



AGENDA
Special, Workshop & Town Hall City Council Meeting
Monday, October 20, 2025, 6:00 P.M.
Council Chambers, 116 First Street, Neptune Beach, Florida

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. RESOLUTION NO. 2025-19, A Resolution of the City Council of the City of Neptune Beach Recognizing Florida City Week, October 20-26, 2025, and Encouraging All Citizens to Support the Celebration and Corresponding Activities p. 3
3. ORDINANCES:
 - A. ORDINANCE NO. 2025-17, FIRST READ AND PUBLIC HEARING, An Ordinance of the City of Neptune Beach, Florida, Amending the Code of Ordinances, Chapter 2 – Administration, Article II – City Council, to Create a New Section 2-51, Titled “In-Person Requirements”; Requiring That All Members of the City Council and City Boards be Physically Present for All Official Actions, Decisions, Deliberations, or Votes; Providing for Repeal of Conflicting Ordinances and Resolutions Including But Not Limited to Resolution No. 2021-06; Providing for Severability; and Providing an Effective Date PH p. 4
4. CONSENT AGENDA:
 - A. Request to Bid for Cleaning and Inspection of Forest Avenue Trunk Sewer and Manholes p. 14
 - B. Special Magistrate Contract and Memorandum of Understanding between the City of Neptune Beach and the State of Florida, Division of Administrative Hearings (“DOAH”) p. 16
 - C. RESOLUTION NO. 2025-20, A Resolution of the City Council of the City of Neptune Beach, Florida, Recognizing Northeast Florida Public Employees, Local 630, Laborers International Union of North America, AFL-CIO, as the Exclusive Collective Bargaining Representative for the Blue-Collar Bargaining Unit p. 25
5. ADJOURN

WORKSHOP CITY COUNCIL MEETING IMMEDIATELY FOLLOWING
THE ABOVE SPECIAL MEETING

1. CALL TO ORDER / ROLL CALL
2. AWARDS / PRESENTATIONS / RECOGNITION OF GUEST / NONE
3. PUBLIC COMMENTS
4. PROPOSED ORDINANCES / NONE
5. CONTRACTS / AGREEMENTS / NONE
6. ISSUE DEVELOPMENT / NONE
7. PUBLIC COMMENTS

8. COUNCIL COMMENTS

9. ADJOURN

TOWN HALL MEETING
IMMEDIATELY FOLLOWING THE ABOVE WORKSHOP

1. CALL TO ORDER / ROLL CALL

2. PUBLIC COMMENTS – OPEN TOPICS

3. 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

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."



RESOLUTION NO. 2025-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, RECOGNIZING FLORIDA CITY WEEK, OCTOBER 20-26, 2025, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES.

WHEREAS, City government is the government closest to most citizens and the one with the most direct daily impact upon its residents; and

WHEREAS, Municipal government provides services and programs that enhance the quality of life for residents, making their city their home; and

WHEREAS, City government is administered for and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, City government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, Florida City Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; and

WHEREAS, The Florida League of Cities and its member cities have joined together to teach citizens about municipal government through a variety of activities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF NEPTUNE BEACH, AS FOLLOWS:

Section 1. That the City of Neptune Beach encourages all citizens, city government officials and employees to participate in events that recognize and celebrate Florida City Week.

Section 2. That the City of Neptune Beach encourages educational partnerships between city government and schools, as well as civic groups and other organizations.

Section 3. That the City of Neptune Beach supports and encourages all Florida city governments to actively promote and sponsor Florida City Week.

PASSED AND ADOPTED by the City of Neptune Beach this 20th day of October, 2025.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, City Clerk



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

AGENDA ITEMS:	First Reading of Ordinance 2025-17: In-Person Attendance Requirement
SUBMITTED BY:	Paul Waters, City Attorney Sponsored by Councilman Brent Rogers
DATE:	October 20, 2025
BACKGROUND:	During the COVID-19 pandemic, local governments were temporarily permitted to conduct meetings via teleconference and other electronic means to protect public health, safety, and welfare. While these emergency accommodations were appropriate under those circumstances, the urgency of the pandemic has since passed, and there is no longer a public necessity for routine electronic participation in local government meetings. Florida law, including Section 286.012, Florida Statutes, establishes the obligation of public officials to vote and deliberate in public meetings, and the Attorney General's Opinions (AGO 98-28, AGO 78-17, AGO 2020-03, AGO 83-150, and AGO 2003-41) consistently affirm that a quorum must be physically present for the lawful conduct of official business by local government bodies. Certain state agencies are permitted by statute to allow remote participation; however, those provisions do not extend to municipalities or local boards. The proposed ordinance codifies a clear policy requiring physical in-person attendance by City Council and board members at all duly noticed public meetings for any vote, deliberation, or official act or they shall be counted as absent. The Ordinance prohibits appearances by any electronic means and such appearances shall not be counted toward a quorum. The ordinance repeals all prior ordinances and resolutions authorizing remote participation, including Resolution No. 2021-06, and provides that the measure shall take immediate effect upon adoption.

SPONSORED BY:
COUNCILOR BRENT ROGERS

RECOMMENDATION:	First reading and adoption of ordinance 2025-17
ATTACHMENTS:	1. Business Impact Estimate provided in accordance with section 166.041(4), Florida Statutes. 2. Draft Ordinance 2025-17 3. Resolution No. 2021-06



Business Impact Estimate

This form should be included in agenda packet for the item under which the proposed ordinance is to be considered, and must be posted on the City of Neptune Beach's website by the time notice of the proposed ordinance is published.

Proposed ordinance's title/reference: **ORDINANCE 2025-17: AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 2 – ADMINISTRATION, ARTICLE II – CITY COUNCIL, TO CREATE A NEW SECTION 2-51, TITLED “IN-PERSON REQUIREMENTS”; REQUIRING THAT ALL MEMBERS OF THE CITY COUNCIL AND CITY BOARDS BE PHYSICALLY PRESENT OR THEY SHALL BE COUNTED AS ABSENT FOR ALL OFFICIAL ACTIONS, DECISIONS, DELIBERATIONS, OR VOTES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS INCLUDING BUT NOT LIMITED TO RESOLUTION NO. 2021-06; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

This Business Impact Estimate is provided in accordance with section 166.041(4), *Florida Statutes*. If one or more boxes are checked below, this means the City is of the view that a business impact estimate is not required by state law¹ for the proposed ordinance, but the City is, nevertheless providing this Business Impact Estimate as a courtesy and to avoid any procedural issues that could impact the enactment of the proposed ordinance. This Business Impact Estimate may be revised following its initial posting.

- ☐ The proposed ordinance is required for compliance with Federal or State law or regulation;
- ☐ The proposed ordinance relates to the issuance or refinancing of debt;
- ☐ The proposed ordinance relates to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
- ☐ The proposed ordinance is required to implement a contract or an agreement, including, but not limited to, any Federal, State, local, or private grant, or other financial assistance accepted by the municipal government.
- ☐ The proposed ordinance is an emergency ordinance;
- ☐ The ordinance relates to procurement; or
- ☐ The proposed ordinance is enacted to implement the following:
 - a. Part II of Chapter 163, *Florida Statutes*, relating to growth policy, county and municipal planning, and land development regulation, including zoning, development orders, development agreements and development permits;

¹ See Section 166.041(4)(c), *Florida Statutes*.

- b. Sections 190.005 and 190.046, *Florida Statutes*, regarding community development districts;
- c. Section 553.73, *Florida Statutes*, relating to the *Florida Building Code*; or
- d. Section 633.202, *Florida Statutes*, relating to the *Florida Fire Prevention Code*.

In accordance with the provisions of controlling law, even notwithstanding the fact that, an exemption noted above may apply, the City hereby publishes the following information:

1. Summary of the proposed ordinance (must include statement of the public purpose, such as serving the public health, safety, morals, and welfare):

--

During the COVID-19 pandemic, local governments were temporarily permitted to conduct meetings via teleconference and other electronic means to protect public health, safety, and welfare. While these emergency accommodations were appropriate under those circumstances, the urgency of the pandemic has since passed, and there is no longer a public necessity for routine electronic participation in local government meetings.

Florida law, including Section 286.012, Florida Statutes, establishes the obligation of public officials to vote and deliberate in public meetings, and the Attorney General's Opinions (AGO 98-28, AGO 78-17, AGO 2020-03, AGO 83-150, and AGO 2003-41) consistently affirm that a quorum must be physically present for the lawful conduct of official business by local government bodies.

Certain state agencies are permitted by statute to allow remote participation; however, those provisions do not extend to municipalities or local boards.

The proposed ordinance codifies a clear policy requiring physical in-person attendance by City Council and board members at all duly noticed public meetings for any vote, deliberation, or official act.

Remote participation is expressly prohibited and shall not be counted towards a quorum.

The ordinance repeals all prior ordinances and resolutions authorizing remote participation, including Resolution No. 2021-06, and provides that the measure shall take immediate effect upon adoption.

- | |
|---|
| <ol style="list-style-type: none">2. An estimate of the direct economic impact of the proposed ordinance on private, for-profit businesses in the City, if any:<ol style="list-style-type: none">(a) An estimate of direct compliance costs that businesses may reasonably incur; |
|---|

(b) Any new charge or fee imposed by the proposed ordinance, or for which businesses will be financially responsible; and
(c) An estimate of the City's regulatory costs, including estimated revenues from any new charges or fees to cover such costs.

(a) *Unknown*

(b) *Unknown*

(c) *Unknown*

3. Good faith estimate of the number of businesses likely to be impacted by the proposed ordinance:

N/A

4. Additional information the governing body deems useful (if any):

N/A

SPONSORED BY:
COUNCILOR BRENT ROGERS



ORDINANCE NO. 2025-17

A BILL TO BE ENTITLED

AN ORDINANCE OF THE CITY OF NEPTUNE BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 2 – ADMINISTRATION, ARTICLE II – CITY COUNCIL, TO CREATE A NEW SECTION 2-51, TITLED “IN-PERSON REQUIREMENTS”; REQUIRING THAT ALL MEMBERS OF THE CITY COUNCIL AND CITY BOARDS BE PHYSICALLY PRESENT FOR ALL OFFICIAL ACTIONS, DECISIONS, DELIBERATIONS, OR VOTES; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS INCLUDING BUT NOT LIMITED TO RESOLUTION NO. 2021-06; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 286.012, Florida Statutes, provides that, “No member of any state, county, or municipal board, commission, or agency who is present at any meeting of any such body at which an official decision, ruling, or other official act is to be taken or adopted may abstain from voting in regard to any such decision, ruling, or act; and a vote shall be recorded for each such member who is present,” which underscores the legislative intent that members must be physically present to participate in official acts; and

WHEREAS, the practice of permitting members to appear and vote electronically was temporarily utilized during the COVID-19 pandemic in order to protect the health, safety, and welfare of the public and officials while enabling the continuance of City business; and

WHEREAS, the urgent health concerns that necessitated such emergency accommodations have since passed, and there is no longer a compelling public health reason to continue permitting electronic participation in official governmental meetings; and

WHEREAS, while certain state agencies are afforded statutory authority to allow remote participation by members, no such statutory provisions extend to municipal or local government bodies; and

WHEREAS, the Florida Attorney General has opined in Attorney General Opinions AGO 98-28 and AGO 78-17 that while certain State of Florida agencies are afforded the statutory ability to vote remotely, these statutes do not apply to local governmental entities; and

WHEREAS, the Florida Attorney General has further opined in AGO 2020-03 and AGO 83-150 that any statutory quorum requirement for a public body to conduct official business requires a quorum of members physically present, and that members appearing electronically may not be counted toward a quorum; and

WHEREAS, the Attorney General has also recognized that, where a rule or statute contemplates a meeting being held in a public place with the members physically present, the participation of an absent member by electronic means may only be permitted under extraordinary circumstances, as discussed in Attorney General Advisory Opinion AGO 2003-41; and

WHEREAS, the City Council finds that maintaining the integrity, transparency, and accessibility of public meetings requires the physical presence of members, ensuring accountability and compliance with Florida's Sunshine Law; and

WHEREAS, the City Council of the City of Neptune Beach, Florida, deems it in the best interest of the public to require in-person attendance of its members for all official acts;

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

SECTION 1: Amendment to the Code of Ordinances. Chapter 2, Administration, Article II, City Council, of the Code of Ordinances of the City of Neptune Beach, Florida, is hereby amended to create a new section, to be numbered Section 2-51, titled "In-Person Requirements," which shall read as follows:

Sec. 2-51. In-Person Requirements.

Physical Presence Required. All members of the City Council and all members of City boards, commissions, and committees shall be physically present or they shall be considered absent at the publicly noticed meeting location for any official decision, vote, deliberation, or ruling on any official act or matter before such body. As such, no member shall appear, participate, deliberate, or vote by teleconference, video conference, or any other technological means, as such appearance shall not contribute to a quorum.

SECTION 2: Repeal of Conflicting Provisions. All ordinances, resolutions, policies, or procedures in conflict herewith, including but not limited to Resolution No. 2021-06, are hereby repealed to the extent of such conflict.

SECTION 3: 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 and Five shall not be codified.

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.

PASSED AND ADOPTED by the City Council of the City of Neptune Beach, Florida, this ____ day of _____, 2025.

VOTE RESULTS OF FIRST READING:

Mayor Corrine A. Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

VOTE RESULTS OF SECOND READING:

Mayor Corrine A. Bylund	_____
Vice Mayor Nia Livingston	_____
Councilor Josh Messinger	_____
Councilor Brent Rogers	_____
Councilor Tim Horvath	_____

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, City Clerk

Approved as to form and content:



Paul Waters, City Attorney



RESOLUTION NO. 2021-06

A RESOLUTION OF THE CITY COUNCIL OF NEPTUNE BEACH, FLORIDA DEFINING "EXTRAORDINARY CIRCUMSTANCES" THAT WOULD ALLOW A MEMBER OF THE COUNCIL TO ATTEND, PARTICIPATE AND VOTE REMOTELY UNDER CERTAIN CONDITIONS; PROVIDING FOR AUTOMATIC APPROVAL OF THE COUNCIL FOR SUCH PARTICIPATION IN COVERED CIRCUMSTANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Neptune Beach desires to create a rule of procedure regarding attendance by members of the Council at Council meetings via communications media technology ("CMT"); and

WHEREAS, there is no Florida statute and no case law on the subject for guidance, so Florida Attorney General Legal Advisory Opinions were utilized in forming a policy regarding the use of CMT; and

WHEREAS, Florida Attorney General Legal Advisory Opinion AGO 2003-41 concludes that "where a rule or statute contemplates that a meeting will be held in a public place with the members physically present, the participation of an absent member in the meeting by telephone conference should be permitted only in extraordinary circumstances and when a quorum of board members is physically present at the meeting" and further provides that a board may determine when such an absence constitutes an extraordinary circumstance; and

WHEREAS, the City Council, upon analysis of such Advisory Opinion and related materials, concludes that it may permit members to use CMT to attend, participate and vote at public board meetings, regardless of any additional authorization by executive order or otherwise, provided that: (1) a physical quorum is present at the meeting place that is reasonably open to the public; (2) extraordinary circumstances adopted by the board exist that prevent a member from physically attending the meeting place in person; (3) the board member and public attending the meeting place in person can hear and understand any board member that attends the meeting via CMT; and (4) such electronic participation by the member is not otherwise prohibited by the City's Charter, Code of Ordinances, or by state law; and

WHEREAS, the Council does not currently have any Charter or Code provisions or resolutions governing attendance of Council members by CMT; and

WHEREAS, the City Council determines that establishing conditions for which automatic approval is granted for Council member participation by CMT is in the best interest of the

orderly and efficient transaction of City business and for the health, safety, and welfare of the City Council, City staff, and members of the public attending Council meetings; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Neptune Beach, Florida:

SECTION 1. The City Council shall be deemed to have automatically granted authorization for Council members to attend, participate, and vote on matters that come before the Council via communications media technology ("CMT"), so long as the following conditions exist:

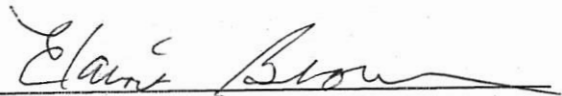
1. A quorum of the membership is physically present in the public meeting place;
2. The meeting has been properly noticed;
3. Members of the public are able to attend in-person or via CMT;
4. The Member(s) participating via CMT provide advance notice to the City Clerk of their intention to participate via CMT; and
5. Members participating and voting via CMT are doing so because they have requested in writing to do so, and have stated that they are unable to physically attend the meeting place due to an "extraordinary circumstance as defined by the Council." The Council has determined, in its good judgment, that an "extraordinary circumstance" includes, but is not limited to:

- a. the COVID-19 pandemic or other matter for which a state of emergency is declared by the State of Florida, City of Jacksonville, or City of Neptune Beach;
- b. other health related issues,
- c. military duty or deployment,
- d. extraordinary family circumstance, or
- e. mandatory business obligation.

SECTION 2. All resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

SECTION 3. This Resolution shall take effect immediately upon its passage and adoption.

This Resolution adopted by the City Council of Neptune Beach, Florida, at the Special Council Meeting held this 15th day of March, 2021.


Elaine Brown, Mayor

ATTEST:


Catherine Ponson, City Clerk





**Special Meeting
Agenda Item #4A
Forest Ave. Trunk Sewer
Manholes Bid Request**

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

AGENDA ITEM:	Clean and Inspect Forest Avenue Trunk Sewer and Manholes
SUBMITTED BY:	Deryle Calhoun, P.E. Public Works Director
DATE:	October 14, 2025
BACKGROUND:	During investigation of a potential pipe or manhole failure on the Forest Avenue trunk pipeline, significant dirt was found in portions of pipe that were cleaned and televised. Additionally, a manhole defect was found that is introducing a large volume of groundwater infiltration into the system. The trunk pipeline consists of 15" and 18" pipe, the majority of which is estimated to have been lined in the early 2000's. It is unknown if the lined portions of the pipeline have since been cleaned and inspected. Approximately 400' was replaced in 2022 as an emergency. The manholes were fiberglass-lined in the early 2000's and should be inspected based upon the defects recently discovered. This project would clean and inspect approximately 3,800 feet of pipe to restore system capacity and identify any rehabilitation needs. Additionally, 14 manholes would be inspected. Based upon discussions with vendors, heavy cleaning of the entire 4,100 feet is estimated at \$45,000 and manhole inspections at \$3,500.
BUDGET:	FY26 Budget for Sewer Repair and Maintenance 401-4335-535-30-46 is \$285,000.00
RECOMMENDATION:	Approval to proceed with bidding of the described project to identify any needed repairs or capital improvements
ATTACHMENT:	Photos of manhole liner damage and groundwater infiltration

Manhole Fiberglass Liner Damage



Infiltration at Failed Manhole Bench





**Special Meeting
Agenda Item #4B
Special Magistrate Services**

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

AGENDA ITEM:	Special Magistrate Contract and Memorandum of Understanding between the City of Neptune Beach and the State of Florida, Division of Administrative Hearings ("DOAH")
SUBMITTED BY:	Heather Whitmore, AICP, PTP, Community Development Director
DATE:	October 15, 2025
BACKGROUND:	City of Neptune Beach seeks to utilize the State of Florida, Division of Administrative Hearings ("DOAH") to serve as a Code Compliance and Traffic Citation Special Magistrate. Section 120.65, Florida Statutes, authorizes DOAH to provide Administrative Law Judges (ALJs) on a contract basis to any governmental entity. The State of Florida, Division of Administrative Hearings would be responsible for hearing code enforcement cases, speed camera citations, making decisions on violations, and imposing administrative fines and other penalties. The City of Neptune Beach intends to hold monthly Special Magistrate meetings, to be hosted via zoom. This Memorandum of Understanding ("MOU") outlines the procedures and responsibilities for conducting administrative hearings pursuant to sections 120.65(6) and 162.07, Florida Statutes, and City Code of Ordinances, Chapter 2, Article VII, Division 2 for code enforcement proceedings for a violation of City Code Chapter 28, Nuisances, in the City of Neptune Beach, Florida.
BUDGET:	NA
RECOMMENDATION:	Approve
ATTACHMENT:	Ex A) State of Florida, Division of Administrative Hearings ("DOAH") Administrative Law Judge Services Contract Ex B) Memorandum Of Understanding Between the Division of Administrative Hearings and the City of Neptune Beach, Florida

Exhibit A

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

This CONTRACT is between the City of Neptune Beach, (hereinafter the “City”), and the State of Florida, Division of Administrative Hearings (“DOAH”).

WHEREAS, Section 120.65, Florida Statutes, authorizes DOAH to provide Administrative Law Judges (ALJs) on a contract basis to any governmental entity;

WHEREAS, the City desires to use the services of DOAH’s ALJs to conduct hearings for any administrative matters for which ALJs may adjudicate administrative disputes; and

NOW, THEREFORE, the parties, for valuable consideration and the mutual promises between them, agree as follows:

1. Scope of Services. The foregoing Recitals are hereby incorporated herein as if fully restated. DOAH agrees to make ALJs available to the City. The ALJs will be full-time judges employed by the State of Florida, Division of Administrative Hearings, and are experts in the adjudication of administrative disputes.
2. Compensation. The fiscal year 2003-2004 General Appropriation Act, Chapter 2003-397, Laws of Florida, requires DOAH to renegotiate its contracts for ALJ services annually so that the hourly rate charged is based on a total – cost recovery methodology. The rate has been determined to be \$219.00 per hour beginning October 1, 2025. DOAH will notify the City of the amended hourly rate on or about the first day of September of each year. That rate will become effective on the first day of October of that same year. The City agrees to compensate DOAH for each hour actually worked, and subsequently, at the hourly rate determined in accordance with the Florida Legislature’s directive. This rate will apply for ALJ services in preparing for hearings, traveling to hearings, conducting hearings, and preparing Recommended Orders.
3. Expenses. The City agrees to pay the actual travel expenses of the assigned

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

ALJ in the amount provided pursuant to Chapter 112, Florida Statutes.

DOAH will submit invoices monthly and the City agrees to remit payment monthly in accordance with Chapter 218, Part VII, Florida Statutes. DOAH agrees to provide the City an itemized statement of the charges and costs in the invoice.

4. Contract Management. Megan Silver, Executive Director & Administrative Law Judge, and Patricia Kenyon, Operations Manager, will provide contract management services under this Contract for DOAH.
5. Term. This contract is for a term of one (1) year and will automatically renew for succeeding yearly periods one year from the date last signed. This contract may be amended from time to time by mutual agreement of the parties, and may be terminated by either party for the convenience of that party upon thirty (30) days' written notice.
6. Request for Services. To initiate a proceeding, the City shall send a letter to the Chief Judge, Division of Administrative Hearings, requesting the assignment of an ALJ and shall include with such request a copy of the relevant agency action letter, claim asserted and/or request for hearing, as well as any code provisions or other local procedure that governs the type of hearing requested. DOAH shall assign an ALJ promptly after receipt of the letter.
7. Effective Date. This Contract will become effective on the date the last signature is made.
8. Designated Email Address for Case Service: City designates the following generic, role-based email address for service of significant case-related filings issued by DOAH pursuant to this Contract: **clerk@nbfl.us**. This email address shall not be associated with any individual employee, shall be monitored regularly, and shall remain active throughout the term of this Contract. The City shall notify DOAH in writing of any change to the designated email address at least [five (5)] business days before the change becomes effective.

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

9. Notices. All notices required or permitted by this Contract shall be in writing, and shall be deemed to have been duly given if mailed first-class, certified postage prepaid, addressed as follows:

To: The City of Neptune Beach
Attn: Catherine Ponson, C.M.C.
City Clerk
116 First Street
Neptune Beach, FL 32266
904-270-2400

To: DOAH
State of Florida, Division of Administrative Hearings
Attn: Patricia Kenyon, Operations Manager
1230 Apalachee Parkway
Tallahassee, FL 32301
850-488-9675

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

ADMINISTRATIVE LAW JUDGE SERVICES CONTRACT

WHEREUPON, the parties have executed this Contract as follows:

THE CITY OF NEPTUNE BEACH

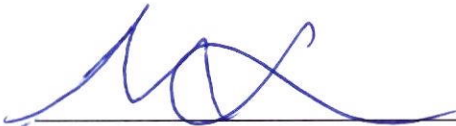
Mayor and Chairwoman Cori Bylund

Date

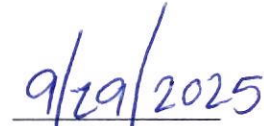
Attested by:

City Clerk

STATE OF FLORIDA, DIVISION
OF ADMINISTRATIVE HEARINGS



Megan S. Silver
Executive Director & Administrative Law Judge



Date

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

Exhibit B

MEMORANDUM OF UNDERSTANDING Between the Division of Administrative Hearings and the City of Neptune Beach, Florida

This Memorandum of Understanding ("MOU") is entered into between the Division of Administrative Hearings ("DOAH") and City of Neptune Beach, Florida ("City"). This MOU outlines the procedures and responsibilities for conducting administrative hearings pursuant to sections 120.65(6) and 162.07, Florida Statutes, and City Code of Ordinances, Chapter 2, Article VII, Division 2 for code enforcement proceedings for a of violation of City Code Chapter 28, Nuisances, in the City of Neptune Beach, Florida.

Procedures and Responsibilities

The City will prepare an agenda of cases each month for code enforcement hearings it requests of DOAH pursuant to City Code section 2-440. The City's request for hearing shall state the relief requested, including the amount of the fine and specific costs to be imposed, if DOAH determines a violation of Chapter 28 of the City Code has occurred. The City shall calculate and the amount of fine, not to exceed the statutory maximum. It shall also describe the process for evidence submission and hearing cancellation.

The City or its designee will coordinate with DOAH to determine hearing date for each month and the number of cases DOAH will hear per hearing docket. The City or its designee will prepare each hearing docket.

DOAH shall provide an Administrative Law Judge ("ALJ") to preside over each hearing docket prepared by the City or its designee. The City or its designee shall provide each ALJ with access to an online system utilized by the City or its designee to store, access, and manage, case-related materials, including evidence, docket information, correspondence, and orders. The City or its designee shall upload timely-submitted evidence into the online system before the hearing.

The hearings shall be conducted pursuant to the procedures in section 2-441 of

the City Code, and the City shall be responsible for providing notice of the hearing to the alleged violator(s), preserving the record of the hearing, and issuing the post-hearing order prepared by the ALJ.

The City is responsible for coordinating and providing interpreter services and for handling requests for accommodations under the Americans with Disabilities Act (ADA) related to the hearing process. The City shall include information in the request for hearing and the Notice of Hearing regarding interpreter services and ADA accommodations.

The City may reschedule hearings upon request. If the alleged violator contests the rescheduling request, the contested request shall be referred to DOAH for a ruling by the assigned ALJ. The City shall notify DOAH of the contested request and shall upload the request and any supporting or opposing documentation to the online system for the assigned ALJ's review. The assigned ALJ shall review the request and enter a ruling indicating whether the request is granted or denied. The City shall issue an Amended Notice of Hearing reflecting the new hearing date and time if the request is granted, or shall issue a written notice or order informing the petitioner that the rescheduling request has been denied.

If the case is dismissed prior to the hearing, the City shall issue a Dismissal Letter and amend the docket in the online system.

The City shall either provide the ALJ access to a virtual hearing platform (e.g., Zoom) or shall use the virtual hearing platform information specific to the ALJ.

The City shall provide a form order template for the ALJ to enter the findings of fact and conclusions of law in the order required by the City Code.

The City is responsible for issuing the ALJ's Order in accordance with the mailing and service requirements of the City Code. The City shall handle all post-hearing enforcement, collections, and case closure, except that the City may request subsequent hearings to impose or foreclose a lien, pursuant to section 2-443 of the City Code.

Public Records and Recordkeeping

The City shall be responsible for compliance with Florida's public records laws, including Chapter 119, Florida Statutes, and applicable records retention requirements for all records associated with the administrative hearings conducted pursuant to this MOU. This includes, but is not limited to, hearing recordings, evidentiary materials, notices and other correspondence to and from petitioners, and Orders, all of which are stored and maintained on systems controlled by the City. DOAH is not the custodian of any records maintained in the online system, the hearing platform, or any other systems operated by the City. The City shall defend, indemnify, and hold harmless DOAH from any claims, demands, causes of action, damages, or penalties arising out of or related to the City's failure to comply with Florida public records law or records retention requirements.

Other Provisions

This MOU supplements the parties' existing Administrative Law Judge Services Contract, which governs compensation and other general terms. This MOU may be amended in writing by mutual agreement of the parties.

Liaison Contacts

Each party shall designate a liaison to coordinate scheduling, address operational matters, and respond to time-sensitive concerns:

Division of Administrative Hearings: Suzanne Van Wyk

Email: Suzanne.Vanwyk@doah.state.fl.us

City of Neptune Beach, Florida: _____

Email: _____

STATE OF FLORIDA,
DIVISION OF ADMINISTRATIVE HEARINGS

By:  _____ Date: 10/3/2025
Megan S. Silver
Executive Director & Administrative Law Judge

CITY OF NEPTUNE BEACH, FLORIDA

By: _____ Date: _____
Title: _____



**Special Meeting
Agenda Item #4C
Res. No. 2025-20
Collective Bargaining
Recognition**

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

AGENDA ITEM:	Resolution No. 2025-20 Recognizing the Local630 Labor Union as the Exclusive Bargaining Representative for the Blue Collor Unit
SUBMITTED BY:	Jillian McCann, HR Coordinator
DATE:	October 20, 2025
BACKGROUND:	Chapter 447 of the Florida State Statutes requires the City of Neptune Beach to adhere to the Public Employees Relations Act. Established in 1983, the Local 630 Labor Union serves as the exclusive bargaining representative for employees of the City of Neptune Beach. The Union is supported by a majority of employees in the Blue Collar Unit, which comprises the following classifications: Backflow Prevention Specialist, Crew Chief (D&C), Laborer I, Laborer II, Lift Station Mechanic, Maintenance Technician, Mechanic/Crew Chief, Pump Mechanic, Stormwater Laborer I, Stormwater Laborer II, Stormwater Operator, Utility Laborer I, Utility Laborer II, Wastewater Lead Operator, Wastewater Operator Trainee, Wastewater Operator, Water Treatment Plant Lead, and Water Treatment Plant Operator.
RECOMMENDATION:	Adopt Resolution Number 2025-20
ATTACHMENT:	Resolution Number 2025-20



RESOLUTION NO. 2025-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEPTUNE BEACH, FLORIDA, RECOGNIZING NORTHEAST FLORIDA PUBLIC EMPLOYEES, LOCAL 630, LABORERS INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO, AS THE EXCLUSIVE COLLECTIVE BARGAINING REPRESENTATIVE FOR THE BLUE-COLLAR BARGAINING UNIT

WHEREAS, the City of Neptune Beach is a public employer subject to the Public Employees Relations Act, Chapter 447, Florida Statutes; and

WHEREAS, Northeast Florida Public Employees, Local 630, Laborers International Union of North America, AFL-CIO ("Union"), is a registered employee organization with the Public Employees Relations Commission; and

WHEREAS, the Union has demonstrated majority support among employees in the blue collar bargaining unit consisting of the following classifications: Backflow Prevention Specialist; Crew Chief (D&C); Laborer I; Laborer II; Lift Station Mechanic; Maintenance Technician; Mechanic/Crew Chief; Pump Mechanic; Stormwater Laborer I; Stormwater Laborer II; Stormwater Operator; Utility Laborer I; Utility Laborer II; Wastewater Lead Operator; Wastewater Operator Trainee; Wastewater Operator; Water Treatment Plant Lead; and Water Treatment Plant Operator; and

WHEREAS, Voluntary recognition promotes efficient administration and maintains positive relations; and

WHEREAS, on July 17, 2025, the City Manager executed a Voluntary Recognition Agreement with the Union pursuant to Section 447.307(1)(a), Florida Statutes; and

WHEREAS, the City Council finds it appropriate to formally acknowledge this voluntary recognition; and

WHEREAS, the Public Employees Relations Commission is processing the voluntary recognition for certification as Case No. RA-2025-005; NOW, THEREFORE, BE IT

RESOLVED BY THE CITY COMMISSION OF THE CITY OF NEPTUNE BEACH, FLORIDA:

Section 1. The City Council hereby recognizes and ratifies the voluntary recognition of Northeast Florida Public Employees, Local 630, Laborers International Union of North America, AFL-CIO, as the exclusive collective bargaining representative for employees in the blue-collar bargaining unit as described herein.

Section 2. The City Council authorizes the City Manager to take all necessary actions to implement this recognition and to engage in good faith collective bargaining negotiations with the Union upon certification by the Public Employees Relations Commission.

Section 3. This Resolution shall take effect immediately upon adoption.

This Resolution adopted by the City Council of Neptune Beach, Florida, at the Special Council Meeting held on this ____ day of _____, 2025.

Corrine A. Bylund, Mayor

ATTEST:

Catherine Ponson, City Clerk

Approved as to Form and Content:



Paul Waters, City Attorney