



## 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, June 16, 2014, 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 June 2, 2014
- City Council Workshop held June 9, 2014

2. **ANNOUNCEMENTS:**

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

4. **MAYOR AND CITY COUNCIL:**

Presentation by Milton Locklear, with North Florida Transportation Planning Organization

5. **CITY CLERK:**

Appointment of one member to the Community Redevelopment Agency

6. **CITY MANAGER:**

- (a) Monthly Financial Reports – Month of May 2014
- (b) Budget Workshop Schedule

- (c) Ratify the Collective Bargaining Agreement with the International Association of Firefighters, Local 2622, Effective June 1, 2014

7. **RESOLUTIONS:**

(a) **RESOLUTION NO. 1934-2014**

A RESOLUTION TO MODIFY THE INVESTMENT POLICY FOR CITY OPERATING FUNDS

8. **ORDINANCES:**

(a) **ORDINANCE NO. 2014-8055 – Second Reading**

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-162.9, AMOUNT OF A PENSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

(b) **ORDINANCE NO. 2014-8056 – Second Reading**

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 6, POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-163.2, DEFINITIONS; AMENDING SECTION 2-163.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-163.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-163.9, AMOUNT OF A PENSION; AMENDING SECTION 2-163.19A, EARLY RETIREMENT; AMENDING SECTION 2-163.20, MEMBER CONTRIBUTIONS; AMENDING SECTION 2-163.31, RESERVE FOR PENSION PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

(c) **ORDINANCE NO. 2014-8057 – First Reading**

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 7, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-164.2, DEFINITIONS; AMENDING SECTION 2-164.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-164.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-

Memorandum, Mayor and City Council  
City Council Agenda for June 16, 2014

164.9, AMOUNT OF A PENSION; AMENDING SECTION 2-164.19A, EARLY RETIREMENT; AMENDING SECTION 2-164.20, MEMBER CONTRIBUTIONS; AMENDING SECTION 2-164.31, RESERVE FOR PENSION PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.

**ADJOURNMENT**

Respectfully submitted,

/s/George D. Forbes  
CITY MANAGER

GDF: cmm  
06/12/14

*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, June 13, 2014.*

**Minutes of Regular City Council Meeting  
held Monday, June 2, 2014, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> 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: William C. Latham

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

Also present were City Manager George Forbes, City Clerk Judy Bullock, and Catherine Martinich, City Clerk's Office.

**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 May 19, 2014

**ANNOUNCEMENTS**

Council Member Keith Doherty –

- Mr. Doherty complemented his friend Mr. Sean Heard, a Jacksonville Beach native, who will be representing the United States in Brazil, to officiate at the World Cup.

Council Member Christine Hoffman –

- Ms. Hoffman announced the All Fletcher Class Block Party will be held this coming Friday from 6:00 until 10:30 pm, on the Beaches Historical Society grounds.

Mayor Latham –

- Mayor Latham announced there is a City Council Workshop scheduled for June 9, 2014 at 6:00 pm, in the Council Chambers. Mr. Bill Henkins, of Retail Strategies will be presenting.

**Minutes of Regular City Council Meeting  
held Monday, June 2, 2014**

- Mayor Latham said he was honored to participate in the Memorial Day celebrations with both the Fleet Reserve Association and the Combined American Legion and VFW (Veterans of Foreign Wars) celebrations at the Beaches Veterans Memorial Park on Memorial Day.
- Mayor Latham stated the Never Quit festival was held this past weekend. He was invited to participate with the parachute team that conducted several jumps with wounded warriors. He said he was honored to jump with Matthew Pennington of Virginia, who lost his leg while serving in Iraq.
- Mayor Latham announced that Governor Scott would be in town tomorrow visiting a Jacksonville Beach business, Hashrocket, located at 320 North 1<sup>st</sup> Street, Suite 713, at 10:00 am.

**COURTESY OF THE FLOOR TO VISITORS**

**Speakers:**

- Ms. Ann Freudenthal, 4021 Palm Way, Jacksonville Beach, Florida 32250  
Ms. Freudenthal spoke about her concerns regarding the Richmond Homes PUD, the proposed move of the new fencing that was installed, and clearing of green space at Ocean Terrace.
- Ms. Roberta Moore, 115 South 3<sup>rd</sup> Street, Jacksonville Beach, Florida 32250  
Ms. Moore stated she is opposed to allowing nudity on Jacksonville Beach.

**MAYOR AND CITY COUNCIL**

City Attorney Susan Erdelyi, requested a meeting pursuant to Florida Statute 286.011(8) regarding pending litigation, Church of Our Savior vs. City of Jacksonville Beach. The Shade Meeting is requested for Monday, June 16, 2014, at 5:30 p.m.

**CITY CLERK**

**Approve the Reappointment of Deborah White as the Fifth Trustee on the Firefighters' Board of Trustees**

**Motion:** It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the reappointment of Deborah White as the fifth Trustee on the Firefighters' Board of Trustees.

Mr. Forbes explained that this is a ministerial function for the City Council. Two Trustees are elected by employees, two are selected by Council, and one appointed by the Trustees. The Trustees unanimously voted to reappoint Ms. White to another term on the Firefighters' Board of Trustees.

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

**CITY MANAGER**

**Minutes of Regular City Council Meeting  
held Monday, June 2, 2014**

**(a) Approve a Draw of \$24,000 from the Federal Equitable Sharing Fund to Purchase Power DMS Documentation Management Software**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve a Draw of \$24,000 from the Federal Equitable Sharing Fund to Purchase Power DMS Documentation Management Software.

Mr. Forbes explained that the Equitable Sharing Fund is one of two funds that the Police Department can use for certain expenditures, and the funds are from drug seizures. The software will help the department with training records, accreditation standards, and interfaces, allowing files to be viewed electronically rather than sending paper documents between agencies.

Ms. Wilson asked about training of personnel, technical support, licensing, and maintenance agreements for the length of the contract.

Chief Dooley assured the Council this software is a complete package and includes all the assistance necessary for the length of the contract.

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

**(b) Approve the Addition of Production Services to Support the Navy Band July 4<sup>th</sup> Concert at the Seawalk Pavilion**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to approve the addition of production services for the 4<sup>th</sup> of July holiday to support the Navy Band concert.

Mr. Forbes thanked Mr. Meadors for scheduling the Navy band and said this is a great patriotic and family-friendly event to bring to the City's July 4<sup>th</sup> celebration.

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

**(c) Ratify the Collective Bargaining Agreement with the Florida State Lodge, Fraternal Order of Police, Effective May 1, 2014**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to ratify the three-year Collective Bargaining Agreement with the Florida State Lodge, Fraternal Order of Police.

Mr. Forbes briefly explained the three-year contract, the retirement benefits reform, and pay plan. He said this ratification would make the Pension program sustainable and is a very fair agreement for both the Police Officers and the City.

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

**Minutes of Regular City Council Meeting  
held Monday, June 2, 2014**

**RESOLUTIONS**

**RESOLUTION NO. 1933-2014**

Mayor Latham requested that the City Clerk read Resolution No. 1933-2014, by title only; whereupon Ms. Bullock read the following:

**“A RESOLUTION AMENDING THE CITY OF JACKSONVILLE BEACH POSITION CLASSIFICATION AND PAY PLAN FOR MANAGERIAL, PROFESSIONAL, ADMINISTRATIVE AND UNCLASSIFIED (NONUNION) CITY POSITIONS, EFFECTIVE JUNE 2, 2014.”**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Resolution No. 1933-2014, amending the Classification and Pay Plan for Managerial, Professional, Administrative and Unclassified (Nonunion) City positions, effective June 2, 2014. This will reclassify the Public Safety Communications Supervisor, End User System Analyst and Golf Course Superintendent Positions, and change the title of one existing Golf Shop Attendant to Director of Golf Instruction.

Mr. Forbes said that this is a minor change to the pay plan that reclassifies four positions.

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

**ORDINANCES**

**(a) ORDINANCE NO. 2014-8055 – First Reading**

Mayor Latham requested that the City Clerk read Ordinance No. 2014-8055, by title only; whereupon Ms. Bullock read the following:

**“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, GENERAL EMPLOYEES’ RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-162.9, AMOUNT OF A PENSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE .”**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2014-8055, amending Chapter 2, Article V, Division 5, “General Employees’ Retirement System”, of the Code of Ordinances of the City of Jacksonville Beach, to clarify the provision for Back-DROP.

**Minutes of Regular City Council Meeting  
held Monday, June 2, 2014**

Mr. Forbes explained that this is a minor change to the wording in the ordinance correcting an error in the current language, and now insuring that all employees are eligible for the Back-DROP.

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

**(b) ORDINANCE NO. 2014-8056 – First Reading**

Mayor Latham requested that the City Clerk read Ordinance No. 2014-8056, by title only; whereupon Ms. Bullock read the following:

**“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 6, POLICE OFFICERS’ RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-163.2, DEFINITIONS; AMENDING SECTION 2-163.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-163.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-163.9, AMOUNT OF A PENSION; AMENDING SECTION 2-163.19A, EARLY RETIREMENT; AMENDING SECTION 2-163.20, MEMBER CONTRIBUTIONS; AMENDING SECTION 2-163.31, RESERVE FOR PENSION PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.”**

Motion: It was moved by Mr. Taylor, seconded by Mr. Hartkemeyer, to adopt Ordinance No. 2014-8056, amending Chapter 2, Article V, Division 6, Police Officers’ Retirement System”, of the Code of Ordinances of the City of Jacksonville Beach.

Mr. Forbes explained that when the City Council ratified the Union Contract with the Police, it included all of the pension agreement in the Union Contract.

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

**ADJOURNMENT**

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 7:32 p.m.

Submitted by: Catherine Martinich  
City Clerk’s Office

Approval:

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William C. Latham, MAYOR

Date: June 16, 2014

**Minutes of City Council Workshop  
Presentation on the Jacksonville Beach Retail Study  
Monday, June 9, 2014 – 6:00 PM  
City Council Chambers**

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Mayor Latham called the workshop to order at 6:00 PM.

The following City Council members were in attendance:

Chris Hoffman  
Phil Vogelsang  
Keith Doherty  
Steve Hartkemeyer  
Jeanell Wilson  
Tom Taylor

Also present were City Manager George Forbes, and City Clerk Judy Bullock.

**Purpose of Workshop**

The purpose of the workshop was for a presentation by **Bill Hankins**, Retail Strategies on the Jacksonville Beach Retail Study.

Mayor Latham explained that two consultants were hired by the City, **Hospitality Inc.** (Jim Peters) who is focused on the Central Business District and Retail Strategies (**Bill Hankins**) who is presenting data for the entire city, which includes retail strategies, goals, and objectives.

Mayor Latham advised that Mr. Hankins would give a presentation on the research that has been conducted. The Council will have an opportunity to ask questions and then the floor would be opened to questions from the public.

**Presentation by Bill Hankins, Retail Strategies**

Mr. Hankins reviewed the research data his firm had conducted and explained that they are in the research phase, with the next phase being recruitment (*copy of presentation attached*).

He advised that sales trends are rising and displayed the retail market within a 5, 10, and 15-minute drive time from Jacksonville Beach. Mr. Hankins also explained that higher end retailers are going into communities and building smaller stores.

It was noted that Jacksonville Beach consumers include residents, college students, visitors, and residents from neighboring communities.

The following persons spoke:

- Mike Stang, 1020 19<sup>th</sup> Street North, Jacksonville Beach
- Ken Marsh, 2027 Gail Avenue, Jacksonville Beach

**Minutes of City Council Workshop  
held on Monday, June 9, 2014**

- Sam Veal, 209 South 3<sup>rd</sup> Street, Jacksonville Beach
- Sandi Golding, 1203 North 18<sup>th</sup> Avenue, Jacksonville Beach
- Diana Gardner, 3504 Bay Island Circle, Jacksonville Beach
- Bruce Thomason, PO Box 50556, Jacksonville Beach
- George Candler, 507 South 16<sup>th</sup> Avenue, Jacksonville Beach
- Darrell Shields, 315 North 18<sup>th</sup> Street, Jacksonville Beach

During discussion, Councilmembers expressed concern regarding small locally owned businesses, the overall goal to find businesses that would fit the community, and the desire to attract unique businesses that will draw customers from neighboring communities.

The workshop adjourned at 7:02 PM.

Submitted by: Judy L. Bullock  
City Clerk

Approved:

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William C. Latham, Mayor

Date: June 16, 2014

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# Transportation Improvement Program

## Fiscal Years 2014/15 - 2018/19

### Beaches Draft Supplement



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North Florida TPO Transportation Improvement Program - FY 2014/15 - 2018/19

Phase	Fund Source	2014/15	2015/16	2016/17	2017/18	2018/19	Total
<b>ATLANTIC BLVD (SR 10) AT ICWW BRIDGE - 4343301</b>							<b>*Non-SIS*</b>
<b>BIKE LANE/SIDEWALK</b>							<b>Length: 1.549 MI</b>
<b>Responsible Agency: FDOT</b>							
PE	DIH	1,001	2,305	0	0	0	3,306
PE	HSP	226,000	0	0	0	0	226,000
CST	DIH	0	0	13,093	0	0	13,093
CST	HSP	0	0	1,356,113	0	0	1,356,113
<b>Total</b>		<b>227,001</b>	<b>2,305</b>	<b>1,369,206</b>	<b>0</b>	<b>0</b>	<b>1,598,512</b>
<i>Prior Cost &lt; 2014/15</i>		0	<i>Future Cost &gt; 2018/19</i>		0	<i>Total Project Cost</i>	1,598,512
<b>BEACH BLVD (US 90 / SR 212) FROM SAN PABLO ROAD TO SOUTH 12TH ST. - 4319621</b>							<b>*Non-SIS*</b>
<b>LANDSCAPING</b>							<b>Length: 2.208 mi</b>
<b>Responsible Agency: FDOT</b>							
PE	DIH	2,300	0	0	0	0	2,300
CST	DIH	85,125	85,125	58,888	0	0	229,138
CST	DS	0	118,000	0	0	0	118,000
CST	DDR	0	1,426,772	0	0	0	1,426,772
<b>Total</b>		<b>87,425</b>	<b>1,629,897</b>	<b>58,888</b>	<b>0</b>	<b>0</b>	<b>1,776,210</b>
<i>Prior Cost &lt; 2014/15</i>		278,425	<i>Future Cost &gt; 2018/19</i>		0	<i>Total Project Cost</i>	2,054,635
<b>SHERRY DRIVE ATLANTIC BEACH ELEMENTARY SCHOOL - 4343431</b>							<b>*Non-SIS*</b>
<b>SIDEWALK</b>							<b>Length: 1.002 MI</b>
<b>Responsible Agency: FDOT</b>							
PE	TALU	0	0	87,002	0	0	87,002
CST	TALU	0	0	0	0	337,555	337,555
CST	SA	0	0	0	0	223,922	223,922
<b>Total</b>		<b>0</b>	<b>0</b>	<b>87,002</b>	<b>0</b>	<b>561,477</b>	<b>648,479</b>
<i>Prior Cost &lt; 2014/15</i>		0	<i>Future Cost &gt; 2018/19</i>		0	<i>Total Project Cost</i>	648,479

North Florida TPO Transportation Improvement Program - FY 2014/15 - 2018/19

Phase	Fund Source	2014/15	2015/16	2016/17	2017/18	2018/19	Total
<b>TIMUCUAN TRAIL FROM KINGSLEY CONNECTOR TO LOOP ONLY - 4084943</b>							<b>*Non-SIS*</b>
<b>BIKE PATH/TRAIL</b>							<b>Length: .50</b>
Responsible Agency: FDOT							
CST	TALT	0	867,716	0	0	0	867,716
CST	TALU	0	1,302,452	0	0	0	1,302,452
CST	SA	0	26,500	0	0	0	26,500
<b>Total</b>		<b>0</b>	<b>2,196,668</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,196,668</b>
<i>Prior Cost &lt; 2014/15</i>		<i>268,801</i>	<i>Future Cost &gt; 2018/19</i>	<i>0</i>	<i>Total Project Cost</i>		<i>2,465,469</i>

<b>TIMUCUAN TRAIL (A1A) FROM SHAD CREEK BRIDGE TO FT. GEORGE TRAILHEAD - 4340141</b>							<b>*Non-SIS*</b>
<b>BIKE PATH/TRAIL</b>							<b>Length: .557 MI</b>
Responsible Agency: FDOT							
PE	DIH	3,000	0	0	0	0	3,000
CST	TALT	423,090	0	0	0	0	423,090
CST	DIH	51,500	53,000	54,550	0	0	159,050
CST	ACTA	83,936	0	0	0	0	83,936
<b>Total</b>		<b>561,526</b>	<b>53,000</b>	<b>54,550</b>	<b>0</b>	<b>0</b>	<b>669,076</b>
<i>Prior Cost &lt; 2014/15</i>		<i>199,015</i>	<i>Future Cost &gt; 2018/19</i>	<i>0</i>	<i>Total Project Cost</i>		<i>868,091</i>

<b>TIMUCUAN TRAIL FR FT. GEORGE TRAILHEAD TO HUGUENOT PARK - 4340281</b>							<b>*Non-SIS*</b>
<b>BIKE PATH/TRAIL</b>							<b>Length: .450 MI</b>
Responsible Agency: FDOT							
PE	DIH	50,000	50,000	0	0	0	100,000
PE	TALU	500,000	0	0	0	0	500,000
<b>Total</b>		<b>550,000</b>	<b>50,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>600,000</b>
<i>Prior Cost &lt; 2014/15</i>		<i>0</i>	<i>Future Cost &gt; 2018/19</i>	<i>0</i>	<i>Total Project Cost</i>		<i>600,000</i>

# **APPENDIX I**

## **Abbreviations & Acronyms**

## ABBREVIATIONS AND FUNDING SOURCES

### AGENCIES

FAA	Federal Aviation Administration
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
JAA	Jacksonville Aviation Authority
JTA	Jacksonville Transportation Authority
SA/STJAA	St. Augustine/St. Johns County Airport Authority

### PROJECT PHASES

PLN	Planning
PD&E	Project, Development & Environment Study
PE	Preliminary Engineering
ROW	Right-of-Way Acquisition
CST	Construction
DSB	Design Build
MSC	Miscellaneous

RRU	Railroad/Utilities
INC	Contract Incentives
ENV	Environmental

FUNDING SOURCES

ACBR	Advance Construction (BRT) – Federal Bridge Replacement
ACEN	Advance Construction Equity Bonus National Highway
ACFO	Advance Construction for High Priority
ACIM	Advanced Construction Interstate
ACSA	Advanced Construction Transportation Management Areas
ACSE	Advanced Construction Enhancement
ACSH	Advanced Construction Hazard Elimination
ACSS	Advanced Construction Safety
BJP	Better Jacksonville Plan
BNBR	State Bonds (Statewide Bridges)
BNDS	Bond funding State
BNIR	Interstate RW and Bridge Bonds
BRAC	Bridge Replacement
BRRP	State Bridge Repair and Rehabilitation

BZAC	Federal Bridge Replacement - Off System
CIGP	County Incentive Grant Program
CM	Congestion Mitigation
DDR	District Dedicated Revenue (Gas Tax effective January 1, 1991)
DDRF	District Dedicated Matching Revenue Funds
DI	Statewide Inter/Intrastate Highways
DIH	State In-House Product Support
DITS	District Intelligent Transportation Systems
DPTO	District Public Transportation Office
DS	State Primary Highways and PTO
EB	Equity Bonus
EBNH	Equity Bonus - National Highway
FAA	Federal Aviation Administration
FTA	Federal Transit Administration
GMR	General Revenue for Strategic Intermodal System
GRSC	Growth Management of SCOP
HPP	High Priority Projects
HRRR	High Risk Rural Road

HSP	Highway Safety Program
IMAC	Interstate Maintenance
JAA	Jacksonville Airport Authority
LF	Local Funds
LFR	Local Funds/Reimbursable
LFRF	Local Funds/Reimbursable - Future
LOGT	Local Option Gas Tax
MG	Minimum Guarantee
NHAC	National Highway System
PKBD	Turnpike Master Bond Fund
PKYI	Turnpike Improvement
PLHD	Public Lands Highway Discretionary
RHP	Rail-Highway Safety Crossings – Prot. Dev.
SA	Transportation Management Areas
SE	Transportation Enhancement Activities related to any Surface Transportation Program
SH	Hazard Elimination
SIBG	SIB funds – Growth Management
SIB1	State Infrastructure Bank
SR	Surface Transportation Program (STP) Railroad Hazard Elimination

SS	Any safety improvement eligible under the Section 130 Railway-Highway Crossings Program and the Section 152 Hazard Elimination Program (allocated by statutory formula)
STP	Surface Transportation Program
SU, XU	Surface Transportation Program (STP) in urban areas with a population of over 200,000
TDTF	Transportation Disadvantaged Trust Fund (80% Federal/20% State)
TMA	Transportation Management Areas - Areas with a population of over 200,000
TRIP	Transportation Regional Incentive Program
XA	Surface Transportation Program (STP) in any urban areas.
XU, SU	Surface Transportation Program (STP) in urban areas > 200k

City of

June 11, 2014

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6299 ext. #10

904.247.6250 ext. #11

Fax: 904.247.6256

E-Mail: [cityclerk@jaxbchfl.net](mailto:cityclerk@jaxbchfl.net)

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

**MEMORANDUM**

**TO:** The Honorable Mayor and  
Members of the City Council

**FROM:** Judy L. Bullock, City Clerk *JLB*

**SUBJECT:** Appointment to Community Redevelopment Agency (CRA)

**ACTION REQUESTED:**

Appoint of one member to the Community Redevelopment Agency.

**BACKGROUND:**

The term of Bill Hillegass on the Community Redevelopment Agency (CRA) will expire on June 17, 2014. Mr. Hillegass was originally appointed to the CRA in May 1993 and he has requested that Council consider him for reappointment. Mr. Hillegass's updated application is attached for your review.

Interviews for Board members were held on December 13, 2013, and June 4, 2014, with Mayor Latham participating in both sets of interviews. In addition to Mr. Hillegass's application, there are two applicants, Mr. Knight and Mr. Linster, who selected the Community Redevelopment Agency as their first choice for appointment and their applications are attached, as follows:

- William "Bill" Hillegass
- Rick Knight
- Kris Linster

**RECOMMENDATION:**

It is recommended that Council reappoint Mr. Hillegass for a new four-year term on the Redevelopment Agency; or appoint one of the other applicants for a four-year term, which will expire on June 17, 2018.

Attachments

/jlb





**Application for Appointment to City Boards**

**Personal Information** (Please print or type)

Name:	<u>WILLIAM G. HILLECASS</u>	Home Phone:	<u>904 8386889</u>
Home Address:	<u>3739 DUVAL DRIVE</u>		<u>JACKSONVILLE BEACH FL</u>
E-Mail Address:	<u>BILLH@HCH-CPA.COM</u>	FAX:	<u>904 246 8641</u>
Business:	<u>CPA</u>	Business Phone:	<u>904 246 0713</u>
Business Address:	<u>427 3RD STREET NORTH, JACKSONVILLE BEACH FL</u>		

**Eligibility**

Are you a resident of the City?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, length of time: _____
Are you a registered voter?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, what County: _____
Do you own property in the City?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, address: _____
Do you hold a public office?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, Office name: _____
Are you employed by the City?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, position: _____
Are you currently serving on a Board?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	If yes, Board Name: _____
Have you been convicted of a felony?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, provide date: _____
Have your civil rights been restored?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	If yes, provide date: _____

**Potential Conflict of Interest:** Have you ever been engaged in the management/ownership of any business enterprise that has a financial interest with the City of Jacksonville Beach?  Yes  No  
 If yes, please provide details: \_\_\_\_\_

**City Boards** (Please indicate your preferences by ranking - denote your first choice with a "1", second choice with a "2", etc.)

<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Planning Commission
<input checked="" type="checkbox"/> Community Redevelopment Agency	<input type="checkbox"/> Pension Trustee

Please list City meetings you have attended: CITY COUNCIL, CRA, ZONING BOARD

**Qualifications** (Briefly describe specific expertise, abilities or qualifications) CPA AND FINANCIALLY RELATED ACTIVITIES. MANY YEARS OF COMMUNITY SERVICES - INCLUDING CRA, BEACHES MUSEUM, EXCHANGE CLUB

Education:	<u>HIGH SCHOOL - BISHOP KENNY - 1968</u>
	<u>COLLEGE - US AIR FORCE ACADEMY - 1972</u>
	<u>MASTERS - UNIV. OF SOUTHERN CALIF. 1976</u>
	_____
	_____
	_____

## Application for Appointment to City Boards (cont.)

### State Reporting Requirements

Section 760.80, Florida Statutes, requires that the City annually submit a report to the Secretary of State disclosing race, gender, and physical disabilities of board members and elected officials. Please check the appropriate boxes.

Race

- |   |   |
|---|---|
| <input type="checkbox"/> African-American               | <input checked="" type="checkbox"/> Caucasian |
| <input type="checkbox"/> Asian/Pacific Islander         | <input type="checkbox"/> Hispanic             |
| <input type="checkbox"/> American Indian/Alaskan Native | <input type="checkbox"/> Not Known            |

Gender

- Female  
 Male

Physically Disabled

- Yes  
 No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form 1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

I understand that if I am appointed to one of the City's boards, I will be required to file a financial disclosure form - Form 1, as described above, and I am willing to comply with this requirement.

I understand that any false, incomplete or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete or misleading information discovered on this application at any time after appointment to a Board may result in my removal.

I also understand that all board appointments are for voluntary, uncompensated services. Additionally, if appointed, I am able to attend meetings and otherwise fulfill the duties of the office.

Applications are submitted to the City Council when vacancies occur and are effective for two years from date of completion.

By submitting this form, I declare the foregoing facts to be true, correct, and complete. Additionally I hereby authorize a criminal background check.

5-13-14
W. Hellegass

Date Applicant's Signature

Please do not write below - Staff use

Date application received: \_\_\_\_\_  
 Interviewed on: Currently serving on CRA.

Eligible for appointment  Not eligible for appointment  
 Explanation: \_\_\_\_\_

Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_  
 Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_  
 Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_



Received  
 MAY 28 2014  
 Jacksonville Beach City Clerk

### Application for Appointment to City Boards

**Personal Information** *(Please print or type)*

Name: <u>Rick Knight</u>	Home Phone: <u>(904) 249-4015</u>
Home Address: <u>827 8th Ave N.</u>	
E-Mail Address: <u>RknightJAXBch@Aol.com</u>	Cell Phone: <u>(904) 237-6684</u>
Occupation: <u>RETIRED</u>	Business Phone: _____
Business Name: _____	
Business Address: _____	

**Eligibility – Please Circle**

Are you a resident of the City?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	If yes, length of time: _____
Are you a registered voter?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	If yes, what County: _____
Do you own property in the City?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	If yes, address: _____
Do you hold a public office?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	If yes, Office name: _____
Are you employed by the City?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	If yes, position: _____
Are you currently serving on a Board?	<input checked="" type="radio"/> Yes	<input type="radio"/> No	If yes, Board Name: _____
Have you been convicted of a felony?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	If yes, provide date: _____
Have your civil rights been restored?	<input type="radio"/> Yes	<input checked="" type="radio"/> No	If yes, provide date: _____

**Potential Conflict of Interest:** Have you ever been engaged in the management/ownership of any business enterprise that has a financial interest with the City of Jacksonville Beach?      Yes       No

If yes, please provide details: \_\_\_\_\_

**City Boards** *(Please indicate your preferences by ranking - denote your first choice with a "1", second choice with a "2", etc.)*

Board of Adjustment	Planning Commission
<input checked="" type="radio"/> 1	<input type="radio"/>
Community Redevelopment Agency	Pension Trustee

Please list the type of City meetings you have attended: I HAVE ATTENDED MEETINGS OF EVERY BOARD EXCEPT PENSION

**Qualifications** *(Briefly describe specific expertise, abilities, or qualifications)* I HAVE ATTENDED MANY SEMINARS AND VISITED SEVERAL CITIES REDEVELOPMENT AREAS, (SEE) NOT COUNTING JAX BEACH FOR THE LAST 15 YRS. ALSO WHILE I (BACK)

Education: <u>High School, SOME COLLEGE, AND TRADE SCHOOLS.</u>
<u>43 YRS WORKING FOR WW GAY MECH.</u>

SERVED ON ~~THE~~ A TRUSTEE ON THE  
FMIT TALKED TO MANY ELECTED  
OFFICIALS ABOUT THEIR REDEVELOPMENT  
AREAS.

## Application for Appointment to City Boards (cont.)

### State Reporting Requirements

Section 760.80, Florida Statutes, requires that the City annually submit a report to the Secretary of State disclosing race, gender, and physical disabilities of board members and elected officials. Please circle the appropriate responses.

<u>Race</u>		<u>Gender</u>	<u>Physically Disabled</u>
<input type="checkbox"/> African-American	<input checked="" type="checkbox"/> Caucasian	<input type="checkbox"/> Female	<input type="checkbox"/> Yes
<input type="checkbox"/> Asian/Pacific Islander	<input type="checkbox"/> Hispanic	<input checked="" type="checkbox"/> Male	<input checked="" type="checkbox"/> No
<input type="checkbox"/> American Indian/Alaskan Native	<input type="checkbox"/> Not Known		

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form 1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

I understand that if I am appointed to one of the City's boards, I will be required to file a financial disclosure form - Form 1, as described above, and I am willing to comply with this requirement.

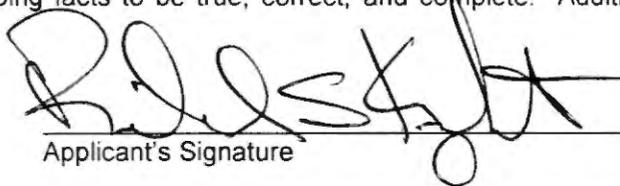
I understand that any false, incomplete, or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete, or misleading information discovered on this application at any time after appointment to a Board may result in my removal.

I also understand that all board appointments are for voluntary, uncompensated services. Additionally, if appointed, I am able to attend meetings and otherwise fulfill the duties of the office.

Applications are submitted to the City Council when vacancies occur and are effective for two years from date of completion.

By submitting this form, I declare the foregoing facts to be true, correct, and complete. Additionally I hereby authorize a criminal background check.

5/28/14  
Date

  
Applicant's Signature

Please do not write below – Staff use

Date application received: May 28, 2014

Interviewed on: June 4, 2014 JCB

Eligible for appointment  Yes  No

If not eligible for appointment  
Explanation: \_\_\_\_\_

Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_

Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_

Appointed to: \_\_\_\_\_ Date: \_\_\_\_\_

City of Jacksonville Beach  
 Office of the City Clerk  
 11 North 3<sup>rd</sup> Street  
 Jacksonville Beach, Florida 32250



Phone: (904) 247-6299 ext 10  
 FAX: (904) 247-6256  
 E-mail: cityclerk@jaxbchfl.net

**RECEIVED**  
 OCT 23 2013  
 City Clerk

**Application for Appointment to City Boards**

**Personal Information** (Please print or type)

Name: Kris Linster Home Phone: 1 (904) 588-3057  
 Home Address: 2600 Independence Drive Jacksonville Beach, FL 32250  
 E-Mail Address: kclinster@terracon.com FAX: N/A  
 Business: Terracon Consultants, Inc. Business Phone: 1 (904) 900-6478  
 Business Address: 9655 Florida Mining Blvd. W., Suite 509, Jacksonville, FL 32257

**Eligibility**

Are you a resident of the City?  Yes  No If yes, length of time: 2 months  
 Are you a registered voter?  Yes  No If yes, what County: Duval  
 Do you own property in the City?  Yes  No If yes, address: \_\_\_\_\_  
 Do you hold a public office?  Yes  No If yes, Office name: \_\_\_\_\_  
 Are you employed by the City?  Yes  No If yes, position: \_\_\_\_\_  
 Are you currently serving on a Board?  Yes  No If yes, Board Name: \_\_\_\_\_  
 Have you been convicted of a felony?  Yes  No If yes, provide date: \_\_\_\_\_  
 Have your civil rights been restored?  Yes  N/A If yes, provide date: \_\_\_\_\_

**Potential Conflict of Interest:** Have you ever been engaged in the management/ownership of any business enterprise that has a financial interest with the City of Jacksonville Beach?  Yes  No

If yes, please provide details: \_\_\_\_\_

**City Boards** (Please indicate your preferences by ranking - denote your first choice with a "1", second choice with a "2", etc.)

3	Board of Adjustment	2	Planning Commission
1	Community Redevelopment Agency	4	Pension Trustee

Please list City meetings you have attended: N/A

**Qualifications** (Briefly describe specific expertise, abilities or qualifications) I am the Facilities Engineering Services lead for North Florida with Terracon Consultants. I have a degree in Engineering from the University of North Florida. Some of my day-to-day activities include reviewing drawings and specifications for new and existing construction and cross-referencing the Florida Building Code to ensure compliance with code and other industry standards. I am a LEED AP and assist other designers build sustainably using the standards of the LEED building certification system.

Education: University of North Florida-Civil Engineering, Florida Board of Professional Engineers-Engineer Intern  
 Qualifications: LEED AP BD+C, Construction Specifications Institute-Construction Documents Technologist  
 Experience: Terracon Consultants, Inc., 2010-present

*\*Please attach a resume and/or additional documentation to supplement your qualification information.*

## Application for Appointment to City Boards (cont.)

### State Reporting Requirements

Section 760.80, Florida Statutes, requires that the City annually submit a report to the Secretary of State disclosing race, gender, and physical disabilities of board members and elected officials. Please check the appropriate boxes.

Race

- African-American
- Asian/Pacific Islander
- American Indian/Alaskan Native

- Caucasian
- Hispanic
- Not Known

Gender

- Female
- Male

Physically Disabled

- Yes
- No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form 1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

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By submitting this form, I declare the foregoing facts to be true, correct, and complete. Additionally I hereby authorize a criminal background check.

October 22, 2013  
Date

  
Applicant's Signature

Please do not write below - Staff use

Date application received: 10-23-2013

Interviewed on: 12-4-2013

Eligible for appointment

Not eligible for appointment,  
Explanation: \_\_\_\_\_

Appointed to: \_\_\_\_\_

Date: \_\_\_\_\_

Appointed to: \_\_\_\_\_

Date: \_\_\_\_\_

Appointed to: \_\_\_\_\_

Date: \_\_\_\_\_

# KRISTOPHOR C. LINSTER, EI, LEED AP BD+C, CDT FACILITIES ENGINEERING SERVICES-NORTH FLORIDA LEAD

## PROFESSIONAL EXPERIENCE

Mr. Linster is currently working as the Facilities Lead in the Jacksonville Office. While earning his undergraduate degree in Civil Engineering at the University of North Florida, Mr. Linster developed a strong understanding for the engineering industry. Mr. Linster has a general knowledge of all phases of engineering including, structural design, materials testing, economics of engineering, and cost efficient design.

Mr. Linster practices in the areas of specifying, bidding, project administration of various building enclosure and waterproofing projects including project submittal review, documenting and trouble-shooting field conditions, WUFI software modeling, and product research. Additional responsibilities include construction monitoring and commissioning observation and reporting on commercial buildings and educational facilities, as well as overseeing water infiltration testing projects.

During his tenure, Mr. Linster has also been involved in periodic quality and contract fulfillment observations of re-roofing projects and new construction installations. This included providing detailed written reports encompassing deficiencies and observations, as well as coordinating corrections with on-site supervisors. He has also been involved with pre-bid and pre-work meetings with clients and contractors.

## PROJECT EXPERIENCE

### Shands Jacksonville North, Jacksonville, FL

Mr. Linster was the Project Manager for the building enclosure plan and specification review of the Shands Jacksonville North project. This 206,700 total square foot building is a state of the art facility. The façade is composed of phenolic resin rain screen wall panels, prefinished aluminum composite wall panels, and aluminum curtain walls and storefront. The roof will exhibit a cutting edge garden roof system that will give the building a natural view for the patients from the windows on the floors above.

### Innovation Hub, Gainesville, FL

Mr. Linster was the Project Manager for the building enclosure commissioning of the Innovation Hub. The 46,000sf LEED Gold building consist of labs, offices, meeting and support space will serve as a business incubator for the many new companies being developed around university discoveries. It has flexible dry and wet laboratories and office space. The project was commissioned in compliance with LEED v2.2 EAp1 and EA3 to achieve Gold certification.

### Shriners Hospitals for Children, Tampa, FL

Mr. Linster generated plans and specifications for the reroof of this facility. Field work necessary for the design was accomplished in accordance with state and local governing bodies and in accordance with FM Global



## Education

*Bachelors of Science in Civil Engineering, University of North Florida, Jacksonville, FL*

## Registrations

*Engineer Intern  
USGBC - LEED AP BD+C  
RCI - Registered Roof Observer (RRO)  
AWCI - Certified EIFS Inspector (CEI)  
CSI-Construction Documents Technologist (CDT)*

## Affiliations

*American Society of Civil Engineers  
U.S. Green Building Council  
RCI  
AWCI*

requirements. The new roofing system was composed of an inverted roof membrane assembly with fully adhered polyvinyl chloride (PVC) single ply waterproofing membrane and mechanically attached PVC membrane with a composite concrete topped extruded polystyrene insulation overburden. Construction administration services are included in the scope of work. These services include reviewing shop drawings, periodic inspections, materials list, tapered layout, drawings, pay applications, change orders and obtained all close-out documents.

#### **Miami Marlins Ballpark, Miami, FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of this state of the art 900,000sf ballpark and parking garages. The facility seats 37,000 fans, and includes retractable stadium roof, suites, locker rooms, concessions, offices, and rehabilitation/training areas. The project was commissioned in compliance with LEED v2.2 EAp1 and EAc3 to achieve Gold certification.

#### **US Department of Veterans Administration Medical Clinic, Cape Coral, FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of the Lee County Florida VA Outpatient Clinic. The 220,000 gross square foot, state-of-the-art primary and specialty care center that will house mental health services, diagnostic radiology, laboratory services, audiology, cardiology with cardiac non-invasive diagnostic services, urology, GI, orthopedics, ophthalmology, dermatology, minor surgery, and advanced imaging including CT, MRI, fluoroscopy, ultrasound, nuclear medicine, mammography, and vascular Doppler ultrasound. The project was commissioned in accordance with LEED 2.2 EApr1 (Fundamental Commissioning) and LEED 2.2 EAc3 (Enhanced Commissioning).

#### **Charlotte County Public Schools Roof Management Survey, Punta Gorda, FL**

Mr. Linster provided a comprehensive roof survey to 25 schools / maintenance facilities totaling over 2.3 million sq. ft. in the Charlotte County Public Schools district. The responsibility of our staff was to survey the roofs and identify defects and deficiencies. A comprehensive report was produced for the information of the owner that included a description of the components of the existing roof system for each building, a general description of the remedial work required, a 5-year budget for replacement and present year maintenance costs & roof plans showing the general locations of the remedial work required. GAF follow-up warranty inspections & aerial photographs of each campus' roof were also required for this project.

#### **Clay County MOB, Middleburg, FL**

Mr. Linster was the Project Manager for the building enclosure plan and specification review of the Clay County MOB project. This facility will provide a much more convenient point of access to medical help for residents in this area of rural Clay County. The façade is composed of an energy efficient exterior insulation finish systems (EIFS), cultured stone and stucco. The roof is a highly reflective thermoplastic polyolefin (TPO) roof membrane. Mr. Linster also provided construction monitoring throughout the construction process as well as perform water infiltration testing in general accordance with ASTM E1105 to ensure proper installation of the building enclosure components.

#### **First Presbyterian Church of Lake Wales, FL**

Mr. Linster was retained to provide a leak investigation on the exterior brick cladding and lower roof levels of this facility. Water infiltration testing methods such as AAMA 501.2 and ASTM E1105 were utilized to conduct the investigation. Findings & recommendations for building enclosure repair were recommended in the report provided to the owner.

#### **University of Florida EH&S Addition, Gainesville, FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of the Innovation Hub. The 4,900sf LEED Gold addition to the current office building. The project was commissioned in compliance with LEED v3.0 EAp1 and EAc3.

#### **Lemon Bay High School, Punta Gorda, FL**

Mr. Linster was retained by the general contractor of this project to act as their building envelope consultant at the request of the owner. Water testing was conducted on mock up window installations, drawing & submittal reviews were performed and building envelope inspections were performed on a weekly basis.

**University of Florida Gymnastics Renovation and Addition, Gainesville, FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of the 18,780sf addition to UF's O'Connell Center. The project is being commissioned in compliance with LEED v3.0 EAp1 and EAc3 to achieve minimum Gold but on target to achieve Platinum certification.

**Polk State College Winter Haven Campus, Criminal Justice Building, Winter Haven, FL**

Mr. Linster provided construction contract administration & periodic inspection services during the roof replacement of this building.

**University of Florida Chemical Engineering Addition, Gainesville FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of this 9,800 SF LEED Gold addition to the existing Chemical Engineering building and consist of offices, meeting and support space. The project was commissioned in compliance with LEED v3.0 EAp1 and EAc3 to achieve Gold certification.

**Port Charlotte High School, Port Charlotte, FL**

Mr. Linster provided field work for the plans and specifications for the roof replacement project, construction administration and periodic inspections were also performed.

**University of Florida Broward Dining (Fresh Foods), Gainesville FL**

Mr. Linster is the Project Manager for the building enclosure commissioning this 5,700 SF LEED Gold project and consist of kitchen, dining and support spaces. The project is being commissioned in compliance with LEED v3.0 EAp1 and EAc3 to achieve Gold certification.

**Vineland Elementary School, Rotonda, FL**

Mr. Linster provided construction administration & periodic inspection services during the roof replacement of Buildings C, D, F-H & X of this school completed in July 2010.

**University of Florida Cory Village Commons Replacement Cx, Gainesville, FL**

Mr. Linster was the Project Manager for the building enclosure commissioning of the new 10,000 SF, multi-purpose Commons facility at the Corry Village Graduate and Family housing complex. Stafford Consulting Engineers provided design phase and construction/acceptance Cx services for the building envelope systems. The project was commissioned in compliance with LEED v3.0 EAp1 and EAc3 to achieve Gold certification.

**Veterinary Education & Research Building, Gainesville, FL**

Mr. Linster performed the building envelope commissioning services for this new veterinary & research building on the University of Florida campus. Services included specification reviews, submittal reviews & weekly inspections.

# University of North Florida

has conferred on  
**Kristophor Charles Linster**

the degree  
**Bachelor of Science**

**Civil Engineering**

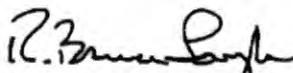
**Magna Cum Laude**

and all the rights and privileges thereunto appertaining.

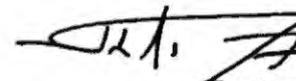
In Witness Whereof, this diploma, duly signed, has  
been issued and the seal of the University affixed.

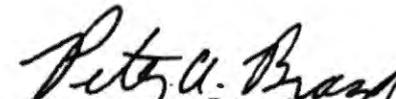
Issued by the Board of Trustees upon recommendation of the Faculty of the  
College of Computing, Engineering, and Construction at Jacksonville, Florida, This Thirtieth Day of April, A.D., 2010.

  
Governor

  
Chairman, University Board of Trustees



  
President

  
Interim Dean

# State of Florida



## Board of Professional Engineers

*By This*

### Certificate

*Bears Witness That*

**Kristophor C. Linster**

*Has satisfactorily demonstrated qualifications in engineering fundamentals, technical subjects, mathematics and basic sciences and is hereby recognized as an*

**Engineer Intern**

No. 1100014653

*In Testimony Whereof, witness the signatures  
of the Chair under the seal of the Board*

*this* 9 *day of* July, 2010

*John C. Sunde*

CHAIR, BOARD OF PROFESSIONAL ENGINEERS

Audit No. 22820112722

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247 6274

Fax: 904.270 1 642

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

June 6, 2014

**MEMORANDUM**

**TO:** George D. Forbes  
CITY MANAGER

**FROM:** Harry E. Royal  
FINANCE OFFICER

**RE:** Monthly Financial Reports - Month of May 2014

The Monthly Financial Reports for the month of May are being furnished for your information and perusal. These reports can be found on the "Reports and Information" portion of this Agenda.

If you have any questions concerning these reports, please give me a call.

Sincerely,



Harry E. Royal  
FINANCE OFFICER



City of  
Jacksonville Beach  
  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
  
Phone: 904.247.6268  
Fax: 904.247.6276

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

**TO:** The Honorable Mayor  
Members of the City Council

**FROM:** George D. Forbes  
City Manager

**SUBJECT:** Budget Workshop Schedule

**DATE:** June 9, 2014

**Action Requested**

Approve the Council Budget Workshop Schedule. (Attached)

**Background**

As in the past, this year's budget workshops will be held in the conference room located behind the City Council chamber.

In addition to the Council Tour, this year's Budget Workshop Schedule provides for 4 workshops over a two-week period. It is designed to be informative for the Council and, by spreading the workshops out over two weeks, make it easier on the Council members' schedules.

**Action Requested**

Adopt the Budget Workshop Schedule as proposed by the City Manager in a memo dated June 9, 2014.

Attachment  
GDF:tr





City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6263

Fax: 904.247.6169

[www.jacksonvillebeach.org](http://www.jacksonvillebeach.org)

## MEMORANDUM

**TO:** George D. Forbes, City Manager  
**FROM:** Karen Nelson, Human Resources Director  
**SUBJECT:** Ratification of IAFF Contract, Effective June 1, 2014  
**DATE:** June 4, 2014

### ACTION REQUESTED

Ratify the Collective Bargaining Agreement with the International Association of Firefighters, Local 2622, effective June 1, 2014.

### BACKGROUND

The City and the IAFF began negotiations in May of 2013 for a three-year contract. 12 bargaining sessions were held and on May 30, 2014, the union held a vote among its members and ratified the contract. Major provisions of the agreement are as follows:

#### Duration

- A three-year contract effective June 1, 2014 and expiring May 31, 2017.
- An agreement to re-open Article 34 (Salaries) on May 31, 2016 for year three of the contract.
- An effective date of July 21, 2014 for Article 9 (Pension).

#### Wages

- Provides for a one-time increase on the effective date of 1% for all bargaining unit employees.
- Adopts a Pay Plan that provides for a merit increase upon annual evaluation of 2%-3% of the midpoint within the range.
- Provides for a lump sum award, based on merit, of 2%-3% of the midpoint within the range for employees who have reached the maximum rate in the assigned pay grade.



Memorandum to George D. Forbes

June 4, 2014

Page 2 of 2

Pension

- Preserves the current Defined Benefit Plan and the 3% multiplier.
- Provides for a maximum benefit of 90% of final average compensation or \$90,000 annually, whichever is less.
- Increases the vesting period from 5 years to 10 years.
- Eliminates the early retirement benefit.
- Excludes overtime pay from pensionable compensation.
- Replaces the Deferred Retirement Option Plan (DROP) with Back-DROP.
- Eliminates the Cost of Living Adjustment (COLA) for employees hired after the effective date.
- For current employees: Preserves the 2% COLA for benefits earned as of the effective date; provides for a 1% COLA for benefits earned after the effective date.
- Increases the employee contribution from 6.45% to 7.95%.
- Provides for all accumulated premium tax revenues to be used to reduce the unfunded actuarial liability of the plan.

All proposed changes to the existing language are highlighted in *Attachment A*.

RECOMMENDATION

Ratify the Collective Bargaining Agreement with the International Association of Firefighters, Local 2622, effective June 1, 2014.

ARTICLE 2

RECOGNITION

- 2.1 The City hereby recognizes the Union as the exclusive representative for purposes of collective bargaining for its employees in the bargaining unit described in the Public Employees Relations Commission Certification Number 456 of April 17, 1979.

INCLUDED: All ~~Privates~~, Firefighters, Firefighter/Engineers, and Lieutenants of the Jacksonville Beach Fire Department, including the Training Lieutenant and Fire Safety Specialist.

EXCLUDED: Fire Chief, Captains, Fire Marshal, Administrative Secretary and all other employees of the City of Jacksonville Beach.

ARTICLE 3

## STRIKE PROHIBITION AND WORK REQUIREMENTS

- 3.1 The Union and bargaining unit members shall have no right to engage in any work stoppage, slow down or strike, or to withhold services. ~~Each employee who holds a position with the Union occupies also a position of special trust and responsibility in maintaining and bringing about compliance with this Article and the strike prohibition of Section 447.505, Fla. Statutes and the Constitution of the State of Florida, Article 1, Section 6.~~
- 3.2 ~~The Union, its officers, agents, stewards and other representatives agree that it is their continuing obligation and responsibility to maintain compliance with this Article and the law, including their responsibility to abide by the provisions of this Article and the law by remaining at work during any interruption which may be initiated by others; and including their responsibility, in the event of breach of this Article or the law by other employees, and upon the request of the City, to encourage and direct employees violating this Article or the law to return to work, and to disavow the strike publicly.~~
- 3.32 Any and all employees who violate any provision of the law prohibiting strikes or this Article may be disciplined, up to and including discharge, by the City, ~~and any such action by the City shall not be grievable or arbitrable under the provisions of Article 28-Grievance Procedure, except to determine if violations, in fact, occurred.~~
- 3.43 In justice and fairness to the City and taxpayers, all employees shall be required to report to work on time, shall not leave the job early, shall be prompt in reporting to their assigned duties, and shall faithfully perform their duties. The City and the Union agree that the basic intent of this Agreement is to provide conditions of employment suitable to maintain a competent work force.

ARTICLE 5

NON-DISCRIMINATION

- 5.1 There shall be no discrimination against any worker, namely by reason of race, national origin, religion, color, creed, sex, age, disability or union membership or non-membership. The City and the Union affirm their joint opposition to any discriminatory practices in connection with employment, union membership, promotion or training; and agree that the public interest requires the full utilization of employee's skill and ability. ~~Employees can bring such claims through the grievance procedure and State and Federal legal systems.~~
- 5.2 The Union agrees to support the City's Equal Employment Opportunity Plan provided it is within the scope of applicable laws. If the plan violates any contract provision or law, it may be appealed through the grievance procedure as outlined in Article 29. The City agrees to provide the Union with a copy of any Equal Employment Opportunity Plan and Amendments adopted by the City.

ARTICLE 7

## UNION STEWARDS AND REPRESENTATIVES

- 7.1 To preserve the delivery of services and in accordance with Section 447.509, Fla. Statutes, the Union, their members, agents, or representative, or any persons acting on their behalf are prohibited from the following acts; soliciting public employees during working hours of any employee who is involved in the solicitation; distributing literature during working hours in areas where the actual work of public employees is performed, such as offices, fire stations, and any similar public installations. Distribution of literature may be allowed during an employee's lunch hour or dinner hour in the Fire Department parking lot. ~~The Union further agrees that there shall be no signing or organizational activity, collection of fees, dues or assessments, meetings or other business activity of the Union on City time or on City property at any time except under the conditions outlined above.~~ non-working time in non-working areas, such as the bunk rooms, kitchen, TV room and the Fire Department parking lot. There shall be no signing or organizational activity, collection of fees, dues or assessments, meetings or other union business activity (referred to herein as "union business") during working time. Such union business may, however, be conducted between employees, provided that it occurs during non-working time of each of the employees. As used herein, "non-working time" shall mean time that the employee is not actually performing, scheduled or assigned to perform duties related to the employee's employment with the City, including during the employee's lunch and dinner periods, and during time allowed for PT and personal time, so long as the employee has not been assigned a work related duty or assignment during this time.
- 7.2 A complete list of Union Representatives shall be furnished to the City, and any changes shall be reported in advance in writing to the City prior to the Union Representatives conducting any Union business.
- ~~7.3 All Fire employees, regardless of Union affiliation or status are subject to all City Rules and Regulations pertaining to the conduct of City employees of the City unless specifically exempted by provisions of the Agreement.~~
- 7.43 Contract ratification votes and election of officers may be conducted in the fire station subject to approval by the Fire Chief.

ARTICLE 9PENSION

- 9.1 Retirement benefits and employee contributions for employees covered by this Agreement shall be as provided in the City of Jacksonville Beach Firefighters' Retirement Plan (the "Plan"), except as provided below. All changes to the existing Plan shall take effect July 21, 2014 or upon implementation of this Agreement, if later (the "effective date").
- 9.2 The benefit multiplier shall be 3.0% for all credited service on and after the effective date, up to the maximum benefit provided in section 9.3 below. Employees who are employed on the effective date shall retain their accrued benefits based on service prior to the effective date.
- 9.3 The maximum benefit shall be 90% of final average compensation or \$90,000 annually, whichever is less; provided, any employee who has accrued a benefit percentage in excess of 90% or an annual benefit of more than \$90,000 on the effective date shall retain that accrued benefit, but shall not accrue any additional benefit percentage or amount after the effective date.
- 9.4 Compensation for pension purposes on and after the effective date shall be base pay plus longevity pay and incentive pay, and shall exclude overtime pay and all other compensation.
- 9.5 The normal retirement date for employees with less than 10 years of credited service on the effective date and employees hired on or after that date shall be age 52 with 25 years of credited service, age 55 with 10 years of credited service, or 30 years of credited service regardless of age, whichever is earlier. Employees with 10 or more years of credited service on the effective date shall retain the current normal retirement date of age 52 with 25 years of credited service, age 55 with 5 years of credited service, or 30 years of credited service regardless of age.
- 9.6 The early retirement benefit shall be eliminated on the effective date; provided, employees who have attained age 50 with 10 or more years of credited service or 20 years of credited regardless of age on the effective date shall retain the current early retirement benefit.
- 9.7 The vesting period for employees with less than 5 years of credited service on the effective date and employees hired on or after that date shall be 10 years, including credited service before and after the effective date. The deferred benefit for employees with less than 10 years of credited service on the effective date and employees hired on or after that date who attain 10 years of credited service and separate from city employment prior to the normal or early retirement date shall be payable at age 52 with 25 years of credited service or age 55 with 10 years of credited service, or age 65 with 5 years of credited service, whichever is earliest.

- 9.8 There shall be no cost of living adjustment for employees hired on or after the effective date. Employees who are employed on the effective date shall retain the current 2% cost of living adjustment for benefits based on credited service before the effective date, and shall have a 1% annual cost of living adjustment applied to benefits based on credited service on and after the effective date.
- 9.9 The above changes shall not apply to any employee who has reached age 52 with 25 years of credited service, age 55 with 5 years of credited service, or 30 years of credited service regardless of age on the effective date.
- 9.10 The DROP shall be closed to new members on the effective date, and replaced with a BACK-DROP. Employees who are participating in the DROP on the effective date may continue to participate in the DROP under the terms in effect on the date they entered the DROP. Employees who reach the normal retirement date on or after the effective date, and employees who have reached the normal retirement date before the effective date but are not participating in the DROP on that date, and continue employment beyond the normal retirement date may elect the BACK-DROP. Under the BACK-DROP, an employee may receive a lump sum payment equal to the pension benefits the employee would have received had he/she retired on their normal retirement date, with interest at the rate of 3%. The member's benefit will then be actuarially adjusted to reflect the lump sum payment.
- 9.11 Commencing on the effective date, the employee contribution shall be 7.95% of compensation.
- 9.12 The parties agree that all accumulated additional premium tax revenues as reflected in the October 1, 2012 actuarial valuation shall be used to reduce the unfunded actuarial accrued liability of the Plan.

ARTICLE 10

[NO ARTICLE]

ARTICLE 10

**BULLETIN BOARD**

~~10.1 The Union may at its own expense, provide a bulletin board of standard size to be determined by the Fire Chief for its own exclusive use in keeping with the decor of the working location at a location designated by the Fire Chief. If it becomes necessary to relocate the bulletin board the Union and the City will meet to mutually agree on the new location.~~

~~10.2 The Union agrees that it shall only use space on a bulletin board described above for the following purposes:~~

- ~~1) Notice of Union meetings;~~
- ~~2) Union Elections;~~
- ~~3) Reports of Union committees;~~
- ~~4) Recreational and social affairs of the Union;~~
- ~~5) Minutes of Union meetings.~~

~~10.3 All Union materials placed on the bulletin board shall be signed by a Union officer and copies of any materials to be posted shall be forwarded to the Fire Chief or his duly authorized Agent prior to the posting of any such materials.~~

~~10.4 All costs incidental to preparation and posting of Union material shall be at the expense of the Union. The Union is responsible for posting and removing approved material from the bulletin board and for maintaining such bulletin board in orderly fashion.~~

ARTICLE 12

MEDICAL EXAMINATION

12.1 It is understood that the City retains the right to require employees to be in good physical condition so that they are able to perform the normal duties assigned them.

12.2 Each employee will be required to have an annual physical examination administered by the City's physician. ~~The physical and evaluation will be based on the standards established by NFPA 1582, MEDICAL REQUIREMENTS FOR FIREFIGHTERS.~~

The physical and evaluation will include:

1. Annual Medical History Questionnaire.
2. Interval Occupational History, including signification exposures.
3. Vital Signs including: Height, Weight, B/P, Heart Rate, Heart Rhythm, Pulse, Respirations, Temperature.
4. Drug Screen (5 panel)
5. Blood Work
6. Tuberculin Skin Test (ppd)
7. Dermatological System
8. Head, Neck, Ears, Eyes, Nose, Mouth, and Throat
9. Cardiovascular System
10. Respiratory/Pulmonary System
11. Gastrointestinal System
12. Genitourinary System
13. Endocrine and Metabolic Systems
14. Musculoskeletal System
15. Neurological System
16. Audiometry
17. Visual Acuity Testing
18. Spirometry-Pulmonary Function Test
19. Cardio Stress Test (every three years)

New Hires receive the above physical, Cardio Stress Test, chest x-ray, plus the Hepatitis B Immunization Series and tetanus booster.

Employees that test positive on the TB Titer Test receive a Chest X-Ray.

If a non-work related condition is discovered during this physical, the employee is referred to his/her personal physician.

12.3 Examinations will be scheduled during the employee's on-duty time. Examinations will be at City expense.

- 12.4 The City will require a drug test during the annual medical examination and may require a drug test any time an employee is referred to a physician for a fitness for duty examination.

ARTICLE 13

## MEDICAL, DENTAL, LIFE INSURANCE

~~13.1 The City agrees to continue to provide employees with health insurance benefits comparable to the HRAOAP In 70/30 with deductible plan.~~

~~13.2 The City agrees to pay the premium cost for coverage under the City sponsored insurance plan set forth below, depending on the employee's election of coverage under the City sponsored insurance plan:~~

<del>Single Employee</del>	<del>\$426.57</del>
<del>Employee &amp; Spouse</del>	<del>\$575.01</del>
<del>Employee &amp; Children</del>	<del>\$581.55</del>
<del>Employee &amp; Family</del>	<del>\$775.69</del>

~~These amounts shall be paid by the City toward the cost of the City sponsored health insurance, and this Article does not entitle any employee to any cash payment. The employee shall be responsible for all other premiums and other insurance costs. Employees who chose not to participate in the City sponsored health insurance program shall not be entitled to any payment under this Article.~~

~~13.3 Dependent coverage for medical and dental insurance will be available on payroll deduction at employee's expense.~~

~~13.4 The City agrees to continue to provide employees with dental insurance comparable to the current standard DPPO Plan. The City agrees to pay a portion of the premium cost of the City sponsored dental insurance plan up to a maximum \$9.32 per month. The employee shall be responsible for all other premiums and all other dental insurance costs. Employees who chose not to participate in the City sponsored dental insurance program shall not be entitled to any payment under this Article.~~

~~13.5 The City will continue to provide life insurance to employees in the amount of \$25,000 at no cost to the employee.~~

~~13.6 The City will provide \$600 annually to all employees in the bargaining unit. This shall be considered a cafeteria supplement separate from salary.~~

~~13.7 If the City learns that the total health insurance premium cost to employees will increase more than 10%, the City shall notify the Union, and, upon request from the Union, the City agrees to reopen section 13.2 of this Article.~~

- 13.1 The City agrees to continue to provide employees with the basic Medical, Dental and Life Insurance (excluding Supplemental Accident) group programs offered other City employees.
- 13.2 The City agrees to pay the same amount of premium for the same insurance coverage on bargaining unit members as it does for other City employees.
- 13.3 Dependent coverage for medical and dental insurance will be available on payroll deduction at employee's expense.
- 13.4 If, during the term of this Agreement, the City agrees to improve the medical, dental and life insurance for any other City employees it will likewise improve the insurance for members covered by this Agreement.
- 13.5 The City will provide \$600 annually to all employees in the bargaining unit. This shall be considered a cafeteria supplement separate from salary.

ARTICLE 14

## UNIFORMS &amp; EQUIPMENT

- 14.1 All uniforms, protective clothing or protective devices issued to employees covered by this agreement in the performance of their duties shall be furnished by the Fire Department. Ownership of uniforms and protective clothing shall remain with the Fire Department.
- 14.2 All employees must provide their own personal socks and undergarments. All employees must wear undergarments at all times.
- 14.3 Employees shall not wear articles unless issued to them by department policy or authorized by the Fire Chief. All members shall be neat in appearance at all times. Employees shall be allowed to purchase and wear their own personal Fire Helmet as long as it meets NFPA requirements, is the same color and style as used by the City (including insignia shield/goggles, which will be provided by the City), and so long as the helmet has material (including insignia shield) affixed to it that matches the City's helmets, and nothing more. If an employee uses his/her own helmet pursuant to this section, the employee shall return to the department the City issued helmet.
- 14.4 Employees may wear an I.A.F.F. lapel pin on Class A dress blue uniform shirts, Class B uniform shirts and hats in accordance with uniform rules established by the City.
- 14.5 Employees whose clothing or shoes become damaged while on duty may have them repaired or replaced as determined by the City at City expense.
- 14.6 A uniform maintenance allowance of \$35.00 per month shall be issued to each employee for the purpose of maintaining such uniforms with proper cleaning, repairs, etc.

ARTICLE 19

## HOLIDAYS

19.1 The following days are hereby declared holidays for all bargaining unit members:

- 1) The first day of January (New Year's Day)
- 2) The third Monday of January (Martin Luther King Day)
- 3) The last Monday of May (Memorial Day)
- 4) The fourth day of July (Independence Day)
- 5) The first Monday of September (Labor Day)
- 6) The eleventh day of November (Veteran's Day)
- 7) The fourth Thursday of November (Thanksgiving Day)
- 8) The fourth Friday of November (The day after Thanksgiving Day)
- 9) The twenty-fifth day of December (Christmas Day)
- 10) Any other holiday proclaimed by Ordinance of the Council or proclamation of the Mayor.

19.2 Employees on a 56 hour shift shall ~~earn compensatory time~~ receive holiday pay at straight time for a rate of 6-8 hours per month~~holiday, not to exceed 84 hours in his/her compensatory leave bank.~~ If the City proclaims an additional holiday as per paragraph 19.1, Item 10, each employee on a 56 hour shift shall be ~~credited~~receive 8 hours compensatory holiday pay leave for each additional holiday declared. ~~Credits may be expended in hourly increments using a minimum of four (Example: 4 hours, 5 hours, 6 hours, etc...) for partial day excused from duty. Emergency leave may be expended in hourly increments of one hour or more.~~

19.3 Employees who work these holidays shall be paid time and one-half their regular rate of pay for hours worked on a holiday, in addition to 8 hours of holiday pay.

- 19.4 A) For employees in the bargaining unit whose regular schedule is a 40 hour per week schedule, when a holiday falls on a Saturday, the Friday before shall be observed, or if Sunday, the following Monday.
- (B) Forty hour per week employees shall receive the holiday off, with pay, or, in the alternative, shall be paid time and one-half their regular rate of pay for hours worked on a holiday.

ARTICLE 23

HOURS OF WORK AND OVERTIME

- 23.1 Hours of Work. The average work cycle for bargaining unit members shall be as follows:

Combat Personnel. Fifty-six (56) hours per week.

The present schedule of twenty-four (24) hours on duty, 24 hours off duty, 24 hours on duty, 24 hours off duty, 24 hours on duty, followed by ninety-six (96) hours off duty will remain unchanged for all employees defined as fifty- six (56) hour shift employees.

- 23.2 Recall. When an employee is recalled from off duty or reports to the fire station for an overtime assignment and the overtime has been canceled without notification to the employee, he/she shall be paid for two (2) hours at time and one- half their normal rate for reporting to work as assigned. The employee will not be required to stay for the two hour overtime. Upon mutual agreement between an employee and the City, the employee may receive compensatory time in lieu of overtime payment. This does not increase the amount of compensatory time any employee may accumulate. Employees transferring from a 56 to 40 hour shift or 40 hour to 56 hour shift shall have his/her balance of compensatory time hours converted to the appropriate equivalent as determined by the City.

When a critical need arises as determined by the Fire Chief, or his designee, an employee may be recalled off vacation. In such an event, he/she will be paid time and one-half for all hours worked and receive credited vacation to be granted at a later date. Employees who are recalled to work on a paid holiday, shall receive the same benefits as regularly scheduled employees.

- 23.3 Changing Shifts. When shift changes are made on the scene rather than at the station, the off going shift shall be considered properly relieved on the immediate return to the Fire Station, unless required to work overtime by his/her shift supervisor.

- 23.4 In compliance with the Fair Labor Standards Act of 1938, as amended ("FLSA"), the City of Jacksonville Beach ("the City") and the International Association of Firefighters, Local 2622 ("The Firefighters"), agree that any overtime due employees in accordance with the FLSA shall be computed as follows:

(A) Employees on a fifty-six (56) hour schedule shall receive extra compensation at the rate of one-half (1/2) their regular rate of pay for all hours worked in excess of (204) during the 27 day work period. For purposes of this section, the term "hours worked" shall include, in addition to regular duty, paid military leave, comp and vacation leave. Absences from work without pay and

sick leave shall not count as hours worked for the purpose of computing overtime. The procedure for compensating employees who exchange or swap shifts on a temporary basis, pursuant to Article 20, shall continue.

(B) Employees in the bargaining unit whose regular schedule is 40 hours per week shall be paid overtime, at the rate of one and one-half times the regular rate of pay, for all hours worked in excess of 40 hours in the 7 day workweek.

~~(C) Overtime shall be assigned in accordance with the following procedures:~~

- ~~(1) An overtime list shall be kept by the Captains and shall be maintained in the Captains' office in Station 1. All employees may have access to the list upon reasonable request. The shift commander, or the shift commander's designated officer, shall be responsible for assigning overtime. The overtime list will consist of personnel from each shift, arranged by seniority on each shift. Each year, by no later than February 1, the overtime list will be updated with new personnel status, such as Paramedic, Engineer, etc., all past overtime activity will be deleted, and the list will be started anew as if no overtime had been previously offered or accepted.~~
- ~~(2) The shift commander, or the shift commander's designated officer, will call for scheduled overtime for the next set of shifts on the evening prior to the Shift Commander's shift going on its 4 days off. When possible, callbacks for scheduled overtime will take place between 6 pm and 7 pm. Otherwise, the callbacks will be made as soon as possible. The shift commander, or the shift commander's designated officer will begin with the employee who is furthest behind on the list from the two other shifts that are not the Shift Commander's own.~~
- ~~(3) All scheduled overtime callbacks will follow the current overtime list. Callbacks will be made for the position vacancy unless no one is available. Depending on the shift needed for the overtime, personnel may be skipped if the vacancy occurs on their shift. If a person is selected for overtime out of the normal rotation, the Shift Commander or his designated officer will go back to the last name on the list for the next selection process for overtime. A decision must be made at the time of the call whether or not the member is available to work on the designated day.~~
- ~~(4) Callback will be requested rank for rank unless personnel are unavailable. A Firefighter/Engineer can be used to fill as either an acting Lieutenant or firefighter, if the position cannot be filled from that rank's list. A Lieutenant can be used to fill as an acting Captain if the position cannot be filled from that rank's list. If no one is available, mandatory overtime will be necessary.~~
- ~~(5) Once a member has accepted the overtime, his/her name will be logged with the date requested on the overtime list. The next callback will begin~~

~~with the next name on the list provided he/she is not scheduled for duty. Vacancies (personnel behind) on the list should be filled prior to continuing with the normal rotation, however only one call/opportunity will be made per person per day. Personnel will not be allowed to take two consecutive calls per day. Example: Lieutenant #1 is two calls behind the rest of the Lieutenants. Lt. #1 is called first, and declines (place a NA). Lt. #2 is one call behind the normal rotation and is called next (he also declines and is given an NA). Start now in the normal rotation for the other Lieutenants. Neither Lieutenant will be given another opportunity during this day.~~

- ~~(6) A notation will be made on the list for each person called to indicate whether they were not available or that they accepted overtime. If a person is not available during the call period, it will be considered the same as turning down the overtime and marked N/A. The request to fill an overtime slot will continue down the list until the vacancy is filled. For those circumstances where no one is contacted, the Shift Supervisor will make a decision on filling the position using other personnel. Those members who were unable to work or not reached will have an "N/A" placed by their name and will not be available to work callback overtime until the rotation comes around to their name on the list again.~~
- ~~(7) Officers will not take names and/or dates when people will be available for overtime in advance. If an employee does not wish to be considered for callback overtime, he/she can request in writing (to their Shift Supervisor) to be taken off the list for scheduled overtime. A notation will be made on the list, however they will still be required to work mandatory overtime. If a person decides to be placed back on the scheduled overtime list, they will do so in writing to their Shift Supervisor and will be considered to have been unavailable for overtime during the period that they asked to be removed from the list.~~
- ~~(8) Supervisors making overtime calls will only offer one occurrence (full shift or partial shift) of overtime per call. The individual may have several choices of when to work, however he/she may only accept one shift per call.~~
- ~~(9) If an individual accepts callback overtime, that individual is responsible for working the designated time period unless the individual is unable to work overtime that he/she has accepted due to illness or other unusual circumstances. If this occurs, the individual must immediately contact the Shift Commander (a minimum of one hour before shift change time) and let him/her know of the situation and their inability to work. The employee who agreed to initially work will lose his/her slot on the overtime list. Individuals will only be compensated for the overtime hours worked, and at the appropriate rate.~~

- ~~— (10) The Training Lieutenant will be allowed to work scheduled overtime on weekends in Combat, provided the Fire Marshal or other personnel are available to fill as the Safety Officer. The normal rotation schedule will be followed, however for weekdays a NA will be used for the Training Lieutenant.~~
- ~~— (11) Overtime for personnel working on Special Projects, Pre-fire Plans, High Hazard Inspections, Plans Review, or assisting the Fire Marshal will not be charged in the normal overtime list.~~
- ~~— (12) Paramedics will be given first priority for any shift when no paramedic is on duty to fill an overtime slot to keep the Station 2 ALS engine in service, however within the following guidelines:~~
  - ~~a) Paramedics can work position for position. The overtime for paramedics is voluntary. In most cases check with the off going shift for a paramedic.~~
  - ~~b) For normal paramedic vacancies, Lieutenants or Captains will not be allowed to work down as an Engineer or Lieutenant to fill a paramedic vacancy. (For emergency call backs the City will fill as needed to fill positions on the reserve units).~~
  - ~~e) An Engineer/paramedic may be allowed to work up as long as there is a vacancy, if they have met the acting officer requirements and it does not cause a Lieutenant to work down, and it does not go against other department staffing/acting requirements (minimum number of officers on duty).~~
  - ~~d) If the shift Commander or another Lieutenant is off, staffing may be moved around to allow one of the Lieutenant/paramedics or a Engineer/paramedic to work at the station, while moving that officer to the headquarters station. You can move personnel as needed to maintain ALS status within these guidelines.~~
  - ~~e) If a Lieutenant/paramedic is working out of class as a Shift Commander, another paramedic should be utilized to fill the opening if possible following these guidelines.~~
  - ~~f) The day will be recorded as any other time worked following normal policies.~~
  - ~~g) Paramedics will not be given priority to staff the ALS Unit in Station.~~
  - ~~h) Paramedics may be given priority to man the MERV Unit or bike teams for special events, based upon the employees who volunteer for the event.~~

- (13) ~~Misuse of the intent of this overtime policy to be a fair and equitable system will result in disciplinary action.~~

#### **CALLBACK OVERTIME (NON SCHEDULED)**

- (14) ~~When a vacancy occurs in the morning prior to the 8 am shift exchange, the overtime will be offered to off going personnel of the same rank. If two personnel of the same rank are available at a station, the supervisor will first offer the overtime to the individual at that station that is next on the callback list. Personnel, who were on duty but declined to work, will not be charged for an overtime call. If no one on duty agrees to work the non-scheduled overtime, a page will be sent out to the off duty shift available to work, advising the overtime needed, station, and the position required. Personnel paged will have a maximum of 30 minutes to call in and confirm their ability to work the nonscheduled overtime, before mandatory overtime is required of the on duty member. The first available call in will receive the nonscheduled overtime. If an individual agrees to work unscheduled overtime, the date and time will be noted on the callback list as time worked.~~
- (15) ~~If a vacancy occurs after shift change due to unforeseen emergencies and no one is available to fill the vacancy, the supervisor will send out a page, advising of the needed position or positions, with a request to call the Captain's office or Dispatch if available. If a page is not successful in recruiting personnel, the supervisor will use the call list to try and find personnel to fill the vacancy. Staff personnel can be used on a temporary basis to staff apparatus. If necessary, mandatory overtime will be required of any personnel contacted.~~
- (16) ~~During an emergency where personnel are needed to staff apparatus, the Shift Commander will contact Dispatch or utilize the paging system at the station to request personnel to staff reserve apparatus. Standby personnel will be utilized whenever it is projected that crews will be committed for two hours or longer. Off shift callback/recall for emergencies will not be charged as time in the normal overtime list.~~
- (17) ~~The Fire Marshal, and/or Training Lieutenant will monitor their pagers after normal working hours and respond when available for fires, special rescues, and other large scale incidents.~~
- (18) ~~For special events, a sign up sheet will be provided allowing personnel the option of working a special event.~~

#### **MANDATORY OVERTIME/CALLBACK**

~~For special situations or emergencies requiring personnel, a page will be sent out~~

~~requesting personnel to report to the headquarters station, the South Beach Fire Station, or a specified location for duty.~~

- ~~(19) — A mandatory recall for duty is required by all personnel to staff equipment due to a potential hurricane or other disaster. A department callback will be issued using the paging system, but may require the use of the telephone system. All personnel should report for duty and staff reserve apparatus as quickly as possible.~~
- ~~(20) — Mandatory overtime will be required at shift time when the Shift Supervisor or his designated officer determines that no off going personnel are available or agree to fill a vacancy. The Shift Supervisor will determine, based on the overtime list/dot system, who is the next person required to work mandatory overtime.~~
- ~~a) — A mandatory overtime list will be kept in the "Overtime Book" recording the dates of when an employee worked mandatory overtime. A dot/mark system will also be used and updated as needed on the status board. This will identify the individual who will be required to work if mandatory overtime is necessary. The member in each rank (Lieutenant, Fire Engineer, or Firefighter), who has not worked mandatory overtime for the longest period of time, will be the next member required to work the mandatory overtime slot. If a member is off duty when he/she is required to work mandatory overtime, the responsibility moves to the next member with the earliest date on the list. The responsibility will stay with the member who has not worked in the longest period of time (earliest date on the list).~~
- ~~b) — The individual chosen to work mandatory overtime is responsible for working the time frame or shift, however he/she will be allowed to find a substitute who is willing to work their time if they choose.~~
- ~~e) — A page may be sent out requesting persons interested in working overtime to call the Shift Supervisor. If an individual who calls in and is available to work and is the same rank or approved by the Shift Commander, he/she will be allowed to substitute for the mandatory overtime.~~
- ~~d) — Mandatory overtime or substitute hours worked will not affect the individual's status on the overtime list.~~
- ~~e) — If a person has a pre-approved leave or vacation scheduled, they will not be required to work mandatory overtime during that period. If mandatory work is required, it will fall to the next individual on the list.~~

- (21) ~~Mandatory callback may be required during large scale events with a large number of people.~~
- (22) ~~If a person is not able or fit to report to duty due to special circumstance, he/she will advise the Shift Commander/officer of the reason.~~

ARTICLE 25

## ON THE JOB INJURY

- 25.1 Any regular employee covered by this Agreement who sustains a temporary or permanent disability as a result of accidental injury in the course of an arising out of employment by the City shall receive all benefits required by the Workers Compensation Laws of the State of Florida. Regular employees who are absent on account of injury, for which Workers Compensation is authorized, shall, upon written request to the City Manager, be allowed to take On-the-Job-Injury Leave in an amount requested in addition to Workers Compensation; except, however that in no case shall the total amount paid for both Workers Compensation and OJI Leave exceed the amount of wages to which the employee would ordinarily have been entitled had he/she not been injured. (The amount of OJI Leave when combined with the Workers Compensation amount shall equate to the employee's normal net after all deductions have been taken.) Any amount paid to the employee by the City for OJI Leave which is subsequently paid through Workers Compensation and results in payment exceeding the employees normal salary as outlined above shall be reimbursed by the employee to the City.
- 25.2 On-the-Job-Injury Leave granted shall be in addition to normal accrued sick or vacation leave. Any employee so injured must report the accident to his/her supervisor before the end of the shift during which the accident occurred or not later than 72 hours thereafter to the on duty supervisor.
- 25.3 Employees receiving On-the-Job-Injury Leave shall not work at any secondary jobs or at any outside employment, unless such employment has been authorized by the City's ~~Workers' Comp Administrator~~ in its sole discretion. Failure to observe this rule shall result in forfeiture of any On-the-Job-Injury Leave.

ARTICLE 34

## SALARIES

34.1 All employees shall be compensated in accordance with the pay schedule attached hereto and made a part thereof, referred to as Schedule A.

34.2 ~~Each employee shall progress in the pay plan as follows:~~

~~1) When an employee is promoted to a higher rank, the employee shall receive a 14.5% pay increase and, if this increase places the employee between steps in the new pay scale, the employee shall be placed in the next higher step. In no event shall an employee who is promoted be placed in a step in the pay plan that is more than one step below the step the employee was in before the promotion. When a Firefighter/Engineer satisfactorily completes the initial probationary period in the position, the employee shall advance one step in the pay plan, which shall be in addition to any annual performance step increases for which the employee may be eligible.~~

~~2) Any Lieutenant assigned to the Training Lieutenant position shall advance one step for the period of time the employee serves as the Training Lieutenant. This increase shall only be in effect while the employee is serving as Training Lieutenant, and at such time as the employee assumes a position other than the Training Lieutenant position, the employee shall revert one step in the pay plan. If the employee is at the top of the pay plan at the time the employee assumes the Training Lieutenant position, the employee shall be paid an additional 3% per hour for the time the employee serves as Training Lieutenant.~~

~~3) Other than as set forth above, there shall be no across the board increase or merit salary advancement to the employees' wages effective November 15, 2012.~~

~~Effective November 15, 2012, an employee may be eligible for an EXCEL (Excellent City Employees with Longevity) award. This award is based upon satisfactory service as determined by the annual performance appraisal. Employees who do not receive satisfactory performance evaluations are not eligible for an EXCEL award. EXCEL awards may be \$500 for a "Meets Standards" evaluation and \$1000 for an "Exceeds Standards" evaluation. The amount of the EXCEL award will be provided in one lump sum and is not added to the employee's base pay. Appropriate tax exclusions will be made from the above amount. EXCEL awards may be awarded once every year.~~

34.2 Appointments and Starting Rates.

1) The minimum salary established for a position is considered the normal appointment rate for new employees.

2) Appointments above the minimum salary may be authorized by the City Manager if the applicant's training, experience or other qualifications are substantially above those required for the position.

### 34.3 Administration of the Pay Plan.

- 1) The Pay Grade Schedule provides pay grades and salary ranges in hourly and annual amounts. Minimums, maximums and midpoints are identified.
- 2) An employee may receive a salary increase by means of a merit salary advancement, promotion or reclassification, provided there is an availability of funds.
- 3) The rate of pay of an employee within the pay grade will depend on merit. There are no provisions in the pay plan for automatic salary advancement as all merit increases are to be based upon work performance and other pertinent factors as evaluated by the employee's supervisor.
- 4) The City Manager may approve special salary increases based on evaluation of performance.

### 34.4 Merit Increases

- 1) A merit salary advancement is a salary increase within the same pay grade and is not considered to be automatic but based upon an evaluation of performance of an individual.
- 2) An employee is eligible for a merit salary advancement on the anniversary date of his/her employment in the position, as warranted by performance.
- 3) Rules guiding the performance evaluation system determine whether there will be no increase or the increase will be 2% to 3% of the midpoint within the employee's current pay grade. Recommendations for no increase or salary decrease must be justified.
- 4) Merit increases in excess of 2% of the midpoint within the applicable pay grade may be justified for employees deserving special recognition and must be approved by the City Manager.

### 34.5 Promotional and Probationary Increases

When an employee is promoted to a higher rank, the employee shall receive a 14.5% pay increase. When a Firefighter/Engineer satisfactorily completes the initial probationary period in the position, the employee shall be eligible for a merit salary increase of 3% to 5% over the employee's current rate of pay, which shall be in addition to any annual merit increases for which the employee may be eligible.

### 34.6 Special Assignment

Any Lieutenant assigned to the Training Lieutenant position shall receive a 5% salary increase for the period of time the employee serves as the Training Lieutenant. This increase shall only be in effect while the employee is serving as Training Lieutenant, and at such time as the employee assumes a position other than the Training Lieutenant position, the employee's salary shall be decreased by 5%.

34.7 EXCEL (excellent City Employees with Longevity) Program

- 1) An employee may be eligible for a lump sum award of 2% to 3% of the midpoint within the employee's current pay grade, based upon the performance evaluation, once the individual has achieved progression to the maximum pay in the assigned pay grade. EXCEL awards will be provided in one lump sum and will not be added to the employee's base pay. Appropriate tax exclusions will be made.
- 2) EXCEL lump sums may be awarded once every year. An EXCEL award shall not be given during the same year as a merit increase. Exception is granted if the individual is recommended for an increase and in order to award the increase it is necessary to combine the merit increase with a lump sum EXCEL amount so that the employee's pay rate does not exceed the maximum rate for the pay grade.

34.8 Effective Date

The Position Classification and Pay Plan shall be effective on June 1, 2014 and shall remain in force and effect until May 31, 2016, at which time it will expire.

- 34.9 All bargaining unit employees who have not reached the maximum salary for their pay grade shall receive a 1.0% increase over their current rate of pay on the effective date of this agreement. Employees who have reached the maximum salary for the assigned pay grade shall receive a lump sum payment in the gross amount of 1.0% of their annual salary. This shall be a one-time across the board increase and no further increases shall be automatic.

ARTICLE 35

## DRUG POLICY

**I. DEFINITIONS**

1. "Alcohol" means ethyl alcohol (ethanol). References to use of alcohol include use of a beverage, mixture or preparation containing ethyl alcohol.
2. "Illegal Drugs" means any controlled substance as defined in Section 893.03, Florida Statutes, as amended from time to time, not possessed or taken in accordance with a lawful prescription.
3. "Reasonable suspicion" means a suspicion based upon specific objective facts and articulable circumstances that are able to be drawn from these facts in light of the observers experience.
4. "Drug Abuse" means the ingestion of any controlled substance as defined in Section 893.03, Florida Statutes, as amended from time to time, not pursuant to a lawful prescription. The term drug abuse also includes the commission of any act prohibited by Chapter 893, Florida Statutes, as amended from time to time.
5. "Drug Test" includes an immunoassay screen; all positive initial results will be confirmed by retesting the same urine sample by a second analytical procedure (currently gas chromatography/mass spectrometry (GCMS)).
6. "Employee" means a person who performs services for compensation and is covered by the Worker's Compensation Act.
7. "Employee Assistance Program" means an established program for employee assessment, counseling, and referral to an alcohol and drug rehabilitation program.
8. "Medical Review Officer (MRO)". Refers to licensed physician responsible for receiving laboratory results generated by the City's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his or her medical history and any other relevant biomedical information.
9. "Under the Influence" means, for alcohol, .05 blood alcohol level and for drugs, the cutoff levels set by the National Institute on Drug Abuse (NIDA). Traces of alcohol between .01-.04 which do not fall under this definition shall still be considered cause for disciplinary action.

## II. INTRODUCTION

Alcohol and drug abuse have become one of the nation's greatest problems. Unfortunately, we are not immune to such problems in the workplace. The City will not accept any risk that the safety of our employees, the safety of the general public, the quality of our services or work productivity may be impaired by the abuse of alcohol or use of illegal drugs.

This policy is implemented pursuant to Executive Order 12584 (Drug Free Workplace Act), the drug free workplace program requirements set forth in §440.102 of the Florida Workers' Compensation Act, the Florida Administrative Rules 59A-24, Drug Free Workplace Standards (440.102), 49 C.F.R. Part 391 - Department of Transportation Controlled Substance Testing, 49 C.F.R. Part 40-Department of Transportation Procedures for Workplace Drug Testing Program and §316.302 Florida Statutes, traffic and safety for commercial motor vehicles.

## III. POLICY

It is the policy of the City to maintain a drug-free workplace. As a condition of continued employment, all employees must refrain from using illegal or unprescribed drugs on or off the job and abide by the terms of this policy. It is a condition of employment that employees do not report to work with the presence of drugs or alcohol in their bodies. The use, sale, manufacture, distribution, purchase, possession, dispensing, or being under the influence of illegal drugs or non-prescribed controlled substances on or off the job is strictly prohibited.

The use, sale, distribution, possession or being under the influence of alcohol on City property, while on City business or while operating a City owned or leased vehicle (or any vehicle being used for City business) is strictly prohibited. The use of alcoholic beverages by City employees on City premises or on City assignment may take place only when part of an approved city function. The authorization of alcoholic beverages at such functions does not relieve employees from the responsibility of exercising moderation and judgment so as not to represent a danger to themselves, other employees, the general public, or the City's reputation.

In order to detect the use of these substances, as described above, employees may be directed to submit to urinalysis drug tests, blood tests, breath or saliva tests. Any applicant who refuses to submit to the pre-employment drug tests or who tests positive for drugs or alcohol shall be ineligible for hire and any offer of hire is conditioned upon satisfactory drug test results. Employees, where reasonable suspicion has been found or employee has been ticketed, who refuse to be tested, who test positive for drugs or alcohol or who upon confrontation admit inappropriate or illegal usage of drugs or alcohol will be subject to discipline, up to and including termination of employment, and any illegal drugs found on City property will be turned over to appropriate law enforcement authorities. An employee injured on the job who refuses a drug test or whose test is confirmed positive will forfeit all workers' compensation medical and indemnity benefits in addition to any disciplinary action.

Employees with substance abuse problems are urged to discuss a rehabilitation option with their Employee Assistance Provider. Employees who voluntarily come forward and admit (without being directed to submit to testing and absent any misconduct or injury or property damage) to being a user of illegal drugs shall be offered the opportunity for counseling or

rehabilitation. Employees who wish to contact the City Employee Assistance Program directly are encouraged to do so. This is a confidential service that can be utilized without City involvement. Information regarding this assistance program is attached and if you have any questions please contact the Human Resources Department or your supervisor.

#### IV. RULES

##### A) Prohibition

- 1) Use or possession of any illegal drug is prohibited.
- 2) Possession of alcohol while on City premises or on duty is prohibited.
- 3) Being under the influence of any illegal drug or alcohol while on duty is prohibited.
- 4) Sale, manufacture, distribution, or dispensation of any illegal drugs is prohibited.

EXCEPTION: Use or possession of a controlled drug that is prescribed to an employee is permitted as prescribed for and used by that employee only. Employees are required to notify their supervisor if they are taking any medication that may impair their normal faculties causing drowsiness, blurred vision, etc. before they report to duty.

##### B) Circumstances Warranting Testing

- 1) "Job applicants" will be required to undergo testing as part of their employment physical before they can start work. Refusal to submit to a drug test or a positive confirmed drug test will exclude an individual from employment consideration or, if a conditional offer of hire has been made, the offer will be canceled.
- 2) If the City has "Reasonable suspicion" that an employee has consumed or is under the influence of alcohol or illegal drugs the employee will be asked to undergo a urinalysis and/or blood test as directed. Reasonableness will be established when two managerial/supervisory employees concur that there is a reasonable suspicion that an employee is using, under the influence of, in possession of illegal drugs or alcohol while on duty, or that the employee is abusing illegal drugs or alcohol which is affecting job performance or represents a threat to the safety of the employee, his co-workers, or the public.
- 3) Routine Fitness For Duty. The City will require a drug test during the annual medical examination and any time an employee is referred to a physician for a fitness for duty examination.
- 4) After-care monitoring. Anytime within two years after an employee has tested positive for the presence of illegal drugs or alcohol or two years after completing initial rehabilitation, whichever is later is subject to follow-up testing.

## C) Tests

- 1) Whenever an employee or applicant is required to be tested they shall provide urine or blood specimens as directed by the City contracted collection/testing facility.
- 2) Testing/collection shall be conducted at a City contracted facility. Testing will be conducted in accordance with U.S. Department of Health & Human Services and NIDA guidelines. Post accident testing will also be conducted in accordance with the Florida Workers' Compensation guidelines and positive test results will be reported to the insurance carrier.
- 3) The type of tests to be conducted will be determined by the City in compliance with applicable Federal and State Laws. A listing of the drugs for which an individual will be tested shall be provided immediately prior to the test and shall include but not be limited to the following: alcohol, amphetamines, barbiturates benzodiazepines, cannabinoids, cocaine/cocaine metabolite, opiates and phencyclidine. The City reserves the right to test for additional drugs upon advance notice.

When an employee tests positive on an initial test a confirming test will be included in the testing procedure.

- 4) Any employee or applicant scheduled for testing has the right to consult the testing laboratory for technical information regarding prescription and nonprescription medication.
- 5) The City shall pay for the costs of any tests it requires.
- 6) An applicant who refuses to submit to substance abuse testing will not be eligible for hire. Any employee who refuses to submit to substance abuse testing will be subject to discharge.
- 7) Employees required to be tested shall be driven to the testing facility by the City. Under no circumstance is an employee suspected of drug or alcohol abuse to be allowed to drive his/herself to a test facility. Picture identification is required at the testing site.
- 8) Confidential History of Medication. Prior to any drug or alcohol testing, applicants and employees will be provided confidential "History of Medication" forms on which to report to an independent Medical Review Officer ("MRO") the use of prescription and non-prescription medications before being tested. Individuals testing positive for drug or alcohol use will be given an additional opportunity to provide this information to the MRO after being tested. A list developed by the Agency for Health Care Administration, of the most common drugs or medications (by brand name or common name, as well as by chemical

name) which may alter or affect a drug test, is attached to this policy. The Medical Review Officer may also be consulted for technical information concerning prescription or nonprescription medication.

D) Explanation of Test Results

An applicant or employee who receives a positive confirmed drug test result may contest or explain the result to the MRO within five (5) working days after written notification of the positive test result. If an employees' or applicant's explanation or challenge is unsatisfactory to the MRO, the MRO will report the positive test result to the employer.

The employer then has another five (5) working days to contact the employee or applicant again to advise him/her of the test result and the employee's right to appeal. The employee may contest the test result as provided by the Rules of the Division of Workers' Compensation by filing a claim for benefits with a Judge of Compensation Claims or, if no injury has occurred, with a court of competent jurisdiction. Any such challenge must be filed within 30 days after the individual receives notice that his or her explanation of the test result was unsatisfactory. In addition, at the individuals' own expense, the applicant or employee may request to have a portion of the specimen retested at a state approved testing facility. If the individual contests the test result, the laboratory must be notified by the employee. The applicant or employee must also notify the laboratory of any administrative or civil action filed pursuant to Florida Statute Chapter 440.

E) Confidentiality

All information gathered as a result of a drug test on applicants or employees shall be considered confidential and maintained separately from personnel records. Information may be released only under a "need to know" basis or if authorized by law. Any individual found to violate this confidentiality, will be subject to disciplinary action up to and including discharge.

F) Arrest or Conviction for Drug-Related Offenses

Any employee who is either arrested, indicted or convicted of a drug or alcohol related violation must report this information to his or her Supervisor no later than five (5) days after such arrest, indictment or conviction. Any employee who is convicted of drug or alcohol charges, may be subject to discipline, up to and including termination of employment

G) Violations

1. Drugs

- a) Applicants If applicants test positive they shall be considered ineligible for employment for a period of one year from the date of the test.

Employees - If an employee tests positive for being under the influence while on duty or when questioned by a superior officer admits illegal or inappropriate usage:

1) 1st incident of positive results- Disciplinary action shall be issued which shall include at minimum a suspension. Any employee retained shall be offered a rehabilitation option as a condition of continued employment. Failure to accept rehabilitation or to complete rehabilitation shall be cause for immediate dismissal.

Cost of rehabilitation shall be the employees responsibility, however it shall be coordinated with any insurance or EAPS provided by the City.

2) 2nd incident of positive results-the employee will be immediately dismissed.

b) Selling or Possessing Illegal Drugs:

Employees found to be selling or possessing drugs shall be turned over to the local authorities. The City shall also take any disciplinary action it deems appropriate up to and including termination. Conviction of any of the above offenses will result in termination of employment.

2. Alcohol

a) Under the Influence of Alcohol

Positive Test Results:

Applicants - If applicants test positive they shall be considered ineligible for employment for a period of one year from the date of the test.

Employees - If an employee tests positive for being under the influence while on duty:

1) 1st incident of positive results-the employee will receive a disciplinary suspension and referred to the EAP.

2) 2nd incident of positive results-Disciplinary action shall be issued by the City. Where the City determines it is appropriate, the employee may be offered a rehabilitation option as a condition of continued employment. Failure to accept rehabilitation or to complete it shall be cause for immediate dismissal.

Any further incident -- the employee will be immediately dismissed.

Cost of rehabilitation shall be the employee's responsibility, however, it

shall be coordinated with any insurance or EAPS provided by the City.

b) Possessing Alcohol on City premises or while on duty:

Employees found to be using or possessing alcohol on City premises or while on duty shall face disciplinary action up to and including termination of employment. (Exception see page 4 "Exception").

3. Supervisors. Supervisors who observe or have knowledge of employees committing any of the prohibitions of this policy are required to take appropriate action. Failure to do so will result in disciplinary action up to and including dismissal.

ARTICLE 40

ENTIRE AGREEMENT

- 40.1 The parties acknowledge that during the negotiations which resulted in this Agreement, each had the unlimited rights and opportunity to make demands and proposals with respect to any subject or matter not removed by law from the area of collective bargaining, and that the understandings and agreements arrived at by the parties after the exercise of that right and opportunity are set forth in this Agreement. Therefore, Management and the Union for the duration of the Agreement, each voluntarily and unqualifiedly waives the right, and each agrees that the other shall not be obligated to bargain collectively with respect to any subject matter not specifically referred to, or covered in this Agreement even though such subject or matter may not have been within the knowledge or contemplation of either or both of the parties at the time they negotiated or signed this Agreement. This article shall not be construed to in any way restrict parties from commencing negotiations on or about May 31, 2017 in order to negotiate an agreement to take effect upon termination of this Agreement.
- 40.2 This agreement shall take effect on June 1, 2014 and shall remain in force up to and including May 31, 2017.
- 40.3 The City and the Union agree to reopen Wages (Article 34) by no later than May 31, 2016.

IN WITNESS WHEREOF, the parties have set their signatures this \_\_\_ day of \_\_\_\_\_, 2014.

FOR THE CITY:

FOR THE UNION:

\_\_\_\_\_  
William C. Latham, Mayor

\_\_\_\_\_  
Shawn O'Shell, President

\_\_\_\_\_  
George D. Forbes, City Manager

\_\_\_\_\_  
Judy Bullock, City Clerk

## SCHEDULE A

PAY GRADE SCHEDULE			
	MINIMUM	MIDPOINT	MAXIMUM
400	\$11.74	\$12.09	\$12.44
FIREFIGHTER	\$34,186.88	\$35,206.08	\$36,225.28
401	\$13.82	\$16.67	\$19.51
FIREFIGHTER/ENGINEER	\$40,243.84	\$48,543.04	\$56,813.12
402	\$17.20	\$20.20	\$23.19
LIEUTENANT	\$50,086.40	\$58,822.40	\$67,529.28
403	\$24.08	\$28.28	\$32.47
TRAINING/SAFETY LIEUTENANT	\$50,086.40	\$58,822.40	\$67,537.60

City of  
Jacksonville Beach  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
Phone: 904.247 6274  
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June 6, 2014

## MEMORANDUM

TO: George D. Forbes  
City Manager

From: Harry E. Royal  
Finance Officer

RE: Revision of Investment Policy

### ACTION REQUESTED:

Adopt Resolution No. 1934-2014 revising City of Jacksonville Beach Investment Policy for Operating Funds,

### BACKGROUND:

Pursuant to Florida Statute 218.415, the City of Jacksonville Beach adopted a written investment policy for operating funds in April 2, 2012. Our investment advisors, Bogdahn Group, have recommended the following changes in our investment policy

- Amending our investment policy for operating funds to increase the maximum maturity of bond investments from 5 to 7 years.
- Increasing the allowable allocation from 50% to 60% for funds invested in United States Government agencies, non-negotiable interest bearing time certificates of deposit, and directly invested corporate notes.
- Authorizing the controlled use of foreign bonds that issue U.S. registered securities (provided they meet all other investment policy qualifications) in the City's professional managed bond portfolios.

It is the opinion of Bogdahn Group that the recommended amendments to the investment policy will enhance yield benefits and more than offset any incremental risk in the portfolio.

In compliance with in Section 218.415, Florida Statutes, the primary objective of our investment policy is preservation of capital. In keeping with that objective, the changes in the investment policy recommended by Bogdahn Group should improve investment returns while only slightly increasing investment risk. Copies of the proposed revised investment policy, Bogdahn Group's recommendation



letter, and a table summarizing the proposed investment policy changes are attached to this memorandum.

**RECOMMENDATION:**

Adopt Resolution No. 1934-2014 revising City of Jacksonville Beach Investment Policy for Operating Funds.



FROM: Troy Brown & Daniel Johnson  
 TO: Harry Royal  
 DATE: April 11, 2014  
 RE: City of Jacksonville Beach Investment Policy Revisions

We polled each of the City's investment managers regarding the challenges the current Investment Policy Statement (IPS) presents in the current market environment. We also asked what potential revision(s) would have the highest impact on each manager's ability to exceed his respective benchmark. Our inquiry clearly expressed our primary interest in receiving suggestions aiming to increase each manager's flexibility without substantially altering the overall conservative risk profile of the City's portfolio.

The suggested changes are redlined in the attached IPS. The substantive changes are also summarized with comments in the table below.

Current IPS	Revision	Description
Maximum maturity of 5 years	Maximum effective maturity of 7 years	Various maturity limitations were identified by each of the City's managers for potential revision. This revision provides greater flexibility in portfolio design by authorizing a broader spectrum of securities to consider. The "effective maturity" language clarification has already been provided to each of the managers in their IPS addendums. This language moves the clarification up to the City's IPS.
Holding limits of 25% or 50% on non-Treasury securities	Holding limit of 60% on non-Treasury securities	The large limitation on corporate securities was identified by each of the City's managers as a significant restriction. For flexibility and consistency, we are recommending a flat holding limit of 60% for Agency, corporate and municipal securities.
U.S. corporate issuer restriction	Non-U.S. corporate securities allowed	We expanded corporate securities to include Non-U.S. securities issues in U.S. Dollars (Toyota, etc.). This will greatly expand the universe of investments available to managers and improve portfolio diversification. Of the 1,273 unique securities in the Barclays 1-5 year A or better index, 462 are from non-U.S. issuers. This represents an increase of over 56% from the 811 unique bonds currently permitted.
Asset-Backed Securities (ABS) not mentioned	Clarified as corporate securities	The ABS language clarification has already been provided to each of the managers in their IPS addendums. This language moves the clarification up to the City's IPS.
Benchmark	Broadened	Since the City's investment portfolio is now represented by a number of portfolio managers and benchmarks, we broadened the benchmark language.

We are happy to review and discuss these changes with the City Council. Please contact us if you have any questions.

## Summary of Proposed Investment Policy Updates

City of Jacksonville Beach

*Given the challenges investors are facing in the current bond market environment, we conducted discussions with the City's various investment managers regarding incremental changes to the investment policy that would enhance the ability to add value above each manager's benchmark.*

*A summary of the highest impact changes, along with potential benefits and risks, is detailed below:*

Current IPS*	Suggested Revision	Potential Benefits	Potential Risks
Maximum maturity of 5 years	Maximum effective maturity of 7 years	<ul style="list-style-type: none"> <li>- Increased opportunity set across various bond sectors</li> <li>- Increased portfolio diversification</li> <li>- Increased ability to actively manage yield curve position and duration of the portfolio</li> <li>- Incremental yield pick-up and enhanced total return</li> </ul>	<ul style="list-style-type: none"> <li>- Modest increase in yield curve risk</li> </ul>
Holding limits ranging from 25% to 50% for non-Treasury securities	Holding limit of 60% for non-Treasury securities	<ul style="list-style-type: none"> <li>- Increased opportunity set across various bond sectors</li> <li>- Increased portfolio diversification</li> <li>- Increased ability to actively manage portfolio structure during various market conditions</li> <li>- Incremental yield pick-up and enhanced total return</li> </ul>	<ul style="list-style-type: none"> <li>- Modest increase in credit/spread risk</li> </ul>
U.S. corporate issuer restriction	Non-U.S. corporate securities allowed	<ul style="list-style-type: none"> <li>- Increased opportunity set within corporate sector</li> <li>- Increased portfolio diversification within corporate sector</li> <li>- Incremental yield pick-up and enhanced total return</li> </ul>	<ul style="list-style-type: none"> <li>- Can introduce country/geopolitical risk into the portfolio</li> </ul>
Asset-Backed Securities (ABS) not mentioned	Clarified as corporate securities	<ul style="list-style-type: none"> <li>- Clarification of a security type commonly used in portfolio management that is not currently defined in the policy</li> </ul>	<ul style="list-style-type: none"> <li>- None</li> </ul>
Benchmark	Broadened	<ul style="list-style-type: none"> <li>- More accurately measure the value added by each manager</li> </ul>	<ul style="list-style-type: none"> <li>- None</li> </ul>

***The Bogdahn Group recommends the adoption of each policy change.***

\*IPS = Investment Policy Statement

Introduced By: \_\_\_\_\_

Adopted: \_\_\_\_\_

**RESOLUTION NO. 1934-2014**

**A RESOLUTION TO MODIFY THE INVESTMENT  
POLICY FOR CITY OPERATING FUNDS**

**WHEREAS**, Florida Statute 218.415 provides for the types of investments in which a local government is authorized to invest through a formally adopted written investment policy, or pursuant to those types of investments specifically authorized by state statutes.

**WHEREAS**, the City previously developed and adopted a written investment policy to govern the investment of City funds in compliance with the authorized investment guidelines in the state statutes.

**WHEREAS**, the City wishes to amend the current investment policy to allow greater flexibility in the current bond market environment by making changes regarding maximum bond maturity, the allowable percentage allocation of non-Treasury bond investments, and allowing investment in foreign securities issued by corporations operating in the United States.

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

**Section 1.** That the Investment Policy dated April 2, 2012 is hereby amended by the City as provided in the revised investment policy dated June 16, 2014.

**Section 2.** All Resolutions in conflict with this resolution are hereby repealed.

**Section 3.** This Resolution shall take effect upon its adoption.

**AUTHENTICATED** this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2014.

\_\_\_\_\_  
William C. Latham, MAYOR

\_\_\_\_\_  
Judy Bullock, CITY CLERK

(SEAL)

Attest:

By: \_\_\_\_\_  
City Clerk

**Investment Policy**  
**City of Jacksonville Beach**

| ~~April 2, 2012~~

| June 16, 2014

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**ATTACHMENT: GLOSSARY OF CASH AND INVESTMENT MANAGEMENT TERMS**

## **I. PURPOSE**

The purpose of this policy is to set forth the investment objectives and parameters for the management of public funds of the City of Jacksonville Beach, Florida (hereinafter "City"). These policies are designed to ensure the prudent management of public funds, the availability of operating and capital funds when needed and an investment return competitive with comparable funds and financial market indices.

## **II. SCOPE**

In accordance with Section 218.415, Florida Statutes, this investment policy applies to the investment of public funds in excess of the amounts needed to meet current expenses, which includes cash and investment balances of the following funds:

- General Fund
- Special Revenue Funds
- Capital Projects Funds
- Enterprise Funds
- Internal Service Funds
- Trust and Agency Funds

This policy does not apply to the investment of principal, interest, reserve, construction, capitalized interest, redemption, or escrow accounts created by ordinance or resolution pursuant to the issuance of bonds where the investments are held by an authorized depository. This policy does not apply to funds not under investment control of the City; such as, the Police Officers' Retirement System, the Firefighters' Retirement System, and the General Employees Retirement System.

## **III. INVESTMENT OBJECTIVES**

**Safety of Principal** - Safety of principal is the foremost objective of the investment program. Investments of the City of Jacksonville Beach shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. The portfolio should be structured to minimize losses, whether they may be from securities defaults, theft, or the impact of adverse market conditions.

**Liquidity** - The next most important objective is to provide sufficient liquidity to allow for quick conversion of investments to cash easily and rapidly with minimum market impact to meet its operating, payroll and capital requirements. To the extent possible, the City of Jacksonville Beach will match its investments with anticipated cash flow requirements.

**Yield** - Investment portfolios shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and liquidity needs. Return on investment is of least importance compared to the safety and liquidity objectives described above. The core of investments is limited to relatively low risk securities in anticipation of earning a fair return relative to the risk being assumed.

**Diversification** - Investments held should be diversified to the extent practicable to control the risk of loss resulting from overconcentration of assets in a specific maturity, issuer, instrument, dealer, or bank through which financial instruments are bought and sold.

#### **IV. AUTHORITY FOR INVESTMENT ACTIVITIES AND TRANSACTIONS**

The responsibility for providing oversight and direction in regard to the management of the investment program resides with the City's Finance Officer. In addition, the management of all investment transactions for all City funds in the investment program and investment transactions is the responsibility of the Finance Officer. The Finance Officer shall establish written procedures for the operation of the investment activities and a system of internal accounting and administrative controls to regulate the investment transactions. The City may employ one or more investment managers to assist in managing the investment of the City's funds. Such investment manager must be registered under the Investment Advisors Act of 1940.

#### **V. STANDARDS OF PRUDENCE**

The standard of prudence to be used by investment officials shall be the "Prudent Person" standard and shall be applied in the context of managing the overall investment program. The Prudent Person standard is as follows:

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived from the investment.

While the standard of prudence to be used by the City's staff is the Prudent Person standard, any person or firm (investment professional) hired or retained to invest, monitor, or advise concerning these assets shall be held to the higher standard of "Prudent Expert". The standard shall be that in investing and reinvesting moneys and in acquiring, retaining, managing, and disposing of investments of these funds, the investment professional shall exercise: the judgment, care, skill, prudence, and diligence under the circumstances then prevailing, which persons of prudence, discretion, and intelligence, acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of like character and with like aims by diversifying the investments of the funds, so as to minimize the risk, considering the probable income as well as the probable safety of their capital.

#### **VI. ETHICS AND CONFLICTS OF INTEREST**

The City's staff involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Also, employees involved in the investment process shall disclose to the City any material financial interests in financial institutions that conduct business with the City, and they shall further disclose any material personal financial/investment positions that could be related to the performance of the City's investment program.

#### **VII. INTERNAL CONTROLS AND INVESTMENT PROCEDURES**

The Finance Officer shall establish a system of internal controls and operational procedures that are designed to prevent losses of funds, which might arise from fraud, employee error, and misrepresentation by third parties, or imprudent actions by employees. No person may engage in an investment transaction except as authorized under the terms of this policy.

Independent auditors as a normal part of the annual financial audit to the City shall conduct a review of the system of internal controls to ensure compliance with policies and procedures.

## VIII. CONTINUING EDUCATION

The Finance Officer and/or his designee responsible for making investment decisions shall annually complete eight (8) hours of continuing education in subjects or courses of study related to investment practices and products.

## IX. AUTHORIZED INVESTMENT INSTITUTIONS AND DEALERS

The Finance Officer shall maintain a list of financial institutions and broker/dealers that are approved for investment purposes ("Qualified Institutions"). Only firms meeting one of the following requirements shall be eligible to serve as Qualified Institutions:

- A. The firm must comply with all of the following requirements.
  - i. Primary and regional dealers that qualify under Securities and Exchange Commission Rule 15 C3-1 (uniform net capital rule);
  - ii. Capital of no less than \$10,000,000;
  - iii. Registered as a dealer under the Securities Exchange Act of 1934;
  - iv. A member of the Financial Industry Regulatory Authority (FINRA);
  - v. Registered to sell securities in Florida; and
  - vi. The firm and assigned broker have been engaged in the business of effecting transactions in U.S. government and agency obligations for at least five (5) consecutive years; or,
- B. Public Depositories qualified by the Treasurer of the State of Florida, in accordance with Chapter 280, Florida Statutes.
- C. Qualified Public Depositories may provide the services of a securities dealer through a Section 20 subsidiary of the financial institution.
- D. Direct issuers of commercial paper and bankers' acceptances.

## X. MATURITY AND LIQUIDITY REQUIREMENTS

To the extent possible, an attempt will be made to match investment maturities with known cash needs and anticipated cash flow requirements. Unless otherwise restricted in the "Authorized Investments" section of this policy, investment investment maturities shall not exceed an effective maturity of sevenfive (57) years.

## **XI. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS**

After the Finance Officer or the investment manager has determined the approximate maturity date based on cash flow needs and market conditions and has analyzed and selected one or more optimal types of investments, a minimum of three (3) qualified banks and/or approved broker/dealers must be contacted and asked to provide bids/offers on investments in question. Bids will be held in confidence until the bid deemed to best meet the investment objectives is determined and selected. However, if obtaining bids/offers are not feasible and appropriate, investments may be purchased utilizing the comparison to current market price method on an exception basis. Acceptable current market price providers include Bloomberg or other similar industry sources.

Examples of when this method may be used include:

- A. When time constraints due to unusual circumstances preclude the use of the competitive bidding process
- B. When no active market exists for the issue being traded due to the age or depth of the issue
- C. When a security is unique to a single dealer, for example, a private placement
- D. When the transaction involves new issues or issues in the "when issued" market

Overnight sweep investments are not required to be bid, but may be placed with the City's depository bank relating to the demand account for which the repurchase agreement was purchased.

From time to time, securities may be purchased at a premium or traded for other securities to improve yield, maturity or credit risk. For these transactions, a loss may be incurred for accounting purposes to achieve optimal investment return, provided any of the following occurs with respect to the replacement security:

- A. The yield has been increased, or
- B. The maturity has been reduced or lengthened, or
- C. The quality of the investment has been improved

## **XII. AUTHORIZED INVESTMENTS AND PORTFOLIO COMPOSITION**

Investments should be made subject to the cash flow needs and such cash flows are subject to revisions as market conditions and the City's needs change. However, when the invested funds are needed in whole or in part for the purpose originally intended or for more optimal investments, the Finance Officer or the investment manager may sell the investment at the then-prevailing market price and place the proceeds into the proper account.

Investments not listed in this policy are prohibited.

The following are the investment requirements and allocation limits on security types, issuers, and maturities, as established by the City. The Finance Officer shall have the option to further restrict investment percentages from time to time based on market conditions, risk and diversification investment strategies. The percentage allocation requirements for investment types and issuers are calculated based on the market value of each investment.

A. The Florida Local Government Surplus Funds Trust Fund

1. Purchase Authorization

Invest in the Florida Local Government Surplus Funds Trust Fund

2. Portfolio Composition

A maximum of 100% of available funds may be invested in the Florida Local Government Surplus Funds Trust Fund.

B. United States Government Securities

1. Purchase Authorization

Invest in negotiable direct obligations or obligations the principal and interest of which are unconditionally guaranteed by the United States Government. Such securities will include, but not be limited to the following:

Cash Management Bills  
Treasury Securities – State and Local Government Series (“SLGS”)  
Treasury Bills  
Treasury Notes  
Treasury Bonds  
Treasury Strips

2. Portfolio Composition

A maximum of 100% of available funds may be invested in the United States Government Securities.

3. Maturity Limitations

The maximum ~~length to~~ maturity of any direct investment in the United States Government Securities is an effective maturity of seven (7) years from the date of purchase.

C. United States Government Agencies

1. Purchase Authorization

Invest in bonds, debentures or notes which may be subject to call, issued or guaranteed as to principal and interest by the United States Governments agencies, provided such obligations are backed by the full faith and credit of the United States Government. Such securities will include, but not be limited to the following:

Government National Mortgage Association (GNMA)  
-GNMA guaranteed mortgage-backed bonds  
-GNMA guaranteed pass-through obligations  
United States Export – Import Bank

- Direct obligations or fully guaranteed certificates of beneficial ownership
- Farmer Home Administration
  - Certificates of beneficial ownership
- Federal Financing Bank
  - Discount notes, notes and bonds
- Federal Housing Administration Debentures
- General Services Administration
- United States Maritime Administration Guaranteed
  - Title XI Financing
- New Communities Debentures
  - United States Government guaranteed debentures
- United States Public Housing Notes and Bonds
  - United States Government guaranteed public housing notes and bonds
- United States Department of Housing and Urban Development
  - Project notes and local authority bonds

2. Portfolio Composition

A maximum of ~~50~~60% of available funds may be invested in United States Government agencies.

3. Limits on Individual Issuers

A maximum of 25% of available funds may be invested in individual United States Government agencies.

4. Maturity Limitations

The maximum ~~length to~~ maturity for an investment in any United States Government agency security is an effective maturity of seven~~five~~ (57) years from the date of purchase.

D. Federal Instrumentalities (United States Government sponsored agencies)

1. Purchase Authorization

Invest in bonds, debentures or notes which may be subject to call, issued or guaranteed as to principal and interest by United States Government sponsored agencies (Federal Instrumentalities) which are non-full faith and credit agencies limited to the following:

- Federal Farm Credit Bank (FFCB)
- Federal Home Loan Bank or its City banks (FHLB)
- Federal National Mortgage Association (FNMA)
- Federal Home Loan Mortgage Corporation (Freddie-Macs) including Federal - Home Loan Mortgage Corporation participation certificates
- Student Loan Marketing Association (Sallie-Mae)

2. Portfolio Composition

A maximum of ~~50~~60% of available funds may be invested in Federal Instrumentalities.

3. Limits on Individual Issuers

A maximum of 25% of available funds may be invested in individual Federal Instrumentalities

4. Maturity Limitations

The maximum ~~length to~~ maturity for an investment in any Federal Instrumentality security is an effective maturity of seven five (57) years from the date of purchase.

E. Interest Bearing Time Deposit or Saving Accounts

1. Purchase Authorization

Invest in non-negotiable interest bearing time certificates of deposit or savings accounts in banks organized under the laws of this state and/or in national banks organized under the laws of the United States and doing business and situated in the State of Florida, provided that any such deposits are secured by the Florida Security for Public Deposits Act, Chapter 280, Florida Statutes. Additionally, the bank shall not be listed with any recognized credit watch information service.

2. Portfolio Composition

A maximum of ~~50~~60% of available funds may be invested in non-negotiable interest bearing time certificates of deposit.

3. Limits on Individual Issuers

A maximum of 25% of available funds may be deposited with any one issuer.

4. Maturity Limitations

The maximum maturity on any certificate shall be no greater than three (3) years from the date of purchase.

F. Repurchase Agreements

1. Purchase Authorization

a. Invest in repurchase agreements composed of only those investments based on the requirements set forth by the City's Master Repurchase Agreement. All firms are required to sign the Master Repurchase Agreement prior to the execution of a repurchase agreement transaction.

b. A third party custodian with whom the City has a current custodial agreement shall hold the collateral for all repurchase agreements with a term longer than one (1) business day. A clearly marked receipt that shows evidence of ownership must be supplied to the Finance Officer and retained.

c. Securities authorized for collateral are negotiable direct obligations of the United States Government, Government Agencies, and Federal Instrumentalities with effective maturities under seven five (57) years and must

have a market value for the principal and accrued interest of 102 percent of the value and for the term of the repurchase agreement. Immaterial short-term deviations from 102 percent requirement are permissible only upon the approval of the Finance Officer.

2. Portfolio Composition

A maximum of 25% of available funds may be invested in repurchase agreements excluding one (1) business day agreements and overnight sweep agreements.

3. Limits on Individual Issuers

A maximum of 25% of available funds may be invested with any one institution.

4. Limits on Maturities

The maximum length to maturity of any repurchase agreement is 90 days from the date of purchase.

G. Commercial Paper

1. Purchase Authorization

Invest in commercial paper of any United States company that is rated, at the time of purchase, "Prime-1" by Moody's and "A-1" by Standard & Poor's (prime commercial paper).

2. Portfolio Composition

A maximum of 25% of available funds may be directly invested in prime commercial paper backed by a letter of credit from a bank.

3. Limits on Individual Issuers

A maximum of 10% of available funds may be invested with any one issuer.

4. Maturity Limitations

The maximum length to maturity for prime commercial paper shall be 270 days from the date of purchase.

H. Corporate Notes

1. Purchase Authorization

Invest in corporate notes issued by corporations organized and operating within the United States, ~~or~~ by depository institutions licensed by the United States, or by corporations organized outside of the United States that issue securities denominated in United States dollars that have a long term debt rating, at the time of purchase, from at least two of the following rating agencies with minimum ratings as follows: Moody's-; A-, Standard & Poors-; A-, or Fitches-; A-. Corporate notes that were authorized at the time of purchase with an A or better rating by two of the rating agencies listed

above that are subsequently downgraded and no longer qualify as an authorized investment may be held until it is economically feasible to dispose of the security.

2. Portfolio Composition

A maximum of ~~25~~60% of available funds may be directly invested in corporate notes. Asset Backed Securities (ABS) will be considered corporate notes for purchase authorization.

3. Limits on Individual Issuers

A maximum of 5% of available funds may be invested with any one issuer.

4. Maturity Limitations

The maximum ~~length to~~ maturity for corporate notes shall be an effective maturity of seven~~five~~ (5) years from the date of purchase.

I. Bankers' Acceptances

1. Purchase Authorization

Invest in Bankers' Acceptances issued by a domestic bank or a federally chartered domestic office of a foreign bank, which are eligible for purchase by the Federal Reserve System, at the time of purchase, the short-term paper is rated, at a minimum, "P-1" by Moody's Investors Services and "A-1" Standard & Poor's.

2. Portfolio Composition

A maximum of 10% of available funds may be directly invested in Bankers' Acceptances

3. Limits on Individual Issuers

A maximum of 10% of available funds may be invested with any one issuer.

4. Maturity Limitations

The maximum ~~length to~~ maturity for Bankers' Acceptances shall be 180 days from the date of purchase.

J. State and/or Local Government Taxable and/or Tax-Exempt Debt

1. Purchase Authorization

Invest in state and/or local government taxable and/or tax-exempt debt, general obligation and/or revenue bonds, rated at least "AA<sub>-</sub>" by Moody's and "AA<sub>-</sub>" by Standard & Poor's for long-term debt, or rated at least "MIG-1" by Moody's and "SP-1" by Standard & Poor's for short-term debt.

2. Portfolio Composition

A maximum of 10% of available funds may be invested in taxable and tax-exempt debts.

3. Maturity Limitations

A maximum ~~length to~~ maturity for an investment in any state or local government debt security is an effective maturity of seven~~three~~ (37) years from the date of purchase.

K. Registered Investment Companies (Money Market Mutual Funds)

1. Investment Authorization

Invest in shares of open-end or no-load money market mutual funds provided such funds are registered under the Federal Investment Company Act of 1940 and operate in accordance with 17 C.F.R. § 270.2a-7, which stipulates that money market funds must have an average weighted maturity of 90 days or less. The prospectus of such funds must indicate that the share value shall not fluctuate.

2. Portfolio Composition

A maximum of 100% of available funds may be invested in money market funds.

3. Limits of Individual Issuers

A maximum of 25% of available funds may be invested with any one money market fund. Money market sweep vehicles that are offered by the 3rd party custodian of the investment portfolio that consist of 100% Government obligations are exempt from this limitation.

4. Rating Requirements

The money market funds shall be rated "AAA" or "AAA" or better by Standard & Poor's, or the equivalent by another rating agency.

5. Due Diligence Requirements

A current prospectus will be obtained for each money market fund held for investment

L. Intergovernmental Investment Pool

1. Investment Authorization

Intergovernmental investment pools that are authorized pursuant to the Florida Interlocal Cooperation Act, as provided in Section 163.01, Florida Statutes.

2. Portfolio Composition

A maximum of 30% of available funds may be invested in intergovernmental investment pools.

### 3. Due Diligence Requirements

A thorough investigation of any pooled fund is required prior to investing, and on a continual basis. A current prospectus will be obtained for each pooled fund held for investment.

## XIII. DERIVATIVES AND REVERSE REPURCHASE AGREEMENTS

The investment in any derivative products or the use of reverse repurchase agreements is not permitted. A "derivative" is defined as a financial instrument the value of which depends on, or is derived from, the value of one or more underlying assets or indices or asset values. This definition of "derivative" instruments specifically excludes mortgage backed securities offered by Government agencies.

## XIV. PERFORMANCE MEASUREMENTS

In order to assist in the evaluation of the portfolio's performance, the City will use performance benchmarks for short-term and long-term portfolios. The use of benchmarks will allow the City to measure its returns against other investors in the same markets.

- A. The State Board of Administration's, Local Government Surplus Funds Trust Fund ("SBA Pool"), monthly rate of return will be used as a benchmark as compared to the portfolios' book value rate of return for current operating funds.
- B. Investments that have a longer-term investment horizon will be compared to the ~~Bank of America / Merrill Lynch 1-3 Year Government Index or an equivalent index comprised of U. S. Treasury or Government securities. The most appropriate index. This index will be determined at the time of investment, stated in an addendum to this policy, and will have a duration and asset mix structure that approximates the portfolio being measured, and will be utilized as a benchmark to be compared to the portfolio's total rate of return.~~

## XV. REPORTING

The Finance Officer shall provide a monthly summary investment report to the City Manager which reflects investments by type, percentage of total investments for each type, and the monthly weighted yield.

## XVI. THIRD-PARTY CUSTODIAL AGREEMENTS

All securities, with the exception of certificates of deposits, shall be held with a third party custodian; and all securities purchased by, and all collateral obtained by the City should be properly designated as an asset of the City. The securities must be held in an account separate and apart from the assets of the financial institution. A third party custodian is defined as any bank depository chartered by the Federal Government, the State of Florida, or any other state or territory of the United States which has a branch or principal place of business in the State of Florida as defined in Section 658.12, Florida Statutes, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in the State of Florida. Certificates of deposits maintained by book-entry at the issuing bank shall clearly identify the City as the owner.

The Finance Officer shall execute on behalf of the City, third party custodial agreement(s) with its bank(s) and depository institution(s). Such agreements may include letters of authority from the City, details as to the responsibilities of each party, method of notification of security purchases, sales, delivery, procedures related to repurchase agreements and wire transfers, safekeeping and transaction

costs, procedures in case of wire failure or other unforeseen mishaps and describing the liability of each party.

The custodian shall accept transaction instructions only from those persons who have been duly authorized by the City and which authorization has been provided, in writing, to the custodian. No withdrawal of securities, in whole or in part, shall be made from safekeeping, shall be permitted unless by such a duly authorized person.

The custodian shall provide the Finance Officer with safekeeping receipts that provide detail information on the securities held by the custodian. Security transactions between a broker/dealer and the custodian involving the purchase or sale of securities by transfer of money or securities must be made on a "delivery vs. payment" basis, if applicable, to ensure that the custodian will have the security or money, as appropriate, in hand at the conclusion of the transaction. Securities held as collateral shall be held free and clear of any liens.

#### **XVII. INVESTMENT POLICY REVIEW**

The Finance Officer shall review the policy annually and make recommendations to the City Council for modification thereto.

## GLOSSARY OF TERMS

**“Authorized Signers”** - City of Jacksonville Beach employees authorized to approve agreements and transactions with banks and financial institutions. These employees consist of the City Manager, Assistant City Manager, Finance Officer, Budget Officer, and Accounting Supervisor.

**“Book Entry Securities”** –A system in which securities are not represented by engraved pieces of paper but are maintained in computerized records at the Federal Reserve in the names of the member banks, which in turn, keep records of securities they own as well as those they are holding for customers.

**“Collateral”** - securities, evidence of deposit or property which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

**“Commercial Paper”** – An unsecured promissory note with a fixed maturity of no more than 270 days which is normally sold at a discount from face value.

**“Delivery vs. Payment”** - one of two methods of delivery of securities. Delivery versus payment is delivery of securities with an exchange of money for the securities. The second method, delivery versus receipt is delivery of securities with an exchange of a signed receipt for the securities.

**“Master Repurchase Agreement”** - a written contract covering all future transactions between the parties to repurchase/reverse repurchase agreements that establishes each party’s rights in the transactions.

**“Primary Government Securities Dealers”** - a group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary securities dealers include Securities and Exchange Commission (SEC) registered securities broker-dealers, banks and few unregulated firms.

**“Qualified Public Depository”** - a financial institution which does not claim exemption from the payment of any sales or compensating use or ad valorem taxes under the laws of the State of Florida and which has been approved by the Public Deposit Protection Commission to hold public deposits and which has segregated eligible collateral having a value of not less than its maximum liability for the benefit of the Public Deposit Protection Commission.

**“Repurchase Agreement”** - a transaction in which a governmental entity transfers cash to a broker-dealer or financial institution, the broker-dealer or financial institution transfers securities or ownership interest in securities to the governmental entity and promises to repay the cash plus interest in exchange for the return of the same securities.

**“Reverse Repurchase Agreement”** - a transaction in which a governmental entity transfers securities to the broker-dealer or financial institution in exchange for cash, and promises to repay cash plus interest in exchange for the return of the same securities. The cash obtained in these transactions is often used for operating or capital purposes or is invested in other securities to improve yield.

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**MEMORANDUM**

**TO:** George D. Forbes, City Manager  
**FROM:** Karen Nelson, Human Resources Director  
**SUBJECT:** Ordinance Number 2014-8055, Amending Chapter 2, Article V, Division 5, 'General Employees' Retirement System', of the Code of Ordinances  
**DATE:** May 21, 2014

**ACTION REQUESTED**

Adopt Ordinance Number 2014-8055, amending Chapter 2, Article V, Division 5, 'General Employees' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

**BACKGROUND**

The City Council adopted Ordinance Number 2013-8035 on November 18, 2013, amending the General Employees' Pension Plan. One of the changes to the Plan was to replace the existing DROP program with a Back-DROP program effective November 25, 2013. The City's intention was that the Back-DROP benefit be available to all current members of the Plan who were not participating in DROP on the effective date and all future members of the plan.

The language in Section 2-162.9 of the Ordinance does not clearly provide for active employees who were eligible for retirement before November 25, 2013 to elect the Back-DROP option upon retirement. Ordinance Number 2014-8055 is a technical correction of the language to ensure that the Plan is administered in accordance with the City's intent to provide an equitable benefit to all eligible members. The amendment also defines the Back-DROP date that is used to determine the amount of the benefit. Ordinance Number 2014-8055 amends the language as follows:



Memorandum to George D. Forbes

May 21, 2014

Page 2 of 2

1. Provides that employees eligible for retirement before November 25, 2013 may elect the Back-DROP option upon separation from employment.
2. Provides a definition of the Back-DROP date.
3. Replaces the term "*normal retirement date*" with "*Back-DROP date*"

This amendment does not have any impact on the level of benefits that the Plan provides to its members.

**RECOMMENDATION**

Adopt Ordinance Number 2014-8055, amending Chapter 2, Article V, Division 5, 'General Employees' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach, to clarify the provision for Back-DROP.

Introduced By: \_\_\_\_\_  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_

**ORDINANCE NO. 2014-8055**

**AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 5, GENERAL EMPLOYEES' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-162.9, AMOUNT OF A PENSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 2, Administration, Article V, Employee Benefits, Division 5, General Employees' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-162.9, Amount of a pension, to read as follows:

**Section 2-162.9, Amount of a pension.**

\*\*\*\*

(f) Back-DROP. Effective November 25, 2013, and subject to the provisions of this section, eligible members may elect to participate in the Back-DROP in accordance with this subsection (f).

*(1) Eligibility of member to participate in the Back-DROP.* A member who is employed and not participating in DROP and who reaches normal retirement eligibility on or after November 25, 2013, and continues employment beyond the normal retirement date and any member who reaches normal retirement eligibility on or after November 25, 2013 and continues employment beyond the normal retirement date, is eligible to elect the Back-DROP. The member shall advise the city and the retirement system in writing of their Back-DROP election prior to separation from employment. A member may elect the Back-DROP only once.

*(2) Back-DROP date.* A member's Back-DROP date shall be a date selected by the member that is on or after the member's normal retirement date but no more than thirty six (36) months prior to their separation date.

*(3) Maximum Back-DROP Period.* An eligible member may elect the Back-DROP for a period equal to the number of months the member has been employed beyond the normal retirement date, up to a maximum period of thirty-six (36) months.

(43) *Benefits payable under the Back-DROP.* A member who elects the Back-DROP shall be entitled to a monthly pension determined as of the member's Back-DROP ~~normal retirement~~ date, plus a lump sum payment equal to the pension benefits the member would have received had he/she retired on the Back-DROP ~~normal retirement~~ date, with interest at the rate of 3% per annum. The lump sum Back-DROP benefit, less applicable withholding taxes, shall be distributed to the member within 60 days following separation from employment. Alternatively, a member may elect to roll some or all of the lump sum Back-DROP benefit into an IRA or other qualified retirement plan, in accordance with applicable law.

(54) *Forfeiture of retirement benefits.* Nothing in this subsection shall be construed to remove Back-DROP participants from the scope of Section 8(d), Art. II of the State Constitution, and Section 112.3173, Florida Statutes. Back-DROP participants who commit a specified offense while employed will be subject to forfeiture of all retirement benefits, including Back-DROP benefits, pursuant to those provisions of law.

(65) *Administration of program.* The board of trustees shall make such rules as are necessary for the effective and efficient administration of this subsection. The retirement system shall not be required to advise members of the federal tax consequences of an election related to the Back-DROP, but may advise members to seek independent advice.

**SECTION 2.** That is hereby declared to be the intention of the City Council that the section, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 3.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** That this Ordinance shall become effective immediately upon adoption in accordance with the Charter of the City of Jacksonville Beach, except as otherwise specified above.

**SECTION 5.** That this Ordinance was passed on the first reading at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2014, and adopted on the second/final reading at a regular meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2014.

\_\_\_\_\_  
William C. Latham, Mayor

\_\_\_\_\_  
Judy L. Bullock, City Clerk

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## MEMORANDUM

**TO:** George D. Forbes, City Manager  
**FROM:** Karen Nelson, Human Resources Director  
**SUBJECT:** Ordinance Number 2014-8056, Amending Chapter 2, Article V, Division 6, 'Police Officers' Retirement System', of the Code of Ordinances  
**DATE:** May 22, 2014

### ACTION REQUESTED

Adopt Ordinance Number 2014-8056, amending Chapter 2, Article V, Division 6, 'Police Officers' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

### BACKGROUND

In order to create a sustainable and fiscally responsible retirement system, the City proposed certain changes to the Police Officers' Retirement Plan. On May 14, 2014, the Florida State Lodge, Fraternal Order of Police (FOP) held a ratification vote among its members approving the proposed changes. Ordinance Number 2014-8056 amends the Plan according to the Collective Bargaining Agreement as follows:

- Provides for a maximum benefit of 90% of final average compensation or \$90,000 annually, whichever is less.
- Increases the vesting period from 5 years to 10 years.
- Eliminates the early retirement benefit.
- Excludes unused leave payouts and overtime in excess of 300 hours per calendar year from pensionable compensation (as required by state law).
- Replaces the Deferred Retirement Option Plan (DROP) with Back-DROP.



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- Increases the employee contribution from 6.45% to 7.95%.
- Provides for accumulated additional premium tax revenues to be used to reduce the unfunded actuarial accrued liability of the plan.

The City's proposal preserves the current Defined Benefit Plan and the 3% multiplier. Employees with ten years or more of service on the effective date will retain the current retirement dates and employees age 50 with 10 or more years of service on the effective date will retain the current early retirement benefit. See the attached schedule of current and proposed benefits for details.

#### RECOMMENDATION

Adopt Ordinance Number 2014-8056, amending Chapter 2, Article V, Division 6, 'Police Officers' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

**CITY OF JACKSONVILLE BEACH  
POLICE OFFICERS' PENSION PLAN**

Provision	Current	Amended by Ordinance Number 2014-8056
Benefit Formula	3% x final avg. comp. x service for first 30 years and 2% x service in excess of 30 years. (100% maximum)	3% x final avg. comp. x service (\$90,000 or 90% maximum, whichever is less)
Normal Retirement Date	Age 52 with 25 years of service or Age 55 with 5 years of service or 30 years of service regardless of age	Age 52 with 25 years of service or Age 55 with 10 years of service or 30 years of service regardless of age
Early Retirement	20 years of service or age 50 with 10 years of service (Reduced Benefit)	No early retirement
Pensionable Pay	Base pay + longevity + incentive pay + overtime + 750 hours unused leave payout	Base pay + 300 hours overtime per calendar year + longevity + incentive pay, but excluding, overtime in excess of 300 hours and leave payouts
Vesting	5 years	10 years
DROP	DROP; 36 months; 3.5% interest	Back-DROP; 36 months; 3% interest
Employee Contribution	6.45%	7.95%

Introduced By: \_\_\_\_\_  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_

**ORDINANCE NO. 2014-8056**

**AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 6, POLICE OFFICERS' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-163.2, DEFINITIONS; AMENDING SECTION 2-163.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-163.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-163.9, AMOUNT OF A PENSION; AMENDING SECTION 2-163.19A, EARLY RETIREMENT; AMENDING SECTION 2-163.20, MEMBER CONTRIBUTIONS; AMENDING SECTION 2-163.31, RESERVE FOR PENSION PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.2, Definitions, to read as follows:

**Sec. 2-163.2. Definitions:**

As used in this division:

\* \* \*

*Compensation* means the salary or wages paid a member for personal services rendered the city while a member of the retirement system. Salary and wages shall include longevity pay; overtime pay, shift differentials; incentive pay, pay for periods of absence from work by reason of vacation, holiday, and sickness; and deferred compensation amounts under deferred compensation programs recognized by the board of trustees. Effective January 1, 2009, compensation shall also include payments in consideration of unused vacation or sick leave up to a maximum of seven hundred fifty (750) hours. Compensation shall not include any remuneration or reimbursement not specifically stated to be included, such as allowances for clothing, equipment, cleaning, and travel; reimbursement of expenses; bonuses; termination of pay; severance pay; and the value of fringe benefits. Notwithstanding any of the foregoing, a member's annual compensation in excess of the limitations set forth in Section 401(a)(17) of the Internal Revenue Code shall be disregarded. However, for those members who commence

participation in the retirement system prior to the first plan year beginning after December 31, 1995, the limitation on compensation shall not be less than the amount that was allowed to be taken into account under the retirement system as in effect on July 1, 1993. Effective June 23, 2014, compensation shall include base pay, longevity pay, incentive pay, and overtime pay in an amount not to exceed 300 hours per calendar year; and shall exclude overtime pay in excess of 300 hours per calendar year, leave payouts and all other compensation. Notwithstanding the foregoing, payments for overtime in excess of 300 hours per calendar year accrued as of June 23, 2014 and attributable to service earned prior to June 23, 2014, shall be included in compensation even if payment is not made until on or after that date.

\* \* \*

**SECTION 2.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.7, Normal retirement conditions, to read as follows:

**Sec. 2-163.7. Normal retirement conditions.**

- (a) An individual may retire upon satisfaction of each of the following requirements:
- (1) A written application for retirement, in the form established by the board of trustees, has been filed with the retirement system.
  - (2) Membership is terminated prior to the date of retirement.
  - (3) The individual meets an applicable age and/or service requirement for normal retirement.
- (b) The age and/or service requirement for normal retirement is:
- (1) The For individuals with ten (10) or more years of credited service on June 23, 2014, or who have attained age fifty-five (55) with five or more years of credited service on that date: individual has attained age fifty-five (55) years or older with and has five (5) or more years of credited service, or the individual has attained age fifty-two (52) or older with and has twenty-five (25) or more years of credited service, or the individual has attained thirty (30) years of credited service regardless of age.
  - (2) Except as provided in subsection (b)(1) above, for individuals with less than ten (10) years of credited service on June 23, 2014, and individuals hired on or after that date: age fifty-five (55) with ten (10) or more years of credited service, or age fifty-two (52) with twenty-five (25) or more years of credited service, or the individual has attained thirty (30) years of credited service regardless of age.
- (c) Upon retirement as provided in this section, an individual shall be paid a pension computed according to section 2-163.9

**SECTION 3.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.8, Vested termination of membership, to read as follows:

**Sec. 2-163.8. Vested termination of membership.**

A member who has five (5) or more years of credited service on June 23, 2014 and who thereafter ceases to be a member, for a reason other than retirement or death, shall be a vested former member if the member has five (5) or more years of credited service at the time membership terminates. A member who has less than five (5) years of credited service on June 23, 2014, and members hired on or after that date, who cease to be a member, for a reason other than retirement or death, shall be a vested former member if the member has ten (10) or more years of credited service at the time membership terminates. A vested former member may retire upon satisfaction of the requirements of section 2-163.7. The benefit programs applicable to a vested former member shall be determined as of the date of termination of membership and shall not be affected by any subsequent change in benefit programs. In the event that a vested former member shall die from any cause before that member is eligible to retire as provided by section 2-163.7, then in that event the benefits of this Act granted to non-duty, death-in-service automatic survivor's pension shall go to the surviving beneficiaries of the vested former member.

**SECTION 4.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.9, Amount of a pension, to read as follows:

**Sec. 2-163.9. Amount of a pension.**

- (a) (1) The amount of pension under optional form of payment I pursuant to section 2-163.10 shall be equal to the sum of separate amounts determined in accordance with the benefit formula applicable to each retirement system for which the retiring individual has credited service in force.
- (2) The amount of pension attributable to credited service under a particular retirement system shall be equal to a fraction of the amount of pension determined as if the individual's total credited services were under the retirement system. The fraction shall be the individual's credited service under the retirement system over the individual's total credited service.
- (b) The benefit formula is:
  - (1) For retirements with an effective date prior to October 1, 1990, two and one-half (2½) percent of final average compensation multiplied by credited service, to a maximum of seventy-five (75) percent of final average compensation.
  - (2) For retirements with an effective date after September 30, 1990, three (3) percent of final average compensation multiplied by credited service, to a maximum of thirty (30) years,

at which time the benefit will be reduced to two (2) percent of final average compensation multiplied by credited service for each additional year of service, subject to the limitations of F.S. § 112.65.

- (3) Effective June 23, 2014, for individuals who are not eligible for normal retirement in accordance with Sec. 2-163.7(b)(1) on that date, three (3) percent of final average compensation multiplied by credited service, for all years of credited service earned on ~~or~~ and after June 23, 2014, subject to the maximum benefit provided in paragraph (4) below. Such individuals shall retain their accrued benefits based on credited service earned prior to June 23, 2014.
  - (4) Effective June 23, 2014, the maximum benefit shall be ninety (90%) percent of final average compensation or \$90,000 annually, whichever is less; provided, any individual who has accrued a benefit percentage in excess of ninety (90%) percent or an annual benefit of more than \$90,000 on June 23, 2014 shall retain that accrued benefit, but shall not accrue any additional benefit percentage after that date.
  - (5) Notwithstanding the above, there shall be a minimum monthly benefit provided to retirants who have been retired for thirty (30) or more years or have accumulated ten (10) or more years of credited service, as periodically established by the city. Such monthly benefit shall be reduced by the applicable survivor benefit as elected by the retirant pursuant to section 2-163.10. The city shall make deposits into the police officers' retirement system equal to the full annual cost of such increase in benefit payments to achieve said minimum monthly benefit.
- (c) Payment of a pension granted under the provisions of section 2-163.7 with respect to normal retirement shall be suspended if the retirant becomes employed by the city. Suspension of payment shall become effective the first day of the calendar month coincident with or next following employment. Payment of the pension shall resume, without change in amount or conditions by reason of the employment, on the first day of the calendar month next following termination of employment. The employed retirant shall not be a member during the period of employment following retirement.
  - (d) Notwithstanding the provisions of this act, a member may not receive a benefit, which exceeds the maximum amount allowed under Section 415 of the Internal Revenue Code, which is incorporated herein by reference.
  - (e) **Deferred Retirement Option Program.** In general, and subject to the provisions of this section, the Deferred Retirement Option Program, hereinafter referred to as the DROP, is a program under which an eligible member of the retirement system may elect to participate prior to June 23, 2014, deferring receipt of retirement benefits while continuing employment with the city. The deferred monthly benefits shall accrue in the reserve for pension payments fund on behalf of the participant, plus interest compounded monthly, for the specified period of the DROP participation, as provided in subsection (e)(3) of this section. Upon termination of employment, the participant shall receive the total DROP benefits and begin to receive the previously determined normal retirement benefits. Employment in the DROP does not guarantee employment for the specified period of DROP.
    - (1) *Eligibility of member to participate in the DROP.* All retirement system members are eligible to elect participation in the DROP provided that election to participate is made

prior to June 23, 2014 and on or after the member first reaches normal retirement date or age. The member shall advise the city and the retirement system in writing of the date on which the DROP shall begin. The DROP shall be closed to new members on June 23, 2014.

\* \* \*

(6) Back-DROP. Effective June 23, 2014, and subject to the provisions of this section, eligible members may elect to participate in the Back-DROP in accordance with this subsection (6).

- a. Eligibility of member to participate in the Back-DROP. A member who is employed and not participating in DROP on June 23, 2014, and continues employment beyond the normal retirement date, and any member who reaches normal retirement eligibility on or after June 23, 2014, and continues employment beyond the normal retirement date, is eligible to elect the Back-DROP. The member shall advise the city and the retirement system in writing of their Back-DROP election prior to separation from employment. A member may elect the Back-DROP only once.
- b. Back-DROP date. A member's Back-DROP date shall be a date selected by the member that is on or after the member's normal retirement date but no more than thirty six (36) months prior to their separation date.
- c. Maximum Back-DROP Period. An eligible member may elect the Back-DROP for a maximum period of thirty-six (36) months.
- d. Benefits payable under the Back-DROP. A member who elects the Back-DROP shall be entitled to a monthly pension determined as of the member's Back-DROP date, plus a lump sum payment equal to the pension benefits the member would have received had he/she retired on the Back-DROP date, with interest at the rate of 3% per annum. The member's monthly benefit will be actuarially adjusted to reflect the lump sum payment. The lump sum Back-DROP benefit, less applicable withholding taxes, shall be distributed to the member within 60 days following separation from employment. Alternatively, a member may elect to roll some or all of the lump sum Back-DROP benefit into an IRA or other qualified retirement plan, in accordance with applicable law.

~~(67)~~ Forfeiture of retirement benefits. Nothing in this section shall be construed to remove DROP or Back-DROP participants from the scope of Section 8(d), Art. II of the State Constitution, and Section 112.3173, Florida Statutes. DROP and Back-DROP participants who commit a specified felony offense while employed will be subject to forfeiture of all retirement benefits, including DROP and Back-DROP benefits, pursuant to those provisions of law.

~~(87)~~ Administration of program. The board of trustees shall make such rules as are necessary for the effective and efficient administration of this subsection. The retirement system shall not be required to advise members of the federal tax consequences of an election related to the DROP or Back-DROP, but may advise members to seek independent advice.

**SECTION 5.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.19A, Early retirement, to read as follows:

**Sec. 2-163.19A. Early retirement.**

- (a) *Early retirement date.* ~~A member's~~ The early retirement date for members who retire on or before June 23, 2014 and members who have attained age fifty (50) with ten (10) or more years of credited service, or twenty (20) years of credited service regardless of age, on or before June 23, 2014, shall be the first day of any month coincident with or next following the member's completion of twenty (20) years of service, or the attainment of age fifty (50) with the completion of ten (10) years of service. Members who have not attained age fifty (50) with ten (10) or more years of credited service, or twenty (20) years of service regardless of age on or before June 23, 2014 shall not be eligible for early retirement benefits.
- (b) *Early retirement benefit.* ~~A~~ Subject to the eligibility requirements in subsection (a) above, an eligible member retiring hereunder or after the member's early retirement date but before the member's normal retirement date shall receive the monthly benefit level provided in section 2-163.9 reduced to take into account the member's younger age and the earlier commencement of income payments. Such reduction shall not exceed three (3) percent per year for the years and fractional parts of years that the early retirement date precedes the normal retirement date. The early retirement benefit shall commence no sooner than the member's early retirement date and shall be paid under the forms of payment set forth in section 2-163.10

**SECTION 6.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-163.20, Member contributions, to read as follows:

**Sec. 2-163.20. Member contributions.**

Member contributions to the retirement system prior to October 2, 2000 shall be seven and ninety-five hundredths (7.95) percent of compensation for services rendered; Effective October 2, 2000 through June 22, 2014, thereafter member contributions shall be six and forty-five hundredths (6.45) percent of compensation for services rendered. Effective June 23, 2014, member contributions shall be seven and ninety-five one-hundredths (7.95) percent of compensation for services rendered.

**SECTION 7.** That Chapter 2, Administration, Article V, Employee Benefits, Division 6, Police Officers' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach,

Florida, is hereby amended to amend Section 2-163.31, Reserve for pension payments, to read as follows:

Sec. 2-163.31. Reserve for pension payments.

\* \* \*

(b) A majority of the city's police officers having approved the placement of the income from Chapter 185, Florida Statutes, premium tax into the retirement system for payments received by the city from the State of Florida pursuant to Chapter 185, Florida Statutes, such income shall therefore be paid to the retirement system and credited to the reserve for pension payments. All moneys received pursuant to such chapters shall be used exclusively to finance the benefits of members who are police officers as provided by such chapter. However, local law plans in effect on October 1, 1998, shall be required to comply with the minimum benefits of Chapter 185, Florida Statutes, only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance. Notwithstanding the foregoing, effective June 23, 2014, the City and Fraternal Order of Police have agreed, and a majority of the city's police officers have approved the agreement, that all accumulated additional premium tax revenues as reflected in the October 1, 2012 actuarial valuation, shall be used to reduce the unfunded actuarial accrued liability of the retirement system.

\* \* \*

**SECTION 8.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 9.** That this Ordinance shall become effective immediately upon adoption in accordance with the Charter of the City of Jacksonville Beach, except as otherwise specified above.

**SECTION 10.** That this Ordinance was passed on the first reading at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_ 2014, and adopted on the second/final reading at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_ 2014.

\_\_\_\_\_  
William C. Latham, Mayor

\_\_\_\_\_  
Judy L. Bullock, City Clerk

City of  
Jacksonville Beach  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
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**MEMORANDUM**

**TO:** George D. Forbes, City Manager  
**FROM:** Karen Nelson, Human Resources Director  
**SUBJECT:** Ordinance Number 2014-8057, Amending Chapter 2, Article V, Division 7, 'Firefighters' Retirement System', of the Code of Ordinances  
**DATE:** June 4, 2014

**ACTION REQUESTED**

Adopt Ordinance Number 2014-8057, amending Chapter 2, Article V, Division 7, 'Firefighters' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

**BACKGROUND**

In order to create a sustainable and fiscally responsible retirement system, the City proposed certain changes to the Firefighters' Retirement Plan. On May 30, 2014, the International Association of Firefighters (IAFF), Local 2622 held a ratification vote among its members approving the proposed changes. Ordinance Number 2014-8057 amends the Plan according to the Collective Bargaining Agreement as follows:

- Provides for a maximum benefit of 90% of final average compensation or \$90,000 annually, whichever is less.
- Increases the vesting period from 5 years to 10 years.
- Eliminates the early retirement benefit.
- Excludes overtime pay from pensionable compensation.
- Replaces the Deferred Retirement Option Plan (DROP) with Backdrop.
- Eliminates the Cost of Living Adjustment (COLA) for employees hired after the effective date.



Memorandum to George D. Forbes

June 4, 2014

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- For current employees: Preserves the 2% COLA for benefits earned as of the effective date; provides for a 1% COLA for benefits earned after the effective date.
- Increases the employee contribution from 6.45% to 7.95%.
- Provides for all accumulated premium tax revenues to be used to reduce the unfunded actuarial liability of the plan.

The City's proposal preserves the current Defined Benefit Plan and the 3% multiplier. Employees with ten years or more of service on the effective date will retain the current retirement dates and employees age 50 with 10 or more years of service on the effective date will retain the current early retirement benefit. See the attached schedule of current and proposed benefits for details.

RECOMMENDATION

Adopt Ordinance Number 2014-8057, amending Chapter 2, Article V, Division 7, 'Firefighters' Retirement System', of the Code of Ordinances of the City of Jacksonville Beach.

**CITY OF JACKSONVILLE BEACH  
FIREFIGHTERS PENSION PLAN**

<b>Benefit</b>	<b>Current</b>	<b>Amended by Ordinance Number 2014-8057</b>
Benefit Formula	3% - first 30 years; 2% thereafter	3% for all years of service \$90,000 or 90% maximum
Normal Retirement Date	Age 52 with 25 years of service; or Age 55 with 5 years of service; or 30 years of service regardless of age	Age 52 with 25 years of service; or Age 55 with 10 years of service; or 30 years of service regardless of age
Early Retirement	Age 50 with 10 years of service	None
Pensionable Pay	Base pay + incentive pay + overtime + longevity pay	Base pay + incentive pay + longevity, but excluding overtime
Vesting	5 years	10 years
DROP	36 months – 3.5% interest	Replace with 3 year Back DROP - 3% interest
COLA	2% annual increase	No COLA for new hires For current employees: 2% COLA on benefits earned as of effective date; 1% COLA for benefits earned after the effective date
Employee Contribution	6.45%	7.95%

Introduced By: \_\_\_\_\_  
1st Reading: \_\_\_\_\_  
2nd Reading: \_\_\_\_\_

**ORDINANCE NO. 2014-8057**

**AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 2, ARTICLE V, DIVISION 7, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CITY OF JACKSONVILLE BEACH CODE OF ORDINANCES, AMENDING SECTION 2-164.2, DEFINITIONS; AMENDING SECTION 2-164.7, NORMAL RETIREMENT CONDITIONS; AMENDING SECTION 2-164.8, VESTED TERMINATION OF MEMBERSHIP; AMENDING SECTION 2-164.9, AMOUNT OF A PENSION; AMENDING SECTION 2-164.19A, EARLY RETIREMENT; AMENDING SECTION 2-164.20, MEMBER CONTRIBUTIONS; AMENDING SECTION 2-164.31, RESERVE FOR PENSION PAYMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.2, Definitions, to read as follows:

**Sec. 2-164.2. Definitions:**

As used in this division:

\* \* \*

*Compensation* means the salary or wages paid a member for personal services rendered the city while a member of the retirement system. Salary and wages shall include longevity pay; overtime pay, shift differentials; incentive pay, pay for periods of absence from work by reason of vacation, holiday, and sickness; and deferred compensation amounts under deferred compensation programs recognized by the board of trustees. Compensation shall not include any remuneration or reimbursement not specifically stated to be included, such as allowances for clothing, equipment, cleaning, and travel; reimbursement of expenses; bonuses; termination of pay; severance pay; payments in consideration of unused vacation or sick leave; and the value of fringe benefits. Notwithstanding any of the foregoing, a member's annual compensation in excess of the limitations set forth in Section 401(a)(17) of the Internal Revenue Code shall be disregarded. However, for those members who commence participation in the retirement system prior to the first plan year beginning after December 31, 1995, the limitation on compensation

shall not be less than the amount that was allowed to be taken into account under the retirement system as in effect on July 1, 1993. Effective July 21, 2014, compensation shall include base pay, longevity pay, and incentive pay; and shall exclude overtime pay, leave payouts and all other compensation. Notwithstanding the foregoing, payments for overtime accrued as of July 21, 2014 and attributable to service earned prior to July 21, 2014, shall be included in compensation even if payment is not made until on or after that date.

\* \* \*

**SECTION 2.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.7, Normal retirement conditions, to read as follows:

**Sec. 2-164.7. Normal retirement conditions.**

- (a) An individual may retire upon satisfaction of each of the following requirements:
- (1) A written application for retirement, in the form established by the board of trustees, has been filed with the retirement system.
  - (2) Membership is terminated prior to the date of retirement.
  - (3) The individual meets an applicable age and/or service requirement for normal retirement.
- (b) The age and/or service requirements for normal retirement are:
- (1) The ~~For~~ individuals with ten (10) or more years of credited service on July 21, 2014, or who have attained age fifty-five (55) with five or more years of credited service on that date: individual has attained age fifty-five (55) years or older with ~~and has~~ five (5) or more years of credited service, or the individual has attained age fifty-two (52) or older with ~~and has~~ twenty-five (25) or more years of credited service, or the individual has attained thirty (30) years of credited service regardless of age.
  - (2) Except as provided in subsection (b)(1) above, for individuals with less than ten (10) years of credited service on July 21, 2014, and individuals hired on or after that date: age fifty-five (55) with ten (10) or more years of credited service, or age fifty-two (52) with twenty-five (25) or more years of credited service, or the individual has attained thirty (30) years of credited service regardless of age.
- (c) Upon retirement as provided in this section, an individual shall be paid a pension computed according to section 2-164.9

**SECTION 3.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.8, Vested termination of membership, to read as follows:

**Sec. 2-164.8. Vested termination of membership.**

A member who has five (5) or more years of credited service on July 21, 2014 and who thereafter ceases to be a member, for a reason other than retirement or death, shall be a vested former member if the member has five (5) or more years of credited service at the time membership terminates. A member who has less than five (5) years of credited service on July 21, 2014, and members hired on or after that date, who cease to be a member, for a reason other than retirement or death, shall be a vested former member if the member has ten (10) or more years of credited service at the time membership terminates. A vested former member may retire upon satisfaction of the requirements of section 2-164.7. The benefit programs applicable to a vested former member shall be determined as of the date of termination of membership and shall not be affected by any subsequent change in benefit programs. In the event that a vested former member shall die from any cause before that member is eligible to retire as provided by section 2-164.7, then in that event the benefits of this Act granted to non-duty, death-in-service automatic survivor's pension shall go to the surviving beneficiaries of the vested former member.

**SECTION 4.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.9, Amount of a pension, to read as follows:

**Sec. 2-164.9. Amount of a pension.**

- (a) (1) The amount of pension under optional Form of Payment I pursuant to section 2-164.10 shall be equal to the sum of separate amounts determined in accordance with the benefit formula applicable to each retirement system for which the retiring individual has credited service in force.
- (2) The amount of pension attributable to credited service under a particular retirement system shall be equal to a fraction of the amount of pension determined as if the individual's total credited services were under the retirement system. The fraction shall be the individual's credited service under the retirement system over the individual's total credited service.
- (b) The benefit formula is:
  - (1) For retirements with an effective date prior to October 1, 1990, two and one-half (2½) percent of final average compensation multiplied by credited service, to a maximum of seventy-five (75) percent of final average compensation. For retirements with an effective date after September 30, 1990, three (3) percent of final average compensation multiplied by credited service, to a maximum of thirty (30) years, at which time the benefit will be reduced to two (2) percent of final average compensation multiplied by credited service for each additional year of service, subject to the limitations of F.S. § 112.65.
  - (2) Effective July 21, 2014, for individuals who are not eligible for normal retirement in accordance with Sec. 2-164.7(b)(1) on that date, three (3) percent of final average compensation multiplied by credited service, for all years of credited service earned on

and after July 21, 2014, subject to the maximum benefit provided in paragraph (3) below. Such individuals shall retain their accrued benefits based on credited service earned prior to July 21, 2014.

(3) Effective July 21, 2014, the maximum benefit shall be ninety (90%) percent of final average compensation or \$90,000 annually, whichever is less; provided, any individual who has accrued a benefit percentage in excess of ninety (90%) percent or an annual benefit of more than \$90,000 on July 21, 2014 shall retain that accrued benefit, but shall not accrue any additional benefit percentage after that date.

~~(4)~~(2) Notwithstanding the above, there shall be a minimum monthly benefit provided to retirants who have been retired for thirty (30) or more years or have accumulated ten (10) or more years of credited service, as periodically established by the city. Such monthly benefit shall be reduced by the applicable survivor benefit as elected by the retirant pursuant to section 2-164.10. The city shall make deposits into the firefighters' retirement system equal to the full annual cost of such increase in benefit payments to achieve said minimum monthly benefit.

(c) Payment of a pension granted under the provisions of section 2-164.7 with respect to normal retirement shall be suspended if the retirant becomes employed by the city. Suspension of payment shall become effective the first day of the calendar month coincident with or next following employment. Payment of the pension shall resume, without change in amount or conditions by reason of the employment, on the first day of the calendar month next following termination of employment. The employed retirant shall be a member during the period of employment following retirement.

(d) Notwithstanding the provisions of this act, a member may not receive a benefit, which exceeds the maximum amount allowed under Section 415 of the Internal Revenue Code, which is incorporated herein by reference.

(e) **Deferred Retirement Option Program.** In general, and subject to the provisions of this section, the Deferred Retirement Option Program, hereinafter referred to as the DROP, is a program under which an eligible member of the retirement system may elect to participate prior to July 21, 2014, deferring receipt of retirement benefits while continuing employment with the city. The deferred monthly benefits shall accrue in the reserve for pension payments fund on behalf of the participant, plus interest compounded monthly, for the specified period of the DROP participation, as provided in subsection (e)(3) of this section. Upon termination of employment, the participant shall receive the total DROP benefits and begin to receive the previously determined normal retirement benefits. Employment in the DROP does not guarantee employment for the specified period of DROP.

(1) *Eligibility of member to participate in the DROP.* All retirement system members are eligible to elect participation in the DROP provided that election to participate is made prior to July 21, 2014 and on or after the member first reaches normal retirement date or age. The member shall advise the city and the retirement system in writing of the date on which the DROP shall begin. The DROP shall be closed to new members on July 21, 2014.

\* \* \*

(6) *Back-DROP.* Effective July 21, 2014, and subject to the provisions of this section,

eligible members may elect to participate in the Back-DROP in accordance with this subsection (6).

- a. Eligibility of member to participate in the Back-DROP. A member who is employed and not participating in DROP on July 21, 2014, and continues employment beyond the normal retirement date, and any member who reaches normal retirement eligibility on or after July 21, 2014, and continues employment beyond the normal retirement date, is eligible to elect the Back-DROP. The member shall advise the city and the retirement system in writing of their Back-DROP election prior to separation from employment. A member may elect the Back-DROP only once.
- b. Back-DROP date. A member's Back-DROP date shall be a date selected by the member that is on or after the member's normal retirement date but no more than thirty six (36) months prior to their separation date.
- c. Maximum Back-DROP Period. An eligible member may elect the Back-DROP for a maximum period of thirty-six (36) months.
- d. Benefits payable under the Back-DROP. A member who elects the Back-DROP shall be entitled to a monthly pension determined as of the member's Back-DROP date, plus a lump sum payment equal to the pension benefits the member would have received had he/she retired on the Back-DROP date, with interest at the rate of 3% per annum. The member's monthly benefit will be actuarially adjusted to reflect the lump sum payment. The lump sum Back-DROP benefit, less applicable withholding taxes, shall be distributed to the member within 60 days following separation from employment. Alternatively, a member may elect to roll some or all of the lump sum Back-DROP benefit into an IRA or other qualified retirement plan, in accordance with applicable law.

(67) Forfeiture of retirement benefits. Nothing in this section shall be construed to remove DROP or Back-DROP participants from the scope of Section 8(d), Art. II of the State Constitution, and Section 112.3173, Florida Statutes. DROP and Back-DROP participants who commit a specified felony offense while employed will be subject to forfeiture of all retirement benefits, including DROP and Back-DROP benefits, pursuant to those provisions of law.

(87) Administration of program. The board of trustees shall make such rules as are necessary for the effective and efficient administration of this subsection. The retirement system shall not be required to advise members of the federal tax consequences of an election related to the DROP or Back-DROP, but may advise members to seek independent advice.

- (f) Cost of living adjustment. There shall be a cost of living adjustment (COLA) to the monthly benefit of each member employed on July 21, 2014 and who was employed by the city on the day prior to retirement from the city and is receiving benefits under this plan as follows:
  - (1) Effective October 1, 2009 the monthly benefit of each individual who retired prior to January 1, 2009 shall be increased by two (2) percent as a one-time benefit adjustment.
  - (2) The monthly benefit of all individuals who retire on or after January 1, 2009 shall be increased by two (2) percent on the second anniversary date of their retirement and each

anniversary date thereafter. This annual benefit increase shall also be paid to annuitants and beneficiaries of deceased firefighters or deceased retired firefighters, based on the date of the deceased firefighter's or deceased retired firefighter's retirement.

- (3) Except as provided herein, for all individuals who are employed on July 21, 2014 and who retire on or after that date, the monthly benefit based on credited service earned prior to July 21, 2014 shall be increased by two (2) percent on the second anniversary date of their retirement and each anniversary date thereafter. The monthly benefit based on credited service earned on or after July 21, 2014 shall be increased by one (1) percent on the second anniversary date of their retirement and each anniversary date thereafter. The provisions of this paragraph (3) shall not apply to members who, as of July 21, 2014, had attained age fifty-two (52) with twenty-five (25) years of credited service, age fifty-five (55) with five (5) years of credited service, or thirty (30) years of credited service regardless of age.
- (4) Members hired on or after July 21, 2014 shall not be eligible for a cost of living adjustment.

**SECTION 5.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.19A, Early retirement, to read as follows:

**Sec. 2-164.19A. Early retirement.**

- (a) *Early retirement date.* ~~A member's~~ The early retirement date for members who retire on or before July 21, 2014 and members who have attained age fifty (50) with ten (10) or more years of credited service, or twenty (20) years of credited service regardless of age, on or before July 21, 2014, shall be the first day of any month coincident with or next following the member's completion of twenty (20) years of service, or the attainment of age fifty (50) with the completion of ten (10) years of service. Members who have not attained age fifty (50) with ten (10) or more years of credited service, or twenty (20) years of service regardless of age on or before July 21, 2014 shall not be eligible for early retirement benefits.
- (b) *Early retirement benefit.* Subject to the eligibility requirements in subsection (a) above, an eligible member retiring hereunder or after the member's early retirement date but before the member's normal retirement date shall receive the monthly benefit level provided in section 2-164.9 reduced to take into account the member's younger age and the earlier commencement of income payments. Such reduction shall not exceed three (3) percent per year for the years and fractional parts of years that the early retirement date precedes the normal retirement date. The early retirement benefit shall commence no sooner than the member's early retirement date and shall be paid under the forms of payment set forth in section 2-164.10.

**SECTION 6.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.20, Member contributions, to read as follows:

**Sec. 2-164.20. Member contributions.**

Member contributions to the retirement system prior to February 5, 2001, shall be seven and ninety-five hundredths percent (7.95%) of compensation. Effective February 5, 2001 through July 20, 2014, thereafter member contributions shall be six and forty-five hundredths percent (6.45%) of compensation. Effective July 21, 2014, member contributions shall be seven and ninety-five one-hundredths (7.95) percent of compensation for services rendered.

**SECTION 7.** That Chapter 2, Administration, Article V, Employee Benefits, Division 7, Firefighters' Retirement System, of the Code of Ordinances of the City of Jacksonville Beach, Florida, is hereby amended to amend Section 2-164.31, Reserve for pension payments, to read as follows:

**Sec. 2-164.31. Reserve for pension payments.**

\* \* \*

(b) A majority of the city's firefighters having approved the placement of the income from Chapter 175, Florida Statutes, premium tax into the retirement system for payments received by the city from the State of Florida pursuant to Chapter 175, Florida Statutes, such income shall therefore be paid to the retirement system and credited to the reserve for pension payments. All moneys received pursuant to such chapter shall be used exclusively to finance the benefits of members who are Firefighters as provided by such chapters. However, local law plan in effect on October 1, 1998, shall be required to comply with the minimum benefits of Chapter 175, Florida Statutes, only to the extent that additional premium tax revenues become available to incrementally fund the cost of such compliance. Notwithstanding the foregoing, effective July 21, 2014, the City and International Association of Firefighters have agreed, and a majority of the city's firefighters have approved the agreement, that all accumulated additional premium tax revenues as reflected in the October 1, 2012 actuarial valuation, shall be used to reduce the unfunded actuarial accrued liability of the retirement system.

\* \* \*

**SECTION 8.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 9.** That this Ordinance shall become effective immediately upon adoption in

accordance with the Charter of the City of Jacksonville Beach, except as otherwise specified above.

**SECTION 10.** That this Ordinance was passed on the first reading at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_ 2014, and adopted on the second/final reading at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_ 2014.

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William C. Latham, Mayor

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Judy L. Bullock, City Clerk