



City of Jacksonville Beach

Briefing Notice

City Council

11 North Third Street
Jacksonville Beach, Florida

Monday, December 9, 2024

5:30 PM

City Hall 1st Floor Conference Room

City Manager Mike Staffopoulos will conduct a Council Briefing to update the City Council about ongoing items in the City. The Briefing will include, but not be limited to, the following topics:

- A. City Attorney 6 Month Update
- B. Pay Plan Amendments
- C. Special Events Updates
- D. Board Appointments
- E. 1946 Boardwalk Ordinance
- F. Committee Assignment Report
- G. Miscellaneous City Manager's Items
- H. Future Briefing Topics

Council Members in attendance may include:

Mayor: Christine Hoffman

Council Members: Sandy Golding
Bruce Wouters

Bill Horn
Greg Sutton

Dan Janson
John Wagner

Please note: Council Members in attendance may vary according to their schedules.

No public comments are taken at the City Manager's Council Briefing.

If you are a person with a disability who needs an accommodation to participate in a meeting, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the ADA Coordinator by phone 904-712-6297 or submit an [Accommodation Request](#) to the ADA Coordinator as far in advance of the meeting as possible; preferably 7 days but no less than 2 business days, before the meeting. If you are hearing or voice impaired, please call Florida Relay at 711 for assistance.



CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Karen Nelson, Deputy City Manager
DATE:	December 9, 2024
SUBJECT:	Pay Plan Amendments

BACKGROUND

Fla. Senate Bill 256 was signed into law on May 9, 2023. The bill amends Chapter 447, Florida Statutes, relating to public employer collective bargaining, to impose several new requirements on the employee organizations that represent public employees in collective bargaining. Specifically, the bill:

- Requires employees who wish to join certain employee organizations to sign a membership authorization form that is prescribed by the Public Employees Relations Commission (PERC), which must contain specific information.
- Requires specific employee organizations to allow a member to revoke his or her membership in the organization at any time, and without any reason.
- Allows the PERC to inspect specific employee organization's membership authorization forms and membership revocation forms.
- Prohibits certain employee organizations from receiving their members' dues and assessments via salary deduction from the members' public employer.
- Expands the information required in an employee organization's annual registration renewal with the PERC. This newly required information includes information that relates to the number and percentage of dues-paying members in each bargaining unit. In addition, the employee organization's current annual financial report must be audited by an independent certified public accountant.
- Authorizes the public employer or an employee who is eligible for representation in the bargaining unit to challenge the application for registration renewal. The PERC must investigate to confirm the information submitted.
- Requires the employee organization to be recertified as the bargaining agent if the number of employees paying dues to the employee organization during the last registration period is less than 60 percent of the number of employees eligible for representation in the bargaining unit.
- Requires the certified bargaining agent to provide certain information to its members, including the annual costs of membership.
- Expands the prohibited activities by certain employee organizations and its representatives.
- Allows a public employer to petition the PERC to waive in certain instances the prohibition on dues deductions by public employers, the requirement for an employee organization to petition for recertification, and the revocation of certification of an employee organization as a certified bargaining agent.

Public safety unions (Police and Fire) are exempt from the provisions of SB 256. For all other

public sector unions, the following provisions have had a significant impact on membership in many organizations:

- Prohibits union dues deductions from public sector employee paychecks, which means unions must set up their own payment collection system.
- Requires public sector unions to prove on a yearly basis at least 60 percent of workers in the affected bargaining unit are dues-paying members, and triggers a decertification vote if they aren't.

The Northeast Florida Public Employees, Local 630, Laborers' International Union of North America (LIUNA), AFL-CIO, Certification No. 1146, has been the exclusive representative for purposes of collective bargaining for its employees in the bargaining unit described in the Public Employees Relations Commission Certification Number 1146 since October 7, 1996. The Collective Bargaining Agreement (CBA) between the City and LIUNA, effective October 1, 2022, covered a total of 64 positions and approximately 140 regular full-time, non-supervisory, unsworn, warehouse, clerical and operational services employees of the City of Jacksonville Beach in the general classifications of Energy Services, Landscape and Maintenance, Planning and Development, Property and Procurement, Public Safety, and Public Works.

The Northeast Florida Public Employees, Local 630, LIUNA, AFL-CIO, failed to meet the 60 percent membership requirement under SB 256 and Certification No. 1146 was revoked on June 26, 2024 pursuant to §447.305 (6) Fla. Stat. With the revocation of the certification, the CBA between the City and LIUNA effective October 1, 2022 was rendered null and void. The City has continued to uphold the provisions set forth in the CBA to reduce the impact to the covered employees. Staff intends to present a resolution to City Council at the December 16, 2024 meeting that will amend the City's Position Classification and Pay Plan to incorporate certain provisions from the LIUNA CBA.

Other provisions within the LIUNA CBA were incorporated into the City Personnel Policies by administrative approval.

FINANCIAL IMPACT

No financial impact.

COUNCIL DIRECTION REQUESTED

For information only. A Resolution amending the Position Classification and Pay Plan will be presented at the December 16 City Council meeting.

ATTACHMENTS

1. Order to Revoke Certificate
2. Pay Plan Amendments

STATE OF FLORIDA
PUBLIC EMPLOYEES RELATIONS COMMISSION

IN RE

NORTHEAST FLORIDA PUBLIC
EMPLOYEES, LOCAL 630, LABORERS
INTERNATIONAL UNION OF NORTH
AMERICA, AFL-CIO, CERTIFICATION
NO. 1146.

Case No. CQ-2024-027
(Relates to OR-1986-039)

Order No.: 24E-466
Date Issued: June 26, 2024

FINAL ORDER REVOKING CERTIFICATION 1146
FOR FAILING TO PETITION FOR RECERTIFICATION

On January 25, 2024, the above-named employee organization (Union) filed an application to renew its registration with the Commission. See Registration No. OR-1986-039. Section 447.305(6), Florida Statutes (2023),¹ requires that for every bargaining unit for which less than sixty percent of the eligible employees have paid dues, the employee organization must petition the Commission for recertification as the exclusive bargaining agent for that unit within one month of filing its annual registration renewal application.² Section 447.305(6), Florida Statutes, also requires that the certification of an employee organization that does not comply with this requirement be revoked.

The information provided by the Union in its registration renewal application reflects that the percentage of dues paying employees was below sixty percent for the bargaining unit defined in Certification 1146. Based on this information, the Union was

¹ All citations to the Florida Statutes are to the 2023 version.

² This recertification requirement does not apply if the unit received a waiver pursuant to section 447.207(12), Florida Statutes, or is exempt pursuant to section 447.305(9), Florida Statutes.

required to file a recertification petition with the Commission for the unit within one month of the date its renewal application was filed.

The Union failed to file the above-referenced recertification petition. Thus, on May 21, the Commission ordered the Union to show cause by no later than June 4, 2024, why the certification should not be revoked for failure to comply with section 447.305(6), Florida Statutes. The Union did not respond to the order to show cause.

Accordingly, pursuant to section 447.305(6), Florida Statutes, Certification 1146 is hereby REVOKED. This order may be appealed to the appropriate district court of appeal. A notice of appeal must be received by the Commission and the district court of appeal within **thirty days** from the date of this order. Except in cases of indigency, the court will require a filing fee and the Commission will require payment for preparing the record on appeal. Further explanation of the right to appeal is provided in sections 120.68 and 447.504, Florida Statutes, and the Florida Rules of Appellate Procedure.

It is so ordered.

CARPENTER, Chair, AARON and SASSO, Commissioners, concur.

I HEREBY CERTIFY that this document was filed and a copy served on each party on June 26, 2024.

BY:



Clerk



/ia

CQ-2024-027
(Relates to OR-1986-039)

COPIES FURNISHED:

For Northeast Florida Public Employees, Local 630, Laborers International Union of North America, AFL-CIO
Ronnie Mark Burris

For City of Jacksonville Beach
Mike Staffopoulos

PROVISION	LIUNA CBA	PERSONNEL POLICIES	REVISED POLICY	NOTES
Lead Worker Category	APP B. G	APP A. 08	APP A.08	Incorporated from CBA Redlined changes in A.08 A, B
Overtime	10.7	5.04	APP A.13	Moved from Ch. 5 with no changes
Call Out Pay	10.5	5.05	APP A.14	Incorporated from CBA Redlined changes in A.14 A, B, C, D
Standby Pay	10.6	5.06	APP A.15	Incorporated from CBA A.15 G incorporates PD 2023-01
Emergency Management	APP B. L	APP A. 13	APP A.16	Incorporated from CBA Redlined change in A.16 B
Extended Work / Rest	10.9	N/A	APP A.17	Incorporated from CBA Redlined change in A.17 A, D, E
Mutual Aid Pay	APP B. K	N/A	APP A.18	Incorporated from CBA with no changes
Apprentice	APP B. D	N/A	APP A.19	Incorporated from CBA with no changes
NERC Certified	APP B. E	N/A	APP A. 20	Incorporated from CBA with no changes
Troubleshooter	APP B. H	N/A	APP A. 21	Incorporated from CBA with no changes
Classifications	APP A. 1	APP A. 14	APP B.1	Renumbered only-no change
Pay Grades	APP A. 2	APP A. 15	APP B.2	Renumbered only-no change
Qualification Advancement	APP C	APP A. 16	APP B.3	Renumbered only-no change

Effective Date:	October 1, 2022
Last Revised:	December 16, 2024
By City Council:	Resolution No. 2186-2024

APPENDIX A. POSITION CLASSIFICATION AND PAY PLAN POLICIES

A.01 ADMINISTRATION OF THE PLAN

- A. Primary responsibility for establishment and maintenance of the classification and pay plan is assigned to the City Manager or Deputy City Manager.
- B. All changes and improvements will be made through recommendations to the City Manager, Deputy City Manager, or the Director of Human Resources. Following a review, any proposed revisions will be submitted by the City Manager to the City Council for adoption.
- C. An employee may receive a salary increase by means of merit salary advancement, promotion, reclassification, or a pay range adjustment, if there is an availability of funds.
- D. The rate of pay of an employee within the pay grade will depend on merit. There are no provisions in the pay plan for automatic salary advancement as all merit increases are to be based upon work performance and other pertinent factors as evaluated by the employee's supervisor.
- E. The City Manager may approve special increases to address what the City determines to be pay inequities.

A.02 AMENDMENTS TO THE CLASSIFICATION PLAN

The Position Classification Plan seeks to ensure that each job classification is commensurate with the skills and responsibilities of the position, and that salary ranges are competitive within the employment market in order to retain and reward the City's workforce. In order to add, delete, or revise the Position Classification Plan, the following procedure should be followed:

- A. When a new position is proposed, or there are substantial changes in duties of an existing position, the Department Director should submit information describing in detail the actual duties required of the position, and the reason for the recommended change. The Human Resources Department will be responsible for preparing a new job description from the information provided by the Department Director.
- B. The Human Resources Department shall investigate the actual or suggested duties and their relationship to other established positions and conduct any necessary salary surveys.

Findings will be submitted to the City Manager who, with the approval of the City Council, will allocate the position to an appropriate class in the Classification Plan.

- C. When an employee affected by a reclassification feels that the position has been allocated incorrectly, the employee may appeal the reclassification to the Department Director.
- D. Should a position be reclassified to a job classification with a higher pay grade than that of the original classification, the position, if vacant, shall be filled in the appropriate manner. If the position is filled at the time of reclassification, the incumbent employee shall receive a corresponding change in pay grade and step.
- E. Should the position be reclassified to a job classification with a lower pay grade than that of the original classification, the position, if vacant, shall be filled in the appropriate manner. If the position is filled at the time of reclassification, the incumbent employee shall be offered transfer to a vacant position, if one exists, in the original classification in the same or other department. In the absence of such a vacancy, the City Manager may permit the incumbent employee to continue at the present rate of pay upon reclassification. If the incumbent's rate of pay is above the maximum rate of pay for the new classification, then the employee's rate will be frozen until it falls below the maximum pay rate for the position.
- F. If a Department Director has facts which indicate that a number of positions in the department are improperly allocated, he/she may request that the City Manager review the allocation of the positions. An employee may also request a review of the allocation of his/her position by making a written request to the Department Director.

A.03 APPOINTMENTS AND STARTING RATES

The minimum salary established for a position is considered the normal appointment rate for new employees. Exceptions may be made when it is in the interest of the City to do so in the following cases:

- A. If a candidate's training, experience or other qualifications are substantially above those required for the position, the individual may be appointed at a rate of pay above the minimum. Such appointments require the prior approval of the Director of Human Resources. Appointments at a rate of pay that is above the midpoint in the pay range require the prior written approval of the City Manager.
- B. Appointment rates below the minimum in the pay grade may be authorized if it becomes necessary to appoint a new employee who does not meet the minimum qualifications for the job, provided there is a reasonable expectation that the employee will be able to meet those standards within 12 months. The employee may be appointed as a trainee at 10% below the minimum rate of pay for the classification. An employee may not be in a trainee

status for longer than 12 months unless otherwise specified in the job description or a City qualified training program.

A.04 PROMOTION

When an employee is promoted from a lower to a higher pay grade, the promotion shall include a minimum of a 5% pay increase. This provision shall apply to promotions only and not to transfers. Police Sergeants promoted to Commander shall be eligible for a 20% pay increase.

A.05 DEMOTION

An employee may be demoted to a position in a lower pay grade for which he/she is qualified for any of the reasons defined in Section 4.08 of these policies. The following procedure will be followed in the event of any demotion:

- A. An employee demoted due to a workers' compensation injury shall retain the current rate of pay. If the rate is higher than the maximum pay for the new position, then the employee's rate will be frozen until it falls below the maximum pay rate for the position.
- B. If an employee is demoted due to failure to complete the initial probationary period in a promoted position, the employee's rate of pay will revert to the rate of pay prior to the promotion.
- C. When an employee is demoted for any reason except those defined above, the rate of pay shall be set at the minimum rate for the demoted position. If the Department Director believes it is warranted to place the employee above the minimum, he/she may submit a written request to the Human Resources Department for review and salary determination. In no case shall an employee's rate of pay be set to exceed the maximum of the new grade.

Any demoted employee who has not already completed a probationary period in the demoted position will be required to serve a probationary period in compliance with the rules set forth in these policies. Any demotion must be submitted to the City Manager for approval.

A.06 LONGEVITY

Employees hired on or before March 31, 1995 shall be eligible to receive longevity pay under the following conditions:

- A. Each employee shall receive \$240 per year for each five years of continuous service to the City.
- B. Layoffs initiated by the City or approved leaves of absence shall not count toward the determination of continuous service nor shall such constitute a break in service.

C. Longevity shall be increased on the actual anniversary of the employee's 20th, 25th, 30th, etc. year of service.

D. Employees must be in a paid status in order to receive Longevity Pay.

A.07 MERIT INCREASES

A. A merit salary advancement is a salary increase within the same pay grade and is not considered to be automatic but based upon an evaluation of performance of an individual.

B. An employee is eligible for a merit advancement of 2% to 3% over the current rate of pay on the anniversary date of employment in the position, as warranted by performance, provided there are funds available for the increase.

A.08 ACTING ~~PROFESSIONAL~~ PAY

A. Acting Professional. An Acting Professional is defined as an employee temporarily taking on some or all of the duties of a management position in a higher pay grade, due to a vacancy or the extended absence of an incumbent, for a specified amount of time.

1. To be eligible for additional pay as an acting professional, employees must be assigned to act as a Department Director, Superintendent, or equivalent, for an extended period of time, as determined by the City Manager. Employees classified as Executive Management are excluded from the provisions of this section.
2. When assigned as an Acting Professional, the employee shall receive a minimum of a 5% pay increase while on the assignment. In no event shall the acting pay be less than the minimum pay within the acting range. When the assignment ends, the special pay provision will be removed.

~~B. Under certain circumstances, an employee may be assigned to take on some or all of the duties of a position in the same, or lower, pay grade, in addition to performing the duties of his/her own job, for a specific amount of time. Such employees shall receive a minimum of a 3% pay increase while on assignment. When the assignment ends, the special pay provision will be removed.~~

B. Lead Worker. A Lead Worker is defined as an employee who is assigned to oversee a group of positions classified the same as that of the Lead Worker. The assignment is typical in laboring or trade occupations where the foreman or supervisor must visit several locations during the hours of a workday and work crews are left on the job without direct supervision. The assignment of a Lead Worker should be made with care and be monitored periodically to assure that the employee is functioning in this capacity.

1. To be eligible for additional pay as a Lead Worker, employees must be assigned to act as a Crew Leader, Foreman, Division Supervisor, or equivalent, for a period of at least one assigned work shift.
2. When assigned as a Lead Worker, the employee shall receive a minimum of a 5% pay increase while on the assignment. In no event shall the acting pay be less than the minimum pay within the acting range. When the assignment ends, the special pay provision will be removed.
- 4.3. All Lead Worker assignments must be approved by the Department Director prior to any compensation payment.

C. All temporary pay increases require the prior written approval of the City Manager.

A.09 EXCELLENT CITY EMPLOYEES WITH LONGEVITY (EXCEL)

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

A.10 QUALIFICATION INCREASES

- A. Certain employees in professional positions may be eligible for a qualification increase upon obtaining a professional license or certification. To qualify for such an increase, the license or certification must be directly related to the employee's current position and must be included in the job description as a preferred, but not required, qualification. Employees will not receive an increase upon obtaining a license or certification that is required as a condition of employment.
- B. Upon obtaining the qualified license or certification, and provided that all education, training, and performance requirements of the job are met, employees will receive an increase of 3%, or to the maximum in the pay grade, whichever is less. An employee who receives a qualification increase for an authorized position may not receive any additional qualification increases while in the same position.

A.11 QUALIFICATION ADVANCEMENT

- A. To promote skill and professional development, and to provide opportunities for advancement, positions defined in Section A.16 are eligible for qualification advancement. Employees may advance from their current position to the next highest related position upon completion of all education, training, certifications and performance requirements of the job. Employees meeting all criteria for advancement will receive a 5% increase per pay grade upon advancement.
- B. Section A.16 outlines prior experience and state or federal license or certification requirements for each position eligible for Qualified Advancement. Employees must also demonstrate the ability to perform all essential functions of the advanced position as defined in the job description and work program. For all minimum experience requirements, prior employment in a related field may be considered as equivalent.

A.12 AUTOMOBILE ALLOWANCE

- A. Employees who are required to drive their personal vehicle during the regular course of City business may be eligible to receive either an automobile allowance or mileage reimbursement, as determined by the City Manager, in accordance with the City's travel policy. Employees who are issued a City vehicle or are approved for regular use of a departmental pool vehicle, are not eligible to receive an automobile allowance.
- B. Employees approved for an automobile allowance will receive payment bi-weekly, in 26 equal installments per year. Eligible positions and annual amounts are as follows:

ELIGIBLE POSITION	ANNUAL AMOUNT
Executive Management	\$4,800.00
City Clerk	\$3,600.00
Communications Manager	\$3,600.00
Construction Project Superintendent	\$3,600.00
CRA Coordinator	\$3,600.00
Electrical Engineers (All Positions)	\$3,600.00
Information Services (All Positions)	\$3,600.00
Property and Procurement Officer	\$3,600.00
Public Works Engineers (All Positions)	\$3,600.00
Regulatory Compliance Officer	\$3,600.00
Assistant Property and Procurement Officer	\$3,600.00

A.13 OVERTIME

Overtime occurs when a non-exempt employee works beyond 40 hours during a workweek unless otherwise specified in the applicable Collective Bargaining Agreement. It is the responsibility of the City to distribute the opportunity for overtime work equally among employees in the respective classifications normally performing the same types of work in each assigned shift, crew, or work area. Nothing in the policy shall require payment for overtime hours not worked except as expressly provided in these policies or in the applicable Collective Bargaining Agreement.

- A. Eligibility. Eligibility is to be defined by the provisions of the Fair Labor Standards Act (FLSA), as amended. The City Manager shall have the authority to provide reasonable and commensurate work schedule flexibility, when not in conflict with the essential work of the City and delivery of public services, to exempt personnel whose duties and responsibilities regularly require hours of work beyond a normal workweek. Positions that are exempt from the provisions of the Fair Labor Standards Act for overtime purposes are indicated in the Position Classification and Pay Plan.
- B. Emergency Activation. Under emergency conditions, natural disasters or catastrophic events, the City Manager is granted authority by Resolution No. 1710-2004 to pay overtime to employees normally exempt from overtime pay for hours worked beyond the normal work schedule in an emergency management capacity. The amount and method of payment shall be at the discretion of the City Manager in compliance with federal and state Laws.
- C. Approval. All scheduled overtime shall be approved in advance by the supervisor or Department Director. Department Directors are responsible for keeping up-to-date and accurate records of all overtime worked within the department. The only exception to prior approval shall be in emergency situations when the work is essential to prevent loss of equipment or an interruption of essential public services.
- D. Compensation. All employees who are non-exempt from the provisions of FLSA shall be compensated for overtime at one and one-half times the regular hourly rate of pay for hours worked in excess of the normal work week. Annual, Sick, Compensatory, Holiday and any other leave shall not count as hours worked for the purpose of computing overtime.
- E. Compensatory Time. Compensatory time may be granted in lieu of overtime pay with prior mutual consent of the employee and the City. Compensatory time shall accrue on a time and one-half basis, allowing the employee to take one and a half hours off for every hour of overtime worked, unless otherwise regulated by state or federal Law. Compensatory time shall be approved only for hours worked that qualify for overtime compensation. Accrued leave hours used shall not count as hours worked for the purpose of computing compensatory time.

Approved compensatory time may be taken at a later date, subject to approval of the supervisor. The maximum number of compensatory hours that an employee may accrue is 40, unless otherwise specified in the applicable Collective Bargaining Agreement. When an employee's accrued compensatory time exceeds the maximum, excess accrued hours will be paid out in the next regularly scheduled payroll. Upon separation from employment, all accrued compensatory time shall be paid out in cash.

A.14 CALL ~~BACKOUT~~

Each employee is subject to being called in to the workplace after hours due to an emergency or other urgent situation, as determined by the Department Director or the City Manager. Employees shall be subject to call out assignments on a rotating basis. Employees who are contacted for call out and fail to report to work without a reasonable excuse may be subject to disciplinary action. Non-exempt employees who are called in to work from off duty shall be compensated for actual time worked at one and one-half times the regular hourly rate of pay. ~~The minimum compensation is two hours.~~ Employees who are being compensated in a call out status cannot simultaneously receive any other premium pay and hours paid at time and one-half shall be excluded from hours worked for purposes of calculating overtime. This section does not apply to employees on Standby.

- A. Call Back. An employee who has ~~left the place of work~~ completed the assigned work shift and is called back for duty shall be compensated at the call out rate of pay from the time the employee receives the call through the time the employee returns home from work, provided that the employee receives a minimum payment of two hours at one and one-half times the regular rate of pay.
- B. Scheduled Overtime. Employees who are scheduled to report for overtime work, and who report, shall be compensated at the call out rate of pay from the time the scheduled overtime period begins through the time the scheduled overtime period ends, provided that the employee receives a minimum payment of two hours at one and one-half times the regular rate of pay. The minimum time provided herein does not apply if a period of scheduled overtime begins one hour or less prior to the start of an employee's assigned work shift, or ends one hour or less after the end of an employee's assigned work shift. Employees who fail to report for scheduled overtime may be subject to disciplinary action.
- C. Early Call In. No minimum time is provided herein ~~does not apply~~ if an early call out period extends into the start of an employee's assigned work shift. In those situations, compensation shall be paid at the call out rate of pay from the time the employee receives the call until the employee's assigned work shift begins. All hours worked after the start of the employee's assigned work shift shall be paid at the straight time rate of pay.
- D. Extended Hours. No minimum time is provided if a call out period begins prior to the end of an employee's regular work period. In those situations, additional hours worked in

conjunction with the regular work period shall be paid on an hour per hour basis for the first hour and such time will be eligible for overtime compensation according to Section A.13 of these policies. The call out period shall begin one hour after the end of the employee's regular work period and compensation shall be paid at the call out rate of pay for all hours worked thereafter.

A.15 STANDBY

A standby duty assignment is made by the Department Director who requires an employee to be available for work to provide service outside of normal working hours. An employee on standby must be available by phone and be able to respond to the City's call to return to work in a reasonable amount of time, as prescribed by the Department Director.

- A. City Responsibilities. It is the responsibility of the City to assign standby time equally among employees in the respective classifications normally performing the same type of work in each assigned shift, crew, or work area.
- B. Employee Responsibilities. Employees assigned to standby must be in a condition fit to respond in compliance with all City Policies. In the event an employee assigned to standby fails to respond to a call to work in a timely manner and in a fit condition, the employee will forfeit the standby pay and may be subject to disciplinary action.
- C. Compensation. Employees both exempt and non-exempt, who are assigned to standby duty shall be paid an additional 1.2 hours per day at the regular rate of pay. Standby hours shall not be counted as hours worked for the purposes of computing overtime.
- D. Call Out Pay.
 - 1. Non-exempt employees called in to work while on standby shall be paid at the call out rate of one and one-half times the regular hourly rate of pay for all hours worked. These hours shall be computed from the time the employee leaves home to report to work through the time the employee returns home from work.
 - 2. Exempt employees called in to work while on standby shall be paid at straight time for all hours worked. For work performed remotely, hours shall be computed from the time the employee receives the call to the time the issue is resolved.
- E. Duration. Standby shall normally be assigned on a daily basis. Standby may also be assigned for longer periods of time to respond to storms, severe weather conditions, or possible anticipated outages.
- F. Exchange. With the written approval of the Department Director, employees will be allowed to exchange standby assignments. The employee performing the standby (not the

employee initially assigned the standby) shall be entitled to the standby pay set forth in this section.

- G. Special Conditions. In the event an employee is scheduled to work a shift within the 24-hour period of the standby assignment, and the employee must take time off during the regularly scheduled shift, compensation will be as follows:
1. The employee will not lose standby pay if he/she takes time off for personal business with prior approval between the beginning and ending times of the regular work shift during the 24-hour period of the standby assignment, provided the employee is available for call back at all times before the starting time and after the ending time of the employee's assigned work shift.
 2. If an employee is excused from work for the entire shift, or leaves work early, due to illness or injury during the 24-hour period of the standby assignment, the standby will be assigned to another employee, and the ailing employee will not receive the standby pay.
 3. If an employee on standby needs to be off work at a time during the standby assignment that falls outside of the regular work shift, the employee must find another qualified employee to assume the entire standby assignment and notify the appropriate supervisor in advance of the change. The newly assigned employee will receive the standby pay for the 24-hour period.
 4. If an employee assigned to standby is unavailable for any portion of the assigned 24-hour standby period without receiving prior approval, the employee will not receive standby pay for the 24-hour period.

A.16 EMERGENCY MANAGEMENT PAY

If, in the sole discretion of the City Manager or designee, it is determined that emergency conditions exist, including, but not limited to hurricanes or other weather conditions, a period of Emergency Management Operations may be declared. Work performed during a period of Emergency Management Operations shall be compensated as set forth below.

- A. Employees who are covered by a Collective Bargaining Agreement shall be compensated according to the provisions within the Collective Bargaining Agreement for Emergency Management Pay.
- B. Nonunion employees in all classifications except Executive Management shall be compensated as follows:
 1. Employees who are released from duty during the period of Emergency Management Operations shall be granted paid administrative leave at straight time for all hours of their ~~normal work schedule~~ assigned work shift for which they are not required to report to work, and do not report to work, during the declared period. Administrative leave with

pay shall not be considered as time worked for the purposes of calculating overtime pay.

2. Employees who are activated for emergency management shall be compensated at two times their normal rate of pay for hours worked during the declared period. Hours worked during the period of Emergency Management Operations that fall within the employee's regular work schedule shall be considered as time worked for calculating overtime pay.
3. If conditions, as determined by the City Manager, require that an employee must remain at a City facility, or other facility authorized by the City, during the declared period, the employee will be compensated at straight time for all hours resting at a City facility. Paid rest time for hours that fall within the employee's regular work schedule shall be considered as time worked for calculating overtime pay.
4. Activated employees who are not required to remain at a City facility during the declared period shall be ~~compensated at straight time for resting hours that fall within the employee's regular work schedule. Such paid rest time shall be considered as time worked for calculating overtime pay~~ entitled to rest as provided in Section A.17 of these policies.

C. Employees who are classified as Executive Management shall be compensated as follows:

1. Paid administrative leave at straight time for all hours of their normal work schedule for which they are not required to report to work, and do not report to work, during the declared period.
2. Paid at one and a half times their normal rate of pay for all hours worked during the declared period.
3. Paid straight time for all hours resting at a City facility during the declared period.

D. Emergency Management Pay shall be a cash payment included in the earliest possible pay period following an event. Employees may not elect to take compensatory time in lieu of cash for Emergency Management Pay.

A.17 REST PERIOD

- A. An employee who has worked sixteen hours or more in a 24-hour period, or eight hours or more overtime in the 16-hour period immediately preceding the regular ~~scheduled work period~~ assigned work shift, shall, upon release, be entitled to an eight-hour rest period before returning to work.
- B. If an employee is called back to work without completing an 8-hour rest period, the employee shall be compensated at the rate of one and one-half times the regular rate of pay for all hours worked, commencing from the time he/she reports back to work and ending when he/she is released for another eight-hour rest period.

- C. Should a call out or scheduled overtime assignment finish less than eight hours before an employee's regularly scheduled start time, the employee will be entitled to eight hours rest before reporting for the regularly scheduled start time. This provision will not apply if the call out assignment occurs within four hours of the employee's scheduled start time and the employee had at least eight hours rest prior to that call out. In this circumstance the employee will continue to work into the regularly scheduled workday.
- D. If the rest period under this policy extends into the employee's regularly scheduled workday, the employee will be compensated at straight time for the rest hours that fall within the employee's ~~regular work schedule~~assigned work shift. If the employee's normal lunch break or part thereof occurs during the rest period, the normal lunch period shall not be included as part of the eight-hour rest period. Paid rest time for hours that fall within the employee's ~~regular work schedule~~assigned work shift shall be considered as time worked for calculating overtime pay.
- E. If the end of the employee's rest period falls within two hours of the end of the employee's assigned work shift, the employee's manager has sole discretion to:
 - 1. Direct the employee to report to work for the remainder of the assigned work shift
 - 2. Direct the employee to remain available to report for duty as needed, without loss of pay, for the remainder of the assigned work shift.
 - 3. Release the employee, without loss of pay, for the remainder of the assigned work shift.

A.18 MUTUAL AID PAY

- A. The City may assign employees to other utilities or organizations to assist in restoring essential services pursuant to a mutual aid agreement or arrangement.
- B. Employees assigned to mutual aid will receive two times the normal rate of pay for all hours actually worked, including travel time to and from the assisted entity.
- C. Such employees will also receive per diem for out-of-pocket expenses subject to the terms and conditions in the City's policies regarding per diem payments.

A.19 APPRENTICE CAREER DEVELOPMENT PROGRAM

- A. Employees participating in the Apprentice Lineworker or Apprentice Relay Technician Career Development Program will progress through the salary grade assigned to the job classification commensurate with the completion of all education, training and performance requirements of the program as well as annual performance evaluations.

- B. At the beginning of the 5th year, upon satisfactory completion of the apprenticeship program, apprentices shall be eligible for a qualification advancement to grade 203 for Journey Lineworkers or 204 for Relay/Substation Technicians. Apprentices who successfully complete the program, demonstrate competency and maintain satisfactory performance, as determined by the City, shall be eligible for a 10% salary increase upon qualification advancement.
- C. This schedule replaces the provision for merit increases upon the first anniversary of employment.

A.20 NERC CERTIFIED OPERATORS

- A. Electric System Operators are hired at the rate of pay designated for grade 202. System Operators must pass the NERC Transmission exam within the first 12 months of employment. Failure to obtain NERC Certification within the first 12 months of employment will result in termination, unless an extension of time is granted by the Department Director.
- B. System Operators who obtain NERC certification shall be eligible for a qualification advancement to grade 206. System Operators who achieve certification within the prescribed timeframe, demonstrate competency, and maintain satisfactory performance, as determined by the City, shall receive a 10% pay increase upon qualification advancement.
- C. This schedule replaces the provision for merit increases upon the first anniversary of employment.
- D. Within 12 months after achieving certification, NERC Certified System Operators shall be required to take and pass the "Beaches Energy Services Demonstration of Competency in System Operations Exam". Failure to pass the exam within 12 months will result in termination, unless an extension of time is granted by the Department Director. Upon satisfactorily passing the exam, the employee shall receive a pay increase of 5%.

A.21 Troubleshooter Pay

- A. Journey Lineworkers who are designated as Troubleshooters are required to assume additional responsibilities, including providing first response to power outages, and acting as Line Crew Leaders making critical decisions to restore power.
- B. Lineworkers designated as Troubleshooters shall be eligible to receive incentive pay of eighty dollars per two-week pay period for the duration of the assignment. The maximum number of personnel eligible to receive Troubleshooter Incentive Pay at any time is six Journey Linemen.



CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Alyson Riley, Special Events Coordinator
DATE:	December 9, 2024
SUBJECT:	Special Events Updates

BACKGROUND

Item 1: City-produced Events

The Special Events Policy stipulates that City-produced events must be authorized by the City Council each year. See Attachment 1 for City-produced events scheduled for calendar year 2025.

Item 2: Sponsorships for City-produced Events

Sponsorships may help offset event production costs and enhance the quality of events produced.

The sponsoring company provides financial support in exchange for various promotional benefits, such as brand visibility, logo placement, media outreach, and access to the event audience.

Sponsorship packages provide varying levels of exposure in relation to the financial support. The following are proposed sponsorship packages for City-produced events:

Festival Gold Package (\$5,000):

- Premium branding on all event materials
- Premium location 10 x 10 event space near the event stage
- 12 VIP tickets
- Dedicated media outreach as the top tier sponsor
- Logo placement on the festival website with a direct link to the sponsor's website
- Onstage exposure and recognition by emcees

Festival Silver Package (\$2,000):

- Branding on general event materials
- Logo placement in high traffic event area
- 10 x 10 booth space in the vendor village area
- 6 VIP tickets
- Logo placement on the festival website with a direct link to the sponsor's website



Festival Bronze Package (\$300):

- Branding on general event materials
- 2 VIP tickets
- Logo placement on the festival website with a direct link to the sponsor's website

Moonlight Movie Package (\$800):

- Branding on general event materials
- Logo placement on the bottom of the movie screen
- 10 x 10 booth space
- Logo placement on the City's website with a direct link to the sponsor's website

Sandcastle Contest Package (\$1,000):

- Branding on general event materials
- Logo placement on event T-shirts
- 10 x 10 booth space
- Option to provide branded giveaways or event prizes
- Option to participate as an event judge
- Logo placement on the City's website with a direct link to the sponsor's website

Attachment 2 provides further details of the sponsorship packages.

Item 3: RFP for Ticketed Event

Earlier this year, City Council discussed a pilot program for a fully ticketed event. Staff developed a Request for Proposal (RFP) in order to provide fair solicitation to all prospective Event Producers.

To qualify for this RFP, Event Producers must have at least 5 years' experience producing safe, secure special events. Selection criteria include the Event Producer's experience and track record, the scope of the planned event, marketing and promotion, and budget.

Proposals must adhere to the Special Events Policy except for Section 5 paragraph H which limits ticket sales to 50% of the Seawalk lawn area. Only one proposal may be selected. Attachment 3 includes a copy of the RFP for Ticketed Special Event.

FINANCIAL IMPACT



COUNCIL DIRECTION REQUESTED

1. Item 1: Is there consensus among City Council to bring this to a Council Meeting for formal approval?
2. Item 2: Is there consensus among City Council for Parks to move forward with the proposed sponsorships for City-produced events?
3. Item 3: Is there consensus among City Council to move forward with the RFP for a pilot Ticketed Special Event?

ATTACHMENTS

1. 2025 City-produced Events
2. Country Music Fest Logo
3. Sponsorships for City-produced Events
4. RFP for Ticketed Special Event

2025 City-produced Events

January 2025

- 1st Polar Plunge
- 21st Yoga at the Pavilion
- 28th Classic Car Cruise

February 2025

- 18th Yoga at the Pavilion
- 25th Classic Car Cruise

March 2025

- 5th Seawalk Session
- 18th Yoga at the Pavilion
- 21st Moonlight Movie - Little Mermaid 2023 version (rained out in 2024)
- 25th Classic Car Cruise
- 30th WagFest – Dog run and surf contest produced by Ocean Rescue

April 2025

- 2nd Seawalk Session
- 15th Yoga at the Pavilion
- 19th Easter Egg Hunt at Wingate Field
- 22nd Classic Car Cruise
- 26th Sandcastle Contest
- 27th Opening of the Beaches Parade

May 2025

- 7th Seawalk Session
- 9th Moonlight Movie – Top Gun: Maverick (rained out in 2024)
- 20th Yoga at the Pavilion
- 27th Classic Car Cruise

June 2025

- 4th Seawalk Session
- 14th Jax Beach Country Fest
- 17th Yoga at the Pavilion
- 24th Classic Car Cruise

July 2025

- 4th Fireworks
- 15th Yoga at the Pavilion
- 22nd Classic Car Cruise

August 2025

- 19th Yoga at the Pavilion
- 26th Classic Car Cruise

September 2025

- 3rd Seawalk Session
- 16th Yoga at the Pavilion
- 23rd Classic Car Cruise

October 2025

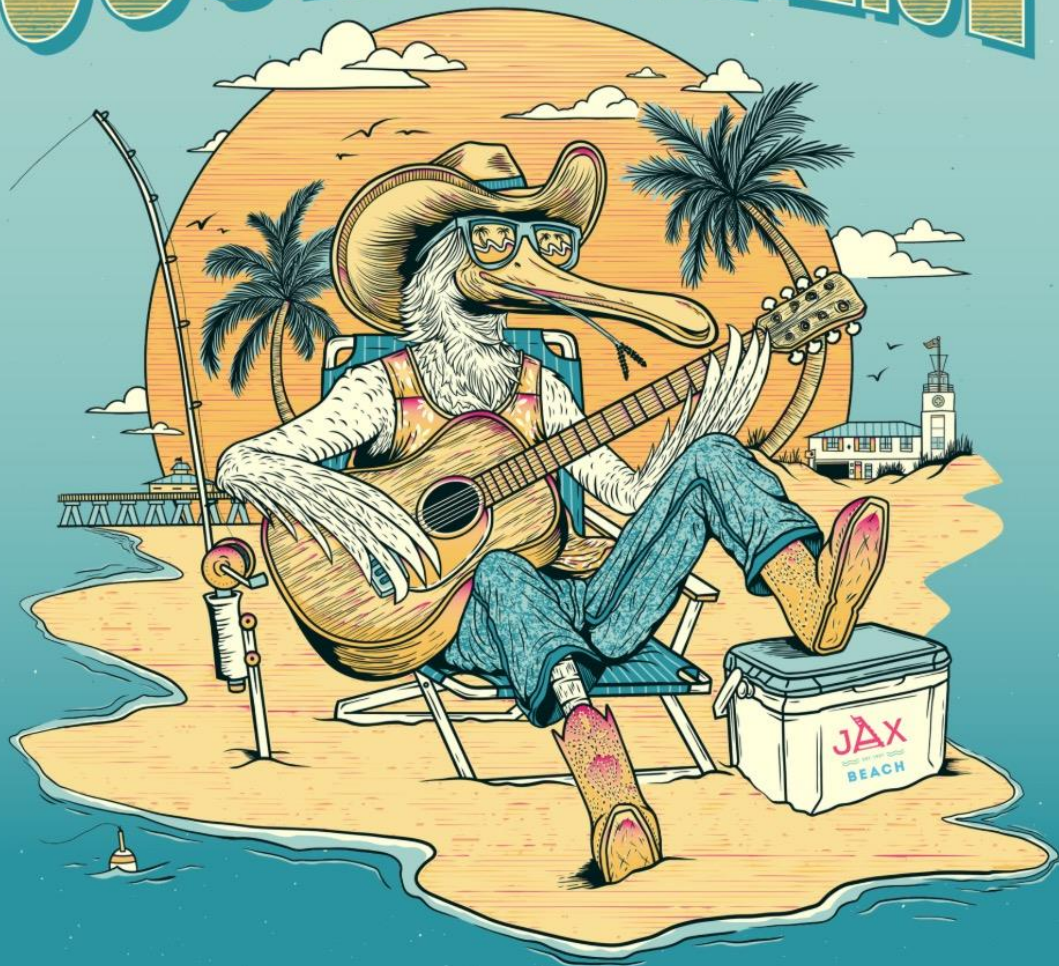
- 1st Seawalk Session
- 21st Yoga at the Pavilion
- 28th Classic Car Cruise
- 31st Trunk or Treat – and Moonlight Movie (Beetlejuice)

November 2025 – no City-produced events scheduled.

December 2025

- 5th Moonlight Movie (Frozen) as part of Deck the Chairs

JAX BEACH
COUNTRY FEST



HEADLINER ONE HEADLINER TWO
ARTIST ARTIST ARTIST ARTIST
ARTIST ARTIST ARTIST ARTIST

SPONSOR SPONSOR SPONSOR SPONSOR SPONSOR SPONSOR SPONSOR



2nd Annual Jax Beach Country Fest

**June 14th, 2025
2pm – 8pm**

**Seawalk Pavilion –
Jacksonville Beach**

Sponsorship Package

GOLD - \$5,000

(4 spots available)

Branding & Visibility

- Exclusive branding as a sponsor on all event materials, including digital ads, flyers, and festival signage.

Festival Presence

- One 10x10 tent space at the festival, in a premium location near the stage.
- 12 VIP guests for employees or guests.
- Your companies branded items (such as coupons, product samples, or flyers) included in the artist lounge area and VIP area.

Media

- Dedicated social media shoutouts before the festival, identifying your brand as a top tier sponsor.
- Your company logo listed as a top tier sponsor on the festival website's homepage, with a direct link to your website.
- Acknowledgment in the post-event recaps and thank you posts.

Onstage Exposure

- Verbal recognition by the festival emcees.
- Company logo on the stage banners.

Sponsorship Package

Silver - \$2,000

(6 spots available)

Branding & Visibility

- Recognition as a sponsor on general event materials.
- Your logo on a banner in a high traffic area, such as the entry check point.

Event Presence

- One 10x10 booth space in the festival vendor village.
- 6 VIP passes for your employees or guests.
- Your companies branded items (such as coupons, product samples, or flyers) included in the artist lounge area and VIP zones.

Media

- Your company logo listed as a sponsor on the festival website's homepage, with a direct link to your website.
- Acknowledgment in the post-event recaps and thank you posts.

Sponsorship Package

Bronze - \$300

Branding & Visibility

- Recognition as a sponsor on general event materials.

Event Presence

- 2 VIP passes for your employees or guests.
- Your companies branded items (such as coupons, product samples, or flyers) included in the artist lounge area and VIP zone.

Media

- Your company logo listed as a sponsor on the festival website's homepage, with a direct link to your website.
- Acknowledgment in the post-event recaps and thank you posts.

Moonlight Movie Dates:

March 21st – Little Mermaid (2023 version)

May 9th – Top Gun: Maverick

October 31st – BeetleJuice

December 5th – Frozen (partnered with Deck the Chairs)

Movie Package

\$800

(4 spots available)

Branding & Visibility

- Recognition as a sponsor on all event flyers and promo.
- Logo on the bottom of the movie screen.

Event Presence

- One 10x10 booth space at each movie.
- Your company thanked in the pre-movie announcements.
- Option to provide branded items to be given as prizes during pre-movie trivia.

Media

- Your company logo listed as a sponsor on all website and social media posts regarding the Moonlight Movie series.

Jax Beach Sandcastle Contest

April 26th, 2025

Sandcastle Package

\$1,000

Branding & Visibility

- Recognition as a sponsor on all event flyers and promo.
- Logo on event t-shirts given to all participants and event staff.

Event Presence

- One 10x10 booth space at the event.
- Your company thanked on site, before the contest begins.
- Option to provide branded products as giveaways, or to the winners of the event.
- Option to have 1 member of your company represented as an event judge.

Media

- Your company logo listed as a sponsor on all website and social media posts regarding the Sandcastle Contest.
- Your company thanked in the post-event recap.

RFP for Ticketed Special Event

SECTION C: TECHNICAL SPECIFICATIONS

OVERVIEW

The City of Jacksonville Beach has a Facility Rental Area that is available to rent to produce special events. The Facility Rental area includes the Seawalk Pavilion, Latham Plaza and the adjacent municipal parking lot. All events are governed by the CITY's Special Events Policy.

Chapter 5 paragraph H. of the Special Events Policy provides the following regarding ticket sales:

"No Special Event will be considered that requires paid admission. Paid priority seating is allowed only in the Seawalk Pavilion as long as at least on half (50%) of the Seawalk Pavilion lawn is open and free to the general public. Latham Plaza must remain free and open to the public."

However, the CITY is seeking to create a pilot program that would allow a one-time exception to this rule to permit the production of a fully ticketed event. This pilot program may be used to affect future amendments to the Special Events Policy.

The intent of this RFP is to solicit proposals for a ticketed special event. To qualify for this RFP, Event Producers must have at least 5 years' experience producing safe, secure special events. Selection criteria shall include the Event Producer's experience and track record, the scope of the planned event, marketing and promotion, and budget. Only one proposal may be selected.

Except for Chapter 5 paragraph H, proposals must adhere to the attached Special Events Policy.

SECTION D: EVALUATION AND AWARD PROCEDURES

EVALUATION OF PROPOSALS:

All RFP Packages submitted shall be evaluated by the Special Events Committee. Each Evaluation Committee Team Member will receive a set of all the RFP Packages submitted, a copy of the RFP Document and shall evaluate each RFP Package according to the criteria described herein.

It is the intention of the CITY to evaluate and rank each RFP submittal from highest to lowest utilizing the evaluation criteria listed below, and recommend a ticketed special event awarded to the highest-ranking submittal.

The Evaluation Committee's decision shall be final. The CITY reserves the right to, at its sole discretion, accept or reject any and all submittals, request clarifications from any

prospective Event Producer or individual, amend or modify the terms of this RFP, or re-issue the RFP if such action is in the best interest of the CITY.

If there is any doubt as to the true meaning of any part of this RFP, or if any discrepancies in or omissions from this RFP are discovered, a written request for an interpretation or correction may be submitted to the Property and Procurement Division at Purchasing@jaxbchfl.net for response.

Written requests may be forwarded to: Property and Procurement Division; 1460A Shetter Avenue, Jacksonville Beach, FL 32250. The Respondent submitting the request will be responsible for delivery no later than seven calendar days before the submittal due date.

Any clarification or correction of this RFP will be made only by written addendum. The CITY will not be responsible for any other explanation or interpretations of the documents.

Evaluation of the responses to this RFP will comply with the following specific criteria:

- | | |
|--|--------------------|
| 1. Experience and Track Record | (25 Points) |
| 2. Scope of Proposed Ticketed Event | (60 Points) |
| 3. Marketing and Promotion | (5 Points) |
| 4. Proposed Budget | (10 Points) |

The Respondent shall be responsible for following the instructions contained herein and submitting an organized, comprehensive, and effectively presented RFP Package, which includes all of the required information and requested back-up documentation. The quality of the RFP Package submitted by the respondent shall be evaluated based on the format, organization, and thoroughness of documentation. Each respondent shall submit a response to each item in the order listed below:

1. Experience and track record (25 points)

- a) List events produced over last 5 years and include venues, crowd size and budget
- b) Provide documentation/proof – permit, photos, advertisements, etc.
- c) List 3 references include all contact information

2. Scope of Proposed Ticketed Event (60 points)

- a) Describe your proposed event – include preferred date, time and length as well as target demographic, crowd size, etc.
- b) What will a ticketed event enable you to produce?
- c) How does this ticketed event benefit the attendees and/or the public?
- d) Provide an explanation on the potential socio-economic benefit to the City.
- e) Describe methodology to capture attendance and other economic related data.
- f) Provide a site plan, drawn to scale, for the proposed event

- g) Describe a transportation plan to move event attendees safely to and from the event site
- h) Describe an emergency action plan for the proposed event
- i) Complete the attached Special Event Application – see Attachment B.

3. Marketing and promotion (5 points)

- a) Describe marketing and promotion plans – platforms to be used and access for CITY oversight?

4. Budget proposal (10 points)

- a) Provide proposed ticket pricing, include any quantities and scaling
- b) Describe additional revenue sources, if any

The Respondent shall be responsible for following the instructions contained herein and submitting an organized, comprehensive, and effectively presented RFP Package, which includes all of the required information and requested back-up documentation. The quality of the RFP Package submitted by the respondent shall be evaluated based on the format, organization, and thoroughness of documentation.



CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Sheri Gosselin, City Clerk
DATE:	December 9, 2024
SUBJECT:	Board Appointments

BACKGROUND

At the November 12, 2024, Council Briefing, Mayor Hoffman requested the Council discuss the applicants for appointment/reappointment on various City boards to try to reduce the large number of candidates. At the April 12, 2021, Council Briefing, there was consensus by the Council to discuss the candidates at a Briefing as part of the process before formally appointing members at a Council meeting in December.

There are 38 eligible board applicants and four current board members who have been interviewed. Council Members were provided with the applications and interview audio files. Board members with expiring terms and any vacant seats will be presented to the City Council on December 16, 2024, for appointment/reappointment consideration.

FINANCIAL IMPACT

None.

COUNCIL DIRECTION REQUESTED

Does the Council wish to reduce the number of eligible board applicants formally brought to the December 16, 2024, Council meeting for consideration of the expiring and vacant board seats?

ATTACHMENTS

1. Supplemental information

Eligible Board Applicants
(designated 1st board preference)

Board of Adjustment	Planning Commission	CRA
Douglas Dell	Michael Bibb	Bill Boyd
Alexander Ertel	Jerry Beatty	Raymond Bragg
Michelle Graudins	Erica Cassidy	Patrick Franklin
Gary Hawckett	Caren Doherty	Marcus Kampfe
Bobby Knudsen	Matthew Filer	Seamus Keenan
Mary Ostroska	Dean Haddock, Jr.	Samuel Langham
Anthony Recco	John Hanna, Jr.	Virginia Madsen
Sydney Talcott	Andrew Hrycaj	Ken Marsh
	Greg Kleffner	Kevin Myers
	Debra Klein	Matthew Roberts
	Brent Knauff	Lucas Snyder
	Richard Landes	Peter Weigold
	Kimberly Law	
	John Leynes	
	Roy Munn, Jr.	
	John O'Connor	
	Amy St. Denis	
	Margarete Vest	

Current Board Members Seeking Reappointment
(and current or upcoming vacant seats)

Board of Adjustment	Planning Commission	CRA
Jennifer Williams Regular Member	Justin Lerman Regular Member	Frances Povloski Regular Member
Vacancy Regular Member	Justin Henderson 1 st Alternate	Vacancy Regular Member
	Vacancy Regular Member	Vacancy 2 nd Alternate

CITY COUNCIL BRIEFING TOPIC	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Heather Ireland, Planning and Development
DATE:	December 9, 2024
SUBJECT:	1946 Boardwalk Ordinance

BACKGROUND

At a City Council Briefing held on September 9, 2024, during a discussion regarding the expansion of the successful Pilot Sidewalk Dining Program, Council Members brought up the lack of activity on the boardwalk downtown between the Atlantic Ocean and certain oceanfront properties. There was an inquiry regarding outside dining and other activities on the boardwalk. Council was advised by the City Manager that there was an ordinance from 1946 (Ordinance 4512) that prohibited activities on the boardwalk. Staff was directed to research the aforementioned ordinance and its history to report back to Council for a future discussion regarding potential reactivation of the boardwalk.

In 1914, through Bill B-33, the Town Council for the Town of Pablo Beach vacated certain portions of “Ocean Boulevard” from Wakulla Avenue on the north and Hillsboro Avenue on the south (town limits at the time), subject to the restrictions of said ordinance. The Town Council at the time determined that the land between the bulkhead and oceanfront lots was of “no value to the Town of Pablo Beach”. Oceanfront property owners were permitted to purchase the deed to said vacated portions of “Ocean Boulevard” and use it as if it was never platted as a right-of-way. This included the ability to construct/repair the bulkhead and fill in the property. The restriction of the ordinance stated that “no building of any sort, nature, or description whatsoever, except fences shall be constructed upon said land within fifteen feet of said bulkhead except by special ordinance”.

In 1921, the Town Council for the Town of Pablo Beach adopted Ordinance 131, amending Ordinance B-33, stating that the town retains the right to build and maintain a 15-foot wide public sidewalk along the east side of the property, in perpetuity. In 1932, the now City of Jacksonville Beach City Council adopted Ordinance E-610, once again amending Ordinance B-33, regulating the application for deeds of relinquishment of parts of “Ocean Boulevard”, as provided for in Ordinance B-33. This amendment essentially required that property owners desiring to obtain parts of “Ocean Boulevard” shall make application to the City and provide information on the construction of the bulkhead and related fill.

In 1934 and 1938, the City established updated building restriction lines. In 1946, the City adopted Ordinance 4512, which reestablished the building restriction lines for properties abutting the bulkhead and provided for specific restrictions. The building restriction lines were designated and established west of the concrete bulkhead as follows:

- Twenty-five (25) feet from Twentieth Avenue North to Sixth Avenue North;
- Thirty-five (35) feet from Sixth Avenue North and Third Avenue South; and
- Twenty-five (25) feet from Third Avenue South to the southern city boundary.

The restrictions confirmed in Ordinance 4512, as written, make it unlawful for any "building, structure, vehicle, or apparatus of any kind or nature" to be constructed, built, erected, parked, or placed in or upon, or to operate or conduct a business activity or concession of any kind or nature within the area lying easterly of the building restriction line. However, open air pavilions with floor space dimensions not larger than 10 feet by 12 feet may be permitted to be erected in the prohibited area. This ordinance also ended the continued operation of portable popcorn, peanuts or similar portable food stands, beyond March 31, 1947.

In 1982, Ordinance 7161 codified and amended the restrictions of Ordinance 4512 into Section 7-1 of the City Code of Ordinances. The amendment established a building restriction line of 50 feet west of the bulkhead from Twenty-fifth Avenue South and the southern city boundary. This is generally consistent with the current Florida Department of Environmental Protection (FDEP) General Permit (GP) Line.

Staff understands that the City Council desires to better activate the boardwalk to provide a safe, clean, activated space for residents and visitors.

There are several things to consider:

1. Activation of the boardwalk will require amending Section 7-1 and 7-2 of the City Code of Ordinances.
2. Safety lighting on the boardwalk is regulated by the Florida Department of Environmental Protection and the City's Sea Turtle Lighting Ordinance. Additional lighting will have to comply with existing regulations.
3. Seating was removed from the boardwalk due to problems with vagrants and loitering.
4. Activation of space on the boardwalk will result in the need for additional police presence during busy times to provide adequate safety.
5. Adequate space on the boardwalk needs to remain clear to accommodate access by emergency service vehicles.

The following are some suggested amenities for the City Council to consider:

- Outdoor restaurant dining
- Entertainment
- Amusement
- Seating
- Art installations
- Temporary vendors
- Bike racks

Examples of communities with active boardwalks:

1. Daytona Beach, FL



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

2. Hollywood Beach, FL
3. Coney Island, NY
4. Virginia Beach, VA
5. Ocean City, MD
6. Myrtle Beach, SC

FINANCIAL IMPACT

N/A

COUNCIL DIRECTION REQUESTED

For discussion purposes.

ATTACHMENTS

1. Boardwalk Examples with Photos and Details
2. 1946 Boardwalk Ordinance

BOARDWALK EXAMPLES

1. Daytona Beach, FL

- Shopping, arcade, restaurants, snack bars, gifts shops, band shell, rides, street performers,
- 1.1 miles long



2. Hollywood Beach, FL

- Restaurants, shopping, seating wall, benches, band shell, dedicated bike lane, live entertainment, water sports, splash pad, playground
- 2.5 miles long



3. Coney Island, NY

- Restaurants, concession stands, playgrounds, amusement rides, restrooms, seating, drinking fountains, aquarium, performance venue,
- 2.7 miles long



4. Virginia Beach, VA

- Restaurants, shopping, playground, live entertainment, museum, art installations, seating, aquarium,
- 3 miles long



5. Ocean City, MD

- Restaurants, shopping, amusement rides, parks, museum, water sports, seating, playgrounds, live music
- 2.9 miles long



6. Myrtle Beach, SC

- Restaurants, shopping, amusement rides, attractions, seating, live music
- 1.2 miles long



Jacksonville Beach, FL

- Restaurants, bars, shopping
- 0.5 miles long



Introduced

1st Reading: 1-24-46

2nd Reading: 4-1-46

3rd Reading: 4-1-46

(Amended)

ORDINANCE NO. 4512

AN ORDINANCE DESIGNATING AND ESTABLISHING A BUILDING LINE ALONG THE EASTERN FRONTAGE OF PROPERTY ABUTTING THE CONCRETE BULKHEAD ALONG THE SHORE OF THE ATLANTIC OCEAN IN THE CITY OF JACKSONVILLE BEACH, AND PROHIBITING THE CONSTRUCTION, ERECTION, PARKING, OR PLACING OF BUILDINGS, STRUCTURES, VEHICLES, OR APPARATUS, OR THE OPERATION OR CONDUCT OF ANY BUSINESS ACTIVITY OR CONCESSION, IN THE AREA LYING EASTERLY OF SUCH BUILDING LINE.

BE IT ORDAINED BY THE CITY OF JACKSONVILLE BEACH:

SECTION 1. That for the purpose of regulating the construction and erection of buildings or structures of any kind, and the operation and conduct of business activity or concession of every nature and kind upon property abutting the concrete bulkhead or seawall located along the shore line of the Atlantic Ocean in the City of Jacksonville Beach, Florida, between the easterly projection of the center line of Twentieth Avenue, North (20th Ave. North, formerly known as Dixie Avenue), the same being the north boundary line of said City of Jacksonville Beach, and the easterly projection of the South line of Section 10, Township 3 South, Range 29 East, the same being the south boundary line of said City of Jacksonville Beach, a building line is hereby designated and established which shall be Westerly of the Eastern extremity of said bulkhead line, and run parallel thereto at the respective distance hereinafter set forth, to-wit:

(a) Between the easterly projections of the center line of Twentieth Avenue, North (formerly known as Dixie Avenue) and the South line of Sixth Avenue, North (formerly known as Hernando Avenue) a distance of 25 feet (twenty-five feet) and

(b) Between the easterly projections of the south line of Sixth Avenue, North (formerly known as Hernando Avenue) and the North line of Third Avenue, South (formerly known as Griner Avenue) a distance of thirty-five (35) feet, and

(c) Between the easterly projections of the North line of Third Avenue, South (formerly known as Griner Avenue) and the South Line of Section 10, Township 3 South, Range 29 East, a distance of twenty-five (25) feet, which said respective distances fixed above shall be maintained at a uniform length at any given point by measurement at right angles between said building line and the Eastern extremity of said bulkhead or seawall as the same now, or hereafter may exist.

SECTION 2. That hereafter it shall be unlawful for any building, structure, vehicle, or apparatus of any kind or nature to be constructed, built, erected, parked, or placed in or upon, or to operate or conduct a business activity or concession of any kind or nature within, the area lying Easterly of the building line designated and established in Section 1 of this Ordinance and any building, structure, vehicle, or apparatus so constructed, erected, parked, or placed within said prohibited area is hereby declared to constitute a nuisance, provided, however, that open air pavilions with floor space dimensions not larger than 10 feet by 12 feet may be permitted to be erected in said prohibited area lying between the boundary described in sub-paragraphs a and c of Section 1 hereof, upon the express condition that such permission may be revoked at any time by resolution by the City Council and that whenever the City Council shall adopt such resolution and give to the owner or the party in possession of the land upon which such pavilion is situated, or either thereof, 15 days written notice thereof, any such open air pavilion as may have been erected shall, at the expiration of said 15 days notice be immediately torn down, demolished or removed from within said prohibited area without cost, expense or liability for damages of any kind or nature to or against said city; and provided further that nothing herein shall prevent the continued operation during the fiscal year beginning April 1, 1946, and ending March 31, 1947, of any popcorn, peanut or similar portable stand within the 11 feet immediately east of and adjacent to the building line referred to in sub-paragraph b of Section 1 of this Ordinance which was previously licensed to operate during the fiscal year from April 1, 1945, to March 31, 1946, upon payment to the city of such occupational or other taxes as may be assessed, and provided

further that no such operation or concession of any kind shall be allowed or continued within said 11-foot area after March 31, 1947.

SECTION 3. That any person convicted of violating any of the provisions hereof may be punished by fine not exceeding \$100.00 or by imprisonment for not more than 30 days or by both such fine and imprisonment.

SECTION 4. That all laws or parts of laws (including but not limited to Ordinance Number F-510 and 1026) in conflict herewith be, and the same are hereby repealed.

SECTION 5. This ordinance shall take effect thirty (30) days after its passage and publication as required by law.

AUTHENTICATED this 2nd day of April, A.D. 1946.

W. C. Brown
MAYOR

W. C. Smith
CITY CLERK