



**CITY OF JACKSONVILLE BEACH
FLORIDA**

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, December 16, 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:**

- Regular City Council Meeting held December 2, 2013
- City Council Workshop held December 2, 2013

2. **ANNOUNCEMENTS:**

3. **COURTESY OF THE FLOOR TO VISITORS:**

4. **MAYOR AND CITY COUNCIL:**

- (a) Presentation by Jacksonville Transportation Authority for the Proposed Implementation of a Bus Rapid Transit System Connecting the Downtown Area with Jacksonville Beach

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Monthly Financial Report – Month of November 2013
- (b) Approve the Revised Special Events Policy for the City of Jacksonville Beach

7. **RESOLUTIONS:**

RESOLUTION NO. 1926-2013

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA,
ESTABLISHING FEES FOR SPECIAL EVENTS.

8. **ORDINANCES:**

ORDINANCE NO. 2013-8040 – First Reading

AN ORDINANCE AMENDING CHAPTER 19.5, “OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS”, OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY REPEALING IT IN ITS ENTIRETY, AND REPLACING WITH A NEW CHAPTER 19.5, “SPECIAL EVENTS AND FESTIVALS”, PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

ADJOURNMENT

9. **WORKSHOP**

- 1) Discuss recommendation by Pension Boards to increase the allowable investment in equities from 50% to 70%, change the measurement of the percentage invested from a cost basis to a market basis, and allow the investment in real estate.
- 2) Discuss the implementation of the plan to accept over the counter credit card payments for utilities and other governmental services.
- 3) Discuss the North Florida Utilities Group Joint Defense and Common Interest Agreement.

Respectfully submitted,

/s/George D. Forbes

CITY MANAGER

GDF:njp
12/12/13

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, December 13, 2013.

**Minutes of Regular City Council Meeting
Held Monday, December 2, 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

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 Meeting held November 18, 2013
- City Council Workshop held November 18, 2013

ANNOUNCEMENTS:

COURTESY OF THE FLOOR TO VISITORS:

MAYOR AND CITY COUNCIL:

- Mr. Taylor extended his appreciation and thanks to everyone involved in the 'Deck the Chairs' event. He said the lifeguard chairs and City Hall decorations are beautiful.

Mayor Latham's announcements –

- The Mayor stated he attended a breakfast with Mayors Brown, Pruette, and Woods on Thursday November 21, 2013.
- Mr. Latham also met with the COJ Tourist Development Council on November 21st and they have committed another \$20K to the 'Springing the Blues' festival.

Minutes of Regular City Council Meeting
held Monday, December 2, 2013

- Mayor Latham participated in a Ribbon Cutting for 'Always Promotions' located at 1010 North 3rd Street. He extended his congratulations to the owner, Denise Hanley.
- On November 23, 2013, the Mayor attended the one-year anniversary commemoration for the shooting of Jordan Davis. Mr. Latham stated that it was an honor that the Davis family chose Jacksonville Beach for their ceremony. The Mayor thanked Chief Dooley and Gary Meadors, Parks and Recreation Director, for coordinating city support of the event.
- November 30, 2013 was the official kick-off for 'Deck the Chairs' on Latham Plaza. The Mayor congratulated Kurtis Loftus and Rob Nicholson, of Beaches Hospitality Network, for all the work that went into this. We look forward to our Christmas light project expanding each and every year.
- The Mayor recognized Chief Dooley, who announced the recent promotion for Sergeant Mark Evans to Commander. Chief Dooley introduced Commander Evans to the Council.

CITY CLERK:

CITY MANAGER:

- (a) Award RFP 05-1213 Titled Beach Dune Walkovers Continuous Service Renovation Projects to the Three (3) Highest Ranked Proposers

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the award of RFP 05-1213, Beach Dune Walkovers Continuous Service Renovations Projects, for a period of 5 years, to *Core Construction Company, Lloyd's Construction and Consulting, Inc., and H. Frank Huffham General Contractor, LLC*, as described in the memo from Public Works Director, dated November 19, 2013.

Mr. Forbes explained that the beach walkovers are important to shoreline protection and increasing dune growth. There are a total of 49 walkovers, as shown on the map, and the plan is to complete this maintenance/repair project over a 2 to 5 year period, using the three companies.

Ms. Wilson questioned if there was outside funding available for this work. Mr. Forbes stated he was not aware of any outside funding. The City Manager reviewed that approximately ten years ago the City received a grant to build the walkovers, which did not include maintenance.

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

- (b) Award Lump Sum Price Bid Number 1213-15, "Divisional Maintenance Facility Project", to *R. B. Gay Construction Company, Inc.*, the Lowest Qualified Bidder.

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the award of Bid Number 1213-15, "Divisional Maintenance Facility Project", to *R. B. Gay Construction Company, Inc.*, the Lowest Qualified Bidder as described in the memo from Public Works Director, dated November 22, 2013.

The City Manager stated this is for the water plant that is located behind the South Beach Park Community Center, for the storage and maintenance space.

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

RESOLUTIONS:

ORDINANCES:

- (a) **ORDINANCE NO. 2013-8036 – SECOND READING**

Mayor Latham requested that Ordinance No. 2013-8036 be read by title only; whereupon Ms. Pyatte read the following:

“AN ORDINANCE TO AMEND AN ORDINANCE ENACTING AND ESTABLISHING A COMPREHENSIVE LAND DEVELOPMENT REGULATION AND OFFICIAL ZONING MAP FOR THE INCORPORATED AREA OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AS AUTHORIZED BY CHAPTER 163.3202, FLORIDA STATUTES, BY DELETING SECTION 34-160 OF ARTICLE VI. *DEVELOPMENT REVIEW PROCEDURES*, AND BY AMENDING BY REPLACEMENT SECTION 34-521 THROUGH SECTION 34-565 OF ARTICLE X. *ADEQUATE PUBLIC FACILITIES STANDARDS* IN ORDER TO IMPLEMENT A MOBILITY FEE PROGRAM; TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.”

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2013-8036, amending the text of the Land Development Code in order to implement a Comprehensive Plan mandated mobility fee program.

Minutes of Regular City Council Meeting
held Monday, December 2, 2013

Mr. Forbes reviewed that the mobility plan allows the City to address all transportation available - pedestrian, bicycle, bus, trolley, and auto – and it is business friendly.

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

ADJOURNMENT

There being no further business coming before the Council, Mayor Latham called a recess at 7:22 p.m., and announced that the Workshop on Special Events Policy and discussion of the Hospitality Institute would begin in approximately 7 minutes.

Submitted by: Nancy J. Pyatte
Assistant City Clerk

Approval:

William C. Latham, Mayor

Date: December 16, 2013

Minutes of City Council Workshop
Monday, December 2, 2013 – 7:29 P.M.
City Council Chambers

Mayor Latham called the workshop to order at 7:29 P.M.

The following City Council members were in attendance:

Mayor Charlie Latham

Keith Doherty
Chris Hoffman
Steve Hartkemeyer

Tom Taylor
Phil Vogelsang
Jeanell Wilson

Also present was City Manager George Forbes, Department Directors, and Nancy Pyatte, City Clerk's office.

Purpose of Workshop

The City Manager explained the first item that the Council would be reviewing and discussing is a proposed revised Special Event Policy as well as a resolution to establish rates and fees for Special Events. Mr. Forbes stated that the current policy has been in place since February 2003.

The second item for discussion will be on using the Responsible Hospitality Institute to perform a hospitality zone assessment of Downtown Jacksonville Beach.

Revised Special Event Policy

The major changes were reviewed, starting with number 1 – **'definition of Festival'**. The consensus was agreement from the Council.

Next, number 2 – **'Surf Contests'**. The consensus was agreement from the Council.

Number 3 – **'number of days a festival may last'**. Mr. Forbes stated current policy allows 1 festival per month, for 1 day only. The proposed revision will still allow 1 festival per month, but during the four off-peak winter months (November, December, January, February) a festival could last 2 consecutive days.

Discussion ensued resulting with suggestions as follows:

- allow 20 hours over Friday, Saturday, Sunday
- add the months of September and October for 6 months of 2 day festivals
- leave number 3 as proposed

Consensus from Council was agreement of number 3 as proposed, *and* allow/include 20 hours over Friday, Saturday, Sunday during the four off-peak winter months.

Number 4 addresses **'paid admission'**. Mr. Forbes stated current policy does not allow paid admission events. The City does allow admission fees for preferred seating if half of the event area is open and free to the general public.

Minutes of City Council Workshop
held on Monday December 2, 2013

Suggestions have been received to allow paid events in order to attract St. Augustine style events. Mr. Forbes presented three alternatives, as follows:

- a. Keep policy as is
- b. Remove restriction on paid events
- c. All paid events specify the City receives a percent of the gross

A lengthy discussion ensued and the majority of the Council favored keeping the policy as is.

The City Manager stated that items 5 through 11 were administrative pertaining to the applications; number 12 relates to the proposed resolution for the fee schedule.

There was a brief discussion about number 9 – ‘**last call for alcohol announcement**’. This is new language added to this section.

Proposed Resolution 1926-2013 Establishing Rates & Fees for Special Events

The City Manager stated the fees charged for events and festivals help the City offset costs for maintenance, insurance, public safety, and public works. Mr. Forbes reviewed the list of the new fees and deposits.

The proposed resolution was discussed, raising the following concerns:

- **Item B. Facility Rentals Rates** – wording very long and repetitive, need specifics on number of items included in the rental fee (barricades, trash containers, etc.)
- **Item C. Electrician Fees** – does the City hire or the organizer/producer hire the licensed electrician
- **Item J. Event Fencing** – rent only, no installation provided
- **Item K. Police Security Pay Schedule** and **Item M. Fire Department Pay Schedule** – are rates adequate based on crowd size

Mr. Forbes stated that Staff will continue to work on the proposed revisions to the Special Event Policy and Resolution 1926-2013 to bring back to Council.

Hospitality Zone Assessment by Responsible Hospitality Institute

The City Manager gave a presentation on Hospitality Zones and the Sociable City Plan, provided by Responsible Hospitality Institute (RHI). Mr. Forbes reviewed the hospitality zone assessment describing the goals, outcomes, and the 6 phase process. RHI has experience in 50 cities, varying sizes, enhancing the value of their nighttime economies. Mr. Forbes stated that he wants to engage RHI for the City to help develop a complete plan for Downtown, benefiting all of Jacksonville Beach. Their cost is \$35,000, plus expenses.

Discussion

There was discussion, resulting with suggestions and concerns as follows:

Minutes of City Council Workshop
held on Monday December 2, 2013

- Find local facilitator vs out-of-state company
- Too expensive – cost with expenses could reach \$50,000
- Utilize Chamber of Commerce
- Get citizens and businesses involved with web survey
- Process similar to Vision Plan established 10 years ago – do same way
- Include whole City, not just downtown
- Need objective assessment

The City Manager stated that four staff members received training at the Sociable City Leadership Summit this past May which was led by RHI. From the suggestions and concerns expressed, Mr. Forbes stated he will continue working on this to bring back to Council.

A question was asked about the status of the Downtown Retail Marketing and Recruitment RFP. Mr. Forbes stated the City issued the RFP and received six proposals which are being reviewed.

The workshop adjourned at 8:45 pm.

Submitted by: Nancy J. Pyatte
Assistant City Clerk

Approved:

William C. Latham, Mayor

Date: December 16, 2013



JACKSONVILLE TRANSPORTATION AUTHORITY

Edward E. Burr
Chairman

Steve Diebenow
Vice Chairman

Donna L. Harper
Secretary

Scott L. McCaleb
Treasurer

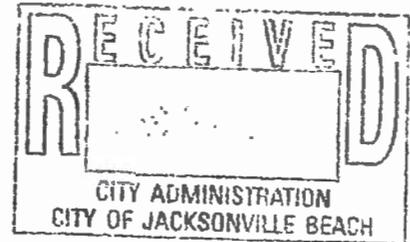
Greg Evans
Board Member

Ava L. Parker
Board Member

Isaiah Rumlin
Board Member

Nathaniel P. Ford Sr.
CEO

November 26, 2013



The Honorable Charlie Latham
Mayor, City of Jacksonville Beach
11 N. Third Street
Jacksonville Beach, FL 32250

Dear Mayor Latham,

JTA, in cooperation with the Federal Transit Administration, is conducting an East Corridor Environmental Assessment study for proposed implementation of a bus rapid transit (BRT) system, connecting the Downtown area with Jacksonville Beach. The 14-mile corridor begins at the Rosa Park Station on Union Street and ends at Beach Boulevard and 3rd Street.

To kick off the study, JTA is conducting an open house on Thursday, December 12th from 5-7 p.m. at the Florida State College Jacksonville South Campus, Nathan H. Wilson Center for the Arts Building (Lakeside Conference Room), located at 11901 Beach Boulevard. We will share project information and seek public comment about the project features, station alternatives and potential impacts. There will be a slide show describing the project, and JTA staff and consultants will be available to answer questions.

We would like to invite you to stop by during the meeting or, if you prefer, JTA staff would be available for personal briefings either before or after the meeting date. Please contact Winova Hart-Mayer, Communications Outreach Coordinator, at 630-3185 to schedule a mutually convenient time to meet. JTA would also be pleased to attend any constituent meetings in your district to further explain our project. Thank you for your interest.

Sincerely,

Brad Thoburn

Vice President, Long Range Planning and System Development

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City of

Jacksonville Beach

Police Department

101 Penman Road, South

Jacksonville Beach

FL 32250

Phone: 904.247.6343

Fax: 904.247.6342

www.jacksonvillebeach.org

To: George D. Forbes, City Manager
From: Patrick K. Dooley, Chief of Police
Subject: Request to Approve the Revised Special Event Policy for the City of Jacksonville Beach.
Date: December 4, 2013

ACTION REQUESTED

Approve the revised Special Events Policy for the City of Jacksonville Beach.

BACKGROUND

The current special event policy for the city has been in place since February 2003. Since that time, there have been numerous changes to the downtown and Latham Plaza area where many of the special events are held. The size, scope, and types of events have necessitated the recommendation of some revisions to the special event policy in its current form. A strikeout version of the proposed Special Events Policy is attached.

There are several items which have been clarified in the proposed revisions to the policy. The **major changes are as follows:**

1. The **definition of a "Festival"** has been more clearly defined as being an event held at the Sea Walk Pavilion and/or Latham Plaza, which is more than six hours in duration and includes alcohol consumption and/or sales (page 2).
2. The policy clarifies that all **Surf Contests** and Ocean Rescue Activities must take place a minimum of 300' feet from the pier (page 2).
3. There were suggestions from City Council members for changes to the policy as it relates to the **number of days a festival** may last. Currently events that are defined as festivals can last only one day and there can be only one festival a month.



The revised policy will still only allow one festival a month. However, based on the direction the City Council provided at the December 2, 2013, City Council meeting, a festival may last no more than 20 hours during the winter months of November, December, January, and February. This means a festival can take place on Friday, Saturday, and Sunday as long as the total hours of the festival do not exceed 20 hours. This is recommended to attract more visitors to our area during the non-peak months (page 3).

4. The current policy does not allow events that have **paid admission**. The exception is we do allow admission fees for preferred seating as long as at least one-half of the event area is open and free to the general public (page 3). Based on the direction at the December 2, 2013, City Council meeting, there has been no change in this policy.
5. **Attachment 1 Facility Rental Areas** has been changed to make it clear that **area C**, the municipal parking lot that abuts Latham Plaza, can only be rented during the months of **November, December, January, and February**. This is to ensure that parking is available for all businesses during the peak season and to ensure that the rental of the lot does not interfere with the current paid parking program. The only exceptions are the parking lot can be used during Springing the Blues and the Airshow.
6. The policy clarifies that all **special event applications** must be completed and submitted to the city, no later than 60 days before the event (page 4).
7. The proposed policy requires the event producer to provide all insurance certificates, all temporary licenses, a copy of **all permits** and payment of **all advance fees** to the special events chairman not less than **30 days before** the date of the event (page 5).
8. **Automobile liability** and driving on the beach regulations have been amended (page 13).
9. **Fencing rules** have been amended to clarify it is the responsibility of the organizers to provide fencing and the installation thereof (page 16).
10. The general rules of an event have been modified to require a **last call for alcohol announcement** to be made no later than 30 minutes prior to the end of an event. Alcohol sales are required to cease no later than 15 minutes prior to the end of an event. (Page 17).

11. Requirements for **Fire/Rescue Personnel** and **Ocean Rescue Personnel** are outlined (pages 18-19).
12. The organizer is responsible for the procurement and transport of **barricades, trash containers, and electricity** etc. (Page 28)
13. The **fee schedule** has been made part of a resolution and the fees changed to reflect fair market value of the venue.

In reviewing the special event policy we should also be thinking about:

- a. Who are we trying to draw downtown?
- b. What does a family friendly event mean?
- c. What do we want more of, and what do we want less of?
- d. How does the event fit into our goals for the downtown?

RECOMMENDATION

Approve the Revised Special Event Policy dated December 4, 2013.



SPECIAL EVENTS POLICIES

**City of Jacksonville Beach
Recreation & Parks
2508 South Beach Parkway
Jacksonville Beach, FL 32250
(904) 247-6157
www.jacksonvillebeach.org**

**CITY OF JACKSONVILLE BEACH
SPECIAL EVENT POLICIES
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CITY OF JACKSONVILLE BEACH
POLICIES AND PROCEDURES
FOR FESTIVALS AND SPECIAL EVENTS HELD ON CITY FACILITIES

I. INTRODUCTION AND SCOPE OF THIS DOCUMENT

The purpose of this document is to outline the policies and procedures required to hold a **festival or special event** on City property. For the purposes of this document, the following definitions will apply:

- A. A **Special Event** is defined as any meeting, activity, ~~parade~~, gathering or group of persons, animals or vehicles, or combination thereof, having a common purpose, design or goal, upon any public facility, street, sidewalk, alley, park, parking lot or other public place. The term "special event" shall not include a **neighborhood** block party, **social**, e.g., ~~a gathering comprised substantially of neighbors in a residential area that requires the closing of a local street for the purpose of having a party or other social~~, recreational **gathering**, or any other type of assemblage. **PLEASE NOTE THE CITY WILL NOT APPROVE AN OUTSIDE SPONSORED SPECIAL EVENT OR FESTIVAL ON A HOLIDAY WEEKEND. THE CITY COUNCIL WILL DETERMINE IF A JULY 4TH EVENT IS SCHEDULED.**
- B. The **Special Events Committee** is a committee appointed by the City Manager, and is presently composed of the ~~Assistant City Manager~~ **Director of Parks and Recreation** as chairperson, and the ~~Department Directors of the Park and Recreation, Police, Fire, and Public Works, and Ocean Rescue and Planning and Development Departments or their designees.~~ ~~plus the City's Special Events Coordinator.~~
- The Special Events Committee is designated by the City Manager with the responsibility for reviewing and approving an application to conduct a special event within the City.
- C. A **Special Event Permit** is a permit that is issued after all requirements are met by the requesting organization and all advance fees are paid. The permit will cover the event organizer/producer(s) and their selected vendors. A special event permit must be issued for each event. Additional permits and licenses may be required for tents, ~~parades~~, alcohol, outside vendors, signs, electrical, and miscellaneous construction. No person shall engage in, participate in, aid, form or start any special event, unless a special event permit has been obtained from the Special Events Committee.
- D. A **Festival**, as defined in this document, is an ~~special event~~ which is held **at the Sea Walk Pavilion and/or Latham Plaza, is more than six (6) hours in duration, and includes alcohol consumption and/or sales.** ~~on city property and is open to the general public, uses more than the Stage & First Tier Audience Area, and the duration of the event is more than six hours. This type of event includes, in addition to entertainment, one or more of the following activities: alcoholic beverage sales, arts &/or crafts, or children's activities.~~
- E. An **Organizer or Producer**, as defined in this document, is the person(s) who is financially responsible for all fees, deposits, damages due or caused by an event held in Jacksonville Beach. This person(s) has authority to make decisions regarding the event, including cancellation of the event due to weather conditions, or other reasons.
- F. **Surf Contests and Beach/Ocean Activities** must take place a minimum of 300' feet from the pier.

II. PROCEDURE FOR SCHEDULING A **FESTIVAL OR SPECIAL EVENT**

Scheduling a **Festival or Special Event** is determined by two factors: 1) the availability of City facilities on a specific date(s) each calendar year; and, 2) approval of a Special Events application. The following outlines the conditions for availability and approval.

A. **Approval of Application**

Organizers/producers will make initial contact with the ~~City Manager's Office~~ **Recreation & Parks department** to determine the availability of the date(s) and site(s) for their proposed event. If available, the City will tentatively reserve the date(s) and facility(s) until receipt of an application.

1. **Availability of City Facilities**

- a. The use of City facilities is reserved on a "first-come, first-served" basis. ~~after~~ **First priority is given to City-produced events, City-contracted events, and annual events which have taken place more than one for two (2) consecutive years. have scheduled each calendar year.**
- b. Only one festival may be scheduled in any one month., ~~with the exception of Springing the Blues and the Beaches Festival & Parade Weekend in April. Festivals may not be scheduled for consecutive weekends.~~ All festivals must end at 10 P.M. This item is effective January 1, 2003.
- c. **Only one special event per weekend, unless prior approval by the Recreation & Parks Director.**
- d. The length of a festival is limited to one day. The only exceptions to the one-day limit are *Springing the Blues, Beaches Festival Weekend & Parade, and the Sea and Sky Spectacular*, which are three days. Other exceptions are festivals that are scheduled for November, December, January, and February, which may not exceed 20 hours as follows, Friday 7 – 10 P.M., Saturday 12 Noon – 10 P.M., Sunday 12 Noon – 7 P.M.
- e. **The length of a Special Event is limited to two consecutive days.**
- f. Festivals may be held during the hours from 12:00 PM (noon) until 10:00 P.M. and sound levels must conform to the City's Noise Ordinance.
- g. No public events will be considered that have paid admission. Admission fees for preferred or priority seating is allowed as long as at least one-half of the event area is open and free to the general public without charge.
- h. The reservation date will be confirmed after a completed special event application has been received and approved by the City.

- i. The City reserves the right to further limit the number of events during each calendar year based on the physical limitations of the facilities, the general wear and tear of special events on city facilities and landscaping, and on the availability of city personnel to provide services.

2. Application Submission and Review

- a. The requesting organization must email a detailed description of the proposed event to the Recreation & Parks department for review.
- b. Upon receipt of the email, a representative from the Recreation & Parks department will review the request, make an initial evaluation based on the information provided and, if required, will contact the requestor for additional information.
- c. If the venue is available, then the requestor will be instructed to submit an application to the Recreation & Parks department. Upon receipt of the application, the festival or special event will be tentatively added to the special event calendar.
- d. A completed application for a special event permit must be received no later than 60 days before the date of the event.
- e. Because of the time and personnel requirements placed on the City to support such events, no application for a special event permit can be processed unless this 60-day lead time is provided.
- f. Returning event producers/organizers must contact the Recreation and Parks department with requested dates for their special event or festival and for an application.
- a. ~~The requesting organization must complete an application for a Special Event Permit and submit it to the Special Events Coordinator ~~Chairman~~ for review.~~

- 1. ~~A completed application for a Special Event Permit must be received not later than thirty ~~sixty (60)~~ days before the date of the event, with the exception of a request to hold a parade (see Item 3 below.)~~
- 2. ~~Because of the time and personnel requirements placed on the City to support such events, no application for a Special Event Permit can be processed unless this thirty ~~sixty day~~ lead time is provided.~~
- 3. ~~When requesting to hold a parade, a completed application for a Special Event Permit must be received not later than sixty (60) days from the date of the event.~~

~~Approval of a parade application depends on:
(a) whether the date is in the high tourist season (April–August)~~

~~(b) the area needed to stage the number of units included in the parade~~

~~(c) the scope of the area included in the parade route.~~

b. ~~Upon receipt of the application, the Special Events Chairman will review the application and make an initial evaluation based on the information provided in the application.~~

c. ~~The applicant will be contacted within ten (10) working days of the City's receipt of a complete application to notify the applicant regarding the status of the application.~~

3. Special Events Committee Meeting

a. ~~If the Special Events Coordinator~~ **Chairman** ~~tentatively approves the event, a meeting of the Special Events Committee will be scheduled with representatives from the requesting organization. A special event committee meeting is required for all festivals and includes City staff and representatives from the requesting organization. Depending on the size and scope of a first-time special event, a special event committee meeting may be required.~~

b. The purpose of the meeting will be to review the details of the **festival or special** event, address concerns of City departments, and determine the specific requirements necessary to secure a permit. Fees or charges for City services will be identified as well as any additional permits and licenses that may be required for tents, ~~parades~~, alcohol, outside vendors, signs, electrical and miscellaneous construction.

c. ~~All~~ **The** organizer/producer(s) and decision makers must attend any Special Events Committee meetings held for their particular event.

4. Issuance of a **Festival or** Special Event Permit

a. To secure a special event permit, the event organizer/producer must meet all stipulations and any requirements determined in the Special Events meeting and is responsible for obtaining all required permits and licenses.

b. The Event organizer/producer must submit a copy of all required permits, temporary licenses, insurance certificates, and payment of advance fees, as outlined in Section **IX**, to the Special Events ~~Coordinator~~ **Chairman** not less than ~~five (5)~~ **30** working days before the date of the event. ~~Should the event producer/organizer fail to submit all required permits, temporary licenses, insurance certificates, and payment of advance fees not later than 30 days before the date of the event, the security deposit refund will be forfeited.~~

c. All organizer/producer(s) and decision makers must attend any Special Events committee meetings held for their particular event.

5. Non-Issuance or Revocation of a Permit

- a. An event permit may not be issued should the event organizer/producer fail to meet requirements stipulated in the Special Events Policies and Guidelines (i.e.: permits, notifications, insurance, etc.).
- b. An issued event permit may be revoked by the City Manager, or his/her designated representative, if conditions during the event's set-up, or during the event, result in safety hazards, citations, or from continued failure by the organizer/producer, or their vendors or providers, to correct conditions identified by City representatives. **Use of profanity is not permitted.**
- c. City representatives include: **Parks and Recreation**, Public Works, Fire, Police, **Ocean Rescue** ~~City Electrician~~, and City Special Events ~~Coordinator~~ **Chairman** who ~~and~~ have the authority to require the organizer/producer to make adjustments as required during the **festival or special** event to meet circumstances or to address issues which affect the site, safety of the crowd, safety and sanitation conditions, or crowd control.

6. Cancellation of an Event

Reasons for cancellation of a **festival or special** event by the City of Jacksonville Beach include:

- a. Continued failure to correct conditions identified by City representatives.
- b. Weather conditions that would endanger participants during the event.
- c. The organizer/producer and designated City representatives will determine cancellation of an event due to weather conditions.
- d. Should event personnel, including paid security **and** police officers, ~~city or city designated clean-up crews~~ **be** released due to weather conditions, the event is considered cancelled.
- e. City emergencies that require essential City event personnel or require evacuation of the festival or downtown area, or endanger the community.

B. Denial of Special Event Request

The Special Events Committee may reject an application for the following reasons:

- 1. The proposed event would negatively impact the festival area landscaping grounds.
- 2. The proposed event planned would produce unsanitary conditions or harm the environment.
- 3. The proposed event is of such size and scope to potentially surpass the City's ability to provide services or its ability to ensure the safety of the public or property of the community.

4. The proposed event was not in compliance with the City's special event policies and procedures or special event permit requirements in the past, or fees as outlined in the Fee Schedule that were generated from the event were not paid. An organizer/producer of such an event may forfeit the right to produce future events.

C. Appeal of Denial of Special Event Request

Except as otherwise provided herein, an appeal of the decisions of the Special Events Committee regarding a permit application shall be submitted to the City Manager for consideration. If the issue under appeal cannot be satisfactorily resolved by the decision of the City Manager, the special event organizer/producer may seek further review of the matter by the City Council by making a written request to the City **Manager** within ten **(10)** days of denial. Upon the applicant's request, the review process will be further expedited to the maximum extent possible. **This request will then be placed on the next available City Council meeting for council consideration. The decision of the City Council will be final.**

III. APPLICATION PROCEDURE FOR HOLDING A **FESTIVAL OR SPECIAL EVENT**

Organizations or individuals wishing to hold a **festival or** special event within the city limits of Jacksonville Beach must secure a Special Events Permit. The following section describes the process to be followed to secure a Special Events Permit.

A. **Initial Request**

1. All requests and questions regarding special events should be directed to the Parks and Recreation Director ~~Special Events Coordinator~~ and the following information shall be provided:

Event ~~Director's~~ **Producer/Organizer's** name, address and telephone number

Type of event (**detail description**)

Date(s) requested

Facilities requested

2. **The Director of Parks and Recreation** ~~Special Events Coordinator~~ will review the initial request and, providing that there are no **scheduling** conflicts, a Special Event Permit Application Form will be mailed **or emailed** to the event organizer/producer. The application is to be completed in full and returned to the ~~City's Manager's Office~~ **Parks & Recreation department**. The application's function is to provide complete information on the event. Should required information not yet be determined, the application should be completed to the best ability of the organizer at the time the application is submitted. As additional information becomes available, it should **must** be submitted. A final determination of an application will not be made until all required information has been submitted.
3. A fully completed application for a Special Event Permit must be received not later than ~~thirty (30)~~ **sixty (60)** days before the date of the event ~~and sixty days (60) before a parade.~~

B. **Detailed Application and Detail Forms Requirements:**

A person seeking issuance of a special event permit shall file an application with the **Director of Parks and Recreation** ~~Special Events Coordinator~~ for review ~~by the Assistant City Manager~~. The application **and detail forms** shall include the following information.

- ~~1. The name, address and telephone number of the person, or persons seeking to conduct the special event.~~
- ~~2. A narrative description of the event including type of entertainment planned, (i.e. sporting event, rock concert, pops concert, Hispanic festival), whether vendors are a part of the event, and if food/beverages will be served.~~
- ~~3. The name, address and telephone number of the person, organizer, producer, business, organization, or non profit organization that is financially responsible for the event. If the proposed special event will be conducted for, on behalf of, or by an organization, include the name, address and telephone number of the~~

~~headquarters of the organization, and of the authorized heads of such organization responsible for conducting the event.~~

- ~~4. Indicate whether the event organizer/producer is a profit or non profit organization. Provide contact name, phone number, address for confirmation of affiliation of non profit organization with this event. If the event is a fundraiser, indicate the reason funds are being raised.~~
- ~~5. Indicate the date(s) and the hour(s) of the proposed such event. Identify which city facility(ies) or location will be used. Specify set up dates and times for each location.~~
- ~~6. Estimate the expected number of attendees and production vehicles. Estimate the number of vehicles that will be parked near the event. If the event is a parade, estimate the number of units in each category, such as bands, marching units, floats, cars, etc.~~
- ~~7. Identify the types of permits needed to meet the city's requirements (i.e., alcohol beverages, tent permit, banner, etc.) required and attach copies of any permits already obtained.~~
- ~~8. Indicate the number, type and location of temporary public toilet facilities the event organizer/producer plans to provide for the event.~~
- ~~9. Indicate whether permission is being requested to close city streets for the event. Include a statement describing the type of festival activities that will take place on closed street(s) (i.e. pedestrian traffic, vendors).~~
- ~~10. Outline your plan for event security, traffic control and crowd control.~~
- ~~11. Indicate whether amplified music is a part of the event. Indicate the type of music, the name of the band(s), the hours of duration, the location of bands, location of loudspeakers indicating the direction speakers will be facing (east, west, north, south), and the number and type of sound amplification devices.~~
- ~~12. The City requires the use of city staff or designated contractors to ensure event **area remain** cleanliness throughout and after the event. This in no way exempts the organizer/producer of keeping the area clean. Outline your plan to keep the area clean during your event and your plan for clean up after the conclusion of the special event.~~
- ~~13. Indicate whether you will be providing food and beverages and whether it will be sold or otherwise dispersed **and** who will be supplying such food or drinks.; and, if a non profit organization, who will receive the proceeds obtained from the sale of such food and drinks.~~
- ~~14. If the event is a parade, indicate the location of assembly and disbanding areas for the event and the proposed time of assembly and disbanding.~~
- ~~15. Indicate whether access to electricity is being requested and for what **the reason why** (i.e. amplified music, vendors, stage lighting.)~~

- ~~16. Indicate whether the event is free to the general public, or if admission fees will be charged for preferred or priority seating, or if prizes will be given, and the dollar amounts involved. NO general admission fee may be charged.~~
 - ~~17. Provide information outlining how the event will be advertised and promoted and through what type of media. The use/placement of "snipe" signs and distribution of handbills are prohibited by City code.~~
 - ~~18. A diagram, drawn to an understandable and readable scale, of the areas to be used and/or affected by the special event must be attached to the application. Label the uses of each area: i.e. vendors, rides, parking for vendors.~~
 - ~~19. Provide any additional information the Special Events Chairperson finds reasonably necessary for a fair determination whether a permit should be issued.~~
1. Name, date, hours, and description of event.
 2. Event producer/organizer contact information.
 3. Contact information for the person, organizer, producer, business, or organization that is financially responsible for the event.
 4. Organization's tax exempt status.
 5. Type of event and requested location.
 6. Indicate if the event is a first-time or returning event.
 7. Indicate if the event is free to the public or if it will include paid priority seating.
 8. Indicate if amplified sound is part of the event.
 9. Indicate the type and number of vendors.
 10. Indicate if the event includes selling and consumption of alcohol.
 11. Indicate fencing requirements.
 12. Indicate if this event requires access to electricity and, if so, the reason why.
 13. Indicate if you plan on hanging banners within the event area.
 14. Indicate if you requesting additional road closures in conjunction with the event.
 15. Indicate how you plan to promote the event.
 16. Outline your plan for event security and crowd control. Include the number of security guards, their locations, and responsibilities. Indicate how you plan to restrict and control access to the event area.

17. Outline your plan for traffic control. Indicate if permission is being requested to close City streets for the event and your plan to secure each closure.
18. Outline your plan to keep the area clean during your event and your plan for clean up after the conclusion of the event.
19. The submittal of event Detail Forms may be necessary if additional information is required to determine the scope of the festival or special event.

IV. FEES AND CHARGES FOR EVENTS HELD ON CITY FACILITIES

- A. All **festivals and** special event fees are designated primarily to offset the cost to the City resulting from such special events; therefore, the City does not waive special event fees for facility rental or site fees, permits, licenses or other charges for City Services **services**. Any organization, event organizer/producer requesting to hold an **festival or special** event on City property or facilities must pay all facilities rental/site fees.
- B. The event organizer/producer is responsible for any and all costs for City services as outlined in this document or as determined by each department.
- C. Facility rental fees, security deposit and fees for services provided by City of Jacksonville Beach Departments are outlined in a Resolution adopted by the City Council establishing fees for special events.
- D. All facility rental fees, security deposits, and banner fees must be paid to the City of Jacksonville Beach ~~fifteen (15)~~ **thirty (30)** business days in advance of the event.

V. INSURANCE REQUIREMENTS FOR EVENTS HELD ON CITY FACILITIES

A. Organizer/Producer

The City requires the organizer/producer of an event using City facilities to provide the City with proof of Commercial General Liability Insurance coverage in the minimum amount of one million dollars (\$1,000,000).

1. The policy must provide coverage for general aggregate liability losses, personal and advertising injury, fire damage, medical expenses and additional coverage for volunteer coverage, spectator liability, etc.
2. The coverage should be written on a "per occurrence" basis and should be inclusive of "set-up and tear-down" dates.
3. The City of Jacksonville Beach must be named as additional insured.
4. Proof of insurance is to take the form of a standard Acord Certificate of Insurance written by a licensed insurer acceptable to the City.
5. Certificates of Insurance must be submitted to the City not later than ~~ten (10)~~ 30 days before the date of the event.

B. Vendors

~~General Commercial liability insurance is required for businesses operating as vendors during a special event on City facilities where a hazard or liability exists. (Example: food consumption at a restaurant booth, riding a bus or other vehicle, amusement rides, etc.)~~

1. ~~The City must be named as additional insured.~~
2. ~~A copy of each vendor's Certificate of Insurance must be provided to the City.~~

~~C.B.~~ Liquor Liability

If alcoholic beverages are being served or sold at an **festival or special** event, the event organizer/producer must also provide the City with a **Liquor Liability Endorsement** or a separate insurance policy in the amount of **\$1,000,000 million**. A copy of the Certificate of Insurance must be provided to the **Recreation & Parks office City Manager's Office** naming the City as additional insured. **Certificates of Insurance must be submitted to the City not later than 30 days before the date of the event.**

C. Automobile Liability - Driving on the Beach

For all event producers, and their representatives, **who wish to drive on the beach** to set up or tear down for events, the following **automobile liability** insurance is required:

1. **The event producer must provide automobile liability insurance in the amount of \$1,000,000 combined single limit or \$1,000,000 per person bodily injury liability insurance in addition to general liability insurance.**

2. The City of Jacksonville Beach must be named as Additional Insured. Certificates of Insurance must be submitted to the City within 30 working days of the event.
3. If the vehicle is personally owned, then purchase HIRED AUTOS and NON-OWNED AUTOS insurance. This type of insurance is reflected in the automobile liability section of the insurance certificate.
4. If the vehicle is titled and registered in the name of the organization, then purchase ALL OWNED AUTOS insurance. This type of insurance is reflected in the automobile liability section of the insurance certificate.
5. In the DESCRIPTION section of the certificate, indicate the make, model, year, and VIN of each vehicle and trailer on the beach. Only those vehicles listed on the policy may be driven on the beach and will be approved in the permit.
6. Any unauthorized vehicles on the beach will constitute noncompliance and will render your permit null and void, thus forfeiting the opportunity to produce future events.
7. Date and time for beach entry and exit by all approved vehicles must be scheduled and approved 30 business days in advance of the event by City Special Events staff.
8. All drivers of authorized vehicles on the beach are required to obtain a Beach Driving Pass from an Ocean Rescue lieutenant at the American Red Cross Volunteer Lifesaving building. The Beach Driving Pass must be prominently displayed on the driver's side dashboard.

VI. REQUIREMENTS REGARDING SALE OF ALCOHOLIC BEVERAGES AT FESTIVALS AND SPECIAL EVENTS

A. Request at time of Special Event Application

The sale of alcoholic beverages on City property as part of a **festival or** special event poses additional concerns and may lead to ~~imposition of~~ additional requirements ~~on~~ **for** the organizer/producer(s). Should an event organizer/producer wish to sell alcoholic beverages at an event, the request must be submitted with the Special Event Application.

B. State Temporary License/Permit

Before issuance of a Special Event Permit, the event organizer/producer must secure a required State Temporary License/Permit for the sale of alcoholic beverages from the Department of Business and Professional Regulation and secure liquor liability insurance. A copy of all State temporary alcoholic beverage permits and alcohol insurance must be provided to the ~~City Manager's Office~~ **Recreation & Parks Department** ~~five (5)~~ **30** business days before a Special Event Permit will be issued.

C. Conditions for Approval

Approval of the sale or consumption of alcoholic beverages at a **festival or** special event held outdoors at a City facility or on City property shall be determined and shall be based upon the event organization's submission to and ~~gaining~~ approval by the Special Events Committee of the following criteria:

1. A designation of the event dates and hours for sale of alcoholic beverages.
2. A plan for crowd control, restricting and controlling access to the special event area.
3. A plan for the control of the sale of alcoholic beverages to minors; the plan and personnel necessary to implement it shall be approved by the Police Department as discussed under Section ~~VHVI~~, Section ~~ED~~ below; the cost for implementation shall be an expense of the special event organizer/producer.
4. A copy of permits and licenses in accordance with Florida State Statutes and the City of Jacksonville Beach for the sale of alcoholic beverages are **to be** submitted to the City of Jacksonville Beach.
5. Certification of liquor liability insurance coverage naming the City of Jacksonville Beach as additional insured, holding the City harmless and indemnifying the City from all claims, suits and demands.

D. Law Enforcement Requirements For Events Selling Alcoholic Beverages

1. A minimum of two (2) Jacksonville Beach Police Officers must be present during Special Events held on City facilities where alcoholic beverages are being consumed to ensure that violation of State and local law does not occur. The presence of police officers does not relieve the event organizer/producer from the responsibility of providing a ~~"door guard" or a bouncer~~ **server** ~~or from~~ for checking identification for the purpose of determining compliance with minimum drinking age requirements.

2. The number of officers required will be determined, **in part**, by the number of entrances and exits to the alcohol designated area of the event area. ~~plus one two additional officers, one to serve as supervisor, and one to serve as a rover.~~ **The Chief of Police, or his designated representative, will determine the number of officers required in the festival or special event area based on the size, scope, and/or previous call history of the event.**
3. ~~The event organizer/producer and the~~ Special Events Committee will determine whether additional officers are needed for crowd control or alcoholic beverage control. If the event has been held in Jacksonville Beach before, the decision will be based upon past event attendance and incident reports. ~~The cost of the additional security will be mutually agreed upon.~~
4. Additional information regarding fees for Police Department services are described in the Fee Schedule. ~~section of this document.~~

E. General Rules

The following general rules govern an event where alcoholic beverages will be sold:

1. The only alcoholic beverages that may be sold at a **festival or** special event are beer and wine.
2. The entire area where alcoholic beverages will be sold, served and consumed must be defined and fenced. The City ~~will~~ **may** provide the required fencing, ~~and Installation of said fencing is the responsibility of the organizers/producer. Alternative fencing may be considered with approval.~~ The cost for fencing rental and installation will be at the expense of the **festival or** special event organizer/producer.
3. Jacksonville Beach police officers (on-duty or off-duty) must be present in the **festival or event** area at all times when alcoholic beverages are sold. The Police department will determine if officers must man gates, or will rove the event area. All entrances/exits to/from the area must be secured.

Depending on the size and scope of an event, and at the **sole** discretion of the Police Department, uniformed professional security guards may **be permitted to** maintain security at entrances and exits to the event **in lieu of Jacksonville Beach police officers.** Only City approved professional licensed security companies may be used. Payment of both professional security guards and uniformed off-duty Jacksonville Beach police officers is the responsibility of the organizer/producer.

4. All entrances/exits must be clearly marked with signs stating "No alcohol beyond this point." Signage ~~will~~ **may** be provided by the City and ~~is~~ **may be** included in the ~~cost of the fencing.~~ **facility rental fee.**
5. No business establishment building may be used as the perimeter for the area of alcoholic beverage sales to the **festival or event** area. A business located adjacent to public property may request a permit on a one-time basis for approval to serve alcoholic beverages on said property solely for a grand opening event. Approval

must be granted by City Council and the permit will be subject to all rules governing alcoholic beverages outlined in the Special Events Policy.

6. The consumption of alcoholic beverages is limited to the festival or event area identified in Attachment I of this document. **The Whether the Boardwalk may not be is included within the event area will be determined by the Special Events Committee and the Police Department based on the number of people expected to be in the general area during the time of the event.**

7. The areas where alcoholic beverages may be sold is restricted to **Latham Plaza, the Seawalk Pavilion, and the municipal parking lot located adjacent to Latham Plaza, with the exception of the Sea & Sky Spectacular. Areas 1,2, 3 and 4. Booths for the sale of Alcoholic beverages may be placed within the designated festival areas 1, 2, 3 and 4, but NOT on the boardwalk.**

~~If the event will only take place in municipal parking lot adjacent to Latham Plaza, booths for the sale of Alcoholic beverages may be placed in Area 3.~~

~~If the event will only take place in Latham Plaza, alcoholic beverages may be placed in Area 2.~~

The area where alcoholic beverages will be sold must be protected against product spillage on the sidewalks, streets or grass. A catch basin/bucket must be placed under each beer tap. **The event producer/organizer is responsible for protecting against spillage.**

8. **Last call for alcohol announcements must be made no later than 30 minutes prior to the end of the event. Alcohol sales are required to cease no later than 15 minutes prior to the end of the event. Last call and hours of alcohol sales will be monitored and strictly enforced by the Jacksonville Beach Police Department.**

VII. GENERAL REQUIREMENTS FOR SPECIAL EVENT PERMIT ON CITY FACILITIES

A. Compliance with City Codes

All activities conducted as parts of the festival or special event are required to comply with the provisions of all City Code of Ordinances and Special Events Policies and Guidelines. Specifically noted are Chapter 4. Alcoholic Beverages Section 4.3, Chapter 18. Noise Section 18.3 (h) and Section 18-8 of the Code of Ordinances, and Chapter 34, Section 8.4. Sign Standards, and Section 19.5 Outdoor Musical Entertainment or Festivals. Portions of these code sections are attached in Attachment II. Copies of are available from the City Clerk.

1. An event organizer/producer holding a Special Event Permit must abide by all policies, and procedures, and stipulations outlined in their Special Event Permit. Non-compliance may result in the event being shut down.
2. An organizer/producer of an festival or special event that does not comply with the City's Code of Ordinances, Special Events Policies and Guidelines, or the conditions outlined in a Special Event Permit will forfeit the right to produce future events.

B. Health and Sanitary Requirements

In order to ensure a clean, sanitary environment during and after events held at City facilities, the City's or its designated representative will provide approve cleanup services. This in no way relinquishes The organizer/producer is from their responsibility responsible for to ensure ensuring their vendors and providers keep City facilities, and the surrounding areas used or affected by the crowds attending the festival or special event, in a clean and sanitary condition during and after an event. Failure to do so will result in forfeiture of the security deposit and responsibility for reimbursing the City for any outstanding expenses incurred in the correction of the problem.

C. Fire / Rescue Personnel

The requirement for a MERV (mobile emergency response vehicle) with two (2) fire/EMS personnel, a 2-member bike team, or additional medical personnel at special events or festivals will be determined by the Fire Chief and Fire Marshal prior to the event based on the following:

- Type of special event or festival
- Expected attendance and crowds
- Number of food vendors
- Sale of alcohol
- Other factors that would tax the department's ability to provide fire/rescue services.

It will be the responsibility of the event producer/organizer to pay the fire department for the fire/rescue personnel required during the special event or festival.

If personnel are required and respond to an event, then the minimum time frame is two (2) hours. Payment may be made the week prior to the event or immediately upon completion of the event.

D. Ocean Rescue Personnel

The requirement for Ocean Rescue participation at special events or festivals will be determined by the Ocean Rescue Captain and the Recreation Superintendent prior to the event based on the following:

- Type of special event or festival
- Expected attendance and crowds
- Other factors that would tax the department's ability to provide fire/rescue and/or ocean rescue services.

It will be the responsibility of the event producer/organizer to pay Ocean Rescue for personnel required during the special event or festival. Payment for personnel may be made immediately upon completion of the event.

C. E. Festival Cleanup

~~The City or its currently contracted garbage/trash companies~~ organization/producer will provide all clean-up services for festivals and special events, including manpower during and after the event, as well as dumpsters and grease vat(s). The number of dumpsters will be determined by the Public Works Department in conjunction with the organizer/producer, based upon the scope of the event and previous experience with events held at Jacksonville Beach. Public Works will make arrangements for ~~dumpsters and~~ a grease vat for the disposal of used cooking grease. The cost of these services will be the responsibility of the event organizer/producer.

D. F. Temporary Bathroom Facilities

Organizers/producers are required to provide adequate temporary bathroom facilities for their event including facilities for handicap access as determined by the Special Events Committee. ~~The portalet provider must dispose of all trash removed from the inside of toilets. This includes items/trash found when vacuuming the waste from the toilet itself. Any debris/material, etc must be bagged and removed from the premises by the provider. No such material may be placed on the sidewalks, grass, landscaping, or hardscape. Units may NOT be washed down on site, but must be returned to the provider's facility to clean.~~

The City of Jacksonville Beach has an ordinance prohibiting discharge of any liquid or solid into the stormwater drainage system, or onto the grass. This is a health and sanitation issue. If provider fails to comply, they will be issued a violation and fined. In addition, the provider will be prohibited from doing business within the City of Jacksonville Beach.

E. G. Banners

Event and sponsor banners ~~may be displayed are limited in number and to designated areas only~~ within the event site.

F. H. Road Closures

~~An organization~~ An event producer/organizer requesting road closings is required to provide two weeks in advance notice of the event to notify all affected businesses and residents affected of the date and times of the planned road closures. A copy of the notice must be provided to the ~~City Manager's~~ Recreation & Parks Office.

If road closures are approved, the City will **may** provide barricades within the standard festival area and standard road closure areas; however, the organizer/producer is responsible for **the pick up and placement of barricades, and for returning the barricades to their original locations at the end of the event.** Each intersection affected must be manned at all times during the road closure. The organizer/producer is responsible for securing and providing manpower. The cost of professional security personnel, and/or police officers for traffic control caused by the closure, is the responsibility of the organizer/producer.

The City does not provide barricades, cones, etc. for street closures outside of the standard festival area. **The standard festival area is defined as the Sea Walk Pavilion, Latham Plaza, the municipal parking lot adjacent to Latham Plaza, and First Street North between the northern fenced perimeter of the Sea Walk Pavilion and Latham Plaza and the southern fenced perimeter of Latham Plaza.**

G. I. Paid Parking

The rental of municipal parking lots for use as paid parking during an **festival or special** event is NOT allowed.

H. J. Overnight Parking

No overnight parking is permitted on City parks or facilities per City ordinance except with specific approval by the City Manager. Authorized overnight security is permitted.

I. K. Additional Licenses

Events which offer musical entertainment are required to provide the City with a copy of their Broadcast Music, Incorporated (BMI) and/or ASCAP Performance Agreement; or provide the BMI or ASCAP Account Number **and the License's effective date of the license.** This license agreement covers copyright clearance for music performed. All organizer/producer(s) of such events must sign a document attesting to their having met this requirement.

J. L. Public Announcements

Public announcements must be made throughout an event to remind event attendees to access the beach only via authorized beach crossovers, to keep off the sand dunes, and not to pick sea oats per Florida State law.

VIII. GENERAL REQUIREMENTS FOR **FESTIVAL AND SPECIAL EVENT VENDORS**

The City reserves the right to set guidelines and restrictions for vendors, etc. All goods to be sold on City facilities must be approved by the City. All city, county or state Codes will be strictly enforced. The placement of vendors is limited to designated areas for crafts, food, beverage & amusements. **Use of profanity is not permitted.**

~~The organizer/producer must furnish a list of all selected vendors to the City Manager's Office within seven (7) days of the date of a special event. The list must be categorized by vendor type: food, beverage, arts & crafts, amusements, etc. It must include the vendors' occupation license or sales tax I.D. number and a copy of the certificate of insurance or insurance company and policy number.~~

Any vendor selling or serving food or beverages must adhere to the requirements of the City's Public Works Department, Fire Department, and the State of Florida's Division of Hotels and Restaurants, Department of Business and Professional Regulation. NO vendor will be allowed to open for business until they have been inspected and approved by all three entities. Copies of the City's Fire Department and State of Florida requirements are included at the end of this Section.

~~The City's Public Works Department will prepare all food and beverage vendor sites before these vendors may set up their areas. Preparation will consist of the placement of roofing felt on the parking lot, street, or grass area to prevent grease from falling onto the asphalt, concrete, sidewalks, pavers or grass. A fee will be charged for each 10 x 10 vendor area. The organizer/producer is responsible for the fee for this service which is listed in the Fee Schedule.~~

~~Vendors are to place corrugated boxing paper, or a similar type protection, on top of the roofing felt as flooring for each booth to prevent grease or liquid from falling onto the asphalt, concrete, sidewalks, pavers or grass.~~

No staking of tents, trailers, or other items is allowed in the festival area, streets, or parking lots.

A. Food and Beverage Vendors

1. Only authorized licensed food vendors shall be permitted to operate on City property or facilities during **festivals**, special events or City sponsored events.
2. The event organizer/producer must contact the Division of Hotels and Restaurants not less than seven (7) days before said event with the following information:
 - a. Date and times of event.
 - b. Type of food service proposed.
 - c. A list of all food service vendor owners and operators participating in each event.
 - d. The current license numbers of all public food service establishments (restaurants) participating in each event.

- e. Schedule time of inspection.
 - f. The Division of Hotels and Restaurants will **may** inspect all food vendors operations at each event for compliance with minimum sanitation standards. If the operator does not meet the standard, their operation will be shut down until corrections are made.
 - g. **All food vendors are required to obtain a license from the Division of Hotels & Restaurants in order to participate in a festival or special event.** If a food vendor does not have a state license, The Division of Hotels and Restaurants will issue a Temporary Event Vendor License. ~~The fee must be paid at the time of inspection, with a business check or money order (no cash); and, as of January 2001, it is \$85 for a 1-3 day event. An application~~ **Licensing requirements and the State of Florida Guide to Temporary Food Service Events** ~~are~~ **is** available on their website at <http://www.myflorida.com/dbpr/hr/forms/index.shtml> and **MUST** be completed BEFORE inspection.
3. The event organizer/producer is responsible for ensuring that food vendors containerize all cooking materials, and by-products, especially grease; and that any and all such cooking materials, by-products and grease are removed from the city's premises and disposed of properly; or placed in the event's grease vat provided by the ~~City of Jacksonville Beach~~ **the organizer/producer.**
 4. Vendors who cook with grease type products are required, as a part of site preparation, to place corrugated boxing paper as flooring for their booth, or a similar type protection, on top of the roofing felt ~~placed by the City of Jacksonville Beach~~, to absorb grease and to prevent grease or liquids from falling onto the asphalt, concrete, sidewalks, ~~or pavers or grass.~~
 5. Food vendors are required to use a grease trap when cooking with grease. The vendor (or organizer/producer as default) is responsible for the proper removal and disposal of all grease into the event's grease vat or from the festival area. No grease or oil may be poured onto the pavement, grass or storm-water drains within the City of Jacksonville Beach. The event organizer/producer will be accountable for any costs associated with clean up of storm drains, sidewalks, streets, ~~and pavers, and/or grass.~~
 6. Failure to follow this policy could result in forfeiture of the security deposit, additional fees for pressure washing and ~~prohibition~~ **forfeiture** of participation in events on City property.
 7. Precautions must be made to prevent food, debris, seafood shells, etc. from entering into the City's storm-water system. This includes the placement of traps, screens, etc.
 8. ~~Except for canned beverages, all food sold on City property or facilities must be served in biodegradable containers and consumed within the place of sale.~~
 9. No glass cups or glasses may be used for beverage products. Should beer or wine products only come in glass bottles, the beverage must be served in a plastic or

paper cup for distribution to the public. A catch container must be placed under all beverage dispensing units (taps.)

10. Pressure washing of food vendor and eating areas will be a requirement for **festivals and special** events where food is the primary focus of the event. **The All costs associated with pressure washing** will be the responsibility of the event organizer/producer.

B. Pressure Washing

At all festivals **and special events**, should specific vendors have booths which result in ~~animal debris~~, odors, or grease present after the event, the event organizer/producer will be responsible to **for pressure washing** the area, ~~or for the cost to pressure wash the area(s) as outlined in the Fee Schedule.~~

C. Amusements

1. Mechanical or carnival type rides for children **are permitted at the Sea Walk Pavilion and Latham Plaza.** ~~will be allowed as long as the device can be anchored or attached without harming or disrupting the surface of the City's paved parking lots, or roads, sidewalks, or walkways.~~ The rides can only be set up in the City parking lot between Latham Plaza and Sneakers restaurant, or along 1st Street North contiguous to the festival site area. **No mechanical or carnival type rides may be erected in City parking lots, or on roads or sidewalks without the approval of the City Manager.** A list of proposed children's rides, along with anchoring methods, must be presented and approved by the Special Events Committee. A copy of the State inspection certificate must be provided to the City before rides can be operated. The rides are only allowed in Latham Plaza and Seawalk.
2. Inflatable type amusements are permitted, ~~but only on paved areas.~~
3. Animal rides **and animal exhibitions** are not permitted; ~~however, animal exhibitions are permitted only in designated areas and must be included in the list of activities and vendors provided to the City Manager's Office.~~

SEE ATTACHMENT VI

- 1) Jacksonville Beach Minimum Fire Safety Requirements for Festivals **and Special Events**
- 2) ~~Department of Business & Professional Regulation Instructions and Application for Temporary Event Vendor License~~
- 3) ~~Guide to Temporary Food Service Events.~~
- 2) **Jacksonville Beach Minimum Fire Safety Requirements for Food Trucks and Trailers**

IX. CONDITIONS AND REQUIREMENTS FOR **FESTIVALS AND SPECIAL** EVENTS TO BE HELD ON THE BEACH

Events such as races, volleyball tournaments, **and** surf contests that take place on the beach are also subject to the conditions and restrictions outlined in **Attachment III - Florida Department of Environmental Protection (DEP) Requirements for Special Events Located Seaward of the Coastal Construction Control Line**. The City's current DEP Blanket Field Permit will cover normal DEP Field Permit requirements and is authorized to permit events that meet its requirements. Should the Special Events ~~Coordinator~~ **Chairman** ~~suspect~~ **determine that** additional permitting is required, the applicant will be required to contact the DEP for additional approval.

~~A fee for trash removal and a~~ **Rental fees and security deposits are** is required for events held on the beach.

X. GENERAL REQUIREMENTS FOR PARADES

~~A parade is defined as a formation for a public procession, march, ceremony, show, exhibition, pageant, or procession of any kind involving ten (10) or more persons or five (5) or more vehicles. The term shall not apply to funeral processions provided the Jacksonville Beach Police Department is notified of each procession's time and route; or, to government agencies acting within the scope of their functions.~~

A. Associated Costs

~~The organizer/producer, or party submitting the parade application, is responsible for the costs associated with street closures and traffic control. The number of police officers will be mutually determined by the Police Department and the parade organizer/producer based on the traffic control plan provided by the organizer/producer, and the day and time of the parade.~~

B. Additional Regulations

~~For the purpose of controlling traffic and pedestrian congestion and of providing for the public health, safety and general welfare, the following additional regulations shall apply to all parades conducted within the City of Jacksonville Beach:~~

- ~~1. All parades shall be conducted along the route specified in the parade permit.~~
- ~~2. Parades shall be conducted during the hours of 8:00 A.M. and 6:00 P.M.~~
- ~~3. All parade participants shall assemble for the parade at the time and location specified in the permit.~~
- ~~4. All parades shall begin at the time specified in the permit and shall disband immediately after the conclusion of the parade.~~
- ~~5. No parade participant shall carry arms or other weapons (or facsimiles thereof), nor bricks, bats, sticks, rocks, bottles or other items that could be used as weapons. This requirement shall not apply to drill teams, honor guards, or other participants representing official units of government.~~
- ~~6. No parade participant shall drink alcoholic beverages or be under the influence of any intoxicating beverages or drugs.~~
- ~~7. Materials used in the construction of floats in the parade shall be of fire-retardant materials and shall be subject to the requirements concerning fire safety as may be determined by the fire chief.~~
- ~~8. Except as provided in Subsection J, once commenced, the parade shall not stop along the parade route, but shall continue to move at a fixed rate of speed, and any willful delay or stopping of said parade, except when reasonably required for the safe and orderly conduct of the parade, shall constitute a violation of the permit.~~
- ~~9. Literature, publications, leaflets or other written materials shall not be distributed along the parade route.~~

10. ~~Speeches shall be allowed only at a location designated in the parade permit.~~
11. ~~Speeches, rallies or other activity to be conducted during the parade shall be limited to a total time of thirty (30) minutes, after which time the parade participants shall continue or disperse as designated in the parade permit.~~
12. ~~In no event shall speeches, rallies, etc. be conducted in the public streets, or along the City's right of ways. Such speeches and rallies shall take place at specified sites identified as such in the parade application.~~
13. ~~The parade permit application shall designate a "person in charge" and that person shall be required to have a copy of the approved permit in their possession at all times during the parade. The person in charge shall advise all participants in the parade, either orally or by written notice, of the terms and conditions of the permit before the commencement of the parade and shall provide the City with a written statement that the person in charge and all participants have read, understood and will comply with the regulations set forth herein and the conditions of the permit.~~

XI. X. DEFINITION OF FEES AND CHARGES FOR FESTIVALS AND SPECIAL EVENTS HELD ON CITY FACILITIES

Festival and Special event fees are designated primarily to offset the cost to the City resulting from such special events; therefore, the City does not waive special event fees for facility rental or site fees, permits, licenses or other charges for City services. Any organization or event organizer/producer requesting to hold an event on City property or facilities must pay all facilities rental/site fees. The event organizer/producer is responsible for any and all costs for City services as outlined in this document or as determined by each department.

Facility rental fees, security deposit and fees for services provided by City of Jacksonville Beach Departments are outlined in **the** Fee Schedule section of this document. All **Advance Fees**, as defined further in this section, must be paid before **issue issuance** of a special events permit.

A. Determination of Fee Category

~~For the purpose of determining into which fee category an applicant's event falls, the following definitions will be applied. This determination will be based upon the organization/person who is financially responsible for costs of the event, not the organization that will benefit from the revenue proceeds of the event.~~

~~1. NOT FOR PROFIT:~~

~~a. Club~~

~~A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by laws.~~

~~b. Fraternal Organization~~

~~A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.~~

~~c. Government Agency~~

~~Any department, commission, independent agency or instrumentality of the United States, of a state, county, incorporated municipality, authority, district or other governmental unit.~~

~~d. Membership Organization~~

~~An organization operating on a membership basis with pre-established formal membership requirements and with the intent to promote the interests of its members. Such an organization includes religious bodies, trade associations, professional organizations, unions, political action committees and similar organizations.~~

~~e. Philanthropic (Eleemosynary) Institution~~

~~A public or private organization that is not established for or operated for the purpose of carrying on a trade or business and no part of the net earnings of which are for the benefit of any individual.~~

- ~~2. FOR PROFIT:
Private Business any enterprise operating for profit.~~

B.A. SECURITY DEPOSIT

A security deposit of must be furnished prior to receiving a special event permit. The amount of the deposit will be determined by the scope of the event and is outlined on the Fee Schedule of this document.

1. The security deposit will be returned within thirty (30) days provided: 1) no damages to City property occur during the event, 2) the facilities are left clean and orderly; and, 3) all fees and charges have been paid.
2. A site review by a City representative and the event producer will determine whether the facilities have been cleaned properly and that no structural damage has occurred.
3. The costs, if any, to repair or replace damaged or missing City of Jacksonville Beach property, or to clean the facility as required as stated elsewhere in this document, will be deducted from the security deposit. The event organizer/producer will be liable for any additional expenses for damage to City property over the amount of the deposit.

C.B. FACILITY RENTAL RATES

1. City departments hosting events are exempt from facility fees, security deposits and some City service costs as determined by the providing department. ~~However, City departments must follow the guidelines established to secure the permit.~~
2. The facility rental fee includes access to and use of electricity, available at the site, barricades, and trash containers as available at the site. Should power needs the need for electricity, barricades, trash containers, etc. exceed the City's availability or capability existing power capacity of the site, the cost of auxiliary power, and procurement and transport of barricades, trash containers, etc. will be the responsibility of the event organizer/producer. The organizer/producer must complete a Public Works application for the use of barricades, trash cans, signage, etc. for use outside of the standard festival/event area. See Rate Resolution for Special Events.

D.C. ELECTRICIAN FEES

Should the City deem it necessary, or at the request of the organizer/producer, a licensed electrician will The City will charge a pre-event electric site fee to review the Festival site plan and prepare connections for electrical power requested by the applicant. In addition, an hourly fee will be charged to the organizer/producer to set up and connect vendors and/or providers' electrical needs for the event.

Should the services of the City's Electrician an electrician be required on-site during the event due to the nature of the event or electrical requirements, the organizer/producer is responsible for the additional hourly fees.

E.D. CLEAN UP FEES

In order to ensure a clean, sanitary environment during and after events held at City facilities, the **event organizer/producer is responsible for the** following: ~~services will be provided by the City or its designated representative. The cost of these services will be the responsibility of the event organizer/producer.~~

1. **Beach Trash Removal Fee**
~~Trash removal for events held on the beach such as volleyball tournaments, races, walks, or surf contest events.~~
The event producer/organizer is required to clean up the beach and surrounding area, bag all trash and debris generated by the event, and to haul the trash off the beach and dispose of it off-site.

2. **Site Clean up**
Includes crew, ~~trash containers,~~ **and** removal of litter, debris, and food during **and upon completion of** the hours of the event, ~~removal of trash and garbage from site daily. It does not include cleaning and removing trash/food from dining tables during the event. Event site clean up fees are determined by the City's contracted representative and are negotiated directly with the contractor.~~

~~Dumpster and grease vat fees are as listed in SECTION XII and in ATTACHMENT IV~~

3. **Pressure Washing**
Required in areas where grease or animal refuse **is** present after an event.

F.E. ADVANCE FEES

Advance fees, which must be paid before issuance of a Special Event Permit, are Facility Rental, **and** Security Deposit. ~~Pre-Electric, Grease Vat and Dumpster.~~

G.F. POLICE SECURITY PAY SCHEDULE FOR FESTIVALS AND SPECIAL EVENTS

All arrangements for police security at a **festival or** special event shall be made two (2) weeks in advance of the event. Arrangements for police security services at **festivals and** special events shall be made by contacting the **Special Events Chairman**. ~~Operations Lieutenant at 247-6345.~~ When three (3) officers or more are required, one will be designated as supervisor and will receive supervisor rates.

1. **Hourly Fees:**
 - a. All off-duty jobs require a three (3) hour minimum payment per officer.
 - b. All officers working extra duty jobs will be paid at the end of their assignment.

2. **Cancellation:**
To cancel an extra duty job, the requesting person must call the police communications center (270-1663) and inform the communications officer to cancel the officer(s).
 - a. The call must be received by the communications officer at least ~~two (2)~~ **three (3)** hours before the start of extra duty job.
 - b. If the job is canceled after the ~~two (2)~~ **three (3)** hour time period, each officer(s) must be paid a three (3) hour minimum.

Fees are as listed in Rate Resolution

H.G. OTHER CITY DEPARTMENTS

Should the services of other City departments be required to facilitate a **festival or** special event, the event organizer/producer ~~may be~~ **is** required to pay additional fees for those services. Information on charges by other departments, if any, will be provided by the said departments.

1. ~~Normal City services that are provided between 8:00 AM to 5:00 PM Monday through Friday may be provided free of charge. After these hours and on weekends, other services such as~~ **Services provided by Recreation, Ocean Rescue, Police, Fire, electrician, Public Works, etc. will be billed per the Fee Schedule or at the specific employee's overtime rate of pay.**
2. ~~The City electrician will~~ **The City's contracted electrician may** assist in connecting the electrical power needs for any event. There is an hourly fee for **his this** services.
3. Depending on the size and scope of an event, the City may charge a pre-event electric site fee to provide electricity access for vendors and production requirements such as light and sound equipment.

ATTACHMENT I

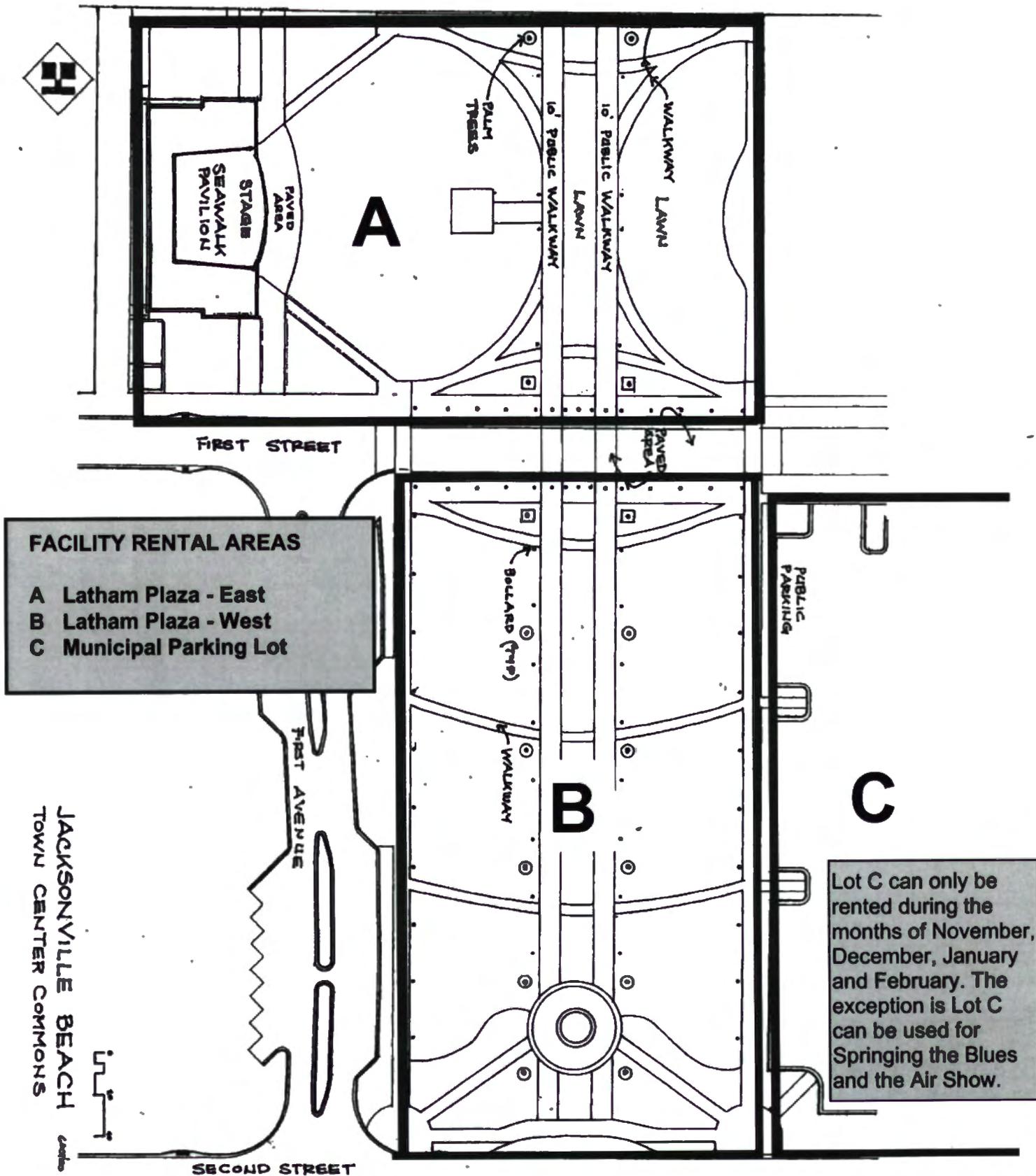
Festival Site: Facility Rental Areas and Areas Where Alcohol May Be Sold

The following maps define the festival site: 1) Facility Rental Areas and 2) Areas approved for the sale of alcoholic beverages. Consumption of alcoholic beverages can occur within the entire festival area when required fencing is in place.

ATTACHMENT 1 FACILITY RENTAL AREAS

BEACH

EXISTING SEAWALK



- FACILITY RENTAL AREAS**
- A** Latham Plaza - East
 - B** Latham Plaza - West
 - C** Municipal Parking Lot

Lot C can only be rented during the months of November, December, January and February. The exception is Lot C can be used for Springing the Blues and the Air Show.

Alcohol may be CONSUMED in all areas within the festival area when required fencing is in place

ATTACHMENT II

PORTIONS OF CODE ORDINANCES THAT APPLY TO SPECIAL EVENTS

A. Alcoholic Beverages – Chapter 4 Drinking in public; prima facie evidence

- (a) **Drinking in public places.** It shall be unlawful for any person to consume or drink any beer, wine, liquor, or other alcoholic beverage on any public street, sidewalks, boardwalk, or other public place not duly licensed to permit consumption of beverages on the premises.
- (b) **Drinking of alcoholic beverages on premises of alcoholic beverage establishment.**
 - (1) **Consumption.** It shall be unlawful for any person to consume or drink any beer, wine, liquor, or other alcoholic beverage on the premises of any establishment, except on a patio or porch where tables and chairs are provided and approved and licensed for outdoor consumption, or within the building which is the address of the establishment.
 - (2) **Construction.** This section shall not be construed to authorize the consumption of any alcoholic beverages on any premises where such consumption would otherwise be prohibited by the provisions of an alcoholic beverage license or by a zoning regulation of the city or by the laws of the state.
- (c) **Prima facie evidence.** Possession of an open container containing an alcoholic beverage by any person in the areas prohibited by this section shall be prima facie evidence of a violation of this section.

A.B. Noise - Chapter 18

Special Event Noise Requirements

Special events that will have amplified music or sound are required to follow the conditions outlined in the City's Noise Ordinance Chapter 18 NOISE. The event must be staged between the hours of 9 A.M. and 10:00 P.M. The permitted limited noise level may not exceed seventy (70) dB (A) for more than three (3) cumulative minutes of any continuous sixty-minute period, when measured in accordance with Section 18-3(c). The City of Jacksonville Police Department or Codes Enforcement Department will make that determination.

B.C. Sign Standards - Chapter 34

Special Event Sign Requirements

Temporary special event banners may be erected and maintained for a period not to exceed twenty-one (21) days prior to the date of the campaign, drive, activity, or event is scheduled to occur and shall be removed within three (3) days of the termination of the event.

Snipe Sign means a sign made of any material when such sign is tacked, nailed, posted, pasted, glued or otherwise attached to trees, poles, fences or other objects, and the

advertising matter appearing thereon is not applicable to the present use of the premises upon which such sign is located.

C.D. Advertising, Chapter 3, Article II Distribution of Handbills

Handbills shall mean any printed or written matter, any sample or device, dodger, circular, leaflet, pamphlet, paper booklet or any other printed or otherwise reproduced original or copies of any matter of literature.

Section 3-21. Placing on vehicles.

No person shall throw or deposit any handbill in or upon any vehicle.

Section 3-22. Restricted in public places.

It shall be unlawful for any person to hand out or distribute or sell any handbill in any public place; except that a handbill may be personally delivered to any person willing to accept the same.

~~D. Outdoor Musical Entertainment or Festivals, Section 19.5~~

~~This section of the City codes will also apply to Outdoor Musical Entertainment events or festivals which intend to have paid admission.~~

~~Sec. 19.5.1 Findings~~

~~The city finds that outdoor musical entertainment, offered to the general public or a substantial segment thereof, often attracts a large gathering of people which, if uncontrolled, may cause adverse health and safety conditions requiring municipal regulation to ensure adequate sanitation and sewage disposal facilities, medical facilities, parking, traffic control and crowd control, and other regulations in the interest of public safety and public health.~~

~~Sec. 19.5.2. "Festival" defined.~~

~~As used in this chapter, "festival" means any gathering of persons for the primary purpose of listening to or participating in outdoor musical entertainment offered to the general public or a substantial segment thereof. The term "festival" shall not include a gathering for another primary purpose, such as, but not limited to, athletic events, religious services, fairs, parades, or expositions, even though outdoor musical entertainment may be incidental thereto.~~

~~Sec. 19.5.3. Festival permit required.~~

~~No person shall stage, promote, or conduct any festival in the city without first obtaining a festival permit from the City Manager.~~

ATTACHMENT III

Florida Department of Environmental Protection Requirements for Special Events Located Seaward of the Coastal Construction Control Line

The following restrictions will be used to determine approval of activities on the beach. Should further approval be needed after review of the completed Special Event application by the City, the applicant will be required to contact the appropriate State Departments. Otherwise, the City's Blanket Field Permit when attached to the Special Event Permit will serve to apply to meet the requirements outlined by the FDEP.

A. Coastal Construction Control Line (CCCL)

The Florida Department of Environmental Protection (FDEP) has regulatory authority over activities associated with special events such as sporting events, festivals, organized parties, concerts, and filming events that are located seaward of the Coastal Construction Control Line (CCCL). At the Jacksonville Beach Sea Walk Pavilion, the CCCL is located approximately 50 feet east of First Street South. Maps of the CCCL are located at the City of Jacksonville Beach Building Department or the Florida Department of Environmental Protection, 7825 Baymeadows Way, Suite 200B B200, Jacksonville, FL 32256.

B. FDEP Beaches and Shores Field Permit

If a Special Event or any activity associated with a special event is located seaward of the bulkhead in Jacksonville Beach, you must contact ~~Bobbie Nelson (877-332-4307 Pager)~~ the FDEP at 904-256-1700 for information regarding FDEP Beaches and Shores Field Permits for special events. The following activities are examples of Special Event activities that may require a FDEP Beaches and Shores Field Permit:

Activities located on the Beach or Dunes:

- Temporary structures
- Excavation (post and volleyball nets included)
- Removal or disturbance of beach material
- Alteration of existing elevations
- Impacts to native dune vegetation

Activities located Seaward of the Coastal Construction Control Line:

- Any additional nighttime lighting between May 1 and October 31

C. Marine Turtle Nesting Season

May 1 through October 31 is the marine turtle-nesting season. There are special prohibitions and restrictions during this time for most activities located seaward of the coastal construction control line and seaward of the dune crest. Some of the activities under protected species restrictions include the use of lighting, ball catching nets, heavy equipment, and any apparatus that penetrates into the beach or dune. You must contact the Bureau of Protected Species Management to verify that these requirements have been met if the proposed activity will occur during the marine turtle-nesting season.

D. DEP contacts:

Field Permits (DEP) ~~(877) 332-4307 Pager~~ ~~Bobbie Nelson~~ 904-256-1700
Bureau of Protected Species Management (850) 922-4330

SPECIAL CONDITIONS FOR EVENTS HELD ON THE BEACH

If the area along the beach impacted by an event is considered suitable nesting habitat, the following conditions must be followed. If these conditions are not accomplished, the proposed activity cannot take place.

1. To minimize potential adverse impacts to marine turtles, daily early morning surveys are required to begin on May 1 or 65 days in advance of the tournament whichever date is later. Daily surveys will continue to be conducted until all tear down activities have finished.
2. All nest surveys, nest screening and marking activities shall be conducted by persons listed on a valid permit issued by the Department of Environmental Protection, Division of Marine Resources, pursuant to Rule 16R-1, Florida Administrative Code. The permitted shall contact the appropriate marine turtle permit holder for each event area. The current marine turtle permit holder for this area is Mort Hansen. He may be contacted at (904) 241-7631 **613-6081**.
3. Nests that are deposited within the event site shall be left in situ, unless other factors (inundation) threaten the success of the nest. If any nests are determined to have been deposited within the project area, such nests will be marked and the actual location of the clutch determined. A circle with a radius of ten (10) feet, centered at the clutch, shall be marked by stake and survey tape or string. No event activities shall enter this circle and no adjacent event activity shall be allowed which might directly or indirectly disturb the area within the staked circle. If the nest cannot be avoided by this distance due to the scope of the project, all activity near the nest must be postponed until the nest has completed incubation and all hatchlings have emerged.
4. No activity associated with the event shall take place on the beach prior to the early morning survey or after 9 PM. No temporary lighting of the event area is authorized at any time during the marine turtle-nesting season, May 1 through October 31.
5. No operation of heavy equipment, cars, trucks, etc. is authorized seaward of the dune crest, existing seawalls, or bulkheads during the marine turtle season.
6. No construction of tents or any placement of stakes, poles, or other penetrating apparatus may be placed on the beach until each individual site location is approved by the duly appointed marine turtle permit holder. All temporary structures shall be constructed at the locations depicted in the approved plan. No additional temporary structures are authorized.
7. All sponsor ball catching nets shall be removed daily by 9:00 PM and not replaced prior to the completion of the marine turtle nesting survey each morning, or the nets shall be erected to allow for a minimum of three (3) feet of clearance between the beach surface and the bottom of the net.
8. Prior to implementing the required monitoring plan, the applicant or contracted marine turtle permit holder shall contact the Office of Protected Species Management at (850) 922-4330 to confirm that the requirements of the monitoring plan has been accomplished.



City of
Jacksonville Beach
2508 South Beach
Parkway
Jacksonville Beach
FL 32250
Phone: 904.247.6236
Fax: 904.247.6143

www.jacksonvillebeach.org

TO: George D. Forbes
City Manager

FROM: Gary Meadors
Parks & Recreation Director

DATE: December 4, 2013

SUBJECT: Resolution 1926-2013 Establishing Rates and Fees for Special Events

ACTION REQUESTED:

Adopt Resolution #1926-2013 establishing rates and fees for Special Events.

BACKGROUND:

The City of Jacksonville Beach has beautiful facilities to host special events and festivals. These facilities are Latham Plaza and the Seawalk Pavilion which are located at the oceanfront across from City Hall. In addition to these locations the City of Jacksonville Beach and the State of Florida manage the 4.2 miles of beach along Jacksonville Beach. These beautiful locations and facilities encourage tourists and citizens to visit and participate in activities and events. These activities and events help to develop tourism, encourage community involvement, assist non-profit and charitable programs, and assist local merchants with creating a vibrant business district.

The fees charged for organizations to host events and festivals help the City offset costs for maintenance of the facilities, insurance, and impact on downtown services such as public safety and public works.

The fees include security deposits and rental fees. Some of the changes include:

- Non-profit and profit are combined into one category. The reason for the change is to simplify the number of fees. Most events are produced by non-profit organizations.
- Fees for the stage and Latham Plaza are divided into different sections. The new fees are combined: Stage, Latham Plaza, and the parking lot.



- **Since the December 2, 2013, City Council meeting, the fees for Beach Events have been reduced from \$250 to \$100 to more accurately reflect the minimal staff time needed for events held on the beach.**

Since the December, 2013, City Council meeting, we have also reduced our recommended fee for the Latham Parking Lot from \$2,000 to \$1,000. This is to reflect the fact that the parking lot can only be rented during the non-peak months of November, December, January, and February. If the lot could be rented during the peak months, when our current Paid Parking Program is in effect, I would recommend increasing the rate back to \$2,000 per day. (Note: There is an exception that the parking lot can be used for Springing the Blues and the Air Show)

- **The security deposit assures that the producer of the event or festival follows the policies and rules.**

NEW FEES AND SECURITY DEPOSITS	SECURITY DEPOSIT	FEES PER DAY
FESTIVALS (INCLUDE ALL AREAS EXCEPT THE LATHAM PLAZA PARKING LOT)	\$ 1,000	\$ 2,000
STAGE	\$ 500	\$ 500
LATHAM PLAZA – EAST OF 1ST STREET	\$ 500	\$ 300
LATHAM PLAZA – WEST OF 1ST STREET	\$ 500	\$ 500
BEACH EVENTS	\$ 500	\$ 100
LATHAM PLAZA PARKING LOT – (ONLY AVAILABLE FOR SPRINGING THE BLUES, AIR SHOW, AND DURING THE MONTHS OF NOVEMBER, DECEMBER, JANUARY, & FEBRUARY	\$ 500	\$ 1,000

RECOMMENDATION:

Adopt resolution #1926-2013 establishing rates & fees for Special Events.

FEE STRUCTURE

	OLD Fee		NEW Fee
	Profit	Non Profit	
Stage	\$800	\$400	\$500
Latham East	\$1200	\$600	\$300
Latham West	\$800	\$400	\$500
Festivals (includes Latham east, west, stage)	\$2200	\$1100	\$2000
Beach	\$500	\$250	\$100
Parking lot	\$800	\$400	\$1000

Introduced By: _____

Adopted: _____

RESOLUTION NO. 1926-2013

**A RESOLUTION OF THE CITY OF JACKSONVILLE
BEACH, FLORIDA, ESTABLISHING FEES FOR SPECIAL
EVENTS**

WHEREAS, it is desired to amend the fees for Special Events

**NOW, THEREFORE, BE IT RESOLVED, THE FOLLOWING DEFINITIONS
AND SCHEDULE OF FEES BE ADOPTED FOR SPECIAL EVENTS.**

**DEFINITION OF FEES AND CHARGES FOR FESTIVALS AND SPECIAL EVENTS
HELD ON CITY FACILITIES**

Festival and Special event fees are designated primarily to offset the cost to the City resulting from such special events; therefore, the City does not waive special event fees for facility rental or site fees, permits, licenses or other charges for City services. Any organization or event organizer/producer requesting to hold an event on City property or facilities must pay all facilities rental/site fees. The event organizer/producer is responsible for any and all costs for City services as outlined in this document or as determined by each department.

Facility rental fees, security deposit and fees for services provided by City of Jacksonville Beach Departments are outlined in the Fee Schedule section of this document. All **Advance Fees**, as defined further in this section, must be paid before ~~issue~~ **issuance** of a special events permit.

A. ~~Determination of Fee Category~~

~~For the purpose of determining into which fee category an applicant's event falls, the following definitions will be applied. This determination will be based upon the organization/person who is financially responsible for costs of the event, not the organization that will benefit from the revenue proceeds of the event.~~

NOT FOR PROFIT:

a. ~~Club~~

~~A group of people organized for a common purpose to pursue common goals, interests or activities and usually characterized by certain membership qualifications, payment of fees and dues, regular meetings, and a constitution and by laws.~~

~~Fraternal Organization~~

~~A group of people formally organized for a common interest, usually cultural, religious or entertainment, with regular meetings, rituals and formal written membership requirements.~~

Government Agency

~~Any department, commission, independent agency or instrumentality of the United States, of a state, county, incorporated municipality, authority, district or other governmental unit.~~

Membership Organization

~~An organization operating on a membership basis with pre-established formal membership requirements and with the intent to promote the interests of its members. Such an organization includes religious bodies, trade associations, professional organizations, unions, political action committees and similar organizations.~~

Philanthropic (Eleemosynary) Institution

~~A public or private organization that is not established for or operated for the purpose of carrying on a trade or business and no part of the net earnings of which are for the benefit of any individual.~~

FOR PROFIT:

~~Private Business—any enterprise operating for profit.~~

B.A. SECURITY DEPOSIT

A security deposit ~~of~~ must be furnished prior to receiving a special event permit. The amount of the deposit will be determined by the scope of the event and is outlined on the Fee Schedule of this document.

1. The security deposit will be returned within thirty (30) days provided: 1) no damages to City property occur during the event, 2) the facilities are left clean and orderly; and, 3) all fees and charges have been paid.
2. A site review by a City representative and the event producer will determine whether the facilities have been cleaned properly and that no structural damage has occurred.
3. The costs, if any, to repair or replace damaged or missing City of Jacksonville Beach property, or to clean the facility as required as stated elsewhere in this document, will be deducted from the security deposit. The event organizer/producer will be liable for any additional expenses for damage to City property over the amount of the deposit.

~~C.B.~~ FACILITY RENTAL RATES

1. City departments hosting events are exempt from facility fees, security deposits and some City service costs as determined by the providing department. ~~However, City departments must follow the guidelines established to secure the permit.~~
2. The facility rental fee includes access to and use of electricity, available at the site, barricades, and trash containers **as available at the site**. Should **power needs the need for electricity, barricades, trash containers, etc.** exceed the **City's availability or capability** ~~existing power capacity of the site~~, the cost of auxiliary power, and procurement and transport of barricades, trash containers, etc. will be

the responsibility of the event organizer/producer. The organizer/producer must complete a Public Works application for the use of barricades, trash cans, signage, etc. for use outside of the standard festival/event area.

A security deposit must be furnished prior to receiving a special event permit. The amount of the deposit will be determined by the scope of the event as defined below. These fees are cumulative.

FACILITY	Profit	Non-Profit
STAGE AREA & FIRST TIER AUDIENCE AREA	\$800	\$400
SECOND TIER AUDIENCE AREA	\$400	\$200
1 ST STREET FESTIVAL AREA	\$200	\$100
PLAZA AREA	\$800	\$400
MUNICIPAL PARKING LOT (Springing the Blues only)		
1/3 OF PARKING LOT	\$268	\$134
2/3 OF PARKING LOT	\$536	\$268
ENTIRE PARKING LOT	\$800	\$400
BEACH EVENT	\$500	\$250
STREET EVENT (RACE/PARADE)	\$800	\$400

	SECURITY DEPOSIT	FEES PER DAY
FESTIVALS (INCLUDES ALL AREAS EXCEPT THE LATHAM PLAZA PARKING LOT)	\$ 1,000	\$ 2,000
STAGE	\$ 500	\$ 500
FESTIVAL FENCE		\$ 500
LATHAM PLAZA – EAST OF 1 ST STREET	\$ 500	\$ 300
LATHAM PLAZA – WEST OF 1 ST STREET	\$ 500	\$ 500
BEACH EVENTS	\$ 500	\$ 100
LATHAM PLAZA PARKING LOT – (ONLY AVAILABLE DURING THE MONTHS OF NOVEMBER, DECEMBER, JANUARY, & FEBRUARY, EXCEPT FOR SPRINGING THE BLUES AND THE AIR SHOW)	\$ 500	\$ 1,000

D.C. ELECTRICIAN FEES

Should the City deem it necessary, or at the request of the organizer/producer, a licensed electrician will ~~The City will charge a pre-event electric site fee to~~ review the Festival site plan and prepare connections for electrical power requested by the applicant. In addition, an hourly fee will be charged to the organizer/producer to set up and connect vendors and/or providers' electrical needs for the event.

Should the services of ~~the City's Electrician~~ an electrician be required on-site during the event due to the nature of the event or electrical requirements, the organizer/producer is responsible for the additional hourly fees.

E.D. CLEAN UP FEES

In order to ensure a clean, sanitary environment during and after events held at City facilities, the **event organizer/producer is responsible for the** following: ~~services will be provided by the City or its designated representative. The cost of these services will be the responsibility of the event organizer/producer.~~

1. Beach Trash Removal Fee

~~Trash removal for events held on the beach such as volleyball tournaments, races, walks, or surf contest events.~~

The event producer/organizer is required to clean up the beach and surrounding area, bag all trash and debris generated by the event, and to haul the trash off the beach and dispose of it off-site.

2. Site Clean up

~~Includes crew, trash containers, and removal of litter, debris, and food during and upon completion of the hours of the event, removal of trash and garbage from site daily. It does not include cleaning and removing trash/food from dining tables during the event. Event site clean up fees are determined by the City's contracted representative and are negotiated directly with the contractor.~~

~~Dumpster and grease vat fees are as listed in SECTION XII and in ATTACHMENT IV~~

Pressure Washing

~~Required in areas where grease or animal refuse are is present after an event.~~

F.E. ADVANCE FEES

Advance fees, which must be paid before issuance of a Special Event Permit, are Facility Rental, **and Security Deposit**, ~~Pre-Electric, Grease Vat and Dumpster.~~

G.F. POLICE SECURITY PAY SCHEDULE FOR FESTIVALS AND SPECIAL EVENTS

All arrangements for police security at a **festival or** special event shall be made two (2) weeks in advance of the event. Arrangements for police security services at **festivals and** special events shall be made by contacting the **Special Events Chairman**. ~~Operations Lieutenant at 247-6345.~~ When three (3) officers or more are required, one will be designated as supervisor and will receive supervisor rates.

1. Hourly Fees:

a. All off-duty jobs require a three (3) hour minimum payment per officer.

b. All officers working extra duty jobs will be paid at the end of their assignment.

2. Cancellation:

To cancel an extra duty job, the requesting person must call the police communications center (270-1663) and inform the communications officer to cancel the officer(s).

- a. The call must be received by the communications officer at least ~~two (2)~~ **three (3)** hours before the start of extra duty job.
- b. If the job is canceled after the ~~two (2)~~ **three (3)** hour time period, each officer(s) must be paid a three (3) hour minimum.

Fees are as listed in SECTION ~~XII~~ **XI** and in ATTACHMENT IV

H.G. OTHER CITY DEPARTMENTS

Should the services of other City departments be required to facilitate a **festival or** special event, the event organizer/producer ~~may be~~ **is** required to pay additional fees for those services. Information on charges by other departments, if any, will be provided by the said departments.

- 1. ~~Normal City services that are provided between 8:00 AM to 5:00 PM Monday through Friday may be provided free of charge. After these hours and on weekends, other services such as~~ **Services provided by Recreation, Ocean Rescue, Police, Fire, electrician, Public Works, etc. will be billed per the Fee Schedule or at the specific employee's overtime rate of pay.**
- 2. ~~The City electrician will~~ **The City's contracted electrician may** assist in connecting the electrical power needs for any event. There is an hourly fee for ~~his~~ **this** services.
- 3. Depending on the size and scope of an event, the City may charge a pre-event electric site fee to provide electricity access for vendors and production requirements such as light and sound equipment.

H. ELECTRIC FEES

Hourly Fees for Electrician during an event	\$120
Minimum 2-hour charge for call-out	

I. CLEAN-UP FEES

- 1. **Site Preparation Fee**
~~City crews will pre-prepare the site for all food sales, beverage sales, and food preparation areas for all such vendors before set up of each event. This will include placement of roofing felt. A \$10 fee will be charged for each 10 x 10 vendor area.~~

~~Vendors are to place corrugated boxing paper, or a similar type protection, on top of the roofing felt as flooring for each booth to prevent grease from falling onto the asphalt, concrete, sidewalks, pavers or grass.~~

2. 1. Grease Vat
The City will ~~may~~ provide ~~a~~ up to two (2) grease vats for each festival or special event which sells food prepared with grease. The fee for the grease vat is \$50 per day ~~per grease vat~~.

3. 2. Site Clean up
~~Specific fees will be determined by the scope of the event by the city and/or its designated representative. Approximate cost is \$1,800 per day for an event with food vendors scheduled from Noon until 10 P.M. Pricing may include crew, trash containers, removal of litter, debris, and food from ground during the hours of the event, removal of trash and garbage from site daily, and final site cleanup. It does not include cleaning and removing trash/food from dining tables during the event. Services must be negotiated directly with the city's designated representative.~~

The City may provide trash can liners and a trash dumpster for each event. Fees are as follows:

Trash can liners (box of 100): \$30.36 or at current purchase price

Dumpster:

2-yard	\$ 42.00
4-yard	\$ 84.00
6-yard	\$126.00
8-yard	\$168.00

The event organizer/producer is responsible for scheduling the delivery and pick up of haul-off dumpsters and for any associated costs. ~~Arrangements for garbage and trash dumpsters or haul offs will be made by the City of Jacksonville Beach with its refuse contractor with costs payable by the organizer/producer. The cost of each dumpster or roll-off, up to 40 yards in size, is \$202.26 per dumpster.~~

4. 3. Pressure Washing
\$500 per city facility

a. Pressure washing of food vendor and eating areas will be a requirement for events where food is the primary focus of the event. The cost will be the responsibility of the event organizer/producer.

b. Pressure washing will be required as determined by the City or its designated representative in areas where the odor of ~~animal refuse or grease~~ are ~~is~~ present after an event, and where a food vendor has not adequately protected the pavement from grease or the grass from refuse.

~~5. Beach trash removal~~
~~\$50 per day at volleyball, race or surf contest event.~~

6. 4. Beach clean up
Should the beach site be left in less than satisfactory condition as determined by the Public Works Department and the City's beach contractor, the cost to clean

up will be deducted from the security deposit. Should the cost exceed the security deposit, additional fees will be assessed in relation to the situation.

J. EVENT FENCING

The charge for event fencing is \$500 per day will be priced by section used. The pricing includes the cost of rental, set up and take down. The following pricing is based on the use of the following defined areas: The event producer/organizer is responsible for the pick up, set up, and tear down of fencing.

Price per 10 ft. section: \$10.00 ——— Approximate number of sections: 155

- ~~STAGE AREA & FIRST TIER AUDIENCE AREA~~
- ~~SECOND TIER AUDIENCE AREA~~
- ~~1ST STREET FESTIVAL AREA~~
- ~~PLAZA AREA~~
- ~~MUNICIPAL PARKING LOT (Springing the Blues only)~~
- ~~1/3 OF PARKING LOT~~
- ~~2/3 OF PARKING LOT~~
- ~~FULL PARKING LOT~~

K. POLICE SECURITY PAY SCHEDULE FOR FESTIVALS AND SPECIAL EVENTS

<u>Extra Duty Job</u> (Off-Duty, Uniformed for a 3 hr. min.)	<u>Per Officer</u> Hourly Rate	<u>Supervisor</u> Hourly Rate Event requiring three (3) or more officers
One-time or 1st time event	\$30	\$35
Special Event or Festival	\$32.50	\$37.50
Recurring events	\$25	\$30
Events held on City-recognized Holidays*	\$37.50	\$42.50
City marked Police Vehicle	\$25 per day, plus officer fees	\$25 per day, plus supervisor fees

* New Year's Day, Dr. Martin Luther King's Birthday, Memorial Day, July 4th, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving Day, and Christmas Day (event requiring three (3) or more officers.)

Any job in which alcohol is sold or delivered will have an additional hourly rate of charge of \$2.50 per hour per officer.

L. OCEAN RESCUE

Surfman	\$ 20.00
Lieutenant / EMT	\$ 25.00

M. FIRE DEPARTMENT PAY SCHEDULE FOR FESTIVALS AND SPECIAL EVENTS

Firefighter/Firefighter Engineer	\$32 per hour
Supervisor	\$38 per hour

BE IT FURTHER RESOLVED, that this Resolution will become effective April 2, 2014. (Any event that has made application on or before March 1, 2014 will be eligible for 2013 pricing for the year of 2014.)

AUTHENTICATED this _____ day of _____, 2014

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

City of

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Memo To: MAYOR AND CITY COUNCIL

From: GEORGE D. FORBES, CITY MANAGER

Subject: REPEAL OF CHAPTER 19.5 of The Code of Ordinances, Outdoor Musical Entertainment or Festivals, and Replacing it with a NEW CHAPTER 19.5, Special Events and Festivals

Date: December 5, 2013

ACTION REQUESTED:

Repeal Chapter 19.5, Outdoor Musical Entertainment or festivals and replace it with a new Chapter 19.5.

BACKGROUND:

Chapter 19.5 was adopted in 1979 and set forth regulations for outdoor musical entertainment and festivals. This ordinance was generally made obsolete many years ago when the City Council adopted a Special Events Policy that duplicated many of the same guidelines and had a larger scope of events.

To avoid any conflicts and confusion I am recommending repealing the current Chapter and replacing it with a short ordinance that states that the City regulates special events through a Special Event policy adopted by the City Council. The ordinance is as follows:

- (1) The City finds that special events and festivals, offered to the general public or a substantial segment thereof, often attracts a large gathering of people which, if uncontrolled, may cause adverse health and safety conditions requiring municipal regulation to ensure adequate sanitation and sewage disposal facilities, medical facilities, parking, traffic control and crowd control, and other regulations in the interest of public safety and public health.
- (2) The City shall maintain a special event policy establishing the policies and procedures required to hold a special event or festival on city property. The special event policy shall be adopted by the city council.



RECOMMENDATION:

Adopt Ordinance 2013-8040 that requires the City to regulate special events and Festivals through a Special Events policy adopted by the City Council.

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

ORDINANCE NO. 2013-8040

AN ORDINANCE AMENDING CHAPTER 19.5, "OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS", OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY REPEALING IT IN ITS ENTIRETY, AND REPLACING WITH A NEW CHAPTER 19.5, "SPECIAL EVENTS AND FESTIVALS", PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION 1. That CHAPTER 19.5, "OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS", of the Code of Ordinances of the City of Jacksonville Beach, Florida, be eliminated in its entirety, and replaced with a new CHAPTER 19.5, "SPECIAL EVENTS AND FESTIVALS", and the same shall read as follows:

Sec. 19.5-1. Findings.

- (1) The City finds that special events and festivals, offered to the general public or a substantial segment thereof, often attracts a large gathering of people which, if uncontrolled, may cause adverse health and safety conditions requiring municipal regulation to ensure adequate sanitation and sewage disposal facilities, medical facilities, parking, traffic control and crowd control, and other regulations in the interest of public safety and public health.
- (2) The City shall maintain a special event policy establishing the policies and procedures required to hold a special event or festival on city property. The special event policy shall be adopted by the city council.

SECTION 2. If any provision of this Ordinance or the particular application of this Ordinance shall be held invalid by any Court, administrative agency or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses or phrases shall remain in effect.

SECTION 3. That all other ordinances or parts of ordinances in conflict with this ordinance are, to the extent the same may be in conflict, repealed.

SECTION 4. Codification of this ordinance in the Code of Ordinances of the City of Jacksonville Beach is hereby authorized and directed.

SECTION 5. That this ordinance shall take effect upon its adoption by the City Council.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, Mayor

Judy Bullock, City Clerk

Jacksonville Beach, Florida, Code of Ordinances >> PART II - CODE OF ORDINANCES >> **Chapter 19.5**
OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS >>

Chapter 19.5 OUTDOOR MUSICAL ENTERTAINMENT OR FESTIVALS ¹¹¹

Sec. 19.5-1. Findings.

Sec. 19.5-2. "Festival" defined.

Sec. 19.5-3. Festival permit required.

Sec. 19.5-4. Permit application.

Sec. 19.5-5. Issuance of permit.

Sec. 19.5-6. Conduct of festivals regulated.

Sec. 19.5-7. Revocation or suspension of permit.

Sec. 19.5-8. Penalties.

Sec. 19.5-9. Exemption.

Sec. 19.5-10. Release of public liability insurance policy.

Sec. 19.5-1. Findings.

The city finds that outdoor musical entertainment, offered to the general public or a substantial segment thereof, often attracts a large gathering of people which, if uncontrolled, may cause adverse health and safety conditions requiring municipal regulation to ensure adequate sanitation and sewage disposal facilities, medical facilities, parking, traffic control and crowd control, and other regulations in the interest of public safety and public health.

(Ord. No. 6998, § 1, 6-18-79)

Sec. 19.5-2. "Festival" defined.

As used in this chapter, "festival" means any gathering of persons for the primary purpose of listening to or participating in outdoor musical entertainment offered to the general public or a substantial segment thereof. The term "festival" shall not include a gathering for another primary purpose, such as, but not limited to, athletic events, religious services, fairs, parades, or expositions, even though outdoor musical entertainment may be incidental thereto.

(Ord. No. 6998, § 2, 6-18-79)

Sec. 19.5-3. Festival permit required.

No person shall stage, promote, or conduct any festival in the city without first obtaining a festival permit from the city manager.

(Ord. No. 6998, § 3, 6-18-79)

Sec. 19.5-4. Permit application.

An applicant for a festival permit shall submit the following to the city manager at least ninety (90) days prior to the date of commencement of the festival:

- (1) **Sanitation facilities.** A plan for adequate sanitation facilities, sewage disposal and garbage collection and disposal, to be approved by the public health officer.
- (2) **Medical facilities.** A plan for adequate medical facilities, to be approved by the public health officer.
- (3) **Parking facilities.** A plan for parking facilities designed to avoid material disruption of traffic flow and to avoid interference with private property in the area, to be approved by the chief of police.
- (4) **Security and crowd control.** A plan for adequate security and crowd control in and around the festival area, to be approved by the chief of police, which plan shall include as a minimum at least the following:
 - a. One police or security officer for each two hundred fifty (250) persons attending the festival;
 - b. If any portion of the festival will be held during hours of darkness, a plan for adequate lighting; and
 - c. If the festival site contains any body of water of a size which will accommodate swimming, a plan for adequate lifeguard facilities, including at least one lifeguard on duty during daylight hours.
- (5) **Personal data.** An affidavit setting forth the names, addresses, and relevant background, qualifications and experience of all persons promoting, operating and participating directly or indirectly in the financial backing of the festival and of all performers at the festival.
- (6) **Time and location.** The location and time of the festival, and the estimated attendance.
- (7) **Liability insurance.** A comprehensive automobile-general liability insurance policy or policies, issued by an insurance company licensed to do business in Florida, and having a policyholder's rating of "B" or better and a financial rating of "AA+" or better by Alfred M. Best Company, insuring the promoter of the festival, the owner of the festival area and the City of Jacksonville Beach and providing it cannot be cancelled without written notice thereof being served on the city manager at least fifteen (15) days prior to date of cancellation. The policy or policies shall be approved by the city attorney and shall include coverages in the following amounts:
 - a. Bodily injury liability insurance of five hundred thousand dollars (\$500,000.00) for one person injured and, subject to that limit, one million dollars (\$1,000,000.00) for more than one person injured in any one occurrence;
 - b. Property damage liability insurance of five hundred thousand dollars (\$500,000.00) in any one occurrence;
 - c. Automobile liability insurance for bodily injury of two hundred fifty thousand dollars (\$250,000.00) for any one person injured and subject to that limit, five hundred thousand dollars (\$500,000.00) for more than one person injured in any one occurrence, covering all owned, leased and all other classes of nonowned vehicles;
 - d. Property damage liability insurance covering all owned, leased and all other classes of nonowned vehicles in the amount of one hundred thousand dollars (\$100,000.00) for any one occurrence.
- (8) **Indemnity agreement.** An agreement pursuant to which the applicant assumes full responsibility and liability for and indemnifies and save the city harmless against:
 - a.

All liability, claims for damages, and suits for or by reason of any injury to any person, and damage to any property for every cause in any way connected with the holding of the festival irrespective of negligence, actual or claimed, upon the part of the city, its agents and employees, except willful and wanton acts of city employees and agents, and

- b. All expenses incurred by the city for police protection in excess of normal police operations, to the extent necessary to preserve public order and safety at the festival.

The applicant shall agree to indemnify the city against all charges, expenses and costs including the reasonable value of the services of the city attorney incurred on account of or by reason of any such injuries, damages, liability, claims, suits or losses and all damages growing out of the same.

- (9) *Faithful performance guarantees.* Deliver to the city at the time the application is approved:
- a. A faithful performance bond in a form approved by the city attorney in the penal sum of one hundred thousand dollars (\$100,000.00), to be released after thirty (30) days from the last date of the event covered by the bond conditioned that the applicant shall well and faithfully observe, fulfill and perform according to the plans approved and the requirements of this chapter and that in the event of any failure to do so on the part of the applicant, the bond shall not be released and the amount thereof shall be recoverable by the city for all damages proximately resulting from the failure of the applicant to well and faithfully perform according to the conditions and requirements of this chapter; or
 - b. A cash deposit of one hundred thousand dollars (\$100,000.00) conditioned in the same manner as a performance bond under subparagraph a. above; or
 - c. An insurance policy in a form approved by the city attorney of one hundred thousand dollars (\$100,000.00) conditioned in the same manner as a performance bond under subparagraph a. above; or
 - d. A personal bond secured by an unconditional and irrevocable letter of credit in the amount of one hundred thousand dollars (\$100,000.00), which letter of credit shall be issued by a Florida or United States banking institution to the city in a form approved by the city attorney; shall give the city the right to use any funds resulting from drafts on said letter of credit for all damages proximately resulting from the failure of the applicant well and faithfully to perform according to the plans approved and the requirements of this chapter, and shall be released and returned to the promoter after thirty (30) days from the last date of the event covered by the personal bonds;
- (10) *Other information.* Such other information as the city manager may reasonably require to ensure compliance with this chapter.

(Ord. No. 6998, § 4, 6-18-79)

Sec. 19.5-5. Issuance of permit.

Upon submission of the items required by the preceding section, the filing of the required approvals by the public health officer and the chief of police, and the payment of an application fee of fifteen dollars (\$15.00) for each hour during which the festival will be conducted, not to exceed eight (8) hours in any twenty-four-hour period, the city manager shall issue a permit for the staging,

promoting or conducting of a festival at the time and location named in the application, except that the city manager shall deny the permit if:

- (1) *Prior conviction.* The applicant, any of the persons participating directly or indirectly in the financial backing of the festival, or any of the performers at the festival have been convicted within the last three (3) years preceding the date of this application of a violation of:
 - a. This chapter;
 - b. An ordinance or law of another governmental body regulating festivals and similar activities; or
 - c. An ordinance or law of the city or any other governmental body regulating or prohibiting drugs or narcotics.
- (2) *Prior failure to appear.* A performer scheduled to appear at the festival has failed to appear at three (3) or more separate musical engagements within the year preceding the date of the application, without a lawful contractual defense.
- (3) *False application.* The applicant has made any false representation in the application.

The city manager shall grant or deny the permit within twenty (20) days following the filing of an application.

(Ord. No. 6998, § 5, 6-18-79)

Sec. 19.5-6. Conduct of festivals regulated.

- (a) *Time limit; advertising.* No person staging, promoting, or conducting a festival shall:
 - (1) Permit the festival to continue for more than eight (8) hours in any twenty-four-hour period, or advertise or permit any advertising that the festival will so continue; or
 - (2) Advertise or permit any advertising that a particular performer will appear at a festival until after a contract for the performer's appearance has been executed and a copy thereof has been filed with the city manager.
- (b) *Alcohol, glass on premises.* On the festival premises, no person shall possess:
 - (1) Any beverage containing alcohol of more than one percent by weight; or
 - (2) Any container made of glass.
- (c) *Required appearance.* Unless excused by impossibility of performance or other lawful contractual defense, every person who has contracted to appear at a festival as an entertainer shall appear at the published time or within one hour thereafter.
- (d) *Conduct of festival; damages.* The festival promoter shall be responsible for the orderly and healthful conduct of the festival and for the avoidance of adverse public health and public safety conditions or incidents, and, upon failure to comply, shall respond to the city for all damages proximately resulting therefrom.

(Ord. No. 6998, § 6, 6-18-79)

Sec. 19.5-7. Revocation or suspension of permit.

The city manager may summarily suspend or revoke a permit issued under this chapter for violation of the preceding section or for failure to comply with the plans described in section 19.5-4, as approved, or for making any false representation in an application for a permit or for an exemption certificate.

(Ord. No. 6998, § 7, 6-18-79)

Sec. 19.5-8. Penalties.

It is unlawful and an offense against the city subject to penalties as prescribed in [section 1-11](#) to:

- (1) Conduct, stage or promote a festival without a permit; or
- (2) Fail to comply with the plans described in [section 19.5-4](#), as approved; or
- (3) Violate a provision of [section 19.5-6](#)

(Ord. No. 6998, § 8, 6-18-79)

Sec. 19.5-9. Exemption.

- (a) *Attendance affidavit.* The provisions of this chapter shall not apply to a festival if:
 - (1) The promoter files an affidavit that his best estimate of probable attendance at the festival is two thousand (2,000) persons or less, and
 - (2) The city manager concurs in the estimate in writing and issues to the promoter an exemption certificate.
- (b) *Basis of attendance estimate.* Each attendance estimate by the promoter and by the city manager shall be accompanied by a written statement of the basis for the estimate. Each estimate shall be based upon all of the relevant factors known at the time, including, without limitation, past attendance at similar functions having the same and similar performers both in Jacksonville Beach and comparable communities, the price of admission and the extent of advertising and promotion contemplated.
- (c) *Time limit; advertising.* No person staging, promoting or conducting a festival under an exemption certificate pursuant to this section shall permit the festival to continue for more than five (5) hours in any forty-eight-hour period, or advertise or permit any advertising that a festival will so continue.
- (d) *Penalty.* It shall be unlawful and an offense against the city, subject to penalties as prescribed in [section 1-11](#) to violate this section.

(Ord. No. 6998, § 9, 6-18-79)

Sec. 19.5-10. Release of public liability insurance policy.

The city manager is authorized to release the public liability insurance policy provided for in [section 19.5-4](#)(7) of this chapter after ten (10) days from the last date in the event for which the policy is given.

(Ord. No. 6998, § 10, 6-18-79)

FOOTNOTE(S):

— (1) —

Editor's note— Ord. No. 6998, enacted June 18, 1979, did not specifically amend this Code, hence inclusion of §§ 1—10 herein as Ch. 19.5, §§ 19.5-1—19.5-10, was at the discretion of the editor. ([Back](#))

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Fax: 904.247.6169

www.jacksonvillebeach.org

MEMORANDUM

TO: George D. Forbes, City Manager

THROUGH: Karen Nelson, Human Resources Director

FROM: Ann Meuse, Payroll/Benefits Administrator

SUBJECT: Ordinance numbers 2013-8037, 2013-8038, and 2013-8039 Amending Chapter 2, Article V of Division 6 - Police Officers' Retirement System; Division 7 - Firefighters' Retirement System and Division 5 - General Employees' Retirement System of the Code of Ordinances.

DATE: December 10, 2013

ACTION REQUESTED

Adopt the following ordinances as recommended by the Police Officers', Firefighters' and General Employees' pension boards:

- Ordinance Number 2013-8039, amending Chapter 2, Article V, Division 5, 'General Employees' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.
- Ordinance Number 2013-8037, amending Chapter 2, Article V, Division 6, 'Police Officers' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.
- Ordinance Number 2013-8038, amending Chapter 2, Article V, Division 7, 'Firefighters' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

The amendments will change the following:

- Allows an increase in the maximum investment in equities from 50% to 70%.
- Changes the measurement of investments in equities from a cost basis to market value.
- Allows for the investment in real estate.



Memorandum to George D. Forbes

December 10, 2013

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BACKGROUND

The City of Jacksonville Beach has three retirement plans, the General Employees' Retirement System, Police Officers' Retirement System and the Firefighters' Retirement System. Each retirement plan has its own board of trustees, consisting of 5 members. The General Employees' board includes 2 members of the City Council, selected by the City Council.

The boards of trustees are the trustees of the assets of their respective retirement systems and have authority to invest the assets of the retirement systems within the limitations and restrictions imposed by the State of Florida and the City's pension ordinances.

The boards of trustees employ the **Bogdahn Group** to act as their **investment advisor** for their respective retirement plans. The Bogdahn Group recommends investment strategies to the pension boards, which are incorporated into an investment policy that is approved by the boards. These strategies include establishment of **target market allocations** for the investment of the pension plan assets, as defined by the plans' investment policy and **investment limits** that are established by the City's pension ordinances.

At a special joint meeting of the pension boards of trustees on October 3, 2013, the Bogdahn group made a recommendation that the boards present the following amendments to the City's pension ordinances to City Council for adoption:

- **Increase the allowable investment in equities from 50% to 70% of the retirement systems assets, and change the measurement of the percentage invested from a cost basis to a market basis.**
- **Change the allowable investments to include real estate up to 10% of the retirement system assets.**

The boards of trustees authorized the pension plans' attorney to prepare draft ordinances to reflect the proposed changes and approved the draft ordinances at their regularly scheduled quarterly meeting November 12, 2013.

Memorandum to George D. Forbes

December 10, 2013

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The City staff has reviewed the recommendations made by the Bogdahn Group and the proposed draft ordinances.

1. We concur with the recommendation to revise the City pension ordinances to measure allocation of the plans' investment portfolio on a market, rather than a cost basis. Using market value provides a measurement basis that is easily verified and keeps the allocation of the investment portfolio in balance within the limitations set by ordinance.
2. We have also reviewed an alternative to increasing the allowable investment in equities from 50% to 70%. Staff does understand the need to achieve actuarial projected returns of 8% and the difficulty of meeting this objective in current market conditions; however, along with return comes added risk. The City Council should also consider a more conservative limit of 60%.
3. The City staff understands the need to diversify the pension investment portfolios in order to increase yield and is aware that other similar pension plans have expanded their allowable investments to include real estate; however, the City Council may wish to consider a more conservative approach to allow investment in real estate limited to 5% of the retirement system assets. We are also concerned that there is currently no formal procedure for how to select the real estate assets.
4. We also recommend that the pension boards' investment advisor appear before the City Council periodically to report on the investment of the retirement system assets and returns achieved by the strategies established in the pension investment policies.

Attached are a summary of the recommendations made by the Bogdahn Group and draft ordinances approved by the boards of trustees for consideration by the City Council

Memorandum to George D. Forbes

December 10, 2013

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Summary of the issues before the Council are as follows:

Amendments to Pension Ordinances	Existing Pension Ordinances	Board of Trustees Recommended Amendments	Alternate Amendments
Measurement of Maximum Investment in Equities	Cost	Market	Market
Maximum Investment in Equities	50%	70%	60%
Allowable investment in Real Estate	No	Yes	Yes
Maximum Investment in Real Estate	N/A	10%	5%

RECOMMENDATION

Consider the changes recommended by the pension boards and the alternate proposal and provide direction to the City Staff.

MEMORANDUM

FROM: The Bogdahn Group;
Daniel Johnson and Troy Brown, CFA
TO: City of Jacksonville Beach (Pension Plan Ordinance Review)
DATE: December 16, 2013
RE: Summary of Proposed Pension Ordinance Revisions

The following is a summary of the proposed ordinance revisions for the City of Jacksonville Beach Retirement System ("the Pension Plan"). These changes encompass two distinct investment concepts as prepared by the legal counsel on behalf of the Pension Plan. We have separated these concepts into a discussion of the "Equity Basis Change" and the introduction of "Real Estate" as a permissible investment in the Pension Plan.

Equity Basis Change

We are recommending a change in the measurement of the Pension Plan's equity exposure from a "cost" to a "market" value basis. This change is consistent with current pension practices as it provides an increased level of transparency and risk control through the elimination of subjective cost basis measurement. For example, if an investment asset is purchased and held (not sold), the cost basis of the asset never changes. As a result, if this asset appreciates in value, its cost measurement as a percentage of the portfolio's overall value will actually decrease, implying less risk due to the appreciation. However, it should be clear that the increase in asset value represents an increase in risk. The use of market value basis for measurement eliminates this risk anomaly as equity exposure will be measured on a transparent, non-subjective basis.

It is also important to note that this measurement change does not, in and of itself, introduce more risk to the Pension Plan. As a result, the numerical change from "50% at cost" to "70% at market" should not be interpreted as an upward shift in risk, but rather as a change in the basis of measurement. In addition, the 70% level should not be interpreted as the Pension Plan's target exposure to equity; it represents the maximum allowable allocation. The Pension Plan's proposed target allocation to total equity exposure is 60%.

In conclusion, the change to a market-value based equity constraint in the ordinance will provide greater transparency and risk control of the Pension Plan than the current cost constraint.

Real Estate

We are recommending the allowance of professionally managed, private real estate ("real estate") as an allowable investment for the Pension Plan. While we have used real estate investments with multiple clients as a diversification tool and a reasonable proxy for bonds for a number of years, given today's low interest rate environment and the resulting prospect for lower bond returns going forward, this diversification is increasingly important.

The Pension Board of Trustees ("the Board") reviewed the landscape of real estate as an income enhancement vehicle and a viable diversification tool for the overall Pension Plan over the long-term and in today's market environment. Given this review, the Board would like to consider a strategic allocation to real estate. In order to have a measurable impact on the Pension Plan, we are proposing a target allocation of 5%. With this target recommendation, the Board would impose a maximum market value allocation to real estate of 10%. The 10% maximum allocation would allow a reasonable level of appreciation relative to the 5% target.

In conclusion, given the diversification opportunity provided by real estate coupled with the prospect of lower fixed income returns going forward, we are recommending the inclusion of real estate as an allowable investment in the Pension Plan with a maximum allocation of 10%. Allowing this diversification into real estate will provide the Pension Plan with an increased probability to prudently achieve its objectives within the guidelines of its investment policy.

Summary

The Pension Boards and their investment professionals are fiduciaries to the Pension Plan. As such, our main task is to administer the fund for participants and beneficiaries. We believe it is prudent for each Board to request the additional flexibility outlined in the ordinance changes to more efficiently administer the investments of the Pension Plan and to continue achieving its investment goals and objectives. We recommend the Council approve the proposed revisions to the ordinance.

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

ORDINANCE NO. 2013- 8037

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 6, 'POLICE OFFICERS' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach Police Officers' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

WHEREAS, The Board of Trustees, has requested and approved such amendments pursuant to said recommendations as being in the best interests of the participants and beneficiaries of the Retirement System; and

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

SECTION 1. That Section 2-163.28 of the City of Jacksonville Beach Code of Ordinances shall be hereby amended as follows:

Sec. 2-163.28. – Investment of retirement system assets.

The board of trustees shall have full power and authority to invest and reinvest such moneys and assets, subject to all terms, conditions, limitations, and restrictions imposed by the State of Florida on the investments of public employee retirement systems, by investing ~~at least~~ on a market value basis up to seventy (70) ~~fifty (50)~~ percent of the retirement system's assets in equities (common stocks or capital stocks) as well as allowing for the investment of up to twenty-five (25) percent of plan assets in foreign securities on a market-value basis. The Board of Trustees may invest up to ten percent (10%) of the retirement system's assets, on a market value basis, in real estate. The Board of Trustees shall invest and reinvest such moneys in those securities or in that property, real or personal, wherever situated, as the trustee shall deem advisable, including but not limited to, stocks, common or preferred, bonds, mortgages, trusts, and other evidences of indebtedness or ownership. The board of trustees shall identify and publicly report any direct or indirect holdings it may have in any scrutinized company, as defined in Section 215.473, Florida Statutes, and proceed to sell, redeem, divest, or withdraw all publicly traded securities it may have in such company beginning January 1, 2010 and shall thereafter be prohibited from purchasing or holding such securities. The divestiture of any such security must be completed by September 30, 2010. In accordance with Ch. 2009-97, Laws of Florida, no person may bring any civil, criminal, or administrative action against the board or any employee, officer, director, or advisor of such board based upon the divestiture of any security pursuant to this paragraph. The board of trustees may employ investment managers to manage, invest, and reinvest the assets of the retirement system. Such investment managers shall be a named fiduciary with respect to the retirement system, provided the retirement system's assets are in a separately managed account, and shall so acknowledge in writing. All moneys and assets of the retirement system shall be held and invested for the sole purpose of meeting disbursements authorized in accordance with the provisions of this retirement system and shall be used for no other purposes. The board of trustees may engage a custodian to hold the funds and securities of the retirement system. Said custodian shall be a qualified public depository as defined in Section 280.02, Florida Statutes. In exercising its discretionary authority with respect to the management of the moneys and assets of the retirement system, the board of trustees and the investment managers shall exercise care, skill, prudence, and diligence, under the circumstances then prevailing, that a person of

prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character with like aims.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions are declared severable.

SECTION 4. Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

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

ORDINANCE NO. 2013- 8037

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 6, 'POLICE OFFICERS' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach Police Officers' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

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prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character with like aims.

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SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

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

ORDINANCE NO. 2013-8038

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 7, 'FIREFIGHTERS' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach Firefighters' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

WHEREAS, The Board of Trustees, has requested and approved such amendments pursuant to said recommendations as being in the best interests of the participants and beneficiaries of the Retirement System; and

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

SECTION 1. That Section 2-164.28 of the City of Jacksonville Beach Code of Ordinances shall be hereby amended as follows:

Sec. 2-164.28. – Investment of retirement system assets.

The board of trustees shall have full power and authority to invest and reinvest such moneys and assets, subject to all terms, conditions, limitations, and restrictions imposed by the State of Florida on the investments of public employee retirement systems, by investing at ~~cost~~ on a market value basis up to seventy (70) ~~fifty (50)~~ percent of the retirement system's assets in equities (common stocks or capital stocks) as well as allowing for the investment of up to twenty-five (25) percent of plan assets in foreign securities on a market-value basis. The Board of Trustees may invest up to ten percent (10%) of the retirement system's assets, on a market value basis, in real estate. The Board of Trustees shall invest and reinvest such moneys in those securities or in that property, real or personal, wherever situated, as the trustee shall deem advisable, including but not limited to, stocks, common or preferred, bonds, mortgages, trusts, and other evidences of indebtedness or ownership. The board of trustees shall identify and publicly report any direct or indirect holdings it may have in any scrutinized company, as defined in Section 215.473, Florida Statutes, and proceed to sell, redeem, divest, or withdraw all publicly traded securities it may have in such company beginning January 1, 2010 and shall thereafter be prohibited from purchasing or holding such securities. The divestiture of any such security must be completed by September 30, 2010. In accordance with Ch. 2009-97, Laws of Florida, no person may bring any civil, criminal, or administrative action against the board or any employee, officer, director, or advisor of such board based upon the divestiture of any security pursuant to this paragraph. The board of trustees may employ investment managers to manage, invest, and reinvest the assets of the retirement system. Such investment managers shall be a named fiduciary with respect to the retirement system, provided the retirement system's assets are in a separately managed account, and shall so acknowledge in writing. All moneys and assets of the retirement system shall be held and invested for the sole purpose of meeting disbursements authorized in accordance with the provisions of this retirement system and shall be used for no other purposes. The board of trustees may engage a custodian to hold the funds and securities of the retirement system. Said custodian shall be a qualified public depository as defined in Section 280.02, Florida Statutes. In exercising its discretionary authority with respect to the management of the moneys and assets of the retirement system, the board of trustees and the investment managers shall exercise care, skill, prudence, and diligence, under the circumstances then prevailing, that a person of

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SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions are declared severable.

SECTION 4. Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

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

ORDINANCE NO. 2013-8038

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 7, 'FIREFIGHTERS' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach Firefighters' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

WHEREAS, The Board of Trustees, has requested and approved such amendments pursuant to said recommendations as being in the best interests of the participants and beneficiaries of the Retirement System; and

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

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prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character with like aims.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

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SECTION 4. Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

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

ORDINANCE NO. 2013-8039

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, 'GENERAL EMPLOYEES' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach General Employees' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

WHEREAS, The Board of Trustees, has requested and approved such amendments pursuant to said recommendations as being in the best interests of the participants and beneficiaries of the Retirement System; and

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prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character with like aims.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

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SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

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ORDINANCE NO. 2013-8039

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, 'GENERAL EMPLOYEES' RETIREMENT SYSTEM' OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH; TO PROVIDE FOR A MODIFICATION TO THE PARAMETERS FOR INVESTMENT OF ASSETS OF THE RETIREMENT SYSTEM; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The Board of Trustees of the City of Jacksonville Beach General Employees' Retirement System, at its meeting on October 3, 2013, received recommendations from its Investment Consultant that the code of ordinances governing the Retirement System be amended to permit for greater exposure to equities as well as investment in alternative investment vehicles such as commingled trusts and real estate; and

WHEREAS, based on current and anticipated market conditions, such modifications are reasonably necessary to generate positive returns going forward and achieve actuarial investment assumptions maintaining the viability of the Retirement System; and

WHEREAS, The Board of Trustees, has requested and approved such amendments pursuant to said recommendations as being in the best interests of the participants and beneficiaries of the Retirement System; and

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

SECTION 1. That Section 2-162.28 of the City of Jacksonville Beach Code of Ordinances shall be hereby amended as follows:

Sec. 2-162.28. – Investment of retirement system assets.

The board of trustees shall have full power and authority to invest and reinvest such moneys and assets, subject to all terms, conditions, limitations, and restrictions imposed by the State of Florida on the investments of public employee retirement systems, by investing ~~at least~~ on a market value basis up to seventy (60) fifty (50) percent of the retirement system's assets in equities (common stocks or capital stocks) as well as allowing for the investment of up to twenty-five (25) percent of plan assets in foreign securities on a market-value basis. The Board of Trustees may invest up to ten percent (5%) of the retirement system's assets, on a market value basis, in real estate. The Board of Trustees shall invest and reinvest such moneys in those securities or in that property, real or personal, wherever situated, as the trustee shall deem advisable, including but not limited to, stocks, common or preferred, bonds, mortgages, trusts, and other evidences of indebtedness or ownership. The board of trustees shall identify and publicly report any direct or indirect holdings it may have in any scrutinized company, as defined in Section 215.473, Florida Statutes, and proceed to sell, redeem, divest, or withdraw all publicly traded securities it may have in such company beginning January 1, 2010 and shall thereafter be prohibited from purchasing or holding such securities. The divestiture of any such security must be completed by September 30, 2010. In accordance with Ch. 2009-97, Laws of Florida, no person may bring any civil, criminal, or administrative action against the board or any employee, officer, director, or advisor of such board based upon the divestiture of any security pursuant to this paragraph. The board of trustees may employ investment managers to manage, invest, and reinvest the assets of the retirement system. Such investment managers shall be a named fiduciary with respect to the retirement system, provided the retirement system's assets are in a separately managed account, and shall so acknowledge in writing. All moneys and assets of the retirement system shall be held and invested for the sole purpose of meeting disbursements authorized in accordance with the provisions of this retirement system and shall be used for no other purposes. The board of trustees may engage a custodian to hold the funds and securities of the retirement system. Said custodian shall be a qualified public depository as defined in Section 280.02, Florida Statutes. In exercising its discretionary authority with respect to the management of the moneys and assets of the retirement system, the board of trustees and the investment managers shall exercise care, skill, prudence, and diligence, under the circumstances then prevailing, that a person of

prudence, acting in a like capacity and familiar with such matters, would use in the conduct of an enterprise of like character with like aims.

SECTION 2. All ordinances or parts of ordinances in conflict herewith be and the same are, to the extent that same may be in conflict, hereby repealed.

SECTION 3. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions are declared severable.

SECTION 4. Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

SECTION 5. This ordinance shall take effect upon enactment.

AUTHENTICATED THIS _____ DAY OF _____, 2013.

William C. Latham, MAYOR

Judy L. Bullock, CITY CLERK

City of

Jacksonville Beach

City Hall

11 North Third Street

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FL 32250

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December 10, 2013

MEMORANDUM

TO: George Forbes
City Manager

From: Harry Royal
Finance Officer

RE: Implementation of Credit Card Payments for Utility and Other
Governmental Services

ACTION REQUESTED:

Approve implementation plan to accept credit card payments from customers for utility and other governmental services.

BACKGROUND:

Since 2003 the City has accepted credit card utility payments through a 3rd party vendor by phone or the internet. For this service the vendor charges the customer a convenience fee of \$4.95 per \$500 payment for processing the transaction and there is no charge to the City. Subsequently the vendor remits the payments and payee information to the City for processing.

Other payment options currently available to our utility customers to pay their utility bills are as follows:

1. Automatic payment by bank draft service wherein utility payments are automatically drafted from customers' checking or savings account on the due date of the bill.
2. Pay on-line through an automatic withdrawal from the utility customers' personal bank accounts for their utility payment.
3. Pay through an automated phone system.
4. Pay at the two after-hour depositories (front door and drive-thru area).
5. Pay in person at drive through which is open from 7:30 AM – 5:00 PM, or the front counter that is open 8:00 AM – 5:00 PM.
6. Pay by mail using the pre-addressed envelope that comes with the monthly bill.

The use of credit cards as the preferred payment method has become the most widely accepted form of payment in many industries. The City has experienced a greater demand expressed through customers requesting to use their credit/debit card at the City Hall front counter and drive-thru window. The problem with



accepting credit card payments at the counter is up until recently a utility or government could not collect a convenience fee at the counter to off-set the credit card fees that would be incurred. Visa and MasterCard rules have long prohibited merchants from charging customers paying by credit-card more than customers using any other form of payment. Recently Visa and MasterCard agreed to a court settlement that allows retailers to surcharge customers for paying with credit cards.

We have diligently researched our options and related costs to implement accepting credit cards payments by customers for both utility and other governmental services. The options we considered were as follows:

1. Absorb all credit card costs.
2. Charge a convenience fee of two percent to cover costs for both utility and government revenues.

Based on our analysis, we estimate that a two percent convenience fee should recover the credit card fees and is the only financially feasible option. Chart 1 shows the estimated annual credit card fees at different customer participation rates.

However, there are certain fixed and variable costs that would be required to implement a credit card program utilizing convenience fees. These costs are summarized in Chart 2. The monies for this project are not included in the budget and will be included in the mid-year budget modification if the City Council approves staff's recommendation. The costs in Chart 2 are estimated and may need revising as we proceed with the implementation of the credit card program. Please be aware that these are estimated costs and the timing for implementation of credit cards is dependent not only on the installation of the software and hardware products but scheduling the training needed for staff on these products.

RECOMMENDATION:

Authorize Option 2 for the implementation of a credit card program, and the expenditure of funds for costs associated with the program as explained in the memorandum from the Finance Officer dated December 10, 2013.

CHART 1

ESTIMATED ANNUAL CREDIT CARD FEES

CUSTOMER PARTICIPATION RATE	ANNUAL CREDIT CARD FEES
5%	\$ 184,932
10%	\$ 371,083
15%	\$ 556,015
20%	\$ 740,785
25%	\$ 927,186
30%	\$ 1,102,923
35%	\$ 1,287,854
40%	\$ 1,472,537

Note: These amounts are based on bill distribution amount frequencies and card usage mix.

CHART 2

ANALYSIS OF FIXED AND VARIABLE COSTS TO IMPLEMENT CREDIT CARD PROGRAM

PRODUCT	SERVICE PORTAL	VENDOR	BRIEF DESCRIPTION OF PRODUCT	PURCHASE COST	ANNUAL MAINTENANCE FEES
OnePoint Point-of-Sale	Counter	SunGard	Software to enable credit card processing, Integrate with financial software, batch transactions to bank	\$ 11,745	\$ 1,350
GovNOW or Click2Gov3	Web	SunGard	Software to enable online payment processing to multiple applications, UB, BP, OL, MR	\$ 21,299	\$ 5,740
IVR Credit Card Module	Phone	Selectron	Software to enable credit card processing in IVR	\$ 2,500	
IVR Convenience Fee Module	Phone	Selectron	Software to enable convenience fee calculation on credit card payments in IVR	\$ 3,500	
E Check Processing	Web	AMS	Software to batch online e-check payments and integrate with financial software (this would replace our current process)	\$ 250	\$ 18,000 *
Credit Card Swipe Machines	Counter	SPS VAR	Hardware - 10 credit card swipe machines	\$ 1,000	**
TOTAL COSTS				\$ 40,294	\$ 25,090

*AMS agreement is \$10 per month + \$0.40 per transaction, estimated monthly transactions 3,700

** Hardware costs may go up if City opts for different merchant accounts



City of

Jacksonville Beach

Operations &

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December 9, 2013

TO: George Forbes, City Manager

FROM: Ty Edwards, Public Works

SUBJECT: Authorize Additional Cooperation with the City's Partners in the North Florida Utilities Coordination Group Agreement

ACTION REQUESTED:

1. Authorize City participation with the other members of the North Florida Utilities Coordination Group in pursuing as necessary a legal challenge to the rulemaking on adoption of minimum flows and levels for the Lower Sante Fe River by the Florida Department of Environmental Protection (FDEP).
2. Authorize City execution of the Joint Defense and Common Interest Agreement with the other members of the North Florida Utilities Coordination Group in preparation for any possible legal challenge

BACKGROUND:

In 2009, various water utilities in North Florida began participating on area water supply planning work with the St. Johns River and the Suwannee River Water Management Districts. In 2012, to better speak as one voice on matters with the districts, the water utilities formally organized by agreement as the **North Florida Utilities Coordination Group**. Currently, the utilities group has eight (8) members: the City of Atlantic Beach, City of Neptune Beach, City of Jacksonville Beach, JEA, Clay County Utility Authority, St. Johns County Utilities, Gainesville Regional Utilities, and the Town of Orange Park. The group also combines resources for engineering and legal assistance to determine the most accurate and reliable groundwater resource projections and review policy activities.

The water planning process by each Water Management District includes **adopting Minimum Flows and Levels for rivers**, lakes and springs within the district area, and **setting Prevention and Recovery Strategies** to recover and/or maintain the adopted flows and levels. The objective of an adopted Minimum Flows and Levels is to prevent harm to the water resources or ecology of an area that could result from permitted water withdrawals. The objective of an associated Prevention and Recovery Strategy is to achieve and maintain the minimum flows by developing a menu of future water infrastructure projects that water users are



responsible to assist in funding as a requirement in **consumptive use permits** allowing withdrawal of groundwater.

Water utilities also place protection of water resources at the highest level. Yet we have the added responsibility of providing the most cost-effective product to our customers. The best science available is critical to balancing and meeting these two goals. The **utilities coordinating group hired technical experts, Jones Edmunds & Associates**, to assist us in working cooperatively with the districts on the **best science available** and developing technical data for each minimum flows and levels to be considered for adoption and the associated prevention and recovery strategy. We have also engaged **legal experts, de la Parte & Gilbert, P.A.**, to advise us on water policy and regulatory issues.

THE CURRENT CRITICAL ISSUE:

The utilities coordination group has found it very difficult to gain access to the technical data and minimum flows and levels for the Lower Santa Fe River proposed by the Suwannee River Water Management District. The district has fast tracked its adoption by delegating this responsibility to FDEP for adoption by rulemaking, which is tentatively scheduled for the 1st quarter of 2014.

We have major concerns with the scientific basis for these proposed minimum flows and levels. Based on the information we have, this could require a major reduction in groundwater pumping for all of North Florida—possibly back to levels from the 1960s, which could translate into much higher costs to provide water to customers and subsequently the raising of water rates.

It appears that the Suwannee River Water Management District and FDEP may proceed with adoption of the minimum flows and levels without considering our technical data. There is a lot of uncertainty whether reductions in permitted withdrawals issued in consumptive use permits over the past few years have been considered in the proposed minimum flows.

Also, it appears FDEP may adopt the proposed minimum flows without providing the Prevention and Recovery Strategy (which is not consistent with the law) and/or its associated costs that would allow water users to understand their responsibilities. We are very concerned that water utilities may be required to participate in very expensive projects. Utilities need to know what is expected of them in order to make long range plans for design and construction of projects and

adjust rates accordingly. We want to thoroughly examine proposed strategy projects for costs versus benefits.

Due to these concerns, the utilities coordination group is preparing for a legal challenge to FDEP's rulemaking for adoption of the Minimum Flows and Levels for the Lower Santa Fe River. If the legal challenge becomes necessary, it would be initiated in early 2014.

On advice from our legal consultant, the utilities members are seeking concurrence in executing a Joint Defense and Common Interest Agreement prior to initiating any legal challenge.

Due to Engineering and Legal consultant efforts and expenses in preparation for the possible legal challenge in early 2014, it is anticipated that the estimated budget in our Agreement may almost double (increasing from \$500,000 annually to around \$900,000) in a very short time. By the Agreement, the City's pro rata portion of the annual budget is 1.44% of the total (increasing from \$7,204 to an estimated \$14,408). At the start of 2014, an amendment to our Agreement is to be presented for Council consideration to formally increase the budget accordingly.

The bottom line is we are working to gather information and have the data, budget and legal ability to protect the interests of the City of Jacksonville Beach and its residents.

RECOMMENDATION:

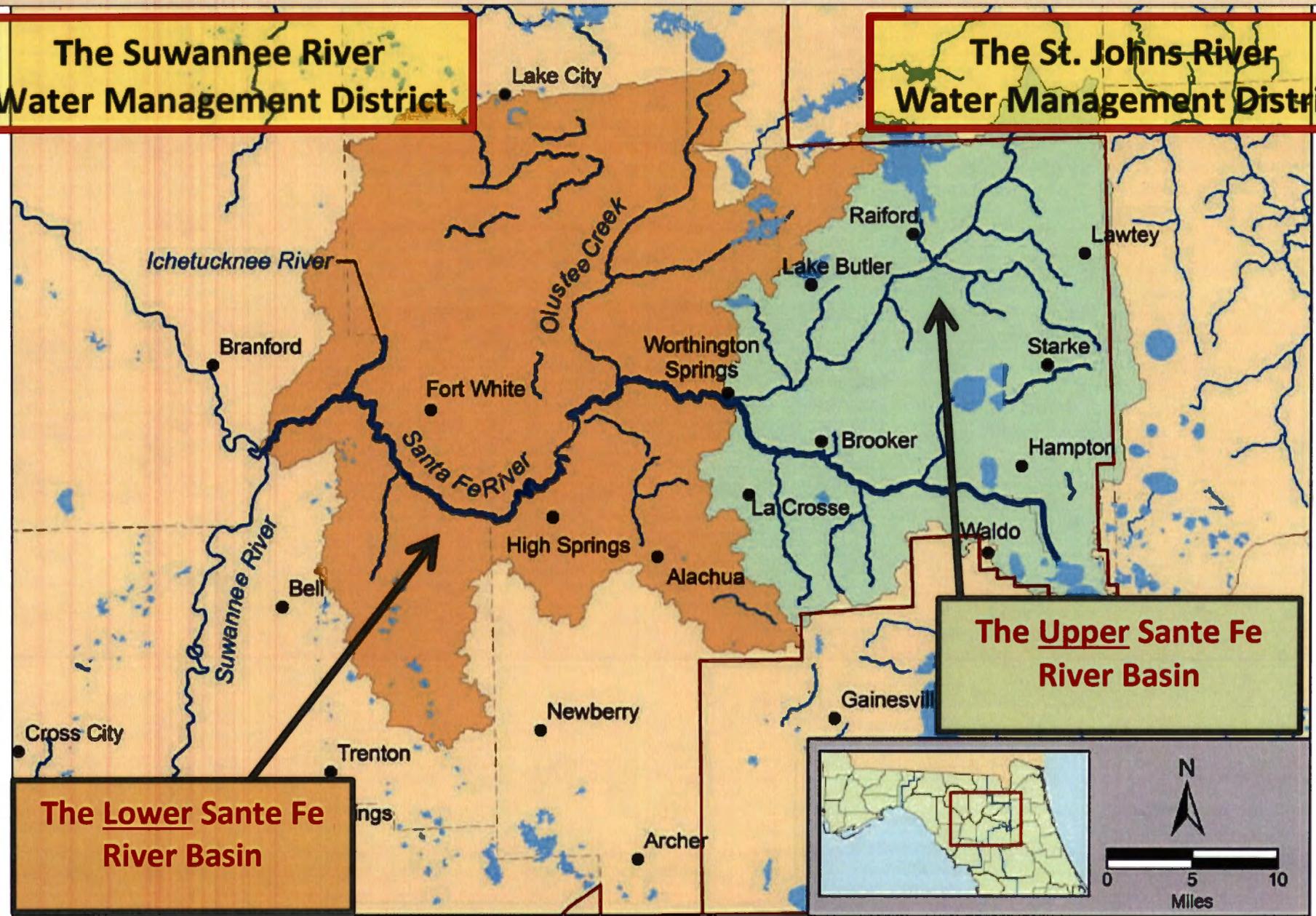
As explained in the memorandum from the Public Works Director dated December 9, 2013:

1. Authorize City participation with the other members of the North Florida Utilities Coordination Group in pursuing as may be necessary a legal challenge to the Florida Department of Environmental Protection rulemaking on adopting the minimum flows and levels for the Lower Santa Fe River.
2. Authorize the Mayor and City Manager to execute the Joint Defense and Common Interest Agreement between members of the North Florida Utilities Coordination Group.

Minimum Flows & Levels Study Areas, Santa Fe River Basin

**The Suwannee River
Water Management District**

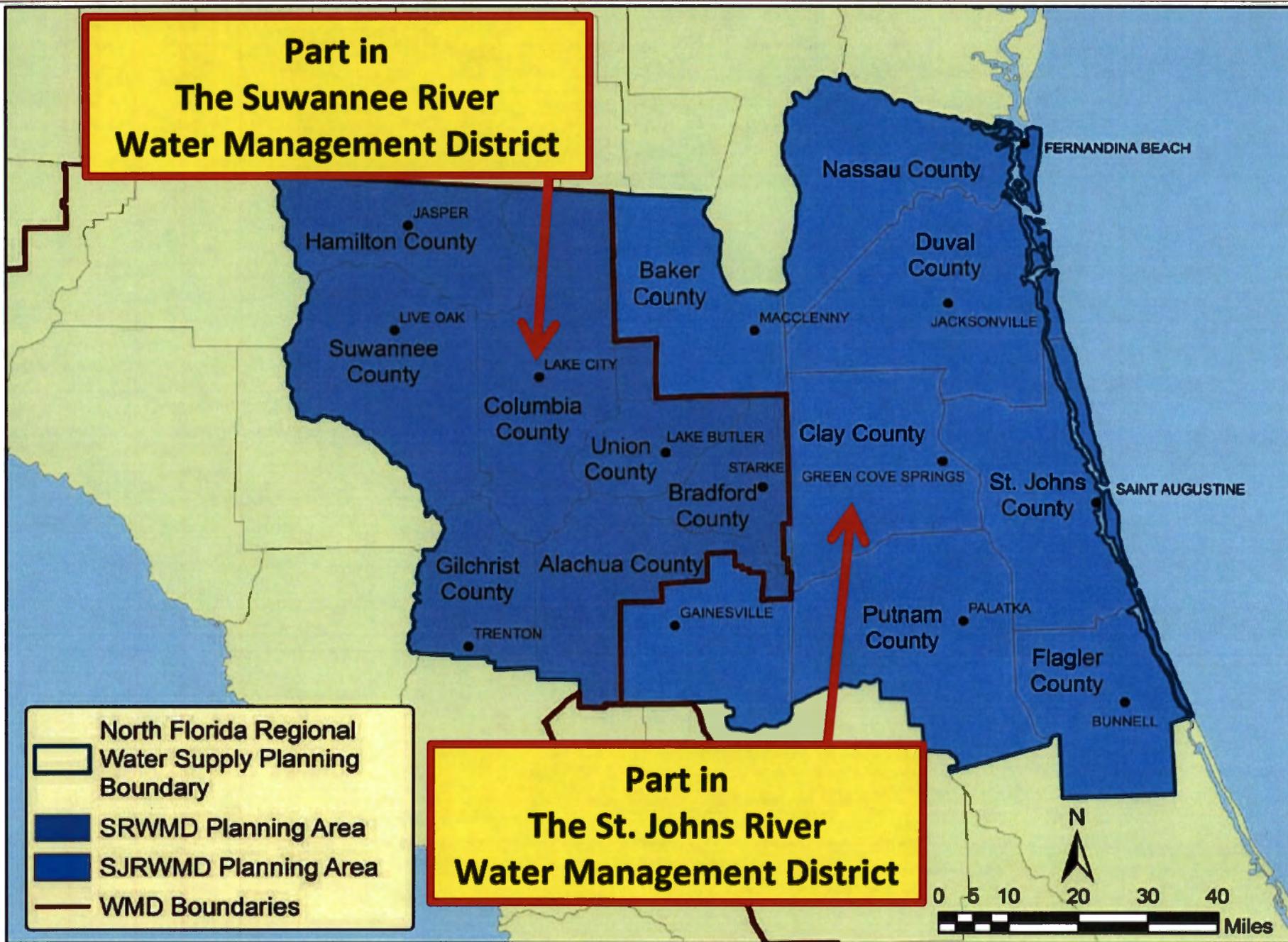
**The St. Johns River
Water Management District**



**The Upper Santa Fe
River Basin**

**The Lower Santa Fe
River Basin**

North Florida Regional Water Supply Planning Area



Projected Estimated Compliance Costs for the Proposed Minimum Flows & Levels, Lower Sante Fe River

