inconsistent with the balance of the code. He agreed with Ms. Erdelyi’s statement, as a rezoning decision does not need to be based on all standards set in Section 34-211(c), it just needs to be based on one or more of them.

Mr. Vogelsang asked if an *RD* zoning application is meant to have lighter standards as compared to any other application due to the location.

Mr. Mann responded no; a PUD application requires consideration of the Land Development Code versus an *RD* application which requires consideration of the Land Development Code and the Downtown Redevelopment Plan, including the

specific restricted uses in RD districts.

A discussion ensued regarding the purpose of *RD* zoning and the flexible standards of 34-211(c), where Ms. Erdelyi reiterated that the City is interpreting the code in the same manner in which it always has.

Mr. Buck stated his support for Mr. Mann's and Ms. Erdelyi's recommendations.

Ms. Hoffman stated her opposition to stifling the development downtown and preferred to obtain more information before making a decision.

Roll call vote: Ayes – Buck, Thomason, Wilson, and Mayor Latham.

Nays – Hoffman, and Vogelsang.

The motion passed 4-2.

(c) **Item #18-021 - ORDINANCE NO. 2018-8104** (Second Reading)(Public Hearing)

Mayor Latham requested that the City Clerk read Ordinance No. 2018-8104, by title only, whereupon Ms. Scott read the following:

“AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY AMENDING ARTICLE IV. DEFINITIONS TO ADD DEFINITIONS FOR “MEDICAL MARIJUANA TREATMENT CENTER”, “MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY” AND “PHARMACY”, BY AMENDING ARTICLE VIII, SECTION 34-343 TO ADD “MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY” AND “PHARMACY” TO THE LIST OF PERMITTED USES IN THE COMMERCIAL GENERAL: C-2 ZONING DISTRICT, BY AMENDING SECTIONS 34-342 AND 34-345 TO ADD “MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITY” AND “PHARMACY” TO THE LIST OF CONDITIONAL USES IN COMMERCIAL LIMITED: C-1 AND CENTRAL BUSINESS DISTRICT: CBD ZONING DISTRICTS, BY AMENDING ARTICLE VIII SUPPLEMENTAL STANDARDS, DIVISION 2, TO CREATE A NEW SECTION 34-408 MEDICAL MARIJUANA TREATMENT CENTER DISPENSING FACILITIES AND PHARMACIES FOR THE INCORPORATED AREA OF THE CITY, AND PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Ordinance No. 2018-8104, amending the text of the Land Development Code by adding new definitions, and permitting and regulatory language regarding Medical Marijuana Treatment Center Dispensing Facilities and Pharmacies.

Summary: Mr. Forbes stated the proposed ordinance includes hours of operation limitations (may not operate between 9:00 pm and 7:00 am), and proximity requirements (cannot be located within 500 feet from another dispensing facility, or public or private school) that are consistent with Florida Statutes.

Mayor Latham opened the Public Hearing.

Speakers:

No one in attendance wished to speak on the matter.

Mayor Latham closed the Public Hearing.

Discussion: Mayor Latham called for a roll call vote as there was no discussion by the Council.

Roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Buck, and Mayor Latham.
The motion passed unanimously.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:00 P.M.

Submitted by: Mandy Murnane
Staff Assistant

Approval:

William C. Latham, MAYOR

Date: _____

George Forbes

From: McKinnies, Fred <FMcKinnies@JAXHA.org>
Sent: Tuesday, February 20, 2018 1:44 PM
To: City Manager's Office
Subject: RE: JHA units in Jacksonville Beach

George,

We plan to attend on March 5th .

Thanks,
Fred

From: City Manager's Office [mailto:CityManager'sOffice@jaxbchfl.net]
Sent: Tuesday, February 20, 2018 11:23 AM
To: McKinnies, Fred
Subject: JHA units in Jacksonville Beach

Dear Fred,

It would be appreciated if you and a representative of Vestcor could attend the Jacksonville Beach City Council meeting being held at the Jacksonville Beach City Hall on Monday, March 5, 2018, at 7 p.m.

The purpose of your attendance would be to explain to the City Council the future changes being planned for the Jacksonville Housing Authority Units in Jacksonville Beach. If you could send me a short letter or other documentation explaining the information we discussed at our meeting several weeks ago it would be helpful. As I understand it, the Housing Authority plans to tear down 64 units in Jacksonville Beach and build new buildings that would contain 127 units. This would require the displacement of tenants in the units being torn down, but they would be allowed to return to a Jacksonville Beach unit once one became available or when the new units are completed.

Several Council members have expressed an interest in this project. Your attendance, along with a Vestcor rep, at our March 5 meeting would be helpful to ensure the Council has an accurate understanding of your efforts. Again, your attendance at our March 5 City Council meeting along with a letter or other documentation summarizing the project which increases the number of units in Jacksonville Beach is requested.

Please feel free to call me if you have any questions.

George D. Forbes
City Manager
City of Jacksonville Beach

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JACKSONVILLE HOUSING AUTHORITY

President & CEO's Office

Jacksonville Housing Authority and Vestcor Partner to Develop Jacksonville Beach's Newest Affordable Housing Community - 'The Waves'

The Jacksonville Beach community has seen an influx of projects yielding new and improved structures in recent years. As an extension of this trend, the Jacksonville Housing Authority (JHA) is planning to update one of its oldest communities with the planned community 'The Waves'.

Development for this innovative project began last year when JHA contracted The Vestcor Companies (TVC) as co-developer. Phase 1 of the plan includes demolition of the existing twenty-six residential buildings (and sixty-two residential units), built in the mid-1960's, on eight platted one-half blocks between 1st Avenue S. and 5th Avenue S. and 10th Street S. and 7th Street S. Phase 2 may include the rehabilitation of ninety residential units on other JHA properties.

Upon completion of the demolition for Phase 1, sixteen energy-efficient residential buildings will be constructed. Fifteen of the buildings will contain eight residential units and one will contain seven residential units, for a total of 127 residential units. Each building will be two-stories, concrete constructed, with four units on each floor.

Families displaced by the construction of the new development will be allowed to return to the newly constructed units. JHA will pay for all relocations costs, with the exception of deposits.

Last fall, JHA submitted applications to the Florida Housing Finance Corporation and Jacksonville Housing Finance Authority (JHFA) for redevelopment funds. The Waves will be financed with bonds issued by the Jacksonville Housing Finance Authority (JHFA), a loan from JHFA, low income housing tax credits allocated by Florida Housing Finance Corporation (FHFC), and a loan from FHFC. Groundbreaking is expected in late 2018 or early 2019.

This development will be a tremendous improvement over the existing structures. We are excited to continue our mission of providing safe and affordable housing for workforce citizens in Jacksonville Beach.

The JHA was established in 1994, at the request of Jacksonville Mayor Ed Austin, to fill the need for a more effective and community service oriented public housing agency. We are dedicated to creating and sustaining healthy communities that promote individuals' responsibility, economic growth, human dignity and hope for the future. We offer services to our residents to assist them in achieving self-sufficiency, including job training, GED prep classes, and parenting and homeownership workshops.

In keeping with our mission, we continuously strive to be a good neighbor to the Jacksonville Beach community and will continue to do so throughout the development of this project.

For further information, please contact Fred McKinnies, President & CEO at 630-3869 or John Finotti, VP Tucker/Hall at 493-5006



George Forbes

From: bruce@brucethomason.com
Sent: Monday, February 19, 2018 12:22 PM
To: George Forbes
Subject: Fwd: Public Hearing for Jax Beach Multifamily Housing Revenue Bond

Subject: Public Hearing for Jax Beach Multifamily Housing Revenue Bond

Miscellaneous Public Notices 18-01208D

NOTICE OF

PUBLIC HEARING

NOTICE IS HEREBY GIVEN, pursuant to Section 147(f) of the Internal Revenue Code of 1986, as amended, of a public hearing by the Jacksonville Housing Finance Authority (the "Authority"), to be held on February 28, 2018, at 214 N. Hogan Street, 8th Floor, Room 854, Jacksonville, Florida, 32202, at 10:00 a.m., or as soon thereafter as possible, for the purpose of receiving comments and hearing discussion concerning the issuance by the Authority of its Multifamily Housing Revenue Bonds (The Waves Project), Series 2018, in an aggregate face amount of not to exceed \$17,750,000 (the "Bonds"). The proceeds of the Bonds will be loaned to The Waves of Jacksonville, Ltd., or its permitted successors and assigns (the "Company"), and used for the purpose of financing all or a portion of the costs related to the construction of scattered site multifamily residential housing facilities for persons or families of low, middle or moderate income located at 1st Ave. S., SE of the intersection of 1st Ave. S. and 8th St. S., 1st Ave. S., NW of intersection of 1st Ave. S. and 9th St. S., 1st Ave. S., NE of the intersection of 1st Ave. S. and 9th St. S., 1st Ave. S., SW of the intersection of 1st Ave. S. and 8th St. S., 1st Ave. S., SE of intersection of 1st Ave. S. and 6th St. S., 2nd Ave. S., NE of intersection of 2nd Ave. S. and 8th St. S., 5th Ave. S., NW of intersection of 5th Ave. S. and 9th St. S., 5th Ave. S., NE of intersection of 5th Ave. S. and 9th St. S., 5th Ave. S., SW of intersection of 5th Ave. S. and 9th St. S., 5th Ave. S., SE of intersection of 5th Ave. S. and 8th St. S., 5th Ave. S., SE of the intersection of 5th Ave. S. and 7th Street S., all to be located in Jacksonville Beach, Duval County, Florida 32250, consisting of approximately 127 units to be commonly known as The Waves (the "Project"). The Waves of Jacksonville, Ltd., or its affiliate, is expected to be the owner and operator of the Project.

All interested persons are invited to attend said hearing and, either personally or through their representatives, present oral or written comments and discussion concerning the proposed issuance of the Bonds for the purposes described in the preceding paragraph and the nature and location of the Project. Written comments may be submitted to the Jacksonville Housing Finance Authority, 214 N. Hogan Street, 7th Floor, Jacksonville, Florida, 32202. Should any person decide to appeal any decision made by the Authority at this hearing, or by the Council of the City of Jacksonville (the "City") with respect to the approval of the issuance of the Bonds for the purposes described in the preceding paragraph, he or she will need a record of the proceedings, and he or she may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Comments made at

the hearing are for the consideration of the Authority or the City and will not bind the Authority or the City to any action it may take.

In accordance with the Americans with Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Jacksonville Housing Finance Authority at (904) 255-8200.

All interested persons are invited to attend and be heard and present their comments.

JACKSONVILLE HOUSING FINANCE AUTHORITY

Laura Stagner-Crites, Finance Director

Feb. 9 (18-01208D)

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

www.jacksonvillebeach.org

MEMORANDUM

TO: George D. Forbes, City Manager
FROM: Karen W. Nelson, Chief Financial Officer
SUBJECT: Audit Report for the Fiscal Year Ending September 30, 2017
DATE: February 21, 2018

ACTION REQUESTED

Accept the independent auditors' report on the general-purpose financial statements of the City of Jacksonville Beach for the fiscal year ending September 30, 2017.

BACKGROUND

We are providing a copy of the City's Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2017 for your review. A briefing is scheduled for 6:00 PM on March 5, 2018 to discuss the report with the City Council. The City again received an unqualified audit opinion on our annual financial report. In addition, the auditors found no major deficiencies in internal controls or compliance violations of any laws or regulations. We will submit this report to the Government Finance Officers' Association for the Certificate of Achievement Award for Financial Reporting.

RECOMMENDATION

Accept the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2017.



City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6268

www.jacksonvillebeach.org

MEMORANDUM

TO: The Honorable Mayor and Members of the City Council
FROM: George D. Forbes, City Manager
SUBJECT: Appointment of the Chief Financial Officer
DATE: February 21, 2018

ACTION REQUESTED

Approve the City Manager's decision to appoint Michael Nadeau to the position of Chief Financial Officer, effective April 1, 2018.

BACKGROUND

The City's Chief Financial Officer, Karen Nelson, has accepted the position of Deputy City Manager effective April 1, 2018. For this reason, I have decided to appoint Michael Nadeau to the Chief Financial Officer position. Pursuant to Chapter II, Section 14 of the City Charter, the City Finance Officer is appointed by the City Manager, and the appointment must be approved by the City Council before it becomes effective.

Michael relocated from Vermont to join the City in May 2015 as the Accounting Supervisor. He was promoted in March 2016 to the Business Analyst position and selected as Project Manager for the Enterprise Resource Planning system implementation. Due to his superior organization, communication and process development skills, the first year of the implementation has been very successful. As Chief Financial Officer, Michael will assume the role of Project Sponsor for the remainder of the implementation.

Michael has an extensive background in all aspects of finance administration including budget, financial reporting, grants administration and policy development. He is a Certified Public Accountant and a Certified Management Accountant. Michael also holds professional certification as a School District Administrator and a School Business Administrator. He spent his early career in corporate accounting and worked in public school administration for 22 years prior to joining the City.



Michael received a Bachelor of Business Administration and Accounting from Columbia College and a Master of Business Administration from Chapman University. He also obtained a Certificate of Advanced Study in School Business Administration from the State University of New York. I believe his blend of education and experience makes Michael ideal for the Chief Financial Officer position. Attached is a letter of recommendation and resume for your information.

RECOMMENDATION

Approve the City Manager's decision to appoint Michael Nadeau to the position of Chief Financial Officer, effective April 1, 2018.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

www.jacksonvillebeach.org

February 21, 2018

George D. Forbes
City Manager

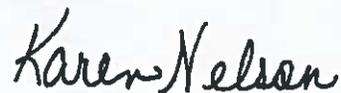
Dear George,

It is my pleasure to recommend Michael Nadeau for appointment to the position of Chief Financial Officer. In the three years that I have worked with Michael, I have come to know him as a person of integrity with superior analytical and interpersonal skills. I hired Michael in May 2015 as the Accounting Supervisor and he quickly established himself as a dedicated financial steward and an effective team leader.

As Accounting Supervisor, Michael and I worked closely together in all areas of financial governance and I relied heavily on his judgement and input. As a supervisor, he is extremely accessible and he is a very hands-on administrator. When the Business Analyst position opened in March 2016, I was certain that Michael would be the ideal candidate to develop our business processes and manage the Enterprise Resource Planning project. He has excelled in leading that project and communicating with staff City-wide to prepare for the upcoming conversion.

Michael has always been an absolute joy to work with. He is a true team player who manages to foster positive discussions and bring the best out of other employees. Without a doubt, I confidently recommend Michael to assist you in maintaining the financial well-being of the City.

Sincerely,



Karen Nelson
Chief Financial Officer



Education

- Certificate of Advanced Study – School Business Administrator, SUNY at Cortland, Cortland, NY 13045
- M.B.A. – Business Administration, Chapman University, Orange, CA 92866
- Bachelor of Science – Business Administration and Accounting, Columbia College, Columbia, MO 65216
- Associate of Science - Accounting, Champlain College, Burlington, VT 05402

Certifications

- Certified Public Accountant (CPA) – State of Florida and State of Vermont
- Certified Management Accountant (CMA) – Institute of Management Accountants
- School District Administrator (SDA) – State of New York
- School Business Administrator (SBA) – State of New York

Professional Experience

Business Analyst/ERP Project Manager, City of Jacksonville Beach, Florida, 3/2016 to Present

- Consults with functional unit management and personnel to identify, define and document business needs and objectives, current operational procedures, problems, input and output requirements, and levels of systems access.
- Acts as a liaison between departmental end-users, technical analysts, information technology analysts, consultants and other governmental organizations in the analysis, design, configuration, testing and maintenance of the city's business processes and technology systems to ensure optimal operational performance.
- Analyzes the feasibility of, and develops requirements for, new systems and enhancements to existing systems; ensures the system design fits the needs of the users.
- Identifies opportunities for improving business processes through information systems and/or operational changes; assists in the preparation of proposals to develop new systems and/or operational changes.
- Plans, organizes and conducts business process reengineering/improvement projects and/or management reviews of city-wide significance or specific to a department/division.
- Saved \$115,000 by reducing the Tyler project manager to .25 FTE and creating data upload files to eliminate Tyler conversions.
- Identified and implemented an alternative vendor for IVR ECheck processing, saving \$7,500.
- Provides technical assistance in training, mentoring, and coaching professional and technical staff.
- Provides work direction to one or more technical or clerical staff or acts as a team lead on designated projects or assignments.

Accounting Supervisor, City of Jacksonville Beach, Florida, 5/2015 to 3/2016

- Completed month end close, prepared summary budget reports, cash and investment reports and supplemental reports for presentation to City Council.
- Prepared complex audit work papers, statements and reports for the independent audit team; coordinated and reviewed all other audit work papers prepared by accounting staff.
- Assisted in the preparation of the annual Comprehensive Annual Financial Report.
- Participated in the maintenance, design and installation of the accounting control, records and billing systems.
- Supervised the maintenance of the general account ledger and all subsidiary ledgers.
- Planned workloads, workflows, deadlines, work objectives and time utilization of the accountant, accounting technician and staff assistant.
- Monitored debt service activities and approved debt service payments.
- Monitored cash and investment accounts, completed cash flow projections, approved cash management transactions.
- Researched and developed GASB 68/71 Pension worksheets and journal entries.
- Led the Bank of America ECheck platform transition project.

Budget and Finance Director, Chittenden South Supervisory Union, Shelburne, VT, 9/2003 to 2/2006 and 3/2006 to 5/2015

- Developed request for proposal for enterprise resource planning software, solicited vendors, conducted customer site visits, selected software, developed implementation schedule, implemented software, worked with vendor on new functionality, provided ongoing system administration.
- Led the \$78 million budget development process from the development of Special Education Service Plans through to the submission of approved budgets to the Agency of Education for establishing town tax rates.
- Developed financial reporting and internal controls for \$2(+) million in federal grants, completed state and federal grant reporting, provided financial information for state and federal site monitoring visits.
- Served as the chief accountant for the Supervisory Union by developing accounting policies and procedures and provide guidance for GAAP and GASB related issues.
- Developed monthly and quarterly financial management review reports, identified and investigated variances, developed yearend projections.
- Solicited request for proposals for annual independent audit. Scheduled audit site visits, prepared financial statements and supporting schedules, managed interactions with the auditors.
- Solicited request for proposals for banking services, developed comparison matrix, identified best provider.
- Utilized Visio to flowchart business procedures, assessed and improved internal controls.
- Developed FileMaker application for case managers to efficiently document student services based on individual education plans, which were used to develop the special education budget at the local and state level.

Budget Analyst, Florida Department of Children & Families, Wildwood, FL, 2/2006 - 3/2006

- Prepared monthly financial performance reports for administrative and service departments.
- Discovered a duplicate payment to a subgrantee and recovered the overpayment.

Business Administrator, Delhi Central Schools, Delhi, NY, 3/2002 – 9/2003

- Supervised the business office, operations and maintenance, transportation and food service departments. Supervised five direct reports and 30 employees indirectly.
- Developed, summarized, and presented the annual operating budget to the school board and community members. Able to rebuild trust between the school system and the community.
- Worked with the Fiscal Advisor and Bond Attorney to issue short and long-term debt.
- Met weekly with the support staff union president to establish a working relationship with the union.
- Responsible for the financial aspects of an \$11.5 million capital renovation project.
- Implemented Finance Manager financial and human resources software to move the transaction processing in-house to improve financial controls and increase clerical efficiency.
- Convinced the community to vote on replacement buses by eliminating bus routes and developing a bus replacement schedule. Reached out to local districts to borrow buses until the new buses arrived.

Business Administrator, Sidney Central Schools, Sidney, NY, 11/2000 – 3/2002 and 5/1995 – 11/1997

- Supervised the business office, operations and maintenance, transportation and food service departments.
- Supervised seven direct reports and 40 employees indirectly.
- Developed, summarized, and presented the annual operating budget to the school board and community members.
- Prepared monthly financial performance reports for the administrative team and school board. Met monthly with board finance committee which helped develop understanding and trust from the school board.
- Worked with Fiscal Advisor and Bond Attorney to issue short and long-term debt.
- Managed the financial aspects of a \$39.7 million capital renovation project. Discovered unfiled state construction funding reports and avoiding repayment of state capital project revenue.
- Member of the district's negotiating team for the teacher and support staff collective bargaining agreements.
- Implemented a Novell administrative network to improve financial controls and increase efficiencies.

Plant Controller, Elmer's Products, Inc., Bainbridge, NY, 11/1997 – 11/2000

- Designed, configured and implemented the Materials Management (purchasing and inventory) modules of the SAP Enterprise Resource Planning (ERP) software. Assisted with the implementation of the product costing and financial modules (FI/CO). Provided startup support for three manufacturing sites in the US and Canada, and three warehouse locations (US, Puerto Rico and Canada).
- Saved over \$1 million by identifying new suppliers, negotiating better supplier pricing and outsourcing bottle manufacturing.
- Approved product standard costing for existing and proposed products at the two New York manufacturing facilities.
- Completed costing projections for a new production line for capital funding approval.
- Developed strategic and annual budget plans for the Operations Group which included manufacturing, logistics, customer service, and warehousing functions.
- Prepared the Operation's Group monthly reports and fluctuation analysis.
- Evaluated capital investments and prepared capital investment proposals.

Business Manager, DeRuyter Central School, DeRuyter, NY, 11/1993 – 5/1995

- Supervised the business office, operations and maintenance, transportation and food service departments.
- Member of the district's negotiating team for the teacher and support staff collective bargaining agreements.
- Implemented financial software, moving processing inhouse, saving the district money.
- Supervised five direct reports and 25 employees indirectly.

Financial Reporting Analyst – Corporate Accounting, Agway, Inc., DeWitt, NY, 1/1991 – 11/1993

- Implemented Hyperion consolidated software. Served as the system administrator.
- Completed SEC reporting (10Q and 10K) of consolidated balance sheets and cash flows for Agway.
- Prepared consolidated annual budgets and five-year operating plans for a Fortune 500 company.

Controller – Agway Motor Transportation Services, Cortland, NY, 6/1988 – 1/1991

- Set standard costs, set up new projects and analyzed manufacturing variances.
- Prepared monthly financial statements and fluctuation analysis. Provided quarterly updates to the board of directors.
- Prepared annual budgets and five-year operating plans.
- Closed the business when the corporation was dissolved by Agway.

General Ledger Supervisor, Agway Feed Services, DeWitt, NY, 9/1984 – 6/1988

- Created material income reporting program using D-Base III+ which saved 40 labor hours per month.
- Created monthly reports utilizing report writer that outlined miles traveled and cost per mile for feed and ingredient delivery vehicles. Provided valuable financial information to the Operations Directors.

Controller, A.D. Pease Grain Co. (Purchased by Agway), Burlington, VT, 4/1982 – 9/1984

- Automated the record keeping and financial reporting functions.
- Closed the business once the acquisition by Agway was completed.
- Promoted from truck driver and mill worker.

Memberships

- Association of School Business Officials International
- Florida Government Financial Officers Association
- Government Financial Officers Association
- Institute of Management Accountants
- Jacksonville Beach Police Department Citizens Police Academy Alumni Association

February 27, 2018

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
[P] 904.247.6268
[P] 904.247.6276

www.jacksonvillebeach.org

TO: George Forbes, City Manager
FROM: Ty Edwards, Public Works
SUBJECT: Award Unit Price Bid No. 1617-05, "Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements"

ACTION REQUESTED:

Award Parts A, B, C, D, and E of Unit Price Bid Number 1617-05, titled "Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements," to *Petticoat-Schmitt Civil Contractors, Inc.*, authorize Construction Administration Services with the project design firm, *GAI Consultants, Inc.* and Construction Inspection Services through the *City's Public Works Department*.

BACKGROUND:

The City of Jacksonville Beach is continuing the implementation of the Downtown Redevelopment District Vision Plan to enhance the overall community's quality of life. Project 2 is the second project for improvements to the south of Beach Boulevard and east of 3rd Street (A1A). This project also installs pipe to gravity flow stormwater west to the Central Basin near 12th Ave. S. and 4th St. This project is divided into five (5) parts – A, B, C, D and E. Two Overview Maps are attached.

<u>Project 2 Area Limits</u>	
North - 11 th Ave. S.	East - Avenue beach end zones
South - 13 th Ave. S.	West - 4 th St. S. (12 th Ave. Basin)

PROJECT WORK SUMMARY	
<ul style="list-style-type: none"> • Rebuild roads and curb & gutter • Install new and rebuild existing stormwater drainage systems • Install new & rebuild on-street parking • Install wider bike lanes on 1st St. S. • Rebuild sidewalks & driveway aprons • Rebuild water and sanitary sewer systems including fire hydrants • Install new & relocate existing street light poles 	<ul style="list-style-type: none"> • Stormwater Pipe Crossing A1A at 12th Ave. S • Relocate utilities corridors next to outside edge of road rights-of-way • Concrete pave all alleyways for better drainage and vehicle access • Demo old roads, curbs, sidewalks, trees, etc. • Relocate/replace dumpster enclosures • 12th Avenue South Basin Improvements • Stormwater Pump Station Improvements at Beach Blvd. and 2nd St. N.



A public hearing for the pre-qualification procedure for this project was held on December 15, 2016. The project was advertised and six (6) contractors submitted pre-qualification applications on January 25, 2017. Five (5) of these contractors were determined to be pre-qualified by the engineer to bid on the pump station and roadway portions of this project. One (1) of these contractors was determined to be pre-qualified by the engineer to bid only on the pump station portion of this project. In February, an addendum was issued to the qualified bidders placing the bidding process on hold for about eight months while the engineer revised the construction plans based on input from the community and city staff. On November 9, 2017, a non-mandatory pre-bid meeting was held and four (4) pre-qualified bidders attended. Four (4) pre-qualified contractors submitted bids on December 20, 2017. Subsequently, the lowest bidder withdrew its bid. The bid tabulation summary sheet is attached. The engineer recommended that Parts A, B, C, D and E be awarded to *Petticoat-Schmitt Civil Contractors, Inc.*, the next lowest, qualified bidder. Summarized in the following chart are the project cost summary and staff recommendation.

Unit Price Bid 1617-05, Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements		
DESCRIPTION	COST	RECOMMENDATION
Total Unit Price Bid (Parts A thru E) <i>(estimated quantities)</i>	\$10,502,947.10	<i>Award Bid to Petticoat-Schmitt Civil Contractors, Inc. (the 2nd, lowest, qualified bidder)</i>
10% Contingency	\$1,050,294.71	
Construction Total (Parts A-E)	\$11,553,241.81	
Construction Admin. (C&A) Svcs.	\$134,508.00	<i>Authorize C&A Services with the project's design firm, GAI Consultants, Inc.</i>
10% Contingency	\$13,450.80	
C&A Services Total:	\$147,958.80	
Construction Inspection (C&I) Svcs.	\$170,364.00	<i>Authorize C&I Services through the City's Public Works Department</i>
10% Contingency	\$17,036.40	
C&I Services Total:	\$187,400.40	
GRAND TOTAL:	\$11,888,601.01	
<ul style="list-style-type: none"> • The construction on Part A, the majority of Part B, and Part E are connected to the Downtown Redevelopment District. • The construction on Part C, a small portion of Part E (11th and 13th Avenues west of 3rd Street S.), and Part D are not connected to the district. • The funding sources consist of: (1) CRA Downtown Tax Increment Trust Fund - \$11,073,488.35, (2) the Better Jax Beach Bond Proceeds - \$172,258.70, (3) the Water & Sewer Enterprise Fund - \$341,868.28, and (4) the Stormwater Enterprise Fund - \$300,985.68. This is shown in more detail on the attached chart titled PROJECT COSTS by FUNDING SOURCE. • The City Budget is to be adjusted at year-end. • The contract completion time is 600 days after the Notice to Proceed is issued. 		

The Community Redevelopment Agency appropriated \$11,073,488.35 as its portion of the project funding from the Downtown Redevelopment Tax Increment Trust Fund at its meeting held on February 26, 2018.

The staff recommends that the City Council:

1. Award Parts A, B, C, D and E of Unit Price Bid 1617-05, titled "Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements," to the second lowest, qualified bidder, *Petticoat-Schmitt Civil Contractors, Inc.* at a cost, based on estimated quantities, of \$10,502,947.10 plus a 10% contingency, for a total cost not to exceed \$11,553,241.81. (*The lowest bidder withdrew its bid.*)
2. Authorize Construction Administration Services with the project's design firm, *GAI Consultants, Inc.*, at a cost of \$134,508.00, plus a 10% contingency, for a total cost not to exceed \$147,958.80.
3. Authorize Construction Inspection Services through the *City's Department of Public Works*, at an estimated cost of \$170,364.00, plus a 10% contingency, for a total cost not to exceed \$187,400.40.

RECOMMENDATION:

Award Unit Price Bid Number 1617-05, titled "Project 2 - Downtown Redevelopment District Infrastructure and Stormwater Pump Station Improvements" to *Petticoat-Schmitt Civil Contractors, Incorporated*, authorize Construction Administration Services with the project's design firm, *GAI Consultants, Incorporated*, and authorize Construction Inspection Services through the City's Public Works Department, as described in the memorandum from the Public Works Director dated February 27, 2018.

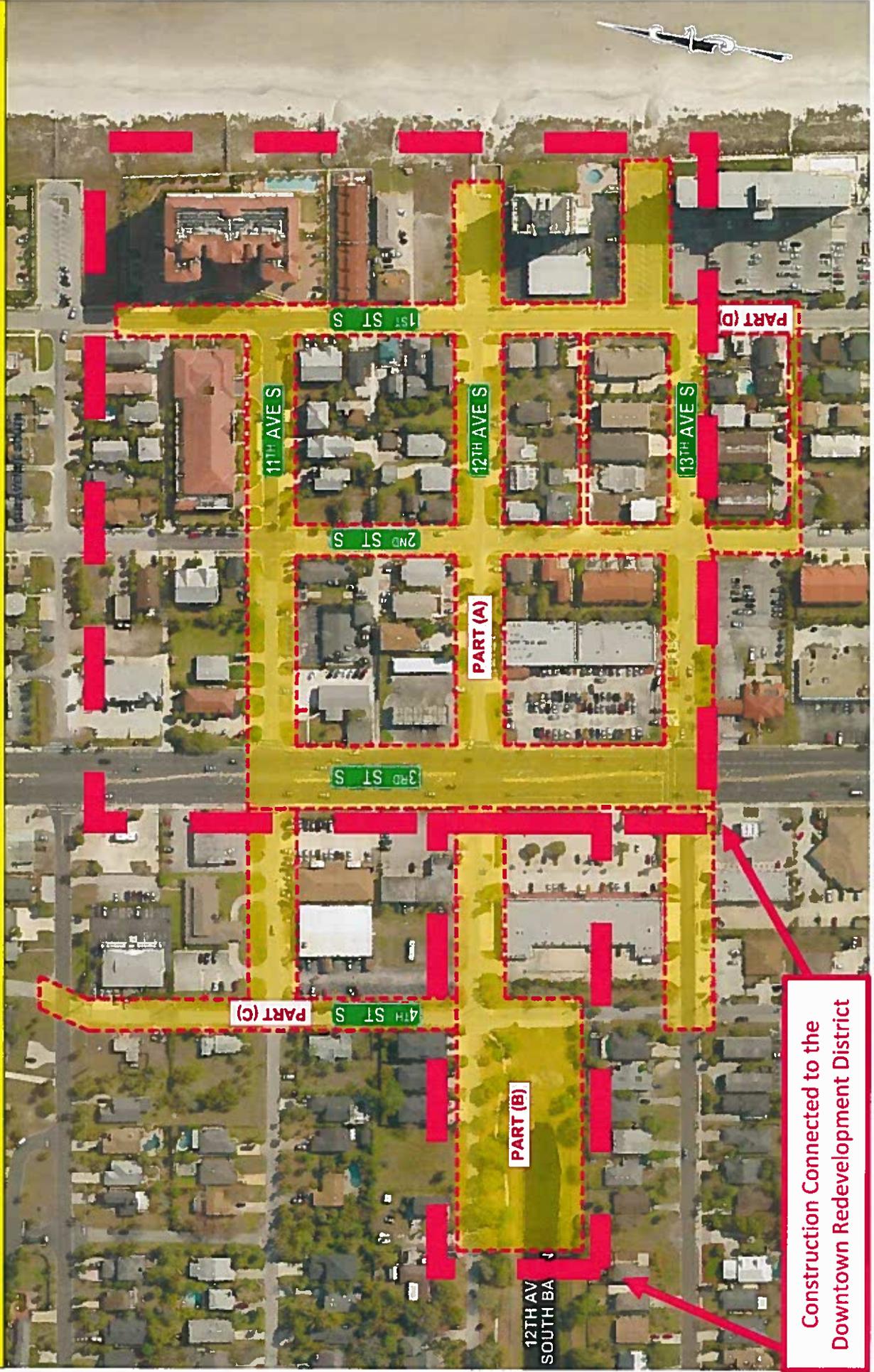
**Project 2 – Downtown Redevelopment District Infrastructure
and Stormwater Pump Station Improvements**

<u>Bid Items</u> (Bid 1617-05)	PROJECT COSTS by FUNDING SOURCE					<u>GRAND TOTAL</u>
	CRA		City			
	<u>Downtown Tax Increment Trust Fund</u>	<u>Better Jax Beach Bond Proceeds</u>	<u>Water & Sewer</u>	<u>Stormwater</u>		
Part A:	\$6,350,413.95					\$6,350,413.95
Part B:	\$2,263,114.20		\$172,040.65			\$2,435,154.85
Part C:			\$39,334.00		\$266,111.55	\$305,445.55
Part D:		\$152,091.75	\$90,701.00			\$242,792.75
Part E:	\$1,169,140.00					\$1,169,140.00
• Construction Sub-Total: % of total bid price:	\$9,782,668.15 93.1%	\$152,091.75 1.5%	\$302,075.65 2.9%	\$266,111.55 2.5%		\$10,502,947.10 100.0%
• 10% Contingency	\$978,266.82	\$15,209.17	\$30,207.57	\$26,611.15		\$1,050,294.71
Construction TOTAL:	\$10,760,934.97	\$167,300.92	\$332,283.22	\$292,722.70		\$11,553,241.81
• Engineer C & A Services % of total C & A cost:	\$121,130.55 93.1%	\$1,951.62 1.5%	\$3,773.13 2.9%	\$3,252.70 2.5%		\$130,108.00 100.0%
• Elec Engr C&A – Pump Station	\$4,400.00					\$4,400.00
• C & A Services Sub-Total:	\$125,530.55	\$1951.62	\$3773.13	\$3,252.70		\$134,508.00
• 10% Contingency	\$12,553.06	\$195.16	\$377.31	\$325.27		\$13,450.80
C & A Services TOTAL:	\$138,083.61	\$2,146.78	\$4,150.44	\$3,577.97		\$147,958.80
• Public Works C & I Services % of total C & I cost:	\$158,608.88 93.1%	\$2,555.46 1.5%	\$4,940.56 2.9%	\$4,259.10 2.5%		\$170,364.00 100.0%
• 10% Contingency	\$15,860.89	\$255.54	\$494.06	\$425.91		\$17,036.40
C & I Services TOTAL:	\$174,469.77	\$2,811.00	\$5,434.62	\$4,685.01		\$187,400.40
GRAND TOTAL	\$11,073,488.35	\$172,258.70	\$341,868.28	\$300,985.68		\$11,888,601.01

¹ The 2018 Budget is to be adjusted accordingly at year-end.

Overview Map

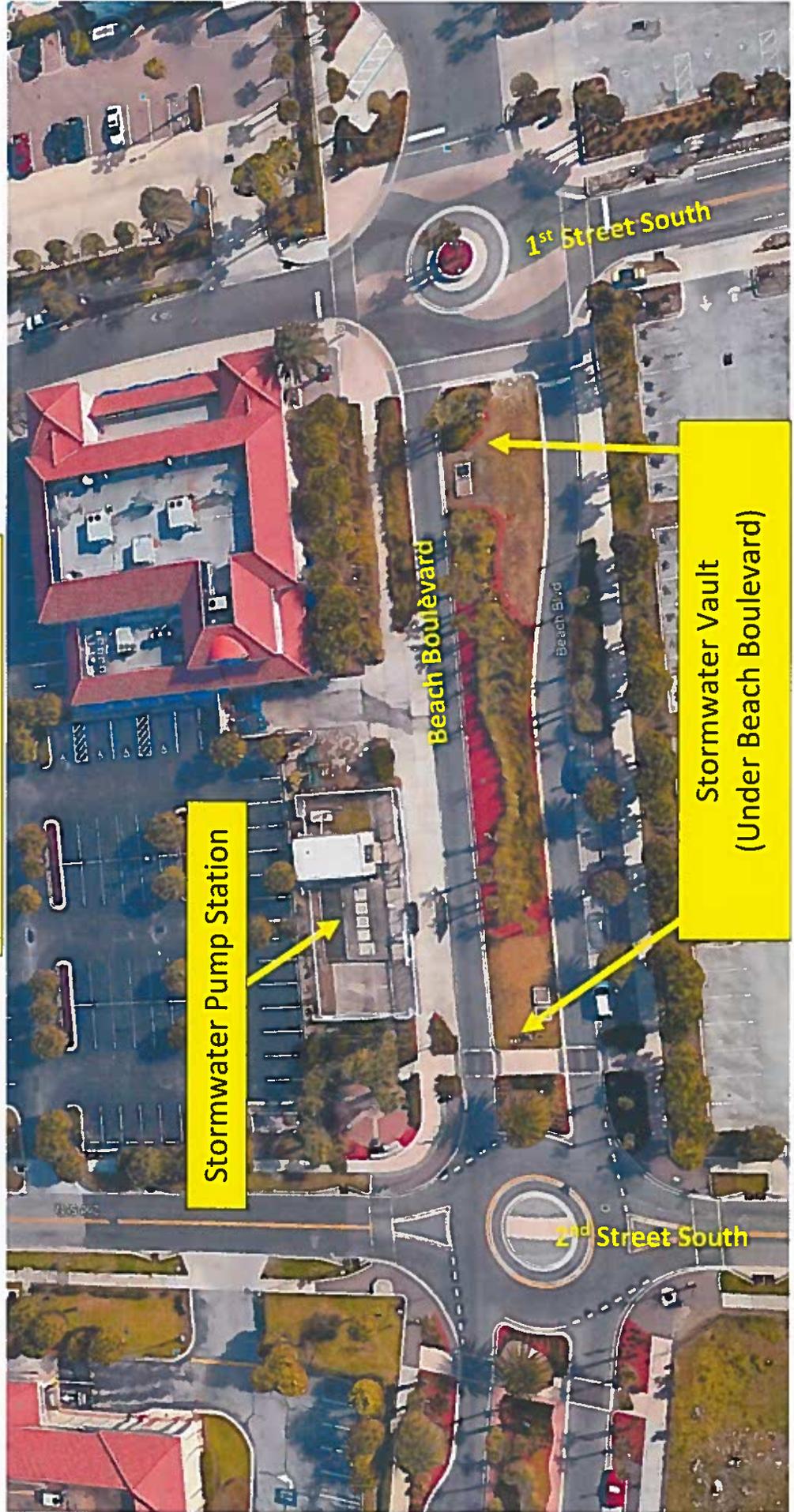
Bid 1617-05, Project 2 - Downtown Redevelopment District Infrastructure
and Stormwater Pump Station Improvements



Overview Map

Bid 1617-05

Part (E)



January 18, 2018

Mr. Martin Martirone
Department of Public Works
City of Jacksonville Beach
1460-A Shetter Ave.-2nd Floor
Jacksonville Beach, FL. 32250

RE: Phase IIIC Project 2 Infrastructure and Stormwater Pump Station Improvements
Jacksonville Beach, FL
City Bid Number: 1617-05
Recommendation for Award

Dear Mr. Martirone,

We are pleased to enclose the bid tabulation for the four (4) bids for the referenced project. The bids have been checked for mathematical errors, verified and evaluated for conformance with the criteria set forth in the bidding documents.

United Brothers Development Corporation is the low bidder for Parts A, B, C and D with a bid of \$7,006,980.39. This bid was retracted on January 18, 2018 by United Brothers Development Corporation. Petticoat-Schmitt Civil Contractors Inc. is the second lowest bidder for Parts A, B, C and D with a bid of \$9,333,807.10.

Petticoat-Schmitt Civil Contractors Inc. is the low bidder for Part E with a bid of \$1,169,140.00.

Based on the availability of Redevelopment Tax Increment Trust Funds, we recommend award of Parts A, B, C, D and E to Petticoat-Schmitt Civil Contractors Inc. for a total of \$10,502,947.10. In addition, we recommend a 10% contingency be included for unforeseen circumstances during construction. The bid for Parts A, B, C, D and E including a 10% contingency amount is \$11,553,241.81.

We appreciate this opportunity to be of service to the City of Jacksonville Beach and look forward to the successful construction of this project.

Sincerely,
GAI Consultants, Inc.



Matthew Bolyard, PE
Senior Project Engineer

cc: Dennis Dupries, Construction Project Manager



BEACHES | ENERGY
SERVICES

MEMORANDUM

TO: George D. Forbes
City Manager

FROM: Allen Putnam
Director of Beaches Energy Services

DATE: February 21, 2018

RE: Bid No. 1718-05 General Contract for the Expansion of Beaches Energy Services
Guana Substation

ACTION REQUESTED:

Award Bid Number 1718-05 General Contract for the Expansion of Beaches Energy Services
Guana Substation.

BACKGROUND:

One of our primary goals at Beaches Energy Services is to provide reliable electric service to our customers. During a review of substation reliability post-Hurricane Matthew in 2016, a weak point was uncovered at Guana substation that significantly contributes to overall system vulnerability. We determined that we do not have sufficient transformer capacity at our Guana substation if our Ft. Diego substation needed to be taken out of service due to rising water from the Intracoastal Waterway. The absence of a second transformer at the Guana substation increases the risk that Beaches Energy Services customers would be without electric service if and when another major storm event should occur.

Beaches Energy Services Capital Improvement Plan for FY2017 and FY2018 included the expansion of the Guana substation to add a second power transformer. The power transformer was delivered in November 2017. Subsequently, bids were solicited seeking a firm to provide substation materials, structural steel and other equipment. This bid was awarded to M.D. Henry Company in December 2017. The next step is to procure the services of a general contractor who will provide construction services for the substation expansion.

In January 2018, bids were received for the General Contract for the Expansion of Beaches Energy Services Guana Substation. Following is the bid tabulation sheet:

Base Bid	JL Malone & Associates, LLC	Sayers Construction, LLC	Henkels & McCoy, Inc.	C and C Power Line, Inc.
Item 1 - Install Owner Furnished Substation Material Package	\$89,698.80	\$236,800.00	\$328,782.81	\$572,358.00
Item 2 - Install Owner Furnished Power Transformer	\$113,675.58	\$19,200.00	\$3,104.46	-
Item 3 - Install Owner Furnished Medium and High Voltage Circuit Breakers	\$6,889.88	\$44,800.00	\$14,404.70	\$72,800.00
Item 4 - Relocate and Install Existing Circuit Switcher and A-frame Structures	\$10,894.51	\$19,200.00	\$15,998.94	\$10,400.00
Item 5 - Substation Foundations	\$455,164.26	\$531,200.00	\$644,066.49	\$437,721.00
Item 6 - Relay Panels and Misc. Protection and Control Materials	\$412,300.38	\$588,800.00	\$375,273.39	\$154,115.00
Item 7 - Substation Grounding Materials	\$74,202.08	\$96,000.00	\$283,679.07	\$247,485.00
Item 8 - Low Voltage Raceways, Conduit, Cable Trench, and Junction Boxes	\$68,154.15	\$384,000.00	\$202,939.74	\$34,500.00
Item 9 - Low Voltage Panels, Switches, and Control Cable	\$127,162.37	\$422,400.00	\$168,125.87	\$427,925.00
Item 10 - Clearing, Grubbing, Site Improvements and Landscaping	\$546,872.57	\$195,200.00	\$654,133.49	\$227,444.00
Item 11 - Transmission Line Work (Including Temporary Facilities)	\$234,117.47	\$448,000.00	\$355,933.70	\$886,225.00
Item 12 - Substation Gravel	\$105,987.56	\$25,600.00	\$7,945.96	\$60,000.00
Item 13 - Substation Fence and Gates	\$25,123.41	\$73,600.00	\$50,988.72	\$26,180.00
Item 14 - Demolition of Existing Equipment	\$83,606.55	\$115,200.00	\$130,073.88	\$50,949.00
Item 15 - Other	\$66,518.71	-	\$198,179.69	\$365,345.00
Total	\$2,420,368.28	\$3,200,000.00	\$3,433,630.91	\$3,573,447.00

RECOMMENDATION:

Award Bid 1718-05 General Contract for the Expansion of Beaches Energy Services Guana Substation to the lowest responsive bidder, JL Malone & Associates, LLC.

City of

Jacksonville Beach

2508 South Beach

Parkway

Jacksonville Beach

FL 32250

Phone: 904.247.6236

Fax: 904.247.6143

www.jacksonvillebeach.org

TO: George Forbes,
City Manager

FROM: Jason Phitides,
Director Parks and Recreation

DATE: February 21, 2018

RE: Replacement of Fitness Stations at South Beach Park.

ACTION REQUESTED:

Approve the purchase and installation of outdoor exercise equipment to replace existing fitness stations at South Beach Park.

BACKGROUND:

There are several outdoor fitness stations that surround the walking/jogging trail at South Beach Park. These stations were installed in 2005 and most are at the end of their useful life.

Kompan Sport & Fitness Institute can provide a versatile and comprehensive range of outdoor equipment suitable for South Beach Park. Their innovative equipment encourages a playful way of exercise and socializing with a focus on fun, challenge and creativity. Their fitness stations are designed to be ADA accessible.

Kompan's equipment is built with a combination of galvanized and stainless steel parts and has a longer lifespan than the current equipment at the park. They provide a lifetime warranty on structural components and ten (10) years warranty on all other parts. The warranty on installation will be one (1) year.

Equipment, including installation, can be procured through the US Communities contract plan, which is a national cooperative purchasing program offering discounted rates to state and local governments. The contract price includes demolition, excavation and removal of existing stations. Each fitness station will be installed with a safety fall zone of bonded rubber mulch.

Following is a proposed list of equipment replacements based on popular usage and community feedback. Costs include purchase, site work excavation and installation. Staff recommend a 10% contingency.



	Item	Amount
1	Cross Trainer	\$ 3,236
2	Sit Up Bench & Power Bike	\$ 4,496
3	Free Runner	\$ 2,736
4	Leg Lift Station	\$ 1,449
5	Square Pull Up Station	\$ 1,728
6	Steps	\$ 2,790
7	Double Turbo Challenge	\$ 10,818
	Shipping	\$ 1,225
	Total Equipment Cost	\$ 28,478

Safety Fall Zone	\$ 49,293
Sitework & Installation	\$ 20,462
Subtotal Equip. & Install	\$ 98,233

10% Contingency	\$ 9,823
Grand Total	\$108,056

Funding for the project was approved by the Community Redevelopment Agency on January 22, 2018.

RECOMMENDATION:

Approve the purchase and installation of outdoor exercise equipment to replace existing fitness stations at South Beach Park, as described in the memorandum from the Director of Parks and Recreation dated February 21, 2018.

KOMPAN Product Info

CROSS TRAINER - KPX125

Best User Age: 15+ years

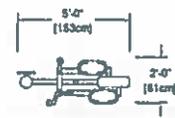
Footings: In-ground posts
Surface installation also available

Technical information available at kompan.com

ADA ANALYSIS

Elevated Activities: N/A	Accessible Elevated Activities	Accessible Ground Level Activities	Accessible Ground Level Play Types
Present	N/A	N/A	N/A
Required	N/A	N/A	N/A

X-ERCISE



KPX125
**5'-10" / 178cm

Scale: 1/8" = 1'-0"

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way.
** = Total height of product.

KOMPAN Product Info

CORE CYCLER - KPX222



Best User Age: 13+ years

Footings: In-ground installation
Surface installation also available

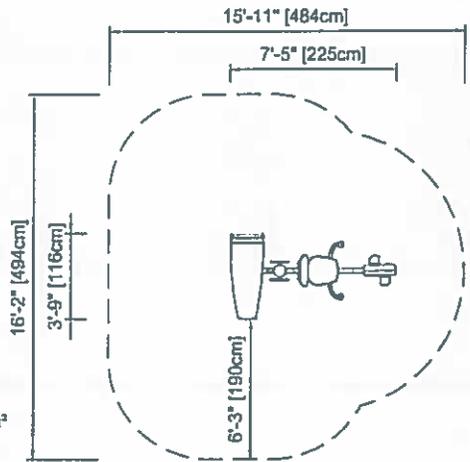
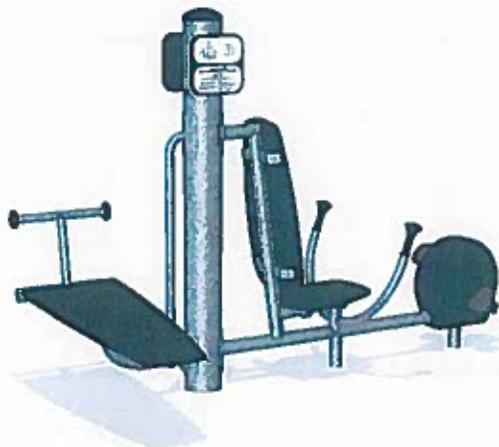
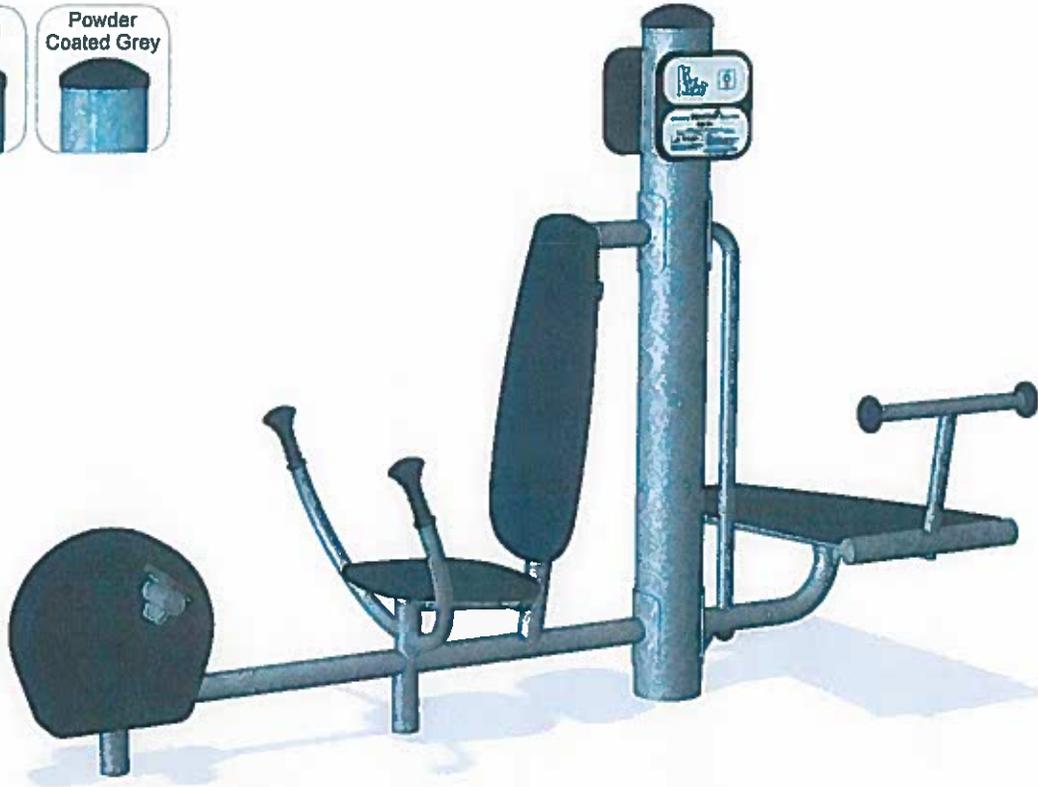
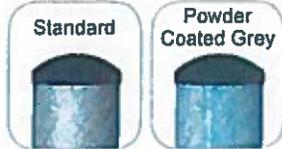
Technical Information available at koman.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

SPORT & FITNESS

Product Type: Exercise Equipment

Available Options:



KPX222
 * 1'-5" / 43cm
 ** 5'-3" / 159cm
 *** 210ft² / 19.4m²
 1/8" = 1'-0"

* = Fall height of product. Fall height, space required and total area of safety zone are according to ASTM F3101.
 ** = Total height of product. Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.
 *** = Total area of safety zone. Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.

KOMPAN Product Info

FREE RUNNER - KPX120



Best User Age: 13+ years

Footings: In-ground installation
Surface installation also available

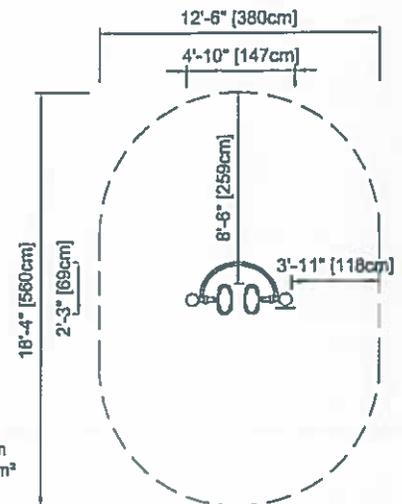
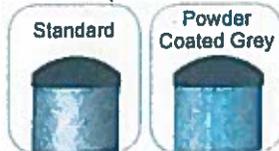
Technical Information available at kompan.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

SPORT & FITNESS

Product Type: Exercise Equipment

Available Options:



KPX120
 * 2'-8" / 80cm
 ** 5'-3" / 159cm
 *** 196ft² / 18.2m²
 1/8" = 1'-0"

* = Fall height of product.

** = Total height of product.

*** = Total area of safety zone.

Fall height, space required and total area of safety zone are according to ASTM F3101.

Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.

KOMPAN Product Info

LEG LIFT STATION - KPX126



Best User Age: 13+ years

Footings: In-ground installation
Surface installation also available

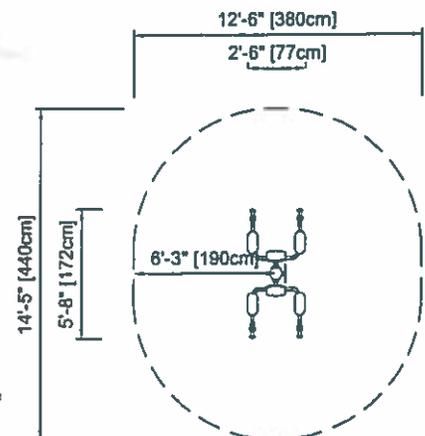
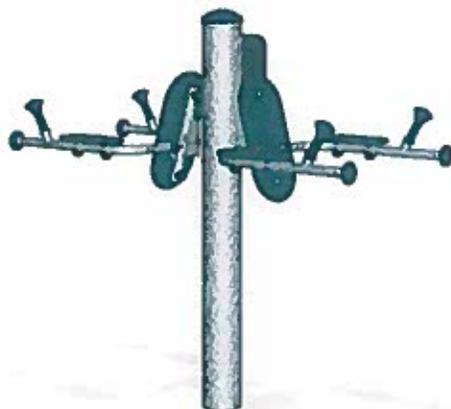
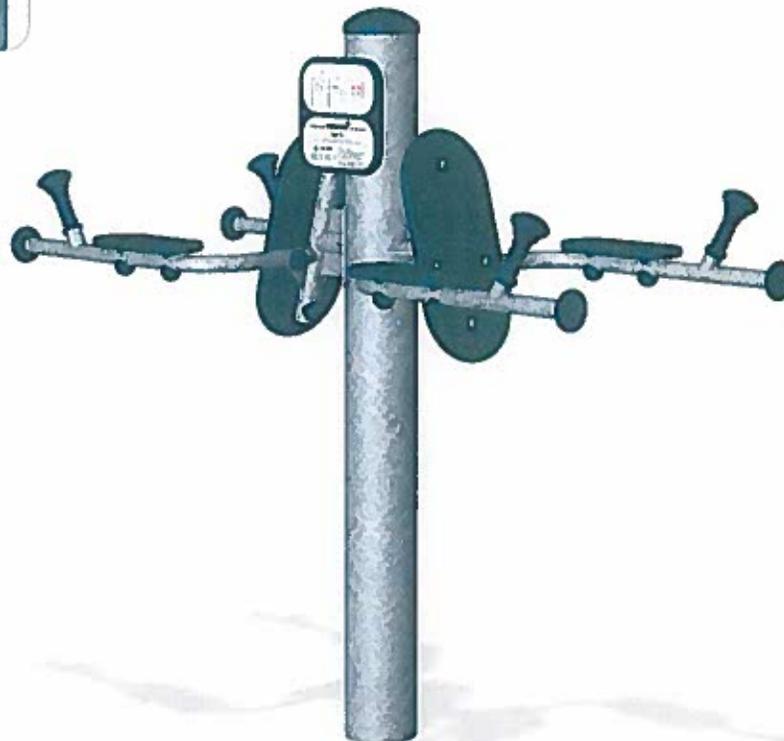
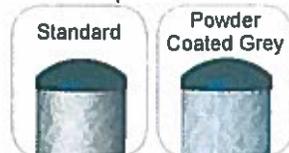
Technical information available at kompan.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

SPORT & FITNESS

Product Type: Exercise Equipment

Available Options:



KPX126
 * 3'-7" / 109cm
 ** 5'-3" / 159cm
 *** 147ft² / 13.6m²
 1/8" = 1'-0"

* = Fall height of product
 ** = Total height of product
 *** = Total area of safety zone.

Fall height, space required and total area of safety zone are according to ASTM F3101.
 Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.



Best User Age: 13+ years

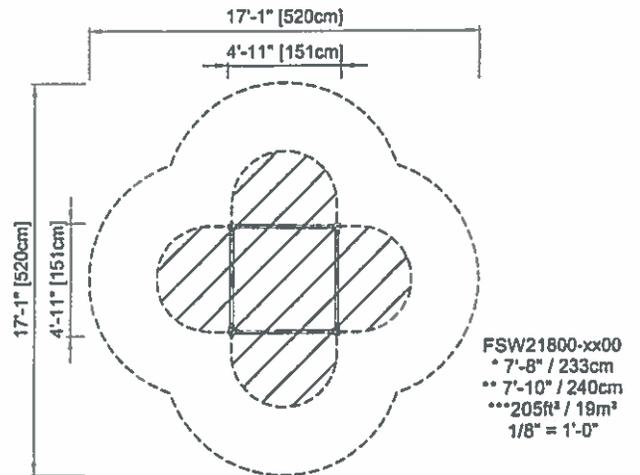
Feelings: In-ground installation
Surface installation also available

Technical information available at kompan.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

SPORT & FITNESS

Product Type: Workout System



- * ≈ Fall height of product
- ** ≈ Total height of product
- *** ≈ Total area of safety zone.

Fall height, space required and total area of safety zone are according to ASTM F3101. Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.



Best User Age: 13+ years

Footings: In-ground installation
Surface installation also available

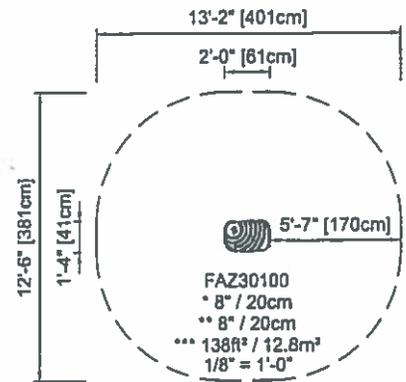
Technical information available at kompan.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

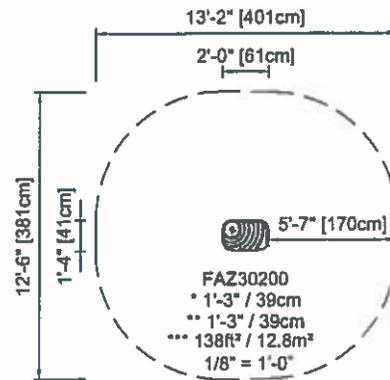
Product Type: Cross System



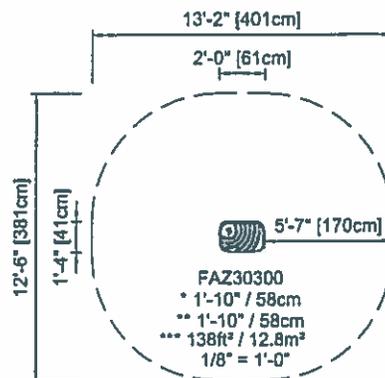
Step, 20cm



Step, 40cm



Step, 60cm



- * = Fall height of product.
- ** = Total height of product.
- *** = Total area of safety zone.

Fall height, space required and total area of safety zone are according to ASTM F3101.

Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.



Best User Age: 13+ years

Footings: In-ground installation
Surface installation also available

Technical information available at kompan.com

ADA ANALYSIS	Elevated Activities	Ground Level Activities	Ground Level Play Types
Present	N/A	N/A	N/A
Accessible	N/A	N/A	N/A
Required	N/A	N/A	N/A

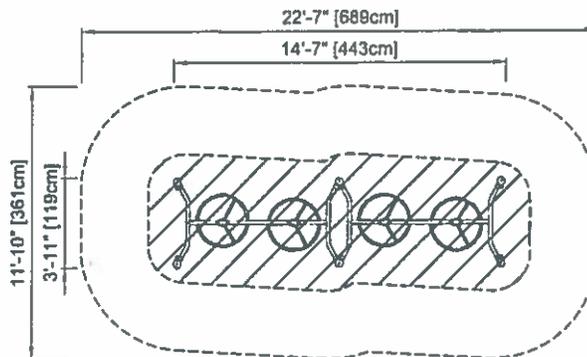
SPORT & FITNESS

Product Type: Workout System



FSW21201-XX00

FSW21201-XX01



FSW21201-xx00
* 6'-5" / 195cm
** 7'-10" / 240cm
***243ft² / 22.6m²
1/8" = 1'-0"

* = Fall height of product.

** = Total height of product.

*** = Total area of safety zone.

Fall height, space required and total area of safety zone are according to ASTM F3101.

Equipment must be installed over resilient surfacing appropriate to the safety guidelines in your area.

Product development is an ongoing process. We reserve the right to make modifications on all our products. This product may not be mirrored, scaled or altered in any way. Safety zones must be retained for proper placement of equipment. If any changes are required, please contact your KOMPAN representative at 1.800.426.9788.



City of

MEMORANDUM

Jacksonville Beach

To: George D. Forbes, City Manager

City Hall

From: William C. Mann, Planning and Development Director

11 North Third Street

Re: **Ordinance No. 2018-8105**, amending *Planned Unit Development: PUD Ordinance*, governing the *Ocean Terrace Residential Subdivision*, (Ordinance No. 2013-8031) by revising the PUD Narrative as it relates to allowable uses and structures in Tract D – Open Space, located along the west edge of the subdivision (*Ocean Terrace Home Owners Association – Applicant*)

Jacksonville Beach

FL 32250

Phone: 904.247.6231

Date: February 21, 2018

Fax: 904.247.6107

ACTION REQUESTED:

Adopt Ordinance No. 2018-8105, amending *Planned Unit Development: PUD Ordinance*, governing the *Ocean Terrace Residential Subdivision*, (Ordinance No. 2013-8031) by revising the PUD Narrative as it relates to allowable uses and structures in Tract D – Open Space, located along the west edge of the subdivision. (*Ocean Terrace Home Owners Association – Applicant*)

BACKGROUND:

In 2013, Richmond American Homes of Florida applied for a rezoning of the property that is now the *Ocean Terrace* residential subdivision. The rezoning of the 9.9 acre property from *Residential, single-family: RS-1* to *Planned Unit Development: PUD* was approved by City Council and is governed by Ordinance No. 2013-8031. The PUD consists of 59 single-family lots. The developer also applied for, and received under application BOA#12-100203, a variance for five percent open space instead of the minimum 20 percent open space required for PUD developments. After the variance was granted, the developer provided 9.2 percent open space within the PUD that was spread over four separate open space parcels or tracts.

Tract D, which is the subject of this proposed amendment, runs north to south along the western boundary of the PUD, parallel to an unimproved 14-foot public alley. All of the open space tracts within the PUD are owned by its Homeowners Association (HOA). Tract D space was provided by the developer in order to protect a significant stand of old growth live oaks and to provide additional buffering for the existing homes to the immediate west of the PUD. According to the property



owners adjacent to Tract D, the lots that are adjoining were sold at a higher premium than other lots in the PUD.

Pursuant to the approved PUD Ordinance No. 2013-8031, no structures are permitted in Tract D, including fences. A fence was required to be erected by the developer along the western boundary of Tract D prior to construction as part of the approved PUD. However, the developer, and some homeowners who were unaware of the PUD restrictions, did install fences across Tract D in order to provide safety and security for their property, pets, and families.

In 2017, the City was notified of certain non-permitted fences that have been installed running east to west across Tract D, and a code enforcement case was initiated against the Home Owners Association (HOA). Control of that association has recently transferred from the developer to the homeowners. Staff advised representatives from the HOA that a PUD amendment would be required to legally permit fences and any other structures in Tract D. The HOA has now submitted an application to amend the PUD narrative in order to allow fences to be installed across Open Space Tract D, and to allow movable temporary structures, such as benches and play equipment within the tract. Currently, Tract D is only accessible from the adjacent lots, due to the fences installed and large hedges planted that prohibit access from the north and south into the tract.

The homeowners adjacent to Tract D want to keep Tract D as open space and also to have the ability to maintain and secure their properties as well, as they essentially have become responsible for watering and maintaining the portion of Tract D that is immediately adjacent to their properties.

In May of 2016, the Covenants and Restrictions for the HOA were amended to make Tract D "limited open space" instead of "common open space" which makes it essentially available only to the immediately adjacent properties. That amendment, together with this PUD Ordinance amendment, would allow their desired limited use of Tract D. If this PUD Ordinance amendment is not approved, fences or other structures would continue to be prohibited in Tract D.

The Planning Commission met to consider the proposed Planned Unit Development Amendment on February 12, 2018 and voted unanimously to recommend denial of the amendment to the City Council, citing their concerns over setting a precedent where agreements between a developer and the City have been approved, and then any conditions of approval subsequently being allowed to be amended to the benefit to property owners.

RECOMMENDATION:

Adopt Ordinance No. 2018-8105, amending *Planned Unit Development: PUD Ordinance*, governing the *Ocean Terrace Residential Subdivision*, (Ordinance No. 2013-8031) by revising the PUD Narrative as it relates to allowable uses and structures in Tract D – Open Space, located along the west edge of the subdivision. (*Ocean Terrace Home Owners Association – Applicant*)

Introduced by: _____
1st Reading: _____
2nd Reading: _____

ORDINANCE NO. 2018-8105

AN ORDINANCE TO AMEND PLANNED UNIT DEVELOPMENT: PUD ORDINANCE NUMBER 2013-8031, SUPPLEMENTING THE COMPREHENSIVE ZONING REGULATIONS AND ZONING ATLAS FOR THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.

WHEREAS, the City Council of the City of Jacksonville Beach, Florida, heretofore enacted and established a Land Development Code and Zoning Atlas for said City; and

WHEREAS, the City Council approved the rezoning of certain lands in the City from *Residential, single-family: RS-1* to *Planned Unit Development: PUD* on October 7, 2013 via Ordinance No. 2013-8031, for the Ocean Terrace Subdivision; and

WHEREAS, the Ocean Terrace Home Owners Association (HOA) desires to amend to PUD Narrative approved via Ordinance No. 2013-8031, to remove the prohibition of certain allowable uses and structures in "Tract D" – Open Space, located along the west edge of the Ocean Terrace subdivision; and

WHEREAS, the City Council has considered the application, all relevant support materials, the staff report, the recommendation of the Planning Commission, and public testimony given at the public hearings.

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

SECTION 1. The City Council has considered the adoption of this ordinance based on one or more of the factors listed in Section 34-211(c) of the Land Development Code and hereby finds that the proposed Planned Unit Development: PUD text amendment will not result in an adverse change in the community in which it is located.

SECTION 2. That Planned Unit Development: PUD Ordinance No 2013-8031 is hereby amended by incorporating those changes to said Ordinance contained in the Rezoning/Text Amendment application dated December 6, 2017, as attached as Exhibit A to this Ordinance.

SECTION 3. Except as provided herein, all other portions of Ordinance No. 2013-8031 and all other portions of the Jacksonville Beach Land Development Code and Zoning Atlas shall remain in effect.

SECTION 4. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may in conflict, hereby repealed.

SECTION 5. This ordinance shall take effect upon its adoption and recordation with the Clerk of Circuit Court, Duval County, Florida.

AUTHENTICATED THIS _____ DAY OF _____, 2018.

William C. Latham, MAYOR

Laurie Scott, CITY CLERK



REZONING/TEXT AMENDMENT APPLICATION

PC No. 1-18

AS/400# 18-100001

DEC 22 2017

This form is intended for use by persons applying for a change in the text of the Land Development Code or the boundaries of a specific property or group of properties under the person or persons control. A rezoning or change to the text of the LDC is not intended to relieve a particular hardship, nor to confer special privileges or rights. **PLANNING AND DEVELOPMENT** Adjustments in light of changed conditions. No rezoning or text amendment to the LDC may be approved except in conformance with the Jacksonville Beach 2010 Comprehensive Plan Elements. An application for a rezoning or text amendment to the LDC shall include the information and attachments listed below, unless the requirement for any particular item is waived by the Planning and Development Director. All applications shall include a \$1,000.00 filing fee, as required by City Ordinance.

APPLICANT INFORMATION

Land Owner's Name: Ocean Terrace South Beach HOA Telephone: 904-424-6481
 Mailing Address: Nazim Washington, President HOA Board Fax: _____
4025 Coastal Ave, Jacksonville Beach, FL 32250 E-Mail: nazminw@hotmail.com

Applicant Name: Ocean Terrace South Beach HOA Telephone: 904-844-3331
 Mailing Address: c/o Jenny Robles, Secretary HOA Board Fax: _____
4074 Gulfstream Dr, Jacksonville Beach, FL 32250 E-Mail: jennyrobles1@gmail.com

NOTE: Written authorization from the land owner is required if the applicant is not the owner.

Agent Name: Jenny Robles, Secretary, HOA Board Telephone: 904-844-3331
 Mailing Address: 4074 Gulfstream Dr Fax: _____
Jacksonville Beach, FL 32250 E-Mail: jennyrobles1@gmail.com

Please provide the name, address and telephone number for any other land use, environmental, engineering, architectural, economic, or other professional consultants assisting with the application on a separate sheet of paper.

REZONING DATA

Street address of property and/or Real Estate Number: Ocean Terrace PUD (181403-0515)

Legal Description (attach copies of any instruments references, such as but not limited to deeds, plats, easements, covenants, and restrictions): _____

Current Zoning Classification: PUD Future Land Use Map Designation: _____

TEXT AMENDMENT DATA

Current Chapter, Article, Section, Paragraph Number: Chapter 34, Ordinance No. 2013-8031

REQUESTED INFORMATION	Attached?	
	Yes	No
1. A copy of the relevant Duval County Property Assessment Map, showing the exact location of the land proposed for the amendment, with the boundaries clearly marked;	✓	
2. An 8½" x 11" vicinity map identifying the property proposed for amendment;	✓	
3. An aerial photograph, less than twelve (12) months old, of the land proposed for amendment, with the boundaries clearly marked;	✓	
4. For a rezoning, include a narrative description of the proposed amendment to the Zoning Map designation and an explanation of why it complies with the standards governing a rezoning the LDC.	✓	
5. For an LDC text amendment, include the current text of the Section(s) proposed to be changed and the full text of the proposed amendment. The proposed text amendment submittal must include a cover letter containing a narrative statement explaining the amendment, why it is needed and how it will comply with the goals, objectives, and policies in the Jacksonville Beach 2010 Comprehensive Plan Elements.		✓

Applicant Signature: Jenny Robles Date: 12-6-2017

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PC#1-18

DEC 22 2017

#18-10001

PLANNING & DEVELOPMENT

December 13, 2017

To: City of Jacksonville Beach Planning and Development

Regarding: Amendment to Ocean Terrace South Beach PUD

Ocean Terrace South Beach Home Owners Association requests an amendment to the PUD to allow for fences and temporary structures in Tract D.

Background

Ocean Terrace South Beach, developed by Richmond American Homes, was approved by the City of Jacksonville Beach in September 2013. The developer was granted a variance for 9% open space requirement due to concessions and donation of land to help the City with traffic and storm water management. The PUD totals 59 homesites on 9.78 acres and includes open spaces Tract A, B, C and D.

Tract D is a narrow 5'-25' wide strip of land along the western boundary of the property, bordered by Lots 1 through 13 plus a narrow portion extends east-west along the fence on Sanctuary Dr. In essence, Tract D is similar to the 14' platted alley that borders it to the west and that runs behind the houses on Palm Way. Those owners use, fence, and maintain that alley, as is common practice in Jacksonville Beach.

The developer was required to put a 6' white vinyl fence on the western property line of Tract D at the beginning of the project to buffer the neighbors during construction. There are some old growth trees within Tract D and the intent was to preserve them and the tree canopy, so unlike the open areas of Tracts A, B, and C that can be used for community amenities, the PUD included language to restrict any structures in Tract D.

The developer cleared all but the large trees, sodded and ran sprinklers throughout Tract D and sold Lots 1-13 with large lot premiums for the use of the extra space in Tract D. For the first several houses built, the developer even extended the lot side fences across Tract D with small openings on each side. After complaints to the City in 2016 by 1 or 2 neighbors on Palm Way, the developer removed the fences and replaced with "green" fences, ie. hedges. In May 2016, the developer amended the HOA covenants to change Tract D from Common Area to a "Limited Common Area," portioned out for the use and benefit of only the adjoining lot owner.

Current Situation

Lots 1-13 are completed and 1-12 are owner occupied. The developer has turned the HOA over to the residents. When Lot 1 was built, the width of Tract D abutting the lot was so small that it was not fenced separately but included into the backyard of Lot 1 with a gate on the Jacksonville Dr side. With the recent completion of the house on Lot 13 and the same scenario with the side yard, Tract D is inaccessible except through the private backyards of the owners of Lots 1-13. The tree canopy is preserved with owners planting some new trees, and Tract D is still green space

but not "open space." It is an alley subdivided by hedges at each side lot line. The owners of the lots along Tract D desire to enjoy and keep the green space with mature trees but at the same time be able to secure their children, pets, and property. Thus several problems have arisen that need a long term solution:

- The home owners pay for the water in the sprinkler system in Tract D and for yard and tree maintenance.
- The home owners who install a fence on their back property line cannot access Tract D to maintain it. Some trees have become overgrown with water shoots, suckers and poison oak. And a rat problem in that area isn't being treated.
- The home owners who rely on the green fences are at greater risk for pets escaping and trespassers. Already teens have been seen in Tract D running from the police.
- Some home owners have installed fences across Tract D or put moveable children's play equipment in Tract D, and a neighbor on Palm Way has reported the code violation to the City and the HOA has been notified of potential fines.

On August 23, 2017, the City Magistrate granted a 120 day period for the HOA to rectify the code violations. The owners have been notified and now the HOA Board seeks to rectify the situation by amending the PUD per below.

Proposed Amendment

Ocean Terrace South Beach HOA requests the PUD be amended to allow owners of lots 1-13 to use their limited common area of Tract D by installing fences and temporary structures such as benches or moveable children's play equipment as outlined in the attached documentation.

Please see the attachments and thank you for your consideration.

Jenny Robles
Secretary, Ocean Terrace HOA Board
904-844-3331
jennyrobles1@gmail.com

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PC# 1-18

10/12/17

18-100001

Proposed Amendments to Ocean Terrace South Beach PUD

RECEIVED

PC# 1-18

DEC 22 2017

18-100001

PLANNING & DEVELOPMENT

Ordinance No. 2013-8031

Section 1. B.

8. Fencing – Maximum fence and wall height shall be six(6) feet. Fencing for Tract D, as described in the Written Statement contained in Exhibit A, shall be installed along the westerly boundary of Tract D prior to any construction activity on the subject property. ~~No other structures shall be permitted within Tract D.~~ Fence or wall installed along the South Beach Parkway frontage of the subject property shall be installed within the designated 5' non-access easement shown on Exhibit B, with appropriate landscaping installed on the east side of said fence or wall.

Ocean Terrace PUD Exhibit C

Section I. Description of Permitted Uses and Structures

B. Open Space

1. *Permitted uses and structures.*
 - a. Along western boundary of the Property (Tract D): landscaping; natural vegetation; vegetative screens or buffers; and fencing as described in Section II F below.
and temporary structures that are easily moveable such as playsets, benches, chairs, bird feeders, etc. Not allowed are any structures that are not easily moveable, nailed down, cemented in, or on a slab such as sheds, patios, pools, and gazebos.
 - b. Along Sanctuary Parkway (Tracts A, B, and C): private parks, playgrounds, park structures, site furnishings, and other related recreational uses and facilities; landscaping; natural vegetation, vegetative screens or buffers; fencing as described in Section II F below; walkways; site lighting and site furnishings; and community identification signs or monuments, directional signage, and temporary signage, as provided in Section II B below.
 - c. Essential services, including stormwater treatment and management facilities and required and necessary utilities meeting the performance standards and development criteria set forth in Section II B below.

Proposed Amendments to Ocean Terrace South Beach PUD

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pc# 1-12
DEC 22 2017
18-100001

Section II: PUD Development Criteria

PLANNING & DEVELOPMENT

C. Open Space and Recreation

1. Four Open Space areas, Tracts A, B, C, and D as shown on the PUD Master Plan, shall be provided, with the permitted uses as described in Section I.B. above. Any park and recreational uses, structures, furnishings, equipment, and any signage permitted in Tracts A, B, and C shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat. Any landscaping, vegetative screens, buffers, or fencing permitted in Tracts A, B, C, ~~and D~~ also shall be owned and maintained by the homeowners' association, and documentation and instrumentation providing for the ownership and maintenance of such items shall be recorded in the public records in conjunction with the recordation of the final plat.

Any landscaping, vegetative screens, buffers, fencing, or non-permanent structures permitted in Tract D shall be owned and maintained by the owner of the adjacent lot.

F. Fencing.

1. Fencing will be provided along South Beach Parkway as shown on the PUD Master Plan and will be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
2. Fencing is permitted within the non-access easements along Jacksonville Drive and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
3. Fencing is permitted within the Open Space areas along Sanctuary Parkway (Tracts A, B and C) and may be a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.
4. Fencing will be provided within the Open Space area along the western boundary of the Property (Tract D) and will be minimum seventy percent (70%) opaque and a maximum of six (6) feet in height. Fencing may be masonry, vinyl, metal wood, or combination thereof.

Fencing with a maximum of 6' in height is permitted in Tract D if installed and maintained by lot owners according to their limited common area as defined in the Second Amendment to the Declaration of Covenants, Section 2.6. Fencing may be masonry, vinyl, metal, wood, or a combination thereof.

