

CITY OF SATELLITE BEACH

CITY COUNCIL
APRIL 6, 2016

WORKSHOP
6:45 P.M.

REGULAR MEETING
7:00 P.M.



Posted: 04/15/16

CITY OF SATELLITE BEACH, FLORIDA

565 CASSIA BOULEVARD 32937-3116
(321) 773-4407
(321) 779-1388 FAX



INCORPORATED 1957

AGENDA

CITY COUNCIL SPECIAL MEETING

**SATELLITE BEACH COUNCIL CHAMBER
565 CASSIA BOULEVARD, SATELLITE BEACH, FL 32937**

**APRIL 20, 2016
6:00 P.M.**

- 1. CALL TO ORDER BY MAYOR CATINO**
- 2. DISCUSS/TAKE ACTION ON THE CHARTER REVIEW COMMITTEE
RECOMMENDATIONS TO CITY COUNCIL FOR 2016 CHARTER AMENDMENTS**

Pursuant to Section 286-0105, FSS, if an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a verbatim transcript of the proceedings may be required and the individual may need to insure that a verbatim transcript of the proceedings is made. In accordance with the Americans with Disabilities Act and Section 286.26, FSS. Persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's office.



CITY COUNCIL AGENDA ITEM

#2

DISCUSS/TAKE ACTION ON THE CHARTER REVIEW COMMITTEE RECOMMENDATIONS TO CITY COUNCIL FOR 2016 CHARTER AMENDMENTS

To: City Council
From: Michael Chase, Chairman, Charter Review Committee
Meeting Date: 4/20/2016

Recommended Action: Accept the Charter Review Committee's Final Report on the City Charter Amendments.

Summary: On January 6, 2016, City Council appointed a Charter Review Committee to review and recommend changes to the City's Charter. The City Council appointed the following members:

Committee Members:

Michael Chase, Chair
David Schechter, Vice-Chair
Paul DiMouro
John Fergus
David Omler
Jeff Chestine, Alternate
William Spiegelhalter, Alternate

Organizational Meeting:

The members held their organizational meeting on January 27, 2016. At this meeting, the members were briefed regarding three Charter issues that City staff requested the Committee to review. The members agreed to hold meetings every other Tuesday at 7pm. The members also requested staff to inform the community about the Committee's purpose and the meeting schedule. The Committee met on the following days:

January 27, 2016
February 2, 2016
February 16, 2016
March 1, 2016
March 15, 2016
March 29, 2016

City staff sent a letter to each address in the City (see attached), and encouraged the public to participate. Staff also created a form for residents and members to submit a proposed amendment idea. Staff also advertised the meetings on Facebook and on our City website. Although the Committee did work very hard to interest the public in the meetings, residents were only present at one meeting.

These residents attended a meeting in which staff provided the Committee with a presentation regarding a provision of the Charter that could possibly affect the 100 acres development site. This meeting was advertised through Facebook. Staff received a significant community response through Facebook that demonstrated our need to have workshops with the community regarding the potential development of the 100 acres. Therefore, our recommendation to the Committee regarding this issue was to halt any recommendations to City Council until the City could hold workshops. The Committee accepted the staff recommendation.

The Committee did not receive any proposals from the public. All amendment proposals were submitted by staff or a Committee member. The Committee discussed eleven (11) proposals and accepted nine (9) of the proposals after discussion and language changes. All accepted proposals addressed efficiency, operating structure, or regulatory changes. The following amendments are recommended by the Committee:

Efficiency Amendments:

Charter Article II, City Council	
Issue: There is no process detailed in the Charter of how the City addresses a tie vote in a City Council election.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 2.07. - Elections. Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacant seats.</p>	<p>Sec. 2.07. - Elections. Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacant seats. <u>In the event of a tie vote, the winner shall be determined by a coin tossed by the city clerk.</u></p>
Charter Article II, City Council	
Issue: The current Charter requires roll call votes for every council action. There should be a process for consensus voting on administrative matters.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 2.11. - City council meetings. (6) Voting. Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes.</p>	<p>Sec. 2.11. - City council meetings. (6) Voting. Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes. <u>An exception may be made for administrative or housekeeping matters, which may be approved by unanimous consensus without a roll call vote.</u></p>

Charter Article III, City Manager	
Issue: The current Charter requires City Council to approve all personnel policies, which has actually required 39 different ordinances over the years for updates, position changes, and organizational changes. Staff is requesting that the City Manager be the only approval necessary for these changes.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 3.02. - Powers and duties.</p> <p>(5) Publish personnel policies, including a merit system and appeals process, which shall be submitted for city council approval; and ensure that selection, promotion, demotion, and dismissal or disciplinary actions of all city employees are based upon competence and performance and are free of political pressure.</p>	<p>Sec. 3.02. - Powers and duties.</p> <p>(5) Publish personnel policies, including a merit system and appeals process, which shall be submitted for city council approval; and ensure that selection, promotion, demotion, and dismissal or disciplinary actions of all <u>personnel actions involving city employees</u> are based upon competence and performance and are free of political pressure.</p>

Operating Structure Amendments:

Charter Article III, City Manager	
Issue: The current Charter does not adequately address the appointment of an Interim City Manager within the City's current operating structure.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 3.01. - Appointment, qualifications, removal, compensation.</p> <p>(3) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal the city council shall immediately appoint an interim city manager and shall appoint a permanent city manager within 180 days.</p>	<p>Sec. 3.01. - Appointment, qualifications, removal <u>or permanent absence, compensation.</u></p> <p>(3) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal <u>or permanent absence, the assistant city manager shall immediately become the interim city manager, and the city council shall immediately appoint an interim city manager and</u> shall appoint a permanent city manager within 180 days.</p>

Charter Article III, City Manager	
Issue: The current Charter has an annual evaluation date for the City Manager that conflicts with the current City Manager's anniversary date.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 3.03. - Evaluation.</p> <p>No later than September 15, the city council shall complete an annual evaluation of the city manager and discuss it with him or her. The evaluation shall be a composite of all councilmembers' evaluations and shall rate the city manager's performance in the areas of goals and objectives established by the city council, duties delineated in this Charter, personal relations, and beneficial changes to the city. The city council may complete additional evaluations whenever it deems appropriate.</p>	<p>Sec. 3.03. - Evaluation.</p> <p>No later than September 15, <u>the anniversary date of the city manager's hiring</u> the city council shall complete an annual evaluation of the city manager and discuss it with him or her. The evaluation shall be a composite of all councilmembers' evaluations and shall rate the city manager's performance in the areas of goals and objectives established by the city council, duties delineated in this Charter, personal relations, and beneficial changes to the city. The city council may complete additional evaluations</p>

	whenever it deems appropriate.
Charter Article III, City Manager	
Issue: The current Charter does not address the appointment of a Department Head in the event of an absence of both the City Manager and the Assistant City Manager.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 3.04. - Acting city manager.</p> <p>In a writing to the city clerk, with copies to all councilmembers and department heads, the city manager shall designate a department head to act as city manager during the city manager's temporary absence or disability. If the city manager fails to make such designation, or the city council disapproves the designation, the city council may appoint another department head to serve until the city manager returns or the disability ends.</p>	<p>Sec. 3.04. - Acting city manager.</p> <p>In a writing to the city clerk, with copies to all councilmembers and department heads, the city manager shall designate a department head to act as city manager during the city manager's temporary absence or disability. If the city manager fails to make such designation, or the city council disapproves the designation, the city council may appoint another department head to serve until the city manager returns or the disability ends.</p> <p><u>During any temporary absence or disability of both the city manager and assistant city manager, in a writing to the city clerk with copies to all councilmembers and department heads, the city manager or assistant shall designate a department head to act as city manager during such unavailability. If such designation is not made, or the city council disapproves of the designation, the city council may appoint another department head to serve until the city manager or assistant returns or the disability ends.</u></p>
Charter Article IV, City Departments and Boards	
Issue: The current Charter requires two separate boards to complete the planning and zoning functions of the City. Most cities require one board for both of these functions. The City Council should have the flexibility to create the necessary board structure.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 4.02. - Boards.</p> <p>(2) Comprehensive planning advisory board. There shall be a comprehensive planning advisory board which shall perform the duties of the local planning agency by preparing the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements.</p> <p>(3) Planning and zoning board. The city council shall serve as the city's planning and zoning board.</p> <p>(4) Planning and zoning advisory board. There shall be a planning and zoning advisory board which shall serve as the city's land development regulation commission to advise</p>	<p>Sec. 4.02. - Boards.</p> <p>(2) Comprehensive planning advisory board. There shall be a comprehensive planning advisory board which shall perform the duties of the local planning agency by preparing the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements.</p> <p>(3)<u>(2)</u> Planning and zoning board. The city council shall serve as the city's planning and zoning board.</p> <p><u>(3) Planning. The city council shall establish a board or boards which shall perform the following functions:</u></p> <p><u>(a) Prepare the city's comprehensive plan</u></p>

<p>the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.</p>	<p>and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements; and</p> <p>(b) Advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.</p> <p>(4) Planning and zoning advisory board. There shall be a planning and zoning advisory board which shall serve as the city's land development regulation commission to advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.</p>
---	--

Regulatory Amendments:

<p>Charter Article V, Ordinances</p>	
<p>Issue: The current Charter requires voter approval for development permits that increase density or height. This type of referendum requirement as described in Section 5.05(1) has been disallowed by Florida Statutes since 2013. There is another section of the Charter that requires a referendum for amendments to the land development regulations, which is still valid and will go unchanged, consistent with the City's home rule authority.</p>	
<p>EXISTING LANGUAGE:</p>	<p>PROPOSED LANGUAGE:</p>
<p>Sec. 5.05. - Ordinances requiring voter approval.</p> <p>(1) Any ordinance approving a development permit which would increase the existing density in any zoning district as of November 7, 2006 shall require voter approval before any such ordinance shall become effective. No development permit shall be issued or effective until said ordinance is approved by referendum.</p> <p>(2) Any ordinance amending the city's land development regulations to increase residential densities or building heights greater than that allowed on November 7, 2006; or decrease breezeway percentages below those required on November 7, 2006, shall require voter approval before any such ordinance shall become effective.</p> <p>(3) Notwithstanding the foregoing, any structure existing, permitted, or approved by any appropriate regulatory agency on November 7, 2006, shall be allowed to be built, rebuilt, or repaired in the event of a casualty or catastrophe, even if such structure is nonconforming for failure to comply with</p>	<p>Sec. 5.05. - Ordinances requiring voter approval.</p> <p>(1) Any ordinance approving a development permit which would increase the existing density in any zoning district as of November 7, 2006 shall require voter approval before any such ordinance shall become effective. No development permit shall be issued or effective until said ordinance is approved by referendum.</p> <p>(2)(1) Any ordinance amending the city's land development regulations to increase residential densities or building heights greater than that allowed on November 7, 2006; or decrease breezeway percentages below those required on November 7, 2006, shall require voter approval before any such ordinance shall become effective.</p> <p>(3)(2) Notwithstanding the foregoing, any structure existing, permitted, or approved by any appropriate regulatory agency on November 7, 2006, shall be allowed to be built, rebuilt, or repaired in the event of a casualty or catastrophe, even if such structure is nonconforming for failure to comply with</p>

regulations existing on November 7, 2006, governing density, height, and/or breezeways.	regulations existing on November 7, 2006, governing density, height, and/or breezeways.
Charter Article VI, Fiscal Matters	
Issue: The current Charter requires a supermajority vote to increase a tax rate. The Committee believes that the City Council is elected by residents to complete the work of setting a tax rate and a budget by a majority vote. A supermajority vote would allow a minority vote to control this policy.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 6.03. - Budget. (5) Prohibition.</p> <p>(b) No ad valorem millage rate, amount of non-ad valorem assessment or public service tax rate shall be approved for inclusion in any budget where such rates are in excess of the current rate, unless such rates and/or assessments are approved by the affirmative vote of at least four of the five members of city council. This supermajority voting requirement shall also apply in the event any proposed budget includes a public service tax or non-ad valorem assessment on any item not then-currently imposed. This supermajority requirement applies only to actual approval of ordinances increasing the enumerated funding sources, and not matters preliminary to adoption of a budget, such as any resolution reflecting the millage rate will not exceed a certain amount or any resolution reflecting an intent to impose a non-ad valorem assessment required by law. The supermajority voting requirement shall not apply to an ordinance adopting or amending the annual budget.</p>	<p>Sec. 6.03. - Budget. (5) Prohibition.</p> <p>(b) No ad valorem millage rate, amount of non-ad valorem assessment or public service tax rate shall be approved for inclusion in any budget where such rates are in excess of the current rate, unless such rates and/or assessments are approved by the affirmative vote of at least four of the five members of city council. This supermajority voting requirement shall also apply in the event any proposed budget includes a public service tax or non-ad valorem assessment on any item not then-currently imposed. This supermajority requirement applies only to actual approval of ordinances increasing the enumerated funding sources, and not matters preliminary to adoption of a budget, such as any resolution reflecting the millage rate will not exceed a certain amount or any resolution reflecting an intent to impose a non-ad valorem assessment required by law. The supermajority voting requirement shall not apply to an ordinance adopting or amending the annual budget.</p>
Charter Article VI, Fiscal Matters	
Issue: The current Charter allows a bid threshold to be established by a majority vote of City Council while the City's current practice is to adopt this threshold by ordinance.	
EXISTING LANGUAGE:	PROPOSED LANGUAGE:
<p>Sec. 6.05. - Competitive bidding. Competitive bidding, through the city or other governmental agencies, shall be required on all purchases above an amount prescribed by the city council.</p>	<p>Sec. 6.05. - Competitive bidding. Competitive bidding, through the city or other governmental agencies, shall be required on all purchases above an amount prescribed by <u>an ordinance</u> of the city council.</p>

Budget Impacts: None at this time.

Attachments:

- January 29, 2016 Letter to residents
- Draft Charter amendments in strike-out/underline format
- Minutes of the Charter Review Committee Meetings

CITY OF SATELLITE BEACH, FLORIDA

565 CASSIA BOULEVARD 32937-3116
(321) 773-4407
(321) 779-1388 FAX



INCORPORATED 1957

January 29, 2016

Dear Resident,

The City Council has established an Ad Hoc Charter Review Committee to review the City's Charter. The City's Charter is a document that acts similar to a constitution, but in the context of municipal government. The City is contemplating some amendments to the Charter to facilitate more efficient operations, and we are inviting the public to attend the Committee meetings and submit any suggested changes to the Charter.

The Committee will be meeting on every alternate Tuesday beginning on February 2, 2016. The meeting agendas will be posted to the City's website, as well as the meeting dates.

You may submit any suggested amendments to the Charter by submitting a form which can be found on the City website at <http://www.satellitebeachfl.org/Pages/CharterReview.aspx> and emailing it to me at cbarker@satellitebeach.org.

We look forward to your participation in the work of this important City Committee.

Respectfully,

A handwritten signature in black ink, appearing to read "Courtney H. Barker".

Courtney H. Barker, AICP
City Manager

CITY OF SATELLITE BEACH, FLORIDA

565 CASSIA BOULEVARD 32937-3116
(321) 773-4407
(321) 779-1388 FAX



INCORPORATED 1957

Describe suggested Charter Amendment

Describe issue to be addressed by suggested amendment

Name _____

Address _____

Please email this form to Cbarker@satellitebeach.org or return printed form to City Hall at 565 Cassia Blvd.

PART I - CHARTER^[1]

Footnotes:

-- (1) --

Editor's note—Printed herein is the Charter of the City of Satellite Beach, Florida, originally adopted by referendum on Sept. 18, 1973, and subsequently amended to read as herein set out by Ord. No. 1019, § 1, adopted Aug. 19, 2009, passed by referendum on November 3, 2009. For stylistic purposes, a uniform system of headings, catchlines, citations to state statutes and expression of numbers in text has been used. Additions made for clarity are indicated by brackets.

State Law reference— Municipal home rule powers, F.S. ch. 166.

ARTICLE I. - IN GENERAL

Sec. 1.01. - City government.

There shall be a municipal corporation named the City of Satellite Beach in Brevard County, Florida. The city shall have a council/manager form of government and shall have all powers possible under the Constitution and laws of the United States and the State of Florida, in addition to any powers specifically enumerated in this Charter. City powers under this Charter shall be construed liberally in favor of the city; and no specific power under the Charter shall be construed as limiting in any way the general power stated in this section or any powers vested in municipalities under federal or State law.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 1.02. - City boundaries.

The city shall include and have jurisdiction over all that territory in Brevard County described as follows:

LEGAL DESCRIPTION

SECTION 26, TOWNSHIP 26 SOUTH, RANGE 37 EAST

"EXHIBIT A"

PURPOSE: CREATE UNIFIED LEGAL DESCRIPTION OF THE CITY OF SATELLITE BEACH

SHEET 1 OF 3
NOT VALID WITHOUT SHEETS 2 AND 3

LEGAL DESCRIPTION:

BEGIN AT THE INTERSECTION OF THE EASTERLY EXTENSION OF THE SOUTH LINE OF SECTION 1, TOWNSHIP 27 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA, AND THE LOW WATER MARK OF THE ATLANTIC OCEAN AND THENCE RUN WESTERLY ALONG THE SOUTH LINE OF SECTION 1 AND SECTION 2 TO THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SECTION 2;

THENCE, RUN NORTHERLY ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2 TO THE NORTHWEST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 2;

THENCE RUN WESTERLY ALONG THE SOUTH LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 2 TO THE SOUTHWEST CORNER OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 2;

THENCE, RUN NORTHERLY ALONG THE WEST LINE OF THE NORTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 2 AND CONTINUE ALONG THE WEST LINE OF THE EAST ONE-HALF OF THE NORTHWEST ONE-QUARTER OF SECTION 2 TO A POINT 825.0 FEET SOUTH OF THE NORTH LINE OF SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST;

THENCE RUN WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SECTION 2, 564.0 FEET;

THENCE, RUN NORTHERLY PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 2, TO THE NORTH LINE OF SAID SECTION 2, TOWNSHIP 27 SOUTH, RANGE 37 EAST;

THENCE, RUN WESTERLY ALONG THE NORTH LINE OF SECTION 2 AND SECTION 3, TO THE CHANNEL OF THE BANANA RIVER;

THENCE, RUN NORTHERLY ALONG THE CHANNEL OF SAID BANANA RIVER TO A POINT LYING ON THE WESTERLY EXTENSION OF THE NORTH LINE OF GOVERNMENT LOT 4 LYING IN SECTION 27, TOWNSHIP 26 SOUTH, RANGE 37 EAST;

THENCE, RUN EASTERLY ALONG THE NORTH LINE OF GOVERNMENT LOT 4 AND ITS WESTERLY EXTENSION TO A POINT LYING ON THE CENTER LINE OF THE MOSQUITO CONTROL CANAL LYING IN SAID GOVERNMENT LOT 4;

THENCE, RUN SOUTHERLY ALONG THE CENTERLINE OF SAID MOSQUITO CONTROL CANAL TO A POINT LYING ON THE NORTH LINE OF SECTION 34, TOWNSHIP 26 SOUTH, RANGE 37 EAST;

THENCE, RUN EASTERLY ALONG THE NORTH LINE OF SECTION 34 AND SECTION 35 TO THE WEST LINE OF THE RIGHT-OF-WAY OF STATE ROAD A1A, BREVARD COUNTY, FLORIDA;

THENCE, RUN NORTHERLY ALONG THE WEST LINE OF THE RIGHT-OF-WAY OF STATE ROAD A1A TO THE SOUTH LINE OF THE NORTH 1334.20 OF GOVERNMENT LOT 1, WEST OF STATE ROAD A1A;

THENCE, RUN EASTERLY ALONG SAID SOUTH LINE OF THE NORTH 1334.20 OF GOVERNMENT LOT 1 TO THE LOW WATER MARK OF THE ATLANTIC OCEAN;

THENCE, RUN SOUTHERLY ALONG THE LOW WATER MARK OF THE ATLANTIC OCEAN TO THE POINT OF BEGINNING.

PREPARED FOR: CITY OF SATELLITE BEACH, FLORIDA

PREPARED BY: DAVID J. KUGELMANN, P.L.S.

DAVID J. KUGELMANN, PLS NO. 5117
NOT VALID UNLESS SIGNED AND SEALED
KUGELMANN LAND SURVEYING, INC.
30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: <u>DJK</u>	CHECKED BY: <u>KKW</u>	DRAWING NO. <u>2007108</u>	SECTION <u>26</u>
DATE: <u>12-13-07</u>	SHEET <u>1</u> OF <u>3</u>	REVISIONS _____	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>37</u> EAST

LEGAL DESCRIPTION

SECTION 26, TOWNSHIP 26 SOUTH, RANGE 37 EAST

"EXHIBIT A"

PURPOSE: CREATE UNIFIED LEGAL DESCRIPTION OF THE CITY OF SATELLITE BEACH

SHEET 2 OF 3
NOT VALID WITHOUT SHEETS 1 AND 3

LEGAL DESCRIPTION:

ALL THAT CERTAIN PARCEL OF LAND BEING A PORTION OF SECTION 26, TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A P*K NAIL AND WASHER STAMPED MOTT 3608 MARKING THE SOUTHWEST CORNER OF SAID SECTION 26 LYING IN TOWNSHIP 26 SOUTH, RANGE 37 EAST, BREVARD COUNTY, FLORIDA AND BEARING COORDINATES NORTH 1,400,864.68 FEET AND EAST 783,018.08 FEET BASED ON STATE PLANE COORDINATE SYSTEMS, FLORIDA EAST, NAD 83;

THENCE NORTH 89 DEGREES, 16 MINUTES, 21 SECONDS EAST ALONG THE SOUTH LINE OF SAID SECTION 26 FOR A DISTANCE OF 1,317.82 FEET TO A RECOVERED 4x4 INCH CONCRETE MONUMENT BEING DESIGNATED AS THE POINT OF BEGINNING FOR THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE FROM THE POINT OF BEGINNING RUN NORTH 00 DEGREES, 53 MINUTES, 24 SECONDS WEST ALONG THE EAST LINE OF SOUTH PATRICK PARK FIRST ADDITION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17, PAGE 116 OF THE PUBLIC RECORDS OF BREVARD COUNTY, FLORIDA, FOR A DISTANCE OF 1,000.55 FEET TO AN IRON PIPE;

THENCE SOUTH 89 DEGREES, 16 MINUTES, 43 SECONDS WEST FOR A DISTANCE OF 1,218.85 FEET TO A 4x4 INCH CONCRETE RIGHT-OF-WAY MARKER FOR SOUTH PATRICK DRIVE;

THENCE NORTH 00 DEGREES, 55 MINUTES, 02 SECONDS WEST FOR A DISTANCE OF 3,001.31 FEET TO A RECOVERED 4x4 INCH CONCRETE RIGHT-OF-WAY MARKER;

THENCE NORTH 89 DEGREES, 14 MINUTES, 27 SECONDS EAST FOR A DISTANCE OF 3,333.18 FEET TO A RECOVERED 1 FOOT CONCRETE MONUMENT BEING A RIGHT-OF-WAY MARKER FOR STATE HIGHWAY A1A;

THENCE SOUTH 09 DEGREES, 58 MINUTES, 53 SECONDS EAST FOR A DISTANCE OF 1,700.45 FEET TO A P*K NAIL SET IN TOP OF CONCRETE WALL;

THENCE SOUTH 12 DEGREES, 03 MINUTES, 50 SECONDS EAST FOR A DISTANCE OF 2,371.13 FEET TO A RECOVERED 6x6 INCH CONCRETE MONUMENT MARKING THE RIGHT-OF-WAY OF STATE HIGHWAY A1A;

THENCE SOUTH 89 DEGREES, 15 MINUTES, 35 SECONDS WEST FOR A DISTANCE OF 1,000.00 FEET TO A SET ALUMINUM MONUMENT HAVING THE DESIGNATION OF SECOR-1;

THENCE SOUTH 89 DEGREES, 15 MINUTES, 28 SECONDS WEST FOR A DISTANCE OF 1,000.04 FEET TO A SET ALUMINUM MONUMENT HAVING THE DESIGNATION OF SECOR-2;

THENCE SOUTH 89 DEGREES, 15 MINUTES, 46 SECONDS WEST FOR A DISTANCE OF 841.06 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 309.99 ACRES, MORE OR LESS.

ALSO, GENERALLY KNOWN AS PATRICK AIR FORCE BASE SOUTH HOUSING AREA.

PREPARED FOR: CITY OF SATELLITE BEACH, FLORIDA

DAVID J. KUGELMANN, PLS NO. 5117
NOT VALID UNLESS SIGNED AND SEALED

PREPARED BY: DAVID J. KUGELMANN, P.L.S.

KUGELMANN LAND SURVEYING, INC.
30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

DRAWN BY: <u>DJK</u>	CHECKED BY: <u>KKW</u>	DRAWING NO. <u>2007108</u>	SECTION <u>26</u>
DATE: <u>12-13-07</u>	SHEET <u>2</u> OF <u>3</u>	REVISIONS _____	TOWNSHIP <u>26</u> SOUTH
			RANGE <u>37</u> EAST

SKETCH OF DESCRIPTION

OFFICIAL COURT USE ONLY

THIS IS NOT A SURVEY BUT ONLY A GRAPHIC DEPICTION OF THE LEGAL DESCRIPTION SHOWN HEREON.

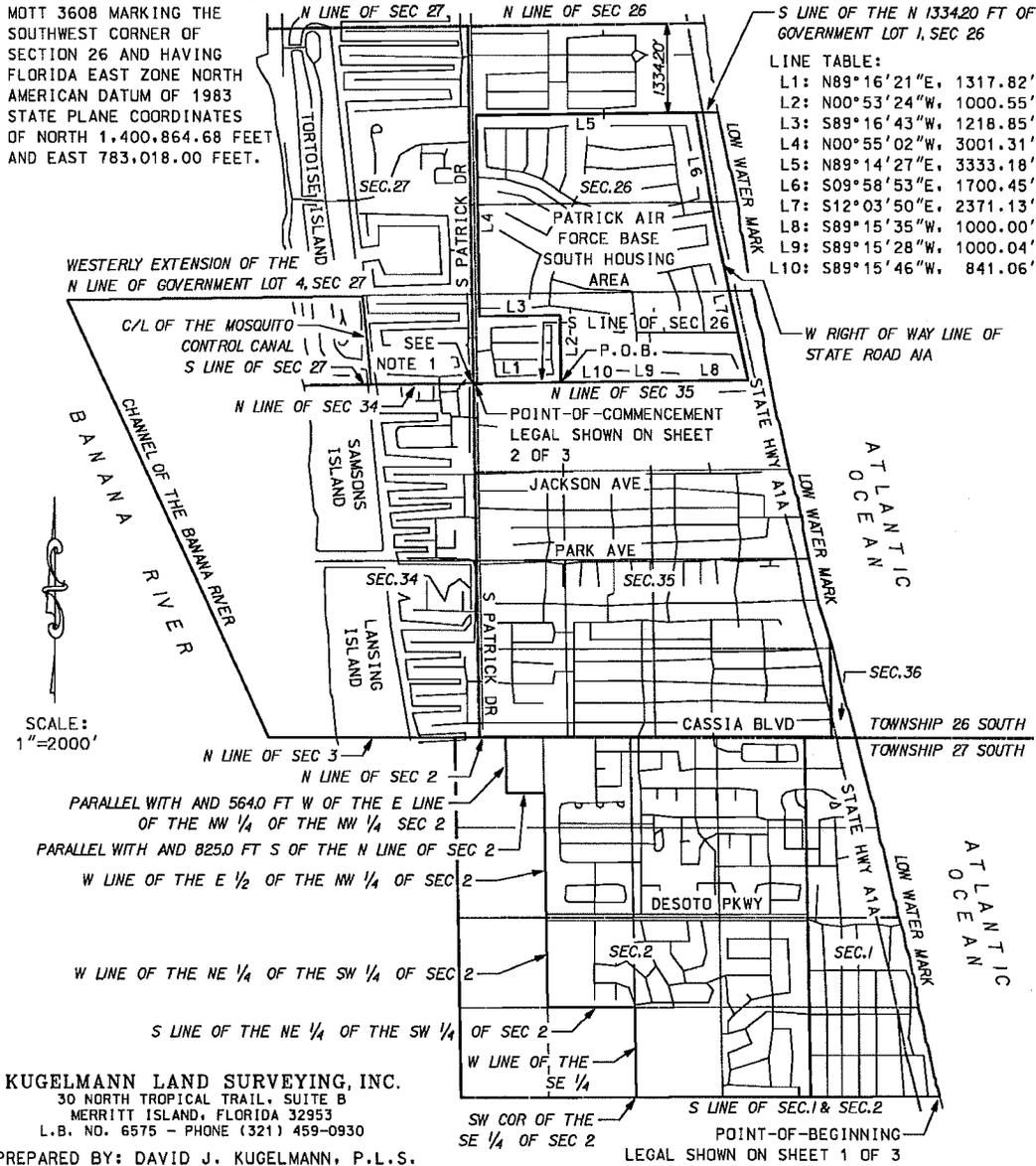
PROJECT NO. 2007108

"EXHIBIT A"

SHEET 3 OF 3

THIS SKETCH IS NOT A SURVEY AND IS NOT VALID WITHOUT SHEETS 1 AND 2

NOTE 1:
P*K NAIL & WASHER STAMPED MOTT 3608 MARKING THE SOUTHWEST CORNER OF SECTION 26 AND HAVING FLORIDA EAST ZONE NORTH AMERICAN DATUM OF 1983 STATE PLANE COORDINATES OF NORTH 1,400,864.68 FEET AND EAST 783,018.00 FEET.



KUGELMANN LAND SURVEYING, INC.
30 NORTH TROPICAL TRAIL, SUITE B
MERRITT ISLAND, FLORIDA 32953
L.B. NO. 6575 - PHONE (321) 459-0930

PREPARED BY: DAVID J. KUGELMANN, P.L.S.

(Ord. No. 1019, § 1, Exh. A, 8-19-09)

Sec. 1.03. - Intergovernmental activities.

To the fullest extent permitted by law, the city may exercise any of its powers, perform any of its functions, and participate in the financing thereof, by contract or otherwise, with any one or more states or their agencies; any counties, municipalities, or other governmental units thereof; or the United States or agencies thereof.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 1.04. - Annexation of land.

All annexations shall adhere to procedures prescribed by law.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 1.05. - Bird and wildlife sanctuary.

All territory within the city's boundaries shall be deemed a bird and wildlife sanctuary.

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE II. - CITY COUNCIL

Sec. 2.01. - Definition.

The term "councilmembers" means all members of the city council, including the mayor.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.02. - Powers and duties generally.

- (1) Except as otherwise provided by law or this Charter, all powers of the city shall be vested in the city council, which shall exercise the powers granted, and perform the duties imposed on, the city by law and this Charter.
- (2) The city council shall judge the qualifications and grounds for removal of its members. For this purpose, the city council shall have the power to subpoena witnesses and evidence. The city council's decision shall be subject to review by the courts.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.03. - Prohibitions.

- (1) Holding other city office. Councilmembers shall not hold any other city office, whether paid or unpaid, during their city council term.
- (2) Interference in city administration. The city council and its individual members shall not direct or request any personnel action regarding any city employee whom the city manager or his/her subordinates are empowered to hire, nor shall they interfere in any manner with city administration. However, the city council and its individual members may freely discuss any personnel matter with the city manager and make any recommendation to the city manager for improvement in city government operations. In addition, individual members may question and observe all aspects of city government operations to obtain information to help formulate sound city council policies. It is the intent of this section that all interactions between councilmembers and city personnel regarding city government business shall occur through the city manager.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.04. - Membership and qualifications.

- (1) The city council shall consist of four members and a mayor elected at-large by the city's voters. Councilmembers, whether elected or appointed, must be registered voters who have resided in the city for at least one year before they qualify for office.
- (2) To qualify for office, candidates must file the following with the city clerk during the qualifying period designated in the city code: a petition signed by ten registered city voters, a filing fee designated in the city code, and a sworn statement of his/her name, residential address, occupation, and willingness to serve the full term if elected.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.05. - Terms.

- (1) Beginning in the presidential election year of 2012 for the mayor and two other councilmembers and in the gubernatorial election year of 2014 for the remaining two councilmembers, all councilmembers shall be elected to a four-year term of office.
- (2) No councilmember who is completing two consecutive elective terms shall be eligible for election or appointment to the city council, and no person shall serve more than ten consecutive years in the office of mayor, or councilmember, or combination of the two offices. A period of two years must elapse before a former councilmember shall be eligible for reelection; a period of one year must elapse before a former councilmember shall be eligible for appointment.
- (3) Councilmembers shall take office at the start of new business at the first regular city council meeting following the meeting held to accept the election results from the supervisor of elections. Councilmembers shall continue to hold their offices and discharge their duties until their successors are installed.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.06. - Compensation.

Councilmembers shall serve without salary, but shall be compensated for expenses as provided in the city code.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.07. - Elections.

Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacant seats. In the event of a tie vote, the winner shall be determined by a coin tossed by the city clerk.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.08. - Vacancies.

- (1) A vacancy shall occur upon the death, resignation, forfeiture of office, or lawful removal of a councilmember.
- (2) Councilmember. No later than 30 days after a vacancy occurs in the seat of a councilmember other than mayor, the city council shall appoint a replacement to serve until the next regular election.
- (3) Mayor. No later than 30 days after a vacancy occurs in the mayor's seat, the city council shall:
 - (a) appoint one of the remaining councilmembers to serve as mayor until the next regular election; and
 - (b) appoint a replacement for the councilmember who was appointed mayor, to serve until the next regular election.

- (4) Vacancies precluding quorum. Any time the city council is reduced to fewer than three members, the city shall:
 - (a) immediately request the governor to temporarily appoint from a list of all former councilmembers residing in the city, regardless of whether they meet the provisions of [section] 2.05(2), a sufficient number to constitute a five-member city council, and
 - (b) conduct a special election no later than 90 days after the occurrence of the vacancy which triggers the special election. The winners of the special election shall serve the remainder of the unexpired terms.
- (5) Candidate. Following the end of the qualifying period, if a vacancy occurs from the death, withdrawal, or removal from the ballot of a qualified candidate, and the vacancy leaves only one candidate for an office, the remaining candidate shall be deemed elected.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.09. - Grounds for removal.

The office of a councilmember shall be forfeited whenever at least four of the five councilmembers determine that a member:

- (1) Ceases to be a registered voter residing in the city;
- (2) Is convicted of a misdemeanor involving moral turpitude or any felony;
- (3) Commits an act constituting malfeasance, misfeasance, or neglect of duty;
- (4) Is permanently unable to perform official duties; or
- (5) Is absent from four consecutive regular city council meetings or from one-third of the regular city council meetings during any 12-month period for any reason.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.10. - Duties of mayor and vice-mayor.

- (1) The mayor shall be a voting member and the presiding officer of the city council, as well as the head of the city for purposes of ceremonies, service of civil process, and martial law. Unless otherwise provided by law, this Charter, or the city council, the mayor shall execute instruments in which the city is authorized to be a party by the city council.
- (2) As prescribed by the city council, the city council shall select from its membership a vice-mayor who shall serve as mayor in the mayor's absence.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 2.11. - City council meetings.

- (1) Regular meetings. The city council shall meet regularly at least once each month at such time and place as it may prescribe. Except as otherwise provided by law, all city council meetings shall be open to the public.
- (2) Special meetings. Special meetings, which must be limited to the subject(s) specified on the agenda, may be convened by the mayor, any three councilmembers, or the city manager

upon at least 24 hours' notice to each councilmember and at least one newspaper of general circulation in the city.

- (3) Emergency meetings. Emergency meetings may be called in the same manner as special meetings, except that prior public notice shall not be required. Emergency meetings shall be conducted as prescribed by the city council.
- (4) Rules. The city council shall determine its own rules, including order of business and rules for expelling disorderly persons from its meetings.
- (5) Quorum. Three members of the city council shall constitute a quorum to open a meeting, but a smaller number may require the attendance of absent members under procedures and penalties prescribed by the city council.
- (6) Voting. Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes. An exception may be made for administrative or housekeeping matters, which may be approved by unanimous consensus without a roll call vote.
- (7) Minutes. Minutes of city council meetings shall be kept by the city clerk.

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE III. - CITY MANAGER

Sec. 3.01. - Appointment, qualifications, removal or permanent absence, compensation.

- (1) Appointment. Based solely on executive qualifications as determined by the city council, the city council shall appoint a city manager, who shall be an at-will employee.
- (2) Qualifications. The city manager shall be a resident of the city within one year of appointment and a United States citizen.
- (3) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal or permanent absence, the assistant city manager shall immediately become the interim city manager, and the city council shall immediately appoint an interim city manager and shall appoint a permanent city manager within 180 days.
- (4) Compensation. The city council shall determine the compensation of the city manager.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 3.02. - Powers and duties.

In addition to other duties specified by this Charter or the city council, the city manager shall:

- (1) Serve as chief executive officer of the city, responsible to the city council for all city affairs placed in his/her charge.
- (2) Hire, suspend, or discharge all city employees in accordance with established personnel policies. The city manager may authorize any department head to exercise these powers with respect to that department head's subordinates.
- (3) Within the pay classifications established by the city council, fix the compensation of all city employees.
- (4) Supervise all city departments, except as otherwise provided by law, and determine their functions and staffing.
- (5) Publish personnel policies, including a merit system and appeals process, ~~which shall be submitted for city council approval; and ensure that selection, promotion, demotion, and dismissal or disciplinary actions of all~~ personnel actions involving city employees are based upon competence and performance and are free of political pressure.
- (6) Attend city council meetings. The city manager may take part in discussions but may not vote.
- (7) Ensure that all laws and city council actions subject to enforcement by the city manager or department heads are faithfully executed.
- (8) Prepare and submit the annual budget to the city council, and make other reports, including the present financial status of the city, whenever requested by the city council.
- (9) Keep the city council fully advised of the financial condition and future needs of the city, and make recommendations to the city council.

(10) Execute contracts on behalf of the city, unless the city council provides otherwise.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 3.03. - Evaluation.

No later than ~~September 15~~, the anniversary date of the city manager's hiring the city council shall complete an annual evaluation of the city manager and discuss it with him or her. The evaluation shall be a composite of all councilmembers' evaluations and shall rate the city manager's performance in the areas of goals and objectives established by the city council, duties delineated in this Charter, personal relations, and beneficial changes to the city. The city council may complete additional evaluations whenever it deems appropriate.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 3.04. - Acting city manager.

~~In a writing to the city clerk, with copies to all councilmembers and department heads, the city manager shall designate a department head to act as city manager during the city manager's temporary absence or disability. If the city manager fails to make such designation, or the city council disapproves the designation, the city council may appoint another department head to serve until the city manager returns or the disability ends.~~

During any temporary absence or disability of both the city manager and assistant city manager, in a writing to the city clerk with copies to all councilmembers and department heads, the city manager or assistant shall designate a department head to act as city manager during such unavailability. If such designation is not made, or the city council disapproves of the designation, the city council may appoint another department head to serve until the city manager or assistant returns or the disability ends.

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE IV. - CITY DEPARTMENTS AND BOARDS

Sec. 4.01. - Departments.

- (1) The city council may establish, consolidate, or abolish city departments.
- (2) All city departments shall be administered by a department head appointed by the city manager. The city manager may appoint one person as the head of two or more departments or, with consent of the city council, the city manager may serve as head of one or more departments.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 4.02. - Boards.

- (1) Generally. The city council may establish boards as it deems appropriate. Members of such boards shall be residents of the city, unless otherwise provided by ordinance, and shall be appointed by the city council. The terms and method of reappointment shall be established by the city council. Councilmembers may serve as liaisons to these boards, but shall not attempt to guide the deliberations of the boards.
- ~~(2) Comprehensive planning advisory board. There shall be a comprehensive planning advisory board which shall perform the duties of the local planning agency by preparing the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements.~~
- ~~(3)(2) Planning and zoning board. The city council shall serve as the city's planning and zoning board.~~
- (3) Planning. The city council shall establish a board or boards which shall perform the following functions:
 - (a) Prepare the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements; and
 - (b) Advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.
- ~~(4) Planning and zoning advisory board. There shall be a planning and zoning advisory board which shall serve as the city's land development regulation commission to advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.~~

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE V. - ORDINANCES

Sec. 5.01. - Generally.

Every proposed ordinance and resolution shall be introduced in the final written form required for adoption, except that ordinances amending legislation shall be introduced in legislative style on first reading and final written form required for adoption on second reading. The enacting clause of ordinances shall recite: "Be it enacted by the City Council of the City of Satellite Beach, Florida." No ordinance shall be adopted until it has been read by title at two city council meetings at least two weeks apart. Ordinances and resolutions shall become effective upon adoption unless specified otherwise therein. Upon adoption, every ordinance and resolution shall be authenticated by the presiding officer and the city clerk and shall be recorded in full in a properly-indexed book maintained by the city clerk.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 5.02. - Emergency ordinances.

Notwithstanding the provisions of the foregoing section, the city council may enact emergency ordinances to meet serious public emergencies affecting the welfare of the city or its residents. An emergency ordinance shall be introduced as prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance, and the conditions constituting such emergency shall be stated therein. Emergency ordinances may be adopted, with or without amendment, at the first reading. No emergency ordinance shall enact a land development regulation, enact or amend a land-use plan, or rezone private real property. Emergency ordinances shall expire 120 days after enactment unless sooner specified therein.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 5.03. - Codification.

The city council shall provide for the preparation of a general codification of all city ordinances, which shall be known as the City Code of Satellite Beach, Florida.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 5.04. - Ordinance initiatives.

- (1) The city's voters shall have the power to propose ordinances to the city council, and, if the city council fails to adopt them without substantive change, to approve or reject the proposed ordinances at a city election.
- (2) The city's voters shall have the power to require the city council to reconsider any adopted ordinance, and, if the city council fails to repeal the reconsidered ordinance, to approve or reject it at a city election.
- (3) Voters' petitions to exercise the powers granted by this section shall be signed by at least 15 percent of the city's registered voters as of the most recent election held in the city.

Petitioners shall have 90 days from the date of the city council action being challenged to obtain the required signatures.

- (4) No power specified in this section shall extend to the budget, taxes, or salaries of city employees.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 5.05. - Ordinances requiring voter approval.

~~(1) Any ordinance approving a development permit which would increase the existing density in any zoning district as of November 7, 2006 shall require voter approval before any such ordinance shall become effective. No development permit shall be issued or effective until said ordinance is approved by referendum.~~

~~(2)~~(1) Any ordinance amending the city's land development regulations to increase residential densities or building heights greater than that allowed on November 7, 2006; or decrease breezeway percentages below those required on November 7, 2006, shall require voter approval before any such ordinance shall become effective.

~~(3)~~(2) Notwithstanding the foregoing, any structure existing, permitted, or approved by any appropriate regulatory agency on November 7, 2006, shall be allowed to be built, rebuilt, or repaired in the event of a casualty or catastrophe, even if such structure is nonconforming for failure to comply with regulations existing on November 7, 2006, governing density, height, and/or breezeways.

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE VI. - FISCAL MATTERS

Sec. 6.01. - Fiscal year.

Unless otherwise provided by law, the fiscal year for the city government shall begin on October 1 and end on September 30 of the following year.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 6.02. - Taxes and other revenues.

The city council shall have full power to raise funds for all municipal purposes through taxes and other revenue sources not prohibited by law.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 6.03. - Budget.

- (1) City manager's proposed budget. No later than the first regular city council meeting in August, the city manager shall present a proposed budget to the city council for all operations of city government for the next fiscal year. In addition to any other(s) the city council may request, the proposed budget shall contain the following components:
 - (a) The city manager's budget message explaining the important features, financial issues, policies and proposed policy changes, and objectives of the proposed budget;
 - (b) A budget summary presenting an overview of sources and amounts of anticipated revenues and expenditures; and
 - (c) A detailed budget presenting the specifics of all anticipated revenues and expenditures.
- (2) City council's proposed budget. After considering and revising the city manager's budget as it deems necessary, the city council shall adopt a proposed budget and determine tax requirements under that budget.
- (3) Public hearing. The city council shall hold a public hearing on its proposed budget at the first regular city council meeting in September, or at such other time as the city council may approve. Notice of the hearing shall be provided as required by law. All members of the public shall have the opportunity to be heard on the budget at the public hearing. After the public hearing, the city council may amend any part of its proposed budget except for expenditures required by law or debt service.
- (4) City council's approved budget. No later than September 30, the city council shall adopt an ordinance approving a final balanced budget with the same components as the city manager's budget. The city clerk shall then certify the taxes levied under the budget and make copies of the budget available to all interested persons.
- (5) Prohibition.
 - (a) Funds shall not be transferred from one department to another or allocated for items not included in the approved budget without prior approval of the city council.

- ~~(b) No ad valorem millage rate, amount of non-ad valorem assessment or public service tax rate shall be approved for inclusion in any budget where such rates are in excess of the current rate, unless such rates and/or assessments are approved by the affirmative vote of at least four of the five members of city council. This supermajority voting requirement shall also apply in the event any proposed budget includes a public service tax or non-ad valorem assessment on any item not then currently imposed. This supermajority requirement applies only to actual approval of ordinances increasing the enumerated funding sources, and not matters preliminary to adoption of a budget, such as any resolution reflecting the millage rate will not exceed a certain amount or any resolution reflecting an intent to impose a non-ad valorem assessment required by law. The supermajority voting requirement shall not apply to an ordinance adopting or amending the annual budget.~~

(Ord. No. 1019, § 1, 8-19-09; Ord. No. 1055, § 5, 6-13-12)

Sec. 6.04. - Borrowing.

- (1) Temporary revenue deficiencies. The city may borrow to meet current obligations when temporary revenue deficiencies occur. However, the amount borrowed shall not exceed one-fourth of one percent of the assessed value of all taxable property within the city, as determined by the most recent assessment; and the term of the loan shall not exceed one year. The loan may be extended as necessary until fully paid, but no extension shall exceed one year.
- (2) Financing for projects. The city may borrow money to finance any project not prohibited by law and may pledge city assets to repay such indebtedness, subject to the following limitations:
 - (a) Any proposal to pledge ad valorem taxes for debt repayment shall require approval by the city's voters.
 - (b) The city's total outstanding indebtedness, including the proposed amount, shall not exceed five percent of the assessed value of all taxable property within the city, as determined by the most recent assessment.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 6.05. - Competitive bidding.

Competitive bidding, through the city or other governmental agencies, shall be required on all purchases above an amount prescribed by an ordinance of the city council.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 6.06. - Independent audits.

The city council shall appoint qualified certified public accountants to make an independent audit of accounts and financial transactions of the city government as of the end of each fiscal year. The city council may provide for more frequent audits of the city government. A copy of each audit shall be filed with the State of Florida.

(Ord. No. 1019, § 1, 8-19-09)

ARTICLE VII. - MISCELLANEOUS

Sec. 7.01. - Code of ethics.

All city elected officials, employees, and board members shall be bound by the minimum ethics standards set forth in F.S. ch. 112.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 7.02. - Transitional provisions.

- (1) All persons holding office when this amended Charter becomes effective shall continue in office for the remainder of their terms.
- (2) To the extent not inconsistent with this amended Charter, all ordinances, resolutions, regulations, and policies in effect upon the adoption of this amended Charter shall remain in force until they expire by their terms or are repealed.
- (3) All rights, claims, actions, orders, contracts, and legal or administrative proceedings involving the city shall continue except as modified by provisions of this Charter.
- (4) All financial obligations of the city existing on the date this amended Charter becomes effective shall continue to be valid as if this amended Charter had not been adopted.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 7.03. - Conflicting city laws.

All laws, or portions thereof, of the city that conflict with provisions of this Charter are hereby repealed.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 7.04. - Severability.

If a court of competent jurisdiction shall declare any provision of this Charter invalid, such declaration shall not affect the remainder of this Charter.

(Ord. No. 1019, § 1, 8-19-09)

Sec. 7.05. - Effective date.

This amended Charter shall become effective on November 3, 2009.

(Ord. No. 1019, § 1, 8-19-09)

**CHARTER REVIEW COMMITTEE
MINUTES
JANUARY 27, 2016**

Pursuant to Public Notice, Mayor Frank Catino convened a regular meeting of the Charter Review Committee on Wednesday, January 27, 2016, at 4:00 p.m., in the Council Chamber. Those present were Mayor Frank Catino, Committee Members, John Fergus, Michael Chase, Paul DiMouro, David Omler, David Schechter, alternate Committee Members Jeff Chestine and William Spiegelhalter, Council Liaison Lorraine Gott, Councilman Dominick Montanaro, City Manager Courtney Barker, City Clerk Leonor Olexa, and Recording Secretary Grace DeRosa.

Mayor Catino led the Pledge of Allegiance

(TIME: 4:00) INTRODUCTION OF COMMITTEE MEMBERS AND STAFF

Mayor Catino introduced Council Members and Committee Members. City Manager Barker introduced the staff.

(TIME: 4:01) PUBLIC COMMENTS

None.

(TIME: 4:01) PRESENTATION OF CITY BOARD HANDBOOK

City Clerk Olexa presented the City Board Handbook, and requested that the Committee Members read it in its entirety and attend the meetings.

(TIME: 4:07) REVIEW OF CHARTER ESTABLISHING 2016 CHARTER REVIEW COMMITTEE

Mayor Catino reviewed the Charter establishing the 2016 Charter Review Committee. The Committee's task is to review the City Charter, address inconsistencies with State law, update applicable sections regarding city operations and present a final report to Council.

(TIME: 4:09) ELECT CHAIR AND VICE-CHAIR

Committee Member Chase was nominated to serve as Chair. There were no other nominations. The Committee, by consensus, agreed to have Michael Chase serve as Chair.

Committee Member David Schechter was nominated to serve as Vice-Chair. There were no other nominations. The Committee, by consensus, agreed to have David Schechter serve as Vice-Chair.

(TIME: 4:11) DETERMINE MEETING SCHEDULE AND INTERIM REPORT DATES

Chair Chase requested the Committee discuss meeting dates and times. The Committee discussed, and agreed to meet every other Tuesday beginning on February 2nd, at 7:00 p.m. in the Council Chamber.

The Committee also discussed the scheduling of agenda topics.

City Manager Barker stated that she will provide updated reports. A letter will go out to all residents informing them about the Charter Review Committee and meeting dates, along with a Citizen Suggestion Form, so that residents may submit suggestions to the committee. There will also be updates on Facebook and the City's website.

(TIME: 4:38) CITY MANAGER REPORT ON THE CITY CHARTER

City Manager Barker reported on staff's request for a Charter Review Committee to examine three sections of the City Charter and provide recommendations. She reviewed each section,

and provided information on why each section is no longer applicable. The Committee discussed the issues with each section and decided that the first two items would be discussed during the first and second meetings and all remainder meetings would be dedicated to the last item as it appears to be more involved.

The Committee will not be responsible for the wording of the referendum; the City Attorney will take care of that.

(TIME: 5:13) AGENDA ITEMS FOR NEXT MEETING

Mayor Catino suggested that members email the City Manager with any additional items they would like to discuss and she will schedule them on the agenda.

Citizen suggestion forms will be addressed as a Committee and copies will be included in the agenda packet. Council Liaison Gott requested that Section 3.03 also be reviewed. She explained that the date of September 15 was inserted for City Manager review. This no longer applies since it was City Manager Crotty's anniversary date. This should read no later than the anniversary date of City Manager hiring.

Mayor Catino adjourned the meeting at 5:22 p.m.

Grace DeRosa
Recording Secretary

**CHARTER REVIEW COMMITTEE
MINUTES
FEBRUARY 2, 2016**

Pursuant to Public Notice, Chairman Michael Chase convened a regular meeting of the Charter Review Committee on Tuesday, February 2, 2016, at 7:00 p.m., in the Council Chamber. Those present were Chairman Michael Chase, Committee Members, John Fergus, Paul DiMouro, David Omler, alternate Committee Members Jeff Chestine and William Spiegelhalter, Council Liaison Lorraine Gott, Assistant City Manager Suzanne Sherman, and Recording Secretary Grace DeRosa. Committee Member David Schechter was absent.

Committee Member DiMouro led the Pledge of Allegiance

(TIME: 7:01) PUBLIC COMMENTS

None.

(TIME: 7:01) CITY MANAGER UPDATE ON COMMITTEE'S PROGRESS

Assistant City Manager Sherman reviewed the City Manager's report provided in the agenda packet. She indicated that the personnel policy item is being postponed in order to give time for the residents to receive the City Manager's letter.

(TIME: 7:03) STAFF PROPOSAL FOR AMENDMENT REGARDING CITY PLANNING BOARDS

Assistant City Manager Sherman introduced the staff proposal for amendment regarding City Planning Boards. Staff is recommending a modification to the language in the City Charter. There are two separate references to the Comprehensive Planning and Advisory Board and Planning and Zoning Board, which staff feels it is unnecessary. The Committee reviewed the frequency of the meetings of the two planning boards and agreed that they do not meet often enough to warrant having two boards.

The Committee agreed that since the residents had not yet received the letter, this meeting would be only for discussion and no vote would be made on this topic until the following meeting.

Committee Member Fergus introduced his suggestion with regards to this section of the Charter as an alternate from the one suggested by the City Manager. The Committee discussed how such amendment should be worded and considered what items should be included.

Council Liaison Gott provided the Committee with a background and explanation on the reason for the current wording. She indicated that it is very important that the residents are comfortable with the language on the changes.

The Committee agreed on the vision and what needs to be included, however they would like to change the staff's recommended language. After discussion, the Committee requested that Council Liaison Gott prepare possible amendment language, keeping paragraph 1 and 3 and rewording paragraphs 2 and 4. One version will spell out the two boards names and another will leave boards in general. The Committee will then review it on the next meeting and vote on the amendment recommendation.

Committee Member Fergus questioned how staff would get the information to the residents after each meeting such as status report on what the Committee talked about. Assistant City Manager Sherman will check on how the information will go out.

(TIME: 8:00) AGENDA ITEMS FOR NEXT MEETING – FEBRUARY 16, 2016

Review what went on this meeting and vote.

Discuss modification to personnel policy

**CHARTER REVIEW COMMITTEE MEETING MINUTES
FEBRUARY 2, 2016**

PAGE 2

Committee Member Omler suggested that an ending time of 9:00 pm be set and if necessary the Committee will vote on a longer time; the Committee concurred.

Resident suggestions will be acknowledged for the record at the beginning of each meeting, the suggestion forms will be attached to the minutes.

Chairman Chase adjourned the meeting at 8:10 p.m.

Grace DeRosa
Recording Secretary

**CHARTER REVIEW COMMITTEE
MINUTES
FEBRUARY 16, 2016**

Pursuant to Public Notice, Chairman Michael Chase convened a regular meeting of the Charter Review Committee on Tuesday, February 16, 2016, at 7:00 p.m., in the Council Chamber. Those present were Chairman Michael Chase, Committee Members John Fergus, Paul DiMouro, David Omler, David Schechter, alternate Committee Members Jeff Chestine and William Spiegelhalter, City Manager Courtney Barker and Recording Secretary Grace DeRosa.

Committee Member David Omler led the Pledge of Allegiance.

(TIME: 7:01) PUBLIC COMMENTS

No public present

(TIME: 7:02) STAFF PROPOSAL FOR AMENDMENT REGARDING CITY PLANNING BOARDS

Chairman Chase read the proposal. City Manager Barker explained that the language being presented in this meeting is the one that the Committee requested Council Liaison Gott to prepare. The suggestions of the Board were to amend the charter to carry out the planning function; adopt a comprehensive plan; adopt development regulations; and delete section D. Staff is in full agreement of this language.

After discussion the following changes were made. Section C will become Section 2, Section B will become Section 3 with the following language: Planning. The City council shall establish a board or boards which shall perform the following functions: (a) prepare the city's comprehensive plan and plan amendments. Comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations and capital improvements. (b) advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.

ACTION: Committee Member Fergus MOVED, SECOND by Committee Member Omler, to approve the amended recommendation by the city. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:17) STAFF PROPOSAL FOR AMENDMENT REGARDING EMPLOYEE PERSONNEL POLICIES

Chairman Chase read the proposal. City Manager Barker introduced the proposal and explained the reasoning for modifying the requirement for City Council to approve the published personnel policies. Any changes that have a budgetary impact are still required to be presented to council for approval; however policy changes such as title changes, workplace violence and workers comp procedures would not.

Following discussion the Committee agreed to have Section 3.02(5) read: Publish personnel policies, including a merit system and appeals process, and ensure that selection, promotion, or disciplinary actions of all city employees are based upon competence and performance and are free of political pressure.

ACTION: Committee Member Fergus MOVED, SECOND by Committee Member Omler, to approve the Committee's recommended language. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:39) STAFF PROPOSAL FOR AMENDMENT REGARDING CITY MANAGER EVALUATION AND ACTING CITY MANAGER

City Manager Barker read the staff's request for amendment to Section 3.03 where a date of September 15 is listed as the City Manager's evaluation date. Since that date applied only to the previous City Manager, Staff is recommending having it read anniversary date instead.

ACTION: Committee Member Fergus MOVED, SECOND by Committee Member Schechter to approve staff's recommendation for Section 3.03 as submitted. VOTE: ALL YES. MOTION CARRIED.

City Manager Barker introduced staff's request for modification to Section 3.04. Since the city now has an Assistant City Manager, the current section no longer applies. This new language provides a process in case the Assistant City Manager is also not available.

ACTION: Committee Member Fergus MOVED, SECOND by Committee Member Schechter to approve changes to Section 3.04 Acting City Manager. VOTE: ALL YES. MOTION CARRIED.

City Manager Barker explained that the reason for the change in Section 3.01(c) Removal is due to the city now having an Assistant City Manager.

Committee Member Fergus indicated that permanent absence should be added to cover any leaves other than removal, such as death. The committee amended Section 3.01 to read as follows: Sec. 3.01 Appointment, qualifications, removal or permanent absence, compensation. (c) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal or permanent absence, the assistant city manager shall immediately become the interim city manager, and the city council shall appoint a permanent city manager within 180 days.

ACTION: Committee Member Fergus MOVED, SECOND by Committee Member DiMouro to recommend Section 3.01 as modified with the specific wording possibly modified, but the intent remaining the same. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:59) STAFF PROPOSAL FOR AMENDMENT REGARDING CITY COUNCIL VOTING

City Manager Barker recommended an amendment to the charter regarding City Council votes to include consensus votes. Currently the Charter only allows for roll-call voting. Staff feels that administrative and housekeeping matters do not require roll-call voting which can also be time consuming. It was clarified that at anytime if someone objects a roll-call will then be required.

ACTION: Committee Member Schechter MOVED, SECOND by Committee Member Fergus to accept the recommendation for Section 2.11 as written. VOTE: ALL YES. MOTION CARRIED.

(TIME: 8:07) DISCUSSION OF FUTURE PROPOSALS

City Manager Barker recommended the items submitted become agenda items for the next meeting.

The discussion of the 100 acres will be more involved starting on March 15th and will require multiple meetings.

All suggestions should be turned in by February 23rd.

(TIME: 8:13) APPROVAL OF MINUTES

Committee Member Fergus MOVED, SECOND by Committee Member Omler to approve the January 27 Minutes. VOTE: ALL YES. MOTION CARRIED.

**CHARTER REVIEW COMMITTEE MINUTES
FEBRUARY 16, 2016 Regular Meeting**

PAGE 3

Committee Member Omler MOVED, SECOND by Committee Member Fergus to approve the February 2ND Minutes. VOTE: ALL YES. MOTION CARRIED.

Chairman Chase adjourned the meeting at 8:22 p.m.

Grace DeRosa
Recording Secretary

**CHARTER REVIEW COMMITTEE
MINUTES
MARCH 1, 2016**

Pursuant to Public Notice, Chairman Michael Chase convened a meeting of the Charter Review Committee on Tuesday, March 1, 2016, at 7:00 p.m., in the Council Chamber. Those present were Chairman Michael Chase, Committee Members, Paul DiMouro, John Fergus, David Omler, David Schechter, Committee Alternate Members Jeff Chestine and William Spiegelhalter, Council Liaison Lorraine Gott, City Manager Courtney Barker, and City Clerk Leonor Olexa.

Alternate Member Chestine led the Pledge of Allegiance.

(TIME: 7:01) PUBLIC COMMENT

No public comment.

(TIME: 7:01) APPROVAL OF FULL DRAFT OF RECOMMENDED AMENDMENTS TO DATE

City Manager Barker reported on all recommended City Charter amendments to-date, which have been incorporated into the full draft Charter amendment for the Committee's review. The Committee discussed the following sections:

ARTICLE II. – CITY COUNCIL

Section 2.11.(6) – City council meetings.

- (6) Voting. Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes. An exception may be made for administrative or housekeeping matters, which may be approved by unanimous consensus without a roll call vote.

The Committee agreed with the changes as presented.

ARTICLE III. – CITY MANAGER

Section 3.01.(3) – Appointment, qualifications, removal or permanent absence, compensation.

- (3) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal or permanent absence, the assistant city manager shall immediately become the interim city manager, and the city council shall immediately appoint an interim city manager and shall appoint a permanent city manager within 180 days.

The Committee agreed with the changes as presented.

Section 3.02.(5) – Powers and duties.

- (5) Publish personnel policies, including a merit system and appeals process, ~~which shall be submitted for city council approval;~~ and ensure that selection, promotion, demotion, and dismissal or disciplinary actions of all city employees are based upon competence and performance and are free of political pressure.

Council Liaison Gott questioned the deletions of the words "demotion, and dismissal" to Section 3.02.(5). The Committee discussed the meaning of disciplinary actions and Member Fergus suggested the following changes:

- (5) Publish personnel policies, including a merit system and appeals process, ~~which shall be submitted for city council approval;~~ and ensure that ~~selection, promotion, demotion, and dismissal or disciplinary actions of all~~ personnel actions involving city employees are based upon competence and performance and are free of political pressure.

City Manager Barker reported on the adopted ordinances as it relates to time/costs/delay in City operations regarding the personnel policy, city manager's responsibility regarding employee performance measures, and agreed with the wording suggested by Member Fergus. The Committee agreed with the changes and requested to have this section as a separate motion.

Section 3.03. – Evaluation.

~~No later than September 15, the anniversary date of the City Manger's hiring the city council shall complete an annual evaluation of the city manager and discuss it with him or her. The evaluation shall be a composite of all councilmembers' evaluations and shall rate the city manager's performance in the areas of goals and objectives established by the city council, duties delineated in this Charter, personal relations, and beneficial changes to the city. The city council may complete additional evaluations whenever it deems appropriate.~~

The Committee agreed with the changes as presented. **[Scriveners: "Manger's" should read: "Manager's"]**

Section 3.04. – Acting city manager.

~~In a writing to the city clerk, with copies to all councilmembers and department heads, the city manager shall designate a department head to act as city manager during the city manager's temporary absence or disability. If the city manager fails to make such designation, or the city council disapproves the designation, the city council may appoint another department head to serve until the city manager returns or the disability ends.~~

During any temporary absence or disability of both the city manager and assistant city manager, in a writing to the city clerk with copies to all councilmembers and department heads, the city manager or assistant shall designate a department head to act as city manager during such unavailability. If such designation is not made, or the city council disapproves of the designation, the city council may appoint another department head to serve until the city manager or assistant returns or the disability ends.

The Committee requested to correct the spelling of the word "councilmembers" and agreed with the changes.

ARTICLE IV. – CITY DEPARTMENTS AND BOARD

Section 4.02.(2), (3)(a)(b), and (4) - Boards

- ~~(2) Comprehensive planning advisory board. There shall be a comprehensive planning advisory board which shall perform the duties of the local planning agency by preparing the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements.~~

~~(3)(2)~~ Planning and zoning board. The city council shall serve as the city's planning and zoning board.

(3) Planning. The city council shall establish a board or boards which shall perform the following functions:

(a) Prepare the city's comprehensive plan and plan amendments. Comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations and capital improvements.

(b) Advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.

~~(4) Planning and zoning advisory board. There shall be a planning and zoning advisory board which shall serve as the city's land development regulation commission to advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.~~

Member Fergus requested the following corrections to Section 4.02.(3)(a): add the word "The" before the beginning of the second sentence, insert a comma after the word "regulations" and insert a semicolon and the word "and" at the end of the sentence.

(a) Prepare the city's comprehensive plan and plan amendments. The Comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements; and

The Committee agreed with the changes.

Chairman Chase asked for public comments; there were no comments.

ACTION: David Schechter MOVED, SECOND John Fergus, to accept the language as presented to include the grammatical changes to the full draft amendments minus Section 3.02.(5). VOTE: ALL AYES. MOTION CARRIED.

ACTION: John Fergus MOVED, SECOND David Omler, to approve Section 3.02.(5) to read: Publish personnel policies, including a merit system and appeals process, and ensure that all personnel actions involving city employees are based upon competence and performance and are free of political pressure. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:27) MEMBER PROPOSAL REGARDING TIE VOTE IN CITY ELECTIONS

Member Fergus stated that Section 2.07. does not address an election which results in a tie vote, referenced Florida Statutes 100.181 regarding drawing lots to determine who shall be elected to office, and recommended adding the following language to Section 2.07.:

ARTICLE II. – CITY COUNCIL

Section 2.07. – Elections.

Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacation seats. In the event of a tie vote, the winner shall be determined by a coin tossed by the city clerk.

The Committee discussed drawing lots having the same meaning as a coin toss, asked what other cities have adopted regarding a tie vote, and agreed with the information presented.

Chairman Chase asked for public comments; there were no comments.

ACTION: John Fergus MOVED, SECOND David Schechter, to adopt the changes presented in the staff memo. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:31) MEMBER PROPOSAL REGARDING SUPERMAJORITY VOTING REQUIREMENT FOR A TAX RATE INCREASE

Member Fergus stated that Section 6.03.(5)(b) of the City Charter requires a supermajority vote to increase taxes; provided statistical data from a past election; and opposed the City Charter allowing one member of Council (minority vote) to control whether the City could increase taxes. City Manager Barker stated that in a democracy the majority rules, and had concerns that this section barely passes the constitutionality test (Council's right to set revenues and have a balanced budget).

ARTICLE VI. – FISCAL MATTERS

Section 6.03.(5)(b) – Budget.

(5) Prohibition:

- (b) ~~No ad valorem millage rate, amount of non-ad valorem assessment or public service tax rate shall be approved for inclusion in any budget where such rates are in excess of the current rate, unless such rates and/or assessments are approved by the affirmative vote of at least four of the five members of city council. This supermajority voting requirement shall also apply in the event any proposed budget includes a public service tax or non-ad valorem assessment on any item not then currently imposed. This supermajority requirement applies only to actual approval of ordinances increasing the enumerated funding sources, and not matters preliminary to adoption of a budget, such as any resolution reflecting the millage rate will not exceed a certain amount or any resolution reflecting an intent to impose a non-ad valorem assessment required by law. The supermajority voting requirement shall not apply to an ordinance adopting or amending the annual budget~~

The Committee discussed how the economic environment can impact the need to increase taxes to continue to provide City services, that they opposed the supermajority voting requirements, and agreed with the recommendation of Member Fergus to delete Section 6.03.(5)(b).

Chairman Chase asked for public comments; there were no comments.

ACTION: David Omler MOVED, SECOND David Schechter, to approve the deletion of Section 6.03.(5)(b) of the City Charter as provided by Member Fergus. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:45) DISCUSSION OF FUTURE PROPOSALS

City Manager Barker stated that at the March 15, meeting, there will be a presentation on Section 5.05., and a Q&A session with City Attorney Beadle. A follow-up meeting will be scheduled to address possible solutions regarding the language in Section 5.05.

The Committee discussed the scheduled timeline requirements to prepare/present the Final Report on recommended Charter revisions to City Council, presentation of the Final Report to the public to gain input, inquired about citizen suggestion form submittals (none to-date), and the importance of informing the voters of the Charter amendments through the City's website, the City Manager's Facebook page, the *Beachcaster*, and upcoming Town Hall Meetings.

City Manager Barker requested the Committee submit their requested future agenda items to her via email for preparation and scheduling of future agenda items.

(TIME: 7:50) APPROVAL OF MINUTES: FEBRUARY 16, 2016

Member Fergus recommended a change to the minutes; the Committee concurred with the change.

ACTION: David Omler MOVED, SECOND David Schechter, to approve the minutes as amended. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:52) AGENDA ITEMS FOR NEXT MEETING

Chairman Chase stated Section 5.05. will be scheduled for the next meeting.

ACTION: John Fergus MOVED, SECOND Paul DiMouro, to adjourn the meeting. VOTE: ALL AYES. MOTION CARRIED.

Chairman Chase adjourned the meeting at 7:53 p.m.

Leonor Olexa, CMC
City Clerk

**CHARTER REVIEW COMMITTEE
MINUTES
MARCH 15, 2016**

Pursuant to Public Notice, Chairman Michael Chase convened a meeting of the Charter Review Committee on Tuesday, March 15, 2016, at 7:00 p.m., in the Council Chamber. Those present were Chairman Michael Chase, Committee Members, Paul DiMouro, John Fergus, David Omler, David Schechter, Committee Alternate Members Jeff Chestine and William Spiegelhalter, City Manager Courtney Barker, Assistant City Manager Suzanne Sherman, City Attorney Jim Beadle, Building Official John Stone, and Recording Secretary Grace DeRosa.

Alternate Member Spiegelhalter led the Pledge of Allegiance.

(TIME: 7:01) PUBLIC COMMENT

No public comment.

(TIME: 7:01) APPROVAL OF FULL DRAFT OF RECOMMENDED AMENDMENTS TO DATE

Chairman Chase read the suggested changes to the charter as follows:

ARTICLE II. – CITY COUNCIL

Section 2.07. – Elections

Regular city elections shall be held on the first Tuesday after the first Monday in November of each presidential and gubernatorial election year. City council candidates receiving the most votes shall be elected to fill the number of vacant seats. In the event of a tie vote, the winner shall be determined by a coin tossed by the city clerk.

Section 2.11.(6) – City council meetings.

- (6) Voting. Except as otherwise provided by this Charter, the affirmative vote of at least three members of the city council shall be required for any city council action to be valid. Voting shall be by roll call, with votes recorded in the city council's minutes. An exception may be made for administrative or housekeeping matters, which may be approved by unanimous consensus without a roll call vote.

ARTICLE III. – CITY MANAGER

Section 3.01.(3) – Appointment, qualifications, removal or permanent absence, compensation.

- (3) Removal. Removal of the city manager shall require the affirmative vote of at least four of the five councilmembers. Upon removal or permanent absence, the assistant city manager shall immediately become the interim city manager, and the city council shall immediately appoint an interim city manager and shall appoint a permanent city manager within 180 days.

Section 3.02.(5) – Powers and duties.

- (5) Publish personnel policies, including a merit system and appeals process, ~~which shall be submitted for city council approval;~~ and ensure that ~~selection, promotion, demotion, and dismissal or disciplinary actions~~ of all personnel actions involving city employees are based upon competence and performance and are free of political pressure.

Section 3.03. – Evaluation.

No later than ~~September 15,~~ the anniversary date of the city manager's hiring the city council shall complete an annual evaluation of the city manager and discuss it with him or her. The evaluation shall be a composite of all councilmembers' evaluations and shall rate the city manager's performance in the areas of goals and objectives established by the city council, duties delineated in this Charter, personal relations, and beneficial changes to the city. The city council may complete additional evaluations whenever it deems appropriate.

Section 3.04. – Acting city manager.

~~In a writing to the city clerk, with copies to all councilmembers and department heads, the city manager shall designate a department head to act as city manager during the city manager's temporary absence or disability. If the city manager fails to make such designation, or the city council disapproves the designation, the city council may appoint another department head to serve until the city manager returns or the disability ends.~~

During any temporary absence or disability of both the city manager and assistant city manager, in a writing to the city clerk with copies to all councilmembers and department heads, the city manager or assistant shall designate a department head to act as city manager during such unavailability. If such designation is not made, or the city council disapproves of the designation, the city council may appoint another department head to serve until the city manager or assistant returns or the disability ends.

ARTICLE IV. – CITY DEPARTMENTS AND BOARD

Section 4.02.(2), (3)(a)(b), and (4) - Boards

~~(2) Comprehensive planning advisory board. There shall be a comprehensive planning advisory board which shall perform the duties of the local planning agency by preparing the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations, and capital improvements.~~

~~(3)(2) Planning and zoning board. The city council shall serve as the city's planning and zoning board.~~

(3) Planning. The city council shall establish a board or boards which shall perform the following functions:

(a) Prepare the city's comprehensive plan and plan amendments. The comprehensive plan shall serve as a guide for city council actions concerning land use, land development regulations and capital improvements; and

(b) Advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.

~~(4) Planning and zoning advisory board. There shall be a planning and zoning advisory board which shall serve as the city's land development regulation commission to advise the city council on land development regulations, which shall not be inconsistent with the comprehensive plan.~~

ARTICLE VI. – FISCAL MATTERS

Section 6.03. – Budget

(5) Prohibition:

- (b) ~~No ad valorem millage rate, amount of non-ad valorem assessment or public service tax rate shall be approved for inclusion in any budget where such rates are in excess of the current rate, unless such rates and/or assessments are approved by the affirmative vote of at least four of the five members of city council. This supermajority voting requirement shall also apply in the event any proposed budget includes a public service tax or non-ad valorem assessment on any item not then currently imposed. This supermajority requirement applies only to actual approval of ordinances increasing the enumerated funding sources, and not matters preliminary to adoption of a budget, such as any resolution reflecting the millage rate will not exceed a certain amount or any resolution reflecting an intent to impose a non-ad valorem assessment required by law. The supermajority voting requirement shall not apply to an ordinance adopting or amending the annual budget~~

Chairman Chase asked the Board for comments; there were no comments.

Chairman Chase asked for public comments; there were no comments.

ACTION: John Fergus MOVED, SECOND Paul DiMouro, to accept the full draft of the Charter with amendments to date. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:07) DISCUSS IMPACTS OF SECTION 5.05 OF THE CHARTER ON THE DEVELOPMENT POTENTIAL OF THE "100 ACRES" (FORMER SHOUTH HOUSING AREA)

City Manager Barker introduced the two issues being reviewed in section 5.05.

The first issue relates to paragraph (1), according to the Statutes this part is void.

City Attorney Beadle referenced his letter to the City Manager where it summarizes the provisions in the Charter and the Statute. The way the charter currently reads in 5.05(1) it appears to fall within the prohibition of the statute and is no longer allowable.

City Manager Barker explained that paragraph (2) is still valid and therefore the community still has the right to vote on it. City Manager Barker explained the background on the 100 Acre property and provided the Committee and public with a copy of a map (aerial map with plat overlay). The city created a Planned Unit Development (PUD) Ordinance as the zoning for this property. The current zoning for this property allows for 35ft in height and single family units. It is unusual for a city to codify a concept plan, which was done here causing any deviation from this plan to require a referendum. As it stands a possible developer needs to wait for an election or fund the cost of one, in order to have the residents approve the development. At this time the property owner is not a willing seller, therefore City Manager Barker recommended that the Committee not work on this portion. In the future, public workshops may take place for input from residents on the development of the property.

Chairman Chase clarified that paragraph (1) will need to be deleted.

Chairman Chase asked for public comments. The following resident addressed the Committee: Cathy Kelly, resident of Montecito, questioned the process for land development now that paragraph (1) is not valid. City Manager Barker responded.

ACTION: John Fergus MOVED, SECOND David Omler, to delete section 5.05(1) with the understanding that it will be presented as a statutory compliance issue. VOTE: ALL YES. MOTION CARRIED.

Chairman Chase asked about paragraph (3). City Attorney Beadle indicated that paragraph (3) must remain in the Charter. Board Member Fergus made a suggestion to reword paragraph (3).

(TIME: 7:56) The committee decided by consensus that paragraph (2) will not be addressed.

The following residents addressed the Committee: Leslie Panke and Cathy Kelly.

(TIME: 7:45) DISCUSSION OF FUTURE PROPOSALS

Proposals must be submitted by March 22.

Section 5.05(3) – Ordinances requiring voter approval

Section 6.05 – Competitive bidding

(TIME: 7:50) APPROVAL OF MINUTES: MARCH 1, 2016

Board Member Fergus pointed out a missing last name on an action on page 3.

ACTION: John Fergus MOVED, SECOND David Omler, to approve the minutes as amended. VOTE: ALL YES. MOTION CARRIED.

(TIME: 8:19) AGENDA ITEMS FOR NEXT MEETING

Draft of report to City Council.

Chairman Chase adjourned the meeting at 8:21 p.m.

Grace DeRosa
Recording Secretary

**CHARTER REVIEW COMMITTEE
MINUTES
MARCH 29, 2016**

Pursuant to Public Notice, Chairman Michael Chase convened a meeting of the Charter Review Committee on Tuesday, March 29, 2016, at 7:00 p.m., in the Council Chamber. Those present were Chairman Michael Chase, Committee Members, Paul DiMouro, John Fergus, David Omler, David Schechter, Committee Alternate Members Jeff Chestine and William Spiegelhalter, City Manager Courtney Barker, City Attorney James Beadle, and City Clerk Leonor Olexa.

Member Fergus led the Pledge of Allegiance.

(TIME: 7:01) PUBLIC COMMENT

There was no public present for comments.

(TIME: 7:01) MEMBER PROPOSAL TO AMEND SECTION 5.05(3) OF THE CHARTER TO ADDRESS NON-CONFORMITIES

Member John Fergus stated that Section 5.05(3) of the City Charter has existing language that could possibly be interpreted differently when considering rebuilding on a nonconforming lot. He then presented his recommended language and amended it as follows: ... (3) Notwithstanding the foregoing, any structure existing, permitted, or approved by any appropriate regulatory agency ~~on~~ by November 7, 2006, shall be allowed to be built, rebuilt, or repaired in the event of a casualty or catastrophe, even if such structure is nonconforming for failure to comply with density, height, and/or breezeway regulations existing on November 7, 2006, ~~governing density, height, and/or breezeways~~ as long as such nonconformity is not increased or is permitted by the City Code.

The Committee discussed nonconformities of damaged buildings and rebuilding to the footprint specifications governed by density, height, and/or breezeway. City Attorney Beadle addressed regulatory requirements of rebuilding condos, townhomes, and a single family residence. City Manager Barker addressed the concern of being too specific in the City Charter; the need to allow the Building Official to have the ability to provide direction on rebuilds, and also had concerns with proposed City Charter language becoming the a standard which could impede compliance with other regulatory codes.

Chairman Chase asked for public comments; there were no public present for comments. The Committee agreed that the recommendation would be too specific and should be detailed in an ordinance. No motion was brought forward.

(TIME: 7:26) MEMBER PROPOSAL TO AMEND SECTION 6.05 OF THE CHARTER TO REQUIRE THE BID THRESHOLD SET BY CITY COUNCIL TO BE PRESCRIBED BY COUNCIL IN AN ORDINANCE

Member Fergus stated Section 6.05 of the City Charter is ambiguous and addressed the need to require an ordinance to have a formal process with public notice to change the threshold amount for competitive bidding. He recommended the following language: Competitive bidding, through the city or other government agencies, shall be required on all purchases above an amount prescribed by an ordinance of the city council. City Manager Barker agreed with the recommended language, she further stated that this would be a good level of protection for the community, and that staff will be drafting an ordinance that addresses the purchase of goods and services for Council's consideration. The Committee discussed the purchasing threshold and agreed with the

suggested revision.

Chairman Chase asked for public comments; there were no public present for comments.

ACTION: David Schechter MOVED, SECOND David Omler, to approve the proposed amendment to Section 6.05 – Competitive Bidding as submitted. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:31) DISCUSS/MAKE RECOMMENDATIONS ON THE FINAL PROPOSED CHARTER AMENDMENTS AND FINAL REPORT TO CITY COUNCIL

City Manager Barker suggested options to the Committee for presenting the recommended revisions to the City Charter. The Committee discussed the recommended Charter amendments, preparing a PowerPoint presentation with specific categories that address what the Committee is trying to fix, and recommended an April 20th special meeting to provide time for the Committee presentation, and questions/comments from Council and the public. City Manager Barker commended the Committee for their dedication and efforts which has resulted in the needed updates to the City Charter.

Chairman Chase asked for public comments; there were no public present for comments. The Committee agreed to have City Manager Barker prepare the Final Report information.

ACTION: John Fergus MOVED, SECOND David Omler, to approve the Final Proposed City Charter Amendments and incorporate approved changes to Section 6.05 as presented. VOTE: ALL AYES. MOTION CARRIED.

(TIME: 7:43) APPROVAL OF MINUTES: MARCH 15, 2016

The Committee discussed amendments to pages 3 and 4 of the minutes as well as any grammatical changes necessary.

ACTION: David Schechter MOVED, SECOND John Fergus, to approve the minutes as amended. VOTE: ALL AYES. MOTION CARRIED.

The Committee agreed that no further meetings would be necessary and thanked Chairman Chase, City Manager Barker and Committee members for a job well done.

Chairman Chase adjourned the meeting at 7:51 p.m.

Leonor Olexa, CMC
City Clerk

CITY OF SATELLITE BEACH, FLORIDA

565 CASSIA BOULEVARD 32937-3116
(321) 773-4407
(321) 779-1388 FAX



INCORPORATED 1957

AGENDA

CITY COUNCIL REGULAR MEETING

**SATELLITE BEACH COUNCIL CHAMBER
565 CASSIA BOULEVARD, SATELLITE BEACH, FL 32937**

**APRIL 20, 2016
7:00 P.M.**

- 1. CALL TO ORDER BY MAYOR CATINO**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE LED BY COUNCILWOMAN GOTT**
- 3. CITIZEN COMMENTS**
- 4. CITY COUNCIL COMMENTS**
- 5. CITY MANAGER REPORT**
- 6. DISCUSS/TAKE ACTION ON ORDINANCE NO. 1116, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE SATELLITE BEACH PERSONNEL POLICY SECTION 12.01 (JOB CLASSIFICATION LEVELS) TO ADD JOB CLASSIFICATION FOR FULL-TIME SPECIAL EVENTS AND VOLUNTEER COORDINATOR AND SALARY RANGE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)**
- 7. DISCUSS/TAKE ACTION ON AUDIT REPORT FOR FY 14/15 BY CARR, RIGGS & INGRAM (TIME CERTAIN 7:30 P.M.)**
- 8. DISCUSS/TAKE ACTION ON ORDINANCE NO. 1118, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FY 2015-2016 BUDGET ORDINANCE NO. 1110; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)**

Pursuant to Section 286-0105, FSS, if an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a verbatim transcript of the proceedings may be required and the individual may need to insure that a verbatim transcript of the proceedings is made. In accordance with the Americans with Disabilities Act and Section 286.26, FSS. Persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's office.

- 9. DISCUSS/TAKE ACTION ON AN AWARD OF SOLID WASTE SERVICES
(RFP NO. 15/16-03)**
- 10. DISCUSS/TAKE ACTION ON UPDATING THE GENERAL EMPLOYEE 401(A) MONEY
PURCHASE PLAN TO COMPLY WITH INTERNAL REVENUE SERVICE
REQUIREMENTS**
- 11. DISCUSS/TAKE ACTION ON RESOLUTION NO. 968, A RESOLUTION OF THE CITY OF
SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE CITY OF
SATELLITE BEACH MONEY PURCHASE PLAN AS REQUIRED BY LEGISLATIVE
AND REGULATORY CHANGES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING
FOR ADOPTION**
- 12. AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING**
- 13. ADOPTION OF MINUTES: APRIL 6, 2016, WORKSHOP MEETING
APRIL 6, 2016, REGULAR MEETING**



City Manager's Report

To: Mayor and City Council Members
From: City Manager Courtney Barker, AICP
Meeting Date: 4/20/2016

On **April 23, 2016**, the **Youth Fishing Tournament** will be held at **Man Overboard Bait and Tackle**. The tournament is for youth ages 15 and younger, and will run from 6 a.m. – 6 p.m. on Saturday. The event will also have a Friday night Captain's Party at 5 p.m. at **Satellite Beach Long Doggers**. Registration information and tournament rules are available at www.manoverboardbaitandtackle.com.

On **April 28, 2016**, the 55+ Club will be holding a **Fashion Show** at the **David R. Schechter Community Center** from 11 a.m. – 2 p.m. The event includes a light lunch and chances at a 50/50 raffle and various door prizes. Tickets are \$10 per person and can be purchased in advance at the Satellite Beach Recreation office or at several of the 55+ Club functions.

Informational Items:

1. I have received a thank you letter regarding the Roosevelt Avenue Project, Mrs. Pence was very impressed with the progress of the project and the contractor and his team.
2. Public Works has coordinated with Franklin Excavating the use of their large flatbed trucks to bring five (5) bleachers from Patrick Air Force Base (PAFB) to City ball fields, allowing the City to save on the cost of replacing ours (approximately \$12,000 each). The City obtained these bleachers through our P4 Initiative with PAFB, which creates a working environment for the Base and the City to work together and share resources.
3. A reminder that you need to complete the City Manager evaluation forms by April 27, 2016.

Action Items:

1. Staff is requesting your approval for the dates and locations of the five Town Hall meetings. Please see the attached map that describes the neighborhood sections. Proposed Town Hall Meeting dates and locations are as follows:
 - **Monday, May 2, 2016 at 7:30 p.m. at Oceanside Community Church**
(Residents: Roosevelt Avenue to Cassia Boulevard)
 - **Wednesday, May 11, 2016 at 7:00 p.m. at Montecito Clubhouse**
(Residents: Montecito Subdivision)
 - **Tuesday, May 17, 2016 at 7:00 p.m. at Our Father's House**
(Residents: Cassia Boulevard to DeSoto Parkway)
 - **Tuesday, May 24, 2016 at 7:00 p.m. at the Satellite Beach United Methodist Church**
(Residents: Scorpion Court to Roosevelt Avenue, includes Satellite Shores and Pelican Coast)
 - **Thursday, May 26, 2016 at 7:00 p.m. at the Satellite Beach Library**
(Residents: DeSoto Parkway to the southernmost portion of the City limits)

2. At the April 6, 2016 Council meeting, Council discussed having CRA Attorney Cliff Shepard provide the required Ethics Training and obtaining dates in the month of August. Attorney Shepard is available to provide the training on the following dates: August 15, 16, 24, 25, 29, 30 and 31. Council will need to establish the date and time for staff to schedule the Ethics Training.

Leonor Olexa

From: olipant <olipant@aol.com>
Sent: Friday, April 01, 2016 3:54 PM
To: Courtney Barker
Subject: RE: Roosevelt

Dear Ms Barker,

THANK YOU!!! I couldn't believe my eyes, they were down here this afternoon and touched up the hole!! They have truly been such nice people working out here!! Makes a real difference. Like I said earlier they've made what could have been a horrendous few months very bearable!

Thank you,

Sherry Pence
212 Prince William Ct
Olipant@aol.com

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Courtney Barker <cbarker@satellitebeach.org>
Date: 4/1/2016 11:01 AM (GMT-05:00)
To: olipant <olipant@aol.com>
Subject: RE: Roosevelt

Thank you Sherry!

We will look into it ASAP. Thanks for your patience and letting us know how the staff and contractor are doing!

We hope all is well and have a great weekend!

Courtney Barker, AICP

City Manager

City of Satellite Beach, FL

565 Cassia Blvd

Satellite Beach, FL 32937

Phone: (321) 773-4407

Fax: (321) 779-1388

Email: cbarker@satellitebeach.org

From: olipant [<mailto:olipant@aol.com>]

Sent: Friday, April 01, 2016 10:56 AM

To: Courtney Barker

Subject: Roosevelt

Dear Ms Barker:

NOT sure who I should contact but since I had your email figured it'd end up in the right hands! The project on Roosevelt is really moving along, I know residents are happy. Granted there's probably some still upset but I'm focusing on positive things as much as possible!

I was wondering if they could possibly re-fill the hole across Roosevelt down near Prince William until they get here to tear out road. It hasn't been touched up since the second week and has gotten pretty bad. Shakes unit depending on what crosses and of course, how fast! Never ceases to amaze me how many try to still drive 90 over it! LOL!!

Not sure how aware you are of those parking on both sides of Roosevelt on top of new sidewalks, but hate to see this. Not even finished with the project and already ruining it. Some sprinkler heads have paid the price, too. MOST of this is down at our end, the west, but during our walks, have seen on the other areas as well as the other newly paved areas throughout city. I guess because it occurs overnight in most cases no one would be aware, but some are present during the day. Sad to see it disrespected like this! Never enjoy having to get on road because some people just park right on sidewalks, this is citywide, though.

Again, thanks for seeing that this gets where it should and appreciate it if they can give at least the first few cuts across Roosevelt a bit of love until ready to remove rest of the street!

It will be sooo nice once completed and these sidewalks are to die for, can't wait to use from end to end! Really nice ppl working on project, all have been most friendly, fun and makes this really easy to deal with. Please make sure the contractor knows the guys he has on this project have been wonderful!

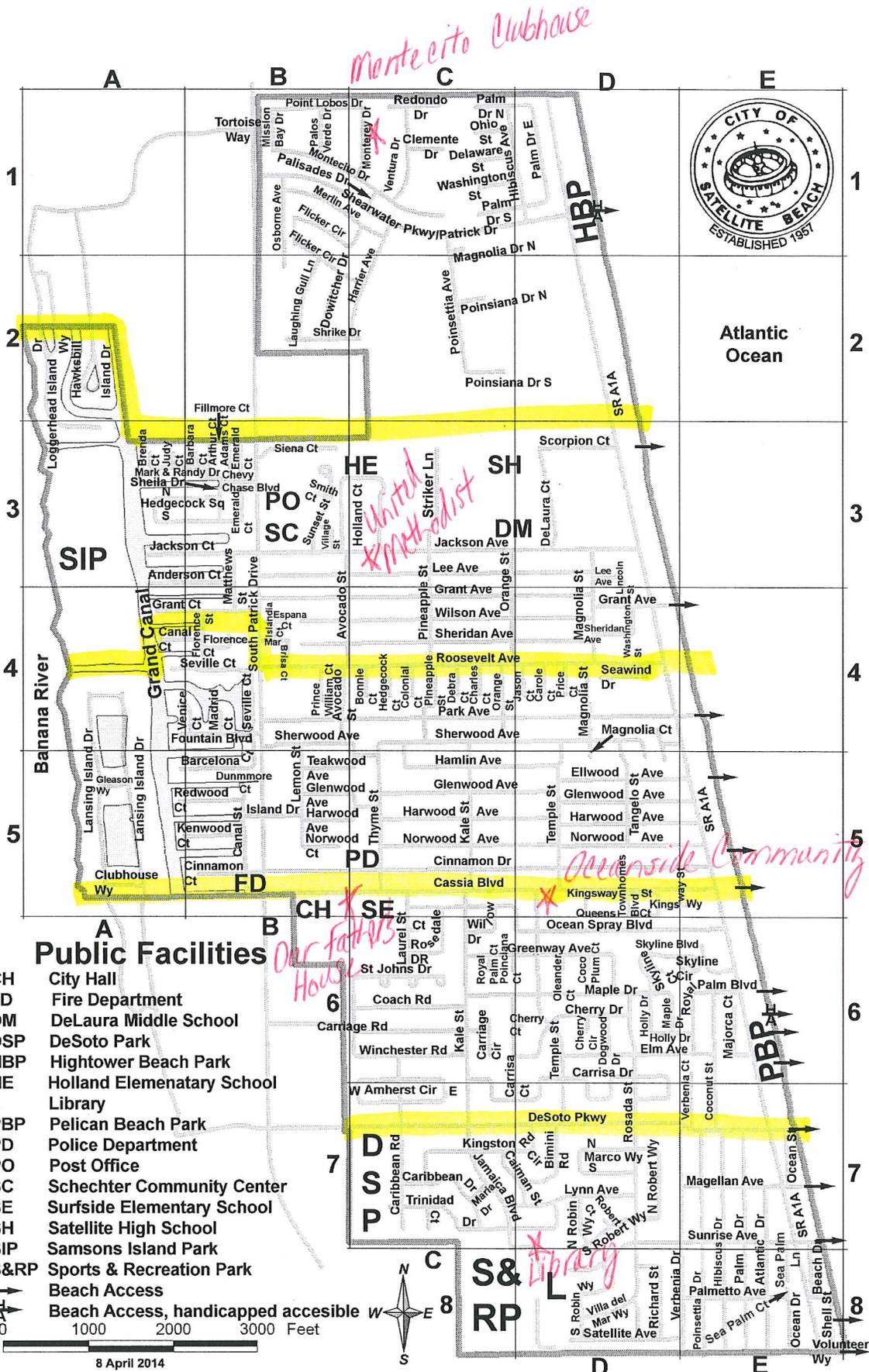
Sincerely,

Sherry Pence

212 Prince William Ct

Satellite Beach, FL 32937

Sent from my T-Mobile 4G LTE Device



City of Satellite Beach Street Map



CITY COUNCIL AGENDA ITEM

#6

DISCUSS/TAKE ACTION ON ORDINANCE NO. 1116, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE SATELLITE BEACH PERSONNEL POLICY SECTION 12.01 (JOB CLASSIFICATION LEVELS) TO ADD JOB CLASSIFICATION FOR FULL-TIME SPECIAL EVENTS AND VOLUNTEER COORDINATOR AND SALARY RANGE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

To: City Manager Courtney Barker
From: Recreation Director Kerry Stoms
Meeting Date: 4/20/2016
Department: Recreation

Recommended Action: Adopt Ordinance No. 1116 on first reading.

Summary: Section 12.01 of the City's Personnel Policy Handbook identifies Job Classifications and establishes Pay Grades for personnel in the City of Satellite Beach. The following request updates the Personnel Policy Handbook to reflect the position of full-time Special Events and Volunteer Coordinator.

The Special Events and Volunteer Coordinator position is currently budgeted as a permanent part-time position at 25 hours per week. The Recreation Director requested this position be changed to full-time in the FY 15/16 budget, but at the time presented, funding was not available. Justification for requesting the change comes from reviewing the last two years' of actual work hours required to perform this job and the increased level of administrative support required in the Recreation Office. The last time the Recreation Department was operating at a staffing level of four full-time office positions was in 2005. The Recreation Department needs to increase the existing full-time staffing level in order to continue to provide excellent service to our citizens. With the retirement of the Recreation Director, and the new Recreation Director starting at a lower salary, funds are available in the Recreation budget to cover the majority of this cost. Additional funding of approximately \$8,500 annually will be necessary to support this change, and a budget amendment will be brought forth at a future City Council meeting as needed.

Budget Impacts: Funding is available in the General Fund to support this change.

Attachments:

- Ordinance No. 1116
- Job Description – Special Events and Volunteer Coordinator

ORDINANCE NO. 1116

AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE SATELLITE BEACH PERSONNEL POLICY SECTION 12.01 (JOB CLASSIFICATION LEVELS) TO ADD JOB CLASSIFICATION FOR FULL-TIME SPECIAL EVENTS AND VOLUNTEER COORDINATOR AND SALARY RANGE; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

WHEREAS, from time to time the City finds it necessary to amend the City's Personnel Policies; and

WHEREAS, these policies and procedures serve as a guide to the administrative actions concerning personnel activities.

NOW THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH, FLORIDA as follows:

SECTION 1. Section 12.01 of the Satellite Beach Personnel Policy is hereby amended by adding Pay Grade 20, Special Events and Volunteer Coordinator, with a pay range of \$33,547 - \$52,333.

SECTION 2. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid or unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 3. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 5. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the ____ day of _____, 2016, and adopted on the second and final reading at a regular meeting of the City Council on the ____ day of _____, 2016.

FRANK CATINO, MAYOR

ATTEST:

LEONOR OLEXA, CMC, CITY CLERK

CITY OF SATELLITE BEACH

JOB DESCRIPTION

JOB TITLE:	Special Events and Volunteer Coordinator
DEPARTMENT:	Recreation
PAY GRADE:	20 - \$33,547 - \$52,333 nonexempt
WORK HOURS:	Monday-Friday, also weekends as required to implement special events

GENERAL DESCRIPTION:

Assess the special event interests of the citizens of Satellite Beach and determine feasibility. Develop, organize and implement the special events for Satellite Beach and surrounding communities. Recruit and assign volunteers to assist with community programs and other City Departments as needed.

PRIMARY AND ESSENTIAL JOB FUNCTIONS:

- Assesses the special event interests of the citizens of Satellite Beach and determines program feasibility.
- Develops and implements special events with assistance from Recreation staff and community organizations.
- Solicits and secures sponsors/exhibitors and contracts with performers/vendors.
- Develops and adheres to event budget.
- Executes a marketing strategy and event promotion.
- Coordinates and provides support to community organizations and other City Departments that reserve City facilities for their special event.
- Coordinates with Recreation Program Specialist in the preparation of press releases, marketing pieces, and the use of social media to promote events.
- Assists the Recreation Director in budget preparation for the upcoming fiscal year.
- Assists office personnel with receipting customers, accepting reservations for city facilities, answering phone calls and other duties as assigned.
- Reviews and continually improves the method being used to solicit and retain volunteers.
- Successfully assigns volunteers to their work task and follows up with volunteer upon completion of their volunteer efforts.

MINIMUM QUALIFICATIONS:

- Bachelor's Degree in Recreation or Leisure Services or related field and/or at least 2 years experience in recreation special event planning.
- Supervisory skills preferred.
- Skill in public relations.
- Ability to perform several tasks at once.
- Ability to work under pressure and meet deadlines.
- Skill in the operation of a PC using Microsoft Office programs.
- Ability to establish and maintain effective working relationships with employees and the public.
- Knowledge of the Department and City's policies, procedures and practices.

- Knowledge of office practices and procedures.
- Ability to communicate effectively, both orally and in writing.
- Ability to work independently.

PHYSICAL REQUIREMENTS:

- | | | | |
|------------|---|-----------------------------|-----------------------|
| • Lifting | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | 0-40lbs 0-10% of time |
| • Walking | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Climbing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Bending | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Sitting | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Standing | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Stooping | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Kneeling | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | |
| • Other: | | | |

WORK CONDITIONS:

- | | | |
|---------------------------|---|--|
| • Office | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • Travel | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • Light Maintenance Work | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| • Heavy Maintenance Work | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| • Special Work Conditions | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

The above statements are intended to describe the general nature and level of work being performed by people assigned to this position. They set the minimum requirements, responsibilities and skills required of the position. Physical requirements and work conditions do not include accommodations; they are not intended to be construed as an exhaustive list of all responsibilities. This document combined with other document(s); such as a position requisition, including site-specific skill requirements is considered a complete outline of the job description.



CITY COUNCIL AGENDA ITEM

#8

DISCUSS/TAKE ACTION ON ORDINANCE NO. 1118, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FY 2015/2016 BUDGET ORDINANCE NO. 1110; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

To: City Manager Courtney Barker
From: Comptroller Jennifer Howland
Meeting Date: 4/20/2016
Department: Support Services

Recommended Action: Approve Ordinance No. 1118 on first reading.

Summary: The City adopted the FY 2015/2016 Budget in September 2015. The annual budget is periodically reviewed and amended throughout the fiscal year to ensure financial accountability and planning. The mid-year budget amendment provides for more accurate projections of revenues/expenditures based on experienced data as of March 31, 2016.

The following Ordinance No. 1118 accounts for any significant changes in revenues and expenditures, as well as changes approved by previous City Council action, and all funds are in balance with total revenues of \$16,512,361.

Budget Impacts: Increases of \$6,455 in the General Fund; \$58,581 in the Community Services Fund; \$694,873 in the Community Redevelopment Fund; and \$152,770 in Capital Assets Fund.

Attachments:

- Ordinance No. 1118
- Exhibit A – FY 2015/2016 Mid-Year Budget Amendment

ORDINANCE NO. 1118

**AN ORDINANCE OF THE CITY OF SATELLITE BEACH,
BREVARD COUNTY, FLORIDA, AMENDING THE FY 2015-
2016 BUDGET ORDINANCE NO. 1110; AND PROVIDING AN
EFFECTIVE DATE (FIRST READING)**

WHEREAS, revenue and expenditure estimates are made prior to the beginning of each fiscal year; and

WHEREAS, throughout the fiscal year various factors and budgeting practices affect revenues and expenditures; and

WHEREAS, a change in circumstances regarding the projected revenues and expenditures has occurred making it appropriate to amend the Fiscal Year 2015-2016 budget; and

WHEREAS, each fund budget shall not exceed their appropriations per Florida Statute 166.241; and

WHEREAS, the Fiscal Year 2015-2016 Budget previously adopted by Ordinance No. 1110 of the City of Satellite Beach is hereby amended and shown in detail as attached hereto and by reference made a part hereof as Exhibit A.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF SATELLITE BEACH,
BREVARD COUNTY, FLORIDA** as follows:

SECTION 1. The City Council of the City of Satellite Beach does hereby adopt the increase in total revenues of the General Fund by \$6,455 for a total budget of \$10,695,889.

SECTION 2. The City Council of the City of Satellite Beach does hereby adopt the increase in total revenues of the Community Services Fund by \$58,581 for a total budget of \$75,802.

SECTION 3. The City Council of the City of Satellite Beach does not hereby adopt any changes with respect to the Stormwater Utility Fund.

SECTION 4. The City Council of the City of Satellite Beach does not hereby adopt any changes with respect to the Law Enforcement Trust Fund.

SECTION 5. The City Council of the City of Satellite Beach does hereby adopt the increase in total revenues of the Community Redevelopment Trust Fund by \$694,873 for a total budget of \$2,394,693.

SECTION 6. The City Council of the City of Satellite Beach does hereby adopt the increase in total revenues of the Capital Assets Fund by \$152,770 for a total budget of \$2,713,067.

SECTION 7. SEVERABILITY CLAUSE. In the event a court of competent jurisdiction shall hold or determine that any part of this Ordinance is invalid or unconstitutional, the remainder of the Ordinance shall not be affected thereby, and it will be presumed that the City Council for the City of Satellite Beach did not intend to enact such invalid or unconstitutional provision. It shall further be assumed that the City Council would have enacted the remainder of this Ordinance without said invalid and unconstitutional provision, thereby causing said remainder to remain in full force and effect.

SECTION 8. REPEAL OF INCONSISTENT PROVISIONS. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 9. EFFECTIVE DATE. This Ordinance shall become effective immediately upon its adoption.

SECTION 10. This Ordinance was duly passed on first reading at a regular meeting of the City Council on the ____ day of _____, 2016, and adopted on the second and final reading at a regular meeting of the City Council on the ____ day of _____, 2016.

FRANK CATINO, MAYOR

ATTEST:

LEONOR OLEXA, CMC, CITY CLERK

FISCAL YEAR 2015/2016 General Fund Revenues - Detailed
GENERAL FUND - 001 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
TAXES - PROPERTY						
311.01.00	Ad Valorem Tax (8.2900 mills)	5,574,093	5,926,427	5,445,531	-	5,926,427
311.02.00	Ad Valorem Tax - Delinquent	-	-	-	-	-
	Subtotal:	5,574,093	5,926,427	5,445,531	-	5,926,427
TAXES - OTHER						
312.41.00	Share of Local Option Gas Tax	437,585	412,000	169,280	-	412,000
312.51.00	Ins Prem Tax - Firefighter's Pension (175)	95,299	124,527	-	-	124,527
312.52.00	Ins Prem Tax - Police Pension (185)	113,359	114,036	-	-	114,036
315.00.00	Communications Service Tax	428,137	460,000	143,100	-	460,000
316.01.00	Local Business Tax - Current	50,817	46,500	38,992	-	46,500
	Subtotal:	1,125,197	1,157,063	351,372	-	1,157,063
FRANCHISE AND PERMIT FEES						
322.00.00	Board of Adjustment / Administrative Fees	-	1,500	380	-	1,500
322.01.00	Building Permits	154,565	140,000	77,160	14,000	154,000
322.02.00	Miscellaneous Building Permits	540	1,000	-	-	1,000
323.10.00	Electricity Franchise Fees	585,295	575,000	184,287	-	575,000
323.40.00	Gas Franchise Fees	14,340	15,000	-	-	15,000
323.70.00	Waste Management Franchise Fees	100,434	110,000	25,376	-	110,000
329.01.00	Beach Fire Permits	12,710	9,000	12,401	3,401	12,401
329.03.00	Alarm Permits	905	600	360	-	600
329.04.00	Solicitors Permits	45	-	-	-	-
	Subtotal:	868,834	852,100	299,963	17,401	869,501
INTERGOVERNMENTAL						
331.00.00	Federal Grants	-	-	-	-	-
334.20.00	911 State Grant	11,608	-	-	-	-
334.20.03	Bulletproof Vest Grant	-	-	-	-	-
334.20.15	FDLE JAG 2015 Police Equipment Grant	1,282	-	-	-	-
334.49.00	FL Traffic Light Maintenance Fees	12,335	12,336	-	-	12,336
335.12.00	State Revenue Sharing	299,275	282,000	146,550	-	282,000
335.14.00	Mobile Home License Tax	280	300	240	-	300
335.15.00	Alcoholic Beverage License	5,517	6,300	318	-	6,300
335.18.00	Half-Cent State Sales Tax	551,340	517,123	232,060	-	517,123
335.21.00	Firefighters Supplemental Income	4,680	5,040	3,770	-	5,040
335.49.00	Fuel Tax Refund	5,288	4,300	173	-	4,300
338.01.00	Share of County Business Tax	4,222	2,000	1,908	-	2,000
339.01.00	PILOT - Hunt Community, Inc.	107,686	106,095	101,179	-	106,095
	Subtotal:	1,003,513	935,494	486,198	-	935,494

GENERAL FUND - 001 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
CHARGES FOR SERVICES						
341.90.01	Other Charges & Fees	30	1,000	-	-	1,000
341.90.02	Copying & Record Search	5,065	3,000	2,192	-	3,000
342.10.00	School Resource Officer Agreement	62,600	62,000	42,400	-	62,000
342.20.00	Fire Inspection Service	6,970	13,800	4,875	-	13,800
343.90.00	Lot Mowing	-	100	-	-	100
347.20.00	Program Activity Fees	482,237	435,000	158,270	-	435,000
347.50.01	Tennis Courts	19,321	19,849	10,521	-	19,849
347.50.02	Ballfield Fees	7,216	5,425	6,509	1,084	6,509
347.50.03	Racquetball Courts	1,291	1,326	634	-	1,326
347.50.04	Pelican Beach Park (PBP) Facility Rental	23,670	23,554	11,567	-	23,554
347.50.05	Skate Park Fees	4,804	5,369	3,701	-	5,369
347.50.06	Civic Center Fees	15,841	10,025	8,202	-	10,025
347.50.07	Gym & Game Room Fees	7,720	7,031	2,298	-	7,031
347.50.08	Schechter Center Rental Fees	8,289	7,693	4,872	-	7,693
347.50.09	Dog Park Fees	9,935	9,372	5,346	-	9,372
347.50.10	PBP Clubhouse Rental	43,536	45,000	29,139	-	45,000
349.01.00	Vending Machines & PBP Vendors	1,209	838	548	-	838
349.02.00	Non-Resident Fees	570	600	170	-	600
	Subtotal:	700,305	650,982	291,245	1,084	652,066
FINES & FORFEITS						
351.50.01	Court Fines & Forfeits	37,920	40,000	19,707	-	40,000
351.50.02	Parking Fines	930	830	440	-	830
351.50.03	Police Education	1,910	2,690	909	-	2,690
354.00.00	Equipment Violations	168	150	56	-	150
354.01.00	Alarm Fines	15	200	-	-	200
359.01.00	Restitution	500	750	-	-	750
	Subtotal:	41,443	44,620	21,112	-	44,620
MISCELLANEOUS						
361.10.00	Interest on Investments	16,799	12,000	8,882	-	12,000
361.10.01	Interest-County Ad Valorem Tax	185	65	-	-	65
364.00.00	Sale of Fixed Assets	-	-	-	-	-
366.00.00	General Donations	100	-	-	-	-
366.00.02	Fundraising Projects	245	105	1,055	950	1,055
366.12.00	Contributions/Donations to PD	825	1,500	-	-	1,500
366.13.00	Contributions/Donations to FD	10,393	1,000	1,155	155	1,155
366.14.00	Contributions/Donations to Rec	100	500	-	-	500
366.15.00	Contributions/Donations to PW	1,895	100	200	100	200
369.09.00	Safety Program Insurance Grant	951	-	2,806	4,015	4,015
369.90.00	Miscellaneous Revenue	6,552	402	-	-	402
369.90.01	Insurance Proceeds	-	5,000	4,461	-	5,000

GENERAL FUND - 001 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
MISCELLANEOUS (Continued)						
369.90.02	Health Ins. Premium - COBRA & Retirees	-	7,000	-	(7,000)	-
369.90.04	Refund Prior-Year Expense	691	-	475	475	475
369.90.05	Reimbursement of Expenses	3,605	1,500	497	3,500	5,000
	Subtotal:	42,341	29,172	19,530	2,195	31,367
	Subtotal Revenues:	9,355,725	9,595,858	6,914,951	20,680	9,616,538
OTHER REVENUE SOURCES						
380.00.00	Unrestricted Fund Balance	-	232,915	-	-	232,915
381.01.20	Transfer from Recycling Trust Fund	-	-	-	10,000	10,000
381.01.25	Transfer from Stormwater Utility Fund	138,796	138,796	-	-	138,796
381.01.40	Transfers In Fm 140-ILA-CRA	167,974	413,745	167,974	(167,974)	167,974
381.01.41	Transfers In Fm 140-ILA County-TIF	173,195	308,120	-	(140,146)	245,771
381.01.42	Transfer from CRA-Excess	37,885	-	-	283,895	283,895
381.01.50	Transfer from Capital Assets Fund	-	-	-	-	-
	Subtotal Other Revenue Sources:	517,850	1,093,576	167,974	(14,225)	1,079,351
	Total All Funds:	9,873,575	10,689,434	7,082,925	6,455	10,695,889

GENERAL FUND - 001 / DEPARTMENT DETAIL - 011

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
511.40.00	Travel/Business Trip Expenses	10,416	9,050	4,879	-	9,050
511.52.00	Operating Expenses	238	229	-	-	229
511.52.02	Wearing Apparel	123	100	-	-	100
511.54.00	Tuition, Memberships, Publications	5,120	2,700	1,854	-	2,700
	Subtotal:	15,897	12,079	6,733	-	12,079
NON-OPERATING						
511.90.00	Mayor's Discretionary Fund	421	1,100	118	-	1,100
	Subtotal:	421	1,100	118	-	1,100
TOTAL LEGISLATIVE EXPENDITURES:		16,318	13,179	6,851	-	13,179

GENERAL FUND - 001 / DEPARTMENT DETAIL - 012

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
512.12.00	Salaries	119,362	130,450	47,203	(37,817)	92,633
512.12.01	Vacation & Sick Leave Sell back	1,136	2,320	1,278	-	2,320
512.14.00	Overtime	73	500	-	-	500
512.21.00	FICA	9,565	10,195	3,699	(1,770)	8,425
512.22.00	Retirement Contributions	4,770	6,664	2,057	(2,334)	4,330
512.23.00	Health Insurance	21,248	28,006	6,932	(14,106)	13,900
512.23.01	Dental Insurance	-	1,332	503	(398)	934
512.23.02	Life Insurance	-	105	35	(23)	82
512.23.03	Eye Insurance	-	277	136	-	277
512.24.00	Workers Compensation	-	-	69	139	139
	Subtotal:	156,154	179,849	61,913	(56,309)	123,540
OPERATING						
512.40.00	Travel/Business Trip Expenses	3,409	3,380	709	-	3,380
512.41.04	Legal Ads, Recording	6,200	6,500	1,586	-	6,500
512.46.00	Equipment Maintenance	4,463	3,188	2,211	1,788	4,976
512.46.02	Motor Vehicle Maintenance	246	-	-	-	-
512.47.01	Codification	7,164	6,152	700	-	6,152
512.49.00	Minor Apparatus	-	250	-	-	250
512.49.01	Vehicle Registrations and Tags	-	625	187	-	625
512.49.03	Election Costs	-	1,500	-	-	1,500
512.52.00	Operational Supplies	1,026	550	206	-	550
512.54.00	Tuition, Membership, & Publications	762	750	887	-	750
	Subtotal:	23,270	22,895	6,485	1,788	24,683
CAPITAL OUTLAY						
512.64.02	Equipment	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL CITY CLERK'S OFFICE EXPENDITURES:		179,424	202,744	68,399	(54,521)	148,223

GENERAL FUND - 001 / DEPARTMENT DETAIL - 013

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
513.12.00	Salaries	462,062	471,900	242,683	-	471,900
513.12.01	Vacation & Sick Leave Sell back	2,217	4,525	2,217	-	4,525
513.13.00	Part-Time Wages	5,000	-	-	-	-
513.14.00	Overtime	538	-	-	-	-
513.21.00	FICA	34,893	34,354	17,791	-	34,354
513.22.00	Retirement Benefits	18,185	20,910	9,550	-	20,910
513.23.00	Health Insurance	60,950	80,657	33,165	-	80,657
513.23.01	Dental Insurance	-	3,108	1,393	-	3,108
513.23.02	Life Insurance	-	315	119	-	315
513.23.03	Eye Insurance	-	830	255	-	830
513.24.00	Workers Compensation	-	-	394	788	788
	Subtotal:	583,846	616,599	307,566	788	617,387
OPERATING						
513.31.12	Professional Services-Payroll Processing	41,499	44,761	18,794	-	44,761
513.32.00	Audits	38,000	38,500	32,300	-	38,500
513.40.00	Travel/Business Trip Expenses	12,644	10,000	3,842	-	10,000
513.41.01	Internet	2,993	-	571	800	800
513.46.00	Equipment Maintenance	6,873	4,500	4,576	-	4,500
513.49.00	Minor Apparatus	2,248	2,500	2,365	-	2,500
513.52.00	Operational Supplies	5,531	3,000	7,326	5,000	8,000
513.52.02	Wearing Apparel	40	-	-	-	-
513.54.00	Tuition, Membership, & Publications	4,768	6,000	4,540	-	6,000
	Subtotal:	114,597	109,261	74,313	5,800	115,061
CAPITAL OUTLAY						
513.64.01	Computers & Software	4,682	-	-	-	-
513.64.02	Equipment	-	-	-	-	-
	Subtotal:	4,682	-	-	-	-
TOTAL SUPPORT SERVICES DEPARTMENT EXPENDITURES:		703,126	725,860	381,879	6,588	732,448

GENERAL FUND - 001 / DEPARTMENT DETAIL - 019

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
519.22.00	Retirement	370,855	341,136	341,136	-	341,136
519.23.01	Retiree Insurance	85,143	87,075	45,127	3,185	90,260
519.23.02	Health Partial Self Insurance	-	217,915	-	(68,324)	149,591
519.24.00	Workers' Compensation	1,292	96,000	5,053	(90,000)	6,000
519.25.00	Unemployment Compensation	7,413	12,000	-	(6,000)	6,000
	Subtotal:	464,703	754,126	391,316	(161,139)	592,987
OPERATING						
519.31.00	Legal Services	78,910	75,000	41,600	-	75,000
519.31.03	Professional Svcs-Comprehensive Plan	12,960	11,376	11,450	-	11,376
519.31.04	Engineering Services	1,430	-	-	-	-
519.31.05	Professional Svcs-New Emp'ee Medicals	2,235	2,500	365	-	2,500
519.31.07	Professional Services-Consultants	1,575	-	2,932	2,932	2,932
519.31.09	Professional Services-City Actuary	-	15,000	-	-	15,000
519.40.01	PFP Conference Expenses	-	800	-	-	800
519.40.02	GEP Conference Expenses	-	800	-	-	800
519.41.00	Communications (Beachcaster)	28,789	24,000	16,762	5,000	29,000
519.41.01	Internet	11,921	20,000	7,059	(5,000)	15,000
519.41.02	Telephone	36,343	35,000	19,301	-	35,000
519.41.05	Security Call Box/Cameras	2,372	2,049	791	-	2,049
519.42.00	Postage	11,458	9,000	4,157	5,000	14,000
519.43.00	Electricity	176,106	190,000	71,823	-	190,000
519.43.01	Sewer & Water	26,610	25,000	11,328	-	25,000
519.45.00	Insurance-Property, Liability, Auto, Flood	196,314	204,965	191,027	-	204,965
519.47.00	Printing, All Departments	4,432	3,600	1,601	-	3,600
519.47.02	Copier Rental	13,122	12,500	6,339	-	12,500
519.49.00	Minor Apparatus	2,120	1,000	-	-	1,000
519.49.02	Grant Expenses	599	-	-	-	-
519.49.06	Banking Fees	2,395	7,500	3,022	-	7,500
519.49.13	Bad-Debt Write Off	-	200	-	-	200
519.49.51	FDEP/ECFRPC Community Resiliancy	12,646	-	-	-	-
519.51.00	Office Supplies	6,517	5,100	2,714	-	5,100
519.51.01	Copier Paper	2,182	3,250	1,030	-	3,250
519.54.00	Tuition, Higher Education, Memberships	5,602	7,500	2,097	-	7,500
519.54.03	Space Coast EDC	-	2,500	2,500	-	2,500
	Subtotal:	636,638	658,640	397,896	7,932	666,572

GENERAL FUND - 001 / DEPARTMENT DETAIL - 019

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
	CAPITAL OUTLAY					
519.64.01	Admin Computers/Software	-	-	-	-	-
	Subtotal:	-	-	-	-	-
	NON-OPERATING					
519.90.01	Refund Prior-Year Revenue	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL GENERAL GOVERNMENT SERVICES EXPENDITURES:		<u>1,101,341</u>	<u>1,412,766</u>	<u>789,212</u>	<u>(153,207)</u>	<u>1,259,559</u>

GENERAL FUND - 001 / DEPARTMENT DETAIL - 021

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
521.12.00	Salaries	1,442,809	1,522,673	747,575	-	1,522,673
521.12.01	Vacation & Sick Leave Sell back	30,303	36,882	37,023	141	37,023
521.12.02	Holiday Pay	46,801	49,860	24,550	-	49,860
521.13.00	Part-Time Wages	35,920	55,375	20,090	-	55,375
521.14.00	Overtime	97,080	65,500	37,047	-	65,500
521.15.00	Dispatchers Shift Differential	4,920	6,575	7,269	-	6,575
521.15.01	Incentives	15,322	20,660	6,983	-	20,660
521.21.00	FICA	129,094	134,451	65,157	-	134,451
521.22.00	Retirement Contributions - 401a City	9,463	13,885	5,152	-	13,885
521.22.01	Retirement Contributions - Pension City	276,998	395,681	234,219	-	395,681
521.22.02	Retirement Contributions - State (185)	113,359	114,036	-	-	114,036
521.23.00	Health Insurance	327,882	275,000	133,969	-	275,000
521.23.01	Dental Insurance	-	13,320	8,241	-	13,320
521.23.02	Life Insurance	-	1,373	574	-	1,373
521.23.03	Eye Insurance	-	3,045	1,460	-	3,045
521.24.00	Workers Compensation	-	-	13,924	27,850	27,850
	Subtotal:	2,529,950	2,708,316	1,343,234	27,991	2,736,307
OPERATING						
521.35.00	Investigative Expenses	1,502	3,000	-	-	3,000
521.40.00	Travel/Business Trip Expenses	2,562	4,500	1,569	-	4,500
521.41.01	Internet	9,058	11,500	3,451	-	11,500
521.44.00	Equipment Rental	5,699	8,000	1,929	-	8,000
521.46.00	Equipment Maintenance	59,930	29,000	11,399	-	29,000
521.49.00	Minor Apparatus	13	1,500	1,170	-	1,500
521.49.08	Emergency Preparedness	-	250	-	-	250
521.49.09	Crime Prevention	76	750	344	-	750
521.49.10	Emergency Response Team	-	500	-	-	500
521.52.00	Operating Expenses	12,169	17,000	9,861	-	17,000
521.52.01	Accreditation Expenses	1,684	500	856	-	500
521.52.02	Wearing Apparel	8,550	8,000	7,662	-	8,000
521.52.09	Purchases with Donated Money - PD	-	1,000	-	-	1,000
521.54.00	Tuition, Membership, Publications	2,339	2,300	3,159	-	2,300
521.54.03	State-Funded Training	4,133	3,000	-	-	3,000
521.54.04	City-Funded Training	7,089	9,000	2,028	-	9,000
521.54.05	City-Funded Training 911 Grant	10,488	-	-	-	-
	Subtotal:	125,291	99,800	43,427	-	99,800
CAPITAL OUTLAY						
521.64.01	Computers & Software	-	-	-	-	-
521.64.02	Police Equipment	5,971	-	-	-	-
521.64.90	JAGD Grant Expense-Capital	1,668	-	-	-	-
	Subtotal:	7,639	-	-	-	-
TOTAL POLICE DEPARTMENT EXPENDITURES:		2,662,880	2,808,116	1,386,661	27,991	2,836,107

FISCAL YEAR 2015/2016 Fire Department Operating Expenditures

GENERAL FUND - 001 / DEPARTMENT DETAIL - 022

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
522.12.00	Salaries	811,113	832,198	432,251	30,867	863,065
522.12.01	Vacation & Sick Leave Sell back	20,381	24,200	27,804	3,604	27,804
522.12.02	Holiday Pay	19,590	15,000	10,257	-	15,000
522.13.00	Part-Time Wages	7,949	17,800	6,048	-	17,800
522.14.00	Overtime	77,767	81,570	39,374	-	81,570
522.15.01	City Incentives	65,952	60,250	35,748	-	60,250
522.15.02	State-Mandated Incentives	6,594	6,240	4,490	-	6,240
522.21.00	FICA	73,673	79,350	38,504	-	79,350
522.22.00	401a Retirement Contributions	742	-	622	1,490	1,490
522.22.01	Retirement Contributions - City Pension	234,603	250,315	215,781	-	250,315
522.22.02	Retirement Contributions - State (175)	95,299	124,527	-	-	124,527
522.23.00	Health Insurance	214,771	210,850	108,910	8,450	219,300
522.23.01	Dental Insurance	-	7,548	4,525	212	7,760
522.23.02	Life Insurance	-	901	359	-	901
522.23.03	Eye Insurance	-	1,878	978	78	1,956
522.24.00	Workers Compensation	-	-	12,842	25,684	25,684
	Subtotal:	1,628,433	1,712,627	938,492	70,385	1,783,012
OPERATING						
522.31.06	Professional Services - Medical	5,263	8,900	112	-	8,900
522.34.00	Contract Services/Volunteers	17,043	19,438	11,375	-	19,438
522.40.00	Travel/Business Trip Expenses	3,449	4,525	1,686	-	4,525
522.41.01	Internet	3,952	720	1,700	3,361	4,081
522.46.00	Equipment Maintenance	14,373	7,260	1,523	-	7,260
522.46.02	Motor Vehicle Maintenance	15,802	19,830	12,511	-	19,830
522.49.00	Minor Apparatus	5,586	4,300	4,454	-	4,300
522.52.00	Operational Supplies	14,249	14,750	5,493	964	15,714
522.52.02	Wearing Apparel	3,368	8,575	161	-	8,575
522.52.10	Purchases with Donated Money - FD	3,674	-	3,667	1,155	1,155
522.54.00	Tuition, Memberships, Publications	7,513	8,295	6,936	-	8,295
	Subtotal:	94,273	96,593	49,617	5,480	102,073
CAPITAL OUTLAY						
522.64.03	Instruments & Implements	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL FIRE DEPARTMENT EXPENDITURES:		1,722,706	1,809,220	988,109	75,865	1,885,085

GENERAL FUND - 001 / DEPARTMENT DETAIL - 024

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
524.12.00	Salaries	185,980	185,032	100,802	29,068	214,100
524.12.01	Vacation & Sick Leave Sell back	-	3,300	3,210	-	3,300
524.14.00	Overtime	216	425	-	-	425
524.21.00	FICA	14,591	14,440	7,828	1,410	15,850
524.22.00	Retirement Contributions	7,733	9,438	4,074	-	9,438
524.23.00	Health Insurance	25,176	24,089	12,131	1,911	26,000
524.23.01	Dental Insurance	-	1,332	736	128	1,460
524.23.02	Life Insurance	-	105	40	15	120
524.23.03	Eye Insurance	-	275	103	-	275
524.24.00	Workers Compensation	-	-	325	651	651
	Subtotal:	233,697	238,436	129,249	33,183	271,619
OPERATING						
524.34.06	Other Contract Services	1,950	1,200	305	-	1,200
524.40.00	Travel/Business Trip Expenses	2,546	2,800	487	-	2,800
524.41.01	Internet	1,367	600	721	1,131	1,731
524.46.00	Equipment Maintenance	-	700	-	-	700
524.49.00	Minor Apparatus	-	159	-	-	159
524.51.01	Code Enforcement Expenses	391	50	-	-	50
524.52.00	Operating Expenses	231	250	618	1,930	2,180
524.52.02	Wearing Apparel	-	150	-	-	150
524.54.00	Tuition, Membership, Publications	3,595	2,250	819	-	2,250
	Subtotal:	10,080	8,159	2,951	3,061	11,220
CAPITAL OUTLAY						
524.64.01	Computers & Software	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL BUILDING & ZONING DEPARTMENT EXPENDITURES:		243,777	246,595	132,199	36,244	282,839

GENERAL FUND - 001 / DEPARTMENT DETAIL - 039

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
539.12.00	Salaries	593,669	620,979	307,955	-	620,979
539.12.01	Vacation & Sick Leave Sell back	12,062	9,920	9,930	-	9,920
539.14.00	Overtime	14,037	11,600	8,322	-	11,600
539.15.01	Incentives	422	500	122	-	500
539.21.00	FICA	48,384	49,189	24,434	-	49,189
539.22.00	Retirement Contributions	17,957	25,000	9,957	-	25,000
539.23.00	Health Insurance	162,355	161,561	69,137	-	161,561
539.23.01	Dental Insurance	-	7,548	4,025	-	7,548
539.23.02	Life Insurance	-	469	194	-	469
539.23.03	Eye Insurance	-	1,822	790	-	1,822
539.24.00	Workers Compensation	-	-	4,499	9,000	9,000
	Subtotal:	848,885	888,588	439,365	9,000	897,588
OPERATING						
539.40.00	Travel/Business Trip Expenses	585	1,500	-	-	1,500
539.41.01	Internet	324	-	180	433	433
539.44.00	Equipment Rentals	4,664	5,000	949	-	5,000
539.46.00	Equipment Maintenance	14,897	10,000	11,156	5,000	15,000
539.46.02	Motor Vehicle Maintenance	48,076	40,000	21,678	-	40,000
539.46.03	Traffic Signal (Contract)	7,898	6,500	4,001	-	6,500
539.46.04	Building & Grounds Maintenance	69,045	74,000	27,814	-	74,000
539.46.05	Contract Maintenance	139,475	142,000	101,354	-	142,000
539.46.06	Sign Maintenance	3,818	3,000	1,823	-	3,000
539.49.00	Minor Apparatus	2,732	6,400	2,217	-	6,400
539.52.00	Operating Expenses	3,774	3,500	1,423	-	3,500
539.52.02	Wearing Apparel	3,706	4,000	4,210	-	4,000
539.52.03	Motor Vehicle Fuels	89,481	125,000	37,443	-	125,000
539.52.04	Mechanic's Tools	496	-	-	-	-
539.52.05	Janitorial Supplies	17,667	19,000	7,868	-	19,000
539.53.00	Road Materials & Supplies	12,515	12,000	5,659	-	12,000
539.53.01	Sidewalks and Crosswalks	8,836	11,500	4,113	-	11,500
539.54.00	Tuition, Membership, Publications	384	500	190	-	500
	Subtotal:	428,374	463,900	232,078	5,433	469,333
CAPITAL OUTLAY						
539.64.02	Equipment	1,407	-	-	-	-
539.69.00	Improvements Other Than Buildings	-	-	-	-	-
	Subtotal:	1,407	-	-	-	-
TOTAL PUBLIC WORKS DEPARTMENT EXPENDITURES:		1,278,667	1,352,488	671,442	14,433	1,366,921

GENERAL FUND - 001 / DEPARTMENT DETAIL - 072

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PERSONNEL						
572.12.00	Salaries	181,689	206,422	94,932	-	206,422
572.12.01	Vacation & Sick Leave Sell back	6,710	36,456	3,355	-	36,456
572.13.00	Part-Time Wages	95,610	90,870	41,502	-	90,870
572.14.00	Overtime	1,456	1,920	1,302	-	1,920
572.21.00	FICA	22,624	25,679	10,700	-	25,679
572.22.00	Retirement Contributions	3,850	3,920	1,671	-	3,920
572.23.00	Health Insurance	33,655	28,422	15,164	3,878	32,300
572.23.01	Dental Insurance	-	1,332	832	39	1,371
572.23.02	Life Insurance	-	105	44	-	105
572.23.03	Eye Insurance	-	168	83	-	168
572.24.00	Workers Compensation	-	-	4,219	8,438	8,438
	Subtotal:	345,594	395,294	173,804	12,355	407,649
OPERATING						
572.34.01	Program Instructors	347,436	344,886	122,651	-	344,886
572.34.02	Program Activities	8,724	9,750	3,930	-	9,750
572.34.03	Community Activities	1,702	4,100	2,434	-	4,100
572.40.00	Travel/Business Trip Expenses	283	1,600	84	-	1,600
572.46.00	Equipment Maintenance	11,449	14,105	5,639	-	14,105
572.46.04	Building & Grounds Maintenance	1,944	2,200	981	-	2,200
572.47.00	Printing & Binding	4,591	5,250	3,081	-	5,250
572.49.00	Minor Apparatus	4,321	4,550	2,516	-	4,550
572.52.00	Operating Expenses	3,664	4,410	590	-	4,410
572.52.02	Wearing Apparel	-	200	-	-	200
572.54.00	Tuition, Membership, Publications	173	725	191	-	725
	Subtotal:	384,287	391,776	142,097	-	391,776
CAPITAL OUTLAY						
572.64.02	Recreation Equipment	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL RECREATION DEPARTMENT EXPENDITURES:		729,881	787,070	315,901	12,355	799,425

FISCAL YEAR 2015/2016 Interfund Transfers

GENERAL FUND - 001 / DEPARTMENT DETAIL - 081

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
INTERFUND TRANSFERS						
581.91.25	Transfer to Stormwater Fund	23,000	-	-	-	-
581.91.40	Transfer to CRA	754,078	871,417	867,447	(3,970)	867,447
581.91.41	Transfer to CRA - City Repayment	35,338	35,338	35,338	-	35,338
581.91.42	Transfer to CRA - Special	149,868	-	-	-	-
581.91.50	Transfer to Capital Assets Fund	-	178,870	-	-	178,870
	Subtotal:	962,284	1,085,625	902,785	(3,970)	1,081,655
	TOTAL INTERFUND TRANSFERS:	962,284	1,085,625	902,785	(3,970)	1,081,655

FISCAL YEAR 2015/2016 Additions to Fund Balance (City Reserves)

GENERAL FUND - 001 / DEPARTMENT DETAIL - 090

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
	RESERVES					
590.90.01	Addition to Reserves	273,173	245,771		44,677	290,448
	TOTAL ADDITIONS TO RESERVES:	273,173	245,771	-	44,677	290,448
	TOTAL GENERAL FUND EXPENDITURES:	9,873,575	10,689,434	5,643,437	6,455	10,695,889

COMMUNITY SERVICES FUND - 101 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
MISCELLANEOUS						
RECYCLING TRUST FUND						
120-361.10.00	Interest - Recycling Revenue	132	166	36	-	166
120-365.00.00	Sale of Recyclables	12,426	11,900	2,890	-	11,900
120-369.90.00	Other Miscellaneous Revenues	-	-	7	-	-
	Subtotal:	12,558	12,066	2,934	-	12,066
SAMSONS ISLAND TRUST FUND						
130-334.70.12	FIND Samsons Island Equipment	-	-	-	-	-
130-361.10.00	Interest - Samsons Island	4	30	1	-	30
130-366.00.00	Donations - Samsons Island	1,627	200	409	-	200
	Subtotal:	1,631	230	410	-	230
BEAUTIFICATION TRUST FUND						
131-361.10.00	Interest - Beautification Board	60	100	13	-	100
131-366.00.00	Donations - Beautification Board	100	500	-	-	500
131-366.00.02	Fundraising Projets	498	-	100	-	-
131-369.90.06	Satellite Beach Tags	617	400	496	-	400
131-369.90.07	Beautification Board Tree Sale	1,985	1,200	-	-	1,200
	Subtotal:	3,260	2,200	609	-	2,200
ADVANCED LIFE SUPPORT TRUST FUND						
641-342.90.00	Fire Department Classes	-	250	-	-	250
641-361.10.00	Interest - Advanced Life Support	70	150	36	-	150
641-366.00.00	Donations - Advanced Life Support	1,550	500	1,100	-	500
	Subtotal:	1,620	900	1,136	-	900
GENERAL DONATIONS TRUST FUND						
642-361.10.00	Interest -General Donations	19	100	8	-	100
642-361.10.99	Interest - Loss on Investments	-	5	-	-	5
642-366.00.00	Donations - General Donations	2,404	1,200	696	-	1,200
642-369.90.00	Other Misc Revenues	32	-	-	-	-
	Subtotal:	2,455	1,305	703	-	1,305

COMMUNITY SERVICES FUND - 101 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
RECREATION TRUST FUND						
643-361.10.00	Interest - Recreation Trust Fund	91	120	33	-	120
643-366.00.00	Contributions / Donations	-	-	-	-	-
643-366.00.03	Donations for Tennis Improvements	455	100	100	-	100
643-366.00.04	Donations for Skate Park	260	200	48	-	200
643-366.00.05	Donations for Soccer Fields	-	-	-	-	-
643-369.90.04	Refund of Prior Year Expenses	-	100	-	-	100
	Subtotal:	805	520	180	-	520
	Subtotal MISCELLANEOUS:	22,329	17,221	5,972	-	17,221
OTHER REVENUE SOURCES						
120-380.00.00	Fund Balance - Recycling Trust Fund	-	-	-	46,204	46,204
130-380.00.00	Fund Balance - Samsons Island	-	-	-	-	-
130-381.00.01	Transfer in from GF - Samsons Island	-	-	-	-	-
130-381.01.50	Transfer in from CAF - Samsons Island	-	-	-	-	-
131-380.00.00	Fund Balance - Beautification	-	-	-	-	-
641-380.00.00	Fund Balance - Advanced Life Support	-	-	-	-	-
642-380.00.00	Fund Balance - General Donations	2,669	-	-	1,967	1,967
643-380.00.00	Fund Balance - Recreation Trust	850	-	-	10,410	10,410
644-380.00.00	Fund Balance - Oceanfront Prop Acq.	-	-	-	-	-
	Subtotal OTHER REVENUE SOURCES:	3,519	-	-	58,581	58,581
	TOTAL COMMUNITY SERVICES FUND REVENUES:	25,848	17,221	5,972	58,581	75,802

COMMUNITY SERVICES FUND - 101 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
RECYCLING TRUST FUND						
120-537.31.01	Professional Scvs-Sustainability	-	-	2,500	2,500	2,500
120-537.34.05	Citywide Office Recycling	4,831	-	346	600	600
120-537.34.06	Invasive Tree Removal Incentive	-	-	11,130	20,000	20,000
120-537.49.06	Banking Fees - Recycling	191	170	44	-	170
120-537.82.00	Contributions - Surfside PTO	-	-	-	25,000	25,000
	Subtotal:	5,022	170	14,019	48,100	48,270
SAMSONS ISLAND TRUST FUND						
130-572.48.03	Public Relations - Samsons Island	-	-	-	-	-
130-572.49.00	Minor Apparatus - Samsons Island	-	-	-	-	-
130-572.49.06	Banking Fees - Samsons Island	15	50	-	-	50
130-572.52.00	Operational Supplies - Samsons Island	-	-	-	-	-
130-572.52.06	Vegetation - Samsons Island	-	-	-	-	-
130-572.64.02	Recreation Equipment	-	-	-	-	-
	Subtotal:	15	50	-	-	50
BEAUTIFICATION TRUST FUND						
131-572.48.02	Fundraising Expenses	2,113	-	772	-	-
131-572.49.06	Banking Fees - Beautification	71	120	8	-	120
131-572.49.12	Beautification Projects	690	-	9	-	-
	Subtotal:	2,874	120	789	-	120
ADVANCED LIFE SUPPORT TRUST FUND						
641-522.49.06	Banking Fees - Advanced Life Support	57	175	30	-	175
641-522.54.00	Tuition, Membership & Publications	65	-	5,800	-	-
641-522.55.01	CPR Training Classes	465	-	320	-	-
	Subtotal:	587	175	6,150	-	175
GENERAL DONATIONS TRUST FUND						
642-521.49.06	Banking Fees - General Donations	15	20	3	-	20
642-521.52.00	Operational Supplies - General Donations	3,812	-	2,345	2,612	2,612
642-521.52.02	Wearing Apparel - General Donations	1,297	-	320	640	640
	Subtotal:	5,124	20	2,668	3,252	3,272
RECREATION TRUST FUND						
643-572.48.02	Fundraising Expenses	110	-	365	300	300
643-572.49.00	Minor Apparatus - Recreation Trust	114	-	500	500	500
643-572.49.06	Banking Fees - Recreation Trust	1,432	130	33	-	130
	Subtotal:	1,656	130	898	800	930
	Subtotal - MISCELLANEOUS:	15,278	665	24,524	52,152	52,817

COMMUNITY SERVICES FUND - 101 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
CAPITAL OUTLAY						
130-572.64.02	Recreation Equipment	-	-	-	-	-
641-522.64.03	Fire Instruments & Implements	-	-	-	-	-
642-521.64.04	Police Vehicles	-	-	-	-	-
	Subtotal:	-	-	-	-	-
NON-OPERATING						
120-581.91.01	Transfer to General Fund - Recycling	-	-	-	10,000	10,000
641-581.91.01	Transfer to General Fund - ALS	-	-	-	-	-
641-581.91.50	Transfer to Capital Asset Fund - ALS	-	-	-	-	-
643-581.91.50	Transfer to Capital Asset Fund - Rec	-	-	-	10,000	10,000
644-581.91.01	Transfer to GF - Oceanfront Property Acq.	-	-	-	-	-
	Subtotal:	-	-	-	20,000	20,000
ADDITION TO RESERVES						
120-590.90.02	Reserves - Recycling Trust	7,535	11,896	-	(11,896)	-
130-590.90.02	Reserves - Samsons Island Trust	1,616	180	-	-	180
131-590.90.02	Reserves - Beautification Board	385	2,080	-	-	2,080
641-590.90.02	Reserves - Advanced Life Support Trust	1,033	725	-	-	725
642-590.90.02	Reserves - General Donations Trust	-	1,285	-	(1,285)	-
643-590.90.02	Reserves - Recreation Trust	-	390	-	(390)	-
644-590.90.02	Reserves - Oceanfront Property Acq. Trust	-	-	-	-	-
	Subtotal:	10,570	16,556	-	(13,571)	2,985
TOTAL COMMUNITY SERVICES FUND EXPENDITURES:		25,848	17,221	24,524	58,581	75,802

FISCAL YEAR 2015/2016 Stormwater Utility Fund

STORMWATER UTILITY FUND - 125 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
343.70.00	Stormwater Utility Fee	498,441	512,303	451,387	-	512,303
MISCELLANEOUS						
361.10.00	Interest	544	400	316	-	400
OTHER REVENUE SOURCES						
380.00.00	Fund Balance	-	-	-	-	-
381.00.01	Transfer from General Fund	23,000	-	-	-	-
381.00.50	Transfer from Capital Assets Fund	-	120,000	-	-	120,000
TOTAL STORMWATER UTILITY FUND REVENUES:		521,985	632,703	451,703	-	632,703

FISCAL YEAR 2015/2016 Stormwater Utility Fund

STORMWATER UTILITY FUND - 125 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
000-538.31.04	Professional Services - Engineering	3,742	-	-	-	-
000-538.31.13	Prof Svcs-Appraisal Fees	-	-	-	-	-
000-538.34.04	Stormwater Management Plan	11,296	-	3,538	-	-
000-538.34.06	Stormwater Assessment Roll	5,086	-	-	-	-
000-538.46.08	Storm Sewer Maintenance	23,740	115,174	7,630	-	115,174
000-538.49.06	Banking Fees	-	573	262	-	573
000.538.52.00	Operating Expenses	1,598	-	1,598	-	-
	Subtotal:	45,462	115,747	13,027	-	115,747
CAPITAL OUTLAY						
000-538.63.17	Lori Laine Water Basin Project	3,980	-	-	-	-
000-538.63.19	Thyme St Stormwater Improvements	8,549	-	-	-	-
000-538.63.20	DeSoto Field Stormwater Improvements	10,560	120,000	-	-	120,000
	Subtotal:	23,089	120,000	-	-	120,000
NON-OPERATING						
081-538.91.01	Transfer to General Fund	138,796	138,796	-	-	138,796
081-538.91.50	Transfer to Capital Assets Fund	-	-	-	-	-
	Subtotal:	138,796	138,796	-	-	138,796
DEBT SERVICE						
082-538.71.01	Lease Principal - PNC Bank DeSoto Baffle	143,859	87,292	87,291	-	87,292
082-538.71.11	Lease Principal - 09/10 Stormwater Projects	121,785	129,274	63,679	-	129,274
082-538.72.01	Lease Interest- PNC Bank DeSoto Baffle	8,242	1,435	1,434	-	1,435
082-538.72.11	Lease Interest- 09/10 Stormwater Projects	37,651	30,163	16,039	-	30,163
	Subtotal:	311,538	248,164	168,444	-	248,164
ADDITIONS TO RESERVES						
090-590.90.02	Additions to Reserves	3,101	9,996	-	-	9,996
	Subtotal:	3,101	9,996	-	-	9,996
TOTAL STORMWATER UTILITY FUND EXPENDITURES:		521,985	632,703	181,471	-	632,703

LAW ENFORCEMENT TRUST FUND - 135 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
MISCELLANEOUS						
351.20.00	Confiscated Property	4,806	-	35	-	-
361.10.00	Interest	76	110	29	-	110
	Subtotal:	4,882	110	64	-	110
OTHER REVENUE SOURCES						
380.00.00	Fund Balance	-	97	-	-	97
TOTAL LAW ENFORCEMENT TRUST FUND REVENUES:		4,882	207	64	-	207

LAW ENFORCEMENT TRUST FUND - 135 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
000-521.49.00	Minor Apparatus	-	-	-	-	-
000-521.49.06	Banking Fees	207	207	24	-	207
000-521.51.00	Donations to Others	-	-	-	-	-
	Subtotal:	207	207	24	-	207
CAPITAL OUTLAY						
000.521.64.04	Police Vehicles	-	-	-	-	-
ADDITION TO RESERVES						
090-590.90.02	Additions to Reserve	4,675	-	-	-	-
TOTAL LAW ENFORCEMENT TRUST FUND EXPENDITURES:		4,882	207	24	-	207

COMMUNITY REDEVELOPMENT TRUST FUND - 140 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
INTERGOVERNMENTAL						
000-338.00.00	TIF Payment from Brevard County	424,265	490,283	476,070	(14,213)	476,070
	Subtotal:	424,265	490,283	476,070	(14,213)	476,070
MISCELLANEOUS						
000-361.10.00	Interest	2,826	4,500	956	-	4,500
000-361.10.99	Interest - Loss on Investments	-	166	-	-	166
	Subtotal:	3,886	4,666	956	-	4,666
OTHER REVENUE SOURCES						
000-380.00.00	Fund Balance from Redevelopment Fund	-	298,116	-	(9,692)	288,424
000-271.00.04	Reserve - Beach Access Improvements	-	-	-	306,532	306,532
000-271.00.04	Reserve - A1A Engineering and Construction	-	-	-	416,216	416,216
081-381.00.01	Transfer from GF - City TIF Payment	754,078	871,417	867,447	(3,970)	867,447
081-381.00.02	Transfer from GF - City Repayment of TIF	35,338	35,338	35,338	-	35,338
081-381.00.03	Transfer from GF - Special	149,868	-	-	-	-
	Subtotal:	939,284	1,204,871	902,785	709,086	1,913,957
TOTAL COMMUNITY REDEVELOPMENT TRUST FUND REVENUES:		1,367,435	1,699,820	1,379,811	694,873	2,394,693

COMMUNITY REDEVELOPMENT TRUST FUND - 140 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING						
000-559.31.00	Legal Services	6,221	10,000	768	-	10,000
000-559.31.04	Engineering Services	1,114	-	-	-	-
000-559.31.07	Consultant Fees	3,240	1,500	-	(1,500)	-
000-559.34.07	Return to County - Brev Co. Agreement	126,974	144,341	-	-	144,341
000-559.34.08	TIF Excess Return - County	-	205,414	-	(16,150)	189,264
000-559.40.00	Travel & Training	1,290	7,000	-	-	7,000
000-559.48.01	Facade Grant Program	-	65,000	65,000	-	65,000
000-559.49.06	Banking Fees	3,554	4,500	980	-	4,500
000-559.52.00	Operating Supplies	1,412	20,000	6,855	-	20,000
000-559.54.00	Membership, & Publications	1,790	1,600	175	-	1,600
	Subtotal:	148,302	459,355	73,778	(17,650)	441,705
NON-OPERATING						
081-581.91.01	Transfer-Return to City - Brev Co. Agrmnt	167,974	245,771	-	-	245,771
081-581.91.02	Transfer-Interlocal Agreement (City/CRA)	173,195	167,974	167,974	-	167,974
081-581.91.03	Transfer-TIF Excess Return - City	37,885	308,120	-	(24,225)	283,895
	Subtotal:	379,054	721,865	167,974	(24,225)	697,640
DEBT SERVICE						
082-559.71.02	CRA Line of Credit - Principal	288,200	307,864	148,600	-	307,864
082-559.72.02	CRA Line of Credit - Interest	179,056	200,736	85,749	-	200,736
	Subtotal:	467,256	508,600	234,349	-	508,600
CAPITAL OUTLAY						
000-559.69.01	Pelican Beach Park Project	7,170	-	-	-	-
000-559.69.03	A1A Streetscape Project	3,784	-	390,910	416,216	416,216
000-559.69.06	Shell Street Project (Beach Access)	308,419	-	164,278	306,532	306,532
000-559.69.24	Landscaping Projects	-	10,000	-	(10,000)	-
000-559.69.25	Beach Access Signage Project	-	-	-	24,000	24,000
	Subtotal:	319,373	10,000	555,188	736,748	746,748
ADDITION TO RESERVES						
090-590.90.02	Additions to Reserves	-	-	-	-	-
	Subtotal:	-	-	-	-	-
TOTAL COMMUNITY REDEVELOPMENT TRUST FUND EXPENDITURES:		1,313,984	1,699,820	1,031,289	694,873	2,394,693

FISCAL YEAR 2015/2016 Capital Assets Fund

CAPITAL ASSETS FUND - 150 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	REVENUE SOURCE	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
TAXES						
000-314.10.00	Utility Tax - Electricity	446,262	587,482	278,924	-	587,482
000-314.80.00	Utility Tax - Propane	14,138	23,717	8,025	-	23,717
	Subtotal:	460,400	611,198	286,949	-	611,198
INTERGOVERNMENTAL						
000-337.20.02	Brevard Co Impact Fee Program	178,822	-	-	-	-
	Subtotal:	178,822	-	-	-	-
MISCELLANEOUS						
000-361.10.00	Interest	5,471	939	1,176	-	939
000-366.00.05	Donation - Soccer Field Lighting	-	50,000	50,000	-	50,000
000-369-09.00	Safety Program Insurance Grant	3,825	-	-	-	-
	Subtotal:	9,296	50,939	51,176	-	50,939
OTHER REVENUE SOURCES						
000-380.00.00	Fund Balance	-	41,290	-	142,770	184,060
000-380.00.00	Fund Balance-2015 Capital Projects	-	1,678,000	-	-	1,678,000
000-383.00.00	Capital Lease Proceeds	-	-	-	-	-
000-384.00.00	Debt Proceeds	2,500,000	-	-	-	-
000-388.10.00	Sale of General Capital Assets	-	-	-	-	-
081-381.90.01	Transfer from General Fund	-	178,870	-	-	178,870
081-381.90.11	Transfer from Community Svcs Fund	-	-	-	10,000	10,000
081-381.91.25	Transfer from Stormwater Utility Fund	-	-	-	-	-
081-381.91.40	Transfer from Redevelopment Fund	-	-	-	-	-
	Subtotal:	2,500,000	1,898,160	-	152,770	2,050,930
TOTAL CAPITAL ASSETS FUND REVENUES:		3,148,518	2,560,297	338,124	152,770	2,713,067

CAPITAL ASSETS FUND - 150 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
GENERAL GOVERNMENT						
000-519.46.00	Equipment Maintenance	33,367	50,100	44,646	-	50,100
000-519.46.04	Building & Ground Maintenance	-	-	17,480	-	-
000-519.49.06	Banking Fees	8,438	881	1,638	-	881
	Subtotal General Government:	41,805	50,981	63,764	-	50,981
IMPROVEMENTS						
000-539.63.16	Roosevelt Reconstruction	-	900,000	188,456	-	900,000
000-539.63.18	Annual Street Repaving Projects	95,293	658,000	350,143	-	658,000
000-539.69.17	Soccer Field Lighting Project	-	130,000	167,379	38,000	168,000
000-539.69.19	Air Conditioner Replacements	6,567	30,000	8,200	-	30,000
000-572.69.20	DRS Center Dance Floor Replacement	-	-	-	90,720	90,720
000-572.69.21	Tennis Court Resurfacing	33,248	-	-	-	-
000-572.69.22	Playground Replacements	-	30,000	37,381	8,000	38,000
000-572.69.23	Skate Park Renovations	-	200,000	2,207	-	200,000
000-572.69.24	Tennis Court Relighting	-	24,000	-	-	24,000
000-572.69.25	Roof Replacements (all buildings)	-	20,000	8,200	-	20,000
000-572.69.26	Floor Replacements (all facilities)	-	10,000	13,014	3,050	13,050
000-572.69.27	Dune Crossovers and Dock Repairs	-	4,000	-	-	4,000
000-572.69.28	Ballfield Fencing	-	10,000	-	-	10,000
	Subtotal:	135,108	2,016,000	774,980	139,770	2,155,770
SUPPORT SERVICES DEPARTMENT						
013-513.64.01	Administrative Computers & Software	8,025	10,000	8,200	13,000	23,000
013-513.64.02	Citywide Administrative Equipment	-	-	-	-	-
013-513.64.04	Administrative Vehicles	-	30,000	-	-	30,000
	Subtotal:	8,025	40,000	8,200	13,000	53,000
POLICE DEPARTMENT						
021-521.64.01	Police Computers & Software	-	-	-	-	-
021-521.64.02	Police Equipment	-	10,000	-	-	10,000
021-521.64.04	Police Vehicles	70,985	93,000	59,283	-	93,000
	Subtotal:	70,985	103,000	59,283	-	103,000
FIRE DEPARTMENT						
022-522.64.01	Fire Computers & Software	-	-	-	-	-
022-522.64.02	Fire Equipment	-	41,000	-	-	41,000
022-522.64.04	Fire Vehicles	-	-	-	-	-
	Subtotal:	-	41,000	-	-	41,000

FISCAL YEAR 2015/2016 Capital Assets Fund

CAPITAL ASSETS FUND - 150 / DEPARTMENT DETAIL - AS SHOWN

ACCT. NO.	EXPENDITURE CLASSIFICATION	ACTUAL FY 14/15	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
PUBLIC WORKS DEPARTMENT						
039-539.64.02	Public Works Equipment	23,156	25,000	11,099	-	25,000
039-539.64.04	Public Works Vehicles	-	-	-	-	-
	Subtotal:	23,156	25,000	11,099	-	25,000
RECREATION DEPARTMENT						
072-572.64.01	Recreation Computers & Software	-	-	-	-	-
072-572.64.04	Recreation Equipment	-	-	-	-	-
	Subtotal:	-	-	-	-	-
	Subtotal Departmental Capital Assets:	237,274	2,225,000	853,562	152,770	2,377,770
DEBT SERVICE						
082-517.71.20	Lease Principal - PD '13 Dodge Charger	7,327	7,627	7,626	-	7,627
082-517.71.21	Lease Principal - Pinnacle Police RMS	56,810	58,595	43,786	-	58,595
082-517.71.22	Lease Principal - 2014 Ferrara Fire Truck	38,144	33,533	33,533	-	33,533
082-517.72.20	Lease Interest - PD '13 Dodge Charger	936	637	637	-	637
082-517.72.21	Lease Interest - Pinnacle Police RMS	11,204	9,420	7,225	-	9,420
082-517.72.22	Lease Interest - 2014 Ferrara Fire Truck	4,517	9,129	9,128	-	9,129
082-517.72.23	Interest \$2.5 mil Utility Tax Note	-	45,375	45,375	-	45,375
082-517.73.23	Cost of Bond Issuance-\$2.5m	31,900	-	-	-	-
	Subtotal:	150,838	164,316	147,310	-	164,316
	Total Operating Expenditures:	429,918	2,440,297	1,064,635	152,770	2,593,067
NON-OPERATING						
081-581.91.01	Transfer to General Fund	-	-	-	-	-
081-581.91.11	Transfer to Comm Svc Spec Rev Fund	-	-	-	-	-
081-581.91.25	Transfer to Stormwater Fund	-	120,000	-	-	120,000
	Subtotal:	-	120,000	-	-	120,000
RESERVES						
090-590.90.02	Additions to Reserves	2,718,601	-	-	-	-
090-590.90.02	Add. to Reserves-2015 Capital Projects	-	-	-	-	-
	Subtotal:	2,718,601	-	-	-	-
	Total Non-Operating & Reserves:	2,718,601	120,000	-	-	120,000
TOTAL CAPITAL ASSETS FUND EXPENDITURES:		3,148,518	2,560,297	1,064,635	152,770	2,713,067

FISCAL YEAR 2015/2016 HEALTH INSURANCE FUND

HEALTH INSURANCE FUND - 501 / DEPARTMENT DETAIL - 000

ACCT. NO.	REVENUE SOURCE	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
CHARGES FOR SERVICES					
389.70.10	Health Ins Premiums - City Cost	808,585	379,408	-	808,585
389.70.11	Health Ins Premiums - Employee Cost	173,733	67,500	-	173,733
389.70.20	Health Ins Premiums - Retiree City Cost	6,292	35,007	63,722	70,014
389.70.21	Health Ins Premiums - Retiree Cost	532	2,567	4,602	5,134
389.70.50	Health Insurance - Supplemental Funding	217,915	-	(68,324)	149,591
HEALTH INSURANCE FUND REVENUES:		<u>1,207,057</u>	<u>484,482</u>	<u>-</u>	<u>1,207,057</u>

FISCAL YEAR 2015/2016 HEALTH INSURANCE FUND

HEALTH INSURANCE FUND - 501 / DEPARTMENT DETAIL - 000

ACCT. NO.	EXPENDITURE CLASSIFICATION	APPROVED BUDGET FY 15/16	YTD As of 3/31/2016	Proposed BA Inc<Reduc> FY 15/16	AMENDED BUDGET FY 15/16
OPERATING EXPENDITURES					
519.31.01	Professional Services	42,678	145,696	295,410	338,088
519.45.01	Insurance	295,410	247,008	447,824	743,234
		<u>338,088</u>	<u>392,704</u>	<u>743,234</u>	<u>1,081,322</u>
FUND BALANCE ALLOCATION					
090-590.99.00	Working Capital	743,234	-	(743,234)	-
090-590.90.02	Additions to Reserves	125,735	-	-	125,735
		<u>868,969</u>	<u>-</u>	<u>(743,234)</u>	<u>125,735</u>
HEALTH INSURANCE FUND EXPENDITURES:		<u>1,207,057</u>	<u>392,704</u>	<u>-</u>	<u>1,207,057</u>



CITY COUNCIL AGENDA ITEM

#9

DISCUSS/TAKE ACTION ON AN AWARD OF SOLID WASTE SERVICES (RFP NO. 15/16-03)

To: City Manager Courtney Barker
From: Assistant City Manager Suzanne Sherman
Meeting Date: 4/20/2016
Department: Support Services

Recommended Action: Approve award of RFP No. 15/16-03 for Solid Waste Services to Waste Management and authorize City Manager to begin contract negotiations.

Summary: On January 6, 2016, City Council authorized staff to move forward with a Request for Proposals (RFP) process to select a qualified contractor to provide residential and commercial solid waste, yard waste, recycling collection, transportation, and disposal services for the City under a continuing contract, with rates for both seven and ten year contracts. RFP No. 15/16-03 for Solid Waste Services was issued on January 8, 2016.

Five vendors attended the Mandatory Pre-Proposal meeting held on March 3, 2016. Responses were due on April 5, 2016, and the City received proposals from two vendors, Waste Management, Inc., of Florida and Waste Pro of Florida, Inc. The other three vendors (Advanced Disposal Services, Republic Services of Florida, and WCA of Florida, LLC) submitted letters declining to submit proposals. A five-member evaluation committee reviewed proposals, specifically City Manager Courtney Barker, Assistant City Manager Suzanne Sherman, Public Works Director Allen Potter, and two citizen evaluators, Michael Chase and David Schechter. The evaluation committee was assisted by City Consultant RCG Consulting, Inc., a firm with extensive experience assisting municipalities with solid waste RFP and contract negotiations. City Council approved engaging this firm at their November 4, 2015 meeting, and the selected contractor will be reimbursing the City for the cost of these consulting services.

The evaluation committee met on April 12, 2016 to review and discuss proposals based on pricing, operations plans, equipment, responsiveness to RFP requirements, and financial capability/reference quality. Vendor interviews were held on April 14, 2016, followed by the final evaluation committee meeting on April 15, 2016. Both vendors presented four service level options. The evaluation committee agreed to prioritize evaluation of scenarios that would provide the same or better service levels to residents and businesses, and to avoid cost increases to customers. The Waste Pro Level 1

Collection plan and the Waste Management Alternate plan both provided consistent service levels and days of service. Both plans provided for increasing the number of CNG trucks servicing the City, and both vendors agreed not to charge for additional (third) residential carts. The rate structure proposed in the Waste Pro plan reflected an increase to residential customers, but did include a reduction in commercial rates. The Waste Management plan proposed maintaining all existing residential and commercial rates at current levels, and this plan was recommended by the evaluation committee.

The tabulation of evaluation committee scores resulted in the following total score averages:

Ranking	Vendor	Score
1	Waste Management, Inc. of Florida	91.00
2	Waste Pro of Florida, Inc.	86.20

Staff is recommending award of RFP No. 15/16-03 for solid waste services to Waste Management, Inc. of Florida. Staff is also requesting authorization from City Council to negotiate a ten-year contract, and to negotiate further with this vendor to reduce commercial rates, to insure prompt handling of residential yard waste, and to use an annual price index that will be favorable to residents and businesses.

In accordance with the process outlined in the RFP documents, any prospective contractor(s) who, between the dates the RFP is issued and the contract is awarded, communicate(s) with a City elected official or staff member not listed in the RFP about any matter related to this RFP, shall be automatically disqualified.

Budget Impacts: This will be further defined following contract negotiations and will be included when the contract for solid waste services is presented to Council at a future meeting. It is expected that the City will experience an increase in franchise fee revenue.

Attachments:

- RFP No. 15/16-03 Solid Waste Services Tabulation Sheets

RFP No. 15/16-03 **Solid Waste Services**

Date: 4/15/2016

Company: **Waste Management**
ALTERNATE PROPOSAL



	Maximum Points	Barker	Sherman	Potter	Chase	Schechter
Pricing	35	32	30	28	35	32
Operations Plan , including Service Transition Plan and Emergency Operations & Procedures Plan, Recycling Collection & Marketing Plan, and approach on Customer Communication and Education; also includes Street-Sweeping Plan	25	24	22	23	25	23
Equipment by type, age, and amount to provide required services	20	20	19	16	19	18
Responsiveness to RFP Requirements/Thoroughness of Proposal: Includes addenda receipt acknowledgement; proof of valid insurance certificate(s); contractor's signed affidavit relating to Public Entity Crime; completed and signed Non-Collusion Statement; completed and signed Drug-Free Workplace Form.	10	10	5	9	9	10
Financial Capability and Reference Quality: Includes proposal bond or certified or cashier's check; list of at least six Florida municipal client references; list of any municipal contract(s) resulting in contractor penalties of at least \$10,000 in any given reporting period; last two years' financial statements (to be verified by City's Financial Advisor)	10	10	8	9	10	9
TOTAL SCORE:	100	96	84	85	98	92

Average Score: 91

RFP No. 15/16-03 **Solid Waste Services**



Date: 4/15/2016

Company: **Waste Pro**
BASE PROPOSAL

	Maximum Points	Barker	Sherman	Potter	Chase	Schechter
Pricing	35	33	32	30	30	27
Operations Plan , including Service Transition Plan and Emergency Operations & Procedures Plan, Recycling Collection & Marketing Plan, and approach on Customer Communication and Education; also includes Street-Sweeping Plan	25	25	20	22	17	21
Equipment by type, age, and amount to provide required services	20	17	15	17	16	18
Responsiveness to RFP Requirements/Thoroughness of Proposal: Includes addenda receipt acknowledgement; proof of valid insurance certificate(s); contractor's signed affidavit relating to Public Entity Crime; completed and signed Non-Collusion Statement; completed and signed Drug-Free Workplace Form.	10	10	5	8	10	10
Financial Capability and Reference Quality: Includes proposal bond or certified or cashier's check; list of at least six Florida municipal client references; list of any municipal contract(s) resulting in contractor penalties of at least \$10,000 in any given reporting period; last two years' financial statements (to be verified by City's Financial Advisor)	10	10	9	10	10	9
TOTAL SCORE:	100	95	81	87	83	85

Average Score: 86.2

RFP No. 15/16-03

Solid Waste Services

Date:

4/15/2016



	<u>Total Point Average</u>
Waste Management	91
Waste Pro	86.2



CITY COUNCIL AGENDA ITEM

#10

DISCUSS/TAKE ACTION ON UPDATING THE GENERAL EMPLOYEE 401(A) MONEY PURCHASE PLAN TO COMPLY WITH INTERNAL REVENUE SERVICE REQUIREMENTS

To: City Manager Courtney Barker
From: Assistant City Manager Suzanne Sherman
Meeting Date: 4/20/2016
Department: Support Services

Recommended Action: Authorize the City Manager to sign the 401(a) Governmental Money Purchase Plan Adoption Agreement.

Summary: Periodically, the IRS requires that plan documents be updated to reflect recent law changes. This is commonly referred to as a restatement cycle, and Nationwide Retirement Plans has provided updated plan documents for our 401(a) Florida Money Purchase Plan, which affects general employees only. These changes have been reviewed by staff and discussed with the City's benefits consultant, Gehring Group, Inc. Four changes were made to the plan documents, and they include the following:

1. Adoption Agreement, Section 16.b (3)(a), (d), and (i) (page 5): This change requires the plan documents to clarify how hours of service for non-hourly (exempt or salaried) employees will be calculated. The selections in this section is consistent with how hours of service are currently determined for these employees.
2. Adoption Agreement, Section 33.d (page 13): This modification allows for distributions from the plan in the form of partial withdrawals required by minimum distribution regulations, in addition to lump-sum withdrawals. Both forms of withdrawal are already in practice; the plan document is being updated to reflect current practice.
3. Adoption Agreement, Section 36.A (a) (page 14): This change is consistent with item 3, above. The plan document is updated to allow for in-service distributions for employees reaching the age of 70 1/2 in accordance with IRS minimum distribution regulations. Again, this is already in practice.

4. Adoption Agreement – Administrative Procedures, Section C, Plan Expenses (page 1): Individual plan participants can be charged for services directly related to that participants' use of a particular plan feature. An example of this would be a loan fee charged when the participant takes out a loan against their plan balance. Participants are already subject to these fees; the plan document is being updated to reflect current practice.

Budget Impacts: None.

Attachments:

- 401(a) Governmental Money Purchase Plan Adoption Agreement

ADOPTION AGREEMENT FOR
NATIONWIDE FINANCIAL SERVICES, INC.
GOVERNMENTAL VOLUME SUBMITTER MONEY PURCHASE PLAN

CAUTION: Failure to properly fill out this Adoption Agreement may result in disqualification of the Plan.

EMPLOYER INFORMATION

(An amendment to the Adoption Agreement is not needed solely to reflect a change in this Employer Information Section.)

1. EMPLOYER'S NAME, ADDRESS, TELEPHONE NUMBER, TIN AND FISCAL YEAR

Name: City of Satellite Beach
Address: 565 Cassia Blvd Street
Satellite Beach City Florida State 32937-3197 Zip
Telephone: 321-773-4407
Taxpayer Identification Number (TIN): 59-0949593
Employer's Fiscal Year ends: September 30th

2. TYPE OF GOVERNMENTAL ENTITY. This Plan may only be adopted a state or local governmental entity, or agency thereof, including an Indian tribal government and may not be adopted by any other entity, including a federal government and any agency or instrumentality thereof.

- a. [] State government or state agency
b. [] County or county agency
c. [X] Municipality or municipal agency
d. [] Indian tribal government (see Note below)
e. [] Other:

NOTE: An Indian tribal government may only adopt this Plan if such entity is defined under Code §7701(a)(40), is a subdivision of an Indian tribal government as determined in accordance with Code §7871(d), or is an agency or instrumentality of either, and all of the Participants under this Plan employed by such entity substantially perform services as an Employee in essential governmental functions and not in the performance of commercial activities (whether or not an essential government function).

3. PARTICIPATING EMPLOYERS (Plan Section 1.38). Will any other Employers adopt this Plan as Participating Employers?

- a. [X] No
b. [] Yes

PLAN INFORMATION

(An amendment to the Adoption Agreement is not needed solely to reflect a change in the information in Questions 9. through 10.)

4. PLAN NAME:

City of Satellite Beach, Florida Money Purchase Plan

5. PLAN STATUS

- a. [] New Plan
b. [X] Amendment and restatement of existing Plan
PPA RESTATEMENT (leave blank if not applicable)
1. [X] This is an amendment and restatement to bring a plan into compliance with the Pension Protection Act of 2006 ("PPA") and other legislative and regulatory changes (i.e., the 6-year pre-approved plan restatement).

6. EFFECTIVE DATE (Plan Section 1.16) (complete a. if new plan; complete a. AND b. if an amendment and restatement)

Initial Effective Date of Plan

a. October 1, 1996 (enter month day, year) (hereinafter called the "Effective Date" unless 6.b. is entered below)

Restatement Effective Date. If this is an amendment and restatement, the effective date of the restatement (hereinafter called the "Effective Date") is:

b. January 1, 2016 (enter month day, year; may enter a restatement date that is the first day of the current Plan Year. Plan contains appropriate retroactive effective dates with respect to provisions for appropriate laws.)

Governmental Money Purchase Plan

7. PLAN YEAR (Plan Section 1.42) means, except as otherwise provided in d. below:

- a. the calendar year
- b. the twelve-month period ending on _____ (e.g., June 30th)

SHORT PLAN YEAR (Plan Section 1.46). This is a Short Plan Year (if the effective date of participation is based on a Plan Year, then coordinate with Question 14):

- c. N/A
- d. beginning on _____ (enter month day, year; e.g., July 1, 2013) and ending on _____ (enter month day, year).

8. VALUATION DATE (Plan Section 1.52) means:

- a. every day that the Trustee (or Insurer), any transfer agent appointed by the Trustee (or Insurer) or the Employer, and any stock exchange used by such agent are open for business (daily valuation)
- b. the last day of each Plan Year
- c. the last day of each Plan Year quarter
- d. other (specify day or days): _____ (must be at least once each Plan Year)

NOTE: The Plan always permits interim valuations.

9. TRUSTEE(S) OR INSURER(S) (Plan Sections 1.25 and 1.50):

a. **Insurer.** This Plan is funded exclusively with Contracts and the name of the Insurer(s) is:

(1) _____ (2) _____ (if more than 2, add names to signature page).

b. **Individual Trustee(s).** Individual Trustee(s) who serve as Trustee(s) over assets not subject to control by a corporate Trustee. (add additional Trustees as necessary)

Name(s)	Title(s)
City Manager _____	Trustee _____
_____	_____
_____	_____

Address and telephone number

- 1. Use Employer address and telephone number
- 2. Use address and telephone number below:

Address: _____
Street
_____ City _____ State _____ Zip
Telephone: _____

c. **Corporate Trustee(s)** (add additional Trustees as necessary)

Name: _____
Address: _____
Street
_____ City _____ State _____ Zip
Telephone: _____

Directed/Discretionary Trustee. Unless otherwise specified below, if there is a corporate Trustee, it will serve as a Directed (nondiscretionary) Trustee (Plan Section 1.21) and if there is an individual Trustee, he or she will serve as a Discretionary Trustee (Plan Section 1.22) over all Plan assets (select all that apply; leave blank if defaults apply)

d. Directed Trustee exceptions (leave blank if no exceptions):

Directed Trustee over specified Plan assets (select all that apply; leave blank if none apply)

1. The corporate Trustee will serve as Directed Trustee over the following assets: _____

Governmental Money Purchase Plan

- 4. Part-time/temporary/seasonal Employees. A part-time, temporary or seasonal Employee is an Employee whose regularly scheduled service is less than _____ Hours of Service in the relevant eligibility computation period (as defined in Plan Section 1.54). However, if any such excluded Employee actually completes a Year of Service, then such Employee will no longer be part of this excluded class.
- 5. Other: Employees hired prior to October 1, 1996 and part-time employees. (must be definitely determinable under Regulations §1.401-1(b). Exclusions may be employment title specific but may not be by individual name nor result in only a finite group of individuals (e.g., excluding anyone hired after 12/31/12.)

13. **CONDITIONS OF ELIGIBILITY (Plan Section 3.1)**

- a. **No age or service required.** No age or service required for all Contribution Types (skip to Question 14).
- b. **Eligibility.** An Eligible Employee will be eligible to participate in the Plan upon satisfaction of the following (complete c. and d., select e. and f. if applicable):

Eligibility Requirements

c. **Age Requirement**

- 1. No age requirement
- 2. Age 20 1/2
- 3. Age 21
- 4. Age _____ (may not exceed 26)

d. **Service Requirement**

- 1. No service requirement
- 2. _____ (not to exceed 60) months of service (elapsed time)
- 3. 1 Year of Service
- 4. _____ (not to exceed 5) Years of Service
- 5. _____ consecutive month period from the Eligible Employee's employment commencement date and during which at least _____ Hours of Service are completed.
- 6. _____ consecutive months of employment from the Eligible Employee's employment commencement date.
- 7. Other: _____ (e.g., date on which 1,000 Hours of Service is completed within the computation period) (must satisfy the Notes below)

NOTE: If c.4. or d.7. is selected, the condition must be an age or service requirement that is definitely determinable and may not exceed age 26 and may not exceed 5 Years of Service.

NOTE: Year of Service means Period of Service if elapsed time method is chosen.

Waiver of conditions. The service and/or age requirements specified above will be waived in accordance with the following (leave blank if there are no waivers of conditions):

- e. If employed on _____ the following requirements, and the entry date requirement, will be waived. The waiver applies to any Eligible Employee unless 3. selected below. Such Employees will enter the Plan as of such date (select 1. and/or 2. AND 3. if applicable):
 - 1. service requirement (may let part-time Eligible Employees into the Plan)
 - 2. age requirement
 - 3. waiver is for: _____

Amendment or restatement to change eligibility requirements

- f. This amendment or restatement (or a prior amendment and restatement) modified the eligibility requirements and the prior eligibility conditions continue to apply to the Eligible Employees specified below. If this option is NOT selected, then all Eligible Employees must satisfy the eligibility conditions set forth above.
 - 1. The eligibility conditions above only apply to Eligible Employees who were not Participants as of the effective date of the modification.
 - 2. The eligibility conditions above only apply to individuals who were hired on or after the effective date of the modification.

14. **EFFECTIVE DATE OF PARTICIPATION (ENTRY DATE) (Plan Section 3.2)**

An Eligible Employee who has satisfied the eligibility requirements will become a Participant in the Plan as of the:

- a. date such requirements are met
- b. first day of the month coinciding with or next following the date on which such requirements are met
- c. first day of the Plan Year quarter coinciding with or next following the date on which such requirements are met
- d. earlier of the first day of the Plan Year or the first day of the seventh month of the Plan Year coinciding with or next following the date on which such requirements are met
- e. first day of the Plan Year coinciding with or next following the date on which such requirements are met (Eligibility must be six months of service (or 1 1/2 Years (or Periods) of Service if 100% immediate vesting is selected) or less and age must be 20 1/2 or less.)
- f. first day of the Plan Year in which such requirements are met
- g. first day of the Plan Year in which such requirements are met, if such requirements are met in the first 6 months of the Plan Year, or as of the first day of the next succeeding Plan Year if such requirements are met in the last 6 months of the Plan Year.
- h. other: _____ (must be definitely determinable)

SERVICE

- 15. RECOGNITION OF SERVICE WITH OTHER EMPLOYERS (Plan Sections 1.39 and 1.54)
 - a. No service with other employers is recognized except as otherwise required by law (e.g., the Plan already provides for the recognition of service with Employers who have adopted this Plan as well as service with Affiliated Employers and predecessor Employers who maintained this Plan; skip to Question 16).
 - b. Prior service with the designated employers is recognized as follows (answer c. and select one or more of c.1. - 3.; select d. - f. as applicable) (if more than 3 employers, attach an addendum to the Adoption Agreement or complete option h. under Section B of Appendix A):

Other Employer	Eligibility	Vesting	Contribution Allocation
c. <input type="checkbox"/> Employer name: _____	1. <input type="checkbox"/>	2. <input type="checkbox"/>	3. <input type="checkbox"/>
d. <input type="checkbox"/> Employer name: _____	1. <input type="checkbox"/>	2. <input type="checkbox"/>	3. <input type="checkbox"/>
e. <input type="checkbox"/> Employer name: _____	1. <input type="checkbox"/>	2. <input type="checkbox"/>	3. <input type="checkbox"/>

- Limitations**
- f. The following provisions or limitations apply with respect to the recognition of prior service: _____ (e.g., credit service with X only on/following 1/1/13)

NOTE: If the other Employer(s) maintained this qualified Plan, then Years (and/or Periods) of Service with such Employer(s) must be recognized pursuant to Plan Sections 1.39 and 1.54 regardless of any selections above.

16. SERVICE CREDITING METHOD (Plan Sections 1.39 and 1.54)

NOTE: If no selections are made in this Section, then the provisions set forth in the definition of Year of Service in Plan Section 1.54 will apply, including the following defaults:

1. A Year of Service means completion of at least 1,000 Hours of Service during the applicable computation period.
2. Hours of Service (Plan Section 1.24) will be based on actual Hours of Service.
3. For eligibility purposes, the computation period will be as defined in Plan Section 1.54 (i.e., shift to the Plan Year if the eligibility condition is one (1) Year of Service or less).
4. For vesting and allocation purposes, the computation period will be the Plan Year.

- a. **Elapsed time method.** (Period of Service applies instead of Year of Service) Instead of Hours of Service, elapsed time will be used for:
 1. all purposes (skip to Question 17)
 2. the following purposes (select one or more):
 - a. eligibility to participate
 - b. vesting
 - c. sharing in allocations or contributions

- b. **Alternative definitions for the Hours of Service method.** Instead of the defaults, the following alternatives will apply for the Hours of Service method (select one or more):
 1. **Eligibility computation period.** Instead of shifting to the Plan Year, the eligibility computation period after the initial eligibility computation period will be based on each anniversary of the date the Employee first completes an Hour of Service
 2. **Vesting computation period.** Instead of the Plan Year, the vesting computation period will be the date an Employee first performs an Hour of Service and each anniversary thereof.
 3. **Equivalency method.** Instead of using actual Hours of Service, an equivalency method will be used to determine Hours of Service for:
 - a. all purposes
 - b. the following purposes (select one or more):
 1. eligibility to participate
 2. vesting
 3. sharing in allocations or contributions

Such method will apply to:

- c. all Employees
- d. Employees for whom records of actual Hours of Service are not maintained or available (e.g., salaried Employees)
- e. other: _____ (e.g., per-diem Employees only)

Governmental Money Purchase Plan

Hours of Service will be determined on the basis of:

- f. days worked (10 hours per day)
- g. weeks worked (45 hours per week)
- h. semi-monthly payroll periods worked (95 hours per semi-monthly pay period)
- i. months worked (190 hours per month)
- j. bi-weekly payroll periods worked (90 hours per bi-weekly pay period)
- k. other: _____ (e.g., option f. is used for per-diem Employees and option g. is used for on-call Employees).

- 4. **Number of Hours of Service required.** Instead of 1,000 Hours of Service, Year of Service means the applicable computation period during which an Employee has completed at least _____ (not to exceed 1,000) Hours of Service for:
 - a. all purposes
 - b. the following purposes (select one or more):
 - 1. eligibility to participate
 - 2. vesting
 - 3. sharing in allocations or contributions

VESTING

- 17. VESTING OF PARTICIPANT'S INTEREST – EMPLOYER CONTRIBUTIONS (Plan Section 6.4(b))
 - a. N/A (no Employer contributions; skip to Question 19)
 - b. The vesting provisions selected below apply. Section B of Appendix A can be used to specify any exceptions to the provisions below.

NOTE: The Plan provides that contributions for converted sick leave and/or vacation leave are fully Vested.

Vesting for Employer contributions other than matching contributions

- c. N/A (no Employer contributions (other than matching contributions); skip to f.)
- d. 100% vesting. Participants are 100% Vested in Employer contributions (other than matching contributions) upon entering Plan.
- e. The following vesting schedule, based on a Participant's Years of Service (or Periods of Service if the elapsed time method is selected), applies to Employer contributions (other than matching contributions):
 - 1. 6 Year Graded: 0-1 year-0%; 2 years-20%; 3 years-40%; 4 years-60%; 5 years-80%; 6 years-100%
 - 2. 4 Year Graded: 1 year-25%; 2 years-50%; 3 years-75%; 4 years-100%
 - 3. 5 Year Graded: 1 year-20%; 2 years-40%; 3 years-60%; 4 years-80%; 5 years-100%
 - 4. Cliff: 100% vesting after 5 (not to exceed 15) years
 - 5. Other graded vesting schedule (must provide for full vesting no later than 15 years of service; add additional lines as necessary)

Years (or Periods) of Service	Percentage
_____	_____%
_____	_____%
_____	_____%
_____	_____%
_____	_____%
_____	_____%

Vesting for Employer matching contributions

- f. N/A (no Employer matching contributions)
- g. The schedule above will also apply to Employer matching contributions.
- h. 100% vesting. Participants are 100% Vested in Employer matching contributions upon entering Plan.
- i. The following vesting schedule, based on a Participant's Years of Service (or Periods of Service if the elapsed time method is selected), applies to Employer matching contributions:
 - 1. 6 Year Graded: 0-1 year-0%; 2 years-20%; 3 years-40%; 4 years-60%; 5 years-80%; 6 years-100%
 - 2. 4 Year Graded: 1 year-25%; 2 years-50%; 3 years-75%; 4 years-100%
 - 3. 5 Year Graded: 1 year-20%; 2 years-40%; 3 years-60%; 4 years-80%; 5 years-100%
 - 4. Cliff: 100% vesting after _____ (not to exceed 15) years
 - 5. Other graded vesting schedule (must provide for full vesting no later than 15 years of service; add additional lines as necessary)

Governmental Money Purchase Plan

Years (or Periods) of Service	Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

18. VESTING OPTIONS

Excluded vesting service. The following Years of Service will be disregarded for vesting purposes (select all that apply; leave blank if none apply):

- a. Service prior to the initial Effective Date of the Plan or a predecessor plan (as defined in Regulations §1.411(a)-5(b)(3))
- b. Service prior to the computation period in which an Employee has attained age _____.
- c. Service during a period for which an Employee did not make mandatory Employee contributions.

Vesting for death, Total And Permanent Disability and Early Retirement Date. Regardless of the vesting schedule, a Participant will become fully Vested upon (select all that apply; leave blank if none apply):

- d. Death
- e. Total and Permanent Disability
- f. Early Retirement Date

RETIREMENT AGES

19. NORMAL RETIREMENT AGE ("NRA") (Plan Section 1.32) means:

- a. **Specific age.** The date a Participant attains age _____ (may not exceed 65)
- b. **Age/participation.** The later of the date a Participant attains age 62 (may not exceed 65) or the 5th (may not exceed 10th) anniversary of the first day of the Plan Year in which participation in the Plan commenced

NOTE: Effective for Plan Years beginning on or after the later of (1) January 1, 2015, or (2) the close of the first regular legislative session of the legislative body with the authority to amend the plan that begins on or after the date that is three months after the final regulations are published in the Federal Register, Normal Retirement Age of less than age 62 must meet Regulation §1.401(a)-1(b)(2).

Qualified police or firefighters. Normal Retirement Age for qualified public safety employees (as defined in Code §72(t)(1)) (leave blank if not applicable)

- c. Age _____ (may not be less than 50)

20. NORMAL RETIREMENT DATE (Plan Section 1.33) means, with respect to any Participant, the:

- a. date on which the Participant attains "NRA"
- b. first day of the month coinciding with or next following the Participant's "NRA"
- c. first day of the month nearest the Participant's "NRA"
- d. Anniversary Date coinciding with or next following the Participant's "NRA"
- e. Anniversary Date nearest the Participant's "NRA"
- f. Other: _____ (e.g., first day of the month following the Participant's "NRA").

21. EARLY RETIREMENT DATE (Plan Section 1.15)

- a. N/A (no early retirement provision provided)
- b. Early Retirement Date means the:
 - 1. date on which a Participant satisfies the early retirement requirements
 - 2. first day of the month coinciding with or next following the date on which a Participant satisfies the early retirement requirements
 - 3. Anniversary Date coinciding with or next following the date on which a Participant satisfies the early retirement requirements

Early retirement requirements

- 4. Participant attains age _____
AND, completes... (leave blank if not applicable)
 - a. at least _____ Years (or Periods) of Service for vesting purposes
 - b. at least _____ Years (or Periods) of Service for eligibility purposes
- c. Early Retirement Date means: _____ (must be definitely determinable)

COMPENSATION

22. COMPENSATION with respect to any Participant is defined as follows (Plan Sections 1.10 and 1.23).

Base definition

- a. Wages, tips and other compensation on Form W-2
- b. Code §3401(a) wages (wages for withholding purposes)
- c. 415 safe harbor compensation

NOTE: Plan Section 1.23(c) provides that the base definition of Compensation includes deferrals that are not included in income due to Code §§401(k), 125, 132(f)(4), 403(b), 402(h)(1)(B)(SEP), 414(h)(2), & 457(b).

Determination period. Compensation will be based on the following "determination period" (this will also be the Limitation Year unless otherwise elected at option f. under Section B of Appendix A):

- d. the Plan Year
- e. the Fiscal Year coinciding with or ending within the Plan Year
- f. the calendar year coinciding with or ending within the Plan Year

Adjustments to Compensation (for Plan Section 1.10). Compensation will be adjusted by:

- g. **No adjustments** (skip to i. below)
- h. **Adjustments.** Compensation will be adjusted by (select all that apply):
 - 1. excluding salary reductions (401(k), 125, 132(f)(4), 403(b), SEP, 414(h)(2) pickup, & 457(b))
 - 2. excluding reimbursements or other expense allowances, fringe benefits (cash or non-cash), moving expenses, deferred compensation (other than deferrals specified in 1. above) and welfare benefits.
 - 3. excluding Compensation paid during the "determination period" while not a Participant in the Plan.
 - 4. excluding Military Differential Pay
 - 5. excluding overtime
 - 6. excluding bonuses
 - 7. other: _____ (e.g., describe Compensation from the elections available above or a combination thereof as to a Participant group (e.g., no exclusions as to Division A Employees and exclude bonuses as to Division B Employees); and/or describe another exclusion (e.g., exclude shift differential pay)).

Military Differential Pay Special Effective Date (leave blank if not applicable)

- i. If this is a PPA restatement and the provisions above regarding Military Differential Pay (included unless h.4. is selected) have a later effective date than Plan Years beginning after December 31, 2008, then enter the date such provisions were first effective: _____ (may not be earlier than January 1, 2009; for Plan Years beginning prior to January 1, 2009, Military Differential Pay is treated in accordance with the post-severance Compensation provisions in the following Question).

23. POST-SEVERANCE COMPENSATION (415 REGULATIONS)

The following optional provision of the 415 Regulations will apply to Limitation Years beginning on or after July 1, 2007 unless otherwise elected below:

415 Compensation (post-severance compensation adjustments) (select all that apply at a.; leave blank if none apply)

NOTE: Unless otherwise elected under a. below, the following defaults apply: 415 Compensation will **include** (to the extent provided in Plan Section 1.23), post-severance regular pay, leave cash-outs and payments from nonqualified unfunded deferred compensation plans.

- a. The defaults listed above apply except for the following (select one or more):
 - 1. Leave cash-outs will be **excluded**
 - 2. Nonqualified unfunded deferred compensation will be **excluded**
 - 3. Military Differential Pay will be **included** (Plan automatically includes for Limitation Years beginning after December 31, 2008)
 - 4. Disability continuation payments will be **included**

Plan Compensation (post-severance compensation adjustments)

- b. **Defaults apply.** Compensation will **include** (to the extent provided in Plan Section 1.10 and to the extent such amounts would be included in Compensation if paid prior to severance of employment) post-severance regular pay, leave cash-outs, and payments from nonqualified unfunded deferred compensation plans.
- c. **Exclude all post-severance compensation.** Exclude all post-severance compensation for allocation purposes.
- d. **Post-severance adjustments.** The defaults listed at b. apply except for the following (select one or more):
 - 1. Exclude all post-severance compensation
 - 2. Regular pay will be **excluded**
 - 3. Leave cash-outs will be **excluded**
 - 4. Nonqualified unfunded deferred compensation will be **excluded**
 - 5. Military Differential Pay will be **included**
 - 6. Disability continuation payments will be **included**

NOTE: The above treatment of Military Differential Pay only applies to Plan Years beginning prior to January 1, 2009. For Plan Years beginning after such date, Military Differential Pay is not considered post-severance compensation and the provisions of Question 22 apply.

Post-severance compensation special effective date (leave blank if not applicable)

c. If this is a PPA restatement and the post-severance compensation adjustments above for 415 Compensation or Plan Compensation applied other than the first day of the Plan Year beginning on or after July 1, 2007, then enter the date such provisions were first effective: _____

CONTRIBUTIONS AND ALLOCATIONS

24. EMPLOYER CONTRIBUTIONS (OTHER THAN MATCHING CONTRIBUTIONS) (Plan Section 4.1(a)(2)) (skip to Question 26 if Employer contributions are NOT selected at Question 11.b.)

CONTRIBUTION FORMULA (select one or more of the following contribution formulas:)

a. **Fixed contribution** equal to (only select one):

1. 5 % of each Participant's Compensation for each:

- a. Plan Year
- b. calendar quarter
- c. month
- d. pay period
- e. week

2. \$_____ per Participant.

3. \$_____ per Hour of Service worked while an Eligible Employee

a. up to _____ hours (leave blank if no limit)

4. other: _____ (the formula described must satisfy the definitely determinable requirement under Regulations §1.401-1(b)).

b. **Sick leave/vacation leave conversion.** The Employer will contribute an amount equal to an Employee's current hourly rate of pay multiplied by the Participant's number of unused accumulated sick leave and/or vacation days (as selected below). Only unpaid sick and vacation leave for which the Employee has no right to receive in cash may be included. In no event will the Employer's contribution for the Plan Year exceed the maximum contribution permitted under Code §415(c).

The following may be converted under the Plan: (select one or both):

- 1. Sick leave
- 2. Vacation leave

Eligible Employees. Only the following Participants shall receive the Employer contribution for sick leave and/or vacation leave (select 3. and/or 4; leave blank if no limitations provided, however, that this Plan may not be used to only provide benefits for terminated Employees)

3. **Former Employees.** All Employees terminating service with the Employer during the Plan Year and who have satisfied the eligibility requirements based on the terms of the Employer's accumulated benefits plans checked below (select all that apply; leave blank if no exclusions):

- a. The Former Employee must be at least age _____ (e.g., 55)
- b. The value of the sick and/or vacation leave must be at least \$_____ (e.g., \$2,000)
- c. A contribution will only be made if the total hours is over _____ (e.g., 10) hours
- d. A contribution will not be made for hours in excess of _____ (e.g., 40) hours

4. **Active Employees.** Active Employees who have not terminated service during the Plan Year and who meet the following requirements (select all that apply; leave blank if no exclusions):

- a. The Employee must be at least age _____ (e.g., 55)
- b. The value of the sick and/or vacation leave must be at least \$_____ (e.g., \$2,000)
- c. A contribution will only be made if the total hours is over _____ (e.g., 10) hours
- d. A contribution will not be made for hours in excess of _____ (e.g., 40) hours

c. **Social Security Replacement Plan.** An amount equal to 7.5% of the Participant's Compensation for the entire Plan Year, reduced by Employee and Employer contributions to this Plan actually contributed to the Participant's Account during such Plan Year. (may only be selected if Question 11.b.1. has also been selected)

Include only part-time, seasonal and temporary Employees (leave blank if not applicable)

1. Regardless of any other provision in this to the contrary, the contribution above will only be made for part-time, seasonal, or temporary Employees who are not otherwise covered by another qualifying public retirement system as defined for purposes of Regulation §31.3121(b)(7)-2.

Governmental Money Purchase Plan

25. ALLOCATION CONDITIONS (Plan Section 4.3). If 24.a. is selected above, indicate requirements to share in allocations of Employer contributions (select a. OR b. and all that apply at c. - e.)
- a. **No conditions.** All Participants share in the allocations regardless of service completed during the Plan Year or employment status on the last day of the Plan Year (skip to Question 26).
- b. **Allocation conditions apply** (select one of 1. - 5. AND one of 6. - 9. below)
- Conditions for Participants NOT employed on the last day of the Plan Year**
1. A Participant must complete at least _____ (not to exceed 1,000) Hours of Service (or _____ (not to exceed 12) months of service if the elapsed time method is selected).
 2. A Participant must complete a Year of Service (or Period of Service if the elapsed time method is selected).
 3. Participants will NOT share in the allocations, regardless of service.
 4. Participants will share in the allocations, regardless of service.
 5. Other: _____ (must be definitely determinable, not subject to Employer discretion and may not require more than one Year of Service (or Period of Service if the elapsed time method is selected)).
- Conditions for Participants employed on the last day of the Plan Year**
6. No service requirement.
 7. A Participant must complete a Year of Service (or Period of Service if the elapsed time method is selected).
 8. A Participant must complete at least _____ (not to exceed 1,000) Hours of Service during the Plan Year.
 9. Other: _____ (must be definitely determinable, not subject to Employer discretion and may not require more than one Year of Service (or Period of Service if the elapsed time method is selected)).

Waiver of conditions for Participants NOT employed on the last day of the Plan Year. If b.1., 2., 3., or 5. is selected, Participants who are not employed on the last day of the Plan Year in which one of the following events occur will be eligible to share in the allocations regardless of the above conditions (select all that apply; leave blank if none apply):

- c. Death
- d. Total and Permanent Disability
- e. Termination of employment on or after Normal Retirement Age
 1. or Early Retirement Date

26. EMPLOYER MATCHING CONTRIBUTIONS (Plan Section 4.1(a)(3)). (skip to Question 29 if matching contributions are NOT selected at Question 11.c.) The Employer will make the following matching contributions:

A. **Elective deferrals taken into account.** For purposes of applying the matching contribution provisions below, elective deferrals include elective deferral (pre-tax and Roth) contributions to the following Employer plan(s) (insert name of Plan(s) to which the elective deferral contributions being matched will be made):

- a. **457 plan(s).** Enter Plan name: _____
- b. **403(b) plan(s).** Enter Plan name: _____

NOTE: If selected at Question 32, after-tax voluntary Employee contributions are also considered elective deferrals for purposes of matching contributions.

B. **Matching Formula.** (select one)

- c. **Fixed - uniform rate/amount.** The Employer will make matching contributions equal to _____% (e.g., 50) of the Participant's elective deferrals
 1. that do not exceed _____% of a Participant's Compensation (leave blank if no limit)
- d. **Fixed - tiered.** The Employer will make matching contributions equal to a uniform percentage of each tier of each Participant's elective deferrals, determined as follows:

NOTE: Fill in only percentages or dollar amounts, but not both. If percentages are used, each tier represents the amount of the Participant's applicable contributions that equals the specified percentage of the Participant's Compensation (add additional tiers if necessary):

Tiers of Contributions (indicate \$ or %)	Matching Percentage
First _____	_____ %
Next _____	_____ %
Next _____	_____ %
Next _____	_____ %

Governmental Money Purchase Plan

- e. **Fixed - Years of Service.** The Employer will make matching contributions equal to a uniform percentage of each Participant's elective deferrals based on the Participant's Years of Service (or Periods of Service if the elapsed time method is selected), determined as follows (add additional tiers if necessary):

Years (or Periods) of Service	Matching Percentage
_____	_____%
_____	_____%
_____	_____%

For purposes of the above matching contribution formula, a Year (or Period) of Service means a Year (or Period) of Service for:

1. vesting purposes
 2. eligibility purposes
- f. Other: _____ (the formula described must satisfy the definitely determinable requirement under Regulations §1.401-1(b))

27. **MATCHING CONTRIBUTION PROVISIONS**

- A. **Maximum matching contribution.** The total matching contribution made on behalf of any Participant for any Plan Year will not exceed:
- a. N/A (no Plan specific limit on the amount of matching contribution)
 - b. \$_____.
 - c. _____% of Compensation.
- B. **Period of determination.** The matching contribution formula will be applied on the following basis (and elective deferrals and any Compensation or dollar limitation used in determining the matching contribution will be based on the applicable period):
- d. the Plan Year
 - e. each payroll period
 - f. each month
 - g. each Plan Year quarter
 - h. each payroll unit (e.g., hour)

28. **ALLOCATION CONDITIONS FOR MATCHING CONTRIBUTIONS (Plan Section 4.3).** Select a. OR b. and all that apply of c. - h.

- a. **No conditions.** All Participants share in the allocations regardless of service completed during the Plan Year or employment status on the last day of the Plan Year (skip to Question 29).
- b. **Allocation conditions apply** (select one of 1. -5. AND one of 6. - 9. below)
- Conditions for Participants NOT employed on the last day of the Plan Year.**
1. A Participant must complete at least _____ (not to exceed 1,000) Hours of Service (or _____ (not to exceed 12) months of service if the elapsed time method is selected).
 2. A Participant must complete a Year of Service (or Period of Service if the elapsed time method is selected).
 3. Participants will NOT share in the allocations, regardless of service.
 4. Participants will share in the allocations, regardless of service.
 5. Other: _____ (must be definitely determinable, not subject to Employer discretion and may not require more than one Year of Service (or Period of Service if the elapsed time method is selected)).

Conditions for Participants employed on the last day of the Plan Year

6. No service requirement.
7. A Participant must complete a Year of Service (or Period of Service if the elapsed time method is selected).
8. A Participant must complete at least _____ (not to exceed 1,000) Hours of Service during the Plan Year.
9. Other: _____ (must be definitely determinable, not subject to Employer discretion and may not require more than one Year of Service (or Period of Service if the elapsed time method is selected)).

Waiver of conditions for Participants NOT employed on the last day of the Plan Year. If b.1., 2., 3., or 5. is selected, Participants who are not employed on the last day of the Plan Year in which one of the following events occur will be eligible to share in the allocations regardless of the above conditions (select all that apply; leave blank if none apply):

- c. Death
- d. Total and Permanent Disability
- e. Termination of employment on or after Normal Retirement Age
 1. or Early Retirement Date

Governmental Money Purchase Plan

Conditions based on period other than Plan Year. The allocation conditions above will be applied based on the Plan Year unless otherwise selected below. If selected, the above provisions will be applied by substituting the term Plan Year with the specified period (e.g., if Plan Year quarter is selected below and the allocation condition is 250 Hours of Service per quarter, enter 250 hours (not 1000) at b.8. above).

- f. The Plan Year quarter.
- g. Payroll period.
- h. Other: _____ (must be definitely determinable and not subject to Employer discretion and may not be longer than a twelve month period).

29. **FORFEITURES (Plan Sections 1.21 and 4.3(e))**

Forfeitures of Employer contributions other than matching contributions will be:

- a. added to the Employer contribution and allocated in the same manner
- b. used to reduce any Employer contribution
- c. allocated to all Participants eligible to share in the allocations of Employer contributions or Forfeitures in the same proportion that each Participant's Compensation for the Plan Year bears to the Compensation of all Participants for such year
- d. other: _____ (describe the treatment of Forfeitures in a manner that is definitely determinable and not subject to Employer discretion; e.g., Forfeitures attributable to transferred balances from Plan X are allocated as additional discretionary contributions only to former Plan X Participants)

Forfeitures of Employer matching contributions will be:

- e. N/A. Same as above or no Employer matching contributions.
- f. used to reduce the Employer matching contribution.
- g. used to reduce any Employer contribution.
- h. other: _____ (describe the treatment of Forfeitures in a manner that is definitely determinable and not subject to Employer discretion; e.g., Forfeitures attributable to transferred balances from Plan X are allocated as additional discretionary contributions only to former Plan X Participants)

30. **ALLOCATION OF EARNINGS (Plan Section 4.3(c))**

Allocation of earnings with respect to amounts which are not subject to Participant investment direction and which are contributed to the Plan after the previous Valuation Date will be determined:

- a. N/A. (all assets in the Plan are subject to Participant investment direction)
- b. by using a weighted average based on the amount of time that has passed between the date a contribution or distribution is made and the prior Valuation Date
- c. by treating one-half of all such contributions as being a part of the Participant's nonsegregated Account balance as of the previous Valuation Date
- d. by using the method specified in Plan Section 4.3(c) (balance forward method)
- e. other: _____ (must be a definite predetermined formula)

31. **MANDATORY EMPLOYEE CONTRIBUTIONS (Plan Section 4.8) (skip if mandatory Employee contributions NOT selected at Question 11.d.)**

- a. An Eligible Employee must contribute to the Plan 5 % (not to exceed 25%) of Compensation.
- b. An Eligible Employee must, prior to his or her first Entry Date, make a one-time irrevocable election to contribute to the Plan from _____ % (not less than 1%) to _____ % (not to exceed 25%) of Compensation.
- c. Other: _____ (must be definitely determinable)

Employer pick-up contribution. The mandatory Employee contribution is "picked up" by the Employer under Code §414(h)(2) unless elected below.

- d. The mandatory Employee contribution is not "picked-up" by the Employer.

32. **AFTER-TAX VOLUNTARY EMPLOYEE CONTRIBUTIONS (Plan Section 4.9) (skip if after-tax voluntary Employee contributions NOT selected at Question 11.e.)**

Matching after-tax voluntary Employee contributions. There are no Employer matching contributions on after-tax voluntary Employee contributions unless elected below.

- a. After-tax voluntary Employee contributions are considered elective deferrals for purposes of applying any matching contributions under the Plan.

DISTRIBUTIONS

33. **FORM OF DISTRIBUTIONS (Plan Sections 6.5 and 6.6)**

Distributions under the Plan may be made in (select all that apply; must select at least one):

- a. lump-sums
- b. substantially equal installments
- c. partial withdrawals, provided the minimum withdrawal is \$ _____ (leave blank if no minimum)

Governmental Money Purchase Plan

- d. partial withdrawals or installments are only permitted for Participants or Beneficiaries who must receive required minimum distributions under Code §401(a)(9) except for the following (e.g., partial is not permitted for death benefits; leave blank if no exceptions):
1. _____
- e. annuity: _____ (describe the form of annuity or annuities)
- f. other: _____ (must be definitely determinable and not subject to Employer discretion)

NOTE: Regardless of the above, a Participant is not required to request a withdrawal of his or her total Account for an in-service distribution, a hardship distribution, or a distribution from the Participant's Rollover Account.

Cash or property. Distributions may be made in:

- g. cash only, except for (select all that apply; leave blank if none apply):
1. insurance Contracts
2. annuity Contracts
3. Participant loans
- h. cash or property, except that the following limitation(s) apply: (leave blank if there are no limitations on property distributions):
1. _____ (must be definitely determinable and not subject to Employer discretion)

34. **CONDITIONS FOR DISTRIBUTIONS UPON SEVERANCE OF EMPLOYMENT.** Distributions upon severance of employment pursuant to Plan Section 6.4(a) will not be made unless the following conditions have been satisfied:

A. Accounts in excess of \$5,000

- a. Distributions may be made as soon as administratively feasible following severance of employment.
- b. Distributions may be made as soon as administratively feasible after the last day of the Plan Year coincident with or next following severance of employment.
- c. Distributions may be made as soon as administratively feasible after the last day of the Plan Year quarter coincident with or next following severance of employment.
- d. Distributions may be made as soon as administratively feasible after the Valuation Date coincident with or next following severance of employment.
- e. Distributions may be made as soon as administratively feasible after _____ months have elapsed following severance of employment.
- f. No distributions may be made until a Participant has reached Early or Normal Retirement Date.
- g. Other: _____ (must be objective conditions which are ascertainable and may not exceed the limits of Code §401(a)(14) as set forth in Plan Section 6.7)

B. Accounts of \$5,000 or less

- h. Same as above
- i. Distributions may be made as soon as administratively feasible following severance of employment.
- j. Distributions may be made as soon as administratively feasible after the last day of the Plan Year coincident with or next following severance of employment.
- k. Other: _____ (must be objective conditions which are ascertainable and may not exceed the limits of Code §401(a)(14) as set forth in Plan Section 6.7)

C. Timing after initial distributable event. If a distribution is not made in accordance with the above provisions upon the occurrence of the distributable event, then a Participant may elect a subsequent distribution at any time after the time the amount was first distributable (assuming the amount is still distributable), unless otherwise selected below (may not be selected with 34.f. and 34.h.):

- l. Other: _____ (e.g., a subsequent distribution request may only be made in accordance with l. above (i.e., the last day of another Plan Year); must be objective conditions which are ascertainable and may not exceed the limits of Code §401(a)(14) as set forth in Plan Section 6.7)

D. Participant consent (i.e., involuntary cash-outs). Should Vested Account balances less than a certain dollar threshold be automatically distributed without Participant consent (mandatory distributions)?

NOTE: The Plan provides that distributions of amounts of \$5,000 or less are only paid as lump-sums.

- m. No, Participant consent is required for all distributions.
- n. Yes, Participant consent is required only if the distribution is over:
1. \$5,000
2. \$1,000
3. \$_____ (less than \$1,000)

NOTE: If 2. or 3. is selected, rollovers will be included in determining the threshold for Participant consent.

Governmental Money Purchase Plan

Automatic IRA rollover. With respect to mandatory distributions of amounts that are \$1,000 or less, if a Participant makes no election, the amount will be distributed as a lump-sum unless selected below.

4. If a Participant makes no election, then the amount will be automatically rolled over to an IRA provided the amount is at least \$_____ (e.g., \$200).

- E. **Rollovers in determination of \$5,000 threshold.** Unless otherwise elected below, amounts attributable to rollover contributions (if any) will be **included** in determining the \$5,000 threshold for timing of distributions, form of distributions, or consent rules.
- o. Exclude rollovers (rollover contributions will be **excluded** in determining the \$5,000 threshold)

NOTE: Regardless of the above election, if the Participant consent threshold is \$1,000 or less, then the Administrator must include amounts attributable to rollovers for such purpose. In such case, an election to exclude rollovers above will apply for purposes of the timing and form of distributions.

35. DISTRIBUTIONS UPON DEATH (Plan Section 6.8(b)(2))

Distributions upon the death of a Participant prior to the "required beginning date" will:

- a. be made pursuant to the election of the Participant or "designated Beneficiary"
- b. begin within 1 year of death for a "designated Beneficiary" and be payable over the life (or over a period not exceeding the "life expectancy") of such Beneficiary, except that if the "designated Beneficiary" is the Participant's Spouse, begin prior to December 31st of the year in which the Participant would have attained age 70 1/2
- c. be made within 5 (or if lesser _____) years of death for all Beneficiaries
- d. be made within 5 (or if lesser _____) years of death for all Beneficiaries, except that if the "designated Beneficiary" is the Participant's Spouse, begin prior to December 31st of the year in which the Participant would have attained age 70 1/2 and be payable over the life (or over a period not exceeding the "life expectancy") of such "surviving Spouse"

NOTE: The elections above must be coordinated with the Form of distributions (e.g., if the Plan only permits lump-sum distributions, then options a., b. and d. would not be applicable).

36. OTHER PERMITTED DISTRIBUTIONS (select all that apply; leave blank if none apply)

A. IN-SERVICE DISTRIBUTIONS (Plan Section 6.11)

In-service distributions will NOT be allowed (except as otherwise permitted under the Plan without regard to this provision) unless selected below (if applicable, answer a. - e.; leave blank if not applicable):

- a. In-service distributions may be made to a Participant who has not separated from service provided the following has been satisfied:
1. Age. The Participant has reached:
- a. Normal Retirement Age
- b. age 62
- c. age 70 1/2 (may not be earlier than age 62)

Special effective date (may be left blank if same as Plan or Restatement Effective Date)

- d. _____ (if this is a PPA restatement and the provisions were effective prior to the Restatement Effective Date, then enter the date such provisions were first effective; may not be earlier than the first day of the Plan Year beginning in 2007)

Account restrictions. In-service distributions are permitted from the following Participant Accounts:

- b. all Accounts
- c. only from the following Accounts (select one or more):
1. Account attributable to Employer matching contributions
2. Account attributable to Employer contributions other than matching contributions
3. Rollover Account
4. Transfer Account
5. Other: _____ (specify Account(s) and conditions in a manner that satisfies the definitely determinable requirement under Regulations §1.401-1(b) and is not subject to Employer discretion)

Limitations. The following limitations apply to in-service distributions:

- d. N/A (no additional limitations)
- e. Additional limitations (select one or more):
1. The minimum amount of a distribution is \$_____.
2. No more than _____ distribution(s) may be made to a Participant during a Plan Year.
3. Distributions may only be made from Accounts which are fully Vested.
4. In-service distributions may be made subject to the following provisions: For Distributions occurring the later of: (1) on or after January 1, 1998, (2) effective date of the plan, (3) the effective date of the first fee agreement with Nationwide Life Insurance Company services (or its predecessor after the date such predecessor was acquired by Nationwide Life Insurance Company); age 70 1/2 and any election by a Participant to receive a distribution pursuant to this Section shall constitute a Required Minimum Distribution under Section 6.8 of the Plan. (must satisfy the definitely determinable requirement under Regulations §1.401-1(b) and not be subject to Employer discretion).

37. HEART ACT PROVISIONS (Plan Section 6.17)

Continued benefit accruals.

- a. Continued benefit accruals will NOT apply
- b. Continued benefit accruals will apply

Special effective date. If this is a PPA restatement and the provision applied other than as of the first day of the 2007 Plan Year, then enter the date such provision was first effective: (leave blank if not applicable)

- c. _____ (may not be earlier than the first day of the 2007 Plan Year)

Distributions for deemed severance of employment

- d. The Plan does NOT permit distributions for deemed severance of employment
- e. The Plan permits distributions for deemed severance of employment

Special effective date (may be left blank if same as Plan or Restatement Effective Date)

- 1. _____ (if this is a PPA restatement and the provisions were effective prior to the Restatement Effective Date, then enter the date such provisions were first effective; may not be earlier than January 1, 2007)

MISCELLANEOUS

38. LOANS TO PARTICIPANTS (Plan Section 7.6)

- a. New loans are NOT permitted.
- b. New loans are permitted.

NOTE: Regardless of whether new loans are permitted, if the Plan permits rollovers, then the Administrator may, in a uniform manner, accept rollovers of loans into this Plan.

39. ROLLOVERS (Plan Section 4.6) (skip if rollover contributions are NOT selected at 11.f.)

Eligibility. Rollovers may be accepted from all Participants who are Employees as well as the following (select all that apply; leave blank if not applicable):

- a. Any Eligible Employee, even prior to meeting eligibility conditions to be a Participant
- b. Participants who are Former Employees

Distributions. When may distributions be made from a Participant's Rollover Account?

- c. At any time
- d. Only when the Participant is otherwise entitled to a distribution under the Plan

PPA TRANSITION RULES

The following questions only apply if this is a PPA restatement (i.e., Question 5.b.1. is selected). If this is not a PPA restatement, then this Plan will not be considered an individually designed plan merely because the following questions are deleted from the Adoption Agreement.

NOTE: The following provisions are designed to be left unanswered if the selections do not apply to the Plan.

40. WRERA - RMD WAIVERS FOR 2009 (Plan Section 6.8(f))

Suspension/continuation of RMDs. Unless otherwise elected below, required minimum distributions (RMDs) for 2009 were suspended unless a Participant or Beneficiary elected to receive such distributions:

- a. RMDs for 2009 were suspended for any Participant or Beneficiary who was scheduled to receive his/her first RMD for 2009 or who did not make a continuing election prior to 2009 to receive his/her RMD (unless the Participant or Beneficiary made an election to receive such distribution). RMDs for 2009 were continued for any Participant or Beneficiary who had made a continuing election to receive an RMD prior to 2009 (unless the Participant or Beneficiary made an election to suspend such distribution).
- b. RMDs continued unless otherwise elected by a Participant or Beneficiary.
- c. RMDs continued in accordance with the terms of the Plan (i.e., no election available to Participants or Beneficiaries).
- d. Other: _____

Direct rollovers. The Plan also treated the following as "eligible rollover distributions" in 2009 (If no election is made, then a "direct rollover" was only offered for "2009 RMDs"):

- e. "2009 RMDs" and "Extended 2009 RMDs."
- f. "2009 RMDs" but only if paid with an additional amount that is an "eligible rollover distribution" without regard to Code §401(a)(9)(H).

41. NON-SPOUSAL ROLLOVERS (Plan Section 6.14(d)). Non-spousal rollovers are permitted effective for distributions after December 31, 2006 unless an alternative effective date is selected at a. below:

- a. Non-spousal rollovers are allowed effective _____ (may not be earlier than January 1, 2007 and not later than January 1, 2010; the Plan already provides for non-spousal rollovers effective as of January 1, 2010)

Governmental Money Purchase Plan

The adopting Employer may rely on an advisory letter issued by the Internal Revenue Service as evidence that the Plan is qualified under Code §401 only to the extent provided in Rev. Proc. 2011-49 or subsequent guidance.

The Employer may not rely on the advisory letter in certain other circumstances or with respect to certain qualification requirements, which are specified in the advisory letter issued with respect to the Plan and in Rev. Proc. 2011-49 or subsequent guidance. In order to have reliance in such circumstances or with respect to such qualification requirements, application for a determination letter must be made to Employee Plans Determinations of the Internal Revenue Service.

This Adoption Agreement may be used only in conjunction with the Volume Submitter basic Plan document #09. This Adoption Agreement and the basic Plan document will together be known as Nationwide Financial Services, Inc. Governmental Volume Submitter Money Purchase Plan #09-002.

The adoption of this Plan, its qualification by the IRS, and the related tax consequences are the responsibility of the Employer and its independent tax and legal advisors.

Nationwide Financial Services, Inc. will notify the Employer of any amendments made to the Plan or of the discontinuance or abandonment of the Plan. Furthermore, in order to be eligible to receive such notification, the Employer agrees to notify Nationwide Financial Services, Inc. of any change in address. In addition, this Plan is provided to the Employer either in connection with investment in a product or pursuant to a contract or other arrangement for products and/or services. Upon cessation of such investment in a product or cessation of such contract or arrangement, as applicable, the Employer is no longer considered to be an adopter of this Plan and Nationwide Financial Services, Inc. no longer has any obligations to the Employer that relate to the adoption of this Plan.

With regard to any questions regarding the provisions of the Plan, adoption of the Plan, or the effect of an advisory letter from the IRS, call or write (this information must be completed by the sponsor of this Plan or its designated representative):

Name: Nationwide Retirement Solutions
Address: P.O. Box 182797
Columbus Ohio 43218
Telephone: (800) 321-7167

The Employer and Trustee (or Insurer) hereby cause this Plan to be executed on the date(s) specified below:

EMPLOYER: City of Satellite Beach

By: _____ DATE SIGNED

TRUSTEE (OR INSURER):

[] The signature of the Trustee or Insurer appears on a separate agreement or Contract,

OR (add additional Trustee signature lines as necessary)

City Manager

TRUSTEE OR INSURER DATE SIGNED

**APPENDIX A
SPECIAL EFFECTIVE DATES AND OTHER PERMITTED ELECTIONS**

A. **Special effective dates** (leave blank if not applicable):

- a. **Special effective date(s):** _____ For periods prior to the specified special effective date(s), the Plan terms in effect prior to its restatement under this Adoption Agreement will control for purposes of the designated provisions. A special effective date may not result in the delay of a Plan provision beyond the permissible effective date under any applicable law.

B. **Other permitted elections** (the following elections are optional):

- a. **No other permitted elections**

The following elections apply (select one or more):

- b. **Deemed 125 compensation** (Plan Section 1.23). Deemed 125 compensation will be included in Compensation and 415 Compensation.
- c. **Reemployed after five (5) 1-Year Breaks in Service ("rule of parity" provisions)** (Plan Section 3.5(d)). The "rule of parity" provisions in Plan Section 3.5(d) will apply for (select one or both):
 1. eligibility purposes
 2. vesting purposes
- d. **Beneficiary if no beneficiary elected by Participant** (Plan Section 6.2(e)). In the event no valid designation of Beneficiary exists, then in lieu of the order set forth in Plan Section 6.2(e), the following order of priority will be used: _____ (specify an order of beneficiaries; e.g., children per stirpes, parents, and then step-children).
- e. **Common, collective or pooled trust funds** (Plan Sections 7.2(c)(5) and/or 7.3(b)(6)). The name(s) of the common, collective or pooled trust funds available under the Plan is (are): _____
- f. **Limitation Year** (Plan Section 1.29). The Limitation Year for Code §415 purposes will be _____ (must be a consecutive twelve month period) instead of the "determination period" for Compensation.
- g. **415 Limits when 2 defined contribution plans are maintained** (Plan Section 4.4). If any Participant is covered under another qualified defined contribution plan maintained by the Employer or an Affiliated Employer, or if the Employer or an Affiliated Employer maintains a welfare benefit fund, as defined in Code §419(e), or an individual medical account, as defined in Code §415(l)(2), under which amounts are treated as "annual additions" with respect to any Participant in this Plan, then the provisions of Plan Section 4.4(b) will apply unless otherwise specified below:
 1. Specify, in a manner that precludes Employer discretion, the method under which the plans will limit total "annual additions" to the "maximum permissible amount" and will properly reduce any "excess amounts": _____
- h. **Recognition of Service with other employers** (Plan Sections 1.39 and 1.54). Service with the following employers (in addition to those specified at Question 15) will be recognized as follows (select one or more):

	Eligibility	Vesting	Contribution Allocation
1. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>
2. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>
3. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>
4. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>
5. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>
6. <input type="checkbox"/> Employer name: _____	a. <input type="checkbox"/>	b. <input type="checkbox"/>	c. <input type="checkbox"/>

Limitations

7. The following provisions or limitations apply with respect to the recognition of prior service: _____
 (e.g., credit service with X only on/following 1/1/13)

Governmental Money Purchase Plan

- i. **Other vesting provisions.** The following vesting provisions apply to the Plan (select one or more):
1. **Special vesting provisions.** The following special provisions apply to the vesting provisions of the Plan: _____ (must be definitely determinable and satisfy the parameters set forth at Question 17)
 2. **Pre-amendment vesting schedule.** (Plan Section 6.4(b)). If the vesting schedule has been amended and a different vesting schedule other than the schedule at Question 17 applies to any Participants, then the following provisions apply (must select one of a. – d. AND complete e.):

Applicable Participants. The vesting schedules in Question 17 only apply to:

- a. Participants who are Employees as of _____ (enter date).
- b. Participants in the Plan who have an Hour of Service on or after _____ (enter date).
- c. Participants (even if not an Employee) in the Plan on or after _____ (enter date).
- d. Other: _____ (e.g., Participants in division A)

Vesting schedule

e. The schedule that applies to Participants not subject to the vesting schedule in Question 17 is:

Years (or Periods) of Service	Percentage
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %
_____	_____ %

- j. **Minimum distribution transitional rules** (Plan Section 6.8(e)(5))

NOTE: This Section does not apply to (1) a new Plan, (2) an amendment or restatement of an existing Plan that never contained the provisions of Code §401(a)(9) as in effect prior to the amendments made by the Small Business Job Protection Act of 1996 (SBJPA), or (3) a Plan where the transition rules below do not affect any current Participants.

The "required beginning date" for a Participant is:

1. April 1st of the calendar year following the year in which the Participant attains age 70 1/2. (pre-SBJPA rules continue to apply)
2. April 1st of the calendar year following the later of the year in which the Participant attains age 70 1/2 or retires (the post-SBJPA rules), with the following exceptions (select one or both; leave blank if both applied effective as of January 1, 1996):
 - a. A Participant who was already receiving required minimum distributions under the pre-SBJPA rules as of _____ (may not be earlier than January 1, 1996) was allowed to stop receiving distributions and have them recommence in accordance with the post-SBJPA rules. Upon the recommencement of distributions, if the Plan permits annuities as a form of distribution then the following apply:
 1. N/A (annuity distributions are not permitted)
 2. Upon the recommencement of distributions, the original Annuity Starting Date will be retained.
 3. Upon the recommencement of distributions, a new Annuity Starting Date is created.
 - b. A Participant who had not begun receiving required minimum distributions as of _____ (may not be earlier than January 1, 1996) may elect to defer commencement of distributions until retirement. The option to defer the commencement of distributions (i.e., to elect to receive in-service distributions upon attainment of age 70 1/2) applies to all such Participants unless selected below:
 1. The in-service distribution option was eliminated with respect to Participants who attained age 70 1/2 in or after the calendar year that began after the later of (1) December 31, 1998, or (2) the adoption date of the restatement to bring the Plan into compliance with the SBJPA.

- k. **Other spousal provisions** (select one or more)

1. **Definition of Spouse.** The term Spouse includes a spouse under federal law as well as the following: _____
2. **Automatic revocation of spousal designation** (Plan Section 6.2(f)). The automatic revocation of a spousal Beneficiary designation in the case of divorce does not apply.
3. **Timing of QDRO payment.** A distribution to an Alternate Payee shall not be permitted prior to the time a Participant would be entitled to a distribution.

- l. **Applicable law.** Instead of using the applicable laws set forth in Plan Section 9.4(a), the Plan will be governed by the laws of: _____

- m. **Total and Permanent Disability.** Instead of the definition at Plan Section 1.49, Total and Permanent Disability means: _____ (must be definitely determinable).

Governmental Money Purchase Plan

- n. **Permissible Trust (or Custodian) modifications.** The Employer makes the following modifications to the Trust (or Custodial) provisions as permitted under Rev. Proc. 2011-49 (or subsequent IRS guidance) (select one or more of 1. - 3. below):

NOTE: Any elections below must not: (i) conflict with any Plan provision unrelated to the Trust or Trustee; or (ii) cause the Plan to violate Code §401(a). In addition, this may not be used to substitute all of the Trust provisions in the Plan.

1. **Investments.** The Employer amends the Trust provisions relating to Trust investments as follows:

-
2. **Duties.** The Employer amends the Trust provisions relating to Trustee (or Custodian) duties as follows:

-
3. **Other administrative provisions.** The Employer amends the other administrative provisions of the Trust as follows:
-

ADMINISTRATIVE PROCEDURES

The following are optional administrative provisions. The Administrator may implement procedures that override any elections in this Section without a formal Plan amendment. In addition, modifications to these procedures will not affect an Employer's reliance on the Plan.

A. Loan Limitations. (complete only if loans to Participants are permitted; leave blank if none apply)

- a. Limitations (select one or more):
 - 1. Loans will be treated as Participant directed investments.
 - 2. Loans will only be made for hardship or financial necessity as specified below (select i. or ii.)
 - a. hardship reasons specified in Plan Section 6.12
 - b. financial necessity (as defined in the loan program).
 - 3. The minimum loan will be \$ 1,000.
 - 4. A Participant may only have 1 (e.g., one (1)) loan(s) outstanding at any time.
 - 5. All outstanding loan balances will become due and payable in their entirety upon the occurrence of a distributable event (other than satisfaction of the conditions for an in-service distribution (including a hardship distribution), if applicable).
 - 6. **Account restrictions.** Loans will only be permitted from the following Participant Accounts (select all that apply or leave blank if no limitations apply):
 - a. Account(s) attributable to Employer matching contributions
 - b. Account attributable to Employer contributions other than matching contributions
 - c. Rollover Account
 - d. Transfer Account
 - e. Other: _____
- AND**, if loans are restricted to certain accounts, the limitations of Code §72(p) will be applied:
- f. by determining the limits by only considering the restricted accounts.
 - g. by determining the limits taking into account a Participant's entire interest in the Plan.

Additional Loan Provisions (select all that apply; leave blank if none apply)

- b. **Loan payments.** Loans are repaid by (if left blank, then payroll deduction applies unless Participant is not subject to payroll (e.g., partner who only has a draw)):
 - 1. payroll deduction
 - 2. ACH (Automated Clearing House)
 - 3. check
 - a. Only for prepayment
- c. **Interest rate.** Loans will be granted at the following interest rate (if left blank, then 3. below applies):
 - 1. _____ percentage points over the prime interest rate
 - 2. _____ %
 - 3. the Administrator establishes the rate at the time the loan is made
- d. **Refinancing.** Loan refinancing is allowed.

B. Life Insurance. (Plan Section 7.5)

- a. Life insurance may not be purchased.
- b. Life insurance may be purchased..
 - 1. at the option of the Administrator
 - 2. at the option of the Participant

Limitations

- 3. N/A (no limitations)
- 4. The purchase of initial or additional life insurance will be subject to the following limitations (select one or more):
 - a. Each initial Contract will have a minimum face amount of \$_____.
 - b. Each additional Contract will have a minimum face amount of \$_____.
 - c. The Participant has completed _____ Years (or Periods) of Service.
 - d. The Participant has completed _____ Years (or Periods) of Service while a Participant in the Plan.
 - e. The Participant is under age _____ on the Contract issue date.
 - f. The maximum amount of all Contracts on behalf of a Participant may not exceed \$_____.
 - g. The maximum face amount of any life insurance Contract will be \$_____.

C. Plan Expenses. Will the Plan assess against an individual Participant's Account certain Plan expenses that are incurred by, or are attributable to, a particular Participant based on use of a particular Plan service?

- a. No
- b. Yes

Governmental Money Purchase Plan

D. Directed investments

- a. Participant directed investments are NOT permitted.
- b. Participant directed investments are permitted from the following Participant Accounts:
 - 1. all Accounts
 - 2. only from the following Accounts (select one or more):
 - a. Account attributable to Employer contributions
 - b. Rollover Account
 - c. Transfer Account
 - d. Other: _____ (specify Account(s) and conditions in a manner that is definitely determinable and not subject to Employer discretion)

E. Rollover Limitations. Will the Plan accept rollover contributions and/or direct rollovers from the sources specified below?

- a. No, Administrator determines in operation which sources will be accepted.
- b. Yes

Rollover sources. Indicate the sources of rollovers that will be accepted (select one or more)

- 1. **Direct Rollovers.** The Plan will accept a direct rollover of an eligible rollover distribution from (select one or more):
 - a. a qualified plan described in Code §401(a) (including a 401(k) plan, profit sharing plan, defined benefit plan, stock bonus plan and money purchase plan), excluding after-tax employee contributions
 - b. a qualified plan described in Code §401(a) (including a 401(k) plan, profit sharing plan, defined benefit plan, stock bonus plan and money purchase plan), including after-tax employee contributions
 - c. a plan described in Code §403(a) (an annuity plan), excluding after-tax employee contributions
 - d. a plan described in Code §403(a) (an annuity plan), including after-tax employee contributions
 - e. a plan described in Code §403(b) (a tax-sheltered annuity), excluding after-tax employee contributions
 - f. a plan described in Code §403(b) (a tax-sheltered annuity), including after-tax employee contributions
 - g. a plan described in Code §457(b) (eligible deferred compensation plan)

Direct Rollovers of Participant Loan. The Plan will NOT accept a direct rollover of a Participant loan from another plan unless selected below (leave blank if default applies)

- h. The Plan will accept a direct rollover of a Participant loan
- i. The Plan will only accept a direct rollover of a Participant loan only in the following situation(s): _____ (e.g., only from Participants who were employees of an acquired organization).

- 2. **Participant Rollover Contributions from Other Plans (i.e., not via a direct plan-to-plan transfer).** The Plan will accept a contribution of an eligible rollover distribution (select one or more):
 - a. a qualified plan described in Code §401(a) (including a 401(k) plan, profit sharing plan, defined benefit plan, stock bonus plan and money purchase plan)
 - b. a plan described in Code §403(a) (an annuity plan)
 - c. a plan described in Code §403(b) (a tax-sheltered annuity)
 - d. a governmental plan described in Code §457(b) (eligible deferred compensation plan)
- 3. **Participant Rollover Contributions from IRAs:** The Plan will accept a rollover contribution of the portion of a distribution from a traditional IRA that is eligible to be rolled over and would otherwise be includible in gross income. Rollovers from Roth IRAs or a Coverdell Education Savings Account (formerly known as an Education IRA) are not permitted because they are not traditional IRAs. A rollover from a SIMPLE IRA is allowed if the amounts are rolled over after the individual has been in the SIMPLE IRA for at least two years.



CITY COUNCIL AGENDA ITEM

#11

DISCUSS/TAKE ACTION ON RESOLUTION NO. 968, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE CITY OF SATELLITE BEACH MONEY PURCHASE PLAN AS REQUIRED BY LEGISLATIVE AND REGULATORY CHANGES; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR ADOPTION

To: City Manager Courtney Barker
From: Assistant City Manager Suzanne Sherman
Meeting Date: 4/20/2016
Department: Support Services

Recommended Action: Adopt Resolution No. 968.

Summary: In the previous agenda item, City Council was asked to consider approval of changes to the plan documents of the 401(a) Governmental Money Purchase Plan, which affects general employees only. Plan changes must be adopted via resolution.

Budget Impacts: None.

Attachments:

- Resolution No. 968

RESOLUTION NO. 968

**A RESOLUTION OF THE CITY OF SATELLITE
BEACH, BREVARD COUNTY, FLORIDA,
AMENDING THE CITY OF SATELLITE BEACH
MONEY PURCHASE PLAN AS REQUIRED BY
LEGISLATIVE AND REGULATORY CHANGES;
PROVIDING AN EFFECTIVE DATE; AND
PROVIDING FOR ADOPTION**

WHEREAS, Federal regulatory guidance, including the Internal Revenue Service (IRS), Section 401 of the Internal Revenue Code requires plans to conform their plan documents to legislative changes; and

WHEREAS, the IRS has adopted those changes regarding the restatement of the plan documents and Nationwide Retirement Plans has incorporated required changes in the Plan Document and Adoption Agreement to meet these requirements.

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

SECTION 1. The form of amended Money Purchase Pension Plan and Trust presented to this Council is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

SECTION 2. The undersigned further certifies that attached hereto as Exhibit A are the true copies of the City of Satellite Beach, Florida Money Purchase Plan and the Summary of Plan Provisions which are hereby approved and adopted.

SECTION 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

SECTION 4. This Resolution shall be in full force and effect in accordance with the Charter of the City of Satellite Beach.

SECTION 5. The undersigned authorized representatives of the City of Satellite Beach (the Employer), hereby certifies that the following resolution was adopted by the Employer at a regular meeting of the City Council on the ____ day of _____, 2016.

FRANK P. CATINO, MAYOR

ATTEST:

LEONOR OLEXA, CMC, CITY CLERK

AGENDA

CITY COUNCIL PROPOSED REGULAR MEETING

**SATELLITE BEACH COUNCIL CHAMBER
565 CASSIA BOULEVARD, SATELLITE BEACH, FL 32937**

**MAY 4, 2016
7:00 P.M.**

- 1. CALL TO ORDER BY MAYOR CATINO**
- 2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE LED BY COUNCILMAN MONTANARO**
- 3. PRESENTATION OF PROCLAMATIONS:**
 - RECOGNIZING MAY 7, 2016, AS "NATIONAL EXPLOSIVE ORDNANCE DISPOSAL DAY"**
 - RECOGNIZING MAY 18-22, 2016, AS "EMERGENCY MEDICAL SERVICES WEEK"**
- 4. CITIZEN COMMENTS**
- 5. CITY COUNCIL COMMENTS**
- 6. CITY MANAGER REPORT**
- 7. DISCUSS/TAKE ACTION ON AN AGREEMENT BETWEEN THE CITY OF SATELLITE BEACH AND SURFLINE WEBCAM**
- 8. PUBLIC HEARING:**

DISCUSS/TAKE ACTION ON ORDINANCE NO. 1113, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FUTURE LAND USE, INFRASTRUCTURE, COASTAL MANAGEMENT-CONSERVATION, INTERGOVERNMENTAL COORDINATION, AND CAPITAL IMPROVEMENTS ELEMENTS OF THE 1998 COMPREHENSIVE PLAN, AS AMENDED, SEPTEMBER 2, 2015, BASED ON THE CITY'S UPDATED DATA AND ANALYSIS OF THE COMPREHENSIVE PLAN; REVISING AND UPDATING EXISTING GOALS,

Pursuant to Section 286-0105, FSS, if an individual decides to appeal any decision made by the City Council with respect to any matter considered at this meeting, a verbatim transcript of the proceedings may be required and the individual may need to insure that a verbatim transcript of the proceedings is made. In accordance with the Americans with Disabilities Act and Section 286.26, FSS. Persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's office.

OBJECTIVES AND POLICIES IN ACCORDANCE WITH THE MANDATES SET FORTH IN CHAPTER 163, FLORIDA STATUTES; AUTHORIZING TRANSMITTAL OF THESE AMENDMENTS TO THE EAST CENTRAL FLORIDA REGIONAL PLANNING COUNCIL, STATE LAND PLANNING AGENCY, AND OTHER APPLICABLE AGENCIES FOR REVIEW AND COMMENT AS REQUIRED BY FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE AND SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

9. PUBLIC HEARING:

DISCUSS/TAKE ACTION ON ORDINANCE NO. 1116, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE SATELLITE BEACH PERSONNEL POLICY SECTION 12.01 (JOB CLASSIFICATION LEVELS) TO ADD JOB CLASSIFICATION FOR FULL-TIME SPECIAL EVENTS AND VOLUNTEER COORDINATOR AND SALARY RANGE; AND PROVIDING AN EFFECTIVE DATE (SECOND READING)

10. PUBLIC HEARING:

DISCUSS/TAKE ACTION ON ORDINANCE NO. 1118, AN ORDINANCE OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE FY 2015-2016 BUDGET ORDINANCE NO. 1110; PROVIDING AN EFFECTIVE DATE (FIRST READING)

11. DISCUSS/TAKE ACTION ON A DRUG-FREE WORKPLACE POLICY

12. DISCUSS/TAKE ACTION TO ADD VETERAN'S DAY AS A CITY HOLIDAY

13. AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING

14. APPOINTMENT TO BOARDS

15. ADOPTION OF MINUTES:

**CITY COUNCIL WORKSHOP MEETING
UNAPPROVED MINUTES
APRIL 6, 2016**

Pursuant to Public Notice, Vice-Mayor Mark Brimer convened a workshop meeting of the City Council on Wednesday, April 6, 2016, at 6:45 p.m., in the Council Chamber. Those present were Vice-Mayor Mark Brimer, Councilwoman Lorraine Gott, Councilman Dominick Montanaro, City Manager Courtney Barker, and City Clerk Leonor Olexa. Mayor Frank Catino and Councilman Steve Osmer were absent.

(TIME: 6:46 P.M.) INTERVIEW BOARD APPLICANT

Council interviewed board applicant Stephen Nieroda.

Vice-Mayor Brimer stated that board appointments would be made at the regular Council meeting following the workshop.

Vice-Mayor Brimer adjourned the meeting at 7:02 p.m.

Leonor Olexa, CMC
City Clerk

**CITY COUNCIL REGULAR MEETING
UNAPPROVED MINUTES
APRIL 6, 2016**

Pursuant to Public Notice, Vice-Mayor Mark Brimer convened a regular meeting of the City Council on Wednesday, April 6, 2016, at 7:06 p.m., in the Council Chamber. Those present were Vice-Mayor Mark Brimer, Councilwoman Lorraine Gott, Councilman Dominick Montanaro, City Attorney James Beadle, City Manager Courtney Barker, and City Clerk Leonor Olexa. Mayor Frank Catino and Councilman Steve Osmer were absent.

Vice-Mayor Brimer led a moment of silence and the Pledge of Allegiance.

(TIME: 7:07) CITIZEN COMMENTS

No public comments.

(TIME: 7:08) CITY COUNCIL COMMENTS

No Council comments.

(TIME: 7:08) CITY MANAGER REPORT

City Manager Barker reported on the following events: Lil' Sports Super Hero Challenge, Annual Run For It 5k, and the PAL/Lion's Club Pancake Breakfast. She also reported on the City of Indian Harbour Beach update on the coyote issue, and a thank-you email received for Fire Department Community Paramedic Melanie Drake.

City Manager Barker requested a special meeting for the Charter Review Committee to present their report. Vice-Mayor Brimer asked for citizen comments; there were no comments. Council agreed to an April 20, 2016 special meeting.

City Manager Barker requested a Special Edition *Beachcaster* to address issues concerning the Lagoon (fertilizer application requirements, City's clean-up efforts, and how the community can help). Vice-Mayor Brimer asked for citizen comments; there were no comments. Council, by consensus, approved a Special Edition *Beachcaster*.

(TIME: 7:14) PRESENTATION BY GEHRING GROUP, INC. ON HEALTH INSURANCE SELF-INSURED PLAN UPDATE

Gehring Group Senior Benefits Consultant Shawn Fleming presented an employee health plan update that addressed the following: City's partially self-funded plan, benefits of specific stop loss and aggregate stop loss insurance, current data on plan performance, and strategic planning options for health clinic. Council discussed the benefits of the existing plan, asked for an update on the next steps regarding the clinic, and thanked the Gehring Group for their services to the City. City Manager Barker reported on an upcoming health clinic meeting with other local municipalities.

Vice-Mayor Brimer asked for citizen comments; there were no comments.

(TIME: 7:26) DISCUSS/TAKE ACTION ON AWARD OF BID AND A BUDGET AMENDMENT TO FUND THE RECONSTRUCTION OF THE DAVID R. SCHECHTER COMMUNITY CENTER DANCE FLOOR (ITB NO. 14/15-08 - REBID)

Recreation Director Kerry Stoms reported on an invitation to bid (ITB No. 14/15-08 - REBID) which resulted in the City receiving one bid from Brandon Stillion, Inc. for the replacement of the dance floor and subfloor in the amount of \$90,720. [Original invitation to bid ITB No. 14/15-06 resulted in bids submitted incorrectly.] At that time, the subfloor appeared to be in decent

condition; however, since then, there is evidence of water damage with extreme deterioration. Brandon Stillion, Inc. has indicated that he would honor his bid for replacement of subfloor and dance floor and would adjust the cost according to actual labor and materials used. Council discussed the project timeline to complete the floors as it relates to upcoming exercise/dance class schedules; questioned the contractor's expertise in replacing dance floors/subfloors; and recommended a 15-year CIP schedule for dance floor replacement to avoid future subfloor deterioration. Recreation Director Stoms stated the project would be completed before the summer classes begin; the contractor has done good work at Pelican Beach Clubhouse and would schedule future dance floor replacement at the 15-year mark.

Vice-Mayor Brimer asked for citizen comments; there were no comments.

ACTION: Councilwoman Gott MOVED, SECOND by Councilman Montanaro, to approve the bid selection of Brandon Stillion, Inc. for the replacement of the dance floors and subfloors in the David R. Schechter Community Center and approve a budget amendment for \$90,720 to come from the Capital Assets Fund. VOTE: ALL YES. MOTION CARRIED.

DISCUSS/TAKE ACTION ON AN AGREEMENT BETWEEN THE CITY OF SATELLITE BEACH AND T.D. BANK, N.A. FOR BANKING SERVICES (RFP NO. 15/16-01)

Vice-Mayor Brimer stated staff has requested postponing this agenda item for further review.

Council agreed to adjust the sequence of agenda items 9 and 10.

(TIME: 7:33) DISCUSS/TAKE ACTION ON THE 2015 ROAD RESURFACING PROGRAM – CHANGE ORDER #1

City Manager Barker reported on the 2015 Road Resurfacing Program Change Order No. 1 as follows: due to an estimated \$51,171.36 underrun of the original contract work, staff is requesting a time extension of nine days to allow additional work to include milling and resurfacing of both City Hall driveways between the Cassia Boulevard ditch bridges and the parking lot with an estimated cost of \$14,007. Councilwoman Gott questioned the project timeline for milling and road resurfacing of Hedgecock Court, Temple Street, and Trinidad Drive; City Manager Barker stated she would provide an updated schedule from Public Works Director Allen Potter regarding the streets in question.

Vice-Mayor Brimer asked for citizen comments; there were no comments.

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to approve the 2015 Road Resurfacing Program – Change Order No. 1. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:36) DISCUSS/TAKE ACTION ON STAFF PROPOSAL TO APPLY ANY SAVINGS FROM ROAD RESURFACING PROJECTS TO ADDITIONAL PROJECTS

City Manager Barker reported on the cost savings from the 2015 Road Resurfacing Program. Staff is requesting to use the cost savings to expand the original contract scope of work to include the City Hall/Civic Center driveways or other roadways within the City. Council discussed using estimated cost savings for milling and road resurfacing of City Hall/Civic Center driveways and parking lot, and any other roadways within the City that can be done within the project costs allocated.

Vice-Mayor Brimer asked for citizen comments; there were no comments.

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to approve use of the savings from the Road Resurfacing Program for additional road resurfacing projects. VOTE: ALL YES. MOTION CARRIED.

Council agreed to adjust the sequence of agenda items 11 and 12.

(TIME: 7:38) DISCUSS/TAKE ACTION ON RESOLUTION NO. 967, A RESOLUTION OF THE CITY OF SATELLITE BEACH, BREVARD COUNTY, FLORIDA, RELATING TO WATER CONSERVATION; MAKING FINDINGS; DECLARING APRIL 2016, AS WATER CONSERVATION MONTH; PROVIDING FOR DISTRIBUTION OF THIS RESOLUTION; AND PROVIDING AN EFFECTIVE DATE

City Attorney Beadle read Resolution No. 967 by title. Councilwoman Gott recommended amending Section 1 to replace the word "are" with "is"; Council concurred.

Vice-Mayor Brimer asked for citizen comments; there were no comments.

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to adopt Resolution No. 967 as amended. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:39) DISCUSS/TAKE ACTION TO PIGGYBACK OFF OF AN AGREEMENT WITH THE BREVARD COUNTY ENGINEERING CONSULTANT ATKINS NORTH AMERICA INC., TO PERFORM A MUCK REMOVAL ASSESSMENT (PHASE I) OF CITY CANALS

City Manager Barker requested approval to piggyback off of the bid and services of Brevard County Engineering Consultant Atkins North America, Inc. to perform a bathymetric survey and assess the volume of muck in the City's canals. The goal of the project is to have data ready for engineering and permitting with Brevard County should the state provide funding for muck removal. Walker Dawson, Senior Coastal Engineer with Atkins North America, Inc. stated this project would provide data of color-coded banded mapping (bathymetric survey) of muck depth and volume; he was available to answer questions. Matt Culver of the Brevard County Natural Resources Office stated muck removal projects are ongoing, the County is seeking state funding when available, and looking at shovel ready projects; he was available to answer questions. Council discussed the benefits of obtaining the vital data for future muck removal and seeking opportunities for funding to improve the Lagoons.

(Time: 7:46) The following Satellite Beach resident addressed Council: John Fergus.

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to approve piggybacking off of the bid and services of Brevard County Engineering Consultant Atkins North America, Inc., to perform a Muck Removal Assessment of Canals within the City of Satellite Beach; and approve a budget amendment in the amount of \$25,360 to come from the General Fund Unrestricted Reserves. VOTE: ALL YES. MOTION CARRIED.

(TIME: 7:48) AGENDA ITEMS FOR NEXT REGULAR COUNCIL MEETING

Council discussed agenda items for the next regular Council meeting and identified the April 20th special meeting regarding the Charter Review Committee's recommended amendments to the City Charter.

(TIME: 7:49) APPOINTMENT TO BOARDS

City Clerk Leonor Olexa reported on the Sustainability and Library Boards member attendance, Board of Adjustment Member Richard Coolong's resignation, board applicant Stephen Nieroda, and board reappointments.

ACTION: Councilman Montanaro MOVED, to appoint Stephen Nieroda to the Board of Adjustment as a primary member to fill the remaining term of Board Member Richard Coolong, term ending on 06/01/16; and to appoint him to the Recreation Board as a primary member, term ending 04/05/19. Councilwoman Gott addressed moving Board of Adjustment Alternate Member Suzanne McLendon to a primary position. City Clerk Olexa stated that Ms. McLendon has asked to remain as an alternate member due to her travel schedule. City Attorney Beadle stated the Board of Adjustment would be subject to dual office holding. Councilman Montanaro rescinded Stephen Nieroda's appointment on the Recreation Board until the City Attorney could establish whether Mr. Nieroda could serve on both boards. After further Council discussion, Councilman Montanaro MOVED, to amend his motion, SECOND by Councilwoman Gott, to appoint Stephen Nieroda as a primary member to both the Board of Adjustment and Recreation Board contingent upon approval by the City Attorney. VOTE: ALL YES. MOTION CARRIED.

ACTION: Councilwoman Gott MOVED, to remove Barbara Stasko from the Library Board and replace her with Hope Ascher as a primary member. City Manager Barker stated Barbara Stasko has served several years on the Library Board and recommended allowing her to serve out her remaining term (05/05/16). Councilwoman Gott MOVED, to amend her motion, SECOND by Councilman Montanaro, upon (Barbara Stasko) vacating primary member's position, appoint Hope Ascher as a primary member of the Library Board, term beginning 06/01/16. City Clerk Olexa asked for clarification of the existing term and beginning term date. Councilwoman Gott MOVED, to amend her motion, SECOND by Councilman Montanaro, with a term date of 05/05/19. VOTE: ALL YES. MOTION CARRIED.

City Attorney Beadle asked for clarification of the appointment of Stephen Nieroda to the Board of Adjustment and Recreation Board appointment and the intention of not being able to serve on both boards. **ACTION:** Councilman Montanaro MOVED, SECOND by Councilwoman Gott, made a motion to clarify to only appoint Stephen Nieroda to the Recreation Board contingent upon approval of the City Attorney. VOTE: ALL YES. MOTION CARRIED.

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to remove Scott Waymire from the Sustainability Board due to excessive unexcused absences in accordance with the City Boards Handbook. VOTE: ALL YES. MOTION CARRIED.

ACTION: Councilwoman Gott MOVED, SECOND by Councilman Montanaro, to reappoint primary member Nancy Woodman to the Beautification Board, term ending May 7, 2019. VOTE: ALL YES. MOTION CARRIED.

(TIME: 8:03) ADOPTION OF MINUTES: MARCH 16, 2016, REGULAR MEETING

ACTION: Councilman Montanaro MOVED, SECOND by Councilwoman Gott, to approve the minutes as submitted. VOTE: ALL YES. MOTION CARRIED.

City Manager Barker reported on the proposed Town Hall meeting dates and requested for Council to review and provide any dates that conflict with their schedules.

Vice-Mayor Brimer adjourned the meeting at 8:05 p.m.

Leonor Olexa, CMC
City Clerk

March '16

S	M	T	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

City of Satellite Beach

April 2016

May '16

S	M	T	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 CANCELLED Beautification	2
3	4 CANCELLED BOA	5	6 6:00 p.m. CRA 6:45 p.m. CC Workshop 7:00 p.m. City Council	7	8	9
10	11 4:30 p.m. South Beaches Coalition 7:00 p.m. SCLC	12 6:15 p.m. Recreation	13	14	15	16
17	18 CANCELLED PZAB	19 6:00 p.m. Samsons	20 6:00 p.m. CC Workshop 7:00 p.m. City Council	21 CANCELLED CRAAB	22	23
24	25 7:00 p.m. CPAB	26 7:00 p.m. CEB	27 7:00 p.m. Sustainability Board	28	29	30

April '16

S	M	T	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

City of Satellite Beach

May 2016

June '16

S	M	T	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 CANCELLED BOA	3	4 6:00 p.m. CRA 7:00 p.m. City Council	5	6 9:00 a.m. Beautification	7
8	9 4:30 p.m. South Beaches Coalition 7:00 p.m. SCLC	10 6:00 p.m. Library 6:15 p.m. Recreation	11	12	13	14
15	16 7:00 p.m. PZAB	17 6:00 p.m. Samsons	18 7:00 p.m. City Council	19 7:00 p.m. CRAAB	20	21
22	23 7:00 p.m. CPAB	24 7:00 p.m. CEB	25 7:00 p.m. Sustainability Board	26 2:00 p.m. Pension Boards	27	28
29	30 Memorial Day HOLIDAY	31				