



AGENDA
Regular City Council Meeting
Monday, February 3, 2025, 6:00 PM
Council Chambers, 116 First Street, Neptune Beach, Florida

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. AWARDS / PRESENTATIONS / RECOGNITION OF GUESTS
 - A. Neptune Beach Police Department Swearing-In Ceremony
Officer Jered L. Geis
Officer Jason T. Walsh
3. APPROVAL OF MINUTES
 - A. January 6, 2025, Regular City Council Meeting
January 21, 2025, Special City Council Meeting
January 21, 2025, Workshop City Council Meeting
January 21, 2025, Town Hall Meeting p. 3
4. COMMENTS FROM THE PUBLIC
5. CITY MANAGER REPORT
 - A. January 2025 Report p. 23
6. CONSENT AGENDA / NONE
7. VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS / NONE
8. ORDINANCES
 - A. ORDINANCE NO. 2025-01, FIRST READ AND PUBLIC HEARING, An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 7, Beaches and Waterways by Amending Section 7-36, by Banning Beach Fires, Providing Codification, Conflicts, Severability, and Providing Codification, Conflicts, Severability, and Providing and Effective Date p. 27
PH
 - B. ORDINANCE NO. 2025-02, FIRST READ AND PUBLIC HEARING, An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 7, Beaches And Waterways by Amending Section 7-27, Relating To Sand Removal or Digging on the Beach; ; Providing Codification, Conflicts, Severability, And Providing An Effective Date p. 32
PH
9. OLD BUSINESS / NONE
10. NEW BUSINESS
 - A. Consideration of Approval of City Hall Interior Renovation - Phase I p. 36
11. COUNCIL COMMENTS
12. ADJOURN

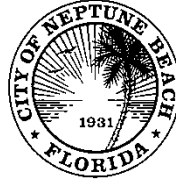
In accordance with Section 286.0105, Florida Statutes, any person desirous of appealing any decision reached at this meeting may need a record of the proceedings. Such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statute, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at least 48 hours prior to the meeting.

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."



**MINUTES
REGULAR CITY COUNCIL MEETING
MONDAY, JANUARY 6, 2025, 6:00 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266**

Pursuant to proper notice, a Regular City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, January 6, 2025, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266

IN ATTENDANCE:

Mayor Cori Bylund
Councilor Tim Horvath
Councilor Nia Livingston
Councilor Josh Messinger
Councilor Brent Rogers

STAFF:

City Manager Richard Pike
City Attorney Paul Waters
Chief of Police Michael Key
Chief Financial Officer Jaime Hernandez
Public Works Director Deryle Calhoun
Parks and Sustainability Director Colin Moore
HR Coordinator Jillian McCann
City Clerk Catherine Ponson

Call to Order/Roll
Call/Pledge

Mayor Bylund called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance.

APPROVAL OF MINUTES

Minutes

Made by Messinger, seconded by Rogers.

MOTION: TO APPROVE THE FOLLOWING:

December 2, 2024, Regular Council Meeting

December 3, 2024, Special City Council Meeting/Swearing In Ceremony

APPROVED BY CONSENSUS

Election of Vice
Mayor

Election of Vice Mayor. Mayor Bylund announced the vice mayor would be elected at this meeting. She would like to make a recommendation that Councilor Nia Livingston be elected as vice mayor.

Made by Horvath, seconded by Rogers.

MOTION: TO ELECT COUNCILOR NIA LIVINGSTON AS VICE MAYOR

Roll Call Vote:

Ayes: 5-Messinger, Rogers, Horvath, Livingston and Bylund.

Noes: 0

MOTION CARRIED

PUBLIC COMMENTS

Public Comments Pat Hazouri, 207 Florida Boulevard, Neptune Beach, stated she came to give thanks to Mayor Bylund and Councilor Rogers for running phenomenal campaigns and giving hope to the City and citizens for real meetings. She hopes everyone keeps attending the meetings and give Council their support.

Susie Miller, 106 Myra Street, Neptune Beach, wants Council to reinforce the Senior Center. She stated that it is important for people like her to be surrounded by community. One of the biggest problems with aging is loneliness and it is very important to keep the Senior Center open and to support it. She also addressed bicycle safety.

CITY MANAGER REPORT

City Manager Report City Manager Richard Pike reminded everyone that the City Manager Report will come out every month. If there are any questions, they can follow up with him or staff members. The report includes an update on each department.

The monthly City Manager Reports can be found on the City website at: <https://www.nbfl.gov/city-manager/pages/city-manager-reports>

OLD BUSINESS

Drivers vs. City of Neptune Beach Final Special Magistrate Report Drivers vs. City of Neptune Beach Special Magistrate Report. City Attorney Paul Waters stated this is a quasi-judicial hearing and there are procedural matters involved. He asked if there were any ex parte communications from Council about this issue.

Ex Parte Communications Vice Mayor Livingston reported she had spoken briefly with the Schoonovers but it was nothing new from the first time. She had also spoken to people back then as well.

Councilor Messinger stated that since the last meeting, he had not spoken to anyone. For encompassing the case as a whole, he has spoken to the Schoonovers, additional neighbors, and representatives of the Drivers.

Mayor Bylund reported since she was on the Community Development Board in May, she has spoken to the Schoonovers and several neighbors.

Councilor Rogers stated he had spoken to the Schoonovers and Scott Wiley.

Councilor Horvath reported he had spoken to the Schoonovers,

Swearing In Mr. Waters administered the oath to anyone who would be speaking giving testimony and staff.

Special Magistrate Report Special Magistrate Sid Ansbacher stated it was a privilege to be asked to be the Special Magistrate by the Drivers and the City to act as Special Magistrate under Florida Statutes §70.51.

Mr. Ansbacher explained that the heart of this process F.S. §70.51, created in 1995 by the legislature, was to try to give people the opportunity to see if there is the possibility of a resolution short of litigation. This could be for land use or enforcement action association with the property. He stated he is taking a snapshot of what was presented at a half-day presentation on October 31, 2024, with exceptional filings by both sides.

Mr. Ansbacher summarized he had looked at the history of the case, including the first applications and appeals. He stated that the first structure was substantially larger than what we are dealing with today. This was addressed on many of the same lines as the first bed and breakfast objection which was principally a question of compatibility. In the final report, he tried to delineate between what a court might do if the Drivers were to win and what a court might do if the City were to win. The Council's job is either to accept, reject, or accept with conditions his recommendations.

Mr. Ansbacher provided that the general sense of what he tried to determine is what are the objections. Does it comply with a bed and breakfast (B&B)? The Neptune Beach Code has limited definitional criteria. He added that the City's definition provides sufficient criteria for any court. Do they offer breakfast onsite? He recommended if there was an approval, there should be stricter requirements. He did find it met the criteria. He tried to be very clear about the height issue. His recommendation, if approved, is the height be dropped to 33 feet. This is just a starting point. He also stated that there is a very thorough frontage set of criteria that applies appropriately for most of the Central Business District (CBD). This is more of a commercial set of requirements.

Public Comments The following speakers spoke in opposition to the proposed bed and breakfast:

- Henny Schoonover, 214 Ocean Front, Neptune Beach
- George Schoonover, 214 Ocean Front, Neptune Beach
- Alison Ronzon, 221 South Street, Neptune Beach
- Alison Ronson read a statement in opposition from Rosemary Naughton, 516 1st Street, Neptune Beach
- Russell Peters, 99 Orange Street, Neptune Beach

Council Discussion Mr. Waters reminded Council that the choices are to approve, deny, or approve with conditions the Special Magistrate Report.

Vice Mayor Livingston stated she appreciated the thorough work on the report. She does not agree with the recommendations. It has not swayed her position since the last time it came before Council. The recommendation of scaling the appearance on the outside gives the applicant what they want, which is a house that is 35 feet. She stands by her discussion and arguments from last time.

Councilor Messinger agreed with Vice Mayor Livingston. The lack of compatibility and functionality in the discussions that took place made it clear that the desire was more a single-family residence put into the box of a B&B to get the benefits out of it. He appreciates Mr. Ansbacher's concern regarding the commercial aspects that work for the vast majority of the CDB but not this parcel. A variance request would come in to fix that piece. He has not changed his original vote.

Councilor Horvath asked if this is denied and the petitioner seeks legal counsel again, does it leave the City's hands.

Mr. Waters reported that if this is denied, the petitioner has a couple of different routes. If this were to go to court, there would be a strong ruling that would be best to follow.

Mayor Bylund agreed with Vice Mayor Livingston and Councilor Messinger. She stated that the proposed building is out of scale with the neighborhood. There is a lot of competent substantial evidence from the previous proceedings. The concerns and desires of the surrounding land owners and other persons is a factor. The conformity with the proposed development with the Comprehensive Plan, the Code and other applicable regulations are all factors.

Made by Livingston, seconded by Messinger.

MOTION: **TO REJECT THE SPECIAL MAGISTRATE RECOMMENDATIONS IN THE REPORT DATED NOVEMBER 20, 2024**

Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston, and Bylund.

Noes: 0

MOTION CARRIED

Doug Conkey,
SJRWMD

Mayor Bylund recognized Doug Conkey, Intergovernmental Coordinator, Governmental Affairs Program with the St. Johns River Water Management District. Mr. Conkey welcomed the new Mayor and Councilmembers and stated that he is available to help if needed.

Purchase and Sale
Agreement of City
Right-of-Way

Purchase and Sale Agreement of City Right-of-Way. Mr. Waters explained this is proposed purchase and sale agreement between the City and Marshpoint Properties Two, LLC. He pointed out that this is the City right-of-way at Marshpoint Road and Florida Boulevard that has often been referred to as the "weird ally."

Mr. Waters reviewed the key provisions of the sale. There is a \$70,000 purchase price. An escrow deposit of 10% is due within five days of execution of the contract. The buyer pays all of the closing costs, which will be no later than 120 days of the execution of the contract. Between the execution of the contract and closing, there will be a Statutory Development Agreement negotiated which gives the City the opportunity to have the purchaser not only meet the standards of the Code, but to go above and beyond what the Code requires to ensure the City is getting what the City wants for this project.

Mr. Waters continued that before closing, the applicant has to go through the site plan approval process, which includes hearings before the CDB and City Council. There will be restrictive covenants that will be baked into the deed. The restrictive covenants ensure that the property will be used as the City intends it to be. If the property was to be sold, the restrictive covenants go with the deed. This is not the final product. This is the green light to begin the negotiations. He is recommending approval of the purchase/sale agreement.

Vice Mayor Livingston stated she knows this has been ongoing. She wants to confirm that this is just to enter into the purchase and sale agreement. She appreciates the safeguarding of previous conversations in the past regarding what the property would look like. She added that she does feel a little pain in the idea of selling City property. She sees that the land does not offer any use to the City. The City could benefit by making some money from the sale and we can work to make whatever is built there something that can benefit everyone.

Councilor Messinger wants to make sure what is abundantly clear to not only Council but to the representatives of the purchaser, Jean Bakkes, when the development agreement goes through. In that process, Council and staff can provide feedback to produce a product beyond what our Code requirements are to benefit that section of town. When the new Publix requested a variance, a significant amount of improvements were made to that building, including the amount of landscaping and trees. He requested Mr. Bakkes' attorney come up and be aware of those requirements.

Mr. Waters reported that the statutory development process allows the City to put in any conditions, terms, restrictions, or any requirements to make a project what they want, which includes going above and beyond the Code.

Ruth McDonald, Hathaway and Reynolds, PLLC, attorney for Mr. Bakkes, confirmed that the approval of the site plan and the development agreement are conditions precedent to the closing. The closing cannot proceed without the appropriate approvals. Mr. Bakkes and Marshpoint Properties understand those requirements.

Councilor Rogers expressed the City is an unmotivated seller and we have a motivated buyer. He does not see any point in getting rid of this property for \$70,000. He saw the comps and thought they were light. He is not in favor.

Mr. Horvath stated the land that is not being utilized and there is no benefit now. If we can get something in exchange, it helps the City grow. It makes sense to him.

Mayor Bylund remarked that she has the same anxiety associated with selling any City property. This is a proposal for just a small part of the weird alley.

Made by Horvath, seconded by Livingston.

MOTION: TO AUTHORIZE THE EXECUTION OF THE PURCHASE AND SALE AGREEMENT AND ALLOW THE TRANSACTION TO PROCEED

Roll Call Vote:

Ayes: 4 – Horvath, Messinger, Livingston, and Bylund

Noes: 1- Rogers

MOTION CARRIED

NEW BUSINESS

Res. No. 2025-02,
Interlocal
Agreement, CDBG
Program

Resolution. No. 2025-02, Interlocal Agreement, CDBG Program. Mayor Bylund read the resolution by title and asked for any discussion from Council.

Councilor Rogers remarked that the agreement states the City of Jacksonville (COJ) and Neptune Beach agree to cooperate to enable City of Jacksonville to expend these funds on eligible activities within Neptune Beach's jurisdiction. It talks about lower income housing assistance and community renewal. He asked if this allows low-income housing and what is meant by emergency shelter grant.

Mr. Waters stated that the Florida Department of Economic Opportunity typically administers HUD funds through CDBG grants. This agreement allows citizens to apply to COJ instead of the state. It is not stating there would be low-income housing in Neptune Beach. This agreement has been in place for years.

Mr. Pike explained that for the last 25 years the City has been receiving this block grant to offset the funding for the Senior Center Coordinator. The money can only be used for that purpose. This is the sole benefit we receive.

Mayor Bylund expressed she had initial concerns. She understands now that we have been under this same contract for many years and we get \$48,000 per year. We are not being asked to do anything other than be in this contract and we receive the funds for the Senior Center Director.

Councilor Messinger clarified that Council is authorizing the Mayor to enter into the negotiation and then ultimately the terms of the agreement.

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE RESOLUTION NO. 2025-02**

Roll Call Vote:

Ayes: 4 - Messinger, Horvath, Livingston, and Bylund.

Noes: 1- Rogers

MOTION CARRIED

Res. No. 2025-04,
CDB Appointment

Resolution No. 2025-04, Appointment to the Community Development Board. Mayor Bylund read the resolution by title and explained two members' terms had expired and are up for reappointment. She is reappointing Greg Schwartzberger and René Atayan. She also stated that due to the fact that she was elected as mayor, it opened up a vacancy. She is appointing alternate member Lynda Padrta as a regular member. The mayor appoints the member and is approved by Council through a resolution.

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE RESOLUTION NO. 2025-04**

Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston, and Bylund

Noes: 0

MOTION CARRIED

COJ Interlocal
Agreement- 911
Fees

Agreement for 911 User Fee Distribution between Jacksonville Sheriff's Office and the City of Neptune Beach. Mayor Bylund explained that this is an agreement where the City receives money from the Jacksonville Sheriff's Office to help with our dispatcher expenses.

Made by Messinger, seconded by Livingston.

MOTION: **TO APPROVE THE 911 USER FEE AGREEMENT BETWEEN JACKSONVILLE SHERIFF'S OFFICE AND THE CITY OF NEPTUNE BEACH**

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston, and Bylund.

Noes: 0

MOTION CARRIED

The Southern
Group Agreement

Contract for Lobbying Services Between The Southern Group of Florida, Inc. and the City of Neptune Beach. Mayor Bylund stated this is the contract for lobbying services with The Southern Group.

Councilor Rogers asked what we have gotten from The Southern Group since they have been under contract.

Councilor Messinger explained that Jim Gilmore has been the primary representative on this agreement. One of the big achievements last year, in looking at infrastructure, was over \$7 million in funding that has been secured from COJ, for culvert and large drainage passageways in different parts of the City. There has also been additional funding in the 2025 budget. Mr. Gilmore is a well-known entity at the beach. He lives at the beach and has longtime connections with the current administration.

Mayor Bylund added that there was \$7-8 million for the culvert under Florida Boulevard and we could lock in funds for the culvert under Forest Avenue. She commented that Mr. Gilmore is not the only representative from The Southern Group that the City works with. There are representatives from The Southern Group who have contacts in Tallahassee who will be helping her with those relationships to pursue other funding sources. She added that those funding sources outside of Neptune Beach are important because it helps keep money in residents' pockets and not raise the millage rate.

Mayor Bylund pointed out that the contract is only for one year and if at any point it is not working, we can explore other options. It seems worth it to her to continue the agreement.

Made by Livingston, seconded by Messinger.

MOTION: **APPROVE THE CONTRACT BETWEEN THE CITY OF NEPTUNE BEACH AND THE SOUTHERN GROUP, INC.**

Roll Call Vote:

Ayes: 4 - Messinger, Horvath, Livingston, and Bylund.

Noes: 1- Rogers

MOTION CARRIED

COUNCIL COMMENTS

Council Comments Councilor Rogers questioned if the metal detectors are still in use and stated that this does not fit with the City.

Mayor Bylund stated that the proper procedure to do something would be to propose a resolution. They could not vote today. She expressed that as an attorney for the last 20 years she has been going through metal detectors, sometimes several times a day. She does not feel the same way as others about the privacy concern. She knows they have them at COJ. They do have them in other cities. She has discussed this with our law enforcement and there are identified threats within our City the people don't know about. She questioned the metal detectors herself and there were threats she did not know about.

Mayor Bylund commented that she has had her life threatened. To her, the metal detector is a small inconvenience for the safety of those at the meetings. She reported you can go Google and search out shootings in Council meetings, and they are there. They are in small cities like ours. She wanted everyone to know that this has been on her radar. She has done the research and wants to be transparent about her feelings.

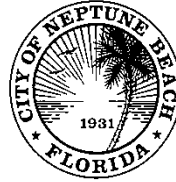
Adjournment There being no further business, Mayor Bylund adjourned the meeting at 7:15 p.m.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: _____



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, JANUARY 21, 2025, 6:00 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Special City Council Meeting of the City Council of the City of Neptune Beach was held on Tuesday, January 21, 2025, at 6:00 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266.

Attendance:

IN ATTENDANCE:

Mayor Cori Bylund
 Vice Mayor Nia Livingston
 Councilor Tim Horvath
 Councilor Josh Messinger
 Councilor Brent Rogers

STAFF:

City Manager Richard Pike
 City Attorney Paul Waters
 Chief of Police Michael J. Key, Jr.
 Chief Financial Officer Jaime Hernandez
 Public Works Director Deryle Calhoun
 Community Development Director Heather Whitmore
 Parks and Sustainability Director Colin Moore
 City Clerk Catherine Ponson

**Call to Order/Roll
Call/Pledge**

Mayor Bylund called the Special Meeting to order at 6:00 p.m. and Councilor Horvath led the Pledge of Allegiance

**Cleaning and
Video Inspecting
Stormwater Pipes**

Cleaning and Video Inspecting of Various Stormwater Pipes. Public Works Director Deryle Calhoun first gave an update on the cleaning and televising of the sanitary sewer pipes in Oceanwood, parts of the Fletcher Pump Station collection system, and Indian Woods. He reported they had cleaned about three miles of sanitary sewer pipe. They are currently reviewing the video and will have the budget request for FY26. He also reported that with the recent rain on Sunday, January 18, 1.1 million gallons of water ran through the system instead of the usual 640,000 gallons per day.

Mr. Calhoun stated that this request is for the stormwater system. The City has about ten miles of stormwater pipes and related infrastructure in that system. There is about 4,500 feet of pipe constructed in 1980 and earlier. This is to video and clean as necessary those pipes and develop an FY26 budget request.

Made by Messinger, seconded by Livingston.

MOTION: **TO AWARD ATLANTIC PIPE SERVICES IN THE AMOUNT OF \$41,063.29**
WITH STAFF AUTHORIZATION FOR CHANGE ORDERS UP TO 15% OF
AWARD

Roll Call Vote:

Ayes: 5 - Horvath, Messinger, Rogers, Livingston, and Bylund
 Noes: 0

MOTION CARRIED

Surplus, Fines and Forfeiture Funds Surplus Sale Funds, Fines and Forfeiture Funds for Vehicle Purchase. Chief of Police Michael Key stated this is before the Council as state law has requirements when the Police Department is going to utilize fines and forfeiture funds. This is unique and not a part of the normal budget that the Police Department operates on. He indicated that the governing body must approve the request and be certified by the Chief of Police that the item being purchased will be used in the narrowest scope defined by fines and forfeiture money.

Chief Key explained this request is to spend up to, but not to exceed, \$26,000 for the purchase of a detective vehicle, as a result of an agency vehicle being deemed unfit for service resulting in an unbudgeted need. The quoted amount for the vehicle is less than \$25,000, which would not preempt authorization from the City Council. However, due to the deficit between selling surplus vehicles for \$20,000 and \$5,000 to reach the amount of the vehicle, he is opting to ask to use fine and forfeiture money and not use a normal budgeted line item account. The request for up to \$26,000 is in the case of unforeseen title work or registration costs that may occur.

Made by Livingston, seconded by Messinger.

MOTION: **TO APPROVE THE REQUEST TO UTILIZE SURPLUS SALE FUNDS, FINES AND FORFEITURE FUNDS FOR VEHICLE PURCHASE**

Roll Call Vote:

Ayes: 5 - Messinger, Rogers, Horvath, Livingston, and Bylund

Noes: 0

MOTION CARRIED

Res. No. 2025-05, CDB Resolution No. 2025-05, A Resolution of the City of Neptune Beach Appointing Members to the Community Development Board. Mayor Bylund commented that she is recommending the appointment of Hillary Weatherhead, Coral Messina, and Kathy Lahr-David as the alternate members to the CDB. She explained that the City has had some applications on file for several years. She met with and had phone interviews with applicants. She looked at their applications which contained information such as educational, work history and how long they had lived in Neptune Beach. It is not based on seniority but on what is best for Neptune Beach.

Appointments

Made by Livingston, seconded by Rogers.

MOTION: **TO ADOPT RESOLUTION NO. 2025-05**

Roll Call Vote:

Ayes: 5 - Rogers, Horvath, Messinger, Livingston and Bylund

Noes: 0

MOTION CARRIED

Adjournment

There being no further business, the Special Meeting adjourned at 6:13 p.m.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: _____



MINUTES
WORKSHOP CITY COUNCIL MEETING
TUESDAY, JANUARY 21, 2025, 6:13 P.M.
IMMEDIATELY FOLLOWING THE SPECIAL MEETING
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice, a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Tuesday, January 21, 2025, at 6:13 p.m., in Council Chambers, City Hall, 116 First Street, Neptune Beach, Florida, 32266

Attendance	IN ATTENDANCE: Mayor Cori Bylund Vice Mayor Nia Livingston Councilor Tim Horvath Councilor Josh Messinger Councilor Brent Rogers	STAFF: City Manager Richard Pike City Attorney Paul Waters Chief of Police Michael Key Chief Financial Officer Jaime Hernandez Public Works Director Deryle Calhoun Community Development Director Heather Whitmore Parks and Sustainability Director Colin Moore City Clerk Catherine Ponson
Call to Order/Roll Call	Mayor Brown called the workshop meeting to order at 6:13p.m.	

PUBLIC COMMENTS

Public Comments Chuck McCue, 1908 3rd Street, Neptune Beach, spoke regarding the parking in-lieu of program, the bollards between the two Publix grocery stores and other bollards in the City, the purchase of a bronze plaque and bolder in Jarboe Park, and the Senior Center Director position.

Shellie Thole, 310 Oleander Street, Neptune Beach, stated citizens should have time to get into compliance with the Code provisions on boats and added that there is so much opportunity for the Senior Center building.

Pat Hazouri, 207 Florida Boulevard, Neptune Beach, stated she had concerns about the money that has not been spent over the last 20 years on the water system. She also questioned what was done with the money received from the federal government.

PROPOSED ORDINANCE

Proposed Ordinance 2025-01	<u>Proposed Ordinance No. 2025-01, An Ordinance of the City of Neptune Beach, Florida, Amending Chapter 7, Beaches and Waterways by Amending Section 7-27, Relating to Sand Removal or Digging on the Beach; and by Amending Section 7-36, by Allowing Beach Fires; Providing Codification, Conflicts, Severability, And Providing An Effective Date.</u>
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Mayor Bylund stated she is sponsoring this ordinance and asked Chief of Police Michael Key to present the information.

Chief Key explained he would present this in two parts. First, would be beach digging. This came in response to being proactive in continuing to explore areas to improve. During command staff meetings, they hypothesized deficiencies in the Code as it pertains to various situations that could arise. One of them was beach digging. There was a tragic accident in Lauderdale by the Sea, where children dug a deep hole. The hole collapsed burying a seven and a nine-year old. It took 20 minutes for beachgoers to help dig them out. The seven-year-old died. It would be horrible if that happened here.

Chief Key continued that the Police Department commonly hears from Ocean Rescue that people go on the beach, dig big holes, and do not fill them back in. There is nothing specific in the Code that says you are not allowed to dig to a certain depth and not fill it back in. This ordinance would give officers the ability to enforce the depth in which someone could dig a hole. It would also protect children, beachgoers, government and sea turtle patrol vehicles, and sea turtles nesting. It is not a local problem yet other than ocean rescue reporting that they have had incidents.

Chief Key then addressed beach fires. He stated that beach fires are not specifically addressed in the Code. It was never set forth by Council of what they want the Police Department to enforce. There is the option of no beach fires at all. The City could mirror the City of Atlantic Beach and other counties and municipalities throughout the State and provide a mechanism and a permitting process to legally have a fire on the beach

Councilor Messinger expressed his support of having a permitting process to be able to have fires on the beach. He wants to make sure that as we codify this, we want to say to not only extinguish the fire, but there has to be water and no burning or hot embers remaining

Councilor Rogers asked if there were any incidents where there has been a problem with holes or fires at the beach and what was the genesis for this being brought forward

Chief Key commented it came from being proactive and trying to make our Codes better. He reiterated that ocean rescue routinely encounter holes. Ocean rescue has expressed their support for the regulations. There have been instances where people have built fires.

City Attorney Paul Waters pointed out that allowing holes on the beach is a violation of the Endangered Species Act by threatening sea turtles.

Councilor Rogers remarked that it does not sound like the incidents described would be prevented by these ordinances

Vice Mayor Livingston asked if there is a citation or fine for someone who violates this by digging a hole

Chief Key answered it would be a municipal ordinance violation and there are fee structures in other parts of the Code that enumerate the fine.

Vice Mayor Livingston expressed that she would support permits for beach fires if it were for a certain time period. We should protect our beach by not allowing beach fires year-round. She requested information from Atlantic Beach on how successful the permitting process is and if they are having issues.

Councilor Messinger stated that the finer details of this are important rather than the conceptual. He would not be opposed to going to another workshop. He would also support

separating the two items as two ordinances. We could Section 1, Beach Digging, to a first read and take Section 2, Beach Fires, to another workshop

Mayor Bylund summarized that the Council consider moving the ordinance to first read and striking Section 2 regarding beach fires at this time.

CONSENSUS: **TO MOVE PROPOSED ORDINANCE 2025-01 TO A FIRST READ OMITTING SECTION 2, BEACH FIRES, ON FEBRUARY 3, 2025**

Mayor Bylund confirmed Mr. Waters inquiry that a second ordinance regarding beach fires be proposed at the February 18, 2025, Council Workshop.

ISSUE DEVELOPMENT

FY 24-25 Budget Summary Budget Summary Report – First Quarter FY2024-2025. Chief Financial Officer Jamie Hernandez reported on FY24-25 First Quarter financial activity ending December 31, 2024. He reminded everyone that the total revenue for the FY24-25 budget is \$27.8 million. The total expenses are \$26.6 million. This will give the City a potential surplus of \$1.2 million. We have received so far this year \$3.9 million in revenues. We have collected 75% of the property taxes.

Mr. Hernandez confirmed in response to Mayor Bylund's question that we would begin discussing the millage rate in the near future.

Vice Mayor Livingston inquired about the status of the audit as she knows they are behind.

Mr. Hernandez stated the City is working on the FY22-23 audit. When that is completed, the City will begin the FY23-24 audit.

Vice Mayor Livingston expressed the City should start having the millage rate discussion months in advance.

Mayor Bylund announced that a finance committee would be formed. She asked for qualified people with background and experience in accounting to serve on the finance committee.

Mr. Hernandez explained that a finance committee needs to be created pursuant to state law to be part of the RFP process for an auditing firm.

Mr. Hernandez confirmed Mayor Bylund's statement that the recommendation for reserves is to have 20% of the total operating budget for emergencies.

LDC
Discussion-
Boats/RVs

Land Development Code Discussion – Boats/RVs. Community Development Director Heather Whitmore explained the discussion would be the LDC specific to boats and RVs in driveways and front yards. Specifically, Code Section 27-335, *"Parking, Storage or Use of Major Recreational Equipment."* This section prohibits the parking of boats and RVs in front yards. Recent code enforcement action to enforce the Code has resulted in frustrations from citizens. The purpose of this discussion is to review the Code and for the Council to give directions to proceed with any revisions or keep it the way it is.

Ms. Whitmore reported that staff has discussed the Code with property owners at the November 13, 2024, and January 15, 2025 Community Development Board meetings. During these discussions concerned citizens have requested that the City repeal the code to permit boats/RVs in front yards, whereas the CDB has not recommended an amendment to the code.

Ms. Whitmore prepared and presented a report that compares the City's Code to six neighboring communities, including Jacksonville Beach, Atlantic Beach, Jacksonville, Fernandina Beach, St. Johns County/Ponte Vedra Beach, and St. Augustine. They all prohibit the parking of boats/RVs in front yards. Based on staff analysis, CONB's code is consistent with most cities in Florida. The definition of front yard is different in each city, but they all sum up to the same, which is known as the front yard setback. Ms. Whitmore advised there are currently 10 outstanding cases regarding this issue, and this is a frequent complaint.

Mayor Bylund stated laws cannot be applied differently across the City. Some people have purchased storage space for their boats or RVs. It is a difficult problem.

Ms. Whitmore advised that all enforcement of this has been put on pause and she is seeking guidance on whether to continue this pause. She clarified to Mayor Bylund that no one has been fined. The City has a series of courtesy notices. There have been no notices of violations issued that would result in a fine. There were 30 courtesy notices issued and 20 of them quickly came into compliance. There is a set process for coming into compliance.

Councilor Rogers commented that his understanding is that people were upset that they have been putting their boats in a place for decades. Now, they have received notice and did not like the interaction.

Mayor Bylund expressed that she received complaints about lack of code enforcement and then we hired a Code Enforcement Officer. The new code enforcement officer is undergoing training. She suggested maybe we could approach the situation with education and offering solutions and alternatives rather than issue citations, especially with the unresolved cases.

Ms. Whitmore remarked there was no informed roll-out of code enforcement. The City did not have a Code Enforcement Officer for a very long time. Prior to that there was no aggressive code enforcement.

Councilor Messinger asked for clarification and questioned if we were not going to enforce the rules until Council gives direction.

Ms. Whitmore expressed she would not enforce this until she receives direction from the Council.

Councilor Messinger commented that giving people a timeline is appropriate and fair as they need to find a location. This is not a new law, and it is in compliance with every other community around the City.

Mayor Bylund agreed this is not a new law. It has been in place for quite a while. Those who have not been following that law deserve some grace and exhaust those opportunities to come into compliance.

Councilor Messinger remarked that his concern is not enforcing a very important ordinance because of ten individuals. He agrees there should be grace and dialogue with those individuals. He wants to make sure Ms. Whitmore has the clarity for the ten individuals to work with them.

Vice Mayor Livingston stated that this is a matter of something that has been in the Code and how do we enforce it. She agrees we should lead with grace as we are all neighbors. It is not a matter of not enforcing it but coming up with a date or amount of days to actually begin citing people.

CONSENSUS: **TO CONTINUE THE PAUSE FOR 90 DAYS ON THE INDIVIDUALS WHO HAVE ALREADY BEEN ISSUED THE COURTESY WARNING**

Mayor Bylund pointed out this is not a pause on code enforcement. This gives time for the CDB to have another workshop. This also gives people notice to find a solution.

Ms. Whitmore indicated she would continue to focus on education and voluntary compliance. She would continue documenting complaints and cases observed. Feedback would be received from the CDB. She would come back to Council to see if they would like revisions or keep the Code as is and proceed with the cases that have been on pause.

Councilor Messinger suggested workshopping a mechanism for the current system and timeline in the Code.

PUBLIC COMMENT

Public
Comments

Pat Hazouri, 207 Florida Boulevard, Neptune Beach, stated that our ordinances have never been consistently enforced. She spoke regarding code enforcement of construction sites.

Chuck McCue, 1908 3rd Street, Neptune Beach, proposed giving citizens at least six months to find a place for their boat. He suggested offering residents a space at the City Yard. He proposed to keep writing the warnings and talk to them in a kinder way.

Gina Kline, 220 Myra Street, Neptune Beach, stated she had received a courtesy notice. She has a garage and was able to store her travel trailer. She has seen boats and trailers all over. She requested a future workshop to look at exceptions or modifications for applying for a variance.

COUNCIL COMMENTS

Councilor Horvath commented that the City sends out a newsletter with the utility bill. He suggested using emails to send monthly notices. There would be benefits to this for educating and informing citizens on a regular basis.

Mayor Bylund informed everyone that schools would be closed due to the winter storm tomorrow, January 22. City Hall will open at 10:00 a.m. She encouraged everyone to download the Jax Ready app.

Mayor Bylund also announced there would be an Open House on Tuesday, February 18, 2025, at 5:00 p.m. on the Penman Road Project. That will be followed by the Council Workshop and Town Hall meeting. The plan is to have Town Hall meetings after the workshops.

Councilor Messinger commented he supports the Town Hall meeting and would like to see the meeting be topic based. This would allow everyone to be prepared at the time and be able to answer questions.

Adjournment

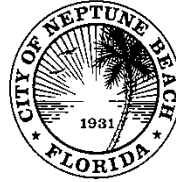
There being no further business, the workshop meeting adjourned at 8:01 p.m.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: _____



**MINUTES
TOWN HALL MEETING
IMMEDIATELY FOLLOWING WORKSHOP MEETING
TUESDAY, JANUARY 21, 2025, 8:13 P.M.
NEPTUNE BEACH CITY HALL
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266**

Pursuant to proper notice, a Town Hall Meeting of the City Council of the City of Neptune Beach was held on Tuesday, January 21, 2025, at 8:13 p.m., at Neptune Beach City Hall, 116 First Street, Neptune Beach, Florida 32266.

Attendance:

IN ATTENDANCE:

Mayor Cori Bylund
Vice Mayor Nia Livingston
Councilor Tim Horvath
Councilor Josh Messinger
Councilor Brent Rogers

STAFF:

City Manager Richard Pike
City Attorney Paul Waters
Chief of Police Michael J. Key, Jr.
Chief Financial Officer Jaime Hernandez
Public Works Director Deryle Calhoun
Parks and Sustainability Director Colin Moore
City Clerk Catherine Ponson

**Call to Order/Roll
Call/Pledge**

Mayor Bylund called the Town Hall Meeting to order at 6:00 p.m.

Mayor Bylund announced each speaker would be given five minutes. This could be changed to three minutes if the meetings go longer. She does want to give everyone the opportunity to talk and get their issues addressed. She added people would give their statement and if any questions are not answered, staff contact information would be given for further information. Speaker forms should be filled out for public record.

**Public Comments-
Open Topic**

Jonathan Boston, 552 Myra Street, Neptune Beach, spoke regarding boats/RVs. He commented about the delivery of the notices, the complaints, and storage solutions.

Mayor Bylund stated that there have been discussions on the way the notices were delivered. She added that an effort has been made on how that is handled. We will continue to workshop this as there is an opportunity for revisions.

Ms. Whitmore confirmed that by statute a complaint cannot be anonymous. She has not had any request for complaints for the recent violations.

Pat Hazouri, 207 Florida Boulevard, Neptune Beach, suggested having the Town Hall meetings differently. She spoke about the Dover, Kohl process and asked for pages from the first draft of the vision plan that contained form-based housing for the Kmart property and Town Center area. They were removed from the final draft. She spoke about JEA taking over and the Penman Road project.

Mayor Bylund expressed that there are no plans for form-based housing, PUDs (Planned Unit Development), or any residential property either at the Seahorse or at the 500 Atlantic property. She asked everyone to look forward.

Councilor Messinger clarified that a PUD was placed in the Code with specific restrictions on that PUD due to state preemption forcing laws and regulations into Code that cities do not want. The City had a vague PUD-related Code process. This time, the City created a PUD very explicitly. In no way, shape, or form is residential allowed to be asked for via PUD in a zoning district that does not already allow it. The PUD is only a mechanism if someone buys three parcels and wants to do an office building. They only need to apply for one variance for one project. He expressed that in no way, shape or form, does our Code allow residential to be placed at the 500 Atlantic property.

Vice Mayor Livingston stated that she would send Ms. Hazouri a copy of where it is in the Code where it states those provisions.

Public Works Director Deryle Calhoun addressed the JEA issue and stated that a lot of things would have to fall into place for JEA to take over.

Shellie Thole, 310 Oleander Street, Neptune Beach, spoke regarding e-bike safety, Airbnb's, communication to citizens, and code enforcement.

Chief of Police Michael Key reported the Police Department is in the middle of a six-week roll out campaign for e-bike enhanced enforcement.

Ginny Thurson, 1200 7th Street, Neptune Beach, asked about the second phase of Jarboe Park status and how it would be funded.

City Manager Richard Pike stated the parking areas and the field would be redone in Phase 2. Engineering is underway.

Mayor Bylund reported the City is requesting funds for Jarboe Park from COJ. We are also renegotiating the Interlocal Agreement.

Councilor Messinger stated that we are requesting funding from COJ for parking lot and irrigation funding. There is also the tree mitigation fund, which is a separate fund. The vast majority of Jarboe Park was funded via grants.

Will Gibson, 2136 Acacia Road, Neptune Beach, suggested getting questions ahead of time. He also proposed issuing public notice explaining code enforcement issues.

Mark Dubiel, 1805 4th Street, Neptune Beach, stated four years ago he bought an Airstream, and was previously told he was in compliance by the former code enforcement officer. This can cause frustration now when he is now being told he is not compliant.

Mayor Bylund commented she is happy with how the meeting went. Communication is important. She does not want people to feel left out and let them know they are part of the process.

The entire Town Hall Meeting can be found at: <https://www.nbfl.gov/minutes-and-agendas>

Adjournment

The Town Hall Meeting adjourned at 9:14 p.m.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: _____

City Manager's Report

Departmental Recaps-1/29/2025

Police Department-Chief Michael Key (See Separate January 2025 Report)

City Clerk-Catherine Ponson

- Submitted Continuing Assignments for the Florida Clerk Professional Program
- Fulfill ongoing public records requests and answered questions
- Prepare Minutes and Council agenda packets
- Prepare public notices for upcoming meetings

Community Development-Heather Whitmore

- **Community Development Board: February 12, 2025**
 - Two variances
 - Code Discussion: Boat/RV
 - Sec. 27-335. - Parking, storage, or use of major recreational equipment.
- **Special Code Magistrate: March 25, 2025**
 - 1901 Forest Ave trees
- **Fee Resolution Table 2022-07**
 - Organize a "Fee Review Committee" to certify the accuracy of fees in the resolution
 - January Meetings-Feb 2025 City Council adoption
- **JFRD Vertex Report and Plans Examination-Inspection Contract**
- **ROW/Tap Fees Update**
- **Community Development Digital Transition to GovBuilt**
- **Bakkes/Marsh Point Development**
- **Pete's Bar**
 - Dumpster Lease
 - Development Order Modification
- **1112 Third St**
 - Development Agreement
 - Utilities Availability
 - Development Order/Special Exception/Variance
- **Code Enforcement Policies, Procedures, and Priorities Workshop**
- **Rico Armstrong Fire training – Budget Amendment to cover training cost**
- **Incoming Development:**
 - Aldi

- 7 Brew
- 1112 Third St
- 302 Third
- 450 Atlantic Blvd
- 436 Atlantic Blvd
- Heather to get recertified as Certified Floodplain Manager (CFM) March 17-21, Tampa CFM
- Planning Initiatives:
 - Third/Atlantic Master Planning
 - Kmart Redevelopment
 - Adoption of Properties Right's Comp Plan Element
 - Stormwater Comp Plan updates
 - LDC Updates/Corrections - long list
 - Lemon Street Unified Plan

Finance-Jaime Hernandez

- FY 2022-23 Audit is still in progress. Waiting on Purvis Gray to finish their work and complete the audit. According to PG, they expect it to be completed February 14, 2025.
- We started using the new timekeeping system on January 4, 2025. This was the first day of punching in the new system.
- Updating policies and procedures to reflect new requirements and reflect changes in the new system.

Human Resources-Jillian McCann

- The Human Resources Department is pleased to announce the hiring of several candidates to fill city vacancies.
- Ms. Marcia Brown was hired to fill the open Emergency Communications Officer position, and Mr. Jared Geis and Mr. Jason Walsh were selected to fill the open Police Officer positions. Additionally, Mr. Husted was hired part-time as the Park Ambassador, overseeing park operations and ensuring an exceptional visitor experience. Mr. Drew Taylor, who has been with the city for eight years, has been promoted to Lead Wastewater Operator-Maintainer.
- Each of these individuals brings a unique set of experiences and skills that will significantly enhance our city's services.
- Recruitment efforts are ongoing to fill the open positions of Laborer 1 and Utility Laborer 1 within the Public Works Department.
- Professional development is also progressing, with classes currently ongoing in the Employment and Human Resources Law certificate program.

IT Department-Ricardo Pizarro

- Social Media: The Social Media Manager has begun researching to expand the City's presence on additional platforms.
- GIS: Prepared Approved GIS Job Description and submitted pay budget to finance to present to council.
- Application: Continuation with the implementation team for the upcoming Citizen Engagement Portal
- Infrastructure: Asset management review to replace aged hardware

Parks & Sustainability-Colin Moore

- Finalizing submission of FY 25 State Appropriations Request for Bay St Culvert Replacement
- Continuing to coordinate with Neptune Beach Elementary PTA about track funding opportunities
- Due to water intrusion, Jarboe Park court light fixture components are being replaced under the manufacturer's warranty – anticipate replacement parts arriving in February 2025
- Attended 1/28 COJ meeting concerning the Duval County TPO 2025 List of Priority Projects to ensure that the SR A1A Complete Streets project remains on the list
- Coordinating with COJ Arborist Jarboe Park tree replacement under warranty and additional tree planting
- Partnering with Beaches Go Green on Earth Day Beach/Town Center Cleanup planned for 4/19/25
- Planning installation of 2 new beach showers at Lemon St and Florida Blvd accesses

Public Works- Dervyle Calhoun

(Updates in **bold** font)

Potable Water System

- Replacement Well 5 – Well driller mobilized to site 1/7/25. Drilling is underway and proceeding as expected.
- Water Management District Consumptive Use Permit – **CONB and the environmental attorney successfully met with WMD and reached an agreement on permit terms.**
- Fire protection water supply gap analysis – **Report is finalized.**

Wastewater System

- Permit renewal application submitted to FDEP - Treatment capacities of both plants will be addressed during the permit renewal process. The consultant submitted the proposed pilot plant study to FDEP on 11/07/24. A meeting was held with FDEP regarding the draft modified Consent Order for permit violations in 2022 and 2023. **Response to draft consent order submitted to FDEP.**

- Redundant 3rd Street gravity pipeline – The consulting engineer has submitted a permit application package to FDOT. The FDOT permit is in the final stages of review, and additional information was provided to FDOT on 12/18/24. The FDEP permit has been received. A bid package is in development. **FDOT requested additional information on 1/16/25.**
- Florida Blvd force main extension – The project was approved in the FY25 budget. The **City Engineer submitted to COJ EQD** for permitting on 1/21/25.
- Stormwater and groundwater Inflow and Infiltration (I&I) reduction effort - Worked with the consulting engineer to identify wastewater pipes for targeted cleaning and televising to identify any defects, including customer service laterals. Indian Woods subdivision main pipes and service laterals were cleaned and televised. Cleaning and televising Oceanwood and parts of Fletcher pump station collection system completed the week of 11/11/24. Results will be used to identify pipe rehabilitation projects. Consulting engineer developing bid package pipe-lining rehabilitation.

Stormwater System

- Hopkins Creek improvements at Florida and Forest – Design is underway by a COJ engineering consultant. 30% design was reviewed by CONB.
- Design for various small projects was approved by the council. Design is complete. Design presented at Council workshop on 11/18/24. Project communication to property owners rolling out. The consultant has submitted for an FDOT permit. PO issued to engineer for bid phase services. **The project should bid in February.**
- Erosion control pilot project on Davis Creek. Bahia grass has been installed to stabilize the media, and test planting of various salt-tolerant plants is scheduled for late June/early July. Additional plant variety was installed. Another product (Geoweb) was procured for trial and installed by Public Works staff the week of 12/09/24.

Senior Center

- A water intrusion report with mitigation recommendations was received from the consultant on 12/06/24. Site meet with contractor 12/18/24 to develop probable costs of options for presentation to City Council.
- **Expected to present findings and probable cost options to City Council 2/18/25.**



Agenda Item #8A
Ord. No. 2025-01, Beach Fires

CITY OF NEPTUNE BEACH
CITY COUNCIL MEETING
STAFF REPORT

AGENDA ITEM:	Agenda Item #8A , Ordinance 2025-01, Banning Beach Fires
SUBMITTED BY:	Michael Key, Chief of Police
DATE:	01/29/2025
BACKGROUND:	<u>BEACH FIRES</u> <u>Background:</u> Our Municipal Ordinances lack specific content regarding beach fires, leaving potential for an ambiguous interpretation. Within our code, fires are mentioned but no specific language enumerates that a fire on the beach is prohibited. The semi-applicable sections are as follows: • Sec. 7-36. - Use of charcoal: <i>"It shall be unlawful and a municipal offense for any person, at any time while on the ocean beach area, to use charcoal or similar material, for any purpose, punishable as provided in this Code."</i> • Sec. 14-7. - Camping prohibited (a): <i>"(2) Cooking over an open flame or fire out-of-doors except small, self-contained, commercially available heating devices not requiring any special facilities to be safely operated."</i> • Sec. 10-1. - Burning trash or underbrush. <i>"No person shall burn off or set fire to underbrush, trash or rubbish on any property within the city without first obtaining authorization from the fire marshal for such purpose."</i> • Sec. 14-8. - Prohibited activities in parks and recreational facilities owned or controlled by the city. <i>"Start, maintain, allow, or have an open fire in a park or recreational facility. This section does not prohibit fires for the purposes of food cooking in self-contained, commercially available heating devices fueled by gas and/or charcoal."</i> • Sec. 16-43. - Definitions. <i>"Public place means any property owned or controlled by the city, the school board, the state or other government entity to which the general public has access and a right to resort for business, recreation, entertainment, or other lawful purpose."</i> (Note, the above definition is specifically referring to Chapter 16, Article III, Juvenile Curfew. Sec. 14-8 may be the closest applicable ordinance however the beach is not defined as a 'city park')

	<u>Benefit(s):</u> - Regardless of the direction the City Council elects to move, this change will provide more specific direction regarding fires on our beachfront. The proposed ordinance was discussed at length at the January 21, 2025, Council workshop <u>Recommendation(s):</u> - Specify that a fire is strictly prohibited on the beach,
RECOMMENDATION:	Ordinance No. 2025-01 at First Read, Banning Beach Fires, created by City Attorney
ATTACHMENT:	Ordinance No. 2025-01

SPONSORED BY:

MAYOR CORI BYLUND



ORDINANCE NO. 2025-01

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 7. BEACHES AND WATERWAYS BY AMENDING SECTION 7-36. BY BANNING BEACH FIRES; PROVIDING CODIFICATION, CONFLICTS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 7 of the City of Neptune Beach's Code of Ordinances contains beach regulations within the corporate limits of the City; and

WHEREAS, if unregulated, open recreational fires on the beach and the remnants thereof create a public nuisance and threatens the health, safety and welfare of the threatened and endangered species of animals, as well as the City's citizens and visitors; and

WHEREAS, the City Council of the City of Neptune Beach finds that regulation of beach fires is necessary and that these revisions to the City of Neptune Beach's Code will preserve, promote, and protect the health, safety, and welfare of threatened and endangered species of animals, as well as the City's citizens and visitors.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA that:

SECTION 1. Section 7-36 of the Code of Ordinances, City of Neptune Beach, Florida is hereby amended to read as follows: (~~striketrough~~ text shall mean deletions and underlined / highlighted text shall mean additions):

Sec. 7-36. Use of charcoal. Beach Fires

It shall be unlawful and a municipal offense for any person, at any time while on the ocean beach area, to use charcoal or similar material, for any purpose, punishable as provided in this Code.

It shall be unlawful for any person to ignite or maintain, or participate in the maintenance of, or utilize a bonfire, campfire, charcoal grill, propane grill or other activity that results in an open flame on the beach within the corporate limits of the City of Neptune Beach. Violation of any provision of this part shall result in a civil citation and a fine of one hundred dollars (\$100.00) for a first offense; two hundred and fifty dollars (\$250.00) for a second offense and five hundred dollars (\$500) for any third and subsequent offense.

SECTION 2: Codification. The provisions of this Ordinance shall become and be made a

part of the *Code of Ordinances of the City of Neptune Beach, Florida* and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word; provided, however, that Sections Three, Four, Five, and Six shall not be codified.

SECTION 3. Conflict. All ordinances, resolutions, 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 inconsistent herewith.

SECTION 4. Severability. If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 5. Effective Date. This ordinance shall immediately take effect upon second reading and approval.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

VOTE RESULTS OF FIRST READING: (Date _____)

Mayor Cori Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

VOTE RESULTS OF SECOND READING: (Date _____)

Mayor Cori Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

Cori Bylund, Mayor

ATTEST:

Catherine Ponson, City Clerk

Approved as to form and content:



Paul Waters, City Attorney



**Agenda Item #8B
Ord. No. 2025-02
Beach Digging**

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

AGENDA ITEM:	Agenda Item #8B , Ordinance No. 2025-02, Beach Digging
SUBMITTED BY:	Michael Key, Chief of Police
DATE:	01/29/2025
BACKGROUND:	BEACH DIGGING: Our Municipal Ordinances lack specific language regarding digging holes in the sand, the depth of such holes, and a requirement to fill the hole back in afterwards. After a tragic event which buried two children, leaving one dead, last March in Lauderdale by the Sea, this is crucial to address now, prior to an incident occurring locally. Links to Lauderdale by the Sea incident: https://www.nbcmiami.com/news/local/kids-trapped-sand-lauderdale-by-the-sea-beach/3238718/ https://www.facebook.com/share/v/15rh2r45j9/?mibextid=wwXlfr Currently there are two sections within our code regarding digging, however they don't address a depth or a requirement to fill the hole back in. Chapter 7 - Beaches & Waterways, Sec. 7-27. - Removal of sand, shell, etc. (a): <i>"It shall be unlawful for any person to excavate, bulldoze or remove sand, shell, rock or earth from the beaches within the corporate limits of the city, and any of the above conduct shall be unlawful regardless of ownership of the adjacent or abutting property by such person. However, the above provisions shall not apply to incidental and minor use, digging or shoveling by children and other individuals as part of the recreational use of the beaches."</i> <u>Benefit(s):</u> • Prevent life-safety incidents from occurring such as the referenced links. • Presents a hazard for authorized vehicles (police, ocean rescue, & sea turtle patrol) operating on the sand. • Presents a hazard to nesting sea turtles. The proposed ordinance was discussed at length at the January 21, 2025, Council Workshop
RECOMMENDATION:	Consider Ordinance No.2025-02 at First Read, created by City Attorney.
ATTACHMENT:	Ordinance No. 2025-02, Beach Digging

SPONSORED BY:

MAYOR CORI BYLUND



ORDINANCE NO. 2025-02

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING CHAPTER 7. BEACHES AND WATERWAYS BY AMENDING SECTION 7-27 RELATING TO SAND REMOVAL OR DIGGING ON THE BEACH; PROVIDING CODIFICATION, CONFLICTS, SEVERABILITY, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Chapter 7 of the City of Neptune Beach's Code of Ordinances contains beach regulations within the corporate limits of the City; and

WHEREAS, manmade holes, trenches and depressions in the beach sand, caused by removing sand and digging to certain depths, especially if left uncovered, unattended and unfilled create a public nuisance, a hazard to emergency response vehicles and threatens the health, safety and welfare of threatened and endangered species of animals, as well as the City's citizens and visitors; and

WHEREAS, the City Council of the City of Neptune Beach finds that regulation of beach digging is necessary and that these revisions to the City of Neptune Beach's Code will preserve, promote, and protect the health, safety, and welfare of threatened and endangered species of animals, as well as the City's citizens and visitors.

NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL ON BEHALF OF THE PEOPLE OF THE CITY OF NEPTUNE BEACH, FLORIDA that:

SECTION 1. Section 7-27 of the Code of Ordinances, City of Neptune Beach, Florida is hereby amended to read as follows: (~~strike through~~ text shall mean deletions and underlined / highlighted text shall mean additions):

Sec. 7-27. Removal of sand, shell, etc. Sand removal or digging on the dune or beach.

(a) It shall be unlawful for any person to excavate, bulldoze or remove sand, shell, rock or earth from the beaches within the corporate limits of the city, and any of the above conduct shall be unlawful regardless of ownership of the adjacent or abutting property by such person. However, the above provisions shall not apply to incidental and minor use, digging or shoveling by children and other individuals as part of the recreational use of the beaches.

It shall be unlawful and prohibited for any person to conduct, or permit to be conducted, any of the following activities upon any dune or beach, within the corporate limits of the City:

(1) To take remove, mine, or excavate any sand, earth, or soil from any dune or beach, whether submerged or not;

(2) To dig a hole, trench, depression or otherwise shovel or unearth the sand of a dune or beach, whether submerged or not, deeper than 18 inches; or

(3) To depart from the area of excavation or digging without having first completely filled such area and rake such area in a way that eliminates any ruts in the sand.

Violation of any provision of this part shall result in a civil citation and a fine of one hundred dollars (\$100.00) for a first offense; two hundred and fifty dollars (\$250.00) for a second offense; and five hundred dollars (\$500) for any third and subsequent offense.

SECTION 2: Codification. The provisions of this Ordinance shall become and be made a part of the *Code of Ordinances of the City of Neptune Beach, Florida* and the sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word "Ordinance", or similar words, may be changed to "Section," "Article", or other appropriate word; provided, however, that Sections Three, Four, Five, and Six shall not be codified.

SECTION 3. Conflict. All ordinances, resolutions, 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 inconsistent herewith.

SECTION 4. Severability. If a Court of competent jurisdiction at any time finds any provision of this Ordinance to be unlawful, illegal, or unenforceable, the offending provision shall be deemed severable and removed from the remaining provisions of this Ordinance which shall remain in full force and intact.

SECTION 5. Effective Date. This ordinance shall immediately take effect upon second reading and approval.

(SIGNATURE AND ADOPTION PAGE FOLLOWS)

VOTE RESULTS OF FIRST READING: (Date _____)

Mayor Cori Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

VOTE RESULTS OF SECOND READING: (Date _____)

Mayor Cori Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

Cori Bylund, Mayor

ATTEST:

Catherine Ponson, City Clerk

Approved as to form and content:



Paul Waters, City Attorney



Agenda Item #10A City Hall Interior Renovation

CITY OF NEPTUNE BEACH CITY COUNCIL MEETING STAFF REPORT

AGENDA ITEM:	Agenda Item #10A , City Hall Interior Renovation – Phase I
SUBMITTED BY:	Richard Pike, City Manager Jaime F Hernandez, Chief Financial Officer
DATE:	February 3, 2025
BACKGROUND:	1. Construction of the City Hall interior renovation project is to expand and improve office space on City Hall to accommodate additional personnel. 2. The first phase of the project includes the following: • Swapping the current conference room from the current location to adjacent to the City Manager’s office. • Moving the IT and Human Resource offices next to the City Clerk’s office. • Furniture for the new offices. 3. Requesting first Phase funding as follows: • from account 001-1119-519-90-99: Contingencies and Emergencies • to account 001-1119-519-60-62: Building Improvement.
BUDGET:	\$24 967.36 Construction Coost, plus \$14,905.00 furniture & equipment. Estimated total cost \$39,872.36.
RECOMMENDATION:	Fund the first phase of the City Interior Hall renovation project not included on the adopted budget for FY 2024-25
ATTACHMENT:	Quotes from Earthwise and Barefoot Construction Cost Comparison



City of Neptune Beach
Neptune Beach, FL 32266
December 26, 2024

Scope of Work: Earthwise will build a small approximate 10x12 office space of the City Clerk's office and will be fully functional with HVAC and electrical. Walls will be soundproofed for sensitive nature of HR duties. Earthwise will then convert the current conference room to a shared functional IT office space with data drops and monitor mounts for a cohesive functional IT department. Earthwise will then convert the current IT space to a modern conference room with access ports and outlets in the center of the room that will project to two (2) mounted TV's. Both the IT and conference rooms will have two (2) bladeless ceiling hugger fans installed in each. Earthwise will finally clean the space of all construction debris and turn spaces back over to The City of Neptune Beach.

Partial remodel of City Hall Office spaces.

Earthwise was asked to give a price to build an office for the HR department, relocate and remodel the IT Office, and conference rooms.

New HR Office

1. We will use an area designated by Mr. Shaneyfelt to place the new office. This office will share a door with the City Clerk.
2. Using wood 2X4s we will frame out the new office, fastened to the floor using Tap cons.
3. The wall will be covered with drywall, and soundproof insulation will be added to ensure Privacy.
4. Two (2) light fixtures to be installed within office space.
5. Once HVAC air outlet will be routed and installed from adjacent ductwork.
6. One (1) CAT-5 box will be installed in office.
7. Three (3) electrical receptacles on the north wall and three (3) on the eastern interior wall.
8. Office will be painted. (CONB must specify color)
9. This office space will be roughly 10x12 footprint.
10. Carpet tiles will be installed. (CONB to supply carpet tiles)

IT room

1. The current Conference room will be remodeled to become the new IT office.
2. We will use ¾ inch ply inserted behind the drywall to reinforce the area where we will hang TVs and other equipment. (TV Location specified by CONB)
3. Cable chases will be added inside the wall to help manage the data lines to monitors.
4. Twelve (12) electrical receptacles will be installed on the western and eastern interior walls to increase the accessibility of electricity and new equipment.
5. Eight (8) CAT-5 lines will be installed throughout office space.
6. All drywall will be repaired and painted.
11. 2 new fans will be installed at each end of the room to allow ventilation for the added computer equipment.



Conference room

1. We will use a concrete saw to cut a channel in the floor to install a cable chase for electrical power and data lines to run into the eastern interior wall.
 2. Earthwise will mount a 3-gang electrical receptacle in grade with data access points.
 3. The new lines will come to the center of the room and will be run up through the center of the table to give access for phone, data, and electricity.
 4. ¾ inch plywood will be inserted behind the drywall to reinforce the area where we will hang TVs and other equipment
 5. 2 TV monitors will be mounted on the walls with input jacks for using a laptop or other media device. (Location specified by CONB)
 6. 2 new fans will be installed at each end of the room to allow more ventilation.
 7. All drywall will be repaired and painted.
-
- *Warranty: This includes a 2-year Warranty on which Earthwise will come and re-inspect any future problems, within 2 years of the completion of this work.*
 - *All Debris will be disposed of in the proper land fill.*
 - *All electronics "except the new fans", will be supplied by The City of Neptune Beach*
 - *TV Mounts will be supplied by The City of Neptune Beach*
 - *The City of Neptune Beach is responsible to supply the carpet tiles.*
 - *The City of Neptune Beach is responsible for moving all items prior to work commencement and will ensure spaces are free of all office furniture and electronics.*

Project Total \$24,967.37

Safety:

- OSHA standard and guidelines will be followed including having MSDS sheets available on site.

Work Environment:

- Work will be normal construction work with loud noises with routine drilling cutting and or hammering.
- Work site will be sealed off during construction, but some construction dust is typical.
- Work is recommended for after hours or weekend work due to the disruptive nature.

Work Standard:

- All work is to be completed in a workmanship-like manner according to standard practices.
- Worker/s will remain on the jobsite until completion of the project.
- The work site shall be cleaned daily, and upon project completion. All agreements are contingent upon strikes, accidents, or delays beyond our control.



Change Orders:

- If after you agree to this proposal for work, you desire any changes or additional work, PLEASE contact us, as the cost of any revisions must be agreed upon in writing. Workers are instructed not to undertake additional work without authorization.
- This proposal is valid for **30 days**, unless otherwise notated.

Payment:

- Acceptable forms of payment are Check, ACH, or EFT.

Acceptance of Proposal

- Please indicate your acceptance of this proposal by signing both copies and returning one copy.
- By signing this proposal/contract, I acknowledge that I have read and understand the terms of this proposal.

Name: _____

Please print – Representative Name & Title

Date: _____

Signature: _____

Date: _____



Neptune Beach Public Works
238 Canal Blvd, Ponte Vedra Beach, FL 32082

Ryan Shaneyfelt

January 13, 2025

Ryan,

This quote is for Barefoot Marine Construction to perform the following scope of work per our meeting. Let me know if you have any questions about the scope of work and the process for us to schedule and build.

Item 1: Server Room built into HR Office 10'x12'

Build Small office space built to the approximal size 10'x12', framed, soundproof insulation, electrical (6) outlets, (2) lights, 1 Data Drop, with HVAC vent from existing ductwork to feed the room, drywall, primed, painted and base board with carpet tiles installed and provided by City of Neptune Beach.

Item 2: Conference Room Conversion built into IT department room

(8) data drops, (12) electrical receptacles, repair drywall, prime, paint and reinforce areas for equipment to be hung on the walls with (2) fans.

Item 3: IT department room to become the Conference Room

Cut channel for cable chase to the center of the room for electrical and data, large screen TV to be provided by CNB, walls will be reinforced and hung at the desired location. All drywall to be repaired and painted.

Barefoot Marine Construction pricing includes all labor, material, and equipment to build provided in the details above including the mobilizations: \$36,485.00

Barefoot Marine Construction is a NE Florida company. We are a General Contractor that has 50 + years of construction experience. We work with a group of engineers to build structures that will stand the test of time and provide value to our customers.

Certified General Contractor 1533461, SCC131150961- Marine Specialty Contractor

Rick Powell - owner 904-327-3931 – Cell Email: rick@barefootmarine.com



Terms and Conditions

1. ACCESS: Employees shall park their vehicles in a safe and lawful manner compliant with facility rules as applicable.
2. CHANGE ORDERS: Work not within the scope of this proposal shall be submitted and approved in writing before commencement. Change orders shall be due with final payment unless otherwise agreed upon in writing.
3. CONCEALED OR UNKNOWN CONDITIONS: In preparing this proposal Barefoot Marine Construction has assumed there are no concealed or unknown physical conditions (subsurface or otherwise) which will adversely affect Barefoot Marine Construction ability to perform the scope of this proposal. If such conditions are encountered, Barefoot Marine Construction will immediately notify the owner in writing of adverse conditions and will be entitled to an adjustment of contract value, schedule, or both.
4. FORCE MAJEURE: Neither party shall be liable in damages or have the right to terminate this Agreement for any delay or default in performing hereunder if such delay or default is caused by conditions beyond its control including, but not limited to Acts of God, Government restrictions, and/or any other cause beyond the reasonable control of the party whose performance is affected.
5. HEAVY WEATHER: During a named storm Barefoot Marine Construction reserves the right to demobilize and remove equipment from the jobsite without penalty for schedule delay(s).
6. INCLEMENT WEATHER: Due to the nature of outdoor construction inclement weather may affect the schedule. Every effort shall be made to maintain proposed schedule; however Barefoot Marine Construction shall not incur additional expenses due to weather delays.
7. INSURANCE: Certificate available upon request for General Liability and WC coverage.
8. PAYMENT SCHEDULE: 15% mobilization deposit, scheduled draws for work completed.
9. PAYMENT TERMS: Due upon receipt. Interest will be charged on past due accounts at 18% per annum. If Barefoot Marine Construction is required to employ an attorney to collect any amount past due as a result of default of the Buyer, the Buyer shall pay all cost of collections, including reasonable attorney's fees and court costs.
10. PERMITS: City of Neptune Beach to provide permits if needed for the quoted project.
11. PRICE VALIDITY: Seven (7) days from date of quotation.



12. UNDERGROUND SERVICES: Owner is responsible for locating and identifying all underground utilities. Barefoot Marine Construction is not responsible for accidental damages, direct or consequential. Any relocation required shall be the responsibility of the owner.

13. WARRANTY: Workmanship and material will be free from defects for one (1) year from completion and final acceptance. Owner shall submit in writing claim of defect within ten (10) days of discovery. Owner's sole and exclusive remedy for defective materials or workmanship is limited to the repair or replacement of the defect by Barefoot Marine Construction.

14. DISCLAIMER OF WARRANTIES: Section 14 sets forth the exclusive remedy for claims based on failure of or defects in services, workmanship, or materials furnished by Barefoot Marine Construction, whether claim is based on contract, warranty, tort (including negligence) or any other cause of action, and however instituted, and upon expiration of the warranty period all such liability shall terminate. The foregoing warranty or repair or replacement is exclusive in lieu of all other warranties, whether written, oral, implied, or statutory. IT IS SPECIFICALLY UNDERSTOOD AND AGREED TO BY BUYER THAT (1) BAREFOOT MARINE CONSTRUCTION SHALL NOT IN ANY WAY BE LIABLE OR RESPONSIBLE FOR ANY NEGLIGENT ENGINEERING, CONSTRUCTION, REPAIRS, OR DEFECTS IN THE WORK AFTER THE EXPIRATION OF ONE YEAR FROM COMPLETION AND FINAL ACCEPTANCE, (2) NO OTHER WARRANTIES, EXPRESS OR IMPLIED, ARE OR WILL BE DEEMED TO HAVE BEEN MADE BY BAREFOOT MARINE CONSTRUCTION, EXCEPT THE WARRANTY HEREINFOR SET FORTH, (3) THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR PURPOSE ARE SPECIFICALLY EXCLUDED, (4) THIS WARRANTY IS GIVEN IN LIEU OF ANY IMPLIED WARRANTIES, AND (5) THERE ARE NO WARRANTIES GIVEN WHICH EXTEND BEYOND THE LANGUAGE AND DESCRIPTION ON THE FACE HEREOF.

15. WORKING HOURS: Monday through Friday, 8 hours per day, 7:00 A.M. to 4:00 P.M.

Acceptance Of proposal

Date _____

Authorized Signature

Date _____

Rick Powell - Owner



	EARTHWISE	
	Description of Work	
HR Office	2.Using wood 2X4s we will frame out the new office, fastened to the floor using Tap cons. 3.The wall will be covered with drywall, and soundproof insulation will be added to ensure Privacy. 4.Two (2) light fixtures to be installed within office space. 5.Once HVAC air outlet will be routed and installed from adjacent ductwork. 6.One (1) CAT-5 box will be installed in office. 7.Three (3) electrical receptacles on the north wall and three (3) on the eastern interior wall. 8.Office will be painted. (CONB must specify color) 9.This office space will be roughly 10x12 footprint. 10.Carpet tiles will be installed. (CONB to supply carpet tiles)	\$5,000.00
Conference Room	1.We will use a concrete saw to cut a channel in the floor to install a cable chase for electrical power and data lines to run into the eastern interior wall. 2.Earthwise will mount a 3-gang electrical receptacle in grade with data access points. 3.The new lines will come to the center of the room and will be run up through the center of the table to give access for phone, data, and electricity. 4.3/4 inch plywood will be inserted behind the drywall to reinforce the area where we will hang TVs and other equipment 5.2 TV monitors will be mounted on the walls with input jacks for using a laptop or other media device. (Location specified by CONB) 6.2 new fans will be installed at each end of the room to allow more ventilation. 7.All drywall will be repaired and painted.	\$9,983.68

Barefoot Construction		
Description of Work		COST
Build Small office space built to the approximal size 10’x12’, framed, soundproof insulation, electrical (6) outlets, (2) lights, 1 Data Drop, with HVAC vent from existing ductwork to feed the room, drywall, primed, painted and base board with carpet tiles installed and provided by City of Neptune Beach.		Lump Sum Pricing
Cut channel for cable chase to the center of the room for electrical and data, large screen TV to be provided by CNB, walls will be reinforced and hung at the desired location. All drywall to be repaired and painted.		Lump Sum Pricing

HuGus Group

No Quote Reached out to Britani McMurty- Senior Estimator- Due to the small scale of the project they would not be interested. CONB would be required to pay a \$10,000.00 mobilization cost in addition to construction cost. Reached out in first part of December and first part of January. Currently holds multiple county and federal GC contracts.

IT Office

- 2. We will use 3/4 inch ply inserted behind the drywall to reinforce the area where we will hang TVs and other equipment. (TV Location specified by CONB)
- 3. Cable chases will be added inside the wall to help manage the data lines to monitors.
- 4. Twelve (12) electrical receptacles will be installed on the western and eastern interior walls to increase the accessibility of electricity and new equipment.
- 5. Eight (8) CAT-5 lines will be installed throughout office space.
- 6. All drywall will be repaired and painted.
- 11. 2 new fans will be installed at each end of the room to allow ventilation for the added computer equipment

\$9,983.68

(8) data drops, (12) electrical receptacles, repair drywall, prime, paint and reinforce areas for equipment to be hung on the walls with (2) fans.		Lump Sum Pricing
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Warranty

2- year warranty from date of completion. Earthwise will not warranty any CONB supplied materials.

WARRANTY: Workmanship and material will be free from defects for one (1) year from completion and final acceptance. Owner shall submit in writing claim of defect within ten (10) days of discovery. Owner's sole and exclusive remedy for defective materials or workmanship is limited to the repair or replacement of the defect by Barefoot Marine Construction.	
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3 Desks \$1,185.00	\$3,555.00
4 TV mounts \$150.00ea	\$ 600.00
4 LG 70in TV \$600.00ea	\$ 2,400.00

3 Desks \$1,185.00	\$3,555.00
4 TV mounts \$150.00ea	\$ 600.00
4 LG 70in TV \$600.00ea	\$ 2,400.00

CONB to Supply

1 Conference Table \$1,425	\$	1,425.00		1 Conference Table \$1,425	\$	1,425.00	
12 Chairs \$240	\$	2,880.00	\$ 14,905.00	12 Chairs \$240	\$	2,880.00	\$ 14,905.00
Miscellaneous \$2,095	\$	2,095.00		Miscellaneous \$2,095	\$	2,095.00	
3 File Pedestals \$250	\$	750.00		3 File Pedestals \$250	\$	750.00	
200sq ft Shaw Dsiperse Magnetic Fields 75505 carpet tiles = \$6 sqft	\$	1,200.00		200sq ft Shaw Dsiperse Magnetic Fields 75505 carpet tiles = \$6 sqft	\$	1,200.00	

Notes

CAT 5 cables will be terminated and left dead in Server Room IT to wire into rack, CONB to have all furniture removed prior to commencement, CONB will select paint color prior from SW, TV mount locations will be marked with IT Department prior to commencement

Timeline

2 -week work time, Can work weekends if requested, Can start once approved for project

Total cost less
CONB supplied
items

Total Project Cost

\$24,967.36

\$39,872.36

Would not be able to start until end of February with current commitments, 3-week work time only M-F should weekend work be involved cost will increase		
		\$36,485.00
		\$51,390.00

No Quote