



AGENDA
Special and Workshop City Council Meeting
Monday, May 20, 2024, 6:00 P.M.
Council Chambers, 116 First Street, Neptune Beach, Florida

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. CONSIDERATION TO APPROVE PURCHASE OF WATER TRAILER FROM TREE CONSERVATION FUND
3. CONSIDERATION TO APPROVE REQUEST FOR PROPOSALS FOR LEGAL SERVICES
4. PUBLIC COMMENTS
5. ADJOURN

WORKSHOP CITY COUNCIL MEETING IMMEDIATELY FOLLOWING
THE ABOVE SPECIAL MEETING

1. CALL TO ORDER / ROLL CALL
2. AWARDS / PRESENTATIONS / RECOGNITION OF GUEST
 - A. National Safe Boating Week 2024 Proclamation
3. COMMITTEE REPORTS
 - A. Charter Review
 - B. Finance
 - C. Land Use and Parks
 - D. Transportation and Infrastructure Planning
4. PUBLIC COMMENTS
5. PROPOSED ORDINANCES / NONE
6. CONTRACTS / AGREEMENTS / NONE
7. ISSUE DEVELOPMENT
 - A. FY2024-2025 Budget Development Overview
8. PUBLIC COMMENTS
9. COUNCIL COMMENTS
10. ADJOURN



Residents attending public meetings can use the code **DD14** to validate their parking session at no cost. After 5:30 on the date of the meeting, follow these steps:

Make sure you are parked in a North Beaches public parking space – we can't validate valet parking or parking in private lots.

- **To use a kiosk:** Using a nearby kiosk, press the Start button and then select 2 to enter your plate and the validation code.
- **To use the Flowbird app:** Tap the nearest yellow balloon and tap "Park here." From the payment screen, select "Redeem a code" at the top. Confirm your information and tap "Purchase" – the price will show "Free."



**Special Meeting Item #2
Water Trailer Purchase**

**CITY OF NEPTUNE BEACH
CITY COUNCIL MEETING
STAFF REPORT**

AGENDA ITEM:	
SUBMITTED BY:	
DATE:	
BACKGROUND:	
BUDGET:	
RECOMMENDATION:	
ATTACHMENT:	



Diamond Tool Store
Euro Asian Blades, Inc.

800 342 3876

www.diamondtoolstore.com

Euro-Asian Blades, Inc.
1335 Old Okeechobee Rd., Suite 100
West Palm Beach, FL. 33401
Tel : 561-833-8992
Fax : 561-833-9092
Toll Free: 800-342-3876

Bill To: City of Neptune Beach
Ryan Shaneyfelt
Neptune Beach, FL 32266
9047490069

Ship To: City of Neptune Beach
Ryan Shaneyfelt
Neptune Beach, FL 32266

Order Status: Quotation

Item Name	Attribute	Size	Qty	Sold	Due	Price	Ext Price	Tax
Wylie Express Water Wagon - 1,			1	0		\$14,000.00	\$14,000.00	T
Total Qty Ordered:			1	0	1			

Percent Unfilled: 100

Subtotal: \$14,000.00

5 % Disc: - \$700.00

Exempt0 % Tax: + \$0.00

Shipping: + \$2,741.93

TOTAL: \$16,041.93

Deposit Balance: \$0.00

Balance Due: \$16,041.93

Please review all details of this quotation and confirm. Quotations will not be confirmed until customer authorization.
Thank you.



**Special Meeting Item #3
Legal Services RFP**

**CITY OF NEPTUNE BEACH
CITY COUNCIL MEETING
STAFF REPORT**

AGENDA ITEM:	Special Meeting Item #3 -Request for Proposals for Legal Services
SUBMITTED BY:	City Attorney Zachary Roth
DATE:	May 15, 2024
BACKGROUND:	Please see attached resignation letter
RECOMMENDATION:	Consider, make recommendations, and approve the Request for Proposal for Legal Services
ATTACHMENT:	Ansbacher Law/Zachary Roth Resignation Letter Request for Proposals for Legal Services

ANSBACHER LAW

CONDOMINIUMS • HOMEOWNER ASSOCIATIONS
REAL ESTATE • CONSTRUCTION • PERSONAL INJURY

8818 Goodbys Executive Drive
Jacksonville, FL 32217
(Primary mailing address)

3509 US Highway 17
Fleming Island, FL 32003

1650 US Hwy 1 South, Ste 201
St. Augustine, FL 32084

500 3rd Street South
Jacksonville Beach, FL 32250

111 North Orange Avenue,
8th Floor
Orlando, FL 32801

May 6, 2024

City Council
City of Neptune Beach
116 First Street
Neptune Beach, FL 32266

VIA EMAIL

RE: City Attorney – Notice of Resignation

Dear Mayor, Vice Mayor, and City Councilors:

On behalf of myself personally and Ansbacher Law, P.A. (the “Firm”), I write to provide notice of my intent to resign as City Attorney for the City of Neptune Beach (the “City”) and the Firm’s withdrawal from City Attorney Services as described in the Agreement for City Attorney Services between the City and the Firm. Please consider this notice that this agreement shall terminate no less than sixty (60) days from today. I say “no less” because I am committed to remaining in the position for a reasonable period, if requested, until such time as a successor can be hired and begin their service.

As an additional matter, if authorized by the City, I believe it to be in the best interest of the City that I remain counsel to the City regarding several ongoing matters, which I am happy to discuss further.

I want to thank you for the opportunity to serve the City. As a resident, I care deeply for the City and am honored to have had the experience of serving as the City Attorney. Circumstances in my life have changed since assuming the position in 2019 such that I believe it in the best interest of me, my family, the Firm, and the City to step aside and allow another attorney to serve. I look forward to assisting with the transition to my successor and to the great things in store for our City.

Sincerely yours,



Zachary R. Roth
City Attorney

ZRR/
Enclosures

Copy to: City Manager Richard Pike, 116 First Street, Neptune Beach, FL 32266
(via hand delivery)
City Clerk Catherine Ponson (via email)

CITY OF NEPTUNE BEACH

REQUEST FOR PROPOSALS FOR LEGAL SERVICES

INTRODUCTION

The City of Neptune Beach is seeking an attorney licensed to practice law in Florida to be the City Attorney. Preference will be given to firms which have their main office within a 30 mile radius of Neptune Beach with an attorney who will be appointed the City Attorney, but the City will accept applications for an in-house attorney.*

Questions about the City Attorney's position, its workload, the amount and type of ongoing matters the City now has, etc., may be directed to the current City Attorney, Mr. Zachary Roth, at (904) 737-4600 ext. 159 or by e-mail to zrr@ansbacher.net.

Interested attorneys are asked to provide responses as indicated below and to return this form to the City Clerk at 116 First Street, Neptune Beach, FL 32266 by 4 p.m. Wednesday, July 10, 2024.

The current City Attorney will review responses received and recommend to the City Council which firm or firms will be interviewed for the position of City Attorney. The City Council will confirm the firm or firms to be interviewed at the July 15, 2024 workshop meeting.

The firm selected will be expected to assume the duties of City Attorney within thirty (30) days after an employment agreement has been approved by the City Council.

The current City Attorney may remain available for a period to provide transition assistance, will negotiate the new City Attorney's agreement with the City, and may remain primary counsel on certain ongoing projects.

* PLEASE NOTE. "Main office" is defined as the address the firm has registered with The Florida Bar.

SCOPE OF WORK

The scope of work is divided into three parts: City General Attorney Services, Extraordinary Services, and Litigation Services.

City General Attorney Services includes:

1. Oversee and direct the implementation of internal legal activities and operations, which include planning, coordinating, administering, and evaluating projects, processes, procedures, systems and standards; ensure compliance with Federal, State and local laws, regulations, codes, and/or standards, including, but not limited to, guidance and counsel on responding to public records requests.
2. Research and interpret the law using statutes, case law, resolutions, ordinances, and administrative regulations; provide legal advice, analysis, and opinions upon request for appointed City officials, administrative management staff and advisory City Council concerning local government, administrative policy development, employment, purchasing practices, real estate, code enforcement, public records, land use regulation, comprehensive planning, and/or other related legal issues.
3. Prepare and review proposed legislation, ordinances, resolutions, contracts, deeds, leases, and other legal documents requested by the City Council, Mayor, or City Manager.
4. Make informed decisions to bring regulatory, administrative and litigation matters to a cost-effective conclusion.
5. Prepare, review, interpret and analyze a variety of information, data and reports and make recommendations based on findings.
6. Prepare cost estimates for budget recommendations; monitor and control outside counsel expenditures.
7. Coordinate, monitor and report to the Council on the representation of the City by special outside counsel retained by the Council.
8. Arrive 1-hour prior to City Council meetings prepared to address questions and issues in advance of all such meetings, and then attend meetings of the City Council (twice monthly) and Community Development Board (monthly) and also on occasion attend certain other meetings of various committees or subcommittees as requested by the City Manager. The City Council has one regular meeting on the first Monday of every month. This meeting begins at 6:00 p.m. The Council has workshop meetings on the third Monday of every month. These meetings begin at 6:00 p.m. The Council may conduct special meetings from time to time, normally prior to the workshop meeting, with the

special meeting occurring at 6:00 p.m. and the workshop to follow, but may occur on other dates and times depending upon need.

9. Provide legal counsel and guidance to City Council members, members of the Community Development Board, and other officials, as needed, related to the Florida Sunshine Law, and other legal compliance matters as needed or required.
10. Provide legal counsel and guidance City Council members, members of the Community Development Board, and other officials, as needed, related to procurement.
11. Provide legal counsel and guidance to city officials regarding employment matters, including, but not limited to, union contract matters.
12. Attend meetings of the Code Enforcement Magistrate as the attorney for the City. The City's Code Enforcement Officer brings cases to the City's Code Enforcement Board periodically as needed. The City Attorney provides legal advice to the Officer
13. Provide such other legal services as the City Council may from time-to-time direct.

For City General Attorney Services, the approximate average monthly workload is forty (40) hours.

Work performed under Extraordinary Services consists of:

Matters relating to General City Attorney Services in which the amount of time required for an individual project is reasonably expected to exceed ten (10) hours in attorney time. These types of activities may include, but are not limited to, preparing, revising and reviewing extensive ordinances, policy provisions, contracts, resolutions, agreements, leases, interlocal agreements, special election ballots, procurement documents, and other legal documents on behalf of the City that are reasonably expected to require more than ten (10) hours of attorney time. Prior to engaging in the provision of these Extraordinary Services, the firm shall provide written notice to the City Manager that the activity will exceed ten (10) hours and that the hourly billing provision for Extraordinary Services will apply. Upon request and where practicable, the firm will provide an estimated budget or fee forecast for such project; provided, however, such proposed budget or forecast is only an estimate and not a contract amount. The firm agrees to coordinate with the City to establish a fixed fee or project fee for any such Extraordinary Services where mutually agreed upon. The firm shall obtain the approval of the City Manager prior to initiating any Extraordinary Services.

Work performed under Litigation Services consists of the following:

When requested by the City, the firm shall also provide Litigation Services to the City. Such Litigation Services consist of the firm serving as counsel of record for the City in connection with prosecuting or defending litigation involving the City (ex. state or federal court actions, administrative proceedings, arbitrations, mediations).

Excluded Services: The following professional services are not expected to be included in the legal services provided by the city attorney under this Agreement, and the City may engage outside counsel with the requisite expertise to provide such services. At the direction of the City Manager, the city attorney will coordinate with such outside counsel: Bond opinion letters.

STRUCTURE OF COMPENSATION

The City prefers that the structure of compensation consist of a monthly retainer for all legal work performed under the City General Attorney Services, and an hourly fee to be paid for Extraordinary Services and Litigation performed as provided above.

How much will you charge per month for the retainer for City General Attorney Services? _____

How much will you charge per hour for each category below for Extraordinary Services and Litigation Services?

Senior Attorneys/Partners _____

Junior Attorneys/Associates _____

Support Staff _____

Does this amount include expenses? Yes _____ No _____

If not, which expenses would you intend to bill for separately: _____

If you will charge the City for legal services under another arrangement, please describe that arrangement below in detail.

REQUIRED INFORMATION

Any responses to the Request for Proposals are a public record and subject to public inspection. The City is an Equal Employment Opportunity Employer.

1. Please furnish a resume for the person to be primarily responsible for representation of the City, along with a description of the larger team available to serve the City. Identify which individual, in the event of unavailability, will fill in for the primarily responsible attorney, together with a brief statement of their experience in representation of governmental agencies.
2. With regard to the individual to be primarily responsible for representation of the City, please indicate:
 - a. Whether he or she is rated by Martindale-Hubble, and if so, the rating and how long he or she has been so rated.
 - b. Whether he or she is Board Certified by The Florida Bar and, if so, in which areas.
 - c. Please indicate whether such individual currently represents any local governmental agencies, and if so, the names of any contact persons with such agencies.
3. Please briefly indicate such individual's experience in the following areas:
 - a. Representation of Local Government agencies or boards.
 - b. Experience in zoning matters, including representation of zoning boards and building departments and handling of zoning appeals in either Circuit or District Courts of Appeals. With regard to appellate matters, please furnish the citation for any reported decisions.
 - c. Experience with regard to matters pertaining to "Open Government" including "Government in the Sunshine," "Public Records," "Quasi-Judicial" hearings, and potential conflicts of interest by members of a governmental board.
 - d. Whether such individual has been personally a party to a lawsuit within the past five years as a plaintiff or defendant, and if so, please furnish the style of the action, the court, and docket number.
 - e. Whether such individual has been the subject of any bar grievance that was not dismissed prior to being assigned to a grievance committee for evaluation and, if so, please furnish documentation regarding such grievance.

MISCELLANEOUS INFORMATION

Attach Additional Pages if Necessary

1. Have you ever represented a client who has been involved in litigation with the City of Neptune Beach? Yes ____ No ____

If yes, please describe the circumstances.

2. Do you currently provide legal services for any other public agencies in Duval County, or in other north Florida counties? If so, please list them.

3. Do you currently represent any clients with matters relating to properties or businesses in Neptune Beach? Yes ____ No ____

If yes, please describe the circumstances.

4. Please provide any other information which you think will help the City Council to evaluate your qualifications.

FIRM NAME: _____

FIRM ADDRESS:

SIGNED: _____

NAME: _____

DATE: _____



PROCLAMATION

City of Neptune Beach

WHEREAS, for nearly 100 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling and fishing; and

WHEREAS, during National Safe Boating Week, the U.S. Coast Guard, and the National Safe Boating Council, along with federal, state, and local safe boating partners encourage all boaters to explore and enjoy America's beautiful waters responsibly; and

WHEREAS, National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so that they can have a safer, more fun experience out on the water throughout the year.

WHEREAS, on average, 650 people die each year in boating-related accidents in the U.S.; 75 percent of these are fatalities caused by drowning; and

WHEREAS, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

THEREFORE, I, Mayor Elaine Brown, and the City Council of the City of Neptune Beach, support the goals of the Safe Boating Campaign and the start of the year-round effort to promote safe boating and proclaim **May 18-24, 2024**, as

NATIONAL SAFE BOATING WEEK

And we urge all those who boat to practice safe boating habits and wear a life jacket at all times while boating.

Elaine Brown, Mayor
City of Neptune Beach