



City of Jacksonville Beach

11 North Third Street
Jacksonville Beach, Florida

Agenda

City Council

Monday, May 2, 2022

6:00 PM

Council Chambers

MEMORANDUM TO:

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

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. Regular City Council Meeting held on April 18, 2022
- B. Council Briefing held on April 25, 2022

ANNOUNCEMENTS

COURTESY OF THE FLOOR TO VISITORS

MAYOR AND CITY COUNCIL

CITY CLERK

CITY MANAGER

- A. Appoint, as a ministerial act, John Gosztyla to serve as fifth member on the Police Officers' Retirement System Board of Trustees
- B. Appoint, as a ministerial act, Deborah White to serve as fifth member on the Firefighters' Retirement System Board of Trustees
- C. Award/Reject Bid No. 2122-08 PCP Digester Tank, Air Piping and Stairway Modifications to PBM Constructors, Inc., in the amount not to exceed \$1,229,206; and a construction administration services agreement to Four Waters Engineering, Inc., in the amount not to exceed \$29,492

RESOLUTIONS

- A. Adopt/Deny Resolution No. 2108-2022 adopting the Remote Participation Policy

ORDINANCES

ADJOURNMENT**NOTICE**

In accordance with Section 286.0105, Florida Statutes, if any person decides to appeal any decision made by the council with respect to any matter considered at such meeting, he or she will need a record of the proceedings. For such purpose, he or she 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 special accommodations 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.

You may use this website <http://www.jacksonvillebeach.org/publichearinginfo> to find information concerning the hearing process. This information is also available in the City Hall first floor display case.

**Minutes of Regular City Council Meeting
held Monday, April 18, 2022, at 6:00 P.M.
in the Council Chambers, 11 North 3rd Street,
Jacksonville Beach, Florida**



OPENING CEREMONIES:

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	Dan Janson	Fernando Meza
	Cory Nichols	Chet Stokes	Georgette Dumont

Also present were: City Manager Mike Staffopoulos, City Attorney Sandra Robinson, Chief Financial Officer Ashlie Gossett, Director of Public Works Dennis Barron, Deputy City Manager Karen Nelson, Director of Planning and Development Heather Ireland, Senior Planner Christian Popoli, 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 April 4, 2022
- Council Briefing held on April 11, 2022

ANNOUNCEMENTS:

Council Member Golding acknowledged the retirement of Sergeant Paul Watkins from the Jacksonville Beach Police Department and thanked him for his 25 years of service. She announced the Opening of the Beaches Parade would be held on April 24, 2022. Ms. Golding noted she attended the Sunshine Playground reopening.

Council Member Meza thanked Sergeant Watkins for his service. He also spoke about the Sunshine Playground reopening. He said the 37th Easter Egg Hunt was a great event as well.

Mayor Hoffman thanked Mr. Meza for playing the Easter Bunny at the event.

COURTESY OF THE FLOOR TO VISITORS:

Mayor Hoffman extended Courtesy of the Floor to visitors. She noted the plan was to open the floor for an hour and then reassess if more time was needed for public comment at the end of the meeting. She addressed a rumor about the lifeguard station and confirmed there was no discussion or plans to sell the building.

The following spoke regarding the Volunteer Life Saving Corps (VLSC):

- Tim Saggau, President of the Board of Directors of the VLSC
- Charles Bond, past President of the Board of Directors of the VLSC
- Maurice Rudolph, past President of the Board of Directors of the VLSC and former Northeast Florida American Red Cross Chairman

Additional speakers regarding the VLSC:

- | | | |
|-------------------|---------------------|--------------------|
| • Jim Emery | • Thomas Cassaro | • Dan Parker |
| • Corey Wright | • Chrissy Henry | • Michael Atkins |
| • Caden Sanders | • Danny Pulido | • Dylan Beaver |
| • Britton Sanders | • Sean O'Brien | • Chris Saggau |
| • Norman Rountree | • John Sheddan | • Hank Isaacs |
| • Brian Murphy | • Josh Langley | • Paul McKiniry |
| • Bill Horn | • Mary Phillips | • Joshua Avera |
| • Mark Messinese | • Nath Doughtie | • Shannon Stanford |
| • William Hardin | • Paul Roeftges | • Timothy Kline |
| • Thomas Brock | • Christopher Titus | • Joseph Kohlaas |
| • Mickey Copa | • Robyn Matthews | • Randy Osborn |
| • Jake Chrisman | • John Atkins | • Jessica Thompson |
| • Taylor Anderson | • Anne Garner | |

The following submitted speaker cards regarding the VLSC but did not wish to speak:

- Patti Mason
- Brett Brenner

Recess called at 7:59 p.m. Meeting resumed at 8:10 p.m.

MAYOR AND CITY COUNCIL:

Item A Present Certificate to Council Member Georgette Dumont for completion of the Leadership Academy I program held in Kissimmee, Florida, on March 11-12, 2022.

Mayor Hoffman congratulated Council Member Dumont for her completion of the Leadership Academy I program. She read an additional congratulatory message from the following submitted speaker card:

- Shandy Thompson, 522 3rd Avenue South, Jacksonville Beach

CITY CLERK: *No items*

CITY MANAGER:

Item A Accept/Reject the Monthly Financial Reports for the month of March 2022

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the Monthly Financial Reports for the month of March 2022.

Discussion:

A discussion ensued regarding the Beaches Energy deficit.

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

Item B Approve/Disapprove an Agreement with Jones Edmunds & Associates, Inc., for Engineering Services under the Continuing Professional Engineering Services Contract in the amount of \$62,565

Director of Public Works Dennis Barron stated the work was planned to be completed in-house, but staffing changes impacted the ability to do so.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve an Agreement with Jones Edmunds & Associates, Inc., for Engineering Services under the Continuing Professional Engineering Services Contract in the amount of \$62,565.

Discussion: *None*

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

Item C Award/Reject RFP Number 05-2122 Environmental Sampling and Analytical Lab Services to Advanced Environmental Laboratories, Inc., and authorize the Mayor and City Manager to execute the final contract

Mr. Barron stated Public Works was at the end of a five-year contract with this vendor. He noted the two bidders from previous years had gone out of business.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to award RFP Number 05-2122 Environmental Sampling and Analytical Lab Services to Advanced Environmental Laboratories, Inc., and authorize the Mayor and City Manager to execute the final contract.

Discussion:

In response to Ms. Dumont's inquiry about other companies, Mr. Barron confirmed they requested bids from several area vendors, but this was the only response received.

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

Item D Approve/Disapprove negotiations for scope and fee with the highest-ranking respondent, Kimley-Horn and Associates, Inc., or the next highest-ranking firm until a successful agreement is reached for consulting services to update the Comprehensive Plan and Land Development Code

Director of Planning and Development Heather Ireland explained three responses were received, and an evaluation committee reviewed them. After scoring the three proposals, the committee recommended using Kimley-Horn and Associates, Inc. as the consultant for the project. Following approval, she clarified staff would work with Kimley-Horn to finalize the scope and fees.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve negotiations for scope and fee with the highest-ranking respondent, Kimley-Horn and Associates, Inc., or the next highest-ranking firm until a successful agreement is reached for consulting services to update the Comprehensive Plan and Land Development Code.

Discussion:

A discussion ensued about providing more time to the Council to review the responses.

Ms. Ireland noted there were five staff members on the evaluation committee, and she expressed confidence the vendor who ranked the highest was qualified.

Motion to Amend: It was moved by Ms. Golding, seconded by Mr. Stokes, to defer the item until the next meeting.

Discussion:

A discussion ensued regarding the impact of delaying the process, community input on Kimley Horn's response, and the project's long-lasting effects.

Roll Call Vote on Amended Motion: Ayes – Golding
Nays – Meza, Nichols, Stokes, Dumont, Janson, Mayor Hoffman.
The amended motion failed 6-1.

Roll Call Vote on Original Motion: Ayes – Nichols, Stokes, Dumont, Golding, Janson, Meza, Mayor Hoffman.
The original motion passed unanimously.

City Manager Mike Staffopoulos noted as soon as they had a final negotiated scope of work, they would provide a copy to the Council ahead of any upcoming meeting.

Item E Approve/Disapprove the sale of vacant residential lots in the Southend Redevelopment District on Horn Court and Sunshine Court; and

Approve/Disapprove the use of GovDeals online auction site to sell the lots

Ms. Ireland provided a brief background on the item and clarified the request. She referenced Resolution Item A.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the sale of vacant residential lots in the Southend Redevelopment District on Horn Court and Sunshine Court.

Discussion: *None*

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

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve the use of GovDeals online auction site to sell the lots.

Discussion: *None*

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

RESOLUTIONS

Item A Adopt/Deny Resolution No. 2105-2022 approving a Memorandum of Understanding/Intralocal Agreement with the Community Redevelopment Agency for the sale of surplus public real property in the Southend CRA District and authorizing GovDeals to conduct the public auction

Mayor Hoffman requested the City Clerk read Resolution No. 2105-2022 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING/ INTRALOCAL AGREEMENT BETWEEN THE JACKSONVILLE BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF JACKSONVILLE BEACH, FLORIDA, FOR THE SALE AND TRANSFER OF SURPLUS PUBLIC REAL PROPERTY COMMONLY REFERRED TO AS THE SUNSHINE COURT LOTS AND HORN COURT LOT AND AUTHORIZING GOVDEALS TO CONDUCT THE PUBLIC AUCTION; 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. 2105-2022, approving a Memorandum of Understanding/Intralocal Agreement

with the Community Redevelopment Agency for the sale of surplus public real property in the Southend CRA District and authorizing GovDeals to conduct the public auction.

Discussion: *None*

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

Item B Adopt/Deny Resolution No. 2109-2022 establishing and adopting the Legislative Policies Manual

Mayor Hoffman requested the City Clerk read Resolution No. 2109-2022 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, ESTABLISHING AND ADOPTING A LEGISLATIVE POLICIES MANUAL; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF CONFLICTING RESOLUTIONS AND CITY COUNCIL DECISIONS, ADMINISTRATION ASSIGNMENT AND AUTHORIZATION, SEVERABILITY, AND AN EFFECTIVE DATE.”

Public Hearing:

The following spoke in opposition to the adoption of the resolution:

- John McGowan, 5 North 17th Avenue, #901, Jacksonville Beach

Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2109-2022, establishing and adopting the Legislative Policies Manual.

Discussion:

Ms. Dumont stated the policy was a working document from the former City Attorney and needed to be reviewed further.

Motion to Amend: It was moved by Ms. Dumont, seconded by Mr. Meza, to defer the item to the next Regular Council meeting.

Discussion:

A discussion ensued regarding possibly deferring the item to a future Council meeting or a Council Briefing, whether City Attorney Sandra Robinson reviewed all sections of the document, and concerns about the section addressing the media.

Ms. Dumont attempted to withdraw her motion, but Mayor Hoffman suggested a roll call vote. City Clerk Sheri Gosselin noted the item was tied to the second Ordinance on the agenda.

Roll Call Vote on Amended Motion: Ayes – None
Nays – Janson, Meza, Nichols, Stokes, Dumont, Golding,
Mayor Hoffman.
The amended motion failed 7-0.

Motion to Amend: It was moved by Ms. Dumont, seconded by Mr. Janson, to defer the item to the next Council Briefing.

Discussion: *None*

Roll Call Vote on Amended Motion: Ayes – Meza, Nichols, Stokes, Dumont, Golding, Janson,
Mayor Hoffman.
The amended motion passed unanimously.

Item C **1. Adopt/Deny Resolution No. 2110-2022, amending the Position Classification and Pay Plan for Managerial, Professional, and Administrative (Nonunion) Positions; amending the Collective Bargaining Agreement with the Florida State Lodge, Fraternal Order of Police; and amending the Collective Bargaining Agreement with the Northeast Florida Public Employees, Local 630.**

2. Approve/Disapprove a 3% increase for the City Attorney and City Manager.

Mayor Hoffman requested the City Clerk read Resolution No. 2110-2022 by title only, whereupon Ms. Gosselin read the following:

“A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH, FLORIDA AUTHORIZING A WAGE ADJUSTMENT FOR CITY EMPLOYEES; AMENDING THE POSITION CLASSIFICATION AND PAY PLAN FOR NONUNION POSITIONS; AMENDING THE COLLECTIVE BARGAINING AGREEMENTS; AUTHORIZING THE EXECUTION OF MEMORANDUMS OF UNDERSTANDING; PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF PRIOR INCONSISTENT RESOLUTIONS, SEVERABILITY, AND AN EFFECTIVE DATE.”

Public Hearing:

The following spoke in opposition to Item C2:

- Shandy Thompson, 522 3rd Avenue South, Jacksonville Beach

Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Resolution No. 2110-2022, amending the Position Classification and Pay Plan for Managerial, Professional, and Administrative (Nonunion) Positions; amending the Collective

Bargaining Agreement with the Florida State Lodge, Fraternal Order of Police; and amending the Collective Bargaining Agreement with the Northeast Florida Public Employees, Local 630.

Discussion:

Deputy City Manager Karen Nelson noted the Resolution would provide a cost-of-living increase for all employees except Ocean Rescue staff, as they were approved for an increase on April 4, 2022. She explained the increase would help with recruitment and retention efforts.

A discussion ensued regarding the collective bargaining with the Fraternal Order of Police, minimum wage, and the 2026 deadline to meet \$15 an hour.

Ms. Nelson confirmed calculations had been run with various percentages. She said it was decided to reserve funding since the City was entering mid-contract negotiations this year. Additionally, she noted a market study would be completed this summer.

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

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to approve a 3% increase for the City Attorney and City Manager.

Discussion:

A discussion ensued regarding the previous raise for the City Manager, the importance of raising pay for lower-wage employees, and the inflation rate.

Mr. Staffopoulos offered to defer his increase until his next performance evaluation period.

Roll Call Vote: Ayes – Nichols
Nays – Stokes, Dumont, Golding, Janson, Meza, Mayor Hoffman
The motion failed 6-1.

ORDINANCES

Item A Adopt/Deny Ordinance No. 2022-8173 Amending Ordinance No. 2020-8157 on the second reading (Extends the moratorium on micromobility devices and motorized scooters)

Mayor Hoffman requested the City Clerk read Ordinance 2022-8173 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE BY THE CITY OF JACKSONVILLE BEACH, FLORIDA, AMENDING ORDINANCE NO. 2020-8157 WHICH IMPOSED A TEMPORARY MORATORIUM ON THE COMMERCIAL RENTAL AND LEASE, AND USE OF RENTED

AND LEASED, ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES, MICROMOBILITY DEVICES, AND MOTORIZED SCOOTERS; CONTINUING THE BASIS FOR THE EMERGENCY MORATORIUM; AND EXTENDING THE MORATORIUM 16 MONTHS FROM THE ORIGINAL EFFECTIVE DATE.”

Mayor Hoffman read the following: “This ordinance is before this Council for a public hearing and consideration on its second reading. I will now open the public hearing on Ordinance 2022-8173.”

Public Hearing:

No one came forth to speak on the item. Mayor Hoffman closed the public hearing.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2022-8173, amending Ordinance No. 2020-8157 on the second reading extending the moratorium on micromobility devices and motorized scooters.

Discussion: *None*

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

Item B **Approve/Disapprove Ordinance No. 2022-8174 repealing Division 2 of Chapter 2, Article II, of the City Code of Ordinances on the first reading and schedule a second reading for May 2, 2022**

Mayor Hoffman said the item was now moot and asked for a motion to defer indefinitely.

Motion: It was moved by Ms. Dumont, seconded by Ms. Golding, to defer indefinitely Ordinance No. 2022-8174.

Discussion: *None*

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

Item C **Adopt/Deny Ordinance No. 2022-8176 adopting the boundaries of three City Council Districts pursuant to the 2020 federal census on the second reading**

Mayor Hoffman requested the City Clerk read Ordinance 2022-8176 by title only, whereupon Ms. Gosselin read the following:

"AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA, PERTAINING TO ELECTIONS IN JACKSONVILLE BEACH, FLORIDA; REVISING THE BOUNDARIES OF THREE

CITY COUNCIL DISTRICTS PURSUANT TO THE 2020 FEDERAL CENSUS; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF ORDINANCE NO. 2011-8013 AND OF OTHER CONFLICTING ORDINANCES, DESCRIPTION OF THE PLAN TO BE ENTERED UPON THE MINUTES, SCRIVENER'S ERRORS, SEVERABILITY, EFFECTIVE DATES, AND APPLICABILITY."

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 2022-8176."

Public Hearing:

No one came forth to speak on the item. Mayor Hoffman closed the public hearing.

Senior Planner Christian Popoli confirmed this Ordinance was for Option 1, and he was available to answer questions.

Motion: It was moved by Mr. Nichols, seconded by Ms. Golding, to adopt Ordinance No. 2022-8176, adopting the boundaries of three City Council Districts pursuant to the 2020 federal census on the second reading.

Discussion: *None*

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

A copy of adopted Ordinance 2022-8176 describing the boundaries of three City Council Districts pursuant to the 2020 Census is attached to and made part of these minutes.

ADJOURNMENT:

There being no further business, the meeting adjourned at 9:17 P.M.

Submitted by: Sheri Gosselin
City Clerk

Approval:

Christine H. Hoffman, MAYOR

Date: _____

Introduced by: Council Member Cory Nichols
1st Reading: April 4, 2022
2nd Reading: April 18, 2022

ORDINANCE NO. 2022-8176

AN ORDINANCE OF THE CITY OF JACKSONVILLE BEACH, FLORIDA PERTAINING TO ELECTIONS IN JACKSONVILLE BEACH, FLORIDA; REVISING THE BOUNDARIES OF THREE CITY COUNCIL DISTRICTS PURSUANT TO THE 2020 FEDERAL CENSUS; PROVIDING FOR LEGISLATIVE FINDINGS, REPEAL OF ORDINANCE NO. 2011-8013 AND OF OTHER CONFLICTING ORDINANCES, DESCRIPTION OF THE PLAN TO BE ENTERED UPON THE MINUTES, SCRIVENER'S ERRORS, SEVERABILITY, EFFECTIVE DATES, AND APPLICABILITY.

WHEREAS, the City of Jacksonville Beach, Florida ("City") has the authority to adopt this Ordinance pursuant to Article VIII of the Constitution of the State of Florida, Section 166.031(3) of the Florida Statutes, and Section 3, Chapter I, Charter of Jacksonville Beach, Florida ("City Charter"); and

WHEREAS, the City Charter requires the City Council to adopt an ordinance reapportioning its voting district every 10 years based upon changes in the most recent Florida and U.S. Census so that each district is contiguous in territory and nearly equal in population as practicable so as to promote fair representation; and

WHEREAS, it is the intent of this Ordinance to comply with these aforesaid requirements, as well as those set forth pursuant to federal jurisprudence.

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

SECTION 1. Findings of Fact. The City Council hereby adopts the following Findings of Fact:

A. Chapter I, Section 3 of the Jacksonville Beach City Charter requires that the Jacksonville Beach City Council ("City Council") divide the City into districts of contiguous territory as nearly equal in population as practicable after each decennial census. Such decennial redistricting is also required pursuant to federal jurisprudence, specifically the "one person, one vote" principle derived by the U.S. Supreme Court from the Fourteenth Amendment.

B. The City Council carefully reviewed and evaluated the data provided by the U.S. Census Bureau, considered input provided by members of the public as well as input provided by members of the City Council in their capacity as the elected representatives of their pre-existing City Council Districts, and adhered to all applicable legal criteria, including federal equal population law, federal anti-discrimination law, the Voting Rights Act, and state and local contiguity requirements prior to the enactment of this Ordinance.

C. The City Council determined, in its sole discretion and authority, that the district lines as hereby adopted preserve districts of contiguous territory and nearly equal apportionment of the population as practicable while strictly comporting with applicable federal, state, and local law pertaining to redistricting.

SECTION 2. Redistricting. Chapter III, Section 19, Appendix "A", of the Charter of the City of Jacksonville Beach, Florida is hereby amended by deleting the existing section in its entirety and replacing it with the following:

Appendix "A"

City of Jacksonville Beach Voting Districts

District 1

Commencing at the intersection of the easterly projection of the centerline of Beach Boulevard (U.S. Highway 90) with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the easterly projection of the centerline of 13th Avenue South; thence west along the centerline of 13th Avenue South to its intersection with the centerline of South 1st Street; thence south along the centerline of South 1st Street to its intersection with the centerline of 14th Avenue South; thence west along the centerline of 14th Avenue South to its intersection with the centerline of South 2nd Street; thence south along the centerline of South 2nd Street to its intersection with the centerline of 15th Avenue South; thence west along the centerline of 15th Avenue South to its intersection with the centerline of South 9th Street; thence south along the centerline of South 9th Street to its intersection with the centerline of 16th Avenue South; thence west along the centerline of 16th Avenue South to its intersection with the centerline of Roberts Drive; thence south along the centerline of Roberts Drive to its intersection with the centerline of Seabreeze Avenue; thence west along the centerline of Seabreeze Avenue to its intersection with the centerline of America Avenue; thence south along the centerline of America Avenue to its intersection with the centerline of Osceola Avenue; thence west along the centerline of Osceola Avenue to its intersection with the centerline of the Constitution Cove-Sanctuary drainage ditch; thence north along the centerline of the Constitution Cove-Sanctuary drainage ditch to its intersection with the easterly projection of the southern boundary of the Oakbreeze Cove subdivision; thence west along the easterly projection of the southern boundary of the Oakbreeze Cove subdivision and the westerly projection of the southern boundary of the Oakbreeze Cove subdivision to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the centerline of Beach Boulevard (U.S. Highway 90); thence east along the centerline of Beach Boulevard (U.S. Highway 90) to its intersection with the centerline of Penman Road; thence north along the centerline of Penman Road to its intersection with the centerline of 2nd Avenue North; thence east along the centerline of 2nd Avenue North to its intersection with the centerline of Palm Tree Road, thence north along the centerline of Palm Tree Road to its intersection with the centerline of 5th Avenue North; thence east along the centerline of 5th Avenue North to its intersection with the centerline of North 11th Street; thence north along the centerline of North 11th Street to its intersection with the centerline of 6th Avenue North; thence east along the centerline of 6th Avenue North and the centerline of 6th Avenue North extended to its intersection with the point of beginning at the low tide line of the Atlantic Ocean.

District 2

Commencing at the intersection of the easterly projection of the centerline of 13th Avenue South with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the Duval County-St. Johns County boundary line; thence west along the Duval County-St. Johns County boundary line to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the western projection of the southern boundary of the Oakbreeze Cove subdivision; thence east along the western projection of the southern boundary of the Oakbreeze Cove subdivision and continuing along the southern boundary of the Oakbreeze Cove subdivision to its intersection with the centerline of the Constitution Cove-Sanctuary drainage ditch; thence south along the centerline of the Constitution Cove-Sanctuary drainage ditch to its intersection with the centerline of Osceola Avenue; thence east along the centerline of Osceola Avenue to its intersection with the centerline of American Avenue; thence north along the centerline of American Avenue to its intersection with the centerline of Seabreeze Avenue; thence east along the centerline of Seabreeze Avenue to its intersection with the centerline of Roberts Drive; thence north along the centerline of Roberts Drive to its intersection with the centerline of 16th Avenue South; thence east along the centerline of 16th Avenue South to its intersection with the centerline of South 9th Street; thence north along the centerline of South 9th Street to its intersection with the centerline of 15th Avenue South; thence east along the centerline of 15th Avenue South to its intersection with the centerline of South 2nd Street; thence north along the centerline of South 2nd Street to its intersection with the centerline of 14th Avenue South; thence east along the centerline of 14th Avenue South to its intersection with the centerline of South 1st Street; thence north along the centerline of South 1st Street to its intersection with the centerline of 13th Avenue South; thence east along the centerline of 13th Avenue South and the easterly projection of the centerline of 13th Avenue South.

District 3

Commencing at the intersection of the City of Jacksonville Beach-City of Neptune Beach boundary line with the low tide line of the Atlantic Ocean; thence south along the low tide line of the Atlantic Ocean to its intersection with the easterly projection of the centerline of 6th Avenue North; thence west along the centerline of 6th Avenue North to its intersection with the centerline of North 11th Street; thence south along the centerline of North 11th Street to its intersection with the centerline of 5th Avenue North; thence west along the centerline of 5th Avenue North to its intersection with Palm Tree Road; thence south along the centerline of Palm Tree Road to its intersection with the centerline of 2nd Avenue North; thence along the centerline of 2nd Avenue North to its intersection with the centerline of Penman Road; thence south along the centerline of Penman Road to its intersection with the centerline of Beach Boulevard (U.S. Highway 90); thence west along the centerline of Beach Boulevard (U.S. Highway 90) to its intersection with the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)); thence north along the western Jacksonville Beach City Limit line (the Atlantic Intracoastal Waterway (ICW)) to its intersection with the City of Jacksonville Beach-City of Neptune Beach boundary line; thence east along the City of Jacksonville Beach-City of Neptune Beach boundary line to the point of beginning.

SECTION 3. Repeal of Conflicting Ordinances. All ordinances, official determinations, or parts thereof previously adopted or entered by the City or any of its officials and in conflict with this Ordinance are repealed to the extent of conflict or inconsistency herewith, specifically including City Ordinance No. 2011-8013.

SECTION 4. Publication and Minutes. The City Council hereby directs the City Clerk to publish the adoption of the reapportioned boundaries of the Jacksonville Beach City Council districts, and to cause an accurate description of said boundaries, as changed, to be entered upon the City Council's minutes and a certified copy thereof to be published at least once each week for two consecutive weeks in a newspaper published in the City with proof of such publication entered upon the City minutes.

SECTION 5. Codification. The City Clerk and City Attorney shall cause the Charter of the City of Jacksonville Beach, Florida to be amended as provided by this ordinance and may renumber, re-letter, and rearrange the codified parts of this ordinance if necessary to facilitate the findings of law.

SECTION 6. 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.

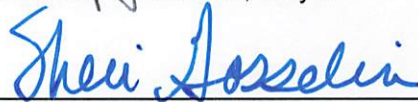
SECTION 7. Severability. It is hereby declared to be the intention of the City Council for the City of Jacksonville Beach that the sections, paragraphs, sentences, clauses, and phrases of this Code are severable. If any phrase, clause, sentence, paragraph, or section of this Code shall be declared to be unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Code.

SECTION 8. Effective Dates and Applicability. All sections of this Ordinance shall take effect immediately upon final adoption. The revised boundaries shall govern the qualification and election of the City Council Members in 2022.

AUTHENTICATED THIS 18th DAY OF April, A.D., 2022.



Christine H. Hoffman, Mayor

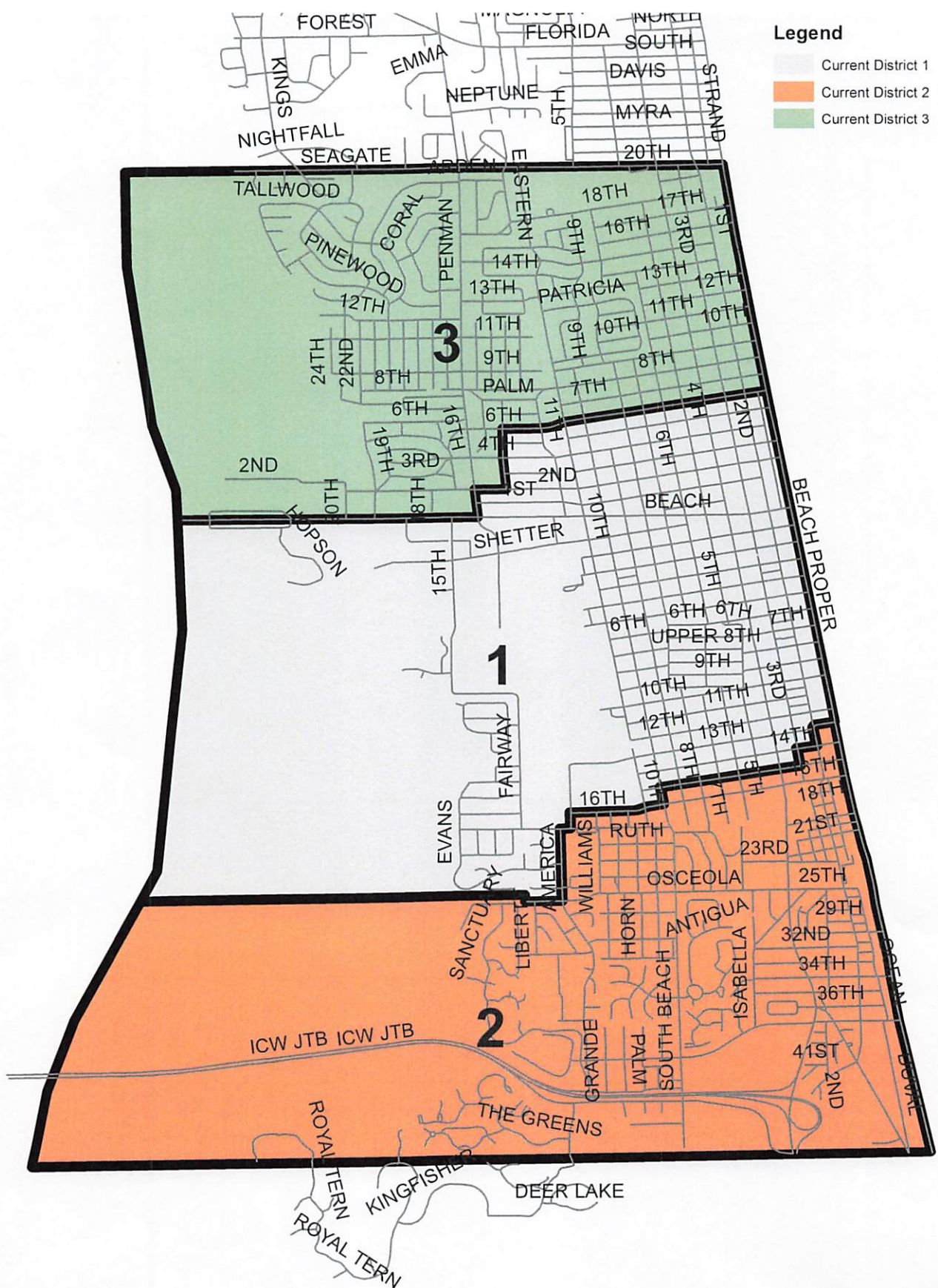


Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:



Sandra R. Robinson, City Attorney



Planning and Development

Proposed Council Districts Option 1

0 1,500 3,000 6,000 Feet

Information contained on these maps is a representation only. As such, the City of Jacksonville Beach provides no warranties concerning the accuracy of this data for any other particular use. The City of Jacksonville Beach assumes no liability whatsoever associated with the use of such data.

The Council Briefing began at 5:30 P.M. The meeting was held via video conference using the Zoom platform.

The following City Council Members were in attendance:

Mayor: Christine Hoffman

Council Members:	Georgette Dumont	Sandy Golding	Dan Janson
	Fernando Meza	Cory Nichols	Chet Stokes

Also present were City Manager Mike Staffopoulos, Director of Human Resources Kimberlee Bennett, Director of Public Works Dennis Barron, and City Attorney Sandy Robinson.

Purpose of Briefing

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

City Manager

City Attorney Annual Evaluation Structure

Director of Human Resources Kimberlee Bennett asked the Council for direction regarding the City Attorney's annual evaluation process. A conversation ensued and ended in a consensus by the Council to use the same format as the City Manager's annual evaluation.

Dune Walkover Discussion

Director of Public Works Dennis Barron provided the Council with a presentation [on file] overview of the dune walkovers. A conversation ensued regarding design, ADA and non-ADA-compliant walkovers, general maintenance, and options for maintenance of the sand on the walkovers.

It was the consensus of the Council for Mr. Barron to report back to the Council with information regarding cost differential, timing, and an additional requirement to make the remaining walkovers with ramps. The consensus of the Council regarding the walkover and sand maintenance was to initiate a pilot program using the current Beach Raker company to remove sand from the ADA ramps for a few months to see how it goes and report back to the Council.

Review Overview of Legislative Policies Manual

City Attorney Sandy Robinson explained the Council directed her to present the Legislative Policy Manual (LPM) at this briefing to provide the requested information and for further discussion and consideration by the Council.

A conversation ensued regarding the purpose of the LPM, a response to a citizen's comments regarding the LPM, and suggested edits to the LPM by Ms. Robinson.

It was the consensus of the Council for Ms. Robinson to clean up, reorganize and bring back a revised version of the LPM to the Council by early to mid-summer for review and discussion.

Miscellaneous City Manager Items

None

Committee Assignment Report

None

Future Briefing Topics

Council Member Golding referenced an email [on file] she received from a citizen regarding privacy issues due to the plaza behind her property and wanting to install an eight-foot fence on her property. Ms. Golding stated an eight-foot fence is not currently allowed and wanted to have a future briefing discussion regarding additional privacy options for residents whose properties were adjacent to commercial property. The Council's consensus was to have a future briefing discussion regarding this matter.

Mayor Hoffman stated April 30, 2022, was United States Drug Enforcement Administration (DEA) Drug Take-Back Day, encouraging people to bring back their unused prescription drugs to a safe disposal location. The Jacksonville Beach Police Department was an approved drop-off location.

The Briefing adjourned at 7:32 P.M.

Submitted by: Jodilynn Byrd
Deputy City Clerk

Approved:

Christine H. Hoffman, MAYOR

Date: _____



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

CITY COUNCIL AGENDA ITEM	
TO:	The Honorable Mayor and Members of the City Council
FROM:	Duston Scott, Pension Plan Administrator
DATE:	03/23/2022
SUBJECT:	Appointment of the Fifth Member on the Police Officers' Retirement System Board of Trustees

BACKGROUND

In accordance with Sec. 2-163.23 Police Officers' Retirement System – Board of Trustees – Responsibilities and compensation,

(b) The board of trustees shall consist of the following five individuals:

- (1) Two members appointed by the City Council, who shall be residents of the City.
- (2) Two Police Officers who shall be elected by active Police Officers of the City.
- (3) **A fifth member selected by the other four members and appointed, as a ministerial act, by the City Council.**

John Gosztyla was appointed to the board in 2019 as a Council-selected appointee. John has since relocated his residence to outside of the City of Jacksonville Beach, which prevents him from serving another term as a Council-appointed member. John still works as a Certified Financial Planner in Jacksonville Beach. On March 22, 2022, the Police Officers' Retirement System Board of trustees selected John Gosztyla to serve as the fifth member.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Appoint, as a ministerial act, John Gosztyla to serve as fifth member on the Police Officers' Retirement System Board of Trustees

ATTACHMENTS



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

CITY COUNCIL AGENDA ITEM	
TO:	The Honorable Mayor and Members of the City Council
FROM:	Duston Scott, Pension Plan Administrator
DATE:	03/23/2022
SUBJECT:	Appointment of the Fifth Member on the Firefighters' Retirement System Board of Trustees

BACKGROUND

In accordance with Sec. 2-164.23 Firefighters' Retirement System – Board of Trustees – Responsibilities and compensation,

(b) The board of trustees shall consist of the following five individuals:

- (1) Two members appointed by the City Council, who shall be residents of the City.
- (2) Two Firefighters who shall be elected by active Firefighters of the City.
- (3) **A fifth member selected by the other four members and appointed, as a ministerial act, by the City Council.**

The Firefighters' Retirement System Board of Trustees, at their March 22, 2022 Special Pension Board meeting, voted unanimously to reappoint Deborah White to serve as the fifth member. Mrs. White was originally appointed in May 2009.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Appoint, as a ministerial act, Deborah White to serve as fifth member on the Firefighters' Retirement System Board of Trustees

ATTACHMENTS



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

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Dennis W. Barron, Jr., Director of Public Works
DATE:	03/15/2022
SUBJECT:	Bid No. 2122-08 PCP Digester Tank, Air Piping and Stairway Modifications

BACKGROUND

The City of Jacksonville Beach (COJB) Public Works (PW) Department worked with Four Waters Engineering, Inc., to provide scope and design for a combination of projects contained in the Capital Improvement Program (CIP) over the last couple of budget cycles. This project is located in COJB and consists of the following general improvements at the Pollution Control Plant (PCP) at 910 10th Street South: new elevated 316 stainless steel air supply piping system from the Digester Blower Building to the three Digester Tanks; new heavy duty commercial-grade anodized aluminum stairs with multiple landings for Digester Tanks access; new motorized davit crane on top of new Digester Tank stairs; new 50 Hp mixer/aerator in Digester #1; preparation, patching, and recoating of interior and exterior of Digester Tanks #1 and #2; associated electrical improvements; and demolition and abandonment of portion of existing Digester Tanks air supply piping, Digester Tank stairs, Digester #1 mixer/aerator, and sidewalk; installation of two 24-inch InstaValves on 24-inch influent piping; and site restoration.

The PW Department received preliminary engineer's estimated costs that were above the budgeted amounts, partially due to the COVID pandemic, and ultimately due to the increasing costs of materials that have resulted from supply chain issues. For this reason, the Digester Stair Piping and Digester and Air Piping Modifications project funding was not brought forward into the current CIP.

The Contractor shall furnish all labor, equipment, tools, services, and incidentals to complete all work required by the specifications and as shown on the drawings. Contractor shall be responsible for properly unloading, storing, installing, and maintaining all materials and equipment. The Contractor shall perform the work complete, in place, and ready for continuous service, and shall include repairs, testing, permits, cleanup, and replacement and restoration required as a result of damages caused during this construction.

These projects were bid under Bid No.2122-08 and two responses were received. The highest bid was \$1,851,501 and the lowest was \$1,068,875. It is the recommendation of the PW Department and the design engineer, Four Waters Engineering, that the award be made to PBM Constructors, Inc.

Description	Amount	15% Contingency	Total
Bid Amount by PBM Constructors, Inc.	\$1,068,875.00	\$160,331.00	\$1,229,206.00



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

Construction Admin Services by Four Waters Engineering, Inc.	\$25,644.90	\$3,846.74	\$29,491.64
Total	\$1,094,519.90	\$164,177.74	\$1,258,697.64

Construction Administration Services will be provided by Four Waters Engineering, Inc., as described in the proposal attached hereto.

Click [HERE](#) for the Bid Specifications for this project.

Click [HERE](#) for the Bid Drawings for this project.

FINANCIAL IMPACT

This project encompasses three projects that have been listed in the prior and in the current year Public Works Capital Improvement Plan. The water/sewer fund was originally identified as the sole funding source for these projects. However, the majority of these expenses are eligible for American Rescue Plan Act (ARPA) funding. The Department will charge the projects to the following funding sources and accounts.

American Rescue Plan Act Fund: 190-00-0000-536-63-563000	Water/Sewer Fund: 420-07-0706-535-63-563000
Digester air piping: \$257,066	Digester stairway modifications: \$141,492
Digester tank repairs: \$665,173	
Influent bypass valving: \$194,967	
Total: \$1,117,206	Total: \$141,492

REQUESTED ACTION

Award/Reject Bid No. 2122-08 PCP Digester Tank, Air Piping and Stairway Modifications to PBM Constructors, Inc., in the amount not to exceed \$1,229,206; and a construction administration services agreement to Four Waters Engineering, Inc., in the amount not to exceed \$29,492

ATTACHMENTS

1. Response to Bid 2122-08 from PBM Constructors
2. Bid 2122-08 Response Summary
3. Bid 2122-08 Bid Tabulation
4. Four Waters Engineering Recommendation of Award (Bid 2122-08)
5. Four Waters Engineering Certified Bid Tabulation (Bid 2122-08)
6. Four Waters Engineering Proposal for Professional Engineering Services (Construction



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

Administration Services)

**SECTION 00300
BID PROPOSAL FORM**

Date: 4/6/2022

Proposal of Bidder: PBM Constructors, Inc.

Business Address: 3000 Faye Road
Jacksonville, FL 32226

City Bid No.: 2122-08

Project Name: Jacksonville Beach PCP Digester Tank, Air Piping and Stairway Modifications

To: City of Jacksonville Beach
Purchasing Department
1460A Shetter Avenue
Jacksonville Beach, Florida 32250

The undersigned, as Bidder, hereby declares that the only person or persons interested in the Proposal, as principal or principals, is or are named herein and that no other person than herein mentioned has any interest in the Proposal of the Contract to which the work pertains; that this Proposal is made without connection or arrangement with any other person, company, or parties making a bid or proposal and that the Proposal is in all respects fair and made in good faith without collusion or fraud.

The Bidder further declares that he has examined the site of the work and that from personal knowledge and experience, or that he has made sufficient test holes and/or other subsurface investigations to fully satisfy himself that such site is a correct and suitable one for this work and he assumes full responsibility therefore; that he has examined the Drawings and Specifications for the work and from his own experience or from professional advice that the Drawings and Specifications are sufficient for the work to be done and he has examined the other Contract Documents and all addenda relating thereto, and that he has satisfied himself fully, relative to all matters and conditions with respect to the work to which this Proposal pertains.

The Bidder proposes and agrees, if this Proposal is accepted, to contract with the City of Jacksonville Beach, Florida, in the form of contract specified, to furnish all necessary materials, equipment, machinery, tools, apparatus, transportation, and labor and to perform all work necessary to complete the work specified in the Proposal and other Contract Documents.

The Bidder further proposes and agrees to comply in all respects with the time limits for commencement and completion of the work as stated in the Contract Form.

The Bidder further agrees that the deductions for liquidated damages, as stated in the Contract Form, constitute fixed, agreed, and liquidated damages to reimburse the City for additional costs to the City resulting from the work not being completed within the time limit stated in the Contract Form.

The Bidder further agrees to execute a contract and furnish satisfactory Performance and Payment Bonds, each in the amount of one-hundred percent of the Contract price, and the required Certificates of Insurance, within ten consecutive calendar days after written notice being given by the City of the award of the Contract, and the undersigned agrees that in case of failure on his part to execute the said Contract and Performance and Payment Bonds within the ten consecutive calendar days after the award of the Contract, the bid guarantee accompanying his bid and the money payable thereon shall be paid to the City as liquidation of damages sustained by the City; otherwise, the bid guarantee shall be returned to the undersigned after the Contract is signed and the Performance and Payment Bonds are filed.

The undersigned agrees to accept in full compensation for completion of the project in full compliance with the Contract Documents, the total of the lump sum prices and extended unit prices for the items named in the following schedule. It is understood that the unit prices quoted or established for a particular item are to be used for computing the amount to be paid to the Contractor, based on the quantities actually constructed as determined by the applicable measurement and payment portion of the specifications.

Bidder's General Contractor's License No. CGC037694

Bidder's Underground Utility License No. CGC037694

Authorized Company Representative Signature: W B Moore

Name and Address of Surety or Sureties who will sign Bonds:

Performance Bond	HUB International Florida 10739 Deerwood Park Blvd., Suite 200 Jacksonville, FL 32256
Payment Bond	HUB International Florida 10739 Deerwood Park Blvd., Suite 200 Jacksonville, FL 32256

For authorized addition or deletion of quantities of work items to/from those indicated by the Contract Documents, the unit prices shall apply.

Acknowledgement is hereby made of the following Addenda received since issuance of Plans and Specifications:

Addendum No. <u>N/A</u>	Dated: <u>N/A</u>	Addendum No. <u>N/A</u>	Dated: <u>N/A</u>
Addendum No. <u>N/A</u>	Dated: <u>N/A</u>	Addendum No. <u>N/A</u>	Dated: <u>N/A</u>
Addendum No. <u>N/A</u>	Dated: <u>N/A</u>	Addendum No. <u>N/A</u>	Dated: <u>N/A</u>

Bid Document Checklist: The following documents are to be completed, signed and submitted as part of the Project Bid Proposal Documents. Failure to provide the listed documents may be cause for rejection of the submitted bid.

- ☒ Section 00301-A Subcontractor Listing
- ☒ Section 00301-B Required Disclosure
- ☒ Section 00301-C Letter of Compliance with the Florida Trench Safety Act
- ☒ Section 00301-D Bid Award Notice
- ☒ Section 00301-E Signed Drug-free Workplace Compliance Form
- ☒ Section 00301-F Non-Bankruptcy Affidavit
- ☒ Section 00410 - Bid Bond

- ☒ Section 00480 - Signed Non-Collusion Affidavit
- ☒ Copy of Occupational License
- ☒ Completed and Signed W-9 Form – may be obtained on line from www.irs.gov
- ☒ Documentation to demonstrate his qualifications to perform the work as required in Section 00200 – Instructions to Bidders, Section 1.4 – Qualifications Of Bidders, Paragraph B.

Please check off each document and attach to the Bid Proposal Form.

BID SCHEDULE
JACKSONVILLE BEACH PCP
DIGESTER TANK, AIR PIPING AND STAIRWAY MODIFICATIONS

Item No.	M&P No.	Item	Est. Qty.	Unit	Unit Price	Contract Price
1	1	Demolition and Abandonment	1	LS	\$ 12,000.00	\$ 12,000.00
2	2	New elevated 316 SS air supply piping system from Digester Blower Building to three Digester Tanks including all pipe support systems and Turbo Blower startup by qualified manufacturer's representative	1	LS	\$ 200,000.00	\$ 200,000.00
3	3	New heavy duty commercial grade anodized aluminum stairs with multiple landings for Digester Tanks access	1	LS	\$ 90,000.00	\$ 90,000.00
4	4	New motorized davit crane on top of Digester Tanks stairs	1	LS	\$ 9,500.00	\$ 9,500.00
5	5	New 50 Hp Mixer/Aerator in Digester #1	1	LS	\$ 315,000.00	\$ 315,000.00
6	6	Prepare, patch and recoat the interior and exterior of Digester Tanks #1 and #2	1	LS	\$ 250,000.00	\$ 250,000.00
7	7	24-Inch Insta Valve with Box and Cover and Concrete Collar	2	EA	\$ 75,000.00	\$ 150,000.00
8	8	Site restoration	1	LS	\$ 30,000.00	\$ 30,000.00
9	9	A-3 Fill	15	CY	\$ 25	\$ 375
10	10	Performance and Payment Bond (1.5% Maximum of Items No. 1 – 9)	1	LS	\$ 12,000.00	\$ 12,000.00

TOTAL BID ITEMS NO. 1 – 10 (In Figures)

\$ 1,068,875.00

TOTAL BID ITEMS NO. 1 – 10 (In Words)

One Million, Sixty Eight Thousand And Eight Hundreds Seventy Five Dollars

NAMED EQUIPMENT/MATERIAL SUPPLIER LIST:

The bidder shall designate in its Bid which supplier and / or manufacturer the Bidder intends to use (in the event an alternate is not accepted). This is a requirement in order for the bid form to be complete and accepted by the City.

The Bidder proposes the following for the equipment or material categories so identified:

Equipment or Material Item	Specification Section	Supplier/Manufacturer (List One Only per Item)
Hyperboloid Mixer/Aerator	11205	Invent Environmental Tech, LLC
Davit Crane	14600	Motion Savers
316 Stainless Steel Piping	15050	Sunbelt Supplies SS Material

& PBM self-performed fabrication

**SECTION 00301-A
SUBCONTRACTOR LISTING**

List proposed Subcontractors to be used for this Project regardless of racial or gender grouping in accordance with Section 00200 – Instructions Available To Bidders: Paragraph 1.13 – Submission of Bids. C. of the Contract Specifications.

Firm Name Address and Telephone number	Trade	Estimate Dollar Amount
* Cogburn Brothers Electric 3300 Faye Road, Jax, FL 32226 904-358-7344	Electric	\$ 90,000.00
* _____ _____ _____	_____	\$ _____
* _____ _____ _____	_____	\$ _____
* _____ _____ _____	_____	\$ _____
* _____ _____ _____	_____	\$ _____
* _____ _____ _____	_____	\$ _____

Project Title: Jacksonville Beach PCP Digester Tank, Air Piping, and Stairway Modifications

Contractor: PBM Constructors, Inc.

Address: 3000 Faye Road

City, State: Jacksonville, FL 32226

*Use additional sheets if necessary.

END OF SECTION

**SECTION 00301-B
REQUIRED DISCLOSURE**

The following disclosure is of all material facts pertaining to any felony conviction or any pending felony charges in the last three (3) years in this State or any other state or the United States against (1) bidder, (2) any business entity related to or affiliated with bidder, or (3) any present or former owner of bidder or of any such related or affiliated entity. This disclosure shall not apply to any person or entity which is only a stockholder, which person or entity owns twenty (20) percent or less of the outstanding shares of a bidder whose stock is publicly owned and traded:

N/A

Signed: *Tim N. Moor*

Title: President

Contractor: PBM Constructors, Inc.

END OF SECTION

SECTION 00301-C
LETTER OF COMPLIANCE WITH
THE FLORIDA TRENCH SAFETY ACT

Date: 4/6/2022

NAME OF BIDDER: PBM Constructors, Inc.

TO: William B Moore, OWNER

3000 Faye Road

Jacksonville, FL 32226

RE: **CITY BID NO. 2122-08 JACKSONVILLE BEACH PCP DIGESTER TANK, AIR PIPING AND STAIRWAY MODIFICATIONS**

GENTLEMEN:

This letter is written to give assurances that as Contractor for the above-noted construction, we will comply with the applicable trench safety standards during the Work of this Contract.

We have considered the costs per linear foot for Trench Safety Measures and the cost per square foot for special shoring requirements, and have incorporated these costs into the various items on the Bid Form.

Consistent with the Florida, "Trench Safety Act", the following are separately-stated components of the various items:

Trench Safety Measure Description	Unit of Price	Quantity	Unit of Price	Amount
A. <u>Open cut</u>	<u>10.00</u>	<u>200</u>	<u>LF</u>	<u>200.00</u>
B. _____	_____	_____	_____	_____
C. _____	_____	_____	_____	_____
D. _____	_____	_____	_____	_____

In case quantities for Trench Safety Measures are understated, we shall provide the required quantities paid for by the margin already built into the Contract price, and in case quantities are overstated we will retain the excess amount and add it to changes in our margin. This provision shall in no way affect the Conditions of Contract relating to changes in the work or adjustments for differences between estimated Quantities in the Bid Form and measure-in-place completed work.

In case we subcontract any portion of the Work, which is subject to the "Trench Safety Act", we will be responsible for obtaining cost data and assurances of compliance with applicable trench safety standards from the subcontractor.

NAME OF BIDDER: William B Moore

Sincerely,

PBM Constructors, Inc., CONTRACTOR

W B Moore
(Authorized Signature)



City of Jacksonville Beach

1460A Shetter Avenue, Jacksonville Beach, FL 32250, (904) 247-6229

SECTION 00301-D BID AWARD NOTICE FORM

ITEMS BELOW TO BE COMPLETED BY THE CITY OF JACKSONVILLE BEACH

NOTICE: Items 1 to 6 are to be completed by the Bidder. The Bidder to submit the form to the City along with the Bid Documents.

1. PBM Constructors, Inc.
Company Name
2. 3000 Faye Road
Address
3. Jacksonville, FL 32226
City, State and Zip
4. Attention: William B Moore
5. Phone: 904-714-6353 Fax: 904-714-6354
6. E-mail address: bmoore@pbmconstructors.com

PLEASE PRINT CLEARLY

Bids were received and awarded for Bid No. 2122-08 per attached award memorandum and Bid tabulation sheet(s).

If awarded Bid please do not proceed with any orders or services prior to receiving an official City of Jacksonville Beach Purchase Order.

Thank you for your bid.

Sincerely,

CITY OF JACKSONVILLE BEACH

/s/Luis Flores
Property & Procurement

00301-D-1

SECTION 00301-E
DRUG-FREE WORKPLACE COMPLIANCE FORM

IDENTICAL TIE BIDS - Preference shall be given to businesses with drug-free workplace programs. Whenever two or more bids, which are equal with respect to price, quality and service, are received by the State or by any political subdivision for the procurement of commodities or contractual services, a bid received from a business that certifies that it has implemented a drug-free workplace program shall be given preference in the award process. Established procedures for processing tie bids will be followed if none of the tied vendors have a drug-free workplace program. In order to have a drug-free workplace program, a business shall:

- 1) Publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
- 2) Inform employees about the dangers of drug abuse in the workplace, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation and employee assistance programs and the penalties that may be imposed upon employees for drug abuse violations.
- 3) Give each employee engaged in providing the commodities or contractual services that are under bid a copy of the statement specified in subsection (1).
- 4) In the statement specified in subsection (1), notify the employees that, as a condition of working on the commodities or contractual services that are under bid, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
- 5) Impose a sanction on or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.
- 6) Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.



Vendor's Signature

**SECTION 00301-F
NON-BANKRUPTCY AFFIDAVIT**

STATE OF Florida)

S
S

COUNTY OF Duval)

William B Moore

_____ is an officer and member of the firm of
PBM Constructors, Inc. _____, being first duly sworn, deposes and states that;

1. The subsequent certification statement is a true and accurate statement as of the date shown below.
2. The affiant understands that the intentional inclusion of false, deceptive or fraudulent statements on this Non-Bankruptcy Affidavit constitutes fraud; and, that the City of Jacksonville Beach, Florida, considers such action on the part of the affiant to constitute good cause for denial, suspension, revocation, disqualification, or rejection of the bid for CITY BID NO: 2122-08 Jacksonville Beach PCP Digester Tank, Air Piping, and Stairway Modifications.
3. Certification Statement: This is to certify that the aforementioned firm has not filed for bankruptcy in the past seven (7) years and that no owner/officer or principal of the aforementioned firm has filed for bankruptcy personally in the past seven (7) years or has been an owner/officer or principal of a firm which has filed for bankruptcy in the past seven (7) years.

W. B. Moore

Affiant Signature

Sworn to before me this 5th day of April, 2022 by William B. Moore
(Name of affiant)

He/She is personally known to me or has produced _____ as identification.

Rebecca S. Santiago

Signature of Notary

Rebecca S. Santiago 2/11/23

Notary's Printed Name

Expiration of Notary's Commission

Affix Seal Here



Rebecca S. Santiago
COMMISSION # GG278356
EXPIRES: Feb 11, 2023
Bonded

00301-F-1

SECTION 00410
BID BOND

KNOW ALL MEN BY THESE PRESENTS, that we, the undersigned, PBM Constructors, Inc. as Principal, and Westfield Insurance Company as Surety, are hereby held and firmly bound unto the City of Jacksonville Beach as City in the penal sum of, (5 percent of the Contract Bid) Five Percent (5%) of the Bid Amount for the payment of which, well and truly to be made, we hereby jointly and severally bind ourselves, successors and assigns.

Signed, this 6th day of April, 20 22.

The condition of the above obligation is such that whereas the Principal has submitted to the City a certain Bid, attached hereto and hereby made a part hereof to enter into a contract in writing, for the City of Jacksonville Beach,

CITY OF JACKSONVILLE BEACH

Bid Number: 2122-08

Jacksonville Beach PCP Digester Tank, Air Piping, and Stairway Modifications

NOW THEREFORE,

- (a) If said Bid shall be rejected, or in the alternate,
- (b) If said principal shall not withdraw said bid within ninety (90) days after date of opening of the same, and shall within ten (10) days after the prescribed forms are presented to him for signature, enter into a written contract with the City in accordance with the bid as accepted, and give bonds with good and sufficient surety or sureties, as may be required, for the faithful performance and proper fulfillment of such contract, then this obligation shall be void; otherwise the same shall remain in force and effect, it being expressly understood and agreed that the liability of the Surety for any and all claims hereunder shall, in no event, exceed the penal amount of this obligation as herein stated.

The Surety, for value received, hereby stipulates and agrees that the obligations of said Surety and its bond shall be no way impaired or affected by an extension of the time within which the City may accept such Bid; and said Surety does hereby waive notice of any such extension.

IN WITNESS WHEREOF, the above bounded parties have executed this instrument under their several seals, this 6th day of April, 20 22, A.D., the name and corporate seal of each corporate party being hereto affixed and these presents duly signed by its undersigned representative, pursuant to authority of its governing body.

WITNESS: (If Sole Ownership or Partnership, two (2) Witnesses required.)
(If Corporation, Secretary only will attest and affix seal.)

PRINCIPAL:

PBM Constructors, Inc.

Name of Firm

Tim B. Moore

Signature of Authorized Officer
(Affix Seal)

WITNESSES:

PBM Constructors, Inc.

Title

3000 Faye Road

Business Address

Jacksonville, FL 32250

City State

SURETY:

Westfield Insurance Company

Corporate Surety

Bradford W. Bush

Attorney-in-Fact

(Affix Seal)

10739 Deerwood Park Blvd

Business Address

Jacksonville, FL 32256

City State

WITNESS:

Christopher Bouchard



HUB International - Jacksonville

Name of Local Insurance Agency

I, William B Moore, certify that I am the Secretary of the Corporation named as Principal in the within bond; that William B Moore who signed the said bond on behalf of the Principal, was then President of said corporation; that I know his signature, and his signature hereto is genuine; and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority of its governing body.

William B Moore

(Corporate Secretary Seal)

STATE OF FLORIDA)

ss

COUNTY OF Duval)

Before me, a Notary Public duly commissioned, qualified and acting, personally appeared Bradford W. Bush to me well known, who being by me first duly sworn upon oath, says that he is the Attorney-in-Fact, for the Westfield Insurance Company and that he has been authorized by Westfield Insurance Company to execute the foregoing bond on behalf of the Contractor named therein in favor of the City, the City of Jacksonville Beach

Subscribed and sworn to before me this 6th day of April, 2022, A.D.

(Attach Power-of-Attorney to original Bid Bond)

Tina Montanez
Notary Public, State of Florida
My Comm. Expires 11/15/2024
Commission No. HH 63710

Tina Montanez

Notary Public
State of Florida-at-Large

My Commission Expires: _____

END OF SECTION

00410-2

Jacksonville Beach PCP Digester Tank, Air Piping, and Stairway Modifications
Bid Issue

City Bid No. 2122-08

THIS POWER OF ATTORNEY SUPERCEDES ANY PREVIOUS POWER BEARING THIS SAME POWER # AND ISSUED PRIOR TO 01/05/17, FOR ANY PERSON OR PERSONS NAMED BELOW.

POWER NO. 0994372 02

General
Power
of Attorney

Westfield Insurance Co.
Westfield National Insurance Co.
Ohio Farmers Insurance Co.
Westfield Center, Ohio

CERTIFIED COPY

Know All Men by These Presents, That WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, corporations, hereinafter referred to individually as a "Company" and collectively as "Companies," duly organized and existing under the laws of the State of Ohio, and having its principal office in Westfield Center, Medina County, Ohio, do by these presents make, constitute and appoint
BRADFORD W. BUSH, KYLE C. WHITMAN, CLARENCE F. GREENE, III, TINA MONTANEZ, JOINTLY OR SEVERALLY

of JACKSONVILLE and State of FL its true and lawful Attorney(s)-in-Fact, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings, or other instruments or contracts of suretyship.

LIMITATION: THIS POWER OF ATTORNEY CANNOT BE USED TO EXECUTE NOTE GUARANTEE, MORTGAGE DEFICIENCY, MORTGAGE GUARANTEE, OR BANK DEPOSITORY BONDS.

and to bind any of the Companies thereby as fully and to the same extent as if such bonds were signed by the President, sealed with the corporate seal of the applicable Company and duly attested by its Secretary, hereby ratifying and confirming all that the said Attorney(s)-in-Fact may do in the premises. Said appointment is made under and by authority of the following resolution adopted by the Board of Directors of each of the WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY:

"Be It Resolved, that the President, any Senior Executive, any Secretary or any Fidelity & Surety Operations Executive or other Executive shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

The Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements of indemnity and other conditional or obligatory undertakings and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed by the President and sealed and attested by the Corporate Secretary."

"Be It Further Resolved, that the signature of any such designated person and the seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signatures or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached." (Each adopted at a meeting held on February 8, 2000).

In Witness Whereof, WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY have caused these presents to be signed by their National Surety Leader and Senior Executive and their corporate seals to be hereto affixed this 05th day of JANUARY A.D., 2017.

Corporate
Seals
Affixed



WESTFIELD INSURANCE COMPANY
WESTFIELD NATIONAL INSURANCE COMPANY
OHIO FARMERS INSURANCE COMPANY

By:
Dennis P. Baus, National Surety Leader and
Senior Executive

State of Ohio
County of Medina ss.:

On this 05th day of JANUARY A.D., 2017, before me personally came Dennis P. Baus to me known, who, being by me duly sworn, did depose and say, that he resides in Wooster, Ohio; that he is National Surety Leader and Senior Executive of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, the companies described in and which executed the above instrument; that he knows the seals of said Companies; that the seals affixed to said instrument are such corporate seals; that they were so affixed by order of the Boards of Directors of said Companies; and that he signed his name thereto by like order.

Notarial
Seal
Affixed



David A. Kotnik, Attorney at Law, Notary Public
My Commission Does Not Expire (Sec. 147.03 Ohio Revised Code)

State of Ohio
County of Medina ss.:

I, Frank A. Carrino, Secretary of WESTFIELD INSURANCE COMPANY, WESTFIELD NATIONAL INSURANCE COMPANY and OHIO FARMERS INSURANCE COMPANY, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; and furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Westfield Center, Ohio, this 6th day of April A.D., 2022.



Frank A. Carrino, Secretary

SECTION 00480
NON-COLLUSION AFFIDAVIT

STATE OF) Florida
 SS
COUNTY OF) Duval

William B Moore

, being first duly sworn deposes and says that:

1. He (it) is the **President**
of the Bidder that has submitted the attached Bid;
2. He is fully informed respecting the preparation and contents of the attached Bid and of all pertinent circumstances respecting such Bid;
3. Such Bid is genuine and is not a collusive or sham Bid;
4. Neither the said Bidder nor any of its officers, partners, owners, agents, representatives, employee, or parties in interest, including this affidavit, have in any way, colluded, conspired, connived or agreed, directly or indirectly, with any other Bidder, firm or person to submit a collusive or sham Bid in connection with the Contract for which the attached Bid has been submitted; or to refrain from bidding in connection with such Contract; or have in any manner, directly or indirectly, sought by agreement or collusion or communication, or conference with any Bidder, firm, or person to fix the price or prices in the attached Bid or of any other Bidder, or to fix any overhead, profit, or cost elements of the Bid price or the Bid price in any other Bidder, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposed Contract;
5. The price or prices quoted in the attached Bid are fair and proper and are not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Bidder or any other of its agents, representatives, owners, employees or parties in interest, including his affidavit.

By: **PBM Constructors, Inc. - William B Moore**

W B Moore

Sworn and subscribed to before me this 5th day of April

2022 in the State of Florida, County of Duval

Rebecca S. Santiago Notary Public

My Commission Expires: 2/11/23



Rebecca S. Santiago
COMMISSION # GG278350
EXPIRES: Feb. 11, 2023
Bonded Thru Aaron Notar

END OF SECTION

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

Print or type
See Specific Instructions on page 2.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. PBM Constructors, Inc	
2 Business name/disregarded entity name, if different from above PBM Constructors, Inc	
3 Check appropriate box for federal tax classification; check only one of the following seven boxes: ☐ Individual/sole proprietor or single-member LLC ☒ C Corporation ☐ S Corporation ☐ Partnership ☐ Trust/estate ☐ Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ Note. For a single-member LLC that is disregarded, do not check LLC; check the appropriate box in the line above for the tax classification of the single-member owner. ☐ Other (see instructions) ▶ _____	
4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ (Applies to accounts maintained outside the U.S.)	
5 Address (number, street, and apt. or suite no.) 3000 Faye Rd.	Requester's name and address (optional)
6 City, state, and ZIP code Jacksonville, FL 32226	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. If the account is in more than one name, see the instructions for line 1 and the chart on page 4 for guidelines on whose number to enter.

Social security number								
			-				-	
or								
Employer identification number								
5	9	-	2	4	9	3	1	5

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 3.

Sign Here	Signature of U.S. person ▶ <i>W. B. Moore</i>	Date ▶ 04/06/2022
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. Information about developments affecting Form W-9 (such as legislation enacted after we release it) is at www.irs.gov/fw9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following:

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)

- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See *What is backup withholding?* on page 2.

By signing the filled-out form, you:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See *What is FATCA reporting?* on page 2 for further information.



4/6/2022

To Whom It May Concern,

Please see letter from our insurance company demonstrating our financial ability to be bonded for multiple projects well within 10 million dollars throughout the year. If further credentials are need, a financial statement can be provided upon request. If you have any questions or concerns, I can be reached at 904-367-3242.

Sincerely,

Brooke Wilkes

Project Manager Admin



10739 Deerwood Park Blvd, Suite 200
Jacksonville, FL 32256
904-398-1234

www.hubinternational.com

April 5, 2022

City of Jacksonville Beach
1460 Shetter Avenue
Jacksonville Beach, FL 32250

RE: PBM Constructors, Inc. – Jacksonville, FL

To Whom It May Concern:

It has been our pleasure to provide surety credit for PBM Constructors, Inc. for over 15 years. We do not anticipate this contractor to undertake any project we would hesitate to bond because of its size or nature.

Currently, we have a bond program established for PBM Constructors, Inc. with Westfield Insurance Company for individual projects of \$10,000,000 and an aggregate program of \$20,000,000. There are no open bond claims as of the date of this letter. Westfield Insurance Company has an A.M. Best rating of A XV and is listed on the U.S. Department of Treasury Circular 570 with a liability limit of \$128,468,000.

We regard PBM Constructors, Inc., is one of the outstanding general contractors in the area, and feel the principals of PBM Constructors, Inc., possess broad experience, financial responsibility and high integrity. Without reservation, we highly recommend PBM Constructors, Inc. to you.

Should you need any additional information, please do not hesitate to contact me at 904-398-1234.

Sincerely,

Tina Montanez

Tina Montanez
Senior Surety Specialist



Ron DeSantis, Governor

Halsey Beshears, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

CONSTRUCTION INDUSTRY LICENSING BOARD

THE GENERAL CONTRACTOR HEREIN IS CERTIFIED UNDER THE
PROVISIONS OF CHAPTER 489, FLORIDA STATUTES

MOORE, WILLIAM B

PBM CONSTRUCTORS INC
5761 FLORAL AVE
JACKSONVILLE FL 32211-7022

LICENSE NUMBER: CGC037694

EXPIRATION DATE: AUGUST 31, 2022

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

**PBM
CONSTRUCTORS
INC.**

Current Projects

Project: Nocatee North and South Booster Pump Station and Ground Storage Tank Improvements - JEA

Contact: Brian Gaines, E.I., JEA 904-654-9207

Contract Price: \$9,765,705.00

Project: Ash Street WWTP Filter Improvement – Town of Orange Park

Contact: Mike Kelter, PE., Legacy Civil Engineers, Inc. 904-338-4284

Contract Price: \$1,228,000.00

Project: Sawgrass WWTP PP Piping - Wharton-Smith

Contact: Travis Tilton, PM, 904-303-8218

Contract Price: \$75,000.00

Project: Matanza Shores Clarifier #2 - Matanza Shores HOA

Contact: Karen Hegarty, President, Matanza Shores HOA, kyhcons@aol.com

Contract Price: \$407,000.00

Project: High Service Pump WM Header Replac. - COPC

Contact: Mary Kronenberg, PMP 386-986-2306

Contract Price: \$405,672.00

Project Name	Project Location	Description of Project	Date of Completion	Owners Name	Owner's Project Manager Name, Ph, Email	Engineer's Project Manager Name, Ph, Email
FDEP SRF Brandy Branch Effluent Disposal System	270 US - 90 E. Project for the Town of Baldwin	Install of Duplex submersible pump station, piping and generator install.	September 2019	City of Baldwin	Sub to TB Landmark - Ashlee Zastrocky Cell: 904-451-4349, AshleeZ@tblandmark.com	Mittauer, Tim Norman, P.E. office: 904-278-0030, tnorman@mittauer.com
Spencers WWTF Clarifier No. 4	3061 Wandering Oaks Dr, Orange Park, FL 32065	Install of 82ft diameter, 700,000 gallon pre-stressed tank	July 2020	Clay County Utility Authority	Dennis Martin, Superintendent of Waste Water, Clay County Utility Authority (904) 626-3893, dmartin@clayutility.com	Jarrold Petrohovich, Project Engineer Mittauer, (904) 278-0030, JPetrohovich@mittauer.com
Fleming Island Regional WWTF Clarifier #4 Emergency Repair	Fleming Island WWTF 1770 Radar Road Fleming Island, FL 32003	Demo of existing clarifier to ground level and reconstruct to complete functioning tank	June 2020	Clay County Utility Authority	Dennis Martin, Superintendent of Waste Water, Clay County Utility Authority (904) 626-3893, dmartin@clayutility.com	John Collins, President of J Collins Engineering (904) 262-4121, john@jcollinsengineering.com
Wastewater Treatment Plant No. 1, clarifier Mechanical Equipment Replacement #5 & #6	26 Utility Drive, Palm Coast, FL 32164 Project for City of Palm Coast	Removed equipment of 2 clarifiers (5 & 6) and furnished and installed new mechanical equipment in both clarifiers, new controls and yard piping.	June 2019	City of Palm Coast	Mary Kronenberg City of PC 160 Lake Avenue Palm Coast, FL 32164 Tel: 386-986-2306 mkronenberg@palmcoastgov.com	Alexander Blake, P.E. Civil Engineer Ph: 386-986-2515, ABlake@palmcoastgov.com
Greenland/9B Booster Pump Station	6850 Energy Center Dr. Unit LS01	Install of 6 pumps, yard and pump piping, generator install, slabs ,electrical panels and fencing.	December 2019	E-Town Development, Inc.	SUB: John Woody Inc. 754 Harrison Avenue Jacksonville, FL 904-783-2411	ETM, Nicole Bolatete, Ph: 904-265-3162, BolateteN@etminc.com

CITY OF JACKSONVILLE BEACH BID TABULATION FORM

Public Works

Response Summary

Bid No. 2122-08 PCP Digester Tank, Air Piping and Stairway Modificaitons

Section 00301

Vendor	00300 Bid Proposal Form	A	B	C	D	E	F	00410 Bid Bond	00480 Non- collusion Affidavit	Local Business Tax Receipt	W-9	Qualifications	Notes
PBM Constructors. Inc.	X	X	X	X	X	X	X	X	X	a	X	X	
Razorback LLC	X	X	X	X	X	X	X	X	X	a	X	X	

Legend:

a - Not provided

BID TABULATION
City of Jacksonville Beach
Digester Tank, Air Piping and Stairway Modifications
Bid No.: 2122-08

Bid Date: Wednesday, April 6, 2022 at 2:00 PM

					PBM Constructors, Inc.		Razorback LLC	
					Jacksonville, Florida		Tarpon Springs, Florida	
Item #	M&P	Item	Est. Qty	Unit	Unit Price	Extended Price	Unit Price	Extended Price
1	1	Demolition and Abandonment	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 222,858.00	\$ 222,858.00
2	2	New elevated 316 SS air supply piping system from Digester Blower Building to three Digester Tanks including all pipe support systems and Turbo Blower startup by qualified manufacturer's representative	1	LS	\$ 200,000.00	\$ 200,000.00	\$ 557,143.00	\$ 557,143.00
3	3	New heavy duty commercial grade anodized aluminum stairs with multiple landings for Digester Tanks access	1	LS	\$ 90,000.00	\$ 90,000.00	\$ 200,000.00	\$ 200,000.00
4	4	New motorized davit crane on top of Digester Tanks stairs	1	LS	\$ 9,500.00	\$ 9,500.00	\$ 38,000.00	\$ 38,000.00
5	5	New 50 Hp Mixer/Aerator in Digester #1	1	LS	\$ 315,000.00	\$ 315,000.00	\$ 137,000.00	\$ 137,000.00
6	6	Prepare, patch and recoat the interior and exterior of Digester Tanks #1 and #2	1	LS	\$ 250,000.00	\$ 250,000.00	\$ 425,000.00	\$ 425,000.00
7	7	24-Inch Insta Valve with Box and Cover and Concrete Collar	2	EA	\$ 75,000.00	\$ 150,000.00	\$ 96,000.00	\$ 192,000.00
8	8	Site restoration	1	LS	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00
9	9	A-3 Fill	15	CY	\$ 25.00	\$ 375.00	\$ 1,500.00	\$ 22,500.00
10	10	Performance and Payment Bond (1.5% Maximum of Items No. 1 – 9)	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 27,000.00	\$ 27,000.00
					Total	\$ 1,068,875.00	Total	\$ 1,851,501.00



Dennis W. Barron, Jr. MBA
Director of Public Works
Department of Public Works
City of Jacksonville Beach
1460-A Shetter Avenue
Jacksonville Beach, FL 32250

April 7, 2022

RE: Recommendation of Award for Jacksonville Beach PCP Digester Tank, Air Piping and Stairway Modifications
City of Jacksonville Beach Bid No. 2122-08
Bid Review and Evaluation of Findings

Dear Mr. Barron:

This letter summarizes the construction contract bids received for the for Jacksonville Beach PCP Digester Tank, Air Piping and Stairway Modifications project. The City of Jacksonville Beach (City) received bids for the project on April 6, 2022, at 2:00 pm. Two (2) contractors submitted bids for the project. The bids were evaluated for conformance with the criteria set forth in the bidding documents. The total base bid from the contractors ranged from \$1,068,875.00 to \$1,851,501.00.

PBM Constructors, Inc. submitted the lowest bid. Four Waters Engineering (4Waters) has reviewed the submitted bid package provided by PBM Constructors, Inc. and finds their bid responsive and responsible. All required items were acknowledged on the Bid Form and included with the bid package. A 5% Bid Bond was provided and the Bid Bond surety is licensed in Florida and has an AM Best Rating of "A XV". Qualifications and reference projects and contacts were included with the bid package. State licensing was provided; however, local licensing documentation may need to be provided prior to final execution of a contract.

4Waters also investigated the contractor's experience, and reputation, and finds the contractor capable of performing the work for this project based on the information received from reference contacts and our personal experience.

Although the City will make final determination regarding contract award and available funds, 4Waters finds PBM Constructors, Inc. bid to be responsive and responsible, and recommends award of \$1,068,875.00 to PBM Constructors, Inc. 4Waters further recommends that the City establish a contingency in an amount of fifteen percent (15%) of the total bid price to allow for any unknown conditions that may be encountered during construction.

We appreciate this opportunity to provide services to the City of Jacksonville Beach and look forward to working with the City during the ongoing construction of this project. If you have any questions, please feel free to contact me at 904-414-2400 Ext 51 or abryan@4weng.com.

Sincerely,
Four Waters Engineering, Inc.



Angela Bryan, P.E.
President/Project Manager

DIGESTER TANK, AIR PIPING AND STAIRWAY MODIFICATIONS
CITY OF JACKSONVILLE BEACH
DEPARTMENT OF PUBLIC WORKS
INVITATION TO BID # 2122-08

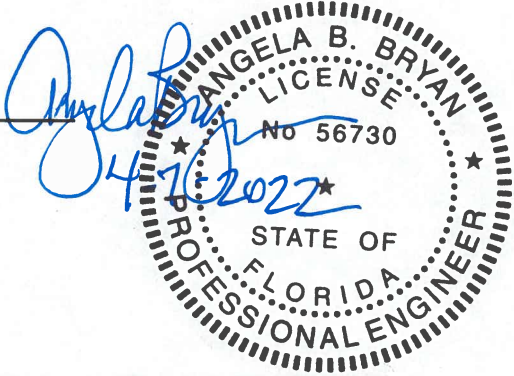
BID DATE: APRIL 6, 2022
TIME: 2:00 P.M. (Local Time)

TABULATION OF BIDDERS

CONTRACTOR		BASE BID	00300 Bid Proposal Form	00301-A Sub-Contractor List	00301-B Req'd. Disclosure	00301-C Trench Safety	00301-D Bid Award Notice	00301-E Drug Free	00301-F Non Bankruptcy Affadavit	00410 Bid Bond	00480 Non-Collusion	Occupational License (State Licensing)	W9	Bidder Qualifications
1	PBM Constructors, Inc.	\$1,068,875.00	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
2	Razorback LLC	\$1,851,501.00	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes	yes
3														
4														
5														
6														
7														

Bid Responses: 2

CERTIFIED BY:
Angela Bryan, PE, Four Waters Engineering, Inc.





FOUR WATERS ENGINEERING, INC.

324 6th Avenue North
Jacksonville Beach, FL 32250
(904) 414-2400 Office

April 8, 2022
Sent Electronically

Kayle Moore, P.E.
Project Engineer
Department of Public Works
City of Jacksonville Beach
1460-A Shetter Avenue
Jacksonville Beach, FL 32250
kmoore@jaxbchfl.net

Re: Proposal for Professional Engineering Services
PCP Digester Tank, Air Piping and Stairway Modifications– Construction Administration
Services

Dear Mr. Moore:

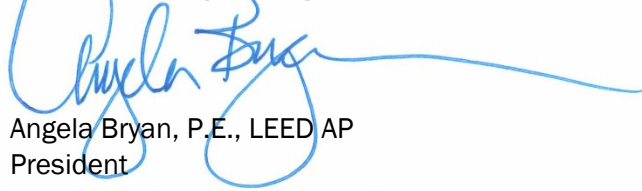
Four Waters Engineering, Inc. (4Waters) is pleased to provide this proposal to the City of Jacksonville Beach Public Works Department (City) for construction administration services for the PCP Digester Tank, Air Piping and Stairway Modifications project. The 4Waters team prepared the design documents and bidding services for the project under a previous proposal and authorization. The 4Waters team including AES for structural engineering and W.D. Lassetter, PE for electrical engineering, will serve as Engineer of Record for the project and will provide the following construction phase services which is based on the 180-day period of construction completion:

- Pre-construction Meeting and Conformed Documents – The 4Waters team will participate in a pre-construction meeting for the project. The scope/fee is based on 4Waters scheduling the meeting, preparing the agenda, and distributing a meeting summary. 4Waters will also conform the bid drawings and project manual and provide at the Pre-construction meeting.
- Shop Drawing Review – The 4Waters team will review the shop drawings for the project and maintain a shop drawing log.
- RFI's, Clarifications and Change Orders – The 4Waters team will respond to the Contractor's Requests for Information and Requests for Clarifications and will modify the construction drawings as necessary. 4Waters will coordinate with Contractor and City to develop change orders, as necessary.
- Construction Engineering Site Visits – The Engineer of Record will provide up to four (4) construction engineering site visits during key construction activities of the project. It is anticipated the civil and structural will provide up to four (4) site visits and the electrical will provide two (2) site visits.

- Record Drawings – The Contractor is responsible for the preparation of the record drawings in AutoCAD format and submittal for review at substantial completion. 4Waters will review the record drawings and determine whether the finished product is representative of the actual construction and suitable for acceptance by the City based on key site visits, RFIs, and City inspections.
- Substantial and Final Completion – 4Waters (with City's involvement) will schedule, conduct and document the on-site review meetings for substantial and final completion of the construction efforts. At substantial completion the contractor will have completed the project to the point of beneficial operation by the City and will have presented their letter requesting reduction of retainage along with the list of items to be completed prior to final completion. 4Waters will conduct the substantial completion inspection and prepare a punch list of items to be completed before the final completion meeting. The final completion inspection will verify completion of the punch list items and clear the way for the acceptance of the Contractor's final pay request. This task also includes final project closeout and permit clearance with DEP.

We appreciate this opportunity to work with the City and propose to complete the construction administration services outlined above for the lump sum fee of \$25,644.90. A breakdown is provided on the following page and our electrical engineer and structural engineer subconsultant proposals are also attached. If you have any questions, please contact me at abryan@4weng.com or (904) 414-2400 Ext. 51.

With best regards,
Four Waters Engineering, Inc.



Angela Bryan, P.E., LEED AP
President

Attachment

City of Jacksonville Beach
PCP Digester Tank, Air Piping and Stairway Modifications - Construction Administration Services
Proposal for Professional Engineering Services

Job Title	Project Manager	Project Engineer	Design Engineer	Associate Engineer	Engineer Intern	CADD Designer	Administrative	Sub-consultants	Direct Costs	TOTALS
Hourly Rate	\$165.00	\$147.95	\$133.84	\$115.62	\$85.25	\$103.01	\$64.82			Hours
	Hours \$	Hours \$	Hours \$	Hours \$	Hours \$	Hours \$	Hours \$			\$
1.0 Pre-Construction Meeting and Conformed Documents	4 \$660.00	0 \$0.00	0 \$0.00	0 \$0.00	2 \$170.50	2 \$206.02	2 \$129.64	\$1,758.21	\$250.00	3,174.37
2.0 Shop Drawings Review	4 \$660.00	0 \$0.00	0 \$0.00	16 \$1,849.92	8 \$682.00	0 \$0.00	2 \$129.64	\$2,405.00	\$0.00	5,726.56
3.0 RFIs, Clarifications, and Change Orders	4 \$660.00	0 \$0.00	0 \$0.00	4 \$462.48	0 \$0.00	4 \$412.04	2 \$129.64	\$135.00	\$0.00	1,799.16
4.0 Construction Engineering Site Visits (Up to 4)	8 \$1,320.00	0 \$0.00	0 \$0.00	0 \$0.00	4 \$341.00	0 \$0.00	0 \$0.00	\$6,020.36	\$25.00	7,706.36
5.0 Record Drawings	4 \$660.00	0 \$0.00	0 \$0.00	0 \$0.00	6 \$511.50	4 \$412.04	0 \$0.00	\$0.00	\$50.00	1,633.54
6.0 Substantial and Final Completion	8 \$1,320.00	0 \$0.00	0 \$0.00	4 \$462.48	4 \$341.00	0 \$0.00	0 \$0.00	\$3,381.43	\$100.00	5,604.91
TOTAL	\$5,280.00	\$0.00	\$0.00	\$2,774.88	\$2,046.00	\$1,030.10	\$388.92	\$13,700.00	\$425.00	25,644.90



**ATLANTIC
ENGINEERING
SERVICES**

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Building B, Suite 201
Jacksonville, FL 32211
PH: 904.743.4633
FX: 904.725.9295
jax@aespj.com
www.aespj.com

April 8, 2022

Ms. Angela Bryan, P.E., LEED AP
Four Waters Engineering, Inc.
324 6th Avenue North
Jacksonville Beach, FL 32250-5626

Re: New Crane, Stairs and Pipe Supports – Construction Administration
Waste Water Treatment Plant
Jacksonville Beach, Florida

AES Project: #318-428.01

Dear Angela:

As per your request, I am pleased to submit this proposal for additional services related to our present Agreement for consulting structural engineering services on the above-referenced project.

The proposed additional services to be provided by Atlantic Engineering Services of Jacksonville (AES) shall be:

- 1) Attend one (1) pre-construction meeting.
- 2) In the Construction Phase, review and take other appropriate action on the structural shop drawings only for conformance with the design concept of the project and compliance with the information given in the Contract Documents.
- 3) Perform a maximum of four (4) site visits at intervals appropriate to the various stages of the construction to observe the progress and the quality of the work of the contractor(s) and prepare a written report of each site visit.
- 4) Perform one (1) substantial completion inspection.
- 5) Perform one (1) final completion inspection.

The total fee for the above additional services 1) through 5) shall be Eleven Thousand Dollars (\$11,000.00) plus expenses.

The other terms and conditions as described in our Agreement dated March 8, 2019, remain unchanged. Please indicate your acceptance of this proposal by signing and returning one copy.

Very truly yours,
ATLANTIC ENGINEERING SERVICES OF JACKSONVILLE
FLORIDA CERTIFICATE OF AUTHORIZATION #791

Jude T. Kostage, PE
Principal

JTK/drg

ACCEPTED BY

Client Signature

Printed Name and Title

Date

Client Project/PO Number

ENGINEERING SERVICES FEE PROPOSAL

DATE: January 2, 2019

TO: Angela Bryan, PE
Four Waters Engineering, Inc.
324 6th Avenue N.
Jacksonville Beach, FL 32250

FROM: David Lassetter
WD Lassetter, PE
3837 Buckskin Trail East
Jacksonville, Florida 32277

RE: WWTF Digester Improvements
Jacksonville Beach, Florida

Services During Construction		Engineering Manhours
Preconstruction Meeting		3
Shop Drawing Reviews and RFIs		4
Progress Progress Inspections		6
Substantial & Final Completion Inspections		6
Subtotal Engineering Manhours		19
Subtotal Engineering Budget @ \$135.00 /Hour		\$2,565
Reimbursible Expense Budget		\$135
Proposed Lump Sum Fee Authorization		\$2,700



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

CITY COUNCIL AGENDA ITEM	
TO:	Michael J. Staffopoulos, City Manager
FROM:	Sandra R. Robinson, City Attorney
DATE:	03/22/2022
SUBJECT:	Resolution No. 2108-2022 Remote Participation Policy

BACKGROUND

The topic of remote participation was discussed at the January 24 and March 14, 2022 briefings wherein the City Attorney shared draft resolutions setting forth a policy and procedure for requesting and approving/denying a Council Member's request to attend a council meeting remotely. The City Attorney took the City Council's feedback from those briefings, resulting in Resolution No. 2108-2022 attached hereto.

FINANCIAL IMPACT

None.

REQUESTED ACTION

Adopt/Deny Resolution No. 2108-2022 adopting the Remote Participation Policy

ATTACHMENTS

1. 2108-2022 Remote Participation Policy

Introduced by: _____
Adopted: _____

RESOLUTION NO. 2108-2022

**A RESOLUTION OF THE CITY OF JACKSONVILLE BEACH,
FLORIDA, ADOPTING THE REMOTE PARTICIPATION POLICY;
PROVIDING FOR ADOPTION OF RECITALS, REPEAL OF
PRIOR INCONSISTENT RESOLUTIONS AND COUNCIL
DECISIONS, SEVERABILITY, AND AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Jacksonville Beach ("City Council") desires to create rules of procedure for its members to participate and vote in meetings of the City Council from a remote location; and

WHEREAS, there is no Florida statute prohibiting a member of a public body from participating and voting in an open meeting from a remote location, and through the use of communication media technology ("CMT"); and

WHEREAS, pursuant to Sec. 2(b), Art. III, of the Florida Constitution and the Florida Municipal Home Rule Powers Act, Sec. 166.021 *et seq.*, F.S., a Florida municipality is authorized to exercise any power and take any action, it deems desirable or necessary for the efficient performance and rendering of municipal services and governmental functions, if such is not prohibited or preempted by the state law; and

WHEREAS, because there is no case law directly on subject, Florida Attorneys General have been called upon to issue advisory opinions related to the subject in order to provide guidance; and, specifically, in Attorney General Opinion #2003-41 the Attorney General opined that where a rule or statute contemplates that a meeting will be held in a public place with the members physically present, the participation of an absent member in the meeting by telephone conference should be permitted under extraordinary circumstances and as long as a quorum of board members is physically present at the public meeting place; and

WHEREAS, AGO #2003-41 also provided that it is in the discretion of a board to determine what circumstance constitutes an extraordinary circumstance; and

WHEREAS, upon analysis of the law and such legal opinions finding that such is permitted under Florida law, the City Council also concludes that its members have the right to use CMT to attend, participate, and vote in at public board meetings from a remote location (without regard to whether an executive order has been issued or state emergency declared) provided the following minimum conditions are met: (1) a quorum of its members is physically present at the time and place of the open meeting; (2) that the meeting place is reasonably open to the public; (3) that the remotely-located member's absence is based on one or more of the conditions approved herein by the City Council; (4) that adequate CMT is available to the "remotely-located" member to ensure that the remotely-located member's voice can be heard by the members of the public and City Council who are physically present in the public meeting place; and (5) such CMT participation by the remotely-located member is not otherwise prohibited by state law; and

WHEREAS, the City of Jacksonville Beach does not currently have any Charter or Code provisions governing or otherwise related to this subject; and

WHEREAS, the City Council has determined that establishing conditions for which automatic approval is granted for a City Council member's participation by CMT is in the best interest of the orderly and efficient transaction of City business, as well as the health, safety, and welfare of the City residents, City Council, City staff, and the members of the public attending Council meetings.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Jacksonville Beach, Florida as follows:

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

SECTION 2. A member of the City Council of Jacksonville Beach may be granted permission to attend, participate, and vote on any matter coming before the City Council in such meeting, by and through Communications Media Technology ("CMT"), if the following conditions exist:

1. A quorum of the membership is physically present in the open public meeting place;
2. The meeting has been properly noticed;
3. The City Council member participating and from a remote location through CMT has provided advance notice to the City Manager of their need to participate remotely;
4. Members of the public are able to physically attend the open meeting or through CMT.

SECTION 3. Any City Council member seeking such approval shall also, prior to the meeting, notify the Mayor that he or she is unable to attend the meeting due to the occurrence of an emergency or unforeseeable circumstance. In support of the council member's request for approval, the council member shall provide a written description of the nature of such emergency or unforeseeable circumstance with a level of specificity sufficient to support the Mayor's approval. For the purposes of this policy, an emergency or unforeseeable circumstance shall be constituted by the occurrence of one or more of the following conditions:

1. Health-related matter.
2. Mandatory military duty or deployment.
3. Family or personal matter.
4. Council member is physically located in such a place so as to make that member's timely attendance at the meeting place impossible or highly improbable.

The Mayor shall be authorized to grant or deny approval for a member's remote participation based upon the sufficiency of information provided to show one or more of the conditions existing as specified by this section, and as determined in the Mayor's sole discretion.

In the event a council member desires to attend, participate, and vote from a remote location and the reason for the council member seeking permission to do so is not one of the conditions specified by this section, permission may be granted upon written application for "good cause shown." A majority vote of the council members present shall determine whether the council member's reasons for needing to participate remotely constitutes "good cause shown" and whether the council member's request should be approved or denied. A request submitted pursuant to the "good cause shown" provision of this section shall be given priority on the public meeting agenda, and shall be taken up as [one of] the first item of business following the roll call and invocation.

Should the Mayor seek permission to remotely attend, participate, and vote in a meeting, for whatever reason, including a condition set forth in this section, the Mayor shall be required to make this request to City Council, which shall grant or deny such request by majority vote of the council members present. A request submitted pursuant to this provision shall be given priority on the public meeting agenda, and shall be taken up as [one of] the first items of business following the roll call and invocation. The Mayor Pro Tem, if physically present in the public meeting place, shall preside over and conduct any meeting in which the Mayor is approved to attend, participate, and vote remotely.

SECTION 4. In all cases in which remote participation has been or may be approved, it shall be the responsibility of the City Clerk to make suitable arrangements to ensure that the remotely-located council member's voice can be heard by those physically in attendance at the public meeting, and that the member has or has access to the documents comprising the agenda packet for that meeting. The City Clerk shall also cause to be recorded in the minutes of the public meeting, the identification of the location from which the remotely-located council member is participating, as well as the nature of the emergency or unforeseeable condition causing the council member's inability to be physically present in the public meeting place.

Should any request to participate from a remote location be denied, it shall be the responsibility of the Mayor to state the reason(s) for the denial with specificity during the public meeting and have the same recorded in the minutes.

SECTION 5. No council member shall be granted approval to attend, participate, and vote remotely more than four times within a calendar year, except upon "good cause shown." Notwithstanding the foregoing, a member shall not be granted approval to attend, participate, and vote remotely in more than two consecutive meetings.

SECTION 6. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

SECTION 7. This Resolution shall take effect immediately upon its passage and adoption.

AUTHENTICATED this ____ day of _____, 2022.

Christine H. Hoffman, Mayor

Sheri Gosselin, City Clerk

Approved as to form and legal sufficiency:

Sandra R. Robinson, City Attorney