



AMENDED

TOWN COMMISSION MEETING AGENDA

March 25, 2025 at 6:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

RECOGNITION OF SERGEANT AT ARMS

ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS

ROLL CALL

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

1. LETTER OF CIVILITY

APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR MARCH 25, 2025

A. MINUTES

1. March 11, 2025, Town Commission Minutes

B. AGREEMENTS

1. Respec Company Scope of Work

APPROVAL OF AGENDA

PROCLAMATIONS, RECOGNITIONS AND DESIGNATIONS

1. PROCLAMATION, WATER CONSERVATION MONTH

NEW BUSINESS

- 2. DISCUSSION AND ACTION, LAKE RUTH STORM POND SLOPE REPAIR**
- 3. DISCUSSION AND ACTION, RESOLUTION 25-07 APPOINTMENT TO AUDITOR SELECTION COMMITTEE**

REPORTS FROM OFFICERS

Polk County Sheriff's Office
Dundee Fire Department
Town Attorney
Department Updates
Town Manager
Commissioners
Mayor

ADJOURNMENT

***PUBLIC NOTICE:** Please be advised that if you desire to appeal from any decisions made as a result of the above hearing or meeting, you will need a record of the proceedings and in some cases, a verbatim record is required. You must make your own arrangements to produce this record. (Florida statute 286.0105)*

If you are a person with disability who needs any accommodations in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the town clerk's office at 202 east main street, Dundee, Florida 33838 or phone (863) 438-8330 within 2 working days of your receipt of this meeting notification; if you are hearing or voice impaired, call 1-800-955-8771.



Town of Dundee

Item 1.

TOWN CLERK

◆ 202 East Main Street ◆ P.O. Box 1000 ◆ Dundee, Florida 33838 ◆ (863) 438-8330

Dear Town of Dundee Resident:

Welcome to the Town of Dundee. We are truly delighted to have you with us and sincerely appreciate your interest in our vibrant community. Your thoughts and participation are invaluable.

The Town Commission invites you to help us create meetings that are not only successful but also productive as we collectively navigate our legislative processes.

To ensure that every voice is heard, public comments are limited to three (3) minutes per person. In the event of multiple speakers, you may be kindly asked to shorten your remarks.

We encourage you to consider whether your question or comment has already been addressed, as this will help us make the most of our time together.

Public Comment cards are readily available and should be submitted to the Town clerk before the meeting begins. When you take the floor, please share your name and address for the record; and, in order to provide an opportunity for all members of the delegation to participate in the meeting, please also be mindful of the time limitations applicable for all public comment(s).

In the agenda for this public meeting, the section titled **“Delegation and Comments”** provides an opportunity for all members of the delegation to speak on any matter which may or may not be agendaized for consideration and/or discussion. In order to allow meaningful participation in the democratic process, please acknowledge and adhere to the Town’s “Pledge of Civility” in order to foster a respectful atmosphere. The Town Commission will not tolerate abusive language, threats, and/or any inappropriate conduct which includes, but shall not be limited to, inappropriate outbursts or addressing the commission out of turn.

These guidelines are crafted to help us govern efficiently and facilitate an orderly meeting. We genuinely hope you have a rewarding experience with your Town government.

Thank you once again for joining us!

Warm regards,

Mayor Sam Pennant

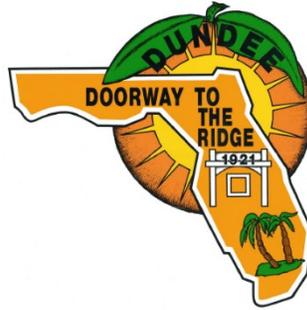


TOWN COMMISSION MEETING

March 25, 2025 at 6:30 PM

AMENDED

-
- AGENDA ITEM TITLE:** Approval of the Commission Consent Agenda
- SUBJECT:** The Town Commission will consider the items of the consent agenda as provided for by the Town Code Article IIA, Sec. 2-33(e). Items in the consent agenda are routine business or reports. All items in the consent agenda are approved in one motion. Any item in the consent agenda may be pulled by a member of the Town Commission for separate consideration.
- STAFF ANALYSIS:** The consent agenda for the meeting of March 25, 2025, contains the following:
- A. Minutes
 - 1. March 11, 2025, Town Commission Regular Meeting
 - B. Agreement
 - 2. Respec Company Scope of Work
- STAFF RECOMMENDATION:** Staff recommends approval
- ATTACHMENTS:** March 11, 2025, TC Regular Meeting Minutes
Respec Company Scope of Work Agreement



TOWN COMMISSION MEETING MINUTES

March 11, 2025, at 6:30 PM

COMMISSION CHAMBERS - 202 E. MAIN STREET, DUNDEE, FL 33838

Phone: 863-438-8330 | www.TownofDundee.com

CALL TO ORDER at 6:29 p.m.

PLEDGE OF ALLEGIANCE led by Mayor Pennant

INVOCATION led by Vice Mayor Goddard

RECOGNITION OF SERGEANT AT ARMS – Sgt. Raymundo

ORDINANCE #13-08, PUBLIC SPEAKING INSTRUCTIONS provided by Mayor Pennant

ROLL CALL taken by Town Clerk Erica Anderson

PRESENT

Vice-Mayor Goddard

Mayor Pennant

Commissioner Richardson

Commissioner Pugh

Commissioner Quarles

DELEGATIONS-QUESTIONS & COMMENTS FROM THE FLOOR

(Each speaker shall be limited to three (3) minutes)

Mayor Pennant opened the floor for delegations, seeing none, the floor was closed.

APPROVAL OF CONSENT AGENDA: CONSENT AGENDA FOR MARCH 11, 2025

Item A. Minutes for February 25, 2025

Mayor Pennant opened the floor for public comment; being none, the floor was closed.

A motion was made to approve the consent agenda by Vice Mayor Goddard, seconded by Commissioner Quarles.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, Mayor Pennant

The motion passed unanimously.

A motion to add Task Order #1 to the agenda and approve Items B and C was made by Commissioner Quarles, seconded by Vice Mayor Goddard.

Item B. CHA Task Order #6 Water Audit

Item C. Task Order #1

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, Mayor Pennant

The motion passed unanimously.

APPROVAL OF AGENDA

The following changes were made to the agenda:

- CHA Task Order #6 was added to agreements
- Robert A. Stevens & Associates Task Order # 1 was added to agreements

Mayor Pennant opened the floor for public comment: being none, the floor was closed.

A motion to approve the agenda with changes was made by Vice Mayor Goddard, seconded by Commissioner Quarles.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, Mayor Pennant

The motion passed unanimously.

NEW BUSINESS

1. DISCUSSION & ACTION, LEASE AGREEMENT – YOU THRIVE FLORIDA

Public Works Director Vice provided the analysis for this item.

You Thrive Florida is seeking to lease the community center located at 603 Lake Maire Blvd for a weekly senior event and wellness day. This weekly event has previously been organized by the Catholic Charities of Central Florida and is currently active. The change is that the organizer will shift from Catholic Charities of Central Florida to You Thrive Florida.

Staff received a request to allow You Thrive Florida to continue providing wellness services for local seniors. They meet every Thursday at the community center from 10am to 3pm. This provides seniors with a space to connect with one another, where they can access resources from doctors, nutrition specialists, and important information that helps ensure they have the support they need, whether they are facing difficulties or simply unaware of available programs to help them live their best lives. This program facilitates their connections and overall well-being.

A motion to conditionally approve the agreement subject to two (2) conditions, as follows: (1) in the event the Town determines that the Community Center is not available, the applicant will accept an alternate location for the subject event(s) and/or service(s); and (2) the Certificate of Insurance (COI) identifies the Town and its elected officials, agents, and employees as Additional Insureds – which shall be subject to review and approval by the Town Attorney was made by Vice Mayor Goddard and seconded by Commissioner Quarles.

Voting in favor were Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, and Mayor Pennant.

The motion passed unanimously.

2. DISCUSSION & ACTION, XTREME CAR CENTER, INC. SITE DEVELOPMENT PLAN

Vice Mayor Goddard motioned to place this item at the top of the agenda, with a second from Commissioner Richardson.

Voting in favor were Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, and Mayor Pennant.

The motion passed unanimously.

Assistant Town Manager Lorraine Peterson presented this item and provided the analysis.

Mayor Pennant opened the floor for delegation.

Ms. Annette Wilson spoke in favor of the project.

Mayor Pennant closed the floor for delegation.

A motion was made to conditionally approve the Xtreme Car Care Site Development Plan subject to conditions, as follows: (1) a resolution shall be presented to the Town Commission effective *nunc pro tunc* the date the current Special Exception expired which extends the Special Exception; and (2) immediately following the satisfaction of the first condition, the applicant will commence with permitted construction of the identified improvements. Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Goddard, Mayor Pennant

The motion passed unanimously.

3. DISCUSSION & ACTION, SUMMER CAMP FOR THE TOWN OF DUNDEE

Commissioner Pugh presented this item to the Town Commission for approval.

The county will provide a summer camp for the Town of Dundee. A discussion ensued amongst the commission concerning monetary support for families who are residents of the Town of Dundee.

Mayor Pennant opened the floor for delegation.

Ms. Michelle Thompson and Ms. Annette Wilson spoke in support of the Summer Camp.

Mayor Pennant closed the floor for delegation.

A motion was made to direct the Town Attorney to prepare a Resolution in Support in order to support and approve the Summer Camp Program, which shall be subject to Town appropriations, and further authorize the Town Manager to take any necessary further action(s) to effectuate the intent of the Resolution.

Voting in favor: Commissioner Quarles, Commissioner Richardson, Commissioner Pugh, Vice Mayor Godda
Mayor Pennant

The motion passed unanimously.

REPORTS FROM OFFICERS

Town Attorney

Town Attorney Claytor updated the commission on the status of the Auditor Selection.

Department Updates

Public Works Director John Vice provided an update on the bridge, it has been delivered and installed.

Town Manager

Assistant Town Manager Lorraine Peterson provided the following updates.

Ridge League Dinner is this Thursday 3/13/2025 in Bartow

Tree Board will participate in Dundee Elementary Academy's STREAM Night on Thursday, 3/13/2025.

We have received multiple applications for the Finance Director position, we are in the process of reviewing those candidates. Once the review is complete, we will begin setting up interviews next week.

Commissioners

[Due to technology issues, Commissioner comments were not obtained.]

ADJOURNMENT at 8:05 p.m.

Respectfully submitted,

Erica Anderson

Erica Anderson, Town Clerk

APPROVAL DATE: _____

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PROPOSAL SUBMITTED TO:

Town of Dundee Utilities
202 Main Street
Dundee, FL 33838-1000

DATE:

February 25, 2025

CLIENT CONTACT:

Tracy Mercer
Utilities/Special Projects Director

CLIENT CONTACT EMAIL:

tmercercert@townofdundee.com

RESPEC CONTACT:

Joseph Haber, P.G.

RESPEC CONTACT EMAIL:

Joseph.Haber@RESPEC.com

RESPEC CONTACT PHONE:

(941) 667-5412

SCOPE OF WORK: Town of Dundee Water Use Permit 20005893.013 Monthly Water Level Monitoring

GENERAL PROJECT DESCRIPTION

RESPEC Company, LLC (RESPEC) is proposing the following Scope of Work for The Town of Dundee Utilities (Town or Client) in support of Special Condition Nos. 13 and 15 of Water Use Permit (WUP) No. 20005893.013.

Special Condition Nos. 13 and 15 require the monitoring and reporting of water levels of two piezometers (PZ-1 and PZ-2) and two staff gauges (SG-1 and SG-2) referenced to the North American Vertical Datum 1988 (NAVD 88) on a bi-weekly basis. The frequency of monitoring was decreased to a monthly basis per the SWFWMD-approved Environmental Management Plan (EMP) dated August 3, 2012. The piezometers and staff gauges are located within the Highway 542 Zone of Influence Wetland (ZIWL) identified in the approved August 3, 2012 EMP.

This Scope of Work proposes that RESPEC staff conduct monthly water level monitoring and reporting for a 7-month period beginning March 1, 2025, and ending September 30, 2025, in accordance with WUP No. 20005893.013 Special Condition Nos. 13 and 15. Hydrologic monitoring will include:

1. Travel time to and from the ZIWL monitoring site on a monthly basis.
2. Time and resources on-site collecting Depth to Water measurements at the two piezometer and two staff gauge sites on a monthly basis.
3. Calculating water level elevations referenced to NAVD 88 for each monitoring site on a monthly basis.
4. Compiling water level elevation data from the four monitoring locations into spreadsheets and representing data in both tabular and graphical format. Spreadsheets will be updated and maintained on a monthly basis.
5. Submitting water level elevation data from the four monitoring locations to the SWFWMD's online Permit Information Center (ePIC) each month.

250 GREEN FOREST LANE
SUITE 101
LUTZ, FL 33558
914.667.5412



SCHEDULE

RESPEC will conduct the above-mentioned tasks each month from March 1, 2025, to September 30, 2025, with the option to renew for annual periods extending from October 1 to September 30 of each year for an additional cost.

ASSUMPTIONS

1. Cost increases resulting from the imposition of new rules, laws, or restrictions by the state legislature, water management districts, or local governments are not included in the cost of this proposal.
2. Any other services not specifically identified within this Scope are not part of this Agreement and will be considered Additional Services. However, Additional Services can be provided if deemed necessary and approved in advance by the Client.

RESPEC PROPOSES TO FURNISH THE ABOVE SCOPE OF WORK FOR A LUMP SUM OF: \$7,875.00



 Authorized Signature Date

Joseph D. Haber, PG/Managing Principal
Name/Title (Please print)

RESPEC Company, LLC
Legal Entity Name

Authorized Signature Date

Name/Title (Please print)

Town of Dundee
Legal Entity Name

PROCLAMATION



WHEREAS, water is a basic and essential need of every living creature; and

WHEREAS, the State of Florida, Water Management Districts and the Town of Dundee are working together to increase awareness about the importance of water conservation; and

WHEREAS, the Town of Dundee and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida’s Water Conservation Month, to educate citizens about how they can help save Florida’s precious water resources; and

WHEREAS, the Town of Dundee has always encouraged and supported water conservation, through various educational programs and special events; and

WHEREAS, every business, industry, school and citizen can make a difference when it comes to conserving water; and

WHEREAS, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

NOW, THEREFORE, BE IT RESOLVED that by virtue of the authority vested in me as Mayor of the Town of Dundee, do hereby proclaim the month of April 2025 as

WATER CONSERVATION MONTH

The Town of Dundee, Florida is calling upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

Dated this 25th day of March, 2025

Sam Pennant, Mayor

Attest:

Erica Anderson, Town Clerk



TOWN COMMISSION MEETING

March 25, 2025, at 6:30 PM

Item 2.

AGENDA ITEM TITLE: Discussion and Action Lake Ruth Storm Pond Slope Repairs

SUBJECT: Lake Ruth Storm Pond Slope and Repairs (Stormwater Department)

STAFF ANALYSIS: The Stormwater department has been repairing this slope throughout the rainy season and has consulted with different contractors and staff to receive three (3) quotes for repairs and a long-term solution to prevent a washout occurring again. Staff is requesting a contractor to install an overflow structure and pipe with an outfall closer to Lake Ruth. Doing so will allow the pond to fill to a designated level and outfall any large amounts of water. Additionally, staff is requesting to contract with the b

FISCAL IMPACT: The fiscal impact for this item is \$17,580.00

STAFF RECOMMENDATION: Staff recommends approval

ATTACHMENTS: Staff recommends approval



**P.O. BOX 92019
LAKELAND, FL. 33804
863-337-6499 Office
863-337-5402 Fax**

Town Of Dundee

DATE 3/4/2025

863-514-6636

E-MAIL: jvice@townofdundee.com

ATTN: Johnathon Vice

RE: Pond A Outfall Structure

<u>DESCRIPTION</u>	<u>QTY</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>TOTAL PRICE</u>
GENERAL CONDITIONS				
MOBILIZATION	1	EA		
TOTAL GENERAL CONDITIONS				\$1,850.00
STORM				
Type C Outfall Structure w/ Skimmer	1	EA		
15" ADS	60	LF		
15" MES	1	EA		
Excavate Eroded Soil & Place Back in Pond Berm	1	LS		
TOTAL STORM				\$15,730.00
TOTAL PROJECT				\$17,580.00

NOTES & CONDITIONS:

1. ADDITIONAL MATERIAL COST SHALL BE ADDED BASED ON PRICE IN EFFECT AT TIME OF SHIPMENT.
2. PER DRAWINGS DESIGN & PERMITTING BY OTHERS.
3. SPECIFICALLY EXCLUDED IS THE HANDLING OR REMOVAL OF ANY HAZARDOUS MATERIAL OR UNSUITABLE MATERIALS FOUND ON THIS SITE.
4. SLEEVES IF REQUIRED NOT INCLUDED IN THIS PRICE.
5. OWNER TO FURNISH ALL PERMITS, APPROVED PLANS, CONSTRUCTION EASEMENTS AND BONDS.
6. THIS PROPOSAL MAY BE WITHDRAWN IF NOT ACCEPTED WITHIN 30 CALENDAR DAYS.
7. DEMOLITION PRICES ARE BASED ON A ROUGH ESTIMATE OF PIPE FOOTAGE QUANTITY.
8. WATER FOR TESTING BY OTHERS.
9. GENERATORS FOR LIFT STATIONS UNLESS SPECIFICALLY DESIGNED & SUBMITTED IN BID PLANS SHALL BE EXCLUDED.

EXCLUSIONS:

LAY OUT, SOIL TESTING, DEWATERING, CONFLICTS, ASBUILTS, E.P.A. POLLUTION PLAN, RELOCATING EXISTING UTILITIES, IRRIGATION, METERS & METER BOXES FOR POTABLE WATER, REMOVAL OR REPLACEMENT OF TREES AND LANDSCAPING (INCLUDING SOD, SEED, MULCH), REPAIR OF ROAD, M.O.T., ROOF DRAIN TIE-INS, POLE HOLDING, ELECTRIC FOR LIFT STATION & RESTORATION OF ANY KIND.

KEVIN ODOM



Item 2.

Estimate

Date	Estimate No.
2/13/2025	251846

Name/Address:

Town of Dundee
 202 East Main Street
 Dundee, FL 33838

Project
Dozer

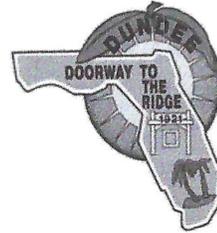
Description	Qty	Unit	Rate	Total
Dozer (two days)	1	LS	3,500.00	3,500.00
Mobilization	1	LS	1,499.00	1,499.00
Sales Tax, State of Florida			7.00%	0.00
Total				\$4,999.00

CGC1518879
 CUC056989

PO Box 332
 Lake Hamilton, FL
 33851-0332

www.Martin-Paving.com
 (863)439-4655 phone

**TOWN OF DUNDEE
PRICE QUOTE SHEET**



DATE: 3/6/2025

DEPARTMENT: Storm water (Public Works)

NAME OF PERSON SECURING THE QUOTE: Johnathon Vice

GENERAL DESCRIPTION OF ITEM: install 1 overflow structure with skimmer and backfill washout

Vendor Selected:

VENDOR #1

COMPANY NAME: Odom Contracting

CONTACT NUMBER: 863-337-5402 NAME OF REPRESENTATIVE: Kevin

PRICE: \$17580.00 SHIPPING: N/A

COMMENTS: install 1 overflow structure with skimmer and backfill washout

Vendor Selected:

VENDOR #2

COMPANY NAME: Tucker Paving

CONTACT NUMBER: 863-299-2262 NAME OF REPRESENTATIVE: Bo

PRICE: \$ 25,055.95 SHIPPING: N/A

COMMENTS: Back fill wash out (JUST BACKFILL)

Vendor Selected:

VENDOR #3

COMPANY NAME: Martin Paving

CONTACT NUMBER: 863-439-4655 NAME OF REPRESENTATIVE: Randy Sr.

PRICE: \$4999.00 SHIPPING: N/A

COMMENTS: back fill wash out

DEPARTMENT DIRECTOR/SUPERVISOR: *Johnathon Vice*

DATE: 3-6-25

FINANCE DIRECTOR APPROVAL: *Johnathon Vice*

DATE: 3-06-25

TOWN MANAGER APPROVAL: *Johnathon Vice*

DATE: 3-06-25

ADDITIONAL COMMENTS: _____

SOLE SOURCE JUSTIFICATION: _____



5658 Lucerne Park Road
 Winter Haven, FL 33881
 Phone: 863-299-2262
 Fax: 863-294-1007
 www.tuckerpaving.com

To: Town Of Dundee	Contact: John Vice
Address: 202 Main St. Dundee, FL 33838	Phone: 863-438-8330 Fax: 863-438-8338
Project Name: City Of Dundee_Slope Repair	Bid Number: 25-130
Project Location: 1st Street, Dundee, FL	Bid Date: 2/26/2025

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
9	EMBANKMENT	540.000	CY	\$24.00	\$12,960.00
	MOBILIZATION	1.000	LS	\$12,095.95	\$12,095.95

Total Bid Price: \$25,055.95

Notes:

- **Not Included In This Proposal:**
- Permits or Permit Fees
- Concrete or Compaction Testing
- Survey Layout/As-Builts
- Bonds
- Rebar Materials/Installation for Masonry Contractor
- Masonry Block Material and Installation
- Grout Fill material and placement in masonry cells, lintels, and bond beams
- Concrete Sealer
- Joint Sealant or Removal of Void Cap
- Decorative Concrete (Colored, Stamped, etc.)
- Anchor Bolt and Embed Materials
- Removal of Unsuitable or Contaminated materials
- Dewatering
- Excavation, backfill, or compaction of other subcontractor's work
- MOT Devices, Lane Closures, or Flaggers
- Pad prep greater than +/- .10'
- Night or Weekend work
- Demolition or Removal of existing concrete
- Any work not indicated or implied

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Tucker Paving, Inc.</p> <p>Authorized Signature: _____</p> <p>Estimator: Kyle Allen 863-299-2262 kallen@tuckerpaving.com</p>
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TOWN COMMISSION MEETING

March 25, 2025, at 6:30 PM

-
- AGENDA ITEM TITLE:** Resolution 25-07 Appointment to Auditor Selection Committee
- SUBJECT:** Auditor Selection Committee Appointment
- STAFF ANALYSIS:** Staff is seeking the appointment of Mr. Donaldson Barclay to serve as a member of the Auditor Selection Committee. Mr. Barclay is a resident of the Town and has expressed interest in serving this community. This appointment is to replace Committee Member Kevin Kitto.
- FISCAL IMPACT:** None
- STAFF RECOMMENDATION:** Staff recommends approval
- ATTACHMENTS:** Resolution 25-07

RESOLUTION NO. 25-07

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AMENDING RESOLUTION NO. 25-04; AMENDING SECTION 2. ESTABLISHMENT OF THE COMMITTEE FOR THE REMOVAL OF AUDITOR SELECTION COMMITTEE MEMBER(S), IN ACCORDANCE WITH SECTION 218.391 OF THE FLORIDA STATUTES AND APPOINTING MEMBER(S) TO SERVE THEREON AND PROVIDING FOR RELATED MATTERS; AUTHORIZING THE TOWN MANAGER OR HER/HIS AUTHORIZED DESIGNEE TO TAKE ANY NECESSARY FURTHER ACTIONS TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR THE INCORPORATION OF RECITALS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR THE ADMINISTRATIVE CORRECTION OF SCRIVENER’S ERRORS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town of Dundee (the “Town”) is a Florida municipal corporation vested with home rule authority pursuant to the Municipal Home Rule Powers Act (F.S. Chapter 166) and Article VIII, §2 of the Florida Constitution; and

WHEREAS, pursuant to Section 2(b), Article VIII of the Florida Constitution and Chapter 166, Florida Statutes, the Town is vested with governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions, and render municipal services, including the general exercise of any power for municipal purposes; and

WHEREAS, the Town Commission of the Town of Dundee (the “Town Commission”) recognizes the importance of an independent annual financial audit to ensure the proper use of public funds; and

WHEREAS, Section 218.391, Florida Statutes (2025), establishes procedures for the selection of external auditors to perform the financial audits required by Section 218.39, Florida Statutes (2025); and

WHEREAS, Section 218.391, Florida Statutes (2025), requires the Town Commission to establish an *auditor selection committee* and sets forth the requirements for an *auditor selection committee* and its composition; and

WHEREAS, pursuant to Section 218.391(2)(b), Florida Statutes (2025), the *auditor selection committee* must, at a minimum, consist of at least three (3) members, with one (1) member of the Town Commission, who shall serve as the chair of the committee; and

WHEREAS, pursuant to Section 218.391, Florida Statutes (2025), the primary purpose of the *auditor selection committee* is to assist the Town Commission in selecting an auditor to conduct the annual financial audit required in Section 218.39, Florida Statutes (2025); and

WHEREAS, in order to serve such purpose, the *auditor selection committee* is required to perform those duties set forth in Section 218.319(3), Florida Statutes (2025), which includes, but is not limited to, the following: (i) establishing factors to use for the evaluation of audit services; and (ii) ranking and recommending to the Town Commission no fewer than three (3) firms deemed to be the most highly qualified to perform the required services; and

WHEREAS, if the Town Commission is unable to negotiate a satisfactory contract with any of the recommended firms, the *auditor selection committee* shall recommend additional firms, and negotiations shall continue until such an agreement is reached; and

WHEREAS, the current Town of Dundee external auditor contract was not renewed by the Town Commission and has therefore expired with the conclusion of the fiscal year 2022-2023 Town of Dundee audit; and

WHEREAS, the Town Commission of the Town of Dundee, Florida, finds that the approval of this **Resolution No. 25-07** is intended to enhance the present advantages that exist within the corporate limits of the Town of Dundee, Florida; is consistent with the public interest and this **Resolution No. 25-07** is intended to promote, protect, and improve the public health, safety, and general welfare of the employees, citizens, and residents of the Town of Dundee, Florida.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF DUNDEE, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals.

The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the passage of this **Resolution No. 25-07**, and the Town Commission of the Town of Dundee, Florida, hereby adopts the above-referenced factual recitals as the legislative findings supporting the passage of this **Resolution No. 25-07**. The above factual recitals are hereby incorporated herein and serve as a factual and material basis for the passage of this **Resolution No. 25-07**.

Section 2. Establishment of Committee.

Pursuant to Section 218.391, Florida Statutes (2025), and applicable Florida law, the Town Commission of the Town of Dundee, Florida, hereby establishes an *auditor selection committee* (the “Committee”), as follows:

- (a) The Committee for a municipality shall consist of at least three (3) members; and

- (b) One (1) member of the Committee shall be a member of the Town Commission of the Town of Dundee who shall serve as the chair of the Committee; and
- (c) An employee, a chief executive officer, and/or a chief financial officer of the Town of Dundee shall not serve as a member of the Committee; and
- (d) An employee, a chief executive officer, or a chief financial officer of the Town of Dundee may serve the Committee in an advisory capacity; and
- (e) The Committee shall act in accordance with rules and guidance of the Auditor General of the State of Florida and with Section 218.391, Florida Statutes (2025), and perform all functions described in Section 218.391(3), Florida Statutes (2025), including:
 - (i) Establishing factors to use for the evaluation of audit services which shall include compensation as one (1) of the factors;
 - (ii) Publicly announcing requests for proposals;
 - (iii) Providing interested firms with a request for proposal;
 - (iv) Evaluating proposals provided by qualified firms; and
 - (v) Ranking and recommending in order of preference the three (3) firms deemed to be the most highly qualified to perform the required services after considering the established evaluation factors.
- (f) The Committee shall comply with all applicable provisions of Florida's Government in the Sunshine Law and Public Records Laws in the conduct of its business;
- (g) The following person(s) are hereby removed and appointed to the auditor selection committee:
 - (i) Alethea Pugh, Committee Chair;
 - (ii) **Removed** - Kevin Kitto, former commissioner; and
 - (iii) Archie Sapp, long term resident of the Town of Dundee
 - (iv) **Appointed** - Donaldson Barclay, resident of the Town of Dundee

- (h) The Town’s Director of Public Utilities/Special Projects Coordinator, Tracy Mercer, shall continue to serve in an advisory capacity to the Committee;
- (i) Appropriate Town of Dundee staff and/or consultants, as determined by the Town Manager, shall assist the Committee in any administrative duties and/or requirements; and
- (j) The term of the new members of the Committee shall commence on their date of appointment as established in this **Resolution No. 25-07**, and the Committee shall be automatically dissolved upon acceptance or rejection by the Town Commission of the auditor recommendations.

Section 3. Authorization.

The Town Manager, or her/his designee, is hereby authorized to take any and all necessary further action(s) to effectuate the intent of this **Resolution No. 25-07** which includes, but shall not be limited to, conduct negotiations with the highest-ranked qualified auditor firm as determined by the Town Commission and, if all criteria established by this **Resolution No. 25-07** and Section 218.391(7) of the Florida Statutes are satisfied, enter into and execute an agreement with the highest-ranked qualified auditor firm.

Section 4. Administrative Correction of Scrivener’s Errors.

It is the intention of the Town Commission that sections of this **Resolution No. 25-07** may be renumbered or re-lettered and the word "resolution" may be changed to, "section", or such other appropriate word or phrase in order to accomplish such intentions; and sections of this **Resolution No. 25-07** may be re-numbered or re-lettered and the correction of typographical and/or scrivener's errors which do not affect the intent may be authorized by the Town Manager or designee, without need of public hearing, by filing a corrected or re-codified copy of same with the Town Clerk.

Section 5. Conflicts.

All resolutions in conflict with this **Resolution No. 25-07** are repealed to the extent necessary to give this **Resolution No. 25-07** full force and effect.

Section 6. Severability.

The provisions of this **Resolution No. 25-07** are severable. If any section, subsection, sentence, clause, phrase of this **Resolution No. 25-07**, or the application thereof shall be held invalid, unenforceable, or unconstitutional by any court, administrative agency, or other body with appropriate jurisdiction, the remaining section, subsection, sentences, clauses, or phrases under application shall not be affected thereby. The Town Commission of the Town of Dundee hereby declares that it would have passed this **Resolution No. 25-07**, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared invalid, unenforceable, or unconstitutional, or unenforceable. If

any word, sentence, clause, phrase, or provision of this **Resolution No. 25-07** for any reason is declared by any court of competent jurisdiction to be invalid, unenforceable, or unconstitutional, then all remaining provisions and portions of this **Resolution No. 25-07** shall remain in full force and effect. If any section, subsection, sentence, clause or phrase of this **Resolution No. 25-07** is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this **Resolution No. 25-07**. The Town of Dundee, Florida, by and through its Town Commission, hereby declares that it would have passed this **Resolution No. 25-07**, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 7. Effective Date. This **Resolution No. 25-07** shall take effect immediately upon passage by the Town Commission of the Town of Dundee, Florida.

READ, PASSED AND ADOPTED at a duly called meeting of the Town Commission of the Town of Dundee, Florida, assembled on the 25th day of March, 2025.

TOWN OF DUNDEE

Samuel Pennant, Mayor

ATTEST WITH SEAL:

Erica Anderson, Town Clerk

Approved as to form:

Frederick J. Murphy, Jr., Town Attorney