



Agenda
City Council

Monday, November 21, 2016

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

ROLL CALL

APPROVAL OF MINUTES

16-505 Regular City Council Meeting Held November 7, 2016

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

- a. 16-506** Presentation of Certificate of Achievement for Excellence in Financial Reporting
- b. 16-507** Accept the Monthly Financial Reports for the Month of October 2016

- c. **16-508** Authorize the Mayor and City Manager to Execute an Agreement between the Volunteer Life Saving Corps and the City of Jacksonville Beach
- d. **16-509** Award RFP Number 06-1415 - Enterprise Resource Planning System to **Tyler Technologies, Inc.**
- e. **16-510** Discuss and Review the Selection of Advanced Disposal for the collection and disposal of solid waste and recycling services

RESOLUTIONS

ORDINANCES

16-511 ORDINANCE NO. 2016-8084 (First Reading)

**AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH
DECLARING A TEMPORARY MORATORIUM ON THE OPERATION OF
MEDICAL MARIJUANA TREATMENT CENTERS AND MEDICAL
MARIJUANA DISPENSING ORGANIZATIONS WITHIN THE CITY FOR A
PERIOD OF ONE (1) YEAR; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.**

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, November 7, 2016, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



OPENING CEREMONIES:

Council Member Vogelsang gave the invocation, followed by the salute to the flag.

CALL TO ORDER:

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

ROLL CALL:

Mayor: William C. Latham

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

Also present were City Manager George Forbes and City Clerk Laurie Scott.

APPROVAL OF MINUTES

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

- Regular City Council Meeting held on October 17, 2016

ANNOUNCEMENTS:

COURTESY OF THE FLOOR TO VISITORS:

Speakers:

- Jim Overby, 21 Burling Way, Jacksonville Beach, spoke regarding traffic control on Osceola Avenue and the construction of a post for a stop sign at the northwest corner of Sanctuary Way and South Beach Parkway instead of a traffic island.
- Charles Sampson, 4200 Ponte Vedra Boulevard, Jacksonville Beach, stated there was a fire in his yard and commented on the progress of the police report regarding the incident.
- Rick Knight, 827 8th Avenue North, Jacksonville Beach, commented that the City is unique in that there is one district and added that we live in a great City.

MAYOR AND CITY COUNCIL

CITY CLERK:

CITY MANAGER:

- (a) **Item #16-498, Approve the Attached Final Plat Documents for Parts of Lot 1 and 2, Block 172, Ocean Villa Replat Subdivision, Supporting a Four Townhouses Residential Subdivision (104, 106, 108, and 112 17th Avenue North) (John Atkins, Applicant).**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the attached final plat documents for Parts of Lot 1 and 2, Block 172, Ocean Villa Replat Subdivision.

Mr. Forbes explained the owner of the property divided this property into four lots. City approval is needed for the owner to sell the townhouses built on each lot.

Jon McGowan, 5 North 17th Avenue, # 401, stated he was not against this particular item, however, he added he was disturbed by the number of variances being approved by the Board of Adjustment. He commented that if these variances that do not meet the Codes keep getting approved, then the City needs to address the ordinance to make this the standard.

Mr. Forbes stated that he, the Planning and Development Director, and the City Attorney will be working on guidelines for the Board of Adjustment to follow when considering variances.

Mr. Vogelsang stated those guidelines should encourage builders to still build good quality single-family homes as opposed to townhouses and keep the small town feel of our City.

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

- (b) **Item #16-499, Authorize the City Manager to Provide Written Notice to Cancel the 1982 Contract for Backup Interconnection and Electric Services with JEA.**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize the City Manager to provide notice of termination of the 1982 Contract for Backup Interconnection and Electric Services.

Mr. Forbes explained that in 1982, the City built a new transmission line to the Sampson Substation located near Highway 295 and I-95. This enabled Beaches Energy to receive energy from the Florida Grid. If there were a fault in that transmission, that part of the electric system north of the fault would be without power. For this reason, the City negotiated a contract for backup interconnection and electric services with Jacksonville Electric Authority (JEA).

Mr. Forbes stated in 1999; a second contract was signed with JEA so power could flow from two directions creating a looped transmission system. This gave the City more reliability and reduced line loss. The 1982 contract is no longer needed or applicable as the City is unable to buy power from JEA due to the City's agreement with Florida Municipal Power Agency (FMPA) among other regulatory changes.

Mr. Forbes also stated the City has to give three years' advance notification to terminate the contract, but the City is requesting a shorter termination period. He added that he does not believe JEA will attempt to cancel the 1999 contract when the City cancels the 1982 contract. However, should JEA attempt to cancel the 1999 contract, the City will oppose it and appeal to FERC since it would hinder the reliability of the electric grid.

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

(c) **Item #16-500, Approve an Amendment to Reduce the Lease Rate for the Commercial Lease Agreement with Four Brothers of Jacksonville, Inc.**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve an amendment to reduce the lease rate for the commercial lease agreement with Four Brothers of Jacksonville, Inc. to \$1,000 per month from October through February and to \$1,500 per month from March through May. Thereafter the lease rate will be adjusted based on projected course activity.

Mr. Forbes explained Four Brothers of Jacksonville, Inc. is the restaurant tenant at the golf course. Due to the decrease in play at the golf course, it is recommended to reduce the lease rate through May 2017, then bring it back to the City Council and base the rate on the amount of activity.

Ms. Wilson asked if this price reduction was just for the current year. Mr. Forbes confirmed it was and then it would come back to the City Council with a new price schedule to be approved.

Ms. Wilson stated she had concerns as the proposed amount is a large reduction in the rent.

Jason Phitides, Property and Procurement Officer, explained the rate was determined by looking at the amount of play and the breakeven point for the restaurant.

Mr. Doherty commented this is an appropriate move as the tenants will not be able to pay the current rent due to lack of play. The City should reduce the rent or it will lose the tenant. He supports giving the tenant some relief while the condition of the course improves.

Mr. Thomason asked Mr. Phitides what the restaurant's gross monthly receipts have been since signing the lease in June 2016. Mr. Phitides said the restaurant pays a flat rate and does not disclose that information, but the City did some analysis based on the number of golfers that frequent the restaurant.

Mayor Latham agreed with Ms. Wilson's concerns but added he supports the reduction as it is a fair way to keep the tenant until the City sees if course improvement has an impact on play and revenue.

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

(d) Item #16-501, Authorize the Performance Contract - Part 1 with Johnson Controls, Inc., to Install New Water Meters, Gas Meters, and Automated Reading to the City's Utility Metering Systems within the City Limits of Jacksonville Beach.

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to authorize the Mayor and City Manager to execute the Phase C, Performance Contract – Part 1 with Johnson Controls, Incorporated, to install selected water and sewer, natural gas and electric utilities' Improvement Measures within the city limits of Jacksonville Beach, as explained in the memorandum from the Public Works and Beaches Energy Services Directors dated October 25, 2016.

Mr. Forbes explained The Performance Contract – Part 1 implements within the city limits selected Improvement Measures that accomplish the following objectives:

- Replaces all water meters with new solid-state meters (no moving parts) that communicate water usage wirelessly;
- Upgrades natural gas meters to communicate the gas usage wirelessly;
- Installs new Automated Metering Infrastructure (AMI) System allowing real-time wireless communication with water, gas and electric meters. (Note: The AMI System can be expanded to incorporate all new electric meters deployed with wireless communication in the future.)

Mr. Forbes added that the new meters would read accurately and they do not have any moving parts. The meters do have batteries that last about twenty years. Johnson Controls is guaranteeing that the meters will pay for themselves within 14 years and will pay the City the difference if that does not occur.

Justin Newbern, the engineer with Johnson Controls, reviewed the implementation of Phase C of the project.

Ms. Wilson asked how the City is funding this project. Mr. Forbes answered the City has the monies available from the Utility Fund and the City would be getting that back through the project's cost savings. The City also must put money into the Utility Fund every year so funds would be available in 20 years to replace the meters.

Ms. Wilson stated her concerns regarding the longevity of the meters and replacing them. Mr. Forbes answered this meter is the best product and has been analyzed by Public Works and Johnson Controls.

Mr. Doherty asked if there were any infrastructure leaks on City property found during the process. Mr. Newbern answered there were no major problems found during the full evaluation that was performed.

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

(e) **Item #16-502, Approve the City of Jacksonville Beach's Participation in a Contract for GIS Services Between the City of Tallahassee and Power Engineers, Inc., Using ERP Capital Improvement Funds**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the City of Jacksonville Beach's participation in a contract for GIS services between the City of Tallahassee and Power Engineers, Inc., using ERP Capital Improvement funds.

Mr. Forbes explained the City purchasing a new Enterprise Resource Planning (ERP) system. The new computer system is GIS (Geographic Information System) based. This request is to allow the City to work with a company that will help convert the current GIS system from an ArcFM system to a more user-friendly Esri system.

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

(f) **Item # 16-503, Approve the Expenditure of \$716,005 for the Replacement of Three Main Components of our Public Safety Radio System; (3) Dispatch Consoles, (1) Astro Site Repeater 5-Channel Repeater, and (1) L1 Controller**

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to approve the purchase of a Public Safety Radio System as outlined in a memo from Fire Chief Whitmill dated October 26, 2016.

Mr. Forbes stated the City has been saving for the purchase of a new radio system. This needs to be purchased before the current system malfunctions as the manufacturer can no longer guarantee parts and serviceability. The three main components that need to be purchased are three dispatch consoles, one 5-channel repeater, and one controller.

Ms. Wilson asked about the life expectancy of the system. Fire Chief David Whitmill answered the life expectancy is about ten to 15 years. He stated the existing system is nearing 15 years.

Ms. Wilson inquired if this was replacing certain component parts. Mr. Forbes answered the new system replaces everything but the radios which will be replaced over time.

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

RESOLUTIONS:

Item # 16-504 RESOLUTION NO. 1967-2016

Mayor Latham requested that the City Clerk read Resolution No. 1967-2016, by title only, whereupon Ms. Scott read the following:

“A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY ONLINE.”

Motion: It was moved by Ms. Wilson and seconded by Ms. Hoffman, to adopt Resolution No. 1967-2016 authorizing the sale of surplus property.

Mr. Forbes explained that twice a year, the City sells surplus property authorized by City Council. A list has been compiled which includes equipment that is no longer needed or has become obsolete.

Motion: It was moved by Mr. Thomason, seconded by Ms. Wilson, and passed unanimously, to amend Section 2 of the Resolution to read as follows: “All items shall be sold in as is condition and without warranty, and must be picked up by the purchaser onsite.”

Ms. Wilson asked where the money from the sales will be distributed. Mr. Forbes answered the money will go into the General Fund unless it is seizure property.

Original motion roll call vote: Ayes – Hoffman, Thomason, Vogelsang, Wilson, Doherty, and Mayor Latham. The motion carried unanimously.

ORDINANCES:

There being no further business, the meeting adjourned at 8:03 P.M.

Submitted by: Laurie Scott
City Clerk

Approval:

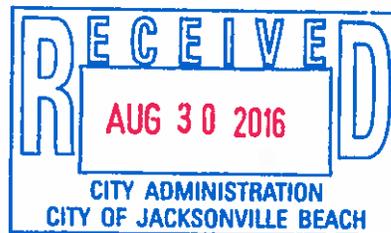
William C. Latham, MAYOR

Date: _____



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806



August 23, 2016

George D. Forbes
City Manager
City of Jacksonville Beach
11 North Third Street
Jacksonville Beach FL 32250

Dear Mr. Forbes:

We are pleased to notify you that your comprehensive annual financial report for the fiscal year ended **September 30, 2015** qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An award for the Certificate of Achievement has been mailed to:

Karen W. Nelson, CPA
Chief Finance Officer

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,
Government Finance Officers Association

Stephen J. Gauthier, Director

Technical Services Center

SJG/ds



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601

Phone (312) 977-9700 Fax (312) 977-4806

08/23/2016

NEWS RELEASE

For Information contact:
Stephen Gauthier (312) 977-9700

(Chicago)--The Certificate of Achievement for Excellence in Financial Reporting has been awarded to **City of Jacksonville Beach** by the Government Finance Officers Association of the United States and Canada (GFOA) for its comprehensive annual financial report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An Award of Financial Reporting Achievement has been awarded to the individual(s), department or agency designated by the government as primarily responsible for preparing the award-winning CAFR. This has been presented to:

Karen W. Nelson, CPA, Chief Finance Officer

The CAFR has been judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

The GFOA is a nonprofit professional association serving approximately 17,500 government finance professionals with offices in Chicago, IL, and Washington, D.C.

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

Fax: 904.270.1642

www.jacksonvillebeach.org

MEMORANDUM

TO: George D. Forbes, City Manager
FROM: Karen Nelson, Chief Financial Officer
SUBJECT: Monthly Financial Reports for October 2016
DATE: November 9, 2016

Action Requested

Accept the monthly financial reports for the month of October 2016.

Background

The monthly financial reports for October 2016 are being provided for your information and review. These reports can be found in the "Reports and Information" portion of this agenda.

Recommendation

Accept the financial reports for the month of October 2016, as submitted by the Chief Financial Officer.



City of
Jacksonville Beach
2508 South Beach
Parkway
Jacksonville Beach
FL 32250

Phone: 904.247.6236

Fax: 904.247.6143

www.jacksonvillebeach.org

TO: Mayor Latham
City Council Members

FROM: George Forbes
City Manager

DATE: November 14, 2016

SUBJECT: Agreement between the Volunteer Life Saving Corps and the City of Jacksonville Beach

ACTION REQUESTED:

Authorize for the Mayor and City Manager to execute an agreement between the Volunteer Life Saving Corps and the City of Jacksonville Beach.

BACKGROUND:

The Volunteer Life Saving Corps (Corps) began providing ocean rescue services in Jacksonville in 1912. During its history, it has recorded 1,430 lifesaving rescues, 1,753 assists to swimmers in distress and more than 25,000 first aid cases ranging from jellyfish stings to broken limbs. To this day, the organization remains the only volunteer organization of its kind in the United States.

In 2012, the City and the American Red Cross renewed an agreement that identified the responsibilities of both parties for the use of the lifeguard station and lifeguard duties. At that time, the Volunteer Life Saving Corps operated as part of the American Red Cross. Subsequently, the Red Cross made a decision to focus on life saving training as part of its core mission and to cease directly providing lifeguard services.

About a year ago, we approached leaders of the Corps in a desire to update the agreement between the City and the Corps that had been specified in the previous agreement with the Red Cross.

Historically, and in the proposed agreement, the Corps provides training and certification of the City's lifeguard candidates and is responsible for ocean rescue services in Jacksonville Beach on Sundays and holidays.

The City pays for utility and phone services at the American Red Cross Life Saving Corps Station, fees for the use of the Fletcher swimming pool (used for training lifeguard candidates) and allows the Corps to use City equipment, towers



and vehicles when it is providing ocean rescue services to beachgoers in Jacksonville Beach.

The Volunteer Life Saving Corps also operates annual Junior Lifeguard Camps that raise funds for their operations, educates young people about ocean rescue practices and introduces them to the idea of becoming a lifeguard. The City makes its lifeguards available to help staff the camps. Through this agreement, the Corps will reimburse the City for 20% of the payroll costs of the lifeguards it provides to the camps.

The term of the agreement is for 10 years, after which it continues in effect on a year to year basis.

RECOMMENDATION:

Authorize the Mayor and City Manager to execute an agreement between the Volunteer Life Saving Corps and the City of Jacksonville Beach in substantial compliance with the attached agreement (Exhibit A).

Exhibit A
AGREEMENT
BETWEEN
THE VOLUNTEER LIFE SAVING CORPS
AND
THE CITY OF JACKSONVILLE BEACH

THIS AGREEMENT entered into between THE VOLUNTEER LIFE SAVING CORPS, a charitable not-for-profit corporation under the laws of the United States (the “VLSC”), and THE CITY OF JACKSONVILLE BEACH, (the “CITY”) this _____ day of _____, 2016.

WHEREAS, the VLSC volunteers provide ocean rescue and lifeguard services to the community on Sundays and CITY-recognized holidays;

WHEREAS, the CITY provides ocean rescue and lifeguard services to the community on all other days;

WHEREAS the purpose of the services provided by the CITY and the VLSC is to prevent injury and loss of life by supervising approximately 4.1 miles municipal oceanfront;

WHEREAS, both the VLSC volunteers and CITY employees conduct their activities from the American Red Cross Life Saving Corps Station (the “STATION”);

The parties (the VLSC and the CITY) agree as follows:

1. The CITY agrees:

- a. Pursuant to the CITY’s agreement with the American National Red Cross for the utilization of the STATION, to pay the costs of water, sewer and electricity purchased from the CITY, local telephone services, and solid waste disposal services provided at the STATION.
- b. To pay for the fees associated with the use of the Fletcher High School swimming

pool used for training lifeguard candidates.

- c. To allow the VLSC to use CITY lifesaving equipment, lifeguard towers, and vehicles (as detailed in Attachment A, to be updated annually, on or before July 1) on Sundays and Holidays. Use of CITY equipment and vehicles by the VLSC shall be in compliance with CITY rules and regulations. All Drivers of CITY vehicles must be properly licensed, have completed annual beach driving training and be approved in advance by the CITY. Equipment and vehicles are not permitted to be used in other than their normally assigned locations without the permission of the Parks and Recreation Director.
- d. To make lifeguards available to assist in conducting the annual Junior Lifeguard Camps conducted by the VLSC each summer.
- e. To provide auto liability and physical damage insurance for CITY vehicles at all times.
- f. To ensure that CITY employees keep clean the perimeters of the STATION and maintain all CITY and VLSC equipment while they are on duty.

2. The VLSC Agrees:

- a. To provide, without cost, training and certification of the CITY's beach and open water lifeguard candidates.
- b. That membership in the VLSC will not be a condition of certification for the CITY's beach and open water lifeguard candidates, that no CITY employee will be required to join the VLSC, and that no CITY employee will be discriminated against or harassed because they are not members of the VLSC.
- c. To hold their employees and volunteers accountable for maintaining an environment that is free from harassment and intimidation directed at any employee or volunteer because of race, color, religion, sex, national origin, age, physical disability, marital status or sexual orientation.

- d. To provide a VLSC Daily Report and Guard Sheet to the City of Jacksonville Beach's Parks & Recreation Director or his or her designee summarizing activity occurring on Sundays and CITY-recognized holidays.
- e. To allow the CITY to use VLSC lifesaving equipment (as detailed in Attachment B to be updated annually, on or before July 1).
- f. To ensure that use of CITY equipment and vehicles by VLSC volunteers and employees is in compliance with CITY rules and regulations.
- g. To ensure that VLSC drivers of CITY vehicles:
 - i. Are properly licensed
 - ii. Are approved in advance by the CITY and
 - iii. Complete a beach driving course annually
 - iv. Report any accidents or incidents to the Parks and Recreation Director or her designee within 24 hours of their occurrence
 - v. Do not use CITY-owned vehicles or equipment in any locations other than their normally assigned locations without the permission of the Parks and Recreation Director.
- h. To reimburse the CITY for 20% of the cost of lifeguards providing assistance in conducting the Junior Lifeguard Camps held each summer.
- i. Annually, on or before October 1 of each year, to provide an accounting of all revenues and expenses associated with the previous summer's Junior Lifeguard Camp. The CITY reserves the right to audit the accounting provided by the VLSC and to review information supporting the accounting provided.
- j. To ensure that VLSC volunteers keep clean the perimeters of the STATION and maintain all CITY and VLSC equipment and vehicles while they are on duty.
- k. Annually, on or before July 1 of each year, to provide a Certificate of Coverage for Accidental Death and Disability insurance covering to VLSC volunteers providing ocean rescue and lifeguard services to the community on Sundays and CITY-designated Holidays
- l. Annually, on or before July 1 of each year, to provide general liability insurance in

the amount of one million dollars (\$1,000,000) for volunteers working under VLSC direction and control and within the scope of his/her VLSC duties and Naming the CITY as additional insured.

- m. To provide the CITY, on or before July 1 of each year, a copy of the VLSC's Annual Report filed with the Florida Department of State, Division of Corporations.
- n. To defend, hold harmless, and indemnify the CITY, its agents and employees from any legal liability, including reasonable attorney fees, in respect to bodily injury, death, and property damage arising from the negligence of the CITY as owners of the property and equipment used by the VLSC, its agents, employees and volunteers.
- o. To cooperate with the CITY in reducing the use of and conservation of electric, water and other utilities as directed by the CITY

3. The Parties collectively agree:

- a. Insurance. That every five years from the date of this Agreement, the CITY may require an increase in the amount of general liability insurance coverage by all parties.
- b. Certificates of Insurance. That each party will provide the other with certificates of insurance and renewal certificates within ten (10) days of expiration or non-renewal of the policies required herein, as long as this Agreement is in effect.
- c. Term of Agreement. That the term of this Agreement shall be ten (10) years from the date of execution, and shall thereafter continue in effect on a year-to-year basis unless terminated by any party upon nine (9) months written notice in advance.
- d. Consideration. That the mutual promises agreed to by the parties is adequate consideration to support this agreement.
- e. Amendment. That this agreement may be amended by mutual consent of all parties in writing.

- f. Prior Agreements. That this agreement supersedes the CITY's previous agreement with the VLSC dated February 20, 2012.
- g. Assignment. That the rights and obligations of this Agreement may not be assigned absent mutual written consent by all parties.
- h. Public Records. To comply with the requirements contained in Florida Statute Section 119.071 pertaining to public records. If the VLSC has questions regarding the application of Chapter 119, Florida Statutes, to their duty to provide public records relating to this Agreement, contact the custodian of public records at the City of Jacksonville Beach:

City Clerk
11 North Third Street
Jacksonville Beach, FL 32250
904-247-6250, extension 11
cityclerk@jaxsbchfl.net

- i. Governing Law. That this Agreement will be construed and enforced in accordance with the laws of the State of Florida and venue shall be in Duval County, Florida.
- j. Entire Agreement. That this Agreement contains the entire agreement between the Parties and supersedes any prior understanding or agreement, either written or oral.
- k. Severability. That it is the desire and intent of the parties that the provisions of this Agreement be enforced to the fullest extent permissible under the law. Accordingly, if any provision of this Agreement is determined to be partially or wholly invalid, illegal or unenforceable, then the provision shall be modified or restricted to the extent necessary to make the provision valid, binding and enforceable.
- l. Notices. Notices to the parties to this Agreement shall be sent to:

City of Jacksonville Beach
City Manager's Office
11 North Third Street
Jacksonville Beach, FL 32250

Volunteer Life Saving Corps
2 Ocean Front North
Jacksonville Beach, FL 32250

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, in duplicate this _____ day of _____, 2016.

VOLUNTEER LIFE SAVING CORPS

BY: _____ DATE: _____

Wayne Chattaway, President, Board of Directors

CITY OF JACKSONVILLE BEACH

BY: _____ DATE: _____

William C. Latham, Mayor

BY: _____ DATE: _____

George D. Forbes, City Manager

ATTEST: _____ DATE: _____

Laurie D. Scott, City Clerk

**Attachment A
Equipment and Vehicles Owned by the City of Jacksonville Beach**

Asset Class	Asset ID Number	Asset Description	Serial ID	Model ID	Installed Cost
Communications	00000000003362	RADIO MOTOROLA MTS2000	446AVL8050		1,002.18
	00000000003363	RADIO MOTOROLA MTS2000	466AWC6838		1,001.89
	00000000003370	RADIO MOTOROLA MTS2000	466AWC1572		1,001.89
	00000000003373	RADIO MOTOROLA MTS2000	466AWC5632		1,001.89
	00000000003374	RADIO MOTOROLA MTS2000	466AWC2111		1,001.89
	00000000003375	RADIO MOTOROLA MTS2000	466AWC6194		1,001.89
	00000000003376	RADIO MOTOROLA MTS2000	466AWC3513		1,001.89
	00000000003381	RADIO MOTOROLA MTS2000	466AWC2095		1,001.89
	00000000003382	RADIO MOTOROLA MTS2000	466AWC5213		1,001.89
	00000000003389	RADIO MOTOROLA MTS2000	466AWC7789		1,001.89
	00000000003390	RADIO MOTOROLA MTS2000	466AWC5141		1,001.89
	00000000003398	RADIO MOTOROLA MTS2000	466AWC5093		1,001.89
	00000000003403	RADIO MOTOROLA MTS2000	466AWC4093		1,001.89
	00000000003406	RADIO MOTOROLA MTS2000	466AWC5025		1,001.89
	00000000003409	RADIO MOTOROLA MTS2000	466AWC5085		1,001.89
	00000000003415	RADIO MOTOROLA MTS2000	466AWC7364		1,001.89
	00000000003417	RADIO MOTOROLA MTS2000	466AWC5496		1,001.89
	00000000003424	RADIO MOTOROLA MTS2000	466AWC7371		1,001.89
	00000000003425	RADIO MOTOROLA MTS2000	466AWC5483		1,001.89
	00000000003434	RADIO MOTOROLA MTS2000	466AWC6189		1,001.89
	00000000003443	RADIO MOTOROLA MTS2000	466AWC4655		1,001.89
	00000000003452	RADIO MOTOROLA MTS2000	466AWC4878		1,001.89
	00000000003455	RADIO MOTOROLA MTS2000	466AWC2069		1,001.89
	00000000003456	RADIO MOTOROLA MTS2000	466AWC7160		1,001.89
00000000004203	RADIO - HAND HELD MOTOROLA	466AYU5327		1,528.61	
00000000005398	RADIO-PORTALE MTS2000 SERIES	466AAN4798		2,169.20	
00000000005691	RADIO MOTOROLA MTS2000	466ABG3512		2,143.85	
00000000007602	ASTRO SPECTRA MOBILE W4	526CEJ0483	MCP		2,184.78
Equipment	00000000003854	RESCUE BOARD, 10' X 6"			1,135.00
	00000000005430	LIFESLED & IT WITH NOSEGUARD			1,199.00
	00000000007395	RESCUE BOARD - YELLOW 10'6"		#7000 10'6" YELLOW	1,010.50
	00000000007495	INFLATABLE RESCUE BOAT/W MOT		2003 YAMAHA 25MSHB	9,522.84
	00000000007517	DEFIBRILLATOR AED-PLUS ZOLL	X03E015026	AED PLUS PS SERIES	1,701.22
	00000000007518	DEFIBRILLATOR AED-PLUS ZOLL	X03D014233	AED PLUS PS SERIES	1,701.22
	00000000007519	DEFIBRILLATOR AED-PLUS ZOLL	X02K007316	AED PLUS PS SERIES	1,701.23
	00000000007628	UTILITY TRAILER W/RAMP 82"X21'		2003 MODEL YR	1,795.00
	00000000008345	YAMAHA OUTBOARD MOTOR 25MSH		YAMAHA TWO STROKE	2,169.35
	00000000008476	DEFIBRILLATOR ZOLL AED PLUS		ZOLL MEDICAL AEDPLUS	1,590.00
	00000000010238	INFLATABLE RESCUE BOAT/W MOT		2011 MERCURY 380HD	2,596.00
	00000000010269	INFLATABLE RESCUE BOAT/W MOT		YAMAHA F25 SMHA 15'	3,267.50
	00000000010292	TRAILER KAYAK CARRIER		SUT-450-M6	1,758.90
	00000000010324	SKI FENN LIFESAVING SURF SKI	ADJUSTABLE FOOT WELL	WHITE FIBERGLASS	1,900.00
	00000000010680	2014 YAMAHA WAVERUNNER JET SKI	YAMA1095F414	VX1800A-NB	11,250.00
	Vehicles	00000000008476	2006 CHEVY COLORADO VEH#609	1GCDD146068220052	CHEVY COLORADO
00000000009167		2008 CHEVY SILVERADO VEH#608	1GCHK24K18E213686	SILVERADO	25,288.10
00000000009532		2010 CHEVY SILVERADO 2500 #601	1GC3KVBG9AF139978	SILVERADO 2500 4WD	24,724.19
00000000009823		2011 CHEVY SILVERADO VEH#601	1GC0KVCG1BF194196	CHEVY SILVERADO	25,087.15
00000000010008		2012 KUBOTA ATV/RTV VEH#812	ASKD1HDAVBG019531	KUBOTA 1140 CPX	12,612.06
00000000010353		2014 CHEVY SILVERADO 2500 4WD	1GC0KVCG4EF125698	2500 4WD	23,780.00
00000000010507		2014 KUBOTA ATV/RTV VEH#814	ASKD1HDACEG031030	KUBOTA 2 SEAT	12,762.02
00000000010613		2015 CHEVROLET PICK UP TRUCK	1GC0KUEG2FZ138909		27,819.70
Lifeguard Towers	none	15 lifeguard towers (valued at \$ 500 each)			7,500.00
	none	25 lifeguard towers (valued at \$ 500 each)			12,500.00
TOTAL ASSETS FOR PARKS OCEAN RESCUE					278,525.96

Attachment B
Equipment and Vehicles Owned by the Volunteer Life Saving Corps (VLSC)

The Volunteer Life Saving Corps has no equipment or vehicles.

VOLUNTEER LIFE SAVING CORPS

BY: _____

DATE: _____

Wayne Chattaway, President, Board of Directors



City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6274

MEMORANDUM

TO: George Forbes, City Manager
FROM: Karen Nelson, Chief Financial Officer
DATE: November 5, 2016
SUBJECT: Enterprise Resource Planning System from Tyler Technologies

ACTION REQUESTED

Award RFP Number 06-1415 - Enterprise Resource Planning System to ***Tyler Technologies, Inc.***

BACKGROUND

Enterprise Resource Planning (ERP) is a business/technology term for an information system based on a common database and software tools that enable information to be easily accessed, compared and shared throughout an organization. The common database will improve information accuracy and availability. Common functions of ERP systems include: finance and accounting; human resources management; budgeting; payroll; cashiering; project tracking; procurement; invoicing and inventory.

The City currently uses an aging system installed by SunGard in 1987. Users must manually transfer data to complete processes, gain information or create reports. This lack of functionality and integration is inefficient and time consuming, and inhibits the City from keeping up with industry best practices. Also, the software is no longer fully supported by the vendor. A new ERP system will vastly improve business processes by eliminating the manual transfer of data and increasing access to information for internal and external customers.

In November 2014, the City selected Sciens Consulting to assist us in the selection of an ERP vendor and software system that best fit the City's current and future needs. A steering committee was formed with representatives from every City department. In September 2015, an RFP was sent to eleven (11) vendors and we received responses from ***Quintel, Accela*** and ***Tyler Technologies***. In association with our consulting firm, the proposals were evaluated using a highly participative and rigorous process. ***Accela*** received the lowest overall score and did not meet our basic requirements for certain aspects of the Human Resources and Purchasing applications. ***Quintel*** and ***Tyler*** were invited to make further presentations to staff over three (3) days each. Staff from all City departments



attended presentations and software demonstrations to learn more about the systems and the proposed implementation.

Tyler presented their Munis ERP system and demonstrated that it fulfills all our financial functions and could be customized to suit our preferences. They offer an "evergreen philosophy" which means the City will not be charged additional license fees for future upgrades. **Quintel** could not fully demonstrate that their system would satisfy all our requirements. Upgrades to their system would be costly and would require another implementation each time. The cost for the **Quintel** system was \$936,000 higher than **Tyler's**.

For these reasons, staff recommends **Tyler Technologies, Inc.**, as the best qualified respondent to deliver an ERP system. They provide software exclusively for the public sector. Approximately eighty-five (85) cities in Florida currently use the Tyler Munis system. Our due diligence included site visits to four (4) Florida cities as well as a visit to Savannah, Georgia. In addition, we performed eighteen (18) nationwide reference checks.

The total cost for the software and implementation is \$2,012,394 and includes finance, human resources, payroll, purchasing, employee self-service and utility billing functions. Annual service and maintenance fees over the next five (5) years will be \$913,870 for a total investment of \$2,926,264. Funding for this project is available in the General Capital Projects Fund.

Following are some of the agreed contract provisions negotiated by staff:

- 25% reduction in licensing fees saving \$215,302.
- 20% holdback on license fees and services to provide leverage for on-time implementation. Amounts held back are included in the total cost and will be paid at the end of each phase of the implementation.
- A discount for required system modifications saving \$10,604.
- A reduction in the annual increase in maintenance fees from 4% to 3% saving \$9,138.

Full implementation is estimated to take at least twenty-four (24) months and will be completed in three (3) phases: Phase 1- Financials, is scheduled to begin in January 2017. Phase 2 - Human Resources and Payroll, and Phase 3 - Utility Billing are expected to begin in January 2018.

The following is a summary of the implementation timeline and payment schedule:

	2017	2018	2019	Total
Phase 1	\$764,168	\$117,368	\$234,953	\$1,116,489
Phase 2	\$5,494	\$65,516	\$19,975	\$90,985
Phase 3	\$22,125	\$107,489	\$72,461	\$202,075
Implementation	\$220,777	\$256,327	\$125,741	\$602,845
Project Total	\$1,012,564	\$546,700	\$453,130	\$2,012,394

The proposed ERP system does not include planning and development or enterprise asset management functionality. The City will issue a solicitation within the next twelve (12) to twenty-four (24) months to procure additional software to provide these functions. The cost of the additional software and implementation is expected to be approximately \$700,000.

RECOMMENDATION:

Award RFP Number 06-1415 - Enterprise Resource Planning System to *Tyler Technologies, Inc.*, as described in the memorandum from the Chief Financial Officer dated November 5, 2016, and authorize the Mayor and City Manager to execute a license and service agreement.

City of Jacksonville Beach
RFP Number 06-1415
Enterprise Resource Planning System

Evaluation Committee Collective Score Sheet				
Criteria	Weight	Accela	Quintel	Tyler
Qualifications	10	6	4	10
Functional Requirements	25	21	24	24
Hardware/Network	5	5	5	5
Service & Maintenance	5	4	4	3
Performance	5	1	3	2
Implementation	10	2	4	4
Contractual	5	3	5	5
Data Migration	10	5	10	8
Price	10	10	6	10
Demonstration	10		6	9
References / Site Evaluation	5			3
TOTAL	100	57	71	83

Steering Committee Members	
Karen Nelson	Chief Financial Officer/Project Sponsor
Michael Nadeau	Business Analyst/Project Manager
Alissa Breitenstein	Associate Business Analyst
Deborah Dineen	Customer Service Supervisor
Kent Haines	Information Systems Supervisor
Chandra Medford	Senior Permit Specialist
Ann Meuse	Director of Human Resources
Jason Phitides	Property & Procurement Officer
Allen Putnam	Director of Beaches Energy
Eddie Vergara	Accounting Supervisor
Ashlie Gossett	Assistant CFO/Budget Officer

CITY OF JACKSONVILLE BEACH

ENTERPRISE RESOURCE PLANNING
SYSTEM (ERP) REPLACEMENT PROJECT

COUNCIL BRIEFING: 21 NOV 2016

Our Selection Process



Define Scope

- HTE was designed as a city in a box...in the 1980s
- When looking for its replacement, we chose to look for its 21st Century corollary
- It needed to have good, if not best-of-breed capabilities in:
 - Finance & Accounting
 - Human Resources
 - Utility Billing
 - Community Development
 - Asset Management/Work Orders
 - Citizen Relationship Management



Our Requirements

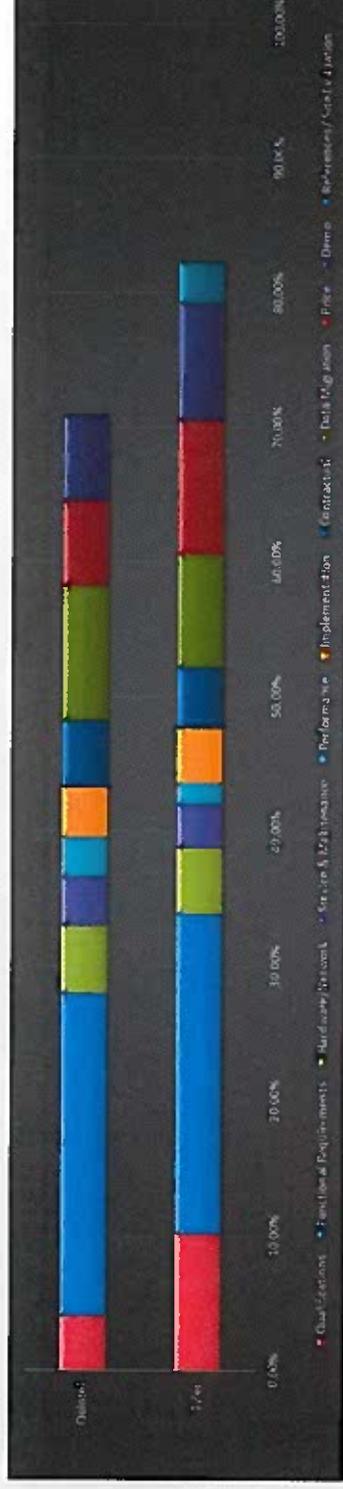
- We established over 1200 requirements for the new system
- We encouraged vendors to submit for both On-Premises and Cloud (hosted) systems
- Vendors were evaluated on a 100 point scale (shown here)
- We received proposals from three vendors; two were shortlisted and invited for Demonstrations

Evaluation Criteria	Example Weights
Proposal Evaluations	
■ Qualifications & Experience	10
■ Functional Systems Proposal	25
■ Data Migration Experience & Proposal	10
■ Hardware & Network Proposal	5
■ Service & Maintenance Proposal	5
■ Performance Proposal	5
■ Implementation Proposal	10
■ Contractual Proposal	5
■ Price Proposal	10
Demonstration Evaluations	
References / Site Evaluations	10
Total	100



Vendor Selection

- Of the two short-listed vendors:
 - Tyler Technologies On-Premises option best met the City's needs (scoring 82.28 out of 100 points)
 - Quintel came in 2nd (scoring 70.89 / 100 points)
- The 5-Year Cost of their Cloud (hosted) option was \$750,000 more expensive than the On-Premises option
- At this point, we began Reference Checks and Site Visits, and the Best-and-Final Offer process



Tyler's Performance

- During the Reference Checks, the City began to doubt Tyler EnerGov system's ability to meet the City's needs
- Tyler disclosed they had
 - Just bought the EnerGov product and were working on integration
 - Not decided on long term product direction with Asset Management and Community Development
- The City decided to keep these in the contract as options to pursue later
- Contract negotiations focused on Finance, Human Resources/Payroll and Utility Billing



Why Tyler Was Recommended



- Tyler is #24 on Forbes Most Innovative Growth Companies with revenues of \$591 million in 2015; a little over 5% of revenue was reinvested into Research & Development
- Tyler's Munis Product has been around since 1989
- Currently, Tyler Munis is the dominant player in the municipal financial commercial, off-the-shelf software market
- Technically, Tyler has been migrating Munis to HTML5, state-of-the-art programming; it is a Microsoft-based product (Windows, SQL Server)
- Munis provides real-time data access, easily configurable Dashboards, with templates for most City staff roles, easier reporting

Tyler

Site Visits

- Deltona
- Inverness
- Naples
- St. Augustine
- Savannah (GA)



Cost and Schedule for Implementation



	2017	2018	2019	Total
Phase 1	\$764,168	\$117,368	\$234,953	\$1,116,489
Phase 2	\$5,494	\$65,516	\$19,975	\$90,985
Phase 3	\$22,125	\$107,489	\$72,461	\$202,075
Implementation	\$220,777	\$256,327	\$125,741	\$602,845
Project Total	\$1,012,564	\$546,700	\$453,130	\$2,012,394

Thank You

November 16, 2016

TO: George Forbes, City Manager

FROM: Ty Edwards, Public Works

RE: Award RFP 11-1516, Collection and Disposal of Solid Waste and Recycling Services

ACTION REQUESTED:

Award a continuous service contract to **Advanced Disposal Services Jacksonville, LLC**, in response to RFP 11-1516 for Collection and Disposal of Solid Waste and Recycling Services.

BACKGROUND:

The current contract for the collection and disposal of solid waste and recycling services is due to expire on December 15, 2016. For this reason, we advertised RFP 11-1516 on September 8, 2016, seeking qualified vendors to provide a comprehensive solid waste and recycling collection program that will deliver:

- Timely collection of solid waste and recycling;
- Excellent customer service at all times;
- Responsive communication and speedy resolution to customer concerns;
- Fair and reasonable pricing.

The scope of services included issuing residential recycling carts (95-gallon) to replace the current recycling bins (18-gallon), and requested proposed pricing for four (4) different combinations of pickup frequencies for garbage and recycling.

	RESIDENTIAL PICKUP FREQUENCY			
<u>Alternates</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
<i>Garbage/Trash</i>	Twice per week	Twice per week	Once per week	Once per week
<i>Recycling</i>	Once per week	Once every 2 weeks	Once per week	Once every 2 weeks
<i>Yard Waste</i>	Once per week	Once per week	Once per week	Once per week
<i>Bulky Waste</i>	Once per week	Once per week	Once per week	Once per week

- ¹ Small Commercial Pickup is similar to Residential Pickup.
- ² Dumpster Pickup Frequency is based on customer need. Also, dumpster customers receive bulky waste pickup and yard waste (*not contractor generated*) pickup.
- ³ Standard issue garbage and recycling carts are 95-gallon capacity. After 90-day break-in period, 64-gallon capacity recycling cart is optional based on customer request.
- ⁴ Historically recycling increases by about 40% with transition to the 95-gallon carts.
- ⁵ **Alternate D** is the frequency combination that will provide our customers with satisfactory service levels at the most cost effective price; has been implemented successfully in many locations.

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



Proposals were sent to six (6) vendors. A pre-proposal meeting was held on September 21, 2016. Subsequently, we received responses from **Advanced Disposal, Republic Services** and **WastePro** by the closing date, October 26, 2016.

The proposal evaluation committee, consisting of the Public Works Project Engineer, the Streets Superintendent, the Property & Procurement Officer and the Public Works Director met on Wednesday, November 9, 2016, at its publicly noticed review meeting. The committee evaluated and scored the three (3) submitted responses based on proposed scope of services, qualifications and competence, equipment availability and capability, and pricing.

While each firm provided clear and concise work plans that demonstrated the ability to deliver solid waste and recycling services, the response from **Advanced Disposal** received the highest score as they provided noteworthy customer satisfaction surveys and current references, together with the most complete schedule of equipment. The firm's score was further enhanced by providing the lowest pricing in each of the alternate pickup frequency schedules. The overall scores and ranking are:

<u>Responders</u>	<u>Weighted Total Score</u>	<u>Rank Order</u>
Advanced Disposal	31.0	1st
Republic Services	21.5	3 rd
WastePro	23.0	2 nd
¹ The collective scoring summary is attached. ² Proposed pricing is attached. ³ <i>Advanced Disposal Jacksonville, LLC</i> , is located on Philips Highway in Jacksonville. The firm's national headquarters is located nearby in Ponte Vedra, FL.		

On November 14, 2016, the committee met with the highest ranked firm, **Advanced Disposal**, to review the firm's proposal with its management to ensure that the City's scope of services was understood and would be met. Subsequently, references were contacted to confirm the performance of **Advanced Disposal**.

The contract term is six (6) years. Thereafter, the contract may be extended at the City's sole discretion in terms of not more than six (6) years in length. The collection costs will adjust annually based on the increase or decrease in the selected Consumer Price Index (minus fuel). There is also a fuel adjustment provision, where fuel prices will be reviewed bi-annually against the contract base fuel price and a selected fuel index. Costs will be adjusted downward or upward accordingly.

RECOMMENDATION:

Discuss and review the award of a continuous service contract to ***Advanced Disposal Services Jacksonville, a Limited Liability Corporation***, in response to RFP 11-1516 for Collection and Disposal of Solid Waste and Recycling Services, as described in the memorandum from the Public Works Director dated November 16, 2016.

This is only a review and final action will not be taken until the December 5, 2016 meeting.

Evaluation Committee Collective Score Sheet and Summary Notes

Scoring Scale:

- 4 = Excellent: The proposal successfully addresses all relevant aspects of the criterion. Any shortcomings are minor.
- 3 = Above Average: The proposal addresses the criterion well but a small number of shortcomings are present.
- 2 = Average: The proposal broadly addresses the criterion, but there are significant weaknesses.
- 1 = Below Average: The criterion is inadequately addressed or cannot be assessed due to missing or incomplete information.

Evaluation Criteria						
Vendor	Scope	Qualifications	Equipment	Pricing	Total	Rank
Advanced	3	3	4	4	14	1
Republic	3	2	3	2	10	3
WastePro	3	3	2	3	11	2
Score Weight	2.0	1.0	2.5	3.0		
Total Weighted Scores						
Advanced	6	3	10	12	31	1
Republic	6	2	7.5	6	21.5	3
WastePro	6	3	5	9	23	2

Evaluation Criterion 1: Scope of Services:

- A. Clearly describe the ability to perform the scope of services required. Please address Section C Technical Specifications.
- B. Clearly describe any Respondent Optional Alternate(s) that are proposed and submitted along with proposal that meets City scope. Respondent should clearly explain how respondent alternate(s) differ from CITY scope to include, but not limited to, type collection vehicles, containers provided to customers, frequency of collections, personnel, etc.
- C. Include a work plan with an explanation of methodology to be followed to perform the services required within this RFP.
- D. Include suggestions to the current method the CITY is utilizing in order to increase service satisfaction of our residents and businesses.

VENDOR	COMMENTS	SCORE
ADVANCED	<p>Ability to perform was clearly demonstrated through their 3-Phase system (Initial, Secondary and Service phases). Outlined a thorough work plan and methodology, which included “closed loop” and “redundancy” strategies. Provided a 6-step resolution process for customer service issues and a 10-step process for any reoccurring issues. Did not offer suggestions to enhance current method or provide alternate options, but put a lot of work on the contract transition. Overall very good response with few shortcomings.</p>	3
REPUBLIC	<p>Really good job of identifying the resources needed for each service option and how they would divide that into the different routes. Also provided a good disaster recovery plan (that would support the City’s emergency Debris Management Contractor). Also provided options for both carts and dumpsters which differentiated them from the other two responses. Claim driver screening higher standard than DOT and highest in industry. Clear in their methodology, ability and work plan.</p>	3
WASTE PRO	<p>Over 100 municipal contracts in Florida. The claim to provide superior, timely and safe service. Proposes to keep all service routes and days same as current. Emphasized cleanliness and outstanding appearance of vehicles. Clearly recognize their employees that make them leaders in the industry. No temporary employees assigned to this contract. Did more on the disaster plan than the other two firms. Only company to discuss computer chip tag on carts. Did not discuss dumpsters. Work plan was clear, concise and easy to follow.</p>	3

Evaluation Criterion 4: Pricing:

OPTIONS

		A	B	C	D
* Garbage / Trash		Twice per week	Twice per week	Once per week	Once per week
Recycling		Once per week	Once bi-weekly	Once per week	Once bi-weekly
Bulky Waste		Once per week	Once per week	Once per week	Once per week
Yard Waste		Once per week	Once per week	Once per week	Once per week
ADVANCED DISPOSAL	Est. Quantity per Month	<u>UNIT PRICE</u>			
Residential & Small Commercial	8,253	\$13.74	\$12.64	\$11.85	\$10.95
Mutifamily Dwelling, Commercial	24,227	\$3.45	\$3.45	\$3.45	\$3.45
Commercial Large Roll-off Pull	42	\$325.00	\$325.00	\$325.00	\$325.00

REPUBLIC SERVICES

Residential & Small Commercial	8,253	\$19.84	\$18.15	\$19.25	\$17.55
Mutifamily Dwelling, Commercial	24,227	\$3.84	\$3.84	\$3.84	\$3.84
Commercial Large Roll-off Pull	42	\$332.52	\$332.52	\$332.52	\$332.52

WASTE PRO

Residential & Small Commercial	8,253	\$15.37	\$15.15	\$14.92	\$14.79
Mutifamily Dwelling, Commercial	24,227	\$4.03	\$4.03	\$4.03	\$4.03
Commercial Large Roll-off Pull	42	\$275.00	\$275.00	\$275.00	\$275.00

* For Garbage / Trash this represents frequency for Residential and Small Commercial. The City will decide dumpster size and frequency for Multifamily, Commercial and Unique Commercial Service.

ANNUAL COSTS

A	B	C	D
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* Garbage / Trash	Twice per week	Twice per week	Once per week	Once per week
Recycling	Once per week	Once bi-weekly	Once per week	Once bi-weekly
Bulky Waste	Once per week	Once per week	Once per week	Once per week
Yard Waste	Once per week	Once per week	Once per week	Once per week

ADVANCED DISPOSAL

					SCORE
Residential & Small Commercial	\$113,396	\$104,318	\$97,798	\$90,370	4
Mutifamily Dwelling, Commercial	\$83,583	\$83,583	\$83,583	\$83,583	
Commercial Large Roll-off Pull	\$13,650	\$13,650	\$13,650	\$13,650	
Monthly Total	\$210,629	\$201,551	\$195,031	\$187,604	
Advanced Annual Total	\$2,527,552	\$2,418,613	\$2,340,374	\$2,251,242	

REPUBLIC SERVICES

Residential & Small Commercial	\$163,740	\$149,792	\$158,870	\$144,840	2
Mutifamily Dwelling, Commercial	\$93,032	\$93,032	\$93,032	\$93,032	
Commercial Large Roll-off Pull	\$13,966	\$13,966	\$13,966	\$13,966	
Monthly Total	\$270,737	\$256,789	\$265,868	\$251,838	
Republic Annual Total	\$3,248,844	\$3,081,474	\$3,190,413	\$3,022,052	

WASTE PRO

Residential & Small Commercial	\$126,849	\$125,033	\$123,135	\$122,062	3
Mutifamily Dwelling, Commercial	\$97,635	\$97,635	\$97,635	\$97,635	
Commercial Large Roll-off Pull	\$11,550	\$11,550	\$11,550	\$11,550	
Monthly Total	\$236,033	\$234,218	\$232,320	\$231,247	
WastePro Annual Total	\$2,832,401	\$2,810,613	\$2,787,835	\$2,774,960	

* For Garbage / Trash this represents frequency for Residential and Small Commercial. The City will decide dumpster size and frequency for Multifamily, Commercial and Unique Commercial Service.

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6231
Fax: 904.247.6107
Planning@jaxbchfl.net

www.jacksonvillebeach.org

MEMORANDUM

To: George D. Forbes, City Manager

From: Susan Erdelyi, City Attorney

Re: Ordinance No. 2016-8084, declaring a temporary moratorium on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations within the City of Jacksonville Beach

Date: November 17, 2016

ACTION REQUESTED:

Adoption of Ordinance No. 2016-8084, declaring a temporary moratorium on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations within the City of Jacksonville Beach.

BACKGROUND:

Amendment 2, or the Florida Medical Marijuana Legalization Initiative, was approved by voters on the November 8, 2016 ballot, as an initiated constitutional amendment. The medical use of marijuana throughout the State of Florida is now legal, and licensed "Medical Marijuana Treatment Centers and Dispensing Organizations" are now authorized in the cultivation, processing, distribution and sale of marijuana and related activities within the state.

The attached ordinance establishes a temporary one (1) year moratorium for medical marijuana treatment centers and dispensing organizations. The City's Land Development Code does not currently have regulations governing the use of property for the purposes of medical marijuana or related activities (treatment centers and dispensing organizations). The requested moratorium period of one year will allow the City to consider the enabling legislation that the State Legislature is required to adopt during its next session, which ends in May 2017. The moratorium will also allow the City time to better analyze the potential impacts of medical marijuana treatment centers and dispensing organizations



upon adjacent uses and surrounding areas, and then formulate appropriate regulations to accommodate these types of businesses.

On June 16, 2014, Governor Rick Scott signed Senate Bill 1030, also known as the "Compassionate Medical Cannabis Act of 2014 ("2014 Act")." The legislation legalized low-tetrahydrocannabinol (THC) cannabis, such as the strain Charlotte's Web, for medical patients suffering from cancer or "a physical medical condition that chronically produces symptoms of seizures," such as epilepsy, "or severe and persistent muscle spasms." The law authorized a very limited number of large nurseries to cultivate, process, and dispense low-THC cannabis and operate as "dispensing organizations." The measure became effective on January 1, 2015.

The Jacksonville Beach Planning Commission conducted a required public hearing on the proposed temporary moratorium on November 14, 2016, and voted to recommend approval by the City Council.

RECOMMENDATION:

Adopt Ordinance No. 2016-8084, approving a one (1) year moratorium on the operation of medical marijuana treatment centers and dispensing organizations within the City.

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

ORDINANCE NO. 2016-8084

**AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH
DECLARING A TEMPORARY MORATORIUM ON THE OPERATION
OF MEDICAL MARIJUANA TREATMENT CENTERS AND MEDICAL
MARIJUANA DISPENSING ORGANIZATIONS WITHIN THE CITY FOR
A PERIOD OF ONE (1) YEAR; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE:**

WHEREAS, on November 8, 2016, Florida voters adopted an amendment to the Florida Constitution (“Amendment 2”) entitled “Use of Marijuana for Debilitating Medical Conditions”; and

WHEREAS, Amendment 2 legalizes the use of medically certified marijuana in the State of Florida and authorizes the cultivation, processing, distribution, and sale of marijuana and related activities, by licensed “Medical Marijuana Treatment Centers”; and

WHEREAS, on March 25, 2016, the Florida Legislature amended numerous provisions of Section 381.986, Florida Statutes to make various revisions including a revision to the definition of “Dispensing Organization” to allow dispensing organizations to transport cannabis, and to include “medical cannabis” for eligible patients with terminal conditions and to provide additional regulation of the Department of Health with regard to medical cannabis; and

WHEREAS, Chapter 64-4 “Compassionate Use” of the Florida Administrative Code has been enacted to regulate the Department of Health with regard to the requirements for dispensing organizations, including procedures for application, review, approval, inspection, and authorization of dispensing organizations, and the Department of Health has commenced its application and review process; and

WHEREAS, various state and national entities have begun addressing the direct and secondary impacts relating to the legalization of marijuana, including the American Planning Association, Denver Fire Department, Rocky Mountain High Intensity Drug Trafficking Area, U.S. Department of Justice, Florida cities and counties, Florida for Care Blue Ribbon Commission, and the Florida League of Cities-Florida Association of Counties-Florida Police Chiefs Association-Florida Sheriffs Association Medical Marijuana Workgroup; and

WHEREAS, future constitutional amendments and legislation may further expand the legal use of cannabis in Florida; and

WHEREAS the comprehensive State licensing and regulatory framework directs that the criteria for the number and location of, and other permitting requirements that do not conflict with state law or department rule for, dispensing facilities of cannabis businesses may be determined by local ordinance; and

WHEREAS, due to the historical prohibition of marijuana, the City of Jacksonville Beach does not currently have any land development regulations governing the use of real property for the purposes of cultivating, processing, distributing, or selling marijuana or related activities, and such uses are not permissible within the City; and

WHEREAS, Amendment 2 legalizes the medical use of marijuana and or cannabis throughout the State of Florida for individuals with debilitating medical conditions as determined by a licensed Florida physician and authorizes the registration and regulation of centers that cultivate, process, distribute, and sell marijuana products for medical purposes; and

WHEREAS, in order to promote effective land use planning (if a dispensing organization should seek to operate within the City), the City Council wishes to preserve the status quo while researching, studying and analyzing the potential impact of Medical Marijuana Treatment Centers and Dispensing Organizations upon adjacent uses and the surrounding area and the effect of Medical Marijuana Treatment Centers and Dispensing Organizations on traffic, congestion, surrounding property values, demand for City services and other aspects of the general welfare; and

WHEREAS, the Jacksonville Beach Planning Commission, after notice and public hearing, has considered the ordinance imposing a temporary moratorium on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations and has presented its recommendation to the City Council; and

WHEREAS, the dispensing of cannabis is currently illegal under federal law, and the United States Drug Enforcement Agency has recently confirmed that cannabis remains a Schedule I drug under federal law, but the United States Department of Justice has discussed federal enforcement of such laws with respect to state-regulated cannabis operations in the 2012 "Cole Memorandum," and;

WHEREAS, potential adverse impacts on the health, safety, and welfare of residents and business from secondary effects associated with the distribution of cannabis exist, potentially including, offensive odors, trespassing, theft, fire hazards, increased crime in and about the dispensary, robberies, negative impacts on nearby businesses, nuisance problems, and increased DUI incidents; and

WHEREAS, certain of the above potential adverse impacts are accentuated by the current difficulties experienced by cannabis businesses in obtaining banking services necessitating such businesses to operate on a cash basis; and

WHEREAS, there exists the potential for misappropriation of medical cannabis to non-medical uses; and

WHEREAS, an overabundance of dispensing facilities can affect the viability of such facilities, result in compliance issues, lead to the improper diversion of products, and accentuate threats to the public health, safety, and welfare; and

WHEREAS, the City Council finds that a temporary moratorium on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations will allow the City a sufficient period of time to determine what uses are best suited to particular zoning categories and how best to formulate land development regulations that appropriately govern the use of real property for purposes of cultivating, processing, distributing or selling marijuana or related activities;

WHEREAS, it is not the purpose or intent of this Ordinance to restrict or deny access to cannabis products as permitted by Florida law, but instead to enact reasonable restrictions intended to protect the public health, safety, and welfare. It is also unknown at this time what subsequent enacting legislation will provide and when such enacting legislation will become effective.

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

SECTION 1. A temporary moratorium is imposed on the operation of Medical Marijuana Treatment Centers and Dispensing Organizations within the city limits of the City of Jacksonville Beach. While the temporary moratorium is in effect, the City shall not accept, process or approve any application relating to the operation of a Medical Marijuana Treatment Center or Dispensing Organization. Nothing in this temporary moratorium shall be construed to prohibit the medical use of marijuana or low-THC cannabis by a qualifying patient, as determined by a licensed Florida physician, pursuant to Amendment 2, Fla. Stat. §381.986 or other Florida law.

SECTION 2. For purposes of the temporary moratorium, a "Medical Marijuana Treatment Center" means an entity that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their caregivers and is registered by the Florida Department of Health. "Dispensing Organization" means an organization approved by the Florida Department of Health to cultivate, process, transport, and dispense low-THC cannabis or medical cannabis pursuant to Fla. Stat. § 381.986.

SECTION 3. During the moratorium, it is unlawful and a violation of this ordinance for any person or entity to open or cause to be opened any cannabis treatment or dispensing business within the City. It is also unlawful and a violation of this ordinance for any person or entity to relocate or cause to be relocated any cannabis treatment or dispensing business within the City or to be expanded in the City.

SECTION 4. That this ordinance shall take effect upon its adoption by the City Council. The temporary moratorium shall terminate one (1) year from the effective date of this ordinance unless the City Council rescinds or extends the moratorium by a subsequent ordinance.

SECTION 5. That if any section, subsection, clause or provision of this ordinance is held invalid, the remainder shall not be affected by such invalidity.

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 ordinance are repealed to the extent inconsistent herewith.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2016.

William C. Latham, Mayor

Laurie Scott, City Clerk