



**CITY OF JACKSONVILLE BEACH  
FLORIDA**

**MEMORANDUM TO:**

The Honorable Mayor and  
Members of the City Council  
City of Jacksonville Beach, Florida

Council Members:

The following Agenda of Business has been prepared for consideration and action at the Regular Meeting of the City Council on **Monday, December 15, 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 December 1, 2014

2. **ANNOUNCEMENTS:**

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

4. **MAYOR AND CITY COUNCIL:**

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Monthly Financial Reports – Month of November 2014
- (b) Approve the Relocation of the Oesterreicher/McCormick Homestead Home to the Beaches Museum Site in Jacksonville Beach
- (c) Approve the Firm of Purvis Gray & Company to Perform Audit Services
- (d) Award Bid Number 1415-01 for Lawn Care and Landscape Maintenance to the Lowest Bidders **Green Escapes Landscapes Management** as the Primary Contractor and to **Chad Brock Enterprises** as the Secondary Contractor

7. **RESOLUTIONS:**

**RESOLUTION NO. 1942-2014**

A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY ONLINE.

8. **ORDINANCES:**

**ORDINANCE NO. 2014-8061 – Second Reading**

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY AMENDING ARTICLE II, SECTION 12-33. – MOBILE FOOD VENDING OF CHAPTER 12 – FOOD AND FOOD PRODUCTS TO REPEAL AND DELETE PARAGRAPH (9) *EXPIRATION ('SUNSET') DATE*; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

**ADJOURNMENT**

Respectfully submitted,

/s/George D. Forbes  
CITY MANAGER

GDF:cmm  
12/10/14

*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, Monday, December 12, 2014.*

**Minutes of Regular City Council Meeting  
held Monday, December 1, 2014, at 7:00 P.M.  
in the Council Chambers, 11 North 3<sup>rd</sup> Street,  
Jacksonville Beach, Florida.**



**CALL TO ORDER:**

Mayor Charles Latham called the meeting to order.

**OPENING CEREMONIES:**

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

**ROLL CALL:**

Mayor: William C. Latham

Council Members: Lee Buck                      Keith Doherty                      Christine Hoffman  
                         Bruce Thomason                      Phil Vogelsang                      Jeanell Wilson

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

**APPROVAL OF MINUTES**

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed, to approve the minutes of the Regular City Council Meeting held November 17, 2014, as presented.

It was moved by Ms. Wilson, seconded by Ms. Hoffman, and passed, to approve the minutes of the City Council Workshop held November 17, 2014, as presented.

**ANNOUNCEMENTS**

Council Member Thomason –

- Mr. Thomason advised that he would be absent from the December 15, 2014, council meeting, as he will be out of state.

Council Member Doherty –

- Mr. Doherty stated that the Red Bull Night Riders Event on November 21, 2014, was very successful, with approximately 4,000 people in attendance. He added that the promoters would like to make it an annual event.

He added that the 2<sup>nd</sup> Annual Celtic Festival also went very well, despite the weather and had approximately 8,000 in attendance over the two-day event.

**Minutes of Regular City Council Meeting  
held Monday, December 1, 2014**

Mayor Latham –

Mayor Latham made the following announcements:

- He congratulated Councilmember Hoffman and the Beaches Museum & History Park for the successful kick off of the “Holidays in the Village” presentation.
- Mayor Latham extended his appreciation to Mr. Kurtis Loftus and his team for a very successful Christmas Tree Lighting event. He also thanked his colleagues on the Council, the City Manager, Purchasing Administrator, and employees of Beaches Energy Service for supporting the “Deck the Chairs” event.
- Mayor Latham gave a brief update on the Dial-A-Ride Program. He explained that there is a new Board of Directors working to restructure the service and that a fund raising event will be held in Atlantic Beach. For additional information, he provided the following telephone numbers: 210-3001 or 241-3796.

**COURTESY OF THE FLOOR TO VISITORS**

- Kurtis Loftus, 2815 St. Martens Court, Jacksonville Beach

Mr. Loftus extended his appreciation to the City and Business Owners for their partnership in making the “Deck the Chairs” a reality. He advised that there are approximately 30 businesses involved in the event. Mr. Loftus stated that the event would be marketed to all of Northeast Florida for an special evening of lights and music on December 14, 2014. He added that they are selling shirts and ornaments on the weekends with 100% of the proceeds going to support the lifeguards.

**MAYOR AND CITY COUNCIL**

**CITY CLERK**

**CITY MANAGER**

- (a) Approve the Revised Special Event Policy for the City of Jacksonville Beach that will allow one additional festival to be held on the same month as the airshow.**

Motion: It was moved by Ms. Wilson, seconded by Ms. Hoffman, to approve the amendment to page three of the Special Events Policy dated December 1, 2014. This amendment allows one additional festival to be held on the same month as the airshow.

Mr. Forbes explained that the Air Show in Jacksonville Beach takes place in October or November and the date is not set by the City. With the current Event Policy, only one festival can be held per month, which means the Air Show may conflict with the new

**Minutes of Regular City Council Meeting  
held Monday, December 1, 2014**

Oktoberfest Festival. It is recommended that two events be allowed, if the air show takes place in October, the Oktoberfest Festival could also be held.

Roll call vote: Ayes - Buck, Hoffman, Thomason, Wilson, and Mayor Latham.

Mr. Doherty and Mr. Vogelsang abstained from voting. They declared a personal interest in the Oktoberfest Festival. Conflict of Interest forms for Mr. Doherty and Mr. Vogelsang are attached to the original minutes.

The motion carried with a vote of 5 ayes.

**(b) Authorize Additional Scope of Work in the Final Design Services of South Beach Parkway Roadway Improvements (between Jacksonville Drive and J. Turner Butler Blvd.)**

Motion: It was moved by Ms. Wilson, seconded by Ms. Hoffman, to authorize the additional scope of work for the final design services for the South Beach Parkway Roadway Improvements between Jacksonville Drive and J. Turner Butler Boulevard with *Waitz & Moye Engineering*, as explained in the memorandum from the Public Works Director, dated November 20, 2014.

Mr. Forbes stated that Michelle Mecca with Engineers, Kimley-Horn and John Moye with Engineers, Waitz & Moye, Public Works Director Ty Edwards and Community Redevelopment Director were present to answer questions.

Mr. Forbes then reviewed each item contained in the “Additional Scope of Work Tasks”.

Following discussion, Mr. Forbes advised that the concerns and suggestions expressed by the Councilmembers (attached) would be reviewed. He added that the traffic plans would be brought back to the Council when the design process was approximately 50% complete.

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

**(c) Award RFP Number 14-1314 for Consulting Services for an Enterprise Resource Planning System (ERP) to the Highest Ranked Respondent, Sciens Consulting**

Motion: It was moved by Ms. Wilson, seconded by Mr. Vogelsang, to award RFP Number 14-1314, for Consulting Services for an Enterprise Resource Planning System (ERP) to the highest ranked respondent, *Sciens Consulting*, as explained in the memorandum from the Finance Officer, dated November 19, 2014.

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held Monday, December 1, 2014**

Mr. Forbes advised that the current business software (SunGard) has been used since 1987 and it is no longer meeting the needs of the City. A new system is needed that will provide upgraded technology and the functionality necessary for the operations of each department in the City. He added, due to the numerous software systems, assistance is required in determining which system would be the best fit and meet the current and future needs of the City.

In response to council members' questions, Mr. Forbes and Finance Officer Harry Royal explained that most cities have utilized a consultant to assist with finding the correct software system. Additionally, it will take approximately nine months for selection of the software and implementation will take place over a couple of years.

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

**RESOLUTIONS**

**ORDINANCES**

**ORDINANCE NO. 2014-8061**

Mayor Latham requested that the City Clerk read Ordinance No. 2014-8061, by title only; whereupon Ms. Bullock read the following:

**“AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA BY AMENDING ARTICLE II, SECTION 12-33. – MOBILE FOOD VENDING OF CHAPTER 12 – FOOD AND FOOD PRODUCTS TO REPEAL AND DELETE PARAGRAPH (9) EXPIRATION (“SUNSET”) DATE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.”**

Motion: It was moved by Ms. Wilson, seconded by Ms. Hoffman, to adopt Ordinance No. 2014-8061, amending Chapter 12, Section 12-33 – Mobile Food Vending of the Code of Ordinances of the City of Jacksonville Beach, by repealing and deleting Paragraph (9) *EXPIRATION (“SUNSET”) DATE*.

Mr. Forbes explained that many workshops were held and the food truck vendor was a pilot program for Jacksonville Beach. Since inception, the process has been going very well and he recommended that the “sunset” expiration date should be removed from the ordinance, while leaving the regulations and requirements in place.

**Minutes of Regular City Council Meeting  
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Mr. Doherty asked if there had been problems with the City’s regulations, because there were not many food trucks at the beach.

Mr. Forbes responded that the major complaint received was due to the cost. He explained, with brick and mortar businesses, each location must pay the local business tax. As the brick and mortar businesses, the food truck vendors are also required to pay a separate business tax for each location that they use. Mr. Forbes added that the regulations and requirements adopted by the Council are appropriate for the food truck business.

Ms. Hoffman stated that a major concern expressed by the food truck owners was the City’s requirement to obtain the property owner’s permission (rather than the lessee) before a food truck can be located on a property. She requested that the City consider changing this requirement.

Roll call vote: Ayes - Thomason, Vogelsang, Buck, Doherty, Hoffman, and Mayor Latham.  
Nays - Wilson.

The motion carried by a 6 to 1 vote.

**ADJOURNMENT**

There being no further business coming before the Council, Mayor Latham adjourned the meeting at 8:02 p.m.

Submitted by: Judy L. Bullock  
CITY CLERK

Approval:

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

Date: December 15, 2014

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)

**Memo To:** Mayor and City Council  
**From:** George D. Forbes, City Manager  
**Subject:** The Relocation of the Oesterreicher/McCormick Homestead Home to the Beaches Museum Site in Jacksonville Beach  
**Date:** December 6, 2014

**Action Requested:**

Approve the relocation of the Oesterreicher/McCormick Homestead home to the Beaches Museum Site in Jacksonville Beach.

**Background:**

The Beaches Area Historical Society was founded in 1978, and is the parent organization for the Beaches Museum & History Park located between 4<sup>th</sup> Street, Pablo Avenue, 6<sup>th</sup> Street, and Beach Boulevard. The park is owned by the City of Jacksonville Beach and leased to the Historical Society until 2044.

The Historical Society has been offered the **Oesterreicher/McCormick Homestead**, which is currently located on the McCormick Ranch on 20 Mile Road in St. Johns County. According to the Historical Society, this building was built in 1873 and is the second oldest structure in our area. They would like to move this building to the park property (see attached map) to create a village of historical buildings.

The building consists of a small one story, 2-room structure made from cypress logs (see attached picture). The living room will remain as it is today. Due to the proximity of the Chapel, the bedroom will be modified adding a handicap bathroom.

They are also requesting the City waive any permit fees to assist them into placing more funds into moving and improving the structure.

The Historical Society states they have sufficient funds pledged or on hand to relocate the building. They do not yet have the funds in hand for all the necessary improvements, but anticipate having the funds available at the time of the move.



**They have also requested that the city waive:**

1. Building permit and water and sewer connection fees. Note that we would only be waiving permit and connection fees, not direct construction costs. The Historical Society would be responsible for all construction costs; and
2. Any fees to the Police Department associated with moving the building.

**A major concern with this move** is that the City Council ensures the Historical Society has the funds on hand to ensure the building can be moved to the site and fully reconstructed with a certificate of occupancy within 10 months after the move. Otherwise, we may be in the predicament of having a partially completed building that cannot be occupied and potentially become an eyesore for an indeterminate period after the building is relocated.

**If the City Council approves this move, it should be approved with the following conditions:**

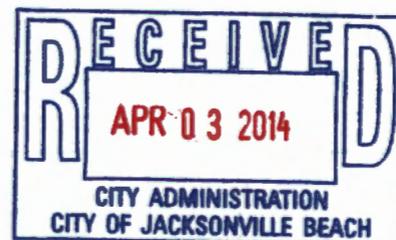
1. A building permit must be approved before the building can be moved.
2. The homestead building must be maintained in good condition at all times and according to all City Codes. The City of Jacksonville Beach does not own the Oesterreicher/McCormick home and is not responsible for any re-location, construction, or maintenance costs for this building.

Note: The City Manager is a member of the Historical Society.

**Recommendation:**

Approve the relocation of the Oesterreicher/McCormick Homestead building to the Historical Park property waiving the permit fees, and with the conditions described in a memo from the City Manager dated December 6, 2014.

Mr. George Forbes, City Manager  
City of Jacksonville Beach  
11 North Third St.  
Jacksonville Beach, Florida 32250



March 31, 2014

Dear Mr. Forbes,

The Beaches Area Historical Society is thrilled to inform you we have been offered the Oesterreicher/McCormick Homestead, which is currently located on the McCormick Ranch. The Homestead is the second oldest structure in Duval County, so this will be quite a feather in the cap of Jacksonville Beach and the Historical Society! At this most important gateway to Jacksonville Beach, we are truly creating a Village of sacred historical buildings that would have likely disappeared if not for the courageous foresight of Jean McCormick and yourself allowing this Village to grow!

The Homestead will be ready for relocation in May.

The Beaches Area Historical Society has \$67,000.00 to pay for the move and the foundation. The closing of 5<sup>th</sup> Street has been completed in preparation for this move.

We have construction documents prepared to submit to the City of Jacksonville Beach as soon as we receive approval for relocating the Homestead to the Park.

We are in the process of hiring a Certified Building contractor for the renovation of the Homestead.

We anticipate the move and construction to take place in May, June, July and August.

The Dedication ceremony is being planned for the Fall when the McCormick family will be having a family reunion of almost 300 family members.

Once the City of Jacksonville Beach agrees to the relocation of the Homestead we will begin the public portion of our fund raising efforts. We met with Mr. Bill Gulliford, Jacksonville City Council President on March 25th to request funds from the City of Jacksonville to financially help us move the Homestead and are very encouraged by his response.

The Homestead is a 2 room structure made from Cypress logs. The living room will remain as is. Because of the proximity to the Chapel, the bedroom will be modified adding a handicap bathroom.

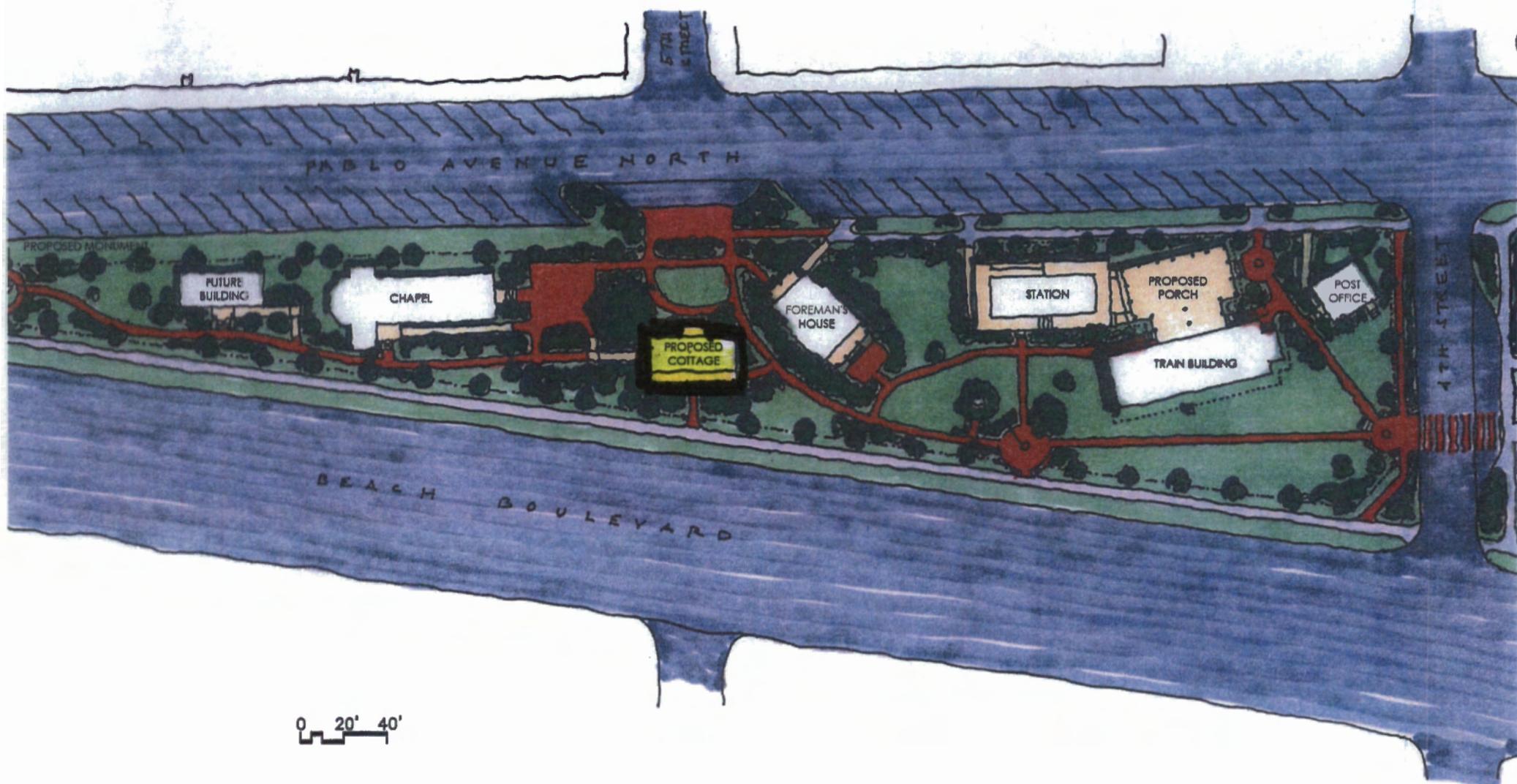
We appreciate your participation in our new adventure! Please add us to your earliest City Council agenda. We will attend the meeting and would be happy to fully inform the City Council Members of all details and benefits of this project.

Additionally, should the city have any extra funds we would also be extremely thankful if you could apply them to any City permits, Public Work requirements, or electrical needs! We are not picky about how you would like to help us improve the Gateway to Jacksonville Beach.

Thank you for your time and effort!

  
Peggy Cornelius, President  
Beaches Area Historical Society





## The Oesterreicher-McCormick Homestead on Twenty Mile Road

The Oesterreicher family settled in North Florida in the 1860's and built this wonderful "cracker-style" home on Twenty Mile Road in 1873. The home is still standing and my historical research indicated that the only older structure in Duval County is the Kingsley Plantation on Fort George Island (c1791). This property is truly a home worthy of historic preservation.

Spaniard Pedro Aviles Menendez established St. Augustine in 1565. The Spanish and later English governments established four major roads emanating from St. Augustine. The earliest was Twenty Mile Road, which followed an old established Indian trail between the Village of Seloy (St. Augustine) and the Village of Saturiba (Ft. Caroline). This road, which Menendez and his men took on their way to attack Ft. Caroline in 1565, lies just west of today's Palm Valley Bridge. Historians' maps of North Florida (circa late 1500's) show this road as a thick black line, the only "highway" in Florida. The actual mileage from St. Augustine to Ft. Caroline is 40 miles, but the half way point for rest, food and watering horses was critical and was variously known as Twenty Mile Station and Twenty Mile Settlement. The road became known as Twenty Mile Road. Twenty Mile Road was particularly busy during the British control (1763-1784) when St. John's Town (Ft. Caroline) was the most heavily populated. This halfway point area is also important because a local family who ultimately made a large impact on "The Beaches" settled here in the 1860's.

The local family story really began after the Civil War when Tom Oesterreicher came to the Twenty Mile Station area from South Carolina and squatted on 37 acres. After Tom married a Minorcan woman named Ella Ortegas from St. Augustine, the Oesterreichers built a home in 1873 and raised a family here. The home, although not open to the public, is a key Florida landmark, and is one of the oldest structures in the area. Jacksonville resident, B.B. McCormick married Tom Oesterreicher's eldest daughter, Dora Elizabeth and after her death, B.B. married her sister, Maude.

In 1919, the family moved to Jacksonville Beach. B.B. McCormick, a major contractor, contributed greatly to the growth of "The Beaches". His company built much of AIA as well as portions of the US Navy base at Mayport. McCormick also built bulkheads along the oceanfront and the canals in Ponte Vedra and provided the revetment of much of the oceanfront following Hurricane Dora in 1964.

The McCormick branch of the family purchased the expanded original 37 acres at Twenty Mile and operated a several thousand acre cattle ranch known as McCormick Circle OX Ranch. The McCormick family gradually sold their land to the Davis family and in 2005 all the land became part of the Dee-Dot Ranch.

Jean Haden McCormick, who married B. B. McCormick's son J.T. in 1939 played a major role in creating the popular Beaches Museum & History Park in partnership with the City of Jacksonville Beach in 2006. Although the Beaches Area Historical Society was founded in 1978, it wasn't until this partnership that the current location and mission of the Beaches Museum and History Park were established.

Also worthy of note, a descendant of the founding Oesterreicher family, Michel Oesterreicher has written a book entitled *Pioneer Family* which paints a portrait of life in northeast Florida while still a frontier. This book chronicles the Oesterreicher family's daily struggles in the backwoods of Florida.

With the establishment in the 1830's of the city of Jacksonville to the west of the Beaches, three railroad lines were laid which created an east-west flow rather than the former north-south orientation from St. Augustine. The advent of the automobile and the new east-west Atlantic Blvd. in 1910, Twenty Mile Road faded in importance and ultimately there are only a few remnants today including the dirt road section upon which the historic Oesterreicher/McCormick Homestead still stands.

The Oesterreicher/McCormick Homestead is believed to have been in the same family ownership longer than any other residence in Duval County. Bringing the Homestead to Jacksonville Beach would complete the family's move to Jacksonville Beach, begun in 1919, and would preserve a crucial piece of Duval County history and Beaches history for future generations.

Written by Neil McGuinness

Board Member, Beaches Museum and History Park

Atlantic Beach resident

Author of "The Beaches: A History and Tour"

March 30, 2014

Edited by Suzanne McCormick Taylor, Granddaughter of B.B. McCormick

Submitted by Peggy Cornelius, President, Beaches Museum & History Park

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)

December 5, 2014

**MEMORANDUM**

**TO:** George Forbes  
City Manager

**From:** Harry Royal  
Finance Officer

**RE:** Approval of Auditor Selection

**ACTION REQUESTED:**

Approve selection of auditor.

**BACKGROUND:**

Auditor selection procedures for local governmental entities are provided for in Section 218.391, Florida Statutes. The statutes requires a governmental entity to issue a request for proposal (RFP) for audit services and evaluate the responses to the RFP based on the proposers' audit and technical qualifications. For this reason, the City issued Request for Proposal 15-1314 for Audit Services for a three year period with an option to renew for two additional years and received responses from six qualified audit firms. The responses to the request for proposal were evaluated on the following criteria:

1. Past experience of audit firm and staff with comparable government and utility audit engagements.
2. The audit firm's technical and audit qualifications critical to performing quality audit services.
3. The basis for audit fees submitted with the proposals was also considered as one of the factors in the evaluation process, but price was not considered the principal factor used to evaluate the award of the contract for audit services.

The City's Auditor Selection Committee was composed of the Pension Benefits Administrator, Human Resource Director, Purchasing Administrator, Accounting Supervisor, and the Finance Officer. The committee evaluated the six responses to the request for proposal for audit services and selected the top three ranked audit firms for oral interviews. A copy of the spreadsheet which reflects the ranking of the proposers' responses is attached to this memorandum.

The audit firm of Purvis Gray & Company is being recommended by the Finance Committee to perform audit services for the City because they were the highest ranked qualified firm responding to the request for proposal. Purvis Gray is our



current auditors and have provided invaluable technical assistance to the City in the area of electrical operations as well as governmental accounting. This firm has also assisted and advised the City on implementing new Governmental Accounting Standards.

The total compensation for audit services proposed by Purvis Gray & Company for the next three annual audits (FY 2015/2017) is \$78,000 for the first year with an increase of \$2,500 per year for the next two subsequent audit years. The monies for audit services are budgeted in account number 511-0202-591-3200.

**RECOMMENDATION:**

Approve Purvis Gray & Company to conduct the city's audit for a period of three years with an option to renew for two additional years upon the approval of the City Manager.



City of  
Jacksonville Beach  
City Hall  
11 North Third Street  
Jacksonville Beach  
FL 32250  
[P] 904.247.6229  
[F] 904.270.1639

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

**TO:** George Forbes  
City Manager

**FROM:** Jason Phitides  
Purchasing Administrator

**DATE:** December 6, 2014

**RE:** Award Bid 1415-01 – Lawn Care and Landscape Maintenance –  
16 Substations

**ACTION REQUESTED:**

Award Bid Number 1415-01 for Lawn Care and Landscape Maintenance to the lowest bidders **Green Escapes Landscapes Management** as the Primary Contractor and to **Chad Brock Enterprises** as the Secondary Contractor.

**BACKGROUND:**

The bid includes landscape maintenance services for sixteen (16) substations throughout the Beaches Energy Services territory. The contract requires weekly mowing and landscape maintenance from April through September and bi-weekly maintenance from October through March. Landscape maintenance includes mowing, line trimming, edging, weed control and litter and debris control. Palm tree trimming, mulch application and irrigation repairs are also included on an "as needed" basis.

We are recommending awarding the bid to a Primary Contractor and a Secondary Contractor. The Secondary Contractor will only be used if the contract with the Primary Contractor is terminated, or if the City determines that the Primary Contractor cannot meet the terms of the contract.

The contract term will be for continuous services for three (3) years, with options to renew for three (3) additional years. Total contract term will not exceed six (6) years. Contract renewal is subject to available funding and the approval of the City Manager.

The Purchasing and Procurement Division mailed thirteen (13) invitations to bid and received nine (9) bid responses. A bid tabulation sheet is attached herewith.



Funds are budgeted in the Electric Relay/Substation Services account in the electric fund.

**RECOMMENDATION:**

Award Bid Number 1415-01 for Lawn Care and Landscape Maintenance to **Green Escapes Landscape Management** as the Primary Contractor and to **Chad Brock Enterprises** as the Secondary Contractor for a period of three (3) years, with the City Manager having the authority to renew the contract for three (3) additional one-year periods, as described in the memorandum from the Purchasing Administrator dated December 6, 2014.

City of Jacksonville Beach

Bid Tabulation Sheet

Bid #: 1415-01 Lawn Care and Landscape Maintenance - 16 substations

Estimated Annual Quantities:

Lawn Care	12
Palm Tree Trimming	36
Irrigation Repair	15
Mulch Application	45

		Lawn Care & Maintenance		Palm Tree Trimming		Irrigation Repair		Mulch Application		Grand Total
		Unit Price	Annual Total	Unit Price	Annual Total	Unit Price	Annual Total	Unit Price	Annual Total	
1	Green Escapes	\$ 1,512	\$ 18,140	\$ 15	\$ 540	\$ 40	\$ 600	\$ 45	\$ 2,025	\$ 21,305
2	Chad Brock Enterprises	\$ 1,790	\$ 21,480	\$ 35	\$ 1,260	\$ 25	\$ 375	\$ 30	\$ 1,350	\$ 24,465
3	TNT Landscape	\$ 2,588	\$ 31,056	\$ 18	\$ 648	\$ 45	\$ 675	\$ 40	\$ 1,800	\$ 34,179
4	Duval Landscape	\$ 2,819	\$ 33,828	\$ 25	\$ 900	\$ 35	\$ 525	\$ 42	\$ 1,890	\$ 37,143
5	J&D Maintenance	\$ 3,069	\$ 36,827	\$ 30	\$ 1,080	\$ 55	\$ 825	\$ 45	\$ 2,025	\$ 40,757
6	Dandscape Landscape	\$ 3,640	\$ 43,680	\$ 25	\$ 900	\$ 58	\$ 863	\$ 55	\$ 2,475	\$ 47,918
7	Lazy Days Lawncare	\$ 5,495	\$ 65,940	\$ 18	\$ 648	\$ 40	\$ 600	\$ 37	\$ 1,665	\$ 68,853
8	Landscape Consultants	\$ 6,000	\$ 72,000	\$ 35	\$ 1,260	\$ 65	\$ 975	\$ 50	\$ 2,250	\$ 76,485
9	City Wide Maintenance	\$ 7,575	\$ 90,900	\$ 35	\$ 1,260	\$ 65	\$ 975	\$ 29	\$ 1,305	\$ 94,440

Note: Bid is for a period of three years with the option to renew for an additional three years for a price based on consumer price index.

**MEMORANDUM**

City of

Jacksonville Beach

Purchasing and

Procurement Division

1460A Shetter Avenue

Jacksonville Beach

FL 32250

Phone: 904.247.6229

Fax: 904.247.1639

Email:

[purchasing@jaxbchfl.net](mailto:purchasing@jaxbchfl.net)

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

**TO:** George D. Forbes,  
City Manager

**FROM:** Jason Phitides,  
Purchasing Administrator

**DATE:** December 5, 2014

**SUBJECT:** Sale of Surplus Property

**ACTION REQUESTED:**

Adopt Resolution No. **1942-2014** providing for the sale of surplus property.

**BACKGROUND:**

Periodically the City has equipment that is no longer needed and must be declared surplus and sold at public auction. The Purchasing Division will advertise the auction on the City's website, Beaches Leader, and the Financial News and Daily Record.

Once again, the auction will be conducted by GovDeals, a company that provides online auction and website services. The company has over 270,000 qualified registered bidders, a user friendly website, good customer service, and a quick payment turnaround time. There is no charge to the City for their service. Successful bidders pay a 12.5% buyer's premium which is incorporated into the total cost of each auction item.

Attached to Resolution No. **1942-2014** is the current list of City property declared surplus. This resolution allows for the addition or subtraction of surplus items from the attached list due to reassignment, or due to additional items declared surplus prior to the public auction.

**RECOMMENDATION:**

Adopt Resolution No. **1942-2014**: A RESOLUTION PROVIDING FOR THE SALE OF SURPLUS PROPERTY.

Attachment



Introduced by: Mayor Pro Tem, Jeanell Wilson

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

**RESOLUTION NO. 1942-2014**

**A RESOLUTION PROVIDING FOR THE  
SALE OF SURPLUS PROPERTY ONLINE**

**WHEREAS**, it is hereby declared that certain personal property owned by the City of Jacksonville Beach particularly described on attached list is in excess of the foreseeable needs of the public, and for that reason it is in the best interest of the City that the same be put up for public online auction and sold to the highest bidder(s) after providing the required public notice. The attached list of surplus items is subject to change with the approval of the City Manager or Finance Officer due to items being reassigned to a City department or additional items becoming surplus prior to Bid Process.

**WHEREAS**, the public will be allowed sufficient time to inspect the surplus property prior to commencement of the public auction.

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

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

**Section 1.** After providing proper public notice the attached list of surplus items will be disposed of by conducting an auction open to the public.

**Section 2.** All items shall be sold in, as is, where is, and without warranty.

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

**AUTHENTICATED** this 15th day of December, A.D., 2014.

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William C. Latham, MAYOR

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Judy L. Bullock, CITY CLERK

## IT EQUIPMENT

	A	B	C	D	E
1	Box	LOT #	Asset #	Asset Description	Serial NO
2					
3		<b>Pallet 1 of 6</b>		<b>Hard-drives, Computers &amp; Servers</b>	
4					
5		6054	N/A	Dell PowerEdge Server 4600	GZW4221
6		6084***	9544	HP Proliant ML Server ML 150	USE02N70M
7		6037***	N/A	HP Mini Tower DX500	MXL9081GL3
8		6039***	9180	HP USFF DC7800	2UA8390J6C
9		6038***	9239	HP Mini Tower DC7800	MXL8440F4Q
10		6041	8515	Dell Optiplex GX620	64JG391
11		6042	8516	Dell Optiplex GX620	74JG391
12		6043	8646	Dell Optiplex GX620	BW49WB1
13		6044	9041	Dell Optiplex 755	GS74LF1
14		6045	8513	Dell Desktop	CSHB291
15		6055	9040	Dell Optiplex 755	D8F4LF1
16		6056	8511	Dell Optiplex GX620	F8P9291
17		6064	9202	Dell Precision T5400	GNNKMH1
18		6071***	9185	HP USFF DC7800	2UA8390J6C
19		6073***	9187	HP USFF DC7800	2UA83041B
20		6075***	9181	HP USFF DC7800	2UA8390J6F
21		6076***	9292	HP Mini Tower DC7800	MXL8470
22		6077***	9340	HP Mini Tower DC7800	MXL9150LC5
23		6078***	9018	HP Mini Tower DC7800	MXL80306VD
24		6080***	9070	HP Mini Tower DC7800	MXL8050BKR
25		6085***	9105	HP Destop PC DC7800	MXL8110212
26		6092***	N/A	HP Tower DX7500	MXL9081GBQ
27		6093***	N/A	HP Tower DX7500	MXL9081GCL
28		6094***	N/A	HP Tower DX7500	MXL9081GHT
29		6095***	N/A	HP Tower DX7500	MXL9081GSG
30		6096***	N/A	HP Tower DX7500	MXL1260K2V
31		6097***	N/A	HP Tower DX7500	MXL9081FPX
32		6099***	N/A	HP Tower DX7500	MXL9081GTL
33		6100***	N/A	HP Tower DX7800	MXL8110XXQ
34		6101***	9178	HP Tower DX7800	MXL8360R88
35		6102***	8880	HP Tower DC7700	MXL7190LG7
36		6103***	8934	HP Tower DC7700	2UA7291R89
37		6110***	9184	HP USFF DC7800	2UA8390J6J
38		6111***	9179	HP USFF DC7800	2UA838041H
39		6112***	9186	HP USFF DC7800	2UA8390J69
40		6113***	9182	HP USFF DC7800	2UA8390JG
41		6114***	9183	HP USFF DC7800	2UA8390J6H
42		6115***	9357	HP USFF DC7800	2UA927069M
43		6119	7317	Dell PowerEdge Server	CBPB321
44		6120	7312	Dell PowerEdge Server	3MF3221
45		6152	7087	Dell PowerEdge Server	DTVMJ11
46		6153	7311	Dell PowerEdge Server	50X4221
47		6159	9064	HP Workstation xw4600	2UA8060H50
48		6163***	9351	HP Desktop Ultra Slim	MXL92016TP
49		6151	9201	Dell Desktop	FNNKMH1

## IT EQUIPMENT

	A	B	C	D	E
1	Box	LOT #	Asset #	Asset Description	Serial NO
50		6150	9203	Dell Desktop	4NMKMHI
51		6149	9204	Dell Desktop	JNNKMH1
52		6148	9141	Dell Desktop	DGFQU41
53		6147	9175	Dell Desktop	FMZ44H1
54		6140	7957	Dell Precision Workstation 650	4H6RB51
55		6139		Dell 2161ds	6NCW481
56		6138		Silkworm 3260	US-0G7542-13560-48R-D003
57		6137	8381	Castelle Faxpress Fax Server	84500137
58		6157		IBM Mini Tower	5162-1111233
59					
60					
61					
62					
63					
64		*		non-operation	
65		**		no hard drive	
66		***		non-operation & no hard drive	
67					

## IT EQUIPMENT

	A	B	C	D	E
1	Box	LOT #	Asset #	Asset Description	Serial NO
68	Box	Pallet 3 of 6		Laptops	
69		6046	9323	Panasonic Toughbook	9CKSA61902
70		6047	9314	Panasonic Toughbook	9CKSA61822
71		6048	9319	Panasonic Toughbook	9CKSA61891
72		6049	9328	Panasonic Toughbook	9CKSA61904
73		6050	9327	Panasonic Toughbook	9CKSA61900
74		6052	9459	Dell Laptop	6B79RR1
75		6051	9090	Panasonic Laptop	8CKSA48826
76		6053	8797	Panasonic Laptop CF-74	7BKSA24138
77		6057	9329	Panasonic Laptop	9CKSA61903
78		6058	9325	Panasonic Laptop	9CKSA61858
79		6059	9091	Panasonic Laptop	8CKSA48834
80		6060	8803	Panasonic Laptop CF-74	7BKSA24148
81		6061	9315	Panasonic Laptop CF-74	9CKSA61852
82		6062	9321	Panasonic Laptop	9CKSA61899
83		6063	9092	Panasonic Laptop	8CKSA48835
84		6065	8794	Panasonic Laptop	7BKSA24133
85		6066	9093	Panasonic Laptop	8CKSA48839
86		6067	9326	Panasonic Laptop	9CKSA61897
87		6068	7883	Toshiba Laptop	4404924P
88		6069	9318	Panasonic Laptop	9CKSA61885
89		6070	9317	Panasonic Laptop	9CKSA61857
90		6072*	9534	HP ProBook 4510s	CNU0090KTZ
91		6074***	9403	HP Notebook 6730b	CNU9301XC3
92		6089***	8621	Panasonic Toughbook CF-51	6HTYA02052
93		6104***	9085	Panasonic Toughbook CF-91	8AKYA26235
94		6108***	7950	Dell Inspiron Notebook 8600	6SST851
95		6161***	9342	Panasonic toughbook CF-52	9BTYA46012
96		6146	9096	Panasonic Laptop	8BKSA46740
97		6145	9316	Panasonic Laptop	9CKSA61856
98		6144	9065	Panasonic Laptop	755SA06698
99		6143	1000	Dell Laptop	1WSJPQ1
100		6142	9411	Dell Laptop	82WRZK1
101		6141	9015	Dell Laptop	4CYYGf1
102					
103					
104					
105					
106					
107		*			
108		**	no hard drive		
109		***	non-operation & no hard drive		
110					

## IT EQUIPMENT

	A	B	C	D	E
1	Box	LOT #	Asset #	Asset Description	Serial NO
111		<b>Pallet 2 of 6</b>		<b>Monitors</b>	
112		6086*	N/A	HP Flat Panel L1908w	3CQ82228LX
113		6087*	N/A	Dell Flat Panel 1702	MX-08G152-47605-SSR-A6RU
114		6088	N/A	Dell Flat Panel 1704	KRO8G1524760226LAAX3
115		6106	N/A	Dell Flat Panel 15"	CN-06R644-47804-2AI-N5MX
116		6107	N/A	Dell Flat Panel 15"	CN-06R644-47804-2AI-N61H
117		6160	N/A	Dell Flat Panel	CN-0C9536-46633-65T-2URS
118					
119					
120					
121					
122	<b>Box</b>	<b>Pallet 4 of 6</b>		<b>Printers</b>	
123					
124					
125					
126					
127					
128					
129					
130					
131					
132					
133					
134	<b>Box</b>	<b>Pallet 5 of 6</b>		<b>Scanners</b>	
135		6035	5860	OCR Scanner (5133A) 5000 Series	5133A001791
136		6036***	N/A	HP Laserjet P2035	CNB9G13837
137		6040	7256	OCR Scanner (5133A) 5000 Series	5133A0702291
138		6081*	N/A	Fujitus Scanner	800852
139		6109	7989	Fujitus Scanner	647664
140		6105	N/A	Fujitus Scanner Fi-4120c	010289
141		6117	N/A	HP Scanjet N6310	CNA9BP707X
142		6162	8233	Fujitsu Scanner Fi-4120c	654342
143		6156		Deskjet Scanner 970CXi	MX0791F139
144					
145					
146					
147					
148					
149					
150		*	non-operation		
151		**	no hard drive		
152		***	non-operation & no hard drive		
153					
154		6155		Autoclave M17808	01-85-N17808
155					

# IT EQUIPMENT

	A	B	C	D	E
1	Box	LOT #	Asset #	Asset Description	Serial NO
156	Box	Pallet 6 of 6		Miscellaneous	
157					
158					
159					
160					
161					
162					
163					
164					
165					
166					
167		*		non-operation	
168		**		no hard drive	
169		***		non-operation & no hard drive	
170					
171					
172					
173					
174					

## VEHICLES

<b>City Vehicles</b>				
Lot / Door #	YEAR	Make / Model	Asset	Mileage
011	2007	Chevrolet Silverado 1500	1GCGC13U07F111150	85610
023	2006	Chevrolet Impala	2G1WS551169261518	75938
024	2006	Chevrolet Impala	2G1WS551069263292	58071
046	2006	Chevrolet Impala	2G1WS551369269975	56395
095	2004	Chevrolet Impala	A5KD1HDACEG031030	55794
214	2003	Ford F350	1FDWF36S33ED58750	100288
524	2001	Dodge Ram 1500	1B7HC16X91S666901	107187
541	2006	Ford F250	1FTSX20566EC45666	59159
598	1999	Dodge Ram 2500	3B7KF26Z1XM572372	82445
<b>Confiscated</b>				
		None		

<b>Box</b>	<b>LOT #</b>	<b>Asset #</b>	<b>Asset Description</b>	<b>Serial # / VIN</b>
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**Lawn Equipment**

	6122		Stihl Weedeater	2439455643
	6123		Stihl Polesaw HT75	243505642
	6124		Stihl Polesaw HT75	260179449
	6125		Stihl Hedge Trimmer HL 75	

**Pallet 6121**

**Miscellaneous**

Christmas Decoration

**Lot**

MISCELLANEOUS ITEMS

**LOT #    Asset #    Asset Description    Serial NO**

**Pallet 1 of 6**

**Miscellaneous**

6027	7099	Sign Maker	
6031		TV Stand Roller	
6032	3700	Canon Micro Flim	
		Reader+Printer 90	
6033		Advance Autoscrubber	
6034		Advance Carpetriever	
		Vacuum	
6083	4136	Treadmill Star Trac	

**Box Pallet**

**Misc Office Supplies**

6116		various	
6118		Cash Drawers Indiana	

**Pallet**

**Chairs**

6082		Chair	
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**Pallet**

**Desks**

6079		HP Workstation XW4600	
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**Pallet**

**Electronics**

6028		Sylvania 19" TV/VCR	
6029		Booksonic 19" TV/VCR	
6127		Symphonic TV/VCR combo	V04913096

**Pallet**

**Typewriters**

**Pallet**

**Outdoor**

6090		HP Motor 30	
6091		HP Motor 20	



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

www.jacksonvillebeach.org

# MEMORANDUM

**To:** George D. Forbes, City Manager  
**From:** William C. Mann, Planning Official   
**Re:** Ordinance No. 2014-8061, amending Chapter 12, Section 12-33 - Mobile Food Vending of the Code of Ordinances of the City of Jacksonville Beach by repealing Paragraph (9) *EXPIRATION ("SUNSET") DATE*.  
**Date:** November 19, 2014

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## **ACTION REQUESTED:**

**Adoption of Ordinance No. 2014-8061** amending Chapter 12, Section 12-33 - Mobile Food Vending of the Code of Ordinances of the City of Jacksonville Beach by repealing and deleting Paragraph (9) *EXPIRATION ("SUNSET") DATE*.

## **BACKGROUND:**

On February 3, 2014 the City Council adopted Ordinance No. 2014-8041 which amended Chapter 12 - Food and Food Products of the City's Code of Ordinances to define and regulate mobile food vending businesses. These regulations were approved as a "pilot" program for mobile food vendors, to give them roughly a year to try operating in the city under the adopted regulations.

Since mobile food vending was only approved by the City Council as a pilot program, Ordinance No. 2014-8041 contains a paragraph that will automatically repeal the current regulations on April 30, 2015, thirteen months after their adoption. The intent was that sometime prior to that proposed "sunset" date, the food truck concept would be reviewed to determine if the City wanted to keep the regulations in place, modify them, or allow them to be repealed.

Attached following Ord. No. 2014-8061 is a list of currently permitted mobile food vendors in the city. The first permit was issued on March 19, 2014, and is still active. Since March, there have been a total of 18 permits issued. Of those 18



permits, 14 are currently active. In that same time frame, the Police Department has issued three warnings to mobile food vendors operating in the city without a license. Only one permit application has been denied for insufficient information.

The primary complaint from applicants and potential applicants over the "pilot" period has been the local business tax charged by the City. However, it is that tax which actually helps to balance the interests of the food trucks with the 'brick and mortar' restaurants who are charged a similar local tax to operate in the city each year.

Upon adoption of the attached ordinance, *Mobile food vendors* would remain as permitted uses in C-1, C-2, CS, and CBD commercial zoning districts in the City, and they would also remain as permitted in existing Redevelopment District: RD districts and within commercially designated areas of existing Planned Unit Development District: PUD districts.

**RECOMMENDATION:**

Approve Ordinance No. 2014-8061, amending Chapter 12, Section 12-33 - Mobile Food Vending of the Code of Ordinances of the City of Jacksonville Beach by repealing and deleting Paragraph (9) *EXPIRATION ("SUNSET") DATE*.

Introduced by: Mayor Pro-Tem Jeanell Wilson  
First Reading: December 1, 2014  
Second Reading: \_\_\_\_\_

**ORDINANCE NO. 2014-8061**

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY AMENDING ARTICLE II, SECTION 12-33. – MOBILE FOOD VENDING OF CHAPTER 12 – FOOD AND FOOD PRODUCTS TO REPEAL AND DELETE PARAGRAPH (9) *EXPIRATION (“SUNSET”) DATE*; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Jacksonville Beach, Florida wishes to eliminate the expiration date of the mobile food vending regulations adopted via Ordinance No. 2014-8041, as provided for in said City’s Code of Ordinances;

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

**SECTION 1.** That Paragraph (9) *Expiration (“Sunset”) date* of Article II, Section 12-33 – Mobile Food Vending of Chapter 12 –Food and Food Products of the Code of Ordinances of the City of Jacksonville Beach is hereby repealed and deleted.

**SECTION 2.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 3.** Codification of this ordinance in the City Code of Ordinances is hereby authorized and directed.

**SECTION 4.** This ordinance shall take effect upon its passage and publication as required by law.

**AUTHENTICATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A. D., 2014.**

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

\_\_\_\_\_  
Judy L. Bullock, CITY CLERK

# JACKSONVILLE BEACH FOOD TRUCK PERMITS

\*\*\*ONLY ONE MFV ALLOWED ON PROPERTY AT ANY TIME-SCHEDULING IS THE RESPONSIBILITY OF THE PROPERTY OWNER IF MORE THAN 1 MFV AUTHORIZED FOR THE PROPERTY.\*\*\*

NO.	FOOD TRUCK OWNER NAME/CONTACT INFO	DOING BUSINESS AS	APPROVED LOCATION ADDRESS/NAME	NUMBER OF MOBILE VEHICLES ALLOWED	MAXIMUM NUMBER OF MV ALLOWED ON SITE	HOURS OF OPERATION	PROPERTY OWNER NAME/CONTACT INFO	DATE APPROVED
1	Derek Davis (904)755-7402	Transcend2000 Snoballs	1401 Beach Blvd*** Beaches Car Wash	1	1	7AM-3AM DAILY	George A. Lindley (904)710-4823	3/19/2014
2	Gerald M. Asker, Jr. (904)588-3509	The Funkadelic Food Truck	318 7th Avenue North Formerly U.S.P.S Office	1	2	7AM-3AM DAILY	BUMC (c/o Donald Jacobs) (904)545-6907	3/27/2014
3	Nichole Lima (904)524-5576	Kona Ice of Jax	412 Boardwalk *** The Pier Cantina	1	1	7AM-3AM DAILY	Rich Trendel (904)703-7773	3/19/2014
5	Dianne Darabi (904)318-1580	Wiki Wiki Hawaiian Shave Ice	412 Boardwalk *** The Pier Cantina	1	1	7AM-3AM DAILY	Rich Trendel (904)703-7773	3/20/2014
6	Charles Smith (904)885-0084	Charlie's Snow Shack, Inc	818 Beach Blvd Beach Bowl	1	2	7AM-3AM DAILY	H&H Enterprises, Inc. (904)545-0717	3/27/2014
7	Derek Davis (904)755-7402	Transcend2000 Snoballs	412 Boardwalk *** The Pier Cantina	1	1	7AM-3AM DAILY	Rich Trendel (904)703-7773	4/8/2014
8	Theron James Altman, III (904)655-0820	Grannie's Chicken	318 7th Avenue North Formerly U.S.P.S Office	1	2	7AM-3AM DAILY	BUMC (c/o Donald Jacobs) (904)545-6907	4/2/2014
9	Matt Lennon (904)485-0557	The Loving Cup	412 Boardwalk *** The Pier Cantina	1	1	7AM-3AM DAILY	Rich Trendel (904)703-7773	4/2/2014
13	Anthony Hashem (904)451-0126	The Happy Grilled Cheese	412 Boardwalk *** The Pier Cantina	1	1	7AM-3AM DAILY	Rich Trendel (904)703-7773	4/18/2014
14	Gerald M. Asker, Jr. (904)588-3509	The Funkadelic Food Truck	1401 Beach Blvd*** Beaches Car Wash	1	1	7AM-3AM DAILY	George A. Lindley (904)710-4823	5/23/2014
15	Ulka Shriver (703)798-7131	Backstreets, LLC.	233 3rd Street North Wells Fargo Secondary	1	1	7AM-3AM DAILY	Randal Trinidad (904)651-7230/(904)361-2461	6/23/2014
16	Glenn Connelly (904)813-5004 John Cockerill (904)524-3787	What's the Catch?	318 7th Avenue North Formerly U.S.P.S Office	1	2	7AM-3AM DAILY	BUMC (c/o Donald Jacobs) (904)545-6907	7/14/2014
17	Jaime Gardea (904)415-8767	Jalapeno Express	1415 3rd Street North Amy's Turn	1	1	7AM-3AM DAILY	John (Jack) Schmidt (904)923-4080	8/11/2014
18	Ludwin "Eric" Sanchez (317)507-7856	Mr. Taco, Inc.	1198 Beach Boulevard Beach Plaza Outparcel	1	1	7AM-3AM DAILY	Hasteh, LLC. (904) 910-8448	10/21/2014

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

AS AMENDED BY ORD. NO. 2014-8061

**ORDINANCE NO. 2014-8041**

**AN ORDINANCE AMENDING CHAPTER 12, "FOOD AND FOOD PRODUCTS", OF THE CODE OF ORDINANCES OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, BY ADDING A SECTION 12-33, "MOBILE FOOD VENDING" ESTABLISHING DEFINITIONS; LOCATION, PERMIT, AND SEPARATION REQUIREMENTS; SIGNAGE AND NOISE, HOURS OF OPERATION, WASTE MANAGEMENT, LICENSING AND PERMITS REQUIRED, APPLICATION SUBMITTAL REQUIREMENTS, AND ENFORCEMENT PROCEDURES FOR THE OPERATION OF MOBILE FOOD VENDING BUSINESSES IN THE CITY OF JACKSONVILLE BEACH; SETTING AN EXPIRATION ("SUNSET") DATE FOR THIS ORDINANCE; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

**SECTION 1.** That Chapter 12 of the Code of Ordinances of the City of Jacksonville Beach, Florida is amended by adding a new Section 12-33 *Mobile Food Vending* which shall read as follows:

**Sec. 12-33. Mobile food vending.** Where allowed under the permitted use provisions in certain zoning districts as set forth in Division 2 of Article VII of Chapter 34 of the Jacksonville Beach Code of Ordinances, mobile food vendors shall conform to the following conditions:

**(1) Definitions.**

- a. **Commissary** means an approved facility that provides support services for specific required functions of a mobile food vendor. Any food establishment permitted or licensed by a regulatory agency, such as a catering operation, restaurant, grocery store, or similar establishment, or any other approved facility where food, containers, or supplies are kept, handled, prepared, packaged, or stored can be considered for approval as a commissary. A private residence may not be used as a commissary.
- b. **Mobile food vending vehicle** means a vehicle-mounted public food service establishment that is either self-propelled or otherwise movable from place to place. A mobile food vending vehicle is further defined as having, as part of the vehicle, a three-compartment sink for washing, rinsing and sanitizing equipment and utensils; a separate hand wash sink; adequate refrigeration and storage capacity; full provision of power utilities including electrical, LP-gas, or a portable power generation unit; a potable water holding tank;

- and a means for liquid waste containment and disposal.
- c. **Mobile food vendor** means any person or business selling food from a mobile food vending vehicle from which food items are sold to the general public.

**(2) Location, permit, and separation requirements.**

- a. Mobile food vendors may be located on a lot having 6,000 square feet or more of area, and containing a principal building or use. The maximum number of mobile food vendors per lot is limited as follows:
    - i. Maximum of one (1) mobile food vendor on lots having 6,000 to 43,559 square feet of area;
    - ii. Maximum of two (2) mobile food vendors on lots having 43,560 or more square feet of area.
  - b. Mobile food vending permits, unless sooner suspended or revoked, shall be valid for an initial period that coincides with the expiration date established for this Section.
  - c. Approved permits must be attached to the mobile food vending vehicle where they are readily visible and shall include the name, mailing address, and valid phone number of the mobile food vending vehicle owner and shall list the addresses and parcel identification numbers where the permit is valid.
  - d. Routine inspections may be conducted by code enforcement inspectors, building code inspectors, fire inspectors, or police officers on each mobile food vending vehicle at any time and at any frequency deemed appropriate by the City.
  - e. Mobile food vending vehicles must be located at least one-hundred (100) feet from the main entrance to any eating establishment or similar food service business and one-hundred (100) feet from any outdoor dining area. This separation requirement shall apply only during the normal hours of operation of the eating establishment or similar food service business or outdoor dining area.
  - f. Mobile food vending vehicles are not allowed to be located within a required sight visibility triangle at the intersection of a driveway, alleyway, or public street with another public street as set forth in Chapter 34 of this Code of Ordinances; or within five (5) feet of a public sidewalk, utility box or vault, handicapped ramp, building entrance, or exit or emergency access/exit way; and must not locate within any area of the lot that impedes, endangers, or interferes with pedestrian or vehicular traffic. Mobile food vending vehicles must be located a minimum distance of fifteen (15) feet in all directions away from a fire hydrant.
  - g. Mobile food vending vehicles may not occupy or prevent access to any handicap accessible parking space.
- (3) Signage and noise.** One (1) free-standing sandwich board or A-frame type sign is permitted on private property for each mobile food vendor. The total size of the sign may not exceed forty-two (42") inches in height or thirty-six (36") inches in width. No audio amplification is permitted as part of a mobile food vending operation.

(4) **Hours of operation.**

- a. Hours of operation are limited to the hours between 7:00 a.m. and 3:00 a.m. unless the designated location on the lot accommodating the mobile food vending vehicle is located within one-hundred and fifty (150) feet of the property line of a dwelling unit in a residential zoning district, in which case the hours of operation are limited to the hours between 7:00 a.m. and 10:00 p.m.
- b. The mobile food vending operator or his or her designee must be present at all times.
- c. The mobile food vending vehicle and any associated outdoor seating must be removed from its permitted locations during impermissible hours of operation; and must not be stored, parked, or left overnight on any public street or sidewalk.

(5) **Waste management.**

- a. The mobile food vendor is responsible for the proper disposal of waste and trash associated with the permitted operation. City trash receptacles shall not be used for this purpose. At a minimum, vendors must remove all waste and trash from their approved location at the end of each day or as needed to maintain the health and safety of the public. Vendors must keep all areas within twenty-five (25) feet of the vehicles and any associated seating areas clean of grease, trash, paper, cups or cans associated with the vending operation.
- b. Liquid waste or grease shall be disposed of at an approved location (for example, an approved commissary) and shall not be placed in tree pits, storm drains, or onto any sidewalk, street, or any other public space. Under no circumstances shall grease be released or disposed of in the City's sanitary or storm sewer systems. If at any time evidence of the improper disposal of liquid waste or grease is discovered, the responsible mobile food vending business will be required to cease operation immediately, clean up the improperly disposed material to the satisfaction of the City, and shall not resume operation until an alternate method of disposal has been approved by the Public Works Department.
- c. With the exception of allowable outdoor seating areas, all equipment required for the operation must be contained within, attached to or within three (3) feet of the mobile food vending vehicle; and all food preparation, storage, and sales/distribution shall be in compliance with all applicable sanitary regulations.

- (6) **Licenses and permits required.** For each location, a City of Jacksonville Beach business tax receipt for the mobile food vending business must be obtained; and all required State of Florida, Duval County, and City of Jacksonville Beach permits, licenses, and business tax receipt must be clearly displayed on the mobile food vending unit. Prior to the issuance of a City of Jacksonville Beach mobile food vending business tax receipt, the vendor shall provide evidence of having obtained all applicable State of Florida and Duval County licenses and permits, and obtained approval from the City of Jacksonville Beach Public Works Department for the method for the disposal of grease within an approved grease disposal facility. A mobile food vending business tax receipt shall be renewed annually.

- (7) **Application submittal requirements.** Applications for mobile food vendor permits must include the following information:
- a. Name, address, telephone number, and email address of the applicant and the owner of the vehicle if not the same as the applicant.
  - b. Description of the type of food and/or beverages to be sold.
  - c. Color photograph of the mobile food vending vehicle depicting the current condition of the unit.
  - d. Address of proposed vending site(s), including the property address, property owner's name and telephone number, and the name of the principal business located on the property where applicable.
  - e. Site plan for each proposed vending site, drawn to scale, depicting the following information:
    - i. Total square footage of the property;
    - ii. Location and square footage of the existing principal and accessory use(s), where applicable;
    - iii. Proposed location for the mobile food vending vehicle; and
    - iv. Location of ingress/egress to the site.
  - f. Address of proposed location to store the mobile food vending vehicle when not in use.
  - g. Copies of all permits and business licenses required by the State of Florida and Duval County.
  - h. Notarized commissary agreement confirming the mobile food vendor is operating in conjunction with a licensed commissary in accordance with Florida Statutes, where applicable. All commissaries must be pre-approved by the City prior to issuance of a mobile food vendor permit.
  - i. Notarized affidavit signed by each property owner indicating that the vendor has permission to vend on his or her property. The affidavit must also indicate that the property owner acknowledges the following requirements:
    - i. The property owner shall comply with all ordinances regarding solid waste disposal, and shall provide the vendor access to solid waste collection on the subject property.
    - ii. The property owner shall require that the vendors meet all applicable federal, state and local statutes, regulations, laws, ordinances, rules and codes; including but not limited to permitting requirements regarding his or her specific business:
    - iii. The property owner shall acknowledge that she/he understands the regulations governing mobile food vendors and shall be held responsible, along with the vendor, for any code violations; and,
    - iv. The property owner shall ensure that the property is continuously maintained in a neat, clean, and orderly manner.
  - j. Proof of business insurance, issued by an insurance company that is licensed to do business in the State of Florida, and which protects the applicant from all claims for damages to property and bodily injury, including death, which may arise from operations under or in connection with mobile food vendor.

(8) **Enforcement procedure.**

- a. **Revocation.** If at any time, the State of Florida or Duval County revokes or suspends the issued mobile food vending permit, the City of Jacksonville Beach business tax receipt for the mobile food vending business will be simultaneously revoked or suspended. A mobile food vendor who has his or her permit declared null and void or revoked for any of the reasons set forth in this section shall not be allowed to reapply for a mobile food vending permit for a period of ninety (90) days after the effective date of such action.
- b. **Other violations.** If at any time evidence is provided that a mobile food vending business is being operated in a way that does not comply with these regulations, a notice of violation shall be issued to the lot owner and mobile food vendor and the violation shall be referred to the Special Magistrate for a hearing and disposition in accordance with the provisions of Article VI *Code Enforcement* of Chapter 2 *Administration* of this Code of Ordinances.

(9) ~~Expiration (“Sunset”) date. This Section shall expire on April 30, 2015 unless the City Council of the City of Jacksonville Beach amends this Section by extending the expiration or repealing this paragraph in its entirety.~~

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

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

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

**SECTION 5.** This ordinance shall take effect upon its adoption in accordance with the law.

**AUTHENTICATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014.**

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

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Judy L. Bullock, City Clerk