



CITY OF JACKSONVILLE BEACH

FLORIDA

***AMENDED* 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 on **Monday, May 20, 2013, at 7:00 P.M. in the Council Chambers, 11 North Third Street, Jacksonville Beach, Florida.**

**Opening Ceremonies: Invocation
Salute to the Flag**

Roll Call

1. **APPROVAL OF MINUTES:**
 - New Council Orientation Tour
Beaches Energy Services held May 1, 2013
 - Regular City Council Meeting held May 6, 2013
2. **ANNOUNCEMENTS:**
3. **COURTESY OF THE FLOOR TO VISITORS:**
4. **MAYOR AND CITY COUNCIL:**
 - (a) Employee of the Quarter Award
 - Amy Smith, Human Resources
 - Steve Sciotto, Fire Department

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Monthly Financial Reports – Month of April 2013
- (b) Authorize the City Manager to Sign the Florida Municipal Natural Gas Association Mutual Aid Agreement
- (c) Award Unit Price Bid Number 1213-08, Entitled South Beach Redevelopment Area Improvement Project, to *G & H Underground Construction, Inc.*
- (d) Authorize Change Order for Phase IIIA Improvements to Unit Price Bid Number 1011-13, “Phase II – Development Area 1 Improvements Project,” with *Petticoat-Schmitt Civil Contractors, Inc.* and Authorize Construction Administration Services with the Project Design Firm, *GAI Consultants, Inc.* **(This includes 6th Ave North from A1A to 1st Street)**

7. **RESOLUTIONS:**

RESOLUTION NO. 1913-2013

A RESOLUTION PROVIDING FOR THE ANNUAL SALE OF SCRAP METAL.

8. **ORDINANCES:**

(a) **ORDINANCE NO. 2013-8027** – Second Reading

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY. **(This request is for a veterinary clinic to be located on a vacant 0.49 acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A1A)**

(b) **ORDINANCE NO. 2013-8028** – Second Reading

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING THE EASTERLY SEVENTY-FIVE (75) FEET OF A CERTAIN TWELVE (12) FOOT WIDE PUBLIC ALLEY RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH THAT CERTAIN PROPERTY IN THE CITY OF JACKSONVILLE BEACH, FLORIDA, KNOWN AS BLOCK 19, *MUNDY DRIVE TERRACE* SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT

Memorandum, Mayor and City Council
City Council Agenda for May 20, 2013

**PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. (Former George Moore
Chevrolet dealership)**

Respectfully submitted,

/s/George D. Forbes
CITY MANAGER

GDF:cmm
05/16/13

If a person decides to appeal any decision made by the City Council with respect to any matter considered at any meeting, such person may need a record of the proceedings and, for such purpose, 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 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, ext. 10, no later than 12:00 PM, Friday, May 17, 2013.

MINUTES
New Council Orientation Tour
City of Jacksonville Beach
Beaches Energy Services
Wednesday, May 01, 2013, 3:00pm-6:00pm

=====

Beaches Energy Services conducted an orientation tour with the City Council on Wednesday, May 1, 2013, from 3:00pm to 6:05pm. The City Council members who attended were Mayor Charlie Latham, Keith Doherty, Chris Hoffman, Phil Vogelsang, and Jeanell Wilson. George Forbes the City Manager, attended as well as Trish Roberts, Assistant Finance/Budget Officer and Glenda Wagner, Utility Billing Supervisor.

Operations and Maintenance Facility, 1460 Shetter Avenue

- * The orientation began in the Beaches Energy Services (BES) administration office. The BES staff (Director, Superintendent and Electrical Engineering Supervisor) handed out the tour schedule and BES Mission and gave a brief overview of the department.
- * The first stop was the BES Administration and Engineering offices. The council members met the BES Administrative Secretary and BES Customer Service Representative. A brief overview of their responsibilities was given.
- * The council members also met the BES Accountant/Analyst, Electrical Engineer and Engineering Technician while touring the exhibits of the natural gas system, electric system capital projects, GIS and new residential/commercial services.
- * The next area visited was the Property Management office. The council members met the Property Management Supervisor. A brief overview of the property management function was given.
- * Council members met the Chief Storekeeper and the Buyer. A brief overview of storeroom operations was given and a tour of the central storeroom.
- * Council members met the Building Maintenance employees and toured the maintenance shop.
- * Construction and Maintenance electrical equipment and apparatus were displayed in the bay area. Construction Supervisors explained and demonstrated the importance of safety while performing electrical work. The storm hardening plans, distribution maintenance plans and other programs were discussed.
- * Ongoing preparations for The Players tournament were discussed.
- * A brief overview of the Backup Control Center and the requirements of the North American Electric Reliability Corporation (NERC) were given by the System Operation Supervisor.
- * Meter division employees gave a demonstration of the natural gas shut-off valve operation and explained the importance of this device.
- * The Meter Service Supervisor explained the metering operations, different types of meters and the ITRON meter reading system.
- * After boarding the van, the council members were taken to Penman Substation.

Penman Substation, 1418 Penman Road

- * Disembarked at the substation and council members met the Substation Supervisor who explained substation operations and toured the Control house.
- * After boarding the van, the council members returned to the O&M Building.

O&M Building Conference Room, 1460 Shetter Avenue

The City Manager presented a history of Beaches Energy since 1913.

The City Manager updated the City Council on his concerns on accepting TPC tickets and the need to declare them as gifts, beach access and paid parking-DEP concerns, the 30 year extension of our Redevelopment Districts, the need to upgrade an HR position to a benefits/Pension administrator, and the relationship between the City Lifeguards and the Red Cross.

Budget officer Trish Roberts explained the City plans to improve our social media/face book presence.

Roy Trotter gave a presentation of the Open Access Transmission Tariff.

Roy Trotter, Beaches Energy Director, discussed the Florida Municipal Power Agency Open Access Transmission Service Provider Agreement.

The tour ended at approximately 6:05 pm.

Respectfully submitted by: Roy Trotter, Director of Beaches Energy Services

APPROVED:

William C. Latham, Mayor

Date: May 20, 2013

**Minutes of Regular City Council Meeting
held Monday, May 6, 2013, at 7:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida.**



CALL TO ORDER:

Mayor Charlie Latham called the meeting to order.

OPENING CEREMONIES:

Invocation was by Council Member Vogelsang; followed by the Salute to the Flag.

ROLL CALL:

Mayor: Charlie Latham

Council Members: Keith Doherty Steve Hartkemeyer Christine Hoffman
Tom Taylor Phil Vogelsang Jeanell Wilson

Also present was City Manager George Forbes, City Department Directors, and City Clerk Judy Bullock.

CHANGE IN ORDER OF AGENDA

Mayor Latham announced that there would be a change in tonight's Agenda of Business. Item 6 (a) under the City Manager will be the first item under consideration.

CITY MANAGER - Item 6 (a)

Mayor Latham requested a motion on Item 6 (a) under the City Manager heading.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the City Manager's appointment of Patrick Dooley as the Chief of Police of the City of Jacksonville Beach.

Mr. Forbes provided a brief description of the selection process used to find the best possible person for the job. He explained that the position was advertised nationally; then a team of staff and citizens rated the applications and conducted telephone interviews. Next, an assessment center was held through the Police Chief Selection Advantage program run by the International City/County Management Association. The Pittman-McLenagan Group held an assessment center for the four finalists, which was an intensive process. The conclusion of the process was that Interim Chief Pat Dooley was the best fit for the City and the better choice to lead the City into the future.

Council Comments –

Mayor Latham commended Mr. Forbes for hiring the firm that assisted in finding the very best qualified candidate for the City.

Mr. Vogelsang advised that he has gotten to know Interim Chief Dooley and concurs that he is the best candidate for the position.

Mr. Taylor thanked the staff and the citizens who participated in the process. He added that the cost for the firm that assisted was well spent.

Ms. Wilson commended Mr. Forbes, staff and citizens who participated in the selection process. She also congratulated Interim Chief Dooley.

Mr. Doherty spoke highly of Interim Chief Dooley's abilities and thanked everyone in the selection process.

Citizen Comments –

Bruce Thomason

Retired Police Chief Thomason extended his appreciation for Interim Chief Dooley's efforts and stated that Chief Dooley is the right person for the job.

David Coffman

Retired Police Officer David Coffman expressed his appreciation for the City of Jacksonville Beach Police Department. He also commended the staff for the Assessment Center and stated that this is the best-organized process that he has had the privilege to participate.

Ray Fisher, 2300 Azalea Drive, Jacksonville Beach

Mr. Fisher stated that he was part of the assessment team and expressed his amazement at the process and extended his congratulations to Interim Chief Dooley.

Mayor Latham advised that when his father was Mayor of Jacksonville Beach he had the honor of swearing in Retired Police Chief Bruce Thomason and now he has the honor of swearing in the next Chief of Police.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

Oath of Office and Pinning Ceremony –

At this time, Mayor Latham administered the Oath of Office to newly appointed Police Chief Patrick Dooley.

Retired Police Chief Thomason pinned the newly appointed Chief of Police Patrick Dooley.

Mayor Latham formally introduced the new Chief of Police, Patrick K. Dooley.

Comments –

Chief Dooley expressed his appreciation to his family, Chief Thomason, Mr. Forbes, the Council members, his fellow Police Officers and many friends. He advised that he looks forward to the opportunity to serve the community.

Recess –

Mayor Latham called a brief recess.

Reconvene –

Mayor Latham reconvened the meeting at 7:43 p.m. and resumed the order of the Agenda.

APPROVAL OF MINUTES

It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, and passed, to approve the following minutes, as presented:

- Regular City Council Briefing held April 15, 2013
- Regular City Council Meeting held April 15, 2013
- New Council Orientation Tour held April 17, 2013

ANNOUNCEMENTS

Councilmember Tom Taylor

- Mr. Taylor advised that he attended the 75th Anniversary of the Ribault Garden Center on April 18, 2013.

Mr. Taylor also commended the staff and various City Departments for a great *Opening Day Parade*.

Mr. Taylor encouraged everyone to visit the vegetable garden at BEAM and advised that volunteers are needed to assist with the garden.

Councilmember Steve Hartkemeyer

- Mr. Hartkemeyer congratulated his wife, who owns Infinity All Stars Competitive Cheer Leading. The teams brought home two championships from a competition held in Orlando.

Mayor Charlie Latham

- Mayor Latham advised that he and his wife Kathryn attended the HGTV Smart Home reception in Paradise Key on April 20, 2013. There was a great turnout and the exposure for Jacksonville Beach was phenomenal.
- He commended the staff for the way the final assessments for Police Chief were conducted. Members of the City Council were in attendance for the final full day of the Assessment. There were two very well qualified leaders at the end of the process, and it was exciting to see the best of the candidates was our very own Pat Dooley. In addition, special thanks to our runner up, Bryan Jarrell (of Southfield, Michigan) for all of his work during his assessment. He will make some city a great Chief of Police.

- Mayor Latham advised that he rode with Jacksonville Beach Police again, last Saturday, and commended the police force in the manner in which they are handling the increased crowd downtown. He added that he is very proud of all of our first responders. They do a great job of keeping the Downtown area safe.
- He gave a hearty well done to everyone who participated in the Beaches Opening Day Parade, with special thanks to the Parks & Recreation Department for coordinating and overseeing the event.
- Mayor Latham advised that he had breakfast with Mayors Borno and Pruette this past week and added that they continue to share ideas to improve the three cities/one community.

COURTESY OF THE FLOOR TO VISITORS

Speakers:

- Sam Veal, 209 South 3rd Street, Jacksonville Beach
Mr. Veal provided an update on the July 4th Celebration. He advised that there would be a fund raising event with many local bands performing. All proceeds above cost will go to the fireworks fund. Mr. Veal added that volunteers would visit local businesses to solicit donations for the fireworks. He also suggested that donation information could be included in monthly utility bills.

Mr. Veal advised that he was contacted by Radio Station WQIK to have new country star Craig Campbell perform on the 4th of July.

Mr. Forbes advised Mr. Veal that he needed to contact Parks & Recreation Director Gary Meadors to ensure that he qualifies for a "Special Event Permit".
- Roger West, 120 South 1st Avenue, Jacksonville Beach
Mr. West spoke about the intersection of Beach Boulevard and 2nd Street South needing better signage.
- Mike Stang, 1020 North 19th Street, Jacksonville Beach
Mr. Stang suggested that Council meetings be videoed so that more citizens can become involved in the meetings.
- Lee Buck, 136 North 17th Avenue, Jacksonville Beach
Mr. Buck provided a handout showing the blockade at 2nd Street North and 16th/17th Avenues. He requested that Council consider removing the blockades due to emergency vehicles, the poor condition of maintenance, and lastly, because they are no longer needed.

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

- (b) Approve a Partnership with the Sulzbacher Center by Funding \$28,000 for the Chronically Homeless Offender Project.

Mayor Latham requested that Council delay making a motion to participate on the item and requested a motion to open discussion on this topic and delay voting on the issue until a subsequent council meeting.

Motion: It was moved by Taylor, seconded by Mr. Vogelsang, and passed, to open discussion on City Manager Item (b), and then take a vote at a subsequent meeting.

Speaker:

Ms. Cindy Funkhouser, 1352 Plantation Oaks Drive, Jacksonville Beach – President of the Sulzbacher Center

Ms. Funkhouser presented a new program, Chronically Homeless Offender Project (CHOP). She provided handouts and explained that this is a new program where the City could partner with the Sulzbacher Center, and the Court System, with the goal of getting individuals the help they need to get off the street permanently.

With this program, the Jacksonville Beach Police would identify 10 of the most frequent homeless individuals who are arrested many times each year. Participation in the program means that the next time one of the individuals is arrested and appears before the Court, they will be given a choice of either entering a diversionary program, or they will receive the maximum sentence possible (over 21 days). Ms. Funkhouser emphasized that sex offenders are not eligible to participate in the program.

If the person chooses the program, the goal would be to get that person into permanent supportive housing with needed services such as substance abuse, mental health, PTSD (Post-Traumatic Stress Disorder) and/or health issues. If they do not choose to participate in the proposed program, they will go to jail for the maximum sentence and while there, be admitted to the treatment program offered by the jail system.

The proposal for Jacksonville Beach is to fund housing for up to 10 Chronically Homeless Offender Project program tenants for five months at an estimated cost of \$28,000.

Discussion

There was a lengthy discussion among Councilmembers regarding the program and cost to the City. Mr. Forbes advised that this is a 12-month pilot project and then the Council could

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evaluate its successfulness. Mr. Forbes added that the program is being presented to the Council to determine their interest in participation.

Mr. Forbes also pointed out that the proposed funding of \$28,000 would not be provided in a single donation. The funds would only be spent on rent as needed.

(c) Approve an Additional Corporal Position for the Downtown Cape Program

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve funding for a Downtown CAPE Police Corporal position and all required equipment, as described in a memo from Interim Chief Dooley, dated April 23, 2013.

Mr. Forbes explained that the Downtown Community Policing Program has been very successful. Currently there are four CAPE Officers in the Downtown Redevelopment Area and they do not have direct supervision. If approved the additional officer would be paid from Redevelopment Agency funds and would add an additional officer to the team. Also, if the Chronically Homeless Offender Project (CHOP) is approved, this officer would be the contact person.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

(d) Approval to Declare the City's MTX and MTS Motorola Radios and Equipment Surplus and Allow *Sunny Communications* to Purchase Them for \$500 Plus Shipping

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to declare the listed Motorola radios as surplus and approve the sale of the radios and surplus equipment to *Sunny Communications*, as described in a memorandum from Fire Chief Gary Frazier.

Mr. Forbes explained that these radios are obsolete because the City has gone from analog to digital. If approved *Sunny Communications* would remove the programming and purchase the radios for \$5.00 each. If the City were to sell the radios to the public, it would cost \$25 to \$35 per radio to remove the programming. The radios would be used by the communications company for parts and possibly to sell to other agencies.

Ms. Wilson asked if the company did not remove the programming in the radios, if it could hurt our new radio system.

Captain Sciotto, Jacksonville Beach Fire Marshal, addressed Ms. Wilson's concerns. He advised if the programming was not removed it would have a negligible impact on the City's Radio System.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham; motion carried unanimously.

(e) Approval of Bid Number 1213-07 for Padmounted Switchgear

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to award Bid Number 1213-07 for the purchase of padmounted switchgear to *Trayer Engineering* for a period of 12 months as recommended in a memorandum from the Director of Beaches Energy Services, dated April 12, 2013.

Mr. Forbes explained that Switchgear allows the City to sectionalize the grid in a power outage and keep power on to more customers.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

RESOLUTIONS

(a) **RESOLUTION NO. 1913-2013**

Mayor Latham requested that Resolution No. 1913-2013, be read by title; whereupon Ms. Bullock read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA RELEASING, VACATING, AND ABANDONING A TWELVE (12) FOOT WIDE PUBLIC UTILITIES EASEMENT LOCATED IN A FORMER PUBLIC ALLEY CLOSED BY ORDINANCE NO. 6142, AND RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH BLOCK 18, MUNDY DRIVE TERRACE SUBDIVISION, AS RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS BOOK OF DUVAL COUNTY, FLORIDA” (Former George Moore Chevrolet dealership)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1913-2013, establishing rates and fees for Huguenot Tennis Center, as described in the memorandum from the Recreation and Parks Director, dated April 8, 2013, as read by title.

Mr. Forbes explained that the Council would be taking a final vote on a proposed PUD – Apartment Complex tonight. He added there is a utility easement in the middle of the property that is no longer needed by the City. If approved, the only condition is that the applicant will be required to either grout or remove an existing unused sewer line and manhole within the easement.

Roll call vote: Ayes: Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, and Mayor Latham; motion carried unanimously.

ORDINANCES

(a) **Ordinance No. 2013-8027 – FIRST READING – PUBLIC HEARING**

Mayor Latham requested that Ordinance No. 2013-8027, be read by title; whereupon Ms. Bullock read the following:

“AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.” (This request is for a veterinary clinic to be located on a vacant 0.49-acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A1A)

Rezoning Hearing Statement – Mayor Latham

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

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

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

Public Hearing

I will now open the public hearing on **Ordinance No. 2013-8027**.

The Mayor asked if there was an applicant or a spokesperson for the applicant present to review their proposal.

Applicant –

Greg Kupperman, 200 First Street, Ste. B, Neptune Beach, Florida 32266

Mr. Kupperman advised that he is the Agent for the property owners, WaterSide, LLC and provided a brief review of the proposed project. He stated that the rezoning was for a 7,500 sq. ft. Veterinary Clinic and that they are in favor of the conditions for the PUD.

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- Councilmember Hoffman Met Jeff Woods, Managing Partner, at a social occasion, where Mr. Woods advised that he had this project coming before the Council and they only spoke about having an emergency veterinary clinic at the beach
- Councilmember Taylor Spoke with Jeff Woods at a funeral, where Mr. Woods stated that he had this project coming before the Council
- Councilmember Vogelsang None
- Councilmember Wilson None

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8027, rezoning a 0.49 acre parcel of land located on the north side of Jacksonville Drive, 50 feet west of State Road A1A, from *Commercial, Professional Office: CPO* to *Planned Unit Development: PUD* to allow the development of a 7,500 square foot veterinary practice, as read by title.

Mayor Latham read the following statement for the record:

“Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, and the Council is required to approve a clear statement of specific findings of fact stating the basis upon which such facts were determined and the decision was made.”

Ms. Wilson stated that she concurs with Mr. Overby; she is not opposed to the project, just the process. Ms. Wilson inquired about an area in the westerly section of the property and asked if the public street would remain open to traffic.

Senior Planner Bill Mann responded and advised that the area is part of the applicant’s property. It is a public easement granted to the City and it will remain a public access.

Roll call vote: Ayes – Wilson, Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, and Mayor Latham; motion carried unanimously.

Mr. Forbes explained that this is only the first reading of the ordinance and it will come back before the Council on its second reading, for approval.

(b) **ORDINANCE NO. 2013-8028 – FIRST READING**

Mayor Latham requested that Ordinance No. 2013-8028, be read by title; whereupon Ms. Bullock read the following:

“AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING THE EASTERLY SEVENTY-FIVE (75) FEET OF A CERTAIN

TWELVE (12) FOOT WIDE PUBLIC ALLEY RUNNING IN AN EASTERLY AND WESTERLY DIRECTION THROUGH THAT CERTAIN PROPERTY IN THE CITY OF JACKSONVILLE BEACH, FLORIDA, KNOWN AS BLOCK 19, MUNDY DRIVE TERRACE SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA. (Former George Moore Chevrolet dealership)

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8028, abandoning and closing the Easterly 75 feet of the 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* Subdivision, as read by title.

Mr. Forbes explained that the alley/easement has to be closed to build the apartment units. He advised that there is a 12-foot wide public alley, which has an eight-inch sewer line. Mr. Forbes added that the only condition of the partial abandonment is the applicant will be required to either grout or remove the existing unused sewer line and to construct a new manhole.

Ms. Wilson asked if the alley was being used.

Mr. Mann advised that the alley is unimproved and does not have a through access.

Roll call vote: Ayes: Doherty, Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, and Mayor Latham; motion carried unanimously.

(c) **ORDINANCE NO. 2013-8026 – SECOND READING**

Mayor Latham requested that Ordinance No. 2013-8026, be read by title; whereupon Ms. Bullock read the following:

“AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT: PUD ZONING DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER CHAPTER 34 – LAND DEVELOPMENT CODE, OF THE JACKSONVILLE BEACH CODE OF ORDINANCES.” (Former George Moore Chevrolet dealership property)

Motion #1: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to amend PUD Ordinance No. 2013-8026 to state that the applicant shall remove or grout the extents of the existing manhole and the 8 inch sewer line lying in the abandoned easement in Block 18, in the 8th Street North right-of-way, and in the abandoned portion of alley in Block 19, and shall also construct a new manhole at the Easterly terminus of the sewer line in the balance of the alley in Block 19, as read by title.

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Mr. Forbes explained that the amendment to this ordinance was to place the conditions from Resolution No. 1913-2013 and Ordinance No. 2013-8028 in the PUD Permit and the developers must meet the requirements if they accept the PUD Permit.

Roll call vote: Ayes: Hartkemeyer, Hoffman, Taylor, Vogelsang, Wilson, Doherty, and Mayor Latham; motion carried unanimously.

Motion #2: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8026, as amended, establishing a *Planned Unit Development: PUD* Zoning District, to allow a 176-unit multifamily residential apartment community on the former *George Moore Chevrolet* dealership properties, as read by title.

Mr. Forbes advised that a Public Hearing was held on the proposed development; the conditions for the project, parking, the height limit, open space requirements, landscaping, and tree protection were reviewed in detail.

Roll call vote: Ayes: Hoffman, Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, and Mayor Latham; motion carried unanimously.

Motion #3: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve “Findings of Fact” – Ordinance No. 2013-8026, dated April 22, 2013.

Roll call vote: Ayes: Taylor, Vogelsang, Wilson, Doherty, Hartkemeyer, Hoffman, and Mayor Latham; motion carried unanimously.

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 9:08 p.m.

Submitted by: Judy L. Bullock
City Clerk

Approval:

William C. Latham, Mayor

Date: May 20, 2013

MEMORANDUM

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247.6263
Fax: 904.247.6169

TO: George Forbes, City Manager
FROM: Karen Nelson, Director of Human Resources
DATE: May 6, 2013
RE: Employee of the Quarter Award
1st Quarter of 2013

www.jacksonvillebeach.org

This is to advise that the final determinations for Employee of the Quarter for the 1st Quarter of 2013 have been made. It is my pleasure to announce the following selections:

<u>Name</u>	<u>Department</u>
Amy Smith	Human Resources
Steve Sciotto	Fire

Please refer to the attached letters on their achievements.

According to our Awards Program, these individuals should be recognized by the City Council with a personalized letter from you and the City of Jacksonville Beach Employee of the Quarter pin. I am forwarding this information to you so that a presentation can be made at the May 20, 2013 Council Meeting. The recipients will be notified to attend.

Additionally, for your information, the Department Directors will be having a departmental award ceremony which will include the presentation of a check in the amount of \$100 and a personalized certificate for their employees.

KN:cn

Attachment





City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6268

Fax: 904.247.6276

www.jacksonvillebeach.org

May 20, 2013

Ms. Amy Smith
Human Resources

Dear Amy,

It is with great pleasure that we present you this letter of appreciation for your outstanding job performance in Human Resources. You have been selected as an Employee of the Quarter for the 1st Quarter of 2013.

You are being recognized for:

- going above and beyond to find qualified applicants for departments; making the interviewing process very easy to include pre-interviewing and producing interview booklets;
- handling all stressful situations by remaining calm and with grace and ease; and
- recently receiving your certification as a Professional in Human Resources, proving your dedication to the City and your commitment to the HR profession.

Please accept our sincere gratitude and thanks for your outstanding performance. It truly exemplifies the dedication and spirit for which we all strive to attain as public employees.

Sincerely,

George D. Forbes
City Manager

GDF:cn



City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6268

Fax: 904.247.6276

www.jacksonvillebeach.org

May 20, 2013

Mr. Steve Sciotto
Fire Department

Dear Steve,

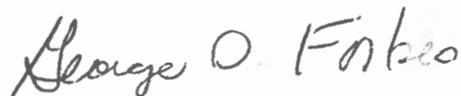
It is with great pleasure that we present you this letter of appreciation for your outstanding job performance as Fire Marshal. You have been selected as an Employee of the Quarter for the 1st Quarter of 2013.

You are being recognized for:

- working with owners, contractors and architects during the economically challenged period to assist them in getting code compliant, businesses operational and still meeting the intent of the codes;
- possessing excellent customer service during this period by assisting the City of Neptune Beach in the absence of their inspector; coming in after normal hours for inspections and tent checks at festivals and
- working on several special projects such as updating the web page, assisting in getting the auxiliary firefighter program started, and always being available to assist other employees or departments.

Please accept our sincere gratitude and thanks for your outstanding performance. It truly exemplifies the dedication and spirit for which we all strive to attain as public employees.

Sincerely,



George D. Forbes
City Manager

GDF:cn





BEACHES | ENERGY
SERVICES

MEMORANDUM

To: George D. Forbes
City Manager

From: Roy Trotter *RET*
Beaches Energy Services Director

Date: May 7, 2013

Re: Florida Municipal Natural Gas Association Mutual Aid Agreement

ACTION REQUESTED:

Authorize the City Manager to sign the Florida Municipal Natural Gas Association Mutual Aid Agreement.

BACKGROUND:

Beaches Energy Services began operating the natural gas system in June 2010 and has installed 25 miles of main serving 163 customers. Beaches Energy owns the gas system but has an innovative program of contracting the daily operation of the gas system to TECO Partners.

The Gas System Management Agreement with TECO was approved in 2010, and requires them to provide on-going gas management services to Beaches Energy including design, construction, operation, maintenance and repairs of the gas system.

Although the agreement addresses repairs for the gas system, a mutual aid agreement is available through the Florida Municipal Natural Gas Association. The mutual aid agreement was established to provide a method whereby gas utilities that sustain physical damage from natural disasters or other emergencies can obtain emergency assistance. This assistance could include personnel, equipment, materials and other associated services provided by organizations that have executed the mutual aid agreement.

The mutual aid agreement would augment our capabilities to respond and enhance restoration efforts. The agreement does not obligate us to provide assistance. Participating members, if called upon, will assess their situation to determine whether they are capable of providing assistance. The requesting entity is also required to reimburse the assisting agency for all costs.

George D. Forbes
Page 2
May 7, 2013

RECOMMENDATION:

Authorize the City Manager to sign the Florida Municipal Natural Gas Association Mutual Aid Agreement as described in a memorandum from the Director of Beaches Energy Services dated May 7, 2013.

FLORIDA MUNICIPAL NATURAL GAS ASSOCIATION

MUTUAL AID AGREEMENT

ARTICLE I. PURPOSE

The Florida Municipal Natural Gas Association Mutual Aid Program is established to provide a method whereby gas utilities sustaining physical damage from natural disasters or other emergencies, could obtain emergency assistance, in the form of personnel, equipment, and materials and other associated services necessary, from other gas utilities. The purpose of this agreement is to formally document such program.

ARTICLE II. DEFINITIONS

A. AGREEMENT – The Florida Municipal Natural Gas Association Mutual Aid Agreement. The Original Agreement and all signatory pages shall be kept at the office of the Secretary of the Florida Municipal Natural Gas Association.

B. PARTICIPATING UTILITY – Any gas utility that executes this Mutual Aid Agreement.

C. DAMAGED UTILITY – Any participating utility that sustains physical damage to its gas system due to a natural disaster or other emergencies, and seeks assistance pursuant to this Agreement.

D. ASSISTING UTILITY – Any participating utility which agrees to provide assistance to a damaged utility pursuant to this agreement.

E. AUTHORIZED REPRESENTATIVE – An employee of a participating utility authorized by that utility to request or offer assistance under the terms of this agreement. (A list of the authorized representatives for each participating utility shall be attached to this Agreement as Appendix A.)

F. PERIOD OF ASSISTANCE – The period of time beginning with the departure of any personnel of the assisting utility from the time assistance is requested and mobilization begins, and ending upon the return of all personnel of the assisting utility to their residence or place of work whichever is first to occur. This shall also include reasonable costs for preparation, mobilization and demobilization. The period of assistance shall not include, however, any portion of the trip to the damaged utility or the return trip from the damaged utility during which the personnel of the assisting

utility are engaged in a course of conduct not reasonably necessary to their safe arrival at or return from the damaged utility.

G. WORK OR WORK-RELATED PERIOD – any period of time in which either the personnel or equipment of the assisting utility is being used by the damaged utility to provide assistance. Specifically included within such period of time are rest breaks when the personnel of the assisting utility will return to active work within a reasonable time. Also included is mutually agreed to rotation of personnel and equipment, to be decided by the representative of the damaged utility and the persons designated as supervisory personnel of the assisting utilities.

ARTICLE III. PROCEDURE

In the event that a particular utility becomes a damaged utility, the following procedure shall be followed:

A. The authorized representative of the damaged utility, as identified in Appendix A, shall contact the authorized representative of one or more of the participating utilities and provide them with the following information:

1. a general description of the damaged sustained;
2. the part of the gas system for which assistance is needed, e.g., transmission or distribution;
3. the amount and type of personnel, equipment, materials and supplies needed and a reasonable estimate of the length of time they will be needed;
4. the present weather conditions and the forecast for the next twenty-four hours;
5. a specific time and place for a representative of the damaged utility to meet the personnel and equipment of the assisting utility; and
6. identification of work conditions and special constraints such as availability of fuel supplies, lodging/meal support, medical facilities, security, communications, etc.

B. When contacted by a damaged utility, the authorized representative of a participating utility shall assess his utility's situation to determine whether it is capable of providing assistance. No participating utility shall be under any obligation to provide assistance to a damaged utility. Rendering of aid is entirely at the discretion of the assisting utility. The agreement to render aid is expressly not contingent upon a declaration of a major disaster or emergency by the federal government or upon receiving federal funds. If the authorized representative determines that his utility is capable of and willing to provide assistance, he shall so notify the authorized representative of the damaged utility and provide him with the following information:

1. a complete description of the personnel, equipment and materials to be furnished to the damaged utility;
2. the estimated length of time the personnel equipment and materials will be available;

3. the work experience and ability of the personnel and the capability of the equipment to be furnished;
4. the name of the person or persons to be designated as supervisory personnel; and
5. the estimated time when the assistance provided will arrive at the location designated by the authorized representative of the damaged utility.

C. The personnel and equipment of the assisting utility shall remain, at all times, under the direct supervision and control of the designated supervisory personnel of the assisting utility. Representatives of the damaged utility shall suggest work assignments and schedules for the personnel of the assisting utility; the designated supervisory personnel of the assisting utility shall have the exclusive responsibility and authority for assigning work and establishing work schedules for the personnel of the assisting utility. The designated supervisory personnel shall maintain daily personnel time records and a log of equipment hours, be responsible for the operation and maintenance of the equipment furnished by the assisting utility, and report work progress to the damaged utility.

D. The damaged utility shall have the responsibility of providing food and housing for the personnel of the assisting utility from the time of departure from their regularly scheduled work location until the time of return to their regularly scheduled work location. The food and shelter provided shall be subject to the approval of the supervisory personnel of the assisting utility. If not agreeable, food and shelter shall be provided and paid for as determined by mutual agreement.

E. The damaged utility shall have the responsibility of providing communications between the personnel of the assisting utility and the damaged utility.

F. During the period of assistance only, the damaged utility shall accept qualifications of operators from the assisting utility. If personnel from the assisting utility are called upon to perform a task unique to the damaged utility and for which they are not qualified, onsite qualification training shall be conducted or personnel of the assisting utility shall perform such work under the direct line of sight supervision of qualified operators of the damaged utility.

ARTICLE IV. REIMBURSEABLE EXPENSES

The terms and conditions governing reimbursement for any assistance provided under this Agreement shall be agreed to prior to the providing of such assistance and shall be in accordance with the following provisions:

A. PERSONNEL – During the period of assistance, the assisting utility shall continue to pay its employees according to its then prevailing rules and regulations. The damaged utility shall reimburse the assisting utility for all direct and indirect payroll costs and expenses incurred during the period of assistance.

B. EQUIPMENT – The assisting utility shall be reimbursed for the use of its equipment during the period of assistance according to either a pre-established hourly rate or according to the actual operation and maintenance expenses incurred.

C. MATERIALS AND SUPPLIES – The assisting utility shall be reimbursed for all materials and supplies furnished by it and used or damaged during the period of assistance, unless such damage is caused by negligence of the assisting utility's personnel. The measure of reimbursement shall be replacement cost of the materials and supplies used or damaged, plus ten (10) percent of such cost. In the alternative, the parties may agree that the damaged utility will replace, with a like kind and quality as determined by the assisting utility, the materials and supplies used or damaged.

D. PAYMENTS – Unless mutually agreed otherwise, the assisting utility should bill the requesting utility for all expenses not later than ninety (90) days following the period of assistance. The requesting utility shall pay the bill in full not later than forty-five (45) days following the billing date. Unpaid bills shall become delinquent upon the forty-fifth (45th) day following the billing date, and once delinquent shall accrue interest at the rate of prime plus two percent (2%) per annum as reported by the *Wall Street Journal*, for the month the bill becomes delinquent.

E. DISPUTED BILLINGS – Those undisputed portions of a billing should be paid under this payment plan. Only the disputed portions should be sent to arbitration under Article VI.

ARTICLE V. INSURANCE

Each participating utility shall bear the risk of its own actions, as it does with its day-to-day operations, determine for itself what kinds of insurance, and in what amounts, it should carry. Each utility should have in its file a letter from their own insurance carrier authorizing them to work under the guidelines of this agreement, and that there will be no lapse in their insurance coverage either on employees, vehicles, or liability.

ARTICLE VI. ARBITRATION

All disputes between two or more participating utilities arising from participation in this Agreement, which cannot be settled through negotiation, shall be submitted to binding arbitration before a panel of

three persons chosen from the members of the Florida Municipal Natural Gas Association, which are participating utilities, excluding those members that are parties to the dispute.

If there are two parties to the dispute, each one shall choose one panel member and those two panel members shall agree on a third. If the panel members cannot agree, the third panel member shall be appointed by the president of the Florida Municipal Natural Gas Association.

If the parties cannot be equitably divided into adverse sides or if, for any other reason, the above procedures for choosing panels members are inadequate, the three members of the panel shall be designated by the president of the Florida Municipal Natural Gas Association.

The panel shall adopt rules of procedures and evidence, shall determine all issues in dispute by majority vote and shall assess damages. The decision of the panel shall be final and binding upon the parties to the dispute.

NOW, THEREFORE, in consideration of the covenants and obligations contained herein, the City of _____ as a Participating Utility, duly executes this Florida Municipal Natural Gas Association Mutual Aid Agreement this _____ day of _____, 200__.

City of _____

ATTEST:

Mayor



May 8, 2013

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: George D. Forbes, City Manager FROM: Ty Edwards, Public Works Director SUBJECT: Award Unit Price Bid 1213-08, South Beach Redevelopment Area Improvements Project (Williams Coastal & Jacksonville Beach Heights Area)

ACTION REQUESTED:

Award Unit Price Bid Number 1213-08, entitled South Beach Redevelopment Area Improvements Project, to G & H Underground Construction, Inc.

BACKGROUND:

This project is part of the City's 2013 Capital Improvement Plan. Major work includes, but is not limited to:

Table with 2 columns of project work items: Install PVC reuse main, Replace failing clay with PVC, Install water main pipe, Replace water & sewer service laterals, Replace old & add 6 new fire hydrants, Install RCP drainage pipe, Remove, reconstruct, and repave asphalt roadways.

The project area (see attached map) consists of the following streets:

Table with 3 columns: Street, From, To. Lists streets from Roberts Drive to Theodore Avenue and their boundaries.



The Invitation to Bid was advertised, thirteen (13) bid packages were requested and six (6) bids were received. The City's project design engineer firm, *Jones Edmunds*, evaluated the bids and recommended award to *G & H Underground Construction, Inc.*, the lowest, responsive and responsible bidder. The City bid tabulation sheet is attached. The construction cost and staff recommendation are summarized below:

PROJECT COSTS		
UNIT PRICE BID 1213-08,		
SOUTH BEACH REDEVELOPMENT AREA IMPROVEMENTS PROJECT		
(WILLIAMS COASTAL & JACKSONVILLE BEACH HEIGHTS AREA)		
<u>DESCRIPTION</u>	<u>COST</u>	<u>RECOMMENDATION</u>
Construction Bid Total:	\$3,286,488.32	<ul style="list-style-type: none"> • Award to <i>G & H Underground Construction, Inc.</i>, the lowest, qualified bidder
10% Contingency	\$328,648.83	
Construction Total:	\$3,615,137.15	
Construction Engineering Inspection (CEI) Services	\$237,483.41	<ul style="list-style-type: none"> • Authorize with <i>Jones Edmunds</i>, the project's design engineer firm
10% Contingency	\$23,748.34	
C&A Services Total:	\$261,231.75	
GRAND TOTAL:	\$3,876,368.90	
Project is scheduled in the 2013 Capital Improvement Plan. Funding of \$3,876,370 is provided by the South Beach Tax Increment Trust Fund as approved by the Community Redevelopment Agency, on 5/6/2013, by CRA Resolution 2013-3.		

It is recommended that the Bid 1213-08, "South Beach Redevelopment Area Improvements Project (Williams Coastal & Jacksonville Beach Heights Area)," be **awarded to the lowest, qualified bidder, *G&H Underground Construction, Inc.***, at a cost based on unit price estimated quantities in the amount of \$3,286,488.32, plus a 10% contingency, for a total cost not to exceed \$3,615,137.15

It is also recommended that **Construction Engineering Inspection Services** be authorized with *Jones Edmunds*, the project's design firm, at a fee of \$237,483.41, plus a 10% contingency, for a total fee not to exceed \$261,231.75.

RECOMMENDATION:

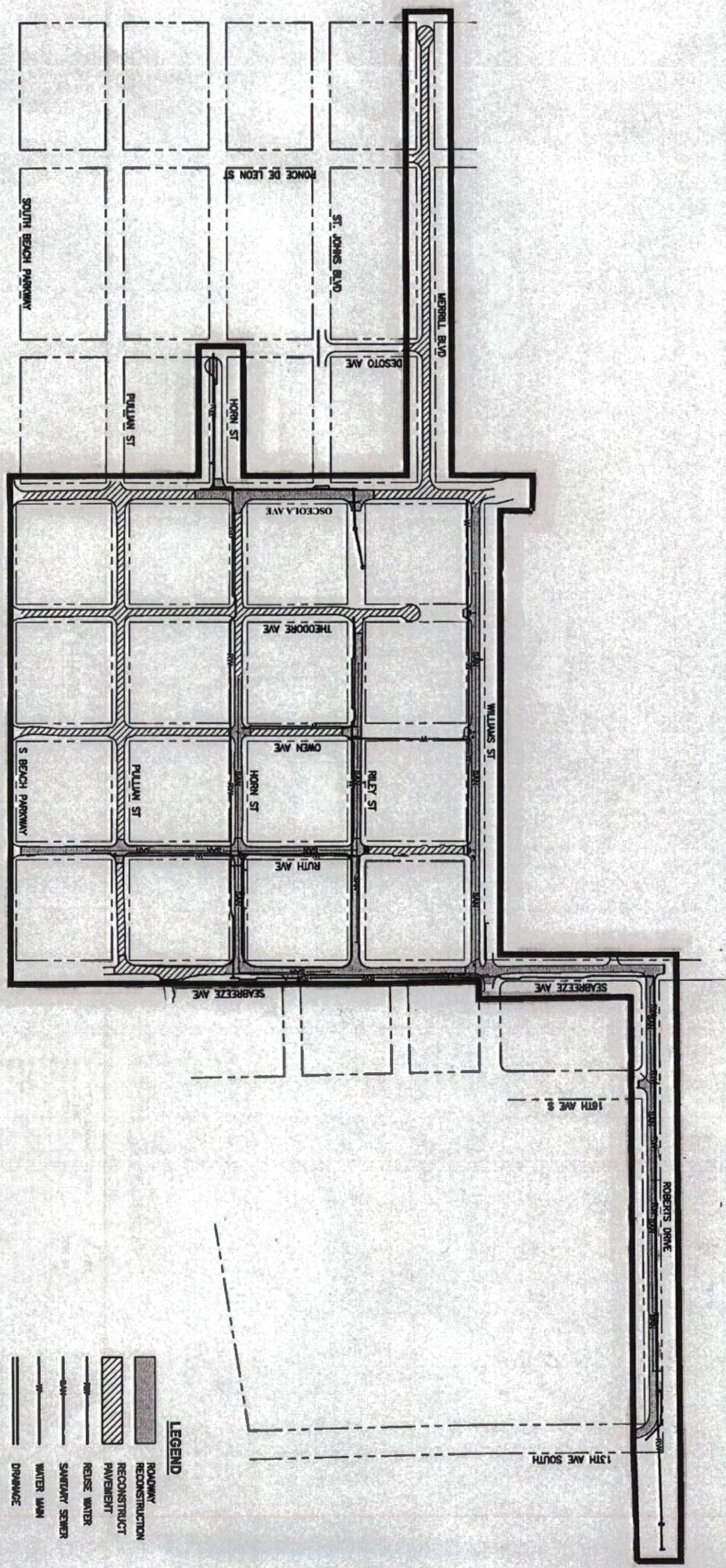
Award Unit Price Bid Number 1213-08, entitled "South Beach Redevelopment Area Improvements Project (in the Williams Coastal & Jacksonville Beach Heights Area)," to the lowest, qualified bidder, *G&H Underground Construction, Incorporated*, and authorize Construction Engineering Inspection Services with the project's design firm, *Jones Edmunds*, as described in the memorandum from the Public Works Director dated May 8, 2013.

REVISIONS	BY	DATE

CITY OF JACKSONVILLE BEACH, FLORIDA
DEPARTMENT OF PUBLIC WORKS

SOUTH BEACH REDEVELOPMENT
AREA IMPROVEMENTS PROJECT
(WILLIAMS COASTAL & JACKSONVILLE
BEACH HEIGHTS AREA)

SCALE:
DATE: 9/4/2003
DRAWN BY: ACB
CHECKED BY: ACB
APPROVED BY: ACB
FILE NO.: 1



LEGEND

- ROADWAY RECONSTRUCTION
- PAVEMENT
- REUSE WATER
- SANITARY SEWER
- WATER MAIN
- DRAINAGE
- RIGHT OF WAY
- PROJECT LIMITS



EXISTING GOLF COURSE

JONES EDMUNDS®

ENGINEERS | ARCHITECTS | SCIENTISTS

April 29, 2013

Mr. Arnold F. Lilly, Jr.
Construction Project Manager
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

RE: Jacksonville Beach, Florida
Certified Bid Tabulation, Recommendation of Award, and Proposal for Construction Services
Williams Coastal Boulevard Heights and Jacksonville Beach Heights, Project Area #1
of the South Beach Infrastructure Improvements Program
City Bid No: 1213-08
Jones Edmunds Project No. 09803-019-01

Dear Mr. Lilly:

We are pleased to enclose two copies of the certified bid tabulation for the bids received by the City on April 10, 2013, at 2:00 p.m., for the referenced project. The bids have been verified and evaluated for conformance with the criteria set forth in the bidding documents.

G&H Underground Construction, Inc. is the low bidder for the project with a Total Bid of \$3,286,488.32. Based on our understanding of available City funds, we recommend awarding the project to G&H Underground Construction, Inc. for a total of \$3,286,488.32. We also recommend that the City set aside a contingency fund in an amount not less than 10% of the bid amount to allow for any unknown conditions that may be encountered during construction.

The City's experience with G&H Underground Construction, Inc. is that they are a reputable contractor and have performed excellent work for the City over a number of years.

Under separate cover we are submitting our proposal to provide Construction Administration Services for this project. We appreciate this opportunity serve the City of Jacksonville Beach and look forward to the successful construction of this project.

Sincerely,



Brian F. Hepburn, MPA
Project Manager

K:\09803 Jacksonville Beach\019-02 South Beach Infrastructure PSDC\Construct\NoticeofAward\RECAWARD LTR.doc

Enclosures

April 29, 2013

Arnold F. Lilly
Construction Project Manager
City of Jacksonville Beach
Department of Public Works
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

RE: Proposal for Construction Engineering and Inspection Services
Williams Coastal Boulevard Heights and Jacksonville Beach Heights,
Project Area #1 of the South Beach Infrastructure Improvements Program
City Bid No. 1213-08
Jones Edmunds Project No. 09803-019-02
Jacksonville Beach, Florida.

Dear Mr. Lilly:

We are pleased to submit our proposed scope of services and fees for providing Professional Services During Construction for the Williams Coastal Boulevard Heights and Jacksonville Beach Heights, Project Area #1 of the South Beach Infrastructure Improvements Program, City Bid No. 1213-08. Below is an outline of our proposed services.

Construction Engineering Services

1. Receive, review, and approve Contractor shop drawings for conformance with project specifications, including transmitting shop drawings to the Contractor with comments for revision as necessary. Send the City a copy of all approved shop drawings.
2. Perform four site visits (Jones Edmunds Design Engineer).
3. Review and respond to RFIs submitted by the Contractor.
4. After construction is complete, provide the Certification of Completion to the Florida Department of Environmental Protection and St. Johns River Water Management District.

Construction Inspection Services

1. Provide full-time inspection services for the 14-month duration beginning on the Notice to Proceed date.
2. Prepare the agenda and attend the pre-construction conference.
3. Attend the Contractor progress meetings (Senior Inspector), document the meeting, and provide meeting minutes to the City for review.
4. Maintain detailed, accurate records of the Contractor's daily operations and of significant events that affect the work. Monitor and inspect the Contractor's Work Zone Traffic Control Plan and review modifications to the Work Zone Traffic Control Plan, including Alternate Work Zone Traffic Control Plan, in accordance with the City's procedures. Employees performing these services will be qualified in accordance with the City's procedures.
5. Provide daily surveillance of the Contractor's Quality Control activities for acceptance. Determine the acceptability of all materials and completed work items on the basis of test results or verification of a certification and certified mill analysis. The Contractor shall submit reports on sampling and testing to the Engineer for review/approval and submit them to the City during the same week that the construction work is done. Sampling and testing shall be done by the Contractor or others.
6. Verify that the Contractor is conducting inspections, preparing reports, and monitoring all stormwater pollution prevention measures associated with the project. For each project that requires the use of the NPDES General Permit, provide at least one inspector who has successfully completed the "Florida Stormwater, Erosion, and Sedimentation Control Training and Certification Program for Inspectors and Contractors."
7. Administer, monitor, and inspect (Inspector and Project Administrator) the Construction Contract performance so that the project is constructed in reasonable conformity with the plans, specifications, and special provisions for the Construction Contract. Inspect the Contractor's work to determine the progress and quality of work. Identify discrepancies, report significant discrepancies to the City's Project Manager, and direct the Contractor to correct observed discrepancies. This project will be built to current Florida Department of Transportation and City of Jacksonville Beach standards in all respects.
8. Monitor, inspect, and document utility construction for conformance with Jacksonville Beach standards. Facilitate coordination and communication between Jacksonville Beach representatives and the Contractor executing the work. Identify potential utility conflicts and assist in the resolution. Address work progress, track reimbursement activities, and address salvage determination.

9. Produce reports, verify quantity calculations, and field-measure for payment purposes as needed to prevent delays in Contractor operations and to facilitate prompt processing of such information for the City to make timely payment to the Contractor. Monitor each Contractor and Subcontractor's compliance with specifications and special provisions of the Construction Contract.
10. Videotape the pre-construction conditions throughout the project limits. Provide a digital photo log or video of project activities, with heavy emphasis on potential claim items/issues and on areas of real/potential public controversy to the City at least monthly. Provide a digital camera for photographic documentation of the pre-construction state and of noteworthy incidents or events during construction. File and maintain these photographs on our computer system. Take photographs the day before construction starts and continue as needed throughout the project. Take photographs the days of Monthly Pay Estimate submittal and Substantial and Final Acceptance. Provide visual documentation of the Project through the periodic collection of photographs. The Contractor shall also provide a pre-construction video and photographs in accordance with the specifications.
11. Review Record Drawings prepared by Contractor, comment as necessary for conformance to construction, and prepare final closeout documents

In accordance with our Contract for Consulting Engineering Services, Jones Edmunds & Associates, Inc. proposes to perform the Scope of Services described herein for a time-and-material, not-to-exceed fee of \$15,060.71 (Exhibit A) for engineering services and \$222,422.70 for CEI services (Exhibit B). A copy of our cost proposal including hour breakdown by major task and expenses are enclosed as attachments.

As always, we appreciate this opportunity to continue to serve the City of Jacksonville Beach and look forward to your acceptance of this proposal. If you have any questions or wish to discuss any aspect of this proposal, please contact me at your convenience.

Sincerely,

Brian F. Hepburn, MPA
Project Manager

k:\09803 jacksonville beach\019-02 south beach infrastructure psdc\general\proposals\williams costal proposal 4-26-13 final.doc

Enclosures

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

May 10, 2013

TO: George Forbes, City Manager**FROM:** Ty Edwards, Public Works**SUBJECT:** Authorize Change Order for Phase IIIA Improvements to Unit Price Bid No. 1011-13, Phase II - Development Area 1 Improvements Project**ACTION REQUESTED:**

Authorize Change Order for Phase IIIA Improvements to Unit Price Bid Number 1011-13, "Phase II - Development Area 1 Improvements Project," with *Petticoat-Schmitt Civil Contractors, Inc.* and authorize Construction Administration Services with the project design firm, *GAI Consultants, Inc.*

BACKGROUND: On October 17, 2011, the City Council approved the construction of "Phase II-Development Area 1 Improvements Project," to *Petticoat-Schmitt Civil Contractors, Inc.* This work consists of the downtown vision plan project east of A1A and includes Beach Boulevard, 1st Street North (Beach Boulevard to 6th Avenue North); and 1st, 2nd, 3rd, 4th and 5th Avenues North. At the present time, the Contractor is working on 5th Avenue North between 1st Street and 2nd Street North.

On December 3, 2012, the City Council authorized the design of the "Retail Corridor" Project, 6th Avenue North from 1st Street North to 3rd Street North. In an effort to continue the improvements in the Downtown Area and due to the quality work being performed by the contractor, the City proposes to construct Phase IIIA Improvements as a Change Order to the existing contract with *Petticoat-Schmitt Civil Contractors, Inc.* Phase IIIA Improvements include the following items:

6th Avenue North (1st Street North to 3rd Street):

- Reconstruct roadway per the Master Plan.
- Provide angle parking on both sides of the roadway.
- Construct asphalt roadway with curb and gutter.
- Replace existing 8-inch water main with new 8-inch and 12-inch PVC water mains.
- Replace existing storm sewer piping and inlets with new storm sewer piping and inlets.



Phase IIIA Change Order, Unit Price Bid No. 1011-13, Phase II-Development Area 1 Improvements Project		
DESCRIPTION	COST	RECOMMENDATION
•6 th Avenue North (1 st St. N. to 3 rd St.) Construction	\$693,113.00	Authorize Change Order with <i>Petticoat-Schmitt Civil Contractors, Inc.</i>
10% Contingency	\$69,311.30	
Construction Total:	\$762,424.30	
•Construction Engineering Inspection Services	\$65,649.82	Authorize CEI Services with <i>GAI Consultants, Inc.</i>
10% Contingency	\$6,564.98	
CEI Services Total:	\$72,214.80	
GRAND TOTAL:	\$834,639.10	
Phase IIIA Change Order is funded with authorized funding of \$838,489 from the Downtown Tax Increment Trust Fund and approved by the CRA on May 6, 2013.		

It is recommended that the Phase IIIA Change Order to Unit Price Bid 1011-13, "Phase II - Development Area 1 Improvements Project," be authorized with *Petticoat-Schmitt Civil Contractors, Inc.* at a cost, based on estimated quantities, of \$693,113.00 plus a 10% contingency, for a total cost not to exceed \$762,424.30

It is also recommended that Construction Engineering Inspection Services be authorized with the project's design firm, *GAI Consultants, Inc.* at a cost of \$65,649.82, plus a 10% contingency, for a total cost not to exceed \$72,214.80.

RECOMMENDATION: Authorize a Change Order to Unit Price Bid Number 1011-13, titled "Phase II - Development Area 1 Improvements Project," with *Petticoat-Schmitt Civil Contractors, Inc.*, and authorize construction engineering inspection services with *GAI Consultants, Inc.*, as described in the memorandum from the Public Works Director dated May 10, 2013.



May 14, 2013

11008-027.1

Mr. Thomas B. Moore
Project Administrator
GAI Consultants, Inc.
1301 Riverplace Blvd., Suite 900
Jacksonville , Florida 32207

Re: Phase II Area I Improvements Project
Bid No.: 1011-13

Subject: COR #26 – 6th Avenue (Revision 1)

Dear Mr. Moore:

As requested by the City we submit the following revised quotation to construct 6th Avenue per the plans provided by GAI:

- 6th Avenue - \$693,113.00 (See Attached Breakdown)

Please note this additional work will take 90 calendar days from the end of a 10 day Notice to Proceed period.

If you have any questions or need additional information, please call me at 751-0888.

Sincerely,
Petticoat-Schmitt Civil Contractors, Inc.

Clyde Cross
Vice President

cc: File

attachment:

City of
Jacksonville Beach
City Hall
11 North Third Street
Jacksonville Beach
FL 32250
Phone: 904.247 6274
Fax: 904.270 1 642

www.jacksonvillebeach.org

May 9, 2013

MEMORANDUM

TO: George D. Forbes
City Manager

FROM: Jason Phitides
Purchasing Administrator

SUBJECT: Sale of Scrap Metal

ACTION REQUESTED:

Adoption of Resolution No. 1913-2013 approving the annual sale of scrap metal.

BACKGROUND:

Beaches Energy Services has accumulated scrap metal that can no longer be used. For that reason we are requesting the scrap metal be declared surplus and disposed of by sale to highest qualified bidder.

Scrap metal is classified in six categories, including:

1. Insulated Aluminum Wire
2. Bare Aluminum Wire
3. Scrap Aluminum
4. Insulated Copper Wire
5. Bare Copper Wire
6. Scrap Steel

Bidders on the sale of scrap metal will provide a bid price per pound for each category, except for scrap steel which is sold per hundred pounds. The City will estimate current scrap inventory by weight for each category and apply the estimated weight to each bidder's bid price per category. The bid award will be granted to the bidder meeting bid specifications with the highest combined sum bid total. Bidders must bid on all scrap metal categories.

Bidders must demonstrate the ability to remove scrap from the City yard in a safe and expeditious manner. The scrap metal is to be removed from the City yard in trailers and/or roll-off containers, typically using front-end loaders, cranes or grapple hooks. All equipment and manpower is at the expense of the successful bidder.

The scrap metal will be transported by the successful bidder to a weigh station and weighed by category. A City representative will accompany the movement of



the scrap metal to the weigh station to document the correct classification and weight measurement.

RECOMMENDATION:

Adopt Resolution No. 1913-2013 approving the annual sale of scrap metal to the highest qualified bidder.

City of Jacksonville Beach
Scrap Metal Analysis

Category Number	Description	2010		2011		2012		Average	
		Weight (lbs)	Price	Weight (lbs)	Price	Weight (lbs)	Price	Weight (lbs)	Price
1	Insulated Aluminum Wire	85,860	\$ 0.30	104,835	\$ 0.33	102,753	\$ 0.31	97,816	0.31
2	Bare Aluminum Wire			7,010	\$ 0.63	15,808	\$ 0.53	11,409	0.58
3	Aluminum Scrap			28,634	\$ 0.72	12,120	\$ 0.60	20,377	0.66
4	Insulated Copper	3,500	\$ 0.90	5,544	\$ 1.12	13,192	\$ 1.20	7,412	1.07
5	Bare Copper	12,200	\$ 2.00	14,000	\$ 2.77	9,988	\$ 2.50	12,063	2.42
6	Steel Scrap	12,200	\$ 5.00	16,360	\$ 8.00	8,640	\$ 8.00	12,400	7.00
	Totals	113,760	\$ 53,918	176,383	\$ 105,948	162,501	\$ 88,995	161,477	\$ 88,777

Note: Averages based on 3 years except for categories 2 and 3, which is based on 2 year average because there were no sales of scrap categories in FY 2010.

Introduced by: _____
Adopted: _____

RESOLUTION NO. 1913-2013

**A RESOLUTION PROVIDING FOR THE
SALE OF SCRAP METAL**

WHEREAS, it is hereby declared that certain scrap metal owned by the City of Jacksonville Beach or Beaches Energy Services is in excess of the foreseeable needs of the public, and for that reason it is in the best interest of the City that the same be put up for sale and sold to the highest bidder meeting bid specifications after providing the required public notice.

WHEREAS, the potential bidders will be allowed sufficient time to inspect the scrap metal prior to the sale.

WHEREAS, it shall be the responsibility of the successful bidder to have scrap metal removed from City property and weighed wherein the total sale amount can be determined. Payment by the successful bidder for the scrap metal will be accepted in the form of check or wire transfer.

WHEREAS, the City reserves the right to reject any and all bids.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE
CITY OF JACKSONVILLE BEACH AS FOLLOWS:**

Section 1. Annually the City of Jacksonville Beach and Beaches Energy Services are authorized to offer the sale of scrap metal, and sell it to the highest bidder meeting bid specifications after providing the required public notice.

Section 2. All the scrap metal shall be sold in an as is, where is condition without warranty.

Section 3. This resolution shall take effect upon its passage and publication as required by law.

AUTHENTICATED this ___ day of _____, A.D., 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

City of
Jacksonville Beach

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MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No. 2013-8027, rezoning a vacant 0.49 acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A-1-A, from *Commercial professional office: CPO to Planned Unit Development: PUD* to allow a 7,500 s.f. veterinary practice.

Date: May 8, 2013

ACTION REQUESTED:

Adoption of Ordinance No. 2013-8027, establishing a *Planned Unit Development: PUD* Zoning District within the City of Jacksonville Beach, Florida, as provided under Chapter 34 - Land Development Code of the Jacksonville Beach Code of Ordinances. (Applicant –*Waters Side, LLC*)

BACKGROUND:

This application is essentially the re-filing of a successful 2010 PUD rezoning of the subject property (PC#21-09). That rezoning was subsequently nullified when a required development plan application for the proposed veterinary clinic was not filed by the property owner within the one year time limit to do so. That condition was placed on the PUD's approval by the Planning Commission, along with the requirement that the then existing modular office buildings on-site be demolished. That condition was met, but for whatever reason, the property owner did not follow through with plans to build the clinic at that time.

PUD rezoning is required (1) because veterinary clinics are not a permitted use in the *Commercial, Professional Office: CPO* district that the subject property lies in, and (2) because the location of the proposed building does not conform to CPO setbacks. The latter is due primarily to the geometry of the subject property, and the location of the existing parking lot on the property that the applicant intends to use as part of his proposed development.



There are several differences between this application and the rezoning approved in 2010. One is that the building is now a two-story building, so it is larger (7,500 s.f. compared with 4,500 s.f.), and the outside pet walk/observation area has been brought indoors, to now occupy the entire second floor of the building. The other significant difference from the formerly approved PUD is that the applicant is not requesting a range of other uses for the building, in addition to veterinary services. He is limiting the permitted uses of the property to veterinary services, including indoor kennel and indoor exercise area, all to be provided in a soundproof and odor controlled building. The incorporation of the kennel and exercise into the building space is what is driving the change from a one-story structure to a two-story structure. The former PUD site plan had an outdoor exercise/observation area for the animals.

Staff has reviewed the application against Land Development Code PUD and site development standards, and concurs with the presentments contained in the application narrative. The application is also consistent with relevant Comprehensive Plan *Commercial Professional Office (CPO)* land use policies and objectives. The property is under single ownership. Safe and adequate access is available to the subject property. Public facilities, including transportation, are in place to serve the development. The 22 parking spaces shown on the site plan for the proposed use are adequate, based on a variance approved for the applicant by the Board of Adjustment on February 19, 2013. (Ref. BOA#13-100008).

The project provides the minimum required open space, including a public access easement along the west side of the property granted to the City. This easement was a critical component of the recently completed rework and signalization of the intersection of A-1-A and Jacksonville Drive, and now provides access to Jacksonville Drive from the properties to the north of the subject property.

Adjacent uses remain as they were in 2010, including a two-story office building to the immediate north, a bank and office park to the south across Jacksonville Drive, and residential neighborhoods to the west beyond the public access easement, and to the east across 3rd St. The subject property had a history of use as professional offices, before the two former modular buildings were removed in 2011. A proposed new building, together with new landscaping and allowable monument signage will positively contribute to the character of the

area. The incorporation of the kennel and exercise area indoors also helps to ensure compatibility with the surrounding neighborhood.

The Jacksonville Beach Planning Commission conducted a required public hearing on April 8, 2013 to consider this application. The Planning Commission voted unanimously to recommend the approval of this rezoning by the City Council. Staff has also incorporated the applicant's proposed development schedule into the ordinance, so that the property would revert back to its current CPO zoning, should the applicant fail to obtain development plan approval within one year following this rezoning, or if they subsequently fail to obtain a building permit within two years following development plan approval.

RECOMMENDATION:

1. Adopt Ordinance No. 2013-8027, rezoning a 0.49 acre parcel of land located on the north side of Jacksonville Drive, 50 feet west of State Road A-1-A, from *Commercial, Professional Office: CPO* to *Planned Unit Development: PUD* to allow the development of a 7,500 square foot veterinary practice.
2. Approve Findings of Fact – Ordinance No. 2013-8027, dated May 8, 2013.

FINDINGS OF FACT - ORD. NO. 2013-8027

SUBJECT: Ordinance No. 2013-8027, rezoning a vacant 0.49 acre parcel of land on the north side of Jacksonville Drive, 50 feet west of State Road A-1-A, from *Commercial professional office: CPO* to *Planned Unit Development: PUD*, to allow redevelopment of the subject property into a 7,500 s.f. veterinary clinic.

Pursuant to Article VI, Section 34-211(c) of the Land Development Code of the Jacksonville Beach Code of Ordinances, the City Council shall consider the adoption of an ordinance enacting an amendment to the Zoning Atlas or Code based on only one (1) or more of the following factors, provided however, that in no event shall an amendment be approved which will result in an adverse community change in which the proposed development is located.

- (1) Whether the proposed amendment is consistent with the comprehensive plan;
- (2) Whether the proposed amendment is in conflict with any portion of the LDC;
- (3) Whether and the extent to which the proposed amendment is consistent with existing and proposed land uses;
- (4) Whether and the extent to which there are any changed conditions that require an amendment;
- (5) Whether and the extent to which the proposed amendment would result in demands on public facilities, and whether and the extent to which the proposed amendment would exceed the level of service standards established for public facilities in the comprehensive plan;
- (6) Whether and the extent to which zoning district boundaries are not properly drawn on the official zoning atlas;
- (7) Whether and the extent to which the proposed amendment would result in significantly adverse impacts on the natural environment, including, but not limited to, water, air, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the coastal environment;
- (8) Whether and the extent to which the proposed amendment would adversely affect the property values in the area;
- (9) Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern;

- (10) Whether it is impossible to find other lands in the city for the proposed use in a zoning district that permits such use as of right.

Based on a review of the rezoning application, staff analysis of the information submitted, and the public hearing on the proposed rezoning conducted on May 6, 2013, the City Council has found that the applicant has fulfilled his burden to show that the project should be approved as follows:

1. There are adequate public facilities available to serve the proposed uses of the subject property.
2. The proposed use of the property by the applicant for a veterinary clinic, in a sound proof and odor controlled building, is consistent with surrounding development and will not negatively impact adjacent properties.
3. The proposed use is consistent with adopted comprehensive plan policies relative to properties designated as Commercial Professional Office (CPO) on the 2030 Comprehensive Plan Future Land Use Map.
4. On-site parking and open space provision within the subject property are compliant with minimum Land Development Code standards, and also with a parking variance granted to the applicant via Application No. BOA 13-100008.
5. The proposed rezoning was reviewed and recommended to be approved by staff and by the Jacksonville Beach Planning Commission, prior to its consideration by the City Council.
6. There was no factual testimony presented at the Planning Commission public hearing or the City Council public hearing to dispute the presentments of the applicant or staff.

Introduced By: Mayor Pro-Tem Tom Taylor
1st Reading: May 6, 2013
2nd Reading: May 20, 2013

ORDINANCE NO. 2013-8027

AN ORDINANCE ESTABLISHING A PLANNED UNIT DEVELOPMENT (PUD) DISTRICT WITHIN THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS PROVIDED UNDER THE JACKSONVILLE BEACH LAND DEVELOPMENT CODE, CHAPTER 34 OF THE CODE OF ORDINANCES OF SAID CITY.

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

WHEREAS, the owners of certain lands more particularly described herein have applied to the City Council for rezoning of those lands from *Commercial professional office: CPO* to *Planned Unit Development: PUD*;

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

SECTION 1. That the Land Development Code and Zoning Atlas previously adopted by the City Council of the City of Jacksonville Beach, Florida, be and the same is hereby amended and, as amended, shall henceforth read as follows:

That all of the certain territory in the City of Jacksonville Beach, Florida, described as follows, to wit:

LEGAL DESCRIPTION

A part of Block 2, Hanna's Replat of Atlantic Shores as recorded in Plat Book 38, Page 81 of the current public records of Duval County, Florida, together with Lot 18, Block 16 and part of Lots 15, 16, and 17, all in Block 16 of Atlantic Shores Unit No. 1 as recorded in Plat Book 14, Page 40 of the current public records of Duval County, Florida, and being more particularly described as follows: For a point of reference, commence at the intersection of the Westerly right of way line of Third Street (State Road A-1-A, a 100-foot right of way as now established) with the Northerly right of way line of Jacksonville Drive (A variable width right of way); Thence South 88°36'45" West, along said Northerly right of way line, a distance of 58.20 feet to the Point of Beginning; Thence continue South 88°36'45" West, along said Northerly right of way line, a distance of 187.07 feet to the Southeast corner of Block 4 of said Hanna's Replat of Atlantic Shores; Thence North 01°05'50" West, along said Easterly line of Block 4, a distance of 113.26 feet to the Southerly right of way line of Lower 36th Avenue South; Thence North

88°54'10" East, along said Southerly right of way line, a distance of 25.00 feet: Thence South 01°05'50" East, a distance of 17.34 feet; Thence North 88°45'28" East parallel with the Southerly line of said Block 2, Hanna's Replat of Atlantic Shores, a distance of 77.49 feet: Thence North 01°14'32" West, a distance of 39.58 feet: Thence North 88°45'28" East, parallel with the Southerly line of said Block 2, a distance of 93.11 feet to the Easterly line of said Block 2, Hanna's Replat of Atlantic Shores: Thence South 05°48'12" East, along said East line of Block 2, a distance of 11.03 feet to the Southeast corner of said Block 2: Thence South 88°45'28" West, along the Southerly line of said Block 2, a distance of 9.94 feet to the Northeast corner of said Lot 18, Block 16, of Atlantic Shores Unit No. 1: Thence South 01°23'15" East, along the Easterly line of said Lot 18, a distance of 123.95 feet to the Point of Beginning, containing 21,730 square feet, or 0.499 acres, more or less and subject to a 25 foot Easement over the Westerly 25 feet to the City of Jacksonville Beach.

Heretofore zoned as *Commercial professional office: CPO*, be and the same is hereby designated as *Planned Unit Development: PUD*, so that henceforth the same shall be classified and construed to be embraced within the meaning and subject of the general provisions of the *Planned Unit Development: PUD* zone as provided in Article VII of the Jacksonville Beach Land Development Code (Chapter 34 of the Code of Ordinances of the City of Jacksonville Beach, Florida), subject to the following additional limitations:

- A. The rezoning application dated February 26, 2013, PUD written description dated February 27, 2013 (revised April 3, 2013), attached hereto as Exhibit A, together with the preliminary PUD development plan dated October 21, 2009, and revised through January 22, 2010, attached hereto as Exhibit B, which have been submitted to the City of Jacksonville Beach Planning and Development Department are hereby adopted and incorporated as parts of this amendment to the Jacksonville Beach Land Development Code and Zoning Atlas.
- B. The project shall be generally carried out in accordance with the presentments of the preliminary PUD development plans, rezoning application and PUD written description, and in accordance with the following:
 1. Permitted uses within the PUD shall be limited to those uses listed in Exhibit A, including "Veterinary Services for Animal Specialties", provided that animals are housed and services are provided in an enclosed soundproof and odor controlled building. Boarding of animals, except as required for their medical care, shall not be permitted.
 2. Total building area shall not exceed 7,500 gross square feet.
 3. Parking – a minimum of 22 on-site parking spaces shall be provided, including a minimum of one ADA accessible parking space.
 4. Maximum building height – 35'

5. Open Space– A minimum 20% open space shall be provided. Open space areas may consist of pervious surfaces, and impervious surfaces other than vehicular uses areas, except that, notwithstanding Land Development Code Section 34-348(j)g.1, shall also include the 25' wide public access easement granted to the City, along the westerly boundary line of the PUD.
6. Signage – wall and ground signage within the PUD development shall conform to Land Development Code Article VIII, Division 4 standards.
7. Landscaping and tree protection– landscaping within the PUD development shall conform to Land Development Code Article VIII, Division 3 standards.
8. Development Plan approval for the PUD project shall be obtained within one year of PUD approval. A building permit for the PUD project shall then be obtained within two years following development plan approval. If such building permit is not obtained within this prescribed period, then the PUD rezoning shall be rendered null and void, and the zoning of the subject property will revert back to *Commercial professional office: CPO*.

SECTION 2. Except as provided herein, all other portions of the Jacksonville Beach Land Development Code and Zoning Atlas remain in effect and applicable to this *Planned Unit Development: PUD* district.

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent the same may be in conflict, hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption.

AUTHENTICATED THIS 20th DAY OF May, 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

City of Jacksonville Beach

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MEMORANDUM

To: George D. Forbes, City Manager

From: Bill Mann, Senior Planner 

Re: Ordinance No.2013-8028, abandoning the Easterly 75 feet of the 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* subdivision.

Date: May 15, 2013

ACTION REQUESTED:

Adoption of the attached Ordinance, No. 2013-8028, abandoning the Easterly 75' of a 12-foot wide public alley located in Block 19, *Mundy Drive Terrace* Subdivision. (*Tribridge Residential*, LLC, applicant)

BACKGROUND:

This request was received from the developers of the proposed new PUD apartment complex on the former *George Moore Chevrolet* properties. (Reference PUD Ordinance 2013-8026). The portion of Block 19 owned by the car dealership was used exclusively for new car storage. Block 19 is bounded by Beach Boulevard, 1st Avenue North, and 8th and 9th Streets North. As shown on the attached PUD site plan, the portion of the alley proposed to be closed is the Easterly 75', which divides Parcels D and E.

This request has been routed to the Public Works, Electric, Fire and Police Departments and all have approved the abandonment of the referenced portion of the subject alley. The only utility in the alley is an 8" sewer line, which crossed 8th Street to serve the *George Moore* dealership buildings in Block 18 to the East. That sewer line will remain in the abandoned portion of alley, and will be the tie-in point for the sewer service for the new apartment/garage building proposed for Block 18. The only condition of approval of this partial alley abandonment is that the City be granted a perpetual easement over it for the maintenance of that existing sewer line, which will now remain in service.



Introduced by: Mayor Pro-Tem Tom Taylor
1st Reading: May 6, 2013
2nd Reading: May 20, 2013

ORDINANCE NO. 2013-8028

AN ORDINANCE VACATING, DISCONTINUING, ABANDONING AND CLOSING THE EASTERLY SEVENTY-FIVE (75) FEET OF A CERTAIN TWELVE (12) FOOT WIDE PUBLIC ALLEY RUNNING IN AN EAST-ERLY AND WESTERLY DIRECTION THROUGH THAT CERTAIN PROPERTY IN THE CITY OF JACKSONVILLE BEACH, FLORIDA, KNOWN AS BLOCK 19, *MUNDY DRIVE TERRACE* SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 15, PAGE 96 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA.

WHEREAS, on December 2, 1996, the Jacksonville Beach City Council adopted Resolution No. 1514-96 setting forth a policy for closing street rights of way and alleys, and

WHEREAS, Resolution No. 1514-96 established certain principles to apply to the closing or abandonment of rights of way and alleys, and

WHEREAS, said Resolution states that the City's interest will be retained unless there is an overwhelming public interest that is served and the rights of abutting property owners will not be impaired, and

WHEREAS, the alley located within said Easterly seventy-five (75) feet of Block 19 is not paved, is not maintained, and its future public use would be compromised by the development of a proposed multifamily residential project within said Block 19.

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

SECTION 1. That the Easterly seventy-five (75) feet of the twelve (12) foot wide public alley running in an Easterly and Westerly direction through Block 19, *Mundy Drive Terrace* Subdivision, as recorded in Plat Book 15, Page 96 of the current public records of Duval County, Florida, be and the same is hereby abandoned as a public alley, and the owner of the properties adjacent to aforesaid abandonment are hereby authorized to enter upon and use the land contained therein to the same extent and purpose as if the same had never been platted.

SECTION 2. That there is hereby reserved unto the City of Jacksonville Beach a perpetual easement within said abandonment for the free liberty, right and privilege of using said abandonment for the purposes of ingress and egress, and maintaining and installing any and all electrical, sewer, water, drainage or other utilities, as may be necessary or appropriate on the

premises together with the free right of ingress or egress to, from and over said abandonment by lawfully authorized servants, employees and agents of said City.

SECTION 3. That all ordinances or parts of ordinances in conflict herewith are, insofar as the same may conflict, hereby repealed.

SECTION 4. This ordinance shall take effect upon its adoption and publication according to the law.

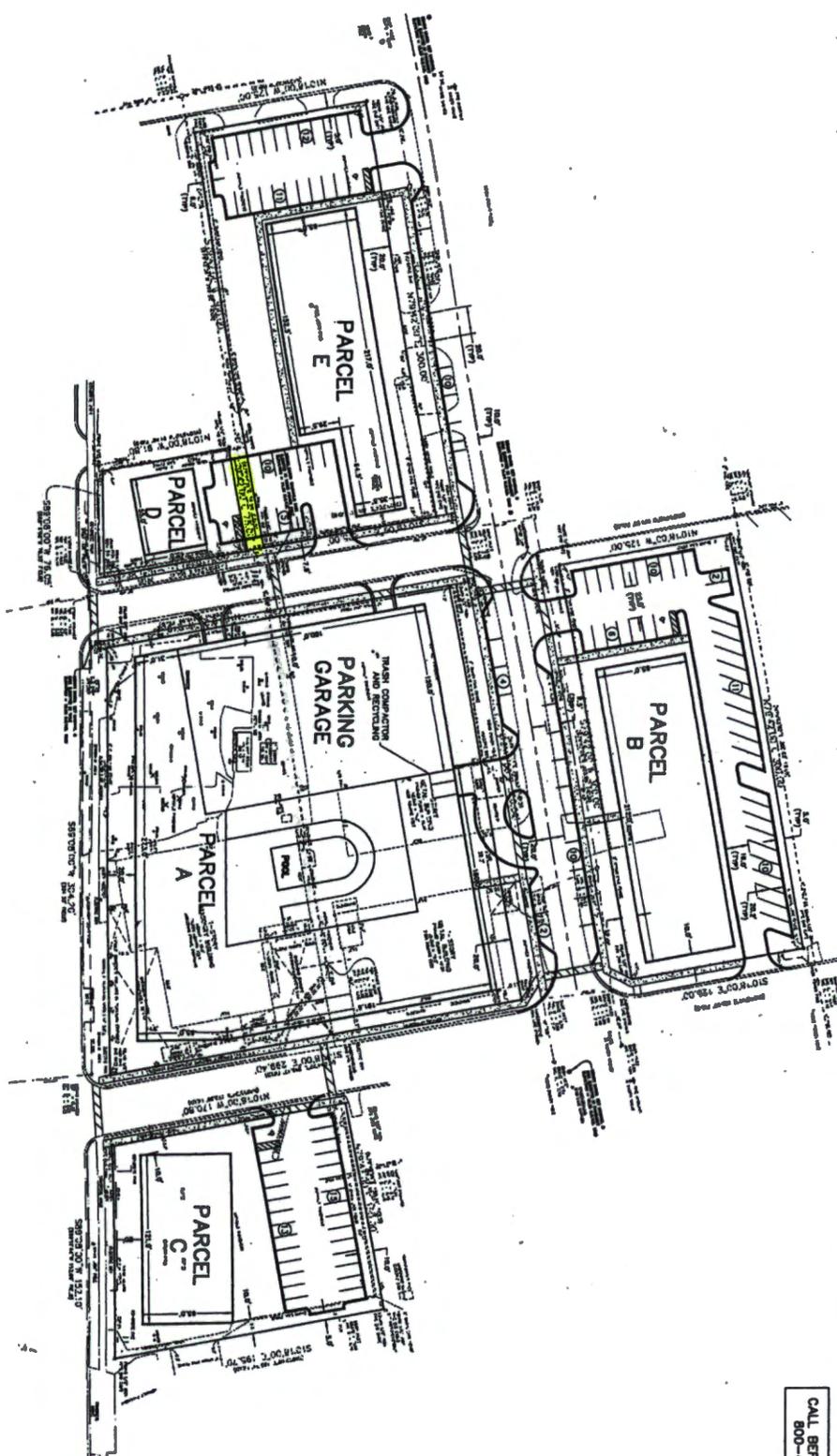
AUTHENTICATED THIS 20TH DAY OF MAY, A.D., 2013.

William C. Latham, MAYOR

Judy Bullock, CITY CLERK

STORMWATER MANAGEMENT

THE STORMWATER WILL BE COLLECTED ON SITE VIA A NETWORK OF DRAINAGE CANALS AND STORMWATER STORAGE TANKS. THE STORMWATER STORAGE TANKS WILL BE SITUATED AT THE VARIOUS LOCATIONS ON SITE FOR TREATMENT OF THE STORMWATER. EACH TANK WILL BE DESIGNED TO STORE THE STORMWATER FOR A PERIOD OF 24 HOURS. THE STORMWATER WILL BE TREATED VIA A CONNECTION TO THE NEAREST EXISTING INLET WITH SUFFICIENT OPEN SPACE TO ALLOW FOR TREATMENT. THE EXISTING DRAINAGE CANALS WILL BE MAINTAINED OR REPLACED AS NECESSARY. THE EXISTING DRAINAGE CANALS WILL BE MAINTAINED OR REPLACED AS NECESSARY. THE EXISTING DRAINAGE CANALS WILL BE MAINTAINED OR REPLACED AS NECESSARY. THE EXISTING DRAINAGE CANALS WILL BE MAINTAINED OR REPLACED AS NECESSARY.



PARKING TABULATION

UNIT TYPE	# UNITS	# SPACES	REQUIRED	PROVIDED	PROVIDED
RESIDENTIAL	128	54	352	354	354
OFF-STREET PARKING	178	-	-	28	28
SURFACE PARKING	178	-	-	180 (1.00A)	180 (1.00A)
GARAGE PARKING	178	-	-	354	354
TOTAL					
RESIDENTIAL & BIKES	30,120 S.F.	64,400 S.F.	64,400 S.F.	64,400 S.F.	64,400 S.F.
OFF-STREET PARKING	80,120 S.F.	8,400 S.F.	8,400 S.F.	8,400 S.F.	8,400 S.F.
SURFACE PARKING	127,200 S.F. (2.80 A)	252 (1.00A)	252 (1.00A)	252 (1.00A)	252 (1.00A)
TOTAL					

CALL BEFORE YOU DIG
800-452-4770

BEACH BLVD MF WERIDGE RESIDENTIAL	PRELIMINARY PUD SITE PLAN	Connelly & Wicker Inc. Planning • Engineering • Landscape Architecture 10060 Skinner Lake Drive, Suite 500 Jacksonville, Florida 32246 (904) 255-3030 FAX: (904) 255-3031 www.connelly.com C.A. Number: 3650 L.A. Number: LC26000311
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