



City of Jacksonville Beach

Amended Agenda

City Council

11 North Third Street
Jacksonville Beach, Florida

Monday, August 21, 2023

6:00 PM

Council Chambers

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.

OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

- A. Budget Workshop held on August 7, 2023
- B. Regular City Council Meeting held on August 7, 2023
- C. Council Briefing held on August 14, 2023

APPROVAL OF THE AGENDA

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

CONSENT AGENDA

- A. Approve the advanced purchase of two vehicles included in the FY2023-FY2027 Capital Improvement Plan for Beaches Energy Services
- B. Accept the Monthly Financial Report for the month of July 2023

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER/NEW BUSINESS

- A. Award/Reject Bid No. 2223-07 to Stuart C. Irby Co. for the purchase of Group-Operated Air Break Switches
- B. Nominate and appoint a new Regular Member to fill the remainder of the unexpired term of Jeffrey Jones on the Community Redevelopment Agency (CRA), with a term effective date of September 1, 2023, and term expiring December 31, 2023

RESOLUTIONS

- A. Adopt/ Deny Resolution No. 2149-2023 revising electric rates for Beaches Energy Services
- B. Adopt/Deny Resolution No. 2151-2023 delegating authority to the City Manager to terminate employment of City employees for refusal to comply with Section 876.05, Florida Statutes

ORDINANCES

- A. Adopt/Deny Ordinance No. 2023-8200 on the second reading amending Chapter 4 "Alcoholic Beverages", Section 4-2. "Prohibited hours of sale, consumption, and service" of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone
- B. Adopt/Deny Ordinance No. 2023-8201 on the second reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements

ADJOURNMENT

NOTICE

In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. 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 or to the recording secretary 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 a special accommodation to participate in this meeting should contact the City Clerk's Office at (904) 247-6299 no later than one business day before the meeting.

Minutes of Fiscal Year 2024 Budget Workshop
Monday, August 7, 2023 – 4:00 P.M.
City Council Conference Room, 1st Floor
11 North 3rd Street, Jacksonville Beach, FL



City Manager Mike Staffopoulos called the Budget Workshop to order at 4:01 P.M.

City Council Members in attendance:

Mayor: Christine Hoffman

Council Members: Bill Horn (late) Sandy Golding Dan Janson
Fernando Meza Cory Nichols (absent) Greg Sutton

Also present were Chief Financial Officer Ashlie Gossett, Director of Planning and Development Heather Ireland, Community Redevelopment Agency Coordinator Taylor Mobbs and Director of Public Works Dennis Barron.

Planning and Development

Director of Planning and Development Heather Ireland highlighted the accomplishments for FY2023. Ms. Ireland reviewed the Strategic Plan Priorities, Goals and Objectives FY2024 for the following divisions: Planning, Building Inspection and Code Enforcement.

Community Redevelopment Agency

Community Redevelopment Agency (CRA) Coordinator Taylor Mobbs reviewed the Downtown and Southend District Goals for FY2024.

Public Works

Director of Public Works Dennis Barron highlighted accomplishments for FY2023 and reviewed the Strategic Plan Priorities, Goals and Objectives for FY2024 for the following divisions: Administration, Water Plant, Pollution Control Plant, Distribution and Collection, Streets, and the Stormwater and Sanitation Utility Programs. Mr. Barron spoke about multiple projects listed in the Community Redevelopment Agency Capital Improvement Plan (CIP) Public Works is responsible for.

The workshop adjourned at 4:47 P.M.

Submitted by: Callie Rayeski-Bowling
Administrative Assistant

Approved:

Christine H. Hoffman, MAYOR

Date

**Minutes of Regular City Council Meeting
held Monday, August 7, 2023, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES: INVOCATION, FOLLOWED BY SALUTE TO THE FLAG

Council Member Janson provided the invocation, followed by the Pledge of Allegiance.

CALL TO ORDER:

Mayor Hoffman called the meeting to order at 6:00 P.M.

ROLL CALL:

Mayor: Christine Hoffman

Council Members: Sandy Golding Bill Horn Dan Janson
Fernando Meza Cory Nichols Greg Sutton

Also present were: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Director of Planning and Development Heather Ireland, and City Clerk Sheri Gosselin.

APPROVAL OF MINUTES:

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the following minutes:

- Regular City Council Meeting held on July 17, 2023
- Joint City Council and Community Redevelopment Agency Workshop held on July 24, 2023
- Budget Showcase held on July 28, 2023
- Budget Workshop held on July 31, 2023
- Budget Workshop held on August 1, 2023

APPROVAL OF THE AGENDA

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, and passed unanimously to approve the agenda.

ANNOUNCEMENTS:

Council Member Golding mentioned a Community Conversation with Jacksonville Mayor Deegan would be held on August 15, 2023. She stated the Penmen Road Community Meeting would be held on August 16, 2023. She reminded residents the Jacksonville Beach Police Department was still accepting applications for the Citizens Police Academy. Ms. Golding mentioned a Passive Park Open House would be held on August 23, 2023.

Council Member Janson noted State Representatives Kiyan Michael and Clay Yarborough would host Constituent Services Day on August 9, 2023.

Mayor Hoffman announced "Jaws" would be the Moonlight Movie on August 11, 2023.

COURTESY OF THE FLOOR TO VISITORS:

- Barbara Bauer, 604 13th Avenue South, Jacksonville Beach, spoke about lifeguards, a community pool, bike racks, and rinsing stations.

CONSENT AGENDA:

Item A Approve the Property Damage Release in the amount of \$26,415.96 for property damage sustained by Beaches Energy Services at the Spring Hill Suites construction site on July 30, 2021, and authorize the Mayor and City Manager to execute the Property Damage Release

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Consent Agenda.

Voice Vote: In a voice vote, the motion passed unanimously.

MAYOR AND CITY COUNCIL: *None*

CITY CLERK: *None*

CITY MANAGER:

Item A Authorize the following elected official as the voting delegate at the FLC Annual Conference: _____

Mayor Hoffman provided background on the item.

Motion: It was moved by Mr. Sutton, seconded by Mr. Nichols, to designate Mr. Janson as the voting delegate at the FLC (Florida League of Cities) Annual Conference.

Discussion: *None*

Voice Vote: In a voice vote, the motion passed unanimously.

RESOLUTIONS:

Item A Adopt/Deny Resolution No. 2148-2023 delegating authority to the City Manager to settle claims made by, on behalf of, and against the City for an amount under \$50,000 and as part thereof, agree to the release or waiver of claims or rights

City Attorney Sandra Robinson explained the resolution would help administratively by giving the City Manager the authority to approve terms of a contract, including waivers of rights and releases of claim under \$50,000 in consultation with the City Attorney.

Mayor Hoffman requested the City Clerk read Resolution No. 2148-2023 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, DELEGATING AUTHORITY TO THE CITY MANAGER TO SETTLE CLAIMS MADE BY, ON BEHALF OF, AND AGAINST THE CITY FOR AN AMOUNT UNDER \$50,000 AND AS PART THEREOF, AGREE TO THE RELEASE OR WAIVER OF CLAIMS OR RIGHTS; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2143-2023 delegating authority to the City Manager to settle claims made by, on behalf of, and against the City for an amount under \$50,000 and as part thereof, agree to the release or waiver of claims or rights.

Discussion: A discussion ensued about the dollar amount.

Motion to Amend: It was moved by Mr. Janson to increase the amount to \$75,000.

The motion failed due to the lack of a second.

Discussion: A discussion ensued about the current amount, the need for the resolution, state standards, and the proposed amount.

Roll Call Vote: Ayes – Horn, Janson, Meza, Nichols, Sutton, Golding, Mayor Hoffman
The motion passed unanimously.

ORDINANCES:

Item A Approve/Disapprove Ordinance No. 2023-8200 on the first reading amending Chapter 4 "Alcoholic Beverages," Section 4-2. "Prohibited hours of sale, consumption, and service," of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone, and schedule a second reading for August 21, 2023

Director of Planning and Development Heather Ireland provided background on the item.

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8200 by title only, whereupon Ms. Gosselin read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 4 “ALCOHOLIC BEVERAGES,” SECTION 4-2. “PROHIBITED HOURS OF SALE, CONSUMPTION, AND SERVICE,” TO COMPLY WITH HOUSE BILL 1561 CREATING A SPECIAL ZONE IN THE CITY OF JACKSONVILLE BEACH, PROVIDING EXCEPTIONS FOR SPACE AND SEATING REQUIREMENTS FOR LIQUOR LICENSES FOR RESTAURANTS IN THE DOWNTOWN INCENTIVE ZONE, PROVIDING FOR ADDITIONAL RESTRICTIONS, PROVIDING FOR COMPLIANCE WITH HOUSE BILL 639; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER’S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.”

Mayor Hoffman read the following: “This ordinance is before this Council for a public hearing and consideration on its first reading.

I will now open the public hearing on Ordinance No. 2023-8200.”

Public Hearing: No one came forward to speak. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve Ordinance No. 2023-8200 on the first reading amending Chapter 4 "Alcoholic Beverages," Section 4-2. "Prohibited hours of sale, consumption, and service," of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone and schedule a second reading for August 21, 2023.

Discussion: *None*

Roll Call Vote: Ayes – Janson, Meza, Nichols, Sutton, Golding, Horn, Mayor Hoffman
The motion passed unanimously.

Item B **Approve/Disapprove Ordinance No. 2023-8201 on the first reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements, and schedule a second reading for August 21, 2023**

Mayor Hoffman requested the City Clerk read Ordinance No. 2023-8201 by title only, whereupon Ms. Gosselin read the following:

“AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 34 “LAND DEVELOPMENT CODE,” ARTICLE VIII “SITE DEVELOPMENT STANDARDS,” DIVISION 2 “SUPPLEMENTAL STANDARDS,” SECTION 34-393 “ALCOHOLIC BEVERAGE ESTABLISHMENTS,” TO MAINTAIN CONSISTENCY WITH AMENDED CHAPTER 4 “ALCOHOLIC BEVERAGES,” AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER’S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.”

Ms. Ireland provided background on the item.

Mayor Hoffman read the following: “This ordinance for the amendment of the Land Development Code is before this Council for a public hearing and consideration on its first reading. Under the laws of the State of Florida, an ordinance which changes the actual list of permitted, conditional, or prohibited uses within a zoning category, or which otherwise changes the text of the Land Development Code, is a ‘quasi-legislative’ proceeding. A quasi-legislative proceeding means that a governing body is acting in its rule-making capacity.

It is the duty of the Council to arrive at sound decisions regarding the use of property within the City. This includes receiving citizen input regarding the proposed uses within a zoning category.

The application has been reviewed by Staff and the Planning Commission for consistency with other portions of the Land Development Code and the Comprehensive Plan. The Council may hear from all interested parties in the legislative determination of an amendment to the text of the Land Development Code.

The Council’s decision on a text amendment application is based on the criteria set forth in Section 34-211 of the Land Development Code. Each member of the Council has been provided a copy of the criteria.

I will now open the public hearing on Ordinance No. 2023-8201.”

Public Hearing:

The following did not speak in support or opposition but expressed concern about the Ordinance:

- KC Braun, 804 13th Avenue North, Jacksonville Beach

Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve Ordinance No. 2023-8201 on the first reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements, and schedule a second reading for August 21, 2023.

Mayor Hoffman read the following: "Before opening the floor for discussion or questions by the Council, please be reminded that our decision will be based on the criteria set forth in the Land Development Code, Staff's report, the recommendation of the Planning Commission and the public input at all hearings."

Discussion: None

Roll Call Vote: Ayes – Meza, Nichols, Sutton, Golding, Horn, Janson, Mayor Hoffman
The motion passed unanimously.

ADJOURNMENT:

There being no further business, in a vote voice, the meeting adjourned at 6:28 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:

Christine H. Hoffman, MAYOR

Date: _____

**Minutes of City Council Briefing
Monday, August 14, 2023 – 5:30 P.M.
Council Chambers Conference Room, 1st Floor
11 North 3rd Street, Jacksonville Beach, FL**



The Council Briefing began at 5:30 P.M.

The following City Council Members were in attendance:

Mayor: Christine Hoffman

Council Members: Sandy Golding Bill Horn Dan Janson
Fernando Meza Cory Nichols Greg Sutton

Also present were City Manager Mike Staffopoulos, Director of Beaches Energy Services Allan Putnam, Director of Public Works Dennis Barron and Assistant to the City Manager Molly Allegger.

Purpose of Briefing

The purpose of the Briefing was to update the Council members about ongoing items in the City.

City Manager

PURPA Discussion

City Manager Mike Staffopoulos and Director of Beaches Energy Services Allan Putnam reviewed the recently proposed Public Utility Regulatory Policies Act (PURPA) standards:

- Electric Vehicle Charging Programs
- Demand Response and Demand Flexibility

A conversation ensued regarding issues with previously installed electric vehicle charging stations and future plans to assess the impact of future stations.

It was the consensus of the Council for staff to prepare a resolution not to adopt the PURPA standards.

Effluent Elimination Discussion

Director of Public Works Dennis Barron presented the Council with a packet of information [on file] regarding the City of Jacksonville Beach Surface Water Discharge Elimination Beneficial Reuse Plan. A conversation ensued regarding the next steps of the project, yearly updates to the Florida Department of Environmental Protection and annual updates to the Council.

Public communication efforts and expectations for construction projects

Mr. Barron spoke about the efforts made by staff to keep the community updated on current and upcoming construction projects within the City. A conversation ensued regarding suggestions for additional information, such as possible project maps and QR codes, to better inform the community of project information.

Improvements and funding for 13th Ave S

Council Member Janson updated the Council on the road condition and issues on 13th Avenue South in front of Baptist Beaches Hospital. He stated he has been in contact with Senator Clay Yarborough's office regarding available federal funding to be used for repair on 13th Avenue South. A conversation ensued regarding possible temporary or permanent fixes for the area of concern. It was the consensus of the Council for Mr. Janson to be the point of contact for the project and to obtain more information regarding the requirements for available funding. Mr. Barron would work with Baptist Beaches staff to prepare a project scope.

Special Event Policy

Assistant to the City Manager Molly Alleger asked for guidance from Council regarding the following topics within the Special Event Policy:

- Variable fee schedule
- Request annual approval from the Council for all City-sponsored events
- Creating a new policy for commercial businesses and private entities to hold events not in the City's event spaces

It was the consensus of the Council for staff to prepare a draft variable fee schedule for review at a future Council Briefing. The Council would review all City Sponsored events annually before approval. Staff would draft a new permit policy for commercial business and private entity events.

Miscellaneous City Manager Items

Mr. Staffopoulos reviewed the schedule [on file] of upcoming Council Briefing dates and topics.

Council Member Golding mentioned she and Mr. Staffopoulos had compiled a list of issues involving Short Term Vacation Rentals within the municipality to be submitted to Senator Yarborough. Mr. Staffopoulos stated the list would be emailed to all Council Members for review before sending it to Senator Yarborough.

Community Assignment Report

Mr. Janson provided a brief update on the recently held Quarterly Pension Board meeting and stated the City Pension is doing well.

Mr. Janson stated he recently attended the Florida League of Cities (FLC) conference and attended a meeting session held by Senator Yarborough. Mr. Janson provided a brief overview of the session.

Mayor Hoffman reminded the Council of the upcoming Community Redevelopment Agency (CRA) vacancy, and interviews were held last week. She stated an item would be on the upcoming Council agenda for an appointment to the CRA. The City Clerk's office would send login information to the Council for applicant information and audio recordings for each interview session.

Mr. Janson provided additional information regarding the recent FLC conference. He spoke about the upcoming required Form 6.

Ms. Golding stated FLC President Ross asked her to serve as the new Vice Chair of the Municipal Administration Committee, and she accepted.

The Briefing adjourned at 7:17 P.M.

Submitted by: Jodilynn Byrd
Deputy City Clerk

Approved:

Christine H. Hoffman, MAYOR

Date: _____

DRAFT

CITY COUNCIL AGENDA ITEM	
TO:	Mike Staffopoulos, City Manager
FROM:	Allen Putnam, Director Beaches Energy Services
DATE:	05/23/2023
SUBJECT:	Approve/Disapprove the advanced purchase of two bucket trucks included in the FY2023 Capital Improvement Plan

BACKGROUND

Under the approved Capital Improvement Plan (CIP) for FY2023-2027, the Beaches Energy Services Vehicle Replacement Program calls for the purchase of two 40' bucket trucks at an estimated cost of \$310,000 each. These vehicles are currently experiencing extremely long lead times due to chassis supply chain issues. It is anticipated that we will not receive these vehicles until FY2025 or later. Beaches Energy Services is requesting to accelerate the order for these two items to try and mitigate significant lead time and price volatility challenges. While the lead times of 46-48 months are significant for these two vehicles, the City would rather be early on a waitlist, ahead of other organizations that may place orders after October 1, 2023.

Both bucket trucks are recommended to be ordered from Altec Industries utilizing the Sourcewell Agreement (State Bid) for purchase. The current price is \$249,510 each for a total of \$499,020.

No other vendors supplied pricing. Altec's equipment offers upgraded capabilities; specifically, a winch capacity of 15,000 lbs. (12,000 lbs. is standard) and a 2,400-watt inverter (1,200 watts is standard).

FINANCIAL IMPACT

Funding is available in the Electric Utility fund operating reserves and the budget in account 410-12-1205-64-564001 will be adjusted at year-end. Payment will not be made until the vehicles are received.

REQUESTED ACTION

Approve the advanced purchase of two vehicles included in the FY2023-FY2027 Capital Improvement Plan for Beaches Energy Services

ATTACHMENTS

1. BES Vehicle Replacements CIP FY2023-2027
2. Price Update Sourcewell Quote - Altec - 7-12-23

Capital Improvement Plan: FY2023-2027

Project Title: Vehicle Replacement Program

Department/Division: Beaches Energy Services / All Divisions

Strategic Plan Priorities, Goals and Objectives: Promote asset management and preventative maintenance principles for major City infrastructure (P4.G1.O2.)

Project Description and Reason Necessary:

This is a program to replace vehicles due to annual operating expense, age, and condition.

Funding Source: Beaches Energy Services Operating Revenues

Division	Veh #	Year	Description	FY2023	FY2024	FY2025	FY2026	FY2027
C&M	214	2014	40ft Bucket Truck 4X4		\$300,000			
C&M	238	2014	40ft Bucket Truck 4X4		\$300,000			
C&M	254	2015	Freightliner C5045			\$450,000		
C&M	284	2015	Chevy 2500 4WD			\$50,000		
Meter	293	2015	Chevy 1500 4WD			\$40,000		
C&M	205	2016	Chevy Silverado 2500 4X4				\$50,000	
C&M	212	2016	55ft Bucket Truck 4X4				\$350,000	
C&M	219	2016	Chevy Silverado 2500 4X4				\$50,000	
C&M	237	2016	Freight M2-106 4X4				\$450,000	
Meter	287	2016	GMC Sierra 1500 4X4				\$40,000	
Relay	217	2017	Ford E-250					\$50,000
Relay	271	2017	Ford E-350					\$50,000
Relay	291	2017	Ford F-350					\$50,000
Meter	280	2017	Ford F-150					\$50,000
Meter	247	2017	GMC Sierra					\$40,000
Meter	294	2017	Chevy 1500					\$50,000
Totals					\$600,000	\$540,000	\$940,000	\$290,000

Vehicle Replacement Summary:

Division	FY2023	FY2024	FY2025	FY2026	FY2027	TOTAL
Relay & Substation					\$150,000	\$150,000
Construction & Maintenance		\$600,000	\$500,000	\$900,000		\$2,000,000
Meter Services			\$40,000	\$40,000	\$140,000	\$220,000
Total		\$600,000	\$540,000	\$940,000	\$290,000	\$2,370,000

Quoted for: City of Jacksonville Beach
Customer Contact: Wayne Hughes
Phone: / **Email:** (904) 234-9534 / whughes@beachesenergy.com
Quoted by: Nadine Stacey
Phone: / **Email:** (270) 319-0505 / nadine.stacey@altec.com
Altec Account Manager: Paul Hinson Jr.

REFERENCE ALTEC MODEL		Sourcewell Price
AT37G	Articulating Telescopic Aerial Device (Insulated)	\$161,317

(A.) SOURCEWELL OPTIONS ON CONTRACT (Unit)

1	AT37G-ISO	ISO boom - MUST QUOTE for 40' boom height (n/a on base model)	\$5,746
2	AT37G-US40	40' Boom Height (AT40-G) MUST quote ISO option	\$3,264
3	AT37G-AWD	All Wheel Drive	\$6,739
4			

(A1.) SOURCEWELL OPTIONS ON CONTRACT (General)

1	SPOT6	Remote Spot Light, LED, Permanent Mount, With Wireless Dash Mounted Controls And Programmable Wireless Remote	\$1,066
2	PSWI2	PURE SINE WAVE INVERTER.2400 Watts Continuous. GFCI Outlet at Rear.	\$4,340
3	VRI	120 Volt GFCI Receptacle, Includes Weather-Resistant Enclosure	\$365
4	ISG	Inverter Storage Inside of Body Compartment with Guard	\$866
5	VSE-W	Wilton Vise Utility 6.5 Jaw with 5.5 Opening Pipe Jaws with Replaceable Jaws and Swivel Base	\$568
6	SPOT4	SIX (6) POINT STROBE SYSTEM (LED)	\$1,220
7	CH	Cone Holder, Fold Over Post Style	\$415
8	BK	WATER CASK (Includes Bracket)	\$428
SOURCEWELL OPTIONS TOTAL:			\$186,334

(B.) OPEN MARKET ITEMS (Customer Requested)

1	UNIT		\$0
2	UNIT & HYDRAULIC ACC		\$0
3	BODY		\$4,677
4	BODY & CHASSIS ACC		\$0
5	ELECTRICAL	Adhesive strip lighting, cargo lighting, work light, Standard Multi-Point Grounding system, grounding reel, grounding cable, grounding clamp, 7-way trailer receptacle, deep cycle auxiliary battery, electric winch (12,000LBS)	\$11,728
6	FINISHING	Non-skid coating to top of storage boxes.	\$307
7	CHASSIS		\$32,797
8	OTHER	MY2028	\$11,136
OPEN MARKET OPTIONS TOTAL:			\$60,645

SUB-TOTAL FOR UNIT/BODY/CHASSIS: \$246,979

Delivery to Customer: \$2,531

TOTAL FOR UNIT/BODY/CHASSIS: \$249,510

****Pricing valid for 45 days****

NOTES

PRICING: Altec will make every effort to honor this quotation, subject to the following provisions. Prices for equipment with production start dates 12 months and beyond are budgetary only due to irregular cost inflation and market volatility. These prices will be reviewed based on market conditions and confirmed closer to the production date. Quotes and orders with chassis model year beyond the current open order bank, should be considered estimates only. Altec's turn-key pricing is subject to change in accordance with chassis pricing received from the OEM. Chassis model year, specifications and price will be reviewed and confirmed when specific model year information becomes available from the OEM and that chassis price difference will be passed through to the customer.

PAINT COLOR: White to match chassis, unless otherwise specified

WARRANTY: Standard Altec Warranty for Aerials and Derricks - One (1) year parts warranty One (1) year labor warranty Ninety

TO ORDER: To order, please contact the Altec Account Manager listed above.

CHASSIS: Per Altec Commercial Standard

DELIVERY: No later than _____ months ARO, FOB Customer Location

TERMS: Net 30 days

BEST VALUE: Altec boasts the following "Best Value" features: Altec ISO Grip Controls for Extra Protection, Only Lifetime Warranty on Structural Components in Industry, Largest Service Network in Industry (Domestic and Overseas), Altec SENTRY Web/CD Based Training, Dedicated/Direct Gov't Sales Manager, In-Service Training with Every Order.

TRADE-IN: Please ask your Altec Account Manager for more information

BUILD LOCATION:



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, Chief Financial Officer
DATE:	08/08/2023
SUBJECT:	Accept the Monthly Financial Report for the month of July 2023

BACKGROUND

Attached are the monthly financial reports for July 2023 as prepared by the Finance Department. These reports represent ten months of activity, or 83.3% of the total annual budget, and are prepared on a cash basis.

Summary Budget Reports Exhibits 1 through 6 show the cumulative actual revenues and expenditures compared to the actual amounts at the same point in time as last fiscal year. Exhibit 7 compares actual revenues and expenditures to the budget in total by fund.

FINANCIAL IMPACT

For informational purposes only.

REQUESTED ACTION

Accept the Monthly Financial Report for the month of July 2023

ATTACHMENTS

1. 2023-7 July Financials



SUMMARY BUDGET REPORT

July 31, 2023

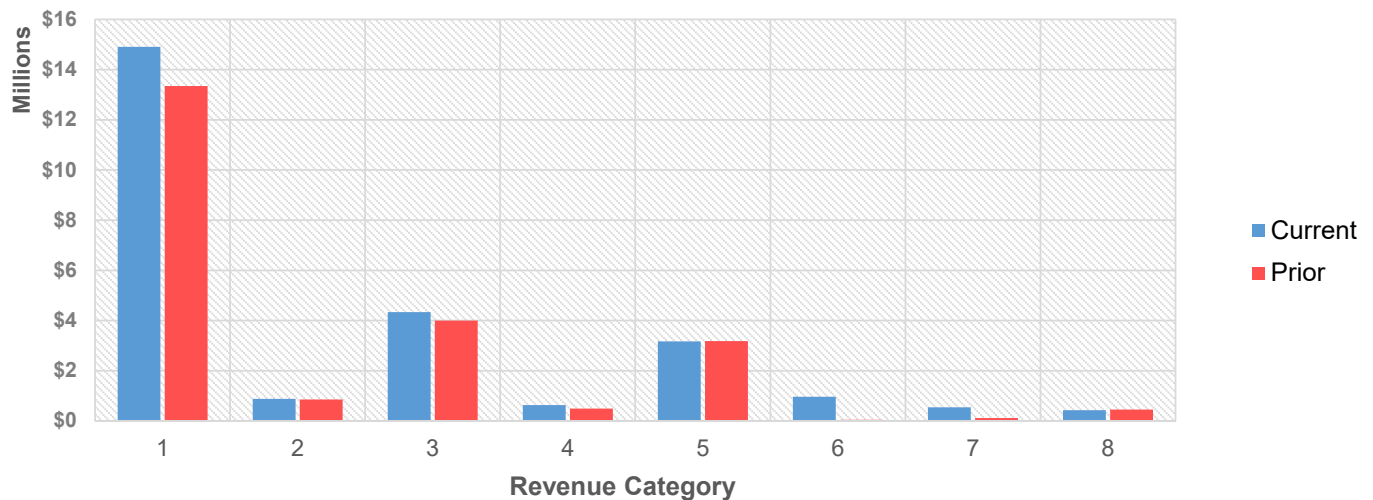
83.3% of Year Elapsed

Exhibit 1

General Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
1 Taxes	14,908,450	90.3%	13,343,235	89.6%	0.8%	1,565,215
2 Licenses & Permits	873,855	135.0%	851,889	140.8%	-5.8%	21,965
3 Intergovernmental Revenue	4,331,441	100.9%	3,994,979	96.5%	4.4%	336,462
4 Charges for Services	624,585	137.0%	486,095	103.5%	33.5%	138,490
5 Enterprise Contributions	3,162,829	83.3%	3,179,328	83.3%	0.0%	(16,498)
6 Miscellaneous Revenue	955,907	343.9%	40,236	12.1%	331.7%	915,672
7 Fines & Forfeitures	536,172	315.4%	109,175	67.4%	248.0%	426,996
8 Interfund Transfers	421,389	82.0%	447,083	87.0%	-5.0%	(25,693)
Total Revenues	\$25,814,628	96.8%	\$22,452,020	90.0%	6.8%	\$3,362,608

Current Year vs. Prior Year



Discussion

Total General Fund revenues are over budget for the current year, due in part to the timing of ad valorem tax distributions.

- 4 The increase in charges for services is attributable to the new paid parking contract. While the rates remain the same, the City is now receiving a higher percentage of the revenues generated.
- 6 Miscellaneous revenue includes interest on pooled investments, auction proceeds, facility rental fees, tennis fees, and cemetery lots purchased. The increase from the prior year is due primarily to the adjustment to market value of the City's pooled investment assets.
- 7 The increase in fines & forfeitures is attributable to settlement proceeds from the SLG code enforcement case.



SUMMARY BUDGET REPORT

July 31, 2023

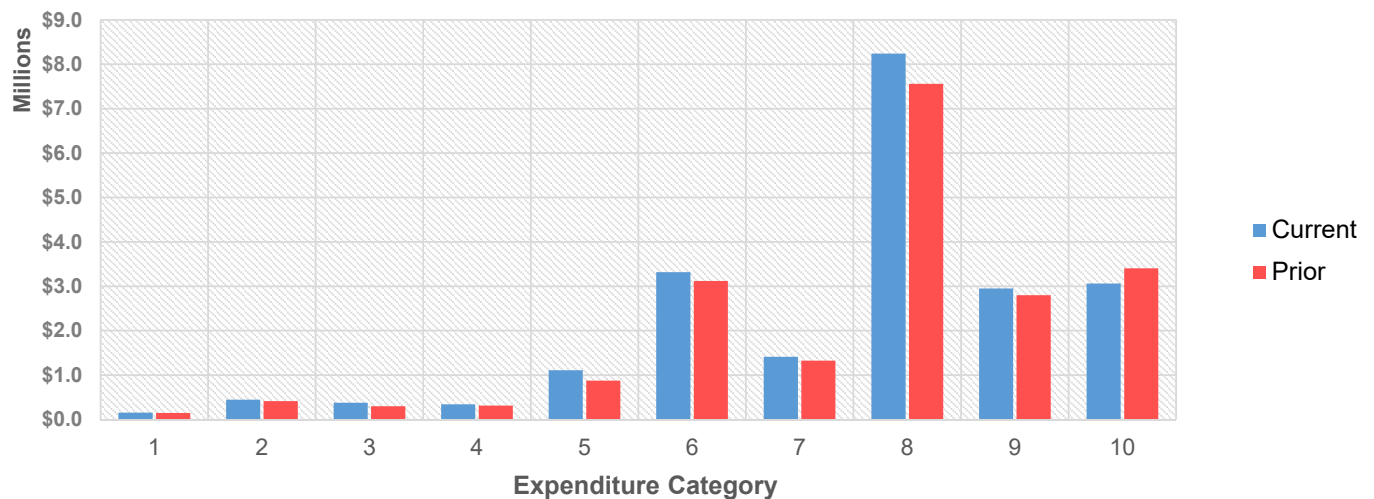
83.3% of Year Elapsed

Exhibit 2

General Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
1 City Administration	156,759	79.9%	149,279	79.7%	0.2%	7,480
2 City Attorney	448,247	77.6%	415,783	86.2%	-8.6%	32,464
3 City Clerk	376,970	78.7%	300,377	65.9%	12.8%	76,593
4 Building Maintenance	343,001	75.5%	315,381	71.8%	3.7%	27,620
5 Planning and Development	1,111,597	72.8%	877,782	72.6%	0.2%	233,815
6 Parks and Recreation	3,320,762	79.8%	3,123,134	79.5%	0.3%	197,628
7 Public Works	1,414,915	76.7%	1,327,689	68.8%	8.0%	87,226
8 Police	8,244,870	81.4%	7,563,534	76.1%	5.3%	681,336
9 Fire Services	2,953,276	82.7%	2,799,798	83.5%	-0.8%	153,478
10 Non-Departmental	3,063,631	72.8%	3,405,247	80.5%	-7.7%	(341,616)
Total Expenditures	21,434,028	79.0%	20,278,004	77.5%	1.4%	\$1,156,024

Current Year vs. Prior Year



Discussion

Total General Fund expenditures are under budget for the current year and slightly ahead of the prior year expenditures on a percent of budget basis.

- 5 The increase in Planning and Development expenditures is largely due to professional services supporting the comprehensive plan and land development code updates.
- 9 Fire Services expenditures include the annual contribution to the Fire Pension Plan unfunded actuarial accrued liability as part of the Fire Services Agreement with the City of Jacksonville. This is the 4th of 10 annual payments to satisfy this obligation.



SUMMARY BUDGET REPORT

July 31, 2023

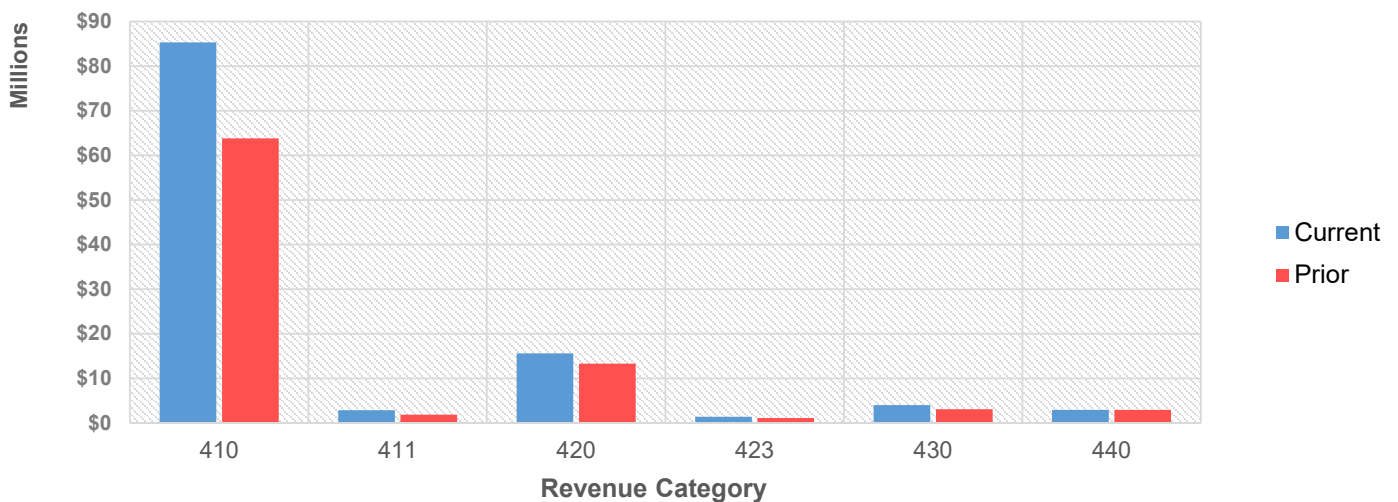
83.3% of Year Elapsed

Exhibit 3

Enterprise Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
410 Electric	85,316,947	88.9%	63,815,134	76.7%	12.2%	21,501,813
411 Natural Gas	2,842,128	128.8%	1,825,123	90.9%	37.9%	1,017,004
420 Water & Sewer	15,566,015	97.5%	13,283,842	87.9%	9.6%	2,282,173
423 Stormwater	1,362,235	96.2%	1,080,272	74.3%	21.8%	281,963
430 Sanitation	3,980,106	102.9%	3,062,287	86.8%	16.1%	917,819
440 Golf Course	2,924,430	103.0%	2,902,763	127.7%	-24.6%	21,667
Total Revenues	\$111,991,861	91.6%	\$85,969,421	79.9%	11.6%	\$26,022,440

Current Year vs. Prior Year



Discussion

Total Enterprise Fund revenues are ahead of current year budget estimates and prior year revenues on a percent of budget basis.

410 The increase in Electric revenues is due to an increase in the pass-through bulk power cost adjustment used to pay for the rising cost of electricity from the City's provider.

411 The increase in Natural Gas revenues is attributable to an increase in the pass-through cost of gas adjustment used to pay for the rising cost of natural gas from the City's provider.

423 The increase in Stormwater revenues is largely due to the adjustment to market value of the City's pooled investment assets.



SUMMARY BUDGET REPORT

July 31, 2023

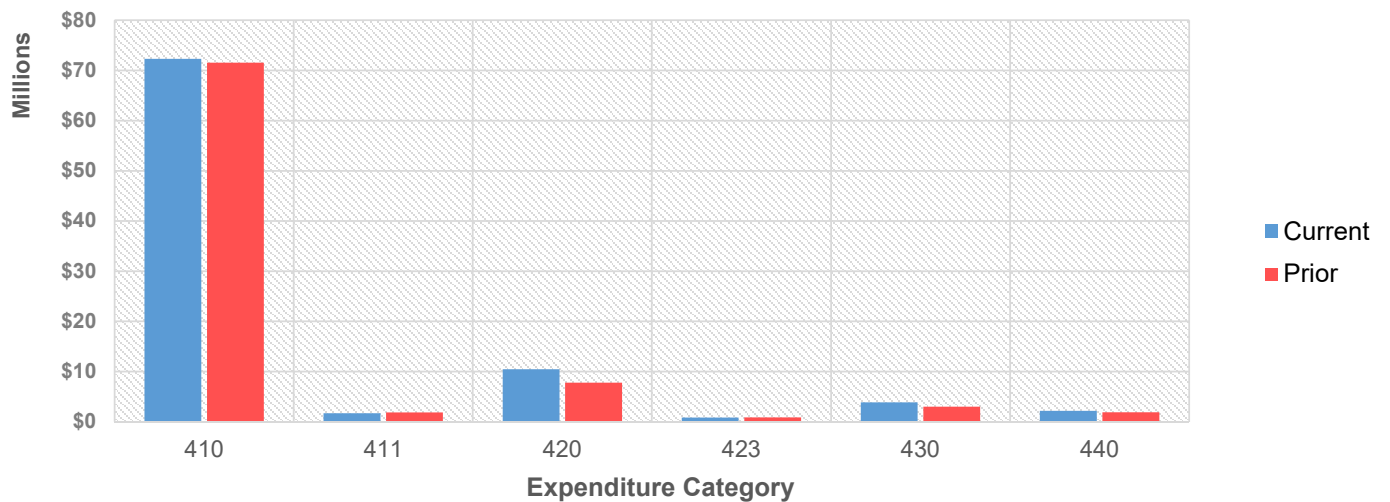
83.3% of Year Elapsed

Exhibit 4

Enterprise Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
410 Electric	72,297,489	70.8%	71,529,814	78.9%	-8.1%	767,676
411 Natural Gas	1,662,622	81.6%	1,825,668	86.4%	-4.8%	(163,046)
420 Water & Sewer	10,443,663	52.0%	7,762,438	34.6%	17.3%	2,681,225
423 Stormwater	799,078	16.9%	841,752	31.4%	-14.5%	(42,674)
430 Sanitation	3,829,458	83.3%	2,993,526	69.8%	13.5%	835,933
440 Golf Course	2,139,101	71.6%	1,866,346	77.1%	-5.6%	272,755
Total Expenditures	\$91,171,412	66.8%	\$86,819,544	69.7%	-2.9%	\$4,351,868

Current Year vs. Prior Year



Discussion

Total Enterprise Fund expenditures are under budget for the current year and slightly behind the prior year expenditures on a percent of budget basis.

410 The increase in the Electric Fund is largely attributable to the rising cost of purchased power.

411 The decrease in Natural Gas expenditures is due to the timing of capital projects in the prior year.

420 The increase in Water & Sewer expenditures is largely attributable to the timing of capital outlay in the current year.

423 The decrease in Stormwater expenditures is largely attributable to the timing of capital outlay in the prior year.

430 The increase in Sanitation expenditures over the prior year reflects the new solid waste and recycling contract.



SUMMARY BUDGET REPORT

July 31, 2023

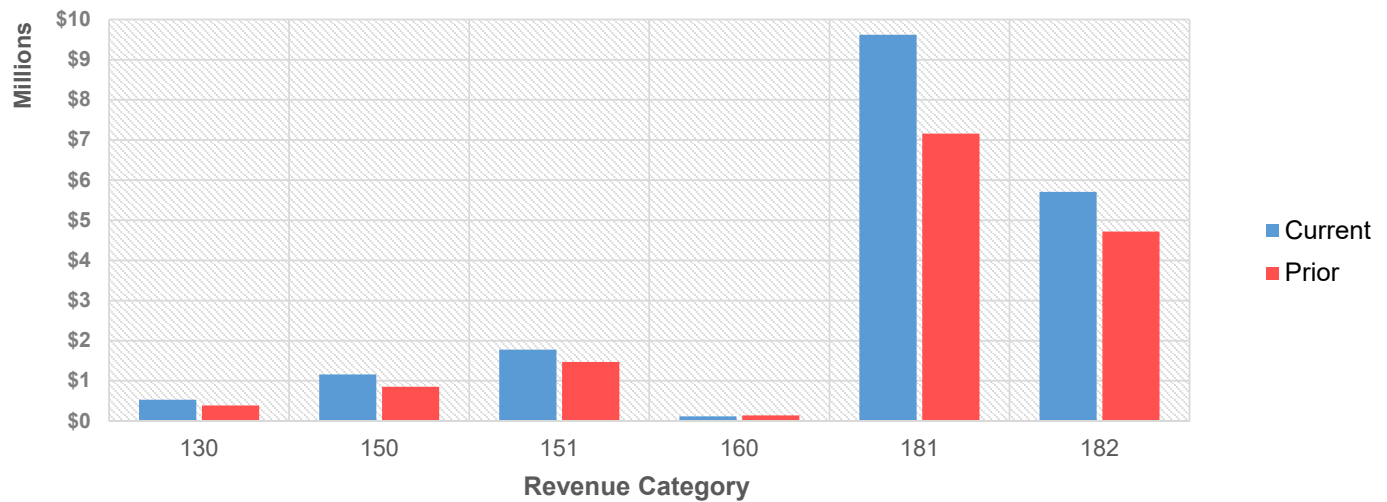
83.3% of Year Elapsed

Exhibit 5

Special Revenue Fund Revenues

Revenue Category	Current Year Revenue to Date	Current Year Revenue % of Budget	Prior Year Revenue to Date	Prior Year Revenue % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
130 Convention Development	526,027	125.6%	381,827	101.8%	23.9%	144,199
150 Local Option Gas Tax	1,157,416	100.2%	848,092	106.6%	-6.4%	309,323
151 Infrastructure Surtax	1,773,684	120.0%	1,469,311	100.4%	19.5%	304,373
160 Community Dev Blk Grant	111,389	78.4%	137,083	96.5%	-18.1%	(25,693)
181 Downtown Increment Fund	9,620,999	107.2%	7,156,866	93.5%	13.6%	2,464,133
182 Southend Increment Fund	5,703,423	193.4%	4,715,444	175.1%	18.3%	987,980
Total Revenues	\$18,892,937	125.0%	\$14,708,623	112.1%	12.8%	\$4,184,314

Current Year vs. Prior Year



Discussion

Total revenues in the Special Revenue Funds are ahead of prior year actuals on a percent of budget basis.

130 Convention Development revenues reflect receipts through April.

160 Community Development Block Grant revenues are received on a reimbursement basis.

181/ 182 The annual tax increment distributions for both the Downtown and Southend districts were received in December. Increases over the prior year are largely due to investment interest earnings.



SUMMARY BUDGET REPORT

July 31, 2023

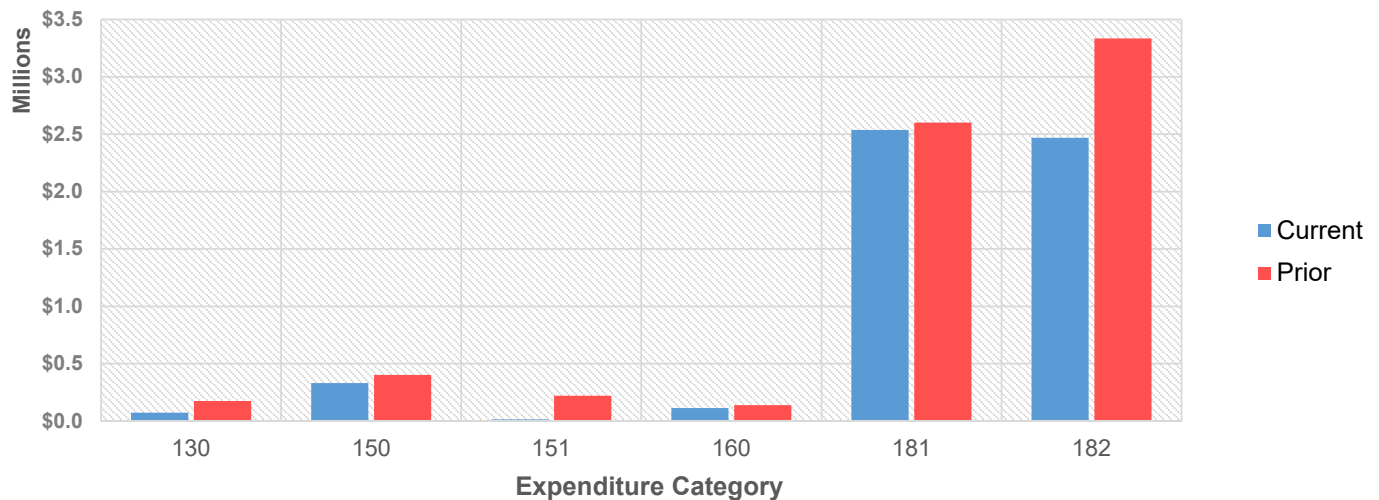
83.3% of Year Elapsed

Exhibit 6

Special Revenue Fund Expenditures

Expenditure Category	Current Year Expenditures to Date	Current Year Expenditures % of Budget	Prior Year Expenditures to Date	Prior Year Expenditures % of Budget	% Variance (Current Year less Prior Year)	\$ Variance (Current Year less Prior Year)
130 Convention Development	71,120	9.1%	173,595	30.3%	-21.2%	(102,474)
150 Local Option Gas Tax	329,259	40.0%	400,710	50.0%	-10.0%	(71,451)
151 Infrastructure Surtax	12,533	1.1%	219,753	16.2%	-15.0%	(207,220)
160 Community Dev Blk Grant	111,389	78.4%	137,083	96.5%	-18.1%	(25,693)
181 Downtown Increment Fund	2,537,346	8.6%	2,600,874	26.2%	-17.7%	(63,528)
182 Southend Increment Fund	2,468,466	20.4%	3,335,218	29.1%	-8.7%	(866,751)
Total Expenditures	\$5,530,115	12.4%	\$6,867,233	28.3%	-15.9%	(\$1,337,118)

Current Year vs. Prior Year



Discussion

In total, Special Revenue Fund expenditures are under budget for the current year and 15.9% lower than the prior year on a percentage of budget basis.

130, The decreases in Convention Development, Local Option Gas Tax, and Infrastructure Surtax expenditures are due to timing of capital projects.

151

160 Community Development Block Grant Fund expenditures will be reimbursed by grant funding.

181/ The variances in both the Downtown and Southend Increment Funds are largely due to the timing of capital projects.

182



SUMMARY BUDGET REPORT

July 31, 2023

83.3% of Year Elapsed

Exhibit 7

Summary Revenues and Expenditures

Fund Name	Budgeted Annual Revenues	Budgeted Revenues To Date	Actual Revenues To Date	Variance Favorable/(Unfavorable)
001 General Fund	26,657,072	22,202,054	25,814,628	3,612,573
130 Convention Development Tax	418,705	348,730	526,027	177,297
150 Local Option Gas Tax	1,154,613	961,650	1,157,416	195,765
151 Infrastructure Surtax	1,478,438	1,231,357	1,773,684	542,327
160 Community Dev. Blk. Grant	142,000	118,268	111,389	(6,879)
181 Downtown Increment Fund	8,978,030	7,477,592	9,620,999	2,143,407
182 Southend Increment Fund	2,948,523	2,455,756	5,703,423	3,247,667
410 Electric Utility	95,979,446	79,939,045	85,316,947	5,377,902
411 Natural Gas Utility	2,207,035	1,838,188	2,842,128	1,003,940
420 Water & Sewer Utility	15,972,798	13,303,371	15,566,015	2,262,643
423 Storm Water Management	1,416,541	1,179,804	1,362,235	182,431
430 Sanitation Fund	3,869,346	3,222,688	3,980,106	757,418
440 Golf Course Fund	2,838,334	2,363,982	2,924,430	560,448
460 Leased Facilities Fund	751,277	625,721	654,727	29,005
500 Internal Service Funds	15,779,360	13,142,261	12,841,702	(300,559)
Total Revenues	\$180,591,518	\$150,410,470	\$170,195,855	\$19,785,385

Fund Name	Budgeted Annual Expenditures	Budgeted Expenditures To Date	Actual Expenditures To Date	Variance Favorable/(Unfavorable)
001 General Fund	27,145,019	22,608,455	21,434,028	1,174,427
130 Convention Development Tax	784,620	653,492	71,120	582,371
150 Local Option Gas Tax	823,218	685,639	329,259	356,380
151 Infrastructure Surtax	1,104,378	919,811	12,533	907,277
160 Community Dev. Blk. Grant	142,000	118,268	111,389	6,879
181 Downtown Increment Fund	29,605,937	24,658,096	2,537,346	22,120,750
182 Southend Increment Fund	12,123,521	10,097,399	2,468,466	7,628,932
410 Electric Utility	102,068,931	85,010,836	72,297,489	12,713,346
411 Natural Gas Utility	2,037,749	1,697,194	1,662,622	34,572
420 Water & Sewer Utility	20,097,838	16,739,022	10,443,663	6,295,359
423 Storm Water Management	4,716,982	3,928,665	799,078	3,129,587
430 Sanitation Fund	4,598,841	3,830,268	3,829,458	809
440 Golf Course Fund	2,988,616	2,489,149	2,139,101	350,048
460 Leased Facilities Fund	927,353	772,371	658,468	113,903
500 Internal Service Funds	15,835,548	13,189,059	12,854,050	335,009
Total Expenditures	\$225,000,554	\$187,397,722	\$131,648,073	\$55,749,649

Fund Name	Net Income/(Loss)	Net Variance Favorable/(Unfavorable)
001 General Fund	4,380,600	4,787,000
130 Convention Development Tax	454,906	759,669
150 Local Option Gas Tax	828,157	552,146
151 Infrastructure Surtax	1,761,150	1,449,605
160 Community Dev. Blk. Grant	-	-
181 Downtown Increment Fund	7,083,652	24,264,156
182 Southend Increment Fund	3,234,957	10,876,599
410 Electric Utility	13,019,458	18,091,248
411 Natural Gas Utility	1,179,505	1,038,511
420 Water & Sewer Utility	5,122,352	8,558,002
423 Storm Water Management	563,157	3,312,018
430 Sanitation Fund	150,648	758,227
440 Golf Course Fund	785,330	910,496
460 Leased Facilities Fund	(3,741)	142,909
500 Internal Service Funds	(12,348)	34,449
Total	38,547,783	\$75,535,034



CASH AND INVESTMENTS BY TYPE

Fiscal Year to Date
July 31, 2023

Type of Investment	10/1/2022 Beginning Balance	Investment Earnings	Realized Gain/(Loss)	Unrealized Gain/(Loss)	Fees	Net Investment Income	Net Deposits (Withdrawals)	7/31/2023 Ending Balance	Weighted Net Return*
Sawgrass Asset Management	41,748,356	693,589	(248,403)	655,984	(86,084)	1,015,087	(0)	42,763,443	0.42%
Galliard Capital Management	45,506,539	1,248,451	(535,155)	601,781	(77,495)	1,237,582	7,500,000	54,244,121	0.55%
Garcia Hamilton & Associates	46,348,436	1,006,958	(482,689)	474,308	(100,705)	897,871	7,500,000	54,746,307	0.40%
State Pooled Investment Fund	32,420,623	1,278,718	-	-	-	1,278,718	-	33,699,341	0.54%
Florida Trust	29,312,861	1,092,954	-	-	-	1,092,954	(0)	30,405,815	0.46%
Florida Municipal Investment Trust 0-2 Yr HQ Bond Fund	12,599,391	341,759	-	-	-	341,759	0	12,941,150	0.14%
Operating Cash: Bank of America	20,569,228	440,843	-	-	(134,618)	306,225	(2,076,479)	18,798,973	0.12%
Petty Cash	6,725	-	-	-	-	-	-	6,725	0.00%
TOTAL CITY MANAGED INVESTMENTS AND CASH	228,512,159	6,103,272	(1,266,247)	1,732,073	(398,902)	6,170,196	12,923,521	247,605,876	2.63%
Pension: Salem Mutual Fund	55,463,746	2,184,873	358,145	9,155,762	-	11,698,780	(2,000,000)	65,162,527	12.56%
Pension: Sawgrass Asset Mgt	23,681,641	566,556	(684,109)	1,096,632	(79,626)	899,453	-	24,581,094	0.84%
Pension: Wells Capital	12,281,883	56,615	303,718	2,938,072	(55,745)	3,242,660	-	15,524,543	3.68%
Pension: JPMCB - Strategic Property Fund	6,819,791	-	-	(679,832)	-	(679,832)	-	6,139,958	-0.55%
TOTAL PENSION INVESTMENTS	98,247,060	2,808,044	(22,246)	12,510,635	(135,371)	15,161,062	(2,000,000)	111,408,122	15.59%
TOTAL CASH AND INVESTMENTS	\$326,759,219	\$8,911,317	(\$1,288,493)	\$14,242,708	(\$534,273)	\$21,331,258	\$10,923,521	\$359,013,998	



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Allen Putnam, Director of Beaches Energy Services
DATE:	07/13/2023
SUBJECT:	Bid No. 2023-07 Group-Operated Air Break Switches

BACKGROUND

A group-operated air break switch, also known as a group-operated switch or gang-operated switch, is a type of electrical switch used in power distribution systems. Its purpose is to connect or disconnect multiple power lines simultaneously, typically in high-voltage applications. The key function of a group-operated air break switch is to ensure the safe and reliable operation of electrical circuits during maintenance, repairs, or in emergency situations. By opening or closing the switch, it allows for the isolation of a particular section of the power distribution network, which can be important for safety reasons or to facilitate maintenance work. There are currently 107 switches in operation throughout our electric system.

It is the intent of Bid No. 2223-07 to procure 34.5 kV Group-Operated Air Break Switches for the City of Jacksonville Beach d/b/a Beaches Energy Services for a period of three years from its effective date. The initial term may be extended for two additional one-year periods at the option of Beaches Energy Services under the same terms and conditions as the original Agreement, including any Amendments thereto, unless otherwise modified by mutual agreement of Beaches Energy Services and Supplier.

Stuart C. Irby Co. is the only one out of seven vendors that responded to Bid No. 2223-07.

FINANCIAL IMPACT

Group operated air break switches are stocked in inventory and funding is included in the Beaches Energy Services annual operating budget.

REQUESTED ACTION

Award/Reject Bid No. 2223-07 to Stuart C. Irby Co. for the purchase of Group-Operated Air Break Switches

ATTACHMENTS

1. Bid_2223-07 Intent to Award Notification

City of
Jacksonville Beach
Property and
Procurement Division
1460A Shetter Avenue
Jacksonville Beach
FL 32250
Phone: 904.247.6229
Email: purchasing@jaxbchfl.net
www.jacksonvillebeach.org

This is the only recommendation notice you will receive. If there are other representatives in your firm working on this project, please forward to their attention.

NOTICE OF INTENT TO SUBMIT BID FOR APPROVAL AND AWARD BY CITY COUNCIL

Date: June 7, 2023

From: Luis F. Flores, Property and Procurement Officer

RE: **Bid No. 2223-07 Group Operated Air Break (GOAB) Switches**

Recommendation will be presented to the City Manager for:

Bid Number: 2223-07

Title: Group Operated Air Break (GOAB) Switches

Following is the bid tabulation sheet:

Item	JB No.	Vendor	Unit Price
1	JB 01260	Stuart C. Irby Co.	\$15,884.00

In accordance with the procedures set forth in Section XII K. of the City of Jacksonville Beach Purchasing Manual, a written notice of intent to file a protest must be filed with the Property and Procurement Officer within three (3) business days, Monday through Friday, 8:00 AM – 4:00 PM, after receipt by the respondent of the Bid Award Notice from the Property and Procurement Officer.

If awarded, please do not proceed with any work prior to receiving an official City of Jacksonville Beach Purchase Order and/or Notice-to-Proceed letter.

We would like to thank each bidder for their submittal.

Luis F. Flores

Luis F. Flores, Property and Procurement Officer
1460A Shetter Avenue, Jacksonville Beach, FL 32250



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Sheri Gosselin, City Clerk
DATE:	07/13/2023
SUBJECT:	Community Redevelopment Agency Appointment

BACKGROUND

The City Council appoints the Community Redevelopment Agency (CRA) members. There are five members who serve four-year terms.

Board Member Jeffrey Jones submitted a letter of resignation from the board on June 15, 2023, stating he would no longer be a resident of Jacksonville Beach (attached). His resignation is effective August 31, 2023. This will create a vacancy on the CRA. Mr. Jones' term was to expire on December 31, 2023.

Interviews of board applicants were held in October and November of 2021, and on August 4th and 9th, 2023. Board applications are valid for two years. There are 13 eligible board applicants who were interviewed that listed the CRA as their first or second board choice. They are Jerry Beatty, Raymond 'Buster' Bragg, Jr., Christi Elflein, John Hanna, Jr., Andrew Hrycaj, Samuel Langham, Meghan Leslie, Kenneth Marsh, Thaddeus Moseley, John O'Connor, Anthony Recco, David Smith, and Ron Whittington. Applications are attached.

Per Section 163.356(2), F.S., "A vacancy occurring during a term shall be filled for the unexpired term." The newly appointed board member will have a term expiration of December 31, 2023. This member will require consideration for reappointment along with other board members' terms expiring at the end of the year.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Nominate and appoint a new Regular Member to fill the remainder of the unexpired term of Jeffrey Jones on the Community Redevelopment Agency (CRA), with a term effective date of September 1, 2023, and term expiring December 31, 2023

ATTACHMENTS

1. Jeffrey Jones - Notice of Resignation
2. Jerry Beatty - Application
3. Raymond 'Buster' Bragg, Jr. - Application
4. Christi Elflein - Application
5. John Hanna, Jr. - Application
6. Andrew Hrycaj - Application
7. Samuel Langham - Application
8. Meghan Leslie - Application



City of Jacksonville Beach • 11 North Third Street • Jacksonville Beach, FL 32250

9. Kenneth Marsh - Application
10. Thaddeus Moseley - Application
11. John O'Connor - Application
12. Anthony Recco - Application
13. David Smith - Application
14. Ron Whittington - Application
15. Staff's Applicant Spreadsheet

From: [JEFFREY JONES](#)
To: [Heather Ireland](#)
Cc: [Taylor Mobbs](#); [Sheri Gosselin](#)
Subject: Re: CRA Resignation Process
Date: Thursday, June 15, 2023 12:33:13 PM

Caution: This email originated from outside the City. Do not click links or open attachments unless you recognize the sender and know the content is safe

Thank you Heather, we are sorry to be leaving as well.

We are closing on our new place in Daytona Beach on July 31st. However, we are continuing our lease here in Jacksonville Beach through August 31st so we can move at a relaxed pace (if that is possible). I will be available for any and all meetings through the end of August.

So my resignation will be effective August 31, 2023.

Thanks,

Jeff Jones

Jeffrey J. Jones
418 7th Avenue North, Unit #2
Jacksonville Beach, FL 32250
904-312-0662

jjj.jaxbeach@comcast.net

On Jun 15, 2023, at 12:28 PM, Heather Ireland <hireland@jaxbchfl.net> wrote:

Jeff, good afternoon. We were sorry to learn that you are moving out of Jacksonville Beach and will no longer be able to participate on the CRA, especially after serving so much time on the board. If you know how many more months you will be available, please let us know. I have copied the Clerk's Office so they can start the process of interviewing if needed and coordinate the selection of your replacement with the City Council.

Please confirm via email to the Clerk's Office that you will be leaving your seat vacant before the end of your term and your estimated last meeting if known (August? September?). We would love if you can stay as long as possible, but I know you have a lot to do to get ready to move.

I speak for both Taylor and myself that we are happy for you and your family and this new chapter for you guys. ☺

Heather Ireland, AICP

Director, Planning and Development Department

City of Jacksonville Beach

hireland@jaxbchfl.net

www.jacksonvillebeach.org

Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released in response to a public-records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. However, please be advised that most records received and maintained by the City of Jacksonville Beach are public records, and are therefore subject to the disclosure provisions of Chapter 119, Florida Statutes, the Florida Public Records Law (119.07, FS).



Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Jerry Beatty Home Phone: 404 861-3268
Home Address: 2272 2nd Street South
E-Mail Address: jerrybeatty35@gmail.com Cell Phone: 404 861-3268
Occupation: Retired / Consultant Business Phone: _____
Business Name: _____
Business Address: _____

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>8 yrs</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>2272 2nd Street So,</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details: _____

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".

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

Please list the type of City meetings you have attended: _____

Education: BA History / ED Mercer University

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

Was on the board of directors for the "Downtown Development" for the city of Lavonia Ga for 4 years. Was an owner and operated my own safety engineering company for over 25 years before selling in 2014.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

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

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

Date

11/5/23

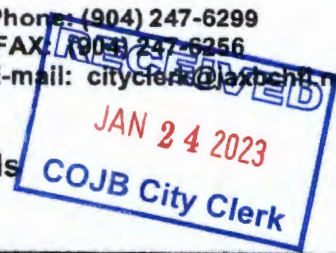
Applicant's Signature



City of Jacksonville Beach
Office of the City Clerk
11 North 3rd Street
Jacksonville Beach, Florida 32250



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



Application for Appointment to City Boards

Personal Information (Please print or type)

Name: <u>Raymond B. Bragg, Jr 'Buster'</u>	Home Phone: <u>904-247-3204</u>
Home Address: <u>2002 Ocean Front S.</u>	
E-Mail Address: <u>bbragg@comcast.net</u>	Cell Phone: <u>904-613-6177</u>
Occupation: <u>Sr. Tech. Architect</u>	Business Phone: <u>904-218-5368</u>
Business Name: <u>Merrill Lynch</u>	
Business Address: <u>4200 Deer Lake</u>	

Eligibility – Please Circle

Are you a resident of the City?	☒ Yes	☐ No	If yes, length of time: <u>20 yrs</u>
Are you a registered voter?	☒ Yes	☐ No	If yes, what County: <u>Duval</u>
Do you own property in the City?	☒ Yes	☐ No	If yes, address: <u>see above</u>
Do you hold a public office?	☒ Yes	☐ No	If yes, Office name: _____
Are you employed by the City?	☒ Yes	☐ No	If yes, position: _____
Are you currently serving on a Board?	☒ Yes	☐ No	If yes, Board Name: _____
Have you been convicted of a felony?	☒ Yes	☐ No	If yes, provide date: _____
Have your civil rights been restored?	☒ Yes	☐ No	If yes, provide date: _____
Have you filed bankruptcy?	☒ Yes	☐ No	If yes, provide date: _____

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

If yes, please provide details: _____

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".)

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

Please list the type of City meetings you have attended: _____

Qualifications (Briefly describe specific expertise, abilities, or qualifications) Beaches resident 30+ years, 40+ yrs in I.T. industry, executive mgt, small business owner, rental property owner, HOA president

Education: <u>B.A. Mathematics & Computer Science, Project Mgt.</u>

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

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

- ☒ Caucasian
☐ Hispanic
☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

Applications are submitted to the City Clerk and are valid for two years from the date they are submitted. All applicants are interviewed following their application submittal. When vacancies occur, the City Council considers all eligible applicants and votes to make board appointments.

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

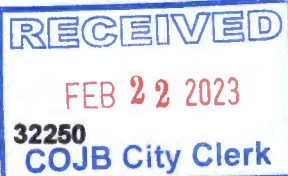
Date

1/25/2023

Applicant's Signature

R. B. Bragg, Jr.

City of Jacksonville Beach
Office of the City Clerk
11 North 3rd Street
Jacksonville Beach, Florida 32250



Phone: (904) 247-6299
E-mail: cityclerk@jaxbchfl.net

Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Christi Bowler Elflein Home Phone: 904-477-2207
Home Address: 3512 Bay Island Cir, Jacksonville Beach, FL 32250
E-Mail Address: elfleinchristi@gmail.com Cell Phone: 904-477-2207
Occupation: Urban Planner Business Phone: 904-707-9761
Business Name: Starr Sanford Design
Business Address: 370 4th Ave S., Jacksonville Beach, FL 32250

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>18 yrs + 14 yrs</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>3512 Bay Island Cir</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".)

3
1

Board of Adjustment

Community Redevelopment Agency

2
N

Planning Commission

Pension Trustee

Please list the type of City meetings you have attended: Variance hearings, rezoning hearings, community meetings, etc.

Education: Masters in City Planning, Georgia Institute of Technology (1997), Bachelors in Social Sciences, Florida State University (1995), Bishop Kenny HS (1991), St. Paul's Beach

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

1. I was born and raised in Jax Beach. I love this town and am ready to give back.
2. I am a city planner with both public and private experience.
3. Public: City of Atlanta - staffed boards and ran community meetings.
4. Private: Glatting Jackson, Orlando - worked mostly on large DRI projects.
5. Current: Starr Sanford Design - Planning Director for a Jax Beach boutique architecture firm.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☒ Female
☐ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

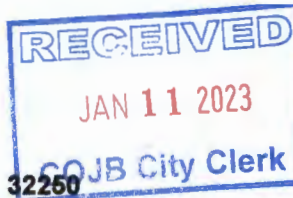
Applications are submitted to the City Council when vacancies occur and are effective for two years from date of completion.

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

Feb 22, 2023
Date

[Signature]
Applicant's Signature

City of Jacksonville Beach
Office of the City Clerk
11 North 3rd Street
Jacksonville Beach, Florida 32250



Phone: (904) 247-6299
E-mail: cityclerk@jaxbchfl.net

Application for Appointment to City Boards

Personal Information (Please print or type)

Name: John M. Hanna Jr. Home Phone: (904) 612-9903
Home Address: 3250 Isabella Blvd., Jax Bch, FL, 32250
E-Mail Address: johanhanna48@comcast.net Cell Phone: Same
Occupation: Contractor Business Phone: Same
Business Name: Belmar Contractors, Inc
Business Address: 934 Shetter Ave, Jax Bch, FL, 32250

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>Life</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>964, 934, 953 Shetter Ave.</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☐	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".)

NO
1 2

Board of Adjustment

Community Redevelopment Agency

1 1
NO

Planning Commission

Pension Trustee

Please list the type of City meetings you have attended: I've attended council meeting and board of adjustment, I also sat on the planning board and code enforcement years ago.

Education:

High School, 2 years College

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

As a life long Resident of Jax Bch I've seen the changes over the years. I believe it would give me a good perspective on the impact of future development. I'm also the owner of commercial properties in Jax bch which would help with knowing the ins and outs of running a business here. I've also been in the construction industry for over 35 years, so I'm familiar with construction practices and Land Development.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

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

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

January 11, 2023
Date


Applicant's Signature



Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Andrew Hrycaj Home Phone: N/A
Home Address: 376 1st Street South, Jacksonville Beach FL 32250
E-Mail Address: hrycaj.hrycaj@gmail.com Cell Phone: 404-539-3275
Occupation: Technical Advisor (Construction Materials) Business Phone: 904-900-5260
Business Name: FG Building Products
Business Address: 13400 Sutton Park Drive South, Suite 1602, Jacksonville FL 32224

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>2-1/2 Years</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>376 1st St S, Jax Bch 32250</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☐	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".

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

Please list the type of City meetings you have attended: _____

Education: BS Architecture, Georgia Tech 2010

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

Registered Roofing Observer, IIBEC 2021. Technical Advisor for a rep firm of construction materials, 7 Years. Commercial Roofing Estimator & Project Manager, 5 Years. Architectural Intern, 2 Years. BS Architecture, Georgia Tech 2010.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

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

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

Date 1/9/2023

Date

Andrew Hrycaj
Applicant's Signature

ABOUT

Commercial roofing professional specializing in low-slope systems and sheet metal provisions who planted roots in the construction industry after earning a BS ARCH from Georgia Tech in 2010. Diverse experience spanning estimating, project management, technical solutions, complex detailing, field analysis, system installation, and code compliance as a manufacturers sales rep for nearly eight (8) years.

EXPERIENCE

FG Building Products (FGBP) - Jacksonville, FL

Chief Technical Advisor

Jan 2019 - Present

Relocation with HRG ownership to continue as independent sales representation for Firestone Building Products, now with a territory encompassing Florida and Southern Georgia to assist six (6) outside salespeople. Also, facilitating the technical needs of Rooftop Anchor fall protection solutions, BILCO roof scuttles + floor access doors, Elemex composite rainscreen panel systems, and HydroPaver fully permeable ground surface treatments.

Halls Rep Group (HRG) - Houston, TX

Inside Sales/ Technical Advisor

Apr 2016 - Dec 2018

Provide dedicated inside sales and technical support to four (4) outside salespeople with the independent sales rep firm for Firestone Building Products in South and Central Texas. Assist the network of authorized contractors, building owners, architects, and engineers in utilization of the Firestone NDL portal, Intent to Warranty letters, FM Global RoofNav listings, UL Exterior Fire performance validation, and manufacturer approved installation procedures.

Elias Commercial Roof Systems

Estimator

Apr 2015 - Apr 2016

Further development as a low-slope estimator for thermoplastic and asphaltic systems, also overseeing the requisite sheet metal fabrications for complete NDL system installations. Predominant focus on the re-roofing in the educational and governmental sector which honed skills in coordination, disposal, site management, material storage, and temporary dry-in packages. Complete as-built drawings, conduct roof cores, participate in pull tests, and oversee moisture scans to satisfy the contract requirements of district administration as well as their independent roofing consultants.

ANDREW HRYCAJ

HRYCAJ.HRYCAJ@GMAIL.COM
404-539-3275

JACKSONVILLE BEACH, FL

EXPERIENCE (CONT.)

Skyline Roofing Houston - Houston, TX

Estimator

Sept 2011 - Mar 2015

Conduct take-offs from architectural drawings and prepare detailed cost estimates for commercial, industrial, and institutional facilities. Upon award of the project as the Division 7 subcontractor: review and execute contract, dictate SOV, complete submittals, issue POs to vendors, schedule delivery, manage receipt at job site, oversee appropriate rooftop staging, and conduct meetings with the foreman + roofing crew to communicate the system specifics.

Joel Kelly Design Studio - Atlanta, GA

Architectural Intern

May 2008 - Sep 2010

Assisted the design process of two (2) luxury single family residences from design development through close-outs. Tasks included schematics, specifications, construction documents, digital renderings, interior finishes, and furniture selection. Direct contact with commissioning clients, general contractors, and specialty subcontractors during the bidding process and weekly in-progress meetings.

EDUCATION & CERTIFICATION

Georgia Institute of Technology

Bachelor of Science, Architecture, 2010

Registered Roof Observer (RRO)

IIBEC Registration # 2291, 2021

REFERENCES

Charles Allen - National Technical Manager of Thermoplastic Systems
Firestone Building Products

Kirk Trull - Regional Technical Manager of Mid-Atlantic Region
Firestone Building Products

Steve Mackiewicz - Senior Technical Roof Systems Advisor
Texas Lone Star Reps (LS Reps)

reference telephone & email available upon request



Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Samuel A. Langham	Home Phone: 904-249-3403
Home Address: 138 32nd Ave S	
E-Mail Address: salangham@reabc.com	Cell Phone:
Occupation: real estate appraiser	Business Phone:
Business Name: Langham Appraisals, Inc.	
Business Address: 138 32nd Ave S., Jacksonville Bch., FL 32250	

Eligibility – Please Circle

Are you a resident of the City?	Yes	No	If yes, length of time: 33 years
Are you a registered voter?	Yes	No	If yes, what County: Duval
Do you own property in the City?	Yes	No	If yes, address: 138 32nd Ave S. / 139 32nd Ave S / 2811 S 1st St
Do you hold a public office?	Yes	No	If yes, Office name:
Are you employed by the City?	Yes	No	If yes, position:
Are you currently serving on a Board?	Yes	No	If yes, Board Name:
Have you been convicted of a felony?	Yes	No	If yes, provide date:
Have your civil rights been restored?	Yes	No	If yes, provide date:
Have you filed bankruptcy?	Yes	No	If yes, provide date:

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".)

Board of Adjustment	Planning Commission
x Community Redevelopment Agency	Pension Trustee

Please list the type of City meetings you have attended: _____

Qualifications (Briefly describe specific expertise, abilities, or qualifications)

Education: MBA, BSBA ECO

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

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

- ☒ Caucasian
☐ Hispanic
☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

Applications are submitted to the City Clerk and are valid for two years from the date they are submitted. All applicants are interviewed following their application submittal. When vacancies occur, the City Council considers all eligible applicants and votes to make board appointments.

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

7 October 2021

Date

Sam Langham

Applicant's Signature

Digitally signed by Sam Langham
DN: cn=Sam Langham, o, ou,
email=salangham@reabc.com, c=US
Date: 2021.10.07 15:45:24 -04'00'

Please do not write below - Staff use

Date application received: 10-07-2021

Interviewed on: 10-15-2021

Eligible for appointment Yes No

If not eligible for appointment
Explanation:

Appointed to:

Date:

Appointed to:

Date:

Appointed to:

Date:



Received
3/29/2023
City Clerk's Office

Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Meghan Leslie Home Phone: 386.235.4791
Home Address: 804 16th Avenue South, Jacksonville Beach, FL 32250
E-Mail Address: MEdwards@EdwardsEdwardsLaw.com Cell Phone: 386.235.4791
Occupation: Attorney Business Phone: 904.222.0829
Business Name: Edwards & Edwards, PA
Business Address: 6620 Southpoint Dr S, Suite 200, Jacksonville, FL 32216

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>7 years</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>See above Home Address</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☒	No ☐	If yes, Board Name: <u>Jax Area Real Estate Court</u>
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".

3
2

Board of Adjustment

Community Redevelopment Agency

1
4

Planning Commission

Pension Trustee

Please list the type of City meetings you have attended: Most recent attendance was before the Board of Adjustment for personal variance hearing. Would like to contribute to my city, if needed.

Education: Bachelors Degree from University of Florida; Juris Doctorate FCSL

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

~~Local attorney practicing for 10 years in the area of real estate transactions, development, and litigation. Member of the Jacksonville Area Real Estate Council (JAREC) for 7 years - currently sitting President. I own a boutique firm with my partner and sister Amanda Edwards for nearly 10 years. Familiar with real property, uses, development, code compliance, managing partner responsible for management of firm and staff multiple trust accounts etc.~~

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☒ Female
☐ Male

Physically Disabled

- ☐ Yes
☒ No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

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

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

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

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

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

3/29/2023

Date



Applicant's Signature

Meghan Edwards, Esq.

REAL ESTATE ATTORNEY

OBJECTIVE

As a Jacksonville resident since 2009 and Jacksonville Beach resident since 2016, my experience as a Florida licensed attorney in the area of real estate litigation and transactions, with real estate developers and investors, participation in real estate councils, and as a local business owner, will aid the other members to bring value to both the CRA and the City as whole.

EXPERIENCE

EDWARDS & EDWARDS, PA ATTORNEY/SHAREHOLDER

October 2013 - Present

JACKSONVILLE AREA REAL ESTATE COUNCIL (JAREC)

President, 2022 – Present
Vice President – 2020 - 2022
Secretary, 2018 – 2020
Vice President – 2016 – 2018

The Attorney's Real Estate Councils of Florida or Florida ARECS is a coalition of 18 local real estate councils (RECS) across the state representing nearly 1,000 real estate attorneys. Serving on the board for six of the last eight years. Improve the real estate industry through education, networking, and partnerships with local realtors, brokers, and lenders.

CONTACT

Medwards@EdwardsEdwardsLaw.com

O: 904.222.0829

M: 386.235.4791

www.EdwardsEdwardsLaw.com

HIGHLIGHTS

- Results oriented
- 10+ years as real estate attorney
- Self-Starter
- Determined
- Organized
- Creative
- Understand importance to bring value versus just cost
- Computer Proficient

EDUCATION

University of Florida, 2006
BA Social Science

Florida Coastal School of Law,
2012
Juris Doctorate

AFFILIATIONS

- Jacksonville Womens Lawyer Association, Member
- Florida Bar, Member
- Jacksonville Area Legal Aid, Pro Bono Honors 2014 - 2023



Application for Appointment to City Boards

Received 5/22/23
City Clerk's Office

Personal Information (Please print or type)

Name: Kenneth Marsh	Home Phone: 904-304-1906
Home Address: 2011 Gail Ave. Jacksonville Beach, FL 32250	
E-Mail Address: kdcmarsh@gmail.com	Cell Phone: 904-304-1906
Occupation: Retired- CSX Corporation	Business Phone:
Business Name:	
Business Address:	

Eligibility – Please Circle

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: 2009
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: Duval
Do you own property in the City?	Yes ☒	No ☐	If yes, address: 2011 Gail (owner since 1959) and 2011 GAIL AVE. (owner since 2017)
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name:
Are you employed by the City?	Yes ☐	No ☒	If yes, position:
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name:
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date:
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date:
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date:

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".)

N/A	Board of Adjustment	N/A	Planning Commission
1	Community Redevelopment Agency	N/A	Pension Trustee

Please list the type of City meetings you have attended: Have attended approx. 150 council meetings, briefings, and workshops in last 11 yrs.

Attended, or livestream reviewed, ALL CRA meetings in last 6 yrs. Periodic attendance of BOA and Planning Commission meets.

Education: Bachelor of Arts-Human Resource Mgmt. Hood College Frederick Md.
Master of Business Administration Jacksonville University Jacksonville Fl.

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

36 years of CSX corporate experience of which 25 years were in a variety of senior management and director positions. Experience includes managing 200+ employees in train and engine railroad operations, developing operation network schedules, and overseeing \$30-50 million in departmental budgets. Achieved Six Sigma Black Belt status in 2000 and tasked to implement process improvements that would successfully achieve stated annual

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

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

- ☒ Caucasian
☐ Hispanic
☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

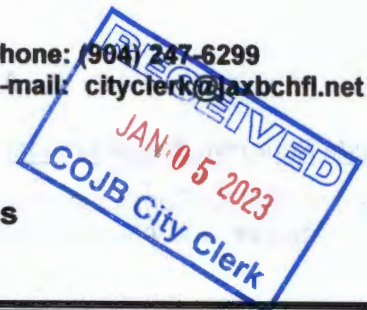
Applications are submitted to the City Clerk and are valid for two years from the date they are submitted. All applicants are interviewed following their application submittal. When vacancies occur, the City Council considers all eligible applicants and votes to make board appointments.

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

Date

5/20/2023

Applicant's Signature



Application for Appointment to City Boards

Personal Information (Please print or type)

Name: Thaddeus M. Moseley Home Phone: -0-
Home Address: 3701 Duval Drive, Jax Beach
E-Mail Address: thaddeusmoseley@gmail.com Cell Phone: 904-945-7527
Occupation: Landlord/Owner Business Phone: -0-
Business Name: Wave Crest Apartments
Business Address: 120-122 Fourth Avenue North, Jax Beach

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>28 years</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>3701 Duval Drive, 120-122 4th Ave.. North</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details:

City Boards (Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".

☐ N/A	Board of Adjustment	☐ N/A	Planning Commission
☐ 1	Community Redevelopment Agency	☐ N/A	Pension Trustee

Please list the type of City meetings you have attended: City Council, Board of Adjustment,
Planning Commission, various Task Force meetings

Education: Attended Bolles School, Jacksonville. Graduated Phillips Academy, Andover, MA, and
Vanderbilt University, Nashville, TN

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

Have constructed, owned, operated four apartment buildings in Jax Beach during the last 28
years - currently own an eight unit building in the downtown CRA. Previously employed for 20
years by the Charter Oil Company in management positions at refineries in the Bahamas and
Texas and by various oil companies in commercial trading positions.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

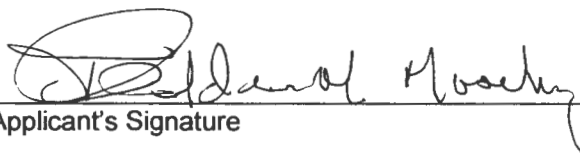
Applications are submitted to the City Council when vacancies occur and are effective for two years from date of completion.

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

Date

JANUARY 5, 2023

Applicant's Signature



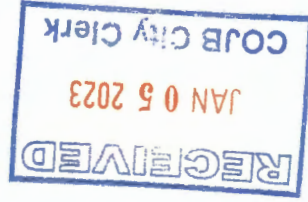
THADDEUS MAURY MOSELEY

DEAR MS. BYRD,

I AM INTERESTED IN SERVING ON THE
COMMUNITY REDEVELOPMENT AGENCY AND
AM ENCLOSE MY APPLICATION. I UNDERSTAND
A POSITION IS OPENING IN MARLIT.

IF REFERENCES WOULD BE HELPFUL,
I AM SURE THAT ART GRAHAM, CHAIR CRA
→

AND ANYLORD CANDLER, CLARE, ARE FIGHTERS
PENSION BOARD, WOULD VOUCH FOR ME.
I APPRECIATE YOUR CONSIDERATION.
Sincerely, TRAD MOSLEY





Received
01/05/23
City Clerk's Office

Application for Appointment to City Boards

Personal Information *(Please print or type)*

Name: John C. O'Connor Home Phone: _____
Home Address: 95 Jardin de Mer Place Jacksonville Beach, FL 32250
E-Mail Address: John@oconEco.com Cell Phone: 941-875-2968
Occupation: Retired economist Business Phone: _____
Business Name: OconEco
Business Address: _____

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: Since 2017_ _____
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>95 Jardin de Mer Place</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☐	If yes, provide date: _____

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

If yes, please provide details: _____

City Boards *(Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".*

3
2

Board of Adjustment

Community Redevelopment Agency

1
4

Planning Commission

Pension Trustee

Please list the type of City meetings you have attended: _____

Education: Master's in Economics, George Washington University, 1969

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

I spent 21 years at the International Monetary Fund and 10 at the World Bank, mostly in senior staff positions for systems to support decisions about allocation of resources. I was manager and main author, as Senior Advisor on the Bank's Vice Presidency on Environmentally Sustainable Development, of a report that made most major newspapers in 1995 on Wealth of Nations; work routinely updated by the Bank, I then spent decades as a consultant specializing

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

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

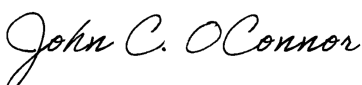
I understand that any false, incomplete, or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete, or misleading information discovered on this application at any time after appointment to a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

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

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

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

January 5, 2023


Applicant's Signature

City of Jacksonville Beach
Office of the City Clerk
11 North 3rd Street
Jacksonville Beach, Florida 32250



Phone: (904) 247-6299
E-mail: cityclerk@jaxbchfl.net

RECEIVED
01/05/2023
City Clerk's Office

Application for Appointment to City Boards

Personal Information *(Please print or type)*

Name: Anthony M Recco Home Phone: 315-559-6450
Home Address: 508 9th Ave N Jacksonville Beach
E-Mail Address: anthony.recco@ml.com Cell Phone: 315-559-6450
Occupation: Financial Advisor First Vice President Business Phone: 904-634-6174
Business Name: Merrill Bank of America
Business Address: 50 N Laura Street Suite 3700 Jacksonville FL 32202

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>4 Yrs</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>508 9th Ave N Jax Bch</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☐	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☐	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details: _____

City Boards *(Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".*

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

Please list the type of City meetings you have attended: Property variance meetings

Education: High School, some College

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

20+ yrs of asset management career. I currently serve as President of the Senior Citizens council of Rome NY, President of the Michelle Adey Memorial Fund, Past President of Rotary Club, President of Teugega Point Homeowners Association(Until 02/01). I have a genuine interest in Community involvement coupled with a desire to help shape policy and development.

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

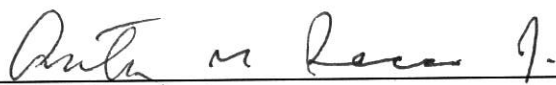
I understand that any false, incomplete, or misleading information given by me on the application is sufficient cause for rejection of this application. I understand and agree that any such false, incomplete, or misleading information discovered on this application at any time after appointment to a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

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

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

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

01/05/2023
Date


Applicant's Signature

City of Jacksonville Beach
Office of the City Clerk
11 North 3rd Street
Jacksonville Beach, Florida 32250



Phone: (904) 247-6299
E-mail: cityclerk@jaxbchfl.net

Received
05/18/2022
City Clerk Office

Application for Appointment to City Boards

Personal Information *(Please print or type)*

Name:	David Smith	Home Phone:	303-817-8999
Home Address:	130 5th Ave N Jacksonville Beach, FL 32250		
E-Mail Address:	groundwater@mac.com	Cell Phone:	303-817-8999
Occupation:	Environmental Consultant	Business Phone:	
Business Name:	Water Research Group		
Business Address:	130 5th Ave N Jacksonville Beach, FL 32250		

Eligibility – Please Circle

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: 20 years
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: Duval
Do you own property in the City?	Yes ☒	No ☐	If yes, address: 124 5th Ave N & 528 N 1st St
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☐	No ☒	If yes, Board Name: _____
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☐	If yes, provide date: Never been removed
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details: _____

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

N/A
1

Board of Adjustment

Community Redevelopment Agency

N/A
N/A

Planning Commission

Pension Trustee

Please list the type of City meetings you have attended: Commission, Planning, Adjustment, Redevelopment Agency, Workshops

Education: Bachelors In Geology, University of South Florida
Masters in Environmental Science, University of Idaho

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

Resident actively participated in Redevelopment since 1989 with purchase of closed former restaurant at 528 N 1st St (now V-Pizza). Developed adjacent vacant lots without variances by moving in and bringing up to code four historic structures: IB Sam's house, former Jax Beach Mayor (1925); Gertrude Cronk House (1925); Harold Tresize House (1938); and Williams House (1950). Well versed in Florida Statutes and understand role of agency is to implement

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- | | |
|--|---|
| ☐ African-American | ☒ Caucasian |
| ☐ Asian/Pacific Islander | ☐ Hispanic |
| ☐ American Indian/Alaskan | ☐ Not Known |

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

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

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

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

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

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

May 18, 2022

Date



Applicant's Signature

SUBMIT APPLICATION

Please do not write below – Staff use

Date application received: 05/18/2022

Interviewed on: _____

Eligible for appointment **Yes** **No**

If not eligible for appointment
Explanation: _____

Appointed to: _____

Date: _____

Appointed to: _____

Date: _____

Appointed to: _____

Date: _____



Received
1/11/2023
City Clerk's Office

Application for Appointment to City Boards

Personal Information *(Please print or type)*

Name: Ron Whittington Home Phone: 9045630402
Home Address: 3 Millie Dr.
E-Mail Address: ron@whittingtonpr.com Cell Phone: 9045630402
Occupation: public relations consultant Business Phone: 9045630402
Business Name: Whittington PR
Business Address: 3 Millie Dr, Jacksonville Beach, 32250

Eligibility

Are you a resident of the City?	Yes ☒	No ☐	If yes, length of time: <u>20 years</u>
Are you a registered voter?	Yes ☒	No ☐	If yes, what County: <u>Duval</u>
Do you own property in the City?	Yes ☒	No ☐	If yes, address: <u>3 Millie Dr., Jax Beach 32250</u>
Do you hold a public office?	Yes ☐	No ☒	If yes, Office name: _____
Are you employed by the City?	Yes ☐	No ☒	If yes, position: _____
Are you currently serving on a Board?	Yes ☒	No ☐	If yes, Board Name: <u>Jacksonville Arboretum</u>
Have you been convicted of a felony?	Yes ☐	No ☒	If yes, provide date: _____
Have your civil rights been restored?	Yes ☐	No ☒	If yes, provide date: _____
Have you filed bankruptcy?	Yes ☐	No ☒	If yes, provide date: _____

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

If yes, please provide details: _____

City Boards *(Please indicate your preferences by ranking - denote your Primary choice with a "1", Secondary choice with a "2".*

Board of Adjustment

Planning Commission

Community Redevelopment Agency

Pension Trustee

Please list the type of City meetings you have attended: Only council meetings from time to time dependent

Education: BA from Georgia State University

Qualifications (Briefly describe specific expertise, abilities, or qualifications):

Worked in municipal government with Dallas Area Rapid Transit during construction of a multi-modal transportation system throughout 16 counties in the Dallas area - with a 25-member board of directors and various planning committees, along with community affairs work with MARTA in Atlanta during the Olympic Games and involved in several infrastructure projects while serving as media spokesman with JEA. Currently working on the board level to

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

Florida's Public Records Law, Chapter 119, Florida Statutes, states: "It is the policy of this state that all state, county, and municipal records shall at all times be open for a personal inspection by any person." Your application when filed will become a public record and subject to the above statute. In addition, any appointed member of a board of any political subdivision (except members of solely advisory bodies) and all members of bodies exercising planning or zoning, are required to file a financial disclosure form (Form1) within 30 days after appointment and annually thereafter, for the duration of the appointment as required by Chapter 112, Florida Statutes.

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

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

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

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

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

Date

Applicant's Signature

Application for Appointment to City Boards (cont.)

State Reporting Requirements

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

Race

- ☐ African-American ☒ Caucasian
☐ Asian/Pacific Islander ☐ Hispanic
☐ American Indian/Alaskan Native ☐ Not Known

Gender

- ☐ Female
☒ Male

Physically Disabled

- ☐ Yes
☒ No

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

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

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

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

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

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

Date

1-11-2023

Applicant's Signature

RP

Active Board Applications

Applicant Name	Address	Phone	Email	Residency requirements	Registered voter	Board interest	Application date	Interview date
Ken Marsh	2011 Gail Ave	904/304-1906	kdcmarsh@gmail.com	Yes	Yes	1 - CRA	5/22/2023	10/14/2021
Samuel Langham	138 32nd Avenue S.	904/249-3403	salangham@reabc.com	Yes	Yes	1 - CRA	10/7/2021	10/15/2021
David Smith	130 5th Avenue N.	303/817-8999	<u>groundwater@mac.com</u>	Yes	Yes	1 - CRA	5/18/2022	11/16/2022
Anthony Recco	508 9th Ave N.	315/559-6450	anthony.recco@ml.com	Yes	Yes	1 - BOA 2 - CRA	1/5/2023	8/9/2023
John O'Connor	95 Jardin de Mer Pl	941/875-2968	john@oconeco.com	Yes	Yes	1 - PC 2 - CRA	1/5/2023	8/9/2023
Thad Moseley	3701 Duval Dr.	904/945-7527	thaddeusmoseley@gmail.com	Yes	Yes	1 - CRA	1/5/2023	8/9/2023
Greg Kleffner	1601 Ocean Dr. S. #606	904/537-3080	gkleffner@gmail.com	Yes	Yes	1 - PC 2 - BOA	1/5/2023	Pending
James Wallace	807 15th Ave S.	904/571-1440	claywall@hotmail.com	Yes	Yes	1 - CRA 2 - PC	1/6/2023	Pending
Andrew Hrycaj	376 1st Street S.	404/539-3275	hrycaj.hrycaj@gmail.com	Yes	Yes	1 - PC 2 - CRA	1/9/2023	8/9/2023
Jerry Beatty	2272 2nd Street S.	404/861-3268	jerrybeatty35@gmail.com	Yes	Yes	1 - PC 2 - CRA	1/9/2023	8/4/2023
Brent Knauff	514 Palm Tree Rd.	443/827-3928	bmknauff@gmail.com	Yes	Yes	1 - PC 2 - BOA	1/10/2023	Pending
John Hanna Jr.	3250 Isabella Blvd	904/612-9903	johnhanna48@comcast.net	Yes	Yes	1 - PC 2 - CRA	1/11/2023	8/9/2023
Kamal Aboshamaa	1601 Ocean Dr. S. #205	661/204-6603	kaboshamaa@outloo.com	Yes	Yes	1 - BOA 2 - Pension	1/11/2023	Pending
Ron Whittington	3 Millie Dr.	904/563-0402	ron@whittingtonpr.com	Yes	Yes	1 - CRA 2 - PC	1/11/2023	8/4/2023
Peter Weigold	111 15th Ave. S.	904/662-6515	pww65@aol.com	Yes	Yes	1 - CRA 2 - PC	1/11/2023	Pending

Raymond Bragg	2002 Oceanfront S.	904/613-6177	bbragg@comcast.net	Yes	Yes	1 - CRA 2 - BOA	1/24/2023	8/9/2023
Richard Landes	736 2nd St. N.	904/343-4556	rjlandes@gmail.com	Yes	Yes	1 - PC	1/30/2023	Pending
Laura Tierney	2060 Kings Rd.	904/229-9286	laura.tierney@fnf.com	Yes	Yes	1 - Pension 2 - PC	1/31/2023	Pending
Christi Elflein	3512 Bay Island Circle	904/477-2207	elfleinchristi@gmail.com	Yes	Yes	1 - CRA 2 - PC	2/22/2023	8/4/2023
Meghan Leslie	804 16th Ave S.	386/235-4791	medwards@edwardsedwardslaw.com	Yes	Yes	1 - PC 2 - CRA	3/29/2023	8/4/2023
						*Board applications are valid for two years.		

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Ashlie Gossett, CFO
DATE:	06/15/2023
SUBJECT:	Resolution No. 2149-2023 Revising Electric Rates for Beaches Energy Services

BACKGROUND

Beaches Energy Services works diligently to maintain and rebuild our electric distribution system to improve customer service and reliability. Periodically, the operations and maintenance portion of our rates has been adjusted to reflect operating costs.

Following a recent internal rate review, staff is proposing to increase the non-fuel portion of the energy rate by \$4.15 per thousand kilowatt-hours to offset the increase in operating costs and planned capital improvements. At the same time, we will reduce the bulk power cost adjustment (BPCA) by \$12.45 per thousand kilowatt-hours, which will equal a net dollar decrease of \$8.30 per 1,000-kilowatt hours. BPCA adjustments are handled administratively, and as such, is not addressed by this resolution.

The chart below shows the amount a residential customer will pay for 1,000 kilowatt hours of electricity before and after the proposed change.

Rate Component	<i>Before Change (current rates)</i>	<i>After Change (effective 10/1/23)</i>
Residential Base Charge	\$4.50	\$4.50
KWh Base Charge	\$83.57	\$87.72
Bulk Power Cost Adjustment	\$62.26	\$49.81
Total Rate Billed per 1,000 kwh	\$150.33	\$142.03

Beaches Energy still plans to conduct a full rate study after completing a comprehensive master plan. This process is expected to take more than a year.

FINANCIAL IMPACT

If approved, the revised electric rates will produce an average net reduction of \$8.30 per 1,000 kwh. Residential customers could experience an average decrease of up to \$100 annually.

REQUESTED ACTION

Adopt/ Deny Resolution No. 2149-2023 revising electric rates for Beaches Energy Services

ATTACHMENTS

1. Resolution 2149-2023 Electric Rates redline version

Introduced by: _____
Adopted: _____

RESOLUTION NO. 2149-2023

A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, TO REVISE ELECTRIC RATES FOR BEACHES ENERGY SERVICES; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville Beach ("City") desires to establish electric rates, charges and fees for Beaches Energy Services by resolution.

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

SECTION 1. Adoption of Recitals. The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

SECTION 2. That the schedule of fees, and charges for the electric utility previously established by Resolution No. 2040-2019 be revised as follows:

A. Monthly Electric Rates. The following schedule of rates and charges to be imposed, assessed and collected by the City for electric energy, facilities and services furnished by the City to its consumers, including the initial cut-in charges, deposit, line extension and other connection and service charges, is hereby adopted and established:

- 1) Residential service as defined in section 32-56 for the following:
 - a) *Character of service.* Alternating current; regulated frequency of sixty (60) cycles; delivered at approximately 120/240 volts, 3-wire, single-phase; or 3-phase, 4-wire service, as available and at the option of the City.
 - b) *Available.* In Jacksonville Beach, Neptune Beach, Ponte Vedra Beach, Palm Valley and other territories served by the City.
 - c) *Monthly meter reading.* All quantities of electrical energy shown by regular monthly watt-hour meter readings to have been delivered shall be charged for at the following rate in subsection d.
 - d) *Rate per month:*
 - i) Customer service charge ...\$ 4.50
 - ii) Energy charge (all kWh), per kWh ...\$~~0.083570~~0.08772
 - e) *Minimum monthly bill.* A minimum monthly electric bill shall be rendered to each consumer whose application has been approved for residential service for an amount equal to the customer service charge.
 - f) Bulk Power Cost Base (BPCB). Those power related costs that are embedded within the base rate stated in cost per kilowatt-hour.
 - g) Bulk Power Cost Adjustment (BPCA). The amount per kilowatt hour by which the rate billed for consumption of electrical energy increases or decreases the Bulk Power Cost Base rate in order to recover the actual cost of the bulk power supply of electricity to the City as approved by the City Manager.

- h) Bulk Power Cost True-Up (BPCT). The difference between the bulk power cost actually incurred (BPC) and the bulk power cost recovered through the bulk power cost base (BPCB) and the bulk power cost adjustment (BPCA).
 - i) Rate Stabilization Account (RSA). Extraordinary power cost recoveries, other than routine wholesale true-ups, may be deposited into or withdrawn from a Rate Stabilization Account to be used to offset sudden and temporary changes in the cost of power. The City may retain unusual or extraordinary power cost recoveries in excess of amounts transferred to the rate stabilization account at its discretion but can only use these moneys for items which are directly related to the electric utility.
 - j) Calculation of BPCA. The bulk power cost adjustment is the difference between the bulk power costs and the bulk power cost base (all stated in cost per kilowatt hour) as determined periodically. The formula for the calculation of the bulk power cost adjustment per kilowatt hour is calculated as follows: $(BPC + BPCT + RSA) / \text{kilowatt hours sold} - BPCB = BPCA \text{ per kilowatt hour}$.
- 2) General service non-demand service as defined in section 32-56 for the following:
- a) *Character of service*. Alternating current; regulated frequency of sixty (60) cycles, delivered at approximately 120/240 volts, 3-wire, single-phase; 4-wire, 3- phase, 240 or 208 volts, as available, and at the option of the City.
 - b) *Available*. In Jacksonville Beach, Neptune Beach, Ponte Vedra Beach, Palm Valley and other territories served by the City.
 - c) *Monthly meter reading*. All quantities of electrical energy shown by regular monthly watt-hour meter readings to have been delivered shall be charged for at the rate in subsection d.
 - d) *Rate per month*:
 - i) Customer service charge ...\$ 6.00
 - ii) Energy charge (all kWh), per kWh ...~~\$0.083570~~0.08772
 - e) *Minimum monthly bill*. A minimum monthly electric bill shall be rendered to each consumer whose application has been approved for general service non-demand service for an amount equal to the customer service charge.
 - f) Bulk Power Cost Base (BPCB). See Section 1.A.1.f.
 - g) Bulk Power Cost Adjustment (BPCA). See Section 1.A.1.g.
 - h) Bulk Power Cost True-Up (BPCT). See Section 1.A.1.h.
 - i) Rate Stabilization Account (RSA). See Section 1.A.1.i.
 - j) Calculation of BPCA. See Section 1.A.1.j. Limitations applicable to all classes of service: Auxiliary and standby service or resale of electric energy delivered by the City shall not be permitted except by written consent expressly authorized by the City Council.
- 3) General service demand as defined in section 32-56 for the following:
- a) *Character of service*. AC, 60 cycles, single or 3-phase, 120/208 volts and above as required and as available.
 - b) *Available*. Within the service area of the electric utility of the City.
 - c) *Monthly meter reading*. All quantities of electrical energy shown by regular monthly watt-hour meter readings to have been delivered shall be charged for at the following rate in subsection d.
 - d) *Rate per month*: The charge per month shall consist of the total of the demand, energy, and customer service charge as follows:
 - i) Customer service charge . . . \$16.25
 - ii) Demand charge (all kWh), per kW . . . \$8.50
 - iii) Energy charge (all kWh), per kWh ...~~\$0.069270~~0.07273
 - e) *Minimum bill*. The minimum bill shall be equal to the customer service charge.

- f) *High load factor credit.* The monthly per kW demand credit to those general service demand customers whose annual load factor is as follows:

TABLE INSET:

Load Factor	Monthly Demand Credit
75 percent & higher	\$2.00 per kW demand charged
70 to 74 percent	\$1.50 per kW demand charged
65 to 69 percent	\$1.00 per kW demand charged
60 to 64 percent	\$0.50 per kW demand charged

The load factor will be established after the initial twelve (12) months of service for new customers and the previous twelve (12) months for existing customers. Existing demand customers' load factor will be reviewed and recalculated annually.

- g) Bulk Power Cost Base (BPCB). See Section 1.A.1.f.
 - h) Bulk Power Cost Adjustment (BPCA). See Section 1.A.1.g.
 - i) Bulk Power Cost True-Up (BPCT). See Section 1.A.1.h.
 - j) Rate Stabilization Account (RSA). See Section 1.A.1.i.
 - k) Calculation of BPCA. See Section 1.A.1.j.
 - l) Should the customer demonstrate that the future metered demand is expected to be reduced below the fifty (50) kW thresholds then the customer's account may be reclassified to either residential or general service, as applicable, at the option of the City.
- 4) Rental lights. Rental lights will be furnished on sites approved by the City electric department, including installation, maintenance, replacement when necessary, and electrical energy consumed, including a rate schedule as provided by City resolution.

B. Installation charges.

- 1) *Underground installation charges.* Jacksonville Beach and other service areas: Underground residential installation, single-phase, 240-volt, 125-ampere, up to and including 200 ampere service class:
- a) Initial charge for new installation in this class...\$400.00
 - b) Initial installation charge, additional apartments or services on the same service line, whether new or existing, each ...\$5.00
 - c) Service replacement as the result of additional demand:
 - i) Customer may at his/her option obtain the services of a licensed electrician to install necessary wiring from meter to the termination point designated by the City. Charge for initial cut-in when complete service is installed by an electrical contractor...\$20.00
 - ii) Customer may request that his/her service be increased to a maximum 200-ampere single-phase class for residential use. Charge for this service performed by the City ...\$200.00
 - d) Temporary service charge...\$20.00
 - e) All underground services other than residential 125-ampere through 200- ampere single-phase must be installed by a licensed electrician from meter to the termination point designated by the City.
 - f) Underground service laterals. All underground service laterals to be installed by the utility shall be installed in a conduit provided at owner expense, size, and quantity to be determined by the utility.

- 2) *Overhead installation charges.* Jacksonville Beach and other service areas: Overhead installation charge when permitted, single-phase, 240-volt, up to and including 200- ampere class:
 - a) Initial charge for new installation in this class ...\$50.00
 - b) Initial installation charge, additional apartments or services on the same service line, whether new or existing, each ...\$5.00
 - c) Temporary service charge ...\$20.00
- 3) *Overhead installations over two hundred amperes.* Jacksonville Beach and other service areas: Overhead installation, when permitted, other than single-phase or in excess of 200- ampere class:
 - a) Initial installation charge shall be the estimated actual cost of such service as determined by the electrical utility.
 - b) Initial installation charge, additional apartments or services on the same service line, whether new or existing, each ...\$5.00
 - c) Temporary service: Temporary service charge shall be the estimated actual cost of such service as determined by the electric utility.
 - d) Service replacements as the result of additional demand: Installation charge shall be the estimated actual cost of such service as determined by the electric utility.
- 4) *City and other service areas.* Available to customers having a three-phase demand meter and providing for customer's access to meter real time energy and demand values. Initial charge for installation of a KYZ contact assembly...\$170.00

C. Fuel adjustment and rates for service outside limits.

- 1) Bulk Power Cost Base (BPCB). See Section 1.A.1.f.
- 2) Bulk Power Cost Adjustment (BPCA). See Section 1. A.1.g.
- 3) Bulk Power Cost True-Up (BPC1). See Section 1.A.1.h.
- 4) Rate Stabilization Account (RSA). See Section 1.A.1.i.
- 5) Calculation of BPCA. See Section 1.A.1.j.
- 6) Rates for service outside limits. The rates to be charged and collected by the city for electric energy furnished by the City to customers outside of its corporate limits shall be such as are fixed by the City, to be applicable within certain designated areas, or upon a schedule adopted for such specific extensions as may be constructed by the City or by contract with any person taking electric energy from the City through their own or through the City's distribution system.

D. Testing of meters; payment of costs; special readings.

Upon written notice a meter will be tested by the City and in the event the meter when tested is found to be not more than two (2) percent fast, the expense of the test shall be paid by the customer at a cost of ten dollars (\$10.00); otherwise, the expense of the test will be borne by the City and billing adjustments for a period not to exceed six (6) months will be made. Special meter readings requested by the customer will be made upon application and upon payment of ten dollars (\$10.00) to the City.

SECTION 3. Repeal of Prior Inconsistent Resolutions and Council Decisions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 4. Severability. If any section, sentence, clause, or phrase of this resolution should be held invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, or portion of this resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 5. Effective Date. This resolution shall become effective October 1, 2023.

AUTHENTICATED this ____ day of _____, 2023.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Sandra R. Robinson, City Attorney
DATE:	08/04/2023
SUBJECT:	Resolution No. 2151-2023 Delegating Authority to the City Manager to Terminate Employment of City employees for Refusal to Comply with Section 876.05, Florida Statutes

BACKGROUND

Section 876.05, Fla. Statutes, as amended, requires that each person employed by a Florida city or on its payroll take an oath of loyalty prior to the approval of payment by the public body to that person. Section 876.06, Fla. Statutes, mandates the immediate discharge of the employee who refuses or fails to take the oath required by Section 876.05, and such discharge be caused by the governing authority under which the person was employed.

As the governing authority for the City of Jacksonville Beach, it is recommended the City Council determines that its City Manager, already vested with the authority to appoint and terminate from virtually all offices of employment in the City (except the appointments of City Council), is the appropriate office through which the City's terminations pursuant to Section 876.06, Fla. Statutes, should be executed.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Adopt/Deny Resolution No. 2151-2023 delegating authority to the City Manager to terminate employment of City employees for refusal to comply with Section 876.05, Florida Statutes

ATTACHMENTS

1. Resolution No. 2151-2023
2. Sec. 876.05, Fla. Statutes - Public employees; oath
3. Sec. 876.06, Fla. Statutes - Discharge for refusal to execute

Select Year: 2022 ▼ Go

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

<u>Title</u>	<u>Chapter 876</u>	<u>View Entire</u>
<u>XLVI</u> CRIMES	CRIMINAL ANARCHY, TREASON, AND OTHER CRIMES AGAINST PUBLIC ORDER	<u>Chapter</u>

876.05 Public employees; oath.—

(1) All persons who now or hereafter are employed by or who now or hereafter are on the payroll of the state, or any of its departments and agencies, subdivisions, counties, cities, school boards and districts of the free public school system of the state or counties, or institutions of higher learning, except candidates for federal office, are required to take an oath before any person duly authorized to take acknowledgments of instruments for public record in the state in the following form:

I, _____, a citizen of the State of Florida and of the United States of America, and being employed by or an officer of _____ and a recipient of public funds as such employee or officer, do hereby solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida.

(2) Said oath shall be filed with the records of the governing official or employing governmental agency prior to the approval of any voucher for the payment of salary, expenses, or other compensation.

History.—s. 1, ch. 25046, 1949; s. 22, ch. 83-214; s. 55, ch. 2007-30; s. 77, ch. 2011-40.

Select Year: 2022 ▼ Go

The 2022 Florida Statutes (including 2022 Special Session A and 2023 Special Session B)

<u>Title</u>	<u>Chapter 876</u>	<u>View Entire</u>
<u>XLVI</u> CRIMES	CRIMINAL ANARCHY, TREASON, AND OTHER CRIMES AGAINST PUBLIC ORDER	<u>Chapter</u>

876.06 Discharge for refusal to execute.—If any person required by ss. [876.05-876.10](#) to take the oath herein provided for fails to execute the same, the governing authority under which such person is employed shall cause said person to be immediately discharged, and his or her name removed from the payroll, and such person shall not be permitted to receive any payment as an employee or as an officer where he or she was serving.

History.—s. 2, ch. 25046, 1949; s. 1414, ch. 97-102.

Introduced by: _____
Adopted: _____

RESOLUTION NO. 2151-2023

A RESOLUTION OF THE CITY COUNCIL OF JACKSONVILLE BEACH, FLORIDA, DELEGATING AUTHORITY TO THE CITY MANAGER TO TERMINATE EMPLOYMENT OF CITY EMPLOYEES FOR REFUSAL TO COMPLY WITH SECTION 876.05, FLA. STATUTES; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Section 876.05, Fla. Statutes, as amended, requires that each person employed by a Florida city or on its payroll take an oath of loyalty prior to the approval of payment by the public body to that person; and

WHEREAS, Section 876.06, Fla. Statutes, mandates the immediate discharge of the employee who refuses or fails to take the oath required by Section 876.05, and such discharge be caused by the governing authority under which the person was employed; and

WHEREAS, as the governing authority for the City of Jacksonville Beach, the City Council has determined that its City Manager, already vested with the authority to appoint to and terminate from virtually all offices of employment in the City (except the appointments of City Council), is the appropriate office through which the City's terminations pursuant to Section 876.06, Fla. Statutes, should be executed;

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

SECTION 1. Adoption of Recitals. The foregoing recitals are deemed true and material parts of this resolution and are fully incorporated herein by reference.

SECTION 2. Delegation of Authority to Discharge Employees Refusing to Comply with Section 876.05. Pursuant to Section 876.06, Fla. Statutes, the City Council hereby delegates to the City Manager, or the City Manager's designee, the City's authority to immediately discharge and terminate the employment of any employee of the City who refuses or fails to take the oath mandated by Section 876.05, Fla. Statutes.

SECTION 3. Exception to Delegation of Authority. The authority hereby delegated to, and conferred on, the City Manager, or the City Manager's designee, shall be co-extensive with the authority heretofore expressly conferred on the City Manager to appoint to and terminate from City employment, as provided by the City Charter and City Code, but shall not be construed to extend to the employees serving in the positions of City Manager and City Attorney, City positions of employment which shall remain subject to the sole authority of the City Council.

SECTION 4. Repeal of Prior Inconsistent Resolutions and Council Decisions. All prior resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. Severability. If any section, sentence, clause, or phrase of this resolution should be held invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence, phrase, or portion of this resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

SECTION 6. Effective Date. This resolution shall become effective immediately upon passage and adoption by City Council.

AUTHENTICATED this ____ day of _____, 2023.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Planning and Development
DATE:	08/14/2023
SUBJECT:	Ordinance No. 2023-8200 Amending Chapter 4 "Alcoholic Beverages", Section 4-2. "Prohibited hours of sale, consumption, and service", of the City Code of Ordinances

BACKGROUND

House Bill (HB) 1561, presented during the 2023 legislative session and signed by the Florida Governor on June 20th 2023, establishes an exception to the space and seating requirements for special restaurant licenses in the Downtown Incentive Zone (DIZ) in order to encourage development and redevelopment in the downtown district. The DIZ is a special zone bounded by Third Street, the Atlantic Ocean, Sixth Avenue North, and Second Avenue South as established by the City Council via Resolution 2121-2022.

Pursuant to HB 1561, within the DIZ, the Florida Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license (4COP SFS) to any public food service establishment that is equipped to serve 50 or more persons at one time, and occupying not less than 1,200 square feet of service area, and which derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages.

HB 639, also presented during the 2023 legislative session with an effective date of July 1, 2023, amends Florida Statutes Section 561.20 to allow the issuance of special alcoholic beverage licenses to bona-fide restaurants that have a minimum of 2,000 (decreased from 2,500 square feet) square feet of service area, is equipped to serve meals to 120 (decreased from 150 persons) persons at one time, has at least 120 physical seats available for patrons to use during operating hours, holds itself out as a restaurant, and derives at least 51 percent of its gross revenue from the sale of food and non alcoholic beverages.

The adoption of these 2023 House Bills requires the City to amend Chapter 4 of the City's Code of Ordinances to be in compliance. Additionally, the City Council expressed the desire to prohibit licensed establishments that are below the State requirements established in Section 561.20, Florida Statutes, from qualifying to apply for extended hours of operation permits under Chapter 4, Section 4-2., of the City Code of Ordinances. The proposed amendments provided in the attached ordinance have been prepared for the Council's consideration.

The City Council considered Ordinance No. 2023-8200 on it first reading on August 7, 2023, and voted to approve the amendments.

FINANCIAL IMPACT

Pursuant to the Final Bill Analysis Document provided by the House of Representatives, and the Fiscal Analysis & Economic Impact Statement, the bill will result in an increase in sales tax



revenue and licensing revenue to the extent that special licenses are granted under the exception.

REQUESTED ACTION

Adopt/Deny Ordinance No. 2023-8200 on the second reading amending Chapter 4 "Alcoholic Beverages", Section 4-2. "Prohibited hours of sale, consumption, and service" of the City Code of Ordinances, to comply with House Bill 1561 regarding Special Food Service Licenses in the Downtown Incentive Zone

ATTACHMENTS

1. Ordinance No. 2023-8200
2. House Bill 1561
3. House Bill 639

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

ORDINANCE NO. 2023-8200

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 4 "ALCOHOLIC BEVERAGES," SECTION 4-2. "PROHIBITED HOURS OF SALE, CONSUMPTION, AND SERVICE," TO COMPLY WITH HOUSE BILL 1561 CREATING A SPECIAL ZONE IN THE CITY OF JACKSONVILLE BEACH, PROVIDING EXCEPTIONS FOR SPACE AND SEATING REQUIREMENTS FOR LIQUOR LICENSES FOR RESTAURANTS IN THE DOWNTOWN INCENTIVE ZONE, PROVIDING FOR ADDITIONAL RESTRICTIONS, PROVIDING FOR COMPLIANCE WITH HOUSE BILL 639; AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER'S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Community Redevelopment Agency and City Council are actively engaged in economic development efforts in the Downtown Community Redevelopment Area; and

WHEREAS, redevelopment taking place in the downtown area of the City of Jacksonville Beach anticipates the potential for smaller tenant spaces that may be created that could accommodate smaller public food service establishments that would be unable to qualify for a special alcoholic beverage license; and

WHEREAS, lowering the space and seating requirements for those establishments within a special zone that derive at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverages would allow smaller public food establishments to qualify for a special alcoholic beverage license; and

WHEREAS, Resolution 2121-2022 adopted by the Jacksonville Beach City Council on September 6, 2022 establishes the Downtown Incentive Zone, also referred to as the DIZ, as all lands bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South; and

WHEREAS, Resolution 2121-2022 provided desired amended space and seating requirements for special alcoholic beverage licenses in the Downtown Incentive Zone for establishments that are equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area which derives at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverages; and

WHEREAS, the City of Jacksonville Beach, in coordination with Duval County, filed a local bill with support from the Duval County Legislative Delegation for the 2023 State Legislative Session for an amendment to the Laws of Florida; and

WHEREAS, House Bill 1561 (2023) was signed into law by the Governor of the State of Florida on June 20, 2023; and

WHEREAS, House Bill 639 (2023) amends Chapter 561.20 Florida Statutes, providing that a bona fide food service establishment that has a minimum of 2,000 square feet of service area, is equipped to serve meals to 120 persons at one time, has at least 120 physical seats available for patrons to use during operating hours, and holds itself out as a restaurant, is qualified for a special alcoholic beverage license.

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

SECTION 1. RECITALS. The foregoing recitals are deemed true and material parts of this ordinance are fully incorporated herein by reference.

SECTION 2. CHAPTER 4 "ALCOHOLIC BEVERAGES," SECTION 4-2. "PROHIBITED HOURS OF SALE, CONSUMPTION, AND SERVICE" OF THE CITY CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS¹:

Sec. 4-2. Prohibited hours of sale, consumption, and service.

- (a) *Applicability.* The provisions of this section shall apply to the following state alcoholic beverage license types: 1-COP (beer only consumption on premises), 2-COP (beer and wine consumption on premises), 4-COP Quota License (beer, wine, and liquor package sales and consumption on premises), 4-COP-S (beer, wine, and liquor consumption on premises in connection with the operation of a hotel, motel, motor court, or condominium), 4-COP-SRX/SFS (beer, wine, and liquor consumption on premises in connection with a restaurant), 4-COP-SBX (beer, wine, and liquor consumption on premises in connection with a bowling alley), 11-GC (beer, wine, and liquor consumption on premises in connection with a golf club), 11-C (beer, wine, and liquor in connection with a bona fide club, including fraternal or benevolent association lodges or clubs, social clubs; and tennis, racquetball, cabana, or beach clubs, for consumption on premises by members and their guests only), and ODP (beer, wine, and liquor consumption on premises for a bona fide non-profit civic organization for a period not to exceed three (3) days and no more than three (3) times per year).
- (b) *Definitions.*
 - (1) *Sale and sell* shall mean and include not only selling but also consuming, serving, and/or permitting to be served or consumed, any alcoholic beverages.
 - (2) *Alcoholic beverage* shall mean (as provided in F.S. § 561.01) distilled spirits and all beverages containing one-half (½) of one (1) percent or more alcohol by volume.
 - (3) *Alcoholic beverage establishment* shall mean any commercial establishment located in the city which allows for alcoholic beverages (beer, wine, or liquor) to be sold for consumption on the premises.

¹ ~~Strikethrough~~ text indicates deletions, underline text indicates additions.

- (4) *Beer, wine and liquor* shall have the same meanings as provided in F.S. §§ 563.01, 564.01, 565.01, as those sections may be amended or renumbered from time to time.
 - (5) *Establishment* shall have the same meaning as alcoholic beverage establishment.
 - (6) *Extended hours of operation permit* shall mean a permit issued by the City of Jacksonville Beach that allows an alcoholic beverage establishment to operate and sell alcoholic beverages for purposes of consumption on the premises between the hours of 12:00 midnight and 2:00 a.m.
 - (7) *Restaurant* shall mean the same as public food service establishment as defined in F. S. § 509.013 (5)(a), and shall mean and include any building, vehicle, place, or structure, or any room or division in a building, vehicle, place, or structure where food is prepared, served, or sold for immediate consumption on or in the vicinity of the premises; called for or taken out by customers; or prepared before being delivered to another location for consumption. For the purposes of this chapter, the definition of a restaurant shall include any business with a special license issued by the Division of Alcohol and Tobacco of the Florida Department of Business and Professional Regulation.
 - (8) *Transfer of ownership* shall mean a transfer of a license, change of officers or directors, or transfer of interest as defined and regulated under the provisions of F.S. § 561.32.
- (c) *Restricted hours of sale and operation.* Except as provided in section 4-2(d), no alcoholic beverage establishment licensed under the state alcoholic beverage laws to sell alcoholic beverages (beer, wine, or liquor), shall sell or offer for sale, or serve or offer to serve, any beer, wine, liquor, or alcoholic beverages of any kind, regardless of alcoholic content, on any day of the week between the hours of 12:00 midnight and 7:00 a.m. Alcoholic beverage establishments shall not be open for operation between the hours of 2:00 a.m. to 6:00 a.m. on any day of the week.
- (d) Extended Hours of Operation Permit required for certain alcoholic beverage establishments to sell alcoholic beverages between the hours of 12:00 midnight and 2:00 a.m.
- (1) Extended Hours of Operation Permit required. A qualifying alcoholic beverage establishment licensed under the state alcoholic beverage laws to sell, offer for sale, or deliver alcoholic beverages, for purposes of consumption on the premises, between the hours of 12:00 midnight and 2:00 a.m., but in any case no later than 2:00 a.m., on any day of the week, shall make application with the city clerk for an extended hours of operation permit. A qualifying alcoholic beverage establishment licensed under the state alcoholic beverage laws that is located in the Downtown Incentive Zone, smaller than 2,000 square feet, and maintains the ability to serve a maximum of less than 120 persons is not eligible for an extended hours of operation permit.
 - (2) The alcoholic beverage establishment shall complete an application form provided by the city, including, but not limited to, the name and street address where notices related to this section are to be mailed. An annual fee, in an amount set by resolution of the city council and payable upon issuance, shall be charged for the permit. The application form shall include, but not be limited to, the following information:

- a. Name and street address of the owner of the alcoholic beverage establishment,
 - b. Name, street address, and signature of the property owner of record if different from the owner of the alcoholic beverage establishment acknowledging an understanding of section 4-2 of the Code of the City of Jacksonville Beach.
 - c. Valid business tax receipt for the alcoholic beverage establishment,
 - d. Verification of compliance by the alcoholic beverage establishment with city zoning regulations,
 - e. Specific type of state alcoholic beverage license held by the alcoholic beverage establishment.
 - f. If the establishment holds a state alcoholic beverage license other than a 4-COP Quota License, the establishment will submit a copy of the proposed seating diagram, to include any proposed dining area.
 - g. Signed approval of the alcohol beverage establishments' security emergency action plan by the Jacksonville Beach Police Department and the Jacksonville Beach Fire Marshal.
- (3) The city manager or designee shall review the application and, if the application is complete, and the alcoholic beverage establishment is in compliance with the Code of Ordinances and state alcoholic beverage laws, a permit shall be issued allowing the alcoholic beverage establishment to sell alcoholic beverages, as restricted by the alcoholic beverage establishment's state beverage license, for purposes of consumption on the premises, between the hours of 12:00 midnight and 2:00 a.m. on every day of the week.
- (4) Such permit may be renewed by the city annually on or before the thirtieth day of September, so long as the alcoholic beverage establishment is compliant with the requirements of this section, unless any of the following occur:
- a. The permit is under suspension at the time of renewal.
 - b. The alcoholic beverage establishment's state beverage license has been revoked or suspended.
 - c. A transfer of ownership, as defined in section 4-2(b)(8), definitions, or a change in location of the establishment has occurred, and this information was not provided to the city.
- (5) The city shall be notified immediately, and the alcoholic beverage establishment shall apply for a new permit if a transfer of ownership, as defined in section 4-2(b)(8), or a change in location of the establishment has occurred. Until such time as the alcoholic beverage establishment makes application, is approved, and receives a new permit, the privilege of extended hours for the sale of alcoholic beverages shall be suspended. Failure to renew the extended hours of operation permit on or before the thirtieth day of September of each year, or to pay the annual fee as set by resolution of the city council, shall be cause for the immediate suspension of extended hours privileges pursuant to section 4-2(e), notice of violations, hearings, and penalties.
- (6) No alcoholic beverage establishment is authorized to sell or serve alcoholic beverages for purposes of consumption on the premises after 12:00 midnight

unless it possesses a valid extended hours of operation permit from the city. No alcoholic beverage establishment is authorized to sell or serve alcoholic beverages, after 2:00 a.m. and before 7:00 a.m. on any day of the week. Alcoholic beverage establishments shall not be open for operation between the hours of 2:00 a.m. to 6:00 a.m. on any day of the week.

- (7) The provisions of this section shall not impair or affect the right of an alcoholic beverage establishment with a state alcoholic beverage license to remain open and sell alcoholic beverages between the hours of 7:00 a.m. and 12:00 midnight.
- (e) *Notice of violations, hearings, and penalties.* The ability of an alcoholic beverage establishment to sell, offer for sale, deliver or permit to be consumed upon the premises any alcoholic beverage between the hours of 12:00 midnight and 2:00 a.m. on any day of the week is hereby declared to be and is a privilege subject to suspension, and no person may reasonably rely upon a continuation of that privilege. As a condition of the continuation of the privilege, alcoholic beverage establishments are required to take all necessary steps to minimize illegal activities.
- (1) *Illegal activities included.* The following are representative, but not all inclusive, of activities that may result in suspension of the privilege of extended hours of operation for authorized alcoholic beverage establishments to sell alcoholic beverages for purposes of consumption on the premises:
- a. Illegal activities requiring a police response that occur on or adjacent to the premises of an alcoholic beverage establishment. Particular emphasis will be given to illegal activities of the owner, employees, patrons of the establishment, or others associated with the establishment; including, but not limited to, the use, sale, or delivery of controlled substances, allowing underage drinking, continuing to sell alcoholic beverages after closing time, violation of open container laws, serving alcoholic beverages to intoxicated persons, disturbances, batteries, driving under the influence (DUI), disorderly intoxication, violations of the Florida Fire Prevention Code, and other violations of law during all hours of operation. The city shall consider whether the need for police services is the result of the establishment's failure or inability to maintain proper order and control during all hours of operation;
 - b. Failure of any restaurant, as defined in section 4-2(b)(7), which possesses a 4-COP-SRX/SFS (special restaurant/special food service establishment) state alcoholic beverage license as addressed under the provisions of F. S. § 561.20(2)(a)4:
 1. To maintain at least two thousand ~~five hundred~~ (2,500) square feet of service area, except for special restaurant/food service establishments located in the Downtown Incentive Zone which must maintain at least 1,200 square feet of service area,
 2. To be equipped to serve one hundred ~~fifty twenty~~ (1520) persons full course meals from a menu at tables at all times during all hours of operation, except for special restaurant/food service establishments located in the Downtown Incentive Zone which must be equipped to serve fifty (50) persons full course meals from a menu at tables at all times during all hours of operation,
 3. To keep the kitchen open and capable of preparing food and filling customers' orders up to thirty (30) minutes before time of closing,

4. To keep all tables and chairs upright and in place during all hours of operation as per diagram submitted to the city during the permitting process,
 5. To derive at least fifty-one (51) percent of its gross revenue from the sale of food and nonalcoholic beverages. Failure to derive at least fifty-one (51) percent of its gross revenue from the sale of food and nonalcoholic beverages shall be based on the findings of an audit of the 4-COP-SRX/SFS licensee by the Division of Alcoholic Beverages and Tobacco of the Florida Department of Business and Professional Regulation, irrespective of any sanctions or penalties imposed by said division pursuant to that audit.
- c. Complaints verified and documented by police arising from adverse effects of extended hours of operation upon neighboring properties, including, but not limited to, excessive noise, illegal parking, vandalism, generation of trash or garbage on or adjacent to the establishment, loitering by intoxicated persons, or exterior lighting on neighboring residential properties;
 - d. Violations of any provisions of the City of Jacksonville Beach Code of Ordinances; including, but not limited to, Chapter 18, relating to noise and sound limitations;
 - e. Failure to obtain an extended hours of operation permit, or failure to renew the permit as required;
 - f. Violations of state statutes and/or fire codes related to the maximum permissible occupancy at the alcoholic beverage establishment location;
 - g. *Sales by employees during prohibited hours.* No person, or any agent, servant, or employee of any person licensed under the state alcoholic beverage laws shall sell, or offer for sale, any beer, wine, liquor, or alcoholic beverage of any kind during prohibited hours.
 - h. *Gifts.* It is a violation of this section for any person, or any agent, servant or employee of any person licensed under the state alcoholic beverage laws, during prohibited hours as set forth in this section, to gratuitously give any kind of alcoholic beverage, whether conditioned upon the purchase of any kind of alcoholic beverage or product of any nature, at any inflated price or otherwise, or in the form of a so-called bonus predicated upon another purchase, or as a gift.
 - i. Failure to adhere to and follow the security emergency action plan as approved by the City of Jacksonville Beach Police Department and the City of Jacksonville Beach Fire Marshal.
- (2) *Successive violations.* In order to invoke the enforcement provisions of this section, a violation must be traceable to the particular alcoholic beverage establishment against which action is taken, and must be verified and documented by a police officer, code enforcement officer, or fire department official.
- a. *1st notice of violation.* A first violation by an alcoholic beverage establishment of this section, any section of the Code of Ordinances or state statutes shall result in a written notice of violation. The 1st notice of violation shall be issued by a police officer. The 1st notice of violation shall be sent certified mail to the property owner at the address listed in the tax collector's office or property

appraiser's database and left with the owner, proprietor, manager, or highest-ranking employee then on the premises of the alcoholic beverage establishment. Issuance of a 1st notice of violation for a violation of this section shall not prevent the filing of charges against the alcoholic beverage establishment or any person with any other violation of the Code of Ordinances or state statutes.

- b. *2nd notice of violation.* A subsequent violation of this section, any section of the Code of Ordinances or state statutes by an alcoholic beverage establishment within one hundred eighty (180) days of issuance of a written 1st notice of violation shall result in a written 2nd notice of violation. The 2nd notice of violation shall be issued by a police officer. The 2nd notice of violation shall be sent certified mail to the property owner at the address listed in the tax collector's office or property appraiser's database and left with the owner, proprietor, manager, or highest-ranking employee then on the premises of the alcoholic beverage establishment. Issuance of a 2nd notice of violation for a violation of this section shall not prevent the filing of charges against the alcoholic beverage establishment or any person with any other violation of the Code of Ordinances or state statutes.
- c. *Special magistrate.* All notices of violation shall be taken before the city's special magistrate for consideration of suspension of the alcoholic beverage establishment's extended hours of operation permit. The special magistrate shall exercise jurisdiction over such matters as set forth in Article VI, section 2-170 of the Code of Ordinances of the City of Jacksonville Beach.
- d. *Action by the special magistrate.* Upon completion of the hearing, the special magistrate shall deliver a ruling either that no action shall be taken against the alcoholic beverage establishment's extended hours of operation permit, the extended hours of operation permit shall be suspended, or that the extended hours of operation permit be revoked.
 - 1. A suspension of the extended hours of operation permit for a first finding by the special magistrate of a violation shall be for up to sixty (60) days at the discretion of the special magistrate depending upon the severity of the violation(s).
 - 2. A second finding by the special magistrate of a violation of the extended hours of operation permit within one hundred eighty (180) days of issuance of the first notice of violation regardless of the special magistrate's finding in said violation shall be suspended for no less than thirty (30) days nor more than ninety (90) days.
 - 3. A third and any subsequent findings of violations occurring within one (1) year (three hundred sixty-five [365] days) of the date of completion of the most recent suspension period shall result in a revocation of the extended hours of operation permit which suspension shall travel with the property for a period of one (1) year (three hundred sixty-five [365] days) from the date of the finding of violation by the special magistrate.
 - 4. In addition to any suspension of the extended hours of operation permit, as listed above, the special magistrate may issue a fine of not more than five hundred dollars (\$500.00) per violation of this section.

The special magistrate shall base his/her ruling upon substantial, competent evidence presented that supports a finding of noncompliance with this section. The special magistrate's written order of suspension of the extended hours of operation permit shall state the effective date of suspension and shall give the alcoholic beverage establishment at least ten (10) calendar days notice of the suspension.

- e. *Failure of alleged violator to appear.* If an alcoholic beverage establishment served with a notice of violation fails to appear at the hearing after having received proper notice, the special magistrate shall take testimony from city staff, and other relevant testimony, as available, and shall deliver a ruling either that no action shall be taken against the alcoholic beverage establishment's extended hours of operation permit, the extended hours of operation permit shall be suspended for a period of time as set forth in section 4-2(e)(2)d., or that the extended hours of operation permit be revoked as set forth in section 4-2(e)(2)d. of this section. A ruling that the extended hours of operation be suspended shall take effect on the eleventh calendar day after the order is issued and provided to the alcoholic beverage establishment. The enforcement of such order shall be stayed if the alcoholic beverage establishment files a request for a rehearing with the city clerk's office before the date the order is scheduled to take effect. In such case, the alcoholic beverage establishment shall be rescheduled for a hearing before the special magistrate. At that hearing, the special magistrate shall take testimony from the alcoholic beverage establishment, and other relevant testimony, as available, and shall deliver a ruling upholding the previous order suspending the extended hours of operation permit, amending the order suspending the extended hours of operation permit, or rescinding the order suspending the extended hours of operation permit. If the special magistrate upholds a suspension of the extended hours of operation permit, such suspension shall take effect the next calendar day after the ruling is issued.
- f. Any alcoholic beverage establishment that has had an extended hours of operation permit suspended cannot avoid the consequences of the special magistrate's action by changing its business name or corporate status, as set forth in F. S. § 561.32.
- g. The enforcement procedures contained herein are alternative procedures, and the city reserves the right to arrest, prosecute, or take action utilizing alternative procedures authorized by law.
- h. Existing holders of valid extended hours of operation permits on the date of passage of this section shall be granted six (6) months or the next annual renewal of the permit, whichever is less, in order to comply with the requirements of section 4-2(d)(2)g.

SECTION 3. CONFLICTING ORDINANCES. That all ordinances or parts of ordinances adopted by the City Council in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

SECTION 4. SEVERABILITY. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance.

SECTION 5. SCRIVENER'S ERRORS. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk.

SECTION 6. CODIFICATION. The City Council intends that this Ordinance will be made a part of the City of Jacksonville Beach Code of Ordinances.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect and be enforceable in all aspects immediately upon final reading and approval by the City Council for the City of Jacksonville Beach as authenticated herein.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2023.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney

ENROLLED

HB 1561

2023 Legislature

Beverage Law and regulations of the state not inconsistent herewith.

Section 2. (1) There is created a special zone in the City of Jacksonville Beach to be known as the Downtown Incentive Zone. The area is described as follows:

All lands bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South.

(2) Notwithstanding s. 561.20(1), Florida Statutes, in the area described as the Downtown Incentive Zone, the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license to any public food service establishment that is equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area which derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages; provided that such licenses shall be subject to local zoning requirements and to any provision of the alcoholic beverage laws of the state and rules of the division not inconsistent herewith.

Section 3. This act shall take effect upon becoming a law.

ENROLLED

CS/CS/HB 639, Engrossed 1

2023 Legislature

51 Constitution of 1885, as amended, and incorporated by reference
52 in s. 6(e), Art. VIII of the State Constitution, except that the
53 license shall be issued only to the person or corporation that
54 operates the hotel or motel operation and not to the association
55 of condominium owners;

56 4. A bona fide food service establishment that has a
57 minimum of 2,000 ~~2,500~~ square feet of service area, is equipped
58 to serve meals to 120 ~~150~~ persons at one time, has at least 120
59 physical seats available for patrons to use during operating
60 hours, holds itself out as a restaurant, and derives at least 51
61 percent of its gross food and beverage revenue from the sale of
62 food and nonalcoholic beverages during the first 120-day
63 operating period and the first 12-month operating period
64 thereafter. Subsequent audit timeframes must be based upon the
65 audit percentage established by the most recent audit and
66 conducted on a staggered scale as follows: level 1, 51 percent
67 to 60 percent, every year; level 2, 61 percent to 75 percent,
68 every 2 years; level 3, 76 percent to 90 percent, every 3 years;
69 and level 4, 91 percent to 100 percent, every 4 years. A
70 licensee under this subparagraph may sell or deliver alcoholic
71 beverages in a sealed container for off-premises consumption if
72 the sale or delivery is accompanied by the sale of food within
73 the same order. Such authorized sale or delivery includes wine-
74 based and liquor-based beverages prepared by the licensee or its
75 employee and packaged in a container sealed by the licensee or



CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Director of Planning and Development
DATE:	08/14/2023
SUBJECT:	Ordinance No. 2023-8201 Amending Section 34-393 of the Land Development Code

BACKGROUND

The adoption of House Bills 639 and 1561 in 2023 requires the City to amend Chapter 4 of the City's Code of Ordinances to be in compliance, by decreasing the space and seating requirements in the Downtown Incentive Zone. Consequently, the adoption of these House Bills requires the City to amend Chapter 34, Article VIII, Division 2, Section 34-393 of the Land Development Code to maintain consistency with Florida Statutes and the changes to Chapter 4 of the City's Code of Ordinances. The proposed changes to the Land Development Code include updating the seating requirements from 150 seats to 120 seats pursuant to the Florida Statute, and adding an exemption to the 500 foot proximity rule to schools, churches, and bars in the Downtown Incentive Zone only for bona-fide restaurants with 50 or more seats.

The proposed amendments to Section 34-393 provided in the attached ordinance were considered by the Planning Commission for recommendation to the City Council at the Planning Commission's regular meeting on July 24, 2023. The proposed changes to Chapter 4 via Ordinance 2023-8200 were also provided for their reference, although no action was required from the Planning Commission on those changes. The Planning Commission voted to recommend **approval** to the City Council.

The City Council considered Ordinance No. 2023-8201 at its first reading on August 7, 2023, and voted to approve the amendments.

FINANCIAL IMPACT

Pursuant to the Final Bill Analysis Document provided by the House of Representatives, and the Fiscal Analysis & Economic Impact Statement, the House Bill will result in an increase in sales tax revenue and licensing revenue to the extent that special licenses are granted under the exception.

REQUESTED ACTION

Adopt/Deny Ordinance No. 2023-8201 on the second reading to amend Section 34-393 of the Land Development Code to update regulations pertaining to restaurants exempt from the alcoholic beverage establishment proximity requirements

ATTACHMENTS

1. Ordinance No. 2023-8201
2. House Bill 1561
3. House Bill 639

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

ORDINANCE NO. 2023-8201

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING CHAPTER 34 "LAND DEVELOPMENT CODE," ARTICLE VIII "SITE DEVELOPMENT STANDARDS," DIVISION 2 "SUPPLEMENTAL STANDARDS," SECTION 34-393 "ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO MAINTAIN CONSISTENCY WITH AMENDED CHAPTER 4 "ALCOHOLIC BEVERAGES," AND PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES, SCRIVENER'S ERRORS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Community Redevelopment Agency and City Council are actively engaged in economic development efforts in the Downtown Community Redevelopment Area; and

WHEREAS, redevelopment taking place in the downtown area of the City of Jacksonville Beach anticipates the potential for smaller tenant spaces that may be created that could accommodate smaller public food service establishments that would be unable to qualify for a special alcoholic beverage license; and

WHEREAS, lowering the space and seating requirements for those establishments within a special zone that derive at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverages would allow smaller public food establishments to qualify for a special alcoholic beverage license; and

WHEREAS, Resolution 2121-2022 adopted by the Jacksonville Beach City Council on September 6, 2022 establishes the Downtown Incentive Zone, also referred to as the DIZ, as all lands bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South; and

WHEREAS, Resolution 2121-2022 provided desired amended space and seating requirements for special alcoholic beverage licenses in the Downtown Incentive Zone for establishments that are equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area, which derives at least 51 percent of its gross food and beverage revenue from the sale of food and non-alcoholic beverages; and

WHEREAS, the City of Jacksonville Beach in coordination with Duval County, filed a local bill with support from the Duval County Legislative Delegation for the 2023 State Legislative Session for an amendment to the Laws of Florida; and

WHEREAS, House Bill 1561 (2023) was signed into law by the Governor of the State of Florida on June 20, 2023; and

WHEREAS, House Bill 639 (2023) amends Chapter 561.20 Florida Statutes, providing that a bona fide food service establishment located in the Downtown Incentive Zone that has a minimum of 2,000 square feet of service area, is equipped to serve meals to 120 persons at one time, has at least 120 physical seats available for patrons to use during operating hours, and holds itself out as a restaurant, is qualified for a special alcoholic beverage license.

WHEREAS, the Jacksonville Beach Planning Commission acting as the City's Local Planning Agency, after notice and public hearing, has considered the ordinance and the proposed amendments, clarifications, revisions, updates, and reorganization to the articles, divisions, and sections of the LDC, has considered staff recommendations, information provided, and public testimony given at the public hearings and has presented its recommendation to the City Council; and

WHEREAS, the City Council has considered the proposed code amendments, the recommendation of the Planning Commission, and public testimony given at the public hearings.

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

SECTION 1. RECITALS. The foregoing recitals are deemed true and material parts of this ordinance are fully incorporated herein by reference.

SECTION 2. CHAPTER 34 "LAND DEVELOPMENT CODE," ARTICLE VIII "SITE DEVELOPMENT STANDARDS," DIVISION 2 "SUPPLEMENTAL STANDARDS," SECTION 34-393 "ALCOHOLIC BEVERAGE ESTABLISHMENTS," OF THE CITY CODE OF ORDINANCES IS HEREBY AMENDED AS FOLLOWS¹:

Sec. 34-393. - Alcoholic beverage establishments.

Alcoholic beverage establishments shall be subject to the following supplementary standards.

- (1) Proximity to churches and schools. An establishment, where permitted, which provides for the consumption of alcoholic beverages on the premises shall not be located within five hundred (500) feet of a school or church measured from main entrance to main entrance (portal to portal) by the most direct pedestrian route. Hotels with one hundred (100) or more rooms and restaurants with a seating capacity of one hundred ~~fifty~~ twenty ~~(150)~~ 120 or more may be located closer than five hundred (500) feet to a school or church. Restaurants located in the Downtown Incentive Zone with seating capacities of fifty (50) or more may be located closer than five hundred (500) feet to a school or church.
- (2) Proximity to other alcoholic beverage establishments. An establishment whose primary activity involves the consumption of alcoholic beverages on the premises shall not be located within five hundred (500) feet of a similar existing establishment, measured from main entrance (portal to portal) by the most direct pedestrian route. Hotels with one hundred (100) or more rooms, restaurants with seating capacities of one hundred ~~fifty~~ twenty ~~(150)~~ 120 or more and businesses wherein the sale of

¹ ~~Strikethrough~~ text indicates deletions, underline text indicates additions.

alcoholic beverages is only incidental to the principal use may be located closer than five hundred (500) feet to another establishment serving alcoholic beverages for consumption on the premises. Restaurants located in the Downtown Incentive Zone with seating capacities of fifty (50) or more may be located closer than five hundred (500) feet to another establishment serving alcoholic beverages for consumption on the premises.

SECTION 3. CONFLICTING ORDINANCES. That all ordinances or parts of ordinances adopted by the City Council in conflict with this ordinance are hereby repealed to the extent inconsistent herewith.

SECTION 4. SEVERABILITY. If any section, subsection, clause, or provision of this Ordinance is deemed invalid or unconstitutional by a court of competent jurisdiction, such portion will become a separate provision and will not affect the remaining provisions of this ordinance.

SECTION 5. SCRIVENER'S ERRORS. The City Attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the City Clerk

SECTION 6. CODIFICATION. The City Council intends that this Ordinance will be made a part of the City of Jacksonville Beach Code of Ordinances.

SECTION 7. EFFECTIVE DATE. This Ordinance shall take effect and be enforceable in all aspects immediately upon final reading and approval by the City Council for the City of Jacksonville Beach as authenticated herein.

AUTHENTICATED THIS _____ DAY OF _____, A.D., 2023.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney

ENROLLED

HB 1561

2023 Legislature

Beverage Law and regulations of the state not inconsistent herewith.

Section 2. (1) There is created a special zone in the City of Jacksonville Beach to be known as the Downtown Incentive Zone. The area is described as follows:

All lands bounded by 3rd Street, the Atlantic Ocean, 6th Avenue North, and 2nd Avenue South.

(2) Notwithstanding s. 561.20(1), Florida Statutes, in the area described as the Downtown Incentive Zone, the Division of Alcoholic Beverages and Tobacco of the Department of Business Regulation may issue a special alcoholic beverage license to any public food service establishment that is equipped to serve 50 or more persons at one time and occupying not less than 1,200 square feet of service area which derives at least 51 percent of its gross food and beverage revenue from the sale of food and nonalcoholic beverages; provided that such licenses shall be subject to local zoning requirements and to any provision of the alcoholic beverage laws of the state and rules of the division not inconsistent herewith.

Section 3. This act shall take effect upon becoming a law.

ENROLLED

CS/CS/HB 639, Engrossed 1

2023 Legislature

51 Constitution of 1885, as amended, and incorporated by reference
52 in s. 6(e), Art. VIII of the State Constitution, except that the
53 license shall be issued only to the person or corporation that
54 operates the hotel or motel operation and not to the association
55 of condominium owners;

56 4. A bona fide food service establishment that has a
57 minimum of 2,000 ~~2,500~~ square feet of service area, is equipped
58 to serve meals to 120 ~~150~~ persons at one time, has at least 120
59 physical seats available for patrons to use during operating
60 hours, holds itself out as a restaurant, and derives at least 51
61 percent of its gross food and beverage revenue from the sale of
62 food and nonalcoholic beverages during the first 120-day
63 operating period and the first 12-month operating period
64 thereafter. Subsequent audit timeframes must be based upon the
65 audit percentage established by the most recent audit and
66 conducted on a staggered scale as follows: level 1, 51 percent
67 to 60 percent, every year; level 2, 61 percent to 75 percent,
68 every 2 years; level 3, 76 percent to 90 percent, every 3 years;
69 and level 4, 91 percent to 100 percent, every 4 years. A
70 licensee under this subparagraph may sell or deliver alcoholic
71 beverages in a sealed container for off-premises consumption if
72 the sale or delivery is accompanied by the sale of food within
73 the same order. Such authorized sale or delivery includes wine-
74 based and liquor-based beverages prepared by the licensee or its
75 employee and packaged in a container sealed by the licensee or