



AGENDA
Regular City Council Meeting
Monday, August 3, 2020, 6:00 P.M.

**THIS MEETING WILL BE CONDUCTED
VIA COMMUNICATIONS MEDIA TECHNOLOGY**

1. CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE
2. AWARDS / PRESENTATIONS/ RECOGNITION OF GUESTS
 - A. Lifesaving Awards Presentation
3. APPROVAL OF MINUTES: **July 6, 2020, Regular City Council Virtual Meeting**
July 20, 2020, Workshop City Council Virtual Meeting p. 4
July 24, 2020, Neptune Beach/FDOT A1A/Atlantic Blvd
Discussion
4. COMMUNICATIONS / CORRESPONDENCE / REPORTS:
 - Mayor
 - City Council
 - City Manager
 - City Attorney
 - City Clerk
 - Departmental Reports
5. COMMENTS FROM THE PUBLIC
6. CONSENT AGENDA / NONE
7. VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS
 - A. CDB 20-01 - Application for Replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for William L. and Jamie A. Cissel. The property is currently known as 1924 Seagate Ave, (RE# 177522-0000). The subject property is located in the R-1 zoning district. The applicants are requesting to subdivide the existing one parcel into two parcels. **p. 13**
8. ORDINANCES
 - A. ORDINANCE NO. 2020-05, FIRST READ AND PUBLIC HEARING: An Ordinance Amending Section 6-31 Regarding Dogs on the Beach to Clarify Leash Requirements; Correcting a Typo; Providing for Severability; Providing an Effective Date. **p- 47**
9. OLD BUSINESS / NONE
10. NEW BUSINESS
 - A. Jarboe Park Improvements **p. 51**
11. COUNCIL COMMENTS
12. ADJOURN

PH

INSTRUCTIONS FOR THE AUGUST 3, 2020 NEPTUNE BEACH VIRTUAL COUNCIL MEETING

This meeting will be a webinar conducted electronically. No in-person meeting will be conducted as permitted in Governor Executive Order No. 20-69, extended by Executive Order 20-112, Executive Order 20-123, Executive Order 20-139, Executive Order 20-150 and Executive Order 20-179. The City has adopted Emergency Rules Regarding to COVID-19 to Govern the Operation of Meetings of the City Council and Board of the City of Neptune Beach. Such rules are available from the City Clerk.

Members of the public may provide written comments in the following manner:

1. Email to the City Clerk prior to the meeting at clerk@nbfl.us.
2. Placing them in the drop box outside of City Hall, 116 First Street, Neptune Beach, Florida.
3. Fill out the speaker request form located at: <https://www.ci.neptune-beach.fl.us/home/webforms/request-address-council>

Comments must be received by noon on Monday, August 3 2020. Only written comments of 300 words or less will be read into the record during the meeting. All other written comments received by the deadline will be entered into the record and distributed to the City Council.

Registered webinar participants can also share comments live during the meeting, You must request to do this using the “raise your hand” feature during “Comments from the Public” portion of the meeting or during the public hearing portion. During the public hearing portion, any comments must be about that specific agenda item.

The meeting can be observed in the following ways:

You may register to attend the GoToWebinar and view the meeting on your computer or dial in and listen on your telephone by visiting the following link:

<https://attendee.gotowebinar.com/register/6572621434710468876>

TO USE YOUR COMPUTER'S AUDIO:

When the webinar begins, you will be connected to audio using your computer's microphone and speakers (VoIP). A headset is recommended.

--OR--

TO USE YOUR TELEPHONE:

If you prefer to use your phone, you must select "Use Telephone" after joining the webinar and call in using the numbers below.

United States: +1 (415) 930-5321

Access Code: 147-914-331

Audio PIN: Shown after joining the webinar

Webinar ID: 569-421-347

Attendees joining via computer/smart device can refer to instructions below on how to join the webinar at : <https://support.goto.com/webinar/how-to-join-attendees>

For questions or additional information, please contact the City Clerk's office at (904) 270-2400, ext. 30

If a person decides to appeal any decision made by the Council with respect to any matter considered at such meeting or hearing the person will need a record of the proceedings and for such purpose 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 Statutes, persons with disabilities needing special accommodation, including hearing assistance, to participate in this meeting should contact the City Clerk's Office no later than 48 hours prior to the meeting.



**MINUTES
REGULAR CITY COUNCIL
VIRTUAL MEETING
MONDAY, JULY 6, 2020, 6:00 P.M.**

Pursuant to proper notice, a Regular City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, July 6, 2020, at 6:00 p.m., by Communications Media Technology, pursuant to Governor Executive Order Number 20-69, issued on March 20, 2020 as extended by Executive Order 20-112, Executive Order 20-123 and Executive Order 20-150.

Attendance:

IN ATTENDANCE:
Mayor Elaine Brown
Vice Mayor Fred Jones
Councilor Kerry Chin
Councilor Scott Wiley
Councilor Josh Messinger

STAFF:
City Manager Stefen Wynn
City Attorney Zachary Roth
Police Commander Michael Key
Public Works Director Leon Smith
Community Development Director Kristina Wright
Senior Center Director Leslie Lyne
Grant and Resilient Coordinator Colin Moore
City Clerk Catherine Ponson

Call to Order/Roll Call

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

Mayor Brown reminded everyone of the importance of wearing masks and staying safe. She reported the number of cases of COVID-19 in Neptune Beach is up to 92 and Atlantic Beach has 150.

APPROVAL OF MINUTES

Minutes

Made by Messinger, seconded by Jones.

MOTION: TO APPROVE THE FOLLOWING MINUTES:
June 1, 2020, Regular City Council Virtual Meeting
June 15, 2020, Workshop City Council Virtual Meeting
June 29, 2020, Special City Council Meeting

Roll Call Vote:

Ayes: 5- Chin, Messinger, Wiley, Jones, and Brown.
Noes: 0

MOTION CARRIED

COMMUNICATIONS AND CORRESPONDENCE

CITY MANAGER REPORT

Police Department Report (Commander Key) Police Commander Michael Key reported that crowds were down for July 4th which helped with compliance. All officers were on duty other than the two who tested positive for COVID-19. There were 16 JSO (Jacksonville Sheriff's Office) officers assisting during the event. The operational goals and objectives were approached this year with social distancing in mind and safety of staff as a priority.

City Manager Report City Manager Stefen Wynn reported that the Public Works Department has opened and closed 263 work orders since January of this year. These include leaking water meters to water main replacement. They have been updating City infrastructure all year. The wastewater plant infiltration is down from 900,000 gallons a day to about 700,000 gallons.

Mobility Management Implementation Plan Mr. Wynn stated that there is a Mobility Management Implementation Plan. He presented a timeline to enforcement. He reviewed the steps, including an educational video, new easy-to-understand signage, license plate reading camera installation and testing. By September 1, 2020, enforcement should begin and the program will be truly implemented. These steps have been being tracked since January 2020 through the project punch-list.

Mr. Wynn is recommending revisiting the Interlocal Agreement with Atlantic Beach regarding the amounts paid and let the agreement with RTA Consulting expire and take the program in-house.

Council discussion included number of parking spaces, approval of signage, revenue allocation, public education and hiring a Mobility Manager.

PUBLIC COMMENT / NONE

VARIANCES / SPECIAL EXCEPTIONS / DEVELOPMENT ORDERS / NONE

ORDINANCES / NONE

OLD BUSINESS /NONE

NEW BUSINESS

Confirmation of New CFO Confirmation of Carl LaFleur as Chief Financial Officer. Mr. Wynn advised that a new Chief Financial Officer has been hired after a national search. Nine individuals were interviewed virtually then three were invited to interview in Neptune Beach. Carl LaFleur was chosen and will begin July 13.

Made by Messinger, seconded by Jones.

MOTION: TO CONFIRM CARL LAFLEUR AS THE CHIEF FINANCIAL OFFICER

Roll Call Vote:

Ayes: 5-Messinger, Wiley, Chin, Jones, and Brown.
Noes: 0

MOTION CARRIED

Municipal Comprehensive Emergency Management Plan Municipal Comprehensive Emergency Management Plan. Mr. Wynn confirmed this is the updated version of the Municipal Comprehensive Emergency Management Plan (MCEMP). Information for the hurricane season and pandemic have been added.

Made by Messinger, seconded by Chin.

MOTION: TO ADOPT THE MUNICIPAL COMPREHENSIVE EMERGENCY MANAGEMENT PLAN

Roll Call Vote:

Ayes: 5-Wiley, Chin, Messinger, Jones, and Brown.
 Noes: 0

MOTION CARRIED

Tyler Technologies ERP System

Tyler Technologies ERP (Enterprise Resource Planning) System. Mr. Wynn explained this has been an extensive undertaking. Tyler Technologies ERP System will include financial management, personnel management, payroll and utility billing. This new system will benefit everyone. The City had three demonstrations with as many as 35 attendees on the line. It brings all of the software the City is currently using into one system with additional components.

Mike Leshar, Senior Account Executive with Tyler Technologies, stated that the company is growing and part of that process is being able to provide the municipalities the tools they need now and in the future. He added that as long as the City is under Tyler Technology support, the City will continue to get upgrades.

Made by Jones, seconded by Messinger.

MOTION: TO APPROVE THE PURCHASE OF TYLER TECHNOLOGIES ERP SYSTEM

Roll Call Vote:

Ayes: 5-Chin, Messinger, Wiley, Jones, and Brown.
 Noes: 0

MOTION CARRIED

Purvis Gray Audit Contract Extension

Purvis Gray Audit Contract Extension. Mayor Brown explained this is the contract extension for the auditors. They have been with the City since 2014.

Councilor Messinger stated Purvis Gray has been great to work with but it is best practices to switch up auditors every four to six years. The City is past that time. He suggested extending the contract for one year for the new CFO to get on board and potentially issuing an RFP.

Mr. Wynn explained that each time the current contract was up for renewal, a new Finance Director or CFO had been appointed. There was not a chance for the auditors to get into a situation where they were comfortable with the Finance Director. The management letter from the most recent audit had comments and things the City needed to work on in relation to the budget process.

City Attorney Zachary Roth reported that he was not aware of any issues from a legal perspective.

Councilor Chin commented he had similar concerns as Councilor Messinger, however the fact there is a new CFO and the City has a new accounting system. This would allow the City some stability during the transition.

Councilor Wiley stated that Purvis Gray has done a great job and he agrees that with the new CFO and accounting system, the City should not consider changing at this time.

Made by Jones, seconded by Wiley.

MOTION: TO APPROVE THE EXTENSION OF THE PURVIS GRAY CONTRACT FOR AUDITING SERVICES

Roll Call Vote:

Ayes: 5-Messinger, Wiley, Chin, Jones, and Brown.
Noes: 0

MOTION CARRIED

Res. No. 2020-04, CDB Appointments

Resolution No. 2020-04, A Resolution Appointing Members to the Community Development Board

Mayor Brown reported that the Council had seen the applicants and there was great talent. She advised that the applications would remain on file if not chosen. Robert Frosio would be reappointed to a second term as a regular member. William Randolph would be appointed as a regular member. The three alternates would be Greg Schwartzenberger, Jonathan Raiti and David Jaffee.

Made by Chin, seconded by Jones.

MOTION: TO ADOPT RESOLUTION NO. 2020-04, APPOINTING MEMBERS TO THE COMMUNITY DEVELOPMENT BOARD

Roll Call Vote:

Ayes: 5-Wiley, Chin, Messinger, Jones, and Brown.
Noes: 0

MOTION CARRIED

Adjournment

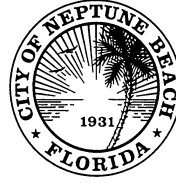
There being no further business, the meeting adjourned at 7:13 p.m.

Elaine Brown, Mayor

Attest:

Catherine Ponson, CMC
City Clerk

Approved: _____



**MINUTES
WORKSHOP VIRTUAL
CITY COUNCIL MEETING
MONDAY, JULY 20, 2020, 6:00 P.M.**

Pursuant to proper notice a Workshop City Council Meeting of the City Council of the City of Neptune Beach was held on Monday, July 20, 2020, at 6:00 p.m., by Communications Media Technology, pursuant to Governor Executive Order Number 20-69, as extended by Executive Order 20-112, Executive Order 20-123, Executive Order 20-139 and Executive Order 20-150.

Attendance

IN ATTENDANCE:

Mayor Elaine Brown
Vice Mayor Fred Jones
Councilor Kerry Chin
Councilor Josh Messinger
Councilor Scott Wiley

STAFF:

City Manager Stefen Wynn
City Attorney Zachary Roth
Police Chief Richard Pike
Chief Financial Officer Carl LaFleur
Community Development Director Kristina Wright
Grants and Resiliency Coordinator
Senior Center Director Leslie Lyne
Public Works Director Leon Smith
City Clerk Catherine Ponson

Call to Order

Mayor called the virtual workshop meeting to order at 6:00 p.m. and Councilor Messinger led the Pledge of Allegiance.

Mayor Brown announced that the Neptune Beach Senior Activity Center agenda item would not be discussed as more information is needed.

CITY MANAGER REPORT

Police Chief Report

Police Chief Richard Pike reported the Beaches COVID-19 testing site went very well. There were minor adjustments that were made. It is open Thursday, Friday and Saturday beginning at 7:00 a.m. The first hour is for elderly and special health issue persons. They will resume the alphabetical testing next week.

One Police Officer has been sent for COVID-19 testing and one lifeguard is positive. No Police Officers or lifeguards are quarantined.

They are moving forward with the Republican National Convention planning with virtual meetings Monday through Thursday with all organizations involved.

City Manager Report

City Manager Wynn reported the following:

- He thanked Mayor Brown for getting COVID-19 testing at the Beaches.
- The educational video for the parking is almost complete. It emphasizes the three P's. Park, Picture, and Pay.

- He reminded residents who have experienced a hardship during COVID-19 are expected to enter into a payment plan for their delinquent utility bill. There is assistance available.
- Surveys have gone out for the Community Vision Plan. The deadline has been extended until July 31st. Paper copies have been sent to 1,000 residents.
- The City will receive 100% of the FEMA reimbursement for Hurricane Dorian.

Mayor Brown thanked the owners of the old Kmart for use of the parking lot and the doctors for getting the testing out at the Beaches.

COMMITTEE REPORTS

Finance/Boards/
Charter Review

Committee Chairman Wiley reported his committee met on July 15, 2020, at 10:00 a.m. He stated that Phases 1A, 1B and 1C were discussed. That will be on the agenda later. Tyler Technologies ERP System project was discussed and is progressing. The City is excited to get this project moving. The Senior Center Modular Building proposal was reviewed, and more information is needed before coming to Council.

ISSUE DEVELOPMENT

Jarboe Park
Funding

Jarboe Park Improvements – Proposed Funding. Councilor Messinger explained that the Jarboe Park project has been being worked on for a couple of years now. Money had been set aside year to year for that. A lot of what Council is seeing has been budgeted for, so these are not new allocations, but they have been itemized down. He added that this is a community vision becoming a reality. He thanked Mayor Brown, Councilor Wiley, Councilor Chin, Chris Chin and the Beautification Committee. He commented that Mr. Wynn will be the point person during the implementation.

Councilor Messinger confirmed that the playground equipment and shade sails for the equipment are included in the budget. All of the sports courts, including basketball, pickleball, volleyball, tennis, will have better lighting, with less lighting going into the neighborhoods. All of this will be spread out into two budget years.

Colin Moore, Grant and Resiliency Coordinator, reported that the major, grant-funded project is the recreational trail on the west side of the pond, including a new, wider bridge. This is the route of the East Coast Greenway Trail continuing through the park. The rest of the projects include the courts and playgrounds. The funding for those amenities is coming from Better Jax funds, donations, and grants. The funding amounts for FY 2020 are solid.

Councilor Wiley reminded everyone that the majority of the funding for FY 2020 has already been accumulated and budgeted.

Mr. Moore confirmed Councilor Chin's inquiry that this type of project is what the Better Jax Funds are designated for.

Vice Mayor Jones asked about the status of the engineering from Parsons.

Mr. Wynn explained that Phase 1A is 100% complete. The funding being requested is for that phase. The other phases have been engineered and the City is fine tuning the quantities for those different phases. The City is proceeding with the permitting of all of the phases through the Army Corps of Engineers and the St. Johns River Water Management District.

Mr. Moore indicated that when this project can get started will depend on the permitting. Once the funding is officially approved, the City hopes to start as soon as possible.

Mayor Brown summarized that she would like to move this forward for Council approval at the next Council meeting and thanked everyone for all of their hard work.

PUBLIC COMMENT

Senior Center Director Leslie Lyne reported that as of this date, the fundraising for the Senior Center is at \$11,299 through Patronicity. She has applied for a grant with Wal-Mart for \$5,000 and will be applying for a grant through Florida Blue. Individualized donation letters have also been sent out.

COUNCIL COMMENTS

Vice Mayor Jones questioned if any insurance reimbursement had been researched as an option due to the damage to the previous building. Mr. Wynn stated he would look into it with the insurance provider and if there is a possibility of a retroactive claim.

Councilor Messinger thanked the Beautification Committee, President Chris Chin, and Deputy Public Works Director Megan George for identifying tree locations throughout the City. He also thanked Duval Tree Mitigation Fund for providing trees at no cost to the City.

Mr. Wynn commented that there would be one right-of-way application with a schedule of trees and location so we can make sure they are maintained.

Adjournment

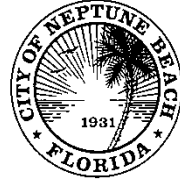
There being no further business, the workshop meeting adjourned at 6:50 p.m.

Elaine Brown, Mayor

ATTEST:

Catherine Ponson, CMC
City Clerk

Approved: _____



**MINUTES
NEPTUNE BEACH/FDOT
A1A/ATLANTIC BOULEVARD INTERSECTION
DISCUSSION MEETING
FRIDAY, JULY 24, 2020, 10:00 A.M.**

Pursuant to proper notice, a Meeting of the Neptune Beach Officials and Florida Department of Transportation (FDOT) was held on Friday, July 24, 2020, at 10:00 a.m., by Communications Media Technology, pursuant to Governor Executive Order Number 20-69, issued on March 20, 2020 as extended by Executive Order 20-112, Executive Order 20-123 and Executive Order 20-150.

Attendance:

IN ATTENDANCE:

Vice Mayor Fred Jones
Councilor Kerry Chin
Councilor Scott Wiley
Councilor Josh Messinger

STAFF:

City Manager Stefen Wynn
Community Development Director Kristina Wright
Grant and Resiliency Coordinator Colin Moore
City Clerk Catherine Ponson

FDOT:

Jim Knight, Urban Planning and Model Administrator, District 2
Jeff Daugharty, Project Manager

DOVER, KOHI & PARTNERS:

Victor Dover, Founding Principal
Luiza Leite, Town Planner
Rick Hall, Hall Planning & Engineering

CITY OF JACKSONVILLE:

Chris LeDew, Chief of Traffic Engineering

PARSONS ENGINEERING:

Tom Gyorog, Project Manager

A1A/Atlantic Blvd Discussion

City Manager Stefen Wynn explained the purpose of this meeting is to coordinate with FDOT for the improvement along A1A/Atlantic Boulevard intersection as well as the stormwater improvements the City is planning.

Grant and Resiliency Coordinator Colin Moore stated that the City was told the A1A/Atlantic intersection project had been included on the TIP (Transportation Improvement Program) project list in error. This project was not going to be funded. The City has now found out that the project will be funded and completed.

Jim Knight, with FDOT, advised the project is being funded and the final plans are due in two weeks. The project can be deleted. It can not be paused. He added that the funds do not carry over. A minor change could be addressed. The rush is due to the high speed accidents both north and eastbound and adjusting the geometry to make it safer.

Vice Mayor Jones remarked that the City is going through a visioning process and has come up with a different approach to address this using the DOT context classification tool. The City is having about \$5 million in stormwater improvements that will be from Atlantic

Boulevard to Seagate Avenue. These could be minor design tweaks to the FDOT plan.

Mr. Knight expressed that a decision for the intersection needs to be made at this time. He suggested supplementing the FDOT contract with the lateral project that would cross A1A.

Discussion ensued regarding turn lanes, keeping in character with the Community Vision Plan, eliminating the dedicated eastbound to northbound left turn lane and using Lemon Street.

Mr. Knight confirmed that the FDOT design would help with the high-speed accidents.

Mr. Knight reported that the complete plans for this project are due by August 11, 2020. They still need to be checked and updated but any minor changes would need to be made in a week or two.

Mr. Wynn informed Mr. Knight that the City would get back with him regarding this project. Mr. Wynn requested the traffic analysis that was used to determine the design of the project.

The virtual meeting ended at 10:58 a.m.

Elaine Brown, Mayor

Attest:

Catherine Ponson, CMC
City Clerk

Approved: _____

City of Neptune Beach

Kristina L. Wright, FRA-RA, Community Development Director
116 First Street • Neptune Beach, Florida 32266-6140
(904) 270-2400 x 34 • FAX (904) 270-2526



MEMORANDUM

TO: Community Development Board

FROM: Kristina L. Wright, FRA-RA, Community Development Director

DATE: January 28, 2020

SUBJECT: CDB2020-01 Cissel Replat (RE# 177522 0000)

Background

Application CDB2020-01 is a request to replat an existing property to create two lots in accordance with chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach. The property is owned by William L. Cissel, and the existing property is located at 1924 Seagate Avenue within the R-1 zoning district.

Analysis

This applicant seeks to create two lots by replatting the existing property located at 1924 Seagate Avenue within the R-1 Zoning Classification. The R-1 Zoning Classification requires a minimum lot area of 12,000 s.f., with a minimum lot width of 100 feet. Each of the proposed lots meet the criteria established within Table 27-229-1. If the replat is approved, the resulting lot will be developed as a single-family home. The property has access via recorded access easement and will be served by public water. However, septic tank approval will be required through the Department of Health.

Recommendation

The application for replat meets all current zoning regulations. Staff recommends approval of CDB2020-01 Cissel Replat.



MINUTES
COMMUNITY DEVELOPMENT BOARD
MARCH 11, 2020 AT 6:00 P.M.
COUNCIL CHAMBERS
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266

Pursuant to proper notice Public Hearing of the Community Development Board for the City of Neptune Beach was held March 11, 2020 at 6:00 p.m. in the Council Chambers.

Attendance

Board members were in attendance:
Christopher Goodin, Chair
Bob Frosio, Member
Nia Livingston, Member
Charley Miller, Member
Aaron Evens, Member (arrived at 6:02 pm)
William Randolph, Alternate Member

The following staff members were present:

Zachary Roth, City Attorney
Kristina Wright, Community Development Director
Piper Turner, Code Compliance Supervisor

Call to Order/Roll Call

Chairperson Goodin called the meeting to order at 6:00 p.m.

Minutes

Made by Livingston, seconded by Randolph.

MOTION: TO APPROVE THE FEBRUARY 12, 2020 MINUTES AS SUBMITTED.

Roll Call Vote:

Ayes: 5- Frosio, Miller, Randolph, Livingston, Goodin
Noes: 0

MOTION CARRIED

Ex Parte
Communication

Chairperson Goodin asked the members if anyone had any ex parte communication to disclose? No one had anything to disclose.

CDB2020-01
Application for Replat
1924 Seagate Ave to
divide the property into
two lots

CDB20-01 Application for a replat as outlined in Chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for Mr. and Mrs. Cissel for the property currently known as 1924 Seagate Avenue (RE# 177522-0000) The applicants are requesting to replat the existing lot into two (2) equal sized lots in order to build two single family dwellings.

Zach Roth, City Attorney stated he had provided each member with a guideline to ensure the facts of the application are in the record.

Kristina Wright, Community Development Director, gave a staff report. The request is to replat an existing property into two lots. The property is currently known as 1924 Seagate Ave and is .74 acre in size. The property is in the R-1 zoning district. This item was continued from the February meeting.

The R-1 zoning classification requires a minimum lot area of 12,000 sf and a lot width of 100 feet. Each of the proposed lots meet the criteria established within Table 27-229-1. Narrative from the applicant proposes to remove the existing home prior to constructing two new single-family homes.

Proposed structures on the plat plan, including garage, are illustrative only. Existing access via the recorded access easement extending from the southeastern side of the property and additional access improvement will be made within the southwestern side of the property.

The code has some ambiguities such as a lack of definition of what constitutes a private or public road and the definition and standards for an access easement.

The new lot will be served by public water and a septic tank with approval from the Department of Health.

The application meets the current requirements of Chapter 27, Article 3 of the Unified Land Development Code. Staff recommends approval of CDB2020-01 Cissel Replat subject to the creation of a boundary survey and the inclusion of dedication language ensuring access to all properties on resulting access easement.

Mr. Cissel, property owner, addressed the board. The existing house is over 60 years old. By subdividing the lot and the sale of the new lot would fund the construction of their new home. Access is important to both parties and he has meet with Public Works about getting water to the new lot. The current driveway for 1936 Seagate Ave is not within the easement.

Chairperson Goodin opened the floor for public comments.

Lee Kellison, Attorney for Ralph and Janet Boone of 1936 Seagate Ave. stated that the driveway that they use to access their property currently is not within the easement. They are looking for insurances that the construction is not going to affect their property or the septic system.

There being no further comments, the public hearing was closed.

Kristina Wright, Community Development Director, stated there will be a new ribbon type driveway built for secondary access across the new lot. This new driveway can also be used by the Boones.

Questions discussion:

Approving the replat does not affect the easement. All this application does is take this property from one piece to two pieces.

Made by Frosio, seconded by Evens.

MOTION: TO RECOMMEND APPROVAL OF CB2020-01 CISSEL REPLAT SUBJECT TO THE CREATION OF A BOUNDARY SURVEY AND THE INCLUSION OF DEDICATION LANGUAGE ENSURING ACCESS TO ALL PROPERTIES ON RESULTING ACCESS EASEMENT.

Roll Call Vote:

Ayes: 6-Frosio, Evens, Randolph, Livingston, Miller, Goodin

Noes: 0

Motion Carried.

Applicate was informed that this application would be forwarded to the City Council's next regular meeting for their final decision. The applicate should attend that meeting.

Open Discussion: Dover, Kohl and Partners will be here April 13 through 17.

Adjournment The next board meeting is scheduled for May 13, 2020 at 6:00 pm. There being no further business, the meeting adjourned at 6:30 p.m.

Chairperson Christopher Goodin

ATTEST:

Piper Turner, Board Secretary

CDB 2020-01

APPLICATION FOR DEVELOPMENT PLAN REVIEW



TO THE CITY OF NEPTUNE BEACH BUILDING DEPARTMENT
116 FIRST STREET
NEPTUNE BEACH, FLORIDA 32266-6140
PH: 270-2400 Ext 34 FAX: 270-2432

**APPLICATION FEE: \$300 Residentially Zone Property
\$500 Commercially Zone Property plus \$.005 (1/2 cent) for each square foot of land
or \$1500 whichever is greater**

Date Filed: RECEIVED JAN 13 2020	Name and address of the applicant requesting development review: (NOTE: If the applicant is other than all the legal owners of the property, notarized written consent signed by all the legal owners of the property shall be attached. In the case of corporation ownership, the authorized signature shall be accompanied by a notation of the signer's office in the corporation, and the embossed with the corporate seal). The undersigned hereby applies for a development review as follows.
Name & Mailing address of Owner of Record: <u>William L. Cissel</u> <u>1924 Seagate Ave Neptune Beach</u> <u>Florida 32266</u> Contact phone # <u>(904) 318-5174</u> e-mail address <u>Bill Cissel 7@Gmail.com</u>	Property Address: <u>1924 Seagate Ave (Existing Address)</u> <u>new address to be assigned</u> <u>Neptune Beach, FL 32266</u> Real Estate ID # <u>177522-0000</u> Lot _____ Block _____ Subdivision <u>C.Y.F.G.</u> Zoning District: <u>R-1</u>
Name and Address of Agent/Applicant: <u>William Cissel</u> <u>1924 Seagate Ave, Neptune Beach, FL 32266</u>	Telephone #-: <u>904-318-5174</u> Email: <u>Bill Cissel 7@Gmail.com</u>
Describe Request being made: <u>Bifurcation of Existing Lot in R-1</u>	
<p align="center">PLEASE BE ADVISED THE COMMUNITY DEVELOPMENT BOARD CONDUCTS A PUBLIC HEARING TO CONSIDER CERTAIN FACTORS IN ORDER TO MAKE A RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OR DISAPPROVAL OF THE DEVELOPMENT PLAN.</p>	

I HEREBY CERTIFY THAT I HAVE READ AND UNDERSTAND THE INFORMATION CONTAINED IN THIS APPLICATION. THAT I AM THE PROPERTY OWNER OR AUTHORIZED AGENT FOR THE OWNER WITH AUTHORITY TO MAKE THIS APPLICATION, AND THAT ALL OF THE INFORMATION CONTAINED IN THIS APPLICATION, INCLUDING THE ATTACHMENTS ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. I HEREBY APPLY FOR DEVELOPMENT REVIEW AS REQUESTED.

CHECKLIST FOR DEVELOPMENT PLAN REVIEW

For a complete list of requirements see Article III, Chapter 27 of the Code of Ordinances

Commonly required items needed for development reviews.

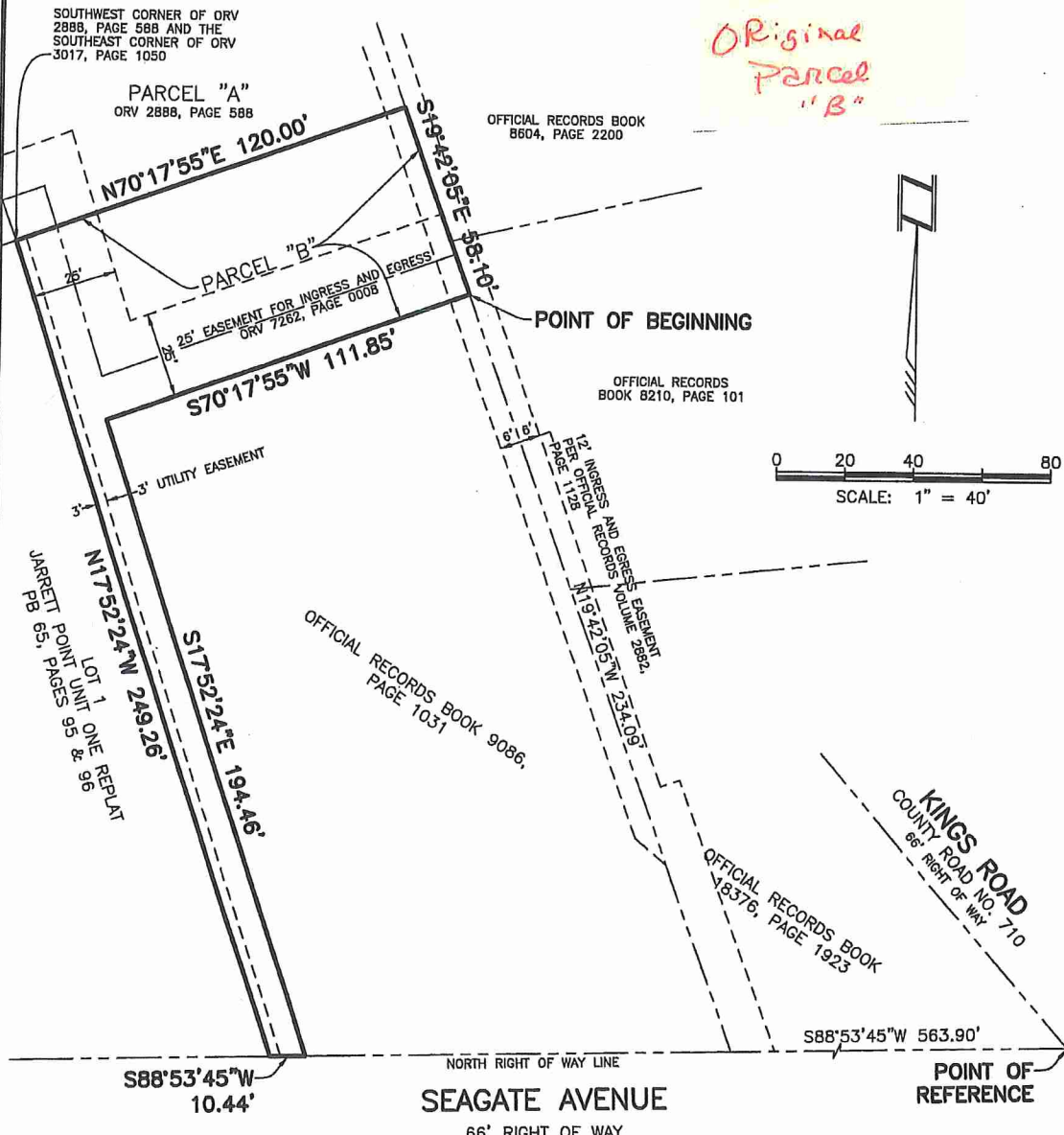
- Site Plan
- Elevations (all four sides)
- Landscape Plan/Existing Tree Survey
- Impervious Surface Calculations
- Light Plan (exterior only)
- Signage Plan
- Floor Plan
- Survey of property (dated within one year)
For replat must submit existing and propose surveys
- Parking Plan
- Stormwater and drainage plan
- Wetland Buffer
- Utility Plan with existing and/or proposed easements

DISCLAIMER: This helpful guide is not intended to replace any or all of the Unified Land Development Regulations, requirements for application and review procedures required for development orders and certain types of permits. The guide is meant to assist in the facilitation of the review process only.

MAP OF

A PART OF THE CASTRO Y. FERRER GRANT, SECTION 3B, TOWNSHIP 2 SOUTH, RANGE 29 EAST, DUVAL COUNTY, FLORIDA MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SEAGATE AVENUE WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF KINGS ROAD, AS SHOWN ON THE PLAT OF SEAGATE FOREST, AS RECORDED IN PLAT BOOK 27, PAGES 82 AND 82A OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE SOUTH 88°53'45" WEST, ALONG SAID OFFICIAL RECORDS BOOK 9086, PAGE 1031 OF SAID CURRENT PUBLIC RECORDS; THENCE ALONG THE EASTERLY, SOUTHERLY AND WESTERLY LINE OF SAID OFFICIAL RECORDS BOOK 9086, PAGE 1031 THE FOLLOWING THREE (3) COURSES: (1) NORTH 19°42'05" WEST, A DISTANCE OF 234.09 FEET TO THE POINT OF BEGINNING; (2) SOUTH 70°17'55" WEST, A DISTANCE OF 111.85 FEET; (3) SOUTH 17°52'24" EAST, A DISTANCE OF 194.46 FEET TO A POINT ON THE AFORESAID NORTH RIGHT OF WAY LINE OF SEAGATE AVENUE; THENCE SOUTH 88°53'45" WEST, ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 10.44 FEET TO THE SOUTHEAST CORNER OF LOT 1, JARRETT POINT UNIT ONE REPLAT, AS RECORDED IN PLAT BOOK 65, PAGES 95 AND 96 OF THE CURRENT PUBLIC RECORDS OF DUVAL COUNTY, FLORIDA; THENCE NORTH 17°52'24" WEST, ALONG THE EASTERLY LINE OF SAID LOT 1, A DISTANCE OF 249.26 FEET TO THE SOUTHWEST CORNER OF THE RECORDS VOLUME 3017, PAGE 1050 OF SAID CURRENT PUBLIC RECORDS; THENCE NORTH 70°17'55" EAST, ALONG THE SOUTHERLY LINE OF SAID LANDS DESCRIBED IN OFFICIAL RECORDS VOLUME 2888, PAGE 588, A DISTANCE OF 120.00 FEET TO A POINT LYING ON THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8604, PAGE 2200 OF AFORESAID CURRENT PUBLIC RECORDS; THENCE SOUTH 19°42'05" EAST, ALONG SAID WESTERLY LINE AND ALONG THE WESTERLY LINE OF THOSE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 8210, PAGE 101 OF SAID CURRENT PUBLIC RECORDS, A DISTANCE OF 58.10 FEET TO THE POINT OF BEGINNING.

Original Parcel "B"



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THIS MAP WAS MADE FOR THE BENEFIT OF WILLIAM L. CISSEL.

DONN W. BOATWRIGHT, P.S.M.
 FLA. LIC. SURVEYOR AND MAPPER No. LS 3295
 FLA. LIC. SURVEYING & MAPPING BUSINESS No. LB 3672

CHECKED BY: _____
 DRAWN BY: DAF _____
 FILE #: 2019-1649B

BOATWRIGHT LAND SURVEYORS, INC.
 1500 ROBERTS DRIVE
 JACKSONVILLE BEACH, FLORIDA 241-8550

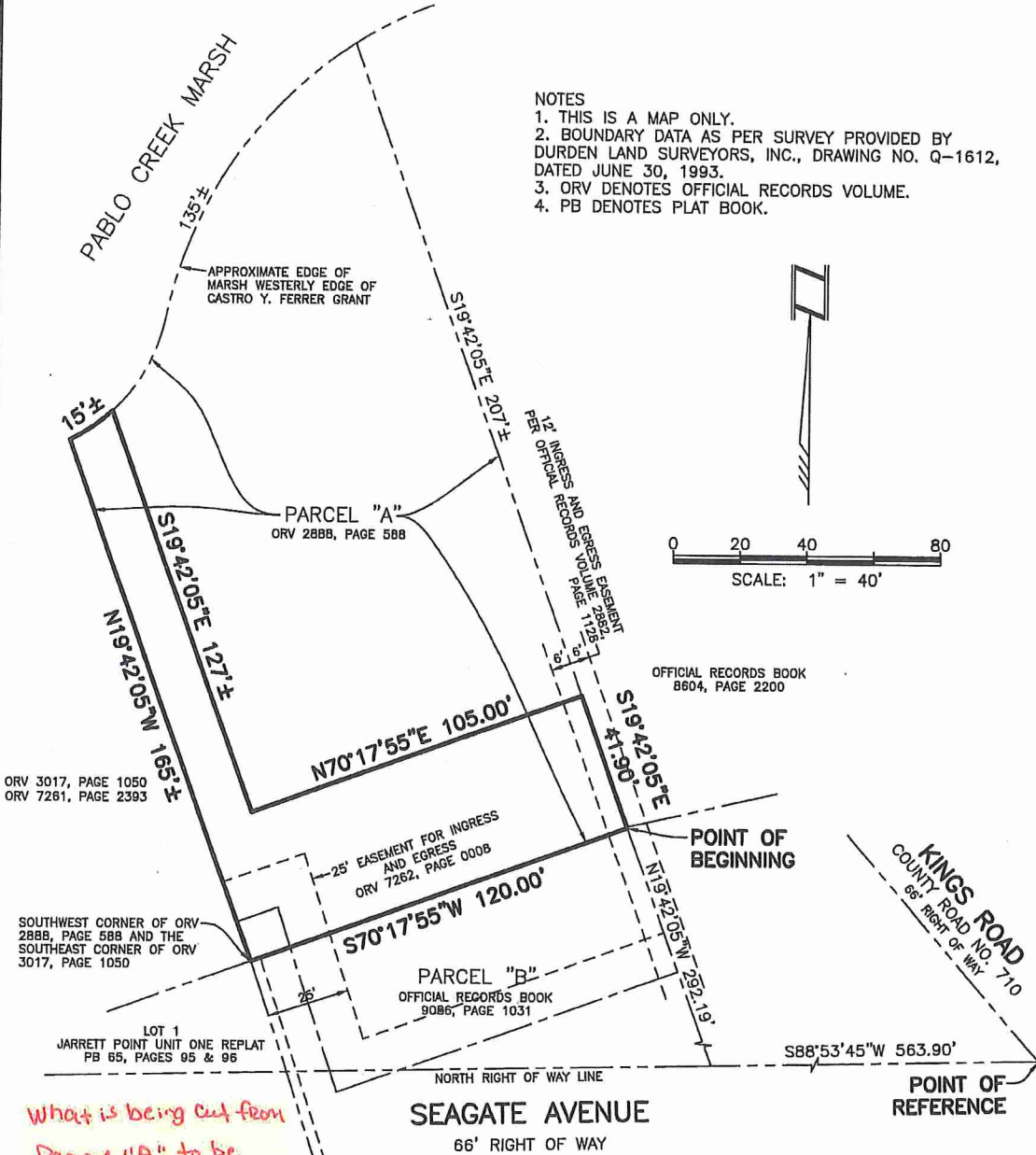
DATE: NOVEMBER 25, 2019
 SHEET 1 OF 1

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What is being cut from Parcel "A" to be added to the original "B" to create a new larger "B"

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[Signature]

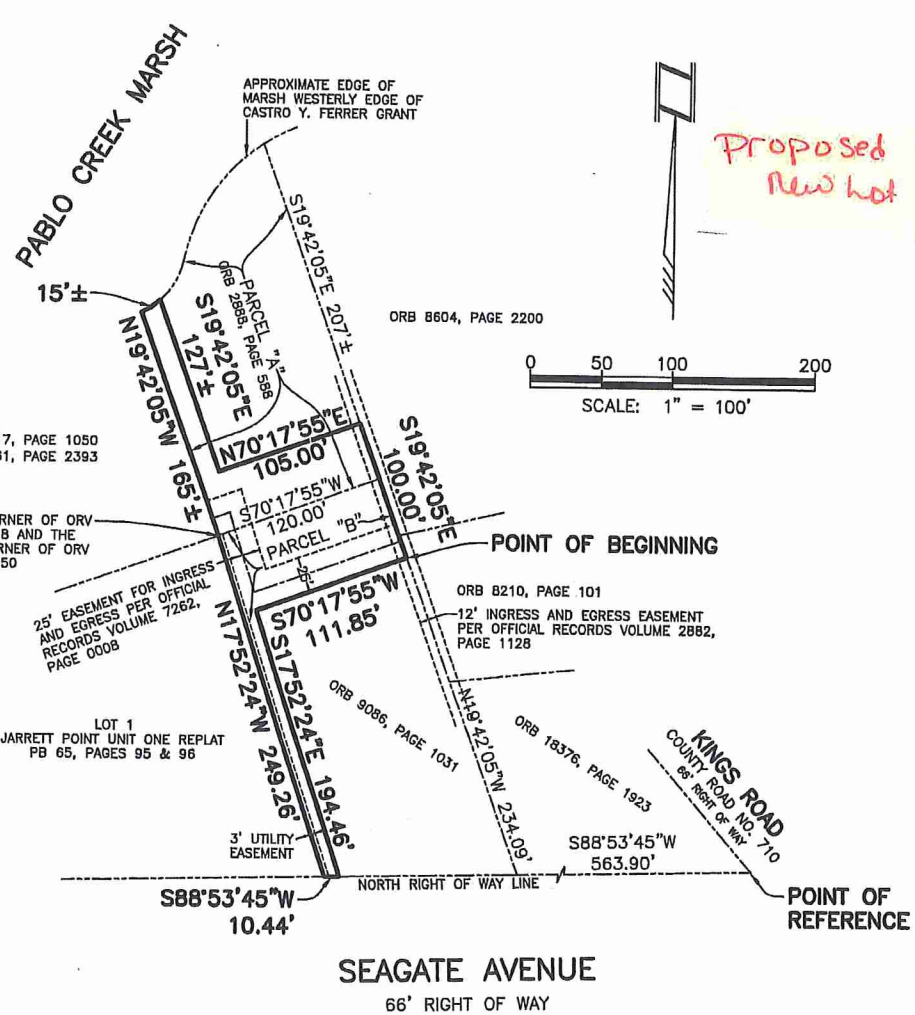
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"NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER."

CHECKED BY: _____ BOATWRIGHT LAND SURVEYORS, INC. DATE: NOVEMBER 25, 2019
 DRAWN BY: DAF 1500 ROBERTS DRIVE
 FILE #: 2019-1649A JACKSONVILLE BEACH, FLORIDA 241-8550 SHEET 1 OF 1

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WILLIAM L. CISSEL.

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CHECKED BY: _____ BOATWRIGHT LAND SURVEYORS, INC. DATE: NOVEMBER 25, 2019
 DRAWN BY: DAF 1500 ROBERTS DRIVE
 FILE #: 2019-1649 JACKSONVILLE BEACH, FLORIDA 241-8550 SHEET 1 OF 1

To: Kristina Wright
From: William Cissel

Ms Wright per our conversation, our plan for the development of the newly Replatted properties are as follows. Two new residents will be built simultaneously by a reputable builder. The two single family residents will be designed to complement each other. A new Access drive will be created for the newly platted lot. That Access would serve 1936 Seagate Ave. and Enhance serviceable for public works and emergency services to this area. The current residents know as 1924 Seagate Ave would continue to use the existing easement from Seagate Ave . Thank you for your time. William Cissel

from my iPhone

Piper Turner

From: Kristina Wright
Sent: Tuesday, March 03, 2020 4:35 PM
To: jnt_boone@yahoo.com
Cc: Lee Kellison; Ralph Boone; Leon Smith; Megan George; Piper Turner; Stefen Wynn; Zach Roth Ansbacher Law / NB
Subject: RE: Cissel efforts to Subdivide 1924 Seagate
Attachments: Kristina L_ Wright_ FRA-RA.vcf

Hello Ms. Boone:

Our Public Works crew is examining your utility-related concerns. As far as ingress and egress, it's preferable for both the existing and proposed accesses to become more generous. Since the existing private access is 12', at best in most areas, we are hopeful that improvements toward an additional ingress/egress will advance this purpose. These additional access improvements are not required. You will still be able to use the existing access. The proposed structures on the plot plan, including garage, are illustrative only. Everything will need to meet code requirements. This application is only for the lot split at this time.

Thank you,

Kristina L. Wright, FRA-RA

Community Development Director

City of Neptune Beach

116 1st ST

Neptune Beach, FL 32266

cdd@nbfl.us

(904) 270-2400; ext. #34

[Community Development Department Webpage](#)





Kristina L. Wright, FRA-...

City of Neptune Beach
Community Development Dir...

(904) 270-2400 x34 Work
cdd@nbfl.us

<https://www.neptunebeachvi...>

From: janet boone <jnt_boone@yahoo.com>

Sent: Tuesday, March 3, 2020 11:51 AM

To: Kristina Wright <cdd@nbfl.us>

Cc: Lee Kellison <lee@kellisonlaw.com>; Ralph Boone <abigcty4@yahoo.com>; Leon Smith <dpw@nbfl.us>; Megan George <megangeorge@nbfl.us>; Piper Turner <piperturner@nbfl.us>; Stefen Wynn <cm@nbfl.us>; Zach Roth Ansbacher Law / NB <zachary.roth@ansbacher.net>

Subject: Re: Cissel efforts to Subdivide 1924 Seagate

Kristina,

We appreciate your getting a rendering of viability of vehicular travel over the 249' length (8' + 3', the latter (3') of shared utility easement) of what could become private access in Cissel's quest to subdivide his present residential parcel. Important to us includes not only the depth of the existing 3' utility easement, but also knowing the current location of where the public water line diverts for Cissel.

This is a new field for me - does the variable utility easement currently offer 2 distinct water lines for each property, or is there just 1 water line diverted for the use of 2 properties...and then what happens if a 3d property requires public water provided by Neptune Beach? Would water pressure need to be addressed?

For Cissel proposed creation of a new 'corridor' at the west boundary of Brogdon (1930 Seagate), which slopes to the John Ruth vacant parcel (Lot 1 - Jarrett Point), we consider 8' wide is not sufficient for normal use accessibility to Cissel proposed Parcel B. Remember, as well, at the end of Brogdon's 249' length of fence, this 8' + 3' comes into (would join/enjoin?) the recorded 25' ingress & egress easement, which must sustain more than a 2-track surface. This proposed new 'corridor' brings additional concerns of too much traffic and hard, frequent usage to an already fragile surface on the Boone right of way/easement.

Thank you for keeping us current and for addressing our concerns.

Janet H. Boone,CRS

REALTOR - Broker Associate

904.333.4086

On Monday, March 2, 2020, 10:26:54 AM EST, Kristina Wright <cdd@nbfl.us> wrote:

Hello Ms. Boone:

At this time, the application is for the lot split only.

Additionally, we have reached out to Public Works, and the depth and location of any existing infrastructure is being examined. Mr. Cissel provided a narrative indicating he will demolish the existing home to build 2 new homes and that he will improve the extra access. He has indicated that this will be improved as a "ribbon drive" (a drive consisting of a path for each tire) within this private access easement. Any improvement of either lot and the extra access will need to meet regulations. The access currently being used is still available.

There is an opportunity for public discussion/comment at our meetings.

Let us know if you have any other questions or concerns.

Thank you,

Kristina L. Wright, FRA-RA

Community Development Director

City of Neptune Beach

116 1st ST

Neptune Beach, FL 32266

cdd@nbfl.us

(904) 270-2400; ext. #34



Kristina L. Wright, FRA....
City of Neptune Beach
Community Development Dir...

(904) 270-2400 x34 Work
cdd@nbfl.us

<https://www.neptunebeachvi...>

From: janet boone <jnt_boone@yahoo.com>
Sent: Sunday, March 1, 2020 11:40 AM
To: Kristina Wright <cdd@nbfl.us>
Cc: Lee Kellison <lee@kellisonlaw.com>; Ralph Boone <abigcty4@yahoo.com>
Subject: Cissel efforts to Subdivide 1924 Seagate

Good morning, Kristina,

When we talked on the phone last week, you mentioned looking into the 8'+3' strip of land running parallel to the west boundary of 1930 Seagate (Brogdon) as potential access Cissel indicated to you in his plans to subdivide his current residence at 1924 Seagate, marshfront. You mentioned the need to get a narrative

from Bill Cissel describing more precisely his plan(s), which according to you included Cissel's mention of surfacing this same strip included in his Parcel B survey.

We hope you (and Piper?) will come to Seagate and take a look at the 8'+3' strip as it meets Seagate, understanding more fully the 3' is a recorded, shared 'non-specific utility easement' which currently provides NB city water to Cissel (1924) & Boone (1936), which could also provide other utility services to both properties. We welcome your comments and advisement about the sustainability of the utility easement, were it to become a new traffic 'corridor,' as Cissel would like to create. When you do visit Seagate, I trust you will also note the 8' strip (extending 249' from Seagate northward to the fence corner ending Brogdon parcel) also holds encroachments...a large tree and a cement platform invading the 8' width of Cissel proposed new road system. Cissel proposed new 'corridor' would also need to junction properly with Seagate & work efficiently with the city's existing cement culvert used for storm water runoff and drainage. When do you consider this item would be openly discussed?

We understand NB 6p.m. meeting, Wed., March 11th, is for the sole purpose of NB approving or disapproving Cissel efforts to subdivide his existing residential parcel into two distinct residential parcels. Is this correct, and/or what might be the additional items on the March 11th agenda to be discussed openly?

Janet Boone

Janet H. Boone,CRS

REALTOR - Broker Associate
904.333.4086

Piper Turner

From: Megan George
Sent: Thursday, March 05, 2020 8:54 AM
To: Kristina Wright; Leon Smith
Cc: Stefen Wynn; Piper Turner
Subject: RE: 1924 Seagate: Cissel Property

Thanks Kristina – we do not see anything that would effect utilities!

From: Kristina Wright <cdd@nbfl.us>
Sent: Thursday, March 5, 2020 8:42 AM
To: Megan George <megangeorge@nbfl.us>; Leon Smith <dpw@nbfl.us>
Cc: Stefen Wynn <cm@nbfl.us>; Piper Turner <piperturner@nbfl.us>
Subject: RE: 1924 Seagate: Cissel Property

Good morning Megan:

Thank you all for looking into this. This application is only for a lot split so there are no plans other than the plot plan indicating the location of the split. The Cissels' neighbor, Ms. Boone, sent a few e-mails that we wanted to keep you all in the loop on in the event that there could be any unforeseen complications as the applicant moves forward through this process.

Thank you,

Kristina L. Wright, FRA-RA

Community Development Director

City of Neptune Beach

116 1st ST

Neptune Beach, FL 32266

cdd@nbfl.us

(904) 270-2400; ext. #34

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NEPTUNE BEACH



Community Development Board

March 11, 2020

CDB 20-01 CISSEL MINOR REPLAT



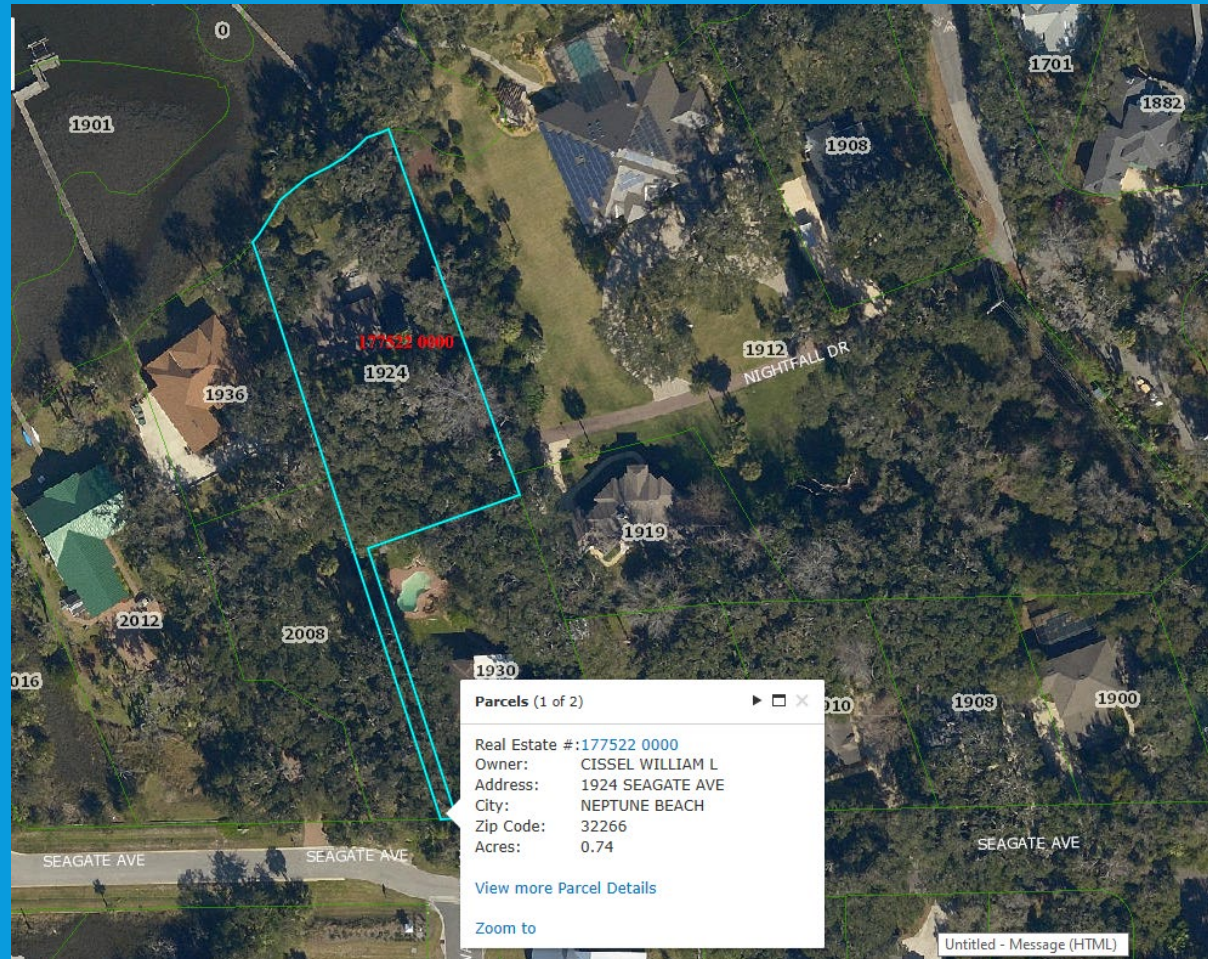
- Request to replat an existing property into two lots in accordance with chapter 27, Article 3 of the Unified Land Development Code of Neptune Beach for William L. and Jamie A. Cissel.
- The property is currently known as 1924 Sea Gate Avenue, (RE# 177522-0000).
- The subject property is .74 acres (32,234.4 s.f.) and is in the R-1 zoning district.
- This item was continued from the February meeting.



1924 SEAGATE AVENUE



LOCATION MAP





SITE PHOTOS: 1924 SEAGATE AVENUE

NORTH: EXISTING PRIMARY ACCESS EASEMENT



SOUTH FROM PROPERTY ALONG EXISTING PRIMARY ACCESS EASEMENT





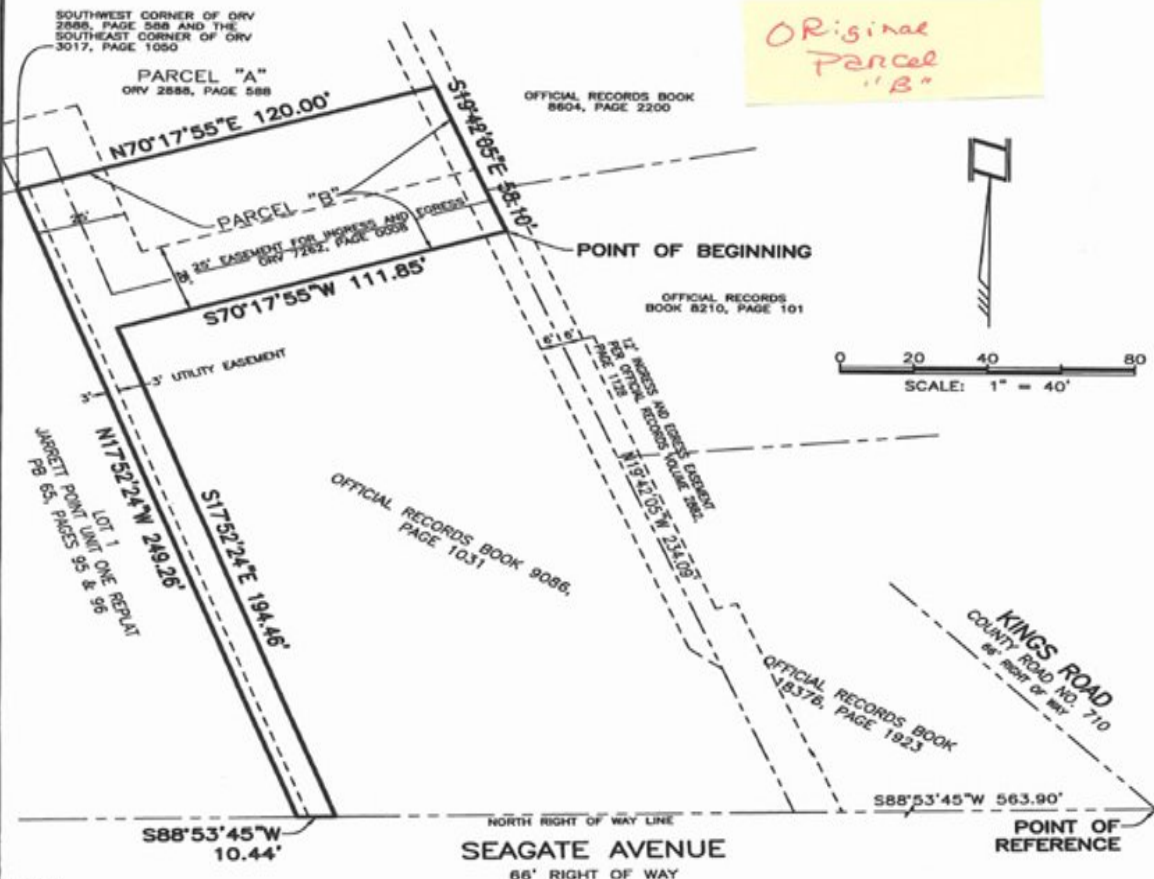
SITE PHOTOS

- East from subject property along existing primary access easement



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(Signature)

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CHECKED BY: _____ BOATWRIGHT LAND SURVEYORS, INC. DATE: NOVEMBER 25, 2019
 DRAWN BY: DAF _____ 1500 ROBERTS DRIVE
 FILE #: 2019-1649B JACKSONVILLE BEACH, FLORIDA 241-8550 SHEET 1 OF 1

SURVEY: PARCEL "B"



CDB 20-01 CISSEL MINOR REPLAT



- The R-1 Zoning Classification requires a minimum lot area of 12,000 s.f. and a minimum lot width of 100 feet.
- Each of the proposed lots meet the criteria established within Table 27-229-1.
- Narrative from the applicant proposes to remove the existing home prior to constructing 2 new single-family homes.

CDB 20-01 CISSEL MINOR REPLAT



- Proposed structures on the plot plan, including garage, are illustrative only.
- Existing access via the recorded access easement extending from the southeastern side of the property and additional access improvements will be made within the southwestern side of the property.

CDB 20-01 CISSEL MINOR REPLAT



- **Ambiguities:**

- Lacking a definition of what constitutes a private or public road.
- Lacking a definition and standards for an access easement.

CDB 20-01 CISSEL MINOR REPLAT



- The resultant lot will also be served by public water, and septic tank approval will be required through the Department of Health (DOH).
- **DOH septic tank formula:**
 - multiplying the acreage by 2500 gal/day ($2500 \times .74 = 1,850$ for two homes).
 - DOH indicated that between 400 gal/day is adequate for one 4-bedroom home.
 - As such, both lots within this application surpasses this criterion.

CDB 20-01 CISSEL MINOR REPLAT



- **Recommendation**

- Application CDB 20-01 meets the current requirements of Chapter 27, Article 3 of the Unified Land Development Code.
- Staff recommends approval of CDB2020-01 Cissel Replat subject to the creation of a boundary survey and the inclusion of dedication language ensuring access to all properties on resulting access easements.

CDB 20-01 CISSEL MINOR REPLAT



- **Recommended Motion**

- I move to recommend approval of Application CDB 20-01 Cissel Replat to the Neptune Beach City Council subject to the creation of a boundary survey and the inclusion of dedication language ensuring access to all properties on resulting access easements.

THANK YOU!

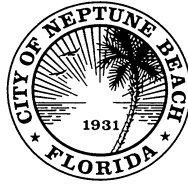




**CITY OF NEPTUNE BEACH
CITY COUNCIL MEETING
STAFF REPORT**

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

INTRODUCED BY:
COUNCILOR CHIN



ORDINANCE NO. 2020-05

A BILL TO BE ENTITLED

AN ORDINANCE AMENDING SECTION 6-31 REGARDING DOGS ON THE BEACH TO CLARIFY LEASH REQUIREMENTS; CORRECTING A TYPO; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Section 6-31 of the Code of Ordinances of the City of Neptune Beach, the City regulates the presence of dogs on the Atlantic Ocean Beach adjacent to the City; and

WHEREAS, in the event that persons having dogs on the beach as permitted wish to swim with such dogs, certain leash restrictions contained in that Section make doing so difficult; and

WHEREAS, the City desires to clarify the leash requirements in such event; and

WHEREAS, the City Council for the City of Neptune Beach, Florida finds and declares that this ordinance is in the best interest of the public health, safety and welfare of the citizens and residents of the City, that it advances a significant and important governmental interest, and that it furthers the City's performance of municipal functions and rendering of municipal services.

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

Section 1. Amending Section 6-31 of the City of Neptune Beach Code of Ordinances. Section 6-31 of the City of Neptune Beach Code of Ordinances is hereby amended to read as follows:

- (a) Dogs are permissible on the Atlantic Ocean Beach adjacent to the city during the following time periods:
 - (1) At any hour from October 1st through March 31st; and
 - (2) During the hours of 5:00 p.m. through 9:00 a.m., from April 1st through September 30th.
- (b) In addition to the above provisions, all owners, custodians and/or persons responsible for and in control of any dog(s) on the beach must comply with following:

- (1) Each such dog must be fastened to a suitable leash of dependable strength not to exceed twelve (12) feet in length and the leash must be held or controlled by that person at all times.
- (2) Any person having a dog on the beach during the above-enumerated hours must carry with and on such person suitable materials and utensils with which to remove from the beach any fecal matter deposited by such dog and must remove any fecal matter immediately upon its deposit by the dog under the person's supervision and control.
- (3) Each such dog must have affixed to its collar a current rabies inoculation tag evidencing the dog has been properly inoculated against rabies within the past year. The civil penalties for violation of this chapter shall be those set forth in section 6-5.
- (4) If dog and the person responsible for such dog's presence on the beach are in the Atlantic Ocean together, the dog shall be allowed to swim unleashed and then immediately put back on the leash before returning to the beach. This does not include walking the dog in the water.

Section 2. Severability. If any section, sentence, clause, phrase, or word of this Ordinance is, for any reason, held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to be the legislative intent to pass this Ordinance without such unconstitutional, invalid or inoperative part therein.

Section 3. Effective Date. This Ordinance shall become immediately upon passage by the City Council.

VOTE RESULTS OF FIRST READING:

Mayor Elaine Brown
 Vice Mayor Fred Jones
 Councilor Kerry Chin
 Councilor Josh Messinger
 Councilor Scott Wiley

Passed on First Reading this _____ day of _____, 2020.

VOTE RESULTS OF SECOND AND FINAL READING:

Mayor Elaine Brown
 Vice Mayor Fred Jones
 Councilor Kerry Chin
 Councilor Josh Messinger
 Councilor Scott Wiley

Passed on Second and Final Reading this _____ day of _____, 2020.

Elaine Brown, Mayor

ATTEST:

Catherine Ponson, CMC, City Clerk

Approved as to form and
correctness:

Zachary Roth, City Attorney



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

AGENDA ITEM:	10A-Jarboe Park Improvements
SUBMITTED BY:	Colin Moore, Grants and Resiliency Coordinator
DATE:	July 30, 2020
BACKGROUND:	<p>With the design and permitting of Jarboe Park improvements nearing completion, staff proposes updating the Jarboe Park CIP for FY 20 and 21 to reflect current funding sources and phasing plan.</p> <p>The improvements were reviewed at the July 15 Finance Committee meeting and moved forward to the August 3 Regular Council meeting at the July 20 Council workshop.</p> <p>Included in this packet is an updated phasing plan.</p>
BUDGET:	See agenda packet
RECOMMENDATION:	Staff recommends approval of the updated Jarboe Park CIP
ATTACHMENT:	Updated Jarboe Park CIP, submitted proposals and updated phasing plan



**City of Neptune Beach
Capital Improvement Program
Projects/Equipment over \$5,000**

Jarboe Park CIP

Asset	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	Funding Source	Responsible Party	Proposal
1 Trail, Bridge & Bridge Relocation	\$279,380						Better Jax/Recreational Trails Program Grant	ACON	Attachment A
2 Site Work (Pond, Courts & Playgrounds)	\$119,022						Better Jax	ACON	Attachment B
3 ADA Parking Playgrounds	\$12,000						Better Jax	ACON	Attachment C
4 (after 40K payment by COJ)	\$192,801						Better Jax/Eckstein Foundation Grant/Donations	Kompan	Attachment D
5 Fitness Equipment	\$39,855						Better Jax/Donations	Kompan	Attachment E
6 Courts, Lighting & Fencing	\$185,000	\$185,000					Better Jax/Donations/Convention Development Fund	Coast to Coast	Attachment F
7 Multi-Use Field & Landscaping		\$25,000					Donations	Public Works	
8 Concrete (Sidewalks, Curbs & Parking)	\$65,000	\$35,000					Better Jax/Local Option Gas Tax	Public Works	
9 Furnishings		\$25,000					Donations	Public Works	
10 Pavilion		\$25,000					Donations	Public Works	
Total:	\$893,058	\$295,000							\$1,188,058

Recreational Trails Program Grant	\$200,000								
Eckstein Foundation Grant	\$30,000								
Donations	\$21,800								
Anticipated Donations		\$100,000							
Local Option Gas Tax Fund	\$25,000	\$25,000							
Convention Development Fund	\$20,000	\$20,000							
Better Jax Total:	\$596,258	\$150,000							\$746,258

ACON Construction Company

DB Contract 8150-15

Neptune Beach Jarboe Park Trail & Bridge Base Proposal

DATE: **6/24/20**

ITEM #	DESCRIPTION	UNITS	QUANTITY	UNIT COST	TOTAL COST
	Project Management & Estimator	Hrs	15	\$110.00	\$1,650.00
	Supervision	Hrs	24	\$75.00	\$1,800.00
	Administration	Hrs	15	\$75.00	\$1,125.00
	1300 Feet of 10 Foot Asphalt Trail	LS	1	\$171,490.00	\$171,490.00
	GatorBridge Purchased and Installed...includes moving the existing bridge to new location in park	LS	1	\$74,500.00	\$74,500.00
	Subtotal				\$250,565.00
	DB Fee 10%	LS	1	\$25,056.50	\$25,056.50
	DB Bond 1.5%	LS	1	\$3,758.48	\$3,758.48
				TOTAL	\$279,379.98

ACON Construction Company

DB Contract 8150-15

Neptune Beach Jarboe Park Added Trail & Sitework Proposal

DATE: **3/3/20**

ITEM #	DESCRIPTION	UNITS	QUANTITY	UNIT COST	TOTAL COST
	*Project Management to Include Coordinating the Playground and Court Vendors Under Separate Contract to City	Hrs	40	\$110.00	\$4,400.00
	Supervision	Hrs	60	\$75.00	\$4,500.00
	Administration	Hrs	30	\$75.00	\$2,250.00
	**Added Fill Dirt & Retaining Walls at Pond and Volley Ball Court	LS	1	\$82,000.00	\$82,000.00
	*Proposal includes coordination of other trades identified by City to provide court and playground scopes				
	**This proposal does not include Playground work or equipment (City has Kompan Proposal)...no court work is included beyond getting the site ready for the vendors				
	Subtotal				\$93,150.00
	DB Fee 10%	LS	1	\$9,315.00	\$9,315.00
	DB Bond 1.5%	LS	1	\$1,557.00	\$1,557.00
	Contingency	LS	1	\$15,000.00	\$15,000.00
				TOTAL	\$119,022.00

Colin Moore

From: Frank Anderson <fanderson@Aconcci.com>
Sent: Wednesday, May 27, 2020 9:22 AM
To: Megan George
Cc: Colin Moore; Leon Smith
Subject: RE: Phase 1A Markup

The adding of those two spaces would be approx. \$12k

The rest of the job can't really be finalized until we see the latest plans that tie all those comments about drainage to an actual plan we can quantify...hope this helps

Frank A. Anderson, Project Manager
ACON Construction Co, Inc
3653 Regent Blvd Suite 401
Jacksonville, FL 32224
Cell 904-813-4065
Office 904-565-9060 Ext 305 Fax 904-565-9080

From: Megan George <megangeorge@nbfl.us>
Sent: Wednesday, May 27, 2020 8:30 AM
To: Frank Anderson <fanderson@Aconcci.com>
Cc: Colin Moore <colinmoore@nbfl.us>; Leon Smith <dpw@nbfl.us>
Subject: FW: Phase 1A Markup

Hey Frank I believe this is the latest that Colin sent looking for pricing on.

From: Colin Moore <colinmoore@nbfl.us>
Sent: Wednesday, May 6, 2020 3:12 PM
To: Frank Anderson <fanderson@Aconcci.com>
Cc: Leon Smith <dpw@nbfl.us>; Megan George <megangeorge@nbfl.us>
Subject: FW: Phase 1A Markup

Frank,

Please see attached for the changes we discussed for ACON's 2nd proposal. The primary changes are the sidewalk west of the courts (instead of a retaining wall) and the addition of the ADA parking spaces and realigned existing path south of the new bridge on Florida Blvd.

I've attached the updated plans showing the western court sidewalk on sheets 11 and 14.



SALES PROPOSAL

KOMPAN, INC. * 605 W Howard Lane Ste 101, Austin, TX 78753 * Tel 1-800-426-9788 * Fax 1-866-943-6254 * www.kompan.com



Date 06/18/20
Expiration Date
Proposal No. SP68212
Project Jarboe Park
Ship to State/Zip FL 32266
Customer Service Representative Elizabeth Lansing
Sales Representative Stacy Moseley
Payment Terms DEP50%&N30

Site Location: 510036

Jarboe Park
 301 Florida Avenue
 Neptune Beach, FL 32266
 United States

Invoice-to: 510036

City of Neptune Beach
 Parks & Streets
 301 Florida Blvd
 116 First Street
 Neptune Beach, 32266
 United States

Ship-to:

Jarboe Park
 301 Florida Avenue
 Neptune Beach, FL 32266
 United States
 Stefen Wynn

Qty.	Item No.	Description	Unit Price	Retail Price	Disc. %	Net Price
		Omnia Partners Contract/USC #2017001135				
		2-5 Year Area				
1	M18703-12P	Ocean Multi-SeeSaw Grey/Ultra Marine, IG	5,420.00	5,420.00	12.70	4,731.66
1	PCE205600-CUSTO	PCE205600 Custom Variant 20083893 Maker 6'8"	35,720.00	35,720.00	12.70	31,183.56
1	KSW922-CUSTOM	KSW922 Custom Variant 20081928 Single Bay Swing, 2 Infant, Anthracite,IG	2,690.00	2,690.00	12.70	2,348.37
1	ELE400158-3517F	Junior Spica, Yellow,IG	1,450.00	1,450.00	12.70	1,265.85
1	M21101-3417P	Age Appropriate Sign 2-5 Years, IG 60 2-5 Years, IG 60 cm	440.00	440.00	12.70	384.12
		5-12 Year Area				
1	COR863002-0402	Explorer Dome, Blue,IG	65,660.00	65,660.00	12.70	57,321.18
1	GXY960010-3717	Supernova, Night Sky Blue, IG	7,930.00	7,930.00	12.70	6,922.89
1	KSW926-CUSTOM	KSW926 Custom Variant 20081927 3 Bay Swing, 1 Lime Basket, 3 Belt, 1 ADA Seat Yellow, Anthracite,IG	6,810.00	6,810.00	12.70	5,945.13
1	S67855	Made-For-Me Seat, 8' beam	789.00	789.00	5.00	749.55
		Continued on page 2.....				110,852.31

Continued from page 1.....

110,852.31

		ADA Acc (5-12) Yellow/SS Chain				
1	ELE400024-3717LG	Spinner Bowl, Lime Green,IG	1,210.00	1,210.00	12.70	1,056.33
1	ELE400024-3717F	Spinner Bowl, Yellow,IG	1,210.00	1,210.00	12.70	1,056.33
1	GXY801421-3417	Spica 1,IG	1,940.00	1,940.00	12.70	1,693.62
1	M21102-3417P	Age Appropriate Sign 5-12 Years, IG	440.00	440.00	12.70	384.12
1	FRT-KOMPAN INC	Freight from KOMPAN Inc	9,201.91	9,201.91		9,201.91
1	CUSTOMINSTALL	Installation of KOMPAN Equipment	38,026.07	38,026.07	5.00	36,124.77
Surfacing						
6,937	TFG-FL-14-01	EWFF&FF/CFH 14'/12'"comp	1.49	10,352.15	10.00	9,316.93
1	FRT-OTHER	Freight for EWF/FF	2,134.00	2,134.00		2,134.00
347	CUSTOMINSTALL	Installation of EWF/FF by Cubic Yard	18.46	6,405.62	5.00	6,085.34
Shades						
1	SA-CUSTOM	Supply and Install a Triangle Sail Shade with (3) Galvanized Steel Posts and Frame for Play Area 2-5	21,353.85	21,353.85	5.00	20,286.16
1	SA-CUSTOM	Supply and Install (2) Triangle Sail Shades with (4) Galvanized Steel Posts and Frame for Play Area 5-12	36,430.77	36,430.77	5.00	34,609.23

Total **232,801.05**

Comments:

Please read attached General Assumptions and Exclusion document for information on Install/Sitework.
 Please allow 10-12 weeks for product delivery upon order placement.
 This Quote is for Equipment, Install and Surfacing, No Excavation, Borders or Sitework is included.

Summary:

	Retail Price	Discount	Net Price
Subtotal - KOMPAN Products	130,920.00	16,626.84	114,293.16
Subtotal - Other Products	58,573.62	2,928.68	55,644.94
Subtotal - Surfacing	10,352.15	1,035.22	9,316.93
Subtotal - Installation & Other Services	44,431.69	2,221.58	42,210.11
Subtotal - Freight	11,335.91	0.00	11,335.91
Subtotal	255,613.37	22,812.32	232,801.05

(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)

Estimated Tax Rate 0.00
Total **232,801.05**

<p>Your acceptance of this proposal constitutes a valid order request and includes acceptance of terms and conditions contained within the Master Agreement, which is hereby acknowledged. Acceptance of this proposal by KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative. Prices in this quotation are good for 60 days.</p> <p>This proposal may be withdrawn if not accepted by 08/16/20.</p> <p>KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of the ARRA of 2009.</p>	<p>KOMPAN Authorized Signature:</p> <p>Accepted By (signature): _____</p> <p>Accepted By (please print): _____</p> <p>Date: _____</p>
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SALES PROPOSAL

KOMPAN, INC. * 605 W Howard Lane Ste 101, Austin, TX 78753 * Tel 1-800-426-9788 * Fax 1-866-943-6254 * www.kompan.com



Date 07/06/20
Expiration Date
Proposal No. SP76062
Project Jarboe Park Fitness
Ship to State/Zip FL 32266
Customer Service Representative Erik Poulsen
Sales Representative Stacy Moseley
Payment Terms DEP50%&N30

Site Location: 510036
 Jarboe Park Fitness
 Colin Moore
 520 Florida Blvd
 Neptune Beach, FL 32266
 United States

Invoice-to: 510036
 City of Neptune Beach
 Parks & Streets
 116 First Street
 Neptune Beach, FL 32266
 United States

Ship-to:
 Jarboe Park Fitness
 520 Florida Blvd
 Neptune Beach, FL 32266
 United States
 Colin Moore

Qty.	Item No.	Description	Unit Price	Retail Price	Disc. %	Net Price
		Omnia Partners Contract #2017001135				
1	FSW10401-0901	COMBI 4 ORANGE,IG	7,470.00	7,470.00	10.00	6,723.00
1	FSW21300-0901	DBL OVERHEAD LADDER Orange,IG	4,450.00	4,450.00	10.00	4,005.00
1	FSW21400-0901	OVER UNDER, Orange,IG	2,900.00	2,900.00	10.00	2,610.00
1	FSW21500-0901	BALANCE BEAM, Orange,IG	2,340.00	2,340.00	10.00	2,106.00
1	FSW21600-0901	VERTICAL NET/WALL, Orange,IG	5,880.00	5,880.00	10.00	5,292.00
1	FAZ30100-0900	STEP 20 CM, Orange,IG	1,200.00	1,200.00	10.00	1,080.00
1	FAZ30200-0900	STEP 40 CM, Orange,IG	1,230.00	1,230.00	10.00	1,107.00
1	FAZ30300-0900	STEP 60 CM, Orange,IG	1,280.00	1,280.00	10.00	1,152.00
8	A380544-99	SAFETY SIGN US	20.00	160.00	100.00	
1	FRT-KOMPAN INC	Freight from KOMPAN Inc	2,341.17	2,341.17		2,341.17
1	CUSTOMINSTALL	Install of KOMPAN Equipment	8,044.62	8,044.62	5.00	7,642.39
2,374	TFG-FL-GS-14-01	EWFF&FF/CFH 14'/12'"comp.	1.49	3,542.74	10.00	3,188.47
1	FRT-OTHER	Freight - EWF/FF	661.00	661.00		661.00
119	CUSTOMINSTALL	Installation of EWF/FF	18.46	2,196.92	10.00	1,977.23
Total						39,885.26

Comments:

Please read attached General Assumptions and Exclusion document for information on install/sitework.
 Please allow 8-10 weeks for product delivery upon order placement.

Installation pricing valid with installation of Jarboe Park Playground Equipment
 Customer is responsible to do all site work prior to installation.

Summary:

	Retail Price	Discount	Net Price
Subtotal - KOMPAN Products	26,910.00	2,835.00	24,075.00
Subtotal - Other Products	0.00	0.00	0.00
Subtotal - Surfacing	3,542.74	354.27	3,188.47
Subtotal - Installation & Other Services	10,241.54	621.92	9,619.62
Subtotal - Freight	3,002.17	0.00	3,002.17
Subtotal	43,696.45	3,811.19	39,885.26

(Applicable sales tax will be added unless a valid tax exemption certificate is provided. This amount is only an estimate of your tax liability.)

Estimated Tax Rate	0.00
Total	39,885.26

<p>Your acceptance of this proposal constitutes a valid order request and includes acceptance of terms and conditions contained within the Master Agreement, which is hereby acknowledged. Acceptance of this proposal by KOMPAN is acknowledged by issuance of an order confirmation by an authorized KOMPAN representative. Prices in this quotation are good for 60 days.</p> <p>This proposal may be withdrawn if not accepted by 08/31/20.</p> <p>KOMPAN Products are "Buy American" qualified, and compliant with the Buy American Act of 1933 and the "Buy American" provision of the ARRA of 2009.</p>	<p>KOMPAN Authorized Signature:</p> <p>Accepted By (signature): _____</p> <p>Accepted By (please print): _____</p> <p>Date: _____</p>
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General Assumptions

- Pricing is based on all equipment being direct delivery to the project address identified in KOMPANs Sales Proposal (SP).
- Placement of order into fabrication is contingent with deposit being received by KOMPAN as agreed to during the pricing phase.
- If cost proposal is to be considered as Tax-Exempt a current tax exemption form must be provided or on file at KOMPAN main office.
- Customer shall provide a lay down area for deliveries of materials within proximity of final installation site. Site access must be clear and unobstructed with at least ten (10') foot wide access to allow delivery of materials. Any size restrictions contributing to additional handling or downsizing of deliver trucks shall be addressed as a change of conditions and will be invoiced as additional costs to the customer.
- Installation site must be level to no more than one (1") inch in then (10') feet slope or change in elevation over the full length and width of the playground area.
- Price assumes NO overhead obstructions within thirteen feet, six inches (13'-6") or lower and NO underground utilities or obstructions within the playground footprint.
- Soils are to be suitable for the installation of all playground equipment and surfacing and compacted to 95% compaction prior to installation crews arriving on-site.
- All underground utilities, boulders, rock ledge or other obstructions not visible without subsurface investigation shall be considered "unforeseen conditions", all costs shall be invoiced to the customer as a change order to the contract.
- All spoils generated during the excavation of footings shall be disposed of on site at no cost to KOMPAN.
- Customer to provide at no additional costs a 120 V (15 amp) power source and standard hose bib connection for water supply within one hundred (100') feet from work site.
- Customer shall have removed all existing equipment or obstacles from playground area prior to the arrival of the installation crews.
- Time is of the essence in the installation of all materials delivered to project site. KOMPAN shall have delivered all equipment and materials as scheduled to project site. If delays to the installation schedule accrue outside KOMPANs control equipment shall be delivered to project site as scheduled and equipment and materials invoiced at the time of delivery. Unless additional storage arrangements are made in writing between Customer and KOMPAN, additional costs may apply. Unloading of equipment and materials shall be performed by the installation crews at the time of installation. If site is not ready for installation by cause outside of KOMPAN, it will be the responsibility of the Customer to off load and store equipment and materials at the project site. KOMPAN shall not be held liable for offloading costs, storage fees or equipment damage.

- If site requires installation of a drainage system within the proposed playground area, playground equipment footing shall be installed prior to the installation of the drainage system and playground footing locations shall take precedence over drainage system requirements.
- Site layout and dimensions shall be based of KOMPANs 2D drawing or CAD drawings. Customer to provide site “benchmark” to be used for layout and final elevation calculations.
- Unless otherwise noted on KOMPAN’s SP, proposal assumes that there are no Prevailing Wages requirement on the project.
- Any additional costs which maybe incurred during installation shall be negotiated between Customer and KOMPAN in writing prior to the start of additional work. If written approval is not received during the time the installation crews are on-site, additional mobilization costs will apply.

Exclusions (Unless Explicitly Stated in KOMPAN Sales Proposal)

- Stamped engineered drawings/calculations or costs to secure permits are not included, if required these costs will be added as a change order payable to Kompan.
- Demolition and off-site disposal of any existing equipment or site amenities.
- Any sitework, including but not limited to grading, excavation outside playground equipment footing and soils compaction and testing.
- Concrete work outside of play equipment footing requirements.
- Relocation of any existing equipment.
- Any required drainage system for playground area.
- Third party testing of materials and playground installation.
- Site landscaping or trimming of vegetation encroaching within the play equipment and safety zones
- Play area surfacing and base materials if not noted in KOMPAN proposal.
- Installation of Poured in Place surfacing does not include the use of aliphatic binder, solid or custom colors.
- Site security during Poured in Place surfacing cure time and any vandalism which may accrue during surfacing cure time.
- Borders for play area surfacing containment
- Any required retaining walls for proposed play area.
- Site storage for equipment.
- Site safety fencing beyond standard four (4’) foot orange construction fencing
- Utilities site location services and/or relocation of any underground utilities
- On site dumpster for disposal of shipping containers and general construction debris



Coast to Coast
Recreation

Email Transmittal Sheet

Date: June 25, 2020

To: Colin Moore

Recipient's email address: colinmoore@nbfl.us

From: Steve Duke

Number of Pages to Follow: 0

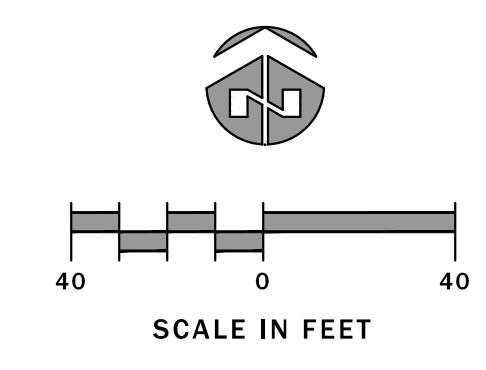
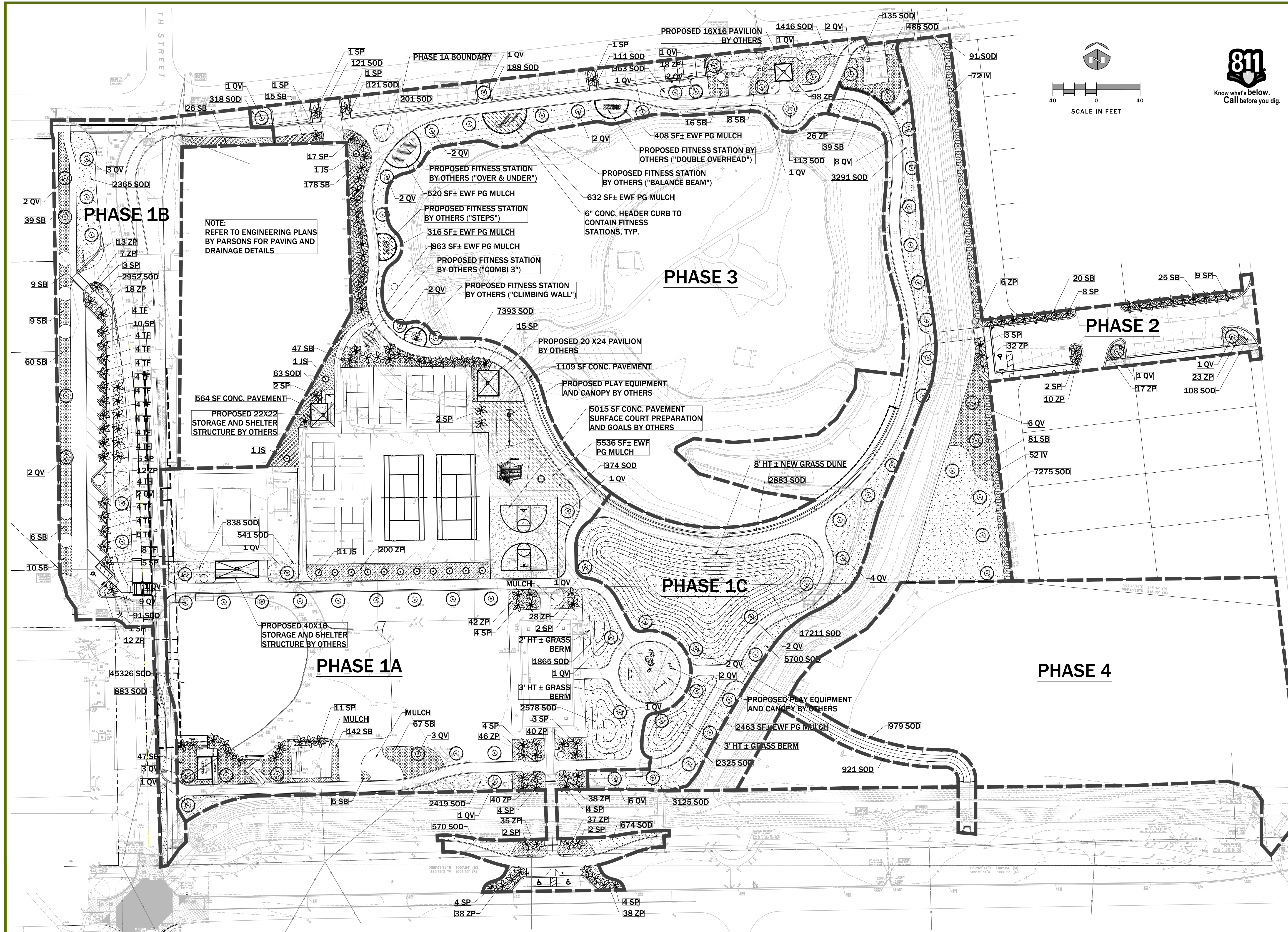
Please call 904-591-7138 or send email to steveduke@bellsouth.net should you have any questions.

Re: Jarboe Park – We are adding a new basketball court, basketball goal on the pickleball court and adding lights to the volleyball courts to the existing work quote estimate on March 3rd. Since there are still several issues to resolve regarding size, layout and scheduling this figure is approximate for now but should be within plus or minus 7% of **\$345,000.00**.

***(\$320,000 - \$370,000)**

8. install four new pickleball net posts,
9. install two new SportsPlay basketball goal systems,
10. Install new Techlight LED fixtures (at 23' AGL) on steel poles and provide all additional underground wiring or hook-ups necessary to make the lighting operational, after adequate power is provided to a junction box at the edge of the courts' by other contractors. The lights will be controlled by a one-hour wind-up timer at the fence gate (provided by CTC) or a switch at the panel (provided by others),
11. apply approximately 238' of Rite Way Crack Repair System over the joints between the existing asphalt and the new asphalt,
12. install new 10' vinyl fence around the new pickleball courts and the existing courts with extension.
13. The existing courts asphalt surface will be sanded and cleaned, visible twigs removed from the surface, one application will be made to each "birdbath". This will reduce water depth for faster drying times, but may not eliminate all water ponding. Cover and fill any rough, cracked or deteriorated areas of asphalt and any damaged areas. The edges of all patches will be scraped or ground smooth so that patches are not visible through the finished surface.
14. One coat of acrylic resurfacer will be applied over the the existing courts' surface and the new asphalt surface will receive two coats.
15. Two coats of fortified color coating will be applied over the entire courts surface, finished colors will be owner's choice of any two from manufacturer's standard colors.
16. Two sets of tennis lines and eight sets of pickleball lines will be painted onto the courts' surface.
17. Install approximately 928' of 6' high VPC (vinyl coated polyester) windscreens with heat cut vents on all 10' high fencing.

Price does not include sod over disturbed areas, sidewalks or the sand volleyball courts.



811
Know what's below.
Call before you dig.

NOTE:
REFER TO ENGINEERING PLANS
BY PARSONS FOR PAVING AND
DRAINAGE DETAILS

Files Prepared By:

Files Prepared Under the Direction of:

Pittman
LANDSCAPE ARCHITECTURE
15000 N. W. 11th St., Suite 100
Jacksonville, Florida 32217
www.PittmanLA.com

PROJECT NAME

Jarboe Park Landscape Plans
Phase 1 and 2
Neptune Beach, Florida

SHEET TITLE

LANDSCAPE PLAN

CLIENT

City of Neptune Beach
Client Address
Neptune Beach, Florida
Client Phone Number

REVISIONS

NO.	DATE	DESCRIPTION
1	09-10-19	Civil Base Plan Update
2	10-31-19	Civil Base Plan Update
3	03-04-20	Civil Base Plan Update
4	04-27-20	Civil Base Plan and Paving Update
5	07-09-20	Update for play/fitness layout
6	07-13-20	Update for play/fitness layout
7	07-27-20	Update for fitness and paving
8	07-29-20	Update for fitness and paving

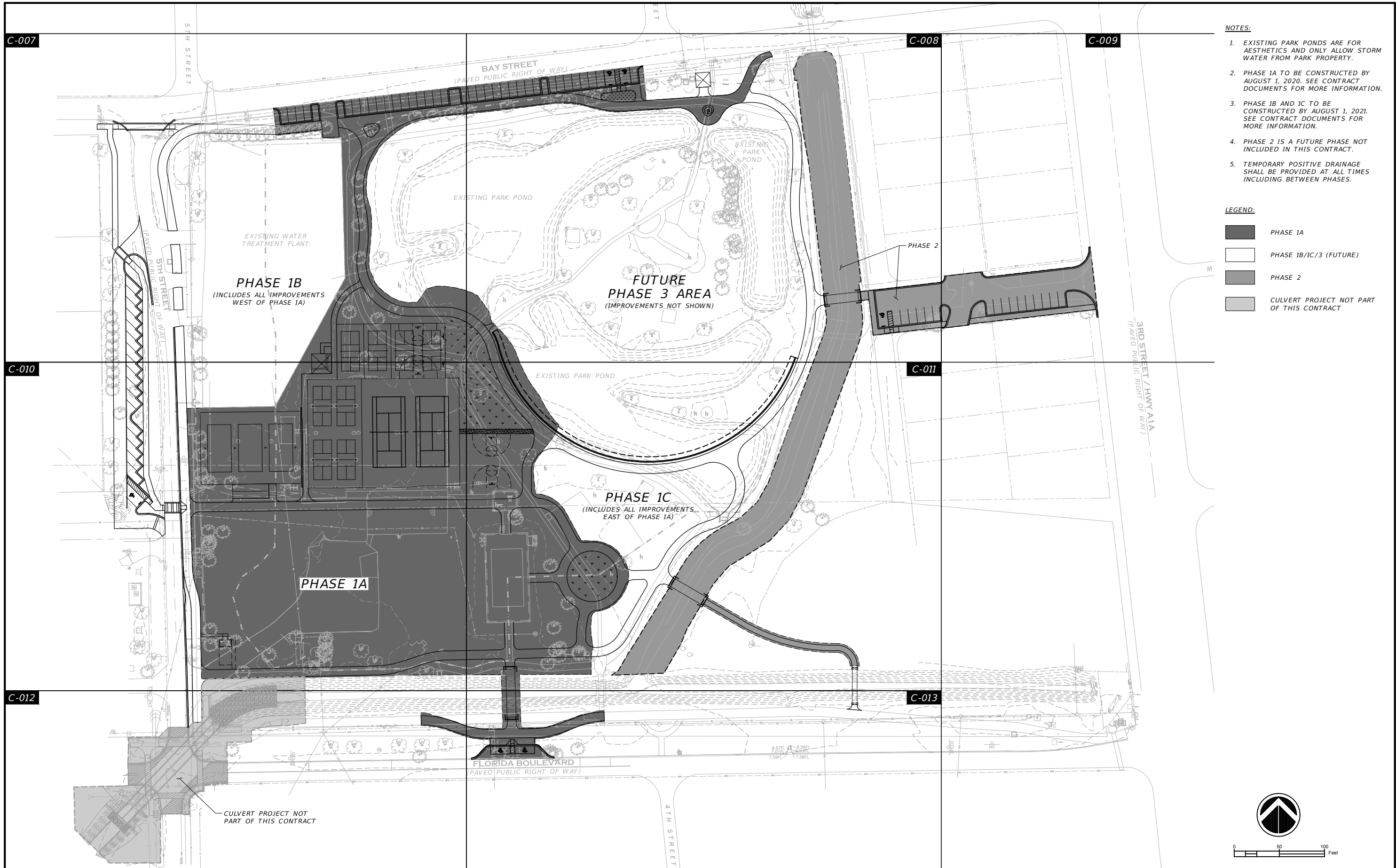
PROJECT NUMBER

LA-1

SHEET NO.

LA-1

65



REVISIONS			
DATE	DESCRIPTION	DATE	DESCRIPTION
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THOMAS J. GYOROG, P.E., P.E.
P.E. NO.: 46612
PARSONS TRANSPORTATION GROUP
1300 RIVERPLACE BLVD. SUITE 200
JACKSONVILLE, FL 32207
CERTIFICATE OF AUTHORIZATION: 1838

CITY OF NEPTUNE BEACH DEPARTMENT OF PUBLIC WORKS		
ROAD	COUNTY	FINANCIAL PROJECT ID
FLORIDA BLVD.	DUVAL	648931

**OVERALL SITE LAYOUT
AND PHASING PLAN**

SHEET NO.
10
DWG. NO.
C-006

THE OFFICIAL RECORD OF THIS SHEET IS THE ELECTRONIC FILE DIGITALLY SIGNED AND SEALED UNDER RULE 61G15-23.004, F.A.C.