



Agenda
City Council

Monday, September 16, 2019

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

19-149 Regular Council Meeting held on August 19, 2019

19-150 Special City Council Meeting held on August 23, 2019

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

19-151 Approve the Monthly Financial Reports for the Month of August

19-152 Approve Employment Agreement for the City Attorney

19-153 Approve Funding for the Replacement of Two HVAC Units at City Hall

- 19-154** Award RFP No. 05-1819 for Property and Liability Insurance to Thompson Baker Agency, Inc. and Workers Compensation Insurance to Florida League of Cities
- 19-155** Approve Contracts, Effective January 1, 2020, with:
- Florida Blue for Medical Insurance
 - MetLife for Dental Insurance
 - Standard Insurance Company for Life Insurance
 - Advantica for Voluntary Vision Insurance
- 19-156** Approve a Commercial Lease Agreement with the Department of Navy, for Space at the O & M Communication Tower
- 19-157** Award Bid No.1819-06, Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway) to A.W.A. Contracting Co. Inc.
- 19-158** Award Bid No. 1819-15, Offsite 12” Well Header for Water Treatment Plant #1, Well No. 16 and 6” Water Main Replacement to The Kenton Group, Inc., dba Baldwin’s Quality Plumbing
- 19-159** Award Bid No. 1819-16, Landscape Maintenance to BrightView Landscape Services Inc. for Sections 2 and 3 and to Down to Earth-Jacksonville for Section 1
- 19-160** Award Bid No. 1819-17, 4th Street South Stormwater Improvements to Kirby Development, Inc. for Construction Services, and Authorize Construction Administration Services with Applied Technology & Management, Inc.
- 19-161** Award Bid No. 1819-18 120/208V, 1,500 kVA, Distribution Transformers to the Lowest, Responsive, Responsible Bidder, Gresco

RESOLUTIONS

- 19-162** RESOLUTION NO. 2033-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING FEES RELATED TO SHORT TERM VACATION RENTALS; PROVIDING FOR REFUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCES**19-163** ORDINANCE NO. 2019-8124 (First Reading)

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AMENDING EMPLOYEE BENEFITS AND LEAVE POLICY PROVIDING FOR ADDITIONAL PAID HOLIDAY; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE. (**Additional Paid Holiday**)

19-164 ORDINANCE NO. 2019-8118 (Second Reading) (Public Hearing)

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE VIII. SITE DEVELOPMENT STANDARDS, DIVISION 2. SUPPLEMENTAL STANDARDS, CREATING A NEW SECTION 34-411 SHORT TERM VACATION RENTALS, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES; AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE IV. DEFINITIONS, PROVIDING DEFINITIONS; AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE VII. ZONING DISTRICTS, DIVISION 2. ZONING DISTRICTS, SECTION 34-336. RESIDENTIAL, SINGLE-FAMILY: RS-1, SECTION 34-337. RESIDENTIAL SINGLE-FAMILY: RS-2, SECTION 34-338. RESIDENTIAL, SINGLE-FAMILY: RS-3, SECTION 34-339. RESIDENTIAL MULTIPLE-FAMILY: RM-1, SECTION 34-340. RESIDENTIAL, MULTIPLE-FAMILY: RM-2, SECTION 34-341. COMMERCIAL PROFESSIONAL OFFICE: CPO, SECTION 34-342. COMMERCIAL LIMITED: C-1, SECTION 34-343. COMMERCIAL GENERAL: C-2, SECTION 34-345. CENTRAL BUSINESS DISTRICT: CBD; PROVIDING THAT SHORT TERM VACATION RENTALS ARE A PERMITTED USE; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE. (**Short Term Vacation Rentals**)

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.

**Minutes of Regular City Council Meeting
held Monday, August 19, 2019, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

Mayor Latham requested everyone rise for a moment of silence for two Firefighters missing at sea, 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: Keith Doherty Georgette Dumont Sandy Golding
 Christine Hoffman Cory Nichols Phil Vogelsang

Also present were City Manager Mike Staffopoulos and Acting City Attorney Denise May.

APPROVAL OF MINUTES:

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

- Council Workshop held on July 29, 2019
- Budget Showcase held on August 2, 2019
- Budget Workshop held on August 5, 2019
- Council Briefing held on August 5, 2019
- Budget Workshop held on August 6, 2019
- Budget Workshop held on August 12, 2019

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

- Regular Council Meeting held August 5, 2019
- Budget Workshop held on August 8, 2019

Council Member Golding requested these minutes be amended to correct some scrivener's errors.

Amended Motion: It was moved by Ms. Golding, seconded by Mr. Vogelsang, and passed unanimously, to approve the minutes as amended.

ANNOUNCEMENTS:

Council Member Doherty thanked City staff and his colleagues for the hard work put into the budget workshops. He apologized for not being here and stated he was out of the country.

Council Member Golding stated she attended the Florida League of Cities conference.

Council Member Nichols stated he believes there is a misconception of what a parking garage looks like and said restaurants, shops and parking garages are not mutually exclusive. Mr. Nichols would like to refer to a parking garage as a mixed-use plaza project when discussed in the future.

Mayor Latham stated he attended the Florida League of Mayors and the Florida League of Cities conference. He noted the President of the Florida League of Mayors named him [Mayor Latham] as Chairman of the Short Term Rental Sub-committee.

COURTESY OF THE FLOOR TO VISITORS:

- Ken Marsh, 2011 Gail Avenue, Jacksonville Beach, spoke about his ideas on the Downtown Vision Plan and suggested a possible community committee.
- Casey Jones, 125 11th Street, Atlantic Beach, expressed his gratitude to the City Manager for the steps taken to provide better protection for sea turtles.
- Rebecca Like, 1017 2nd Street North, Jacksonville Beach, spoke about the Downtown area and how it could offer more dining options. Ms. Like also favored a possible community committee.
- Ron Taylor, 360 13th Avenue North, Jacksonville Beach, stated there is a need for more public safety in the community to help change the culture of Jacksonville Beach.
- Gary Paetau, 725 Bonaire Circle, Jacksonville Beach, spoke about his concerns regarding planning in the City as it relates to neighborhoods.
- Alan Leslie, 2309 Coste Verde Boulevard, Jacksonville Beach, spoke about the need for increased police presence in the Downtown area.

MAYOR AND CITY COUNCIL:

CITY CLERK:

CITY MANAGER:

Item #19-144 – Approve the Monthly Financial Reports for the Month of July 2019

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve the Monthly Financial Reports for the Month of July 2019.

Council Member Dumont asked for clarification regarding the expenditures for Building Maintenance. Chief Financial Officer Ashlie Gossett stated minor repairs are scheduled for the City Hall building as well as the annual load test on the generator. Ms. Gossett also stated a memo to Council would be presented at an upcoming meeting for approval to pay for the emergency replacement of the air conditioning units that serve the second floor of City Hall, which was scheduled to be replaced in FY2020.

Roll Call Vote: Ayes – Doherty, Dumont, Golding, Hoffman, Nichols, Vogelsang, Mayor Latham
The motion passed unanimously.

Item #19-145 – Award RFP No. 06-1819 for Inspection Services to Universal Engineering Sciences, Inc.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to Award RFP No. 06-1819 for Inspection Services to the highest-ranked respondent to Universal Engineering Sciences, Inc.

Mr. Staffopoulos stated the City's Building Department is small in comparison to other jurisdictions. Contractual services are occasionally needed for plan reviews and field inspections. An RFP was advertised and Universal Engineering Sciences was the highest-ranking company.

Council Member Dumont expressed concern regarding a contracted inspector approaching and visiting a residential property and not identifying as a contracted employee of the City. Building Official George Knight stated the contractors are needed to assist with inspections at commercial sites. Council Member Hoffman also had concerns regarding contracted workers representing the City at residential properties. Mr. Knight explained he does the commercial inspections and would continue to do so, but may need assistance with anticipated large projects coming up.

Roll Call Vote: Ayes –Dumont, Golding, Hoffman, Nichols, Vogelsang, Doherty, Mayor Latham
The motion passed unanimously.

Item #19-146 – Defer Second Reading of Short Term Rental Ordinance No. 2019-8118 to September 3, 2019

Mr. Staffopoulos stated due to recent legislation by the State of Florida regarding Short Term Rentals, a two-week deferral on this item was being requested to allow the City Attorney to review new case law.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to defer Ordinance No. 2019-8118, as amended, amending the Land Development Code Chapter 34 to define and regulate short-term vacation rentals, where permitted, to a date certain of Tuesday September 3, 2019.

Roll Call Vote: Ayes –Golding, Hoffman, Nichols, Vogelsang, Doherty, Dumont, Mayor Latham
The motion passed unanimously.

Item #19-147 – Consider Modifying a Submission to the Commission on Ethics continuation from August 5, 2019

Mr. Staffopoulos explained since the August 5, 2019, City Council meeting, when this item was tabled, additional information regarding the \$25,000 deductible had been obtained. He noted the previous information received had been clarified. The \$25,000 deductible was specific to any claims for damages. There is a zero deductible for legal defense.

Acting City Attorney Denise May clarified the procedures for withdrawing an official complaint and resubmitting a request for an opinion.

The following spoke regarding the agenda item:

- Jon McGowan, 5 North 17th Avenue #401, Jacksonville Beach

Council Members Dumont and Hoffman would like the process to continue with the currently filed complaint.

Mr. Nichols stated the former City Attorney, Susan Erdelyi, should be available for any questions the Council may have regarding any previous complaints regarding Council Members.

Council Member Golding stated she spoke to Executive Director for the Commission on Ethics Chris Anderson for further understanding and opinion. Ms. Golding said she was told the result would be a more definitive statement of the violation or lack thereof. Ms. Golding asked if the three specific questions from Ms. May's opinion memo were filed in the original complaint and if the Council could amend the complaint to include the three specific questions for clarity.

Ms. May stated she contacted the Commission on Ethics and a complaint can be amended. It is usually amended with factual information. By including the three specific questions, the Commission may see the amendment as limiting. Ms. Dumont stated the three specific questions could be addressed at a later time once the case is settled.

Motion: It was moved by Ms. Dumont and seconded by Ms. Golding to move forward on the original process.

Roll Call Vote: Ayes –Hoffman, Nichols, Doherty, Dumont, Golding, Mayor Latham
Abstain – Vogelsang
The motion passed.

Item #19-148 – Authorize an Amendment to the Interlocal Agreement between the City of Jacksonville Beach and the City of Jacksonville for Advanced Life Support and Fire Services.

Motion: It was moved by Ms. Hoffman and seconded by Mr. Vogelsang, to approve an amendment to the Interlocal Agreement between the City of Jacksonville Beach, Florida, and the City of Jacksonville, Florida for Advance Life Support and Fire Services.

Mr. Staffopoulos stated after auditors with the City of Jacksonville reviewed the proposed contract, Jacksonville Administration is requesting an amendment to Article 7(e). Mr. Staffopoulos reviewed the changes to the contract regarding the unfunded actuarial accrued liability of the Jacksonville Beach Firefighters' Retirement Plan.

Council Member Vogelsang asked what the rate of return was for the City's other Pension Plans are. Mr. Staffopoulos stated last year the City rate of return was 8%, this year it is at 7.9%, FY2020 would be at 7.75% and the following year would be at 7.5%. Mr. Staffopoulos stated the City is in a gradual decrease with the assumed rate of return.

Roll Call Vote: Ayes –Nichols, Vogelsang, Doherty, Dumont, Golding, Hoffman, Mayor Latham
The motion passed unanimously.

RESOLUTIONS:

ORDINANCES:

ADJOURNMENT:

There being no further business, the meeting adjourned at 7:54 P.M.

Submitted by: Laurie Scott
City Clerk

LS/jb

Approval:

William C. Latham, MAYOR

Date: _____



The Special City Council Meeting began at 8:15 A.M.

The following City Council Members were in attendance:

Mayor: William C. Latham

Council Members: Keith Doherty (*absent*) Georgette Dumont Sandy Golding
Christine Hoffman Cory Nichols Phil Vogelsang

Purpose of Meeting

The purpose of the meeting was for the City Council Members to conduct interviews with the candidates for the City Attorney position.

The City Council conducted interviews with five (5) candidates for the City Attorney position.

- Mark Moriarty
- Denise May
- Chris Ambrosio
- Karl Sanders
- Cherry Pollock

The meeting adjourned at 11:45 A.M.

The City Council reconvened at 4:30 P.M. to discuss the selection of the new City Attorney.

Also present were City Manager Mike Staffopoulos, Deputy City Manager Karen Nelson, and Human Resources Director Ann Meuse.

City Council Members cast ballots for their City Attorney selections. The Council Members ranked their choice of candidate numerically. Three rounds of voting were held by the Council. Round one was to determine the top two candidates, round two was to determine the top candidate - which resulted in a tie between the candidates Moriarty and Ambrosio, then a third-round was held to break the tie. It was determined by Council vote that Chris Ambrosio be selected as their top candidate.

Attached is a summary of the City Attorney Selection total votes by City Council Member.

The meeting adjourned at 5:10 P.M.

Submitted by: Laurie Scott
City Clerk

LS:sg

Approved:

William C. Latham, MAYOR

Date: _____

City Attorney Selection - August 23, 2019

First Round Vote by City Council Members					
City Council	Candidates				
	M. Moriarty	D. May	C. Ambrosio	K. Sanders	C. Pollock
Mayor Charlie Latham	1	2	5	4	3
Councilor Georgette Dumont	3	2	1	4	5
Councilor Sandy Golding	3	1	2	4	5
Councilor Chris Hoffman	1	3	4	2	5
Councilor Cory Nichols	2	4	1	3	5
Councilor Phil Vogelsang	3	4	1	2	5
Totals	13	16	14	19	28

* Council Members ranked candidates 1-5, #1 being their first choice.

Second Round Vote by City Council Members		
City Council	Candidates	
	M. Moriarty	C. Ambrosio
Mayor Charlie Latham	1	2
Councilor Georgette Dumont	1	2
Councilor Sandy Golding	2	1
Councilor Chris Hoffman	1	2
Councilor Cory Nichols	2	1
Councilor Phil Vogelsang	2	1
Totals	9	9

Tie

* Council Members ranked candidates 1 or 2, #1 being their first choice.

Third Round Vote by City Council Members		
City Council	Candidates	
	M. Moriarty	C. Ambrosio
Mayor Charlie Latham	1	2
Councilor Georgette Dumont	1	2
Councilor Sandy Golding	2	1
Councilor Chris Hoffman	2	1
Councilor Cory Nichols	2	1
Councilor Phil Vogelsang	2	1
Totals	10	8

* Council Members ranked candidates 1 or 2, #1 being their first choice.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

www.jacksonvillebeach.org

MEMORANDUM

TO: Michael Staffopoulos, City Manager
FROM: Ashlie Gossett, Chief Financial Officer
SUBJECT: Monthly Financial Reports for August 2019
DATE: September 10, 2019

Action Requested

Accept the monthly financial reports for the month of August 2019.

Summary

The Summary Budget Reports show the cumulative actual revenues and expenditures as compared to the actual amounts at the same point in time as last fiscal year. Exhibit 7 of the Summary Budget Reports compares actual revenues and expenditures to budget in total by fund.

Exhibit 1 - General Fund Revenues

General Fund revenues are slightly ahead of last year on a percentage of budget basis. We received annual ad valorem tax distributions in December, bringing the tax revenue-to-date to 93.91% of the annual budget. The increase in permit revenues is due in part to the Margaritaville hotel project.

Miscellaneous Revenue in the General Fund includes investment earnings on pooled investments, auction proceeds, facility rental fees, tennis fees, and cemetery lots purchased. The positive variance of \$420,030 over the prior year is largely attributable to investment earnings.

Exhibit 2 - General Fund Expenditures

General Fund expenditures are under budget by 8.41% for the current year and 4% over amounts expended in the prior year. Increased legal fees are the primary reason for the variance in City Administration costs compared to last year. Building Maintenance expenditures are 24.59% lower than the prior year. \$41,941 of the variance is due to emergency generator upgrades completed in the prior year.



Memorandum to Michael Staffopoulos

Financial Reports

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Exhibit 3 - Enterprise Fund Revenues

Total Enterprise Fund revenues are 5.04% over prior year revenues on a percentage of budget basis. The bulk power cost portion of the electric rate was suspended in the month of March, reducing overall Electric revenues for the year. Additionally, Electric revenues vary on a monthly and yearly basis depending on consumption. The Golf Course year-to-year variance is a result of the course closing for renovations from January to November 2018.

Exhibit 4 - Enterprise Fund Expenditures

Total expenditures in the Enterprise Funds are 19.92% under budget for the current year and 3.34% over amounts expended in the prior year. The variance from year-to-year in Electric is due primarily to purchased power costs and the variance in Sanitation is related to debris costs for Hurricane Irma in FY2018.

Exhibit 5 – Special Revenue Fund Revenues

Revenues in the Special Revenue Funds are 8.29% ahead of last year on a percentage basis. We received the annual tax increment distributions in December, bringing tax increment fund revenue-to-date slightly over the annual budget.

Exhibit 6 - Special Revenue Fund Expenditures

In total, Special Revenue Fund expenditures are under budget for the current year and 33.88% lower than last year on a percentage of budget basis. Expenditures in the Community Development Block Grant Fund will be reimbursed by grant funding. Variances from the prior year in the Convention Development, Local Option Gas, Infrastructure Surtax, Downtown Increment, and Southend Increment Funds are primarily due to the timing of capital project expenditures.

Memorandum to Michael Staffopoulos

Financial Reports

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Exhibit 7 - Summary Revenues and Expenditures

- The net income shown for the Electric Fund is overstated because monthly power bills are paid in arrears to FMPA.

Recommendation

Accept the financial reports for the month of August 2019, as submitted by the Chief Financial Officer.

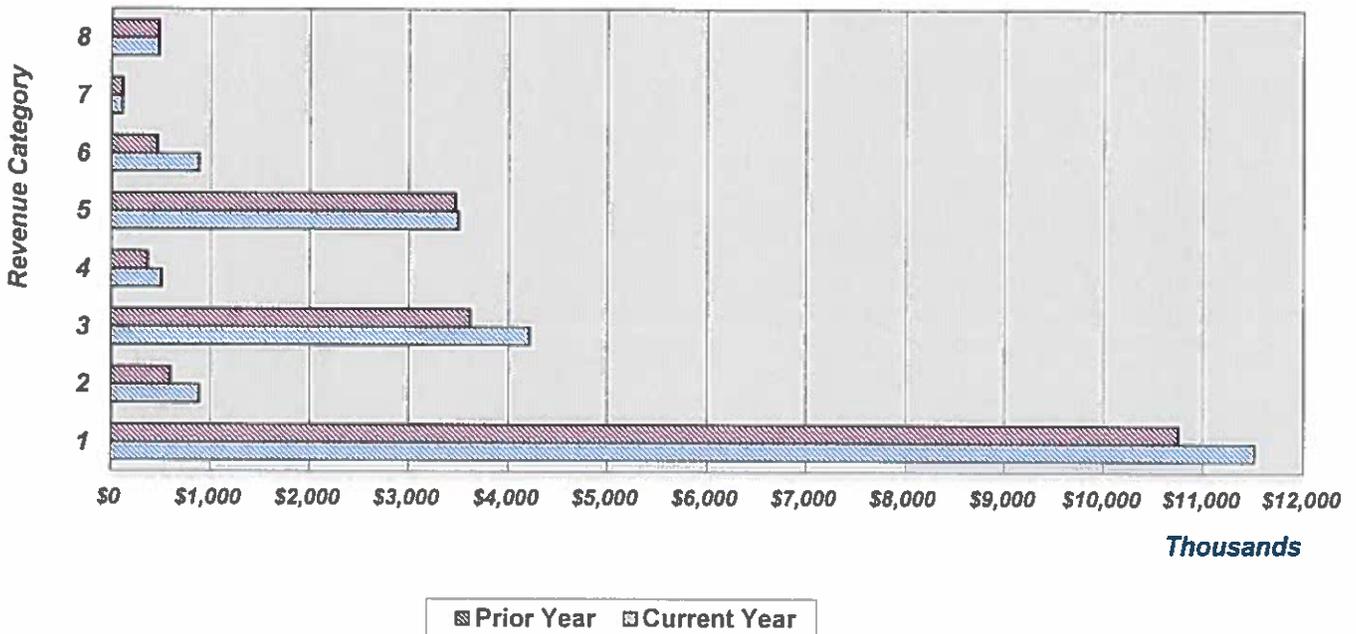


Summary Budget Revenue Report
 August 31, 2019
(91.78% of year has elapsed)

EXHIBIT 1 - GENERAL FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
1 Taxes	11,516,892	93.91%	10,751,312	93.28%	0.63%	765,579
2 Licenses & Permits	893,532	150.00%	598,035	102.71%	47.29%	295,498
3 Intergovernmental Revenue	4,214,888	99.55%	3,620,643	87.35%	12.20%	594,244
4 Charges for Services	510,442	131.22%	370,201	99.92%	31.30%	140,241
5 Enterprise Contributions	3,495,361	91.67%	3,468,036	91.67%	0.00%	27,325
6 Miscellaneous Revenue	883,816	208.77%	463,786	111.33%	97.44%	420,030
7 Fines & Forfeitures	110,316	64.70%	114,220	66.99%	-2.29%	(3,904)
8 Interfund Transfers	478,708	93.86%	478,560	90.29%	3.57%	148
Total Revenues	\$ 22,103,954	98.68%	\$ 19,864,793	92.29%	6.39%	\$ 2,239,161

**GENERAL FUND REVENUES TO DATE
 CURRENT YEAR VS PRIOR YEAR**



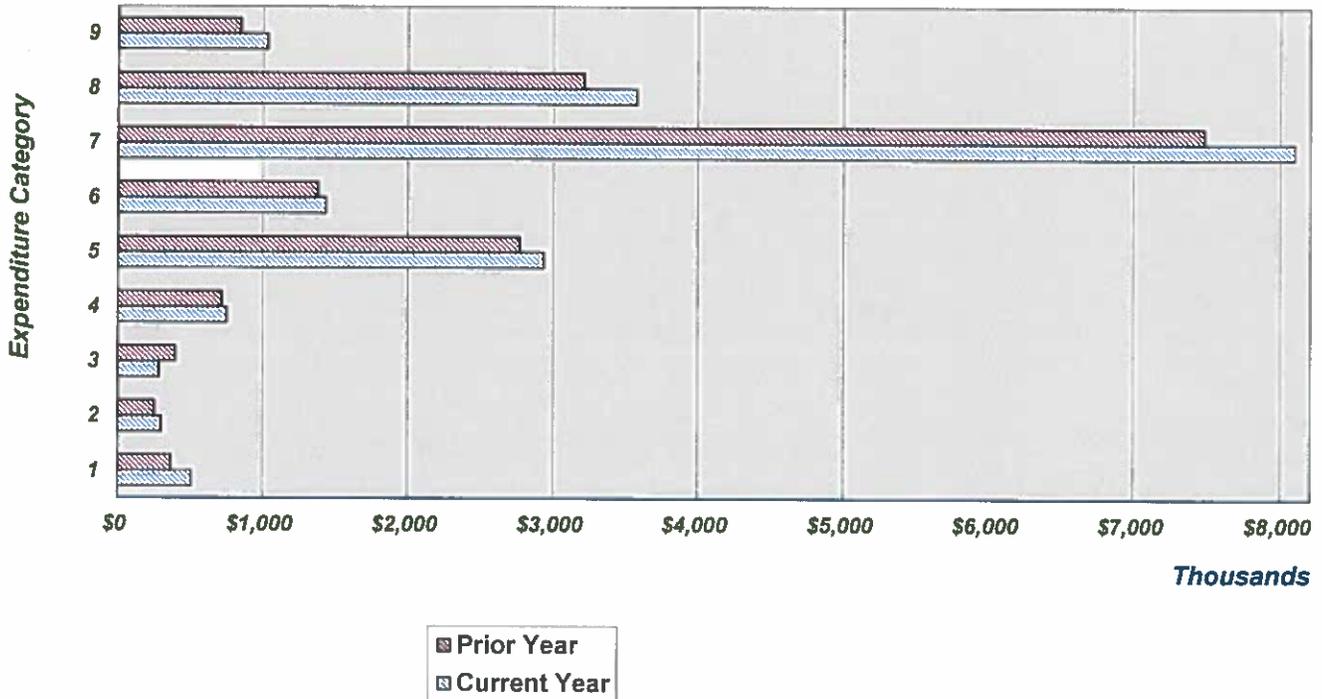


Summary Budget Expenditure Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 2 - GENERAL FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
1 City Administration	509,427	101.76%	372,113	77.76%	24.00%	137,314
2 City Clerk	304,277	87.91%	257,147	77.64%	10.27%	47,130
3 Building Maintenance	286,028	70.64%	401,108	95.23%	-24.59%	(115,080)
4 Planning and Development	753,387	82.83%	719,091	79.58%	3.26%	34,296
5 Recreation and Parks	2,935,717	83.92%	2,773,878	78.61%	5.32%	161,839
6 Public Works	1,436,028	86.04%	1,380,561	86.54%	-0.50%	55,467
7 Police	8,095,970	84.98%	7,483,969	83.38%	1.60%	612,001
8 Fire	3,577,407	82.93%	3,214,036	80.31%	2.62%	363,371
9 Non-Departmental	1,033,396	67.15%	845,312	48.44%	18.72%	188,084
Total Expenditures	\$ 18,931,638	83.37%	\$ 17,447,214	79.37%	4.00%	\$ 1,484,423

**GENERAL FUND EXPENDITURES TO DATE
 CURRENT YEAR VS PRIOR YEAR**



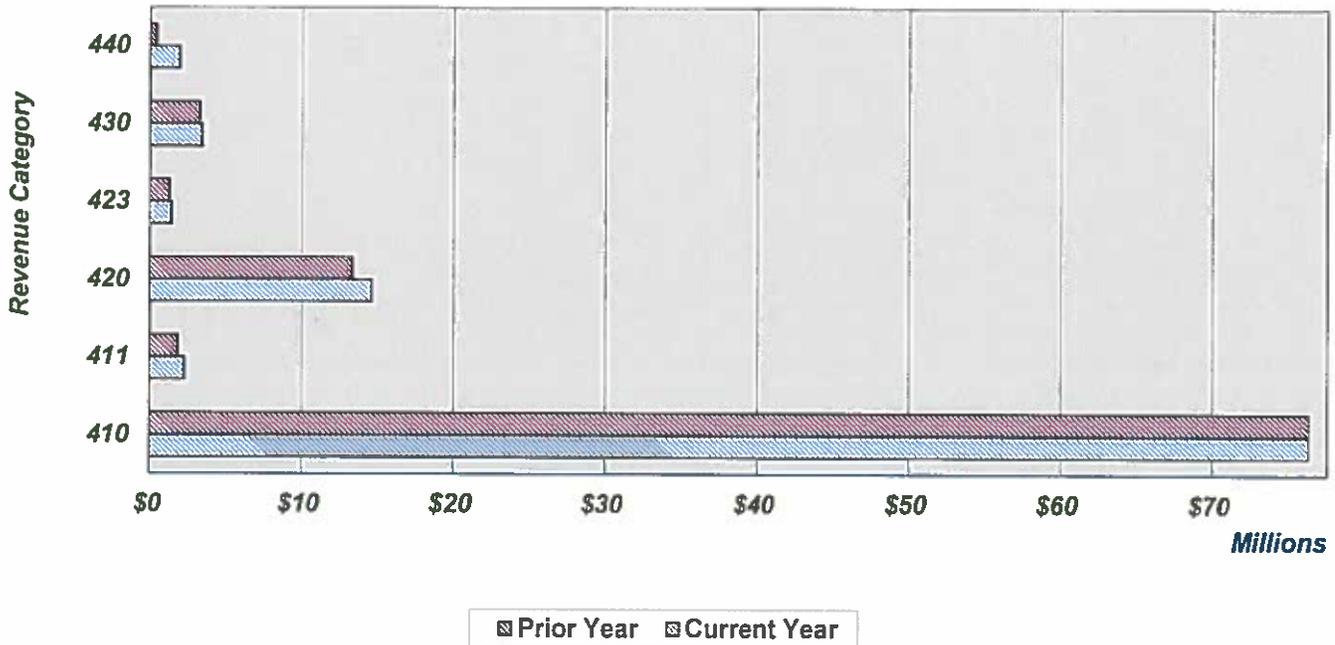


Summary Budget Revenue Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 3 -ENTERPRISE FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
410 ELECTRIC	76,248,616	90.81%	76,279,175	87.85%	2.97%	(30,559)
411 NATURAL GAS	2,305,463	98.83%	1,909,292	99.42%	-0.59%	396,171
420 WATER & SEWER	14,623,797	107.49%	13,344,419	100.07%	7.42%	1,279,378
423 STORMWATER	1,483,193	106.15%	1,295,670	94.11%	12.04%	187,523
430 SANITATION	3,445,015	98.50%	3,243,056	93.45%	5.05%	201,959
440 GOLF COURSE	1,984,782	129.32%	423,505	30.78%	98.54%	1,561,277
TOTAL REVENUES	\$ 100,090,866	94.13%	\$ 96,495,117	89.09%	5.04%	\$ 3,595,749

**ENTERPRISE FUND REVENUES TO DATE
 CURRENT YEAR VS PRIOR YEAR**



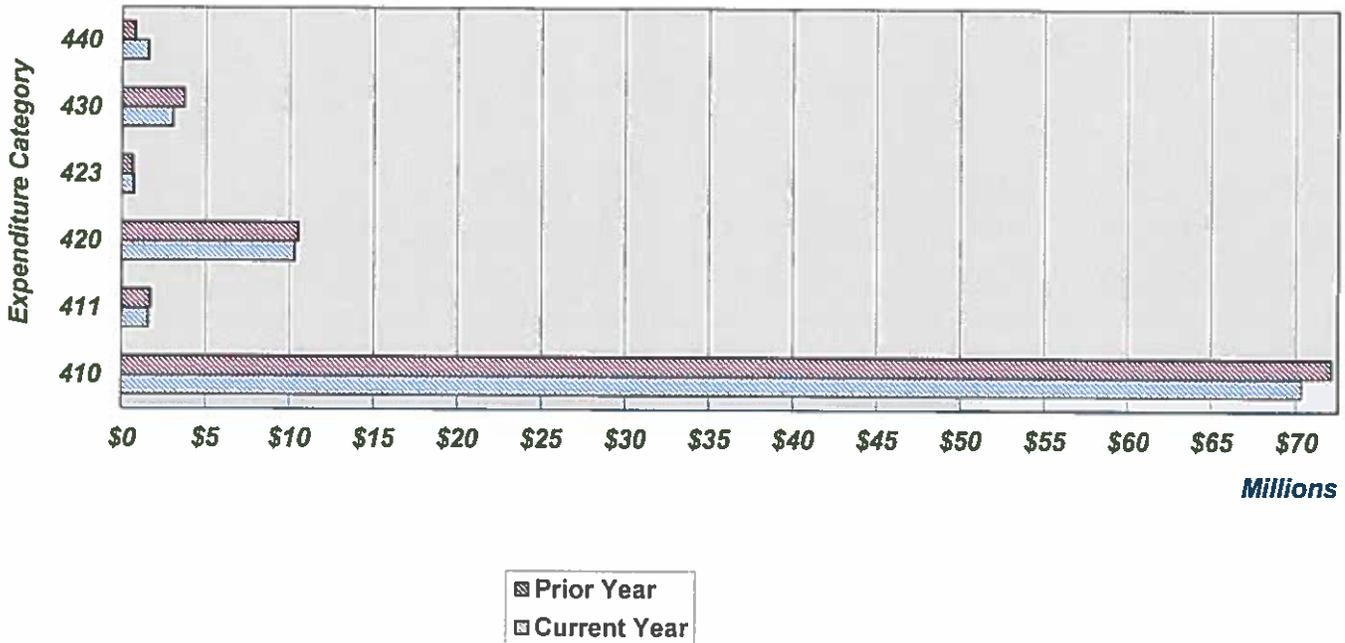


Summary Budget Expenditure Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 4 - ENTERPRISE FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
410 ELECTRIC	70,322,880	72.40%	72,086,315	74.25%	-1.85%	(1,763,435)
411 NATURAL GAS	1,577,238	64.21%	1,699,080	83.61%	-19.41%	(121,842)
420 WATER & SEWER	10,333,885	66.70%	10,528,346	47.44%	19.26%	(194,460)
423 STORMWATER	709,217	47.39%	641,759	32.88%	14.51%	67,457
430 SANITATION	3,045,817	80.78%	3,752,089	63.65%	17.13%	(706,272)
440 GOLF COURSE	1,559,361	104.87%	752,293	53.49%	51.38%	807,068
TOTAL EXPENDITURES	\$ 87,548,398	71.86%	\$ 89,459,882	68.51%	3.34%	\$ (1,911,484)

**ENTERPRISE FUND EXPENDITURES TO DATE
 CURRENT YEAR VS PRIOR YEAR**



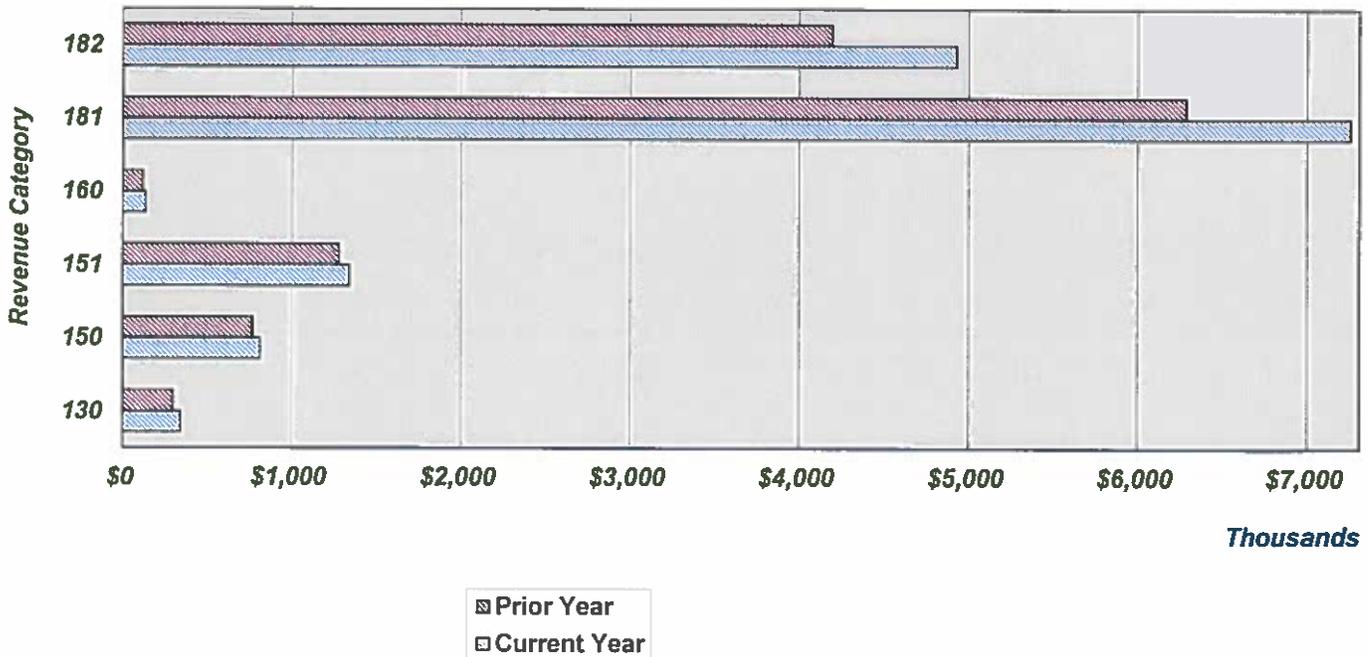


Summary Budget Revenue Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 5 -SPECIAL REVENUE FUND REVENUES

Revenue Category	Current Year Revenue to Date	Current Year Revenue As a % of Budget	Prior Year Revenue to Date	Prior Year Revenue As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
130 CONVENTION DEV. TAX	344,074	96.05%	299,462	96.60%	-0.55%	44,612
150 LOCAL OPTION GAS TAX	810,171	99.50%	769,355	97.88%	1.61%	40,816
151 INFRASTRUCTURE SURTAX	1,341,047	98.31%	1,277,476	98.15%	0.16%	63,571
160 COMMUNITY DEV. BLK. GRANT	137,708	99.79%	119,226	86.40%	13.39%	18,482
181 DOWNTOWN INCREMENT FUND	7,249,136	108.55%	6,286,937	98.85%	9.70%	962,199
182 SOUTHEND INCREMENT FUND	4,929,150	109.75%	4,193,979	99.36%	10.40%	735,171
TOTAL REVENUES	\$ 14,811,286	106.99%	\$ 12,946,436	98.70%	8.29%	\$ 1,864,851

**SPECIAL REVENUE FUND REVENUES TO DATE
 CURRENT YEAR VS PRIOR YEAR**

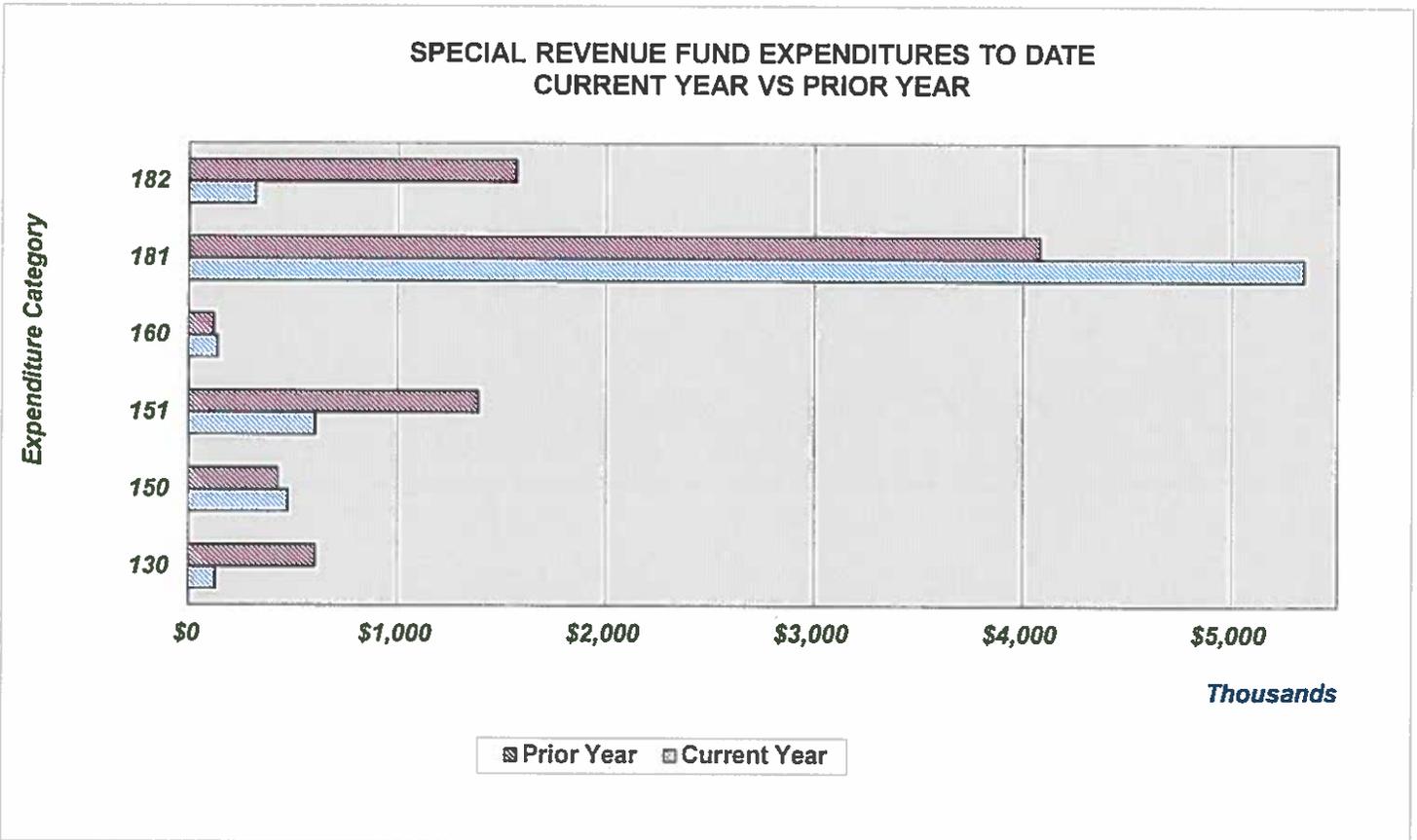




Summary Budget Expenditure Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 6 - SPECIAL REVENUE FUND EXPENDITURES

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures As a % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures As a % of Budget	% Variance (Current Year Less Prior Year)	\$ Variance (Current Year Less Prior Year)
130 CONVENTION DEV. TAX	128,274	46.88%	606,623	90.97%	-44.09%	(478,349)
150 LOCAL OPTION GAS TAX	478,194	59.89%	429,221	55.81%	4.08%	48,972
151 INFRASTRUCTURE SURTAX	605,977	63.11%	1,389,971	82.63%	-19.52%	(783,994)
160 COMMUNITY DEV. BLK. GRANT	137,708	99.79%	119,226	86.40%	13.39%	18,482
181 DOWNTOWN INCREMENT FUND	5,336,100	41.51%	4,079,185	80.60%	-39.10%	1,256,915
182 SOUTHEND INCREMENT FUND	320,427	51.97%	1,568,501	74.81%	-22.84%	(1,248,074)
TOTAL EXPENDITURES	\$ 7,006,680	44.79%	\$ 8,192,728	78.67%	-33.88%	\$ (1,186,048)





Summary Budget Report
 August 31, 2019
 (91.78% of year has elapsed)

EXHIBIT 7 - SUMMARY REVENUES AND EXPENDITURES

Fund Name	Budgeted Revenues Fiscal Year 2019	Budgeted Revenues To Date	Actual Revenues To Date	Variance Favorable/ (Unfavorable)
001 General Fund	22,399,191	20,558,162	22,103,954	1,545,792
130 Convention Development Tax	358,235	328,791	344,074	15,283
150 Local Option Gas Tax	814,267	747,341	810,171	62,830
151 Infrastructure Surtax	1,364,089	1,251,972	1,341,047	89,075
160 Community Dev. Blk. Grant	138,000	126,658	137,708	11,050
181 Downtown Increment Fund	6,678,011	6,129,133	7,249,136	1,120,003
182 Southend Increment Fund	4,491,223	4,122,081	4,929,150	807,069
410 Electric Utility	83,961,489	77,060,545	76,248,616	(811,929)
411 Natural Gas Utility	2,332,672	2,140,946	2,305,463	164,517
420 Water & Sewer Utility	13,604,358	12,486,192	14,623,797	2,137,606
423 Storm Water Management	1,397,278	1,282,433	1,483,193	200,759
430 Sanitation Fund	3,497,483	3,210,019	3,445,015	234,996
440 Golf Course Fund	1,534,839	1,408,688	1,984,782	576,094
460 Leased Facilities Fund	656,212	602,277	639,569	37,292
500 Internal Service Funds	12,593,930	11,558,812	11,318,151	(240,661)
Total Revenues	\$ 155,821,277	\$ 143,014,049	\$ 148,963,826	\$ 5,949,777

Fund Name	Budgeted Expenditures Fiscal Year 2019	Budgeted Expenditures To Date	Actual Expenditures To Date	Variance Favorable/ (Unfavorable)
001 General Fund	22,708,220	20,841,791	18,931,638	1,910,154
130 Convention Development Tax	273,639	251,148	128,274	122,874
150 Local Option Gas Tax	798,412	732,789	478,194	254,596
151 Infrastructure Surtax	960,197	881,276	605,977	275,299
160 Community Dev. Blk. Grant	138,000	126,658	137,708	(11,050)
181 Downtown Increment Fund	12,856,447	11,799,753	5,336,100	6,463,653
182 Southend Increment Fund	616,511	565,839	320,427	245,412
410 Electric Utility	97,133,346	89,149,783	70,322,880	18,826,903
411 Natural Gas Utility	2,456,510	2,254,605	1,577,238	677,367
420 Water & Sewer Utility	15,493,610	14,220,163	10,333,885	3,886,277
423 Storm Water Management	1,496,690	1,373,674	709,217	664,457
430 Sanitation Fund	3,770,647	3,460,730	3,045,817	414,913
440 Golf Course Fund	1,486,981	1,364,764	1,559,361	(194,597)
460 Leased Facilities Fund	745,237	683,985	428,929	255,055
500 Internal Service Funds	12,664,558	11,623,636	10,861,937	761,698
Total Expenditures	\$ 173,599,005	\$ 159,330,594	\$ 124,777,583	\$ 34,553,011

Fund Name	Net Income (Loss)	Net Variance Favorable/ (Unfavorable)
001 General Fund	3,172,316	3,455,946
130 Convention Development Tax	215,800	138,157
150 Local Option Gas Tax	331,978	317,426
151 Infrastructure Surtax	735,069	364,374
160 Community Dev. Blk. Grant	-	-
181 Downtown Increment Fund	1,913,036	7,583,655
182 Southend Increment Fund	4,608,723	1,052,480
410 Electric Utility	5,925,736	18,014,974
411 Natural Gas Utility	728,225	841,884
420 Water & Sewer Utility	4,289,912	6,023,883
423 Storm Water Management	773,976	865,217
430 Sanitation Fund	399,198	649,909
440 Golf Course Fund	425,421	381,497
460 Leased Facilities Fund	210,639	292,347
500 Internal Service Funds	456,214	521,037
Total	\$ 24,186,243	\$ 40,502,788



Cash and Investments by Fund
August 31, 2019

INVESTMENT HOLDER	TYPE	FACE AMOUNT	MARKET VALUE
Salem Trust Treasury Strip	TS	3,124,421	3,124,421
TOTAL UTILITY FUNDS 410 and 420			\$3,124,421
Salem Mutual Fund	Portfolio	47,709,736	47,709,736
Sawgrass Asset Management	Portfolio	26,573,112	26,573,112
Wells Capital	Portfolio	15,166,559	15,166,559
MD Sass	Portfolio	0	0
JPMCB - Strategic Property Fund	Portfolio	5,063,726	5,063,726
TOTAL PENSION FUNDS 611, 612 and 613			\$94,513,133
TOTAL INVESTMENTS			\$97,637,554
State Board of Administration	Pool	21,883,199	21,883,199
Florida Trust	Pool	18,842,395	18,842,395
FMIT 0-2 Yr High Quality Bond Fund	Pool	12,370,236	12,370,236
Bank of America	Cash	9,432,866	9,432,866
Sawgrass Asset Management	Portfolio	42,957,612	42,957,612
Galliard Capital Management	Portfolio	39,484,295	39,484,295
Garcia Hamilton & Associates	Portfolio	39,665,972	39,665,972
Salem Trust: Goldman Sachs Treasury	MM	11,087	11,087
TOTAL EQUITY IN POOLED CASH			\$184,647,661
Petty Cash	Cash	6,525	6,525
TOTAL CASH AND INVESTMENTS			\$282,291,741

Attorney Fees Paid During the Month

NAME	DESCRIPTION	CHECK DATE	CHECK AMOUNT
Marks, Gray, PA	Surf Works, LLC and General Matters	08/01/19	\$17,942
Bell & Roper, P.A.	Las Olas vs COJB	08/22/19	\$1,278
Marks, Gray, PA	Las Olas and General Matters	08/22/19	\$20,334
Lewis, Longman & Walker, P.A.	Pension Matters	08/29/19	\$390
Sugarman & Susskind, P.A.	Retainer	08/01/19	\$2,550
TOTAL ATTORNEY FEES			\$42,494

City of Jacksonville Beach 11 North Third Street Jacksonville Beach, FL.32250

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Cash and Investments by Type
 Fiscal Year to Date
 August 31, 2019

Type of Investment	Beginning Balance 10/1/2018	Investment Earnings	Realized Gain/(Loss)	Unrealized Gain/(Loss)	Fees	Net Investment Income	Net Deposits (Withdrawals)	Ending Balance 8/31/19	Weighted Net Return*
State Pooled Investment Fund	14,966,730	485,362	0	0	0	485,362	6,431,107	21,883,199	0.31%
Money Market: Goldman Sachs Treasury	11,503	202	0	0	(617)	(415)	0	11,087	0.00%
U.S. Treasury Stripped Coupons	3,035,428	0	0	88,994	0	88,994	0	3,124,421	0.05%
Florida Municipal Investment Trust 0-2 Yr HQ Bond Fund	12,059,542	310,694	0	0	0	310,694	0	12,370,236	0.17%
Sawgrass Asset Management	44,007,963	924,902	(93,268)	1,549,185	(85,921)	2,294,899	(3,345,250)	42,957,612	1.24%
Insight Asset Management	29,483,930	(76,247)	(26,302)	0	(16,008)	(118,558)	(29,365,373)	0	0.00%
Galliard Capital Management	29,195,370	958,362	(159,856)	931,879	(67,851)	1,662,535	8,626,390	39,484,295	1.04%
Garcia Hamilton & Associates	29,630,798	1,052,512	(322,896)	389,373	(71,668)	1,047,321	8,987,853	39,665,972	0.65%
Florida Trust	0	342,395	0	0	0	342,395	18,500,000	18,842,395	0.37%
Operating Cash: Bank of America	8,094,657	18,659	0	0	(89,511)	(70,852)	1,409,061	9,432,866	-0.04%
Petty Cash	5,225	0	0	0	0	0	1,300	6,525	0.00%
TOTAL CITY MANAGED INVESTMENTS AND CASH	170,491,145	4,016,841	(602,322)	2,959,432	(331,577)	6,042,374	11,245,089	187,778,608	3.43%
Pension Fund: Salem Mutual Fund	33,858,339	1,339,378	94,819	132,144	(10,836)	1,555,506	12,295,892	47,709,736	1.96%
Pension Fund: Sawgrass Asset Mgt	23,857,182	726,020	426,540	1,640,001	(76,631)	2,715,930	0	26,573,112	3.20%
Pension Fund: Wells Capital	15,788,041	94,640	1,487,581	(765,711)	(87,993)	728,517	(1,350,000)	15,166,559	0.77%
Pension Fund: MD Sass	12,762,897	46,488	(403,710)	(74,500)	(35,282)	(467,005)	(12,295,892)	0	0.00%
Pension Fund: JPMCB - Strategic Property Fund	4,937,925	0	0	125,800	0	125,800	(0)	5,063,726	0.14%
TOTAL PENSION INVESTMENTS	91,204,384	2,206,527	1,605,229	1,057,734	(210,741)	4,658,749	(1,350,000)	94,513,133	5.15%
TOTAL CASH AND INVESTMENTS	261,695,529	6,223,368	1,002,907	4,017,166	(542,318)	10,701,123	9,895,089	282,291,741	

*Fiscal year to date

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6268

www.jacksonvillebeach.org

MEMORANDUM

TO: Mayor and City Council
FROM: Phil Vogelsang, City Councilor
SUBJECT: Approval of Employment Agreement for City Attorney
DATE: September 10, 2019

ACTION REQUESTED

Approval of Employment Agreement with Mr. Chris Ambrosio for the position of City Attorney.

BACKGROUND

On August 23, 2019 the City Council conducted interviews for the position of City Attorney. A special meeting was held at the conclusion of the interviews, whereby the City Council selected Mr. Chris Ambrosio as their number one candidate for the position. The City Council selected Councilor Vogelsang to negotiate an employment agreement with Mr. Ambrosio with the support of City staff.

Mr. Vogelsang has negotiated terms and conditions for the employment agreement, and is seeking approval of such for execution by both parties. The structure of the employment agreement models one recently approved for the City Manager.

The following is a summary of highlights from the Agreement:

- Starting salary of \$150,000
- Start date of October 21, 2019
- Residency to be maintained within a 15 mile radius of the City
- Notice of at least ninety (90) calendar days provided prior to resignation
- City Attorney to remain in the exclusive employ of the City
- Credit with three (3) vacation days and five (5) sick days upon start date, and accrue paid leave under the City's personnel plan at the same rate as a nine-year employee
- Severance pay equal to twenty (20) weeks of total compensation in the event of termination
- Vehicle and cell phone benefits in accordance with executive management policies, and provision of a laptop computer for performance of work
- Retirement / deferred compensation in accordance with executive management benefits



MEMORANDUM

Approval of Employment Agreement for City Attorney
September 10, 2019

Page 2 of 2

RECOMMENDATION

Approve the Employment Agreement with Mr. Chris Ambrosio for the position of City Attorney.

Attachments: City Attorney Employment Agreement

CITY ATTORNEY EMPLOYMENT AGREEMENT

This Agreement is entered into this ___th day of _____, by and between the City of Jacksonville Beach, Florida, a municipal corporation organized and existing under the laws of the State of Florida, ("the City"), and Chris Ambrosio, ("Ambrosio" or "City Attorney").

The parties agree as follows:

INTRODUCTORY STATEMENTS

The City Council of the City of Jacksonville Beach, Florida has been empowered by the Charter of the City of Jacksonville Beach to appoint and remove a City Attorney who shall be the legal advisor and counselor for the City Council, City organization and all of its officers in matters relating to their official duties, under the direction and supervision of the City Council; and

The City through its City Council desires to employ the services of Ambrosio as City Attorney; and

It is the desire of the City to provide certain benefits, to establish certain conditions of employment, and to set working conditions of the City Attorney; and

Ambrosio desires to accept employment as City Attorney.

THEREFORE, in consideration of the mutual covenants in this document, the parties agree as follows:

Section 1. Powers and Duties of the City Attorney

- A. The City agrees to employ Ambrosio as City Attorney for the City and Ambrosio represents to the City that he possesses the qualifications of City Attorney and agrees to carry out all functions and duties imposed upon that office by the laws of the State of Florida and the Charter of the City of Jacksonville Beach, as may be amended from time to time. The City Attorney shall perform duties and responsibilities including, but not limited to, those outlined in Exhibit "A", and other legally permissible duties and functions as the City Council shall from time to time assign.
- B. The City Attorney shall devote his full attention, effort and abilities to the office and perform its duties and functions in a professional manner.

Section 2. Commencement of Employment

Employment under the terms of this Agreement shall begin and Ambrosio shall be present and available to perform the duties and functions of the City Attorney on a full-time basis no later than October 21, 2019.

Section 3. Term

Beginning on the date contained in Section 2, above, the City Attorney shall serve for an indefinite term at the pleasure of the City Council and may be terminated in accordance with the Charter of the City of Jacksonville Beach and thus is an "at-will" employee of the City. Nothing herein shall be taken to imply or suggest a guaranteed tenure of employment.

- A. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of Ambrosio to resign at any time from this position with the City, provided however, he shall provide the City Council with at least ninety (90) calendar days prior written notice of resignation, unless waived by the City Council.
- B. The City Attorney agrees to remain in the exclusive employ of the City for an indefinite period and shall not accept other employment, or become employed by any other employer without prior authorization of the City Council, unless the City Attorney gives written notice of resignation. Representation on existing cases shall be accomplished within ninety (90) days of the date of this Agreement, and the City Council may extend the time based upon written explanation by the City Attorney. The City Attorney may perform pro bono legal services not in conflict with his duties as City Attorney as reported to, and authorized by, the City Council.
- C. It is understood that after notice of termination in any form, the City Attorney and the City Council will cooperate professionally for an orderly transition.

Section 4. Hours of Work

- A. Ambrosio acknowledges that the proper performance of the duties of the City Attorney will require him to generally observe normal business hours and will also often require the performance of necessary services outside of normal business hours. The City Attorney agrees to devote additional time as necessary for the full and proper performance of the duties of the position and that the compensation provided in this Agreement includes compensation for the performance of all such services.

- B. The City agrees that the City Attorney will be permitted reasonable time off, as is customary for exempt employees, so long as the time off does not interfere with the normal conduct of the office of the City Attorney. The City Attorney shall be granted upon his start date as referenced in Section 2, paid leave of 3 vacation days and 5 sick leave days and shall also begin to accrue paid leave under the City's personnel plan at the same rate as a nine-year employee. The City Attorney shall be granted the same paid holidays allowed to all non-union City employees in the general service.

Section 5. Termination and Severance Pay

- A. If the employment of the City Attorney is terminated by the City Council, the City agrees to pay severance pay equal to twenty (20) weeks of total compensation, less federal and state withholding. In addition, the City Attorney shall be compensated for all accrued paid leave calculated at the rate of pay in effect upon termination, as authorized by City policies and law.
 - 1. If the City, citizens or legislature acts to amend any provision of the City Charter or Code of Ordinances, as they may be amended from time to time, and/or state law pertaining to the role, powers, duties, authority, responsibilities of the City Attorney's position that substantially changes the form of government, the City Attorney shall have the right to declare that such amendments constitute termination from the effective date of such amendments.
 - 2. Termination shall occur when either the City or the City Attorney breaches a material provision of this agreement and fails, within ten (10) days after written notice has been given by the City Attorney or the City Council to comply with any provision of this Agreement.
- B. This agreement shall immediately terminate, and the City Attorney shall not be entitled to the severance benefits described in section 5 A above if he is convicted, pleads no contest to, or receives a withhold of adjudication for a felony or crime involving moral turpitude or dishonesty, or if he acts with gross misfeasance or malfeasance or otherwise is guilty of gross misconduct which constitutes conduct demonstrating willful or wanton disregard of the City's interests, a deliberate violation or disregard of the standards of behavior to which the City has a right to expect of the City Attorney, carelessness or negligence to a degree or recurrence that manifests culpability, wrongful intent, or evil design, or shows an intentional and substantial disregard of the City's interests or of the City Attorney's duties and obligations to the City, including but not limited to conduct resulting in material harm to the City, willful neglect or failure to perform his duties, gross insubordination, misconduct, as defined in section 443.036 (29), Florida Statutes, as it may be amended from time to time, or acts of dishonesty. For termination due to the reasons related to this

subsection, the City Attorney is only entitled to compensation for hours actually worked up to the termination date and compensation for accrued leave.

- C. If this Agreement is terminated by the death of the City Attorney, the City shall pay a designated beneficiary of the City Attorney or his estate all accrued compensation due to the City Attorney as of the date of his death. The City shall have no other liability to the City Attorney, his estate, heirs, or beneficiaries, and neither the City Attorney's beneficiary nor estate will be entitled to any severance pay.

Section 6. Residency

The City Attorney's permanent residence as of the commencement of employment (as referenced in Section 2) is within a 15 mile radius of the city limits of the City of Jacksonville Beach. Residency within a 15 mile radius of the city limits of the City of Jacksonville Beach shall be maintained throughout the term of employment.

Section 7. Salary

- A. The City agrees to pay the City Attorney an annual base salary of \$150,000.00 during the first year of this agreement, payable in bi-weekly equal installments, for services rendered.
- B. After conducting an annual review of the City Attorney's job performance, the City Council shall consider the results of his performance evaluation as outlined in section 8 below and guidelines applied to department heads in determining the amount of salary adjustment and benefit adjustment for the City Attorney, whether an increase or decrease. Decreasing the City Attorney's salary and/or benefits outside of the conditions of 7.B, and without mutual consent, shall constitute breach of contract, and allow the City Attorney to interpret such action as termination.

Section 8. Performance Evaluation, Goals and Objectives

- A. Within the first six months of the City Attorney's employment:
 - a. The City Council shall meet with the City Attorney for the specific purpose of setting goals for the City and for the City Attorney, and initiating periodic work programs.
 - b. The City Attorney shall identify resources (materials, equipment, subscriptions, staffing support, etc.) necessary to provide the services expected of the City Attorney's Office.
 - c. The City Attorney shall work with the City Manager to identify processes and procedures for requests for, and provision of, legal services to City departments and staff.

- B. The City Council shall review the City Attorney's job performance at least once annually with the first review being on or before the City Attorney's anniversary employment date of October 21, 2020. Later annual reviews will occur during the same anniversary month of each year, unless the parties agree otherwise. The annual performance evaluations shall be related to the City Attorney's Charter and Ordinance duties and shall be based, in whole or in part, on goals for the City Attorney's performance that are jointly developed and adopted by the City Attorney and the City Council.
- C. The City Council shall provide the City Attorney a reasonable and adequate opportunity to discuss the City Attorney's evaluation with the City Council.
- D. The City's Human Resource Director shall be responsible for scheduling the City Attorney's annual review.

Section 9. Other Benefits

- A. Vehicle - The City Attorney shall receive a vehicle allowance in a fixed amount for the use of a privately owned vehicle in the conduct of official City business. The vehicle allowance is intended as reimbursement for local mileage in Duval, Nassau and St. Johns Counties. The City Attorney shall be reimbursed by the City on a per mile basis for business travel in the City Attorney's personal vehicle to destinations outside Duval, Nassau and St. Johns Counties, in accordance with the City's Travel Policy. The annual amount of the vehicle allowance is defined in the City's Pay Plan for Directors, Managerial, Professional, and Administrative Employees and may be modified periodically with approval by the City Council. On the effective date of this Agreement, the annual amount of the vehicle allowance is \$4,800.00, payable in bi-weekly equal installments.
- B. Cell Phone – The City shall provide the City Attorney with a cellular telephone for both professional and personal use in accordance with the City's Technology Policy.
- C. Laptop Computer – The City shall provide the City Attorney with a laptop computer for professional use in accordance with the City's Technology Policy.

Section 10. Retirement/Deferred Compensation

- A. The City Attorney may elect to become a member of, or not to participate in, the General Employees' Pension Plan. Election must be exercised within 90 days of initial employment. Ambrosio has the option to rescind his election to participate or not to participate in the pension plan one time before vesting. If the City Attorney elects not to participate in the retirement plan, the City shall contribute a percentage of his

salary, on a bi-weekly basis, into the ICMA 457 Deferred Compensation Plan, a private savings or checking account or any other IRS approved individual retirement plan designated by the City Attorney. The amount of the City contribution to the City Attorney's individual retirement plan shall be the same percentage of the City Attorney's salary as the City contributes for all other City employees that are members of the General Employees' Pension Plan.

- B. If the City Attorney elects to be a member of the General Employees' Pension Plan, he shall also be eligible to participate in the City's 457 Deferred Compensation Plan under the same conditions as other City employees.

Section 11. Insurance

- A. The City agrees to provide and pay the City Attorney's health, dental, and vision insurance in the same manner and under the same conditions as other City employees.
- B. Health insurance coverage for Ambrosio shall commence on December 1, 2019. In the event that Ambrosio incurs charges for health insurance premiums during the period from October 21, 2019 through November 30, 2019, the City agrees to reimburse Ambrosio for the amount of the premiums.
- C. The City agrees to provide and pay the City Attorney's life, disability and other insurance in the same manner and under the same conditions as other City employees.

Section 12. Professional Development and Resources

The City agrees, subject to the annual budget approved by the City Council, to pay the professional dues, Westlaw subscription, and expenses of the City Attorney for professional participation in and travel to meetings and occasions adequate to continue his professional development, such as Florida Bar Board of Legal Specialization and Education requirements to maintain Board Certification in City, County and Local Government Law. This participation on City time includes, but is not limited to: membership in the Florida Bar; the City, County and Local Government Law Section of the Florida Bar; and the Florida Municipal Attorney's Association; national, regional, state and local governmental groups and committees of which the City Attorney serves as a member, or in which his participation is beneficial to the City, as well as associated short courses, institutes, and seminars. The City Attorney will submit a detailed list of anticipated expenses at the time of budget approval.

Section 13. Indemnification

The City shall defend and indemnify the City Attorney against any action, including but not limited to: tort, professional liability claim, or demand or other non-criminal legal, equitable or administrative action, whether groundless or otherwise, arising out of an alleged act or omission occurring within the scope and performance of his duties as City Attorney, other than an action brought by the City against the City Attorney, or any action filed against the City by the City Attorney, unless otherwise provided by law. This indemnification shall extend beyond termination of employment, and the expiration of this Agreement, to provide full and complete protection to the City Attorney by the City, as described herein, for any acts undertaken or committed in his capacity as City Attorney, regardless of whether the notice of filing of a lawsuit for such tort, claim, demand, or other legal action occurs during or following employment with the City.

Section 14. General Provisions

- A. The text herein shall constitute the entire Agreement between the parties. This Agreement shall become effective as of the date first written above, contingent upon adoption and approval by the Jacksonville Beach City Council and execution by the City Attorney.
- B. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall not be affected and shall remain in full force and effect.
- C. The terms of this Agreement shall remain in full force and effect and hold over until employment is terminated under the terms herein or a new Agreement or Amendment to this Agreement has been negotiated and entered into by the City Council and the City Attorney.
- D. This Agreement shall be interpreted by the laws of the State of Florida. Venue shall be in Duval County.
- E. No amendment of this Agreement shall be effective unless in writing and signed by both parties.
- F. Notices pursuant to this Agreement shall be considered given by deposit in the custody of the United States Postal Service, certified mail, postage prepaid, addressed to the Office of the Mayor, and to the City Attorney's home address on file in the Human Resources Department. Alternatively, notices required pursuant to this Agreement may be personally served or served in the same manner as is applicable to civil suits in the State of Florida. Notice shall be deemed given as of the date of personal service or as of

the date of deposit of such written notice in the course of transmission in the United States Postal Service.

IN WITNESS WHEREOF, the City of Jacksonville Beach has caused this Agreement to be signed and executed on its behalf by its Mayor and Deputy City Manager and duly attested by its City Clerk, and Ambrosio has signed and executed this agreement on the date first written above.

ATTEST:

CITY OF JACKSONVILLE BEACH

Laurie Scott, City Clerk

William C. Latham, Mayor

Michael J. Staffopoulos, City Manager

EMPLOYEE:

Christopher Ambrosio

EXHIBIT "A"

ESSENTIAL DUTIES AND RESPONSIBILITIES

Prepares and/or approves as to form all contract, bonds and other instruments in which the City is concerned.

As required by resolution, represents the City in court, and before quasi-judicial or administrative agencies of government relative to complaints, suits, and controversies in which the City is a party.

Prepares legal briefs, develops strategy, arguments and testimony in preparation for presentation of a case.

Prosecutes municipal citations (as applicable).

Provides legal support for staff presenting to the Special Magistrate.

Interprets laws, rulings, and regulations.

Provides legal opinions on any question of law relating to the respective powers and duties of the City Council and City Manager or other matters as required by the City Council or City Manager.

Prepares ordinances and resolutions requiring legal experience or as directed by the City Council. Reviews and approves all ordinances and resolutions to be considered by the City Council.

Attends all City Council regular and special meetings, Board of Adjustment meetings and Special Magistrate meetings. Other meetings shall be attended at the request of the City Council, or as necessary to provide legal advice and opinions relative to matters under consideration by the City Council.

Prepares department budget and assures office operates within assigned parameters of the budget.

If requested by the City Council, provides time estimates regarding legal services, and the applicable department or subject matter.

Performs other duties as assigned by the City Council.

City of
Jacksonville Beach
1460A Shetter Avenue
Jacksonville Beach
FL 32250
Phone: 904.247.6226
Fax: 904.270.1639

www.jacksonvillebeach.org

MEMORANDUM

TO: Michael Staffopoulos, City Manager
FROM: Luis F. Flores, Property and Procurement Officer
SUBJECT: Replacement of two HVAC units at City Hall
DATE: August 23, 2019

ACTION REQUESTED

Approve funding of \$74,617 for the urgent replacement of two failed heating and cooling units at City Hall, through pricing provided under Trane's GSA Federal Supply Schedule (FSS) contract, GS-07F-0248K.

BACKGROUND

The City's 5-year Capital Improvement Plan includes a plan for the scheduled replacement of our facilities' heating ventilation and air conditioning (HVAC) systems based on the age and condition of the units. This plan is adjusted annually as circumstances warrant. The City Hall HVAC system, manufactured by Trane, was scheduled to be replaced in FY2020 and funding of \$163,000 is included in the proposed 2020 budget. However, two units (15 and 20 Tons) supplying the 2nd floor of City Hall failed earlier this summer, requiring immediate attention. Repairs were completed in July.

We were able to utilize Trane's contract with the Federal General Services Administration (GSA) for Alarm and Signal Systems Facility Management Systems, which was competitively bid. Trane agreed to extend the GSA contract price discount to the City of Jacksonville Beach.

The FY2019 HVAC Replacement Plan budget should be adjusted by \$74,617 to include the cost of replacing the two failed units earlier than anticipated. Funding is available in the General Capital Projects Fund, Building Reserves and the budget will be adjusted at yearend.

RECOMMENDATION

Approve a budget adjustment of \$74,617 for the urgent replacement of two failed Trane Unitary Split System Indoor and Outdoor Units according to pricing provided under Trane's GSA Federal Supply Schedule (FSS) contract, GS-07F-0248K.





HUMAN RESOURCES DEPARTMENT

City of

Jacksonville Beach

1460A Shetter Avenue

Jacksonville Beach

FL 32250

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MEMORANDUM

TO: Michael J. Staffopoulos, City Manager
FROM: Ann Meuse, Director of Human Resources
DATE: August 26, 2019
RE: Award RFP No. 05-1819 - Property and Liability Insurance and Workers' Compensation Insurance.

ACTION REQUESTED:

Award RFP Number 05-1819 for property and liability insurance and workers' compensation insurance to the highest ranked respondents as follows:

- Property and Liability Insurance - Thompson Baker Agency, Inc.
- Workers' Compensation Insurance - Florida League of Cities

BACKGROUND:

In April 2019, the City engaged Siver Insurance Consultants to assist in the preparation and evaluation of a request for proposal for property and liability insurance and worker's compensation insurance. In the past, the City has utilized a broker/agent to procure its property and liability insurance and is self-insured for workers' compensation up to \$150,000. The City felt it could benefit from a competitive procurement of its insurance coverages and obtain a basis for evaluating whether the City should continue to be self-insured for workers' compensation.

On June 19, 2019, the City issued a request for proposals RFP 05-1819 for property and liability insurance and worker's compensation insurance and received responses from the following vendors:

- Thompson Baker Agency, Inc. (Agent/Broker for Preferred Government Insurance Trust – PGIT)
- Florida League of Cities

Siver Insurance Consultants reviewed the proposals and compared the proposals to the City's existing insurance coverages. Attached is a summary of their review.



August 26, 2019

Memo

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An evaluation committee consisting of the Director of Beaches Energy, Director of Parks & Recreation and the Human Resource Director reviewed the proposals independently, assisted by a comparative analysis provided by Siver Insurance Consultants. Property and liability insurance was evaluated separately from workers' compensation insurance. The evaluation criteria used by the committee for each evaluation was as follows:

- Premium Cost.
- Insurance Coverages.
- Financial Stability of the Insurer.
- Customer Service.
- Ancillary Services.
- Public Sector References.

Following is a summary of the rankings by the evaluation committee:

Property and Liability Insurance:

Vendor	Rank
Thompson Baker Agency, Inc. (PGIT)	1
Florida League of Cities	2

Thompson Baker Agency, Inc. is the City's current agent/broker for property and liability insurance and provided the lowest cost for property and liability insurance through PGIT at \$795,692 as compared to the Florida League of Cities proposed premium of \$883,544 for similar coverages. This is a cost savings of \$211,038 over the City's existing policy with PGIT.

Workers' Compensation:

Vendor	Rank
Florida League of Cities	1
Thompson Baker Agency, Inc.	2

Both Florida League of Cities and Thompson Baker Agency, Inc. provided workers' compensation premiums based on full coverage (zero deductible) to self-insurance with excess coverage at various levels. After analyzing the proposals, it became apparent that it was more cost effective for the City to be fully insured versus self-insured for workers' compensation. The Florida League of Cities premium of \$419,163 (zero deductible) is less than the \$539,151 (zero deductible) premium proposed by Thompson Baker Agency, Inc. and is less than the projected annual cost for the City to remain self-insured.

August 26, 2019

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RECOMMENDATION:

Award RFP Number 05-1819 for Property and Liability Insurance to the highest ranked respondent, Thompson Baker Agency, Inc. (PGIT) and authorize the City Manager to enter into an agreement with Thompson Baker Agency, Inc. to provide Property and Liability coverage.

Award RFP Number 05-1819 for Workers' Compensation Insurance to the highest ranked respondent, Florida League of Cities and authorize the City Manager to enter into an agreement with the Florida League of Cities to provide Workers' Compensation coverage.

*Insurance
Consultants*
SIVER

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St. Petersburg, Florida 33702-2525
Post Office Box 21343
St. Petersburg, Florida 33742-1343
Telephone: (727) 577-2780

Email: kdoak@siver.com

August 23, 2019

Ann Meuse, CPA
Director of Human Resources
City of Jacksonville Beach
11 North Third Street
Jacksonville Beach, Florida 32250

Subject: City of Jacksonville Beach
RFP 05-1819

Dear Ms. Meuse:

In June and July 2019, at your request, Siver Insurance Consultants (Siver) prepared RFP 05-1819 (the RFP), a Request for Proposals for Various Property & Casualty Insurance Coverages for the City of Jacksonville Beach (the City). In response to the RFP, the City received two proposals on the submission date of July 24, 2019. One of the proposers was Thompson Baker Agency, Inc. (Thompson Baker), the current agent/broker for the City's package program. The other was Florida League of Cities (FLC), which is the incumbent provider for the City's workers' compensation coverage. The Thompson Baker proposal included coverages which were largely provided by the Preferred Governmental Insurance Trust (PGIT). The FLC proposal included coverages which were largely provided by the Florida Municipal Insurance Trust.

The purpose of this letter is to provide the City with a summary of what, in our opinion, constitute the key aspects of each of the proposals, and where applicable, to point out material differences between the two proposals.

SIVER INSURANCE CONSULTANTS

Ms. Ann Meuse
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COST COMPARISON

Package Program

Of the two proposers, Thompson Baker proposed the lowest cost for the City's property and casualty package coverages, at \$795,692. FLC proposed premiums of \$883,544 for similar coverages.

The chart below details the cost of the various coverages provided in each property and casualty package proposals:

Proposer	Thompson Baker	FLC
Insurer	Preferred Governmental Insurance Trust (PGIT) & Others	Florida Municipal Insurance Trust (FMIT)
Package Coverage Premiums		
Property:	\$476,733	\$479,206
Inland Marine:	\$20,201	Included
Equipment Breakdown:	Included	Included
Crime:	\$11,025	Included
General Liability	\$597,256	\$154,090
Law Enforcement Liability:	\$41,845	Included
Public Officials/EPL (City):	\$75,670	\$151,973
Public Officials/EPL (CRA):	Not Proposed	\$4,354
Cyber Liability:	Included	Included
Automobile Liability:	\$44,915	\$68,678
Auto Physical Damage:	\$28,047	\$25,243
Total Premiums	\$795,692	\$883,544

The total premium for the Thompson Baker package program (\$795,692) is \$211,038 less than the expiring property and casualty package premium of \$1,006,730.

The proposed package premiums are based on acceptance of all proposed coverages currently within that package.

Workers' Compensation and Employers' Liability Coverage

The City currently maintains workers' compensation coverage with a self-insured retention level of \$150,000 per occurrence. The RFP requested that proposers provide proposals with alternative levels of self-insured retention or deductible. As a result, both proposers offered highly competitive proposals that provided coverage on a first dollar basis, i.e., with no self-insured retention or deductible. As discussed in more detail later

SIVER INSURANCE CONSULTANTS

Ms. Ann Meuse
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in this letter, because these two first dollar options were very competitively priced and allowed the City to both reduce its costs from last year and remove the risks and administrative costs of self-insuring, these two options are recommended by our firm for top consideration.

Of the two proposers, FLC proposed the lowest cost for first dollar workers' compensation coverage at an estimated premium of \$419,163. Thompson Baker offered a first dollar workers' compensation proposal with an estimated premium of \$539,151.

The chart below offers a comparison of the first dollar workers' compensation proposals received by the City as a result of the RFP.

Proposer	Thompson Baker	Florida League of Cities
Insurer	Preferred Governmental Insurance Trust (PGIT)	Florida Municipal Insurance Trust (FMIT)
First Dollar - Workers' Compensation Premiums	\$539,151	\$419,163

The Coverage Comparison section later in this correspondence provides additional information on the other deductible and self-insured options proposed.

COVERAGE COMPARISON

The programs proposed by both proposers offer very similar coverages in many aspects. However, it is worth noting and understanding that each proposed program provides certain advantages and disadvantages when compared to the other.

Several key coverage points and program differences are discussed below:

General

Rate Guarantee – Thompson Baker/PGIT proposed to guarantee the rates proposed this year for the upcoming 2019/2020 renewal period for the 2020/2021 policy. The premium will still be adjusted for changes to exposures (property values, automobiles and number of employees). FMIT did not offer a rate guarantee.

Property/Inland Marine

Named Storm Deductibles – Thompson Baker/PGIT proposed a Named Windstorm deductible of 3% of the total insurable values, at each location, per occurrence. FLC/FMIT also proposed a 3% Named Windstorm deductible, but their percentage deductible is applied separately and individually to each building, personal property,

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other property and business income per occurrence. In some instances, such as when not all buildings are damaged a given location, the FLC/FMIT deductible structure would result in a lower applicable deductible for Named Windstorm losses. The per occurrence coverage deductible for other than named storms is \$25,000 in both proposals.

Asset Valuation – FLC advised that they will provide a property asset valuation at no charge for the valuation. The results of that valuation (revised property values); however, will be endorsed on the policy and the additional premium (or return premium) will be charged and included on the next installment billing. Thompson Baker did not mention an asset valuation in their proposal.

Property/Inland Marine Coverage Limits – The property coverage limits for the City's real and personal property varies slightly from one proposal to another. This is because each insurer's program differs from the other in the type and value of property they include in the scheduled coverage limits. Thompson Baker has provided a real and personal property limit of \$129,110,405 and FLC has proposed a coverage limit of \$128,665,405. Similarly, the scheduled inland marine equipment in the PGIT program is \$4,554,195 compared to \$4,693,792 in the FMIT proposal.

Crime

Thompson Baker proposed continuation of the City's crime coverage with National Union Fire Insurance Company of Pittsburgh, PA. The FLC proposal includes Crime coverage as part of their FMIT package policy. The FMIT crime coverage cannot be separated from the other coverages in the package.

FMIT Coverage Advantages – FLC/FMIT proposes to lower the deductible to \$1,000 for employee theft coverage (compared to a \$10,000 deductible in the expiring program). FLC/FMIT has also proposed to include additional coverage (\$750,000) for the Finance Director, Accounting Supervisor, Administration Secretary and Budget Officer. The proposed FMIT program also includes a separate limit for Faithful Performance coverage of \$1,000,000 per loss and a \$3,000,000 limit for Money Order & Counterfeit Money coverages.

National Union Advantages - The Thompson Baker/National Union proposal includes the same coverage as expiring with a separate \$3,000,000 limit for Funds Transfer Fraud and, also, a \$100,000 limit for Social Engineering Fraud, a coverage which does not appear to be included in the FMIT proposal.

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Ms. Ann Meuse
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*General Liability, Law Enforcement Liability, Employee Benefit Liability
and Automobile Liability*

Limits - Both the Thompson Baker/PGIT and FLC/FMIT programs provide coverage to their insureds/members up to Florida sovereign immunity limits of \$200,000 each person \$300,000 each occurrence. In addition, excess liability limits of \$2,000,000 (inclusive of the \$200,000/\$300,000) are also provided.

Deductibles – While the expiring liability program with Thompson Baker/PGIT includes deductibles of \$10,000 per occurrence for General Liability, Employee Benefit Liability and Automobile Liability and \$25,000 for Law Enforcement Liability, Thompson Baker/PGIT proposed coverage with no deductible.

FLC/FMIT also provided a no deductible proposal in addition to proposals with \$10,000 and \$25,000 deductibles. For comparison purposes, the liability premium costs shown in the cost comparison section above is the proposed premiums for coverage with no deductible from both proposers.

Defense Costs - Both proposers have offered liability coverages that include defense costs outside the limit of coverage and therefore the costs to defend or investigate a claim do not erode the City's limit of liability.

Public Officials and Employment Practices Liability (City)

Form of Coverage – A major difference between the Thompson Baker/PGIT coverage and the FLC/FMIT coverage is the form on which the coverage may be provided. The Thompson Baker/PGIT coverage is provided on a “claims-made” basis and FLC/FMIT provided a proposal for coverage on an “occurrence” basis.

The Thompson Baker/PGIT claims-made coverage will only respond to claims reported (made) during the policy period. This policy includes full prior acts coverage; it does not matter when the loss actually occurred, only when it is reported.

In comparison, the FMIT policy provides coverage applies only for claims that occur during the policy period without regard to when the claim is made or reported. This difference would create a significant gap in the City's public officials' liability coverage if the City elects to go with the FLC/FMIT program. To partially fill that gap, FLC/FMIT has offered a proposal for 5 years of “prior acts” coverage (back to 10/1/2014) for an additional premium of \$16,609. There is no option available from FLC/FMIT to provide any earlier retroactive date. In our opinion, the loss of coverage for future claims which arise out of wrongful acts committed by the City prior to October 1, 2014 is a critical coverage difference between these two programs.

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Deductibles - Although the expiring liability program with Thompson Baker/PGIT includes deductibles of \$7,500 for each claim, Thompson Baker/PGIT did not propose continuation of the coverage with deductibles. The renewal proposal offered by Thompson Baker/PGIT has no deductible. FLC/FMIT also offered a no deductible option, in addition to proposals with \$5,000 and \$25,000 deductibles. For comparison purposes, the liability premium costs shown in the cost comparison section above is the proposed premiums for coverage with no deductible from both proposers.

Public Officials Liability (CRA)

The Public Officials coverage for the City of Jacksonville Beach Community Redevelopment Agency is currently provided outside the Thompson Baker/PGIT program and is written on a "claims-made" basis by Indian Harbor Insurance through Public Risk Insurance Agency (PRIA). The expiring premium is \$4,959.

Thompson Baker did not provide a proposal for the CRA's public official's coverage but stated the separate Indian Harbor policy "can be assumed" by them, if the City no longer wishes to continue the coverage through PRIA. Alternatively, PRIA may be willing to renew the policy if instructed to do so.

FLC provided a proposal to include the coverage in the FMIT program for a premium of \$4,232. Similar to the City's coverage, the coverage would be provided on an "occurrence" basis and 5 years of prior acts coverage may be purchased for an additional premium of \$122. The cost of that additional premium is included in FMIT proposed public officials premium in the Cost Comparison section of this correspondence.

Cyber Liability

Thompson Baker's proposal included the City's cyber liability coverage in the PGIT program, same as expiring. The coverage will continue to be provided on a "claims made" basis with a retroactive date of 10/1/2011. The coverage will continue to include a \$2,000,000 each claim and aggregate limit and a \$25,000 deductible for each claim.

FMIT proposed to include "claims-made" coverage in the FMIT program which is nearly identical to that offered by PGIT except FMIT has stated they will provide "claims-made" coverage with "full prior acts".

Workers' Compensation & Employers' Liability Coverage

Same Coverage as Expiring - The expiring workers' compensation coverage is provided by FLC/FMIT as excess coverage over a \$150,000 self-insured retention. FMIT has proposed the same \$150,000 retention for the 2019 renewal (City will pay the first \$150,000 of each claim) for a premium cost of \$198,794. Based on the City's own

SIVER INSURANCE CONSULTANTS

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average trended losses over a five year period, Siver estimates the cost of expected annual claims within that \$150,000 self-insured retention, to be \$348,161 for a total of cost to the City of \$546,952. In addition to the premium and claim amounts within the self-insured retention, the City is required to pay a Third Party Administration (TPA) for the administration of its self-insured claims.

Thompson Baker/PGIT did not propose a \$150,000 self-insured retention, but they did offer a \$100,000 deductible option for a premium of \$181,551. Siver estimates the cost of the expected claims within the \$100,000 deductible to be \$299,566, for total cost to the City of \$481,119. The \$100,000 deductible option would not require third party claims administration services going forward.

No Deductible Proposals - Both FLC/FMIT and Thompson Baker/PGIT also proposed coverage with no deductible. In our opinion, the lowest cost/best coverage option is the proposal from FLC/FMIT for first dollar (no deductible) coverage. FLC/FMIT will provide no deductible coverage for an estimated premium of \$419,163 and handle all claims that occur during the policy period. Thompson Baker/PGIT proposed a similar no deductible policy but their premium is \$539,151.

Following is a summary of the various workers' compensation proposals with the expected assumed claim costs at each deductible level.

Agent	Thompson Baker	FLC
Insurer	Preferred Governmental Insurance Trust	Florida Municipal Insurance Trust
No Deductible:	\$539,151	\$419,163
\$25,000 Deductible:	\$282,984	\$296,670
Est. Claims inside Deductible	<u>\$173,805</u>	<u>\$173,805</u>
	\$457,789	\$470,475
\$100,000 Deductible:	\$181,553	Not Proposed
Est. Claims inside Deductible	<u>\$299,566</u>	
	\$481,119	
\$150,000 SIR	Not Proposed	\$198,794
Est. Claims inside Deductible		<u>\$348,161</u>
		\$546,955

Premium Adjustment – All the workers compensation proposals were based on a premium calculated with the 2018 workers' compensation experience modification factor of 1.04. The workers' compensation premium will be adjusted for the 2019 modification factor when it is promulgated. At the end of the policy period, the final premium will be determined based on an audit of actual payrolls during the policy period.

SIVER INSURANCE CONSULTANTS

Ms. Ann Meuse
August 23, 2019
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Additional Policies

The City maintains several additional policies that were not included in the proposals offered by the Thompson Baker and Florida League of Cities. These policies are listed below:

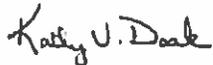
- Statutory Death Benefit Policy – Firefighters and Police Officers
(ACE American/Thompson Baker) Expires: Unknown
- Fiduciary Policies (General, Firefighters and Police Pension Funds)
(Travelers Casualty & Surety) Expires: 10/1/2019
- Storage Tank
(Commerce & Industry/Policy Managers) Expires: 10/17/2019
- Flood Policies
(American Bankers/Thompson Baker) Expires: Various

CLOSING

We appreciate this opportunity to be of service to the City of Jacksonville Beach. If you have any questions, please do not hesitate to call.

Very truly yours,

SIVER INSURANCE CONSULTANTS



Kathy V. Doak, ARM-P, AAI and
George W. Erickson, JD, CPCU, LLM

KVD/ms

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MEMORANDUM

TO: Michael J. Staffopoulos, City Manager
FROM: Ann Meuse, Human Resources Director
SUBJECT: Employee Benefit Renewals for Calendar Year 2020
DATE: September 11, 2019

ACTION REQUESTED

Approve contracts, effective January 1, 2020 with:

- Florida Blue for medical insurance
- MetLife for dental insurance
- Standard Insurance Company for life insurance
- Advantica for voluntary vision insurance

BACKGROUND

City employees are covered by multiple carriers for medical, dental, vision, life, and voluntary benefits. All of these benefits will renew on January 1, 2020.

The City is very pleased to be able to continue to offer the same HMO and PPO medical plan options with Florida Blue as last year, with the following prescription drug and deductible enhancements:

- Reduced prescription co-pays from \$10/\$50/\$80 (generic/brand/non-preferred) to \$10/\$30/\$50.
- Reduction to the calendar year deductible for the HMO plan from \$3k/\$6k (individual/family) to \$2k/\$4k and for the PPO plan from \$4K/\$12k to \$3k/\$6k.

The City budgeted a 5% increase in health insurance costs for fiscal year 2019/2020. This percentage increase is significantly less than industry standards. The City was successful in obtaining the 5% increase in health insurance costs as budgeted, due to favorable claims experience and by using a \$108,468 rebate, received as part of the Affordable Care Act program, to reduce premium costs.



Memorandum to Michael J. Staffopoulos, City Manager

September 11, 2019

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Medical

The 2020 renewal increase from Florida Blue is 5% for a projected total annual cost to the City of \$2,676,898. This is \$124,685 higher than last year. See *Exhibit A* for current and proposed rates.

Dental

MetLife will continue to offer three dental plan options: DHMO (Dental Health Maintenance Organization), low PPO (Preferred Provider Organization) option and high PPO option. Even with a rate guarantee from MetLife, the City was able to negotiate an employee-requested improvement to the plans to cover composite fillings instead of amalgam, at no cost to the City or the employee. Additionally, the reimbursable rate for the low dental plan was increased with a minimal 1.8% increase to the City and no cost to the employee. The projected annual cost to the City for dental insurance in 2020 is \$86,796. This is a \$3,810 increase from 2019.

Life and Disability

The City will be changing to the Standard Insurance Company for group life insurance. The Standard Insurance Company's cost for coverage is less than the cost proposed by the City's previous carrier, SunLife, and provides increased coverage for employees equal to the employee's annual salary. Current coverage is a flat \$25,000. The City's cost for this coverage is projected to be \$25,457 in 2020, a \$3,562 increase from 2019. All other life and disability benefits are offered on a voluntary basis to employees. The Standard Insurance Company will replace SunLife for supplemental life and long-term disability, with a slight decrease to the employees.

Vision

Advantica will continue to offer vision benefits on a voluntary basis to employees at the current 2020 rates.

Memorandum to Michael J. Staffopoulos, City Manager

September 11, 2019

Page 3 of 3

RECOMMENDATION

Approve contracts with Florida Blue, MetLife, Standard Life Insurance Company, and Advantica for employee health, dental, life, and vision insurance.

**EXHIBIT A
HEALTH INSURANCE RENEWAL RATES WITH BROKER FEES
CALENDAR YEAR 2020**

CITY MONTHLY RATES				
COVERAGE TIER	CURRENT		RENEWAL	
	HMO	PPO	HMO	PPO
Employee	575.17	\$575.17	590.85	\$590.85
Employee + Spouse	\$834.00	\$834.00	\$867.00	\$867.00
Employee + Child(ren)	\$834.00	\$834.00	\$867.00	\$867.00
Employee and Family	\$1,133.01	\$1,133.01	\$1,295.00	\$1,295.00
Monthly Cost	\$193,612.03	\$19,072.43	\$203,037.85	\$20,037.00
Annual City Cost*	\$2,552,213		\$2,676,898	
	Annual Increase		5%	
		124,686		

**Based on current enrollment*

EMPLOYEE MONTHLY RATES				
COVERAGE TIER	CURRENT		RENEWAL	
	HMO	PPO	HMO	PPO
Employee	0.00	\$148.16	0.00	\$158.69
Employee + Spouse	\$318.18	\$605.35	\$334.58	\$634.16
Employee + Child(ren)	\$260.47	\$533.72	\$272.89	\$557.96
Employee and Family	\$712.07	\$1,166.07	\$607.35	\$1,100.89
Monthly Cost	\$38,883.54	\$9,273.27	\$37,166.50	\$9,418.67
Annual Employee Cost*	\$577,882		\$559,022	

**Based on current enrollment*

TOTAL MONTHLY COSTS				
COVERAGE TIER	CURRENT		RENEWAL	
	HMO	PPO	HMO	PPO
Employee	\$575.17	\$723.33	\$590.85	\$749.54
Employee + Spouse	\$1,152.18	\$1,439.35	\$1,201.58	\$1,501.16
Employee + Child(ren)	\$1,094.47	\$1,367.72	\$1,139.89	\$1,424.96
Employee and Family	\$1,845.08	\$2,299.08	\$1,902.35	\$2,395.89
Total Monthly Cost	\$232,495.57	\$28,345.70	\$240,204.35	\$29,455.67
Total Annual Cost*	\$3,130,095.24		\$3,235,920.24	

**Based on current enrollment*

City of
Jacksonville Beach
City Hall
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Phone: 904.247.6229
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MEMORANDUM

TO: Michael Staffopoulos, City Manager
FROM: Luis F. Flores, Property and Procurement Officer
DATE: September 6, 2019
SUBJECT: O&M Tower lease to the Department of the Navy, Naval Facilities Engineering Command Southeast

ACTION REQUESTED

Approve a Commercial Lease Agreement with the Department of the Navy, Naval Facilities Engineering Command Southeast for space at the O&M communication tower.

BACKGROUND

The City owns a communications tower at the O&M Facility, located on at 1460 Shetter Avenue. The tower, constructed in 2010, is a 300 foot three sided self-supporting structure used by COJB Fire Department for radio communications.

The Department of the Navy is seeking an annual lease (five year maximum term) to place an antenna and related equipment at a maximum height of 100 feet. The system assists the U.S. Navy assess the capability of Navy ships to analyze and process specific types of electronic data and voice signals in the VHF and UHF band. The lease will include dedicated ground space for related equipment.

The initial term of the lease will be for one (1) year at an annual rate of \$40,000, payable in equal monthly installments of \$3,333.33 each month. The lease will automatically renew at the end of the term, for up to four (4) renewal terms of one (1) year each. The Navy and City have the right to cancel with a 90-day notice prior to the expiration of the initial term or any renewal term.

RECOMMENDATION

Approve a Commercial Lease Agreement with the Department of the Navy, Naval Facilities Engineering Command Southeast, as described in the memorandum from the Property and Procurement Officer dated September 6, 2019.



City of

Jacksonville Beach

Operations &

Maintenance Facility

Department of Public

Works

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FL 32250

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MEMORANDUM

TO: Michael Staffopoulos, City Manager
FROM: Martin Martirone, P.E., City Engineer
SUBJECT: Bid No. 1819-06, "Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway)"
DATE: August 15, 2019

ACTION REQUESTED

Award Bid No. 1819-06 titled "Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway) to A.W.A. Contracting Co. Inc.

BACKGROUND

This project is part of the South Beach Redevelopment District Improvements Program. This project was previously bid as steel sheet pile construction, but the high bid prices exceeded the engineer's estimate and CRA funds were rejected for the project. The project was re-designed to include three (3) options. The Base Bid included dual 8-foot by 7-foot precast concrete box culverts. Alternate A included the previously bid steel sheet pile construction. Alternate B included dual 8-foot by 7-foot poured-in-place concrete box culverts.

Alternate B includes construction of: approximately 1,000 linear feet of 8-foot by 7-foot poured-in-place concrete box culverts, two (2) access openings, five (5) box culvert inlet openings, 18, 24 and 36-inch connections to existing stormwater piping, three (3) stormwater inlets and grates, one (1) double 24-inch mitered end section and related piping, demolition, fill material, sodding, and related work.

The Invitation to Bid was advertised, fifteen (15) invitations were issued, and five (5) bids were received. The City's design engineer firm, Jones Edmunds evaluated the bids and recommended award to A.W.A. Contracting Co., Inc., the lowest, qualified bidder. The bid tabulation sheet is attached. Also included is a location map and two (2) drawings indicating the proposed work. The construction cost and staff recommendation are summarized as follows:



Bid No.1819-06, Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway)		
<u>DESCRIPTION</u>	<u>COST</u>	<u>RECOMMENDATION</u>
Unit Price Bid (based on estimated quantities)	\$ 1,343,847.00	<ul style="list-style-type: none"> Award bid to A.W.A. Contracting Co., Inc. (the lowest qualified bidder)
15% Contingency	\$ 201,577.05	
Construction Total:	\$ 1,545,424.05	
Engineer Construction Administration Services	\$ 49,768.00	<ul style="list-style-type: none"> Authorize Const. Admin. Services to Jones Edmunds, (the project's design firm)
10% Contingency	\$ 4,976.80	
Const. Admin. Services Total:	\$ 54,744.80	
GRAND TOTAL:	\$ 1,600,168.85	
The contract completion time is 240 days after Notice to Proceed is issued for Alternate B.		

This project will be funded by the Community Redevelopment Agency at its August 26, 2019 meeting utilizing South Beach Tax Increment Trust Funds in the Amount of \$1,545,424.05 for the construction of Alternate B and \$54,744.80 for Construction Administration Services.

RECOMMENDATION

Award Bid No.1819-06 titled "Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway)" to A.W.A. Contracting Co. Inc. and authorize Construction Administration Services to Jones Edmunds as explained in the memorandum from the Public Works City Engineer dated August 15, 2019.



Integrity • Knowledge • Service

July 1, 2019

Marty Martirone, PE
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

RE: Proposal for Construction-Administration Services
Stormwater Channel Improvements
(J. Turner Butler Boulevard to Marsh Landing Parkway)
City Bid No. 1819-06
Jones Edmunds Project No.: 09803-031-05
City of Jacksonville Beach, Florida

Dear Mr. Martirone:

Jones Edmunds is pleased to submit this proposed Scope of Services and estimated fees for providing construction-administration services for the Stormwater Channel Improvements (J. Turner Butler Boulevard to Marsh Landing Parkway) Project. We understand that the City will provide full-time resident observation for the project and will approve all pay requests. Our Scope of Services reflects the services requested by City. In addition, we have attached a detailed fee breakdown for your review.

CONSTRUCTION ADMINISTRATION SCOPE OF SERVICES

Jones Edmunds proposes to provide the City with the following services during the approximately 240-calendar-day construction duration.

TASK 1 – PROJECT MANAGEMENT AND CONTRACT DOCUMENT PREPARATION

- Review Performance and Payment Bonds for conformance with City requirements and verify the credit rating of the bonding company.
- Prepare Conform Contract Documents including Contract Specifications and Construction Drawings with Addendum Information for the City's use only. Conformed Specifications and Drawings will not be provided to the Contractor.

Marty Martirone, PE
July 1, 2019
Page 3

contact me at your convenience by phone at (904) 744-5401 or by email at BIcerman@jonesedmunds.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Icerman", with a long horizontal flourish extending to the right.

Brian Icerman, PE
Managing Director / Vice President
8657 Baypine Road, Suite 300
Jacksonville, Florida 32256-8634

Y:\09803-Jacksonville Beach\Projects\031-04 Canal Improvements\General\PSDCs\PSDC_Services_2019-06-19.docx

Marsh Landing Canal Stormwater Improvements

CITY OF JACKSONVILLE BEACH

Professional Services During Construction Cost Estimate

RFQ 07-1516 Rates		\$ 233.00	\$ 173.00	\$ 166.00	\$ 116.00	\$ 93.00	Total Hours	Total Labor Costs	Reimbursable Expenses	Total Costs
RFP 07-1516 Associate Classification		Senior Engineer	Project Manager	Design Engineer	Cadd Operator	Clerical				
PROJECT TASK										
1	PROJECT MANAGEMENT AND CONTRACT DOCUMENT PREPARATION	4	36	8		8	56	\$ 9,232.00	\$ 250.00	\$ 9,482.00
2	PRE-CONSTRUCTION CONFERENCE AND SHOP DRAWING REVIEW	12	8	40		4	64	\$ 11,192.00	\$ 150.00	\$ 11,342.00
3	SITE VISITS, RFIS, CHANGE ORDERS, AND FINAL INSPECTION / CERTIFICATIONS	16	16	120	16	4	172	\$ 28,644.00	\$ 300.00	\$ 28,944.00
TOTAL		32	60	168	16	16	292	\$ 49,068.00	\$ 700.00	\$ 49,768.00

July 23, 2019

Martin Martirone, PE
City Engineer
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250p

RE: City of Jacksonville Beach
Recommendation of Award for Stormwater Channel Improvements
Jacksonville Beach City Bid No. 1819-06
Jones Edmunds Project No.: 09803-031-04
Bid Review and Evaluation of Findings

Dear Mr. Martirone:

This letter summarizes the construction contract bids received for the Stormwater Channel Improvements Project. The City of Jacksonville Beach received bids for the project on July 10, 2019, at 2:00 pm.

Invitations to bid were emailed by the City to fifteen (15) contractors on June 5, 2019, and Five (5) contractors submitted bids for the project. The bids were evaluated for conformance with the criteria set forth in the bidding documents. The total Base Bids from the Five contractors ranged from \$1,725,083.00 to \$2,538,742.00, total for Alternate A ranged from \$2,773,433.50 to \$4,506,435.00, and the total for Alternate B ranged from \$1,343,847.00 to \$3,458,016.00.

AWA Contracting Co. Inc., submitted the lowest responsive and complete bid. Jones Edmunds has reviewed the submitted bid package provided by AWA Contracting Co. Inc. and finds their bid responsive. All items were acknowledged on the Bid Form. A 5% Bid Bond was provided, and the Bid Bond surety is licensed in Florida.

Jones Edmunds also investigated the contractor's experience, reputation, and performance on past projects and finds the contractor capable of performing the work for this project based on the information received.

Although the final determination regarding which contractor will be awarded this project will be made by the City, Jones Edmunds believes their bid to be responsive and, based on the findings above, does not take exception to awarding the project to the lowest responsive bidder, AWA Contracting Co. Inc., for the Alternate B Bid Price of:

Total Bid Price \$1,343,847.00

Martin Martirone, PE
City Engineer
July 23, 2019
Page 2

We also recommend that the City set aside a contingency fund in an amount of fifteen percent (15%) of the total bid price to allow for any unknown conditions that may be encountered during construction.

We appreciate the opportunity to continue to provide services to the City of Jacksonville Beach and look forward to the successful construction of this project. If you have any questions, please contact me at your convenience by phone at (904) 744-5401 or by email at BIcerman@jonesedmunds.com.

Sincerely,



Brian Icerman, PE
Vice President
8657 Baypine Road, Suite 300
Jacksonville, Florida 32256-8634

City of Jacksonville Beach Bid Tabulation Form

Bid Number 1819-06, "Stormwater Channel Improvements (J. Turner Butler Blvd. to Marsh Landing Parkway)"

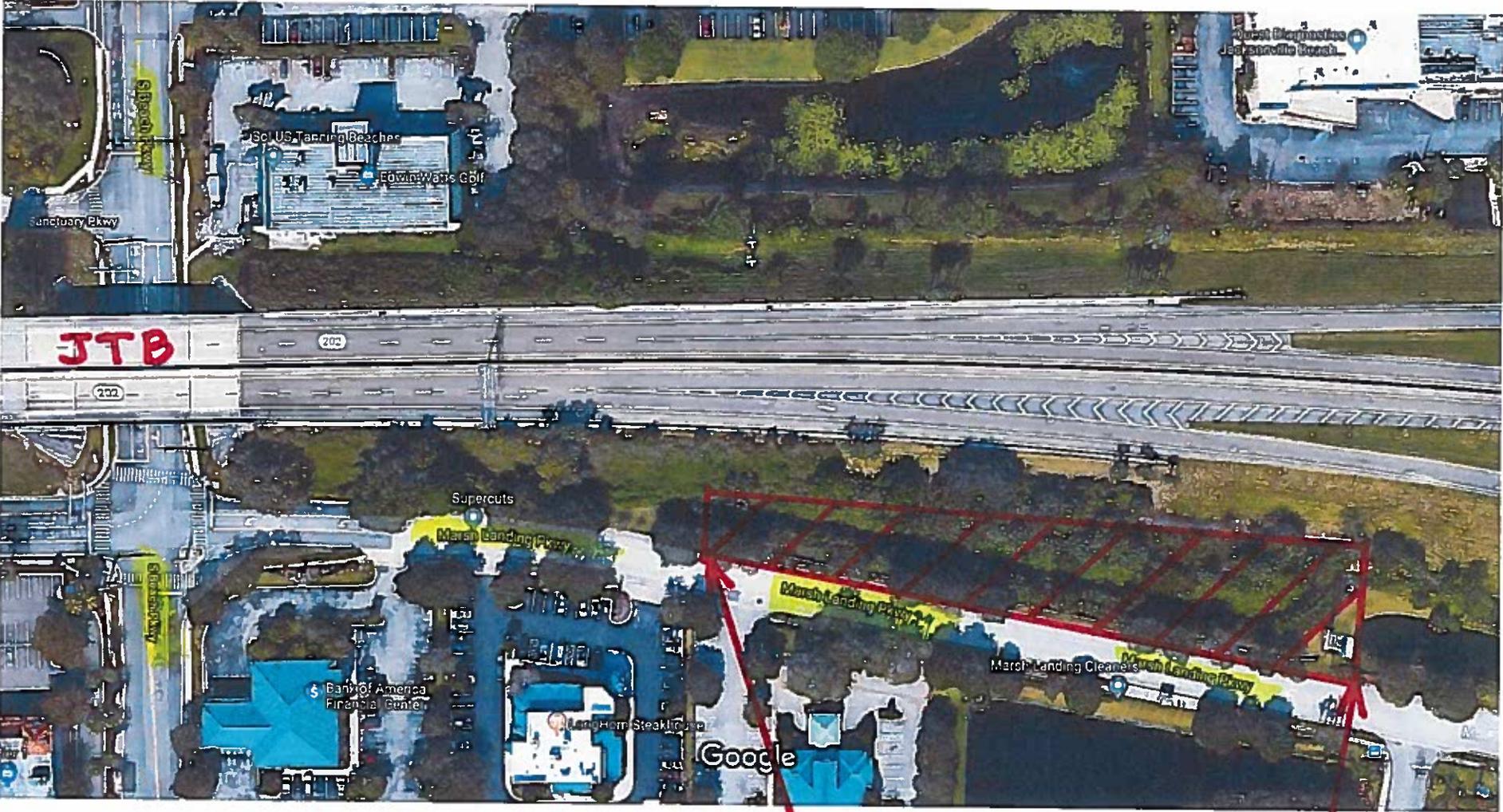
Bid Date: July 10, 2019

BIDDERS

	<i>Vendor A</i>	<i>Vendor B</i>	<i>Vendor C</i>	<i>Vendor D</i>	<i>Vendor E</i>
Base Bid	\$ 1,725,083.00	\$2,481,248.50	\$ 2,198,213.90	\$ 2,538,742.00	\$ 2,119,115.00
Alternate A	\$2,773,433.50*	NO BID	\$ 3,697,498.31	\$ 4,506,435.00	NO BID
Alternate B	\$ 1,343,847.00	\$ 2,477,422.50	\$ 2,490,687.90	\$ 3,458,016.00	NO BID
*Corrected Bid					
Invitations Issued: 15	Plan Holders: N/A			Bid Responses:5	

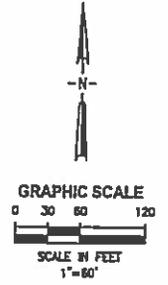
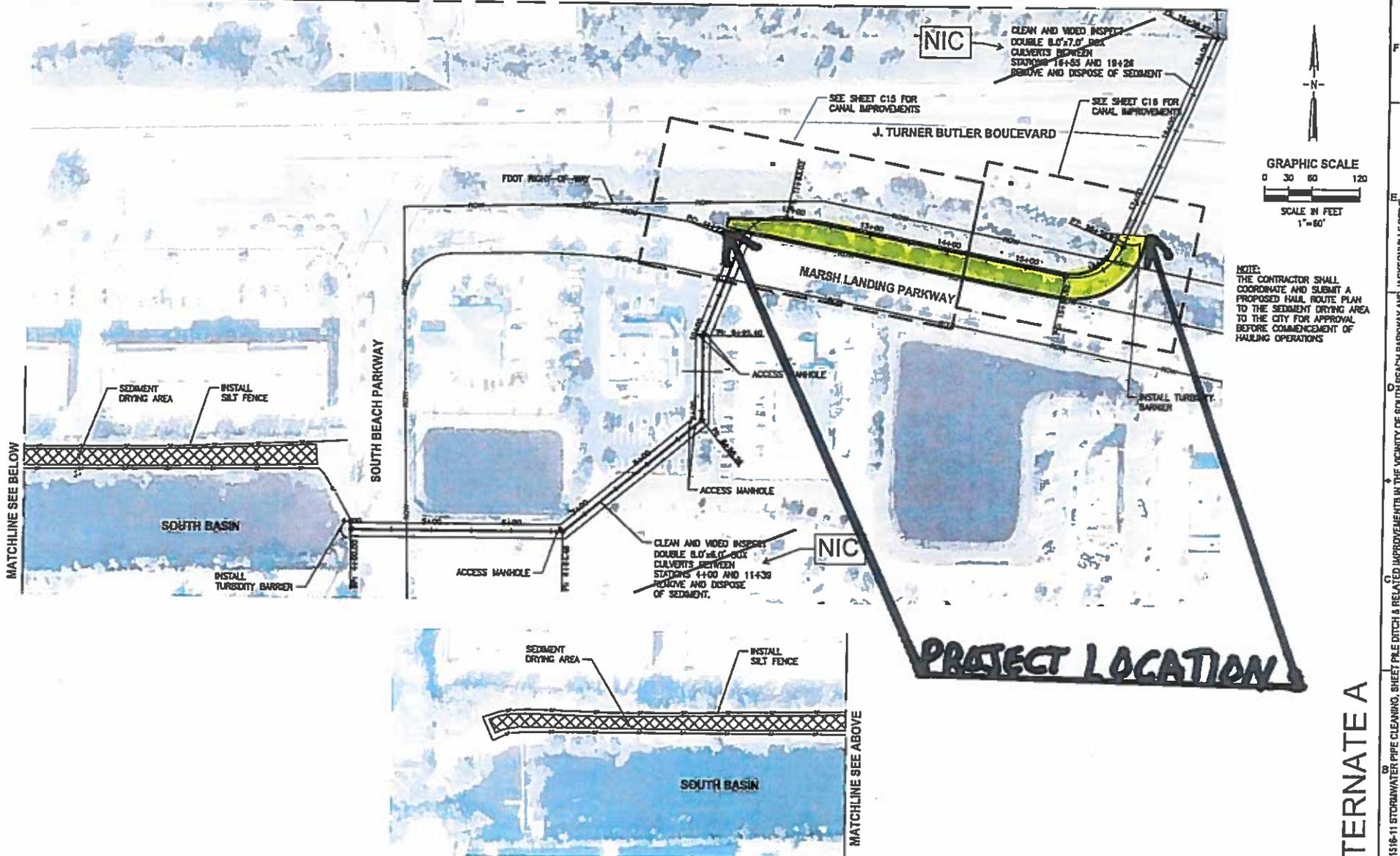
BIDDERS

A	A.W.A. Contracting Co., Inc., lowest responsive bidder
B	CGC, Inc.
C	Jax. Utilities Management, Inc.
D	J. B. Coxwell Contracting, Inc.
E	MAER Homes LLC dba MAER Construction



Imagery ©2019 Google, Map data ©2019 50 ft

PROJECT LOCATION



NOTE:
THE CONTRACTOR SHALL
COORDINATE AND SUBMIT A
PROPOSED HAUL ROUTE PLAN
TO THE SEDIMENT DRYING AREA
BEFORE COMMENCEMENT OF
HAULING OPERATIONS

ALTERNATE A

CITY BID NO. 1516-11 STORMWATER PIPE CLEANING, SHEET PILE DITCH & RELATED IMPROVEMENTS IN THE VICINITY OF SOUTH BEACH PARKWAY AND JACKSONVILLE DRIVE

DESIGNED	LJAYVIS
DRAWN	KPEREZ
CHECKED	BHEPBLURN
BY	APPROV

JONES EDMUNDS
 730 NE WALDO ROAD, CAMDENVILLE, FLORIDA 32841 / (321) 377-4421
 1100 CECILY BLVD • SECOND FLOOR, JACKSONVILLE, FLORIDA 32211 / (904) 744-1401

STORMWATER PIPE CLEANING, SHEET PILE DITCH & RELATED IMPROVEMENTS IN THE VICINITY OF SOUTH BEACH PARKWAY & JACKSONVILLE DRIVE JACKSONVILLE BEACH, FLORIDA

DRAINAGE STRUCTURE IMPROVEMENT

CERTIFICATE OF ADOPTION (184)	DATE	PROJECT NO.
APPROVED BY	MAY 2016	09803-031-01A
WALTER A. NICKEL	SCALE	DWG. NO.
P.E. # 66635	1"=60'	C13

City of

Jacksonville Beach

Operations &

Maintenance Facility

Department of Public

Works

1460-A Shetter Avenue

Jacksonville Beach

FL 32250

Phone: 904.247.6219

Fax: 904.247.6117

www.jacksonvillebeach.org



MEMORANDUM

TO: Michael J. Staffopoulos, City Manager
FROM: Martin F. Martirone, P.E. City Engineer
SUBJECT: Bid No. 1819-15, Offsite 12" Well Header for Water Treatment Plant #1 and Well No. 16 and 6" Water Main Replacement
DATE: August 22, 2019

ACTION REQUESTED

Award Bid No. 1819-15, Offsite 12" Well Header for Water Treatment Plant #1, Well No. 16 and 6" Water Main Replacement to The Kenton Group, Inc. dba Baldwin's Quality Plumbing.

BACKGROUND

Base Bid: This portion of the project involves construction of a new 12-inch PVC (DR 25) well header piping which will provide conveyance of raw water from the proposed Well #16 site (11th St. N. and 8th Ave. N.) to Water Treatment Plant #1 (4th St. S. and 1st Ave. S.). The well header piping will be constructed on 11th St. N. from 2nd Ave. N. to 8th Ave. N. and on 2nd Ave. N. from 10th to 11th St. N. This piping will connect to the existing piping from existing Well #15 at Gonzales Park. The well header piping is part of the SJRWMD extension to back plug and abandon existing raw water Well #11 located at 590 Shetter Avenue at 6th Street South. The work includes the installation of: approximately 2,260 linear feet of 12-inch PVC (DR 25) raw water main, valves, fittings, asphalt pavement and concrete driveway replacement, traffic markings, and sodding.

Alternate No. 1 Bid: This portion of the project replaces the existing approximately sixty (60) year old 6-inch asbestos cement water main within 11th St. N. between 4th and 8th Ave. N. There have been numerous leaks on this water main and its water services over the years that it has been in operation. This project is necessary to increase system reliability, maintain fire flows, and minimize water main and service repairs. The work includes the installation of: approximately 1,620 linear feet of new 6-inch PVC (DR 18) water main, new water services, valves, fittings, fire hydrants, concrete sidewalk replacement, and sodding.

The City advertised the project to twelve (12) contractors on July 3, 2019. On July 31, 2019, the City received eight (8) bids from contractors. The Kenton Group, Inc. dba Baldwin's Quality Plumbing was the apparent lowest responsive,

Memorandum
 Bid No. 1819-05 Well Header
 August 22, 2019

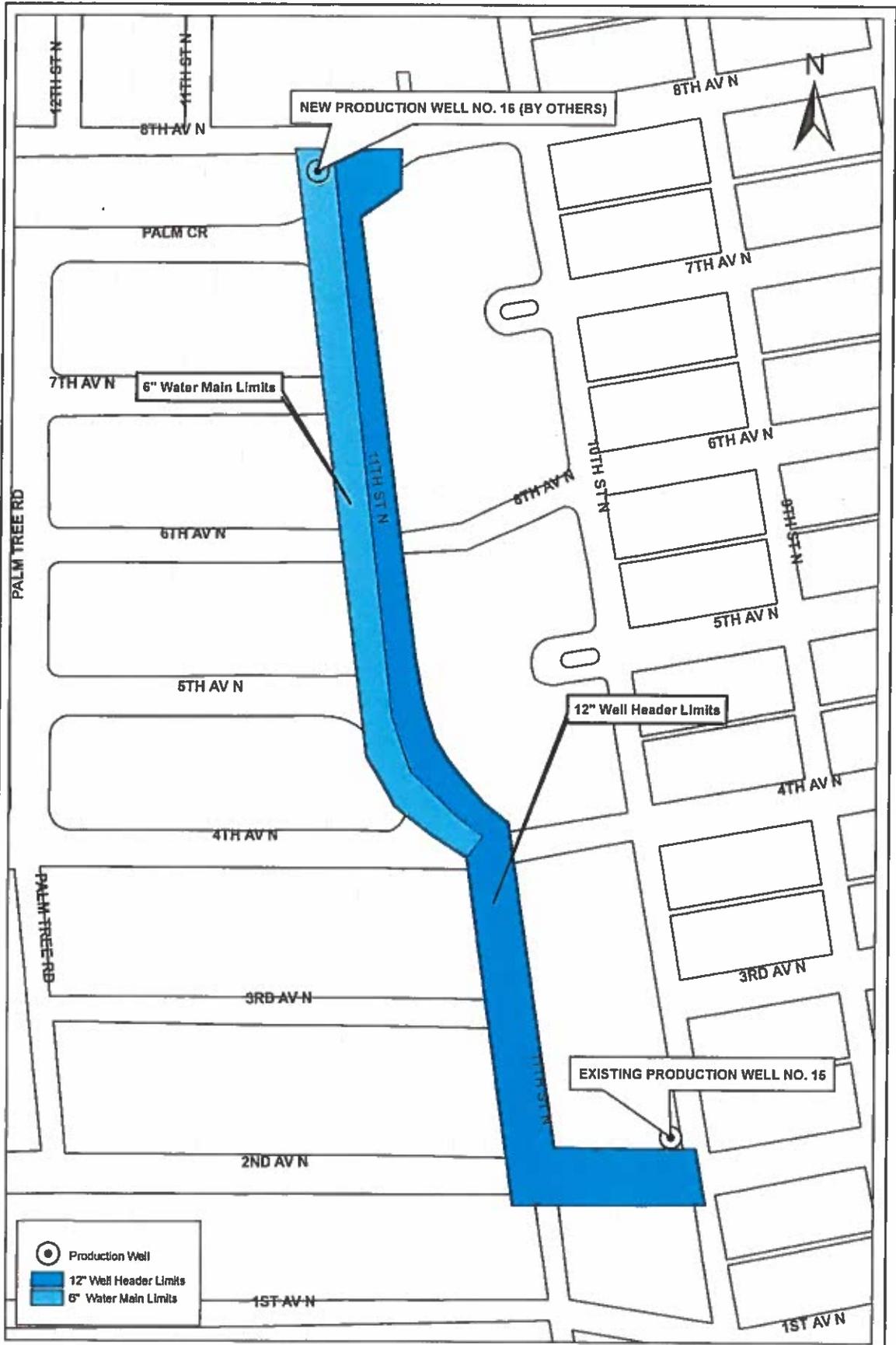
responsible bidder for the construction of the Base Bid and Alternate No.1 Bid. See the attached GIS Map for the project limits.

City Bid 1819-15 Offsite 12" Well Header for Water Treatment Plant #1, Well No. 16 and 6" Water Main Replacement		
DESCRIPTION	COST	RECOMMENDATION
Total Base Bid (Based upon estimated quantities and unit prices)	\$ 341,367.91	Award of Base Bid to <i>The Kenton Group, Inc. dba Baldwin's Quality Plumbing</i> (the lowest, qualified bidder)
15% Contingency	\$ 51,205.19	
Construction Total Base Bid	\$ 392,573.10	
Total Alternate No. 1 Bid (Based upon estimated quantities and unit prices)	\$ 121,026.57	Award of Alternate No. 1 Bid to <i>The Kenton Group, Inc. dba Baldwin's Quality Plumbing</i> (the lowest, qualified bidder)
15% Contingency	\$ 18,153.99	
Construction Total Alternate 1	\$ 139,180.56	
Total Cost for Base Bid and Alternate No. 1 Bid	\$ 531,753.66	
The contract completion time is 150 days after Notice to Proceed is issued for Total Base Bid and Alternate No.1 Bid. Construction Administration and Inspection Services will be performed by the Department of Public Works staff.		

Funding for the construction of the Base Bid and the Alternate No. 1 Bid will be provided by the Water and Sewer Fund. Funds for this project were approved as part of the FY18 Budget. Since the project was not initiated in FY18, the FY 19 Budget will be amended as part of the year-end modification.

RECOMMENDATION

Award Bid No. 1819-15, Offsite 12" Well Header for Water Treatment Plant No.1 and Well No. 16 and 6" Water Main Replacement, to The Kenton Group, Inc. dba Baldwin's Quality Plumbing as described in the memorandum from the Public Works City Engineer dated August 22, 2019.



CITY OF JACKSONVILLE BEACH
 DEPARTMENT OF PUBLIC WORKS
 1480-A Shelter Avenue
 Jacksonville Beach, FL 32250
 904.247.6219 / publicworks@jaxbchfl.net

**12" Well Header and 6" WM
 Project Location**





August 7, 2019

Martin Martirone, PE
City Engineer
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

City of
Jacksonville Beach
Operations &
Maintenance Facility
Department of Public
Works
1460-A Shetter Avenue
Jacksonville Beach
FL 32250
Phone: 904.247.6219
Fax: 904.247.6117

www.jacksonvillebeach.org

RE: Jacksonville Beach City Bid No. 1819-15
Bid Review and Evaluation of Findings
City of Jacksonville Beach
Recommendation of Award for Offsite 12" Well Header for WTP 1,
Well No. 16 and 6" Water Main Replacement

Dear Mr. Martirone:

This letter summarizes the construction contract bids received for the Offsite 12" Well Header for WTP 1, Well No. 16 and 6" Water Main Replacement Project. The City of Jacksonville Beach received bids for the project on July 31, 2019, at 2:00 pm.

Invitations to bid were emailed by the City to twelve (12) contractors on July 3, 2019, and eight (8) contractors submitted bids for the project. The bids were evaluated for conformance with the criteria set forth in the bidding documents. The total base bids from the eight (8) contractors ranged from \$341,367.91 to \$575,736.42 for the Base Bid, from \$121,026.57 to \$ 259,467.50 for the Alternate 1 Bid and from \$462,394.48 to \$827,618.82 for combined total of the Base Bid and the Alternate 1 Bid.

The Kenton Group, Inc. dba Baldwin's Quality Plumbing, In., submitted the lowest responsive and complete bid. The Department of Public Work's staff has reviewed the submitted bid package provided by The Kenton Group, Inc. dba Baldwin's Quality Plumbing, Inc. and finds their bid responsive. All items were acknowledged on the Bid Form. A 5% Bid Bond was provided, and the Bid Bond surety is licensed in Florida.

The Department of Public Work's staff also investigated the contractor's experience, reputation, and performance on past projects and finds the contractor capable of performing the work for this project based on the information received.

Although the final determination regarding which contractor will be awarded this project will be made by the City, the Department of Public Work's staff believes their bid to be responsive and, based on the findings above, does not take



exception to awarding the project to the lowest responsive bidder, The Kenton Group, Inc. dba Baldwin's Quality Plumbing, Inc., for the Base Bid and Alternate 1 Bid amount of:

Total Bid Amount (Base and Alternate 1) \$ 462,394.48

We also recommend that the City set aside a contingency fund in an amount of fifteen percent (15%) of the total bid price to allow for any unknown conditions that may be encountered during construction.

If you have any questions, please contact me at your convenience by phone at (904) 509-0268 or by email at ddupries@jaxbchfl.net.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dennis Dupries".

Dennis Dupries
Construction Project Manager
1460-A Shetter Ave., 2nd Floor
Jacksonville Beach, Florida 32250



City of

Jacksonville Beach

Operations &

Maintenance Facility

Department of Public

Works

1460-A Shetter Avenue

Jacksonville Beach

FL 32250

Phone: 904.247.6219

Fax: 904.247.6117

www.jacksonvillebeach.org

MEMORANDUM

TO: Michael Staffopoulos, City Manager
 FROM: Martin Martirone, P.E., City Engineer
 SUBJECT: Award Bid No. 1819-16 for Landscape Maintenance
 DATE: August 20, 2019

ACTION REQUESTED

Award Bid No. 1819-16 titled Landscape Maintenance to BrightView Landscape Services Inc. for Sections 2 and 3 and to Down to Earth-Jacksonville for Section 1.

BACKGROUND

The City currently employs private contractors to provide landscape maintenance for multiple City facilities. Bids for each facility were grouped by section according to the Division responsibility and location. Three (3) bid sections were included. Section 1. Pollution Control Plant and Lift Stations; Section 2. Water Plants and Monitoring Stations, and Section 3. Storm Water Drainage.

Section 1 includes the Pollution Control Plant (PCP) and nine (9) lift stations. Section 2 includes: Water Plants No. 1 and 2, five (5) raw water wells, four (4) monitoring wells, and the South Elevated Tank site. Section 3 includes: North Elevated Water Tank site, six (6) stormwater pump stations, and six (6) stormwater ponds. The scope of work includes mowing, pruning, trimming, edging, weed control, fertilization, litter and debris control, tree care and pest control. The continuing services contract term is five (5) years. Annual pricing will remain fixed in the first year and may be adjusted in subsequent years based on the Consumer Price Index (CPI).

The Invitation to Bid was advertised, twenty-seven (27) invitations were issued, and two (2) bids were received. The City evaluated the bids and recommended award to BrightView Landscape Services Inc. for Sections 2 and 3 and to Down to Earth-Jacksonville for Section 1, the lowest, qualified bidders. The bid tabulation sheet is attached. Also included are three (3) location maps indicating the facility locations for each section. The landscape maintenance costs and staff recommendation are summarized as follows:



Bid No. 1819-16, Landscape Maintenance		
<u>DESCRIPTION</u>	<u>COST</u>	<u>RECOMMENDATION</u>
Sections 2 and 3 Lump Sum/Unit Price Bid (based on locations)	\$ 52,595.20	<ul style="list-style-type: none"> Award bid to BrightView Landscape Services, Inc. (the lowest qualified bidder)
10% Contingency	\$ 5,259.52	
Construction Total:	\$ 57,854.72	
Section 1 Lump Sum/Unit Price Bid (based on locations)	\$ 29,112.00	<ul style="list-style-type: none"> Award bid to Down to Earth-Jacksonville (the lowest qualified bidder)
10% Contingency	\$ 2,911.20	
Const. Admin. Services Total:	\$ 32,023.20	
GRAND TOTAL:	\$ 89,877.92	
<p>This is a five (5) year Continuing Services Contract. Costs will remain fixed the first year but may be adjusted annually after the first year based on the Consumer Price Index.</p>		

Sections 1 and 2 in the amount of \$47,191.60 plus a 10% contingency for a total of \$ 51,910.76 will be funded by the Water and Sewer Fund. Section 3 in the amount of \$34,515.60 plus a 10% contingency for a total of \$ 37,967.16 will be funded by the Stormwater Fund.

RECOMMENDATION

Award Bid No. 1819-16 titled Landscape Maintenance Sections 2 and 3 to BrightView Landscape Services, Inc. and Section 1 to Down to Earth-Jacksonville as explained in the memorandum from the Public Works City Engineer dated August 20, 2019.



**Section 1:PCP & Lift Stations
Site locations**

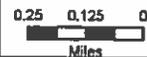
- 1. PCP Plant
- 2. Lift Station # 2
- 3. Lift Station # 3
- 4. Lift Station # 5
- 5. Lift Station # 9
- 6. Lift Station # 10
- 7. Lift Station # 11
- 8. Lift Station # 15
- 9. Lift Station # 18
- 10. Lift Station # 19

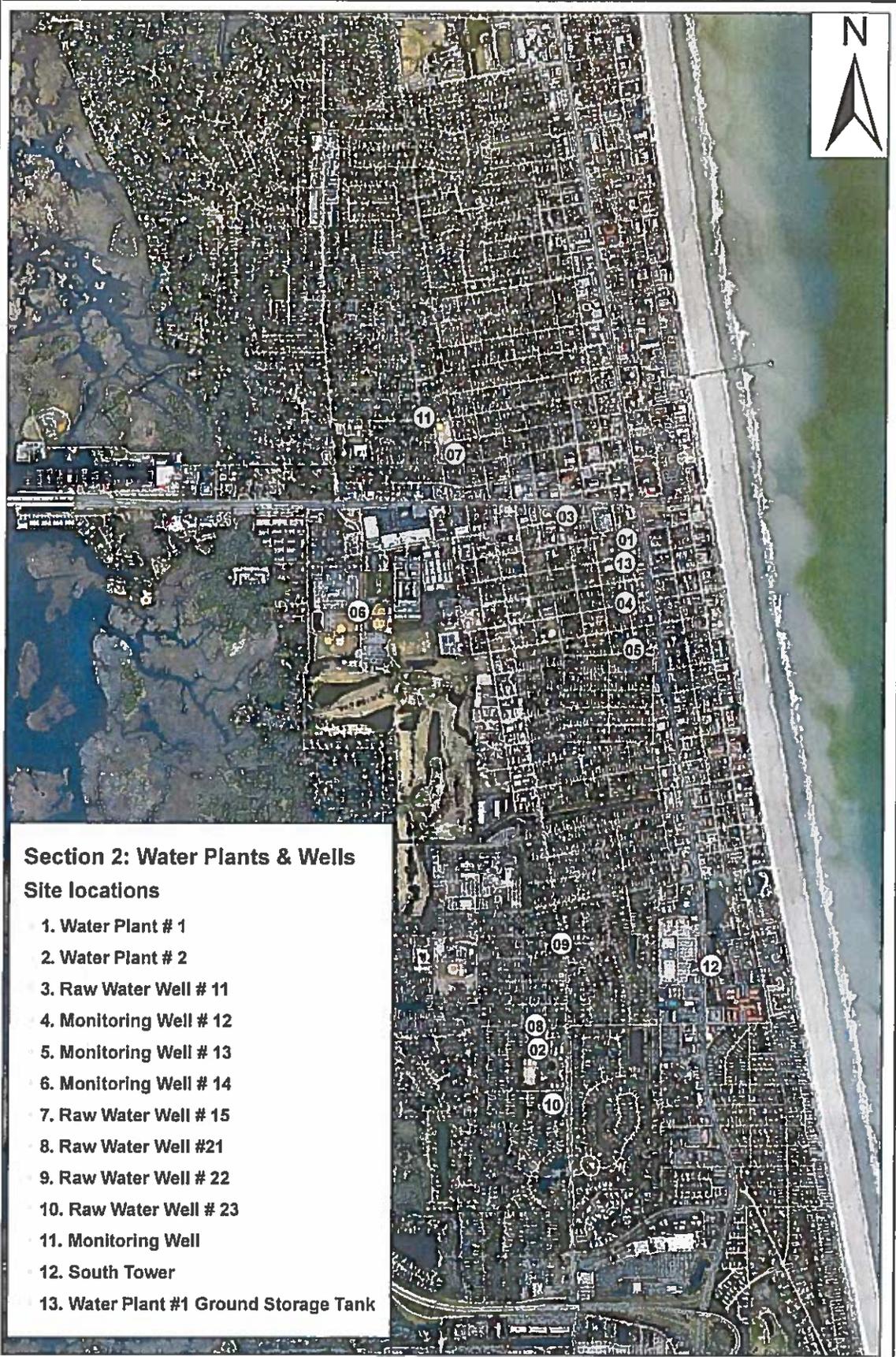


CITY OF JACKSONVILLE BEACH
 DEPARTMENT OF PUBLIC WORKS
 1460-A Shelter Avenue
 Jacksonville Beach, FL 32250
 904.247.6219 / publicworks@jaxbcfl.net

**Landscape Maintenance
 Bid No. 1819-16
 Section 1**

The data provided on this map are provided for informational and planning purposes only. The City is not responsible for the misusa or misrepresentation of the data.



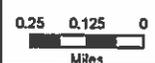


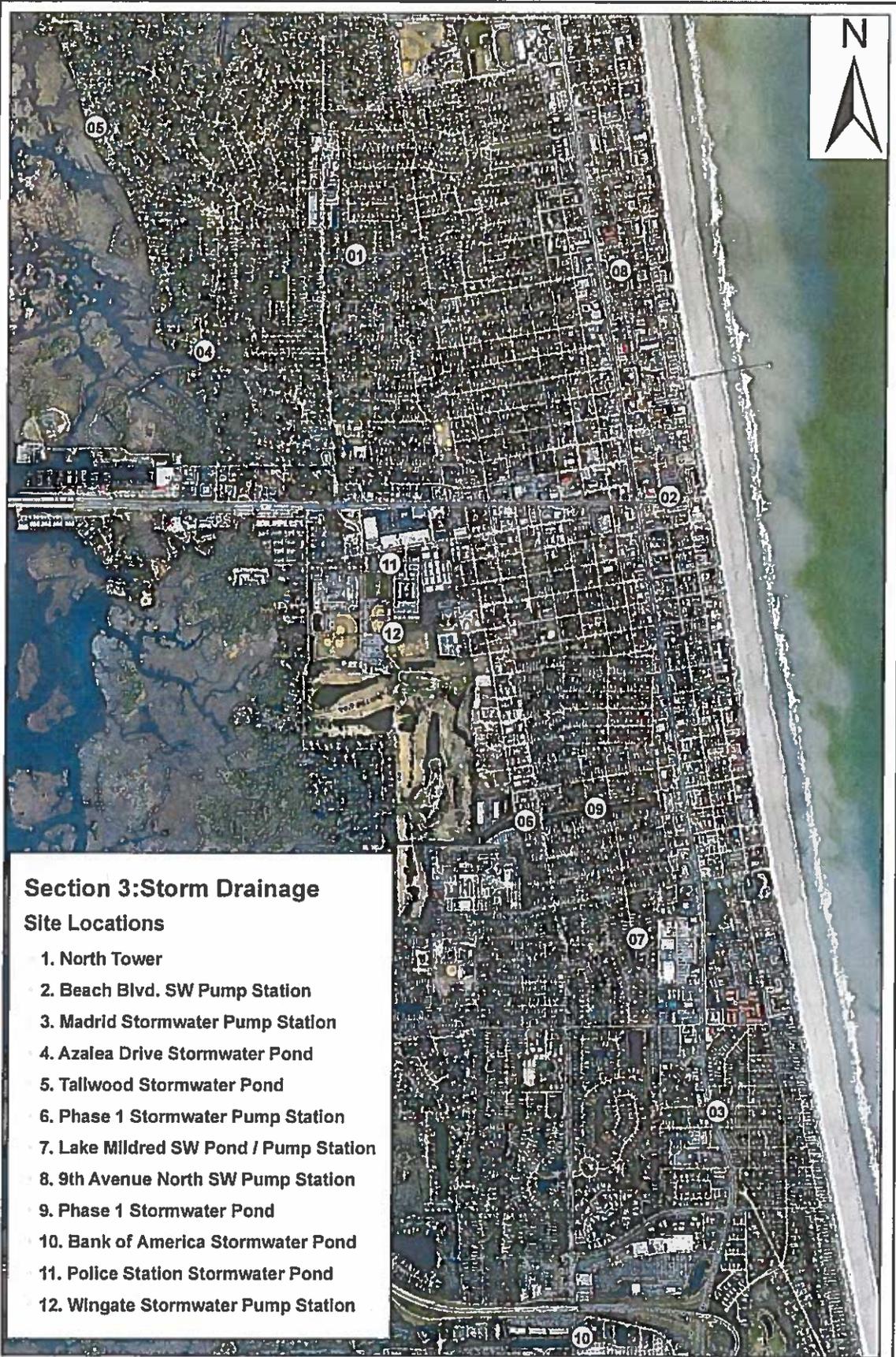
- Section 2: Water Plants & Wells**
Site locations
- 1. Water Plant # 1
 - 2. Water Plant # 2
 - 3. Raw Water Well # 11
 - 4. Monitoring Well # 12
 - 5. Monitoring Well # 13
 - 6. Monitoring Well # 14
 - 7. Raw Water Well # 15
 - 8. Raw Water Well #21
 - 9. Raw Water Well # 22
 - 10. Raw Water Well # 23
 - 11. Monitoring Well
 - 12. South Tower
 - 13. Water Plant #1 Ground Storage Tank

CITY OF JACKSONVILLE BEACH
 DEPARTMENT OF PUBLIC WORKS
 1460-A Shelter Avenue
 Jacksonville Beach, FL 32250
 904.247.6218 / publicworks@jaxbcfl.net

Landscape Maintenance
Bid No. 1819-16
Section 2

The data provided on this map are provided for informational and planning purposes only. The City is not responsible for the misuse or misrepresentation of the data.





Section 3: Storm Drainage Site Locations

1. North Tower
2. Beach Blvd. SW Pump Station
3. Madrid Stormwater Pump Station
4. Azalea Drive Stormwater Pond
5. Tallwood Stormwater Pond
6. Phase 1 Stormwater Pump Station
7. Lake Mildred SW Pond / Pump Station
8. 9th Avenue North SW Pump Station
9. Phase 1 Stormwater Pond
10. Bank of America Stormwater Pond
11. Police Station Stormwater Pond
12. Wingate Stormwater Pump Station



CITY OF JACKSONVILLE BEACH
 DEPARTMENT OF PUBLIC WORKS
 1460-A Shelter Avenue
 Jacksonville Beach, FL 32250
 904.247.8219 / publicworks@jaxbcfl.net

**Landscape Maintenance
 Bid No. 1819-16
 Section 3**

The data provided on this map are provided for informational and planning purposes only. The City is not responsible for the misuse or misrepresentation of the data.



JACKSONVILLE BEACH

City of

Jacksonville Beach

Operations &

Maintenance Facility

Department of Public

Works

1460-A Shetter Avenue

Jacksonville Beach

FL 32250

Phone: 904.247.6219

Fax: 904.247.6117

www.jacksonvillebeach.org

City Bid #1819-16 Landscape Maintenance Bid Tabulation Sheet

ITEM 1:	BrightView	Down to Earth
Section 1: Pollution Control Plant and Lift Stations		
1. PCP Plant	\$ NO Bid	\$ 15,804.00
2. Lift Station # 2	\$ NO Bid	\$ 1,848.00
3. Lift Station # 3	\$ NO Bid	\$ 1,164.00
4. Lift Station # 5	\$ NO Bid	\$ 1,140.00
5. Lift Station # 9	\$ NO Bid	\$ 840.00
6. Lift Station # 10	\$ NO Bid	\$ 840.00
7. Lift Station # 11	\$ NO Bid	\$ 1,800.00
8. Lift Station # 15	\$ NO Bid	\$ 2,328.00
9. Lift Station # 18	\$ NO Bid	\$ 2,328.00
10. Lift Station # 19	\$ NO Bid	\$ 1,020.00
Section 1 Total (Sum 1-10 above)	\$ NO Bid	\$ 29,112.00
Section 2: Water Plants, Raw Water and Monitoring Wells	BrightView	Down to Earth
1. Water Plant # 1	\$ 4,930.80	\$ 5,604.00
2. Water Plant # 2	\$ 4,930.80	\$ 7,356.00
3. Raw Water Well # 11	\$ 821.80	\$ 528.00
4. Monitoring Well # 12	\$ 821.80	\$ 552.00
5. Monitoring Well # 13	\$ 821.80	\$ 540.00
6. Monitoring Well # 14	\$ 821.80	\$ 560.00
7. Raw Water Well # 15	\$ 821.80	\$ 840.00
8. Raw Water Well #21	\$ 821.80	\$ 1,020.00
9. Raw Water Well # 22	\$ 821.80	\$ 1,476.00
10. Raw Water Well # 23	\$ 821.80	\$ 1,296.00
11. Monitoring Well	\$ 821.80	\$ 2,640.00
12. South Tower	\$ 821.80	\$ 1,020.00
13. Water Plant #1 Ground Storage Tank	\$ Included in item 1	\$ 1,476.00
Section 2 Total (Sum 1-13 above)	\$ 18,079.60 *	\$ 24,908.00
Section 3: Storm Drainage	BrightView	Down to Earth
1. North Tower	\$ 821.80	\$ 1,080.00
2. Beach Blvd. SW Pump Station	\$ 821.80	\$ 1,020.00
3. Madrid Stormwater Pump Station	\$ 4,930.80	\$ 2,400.00
4. Azalea Drive Stormwater Pond	\$ 2,465.40	\$ 1,820.00
5. Tallwood Stormwater Pond	\$ 2,465.40	\$ 1,848.00
6. Phase 1 Stormwater Pump Station	\$ 1,643.60	\$ 4,596.00
7. Lake Mildred SW Pond / Pump Station	\$ 4,930.80	\$ 6,420.00
8. 9th Avenue North SW Pump Station	\$ 821.80	\$ 1,848.00
9. Phase 1 Stormwater Pond	\$ 8,218.00	\$ 11,028.00
10. Bank of America Stormwater Pond	\$ 2,465.40	\$ 4,596.00
11. Police Station Stormwater Pond	\$ 3,287.20	\$ 1,642.00
12. Wingate Stormwater Pump Station	\$ 1,643.60	\$ 2,136.00
Section 3 Total (Sum 1-12 above)	\$ 34,515.60 *	\$ 40,434.00
ITEM 2: Palm Tree Trimming – Cost per Tree	\$ 35.00	\$ 55.00
ITEM 3(a): Irrigation Repair – Price per Hour	\$ 55.00	\$ 58.50
ITEM 3(b): Irrigation Repair – Price per 5 feet	\$ 25.00	\$ 100.00

Note: * Corrected Bid



MEMORANDUM

City of
Jacksonville Beach
Operations &
Maintenance Facility
Department of Public
Works
1460-A Shetter Avenue
Jacksonville Beach
FL 32250
Phone: 904.247.6219
Fax: 904.247.6117

www.jacksonvillebeach.org

TO: Michael J. Staffopoulos, City Manager
FROM: Kayle W. Moore, P.E. PW Project Engineer
SUBJECT: Bid No. 1819-17, 4th Street South Stormwater Improvements
DATE: August 15, 2019

ACTION REQUESTED

Award Bid No. 1819-17, 4th Street South Stormwater Improvements to Kirby Development, Inc. for construction services, and authorize construction administration services with the project design firm, Applied Technology & Management, Inc.

BACKGROUND

This project involves the installation of two new drainage structures, 112 LF of 42" RCP Pipe and 8 LF 24" RCP Pipe at 4th Street S and 16th Avenue S, replacing the north-south open stormwater ditch on west side of 4th Street S. The improvements also include replacement of 50 LF of concrete sidewalk and permanent seeding. See the attached GIS Map for the project limits.

The City advertised the project to twelve (12) contractors on July 3, 2019, and seven (7) contractors submitted bids for the project. The bids were evaluated for conformance with the criteria set forth in the bidding documents. The total base bids from the contractors ranged from \$76,811.82 to \$191,650.00. Kirby Development, Inc. was the lowest responsive, responsible bidder for the project.

Unit Price Bid No: 1819-17 4th Street South Stormwater Improvements		
<u>DESCRIPTION</u>	<u>COST</u>	<u>RECOMMENDATION</u>
Unit Price Bid (based on estimated quantities)	\$ 76,811.82	• Award to Kirby Development, Inc., (the lowest qualified bidder)
15% Contingency*	\$ 11,521.77	
Construction Total:	\$ 88,333.59	
Construction Administration (C&A) Services	\$ 4,500.00	• Authorize C & A with Applied Technology & Management, Inc.(the project's design firm)
10% Contingency	\$ 450.00	
C&A Services Total:	\$ 4,950.00	
GRAND TOTAL:	\$ 93,283.59	

*15% contingency is recommended due to unforeseen additional site work quantities.



Memorandum
Bid No. 1819-17 4th St S. Stormwater
August 15, 2019

Page 2 of 2

The bid tabulation form and design consultant Recommendation of Award letter are attached.

Funding for this construction project is budgeted in the FY 2019 Public Works Stormwater Fund capital account.

RECOMMENDATION

Award Bid No. 1819-17, 4th Street South Stormwater Improvements to Kirby Development, Inc. for construction services, and authorize construction administration services with the project design firm, Applied Technology & Management, Inc., as described in the memorandum from the Public Works Project Engineer dated August 15, 2019.



August 7, 2019

Martin Martirone, PE
City Engineer
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

RE: City of Jacksonville Beach
Recommendation of Award for 4th Street Stormwater Improvements
Jacksonville Beach City Bid No. 1819-17
ATM Project No.: 18-3291
Bid Review and Evaluation of Findings

Dear Mr. Martirone:

This letter summarizes the construction contract bids received for the 4th Street Stormwater Improvements Project. The City of Jacksonville Beach received bids for the project on July 31, 2019, at 2:00 pm.

Invitations to bid were emailed by the City to Twelve (12) contractors on July 3, 2019, and Seven (7) contractors submitted bids for the project. The bids were evaluated for conformance with the criteria set forth in the bidding documents. The total base bids from the contractors ranged from \$76,811.82 to \$191,650.00.

Kirby Development, Inc. submitted the lowest responsive and complete bid. ATM has reviewed the submitted bid package provided by AWA Contracting Co. Inc. and finds their bid responsive. All items were acknowledged on the Bid Form. A 5% Bid Bond was provided, and the Bid Bond surety is licensed in Florida. In their package, they indicated that they would provide qualifications prior to execution of a contract. They provided state licensing, however may need to obtain or prove City licensing prior to final execution of a contract. Should Kirby be unable to satisfactorily address these issues, ATM recommends Grimes Utilities, Inc. as a secondary choice.

ATM also investigated the contractor's experience, and reputation, and finds the contractor capable of performing the work for this project based on the information received.

Although the final determination regarding which contractor will be awarded this project will be made by the City, ATM believes their bid to be responsive and would concur with the City if they choose to award the project to the lowest responsive bidder, Kirby Development, Inc., for the Bid Price of:

Total Bid Price \$76,811.82



City of Jacksonville Beach
August 13, 2019
Page 2 of 2

ATM recommends that the City establish a contingency in an amount of fifteen percent (15%) of the total bid price to allow for any unknown conditions that may be encountered during construction.

As always, ATM is grateful for the opportunity to provide services to the City of Jacksonville Beach and look forward to working with the City during the ongoing construction of this project. If you have any questions, please feel free to contact me at 843-414-1057 or jmina@appliedtm.com.

Sincerely,

APPLIED TECHNOLOGY & MANAGEMENT, INC.



Joseph A. Mina, P.E.



City of Jacksonville Beach Bid Tabulation Form**Bid Number 1819-17, 4th Street South Stormwater Improvements****Bid Date:** July 31, 2019**BIDDERS**

	<i>Vendor A</i>	<i>Vendor B</i>	<i>Vendor C</i>	<i>Vendor D</i>	
Base Bid	\$ 76,811.82	\$ 91,080.29	\$ 99,475.00	\$ 100,757.00	

	<i>Vendor E</i>	<i>Vendor F</i>	<i>Vendor G</i>		
Base Bid	\$ 109,115.22	\$ 119,392.00	\$ 191,650.00		

Invitations Issued: 12

Plan Holders: N/A

Bid Responses:7

BIDDERS

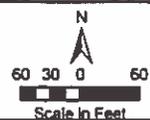
A	KIRBY DEVELOPMENT, INC., LOWEST, RESPONSIVE BIDDER
B	JAX UTILITIES MANAGEMENT, INC.
C	GRIMES UTILITIES, INC.
D	CGC, INC.
E	MAER HOMES, LLC
F	THE KENTON GROUP, INC.
G	UNITED BROTHERS DEVELOPMENT CORPORATION



CITY OF JACKSONVILLE BEACH
 DEPARTMENT OF PUBLIC WORKS
 1480-A Shatter Avenue
 Jacksonville Beach, FL 32250
 904.247.8219 / publicworks@jaxbchfl.net

4th Street South Stormwater Improvements

The data provided on this map are provided for informational and planning purposes only. The City is not responsible for the misuse or misrepresentation of the data.





Beaches Energy

Services

1460-A Shetter Ave

Jacksonville Beach

FL 32250

Phone: 904.247.6281

www.beachesenergy.com

MEMORANDUM

TO: Mike Staffopoulos, City Manager
FROM: Allen Putnam, Director of Beaches Energy Services
SUBJECT: Bid Number 1819-18 to purchase three (3) 1,500 kVA
Distribution Transformers
DATE: August 23, 2019

ACTION REQUESTED

Award Bid No. 1819-18 120/208V, 1,500 kVA, distribution transformers to the lowest, responsive, responsible bidder, Gresco.

BACKGROUND

Through a routine field inspection, our Construction and Maintenance Division recently identified a 1,500 kVA transformer at Ocean 14 Condos located at 1301 1st Street South in Jacksonville Beach. Further research discovered that this transformer had been installed in 1975. Based on the age of the transformer we decided to replace it with a new transformer but discovered that we did not have a transformer of this size in inventory. In addition, to ensure that we have the ability to replace this type of transformer within a reasonable amount of time the Engineering Division developed a bid specification for a 1,500 kVA, 208/120 volt transformer so that Property and Procurement could solicit bids to allow us to purchase this transformer for stock.

In the meantime, other projects were developing that had the potential to require a transformer of this size. We found that the new SpringHill Suites by Marriott which will be located in the lot where the current Pier Cantina is would also require this same transformer size.

These circumstances require that Beaches Energy order three (3) 1,500 kVA, 120/208 Volt transformers. One (1) to replace the existing transformer at Ocean 14, the second to be installed at the new SpringHill Suites by Marriott and the third to be kept as a spare in inventory.

Memorandum

Purchase three (3) 1500 kVA Distribution Transformers

August 23, 2019

Page 2 of 2

We solicited bids from four (4) approved manufactures and received two (2) responses. Central Maloney declined to bid since they could not meet the impedance and weight requirement in the specifications. WEG Transformers declined to bid because they do not have the capability to manufacture a 1,500 kVA transformer with a 120/208Y secondary.

Following is the tabulation of approved bidders:

Organization	Bid (each)	Lead Time (days)
Gresco	\$46,691.00	91-105 ARO
Wesco Distribution Inc.	\$53,211.00	119 ARO
Central Maloney	No Bid	N/A
WEG Transformers	No Bid	N/A

This bid is non-exclusive. In the event that the selected supplier cannot deliver the product, we reserve the option to utilize the second lowest responsive bidder to obtain the equipment. This procurement was included in the 2019 Capital Improvement Plan and funding is available in the Beaches Energy Services Capital Budget.

RECOMMENDATION

Award Bid Number 1819-18 120/208V, 1,500 kVA, distribution transformer to the lowest, responsive, responsible bidder, Gresco, as explained in the memorandum from the Director of Beaches Energy Services dated August 23, 2019.

Fee Comparison Chart for Short-Term Vacation Rentals

Jurisdiction	Initial Registration Fee	Renewal Fee
Flagler County	\$500	\$250
Holmes Beach	\$150	\$150
Deerfield Beach	\$100	\$100
Pompano Beach	\$675	\$375
Hollywood	\$500	\$350
Fort Lauderdale	\$350	\$160
Lighthouse Point	\$750	\$500
Fernandina Beach	\$300	\$200
Average	\$416	\$261

City of

Jacksonville Beach

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FL 32250

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MEMORANDUM

To: Mike Staffopoulos, City Manager
From: Heather Ireland, Senior Planner
Subject: Resolution 2033-2019 establishing fees related to Short-Term Vacation Rentals
Date: August 27, 2019

ACTION REQUESTED

Adopt Resolution 2033-2019 establishing fees related to Short-Term Vacation Rentals.

BACKGROUND

Staff has been working on Ordinance 2019-8118 that will amend the Land Development Code to define and regulate short-term vacation rentals. Accompanying the Ordinance is Resolution 2033-2019 which establishes a schedule of fees to cover the administrative processing and enforcement of short-term rentals in Jacksonville Beach.

The first proposed schedule of fees was amended based on feedback from City Council at the June, 27, 2019 workshop that was held to discuss the proposed short-term vacation rental ordinance. Changes were made to the fee schedule that included allowing collective registrations, lowering initial application fees, and removing violation fine amounts.

Using the matrix created by the Interim City Attorney comparing seven different jurisdiction's short-term vacation rental requirements, and provided to City Council at the August 5th Council meeting, staff conducted research on those same jurisdiction's fee schedules for analysis. Staff used the same list of jurisdictions plus one and researched initial and renewal fee amounts only.

The average initial registration fee amount among the eight jurisdictions is \$416 and the average annual renewal fee amount is \$261. Both of these are significantly higher than what Resolution 2033-2019 currently proposes. Additionally, none of the jurisdictions have a lower registration fee for bundling properties, as it would not cover the administrative processing and enforcement activities that are necessary.



Memorandum
Resolution 2033-2019
August 27, 2019

Page 2 of 2

For example, the City of Hollywood initially had fees (\$200 initial and \$150 renewal) that were comparable to what is proposed in Resolution 2033-2019 for the City of Jacksonville Beach. The City of Hollywood determined that the fees were not adequate to cover the internal costs associated with their program's administration, and their fees were raised to \$500 for initial registration, and \$350 for annual renewal as shown in the attached Fee Comparison Matrix.

Based on the research provided for short-term vacation rental fees in other jurisdictions in Florida, staff recommends the following: remove the collective short-term rental registration fee, increase the initial fee to \$350 for all short-term rental properties, and increase the annual renewal fee to \$150 for all short-term rental properties. Fees can be revisited at any time and lowered or increased based on a future analysis of actual administrative processing, property inspection, consultant fees, and code enforcement costs.

RECOMMENDATION

Adopt Resolution 2033-2019, amended as recommended, removing collective registration, and establishing increased fees, as provided related to Short-Term Vacation Rentals;

OR

Adoption Resolution 2033-2019, as is, establishing fees related to Short-Term Vacation Rentals.

Introduced by: _____
Adopted: _____

RESOLUTION NO. 2033-2019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING FEES RELATED TO SHORT TERM VACATION RENTALS; PROVIDING FOR REFUNDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 34, Article VIII, Division 2 of the Code of Ordinances of the City of Jacksonville Beach, Florida, provides for the fees to be established related to Short Term Vacation Rentals by resolution of the City Council; and

WHEREAS, the City Council of the City of Jacksonville Beach desires to establish such rates and schedule of fees for the administrative processing and enforcement of its Short Term Vacation Rental regulations.

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

SECTION 1. As provided in Section 34-411 of the City of Jacksonville Beach Land Development Code, the schedule of such fees and related enforcement fines is established as follows:

SHORT TERM VACTION RENTAL FEES	FEE
Initial & Annual Registration Certificate (Single & Collective)	\$150
Initial & Annual Collective Registration Certificate Per Unit Fee (for every unit above 1)	\$10
Registration Certificate Transfer of Ownership	\$150
Registration Certificate Modification	\$150
Inspection "No Show"	\$100

SECTION 2. Refunds shall be available upon request of the property owner, subject to the following:

- A. If any application related to short term vacation rentals has not been distributed for departmental/staff review and receipt of requested refund has been received by the Planning and Development Department within thirty (30) days of submittal of an application, a full refund may be requested.

- B. If departmental/staff review has begun on any application and a request for a refund is received by the Planning and Development Department within thirty (30) days of submittal of an application, a partial refund of fifty percent (50%) of application fees may be requested.
- C. If a Short Term Vacation Rental Registration Certificate has been issued, denied, revoked, or suspended, whether for an initial, renewal, transfer, or modification Registration Certificate, no refund may be requested.
- D. All refund requests will be expeditiously processed and refunded amounts will not be unreasonably withheld by the City.

SECTION 3. The fees listed herein and the refund policy as listed herein shall be collected by the Planning and Development Department and allocated to appropriate accounts created for collection of such fees. Through this Resolution, the City Council authorizes the creation of appropriate accounts for the collection, accounting, disbursement, and refund of such fees as needed.

SECTION 4. This Short Term Vacation Rental program is the first such regulatory program of this nature enacted in the City of Jacksonville Beach. The identification of fees is based on research of other jurisdictions and best estimates. The City will review the fees and labor and expense associated with processing Registration Certificates, required inspections, and enforcement and modify the fee schedule as appropriate.

SECTION 5. It is hereby declared to be the intention of the City Council for the City of Jacksonville Beach that the sections, paragraphs, sentences, clauses, and phrases of this Resolution are severable. If any phrase, clause, sentence, paragraph or section of this Resolution shall be declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Resolution.

SECTION 6. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Resolution are repealed to the extent of conflict or inconsistency herewith.

SECTION 7. This Resolution shall take effect upon its adoption in accordance with applicable law.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2019.

William C. Latham, Mayor

Laurie Scott, City Clerk

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6263

www.jacksonvillebeach.org

MEMORANDUM

TO: Michael J. Staffopoulos, City Manager
FROM: Ann Meuse, Human Resources Director
SUBJECT: Ordinance Number 2019-8124, amending Employee Benefits and Leave Policy to provide for an additional paid holiday.
DATE: September 6, 2019

ACTION REQUESTED

Adopt Ordinance Number 2019-8124, amending Employee Benefits and Leave Policy to provide for an additional paid holiday. This will add Christmas Eve as an official paid holiday observed by the City.

BACKGROUND

In order for the City to retain and attract the most qualified employees and staff and remain competitive in the market place, the City surveyed similarly situated municipalities regarding their paid holidays and benefits. All of the municipalities surveyed recognize Christmas Eve as an official paid holiday, whereas the City does not. Attached is a copy of the survey.

In order to bring the City's paid holidays to a level consistent with other similarly situated municipalities, the City is recommending that Christmas Eve be added as an official paid holiday. The estimated cost to add this holiday is approximately \$188k including fire personnel. No budget adjustment is currently proposed since the City budgets 100% of the cost for all authorized positions, both filled and vacant. In the event that the City reaches full staffing, a budget adjustment may be necessary.

RECOMMENDATION

Adopt Ordinance Number 2019-8124, amending Employee Benefits and Leave Policy to provide Christmas Eve as an official paid holiday observed by the City.



Paid Holidays	Jax Beach	Atlantic Beach	Neptune Beach	Jacksonville	St Augustine	St Johns County	Orange Park	Fernandina
New Year's Day	Y	Y	Y	Y	Y	Y	Y	Y
Martin Luther King	Y	Y	Y	Y	Y	Y	Y	Y
President's Day	N	Y	Y	Y	Y	Y	Y	N
Good Friday	N	Y	N	N	Y	Y	N	Y
Memorial Day	Y	Y	Y	Y	Y	Y	Y	Y
Independence Day	Y	Y	Y	Y	Y	Y	Y	Y
Labor Day	Y	Y	Y	Y	Y	Y	Y	Y
Veteran's Day	Y	Y	Y	Y	Y	Y	Y	Y
Thanksgiving Day	Y	Y	Y	Y	Y	Y	Y	Y
Day after Thanksgiving	Y	Y	Y	Y	Y	Y	Y	Y
Christmas Eve	N	Y	Y	Y	Y	Y	Y	Y
Christmas Day	Y	Y	Y	Y	Y	Y	Y	Y
Total Paid Holidays	9	12	11	11	12	12	11	11

Introduced by: _____

1st Reading: _____

2nd Reading: _____

ORDINANCE NO. 2019-8124

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AMENDING EMPLOYEE BENEFITS AND LEAVE POLICY PROVIDING FOR ADDITIONAL PAID HOLIDAY; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Jacksonville Beach has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 & 166, Florida Statutes; and

WHEREAS, in order to recruit and retain the most qualified employees and staff for the City of Jacksonville Beach; and

WHEREAS, the City has reviewed the benefits and paid leave of comparable cities in northeast Florida; and

WHEREAS, the City wishes to remain competitive in the marketplace for similarly situated municipalities; and

WHEREAS, the City respects the need for both Union and Nonunion employees and staff to enjoy rest, relaxation and family.

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

SECTION 1. Recitals. The above recitals are ratified and confirmed as being true and correct and are made a part of this Ordinance and adopted as legislative findings.

SECTION 2. Amendment of Personnel Benefit and Leave Policies. That the Nonunion Employee Personnel Policies and Union Collective Bargaining Agreements are amended for recognized holidays as follows:

SECTION 3. Observed Holidays:

<u>DATE</u>	<u>HOLIDAY</u>
January 1	New Year's Day
3rd Monday in January	Martin Luther King Birthday
Last Monday in May	Memorial Day
July 4	Independence Day
1st Monday in September	Labor Day
November 11	Veteran's Day
4th Thursday in November	Thanksgiving Day
4th Friday in November	Day after Thanksgiving Day
December 24	Christmas Eve
December 25	Christmas Day

SECTION 16. SEVERABILITY. It is hereby declared to be the intention of the City Council for the City of Jacksonville Beach that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable. If any phrase, clause, sentence, paragraph or section of this Code shall be declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

SECTION 17. CONFLICTING ORDINANCES. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are repealed to the extent of conflict or inconsistency herewith.

SECTION 18. EFFECTIVE DATE. This ordinance shall take effect upon its adoption in accordance with applicable law.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2019.

William C. Latham, Mayor

Laurie Scott, City Clerk

MEMORANDUM

To: Mike Staffopoulos, City Manager

From: Heather Ireland, Senior Planner

Subject: Second Reading of Ordinance No. 2019-8118, as amended by City Council August 5, 2019, amending the Land Development Code Chapter 34 to define and regulate short-term vacation rentals, where permitted.

Date: September 6, 2019

ACTION REQUESTED

Adopt Ordinance No. 2019-8118, as amended, amending the Land Development Code Chapter 34 to define and regulate short-term vacation rentals, where permitted.

BACKGROUND

Following the receipt of complaints regarding occupant conduct and parking problems at a short-term rental (STR) property in the city in the Spring of 2018, and also upon learning that there were a large number of STRs throughout the city, the City Manager asked staff to look into ways that the City could address some of the problems with certain types of STRs.

The City Attorney, with assistance from Planning, Police, and Fire Department staff compiled a proposed set of STR regulations for consideration and approval by the Planning Commission and City Council. At the June 10, 2019 Planning Commission meeting, the Planning Commission voted to defer the application until after a scheduled public workshop.

On June 27, 2019 the City held a public workshop which resulted in changes to the proposed regulations. If approved, these regulations will become a new section, Section 34-411 - Short Term Vacation Rentals, of Article VIII. Supplemental Standards of the Land Development Code.

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At the July 22, 2019 Planning Commission meeting the City Attorney provided details on the proposed changes. After much discussion and public comment, the Planning Commission voted to recommend approval to the City Council with the following additional considerations:

- Revisit the maximum occupancy to consider two (2) persons per bedroom plus (2), or one (1) per one hundred fifty (150) square feet, whichever is less.
- Revisit the proposed parking requirements to consider permitting grass parking on properties where adequate paved or garage parking is not available on site.
- Revisit the definition of "persons" that currently includes adults and children.
- Consider a one-year review of City costs and revenues related to the new regulations.

City Council held a public hearing on Ordinance No. 2019-8118 on Monday August 5th. After discussing the recommendations of the Planning Commission and following the public hearing, City Council made the following amendments:

- Amend Section 34-411(c)(1) to read – Maximum occupancy will be limited to two (2) persons per bedroom plus two (2), except that under no condition shall maximum occupancy exceed sixteen (16) occupants per short term vacation rental unit.
- Amend Section 34-411 to remove subsection (i)(2) removing the requirement to post a building evacuation map.
- Amend Section 34-411(b)(6)b to remove the reference to the National Fire Protection Association (NFPA) 101 Life Safety Code, as this is redundant, pursuant to the recommendation of the City Attorney.
- Amend Section 34-411(h) to add subsection (5) to add language requiring property owners and/or the licensed agent of a property to determine and publish whether a rental property is located in an area where it is unlawful for sexual offenders or sexual predators to establish residence that would be in violation of Florida Statutes. (Similar to Ft. Lauderdale's short term vacation rental ordinance).

Memorandum
Ordinance No. 2019-8118
September 6, 2019

Page 3 of 3

- Additionally, City Council directed staff to provide alternative parking standards to address concerns raised at the public hearing. Staff's recommendation amends Section 34-411(c)(2) to provide for off-street parking equal to 1 per 4 transient occupants. Further, it is recommended to allow vacation rental properties with legal non-conforming parking 2 grandfathered parking spaces and allow grass parking only on those properties and where no paved parking is available. At no time shall parking block a sidewalk.

On August 9th, staff respectfully requested that the second reading of Ordinance 2019-8118 be deferred until September 3, 2019.

The changes directed by City Council at the first reading of Ordinance No. 2019-8118 are included in the attached 2nd reading version of the ordinance.

The Interim City Attorney has concluded review of recent case filings and settlements reached regarding Short Term Vacation Rentals. Based on this review the following recommended additional changes are proposed:

- Change the requirements for Solid Waste and Containment in Section 34-411(c)(3) to be in line with the City's Franchise Agreement.
- Remove 34-411(l) regarding suspension of Short Term Vacation Rental Certificates and references thereto.
- Remove the limitation for 12 months on existing lease agreement vesting.
- Establish an effective date for Ordinance No. 2019-8118 of October 14, 2019, to allow staff sufficient preparation time to implement the newly adopted STR regulations.

RECOMMENDATION:

Adopt Ordinance No. 2019-8118, as amended, amending the Land Development Code Chapter 34 to define and regulate short-term vacation rentals, where permitted.

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

ORDINANCE NO. 2019-8118

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE VIII. SITE DEVELOPMENT STANDARDS, DIVISION 2. SUPPLEMENTAL STANDARDS, CREATING A NEW SECTION 34-411 SHORT TERM VACATION RENTALS, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES; AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE IV. DEFINITIONS PROVIDING DEFINITIONS; AMENDING CHAPTER 34. LAND DEVELOPMENT CODE, ARTICLE VII. ZONING DISTRICTS, DIVISION 2. ZONING DISTRICTS, SECTION 34-336. RESIDENTIAL, SINGLE-FAMILY: RS-1, SECTION 34-337. RESIDENTIAL SINGLE-FAMILY: RS-2, SECTION 34-338. RESIDENTIAL, SINGLE-FAMILY: RS-3, SECTION 34-339. RESIDENTIAL MULTIPLE-FAMILY: RM-1, SECTION 34-340. RESIDENTIAL, MULTIPLE-FAMILY: RM-2, SECTION 34-341. COMMERCIAL PROFESSIONAL OFFICE: CPO, SECTION 34-342. COMMERCIAL LIMITED: C-1, SECTION 34-343. COMMERCIAL GENERAL: C-2, SECTION 34-345. CENTRAL BUSINESS DISTRICT: CBD; PROVIDING THAT SHORT TERM VACATION RENTALS ARE A PERMITTED USE; PROVIDING FOR FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, AND PROVIDING FOR AN EFFECTIVE DATE:

WHEREAS, the City of Jacksonville Beach has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida; Chapters 163 & 166, Florida Statutes; and

WHEREAS, prior to 2011 Florida's cities and counties regulated local land use issues and decisions under the Home Rule authority granted them by the Florida Constitution; and

WHEREAS, in 2011 the Florida Legislature enacted House Bill 883 (Chapter 2011-119, Laws of Florida) which preempted the local regulation, restriction or prohibition of vacation rentals based solely on their classification, use or occupancy; and

WHEREAS, the preemption to the state provided little oversight of vacation rentals such as staffing for mandatory or randomized inspections of vacation rentals and applied relaxed standards for vacation rentals when compared to hotels, motels, and bed and breakfast establishments; and

WHEREAS, in 2014 the Florida Legislature enacted Senate Bill 356 (Chapter 2014-71, Laws of Florida) which rescinded portions of the previous preemption but provided that local governments may not prohibit or regulate the frequency or duration of short term vacation rentals; and

WHEREAS, Chapter 2014-71, Laws of Florida returned some local control back to communities to mitigate the effects of short term vacation rentals to make them safer, more compatible with existing neighborhood uses, and accountable for proper operation; and

WHEREAS, short term vacation rentals cannot be prohibited and are therefore a permitted use in all zoning districts where residential uses are a permitted or conditional use; and

WHEREAS, single-family, two-family, and townhouse neighborhoods and their required infrastructure are generally designed to accommodate typical residential homes; and

WHEREAS, local governments apply design standards tailored for residential neighborhoods for their roads, driveways, emergency services planning, public shelters, emergency evacuation plans, solid waste collection, utilities, buffers, other infrastructure impacts along with the corresponding fair and proportionate impact/connection fees; and

WHEREAS, short term vacation rentals located in residential neighborhoods without regulation or standards for mitigation may create disproportional impacts related to their size, excessive occupancy, and lack of proper facilities; and

WHEREAS, permanent residents of single-family, two-family, and townhouse dwelling units inherently understand and know their physical surroundings, to include any safety gaps and potential risks to life and safety due to daily familiarity; and

WHEREAS, due to the transient nature of the occupancy short term vacation rental, occupants are unfamiliar with local hurricane evacuation plans, the location of fire extinguishers, residence exit routes, pool and home safety features and similar life safety measures as would readily be provided to guests in traditional lodging establishments; and

WHEREAS, short term vacation rentals may be created in single-family, two-family, or townhouses built prior to current building codes that require minimum life safety improvements, such as smoke detectors, carbon monoxide detectors, pool alarms, pool safety drains, and other such life safety equipment; and

WHEREAS, transient public lodging establishments such as vacation rentals are required to comply with the Florida Building Code and the Florida Fire Prevention code regarding life safety equipment, inspections, and enforcement programs; and

WHEREAS, short term vacation rentals located within established neighborhoods may disturb the quiet enjoyment of the neighborhood, lower property values, and burden the design layout of typical residential neighborhoods; and

WHEREAS, short term vacation rentals located within established single-family, two-family, and townhouse neighborhoods may create compatibility impacts, including but not limited to, excessive noise, on-street parking, accumulation of trash, and diminished public safety; and

WHEREAS, traditional lodging establishments (hotels, motels, and bed & breakfast inns) are restricted to commercial and other non-residential zoning districts where the intensity of use is separated from the quiet residential uses; and

WHEREAS, traditional lodging establishments must meet stricter development standards, undergo annual or bi-annual inspections, and meet more stringent operational and business requirements; and

WHEREAS, traditionally lodging establishments typically must make roadway improvements and/or pay higher transportation, water, sewer, and other impact fees to offset the infrastructure demands created by their use; and

WHEREAS, Chapter 720 Florida Statutes provides for the formation and operation of homeowners' associations, independent of government authority; and

WHEREAS, such homeowners' associations may or may not exist in all single- and two-family residential neighborhoods; and

WHEREAS, such homeowners' associations typically employ property managers and employees or contracted vendors to monitor maintenance, upkeep, security and/or operation of the property on a frequent basis; and

WHEREAS, homeowners' associations are governed by covenants, restrictions and bylaws of the governing associations; and

WHEREAS, such homeowners' associations which allow short term vacation rentals are not regulated locally at this time, but may be in the future if deemed necessary in the interest of the public health, safety, and welfare; and

WHEREAS, multi-unit condominium buildings which allow short term vacation rental units are subject to Florida Statutes Chapter 718 and typically to covenants, restrictions, and bylaws thereof; and

WHEREAS, multi-unit condominium buildings are typically constructed to more stringent building code, fire code, and other life safety code standards including sprinkler systems, interconnected fire alarm systems, fire alarm panels, emergency lighting, exit signs, fire extinguishers, and fire wall separation between occupancies; and

WHEREAS, multi-unit condominium buildings are routinely inspected for fire and life safety code compliance including fire sprinkler systems, interconnected fire alarm systems, fire alarm panels, fire pumps, emergency lighting, exit signs, backflow prevention, elevator operation, and communications; and

WHEREAS, many multi-unit condominium buildings have on-site property managers and employees or contracted vendors to provide maintenance, upkeep, security and/or operation of the property on a frequent basis; and

WHEREAS, multi-unit condominium buildings which allow short term vacation rentals are not regulated locally at this time, but may be in the future if deemed necessary in the interest of the public health, safety, and welfare; and

WHEREAS, whenever one (1) or more property owner permanently resides at the short term vacation rental located within the same structure the number of renters is minimized and the owner is present to directly manage the property; and

WHEREAS, an on-site owner permanently residing in a short term vacation rental is likely to manage the short term vacation rental more restrictively because there is a direct, vested interest in its use and maintenance; and

WHEREAS, owner-occupied short term vacation rentals are not regulated locally at this time, but may be in the future if deemed necessary in the interest of the public health, safety, and welfare; and

WHEREAS, permanent residents within residential neighborhoods often establish long-term friendships, social norms, and a sense of community which often leads to mutual respect among property owners; and

WHEREAS, a permanent residence is typically the largest investment a family will make in their lifetime, with the homestead held sacred in popular culture as the heart and center of the family unit; and

WHEREAS, permanent residents within established residential neighborhoods deserve the right to tranquility and peaceful enjoyment of their home without intrusion by an excessive number of transient occupants; and

WHEREAS, the City of Jacksonville Beach promotes tourism, including appreciation and enjoyment of its pristine beaches, fishing pier, boardwalk, historic sites, and entertainment options; and

WHEREAS, many local governments in the State of Florida, and across the nation, have instituted standards to minimize the potential negative impacts of short term vacation rentals on the permanent residents; and

WHEREAS, the City of Jacksonville Beach has experienced a significant increase in the construction of new, oversized structures and the repurposing of existing residential homes for the primary purpose of serving as short term vacation rentals for up to as many as seventeen (17) individuals; and

WHEREAS, although family size per residence varies, the most recent data from the 2010 U.S. Census indicates the City of Jacksonville Beach average family size is 2.74 persons; and

WHEREAS, the 2010 U.S. Census data further indicates the average household size in the City of Jacksonville Beach is 2.11 persons; and

WHEREAS, the operation of short term vacation rentals in established neighborhoods in the City of Jacksonville Beach may create a large disparity in short term vacation rental impacts with more than six (6) times the average occupancy of established owner-occupied residences making the higher occupancy of the short term vacation rental homes incompatible with established neighborhood; and

WHEREAS, utility usage by short term vacation rentals may exceed the usage levels anticipated at the time of initial permitting as a single-family, two-family, or townhouse residence, creating a disparity between the impact and connection fees paid and the system impacts caused by their increased demand; and

WHEREAS, the State of Florida through its existing regulatory framework provides for licensing, maintenance, and inspection of hotels and motels; however no similar regulatory framework exists for vacation rentals; and

WHEREAS, current vacation rental industry practice is to set maximum limits upon the number of transient occupants within a short term vacation rental unit, but lack provisions for verification and enforcement; and

WHEREAS, current vacation rental industry practice is to charge a flat rental fee for the term of the lease, regardless of transient occupancy count, which may incentivize lessees of oversized structures used as short term vacation rentals to increase the transient occupant count to spread out the cost burden for the rental term among as many payers as possible; and

WHEREAS, the City of Jacksonville Beach desires to encourage short term vacation rentals that are safe, compatible with the character of the neighborhood, provide positive impacts for tourism, increase property values, and achieve greater neighborhood compatibility; and

WHEREAS, the City of Jacksonville Beach seeks to balance respect for private property rights and incompatibility concerns between the investors in short term vacation rentals and the families investment in permanent single-family, two-family, or townhouse residences in established residential neighborhoods through the use of reasonable rules, regulations, and development standards; and

WHEREAS, these regulations are deemed necessary to preserve property values and to protect the health, safety, and general welfare of permanent residents, property owners, investors, transient occupants, and visitors alike; and

WHEREAS, these regulations are being promulgated to supplement, but not replace, any existing federal or state law, regulation, or other controls within established residential neighborhoods served by a homeowners' association or condominium associations; and

WHEREAS, the City of Jacksonville Beach seeks to regulate vacation rental use of single-family, two-family, and townhouses subject to initial inspection requirements, ongoing compliance with these regulations, issuance of and annual renewal of local business tax receipt for short term vacation rental use; and

WHEREAS, these regulations do not prohibit or regulate duration or frequency of vacation rentals, but are intended to address the frequent change of transient occupants housed within single-family, two-family, and townhouse dwellings within established residential neighborhoods; and

WHEREAS, the application of minimum life safety requirements to short term vacation rentals, as required by state law for transient public lodging establishments, ensures that transient occupants are provided the same minimum level of protection as is required by current statutes, regulations, and codes for hotels, motels, and dormitories; and

WHEREAS, a maximum occupancy of sixteen (16) persons within any short term vacation rental in any zoning district is appropriate because any occupancy of greater than sixteen (16) persons falls within a commercial classification of hotel or dormitory for the purposes of the National Fire Protection Association (NFPA) 101 Life Safety Code; and

WHEREAS, for purposes of compliance with the National Fire Protection Association (NFPA) 101 Life Safety Code, occupancies of sixteen (16) or fewer persons may be provided in single-family, two-family, or townhouse short term vacation rentals without consideration as a hotel or dormitory and provisions of related life safety requirements; and

WHEREAS, the minimum residential safety standards, as adopted by the Florida Legislature as the Residential Swimming Pool Safety Act include provision of swimming pool, spa, and hot tub barriers or alarms so as to reduce the likelihood of child and elder drowning; and

WHEREAS, bedrooms as so designated within short term vacation rentals shall be considered the equivalent of bedrooms as defined by Florida Statute 381.0065, as may be amended from time to time; and

WHEREAS, because of the high occupancy and transient nature of occupants within many short term vacation rentals, fire safety becomes important; and

WHEREAS, Section 509.215, Florida Statutes, provides the fire safety requirements for transient public lodging establishments such as vacation rentals; and

WHEREAS, short term vacation rentals, as defined herein, must comply with the Florida Fire Prevention Code, Florida Building Code, Florida Administrative Code Chapters 61C and 69A, and Section 509.215, Florida Statutes; and

WHEREAS, site specific short term vacation rental standards, such as, minimum parking standards, solid waste handling and containment, and the enforcement of quiet hours, serve to maintain the decorum that exists among owners in established residential neighborhoods and are better assured by having these same standards conveyed to transient occupants through the duration of their rental; and

WHEREAS, transient public lodging establishments and vacation rentals are subject to additional regulatory requirements beyond those normally required of single-family, two-family, and townhouse residences, including business licensing by the State of Florida Department of Business and Professional Regulation's Division of Hotels and Restaurants, obtaining county and local business tax receipts, and collecting and remitting various sales taxes to state and local government; and

WHEREAS, a short term vacation rental is a commercial lodging activity; and

WHEREAS, some short term vacation rentals are being used exclusively as rentals by investors and/or home owners; and

WHEREAS, the establishment of minimum business practices, such as the provision of both lease-specific and property-specific information to lessees, and the designation of a local short term vacation rental responsible party, ensures that the private property rights of the short term vacation rental owner are balanced with the needs of the residents of the City of Jacksonville Beach to protect visitors and tourists and to preserve the general welfare through its limited regulatory power; and

WHEREAS, the City of Jacksonville Beach, through its existing regulatory framework, will issue registration certificates to short term vacation rentals conforming to those standards, which will in turn provide a level playing field amongst all providers of short term vacation rental units; and

WHEREAS, it is the intent of the City of Jacksonville Beach to provide for the establishment of an enforcement mechanism for those short term vacation rentals which do not adhere to the standards on an initial or continuing basis, with the overall goal of the short term vacation rental program being compliance with established standards and not punitive in scope; and

WHEREAS, the City of Jacksonville Beach Planning Commission held a duly noticed public hearing on **July 22, 2019** and recommended approval of this ordinance; and

WHEREAS, the City Council of the City of Jacksonville Beach held a duly noticed public hearing on **August 5, 2019** and approved this ordinance on first reading; and

WHEREAS, the City Council of the City of Jacksonville Beach finds the proposed ordinance will serve to protect the health and safety of residents, adjacent residential uses, and the general neighborhood.

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

SECTION 1. Recitals. The above recitals are ratified and confirmed as being true and correct and are made a part of this Ordinance and adopted as legislative findings.

SECTION 2. Amendment of City Code. That Chapter 34, Article IV. Definitions is hereby amended to add definitions, in proper alphabetical order as follows¹:

Section 34-41. General

Bedroom shall be as defined in Florida Statutes s. 381.0065, as may be amended, and means:

1. A room that can be used for sleeping and that:
 - a. For site-built dwellings, has a minimum of 70 square feet of conditioned space;
 - b. For manufactured homes, is constructed according to the standards of the United States Department of Housing and Urban Development and has a minimum of 50 square feet of floor area;
 - c. Is located along an exterior wall;
 - d. Has a closet and a door or an entrance where a door could be reasonably installed; and
 - e. Has an emergency means of escape and rescue opening to the outside in accordance with the Florida Building Code.
2. A room may not be considered a bedroom if it is used to access another room except a bathroom or closet.
3. “Bedroom” does not include a hallway, bathroom, kitchen, living room, family room, dining room, den, breakfast nook, pantry, laundry room, sunroom, recreation room, media/video room, or exercise room.

Collective Registration means a Short Term Vacation Rental Registration Certificate issued by the City of Jacksonville Beach to a licensed agent who represents a collective group of Short Term Vacation Rental units found on separate locations. A collective registration may not be issued for more than 75 Short Term Vacation Rental units per Registration Certificate.

¹ (~~strikethrough~~ text indicates deletions, underline text indicates additions).

Licensed Agent means the operator of a management company that has been licensed by the dwelling or unit owner, through a rental agreement or contract between the two parties, to hold out the dwelling or unit for rent on a transient basis. A licensed agent is not required to hold a license from the Division of Real Estate.

Short term vacation rental means

1. Any individually or collectively owned single-family, two-family, or townhouse dwelling unit that is also a Transient Public Lodging Establishment as defined below.
2. Single-family, two-family, or townhouse dwellings subject to deed restrictions and covenants of a home-owners association, condominium units, timeshare projects, and owner-occupied dwelling units renting fifty percent (50%) or less shall not be subject to the regulations of this ordinance.

Transient occupancy means occupancy when it is the intention of the parties that the occupancy will be temporary. There is a rebuttable presumption that, when the dwelling unit occupied is not the sole residence of the guest, the occupancy is transient.

Transient public lodging establishment means any individually or collectively owned single-family, two-family, or townhouse dwelling unit which is rented to guests more than three times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests, as defined in Florida Statutes 509.013(4)(a), as may be amended.

SECTION 3. That Chapter 34, Article VIII, Division 2 of the City of Jacksonville Beach Code of Ordinances and Land Development Code is hereby amended by adding new Section 34-411 to read as follows:

Section 34-411 – Short Term Vacation Rentals.

- (a) Applicability. This section shall apply to short term vacation rentals as defined in section 34-41.
- (b) Short term vacation rental minimum requirements. Short term vacation rentals shall be permitted in all zoning districts where residential use is a permitted or conditional use provided they are in compliance with this section. No person shall rent or lease all or any portion of a dwelling unit as a short term vacation rental as defined in section 34-41 without initially and on a continuing basis:
 - (1) Obtaining a short term vacation rental registration certificate from the City of Jacksonville Beach pursuant to this section;
 - (2) Providing proof of a county business tax receipt from the Consolidated City of Jacksonville pursuant to its ordinances, as may be amended;
 - (3) Providing proof of a local business tax receipt from the City of Jacksonville Beach pursuant to Chapter 15 of the Code of Ordinances, as may be amended;

- (4) Providing proof of a Florida Department of Revenue certificate of registration for purposes of collecting and remitting tourist development taxes, sales surtaxes, and transient rental taxes;
 - (5) Providing proof of a Florida Department of Business and Professional Regulation license as a transient public lodging establishment; and
 - (6) As demonstrated through an affidavit:
 - a. Maintaining initial and ongoing compliance with Short Term Vacation Rental Standards contained herein;
 - b. Maintaining compliance with the Florida Fire Prevention Code, Florida Building Code, and Section 509.215, Florida Statutes; and
 - c. Maintaining compliance with any local, state, and federal laws, regulations, and standards as may be applicable or amended including Florida Administrative Code Chapters 61C and 69A, as may be amended.
- (c) Short Term Vacation Rental Standards. The following Standards shall govern the use of any short term vacation rental as a permitted use:
- (1) Maximum Occupancy. Maximum occupancy shall be limited to two (2) persons per bedroom plus two. Under no condition shall maximum occupancy exceed sixteen (16) occupants per short term vacation rental unit.
 - (2) Parking Standards. Minimum off-street parking shall be equal to the maximum occupancy as defined in Section 34-411(c)(1) divided by four (4). Where four (4) equates to one (1) parking space per four (4) transient occupants. All fractions shall be rounded to the next higher whole number. At no time shall parking block a sidewalk. Off-street parking standards shall be as defined in Article VIII., Division 1 Parking and Loading Standards of the City of Jacksonville Beach Land Development Code. All Short Term Vacation Rental properties with legal non-conforming parking shall be grandfathered for two (2) parking spaces. Grass parking is only permitted on Short Term Vacation Rental properties with legal non-conforming parking where paved parking is not available. Garage spaces shall count if the space is open and available and the transient occupants are given vehicular access to the garage.
 - (3) Solid Waste handling and containment. Based on the maximum as defined in Section 34-411(c)(1), one (1) trash storage container shall be provided for every four (4) transient occupants or fraction thereof. Appropriate screening and storage requirements for trash storage containers shall apply per any development approval or local neighborhood standard, whichever is more restrictive. For purposes of this section, a trash storage container shall be a commercially available thirty-five (35) gallon or greater capacity container with a lid that securely fastens to the container so as to prevent spills and animal access. The container shall be placed at curbside on the day of solid waste pickup and removed from curbside no later than sunrise the following day.

- (4) Minimum short term vacation rental lease agreement wording. The short term vacation rental lease agreement shall contain the minimum information as provided for in subsection 34-411(h).
 - (5) Minimum short term vacation rental information required postings. The short term vacation rental shall be provided with posted material as required pursuant to subsection 34-411(i).
 - (6) Designation of a Short Term Vacation Rental Responsible Party capable of meeting the duties required pursuant to subsection 34-411(g) shall be required.
 - (7) Advertising. Any advertising of the short term vacation rental unit shall conform to information included in the Short Term Vacation Rental Registration Certificate and property's approval, particularly as it pertains to maximum occupancy. A statement stating that "it is unlawful for a sexual offender or sexual predator to occupy this residence in violation of section 775.215, Florida Statutes precluding such residency within 1,000 feet of any school, child care facility, park, or playground."
 - (8) Other standards. Any other standards contained within the City of Jacksonville Beach Land Development Code to include, but not limited to, noise limits, setbacks, stormwater, and similar provision shall be applicable.
- (d) Short Term Vacation Rental Registration Certificate. To verify compliance with these Short Term Vacation Rental Standards, any property owner who wishes to use his or her dwelling unit as a short term vacation rental must first apply for and receive a Short Term Vacation Rental Registration Certificate from the City of Jacksonville Beach. The following requirements further apply:
- (1) The Short Term Vacation Rental Registration Certificate shall be renewed annually for as long as the unit is used as a short term vacation rental.
 - (2) Short Term Vacation Rental Registration Certificates may be issued as a single or collective registration certificate.
 - (3) An annual single or collective Short Term Vacation Rental Registration Certificate fee shall be paid in an amount as determined by Resolution of the City Council of the City of Jacksonville Beach.
 - (4) Short Term Vacation Rental Registration Certificate fees shall be implemented to cover the costs of administration of the Short Term Vacation Rental Registration Certificate, Inspection, and enforcement programs.
 - (5) Failure to comply with any of the requirements of this section shall be grounds for revocation or suspension of the Short Term Vacation Rental Registration Certificate in accordance with the requirements contained herein.

- (e) Application for a Short Term Vacation Rental Registration Certificate. Each property owner seeking initial issuance, annual renewal, transfer of ownership, or modification of a Short Term Vacation Rental Registration Certificate shall submit a City of Jacksonville Beach Short Term Vacation Rental Application in a form specified by the City, along with an application fee in an amount as determined by Resolution of the City Council of the City of Jacksonville Beach.
- (1) A complete application for initial, transfer of ownership, or modification of a Short Term Vacation Rental Registration Certificate shall demonstrate compliance with the Short Term Vacation Rental Standards above through the following submittals:
- a. A completed application with all required documentation of Section 34-411(b) and all applicable fees.
 - b. Copies of the required short term rental postings shall be provided.
 - c. A blank sample of the required short term vacation rental lease agreement and lessee information demonstrating compliance with all required lease terms shall be provided.
 - d. A sketch or picture showing the required off-street parking location.
 - e. Any other required information necessary to demonstrate compliance with the Short Term Vacation Rental Standards contained herein or as may be amended.
- (2) Registration Certificate renewals or transfers. A Short Term Vacation Rental Registration Certificate holder must apply annually for a renewal of the Registration Certificate by October 1 of each year. If no changes have occurred since the issuance of the most recent Short Term Vacation Rental Registration Certificate, no additional submittals are required to accompany the renewal or transfer of a Short Term Vacation Rental Registration Certificate Application.
- (3) Modification of Short Term Vacation Rental Registration Certificate. An application for modification of a Short Term Vacation Rental Registration Certificate is necessary where any of the following apply:
- a. The gross square footage of the Short Term Vacation Rental unit has increased;
or
 - b. The number of bedrooms is proposed to increase; or
 - c. The occupancy is otherwise proposed to increase.
 - d. If an inspection of a modification to a Short Term Vacation Rental Registration Certificate is required, the modification in usage or occupancy may not occur until after successful inspection; however, pending such successful inspection the current Registration Certificate shall remain valid.

(f) Initial and routine compliance inspections of Short Term Vacation Rentals.

- (1) An inspection of the Short Term Vacation Rental unit for compliance with this section is required prior to issuance of an initial Short Term Vacation Rental Registration Certificate.
 - a. The local fire official or designee shall be allowed entry and perform all inspections as permitted or required under this section or by Section 10-3.04 and Section 10-3.05, City of Jacksonville Beach Code of Ordinances.
 - b. If violations are found, all violations must be corrected and the Short Term Vacation Rental unit must be re-inspected prior to issuance of the initial Short Term Vacation Rental Registration Certificate.
 - c. An exception to the correction of violations as required in this subsection is made for any Short Term Vacation Rental seeking vested rights pursuant to subsection 34-411(m) to the extent that a vesting determination specifically provides such exemption.
- (2) Once issued, a Short Term Vacation Rental unit must be properly maintained in accordance with the Short Term Vacation Rental Standards as defined in the section and may be re-inspected at the time of transfer of ownership, modification, or upon receipt of complaint related to non-compliance with the Florida Fire Prevention Code, Florida Building Code, and Section 509.215, Florida Statutes.
 - a. For an inspection, all violations must be corrected and re-inspected within thirty (30) calendar days.
 - b. Failure to correct inspection deficiencies in the timeframe provided shall result in the suspension of the Short Term Vacation Rental Registration Certificate until such time as the violation(s) is/are corrected and re-inspected.
- (3) The inspections shall be made by appointment with the Short Term Vacation Rental Responsible Party.
 - a. If the inspector(s) has made an appointment with the Short Term Vacation Rental Responsible Party to complete an inspection and the Short Term Vacation Rental Responsible Party fails to admit the inspector(s) at the scheduled time, the owner shall be charged a “no show” fee in an amount as determined by Resolution of the City Council of the City of Jacksonville Beach to cover the inspection expense incurred.
- (4) If the inspector(s) is denied admittance by the Short Term Vacation Rental Responsible Party or if the Short Term Vacation Rental unit is not passed in at least three (3) attempts to complete an initial or subsequent inspection, the inspector(s) shall provide notice of failure of inspection to the owner address as listed on the most recent Short Term Vacation Rental Registration Certificate or as listed on the Duval County Property Appraiser database.

- a. For an initial inspection, the notice of failure of inspection results in the Registration Certificate not being issued.
- b. For a subsequent inspection, the notice of failure of inspection is considered a violation pursuant to subsection 34-411(f)(2) above and is subject to enforcement as provided herein.

(g) Short Term Vacation Rental Responsible Party.

- (1) The purpose of the Short Term Vacation Rental Responsible Party is to respond to routine inspections, non-routine complaints, and any other more immediate problems related to the Short Term Vacation Rental of the property.
- (2) The property owner or licensed agent may serve in this capacity or shall otherwise designate a Short Term Vacation Rental Responsible Party to act on their behalf.
- (3) Any person eighteen (18) years of age or older may be designated by the owner or licensed agent provided they can perform the duties listed in subsection 34-411(g)(4) below.
- (4) The duties of the Short Term Vacation Rental Responsible Party, whether the property owner or licensed agent, are as follows:
 - a. Be available by landline or mobile telephone at the listed phone number twenty-four (24) hours a day, seven (7) days a week and capable of handling any issues arising from the Short Term Vacation Rental use;
 - b. If necessary, be willing and able to come to the Short Term Vacation Rental unit within two (2) hours following notification from an occupant, the owner, or an official of the City of Jacksonville Beach to address issues related to the Short Term Vacation Rental.
 - c. Be authorized to receive service of any legal notice on behalf of the owner for violations of this section;
 - d. Be able to produce copies of the executed rental or lease agreement for current transient occupants, as needed by local authorities; and
 - e. Otherwise monitor the Short Term Vacation Rental unit at least once weekly to assure continued compliance with the requirements of this section.
- (5) A property owner may change his or her designation of a Short Term Vacation Rental Responsible Party temporarily or permanently. However, there shall be only one (1) Short Term Vacation Rental Responsible Party for each Short Term Vacation Rental at any given time. To change the designated Short Term Vacation Rental Responsible Party, the property owner shall notify the City of Jacksonville Beach in writing on a form provided by the City for that purpose before any change in the designated Short Term Vacation Rental Responsible Party.

(h) Short Term Vacation Rental Lease Agreement minimum provisions. The rental or lease agreement must contain the following minimum information:

- (1) Maximum occupancy of the Short Term Vacation Rental unit as permitted on the Short Term Vacation Rental Registration Certificate;
- (2) The total number of vehicles allowed for the Short Term Vacation Rental unit not to exceed the number of off-street parking spaces available as designated on the Short Term Vacation Rental Registration Certificate; and
- (3) A statement that all transient occupants must evacuate from the Short Term Vacation Rental upon posting of any evacuation order issued by local, state, or federal authorities.
- (4) An executed copy of each lease agreement shall be maintained by the designated Responsible Party and made available for review by City fire, police, building or code enforcement officials upon request.
- (5) A statement stating that “it is unlawful for a sexual offender or sexual predator to occupy this residence in violation of section 775.215, Florida Statutes precluding such residency within 1,000 feet of any school, child care facility, park, or playground.”

(i) Required Short Term Vacation Rental Postings:

- (1) On the back of or next to the main entrance door or on the refrigerator there shall be provided as a single page document the following information:
 - a. The name, address, and phone number of the Short Term Vacation Rental Responsible Party;
 - b. The maximum occupancy of the unit;
 - c. Notice that quiet hours are to be observed between 10:00 p.m. and 7:00 a.m. daily or in compliance with any and all City regulations;
 - d. The maximum number of vehicles that can be parked at the unit along with the location of the off-street parking spaces;
 - e. The days of solid waste pick-up and recycling;
 - f. Notice of sea turtle nesting season restrictions and sea turtle lighting usage as applicable;
 - g. The emergency numbers for local police and fire; and
 - h. The location of the nearest hospital.

- (j) Offenses and Violations.
- (1) Non-compliance with any provision of this section or its subsections shall constitute a violation of the City of Jacksonville Beach Code of Ordinances.
 - (2) Separate Violations. Each day a violation exists shall constitute a separate and distinct violation, except that occupancy violations shall be governed by subsection 34-411(l).
- (k) Remedies/enforcement. Violations of this section shall be subject to penalties as part of a progressive enforcement program with the primary focus on compliance and compatibility with adjoining properties, versus penalties and legal actions. To accomplish a safe and effective vacation rental program it is vital that a Short Term Vacation Rental Responsible Party is responsive and responsible in the management of the property for compliance with this section. Code enforcement activities will be in accordance with Florida Statutes Chapter 162 and the City of Jacksonville Beach Code of Ordinances.
- (1) Warnings. Warnings shall be issued for first time violations and a reasonable time to correct the violation will be given. Such warnings may include notice to other agencies for follow up by such agencies, such as the Department of Business and Professional Regulation, the Department of Revenue, the Duval County Tax Collector, and the Duval County Property Appraiser, as applicable. Non-compliance with a correction compliance period shall result in the issuance of notice of violation.
 - (2) Fines. Fines per violation shall be as provided in Section 162.09, Florida Statutes, as may be amended, for per day, repeat, and irreparable or irreversible in nature violations.
 - (3) Enforcement Proceedings. Prosecution of code violations shall utilize Part 1 of Florida Statutes Chapter 162. The City Code Enforcement Special Magistrate shall be authorized to hold hearings, assess fines, and order other relief as provided in City of Jacksonville Beach Code of Ordinances, Chapter 2, Article VI.
 - (4) Additional Remedies. Nothing contained herein shall prevent the City of Jacksonville Beach from seeking all other available remedies which may include, but is not limited to, injunctive relief, liens, and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.
- (l) Suspension of Short Term Vacation Rental Registration Certificate. In addition to any fines and other remedies described herein or provided for by law, the City may suspend a Short Term Vacation Rental Registration Certificate for multiple violations of the maximum occupancy limits in any continuous thirty-six (36) month period, in accordance with the following:
- (1) Suspension timeframes.
 - a. Upon a fourth (4th) violation of the maximum occupancy limits the Short Term Vacation Rental Registration Certificate shall be suspended for a period of seven (7) calendar days.

- b. Upon a fifth (5th) violation of the maximum occupancy limits the Short Term Vacation Rental Registration Certificate shall be suspended for a period of thirty (30) calendar days.
 - c. For each additional violation of the maximum occupancy limits the Short Term Vacation Rental Registration Certificate shall be suspended for an additional thirty (30) calendar days up to a maximum period of twelve (12) months. For example the sixth (6th) violation shall be for sixty (60) calendar days; the seventh (7th) violation shall be for ninety (90) calendar days, etc.
- (2) Suspension restrictions. A short term vacation rental may not provide transient occupancy during any period of suspension of a Short Term Vacation Rental Registration Certificate.
- a. The suspension shall begin immediately following notice, commencing either:
 - 1. At the end of the current vacation rental lease period; or
 - 2. Within thirty (30) calendar days, whichever date commences earlier, or as otherwise determined by the Code Enforcement Special Magistrate.
 - b. Operation during any period of suspension shall be deemed a repeat violation pursuant to subsection 34-411(k)(2) and shall be subject to daily fines up to five hundred dollars (\$500) or to the maximum amount as otherwise provided in Florida Statutes for repeat violations for each day that the short term vacation rental operates during a period of violation.
 - c. Upon a finding of a violation that is irreparable or irreversible in nature maximum fines as provided by Section 162.09(2) shall be imposed.
- (3) Number of violations. For purposes of this section only, violations shall be considered per the rental period or per every seven (7) days, whichever is less, and for only those violations in which a code enforcement notice of violation was issued. Violations could potentially occur multiple times over the same rental period.
- (m) Vesting. Existing, legally-established short term vacation rentals as defined in 34-411(a) as of January 1, 2019 may become vested in the ways described below, provided they are otherwise in compliance with all other requirements contained herein.

To qualify for vesting, an existing short term vacation rental shall have until December 31, 2019 to make full and complete application for a Short Term Vacation Rental Registration Certificate and until March 31, 2020 to receive a Short Term Vacation Rental Registration

Certificate in compliance with this Section of the Code of Ordinances of the City of Jacksonville Beach.

- (1) Rental agreement vesting. It is recognized that there may exist rental or lease agreement(s) for short term vacation rentals upon the effective date of this ordinance which may not be in compliance with the terms of this Section. Rental agreements entered into prior to the effective date of this ordinance for the twelve (12) month period following shall be considered vested. No special vesting process or fee shall be required to obtain this vesting benefit other than demonstrating eligibility through the Short Term Vacation Rental Registration Certificate application process and providing copies of such rental or lease agreement(s).
- (2) Temporary vesting of certain safety requirements. Some existing short term vacation rentals may not meet the minimum life safety requirements as required in the Florida Fire Prevention Code, Florida Building Code, and Section 509.215, Florida Statutes. Correcting these measures may take some time to secure a licensed contractor, obtain the necessary permits, and complete the work. All short term vacation rentals shall have six (6) months from the effective date of this ordinance, or March 31, 2020, whichever is later, to comply with the physical changes required. No special vesting process or fee shall be required to obtain this vesting benefit other than demonstrating eligibility through the Short Term Vacation Rental Registration Certificate application process.
- (3) All vesting determinations and appeals.
 - a. All vesting determinations shall be made administratively by the Planning and Development Director.
 - b. An applicant may appeal an administrative determination by filing a petition with the City Manager within ten (10) business days of such determination.
 - c. The City Manager shall address the appeal within thirty (30) calendar days of receipt of a petition and consider only the Short Term Vacation Rental Application, the documents provided in support of vesting, the written petition of the applicant, and determination of staff.
 - d. The City Manager shall reverse the decision of the Planning and Development Director only if there is substantial competent evidence to support reversal.
 - e. The decision of the City Manager shall constitute final administrative action.
- (4) A vested use shall not transfer to a subsequent owner. A vested use is not transferrable to another short term vacation rental.
- (5) If a vested use ceases for a period of six (6) months, then the vesting shall be considered to have lapsed and the short term vacation rental will be subject to all Short Term Vacation Rental Requirements as if a new application.

SECTION 4. Amending Section 34-336. – Residential, single-family: RS-1, subsection (b)
Permitted uses to read as follows:

...

(3) Short term vacation rentals.

...

SECTION 5. Amending Section 34-337. – Residential, single-family: RS-2, subsection (b)
Permitted uses to read as follows:

...

(3) Short term vacation rentals.

...

SECTION 6. Amending Section 34-338. – Residential, single-family: RS-3, subsection (b)
Permitted uses to read as follows:

...

(5) Short term vacation rentals.

...

SECTION 7. Amending Section 34-339. – Residential, multiple-family: RM-1, subsection (b)
Permitted uses to read as follows:

...

(7) Short term vacation rentals.

...

SECTION 8. Amending Section 34-340. – Residential, multiple-family: RM-2, subsection (b)
Permitted uses to read as follows:

...

(7) Short term vacation rentals.

...

SECTION 9. Amending Section 34-341. – Commercial professional office: CPO, subsection (b)
Permitted uses to read as follows:

...

(10) Short term vacation rentals.

...

SECTION 10. Amending Section 34-342. – Commercial limited: C-1, subsection (b) *Permitted uses* to read as follows:

...

(27) Short term vacation rentals.

...

SECTION 11. Amending Section 34-343. – Commercial general: C-2, subsection (b) *Permitted uses* to read as follows:

...

(33) Short term vacation rentals.

...

SECTION 12. Amending Section 34-345. – Central business district: CBD, subsection (b)
Permitted uses to read as follows:

...

(26) Short term vacation rentals.

...

SECTION 13. SEVERABILITY. It is hereby declared to be the intention of the City Council for the City of Jacksonville Beach that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable. If any phrase, clause, sentence, paragraph or section of this Code shall be declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

SECTION 14. CONFLICTING ORDINANCES. All ordinances, resolutions, official determinations or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this ordinance are repealed to the extent of conflict or inconsistency herewith.

SECTION 15. EFFECTIVE DATE. This ordinance shall take effect upon its adoption in accordance with applicable law.

AUTHENTICATED THIS ____ DAY OF _____, A.D., 2019.

Liam C. Latham, Mayor

Laurie Scott, City Clerk