



**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 15, 2015, 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 1, 2015

2. **ANNOUNCEMENTS:**

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

4. **MAYOR AND CITY COUNCIL:**

Proclamation Presentation – Mikayla Musso, Student Leader of the Year

5. **CITY CLERK:**

6. **CITY MANAGER:**

- (a) Accept the Monthly Financial Reports for the Month of May 2015
- (b) Request to Schedule for a Shade Meeting Pursuant to Florida Statute 286.011(8) to Discuss Pending Litigation
- (c) Authorize the City Manager and Mayor to Sign an Agreement Between the City of Jacksonville Beach and the Florida Department of Corrections Located in Lawtey, Florida, for Training Purposes

Memorandum, Mayor and City Council  
City Council Agenda for June 15, 2015

- (d) Approval to Execute a Contract with the Shepherd Agency for Marketing Services in Response to RFP No. 01-1415 Marketing Services for Beaches Energy Services
- (e) Approve the 2015 Downtown Action Plan and Authorize Sending the Plan to the Community Redevelopment Agency

7. **RESOLUTIONS:**

8. **ORDINANCES:**

**ADJOURNMENT**

Respectfully submitted,

/s/George D. Forbes  
CITY MANAGER

GDF:lds  
06/11/15

*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 12, 2015.*

**Minutes of Regular City Council Meeting  
held Monday, June 1, 2015 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 at 7:00 P.M.

**OPENING CEREMONIES:**

Invocation was given 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, Chief of Police Pat Dooley, Planning & Development Director Bill Mann, Chief Financial Officer Karen Nelson and City Clerk Laurie Scott.

**APPROVAL OF MINUTES**

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

- City Council Workshop held May 18, 2015
- Regular City Council Meeting held May 18, 2015

**ANNOUNCEMENTS**

Council Member Buck announced he attended the Baccalaureate Ceremony at Fletcher High School.

Council Member Wilson stated she attended the Fletcher High School All Class Reunion, and she announced the upcoming Artwalk and Car Cruise events.

Council Member Hoffman expressed her gratitude for the support for the Fletcher High School All Class Reunion fundraiser for the Beaches Museum. She reported Mayor Latham presented a Proclamation in honor of Josh Corey. She also announced she will be absent from the June 15<sup>th</sup> 2015, City Council Meeting.

Mayor Latham made the following announcements and comments:

- He attended the Decommissioning Ceremony for the USS SAMUEL B. ROBERTS (FFG-58) on Friday, May 22, 2015.
- He served as an Officiate for a wedding on Sunday, May 24<sup>th</sup>, 2015.
- He attended the Memorial Day Service in Atlantic Beach honoring the military on Monday, May 25<sup>th</sup>, 2015.
- He participated in the Senior Awards Ceremony for Fletcher High School on Thursday, May 28<sup>th</sup>, 2015.
- He recognized Council Member Hoffman for coordinating the Fletcher High School All Class Reunion fundraiser for the Beaches Historical Society.
- He wished to express his gratitude to Fletcher High School Class of 2015 for inviting him as their guest speaker for their Baccalaureate Ceremony.
- He announced the Jacksonville Beach Student Leader of 2015 is Mikayla Musso, 8<sup>th</sup> grade student from Fletcher Middle School. She will be recognized at the next City Council meeting. The following nominees for each of the schools will be recognized at their end of year student award ceremonies:

Fletcher High:	Caleb Tocco
Jacksonville Beach Elementary:	Anita Perera
San Pablo Elementary:	Melanie Merkel
Seabreeze Elementary:	Christian Shaffer

**COURTESY OF THE FLOOR TO VISITORS:**

**Speakers:**

- Jon McGowan, 5 N. 17<sup>th</sup> Avenue. #40, Jacksonville Beach, discussed the highlights of the Beaches Art Walk. Mr. McGowan presented flyers advertising the Artwalk and Car Cruise events to City Clerk.
- Fae Williams, 115 S. 3<sup>rd</sup> Street, Jacksonville Beach, discussed the maintenance and upkeep of the cemetery and safety concerns. Ms. Williams presented photos to the City Clerk.

- Patrick Gallagher, 1320 1<sup>st</sup> Street North, Jacksonville Beach, discussed concerns about bicycle safety on 1<sup>st</sup> Street.
- James Sorrell, 428 North 10<sup>th</sup> Avenue, Jacksonville Beach discussed the approval of the Growler Bar by the City's Planning Commission, the overflow of the business parking into the residential neighborhoods and reviewing older City Ordinances.

**MAYOR AND CITY COUNCIL:**

- Mayor Latham presented Letters of Appreciation to the Jacksonville Beach Police Department and Lifeguards for their public safety efforts over the Memorial Day Weekend.
- Mayor Latham presented a Letter of Appreciation to Marie Porter (absent) for her lifesaving actions over the Memorial Day weekend.

**CITY CLERK:**

**CITY MANAGER:**

- (a) **Approve the Final Plat for the Pablo Beach South, Replat of Lot 4, Block 62 Residential Subdivision**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman, to approve the Final Plat for the Pablo Beach South, Replat of Lot 4, Block 62 Residential Subdivision as described in the memorandum from the Planning and Development Director dated May 22, 2015.

**Speaker:** Ben Riendeau, 3014 Seahawk Drive, Ponte Vedra Beach, discussed the land use for his property and requested support of the City Council in approving his request.

Mr. Forbes discussed the location of the property, and the city services that were already in place.

Ms. Wilson inquired about the project. Mr. Mann reviewed the building structure types and stated the Plat met all the requirements for approval.

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

**(b) Approve the Purchase of a new IBM iSeries Server from SPS VAR, the sole source vendor for Sungard Public Sector Customers, for \$57,300**

**Motion:** It was moved by Ms. Wilson, seconded by Ms. Hoffman, to approve the Purchase of a new IBM iSeries Server from SPS VAR, the sole source vendor for Sungard Public Sector Customers, for \$57,300 as described in the memorandum from the Chief Financial Officer dated May 23, 2015.

Mr. Forbes explained that the current i520 Series server is eleven years old and is starting to fail and soon will no longer be serviced or maintained by the vendor. The funds have been set aside for the cost of the replacement server. Mr. Forbes explained along with replacing the server, the next phase will include replacing the enterprise software.

Mr. Forbes discussed that the current software enterprise system is about twenty-seven years old and is outdated. The selection of the new ERP system will take the City nine months, with implementation beginning in May 2016. There are six major modules of the ERP system, each taking 9-12 months to implement. With overlap between the module implementations, this can be accomplished in 2-3 years.

The cost of implementing the system is expected to be approximately \$2.5 million.

Ms. Wilson asked Ms. Nelson which departments would utilize the software, the current back-up system and location, and associated fees with the purchase of the new server.

Mr. Forbes explained that included in the cost of the new server there will be an eight (8) year maintenance and hardware agreement, unlimited licenses, data migration and installation. All Departments will use the Enterprise software as applicable.

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

**RESOLUTIONS:**

**ORDINANCES:**

**ADJOURNMENT:**

There being no further business, the meeting adjourned at 7:40 P.M.

Submitted by: Laurie Scott  
City Clerk

Approval:

William C. Latham, MAYOR

Date: June 15, 2015

DRAFT

# Proclamation

*Whereas*, Mikayla Musso serves as President of the inaugural Interact Club at Fletcher Middle School; and

*Whereas*, Mikayla is a two-year member of the National Junior Honor Society; and

*Whereas*, Mikayla has maintained a cumulative "A" average throughout middle school and has been on the Fletcher Middle School Honor Roll eight times; and

*Whereas*, Mikayla serves as a peer mediator and is a classroom peer tutor in her U.S. History class; and

*Whereas*, Mikayla is a school ambassador, leading tours for new students and parents; and

*Whereas*, Mikayla plans to continue serving others in adulthood as either an educator or a nurse; and

*Whereas*, Mikayla was selected as Fletcher Middle School Student Leader of the Year.

*Now, Therefore*, I, William C. Latham, Mayor of the City of Jacksonville Beach, by virtue of the authority vested in me, do hereby designate

*Mikayla Musso*  
*City of Jacksonville Beach*  
*Student Leader of the Year*  
*for the 2014/2015 School Year*

*In Witness Whereof*, I have hereunto set my hand and caused the Seal of the City of Jacksonville Beach to be affixed this 15<sup>th</sup> Day of June, 2015.

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Charlie Latham, MAYOR

City of

Jacksonville Beach

City Hall

11 North Third Street

Jacksonville Beach

FL 32250

Phone: 904.247.6274

Fax: 904.270.1642

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

## MEMORANDUM

TO: George D. Forbes, City Manager  
FROM: Karen Nelson, Chief Financial Officer  
SUBJECT: Monthly Financial Reports for May 2015  
DATE: June 2, 2015

### **Action Requested**

Accept the monthly financial reports for the month of May 2015.

### **Background**

The monthly financial reports for May 2015 are being provided for your information and review. These reports can be found in the "Reports and Information" portion of this agenda.

### **Recommendation**

Accept the monthly financial reports for the month of May 2015, as submitted by the Chief Financial 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: George Forbes, City Manager  
FROM: Susan Smith Erdelyi  
City Attorney  
DATE: June 8, 2015  
RE: 286.011 Executive Session (Shade Meeting) on Pending  
Litigation

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### **ACTION REQUESTED**

Schedule a shade meeting pursuant to Florida Statute 286.011(8) to discuss pending litigation.

### **BACKGROUND**

As the City Attorney, I am requesting that the City Council agree to schedule a shade meeting because I seek the City Council's advice concerning settlement negotiations and/or litigation expenditures in the cases of:

1. *Church of Our Savior v. City of Jacksonville Beach*, Case No. 3:13-cv-1346-J-32JBT.
2. *Las Olas Development, LLC, v. City of Jacksonville Beach*, Case No. 16-2009-CA-00399 Div. H

If the Council will agree to set this meeting, it will be attended by:

Mayor Charlie Latham, Councilmembers Jeanell Wilson, Chris Hoffman, Keith Doherty, Phil Vogelsang, Lee Buck and Bruce Thomason, the City's outside attorney in these cases Dale Scott, City Manager George Forbes and City Attorney Susan Erdelyi.

The proposed date for the meeting will be Friday June 19, 2015 at 4:00 p.m.

### **RECOMMENDATION**

Schedule a shade meeting pursuant to Fla. Stats. 286.011 in the case of *Church of Our Savior v. The City of Jacksonville Beach*, to take place at 4 p.m. on Friday, June 19, 2015. Schedule a shade meeting in the case of



*Las Olas Development, LLC, v. City of Jacksonville Beach* to take place at 5 p.m. on Friday June 19, 2015.

City of

Jacksonville Beach

Police Department

101 Penman Road, South

Jacksonville Beach

FL 32250

Phone: 904.247.6343

Fax: 904.247.6342

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

To: George D. Forbes, City Manager

From: Patrick K. Dooley, Chief of Police

Subject: Request to Authorize the City Manager and the Mayor to enter into an Agreement between the City of Jacksonville Beach and The Florida Department of Corrections for use of the Firearms Range located in Lawtey, Florida.

Date: June 6, 2015

## **ACTION REQUESTED**

Authorize the City Manager and Mayor to sign an agreement between the City of Jacksonville Beach and the Florida Department of Corrections located in Lawtey, Florida, for training purposes.

## **BACKGROUND**

The police department currently uses the firearms range located on the property of the Fraternal Order of Police Northeast Lodge #17 for regular firearms training. The range, located in Jacksonville Beach, is limited to pistol caliber weapons only.

The police department is also required to qualify and train with patrol and SWAT rifles. In the past, scheduling conflicts have made it difficult to utilize the range operated by the Jacksonville Sheriff's Office for training with rifles. For this reason the police department has used the range operated by the Florida Department of Corrections located in Lawtey, Florida, for rifle qualification. The Department of Corrections is requesting we enter into a Memorandum of Agreement with them to continue the use of their range. The range will be utilized at no cost to the city.



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**RECOMMENDATION**

Authorize the City Manager and Mayor to sign an agreement between the City of Jacksonville Beach and the Florida Department of Corrections, for the purpose of firearms training and qualifications, as described in the memo from Patrick K. Dooley, Chief of Police, dated June 6, 2015.

**MEMORANDUM OF AGREEMENT  
BY AND BETWEEN  
THE FLORIDA DEPARTMENT OF CORRECTIONS  
AND  
JACKSONVILLE BEACH POLICE DEPARTMENT  
FOR  
FIRING RANGE USE**

**PARTIES TO THIS MEMORANDUM OF AGREEMENT**

This Memorandum of Agreement ("Agreement") is between the Jacksonville Beach Police Department ("Agency") and the Florida Department of Corrections ("Department"), which are the parties hereto.

WHEREAS, Lawtey Correctional Institution's ("LCI"), a facility of the Department, has a firing range to certify officers and students for safe firearms handling and shooting;

WHEREAS, the Department wishes to render assistance at LCI, upon request, to state and local law enforcement agencies that may from time to time require use of the Department's firing range and training building in providing for firearms qualification for certification of law enforcement officers, to the extent that it is lawfully able to do so without impeding its primary mission;

WHEREAS, the Agency employs law enforcement officers who by law are vested with the authority to bear arms and make arrests and whose primary responsibility is the prevention and detection of crime or the enforcement of the penal, criminal, traffic or highway laws of the state; and

WHEREAS, these officers are required, for purposes of certification by the Florida Department of Law Enforcement Criminal Justice Standards and Training Commission, to exhibit proficiency with firearms, which requires the shooting of a firearm on a firing range.

NOW THEREFORE, the Department and the Agency, through their undersigned agents, agree as follows:

**I. TERM OF AGREEMENT**

This Agreement shall begin on September 1, 2015, or the date on which it is signed by both parties, whichever is later, and shall end at midnight on August 31, 2018. In the event this Agreement is signed by the parties on different dates, the latter date shall control.

**II. SCOPE OF AGREEMENT**

The Department and the Agency agree to carry out their respective duties and responsibilities outlined below, subject to controlling law, policy(ies) and/or procedures, and in consideration of the mutual interests and understandings expressed herein.

**A. Overview**

The purpose of this Memorandum of Agreement is to establish guidelines between the parties to allow the Agency's certified instructors and law enforcement officers to use the Department's firing range and training building located at LCI for firearms qualification and training.

B. Responsibilities of the Department

The Department will perform the following duties at LCI in support of this Agreement:

The Warden or his/her designee will be available to coordinate scheduling and security requirements with the Agency representative for each use by the Agency of the LCI firing range and training building.

C. Responsibilities of the Agency

The Agency shall perform the following duties in support of this Agreement:

1. The Agency shall only use the firing range and training building under the conditions and for the purposes of this Agreement as stated herein.
2. The Agency assumes all liability of their certified instructors, law enforcement officers or other Agency personnel involved or associated with the Agency, while using the firing range and/or training building. However, nothing herein shall constitute a waiver by either party of sovereign immunity or statutory limitations on liability.
3. At all times that the range is utilized by the Agency, the Agency shall ensure that a certified range master is present and the appropriate ratio of range officers to students on the range is met in accordance with the Florida Department of Law Enforcement Criminal Justice Standards and Training Commission requirements.
4. The Agency shall be responsible for the oversight and operation of each firearms qualification session and is solely responsible for supervising and instructing all Agency law enforcement officers or other Agency staff utilizing the firing range and/or training building.
5. The Agency shall ensure that no Agency participant on the firing range, in the training building or adjacent Department property is a convicted felon.
6. The Agency is solely responsible for determining who is eligible to use the firing range and shall ensure that only Agency employees, qualified to seek firearm certification, use the firing range.
7. The Agency shall request the use of the firing range and training building from the LCI's Warden or his/her designee a minimum of ten days in advance of any scheduled firearms qualification session and/or training.
8. The Agency shall notify the LCI's Warden or his/her designee upon completion of the training session.
9. The Agency understands that proper security of the firing range and training building is a priority and will conduct all firearm qualification sessions using standard firearm safety protocols.
10. The Agency shall ensure that all Agency law enforcement officers or other Agency staff in each and every firearms qualification session will abide by any posted rules at the firing range and/or training building, where applicable.
11. The Agency is responsible for all materials and supplies (e.g., weapons, ammunition, etc.) used in the firearm qualification sessions.
12. The Agency is responsible for cleaning the firing range and training building (e.g., pick-up of dispensed shells/cartridges, trash, etc.) after each and every firearms qualification session and training session.
13. The Agency shall be responsible for ensuring that all weapons brought onto Department property, including but not limited to the firing range and training building, are secured at all times when not in use and utilized in a manner that will ensure the security and safety of all Agency law enforcement officers or other Agency staff, qualified to seek firearm certification, as well as institutional personnel.

D. Regulations Governing Use

Failure of the Agency and/or any of its personnel to comply with the terms of this Agreement may result in suspension of the use of the Department's firing ranges and training buildings.

III. **FINANCIAL OBLIGATIONS**

The Department and the Agency acknowledge that this Agreement is not intended to create financial obligations as between the parties. However, in the event that costs are incurred as a result of either or both of the parties performing their duties or responsibilities under this Agreement, each party agrees to be responsible for their own costs.

IV. **AGREEMENT MANAGEMENT**

A. Department's Agreement Administrator

The Agreement Administrator for the Department is responsible for maintaining the official Agreement file, processing any amendments or termination of the Agreement and for maintaining records of all formal correspondence between the Department and the Jacksonville Beach Police Department regarding administration of the Agreement. The address and telephone number of the Department's Agreement Administrator for this Agreement is:

Operations Manager, Contract Administration  
 Bureau of Contract Management and Monitoring  
 501 South Calhoun Street  
 Tallahassee, FL 32399-2500  
 Phone: (850) 717-3681  
 Fax: (850) 488-7189

B. Agreement Managers

The parties have identified the following individuals as Agreement Managers. These individuals are responsible for enforcing performance of the Agreement terms and conditions and shall serve as Agreement Managers regarding issues arising out of this Memorandum of Agreement.

FOR THE DEPARTMENT	FOR THE JACKSONVILLE BEACH POLICE DEPARTMENT
B. V. Reddish	Gene Paul Smith
Warden, Lawtey CI	Commander
7819 N. W. 228 <sup>th</sup> Street	101 South Penman Road
Raiford, Florida 32026	Jacksonville, Florida 32250
(904) 782-2301 (Telephone)	(904) 247-6345 (Telephone)
(904) 782-2005 (Fax)	(904) 247-6342 (Fax)
Reddish.barry@mail.dc.state.fl.us (Email)	gsmith@jaxbchfl.net (Email)

C. Warden's Designee for the Department

FOR THE DEPARTMENT – SCHEDULING OF FIRING RANGE AND TRAINING BUILDING
LCI Training Officer
(904) 782-2000 (Telephone)

**V. REVIEW AND MODIFICATION**

- A. Upon request of either party, both parties will review this Agreement annually in order to determine whether its terms and conditions are still appropriate. The parties agree to renegotiate terms and conditions hereof if it is mutually determined that significant changes in this Agreement are necessary. There are no obligations to agree by either party.
- B. Modifications to the provisions of this Agreement, with the exception of Section IV, AGREEMENT MANAGEMENT, shall be valid only through execution of a formal written amendment to the Agreement.

**VI. TERMINATION**

This Agreement may be terminated at any time upon the mutual consent of both parties or unilaterally by either party upon no less than thirty (30) calendar days notice. Notice shall be delivered by certified mail (return receipt requested).

In addition, this Agreement may be terminated with 24 hours notice by the Department for any failure of the Agency to comply with the terms of this Agreement or any applicable Florida law.

**VII. OTHER CONDITIONS**

A. Institutional Security

In carrying out the provisions of this Agreement, the Agency must comply with the security procedures established for vendors doing business in Department of Corrections' facilities as contained in Department Procedure 602.016, "Entering and Exiting Department of Corrections Institutions".

B. Employee Status

This Agreement does not create an employee/employer relationship between the parties. It is the intent of the parties that the Department and Agency are independent contractors under this Agreement and neither is the employee of the other for all purposes, including, but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the provisions of the Internal Revenue Code, the State Workers Compensation Act, and the State unemployment insurance law. The parties shall each retain sole and absolute discretion in the judgment of the manner and means of carrying out their activities and responsibilities hereunder provided, further that administrative procedures applicable to services rendered under this Agreement shall be those of each individual party. Services provided by each party pursuant to this Agreement shall be subject to the supervision of such party. In providing such services, neither party nor its agents shall act as officers, employees, or agents of the other party. The parties agree that they are separate and independent enterprises, and that each has the ability to pursue other opportunities.

This Agreement shall not be construed as creating any joint employment relationship between the parties and neither party will be liable for any obligation incurred by the other party, including, but not limited to, unpaid minimum wages and/or overtime premiums.

C. Prison Rape Elimination Act (PREA)

The Agency shall report any violations of the Prison Rape Elimination Act (PREA), Federal Rule 28 C.F.R. Part 115 to the Department of Corrections' Contract Manager.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

**AGENCY: JACKSONVILLE BEACH POLICE DEPARTMENT**

SIGNED  
BY: \_\_\_\_\_

NAME: **George D. Forbes**  
TITLE: **City Manager, City of Jacksonville Beach**

DATE: \_\_\_\_\_

SIGNED  
BY: \_\_\_\_\_

NAME: **W. Charles Latham**  
TITLE: **Mayor, City of Jacksonville Beach**

DATE: \_\_\_\_\_

**DEPARTMENT OF CORRECTIONS**

**Approved as to form and legality, subject  
To execution:**

SIGNED  
BY: \_\_\_\_\_

NAME: **Kelley J. Scott**  
TITLE: **Director of Administration  
Department of Corrections**

DATE: \_\_\_\_\_

SIGNED  
BY: \_\_\_\_\_

NAME: **Jennifer A. Parker**  
TITLE: **General Counsel  
Department of Corrections**

DATE: \_\_\_\_\_



City of  
Jacksonville Beach  
1460A Shetter Avenue  
Jacksonville Beach  
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Phone: 904.247.6226  
Fax: 904.270.1639

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

**TO:** George Forbes  
City Manager  
**FROM:** Jason Phitides  
Property and Procurement Officer  
**DATE:** June 9, 2015  
**RE:** RFP for Marketing Services for Beaches Energy Services

**ACTION REQUESTED:**

Approval to execute a contract with the Shepherd Agency for marketing services in response to RFP No. 01-1415 Marketing Services for Beaches Energy Services.

**BACKGROUND:**

In 2002, a formal marketing program for Beaches Energy Services was established that allowed it to improve communications with our customers. The complexity of the electric industry and the importance of being able to share conservation information with our customers require continued communication through this program.

The objective of the RFP was to identify and select a qualified firm that has the professional expertise to develop and implement marketing, advertising, and public relations plans and programs for Beaches Energy Services. The current marketing services contract expires on June 30, 2015.

We mailed thirty (30) invitations to participate in this RFP and seven (7) firms responded. A committee consisting of five (5) City employees evaluated each of the responses. After the initial evaluation process, the four (4) highest ranking firms (Shepherd Agency, Wingard Creative, Staples Marketing and The Kurtis Group) were invited to make formal presentations to the committee.

At the conclusion of the presentations, the Shepherd Agency received the highest ranking from the committee as shown in the table below and is being recommended for contract award. The Shepherd Agency is a local firm, with offices in Jacksonville and Atlanta. Their client list includes CSX, UF Health, Jacksonville Zoo & Gardens, Bold City Brewery, IceMule, ABET (Atlantic Beach Experimental Theater), Community First Credit Union and Duval County Public Schools. Several of their employees live in the beaches area and are Beaches Energy customers.



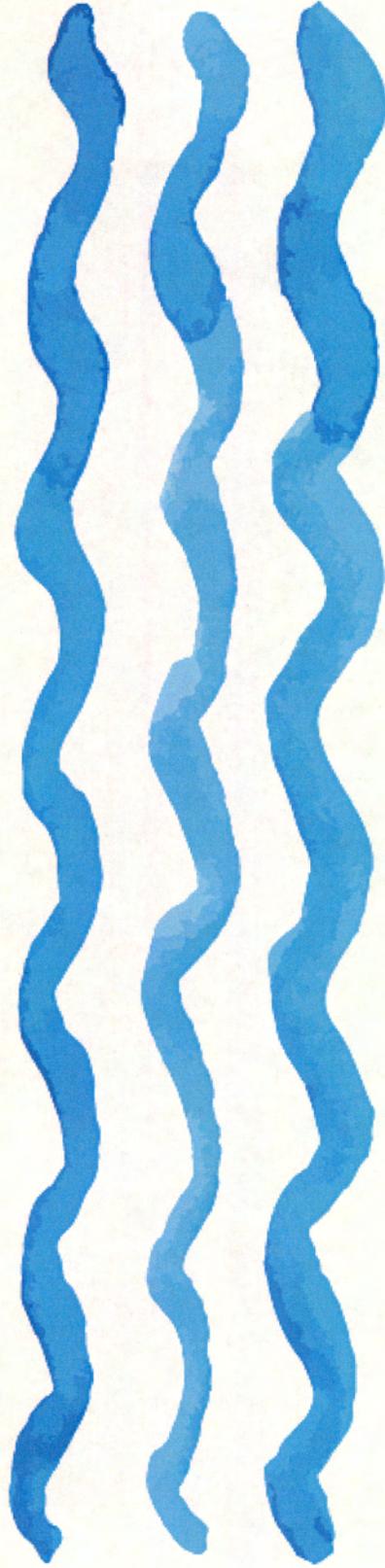
						<b>Total Score</b>	<b>Overall Rank</b>
Shepherd Agency	1	2	1	2	1	7	1
The Kurtis Group	2	1	4	1	3	11	2
Staples Marketing	3	3	3	3	2	14	3
Wingard Creative	4	4	2	4	4	18	4

Funds are available in Beaches Energy Services budget.

**RECOMMENDATION:**

Approve a contract with the Shepherd Agency for Marketing Services for Beaches Energy Services for a period of five (5) years, with the City Manager having the authority to renew the contract for three (3) additional one-year periods.

LET'S MAKE  
SOME WAVES.



**Robin Shepherd, Founder**  
**Mike Russell, Director**  
**Carole Banks, Research**  
**Jeff Kalish, Media**  
**Kelley Stam, Digital**  
**Guy Barnhart, Marketing**  
**Mike Guiry, Creative**

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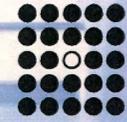
**Introduction**  
**Initial Insights**  
**Initial Ideas**  
**Why Shepherd**

**[CSX]**<sup>®</sup>  
HOW TOMORROW MOVES

JACKSONVILLE  
**ZOO**  
AND GARDENS

**BOLD  
CITY**  
PERFORMERS

**UFHealth**  
PROTON THERAPY INSTITUTE



**CULTURE AROUND  
EVERY CORNER.**

ST. AUGUSTINE | PONTE VEDRA | FLORIDA'S HISTORIC COAST

**FRONTLINE**<sup>®</sup>  
*Plus*

**COMMUNITY  
FIRST**  
Credit Union  
Love Where You Bank

**ICEMULE**<sup>®</sup>  
**COOLERS**

**ABET**  
Your intimate theatre in Atlantic Beach



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

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

## MEMORANDUM

TO: Mayor Latham  
City Council Members

FROM: George D. Forbes  
City Manager

DATE: June 7, 2015

SUBJECT: Approve the 2015 Downtown Action Plan and authorize sending the plan to the Community Redevelopment Agency

### ACTION REQUESTED

1. Approve the 2015 Downtown Action Plan
2. Request the Community Redevelopment Agency review the Downtown Action Plan and recommend amendments to the Downtown Community Redevelopment Plan to incorporate the Action Plan.

### BACKGROUND

In January 1987, the City Council adopted the current Downtown Community Redevelopment Plan. The 1987 Plan has been amended a number of times over the ensuing years. For example, the Plan was amended in 1996 to authorize the redevelopment of the city-owned land (formerly the site of the old city hall, community center, Flag Pavilion, and Crab Pot Restaurant buildings) for its current public and private uses. In November 2007, the plan was amended to incorporate the Vision Plan for Downtown and a new, comprehensive capital improvement plan.

Following the original plan and subsequent amendments, the City has invested heavily in making infrastructure improvements in Downtown. In the past two years, it has also increased police presence through the Downtown CAPE initiative, worked to establish a paid parking program, and to identify and attract new businesses to the area.

Last spring, the City hosted a public workshop to introduce a new initiative in the Downtown Redevelopment District called an "Action Plan for Downtown



Jacksonville Beach”, which is intended to build on the work accomplished since 1987. Following the kick-off meeting, the Police Department led a number of Downtown tours. At the conclusion of the tours, we invited the community to take a survey that was intended to help identify further improvements that could be made to improve the attractiveness, appeal and perception of safety in our Downtown. At the same time, we asked many of members of our business community to make suggestions about what would improve their business environment.

Generally, survey respondents liked the downtown infrastructure improvements, but felt that more attention should now be directed toward:

- Making Downtown attractive to a variety of residents and visitors of all ages,
- Increasing transportation and parking options, making it easier to get Downtown,
- Making visitors feel safer, and
- Creating a sense of place by adding design features that make Downtown a unique and memorable destination.

The resulting “Jacksonville Beach Downtown Action Plan” identifying a number of potential action items was discussed in Council Workshops on November 17, 2014, April 13, 2015, and May 4, 2015.

The Plan is now ready to begin the approval process. Following the approval of the Action Plan by the Council, the plan will be forwarded to the Community Redevelopment Agency in order to amend the Downtown Redevelopment plan. While only the City Council has the authority to amend the Redevelopment Plan, State law requires that all plan amendments begin with a recommendation from the Agency. The Redevelopment Agency will then review the plan and make applicable recommendations on plan amendments that will then be sent back to the City Council. The City Council can then adopt amendments to the Downtown Redevelopment Plan.

Before the City Council can amend the Redevelopment Plan, it must also be reviewed by the Planning Commission to ensure that the proposals are in conformance with the Comprehensive Plan.

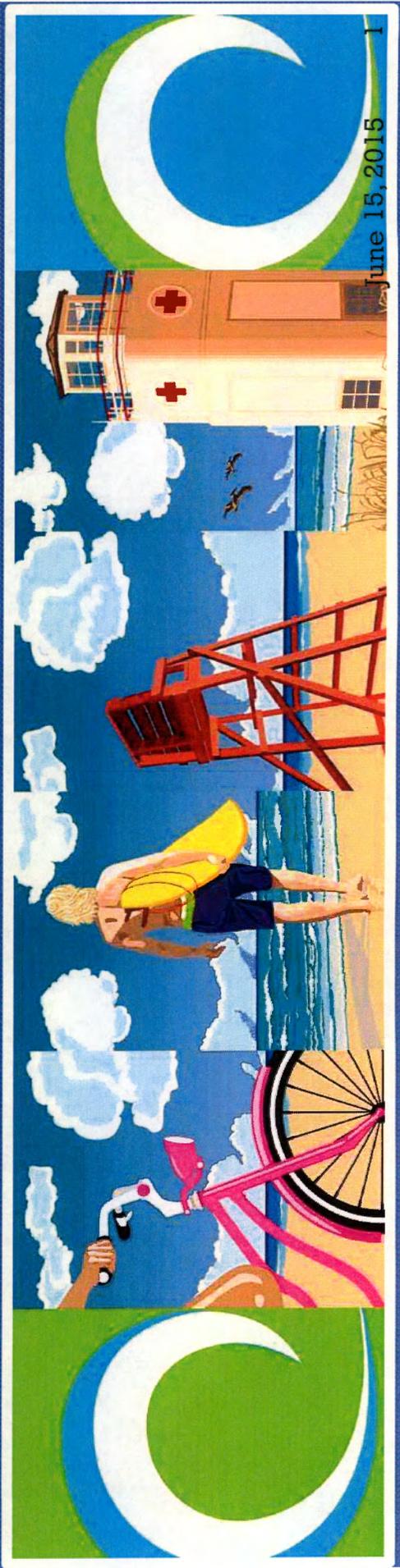
The amendment will take the form of a resolution similar in format to the attached Exhibit A.

**RECOMMENDATION:**

1. Approve the 2015 Downtown Action Plan dated June 15, 2015.
2. Authorize the Action Plan to be sent to the Community Redevelopment Agency, for their review and recommendations on Amendments to the Downtown Redevelopment Plan necessary to implement the Action Plan.

# JACKSONVILLE BEACH 2015 DOWNTOWN ACTION PLAN

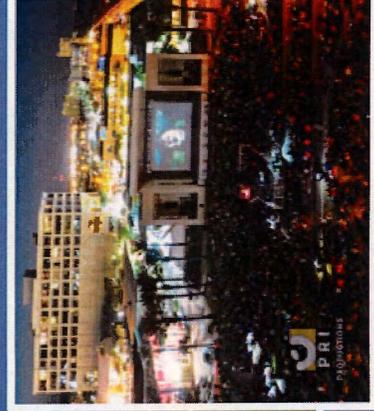
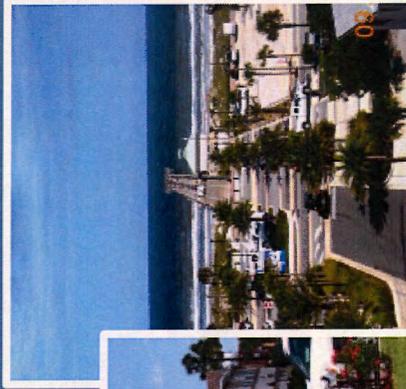
City Council Meeting  
June 15, 2015



# 2007 DOWNTOWN VISION PLAN

## Community Core Values

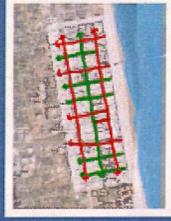
- **Safety**
- **Walkability**
- **Open Space / Views to Ocean/Beach Access**
- **Gathering Place**
- **Activities for All Ages**
- **Small Community Feel**
- **Entertainment**
- **Mix of Uses**



# 2007 DOWNTOWN VISION PLAN

## Guiding Principles

- **Celebrate Our Assets:** Enhance the *four major corridors* to the beach. Encourage mixed-use development along each corridor through investments in public realm (parks, gateway elements, and streetscape) and infrastructure (on-street parking, new streets, parking garages).
- **Complete the Streets:** In addition to improving the four major corridors to the beach, enhance the streetscape for 3rd Street, 2nd Street and 1st Street based on their vehicular and pedestrian mobility functions.
- **Mix-it Up:** Link together individual pieces of public amenities and investments within the Downtown. Allow a mix of various uses especially in the four core corridors.
- **Be Accommodating to People of All Ages:** Program public spaces to accommodate family events and activities especially around the Fishing Pier and Latham Park. Encourage growth of neighborhoods toward the Downtown.
- **Design Matters:** Develop design guidelines to ensure that private development pattern and character support the vision plan.



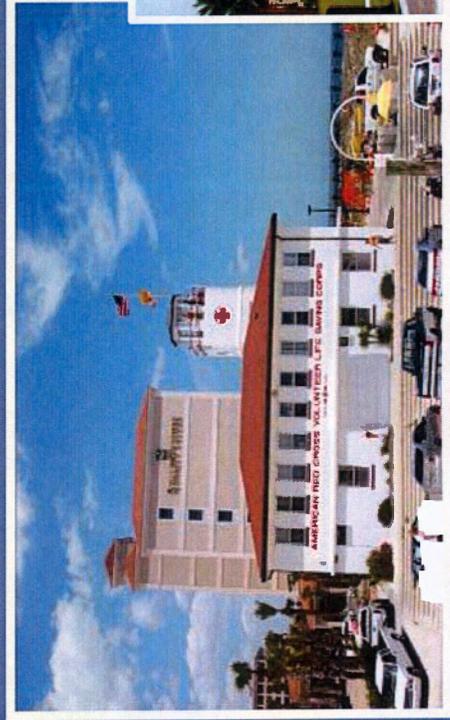
# 2007 DOWNTOWN VISION PLAN

## Four Corridors to the Beach

### ● *Beach Boulevard: The Gateway Corridor*

### ● *1st Avenue North: The Civic Corridor*

Beach Boulevard is the southern gateway to the CBD. Because of its regional transportation significance, Beach Boulevard is also an important commercial corridor; and provides great visual and physical access to beach. The historic Red Cross lifeguard station highlights the vista to the beach



The City has put in tremendous public investment along 1st Avenue North, including City Hall, Latham Plaza, and the SeaWalk Amphitheater. Together with the Beach Boulevard corridor, the 1st Avenue North corridor anchors CBD. Some parking lots and underutilized properties around the new public investments are well positioned for redevelopment as mixed-use projects to add vitality to Downtown's civic core.



# 2007 DOWNTOWN VISION PLAN

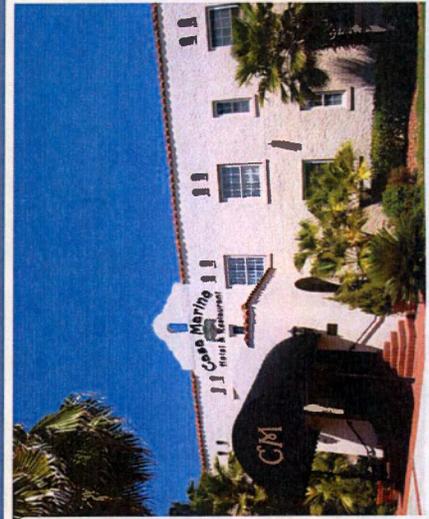
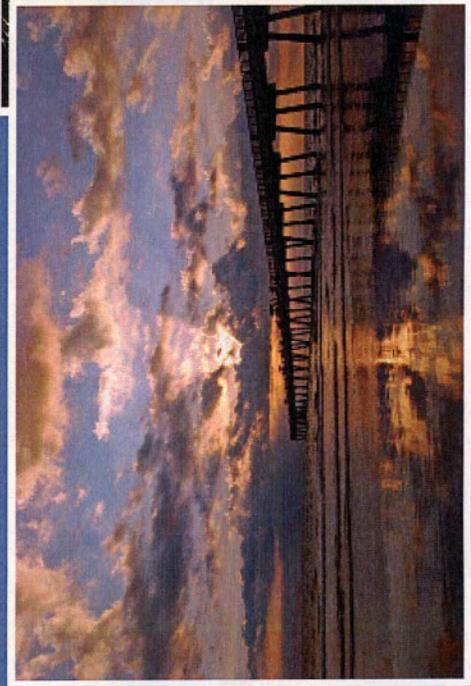
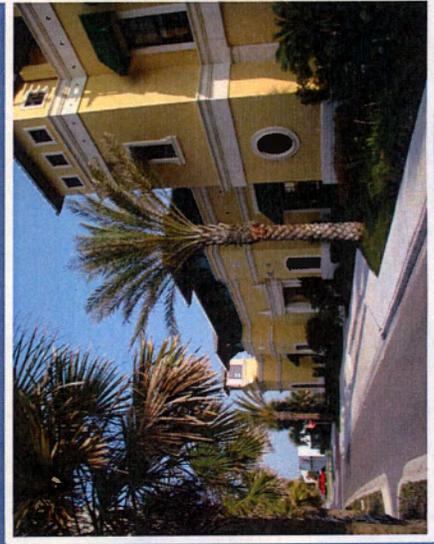
## Four Corridors to the Beach

• **4<sup>th</sup> Avenue North: Pier Corridor**

4th Avenue North is another important east-west corridor to the beach. It is terminated by a public fishing pier and is where the J. Johnson Gallery is located. Both of these popular public amenities call for additional care and attention to this corridor's streetscape improvements and future development character. Strategic public investments and development guidance will ensure that the current infill development trend along the corridor continues to catalyze the CBD's revitalization.

• **6<sup>th</sup> Avenue North: Retail Corridor**

6th Avenue North marks the northern edge of the CBD. The historic Casa Marina Hotel anchors both the eastern end of the 6th Avenue North Corridor and the oceanfront boardwalk. The opportunity exists to create a new retail shopping experience along this corridor that will complement the beach activities. New residential-based development will also encourage more year-round and daytime activity in the CBD.



# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### PLAN PROPOSAL CATEGORIES

- A. **Public Spaces** (Restrooms, Lighting, Public Art, Pod-Type Seating, Signage, Fishing Pier, Latham Plaza, and Streets)
- B. **Transportation** (Bicycling, Beaches Trolley, Pedestrian Safety, and Roundabouts)
- C. **Public Safety** (Managing the Nighttime Economy, Incentives for Non-Alcohol Businesses, and Business Development)
- D. **Commercial Spaces** (Public Welfare and Safety and Zoning Regulations)
- E. **Entertainment and Events**
- F. **Quality of Life** (Cleanliness and Implementation of the Action Plan)

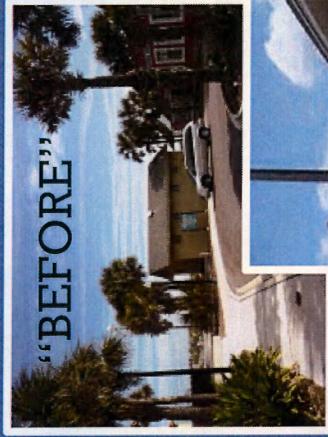
# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### A.1

#### **PUBLIC SPACES: Restrooms**

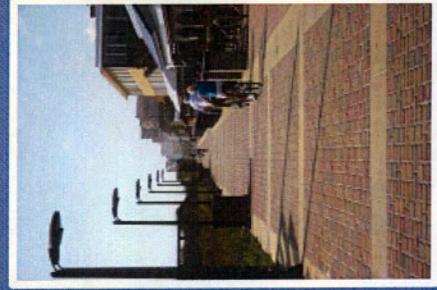
- a. Extend the hours that they are open
- b. Add restroom at Oceanfront Park
- c. Develop an ongoing system to check the cleanliness of restrooms
  - i. Work program for maintenance contractor
  - ii. Establish regular cleaning program to attain a normal level of service of cleaning every 90 minutes while restrooms are open
  - iii. Attendants wear uniforms



### A.2

#### **PUBLIC SPACES: Lighting**

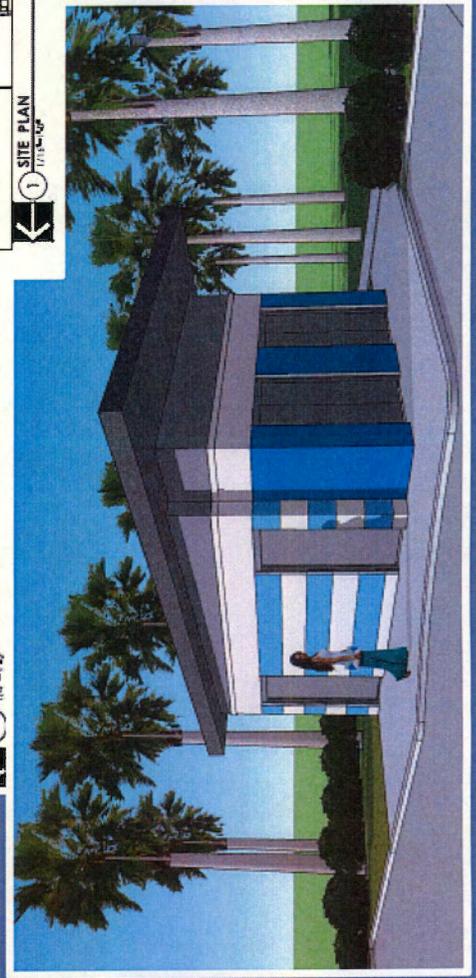
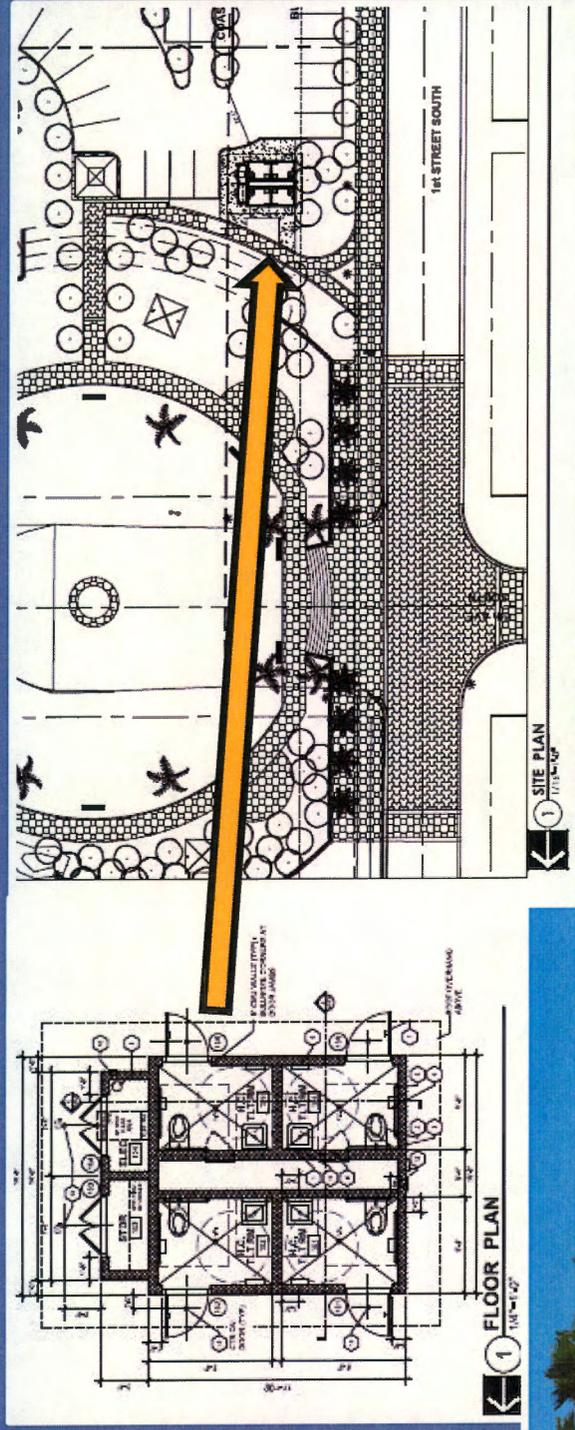
- a. Enhanced lighting at various locations where needed throughout the Downtown District



# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### Proposed Oceanfront Park Restroom

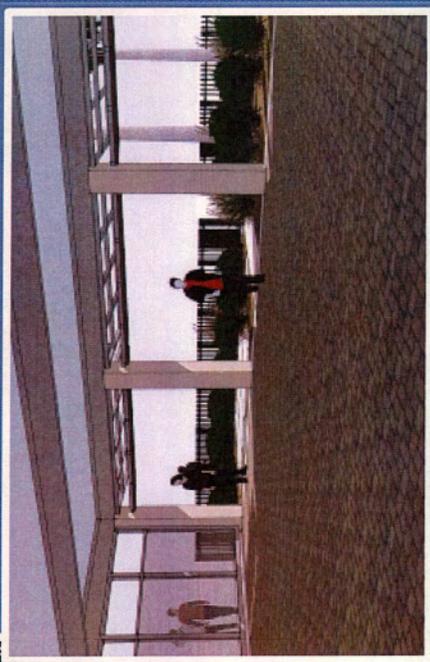
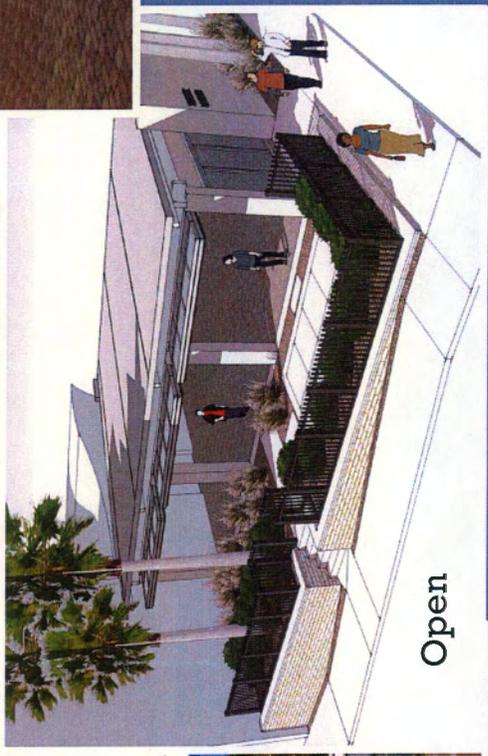
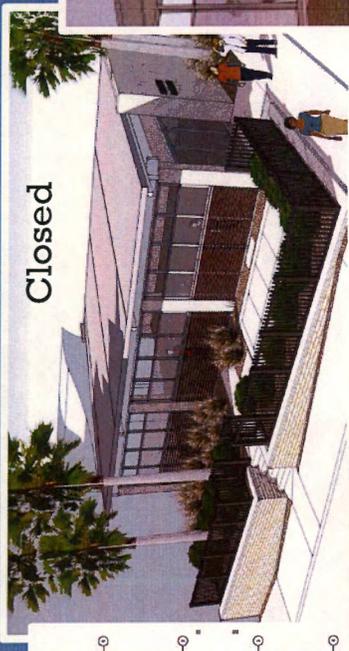
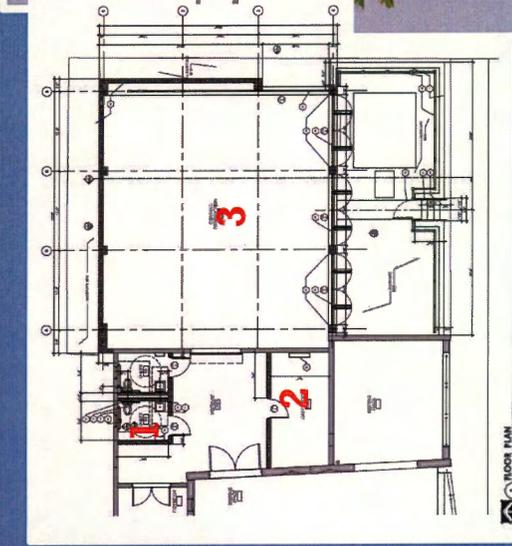


Project will include installation of a shower near the dune walk-over

# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

Proposed SeaWalk Pavilion Multi-purpose Renovations:  
Restrooms, Performer Lounge, and Storage/Hospitality Space



1. Two-Stall Uni-Sex Restroom
2. Performer Lounge ("Green Room")
3. Storage/Hospitality Space

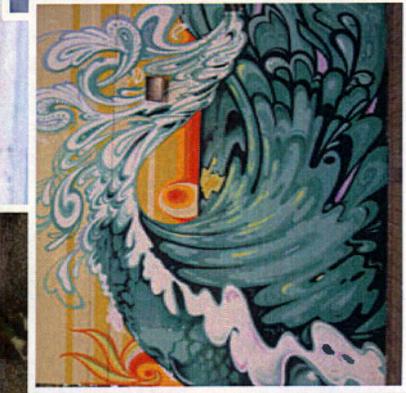
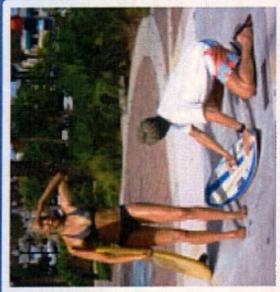


# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### **A.3 PUBLIC SPACES: Public Art**

- a. Create and install additional public art features with beach/ocean life/surfer themes, such as:
  - i. Lifeguards
  - ii. Fishing
  - iii. Surfing
- b. Murals on future parking structures and other blank walls, subject to review for sign code conformity, and consistency with beach/ocean life/surfer themes.

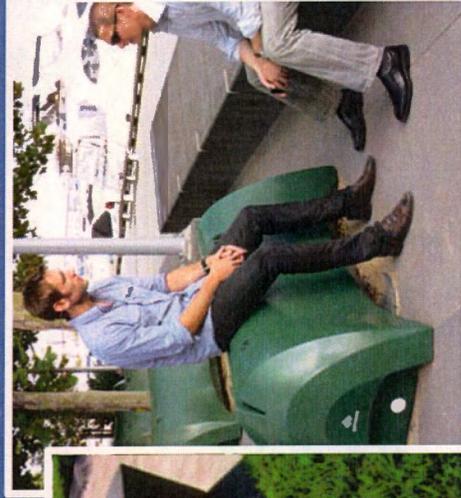
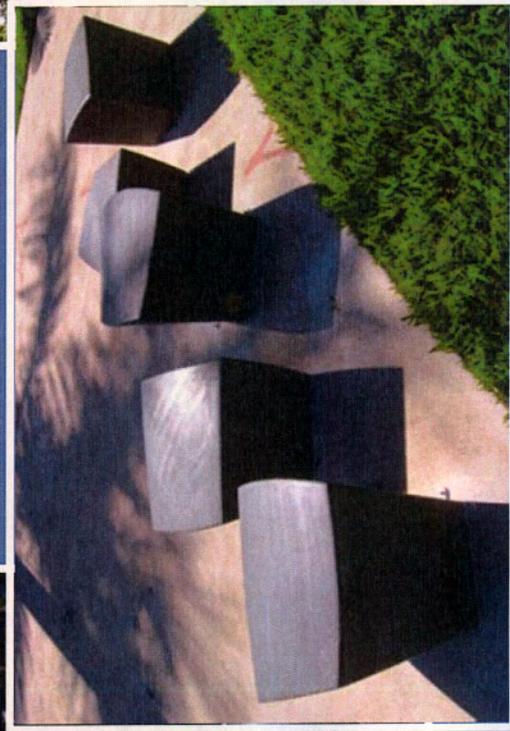
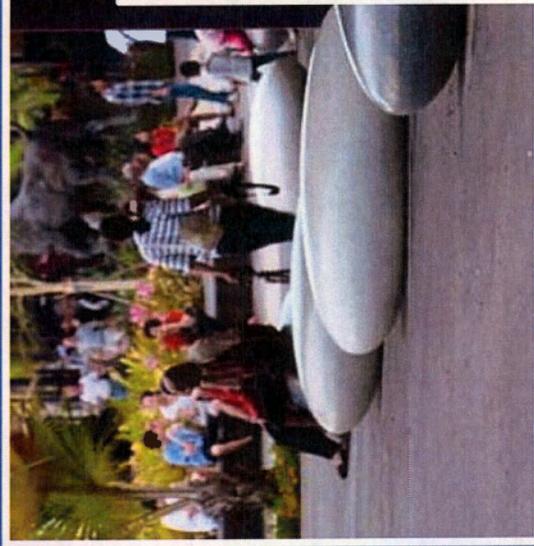


# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

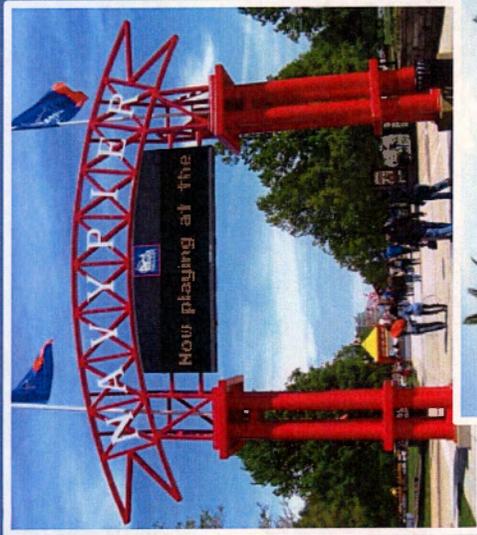
### **A.4 PUBLIC SPACES: Pod-Type Seating**

- a. Develop pilot program to provide pod type and/or shaded seating where appropriate in the Downtown area



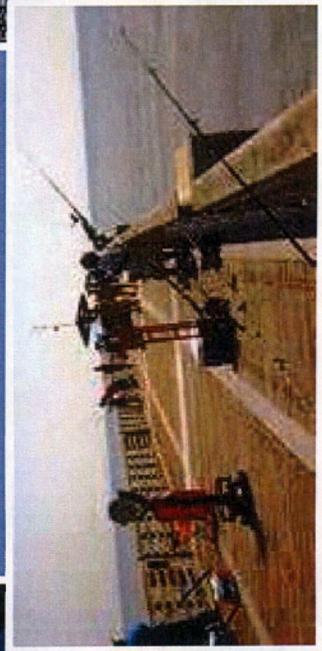
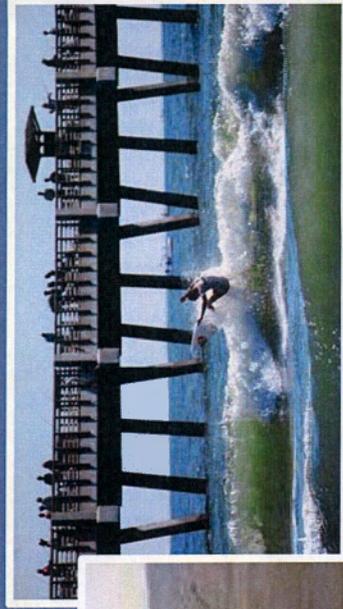
# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*



### A.5 PUBLIC SPACES: Fishing Pier

- a. Improve pier entry identification signage (possible archway over access ramp from the SeaWalk) and provide new, more attractive security fencing
- b. Consider increasing the functionality of the Pier by allowing special events to attract people of all ages, such as fishing tournaments, surf contests, food festivals, etc.



# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### A.6 PUBLIC SPACES: Signage

- a. Install additional wayfinding signs using the surfboard theme
- b. Provide some type of temporary signage as needed to remind motorists to stop for pedestrians in crosswalks
- c. Consider use of social media techniques to link public to information available on the City website, e.g., location of lifeguard station, restrooms, handicapped beach accesses, bike racks, etc.

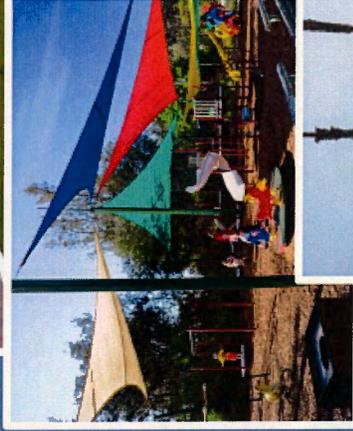


# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### A.7 PUBLIC SPACES: Latham Plaza

- a. Develop a master plan for enhancements to Latham Plaza
- b. Components will be designed to advance the concepts embodied in the “Community Core Values” and “Design Principles” of the Vision Plan for Downtown Jacksonville Beach.
- c. Examples may include:
  - i. Measures that make the plaza more inviting by adding seating and shade structures
  - ii. Adding attractions for small children such as a small playground area
  - iii. Installing exercise facilities and equipment

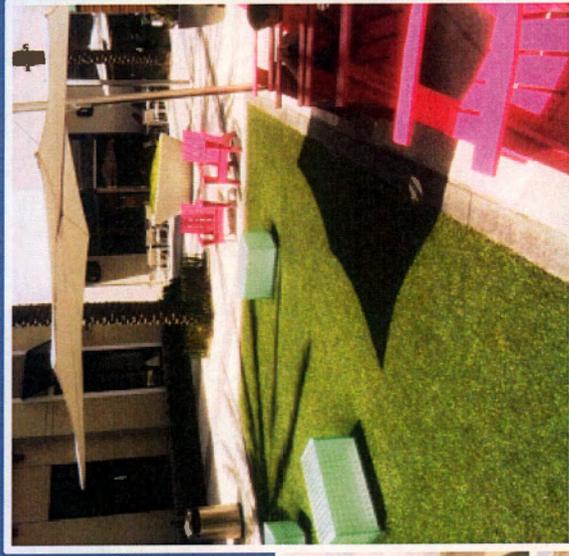


# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### **A.7 PUBLIC SPACES: Latham Plaza**

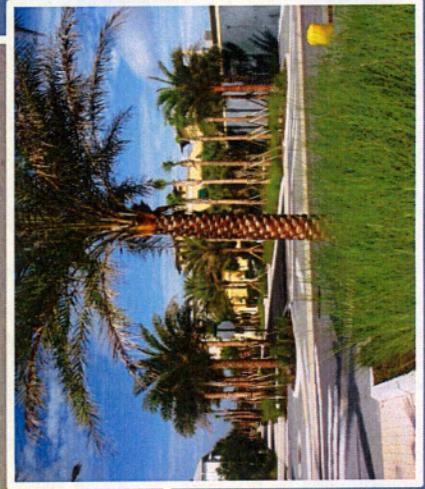
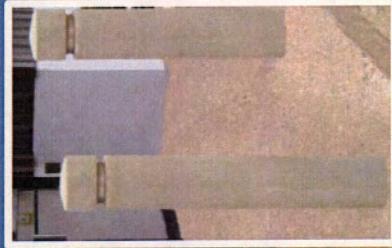
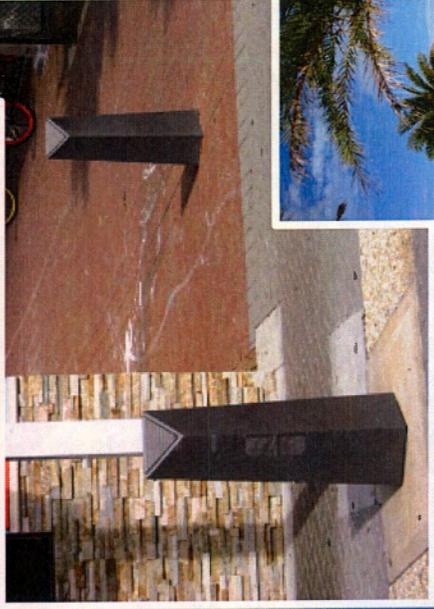
Local Example of Children's Playground  
and Seating – St. Johns Town  
Center



June 15, 2015

# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*



### A.8

#### **PUBLIC SPACES: Streets**

- a. Remove concrete barriers on North 1<sup>st</sup> Street
- b. Improve the delineation between the roadway and pedestrian space on North 1<sup>st</sup> Street (bollards similar to type at the 1<sup>st</sup> Avenue North walkway)
- c. Enhance landscape maintenance on North 1<sup>st</sup> Street and avenues between Beach Boulevard and 6<sup>th</sup> Avenue North
- d. Identify suitable location or locations for dedicated taxi stands in Downtown

# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### B.1 TRANSPORTATION: Bicycling

- a. Prepare a master plan for additional, decorative bicycle racks at selected locations in Downtown) and develop programs to enhance bicycle and vehicular safety



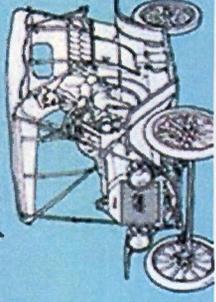
### B.2 TRANSPORTATION: Roundabouts

- a. Conduct a traffic engineering analysis of the roundabouts on Beach Boulevard at 1<sup>st</sup> and 2<sup>nd</sup> Streets and design and construct modifications as needed to improve traffic operations in the corridor



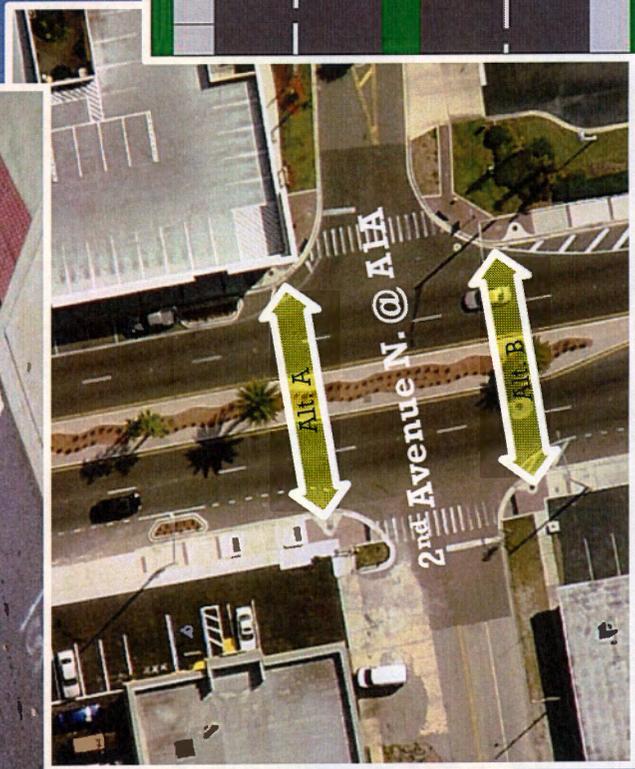
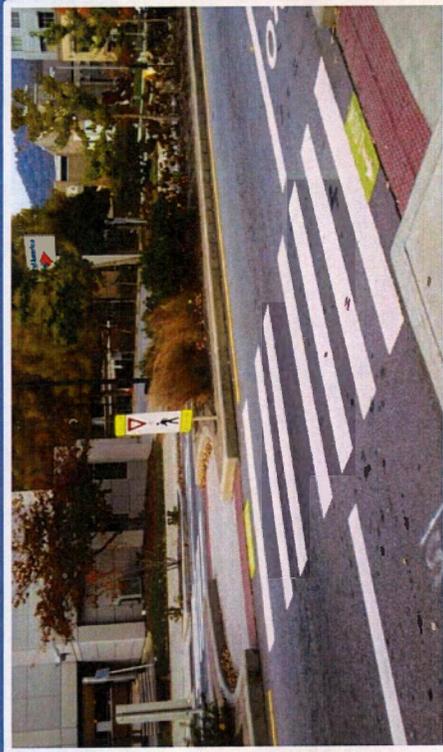
OR

If you don't know what to do at a 4-way stop, just stay home. Life only gets harder from there.



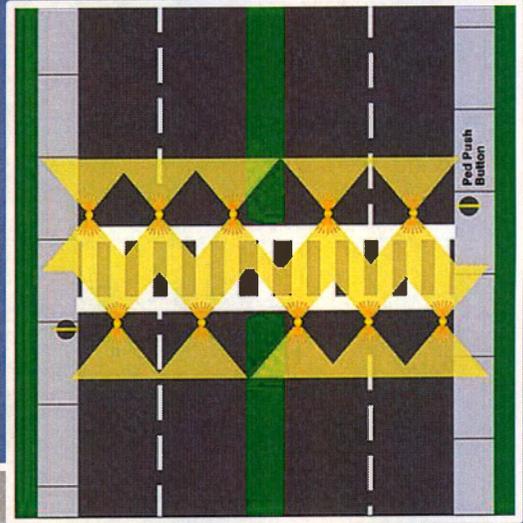
# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category



### B.3 TRANSPORTATION: Pedestrian Safety

- a. Monitor on-going FDOT pedestrian safety study being conducted for AIA in Jacksonville Beach
- b. Construct a well-marked pedestrian crossing with flashing signal and pavement lighting at 2<sup>nd</sup> Avenue North and 3<sup>rd</sup> Street at 2<sup>nd</sup> Street



# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### **B.4 TRANSPORTATION: Beaches Trolley**

Support the Jacksonville Transportation Authority in managing efficient and effective operation of the Beaches Trolley to include:

- a. Expanded hours of operation
- b. Improved public information on trolley routes and schedules, including the use of social media to obtain route and schedule information
- c. Improved trolley route and provide stops at optimum locations
- d. Fifteen-minute headways during peak months
- e. Consider expanding trolley service during major special events, such as the bi-annual airshow



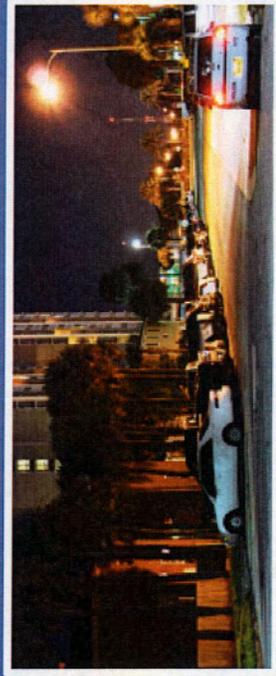
# 2015 DOWNTOWN ACTION PLAN

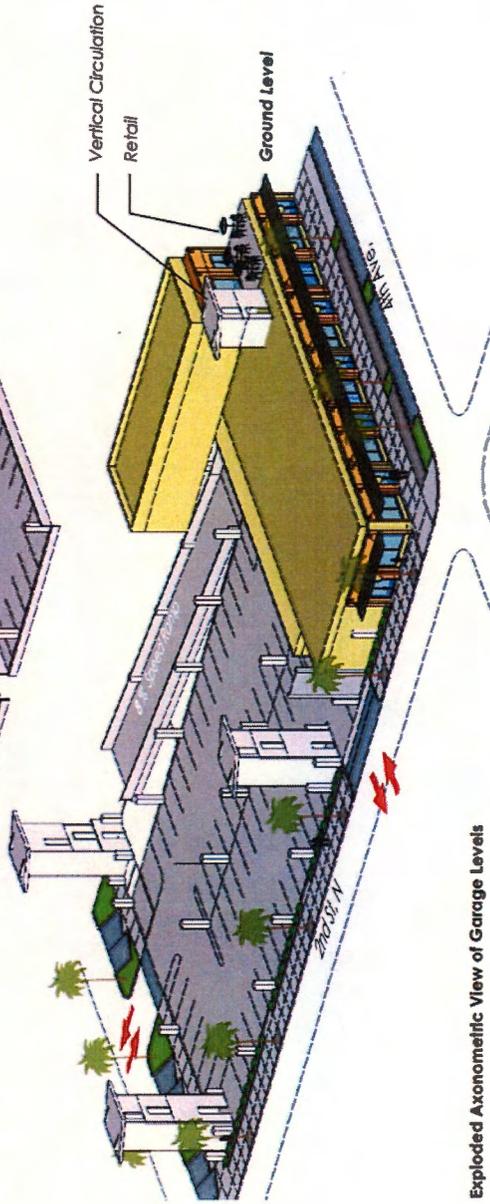
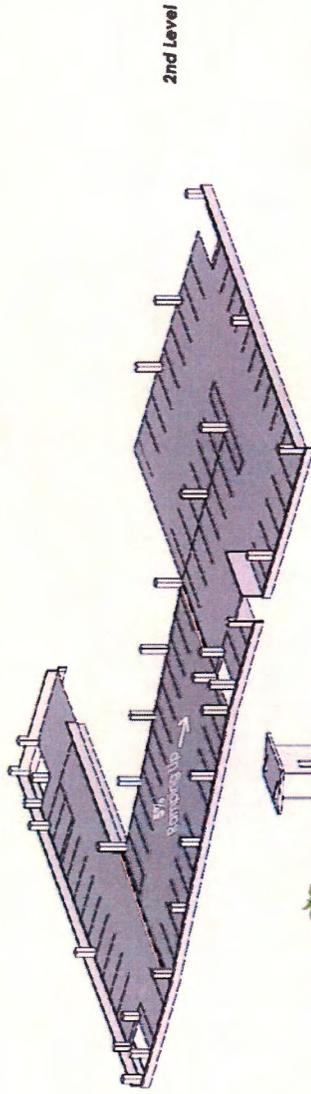
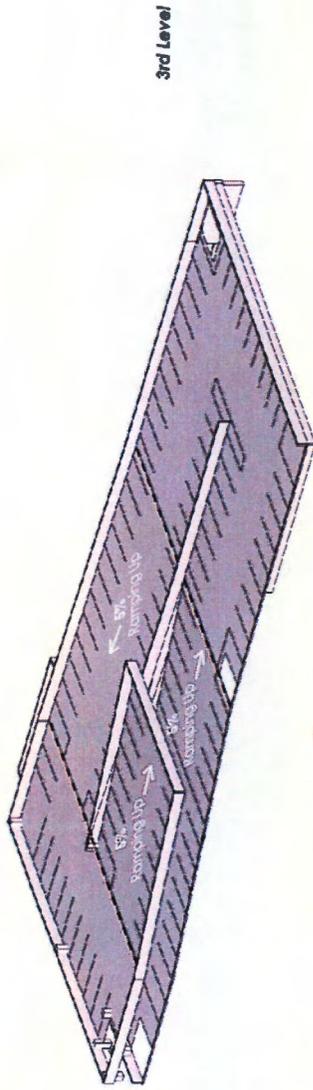
## Plan Proposals by Category

### B.5 TRANSPORTATION:

#### Parking

- a. Construct a surface or structured parking facility on CRA-owned land on North 2<sup>nd</sup> Street between 3<sup>rd</sup> and 4<sup>th</sup> Avenue North, including facilities to store police equipment
- b. Explore feasibility of private funding with a provider such as “Beachside Buggies” to offer a shuttle program for Downtown workers on weekends utilizing parking spaces at the O&M Building on Shetter Avenue
- c. Prepare a pilot program seeking to reduce non-residents parking in residential areas where there is no off-street parking available adjacent to Downtown





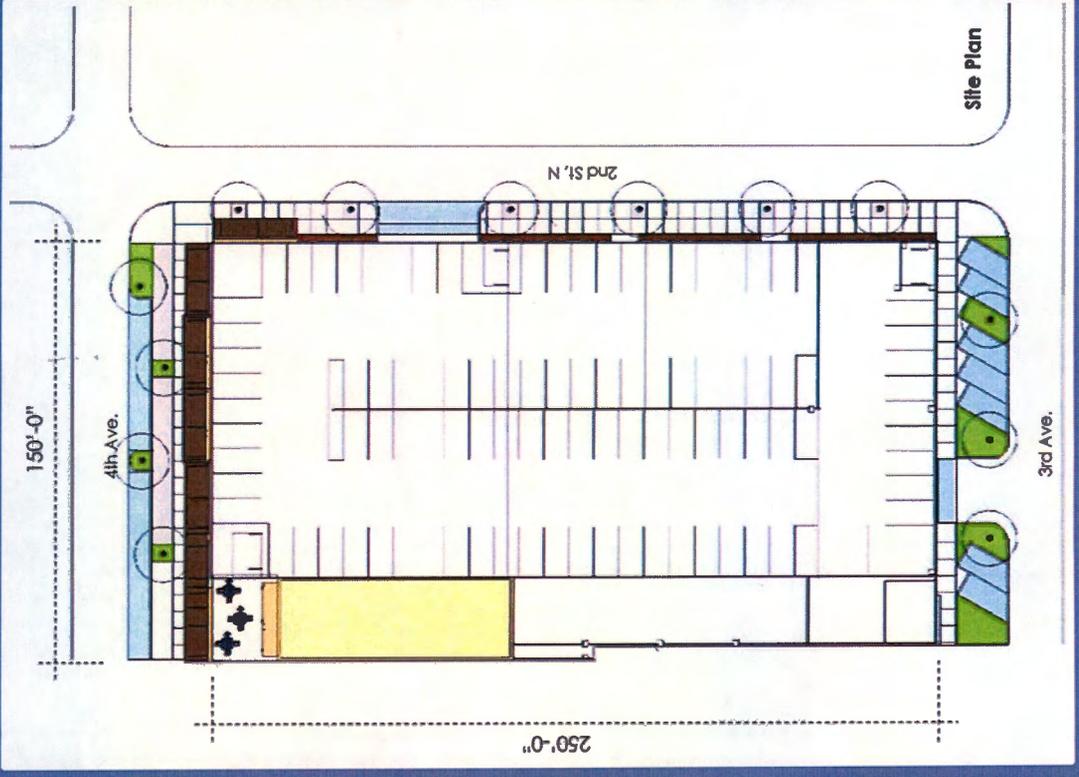
Exploded Axonometric View of Garage Levels

**Parking Garage Study - Diagram of Parking Garage (Option B)**

Jacksonville Beach Parking Study  
 Jacksonville Beach, FL  
 September 30, 2009  
 20913

# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category



### Design Program

Commercial Area	11,520 SF
Parking Spaces for Commercial Use	46 sp
Parking Spaces for General Use	229 sp
Accessible Spaces	7 sp
<b>Total Parking Spaces</b>	<b>282 sp</b>

### Preliminary Opinion on Development Cost

Structural and MEP (\$17k-22k/space)	\$4.8 - 6.2 million
Commercial Core and Shell (\$90-110/SF)	\$1.0 - 1.3 million
Garage Facade Treatments (\$25-35/SF)	\$250,000 - 350,000
<b>Preliminary Cost Range</b>	<b>\$6.05 - 7.85 million</b>



**GLATTING JACKSON KERCHER ANGLIN**  
we plan and design livable communities

**NOTE:** The cost estimates were developed in 2009.

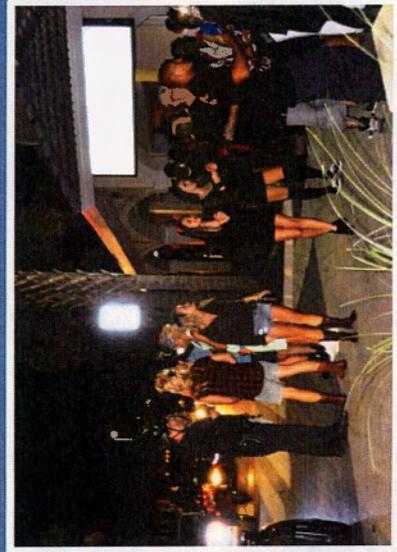
# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### C.1

#### **PUBLIC SAFETY: Managing the Nighttime Economy**

- a. Train the downtown community policing team on code enforcement and ensure there is a positive police presence
- b. Assist businesses with crime prevention to include better environmental design
- c. Continue police patrols in areas where illegal activities, such as drug or marijuana use, are occurring
- d. Develop programs for alcohol employees and partner with businesses to provide consistent training and procedures, including uniforms, not over serving patrons, etc.
- e. Change the alcohol ordinance to prohibit restaurants from removing tables and chairs to become nightclubs
- f. Consider modifications to the regulations governing the hours of operation for restaurants with 4-COP-SRX beverage licenses



# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### D.1

#### **COMMERCIAL SPACES: Incentives for Non-Alcohol Businesses**

- a. Economic development incentives such as remodeling/tenant/facade improvement loans or grants, short-term rental assistance, etc. for retail, food service or office-based businesses
- b. Grease interceptor rebate program available for all food service establishments in Downtown

### D.2

#### **COMMERCIAL SPACES: Business Development**

- a. Continue working with the Retail Strategies consultants, the business community, and property owners to identify and recruit a mix of restaurants and retail establishments that provide service for a variety of age groups
- b. Attract visitors during the off-peak seasons through events such as the Celtic Festival, Deck the Chairs, Red Bull Surf Expo, Art Walk, Car Cruise, and two-day festivals

# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### D.3 COMMERCIAL SPACES: Downtown Branding and Marketing

- a. Implement new wayfinding sign program using the surfboard theme to rebrand and market downtown
- b. Explore visitor center concept possibly to be located at the Beaches Historical Park



### D.4 COMMERCIAL SPACES: Public Welfare and Safety

- a. Assist the homeless population by working with the HOPE team, Mission House, etc.

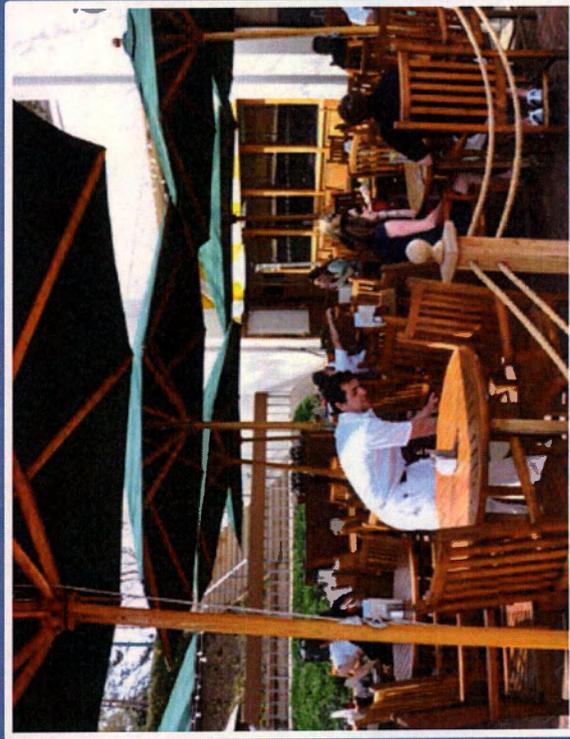


# 2015 DOWNTOWN ACTION PLAN

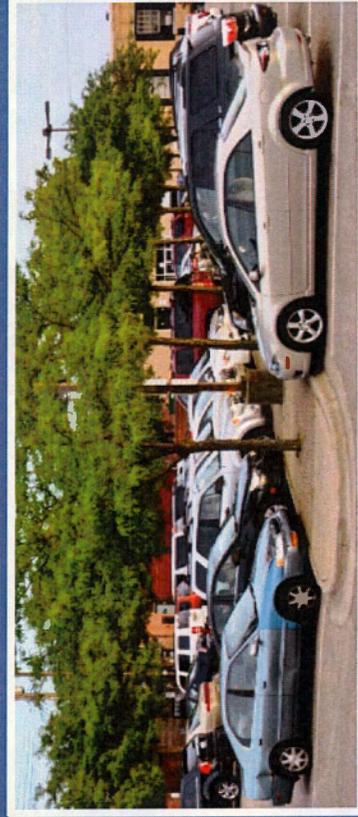
## *Plan Proposals by Category*

### D.5 COMMERCIAL SPACES: Zoning Regulations

- a. Review outdoor bar and restaurant space limits; and consider allowing outdoor entertainment in the Jacksonville Beach Land Development Code



- b. Review the off-street parking requirement for restaurants and consider a 50% reduction to encourage restaurant (as opposed to bar) development

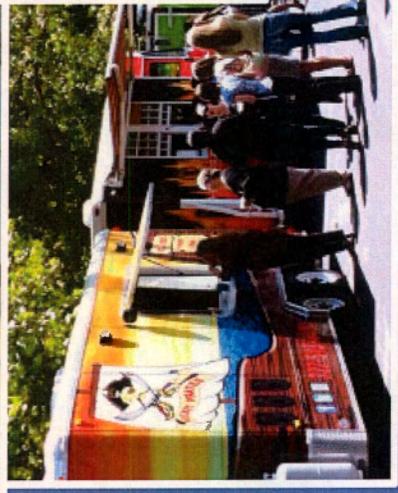
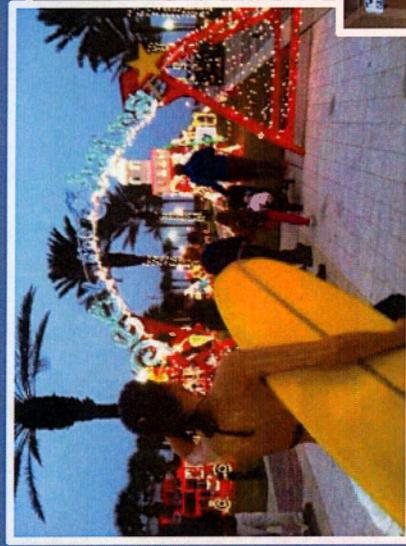


# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### E.1 ENTERTAINMENT AND EVENTS

- a. Schedule more city events in non-peak season rather than in the summer months
- b. Encourage more alcohol-free events that attract persons of all ages, such a farmer's market, car shows, art walks, Celtic Festival, Deck the Chairs, food truck rallies, etc.
- c. Add more outdoor movies



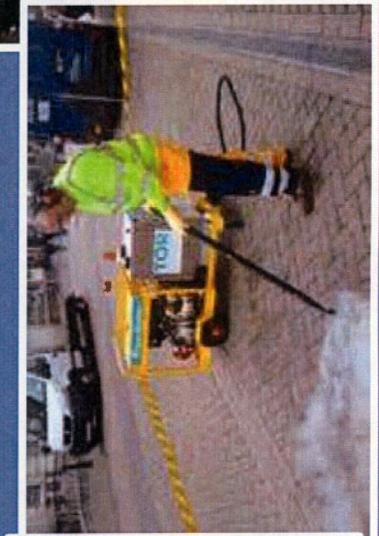
# 2015 DOWNTOWN ACTION PLAN

## Plan Proposals by Category

### F.1

#### QUALITY OF LIFE: Cleanliness

- a. Pressure wash pavers in the Downtown streets, the SeaWalk, and dumpster areas to remove gum, oil stains, etc.
- b. Develop program for property and business owners to assist in keeping Downtown clean by picking up trash, cigarette butts, etc. on a daily basis
- c. Cleanliness Campaign – “Leave Only Your Footprints Behind!”
- d. Review the beach clean-up contract to improve its effectiveness. Enhance service between Beach Blvd and 6<sup>th</sup> Ave North on weekends and holidays.



June 15, 2015

# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

**F.2** Begin working to implement the action steps outlined above which as a whole will have a dramatic impact on improving the quality of life in Jacksonville Beach

### Responsible Entities

- Mayor and City Council
- City Manager
- Community Redevelopment Agency
- Police
- Public Works
- Parks & Recreation
- Planning & Development
- Business & Property Owners
- Florida Department of Transportation
- Visit Jacksonville
- Jacksonville Transportation Authority

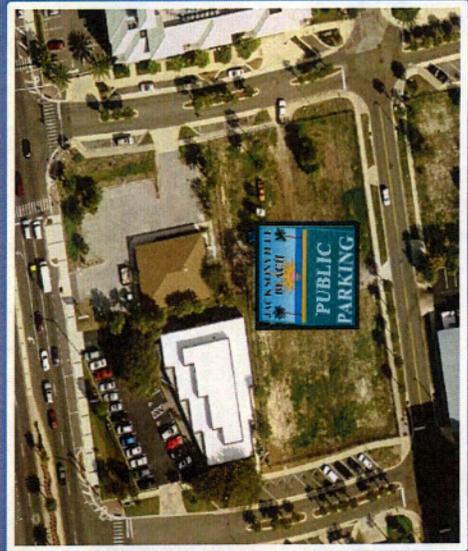
# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### PROJECTS CARRIED OVER FROM 2007 VISION PLAN FOR DOWNTOWN JACKSONVILLE BEACH



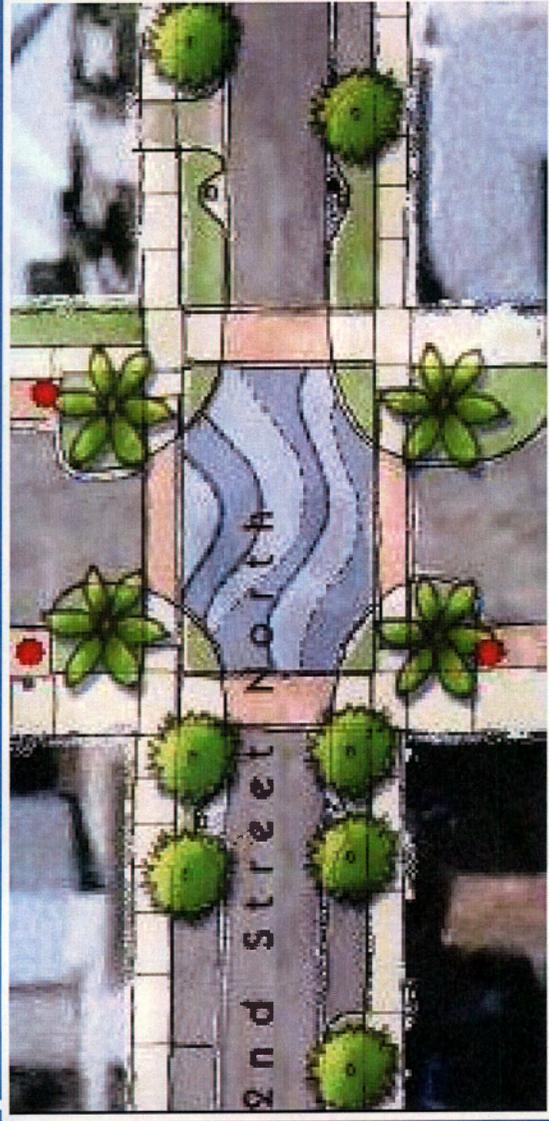
1. Continue implementation of Phase III of the Downtown Vision Plan Infrastructure Improvement Program east of South 3<sup>rd</sup> Street from Beach Boulevard to 13<sup>th</sup> Avenue South
2. Construct a surface or structured parking facility on CRA-owned land on North 2<sup>nd</sup> Street between 3<sup>rd</sup> and 4<sup>th</sup> Avenue North



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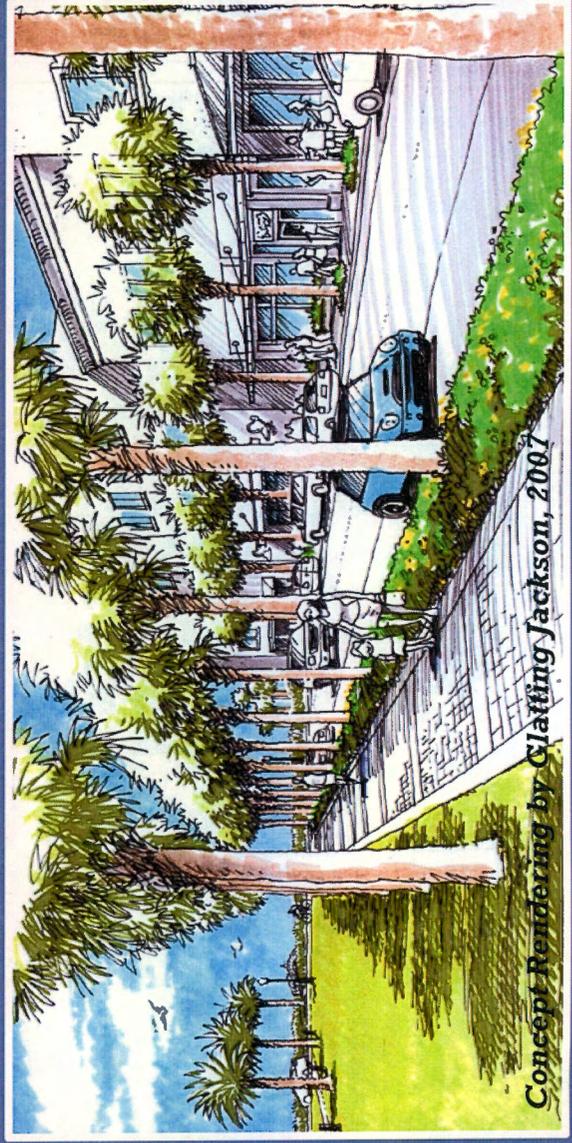
- a. North 2<sup>nd</sup> Street reconstruction per the Downtown Vision Streetscape Master Plan
- b. Continue monitoring and evaluating existing regulatory measures; and propose revisions as needed to promote business retention and development; and the preservation of residential areas

# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### LONG-TERM POTENTIAL FOR PUBLIC-PRIVATE PARTNERSHIPS

1. New Pablo Avenue Mixed Use Commercial Development: Consider constructing a new roadway on the south side of Latham Plaza and, in cooperation with a private developer, build a mixed use project including a boutique hotel, retail commercial space, and parking structure on the Latham Plaza parking lot site



# 2015 DOWNTOWN ACTION PLAN

## *Plan Proposals by Category*

### LONG-TERM POTENTIAL FOR PUBLIC-PRIVATE PARTNERSHIPS

2. Pier Parking Lot Restaurant and Retail Development: In conjunction with or following the constructing of a new public off-street parking facility, consider developing a restaurant and/or retail project on a portion of the Fishing Pier parking lot

