



BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING AGENDA

**Wednesday, July 26, 2023 at 6:00 PM
Commission Chambers**

The Board of Commissioners of the City of Madeira Beach, Florida will meet in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below. Meetings will be televised on Spectrum Channel 640 and YouTube Streamed on the City's Website.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT**

Public participation is encouraged. If you are addressing the Commission, step to the podium and state your name and address for the record. Please limit your comments to five (5) minutes and do not include any topic on the agenda. Public comment on agenda items will be allowed when they come up.

If you would like someone at the City to follow up on a comment or question made at the meeting, you may fill out a comment card with the contact information and give it to the City Manager. Comment cards are available at the back table in the Commission Chambers. It is not mandatory to complete a comment card.

For any quasi-judicial public hearings that might be on the agenda, an affected person may become a party to a quasi-judicial proceeding and can be entitled to present evidence at the hearing including the sworn testimony of witnesses and relevant exhibits and other documentary evidence and to cross-examine all witnesses by filing a notice of intent to be a party with the Community Development Director not less than five days prior to the hearing.

4. DISCUSSION ITEMS

A. Presentation - Selah Freedom - Raising Awareness to End Sex Trafficking

B. Discuss/Review Commission Meeting Public Comment Section

- [C.](#) Legal/City Attorney RFQ Review
- [D.](#) City of Madeira Beach – Changing Existing Boundaries of Election Districts to Equalize as nearly as possible the number of Electors in each District
- [E.](#) Health Insurance, Benefits, and Salary Increase for Commissioners
- [F.](#) Tom Kitty Stuart Park parking and landscaping
- [G.](#) Fitness Center Public Usage
- [H.](#) Facility Use Contract - The Spring Games, LLC
- [I.](#) FY 2023 Update to Fees & Collection Procedures Manual
- [J.](#) Frontier Phone Lines
- [K.](#) Election Sign Options
- [L.](#) Shade Structures
- [M.](#) Development Agreement Processes
- [N.](#) City Manager's June 2023 Report

5. ADJOURNMENT

One or more Elected or Appointed Officials may be in attendance.

Any person who decides to appeal any decision of the Board of Commissioners with respect to any matter considered at this meeting will need a record of the proceedings and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The law does not require the minutes to be transcribed verbatim; therefore, the applicant must make the necessary arrangements with a private reporter or private reporting firm and bear the resulting expense. In accordance with the Americans with Disability Act and F.S. 286.26; any person with a disability requiring reasonable accommodation to participate in this meeting should call the City Clerk at 727-391-9951, ext. 231 or 232 or fax a written request to 727-399-1131.



BOARD OF COMMISSIONERS POLICY HANDBOOK

Resolution ~~2022-05~~ **2023-05**

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ARTICLE I

OFFICIAL COMMUNICATIONS AND REPRESENTATION OF THE CITY PROTOCOL

The City Charter provides information on the roles and responsibilities of the Board of City Commissioners. In accordance with City Charter, Sec. 4.5 (B), the Board of Commissioners shall determine its own rules and order of business by resolution within 90 days following each election. Once adopted by resolution, the legislation must be adhered to until any modifications thereof are made. The Board of Commissioners hereby adopt these policy guidelines describing the protocol for various official communications and representations on behalf of the City of Madeira Beach.

I. OVERVIEW OF ROLES & RESPONSIBILITIES

The roles and responsibilities of elected officials can be found in the City Charter, City Code as well as established past practices.

CITY CHARTER DUTIES

1. Mayor (City Charter, Section 4.3)

- Presides at all meetings of the Board of Commissioners.
- Have a voice and vote in the proceedings of the Commission.
- Recognized as the official head of the City of Madeira Beach, Florida, government for all ceremonial purposes and may issue Proclamations and award the Key to the City.
- Official for service of process (receives lawsuits and other documents on behalf of the City of Madeira Beach).
- Official designated to represent the City of Madeira Beach, Florida, in all agreements with other entities or certifications to other government entities but shall have no administrative duties except as required to carry out the responsibilities herein.

2. Vice-Mayor (City Charter, Section 4.4)

- Appointed by the Board of Commissioners at the first regular or special meeting, which shall be held on or before the last day of the month in which the election was held to serve as Vice-Mayor for a one (1) year term.
- Act as Mayor during the absence or disability of the Mayor. Should the Vice-Mayor be required to act as Mayor for a period in excess of thirty (30) days, he/she shall receive the compensation of the Mayor retroactive to the date upon which he/she assumed the Mayoral duties.

3. Board of Commissioners (City Charter, Article IV)

All members of the Board of Commissioners have equal votes. No Commission member has more authority than any other Commission member. Each Commission member shall fully participate in the Board of Commissioners' meetings and may represent the City at ceremonial and/or formal functions at the request of the Mayor or District Commissioners.

II. GUIDELINES RELATED TO COMMISSION COMMUNICATIONS

1. Ceremonial Events

- Requests for City representative(s) at ceremonial events will be handled by the City Manager's Office. The Mayor serves as the designated City representative for ceremonial purposes. If the Mayor is unavailable to attend, the Vice-Mayor will be asked to represent the City, and if the Vice-Mayor is unavailable, another Commission member will be asked to represent the City. District Commissioners can also represent the City at ceremonial events if requested.
- Invitations received at City Hall by mail or email are presumed to be for official City representation. Invitations addressed to Commission members at their homes are presumed to be unofficial, personal invitations.
- All Commissioners are encouraged to show up and positively represent the City without violating the Sunshine Law.

2. Official Correspondence

- Each Commission member may prepare and send correspondence under their signature on City letterhead, but City letterhead shall not be used for personal or election or campaign correspondence. However, before sending correspondence, the Commission member shall check with the City Manager or the City Clerk to see if an official City response has already been sent or is in progress. A signed copy of the correspondence shall be given to the City Clerk to be filed as part of the public record and may be placed on the City Website.
- No written commitment or position shall be made by any individual member of the Board of Commissioners on behalf of the City without first having obtained a majority direction from the Board of Commissioners. A copy of all correspondence shall be given to the City Clerk to be filed as part of the public record and may be placed on the City Website.
- All official and legal correspondence of the City, including contracts, agreements and ordinances, shall be signed by the Mayor or as otherwise provided within the correspondence. In the absence of the Mayor, the Vice-Mayor shall sign on behalf of the City. A copy of all official and legal correspondence of the City shall be given to the City Clerk to be filed as part of the public record.
- All correspondence received at City Hall for the Mayor and Commissioners is considered official mail, excluding anonymous mail, and shall be opened by the City Clerk. Originals shall be filed as part of the public record and a copy of the mail shall be placed in the mailbox of the Commission member to whom the mail was addressed to. Although, anonymous mail is considered a public record it is not considered official mail and will be treated accordingly depending on the nature of its contents.

3. Public Communications

- The Board of Commissioners will endeavor to inform and interact with the public in meaningful and respectful ways that convey accurate information, using the following guidelines:
- Commission members frequently are asked to explain an action made by the Board or to give their opinion about an issue as they meet and talk with constituents in the community. Commission members may give a brief overview of a decision made by the Board or City policy and to refer to City staff for further information.
- Commission members may not overtly or implicitly promise Board of Commissioners action, or to promise City staff will do something specific (i.e., fix a pothole, void a parking ticket, plant new flowers in the median, etc.). Commission members shall make no promises on behalf of the Board of Commissioners.
- Commission members may not make any personal comments, verbal or nonverbal, about other Commission members.
- Commission members may publicly disagree about an issue, but one should refrain from making derogatory and/or inflammatory comments, verbal or nonverbal, about other Commission members, based on their opinions, and actions.
- A Commission member may have the City Manager inform and interact with the public on their behalf.
- Commission members should not give any opinions on issues to be decided by the Board of Commissioners.

III. COMMISSION CONDUCT WITH CITY STAFF

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implements and administers the policies of the Board of Commissioners. Therefore, every effort shall be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

1. Do not get involved in administrative functions. (City Charter, Section 4.6. C.)

- Board of Commissioners shall not interfere with Administration.

Language as written in City Charter, Section 4.6., B. “*Appointments and removals.*” Neither the Board of Commissioners nor any of its members shall in any manner dictate the *appointment or removal* of any City administrative officer or *employees whom the City Manager or any of his/her subordinates are empowered to appoint*, but the Board of Commissioners may express its views and fully and freely discuss with the Manager anything pertaining to appointment and removal of such officers and employees.”

Language as written in City Charter, Section 4.6., C. *“Interference with administration. Except for the purpose of inquiries and investigation, the Board of Commissioners or its members shall deal with the City officers and its employees who are subject to the direction and supervision of the City Manager solely through the City Manager, and neither the Board of Commissioners or its members shall give orders to any such officers or employee, neither publicly nor privately, except as provided under the emergency powers section of this Charter. The Board of Commissioners or any of its committees or members, individually or collectively, shall not direct or request the appointment of any person or his/her removal from, office by the City Manager or any of his/her subordinates or in any manner, directly or indirectly, take part in the appointment or removal of any officers or employees or members of Boards in the Administrative Service of the City of Madeira Beach, Florida. The Board of Commissioners nor any member thereof shall give orders to any subordinate or Officer of said City, either publicly or privately, directly or indirectly.”*

- It is permissible for a Commission member to ask questions of or request information from a City officer or its employees for clarification of an item listed on the agenda in preparation of a meeting, as long as the request is through the City Manager.
- Language as written in City Charter, Section 4.9. Investigations. “The Board of Commissioners may make investigations into the affairs of the City by appointing a Charter Officer to investigate internal affairs of the City and report their findings to the Board of Commissioners.”

2. Check with City staff on correspondence before taking action.

Often, the City Manager or City Clerk will be aware of a response already provided on behalf of the City that can be useful to the Board of Commissioners in understanding the status of projects, complaints and other inquiries.

3. Do not attend meetings with City staff unless requested by a department director through the City Manager.

Even if a Commission member does not say anything, his/her presence implies support, shows partiality, intimidates staff, and hampers staff’s ability to do their job objectively.

4. Limit requests for staff support.

Routine secretarial support will be provided to the Board of Commissioners by the City Clerk’s Office. All mail for the Mayor and Commissioners is opened and a copy retained by the City Clerk. Mail addressed to the Mayor that may need immediate response or action may be reviewed first by the City Manager who may note suggested action and/or follow-up items. Depending on the nature of the contents of anonymous mail, the City Attorney will first review it.

Requests for staff support - even in high priority or emergency situations -- shall be made to the City Manager who is responsible for allocating City resources to maintain a professional, well-run City government.

5. Do not solicit political support from staff.

Board of Commissioners shall not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates and engage in other political activities, but all such activities shall be done away from the workplace. City staff in uniform shall not be asked to pose with candidates for office nor shall City equipment, letterhead, logos, paper, envelopes or other city materials be used in, or to create, political campaign advertisements.

IV. COMMISSION CONDUCT WITH THE PUBLIC

The Board of Commissioners are held to the highest standards of ethics and shall maintain the utmost standards of personal integrity, trustfulness, honesty, and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, and never use their official position or authority improperly or for personal gain.

1. In Public Meetings

- The Board of Commissioners will only use city issued electronic devices on the dais and/or in a public meeting and refrain from the use of personal electronic devices on the dais and/or in a public meeting, unless authorized by the Board of Commissioners.
- The Board of Commissioners shall make the public feel welcome, which is an important part of the democratic process. No signs of partiality, prejudice or disrespect shall be evident on the part of individual Commission members toward an individual participating in a public forum. Every effort shall be made to be fair and impartial in listening to public testimony. Commission members should be fair and impartial in listening to the public during public comment.
- The public will be given a reasonable opportunity to be heard on a proposition before a board or commission.

Section 286.0114(3), F.S., states that the public's "opportunity to be heard" does not apply to:

- 1) An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
- 2) An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
- 3) A meeting that is exempt from s. 286.011; or
- 4) A meeting during which the board or commission is acting in a quasi-judicial capacity. See AGO 17-01 (s. 286.0114, F.S., does not require that members of the public be given a reasonable opportunity to be heard at quasi-judicial code enforcement hearings held by a special magistrate pursuant to authority delegated from the county code enforcement board).

The statute does not prohibit a board or commission from “maintaining orderly conduct or proper decorum in a public meeting.” Section 286.0114(2), F.S. In addition, the opportunity to be heard is “subject to rules or policies adopted by the board or commission” as provided in s. 286.0114(4), F.S. These rules or policies are limited to those that:

- 1) Provide guidelines regarding the amount of time an individual must address the board or commission;
 - 2) Prescribe procedures for allowing representatives of groups or factions on a proposition to address the board or commission, rather than all members of such groups or factions, at meetings in which a large number of individuals wish to be heard;
 - 3) Prescribe procedures or forms for an individual to use in order to inform the board or commission of a desire to be heard; to indicate his or her support, opposition, or neutrality on a proposition; and to indicate his or her designation of a representative to speak for him or her or his or her group on a proposition if he or she so chooses; or
 - 4) Designate a specified period of time for public comment.
- If a board or commission adopts such rules or policies and thereafter complies with them, it is deemed to be acting in compliance with the statute.
- 1) The Board of Commissioners adopted a “Pledge of Civility” and a “Mission and Vision Statement” in 2018 to maintain orderly conduct and proper decorum in the public meetings:

PLEDGE OF CIVILITY (Resolution 2018-10; 08/14/2018)

- We will always show respect to one another.
- We will direct all comments to the issue before us.
- We will refrain from personal attacks.

2) **MISSION AND VISION STATEMENT** (segments of Resolution 2018-08)

- **Public Trust** – We believe that honesty and integrity are the foundation of all constructive relationships and the basis of public trust. We will ensure that there is thorough ethical behavior and decision making.
- **Transparency** – We will protect and preserve open and honest governance to maintain the public’s trust and confidence.
- **Teamwork** – We are committed to working together, embracing diversity and inclusion to best serve one another and the public.
- **Accountability** – We define accountability as taking ownership and responsibility for the outcomes of our decisions, actions, and management of our resources.

- **Professionalism** – Professionalism is dedication to excellence through integrity, requiring careful analysis of issues, free of personal biases, with a commitment to the organization and the community.
- **Respect** – We value all viewpoints and opinions and treat each other with courtesy and respect.

2. In Unofficial Settings

Board of Commissioners are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as role models for the City. Honesty, integrity and respect for the dignity of each individual shall be reflected in every word and action taken by Commission members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Board of Commissioners shall keep in mind that to the public they are first and foremost an elected official and that distinction makes the City Commissioner different from other residents, electors or citizens. All Commission members shall guard against any actions or words that would give even the appearance of bullying or misuse of their position.

3. In Official Forms of Media

Communication through media is an integral part of any governmental agency. All forms of media (television, newsletter, web site, etc.) play an important role in getting messages out to our community. The Board of Commissioners recognize a responsibility to make available accurate information to the public in a timely manner; understanding that people form opinions about the City based on what they read, hear and see. The objective of the City's media communications is to ensure public opinions are formed upon the basis of accurate information. To that purpose, the Board of Commissioners has established multiple media for proactively communicating with the community. The Commission members may ask that the City Manager speak on their behalf.

4. Monthly City Manager's Report

The City Manager shall put out a monthly report for purpose of conveying City news, events and project status reports to the community. Monthly reports include more detailed information when necessary.

5. Website

The City maintains a website, www.madeirabeachfl.gov, for the benefit of residents and visitors. The website is intended to provide access to City contact information, services, requests for bids and proposals, general announcements and meeting notices, agendas and results as well as maps, among other features. The website also provides a means for the public to access published reports, such as the Certified Annual Financial Report (CAFR), the Annual Budget and the State of the City Address without coming to City Hall or paying for public records. These reports are generally too lengthy for publication in the monthly City Manager's Report or through the government access channel. While the information at the City's website can be accessed in "real time," it is maintained by City staff on a time available basis and updated as frequently as possible to remain current and accurate.

6. Government Access Channel or alternative measure

The City maintains a government access channel, currently Channel 640 – Madeira Beach TV (MB-TV) through the local cable television franchise provider for the benefit of residents and visitors. MB-TV is available within the corporate limits of Madeira Beach and is programmed from City Hall. The MB-TV channel is used to broadcast. This service provides residents and interested persons with a first-hand account of the City's conduct of business. The goal is to use Closed Captioning in order to comply with ADA Recommendations.

7. Video Live Streaming

The City video Live Streams its Board of Commissioners (BOC) meetings to allow for more transparency to its citizens. BOC meetings can be watched live through You Tube Streaming on the City's website or accessed anytime following the meeting. The State retention requirement for Live Streaming videos is two anniversary years after adoption of the official minutes or certification of transcript. Commission members shall make every effort to use the microphone when speaking so that their words can be heard on Live Streams and recordings.

Candidate Forums will be video live streamed on the government access channel even if it involves City personnel.

V. COMMISSION CONDUCT WITH OTHER PUBLIC AGENCIES

1. Be clear about representing the City or personal interests.

If a Commission member appears before another governmental agency or organization to give a statement on an issue, they shall clearly state:

- If his or her statement reflects personal opinion or is the official stance of the City taken by the Board of Commissioners at a noticed meeting;
- Whether this is unanimous or the majority or minority opinion of the Board of Commissioners;
- If a Commission member is representing the City in an official or liaison capacity, they should speak or state the official City position on an issue, not a personal viewpoint. If the Commission member is representing another organization whose position is different from the City, they shall state that during their comments. Commission members shall be clear about when they represent the City and when they are speaking in an individual or other capacity.

2. Correspondence shall be equally clear about representation.

City letterhead may be used when a Commission member is representing the City and the City's official position. A copy of official correspondence shall be given to the City Clerk to be filed in the Clerk's Office as part of the public record and placed on the website. It is best that City letterhead is not used for correspondence of City Commissioners representing a personal point of view, or a dissenting point of view from an official Board of

Commissioners position. City letterhead should only be used for official City business and shall not be used for personal correspondence or for any election or campaign correspondence. The City Clerk or the City Manager shall approve that letter to be sent out.

VI. COMMISSION CONDUCT WITH BOARDS AND COMMITTEES

The City has established various appointed Boards and Committees as a means of gathering recommendations after providing more public opportunities for more community input. Citizens who serve on Boards and Committees become more involved in government and serve as advisors to the Board of Commissioners. They are a valuable resource to the City's leadership and shall be treated with appreciation and respect.

1. **If attending a Board or Committee meeting, be careful to avoid influencing the Board or Committee's consideration or prejudicing the Board of Commissioners eventual consideration.**

- Commission members may attend any Board or Committee meeting, which are always open to any member of the public. However, they shall be sensitive to the way in which their presence may be viewed as unfairly affecting the process, especially if Commission members attend as a formal liaison on behalf of the Board of Commissioners. Commission members shall remember that attendance at a quasi-judicial hearing before a Board may place him/her in a position to be asked to disclose their attendance and any written or oral ex parte communications, or even recuse him/herself if there is evidence of prejudice or bias when the quasi-judicial matter is brought to the Board of Commissioners.
- Any public comments by a Commission member at an advisory Board or Committee meeting shall be clearly made as individual opinion and not a representation of the Board of Commissioners. The Board of Commissioners appoint Boards and Committees at large to provide independent recommendations to the Board of Commissioners and/or the City Manager. Commission members should be careful when suggesting a course of action or recommendation to an advisory Board or Committee because this could interfere with the independent judgment of the advisory Board or Committee contrary to the purpose and intent of the system.

2. **Limit contact with Board and Committee members to questions of clarification.**

- Remember that the Board of Commissioners appoint Boards and Committees to serve the community, not individual Commission members.
- It is prohibited for a Commission member to contact a Board or Committee member to lobby on behalf of an individual, business, or developer or to suggest or recommend an action be taken. Board and Committee members are appointed to take public comment and make independent recommendations to the Board of Commissioners and/or the City Manager, not vice versa (i.e., not to follow recommendations that may be desired by an individual Commission member). It is prohibited for advisory Board members and/or Committee members to contact Board of Commissioners to influence or to communicate a perspective counter to the official actions of the Board or Committee actions. All positions of an advisory Board or Committee shall be reduced

to a written recommendation that is voted upon and, if desired, the written recommendation(s) may contain majority, minority or individual comments or concerns.

- The Board of Commissioners appoint individuals to serve on Boards and Committees, and it is the responsibility of Boards and Committees to follow policy established by the Board of Commissioners. Board and Committee members do not report to individual Commission members, nor shall Commission members feel they have the power or right to threaten Board and Committee members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Committee shall be based on such criteria as expertise, ability to work with staff and the public and commitment to fulfilling official duties. A Board or Committee appointment shall not be used as a political "reward" for assistance in any campaign activities.

3. Be respectful of diverse opinions.

A primary role of Boards and Committees is to represent many points of view in the community and to provide the Board of Commissioners with advice based on a full spectrum of concerns and perspectives. Commission members may have a closer working relationship with some individuals serving on Boards and Committees but shall be fair, balanced and respectful of all citizens serving on Boards and Committees.

4. Keep political support away from public forums.

Board and Committee members may offer political support to a Commission member, but not in a public forum while conducting official duties. Conversely, Board of Commissioners may support Board and Committee members who are running for office, but not in an official forum in their capacity as a Commissioner.

VII. BOARD MEMBERS ATTENDING MEETINGS OR SERVING AS MEMBERS OF ANOTHER PUBLIC BOARD

1. Board members attending meetings of another public board.

2020 Government in the Sunshine Manual, Page 20 & 21:

“Several Attorney General Opinions have considered whether one or more members of a board may attend or participate in a meeting of another public board. For example, in AGO 99-55, the Attorney General’s Office said that a school board member could attend and participate in the meeting of an advisory committee appointed by the school board without prior notice of his or her attendance. However, the opinion cautioned that “if it is known that two or more members of the school board are planning to attend and participate, it would be advisable to note their attendance in the advisory committee meeting notice.”

“Moreover, while recognizing that commissioners may attend meetings of a second public board and comment on agenda items that may subsequently come before the commission for final action, the Attorney General Opinions have also advised that if more than one “commissioner is in attendance at such a meeting, no discussion or debate may take place among the commissioners on those issues.” AGO 00-68. *Accord* AGO 98-79 (city commissioner may attend a public community development board meeting held to consider a proposed city ordinance and express his or her views on the proposed ordinance even

though other city commissioners may be in attendance; however, the city commissioners in attendance may not engage in a discussion or debate among themselves because “the city commission’s discussions and deliberations on the proposed ordinance must occur at a duly noticed city commission meeting”). *See also* AGOs 05-59 and 77-138.”

2. Board members serving as members of another public board.

2020 Government in the Sunshine Manual, Page 21:

“Board members who also serve on a second public board may participate in the public meetings of the second board held in accordance with s. 286.011, F.S., and express their opinions without violating the Sunshine Law. AGO 07-13. In other words, “when two county commissioners are presently serving on [a regional planning] council this does not turn a meeting of the planning council into a county commission meeting, and the Sunshine Law does not require any additional or different notice of planning council meetings because of the presence of these county commission members.” *Id.* “Similarly, AGO 98-14 concluded that membership of three city council members on the metropolitan planning organization did not turn a council meeting into a metropolitan planning organization meeting that required separate notice. Because, however, the discussion of metropolitan planning organization matters was planned for the council meeting, the city council had properly included mention of such items in its notice of the council meeting.”

“Similarly, in AGO 91-95, the Attorney General’s Office concluded that a county commissioner may attend and participate in the discussion at a public meeting held by the governing board of a county board on which another commissioner serves. However, “in an effort to satisfy the spirit of the Sunshine Law,” the opinion also recommended that the published notice of the county board “include mention of the anticipated attendance and participation of county commission members in board proceedings.” *Id.*”

VIII. COMMISSION CONTACT WITH THE MEDIA

Board of Commissioners are frequently contacted by the media for background, quotes and interviews. Whenever possible, Commission members, as the City's policy makers, shall be the first contact with the media. The City Manager is also a frequent contact and shall manage the staff's contact and communications with the media. Following are the Board of Commissioners general policies for conduct with the media:

1. Legal Issues.

Media inquiries relating to any existing or potential liability or suit against the City shall immediately be referred to the City Attorney. In the absence of the City Attorney, the City Manager may respond or direct the media to special counsel contacts on legal issues. The City Attorney has sole discretion as to whether or not to comment, and the substance of any comments, on any legal issues or litigation in the press.

2. Use a designated spokesperson for the City’s position on controversial issues.

When sensitive or controversial issues arise, it is essential that a central focal point for information be established. The City Manager may be designated for such contact. The City can best ensure a clear and consistent message by limiting involvement to a designated or limited number of contacts.

3. In the absence of designation, Board of Commissioners shall be clear for the record.

If an individual Commission member is contacted by the media, they shall be clear about whether their comments represent the official City position or a personal viewpoint. Commission members are urged to avoid instigative or preemptive contact directly with the media or through others for purposes espousing a position contrary to that of the majority of the Board of Commissioners or in the absence of an official position by the City.

4. Guidelines for Media Contacts:

What to Say:

Make sure the information released is factual, accurate, timely and consistent. Strive to provide full and honest disclosure and stay within legal limits by not making any slanderous or libelous statements. Choose words carefully and cautiously to avoid being taken out of context.

5. Guidelines for Email, Texts, and Social Media:

All email, text messages, and social media postings (for example: twitter, Facebook, snapchat, Instagram, etc..) regarding any issue that may come before the Board of Commissioners is official business and a public record, must be retained, shall not be deleted and should be forwarded to your official City email address for record retention and search purposes. Appointed and elected City officials *shall not* make anonymous postings on any electronic media with regard to any issue that may come before the City as official business.

ARTICLE II.

RULES OF PROCEDURE FOR BOARD OF COMMISSIONER MEETINGS

Pursuant to the Madeira Beach City Charter, Section 4.5, the Board of Commissioners shall determine its own rules and order of business, by resolution, within 90 days in which the election is held.

I. POLICY

1. General Rules

- **Meetings to be Public.** All meetings of the Board of Commissioners shall be noticed and open to the public, except for such meetings as are exempt by general law. Any meeting of two or more Commission members, in which City business is discussed is prohibited without the appropriate notice as specified in Florida State Statues.
- **Quorum.** A simple majority of the members of the Board of Commissioners shall, free of voting conflict, constitute a quorum and be necessary to conduct business of the Board of Commissioners. If a quorum is not present, those in attendance will be named and they shall adjourn.
- **Minutes of Proceedings.** Meeting minutes of the Board of Commissioners shall be kept by the City Clerk, except for such meetings as are exempt by general law.
- **Voting.** As set forth in the Charter, ordinances, resolutions and other action requiring a vote of the Board of Commissioners shall require three (3) affirmative votes for passage and shall be by roll call vote upon request of any member of the Board of Commissioners. A super-majority vote of four members of the Board of Commissioners for any Planned Development Rezoning or Special Area Plan shall be required for approval. The City Clerk shall record the vote of all Commission members.

In the event one or more members are absent and any motion for a final decision fails to achieve the affirmative vote of three (3) Commission members, and no further action by the Board of Commissioners to achieve three (3) affirmative votes can be obtained, then such ordinance, resolution or other action shall be automatically continued to the next regularly scheduled meeting or a special meeting scheduled for that purpose. No ordinance, resolution or other action shall be automatically continued more than once and if upon one continuance it does not obtain three (3) affirmative votes the matter shall fail.

- **City Manager.** The City Manager is expected to attend the meetings of the Board of Commissioners and shall have the right to take part in all discussions.
- **City Attorney.** The City Attorney or their designated substitute counsel is expected to attend the meetings of the Board of Commissioners and provide guidance and opinions on questions of law. Under Staff Reports on each BOC regular meeting agenda, the City Attorney shall provide a monthly staff report to the Board regarding the status of any ongoing litigation.

- **City Clerk.** The City Clerk or their designee shall attend the meetings of Board of Commissioners and record all votes and keep the official minutes of the proceedings.
- **Administrative Staff.** The Administrative staff shall attend meetings and workshops when required.
- **Rules of Order.** The current addition of Robert's Rules of Order shall be the rules of order; in addition to the rules of procedure stated in this policy handbook.

2. Types of Meetings [City Charter, Section 4.5 – Rules of procedure; quorum; meetings]

- **Regular Meetings.** The Board of Commissioners shall meet in the Commission Chambers or another designated place within the City boundaries, for regular meetings. Regular Meetings shall commence at 6:00 p.m. or as amended from time to time, on the second Wednesday of each month, or as otherwise determined by the City Manager if the regular meeting falls on a Holiday, City Election or other event that warrants rescheduling the meeting. The Board of Commissioners may schedule other regular meetings as it deems necessary in accordance with its established rules of procedure to address items that require official action before the next regularly scheduled meeting. The Board of Commissioners and/or City Manager shall determine date and time of meeting.
- **Special Meetings.** Special meetings may be called by the Mayor by a majority of the Commission with appropriate notice with no less than twenty-four (24) hours' notice in writing to each member and the public (language stated in City Charter). Special meetings may also be called and noticed in a manner similar to regular meetings for special or specific purposes where formal action of the Board of Commissioners may be necessary or desirable. Special meeting notices shall encompass a minimum of one non-holiday weekday.
- **Workshop Meetings.** The Board of Commissioners may meet in the Commission Chambers for Workshop meetings. Workshop meetings shall commence at 6:00 p.m. on the fourth Wednesday of each month, or as otherwise determined by the City Manager and/ or the Board of Commissioners. Workshop meetings are informal legislative sessions, but to allow the Board of Commissioners to informally discuss topics and gain a better understanding of topics prior to formal consideration. To allow some understanding of the status of discussion of items, a verbal consensus may be ascertained to determine an appropriate next step, but such consensus is *not binding* on the Board of Commissioners.

3. Presiding Officer and Duties

- **Presiding Officer.** The Mayor shall preside at all meetings of the Board of Commissioners. In the absence of the Mayor, the Vice Mayor shall preside. In the absence of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the City Clerk for appointing a temporary presiding officer.
- **Parliamentarian.** The City Attorney shall act as the parliamentarian to the Board of Commissioners by advising the Mayor regarding matters of procedure. The Board could choose one of its members who is knowledgeable about the procedures to act as

the parliamentarian. Each Commission member must understand the parliamentary procedures, or it will be impossible to conduct its meeting properly.

- **Preservation of Order.** The Presiding Officer shall preserve order and decorum; prevent attacks on personalities or the impugning of members' or motives, and confine members in debate to the question under discussion.
- **Point of Order.** The Presiding Officer shall determine point of order. Point of order shall not be entertained from the audience.
- **Recognition of Speakers.** The Presiding Officer shall recognize speakers from the public in keeping with the procedures established herein but shall do so in a way that remains constructive without being repetitive. In instances where large contingencies are represented, the Presiding Officer may ask for a limited number of representatives to represent the overall sentiments of the group. However, in no instance shall anyone be precluded from addressing the Board of Commissioners.
- **Recognition of Commission Members wishing to Speak.** The Presiding Officer shall allow an opportunity for Board of Commissioners to comment on items but shall not solicit comment from each member on every item but shall recognize those Commission members wishing to speak.

4. Order of Business for BOC Regular Meetings

- **Order of Business.** The general rule as to the order of business in Board of Commissioners (BOC) regular meetings, with the exception of the Agenda Setting Meeting, shall be as follows:
 1. Call to Order
 2. Invocation and Pledge of Allegiance
 3. Roll Call
 4. Approval of the Agenda
 5. Proclamations/Presentations
 - 5.1. Proclamations
 - 5.2. Presentations
 6. Public Comment
 7. Consent Agenda
 8. Public Hearings
 9. Unfinished Business
 10. Contracts/Agreements
 11. New Business
 12. Staff Reports
 13. Agenda Setting Meeting
 14. Reports/Correspondence
 - A. City Commission
 - B. City Attorney
 - C. City Manager
 - D. City Clerk
 15. Adjournment

- **Order of Business for the Regular or Special Meeting following the Election.** When newly elected officials are sworn into office, the meeting agenda may be formatted differently to allow for the ceremonial portion of the meeting to take place before any official business listed on the agenda.

5. Explanation of Order of Business for Regular Meetings

- **Agenda.** The order of business of each meeting shall be as contained in the Agenda. The Agenda is a listing by order of business of topics to be considered by the Board of Commissioners. Additional guidance is provided below as to the purpose of the agenda sections.

1. **Call to Order.** The Mayor shall preside at all meetings of the Board of Commissioners. In the absence of the Mayor, the Vice Mayor shall preside. In the absence of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the City Clerk for appointing a temporary presiding officer.

2. **Invocation and Pledge of Allegiance.**

3. **Roll Call** – The City Clerk calls the roll.

4. **Approval of the Agenda** – Approval of the Agenda consists of all items listed on the meeting agenda.

5. **Proclamations/Presentations.**

5.1. Proclamations. This section is provided for presentation of Proclamations to be read in full and presented by the Mayor, City Clerk or City Manager. The intent is to list and read only those proclamations that will be formally presented and received by a representative of the requesting agency or organization at the Board of Commissioners Meeting. Otherwise, proclamations may be issued at the Mayor's discretion and forwarded through the City Clerk's Office.

5.2. Presentations. This section is provided for any additional presentations held during City meetings. Presentations can be added during Agenda Setting Meetings and can be requested by the Board as a consensus or requested by an individual Commission member. The City Manager also has the authority to add a presentation to the agenda under his own discretion. Speaker's presentation shall be limited to 10 minutes.

6. **Public Comment.** This section is reserved for public participation on matters of concern pertaining to City business; and which are not on the agenda. Public comment is made in person and not represented by emails, tweets, or other types of information, unless there is a declared State of Local Emergency requiring virtual meetings of the Board of Commissioners. Public Comment is subject to the following protocol.

Manner of Addressing the Board of Commissioners. Each person addressing the Board of Commissioners shall step up to the microphone, give his or her name and address and the organization or group they represent, if

any, in an audible tone of voice for the record and shall limit their address to three (3) minutes unless extended by the Mayor, more time may be granted to applicants and affected persons with legal standing in quasi-judicial hearings. Yielding of time for an additional three-minute period is allowed. If no time is yielded, the person speaking can ask for additional time to speak. If the additional time is appropriate, the Presiding Officer can offer the Commissioners the opportunity to consent to an extension.

Comment Cards. Comments cards may be completed by individuals from the audience, whether it is a public forum question or an agenda item. The comment cards shall be available at the back table in the Commission Chambers, and the individual shall write their name, address, and a brief comment about what it is that they would like to talk about. The City Clerk shall keep the cards and will identify the individual to come forward and speak. It is not mandatory that a speaker complete a comment card.

Reading of Protests. Interested persons, or their authorized representatives, may address the Board of Commissioners for the reading of protests, petitions, or communications relating to any matter over which the Board of Commissioners has jurisdiction.

7. **Consent Agenda.** The Consent Agenda shall be used to handle routine matters on the agenda expeditiously. Examples of Consent Agenda items are minutes, waivers for special events, bid or purchase awards for equipment, goods or services already approved within the budget, invoices, and budget transfers. There is no separate discussion of these items unless a Commission member requests an item be removed for consideration in its normal sequence on the agenda. Members of the public do not have discretion to remove items from the Consent Agenda, yet the Mayor, as Presiding Officer, may acknowledge any such request and remove an item on their behalf. The approval of the Consent Agenda shall be handled in one motion, i.e. "I move that the Consent Agenda, (items "x" through "z") be approved; or if items are to be removed, a typical motion might be, "I move that we approve Consent Agenda items "x" through "z" with the exception of item "y" for discussion."
8. **Public Hearings.** The section is for items requiring a public hearing required by law. Certain public hearings are quasi-judicial in nature. A quasi-judicial proceeding requires the Board of Commissioners to act in a quasi-judicial, rather than legislative, capacity. At a quasi-judicial hearing, it is not the Board's function to make law but rather to apply law that has already been established. In a quasi-judicial hearing the Board is required by law to make findings of fact based upon the evidence presented at the hearing and apply those findings of fact to previously established criteria contained in the code of ordinances in order to make a legal decision regarding the application before it. The Board may only consider evidence at this hearing that the law considers competent, substantial and relevant to the issues. If the competent, substantial and relevant evidence at the hearing demonstrates that the applicant has met the criteria established in the code of ordinances, then the Board must find in favor of the applicant. By the same token, if the competent, substantial and

relevant evidence at the hearing demonstrates that the applicant has failed to meet the criteria established in the code of ordinances then the Board is required by law to find against the applicant. The established procedure which will be followed by the Board is set forth in Chapter 2, Article I, Division 2 of the Code of Ordinances.

9. **Unfinished Business.** The section is provided to allow completion of matters already under discussion by the Board of Commissioners from a previous meeting, excluding public hearings required by Law. Citizen input may be heard once a motion is made by the Board of Commissioners on items of unfinished business. Citizen input shall be limited to three (3) minutes.
10. **Contracts/Agreements.** This section is provided to allow more careful consideration of complex contracts and agreements that require individual approval. Citizen input may be heard once a motion is made by the Board of Commissioners on items of contract/agreements and shall be limited to three (3) minutes.
11. **New Business.** This section contains all remaining agenda items for consideration by the Board of Commissioners, excluding public hearings, as required by law. Citizen input may be heard once a motion is made by the Board of Commissioners on items of new business. Citizen input shall be limited to three (3) minutes.
12. **Staff Reports.** Non-workshop items. This section is set aside for staff reports regarding items such as monthly financial reports, special event updates, project updates, governmental and non-governmental project updates, litigation status report; and other updates on matters that do not get workshopped. Each staff report is limited to five (5) minutes.
13. **Agenda Setting Meeting.** This section is for the purpose of setting the Workshop Agenda for the Workshop to be held on the fourth Wednesday of the month. Items to be added to the agenda may be requested by the Board of Commissioners, City Manager, and City staff. Not all items need to be workshopped. The City Manager shall determine the form and manner of how the item will be addressed. The City Manager will read back the requested items to be workshopped for clarification purposes if necessary.
14. **Reports/Correspondence.** This section is set aside for standing reports from Commission members to provide a status report based upon their attendance or representation of the City at various governmental boards and agencies. This section is limited to three (3) minutes.

The Reports section also provides for the City Manager, City Attorney, and City Clerk to make announcements and report on current topics. This section is limited to three (3) minutes.

Outstanding Lien Settlements. This section will also allow for any updates on Outstanding Lien Settlements for liens over \$5,000.00. If the City Attorney

is approached by a property owner to settle an outstanding lien, the Commission must be able to review the details of a case at a Workshop followed by final approval or rejection of the proposed settlement during a Regular BOC Meeting. This section is limited to three (3) minutes.

6. Agenda Preparation

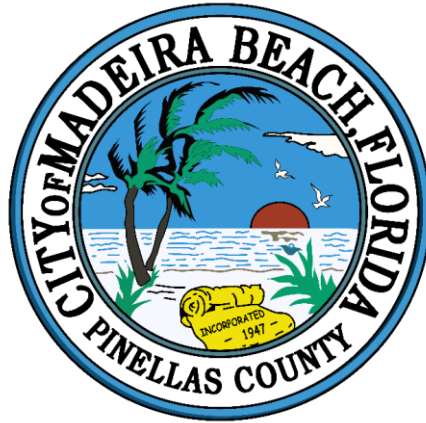
- **Notice.** The final agenda for regular, special, and workshop meetings shall serve as the public notice for each respective meeting. Agendas and public notices shall be posted at City Hall, Gulf Beaches Public Library, if possible, and the City's website by no later than 3:00 p.m. on the Thursday prior to the meeting.
- **Packets.** Agenda packets shall be published by the Office of the City Manager or City Clerk when needed, following approval of the agenda and packet materials by the City Manager's Office, and copies placed in the Commission boxes by Wednesday afternoon, and if necessary to allow for any emergency items to be included in packet, no later than 12:00 p.m. (noon) on the Thursday, the week before the scheduled meeting. All agenda items to be included in the agenda packet must be submitted no later than 3:00 p.m., on the Monday of the same week the agenda packet is to be distributed. The City Manager shall place all agenda items received past the deadline on a future agenda. The distribution deadline allows sufficient time for the Board of Commissioners to receive their agenda packet, review the packet materials, and to obtain additional information on the agenda items from the City Manager, City staff, or other entities, if necessary, to be more knowledgeable in preparation of the meeting and for voting purposes. For workshop meetings and regular meetings that are not held on a regularly scheduled meeting date, a similar lead time schedule for agenda and packet materials shall be followed, unless otherwise determined by the City Clerk.

ARTICLE III

SUSPENSION AND AMENDMENT OF RULES

I. SUSPENSION AND AMENDMENT OF THESE RULES

1. **Suspension of Rules.** Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Board of Commissioners.
2. **Amendment of Rules** This policy shall be reviewed annually and adopted by resolution within 90 days following each election. The policy may be amended, or new provisions made by a majority vote of all members of the Commission. Each year following the regular election, any modifications previously made by motion will be formalized in the resolution, City Charter, Section 4.5 (B).



City of Madeira Beach

Request for Qualifications #2023-08

City Attorney – Professional Legal Services

Proposals due by Friday, July 7, 2023

**at 3:00 pm City Hall
300 Municipal Drive
Madeira Beach, FL 33708**

CONTACT:

Robin I. Gomez, City Manager

Phone: (727)580-8014

Email: rgomez@madeirabeachfl.gov

SECTION I - PURPOSE & INTRODUCTION

This Request for Proposals (RFP) is for the City of Madeira Beach to solicit qualifications for the purpose of establishing a list for hiring a qualified and experienced attorney and/or a law firm through competitive negotiations to provide a full complement of municipal professional legal services serving as the City's legal counsel on a contractual basis.

Qualified firms and/or the primary designated attorney must have a minimum of five (5) years of public sector experience in the practice of Florida municipal law or related experience with attorneys other than the primary designated attorney having a minimum of three (3) years of public sector experience in the practice of Florida municipal law or related experience. The attorneys and/or firm must be licensed with the State of Florida and be in good standing with the Florida Bar Association. Additionally, the attorneys and/or firm must be Board Certified in Local Government. All professional legal services are to be provided on a contractual fee-for-service basis, a combination of retainers and hourly rates.

The City of Madeira Beach reserves the right to reject or accept any proposal or to waive any irregularities in any proposal deemed to be in the best interest of the City of Madeira Beach.

Attorneys and/or law firms are required to submit written proposals that present the attorney's qualifications and understanding of the work to be performed. The attorney and/or firm's proposal should be prepared simply and economically and should provide all the information it considers pertinent to its qualifications for the specifications listed herein.

The proposal must be submitted in person, via traditional mail, or email no later than 3:00 pm, Friday, July 7, 2023, contact below:

City of Madeira Beach
Attn: Robin I. Gomez

Re: City Attorney – Professional Legal Services

300 Municipal Drive
Madeira Beach, FL 33708

or rgomez@madeirabeachfl.gov

NOTIFICATION: The City utilizes the following methods for notification and distribution of solicitation opportunities:

- City of Madeira Beach website www.madeirabeachfl.gov
- Demand Star

1. CALENDER OF EVENTS – PROPOSAL SCHEDULE

- Request for Qualifications (RFQ) release: Monday, June 19, 2023
- RFQ submittal date: No later than 3:00 pm, Friday, July 7, 2023
- Evaluation review: July 12 - 14, 2023
- Interviews (**if necessary**): July 17-19, 2023
- Selection/recommendation to Commissioners for review: Wed, July 26, 2023
- Commission to Award Contract: Wed, Aug 9, 2023

2. CONTACT INFORMATION

Please direct all technical inquiries concerning this Request for Qualifications in writing to the following City representative. Questions must be submitted by (5) days prior to the proposal due date.

Robin I. Gomez
300 Municipal Dr.
Madeira Beach, Florida 33708
(727) 580-8014
rgomez@madeirabeachfl.gov

3. CONTACT PROHIBITION

All prospective proposers are hereby instructed NOT to contact any member or employee of the City of Madeira Beach other than the person listed in the above contact information regarding this solicitation document, their submittal package, the City's Intent to Award, or the City's intent to reject (if applicable) at any time prior to the FORMAL AWARD for this project. Any such contact shall be cause for rejection of your submittal/response to this Request for Qualifications.

4. SUBMITTAL PROCEDURES:

Attorneys and/or Firms shall submit One (1) original submittal, five (5) copies and one electronic copy (USB- PDF Format). Responses must be submitted by the date and time indicated. Statements of Qualifications not submitted by that time will be refused. Statements of Qualifications shall be clearly marked:

“City Attorney – Professional Legal Services” and received by:

City of Madeira Beach City Manager's Office
300 Municipal Drive
Madeira Beach, FL 33708

Request for Qualifications will be received until 3:00PM on Friday, July 7, 2023, at City Hall, City of Madeira Beach, Florida 33708. Any qualifications received after will not be accepted.

The complete responsibility for obtaining, completing, and submitting a request to the City of Madeira Beach shall be solely and strictly the responsibility of the proposer. All submittals will be publicly recorded.

Proposers may withdraw their proposals by notifying the City in writing at any time prior to the due date. Proposal documents are exempt from public record for a period of thirty (30) days or a Notice of Intent to Award is issued whichever occurs first per Florida Statutes, Chapter 119, as amended.

PUBLIC RECORDS

Proposer acknowledges that it is acting on behalf of a public agency; this Agreement is subject to the provisions of §119.0701, Florida Statutes, and; that Proposer must comply with the public records laws of the State of Florida Proposer shall:

- (1) Keep and maintain public records required by the public agency to perform the service.
- (2) Upon request from the public agency's custodian of public records, the Proposer shall provide the public agency with a copy of the requested records or allow the records to be inspected or copied within a reasonable time and at a cost that does not exceed the costs provided in this chapter or as otherwise provided by law.
- (3) The Proposer shall ensure that public records that are exempt or confidential and, therefore exempt from public records disclosure requirements, are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract.
- (4) The Proposer shall, upon completion of the contract, transfer, at no cost, to the public agency all public records in possession of the Proposer or keep and maintain public records required by the public agency to perform the service. If the Proposer transfers all public records to the public agency upon completion of the contract, the Proposer shall destroy any duplicate public records that are exempt or confidential and, therefore, exempt from public records disclosure requirements. If the Proposer keeps and maintains public records upon completion of the contract, the Proposer shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the public agency, upon request from the public agency's custodian of public records, in a format that is compatible with the information technology systems of the public agency.
- (5) A request to inspect or copy public records relating to a public agency's contract for services must be made directly to the custodian of public records for the public agency. If the public agency does not possess the requested records, the public agency shall immediately notify the Proposer of the request. The Proposer must provide the records to the public agency or allow the records to be inspected, copied, or photographed within a reasonable time and in compliance with the requirements of §119.07, Florida Statutes.
- (6) If Proposer does not comply with a public agency's request for records, the public agency shall enforce the contract provisions in accordance with the contract.
- (7) A Proposer who fails to provide public records to the public agency within a reasonable time may be subject to penalties under §119.10, Florida Statutes.
- (8) If a civil action is filed against a Proposer to compel production of public records relating to a public agency's contract for services, the court shall assess and award against the Contractor the reasonable costs of enforcement, including reasonable attorney fees, if:

- a. The court determines that the Proposer unlawfully refused to comply with the public records request within a reasonable time, and.
 - b. At least eight (8) business days before filing the action, the plaintiff provided written notice of the public records request, including a statement that the Proposer has not complied with the request, to the public agency and to the Proposer.
 - c. The notice requirement is satisfied if written notice is sent to the public agency's custodian of public records and to the Proposer at the Proposer's address listed in this contract with the public agency or to the Proposer's registered agent. Such notices must be sent by common carrier delivery service or by registered, Global Express Guaranteed, or certified mail, with postage or shipping paid by the sender and with evidence of delivery, which may be in an electronic format.
- (9) A Proposer who complies with a public records request within 8 business days after the notice is sent is not liable for the reasonable costs of enforcement.
- (10) If the Proposer Has Questions Regarding the Application of Chapter 119, Florida Statutes, To The Contractor's Duty To Provide Public Records Relating To This Contract, Contact The Custodian Of Public Records At:

City of Madeira Beach, Attn: City Clerk
 Madeira Beach, FL 33708
 727-391-9951, Ext. 231 or cvanblargan@madeirabeachfl.gov

5. CITY RESERVES THE RIGHT TO REJECT ALL BIDS

The City reserves the right to reject all submittals, or any part of any submittal, to waive any irregularities or informalities in any submittal, and to accept that submittal which is deemed to be in the best interest of the City. The City of Madeira Beach reserves the right to establish additional contracts that may be similar in nature to any contract resulting for this Request for Qualifications as best serves the needs of the City.

6. DESIGNATED CONTACT

The awarded firm(s) shall appoint a person to act as a primary contact with the City. This person or back-up shall be readily available during normal working hours by phone or in person and shall be knowledgeable of the terms of the Contract.

7. INSURANCE REQUIREMENTS

Include in Qualifications proof of Insurance furnished by the firm's carrier to guarantee the engineering firm is insured.

The awarded firm must file with the City of Madeira Beach certificates of insurance prior to commencement of work evidencing the City as a certificate holder as additionally insured with the following minimum coverage:

Workers Compensation – coverage to apply for all attorney and/or firm employees a the statutory limits provided by state and federal laws. Policy must include Employers' liability with a limit of

\$100,000 each accident; \$100,000 each employee; and \$500,000 total policy limit. If attorney and/or firm is exempt from workers compensation, the proposal must clearly state this.

Comprehensive General Liability Insurance of \$1,000,000.00 each occurrence.

Professional Liability Insurance or malpractice or errors and/or omissions insurance shall be purchased and maintained with a minimum of \$2,000,000 per occurrence for this project with a \$4,000,000 policy term general aggregate.

Personal Injury for \$1,000,000.00 each occurrence.

Owner's and Consultant's Protective Liability.

- Bodily injury liability \$1,000,000.00 each occurrence
- Property damage liability \$1,000,000.00 each occurrence
- Full Workers Comprehensive Insurance required by Florida Law for all people employed by the contractor to perform work on this project

Automotive Liability (covering the operation, maintenance and all owned, non-owned and hired vehicles).

- Bodily injury liability \$1,000,000.00 each occurrence
- Property damage liability \$1,000,000.00 each occurrence

8. INDEMNIFICATION

The Respondent shall hold harmless the City, its officers, and employees, from liabilities, damages, losses and costs, including but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful misconduct of the Respondent and any persons employed or utilized by the Respondent in the performance of the Contract.

9. ASSURANCES

The responding attorneys and/or firms shall provide a statement of assurance that the firm is not presently in violations of any statutes or regulatory rules that might have an impact on the firm's operations. All applicable laws and regulations of the State of Florida and ordinances and regulations of the City of Madeira Beach will apply.

10. DEVIATIONS FROM SPECIFICATIONS

Respondents shall clearly indicate, as applicable, all areas in which the items/services he/she proposes do not fully comply with the requirements of this submittal. The decision as to whether an item fully complies with the stated requirements rests solely with the city.

11. NO COLLUSION

By offering a submission to this Request for Qualifications, the responder certifies that no attempt has been made or will be made by the responder to induce any other person or firm to submit or not to submit a submission for the purpose of restricting competition. The only person(s) or principals(s) interested in this submission are named therein and that no person other than those therein mentioned has/have any interest in this submission or in agreement to be entered. Any prospective firm should make an affirmative

statement in its proposals to the effect that, to its knowledge, its retention would not result in a conflict of interest with any party.

12. TERMINATION

The resulting contract may be canceled by the City when:

- a. When sufficient funds are not available to continue its full and faithful performance of this contract.
- b. Sub-standard or non-performance of contract.
- c. The City wishes to terminate at any time and for any reason, upon giving thirty (30) days prior written notice to the other party.

The resulting contract may be canceled by either party in the event of substantial failure to perform in accordance with the terms by the other party through no fault of the terminating party.

13. SUBMITTAL WITHDRAWAL

After submittals are opened, corrections or modifications to submittals are not permitted, but a respondent may be permitted to withdraw an erroneous submittal prior to the award by the City Commission, if the following is established:

- a. That the respondent acted in good faith in submitting the submittal.
- b. That in preparing the submittal there was an error of such magnitude that enforcement of the submittal would work severe hardship upon the respondent.
- c. That the error was not the result of gross negligence or willful inattention on the part of the respondent.
- d. That the error was discovered and communicated to the City within twenty-four (24) hours of submittal opening, along with a request for permission to withdraw the submittal; or
- e. The respondent submits documentation and an explanation of how the error was made.

14. TAXES, FEES, CODES, LICENSING

The Consultant shall be responsible for payment of all required permits, licenses, taxes, or fees associated with the project. The Consultant shall also be responsible for compliance with all applicable codes, laws, and regulations.

15. COMPLIANCE WITH ALL APPLICABLE LAWS

Respondents shall comply with all applicable local, state, and federal laws and codes.

Drug Free Workplace Certification CONSULTANT shall include a signed and completed Drug Free Workplace Certification, attached hereto as Exhibit B.

SECTION II – GENERAL SCOPE OF WORK

2.1 CITY CHARTER – CITY ATTORNEY WORK

Madeira Beach City Charter, Section 5.3 lists:

The Board of Commissioners shall appoint a City Attorney, upon such terms and for such compensation as the Board of Commissioners shall adopt. The City Attorney shall act as legal advisor to, and attorney for, the City and all of its officers or employees in matters arising out of the performance of their official duties for the City, but the City Attorney, or the City Attorney's law firm, shall not personally represent an elected official in any recall litigation or Florida Commission on Ethics proceeding. However, the elected official is entitled to legal representation in any recall litigation or Florida Commission on Ethics proceeding at the expense of the City.

The City Attorney shall bring and defend or assist in litigation and defense, for and in behalf of the City, all complaints, suits, and controversies in which the City is a party and shall perform such other professional duties as may be required of him by official action of the Board of Commissioners.

The City Attorney shall be an attorney at law, admitted to practice before the highest courts of the State of Florida and the Federal District Court for the Middle District of Florida.

The Board of Commissioners may appoint such assistant City Attorney as they deem necessary. The Board of Commissioners may contract with such other attorneys or firm of attorneys to perform such services on behalf of the City on specialized projects as may be deemed necessary or expedient in the discretion of the Board of Commissioners.

The City Attorney is one of four (4) charter officers working directly and serving at the pleasure of the Board of Commissioners (BOC). City Attorney activities are coordinated through the City Manager's office and acts as the Board of Commissioners parliamentarian advising the Commission on procedural matters. Additional duties include:

- Provide legal counsel in drafting and interpreting ordinances, resolutions, regulations
- Assist the draft and review of the City's Comprehensive Plan and any amendments
- Render opinions on legal issues affecting/impacting the City
- Keep Commission and City staff apprised of any new laws/judicial opinions
- Represents the City regarding lawsuits and court matters including suits against the City

2.2 ATTENDANCE

The City Attorney attends Commission meetings and may attend others including the Planning Commission, Civil Service Commission, and Special Magistrate as needed.

Regular monthly meeting schedule listed below with nearly all meetings occurring at:

**City Commission Chambers, Madeira Beach City Hall
300 Municipal Dr, Madeira Beach FL 33708**

BOC Regular Meetings	6:00 pm	Second Wednesday
BOC Workshops	6:00 pm	Fourth Wednesday
Planning Commission	6:00 pm	First Monday
Special Magistrate/Code Enf	2:00 pm	Fourth Monday
Special Magistrate/Variance	2:00 pm	Fourth Monday
Exception Use		

The various City boards may change the meeting dates and times including canceling meetings near holidays with the number of cancelled meetings varying by year. The City Attorney shall represent the BOC and each of the City boards (except for Special Magistrate boards), including City Committee Boards as they may be established, to provide appropriate legal advice and/or written opinions as well as provide parliamentary guidance concerning the conduct of each of the meetings.

City Attorney will attend BOC Workshop and Regular meetings as needed, City Committee meetings, and/or other meetings as needed and/or requested by the BOC, the City Manager, or when items under consideration may warrant legal input.

Please list any schedule commitments on the part of the primary or back-up designee attorneys that may conflict with the listed City of Madeira Beach schedule.

2.3 CITY ATTORNEY SERVICES

City Attorney and/or firm will:

- Draft and/or review ordinances, charter amendments, resolutions, contracts, correspondence
- Provide legal consultation, advice, and/or written opinions to City staff on all various city matters
- Provide legal consultation, advice, and/or written opinions on City insurance matters
- Negotiate union contracts & other labor/personnel matters
- Serve as bond/loan counsel or consult for outside counsel
- Review and advise on collections
- Counsel on confiscated property matters
- Other specialized matters as needed
- Prosecute and defend the City on all civil complaints, suits, or controversies in which the City is a party (when counsel not provided by insurance), including Special Magistrate/Code Enforcement and Special Magistrate/Variance-Special Exception Use
- Represent an employee or BOC member who is individually named in a suit as a result of official duties with the City
- Coordinate with insurance legal counsel as needed
- Provide counsel on the sale and/or purchase of real property
- Review, counsel, advice on any laws that may impact City business and/or interests
- Perform other legal duties and research and provide legal advice as requested by the BOC, charter officers, and/or City staff

2.4 FEE PROPOSAL

Identify methodology utilized for charging the City of Madeira Beach monthly. The City is requesting fees to be submitted/proposed for at least one of the following three (3) options:

Option A – Fixed Retainer Plus Hourly Billing

List a fixed retainer fee amount to be charged for general governmental services and items noted herein that are to be covered by the retainer. Please list any items listed above that would not be part of the retainer and prefer to bill hourly. List any other costs that would be itemized and separately billed. Please also list services routinely performed at no cost.

Option B – Hourly Fees for all Work without a Retainer

List dollar amounts of hourly fees and costs to be charged to provide all legal services.

Option C – Proposer's Choice

List any combination of retainer and hourly fees to provide all legal services

2.5 RESERVED RIGHTS

The City reserves the right to accept or reject any/or all submissions, to accept all or any part of the submission, to waive irregularities and technicalities, and to request resubmission, if it is deemed in the best interest of the City. The City, in its sole discretion, may expand the scope of work to include additional requirements. The City reserves the right to investigate, as it deems necessary, to determine the ability of any Proposer to perform the work or services requested. The Proposer upon request shall provide information the City deems necessary to decide. The City, in its sole discretion, may retain other attorneys and/or legal firms for specialized tasks if it determines such arrangements are in the City's best interest.

SECTION III – EXPERIENCE & QUALIFICATIONS

3.1 Primary designated attorney will have five (5) years' experience in the practice of Florida municipal law or related experience. The attorneys other than the primary designated attorney must have a minimum of three (3) years' experience practicing law and representing municipal governments or other related experience. The attorney and/or firm must be licensed with the State of Florida and be in good standing with the Florida Bar Association. Additionally, the attorneys and/or firm must be Board Certified in Local Government.

3.2 Provide a current resume of the primary attorney who will assume the responsibility under an agreement. Please include relevant academic training and degrees, description of prior experience in law areas described herein, number of years as an attorney and/or with a law firm, areas of responsibility, and other background or experience which may be helpful in evaluating this proposal, such as:

board certifications experience in advising entities on FL sunshine and public records laws
legislative and quasi-judicial bodies experience with employment matters
experience in land use regulations litigation experience and track record
Any other relevant municipal or other public sector experience

3.3 LITIGATION

Provide a list of judgments or lawsuits against each attorney and/or the firm in the last five (5) years, including the nature of the lawsuit and the resolution thereof. Provide a list of all lobbyists employed by your firm and areas lobbied. Provide a list and explanation of any ethics complaints filed against each attorney and/or the firm or any attorney proposed under this solicitation by the Florida Bar Association or any relevant State regulatory agency within the past five (5) years.

3.4 CONFLICT OF INTEREST

List any clients you currently represent that could cause a conflict of interest with your responsibilities to the City. Describe how you would be willing to resolve these or any future conflicts of interest. List any potential conflicts of interest or ethical considerations related to representation or affiliation with any boards, organizations, committees, clients, or any other entities. Provide a list of other municipalities/cities or other governmental entities currently being represented by the attorney(s) proposed and/or firm.

3.5 LOCATION

Provide the address of the primary office that will be providing legal services to the City. Provide a list and description of ownership, office location, and principal office where the majority of the City's work will be performed and contact information.

3.6 PROPOSED SCREENED

Pursuant to subsections 287.133(2) and (3), Florida State Statutes, all proposers must submit a form (enclosed) certifying they have not been placed on the convicted vendor list following a conviction for a public entity crime.

Attorneys and/or firms shall consider in the submittal of their qualifications that the evaluation shall include, but is not limited to, consideration of the firm's experience in municipal/city law and experience, availability, capabilities, and hourly billing rate of the primary legal advisor to the City. The City will also take into account the experience, availability, capabilities, and hourly billing rates of the backup legal advisor(s) and support personnel to the City in the event the primary legal advisor is unable to represent the City at any given meeting or on any given matter.

All proposals will be screened to ensure that all qualifications and requirements of the RFQ are met. Per City Code, Sections 2-184, requirements of notice, the City reserves the right to reject any or all bids to waive any technical defects and to accept any bid which the bidding authority believes to be in the best interest of the City. The request for qualifications and all qualifications submitted are subject to City ordinances, state statutes, and federal laws.

The City Commission may conduct oral question and answer (Q&A) discussions with Proposers as deemed necessary, regarding their qualifications, experience, references, and approach in providing legal services.

This RFQ does not constitute a commitment by the City Commission or by the City to enter into any agreement or contract, or to pay any costs associated with the preparation of responses, submittals, or other documents or any related work by any respondent. The City reserves the right to interview or call for a presentation from any respondent submitting a response. The selection or designation of a successful respondent shall not be construed as an offer of engagement until and unless a contract is fully negotiated and subsequently approved by the City Commission.

SECTION IV – PROPOSAL SIGNATURE & REQUIRED FORMS

Required Forms included with this RFQ

- **Proposal Acknowledgement**
- **Public Entity Crime Statement**
- **Non-Collusive Affidavit**
- **Statement of Organization**

Other Required Forms

- **IRS Form w – 9** (available at IRS Website)
- State of Florida Registration to the perform the required professional services
- If claiming MBE/WBE status a copy of the certificate from the FL Department of Management Service must be included with your submission

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

PROPOSAL ACKNOWLEDGEMENT

Company/Firm Name _____

Address: _____

City: _____

State & ZIP _____

Telephone _____

Email _____

Type of Business (Corporation, Partnership, Other (Specify): _____

Tax ID number (FEIN): _____

Certification

The undersigned hereby confirms as follows:

1. I am a duly authorized agent of the Law Firm submitting the proposal;
2. I have read the Proposal in its entirety and fully understand and accept these terms unless specific variations have been expressly listed below.

Signature of authorized agent

Date

Printed Name

Title of Agent

Proposals without the manual and original signature of an authorized agent of the Proposer shall be deemed non-responsive and ineligible for selection.

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

PUBLIC ENTITY CRIME STATEMENT

PUBLIC ENTITY CRIMES

Pursuant to Subsections 287.133(2) and (3), F.S., "a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list."

I, _____, being an authorized

representative of _____,

located at _____ City: _____

State: _____ Zip Code: _____, have read and understand the contents above.

Signature: _____ Date: _____

Telephone #: _____ Fax #: _____

Federal ID #: _____

STATE OF _____

COUNTY OF _____

Sworn to and subscribed before me this ____ day of _____, 2020,

by _____

who is personally known to me or has produced his/her driver's license as identification.

Notary Public - State of Florida

Print Name: _____

Commission No: _____

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

NON-COLLUSIVE AFFIDAVIT

State of _____ }
County of _____ } SS.

Before me, the undersigned authority personally appeared:

_____ who, being first duly sworn, deposes and says that:

1. _____ He/She is the _____ (Owner, Partner, Officer, Representative or Agent) of _____ the offeror/Proposer that has submitted the attached proposal;

2. _____ He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;

3. _____ Such proposal is genuine and is not a collusive or sham proposal;

4. _____ Neither the offeror/Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other offeror, CITY ATTORNEY/FIRM, or person to submit a collusive or sham proposal in connection with the work for which the attached proposal has been submitted; or have in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any offeror, CITY ATTORNEY/FIRM, or person to fix the price or prices in the attached proposal or of any other offeror, or to fix any overhead, profit, or cost elements of the proposal price or the proposal price of any other offeror, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposal work.

Signed, sealed and delivered this _____ day of _____, 2020.

By: _____

(Printed Name)

(Title)

STATE OF _____
COUNTY OF _____

Sworn to and subscribed before me this _____ day of _____, 2020, by _____ who ☐ is personally known to me or ☐ has produced his/her driver's license as identification.

Notary Public - State of Florida

Print Name: _____

Commission No: _____

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL.

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 1 of 3

Proposer must state whether he/she is an individual, partnership, corporation or joint venture. Partnerships shall show the names, titles, and original signature of all partners with authority to bind the company. Corporations must be signed in the name and with the seal of the corporation, followed by the original signature and title of the person authorized to bind the corporation. Each joint venture shall be required to sign for each individual, partnership and corporation that is a party to the joint venture

If the Proposer is an **INDIVIDUAL**:

Individual's Name: _____

D/B/A: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If the Proposer is a **PARTNERSHIP** and **Limited Liability Company**
(Provide names and signatures of all partners):

Company Name: _____

Partner: _____

Signature: _____

Partner: _____

Signature: _____

Partner: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

(Attach additional sheets if necessary)

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 2 of 3

If the Proposer is a **CORPORATION**:

Corporation Name: _____

State of Incorporation: _____ CORPORATE SEAL _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If Proposer is a **JOINT VENTURE**:

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 3 of 3

If the Proposer is **ANY OTHER BUSINESS ENTITY**:

Please list all pertinent organizational information similar to the above requested information, including.

Type of Entity: _____

Entity Name: _____

Registration/Originating State: _____

Entity Address: _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

Response to the City of Madeira Beach Request for Qualifications

Request for Qualifications #2023-08

City Attorney – Professional Legal Services

July 7, 2023

Sarah L. Johnston , Partner

Weiss Serota Helfman Cole + Bierman, P.L.

800 De Leon St.,

Tampa, FL 33606

(786) 380-2554

sjohnston@wsh-law.com

Sarah L. Johnston
sjohnston@wsh-law.com

July 7, 2023

Robin I. Gomez, City Manager
300 Municipal Drive
Madeira Beach, FL 33708

Re: Request for Qualifications #2023-08, City Attorney - Professional Legal Services

Dear Mr. Gomez:

Weiss Serota Helfman Cole + Bierman, P.L. (the "Firm") is pleased to submit its proposal to provide City Attorney Services to the City of Madeira Beach. We are ready to commit an experienced, hands-on team to provide strategic advice, around-the-clock responsiveness, and cost-effective execution in all matters for the City of Madeira Beach.

Our Firm is the product of innovative thinking. In 1991, our founders saw a need in the Florida legal market for a high-end, boutique firm dedicated to a small number of integrated practice areas. More than 30 years later, we continue to outpace sophisticated market players with focused practice groups, teamwork, and a zealous commitment to our clients. The firm has five offices throughout Florida in Tampa, Miami, Fort Lauderdale, Boca Raton, and Gainesville.

We are ideally placed to represent the City of Madeira Beach because of our:

Full service government practice and industry know-how. There are few firms in Florida that can match our experience representing government and public entities, Mayors, City Commissioners, City Managers, and other city officials. Many local governments throughout the state seek the benefit of our knowledge and experience. The Firm currently serves as City or County Attorney to 20 municipalities across Florida and acts as outside or special counsel to more than 80 public entities. We regularly represent government entities in all facets of local government law, including code enforcement, labor and employment, real estate, ethics, environmental matters, land use, and zoning, procurement, community redevelopment agencies, litigation, and appeals, public utilities, administrative matters and

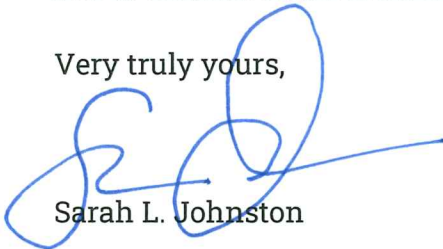
proceedings, drafting resolutions and ordinances, public records and Sunshine Law matters, and eminent domain issues, among others.

Unrivaled expertise in municipal law. We understand that the City is a multi-million dollar entity with employees, complex regulatory systems, and demanding stakeholders, namely, the residents and businesses within the community. Our municipal lawyers, many of whom have served as in-house city or county attorneys, provide sound, top-level legal advice that is essential for the day-to-day function of municipalities. We stay abreast of the latest legislative and judicial developments in municipal law affecting our clients and provide value-added services such as training and continuing education to elected officials, City Managers, Staff, and Board members on the Sunshine Law, ethics, and public records. Each lawyer in our Firm understands the legal framework within which elected and appointed officials must operate and because we ourselves act as general counsel for many of these public entities, we believe we can offer a professional support system and be an active resource to you and your staff.

Dynamic and talented team. We believe in efficient staffing, with each lawyer being given principal responsibility for specific areas maximizing the use of their individual expertise and thus ensuring cost effectiveness. Due to the depth and breadth of our team, we have the ability to call upon other members of the Firm as additional resources as needed.

We appreciate the City's interest in considering the Firm. Should the City have any questions about the Firm that are not specifically addressed in this response, please feel free to contact Sarah L. Johnston by email or by phone at (786) 380-2554.

Very truly yours,



Sarah L. Johnston

Weiss Serota Helfman Cole + Bierman, P.L.
800 W. De Leon St.,
Tampa FL, 33606
(786) 380-2554
sjohnston@wsh-law.com

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Firm Experience:

We regularly advise local governments, elected officials, law enforcement personnel, and individual departments of local governments. The firm's "in the trenches" experience representing dozens of public sector clients, whether administratively or in litigation, along with our personal relationships with key decision-makers, gives us a unique insight that we can leverage to benefit all of our clients. We are ready to assist you in any conceivable governmental situation.

Sunshine Law and Public Records

Our Firm represents more public entities than any other Firm in the State of Florida. Many of our attorneys have previously served as elected officials and government counsel and are well-versed in all requirements of the Sunshine Law, public records, open meetings, and access. We advise our clients on a daily basis on remaining fully compliant with all open meetings and public records laws as well as how they interact with other requirements with ADA, Ethics Law, and Federal record keeping requirements. In fact, our Firm's attorneys have litigated significant Sunshine Law and public records cases in Florida Courts, including at the Supreme Court of Florida. We regularly draft policies and procedures for our clients and have been instrumental in advising clients in emergency situations such as the COVID-19 crisis so that they remain compliant with open meetings even in the most difficult circumstances.

Ethics

Government officials look to the firm for our expertise in all areas of ethics, including drafting and implementing a code of ethics, interpretations, and providing advice when facing an ethics investigation. Our firm frequently counsels elected officials at both the local and state levels. Our lawyers, led by Robert Meyers (the past executive director of the Miami-Dade Commission on Ethics and Public Trust), counsel clients for matters before this commission, as well as by the State of Florida Ethics Commission, and offer day-to-day guidance that allows government officials to make informed decisions while complying with applicable ethical standards.

We also assist local governmental entities in conducting investigations and issuing reports involving official misconduct. For example, the City of Miami Beach recently retained the firm to investigate 15 government contractors, some of whom were implicated in a major scandal with the City's Procurement Director, issuing a comprehensive report pertaining to the investigation.

With substantial experience counseling both investigative agencies and subjects of investigations, our team is uniquely positioned to successfully handle the most sensitive matters.

We also represent lawyers in investigative and disciplinary proceedings by The Florida Bar, as well as professionals across multiple industries before the State of Florida Department of Professional Regulation.

Litigation

We live in a litigious world, and there is no shortage of lawsuits being filed against municipalities and governmental agencies. There are few firms in Florida that match our experience defending governments, elected officials, law enforcement personnel, and individual departments, branches, and divisions of local governments in both state and federal courts at the trial and appellate levels.

Our result-focused approach puts our clients' interests front and center at every stage of litigation. We are not afraid to take a case to trial—especially considering our track record for successful verdicts—and we are always prepared to do so. But we are constantly aware of our clients' priorities and obtain favorable settlements when necessary.

We specialize in cases involving disputes related to all aspects of local governance, including government contracts, civil rights, land use, zoning, takings, tort liability, sovereign immunity, and qualified immunity. For example, in one case, we fought on behalf of a local government to have a \$65 million waste disposal contract invalidated for failure to follow the awarding authority's bidding process. Our efforts resulted in the client saving \$8 million on the new contract when the proper bidding process was followed.

Our litigators also regularly defended local government clients and employees, including law enforcement, accused of violating constitutional and statutory rights arising under federal, state, and local laws. For example, we were lead counsel in a seminal, high-profile case involving unique issues relating to the intersection between land use and the Americans with Disabilities Act and the Fair Housing Amendments Act. Because of our success in that case, our lawyers have been hired to consult for dozens of local governments in Florida regarding these issues. In another high-profile case, we were lead government counsel for dozens of local governments in a \$200 million federal class action seeking recovery of red light camera fines. Our efforts there resulted in the dismissal with prejudice of the lawsuit.

Examples of lawsuits our team has been involved in include:

- WSHC+B successfully represented the City of Miami Gardens in a lawsuit brought by plaintiffs opposing the Formula One Miami Grand Prix event. In April 2022, Judge Alan Fine said he wouldn't hold an injunction hearing before the Miami Grand Prix begins May 6, denying a request by plaintiffs who argued noise from the event could cause hearing damage. The judge determined that the evidence presented in opposition to the event was "highly speculative." The WSHC+B attorneys helped prevent the economic loss of an estimated \$300 million dollars, which could have been the result of canceling the F1 Miami Grand Prix race so close to the event date.

- WSHC+B successfully defended the Village of Key Biscayne before the Third District Court of Appeal, resulting in the advancement of a \$100 million General Obligation Bond Referendum that will facilitate important infrastructure projects for the Village to protect against the effects of sea-level rise and hurricanes. The GOB funds were originally approved by voters in the November 2020 election. Prior to the election, a Key Biscayne resident filed a Miami-Dade Circuit Court lawsuit seeking to quash the referendum measure. The Village prevailed in that initial dispute, with the Circuit Court subsequently denying the plaintiff's motion for rehearing in September 2021. The Third DCA panel affirmed the lower court's decision in a July 2022 opinion.
- WSHC+B secured in September 2022 a \$1.5 million ruling against FEMA in favor of the Village of Pinecrest. The attorneys successfully navigated a new federal arbitration process to obtain reimbursements for damages caused by Hurricane Irma in 2017. A U.S. Civilian Board of Contract Appeals panel ruled that FEMA had wrongfully denied virtually all public assistance funding requests made by the Village. The Village's claims revolved around various categories of debris clearance and removal activities performed between October and December 2017. The Village's well-documented claims were disregarded by FEMA at every turn. The ruling represents about 98% of the Village's original reimbursement request. It also served as inspiration for the law firm's new Disaster Recovery practice group, which holistically applies WSHC+B's unique experience and knowledge in counseling clients at all stages of the disaster recovery process and which covers everything from pre-disaster contract preparation to challenging FEMA's reimbursement denials at the final arbitration stage.
- WSHC+B successfully defended the Village of Pinecrest against a motion for emergency injunction seeking to prevent the Village Council from considering and voting on certain land use and zoning legislation. The case is *Laura McNaughton et. al. vs. Village of Pinecrest*. Firm attorneys argued that such an injunction would violate the separation of powers between the judiciary and the legislative branch of the government. After extensive briefing and a hearing, the court ruled in favor the Village and denied Plaintiffs' motion.

Special Governmental District

We have extensive experience representing community development districts, special taxing districts, fire control districts, neighborhood improvement districts, and other local special purpose government entities. Leveraging our team members who are former state, county, and city attorneys, we counsel you on technical areas of intergovernmental relations, state law issues, tax issues, bond and finance issues, and the laws relating to the imposition and levy of special assessments.

When we serve as your special or general counsel, we take our role as a member of your team seriously, learning the in's and out's of your government entity in order to assist with specific governmental and financing issues that arise. Having tried and argued cases all the way to the Florida Supreme Court on behalf of local governments, our seasoned litigators are also ready to defend special districts and their financing when necessary.

Code Enforcement

When it comes to enforcing city code provisions, nothing is more important than experience. Our code enforcement lawyers have a strong track record, having handled thousands of code enforcement matters for our municipal clients. We understand that depending on the character of your community, your needs will vary – whether you are on an island with a small population of full-time residents, a number of waterways, and lots of tourists, or in an inland city that consists primarily of gated residential development and borders a national park and wetland preserves.

Our lawyers are thought leaders in the industry and can provide guidance on constantly evolving code violation issues. Vacation rentals and sober homes have created gray areas when it comes to state and federal laws, but our team can guide you through the applicable laws and different local codes. We also assist in using code enforcement powers to regulate the residency of sexual offenders and implement other safety measures designed to protect the health, safety, and welfare of your residents.

Labor & Employment

The Firm's labor and employment lawyers are available to provide the full suite of services needed by a public employer in Florida. We have a great deal of experience handling a wide array of employment law issues under Federal and Florida law and regularly address issues for our clients concerning compensation and benefits, hiring and firing, and employee medical leave and related issues. We have a great deal of experience representing governmental clients before various state and local agencies, including the U.S. Equal Employment Opportunity Commission, The Florida Commission on Human Relations, and the Public Employees Relations Commission. Our team has extensive experience handling various labor and employment matters with over 30 governmental entities throughout the State, including school boards.

Our services include:

- Accessibility and Accommodations
- Administrative Claims and Hearings
- Agreements and Handbooks
- Collective Bargaining
- Counseling and Risk Management
- Drug Testing
- Employee Training
- Labor Arbitrations and Related Administrative Hearings
- Litigation Restrictive Covenants

- Occupational Safety and Health
- Pension Law
- Unemployment Claims
- Wage and Hour Claims and Audits
- Workers Compensation
- Workplace Investigations

Land Use and Zoning

With the State of Florida stepping back from its involvement in land use and zoning matters, local land use and zoning is more important than ever in determining the destiny of our communities. These trends empower innovation but also remove safety nets. We counsel local governments on choosing their path wisely and implementing their vision.

We can assist you with establishing and amending state-mandated comprehensive plans, small area plans, and land development regulations, as well as reviewing and approving applications for planned unit developments, plats, site plans, and building permits. We counsel local governments when they act as developers, either alone or in partnership with a private developer, and we can counsel you. We pride ourselves on our creativity, knowledge, and persistence in ensuring that our local government clients achieve the results they desire in developing their communities.

Our team is unique in that we have partners who are both certified planners and board-certified municipal attorneys. It is our daily bread and butter to work seamlessly with municipal staff, boards, and elected officials to achieve your goals. We have numerous attorneys with broad and deep experience in and dedication to public land use and zoning matters, both transactional and litigation.

We draft ordinances and resolutions and sit with boards and councils dealing with land development matters, such as Planning and Zoning Boards, Local Planning Agencies, and Zoning Boards of Adjustment. We advise these boards, individually and collectively, in their handling of public hearings, with particular attention to the quasi-judicial nature of many of the proceedings. When it is apparent that a particular regulation or application may result in a denial or a challenge, we work with our litigators and appellate lawyers to lay the groundwork for a successful outcome for the local government.

We also partner with our real estate and private land use and zoning teams to provide comprehensive help to governmental agencies undertaking public development projects, such as police and fire stations, sports arenas and stadiums, commercial parks, industrial parks, marinas, and sewer treatment facilities.

Because of our role as the municipal attorney or special counsel for such a wide variety of communities, we are uniquely adaptable. We see trending issues emerge simultaneously in communities large and small, pro-development and anti-development, sophisticated and struggling, so we develop experience more rapidly and from a bird's eye perspective.

We perceive that there are multiple possible approaches, and understand how to tailor our solutions to the demands of these diverse situations. We frequently write, speak and serve in professional organizations related to land use and zoning, keeping up to date on the most pressing current issues, like adapting to the changes that sea level rise will bring.

Our experience in helping numerous newly formed local governments to implement their vision through the adoption of their first land development codes and comprehensive plans gives us unique insights into these processes.

Governmental Affairs and Procurement

Whether you are pursuing a government contract or a legislative solution to a problem that affects your business, our deep government experience gives us a special perspective and comprehensive understanding of its inner workings, laws, and practices that allow us to provide you with a strategic advantage. We know how to navigate through the maze of bureaucratic rules, regulations, and time delays that often stand in the way of successful private-public interactions. Our relationships with elected officials and their staff are built on trust and an understanding that we pursue our client's interests honestly and ethically.

Our team members are former state, county, and city attorneys, and we advise businesses on public-private partnership transactions, obtaining, maintaining, and performing government contracts, seeking legislative relief from burdensome regulations, compliance with licensing and regulatory requirements, and handling administrative proceedings.

For every issue, we start by devising a strategy. Sometimes we are able to resolve matters with a simple phone call, meeting, or letter. Other times we assemble professional teams of lobbyists, engineers, public relations professionals, and community activists to complete large-scale projects or transactions. Our attorneys have been instrumental in arranging some of Florida's most high-profile and complex deals. For example, our representation of Cubic Transportation Systems resulted in an \$80 million agreement to implement a state-of-the-art fare collection system for Miami-Dade Transit. Six years later, we won and negotiated a \$60 million upgrade and extended the contract to other transit agencies. We continue to work with Cubic to propose and implement new solutions as the state of the art in shared mobility rapidly evolves.

Board Certifications

Our firm's diverse and experienced groups of attorneys are reflected in the many Florida Bar Board Certifications our attorneys hold in multiple areas of law. These certifications include Labor & Employment Law; City, County, and Local Government Law; Education Law; Appellate Law; International Law; Mediation; and Construction Law.

Attendance:

The firm does not foresee any scheduling conflicts that will interfere with either the primary or back up attorneys being able to attend the Commission meetings.

Conflict of Interest:

The Firm represents more than 80 government entities throughout Florida, however because of our deep government experience and large team, we certainly have the capacity to handle the City's legal work.

The Firm is currently or previously has represented the following governmental entities within the last five years:

- Bal Harbour Village
- Broward County Planning Council
- Broward Metropolitan Planning Organization
- Broward Sheriff's Office
- City of Apopka
- City of Aventura
- City of Bartow Municipal Police Officers' Retirement Trust
- City of Boca Raton
- City of Bradenton
- City of Clermont
- City of Clewiston
- City of Coconut Creek
- City of Dania Beach
- City of Deerfield Beach
- City of Delray Beach
- City of Doral
- City of Dunedin
- City of Fernandina Beach
- City of Florida City
- City of Fort Lauderdale
- City of Fort Pierce
- City of Greenacres
- City of Groveland
- City of Haines City
- City of Hallandale Beach
- City of Hollywood
- City of Homestead
- City of Lake Worth Beach
- City of Lakeland
- City of Largo
- City of Lauderdale Lakes
- City of Lauderhill
- City of Lighthouse Point
- City of Marco Island
- City of Margate
- City of Miami
- City of Miami Beach
- City of Miami Gardens
- City of Miramar
- City of Naples
- City of North Miami
- City of North Miami Beach
- City of North Port
- City of Oakland Park Police and Fire Pension Plan Board of Trustees
- City of Oldsmar
- City of Opa Locka
- City of Parkland
- City of Pembroke Pines
- City of Plant City
- City of Pompano Beach
- City of Port Richey
- City of Port St. Lucie
- City of Riviera Beach
- City of Safety Harbor
- City of Sarasota
- City of Sebastian
- City of South Miami
- City of South Pasadena

- City of Stuart
- City of St. Petersburg
- City of Sunny Isles
- City of Sunrise
- City of Sweetwater
- City of Tamarac
- City of Temple Terrace
- City of West Palm Beach
- City of West Park
- City of Weston
- Civilian Investigative Panel
- Collier County School Board
- Cooper City
- County of Osceola
- Dania Beach Community Redevelopment Agency
- Delray Beach Housing Authority
- Desoto County School Board
- Florida League of Cities
- Glades Panel
- Green Cove Springs
- Hardee County
- Hillsboro Inlet District
- Hillsborough County
- Homestead Housing Authority
- Housing Authority of Pompano Beach
- Indian Creek Village
- Indian Trail Improvement District
- Islamorada, Village of Islands
- Kenneth City
- Lake Worth Beach CRA
- Lauderhill Housing Authority
- Lee County School Board
- Manatee County
- Margate CRA
- Martin County
- Miami Dade College
- Miami-Dade County School Board
- Miami-Dade Expressway Authority
- Miami Shores Village
- Miami Springs
- North Bay Village
- North Collier Fire Control and Rescue District
- Opa-Locka CRA
- Palm Beach County
- Palm Beach Transportation Planning Agency
- Plantation Acres Improvement District
- Pompano Beach CRA
- Sarasota County
- Sarasota County School Board
- Sarasota/Manatee Metropolitan Planning Organization
- School Board of Broward County
- Space Coast Transportation Planning Organization
- St. Lucie County Fire District
- Town of Bay Harbor Islands
- Town of Cutler Bay
- Town of Davie
- Town of Golden Beach
- Town of Gulf Stream
- Town of Indialantic
- Town of Kenneth City
- Town of Lantana
- Town of Lauderdale-By-The-Sea
- Town of Malabar
- Town of Manalapan
- Town of Medley
- Town of Miami Lakes
- Town of Palm Beach
- Town of Surfside
- Village of Bal Harbour
- Village of Golf
- Village of Indian Creek
- Village of Islands Islamorada
- Village of Key Biscayne
- Village of North Palm Beach
- Village of Palmetto Bay
- Village of Pinecrest
- Village of Royal Palm Beach
- Village of Virginia Garden

Our Team

City Attorney:

SARAH L. JOHNSTON

PARTNER

Tampa

(786) 380-2554

sjohnston@wsh-law.com



Sarah is a Partner practicing in the Firm's Government and Labor & Employment Divisions. She has extensive experience representing local governments in procurement, land use and zoning, public finance, public utilities, real estate, Public/Private Partnerships (P3), Community Redevelopment Agencies, and legislative matters, among others. Sarah's unique and varied experience allows her to have an understanding of public sector needs, which is evident in her collaborative approach to working with clients. Sarah currently serves as County Attorney for Hardee County and Village Attorney for Miami Shores Village.

Prior to joining the Firm, Sarah served as City Attorney and Assistant Town Attorney for two coastal cities in Miami-Dade County. Sarah has served as the lead attorney on numerous procurement matters and P3's, including negotiating a P3 with an internationally branded soccer academy and charter school and a \$400M contract for the maintenance, operations, and capital projects program for the second largest water utility in Miami-Dade County.

She has also provided counsel on Sunshine Law compliance, state and local ethics, election matters, the Water Infrastructure Finance and Innovation Act (WIFIA), grant applications, bond issuance, and labor union negotiations, as well as served as counsel on various charter review committees.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Florida Municipal Attorneys Association
- The Florida Bar, City, County, and Local Government Law Section

PRACTICE AREAS

- [Code Enforcement](#)
- [Governmental Affairs and Procurement](#)
- [Municipal Counsel](#)
- [Public Sector Land Use and Zoning](#)
- [Special Counsel to Local Government](#)
- [Community Redevelopment Agency \(CRA\)](#)
- [Bonds and Public Finance](#)
- [Capital Improvement, Infrastructure Development & Project Management](#)
- [Elections](#)
- [Ethics](#)
- [Labor and Employment](#)
- [Solid Waste Management](#)
- [Special Governmental Districts](#)
- [Utilities](#)
- [Public/Private Partnership \(P3\) Transactions](#)

ADMISSIONS

- Florida, 2011
- California, 2018

EDUCATION

- St. Thomas University School of Law, J.D., 2010
- University of Phoenix, MBA, 2012
- University of Central Florida, B.A. in Public Administration, 2007

Press Mentions

- [*WSHC+B Names New Partners in Miami and Tampa*](#), Tampa Bay Newswire, January 9, 2023
- [*WSHC+B Names New Partners in Miami and Tampa*](#), Citybiz, January 9, 2023
- [*WSHC+B Names New Partners in Miami and Tampa*](#), South Florida Caribbean News, January 9, 2023
- [*Weiss Serota Helfman Cole + Bierman Appointed to Attorney for Town of Kenneth City*](#), Tampa Bay Newswire, October 10, 2022
- [*Weiss Serota Helfman Cole + Bierman Appointed to Attorney for Town of Kenneth City*](#), Attorney at Law Magazine, October 10, 2022
- [*Weiss Serota Helfman Cole + Bierman Appointed to Attorney for Town of Kenneth City*](#), City Biz, October 10, 2022

Supporting City Attorney(s):

ROBERT MEYERS

PARTNER

Ft. Lauderdale

(954) 763-4242

rmeyers@wsh-law.com

Robert Meyers practices in the areas of ethics and governance, and serves as ethics counsel to the firm's municipal clients. As more regulations are being adopted, Robert advises municipal elected officials on these new standards and helps them make informed choices. Robert currently serves as the City Attorney for the City of Aventura and as the Deputy Village Attorney for Bal Harbour.

As a former Executive Director of the Miami-Dade Commission on Ethics and Public Trust, Robert oversaw all operations, including enforcement, providing advice, training, and education. While heading the Ethics Commission, he drafted hundreds of ethics opinions and analyzed state, county, and municipal ethics codes. Robert also assisted with drafting model ethics codes and amendments to existing ethics codes in Miami-Dade County and across Florida. Under his watch, the Ethics Commission was recognized as a model local ethics commission and received accolades for its innovative programming and outreach activities, from organizations such as Transparency International, the National Association of Counties, and the National League of Cities.

Robert is a former professor at Florida International University and the University of Tennessee where he taught courses in law, ethics, and government. As a leading authority in the field of governmental ethics, he has been a panelist at local, state, and national conferences sponsored by the National League of Cities, the Florida League of Cities, the American Bar Association, the Florida Municipal Attorneys Association, the National Institute of Government Purchasers and the Council on Governmental Ethics Laws.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- American Bar Association
- Council on Governmental Ethics Laws (COGEL)
- American Society for Public Administration

PRESENTATIONS

- *Representation Issues Regarding Local Government Witnesses in Ethics and Criminal Investigations*, Miami-Dade County Commission on Ethics and Public Trust, November 30, 2021
- *Best Practices: Legal and Ethical Principles in Local Government Procurement*, Weiss Serota Helfman Cole + Bierman, April 2021
- *Broward League of Cities Ethics Training*, Broward League of Cities, November 2020
- *Social Media and Government Communications: Legal and Ethical Considerations*, Weiss Serota Helfman Cole + Bierman, September 2020
- *Campaign Skills Seminar: A Primer for Local Candidates*, Weiss Serota Helfman Cole + Bierman, July 2020

PRACTICE AREAS

- [Governmental Affairs and Procurement](#)
- [Municipal Counsel](#)
- [Elections](#)
- [Ethics](#)

ADMISSIONS

- Florida, 1991

EDUCATION

- University of Miami School of Law, J.D., 1984
 - Florida International University, MPA, 1981
 - University of Florida, B.A., 1979
-

JOSEPH NATIELLO

PARTNER

Ft. Lauderdale

(954) 763-4242

jnatiello@wsh-law.com



Joe Natiello is a former state prosecutor and a former Broward County Deputy Sheriff whose vast knowledge of law enforcement informs his practice in the areas of police operational and legal concerns, forfeiture litigation, liability defense, municipal government litigation, and code enforcement.

As a former Assistant State Attorney in the Felony Trial division of the Office of the State Attorney for the 17th Judicial Circuit, Joe tried more than 35 jury trials to verdict.

Prior to practicing law, Joe served as a Deputy Sheriff in the Broward County Sheriff's Office for more than 24 years. He was a patrolman and a detective in the Homicide, Sex Crimes, and Major Crimes Units, and also worked as a Sergeant supervising child protective, sex crimes, and missing persons investigations. Joe is a graduate of the Federal Bureau of Investigation's National Academy, and retired from the Broward County Sheriff's Office as an Assistant Chief/Executive Lieutenant in 2013.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Broward County Chiefs of Police Association, Member, 2021
- Florida Association of Police Attorneys, 2016
- Broward County Bar Association, Bench and Bar Committee, 2016
- The Hundred Club of Broward, Board Member, 2015
- F.B.I. National Academy Associates, 2008
- Shepard Broad Law Center, law student moot court and opening/closing argument competitions volunteer judge, 2013
- Lifenet4Families, Board Member, Serving food insecure families throughout Broward County, 2023

AWARDS AND RECOGNITION

- Florida Super Lawyers, Rising Star, 2022

PRESS MENTIONS

- [Internal Affairs investigator removed for bias in Fort Lauderdale protest case](#), SunSentinel, August 20, 2020

PRACTICE AREAS

- [Code Enforcement](#)
- [Police Legal Advisement](#)
- [Asset Forfeitures](#)
- [Civil Rights and Torts](#)
- [Distressed Asset Workout And Litigation](#)


ADMISSIONS

- Florida, 2012
- U.S. District Court for the Southern District of Florida, 2013
- United States Supreme Court, 2016

EDUCATION

- Nova Southeastern University Shepard Broad Law Center, J.D., 2012
- University of Florida, B.A., 1988

For additional practice areas, the following attorneys can assist:

Attorney	Details
 <p>Brett J. Schneider Office: Boca Raton</p>	<p>Legal Experience: Brett Schneider is the Managing Director of the Boca Raton office and Chair of the firm's Labor and Employment Division. As a Florida Bar Board Certified attorney in Labor and Employment Law, Brett helps public and private sector employers resolve issues in a prompt and efficient manner. Brett currently works with the cities of Safety Harbor, Dunedin, and Largo on labor and employment matters.</p>


Brett represents public sector employers in negotiating collective bargaining agreements, labor impasse proceedings, unfair labor practice proceedings and labor arbitrations. As workplace issues continue to evolve, he advises clients on employee drug testing (particularly with the legalization of medical marijuana in Florida), sexual harassment, and employee medical issues. Brett provides pragmatic advice in line with his clients' business objectives.

Brett handles employment litigation for public and private employers in matters arising under federal, state, and local employment laws such as Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA), the Age Discrimination in Employment Act (ADEA), the Fair Labor Standards Act (FLSA), the Family and Medical Leave Act (FMLA) and the Florida Civil Rights Act (FCRA). Brett defends employers in wage and hour suits brought under the Fair Labor Standards Act (FLSA) and has successfully guided clients through Department of Labor Wage & Hour Audits. He also represents employers before federal, state and local administrative agencies such as the U.S. Equal Employment Opportunity Commission (EEOC), the National Labor Relations Board (NLRB) and the Florida Public Employees Relations Commission (PERC).

Certified by the HR Certification Institute and by the Society for Human Resource Management, Brett advises employers on human resources issues including personnel policies and procedures, discipline and discharge matters, drug and alcohol testing, employee privacy rights and educational and training programs for managers and supervisors. He works closely with employers to ensure that their practices comply with federal, state and local laws.

Education:

- George Washington University Law School, J.D., cum laude, 1999
 - Journal of International Law & Economics

	<ul style="list-style-type: none"> University of Maryland, B.A., Government and Politics, with honors, 1996
 <p>Susan Trevarthen Office: Ft. Lauderdale</p>	<p>Legal Experience: As a Florida Bar Board Certified attorney in City, County, and Local Government Law with a Master's degree in planning, Susan Trevarthen has an in-depth and specialized knowledge of the challenges faced by local government clients in the complex areas of land use, planning, and zoning. Her work includes negotiating development agreements and approvals, drafting municipal codes and plans, defending challenges to municipal regulations and decisions, handling public hearings, and advocating for municipalities on legislative issues in her field.</p> <p>Susan is also a trusted advisor to elected officials, municipal staff, managers, and attorneys on new and evolving municipal issues such as medical marijuana and loss of control over rights of way as ride-sharing services and e-scooter companies compete for use. She also serves as the lead municipal attorney for two coastal communities in Miami-Dade and Broward Counties.</p> <p>Susan's practice includes constitutional law issues such as regulatory taking cases and land use and zoning decisions that raise First Amendment issues, including sign codes, adult use, and religious regulations, Bert J. Harris Act claims, comprehensive plan challenges, and petitions for writs of certiorari.</p> <p>Susan was instrumental in helping to develop the field of school concurrency policy and law in Florida and has represented local governments and school boards across the state on school planning, facilities issues, and mandatory school concurrency.</p> <p>Susan is a member of the College of Fellows of the American Institute of Certified Planners and has held leadership positions in The Florida Bar's Section for Environmental and Land Use Law and Section for City, County, and Local Government Law. She is the chairperson of the Board of Directors of 1000 Friends of Florida. She speaks and publishes frequently on planning, zoning, and land use issues and has been a regular guest lecturer at the University of Miami School</p>

	<p>of Law, St. Thomas University School of Law, and Florida Atlantic University School of Urban Planning.</p> <p>Education:</p> <ul style="list-style-type: none"> • University of North Carolina School of Law, J.D., 1991 • University of North Carolina, MRP, 1991 • Duke University, AB Public Policy Studies, <i>cum laude</i>, 1986 <ul style="list-style-type: none"> ○ Burns Fellowship in Development Planning
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Statement of Assurance

The firm is not presently in violations of any statutes or regulatory rules that would impact the firm's operations.

Location:

WSHC+B has five offices throughout Florida in Miami, Fort Lauderdale, Boca Raton, Tampa, and Gainesville. The majority of the work will be performed in the Tampa office where the primary attorney, Sarah Johnston, resides. We represent clients all over Florida and work from various locations.

Tampa Office:

800 W. De Leon Street,
Tampa, FL 33606
T. (786) 380-2554
Number of Attorneys: 1

Miami Office:

2800 Ponce de Leon Blvd.
Suite 1200
Coral Gables, FL 33134
T. (305) 854-0800
Number of Attorneys: 41

Fort Lauderdale Office:

200 E. Broward Blvd.
Suite 1900
Fort Lauderdale, FL 33301

T. (954) 763-4242
 Number of Attorneys: 25

Boca Raton Office:
 2255 Glades Road
 Suite 200E
 Boca Raton, FL 33431
 T. (561) 835-2111
 Number of Attorneys: 23

Gainesville Office:
 2631 NW 41 Street
 Building B
 Gainesville, FL 32606
 T. (352) 416-0066
 Number of Attorneys: 4

Fee Proposal

We are very enthusiastic about the opportunity to work with the City and as a result, we have set forth the following fee proposal for the role of acting as the City Attorney.

We propose an hourly rate of \$275/hr for all legal services to the City for all members of the proposed team. We are also experienced with working under retainer agreements and would be happy to quote a monthly retainer once we have 4-6 months of working experience with the City.

We will not charge the City for conversations with elected officials and travel to and from the City.

Firm Litigation/Ethics Complaints

From time to time and through no fault of its own, the Firm and/or its attorneys are named as defendants in litigation. Below is a list of litigation that is pending or settled in the past five years.

1. Raul Pedraza vs. Alan Keith Fertal and Weiss Serota Helfman Cole & Bierman, PL
 Miami Dade Circuit Court Case No.: 2020-005478 CA 01

This case concerns the referral of client, Raul Pedraza, to a California lawyer who may have missed some deadlines in California under California law. A

complaint was originally filed in California. The firm and our attorneys were dismissed, without prejudice, from the California case. On Thursday April 2, 2020, we were served with a lawsuit in the 11th Judicial Circuit making essentially the same claim made and dismissed without prejudice in California. Attorney David Keller has been retained to represent attorney Alan Fertel and the firm. We have filed an answer, affirmative defenses and a counter-claim. Plaintiff has sat for deposition four times and has terminated the deposition for health reasons each time, the latest being held May 11, 2021 that was terminated by Plaintiff's counsel three hours in.

2. George Pierson and William Mantesta vs. Weiss Serota Helfman Cole & Bierman, PL and Jamie Cole
Broward Circuit Court Case No.: CACE 16-011927

This case concerned an allegation that the firm was negligent in jointly representing the City of Miramar and several of its former police officers in an action brought by an individual for false arrest. After discovery, the Plaintiff determined that the case was not viable and was settled by our professional liability carrier for a small amount. In connection with the settlement, the Plaintiff agreed that, based on discovery, there did not appear to be any evidence that the firm's representation constituted a conflict of interest of that its representation fell below the applicable standard of care.

3. Dr. James Eric McDonough, individually and in his capacity as an investigative journalist for Photographyisnotacrime.com vs. Eric Stettin, individually and in his capacity as attorney for City of Homestead; Samuel Zeskind, individually and in his capacity as attorney for the City of Homestead; Weiss Serota Helfman Cole & Bierman, a corporation in the State of Florida; and City of Homestead, a Florida municipal corporation collectively
Miami Dade Case No.: 17-17151CA01

This case concerned a public records request to our client, City of Homestead. The firm and all firm attorneys were dismissed with prejudice.

Ethics Complaints

An ethics complaint was filed by the Florida Commission on Ethics against Mr. David Tolces, relating to a procurement issue with respect to a public housing authority. The Firm stands behind Mr. Tolces and his unparalleled track record in

representing the Firm's clients and performing legal services spanning over three decades.

Firm Lobbying

The Firm does not employ lobbyists. Some of the Firm's attorneys provide legal representation to developers, vendors, and others in connection with agreements and land use approvals with government entities in Miami Dade and Broward County. Some of those jurisdictions require that attorneys performing such legal services register as lobbyists. Accordingly, some of the Firm's attorneys occasionally register as lobbyists in certain counties and cities in South Florida, but the Firm does not employ any nonlawyer lobbyists, nor any lobbyists who lobby on behalf of the Firm.

REQUIRED FORMS:

- **Proposal Acknowledgement**
- **Public Entity Crime Statement**
- **Non-Collusive Affidavit**
- **Statement of Organization**
- **IRS Form W-9**
- **Certificates of Insurance**
- **Licenses for Attorneys**

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

PROPOSAL ACKNOWLEDGEMENT

Company/Firm Name Weiss Serota Helfman Cole & Bierman, P.L.
 Address: 800 De Leon Street
 City: Tampa
 State & ZIP Florida 33606
 Telephone 786-380-2554
 Email mburnstein@wsh-law.com

Type of Business (Corporation, Partnership, Other (Specify): Law Firm

Tax ID number (FEIN): 20-8112403

Certification

The undersigned hereby confirms as follows:

1. I am a duly authorized agent of the Law Firm submitting the proposal;
2. I have read the Proposal in its entirety and fully understand and accept these terms unless specific variations have been expressly listed below.

Mitch J. Burnstein
 Signature of authorized agent
Mitchell J. Burnstein
 Printed Name

7-6-23
 Date
Firm Managing Director
 Title of Agent

Proposals without the manual and original signature of an authorized agent of the Proposer shall be deemed non-responsive and ineligible for selection.

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04
PUBLIC ENTITY CRIME STATEMENT**

PUBLIC ENTITY CRIMES

Pursuant to Subsections 287.133(2) and (3), F.S., "a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list."

I, Mitchell J. Burnstein, being an authorized

representative of Weiss Serota Helfman Cole & Bierman, P.L.

located at 800 De Leon Street City: Tampa

State: FL Zip Code: 33606, have read and understand the contents

above.

Signature: *Mitch J. Burnstein* Date: 7-6-23

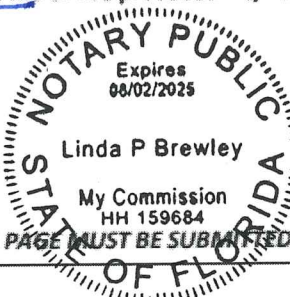
Telephone #: 786-380-2554 Fax #: _____

Federal ID #: 20-8112403

STATE OF Florida
COUNTY OF Broward

Sworn to and subscribed before me this 6th day of July, 2020, 2023
by Mitchell J. Burnstein

who is personally known to me or has produced his/her driver's license as identification.


Notary Public - State of Florida
Print Name: Linda P. Brewley
Commission No: HH159684
My Commission
HH 159684
THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04
NON-COLLUSIVE AFFIDAVIT**

State of Florida
County of Broward } ss.

Before me, the undersigned authority personally appeared:
Mitchell J. Burnstein who, being first duly sworn, deposes and says that:

1. MB He/She is the Representative (Owner, Partner, Officer, Representative or Agent) of Weiss Serota Helfman Cole & Bierman, P.L. the offeror/Proposer that has submitted the attached proposal;

2. MB He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;

3. MB Such proposal is genuine and is not a collusive or sham proposal;

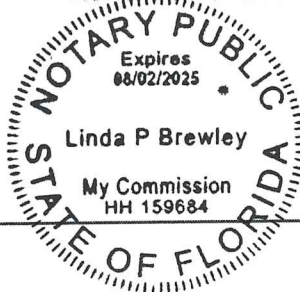
4. MB Neither the offeror/Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other offeror, CITY ATTORNEY/FIRM, or person to submit a collusive or sham proposal in connection with the work for which the attached proposal has been submitted; or have in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any offeror, CITY ATTORNEY/FIRM, or person to fix the price or prices in the attached proposal or of any other offeror, or to fix any overhead, profit, or cost elements of the proposal price or the proposal price of any other offeror, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposal work.

Signed, sealed and delivered this 6th day of July, ~~2020~~ 2023

By: Mitchell J. Burnstein
Mitchell J. Burnstein
(Printed Name)
Firm Managing Director
(Title)

STATE OF Florida
COUNTY OF Broward

Sworn to and subscribed before me this 6th day of July, 2023, by
Mitchell J. Burnstein who ☒ is personally known to me or ☐ has produced his/her driver's
license as identification.



Linda P. Brewley
Notary Public - State of Florida
Print Name: Linda P. BREWLEY
Commission No: HH 159684

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL.

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 1 of 3

Proposer must state whether he/she is an individual, partnership, corporation or joint venture. Partnerships shall show the names, titles, and original signature of all partners with authority to bind the company. Corporations must be signed in the name and with the seal of the corporation, followed by the original signature and title of the person authorized to bind the corporation. Each joint venture shall be required to sign for each individual, partnership and corporation that is a party to the joint venture

If the Proposer is an **INDIVIDUAL**:

Individual's Name: _____

D/B/A: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If the Proposer is a **PARTNERSHIP** and **Limited Liability Company**
(Provide names and signatures of all partners):

Company Name: _____

Partner: _____

Signature: _____

Partner: _____

Signature: _____

Partner: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

(Attach additional sheets if necessary)

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 2 of 3

If the Proposer is a **CORPORATION**:

Corporation Name: _____

State of Incorporation: _____ CORPORATE SEAL _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If Proposer is a **JOINT VENTURE**:

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04**

STATEMENT OF ORGANIZATION

Page 3 of 3

If the Proposer is **ANY OTHER BUSINESS ENTITY**:

Please list all pertinent organizational information similar to the above requested information, including.

Type of Entity: Limited Liability Company


Entity Name: Weiss Serota Helfman Cole & Bierman, P.L.

Registration/Originating State: Florida

Entity Address: 2800 Ponce De Leon Boulevard, Suite 1200

Coral Gables, FL 33134

Name/Title of person authorized to bind: Mitchell J. Burnstein, Firm Managing Director

Signature: 

Name/Title of person authorized to bind: _____

Signature: _____

Request for Taxpayer Identification Number and Certification

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the
requester. Do not
send to the IRS.

Print or type.
See Specific Instructions on page 3.

1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Weiss Serota Helfman Cole + Bierman, PL	
2 Business name/disregarded entity name, if different from above	
3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
<input type="checkbox"/> Individual/sole proprietor or single-member LLC	<input type="checkbox"/> C Corporation
<input type="checkbox"/> S Corporation	<input checked="" type="checkbox"/> Partnership
<input type="checkbox"/> Trust/estate	
<input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► _____ Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.	
<input type="checkbox"/> Other (see instructions) ► _____	
5 Address (number, street, and apt. or suite no.) See instructions. 2800 Ponce de Leon Blvd, Suite 1200	Requester's name and address (optional)
6 City, state, and ZIP code Coral Gables, FL 33134	
7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
or									
Employer identification number									
2	0								

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ► <i>Sonya Chavez</i>	Date ► <i>01/12/2023</i>
------------------	--	--------------------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.



CERTIFICATE OF LIABILITY INSURANCE

DATE (6/3) Item 4C.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER RSC Insurance Brokerage, Inc. 9350 S Dixie Hwy Suite 1400 Miami FL 33156		CONTACT NAME: PHONE (A/C, No, Ext): (305) 446-2271 FAX (A/C, No): E-MAIL ADDRESS: MIA-Certificates@risk-strategies.com	
INSURED Weiss, Serota, Helfman, Cole & BIERMAN, P.L. 200 E Broward Blvd Ste 1900 Fort Lauderdale FL 33301		INSURER(S) AFFORDING COVERAGE INSURER A: Sentinel Ins. Co. INSURER B: Hartford Accident & Indemnity INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 11000 22357	

COVERAGES

CERTIFICATE NUMBER: CL22111609733

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X		21SBABV7690	11/19/2022	11/19/2023	EACH OCCURRENCE	\$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 1,000,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
A	AUTOMOBILE LIABILITY			21SBABV7690	11/19/2022	11/19/2023	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
	<input type="checkbox"/> ANY AUTO	<input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	BODILY INJURY (Per person)				\$	
	<input type="checkbox"/> ALL OWNED AUTOS		BODILY INJURY (Per accident)				\$	
	<input checked="" type="checkbox"/> HIRED AUTOS		PROPERTY DAMAGE (Per accident)				\$	
							\$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR		21SBABV7690	11/19/2022	11/19/2023	EACH OCCURRENCE	\$ 5,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE	AGGREGATE				\$ 5,000,000	
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000							
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	Y/N <input type="checkbox"/> N/A		21WECAJ4308	11/19/2022	11/19/2023	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT	\$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

City of Madeira Beach is included as an additional insured as respects the General Liability.

CERTIFICATE HOLDER

CANCELLATION

City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE R Ins. Brokerage/JANP

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CERTIFICATE OF LIABILITY INSURANCE

DATE
7/ Item 4C.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Gemini Risk Partners, LLC 720 N.Old Woodward Avenue Suite 202 Birmingham, MI 48009		CONTACT NAME: Lauren McCann PHONE (A/C, No, Ext): FAX (A/C, No): E-MAIL ADDRESS: lmccann@geminiiriskpartners.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: Endurance American Specialty Ins Co	NAIC # 41718
		INSURER B: ASCOT UNDERWRITING, INC.	24147
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

INSURED Weiss Serota Helfman Cole & Bierman, P.L. 2800 Ponce de Leon Blvd Suite 1200 Coral Gables, FL 33134	
--	--

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:						EACH OCCURRENCE \$ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ GENERAL AGGREGATE \$ PRODUCTS - COMP/OP AGG \$ \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/> E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Lawyers Professional Liability	N	N	LPN30008168602	6/24/2023	6/24/2024	\$3MM p/o \$5MM Each Claim \$3MM p/o \$5MM Aggregate
B	Lawyers Professional Liability	N	N	LPPL2210000470-03	6/24/2023	6/24/2024	\$2MM p/o \$5MM Each Claim \$2MM p/o \$5MM Aggregate

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Madeira Beach 300 Municipal Drive Madeira Beach, FL 33708-	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0089813
Sarah L Johnston
Weiss Serota Helfman Cole & Bierman, P.A
3409 W Horatio St Unit 112
Tampa, FL 33609-3980

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **May 27, 2011**.

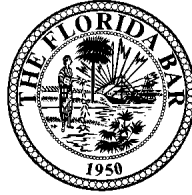
The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 30th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-235587





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0098712
Joseph Natiello
Weiss Serota Helfman Cole Bierman, P.L.
200 E Broward Blvd Ste 1900
Fort Lauderdale, FL 33301-1949

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **September 19, 2012**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 30th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-235676





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0878448
Robert Arnold Meyers
Weiss Serota Helfman Cole + Bierman
2255 Glades Rd Ste 200-E
Boca Raton, FL 33431-8571

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **March 25, 1991**.

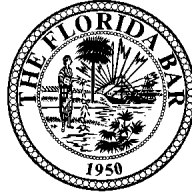
The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 5th day of **July, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-236169





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0012443
Brett Jeremy Schneider
Weiss Serota Helfman Cole & Bierman
2255 Glades Rd Ste 200E
Boca Raton, FL 33431-8571

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **May 26, 2005**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 5th day of **July, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-236100





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0906281
Susan Lanelle Trevarthen
Weiss Serota Helfman Cole & Bierman
200 E Broward Blvd Ste 1900
Fort Lauderdale, FL 33301-1949

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **October 18, 1991**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 6th day of **July, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-236245





THOMAS J. TRASK, B.C.S.*
 JAY DAIGNEAULT, B.C.S.*
 ERICA F. AUGELLO, B.C.S.*
 RANDY D. MORA, B.C.S.*
 ROBERT ESCHENFELDER, B.C.S.*
 NANCY S. MEYER, B.C.S.*
 JEREMY SIMON
 MEGAN R. HAMISEVICZ

** Board Certified by the Florida Bar in
 City, County and Local Government Law*

Via Federal Express

June 27, 2023

Robin I. Gomez, City Manager
 City of Madeira Beach
 300 Municipal Drive
 Madeira Beach, FL 33708

**Re: Letter of Transmittal
 Response to RFQ #2023-08 for Professional Legal Services (City Attorney)**

Dear Mr. Gomez:

The law firm of Trask Daigneault, L.L.P. (the "Firm") is pleased to submit its proposal to provide professional legal services (City Attorney) to the City of Madeira Beach, Florida (the "City"), pursuant to the City's recent Request for Qualifications ("RFQ"). It is my understanding that the City is seeking a competent and experienced candidate to serve as its City Attorney, providing legal advice, analysis and representation to the Mayor and City Commission, City boards and commissions, the City Manager, City staff, and other City personnel, as needed. The Firm and I are well-qualified and well-suited to provide the scope of services outlined in the RFQ, and, if selected, I assure you that the Firm and I will comply with the requirements set forth in the RFQ and the City's administrative guidelines.

Consistent with our specialized focus on serving local governments, the Firm has extensive experience in municipal law and is recognized throughout the State for its expertise in governmental law and litigation. Indeed, the Firm represents more than sixteen municipalities and boards in Pinellas, Pasco, Manatee and Lee Counties and has six attorneys that are Board Certified by The Florida Bar in City, County, and Local Government Law, reflecting both its extensive competence in municipal law and its deep roots in the area.

If selected, I will be the primary attorney serving the City and my contact information is as follows:

Thomas J. Trask, Esq.
 Trask Daigneault, L.L.P.
 1001 S. Fort Harrison Avenue, Suite 201
 Clearwater, FL 33756
 Tel.: 727-733-0494, ext. 103
 Fax: 727-733-2991
 Email: tom@cityattorneys.legal

While I am the primary applicant, the Firm takes a team-oriented approach to all its municipal representation. The Firm prides itself on the knowledge and experience of each of its eight attorneys to provide the highest level of service in a timely manner. Hiring one attorney from the Firm is essentially hiring a cohesive team of attorneys with its aggregate experience and increased availability.

It should be noted that this Proposal shall remain valid for a period of one hundred twenty (120) days from the date of submission and, as a condition of submitting this Proposal, my Firm and I agree that any decision of the City regarding the award of the contract for City Attorney Services, if any, is final, and we agree not to litigate any issue concerning the selection process. Further, should my Firm and/or I institute or threaten litigation relating to the RFQ and the selection process, we will have forfeited any right to any proposed contract and/or damages claimed regarding the award thereof.

Enclosed please find one original and five (5) copies, as well as USB drive, of my submission for review and consideration. If awarded the contract to serve as City Attorney for the City of Madeira Beach, the Firm and I are committed to diligently and ethically serving the City and fulfilling its legal needs. I have personally reviewed the RFQ, and I am confident that, if selected, my Firm and I will provide the City a comprehensive legal team that it can rely on for years to come.

Thank you in advance for your consideration.

Respectfully,

TRASK DAIGNEAULT, LLP



Thomas J. Trask, B.C.S.

/kt

Enclosures



T R A S K
DAIGNEAULT
—LLP—
ATTORNEYS

1001 S. Fort Harrison Ave
Suite 201
Clearwater, Florida 33756
Tel.: 727.733.0494
Fax: 727.733.2991
www.cityattorneys.legal

Item 4C.

**RESPONSE TO REQUEST FOR QUALIFICATIONS
TO PROVIDE PROFESSIONAL LEGAL SERVICES (CITY ATTORNEY)
FOR THE CITY OF MADEIRA BEACH, FLORIDA
RFQ #2023-08**

June 27, 2023

Presented by:

Thomas J. Trask, Esq., B.C.S.
Trask Daigneault, L.L.P.
1001 S. Fort Harrison Avenue, Suite 201
Clearwater, Florida 33756
Tel.: 727.733.0494, ext. 103
Fax: 727-733-2991
Email: tom@cityattorneys.legal
www.cityattorneys.legal

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PROPOSAL

INTRODUCTION

The law firm of Trask Daigneault, L.L.P. (the “Firm”) is an established local government law firm that has continuously served its clients since 1973.

While some of the Firm’s lawyers maintain private-sector clients (mostly related to real estate, trusts, estates, and some private businesses work), its principal focus is on municipal and local government law, and its team of attorneys and support staff serve more than sixteen municipalities and local government boards throughout the State of Florida. As a specialized local government firm, the Firm provides focused attention to the local governments and associated boards and commissions it represents, while boasting a wealth of talent, knowledge, and experience amongst its attorneys and staff. The Firm is unique in that nearly all attorneys employed focus their practice on public agency and local government law and, as a result, we have honed our practice to be efficient, effective, and value-added without losing any of the high-quality legal expertise upon which the Firm has built its reputation.

The Firm has eight attorneys (consisting of four partners, one senior associate and three associates) as well as a knowledgeable and well-qualified support staff to include four paralegal/legal assistants and one Firm Administrator. The Firm has six attorneys who are currently Board Certified by The Florida Bar in City, County and Local Government Law, and two attorneys who are expecting to achieve the rare distinction of dual certification by 2024, one in the area of appellate practice and another in labor & employment law.

SECTION II – GENERAL SCOPE OF WORK

2.1 CITY CHARTER – CITY ATTORNEY WORK

Serving at the pleasure of the Board of Commissioners, the City Attorney shall accomplish the activities coordinated through the City Manager’s office and act as the Board of Commissioners parliamentarian advising the Commission on procedural matters. Additional duties shall include providing legal counsel in drafting and interpreting ordinances, resolutions and regulations; assisting in the draft and review of the City’s Comprehensive Plan and any amendments; rendering opinions on legal issues affecting or impacting the City; apprising the Commission and City staff of any new laws or judicial opinions; and representing the City regarding lawsuits and court matters, including lawsuits against the City.

2.2 ATTENDANCE

The City Attorney shall attend all Commission meetings and other meetings, including Planning Commission, Civil Service Commission and Special Magistrate Hearings, as needed. The City Attorney shall represent the Board of Commissioners and each of the City boards, including City Committees or Boards as they may be established, to provide appropriate legal advice and/or written

opinions as well as provide parliamentary guidance concerning the conduct of each of the meetings. Further, the City Attorney will attend Board of Commissioners Workshop and Regular meetings as needed, City Committee meetings, and/or other meetings as needed and/or requested by the Board of Commissioners, the City Manager, or when items under consideration may warrant legal input.

There are no schedule commitments on the part of the Firm's attorneys that conflict with the City's current schedule.

2.3 CITY ATTORNEY SERVICES

As we serve as Town/City/Agency Attorney for our governmental clients, the Firm's team of attorneys and support staff handle the gamut of legal issues for its municipal clients. Our lawyers have deep experience in land use, zoning, code enforcement, annexation, eminent domain, constitutional law, code interpretation and writing, administrative policy development, police practices, public procurement, transactional law, franchising and concession agreements, labor and employment law, public records/ethics/sunshine law, chronic nuisances, telecommunications law, intergovernmental agreements, bond negotiations, development agreements, utilities law, collections, local taxation, and governmental insurance defense - all of which make our Firm a complete resource for its local government clients. Simply put, there are few legal needs a Florida local government could encounter that our Firm would not be able to handle. The Firm hereby acknowledges the obligations contained in paragraph 2.3 of the City's RFQ #2023-08.

2.4 FEE PROPOSAL

Option A – Fixed Retainer Plus Hourly Billing

FEE PROPOSAL

The Firm has diligently served its municipal clients for decades while keeping their costs low in relationship to the degree of attorney expertise and reliance by staff on legal counsel. However, as our clients endeavor to get the benefit of the best legal services the market has to offer at the lowest rate, so too the Firm desires to participate in the market at the effective rate for our specialized services and proven record. To accommodate the City's needs, if selected, the Firm is willing to negotiate a version of the following proposal in a manner that reasonably meets both parties' needs. **Accordingly, the Firm makes the following fee proposal:**

<u>Service</u>	<u>Description of Services</u>	<u>Fee</u>
Monthly Retainer or Hourly Rate	All duties of the City Attorney including, but not limited to, attending meetings of the Board of Commissioners, handling all inquiries from the Board of Commissioners and staff, conducting legal research, preparing opinions, reviewing and drafting ordinances, resolutions and contracts for up to 40 hours per month.	Per Month: \$7,500.00

<u>Service</u>	<u>Description of Services</u>	<u>Fee</u>
	Any time spent for legal work in excess of 40 hours per month would be billable at the hourly rate of \$225.00.	
Hourly Services Outside Of Retainer	Litigation (defined as the representation of the City or City employees or boards in any mediation, arbitration, administrative, civil, criminal, judicial or quasi-judicial proceeding, excluding quasi-judicial proceedings conducted by the Board of Commissioners). Litigation services include any pre-suit mediation or arbitration and time expended in an effort to avoid litigation, processing administrative fine or lien settlement requests, real estate services, collective bargaining negotiations, bond and bank loan opinions, and special projects or ordinances, and attendance at boards other than the Commission as requested. A special project or ordinance is a complex and complicated matter requiring extensive time, involvement, research, preparation and review by the Firm. Special projects or ordinances must be approved by the Board of Commissioners.	Per Hour: Attorneys: \$225.00 Paralegals: \$90.00
Travel	For services outside of retainer.	Per Hour: \$225.00
Out of Pocket	Filing fees Postage Courier charges Witness fees Expert fees Court costs Other	To be billed monthly at actual incurred cost.

The Firm hereby acknowledges that, if selected, it will be required to execute an agreement for legal services in a form and content acceptable to the City, which agreement will address the approved billing rates, termination, and other billing requirements applicable to the Firm.

2.5 RESERVED RIGHTS

The Firm hereby acknowledges the reserved rights contained in paragraph 2.5 of the City's RFQ #2023-08 and will, upon request, provide information the City deems necessary.

SECTION III – EXPERIENCE & QUALIFICATIONS

3.1 APPLICANT ATTORNEY AND FIRM PROFILE

I. CANDIDATE FOR CITY ATTORNEY:

Thomas J. Trask, Esquire, B.C.S., Partner

The Firm designates Attorney Thomas “Tom” J. Trask to be the City Attorney for the City of Madeira Beach. The amount of time Tom will devote to the City will be consistent with the needs of the City's staff and the policy direction of the Board of Commissioners. Based on its long experience in such matters, the Firm recognizes that the amount of time required to provide first-class legal services fluctuates based on many considerations.

Tom joined the Firm in 1988 and became a partner in 1993. Tom focuses his practice solely on municipal clients as that is his area of expertise and experience and the area of law that he enjoys the most. Tom is currently the Town Attorney for the Town of Belleair and the City Attorney for the Cities of Oldsmar, Madeira Beach and Belleair Bluffs.

Tom has been the Code Enforcement Board Attorney for the City of Safety Harbor for thirty-two years, and he is the Special Magistrate for the Town of Belleair Shores. He is the Board Attorney for the City of Clearwater's Nuisance Abatement Board, and in the recent past, he has served as a Special Magistrate for the Towns of Belleair and Redington Shores as well as Pinellas County. He has also represented the Cities of Largo and Indian Rocks Beach as special counsel on past projects. Tom has also spoken on numerous occasions on the subject of Sunshine Law, public records law, ethics and gift law for public officials.

Tom has achieved an AV® Preeminent™ Peer Review Rated attorney designation by Martindale-Hubbell® - the highest professional and ethical rating awarded. Tom is the past president and has been a board member for over three decades for Youth and Family Alternatives, Inc. (“YFA”), a charitable organization, headquartered in New Port Richey, benefiting troubled and underprivileged youth. Tom is also a Paul Harris Fellow and past president of the Tarpon Springs Rotary Club.

Tom is a graduate of the Walter F. George School of Law, Macon, Georgia. He is a member in good standing with The Florida Bar and has been since 1988. Tom is also a member of The Georgia Bar, Clearwater Bar, and Florida Municipal Attorneys Association. He is licensed to practice in all areas of the Florida, the Middle District of Florida and the United States Supreme Court. He is Board Certified by The Florida Bar in City, County, and Local Government Law.

II. ADDITIONAL ATTORNEYS' PROFILES

While Tom is the applicant for City Attorney of the City of Madeira Beach, the Firm takes a team-oriented approach to all its local government representation and prides itself on the knowledge and experience of each of its attorneys in order to provide the highest level of service. A brief description of the expertise of each of the Firm's attorneys (aside from Tom's which is provided above) is provided below.

Jay Daigneault, Esquire, B.C.S., Managing Partner

Jay joined the Firm as an attorney in 2006, before which time he spent two years with the Firm as a law clerk, concentrating on cases involving municipal litigation. He became a partner in 2011 and Managing Partner in 2019. Jay's practice is dedicated entirely to municipal representation and litigation. He leads or assists in the representation of all the Firm's municipal clients, including attendance at Commission/Council meetings, code enforcement meetings, legal research regarding municipal law issues, preparation of ordinances, resolutions, and municipal agreements and contracts, and counseling municipal officials and staff. He also defends municipalities insured through the Florida Municipal Insurance Trust (administered by the Florida League of Cities) in complex litigation involving civil rights, land use/development, zoning, and personal injury. Jay is also a seasoned appellate attorney, having argued before state and federal appellate courts in cases resulting in favorable written opinions.

Jay is currently the City Attorney for the City of Seminole and the Town Attorney for the Town of North Redington Beach. He serves as the Board Attorney for the Clearwater Community Development Board and the Clearwater Building/Flood Board of Adjustment and Appeals.

Jay is the immediate past President of the Florida Municipal Attorneys Association ("FMAA"), a legal association whose membership consists of over 600 attorneys who specialize in the legal representation of municipalities. FMAA's primary objective is to provide a permanent forum for municipal attorneys to identify and address legal problems of common concern among Florida's municipalities, and to study, summarize, and disseminate legislation, court decisions and administrative rulings affecting municipal operations. Jay has been a member of FMAA since 2006 and has served on its Executive Board since 2012. He regularly lectures on public records, Sunshine Law, and ethics issues at the Institute for Elected Municipal Officials and serves as a panelist in quarterly webinars on dynamic issues of ethics in municipal government. He has also lectured across the state on issues concerning police liability, the Fair Housing Act, and the Bert J. Harris, Jr. Private Rights Property Protection Act.

Jay is a graduate of the Stetson University College of Law, Gulfport, Florida. He is a member in good standing with the Florida Bar and has been since 2006. He is licensed to practice in all Florida state courts, as well as the federal district courts for the Middle and Northern Districts of Florida, the Eleventh Circuit Court of Appeals, and the United States Supreme Court. Jay is Board Certified by The Florida Bar in City, County, and Local Government Law.

Randol D. Mora, Esquire, B.C.S., Partner

Attorney Randol (“Randy”) D. Mora joined the Firm as an associate in 2014 and was elevated to partner in 2019. Randy focuses his practice solely on municipal clients. He is currently the City Attorney for the Cities of Indian Rocks Beach and Belleair Beach and Special Magistrate for the Town of Indian Shores. In addition to serving as City attorney for these communities, Randy has served as special litigation counsel to cities, towns, and special districts along the west coast of Florida through the Florida Municipal Insurance Trust.

Further, in partnership with the Florida League of Cities, Randy regularly lectures on public records, Sunshine Law, and ethics issues at the Institute for Elected Municipal Officials. Randy also serves as a panelist in quarterly webinars on dynamic issues of ethics in municipal government. More recently, Randy has also presented to cities, a county commission, and Florida League of Cities on matters of parliamentary procedure and effective meetings.

Randy graduated from The George Washington University Law School in May 2010. He is a member in good standing with The Florida Bar and has been since 2012. Randy was formally admitted to practice in the State of New York in 2011 and remains a member in good standing. He is licensed to practice in all courts of the State of Florida and the United States District Courts for the Middle District of Florida, the Southern District of New York, and the Eastern District of New York. Attorney Mora is Board Certified by The Florida Bar in City, County and Local Government Law.

Erica F. Augello, Esquire, B.C.S., Partner

Attorney Erica F. Augello joined the Firm in 2014 and was named Partner in 2019. Erica’s practice focuses on municipal representation and litigation. She has a wide array of experience in serving the Firm’s municipal clients to include attendance at Commission/Board meetings (including quasi-judicial boards), legal research and drafting of memoranda on issues of municipal law, drafting and preparation of ordinances and resolutions, preparation and reviewing of municipal contracts and agreements, drafting of orders and opinions of various advisory and quasi-judicial boards, code enforcement prosecutions, and advising municipal staff and department heads. Erica has also spent several years defending municipalities in litigation ranging from personal injury cases and employment law to complex litigation involving civil rights and other constitutional issues, including land use rights and code enforcement appeals. She is Board Certified in City, County, and Local Government Law and is also a Florida Supreme Court certified Circuit Civil Mediator.

Erica currently serves as the City Attorney for the City of Holmes Beach, Assistant City Attorney for the City of Seminole, Conflict Council for the City of Bradenton, and is also Assistant Town Attorney for the Towns of Redington Beach and North Redington Beach. In addition, she handles all code enforcement matters for the City of Indian Rocks Beach and is the Code Enforcement Special Magistrate for the City of St. Pete Beach and the City of Dade City.

Erica is a graduate of the Stetson University College of Law, Gulfport, Florida. She is a member in good standing with The Florida Bar and has been since 2014. She is licensed to practice in all areas of Florida and the Middle District of Florida. Erica is Board Certified by The Florida Bar in City, County, and Local Government Law and by the Florida Supreme Court for Circuit Civil Mediation.

Robert M. Eschenfelder, Esquire, B.C.S., Senior Associate Attorney

Attorney Robert (“Rob”) M. Eschenfelder has practiced as a local government attorney since becoming a member of The Florida Bar in 1994, serving in progressively more responsible and diverse roles. During his career, he has become experienced in the areas of the law impacting Florida’s local governments and has significant exposure to and experience in all aspects of those laws, to include ethics, records, sunshine, employment and labor law, public procurement law, annexation, code enforcement, utilities law, zoning and land use, communications law, constitutional law, governmental liability, and many others. Rob’s knowledge and skill in the area of local government law is recognized by The Florida Bar through its Board of Legal Specialization’s certification of him as Board Certified in City, County and Local Government Law, a distinction he has held since 2016.

Prior to joining the Firm in 2018, Rob served as Assistant City Attorney for the City of St. Petersburg, as Assistant and Chief Assistant County Attorney for Manatee County, and as a Special Magistrate for the City of Bradenton Beach. He has also served in a variety of governmental offices, including the St. Petersburg Planning Commission, the Pinellas Park Board of Adjustment, and the Florida Communications Service Tax Legislative Workgroup. Rob has also served as a volunteer Guardian ad Litem for the 6th Judicial Circuit GAL Program and has extensively lectured at The Florida Bar and other programs on local government law and labor and employment law topics. His experience and skill in labor and employment law has been recognized by his appointment to the Florida Bar Labor & Employment Law Section’s Executive Council, and he has served on and/or chaired the Florida Bar’s Code & Rules of Evidence Committee, the Student Admissions to the Bar Committee, and the Rules of Judicial Administration Committee. While practicing in Manatee County, his professionalism and service to the local Bar was recognized through his election as the President of the Manatee County Bar Association for 2015/2016.

Through the Firm, Rob currently serves as Town Attorney for the Towns of Redington Beach, and Redington Shores, the Village Attorney for the Village of Estero, and he provides General Counsel services to the Sarasota/Manatee MPO and the Clearwater Civil Service Commission. He has provided legal advice and rendered countless formal opinions to city and county officials associated with the performance of their respective duties over the years. He also has substantial experience in the preparation and review of contracts, leases, easements, interlocal agreements, bid and RFP documents, resolutions, ordinances, and other legal documents in which his local government clients were concerned. As a senior-level local government attorney, he has extensive experience leading and participating in meetings of governing boards, administrative department management, and with constitutional offices, legislative officers, and private-sector stakeholders including community and business representatives. With substantial labor & employment and procurement law experience, Rob has reviewed, revised, and negotiated collective bargaining agreements and solicitation/procurement documents. He has advised many different subordinate boards and commissions for his local government clients, and has significant experience in drafting resolutions and ordinances, as well as the codification process.

Rob is a graduate of the St. Thomas University School of Law in the Miami area. He is a member in good standing with The Florida Bar and has been since 1994. He is licensed to practice in all Florida state courts. He is also admitted in the United States District Court for the Middle District of Florida, the United States Court of Appeals for the Eleventh Circuit, and the United States Supreme Court. Rob is Board Certified by The Florida Bar in City, County, and Local Government Law.

Nancy S. Meyer, Esquire, Associate Attorney

Attorney Nancy S. Meyer joined the Firm in November 2020. She started her career as an Assistant State Attorney for the Sixth Judicial Circuit before moving to private practice at the firm Abbey, Adams, Byelick and Mueller, LLP. Prior to joining the Firm, she was a Senior Assistant County Attorney in the Pinellas County Attorney's Office, where she served in the litigation department.

Nancy currently serves as the City Attorney for the City of Port Richey and assists in the representation of the City of Madeira Beach by attending its Planning Commission meetings.

Nancy was admitted to the Florida Bar in 1998. She is a member in good standing with The Florida Bar, and she is licensed to practice in all courts of the State of Florida and the United States District Court for the Middle District of Florida. Nancy is Board Certified by The Florida Bar in City, County, and Local Government Law.

Jeremy A. Simon, Esquire, Associate Attorney

Jeremy A. Simon, Esq. joined the Firm as an associate in 2019. Jeremy focuses his practice on representation of the Firm's municipal clients in litigation. He began his legal career serving as an Assistant State Attorney in Sarasota, Florida. From there, he entered private practice as a criminal defense attorney in the Twelfth Judicial Circuit Court before operating a firm in Pinellas County that focused on criminal defense and personal injury litigation.

Jeremy currently assists in the representation of the City of Oldsmar by attending its Board of Adjustment meetings and is the Board Attorney for the Town of Redington Beach's Board of Adjustment.

Jeremy is a graduate of Stetson University College of Law. He is a member in good standing with The Florida Bar and has been since September 2011. He is licensed to practice in all courts of the State of Florida, the United States District Court for the Middle District of Florida, and the United States District Court for the Southern District of Florida.

Megan R. Hamisevicz, Esquire, Associate Attorney

Attorney Megan R. Hamisevicz joined the Firm in 2018 after moving to Florida from Boston, Massachusetts. She initially joined the Firm as a paralegal while she prepared for The Florida Bar Examination, and she was elevated to Associate Attorney upon her admittance to The Florida Bar. Megan came to the Firm with over 10 years of legal experience in the real estate field. After serving as a real estate paralegal in New York, she transitioned to serving as a real estate attorney in Boston, specializing in commercial matters.

Megan handles all real estate matters for the Firm, as well as estate planning, probate and trust administration, and the formation of business organizations and transactions associated with such organizations. She handles the Firm's municipal clients' issues that arise concerning the purchase or sale of real property, addressing and resolving complex title issues, leasing of City-owned property, and various other matters relating to land use transactions. Specializing in real estate closings and title

work, Megan is an authorized title insurance agent for Old Republic National Title Insurance Company. Specifically, in 2021, the Firm conducted over 100 real estate closings – which involved examining title commitments and resolving any title defects.

Megan is a graduate of New England Law | Boston. She is a member in good standing with The Florida Bar and has been since August 2020. She is licensed to practice in all courts of the State of Florida and the Commonwealth of Massachusetts.

3.2 RESUMES

THOMAS J. TRASK, ESQ., B.C.S.

Trask Daigneault, L.L.P.
 1001 South Fort Harrison Avenue, Suite 201
 Clearwater, FL 33756
 Tel.: 727-733-0494, Extension 103
 Fax: 727-733-2991
 Email: Tom@cityattorneys.legal

EDUCATION

Walter F. George School of Law, Mercer University, Macon, Georgia
 Juris Doctor, June, 1987

University of South Florida, Tampa, Florida
 Bachelor of Arts, June, 1984

EXPERIENCE

Trask Daigneault, LLP, Clearwater, FL
(Member of the firm since 1988)

Partner

Specializing in local government law and related litigation. Currently Town Attorney for the Town of Belleair and City Attorney for the Cities of Oldsmar, Madeira Beach and Belleair Bluffs. Currently the Special Magistrate for the Town of Belleair Shores. Currently Code Enforcement Board Attorney for the City of Safety Harbor. Currently the Board Attorney for the City of Clearwater's Nuisance Abatement Board.

PROFESSIONAL AFFILIATIONS

Admitted to practice law in Florida, Georgia, the U.S. District Court for the Middle District of Florida and the United States Supreme Court.

Member of:

- The Florida Bar
 - The City, County and Local Government Section of The Florida Bar
- The Georgia Bar
- The Clearwater Bar Association
- The Florida Municipal Attorney Association

Board Certified Specialist by The Florida Bar in City, County and Local Government Law
 AV Preeminent® Rated Attorney

JAY DAIGNEAULT, ESQ., B.C.S.*Board Certified in City, County, and Local Government Law*1001 S. Fort Harrison Ave., Suite 201
Clearwater, FL 33756Jay@cityattorneys.legal
(727) 735-4496**PRACTICE****Trask Daigneault, L.L.P.****Attorney at Law (Managing Partner)**Clearwater, FL
2005-present

Represent municipal and governmental clients in state and federal trial and appellate courts in a wide range of civil disputes as well as general representation of municipal boards and legislative bodies. City Attorney for the City of Seminole (2015 to present) and Town Attorney for the Town of North Redington Beach (2012 to present). Former City Attorney for the City of Tarpon Springs and the City of Indian Rocks Beach, and former Town Attorney for the Town of Kenneth City and the Town of Belleair. Practice focuses exclusively on municipal and governmental representation and related litigation, including cases arising under 42 U.S.C. § 1983 concerning police liability, land use and development, zoning, code enforcement, and employment. Representative cases include *Mojito Splash, LLC v. City of Holmes Beach*, 336 So.3d 137 (Fla. 2d DCA 2021); *City of Holmes Beach v. Coral Escapes of Holmes Beach, LLC*, 327 So.3d 361 (Fla. 2d DCA 2021); *Chapman v. Town of Redington Beach*, 282 So.3d 979 (Fla. 2d DCA 2019); *City of Tarpon Springs v. Planes*, 30 So.2d 693 (Fla. 2d DCA 2010); *Bellevue Biltmore v. Town of Belleair and Belleair Code Enforcement Board*, Florida Sixth Judicial Circuit, Appellate Division, Case No. 09-053-AP 88A; *Griswold v. Hillsborough County*, 598 F.3d 1289 (11th Cir. 2010); *Leib v. Hillsborough County Public Transportation Commission*, 558 F.3d 1301 (11th Cir. 2009); *Pace v. Ahler*, 282 Fed. Appx. 769 (11th Cir. 2008); *Schwarz v. City of Treasure Island*, 544 F.3d 1201 (11th Cir. 2008).

ADMISSIONS

- United States Supreme Court
- United States Court of Appeals for the Eleventh Circuit
- United States District Court, Middle District of Florida
- United States District Court, Northern District of Florida
- All state courts of Florida

EDUCATION**Stetson University College of Law**Juris Doctor, May 2006, Cum Laude
Stetson Law Review, Senior Associate

Gulfport, FL

Eckerd CollegeBachelor of Arts, History
Clifford F. Griggs Award for Excellence in Pre-Law Studies

St. Petersburg, FL

MEMBERSHIPS

- Florida Municipal Attorneys Association
 - Past President, 2022
 - President, 2021-2022
 - Board of Directors, 2017-present; Treasurer, 2018-2019; President-Elect, 2019-2021
 - Steering Committee, 2012-2017
- Florida Bar Association
 - City, County, & Local Government Law Section
 - Appellate Law Section
- Clearwater Bar Association
 - Government and Administrative Law Chairperson, 2017-2020
- American Bar Association
 - Local Government Law Section / Litigation Section

Randol D. Mora, Esq.

Randy@cityattorneys.legal ♦ 1001 S. Fort Harrison Ave, Clearwater, Florida ♦ Phone: (727) 733-0494

LICENSED JURISDICTIONS

- Florida State Bar - Board Certified in City, County and Local Government Law
- New York State Bar
- U.S. District Court for the Southern and Eastern Districts of New York
- U.S. District Court for the Middle District of Florida
- U.S. Court of Appeal for the Federal Circuit

LANGUAGE SKILLS

- English
- Spanish: Non-native, moderate proficiency

EDUCATION

The George Washington University Law School, Washington, D.C. - Juris Doctor (May 2010)

- Presidential Merit Scholar (full tuition scholarship)
- Moot Court Board, Co-Chair National Security Law Moot Court Competition (2008-2009)
- Hispanic Law Students Association (HLSA), President (2008-2009)

Florida International University, Miami, Florida, *Summa cum laude*

- B.A. in International Relations, Minor in Public Administration, Certificate in Caribbean Studies (2006)

PROFESSIONAL EXPERIENCE

Trask Daigneault LLP

Partner, Clearwater, Florida

Associate, Clearwater, Florida

City Attorney, City of Belleair Beach

City Attorney, City of Indian Rocks Beach

Special Magistrate, Town of Indian Shores

Town Attorney, Town of Kenneth City

January 2019 - Present

January 2014 – December 2018

May 2022- Present

September 2015 - Present

May 2020 - Present

September 2014 – July 2022

- Represent municipal clients at city commission meetings, administrative hearings, and quasi-judicial hearings
- Defend municipal clients in complex litigation by conducting legal research, drafting pleadings and motions, facilitating settlements where appropriate and presenting oral arguments in court
- Manage administrative aspects of firm, and chair all information technology (IT) issues, including digitization of firm's records, acquisition and implementation of practice management software, and other security needs

Johnson, Pope, Bokor, Ruppel & Burns, LLP

Litigation Associate, Tampa, Florida

July 2012 – December 2013

- Represented clients in complex commercial litigation issues on topics such as intellectual property, construction disputes, *ad valorem* taxes and judgment collection; drafted discovery, pleadings and other legal documents necessary for litigation

Brown Rudnick LLP

Litigation Associate: New York, New York

October 2010 — June 2012

- Managed process of filing and amending complaints, and maintained all records for 300+ independent actions in connection with complex securities litigation emanating from Bernard L. Madoff Ponzi Scheme
- Researched and drafted legal memoranda on complex issues of jurisdiction pertaining to motion to dismiss briefing

COMMUNITY INVOLVEMENT

- Leadership Florida Connect Class X (2019 to Present)
- Morton Plant Foundation, Corporate Associate Task Force (2019 to 2022)
- Clearwater Bar Association, Co-Chair Government and Administrative Law Section (2017 – 2020)
- Clearwater Bar Association, Member (2014 – Present)
- Morton Plant Foundation, Skip Cline Society for Young Professionals (2016 to Present)
- Leadership Pinellas, Member (Class of 2013-2014)
- Clearwater Young Professionals Clearwater Regional Chamber of Commerce, President (2013-2015)
- Clearwater Young Professionals Clearwater Regional Chamber of Commerce, Member (2012 – 2015)

PRESENTATIONS AND SPEAKING ENGAGEMENTS

- Florida League of Cities University
 - (2015 to Present) - Lecturer on Ethics, Public Records, Open Government & Technology
- Florida League of Cities' Institute for Elected Municipal Officials
 - (2022-2023) – Parliamentary Procedures & the Role of City Attorneys
 - (2015 – 2022) - Basics in Public Records, Open Meetings, and Ethics
- Florida Municipal Insurance Trust
 - (May 2023) – Insurance Basics for Municipalities in Florida
 - (March 2022) – Cybersecurity: Impacts, Takeaways, & Remediation Strategies
 - (Feb. 2019) – ADA and Public Meeting Livestreaming
- Florida Municipal Attorneys Association
 - (July 2022) – Pedestrian Safety, Solicitation and Proliferation of Micro-Mobility Devices
 - (July 2019) – Americans with Disabilities Act (ADA) & Website Compliance
- Volusia County Board of County Commissioner
 - (Jan. 2023) – Best Practices in Public Meetings & Parliamentary Procedure
 - (Nov. 2021) - Best Practices in Public Meetings & Parliamentary Procedure
- Clearwater & St. Petersburg Bar Association
 - (Jan. 2021) – Florida Public Records Law, Social Media, & Emerging Technologies

ERICA F. AUGELLO

1001 South Fort Harrison Avenue, Suite 201, Clearwater, FL 33756
 (727) 733-0494 • Email: erica@cityattorneys.legal

PROFESSIONAL LICENSES: Member in Good Standing of the Florida Bar
 Board Certified in City, County, and Local Government Law

EDUCATION

Stetson University College of Law, Gulfport, FL

December 2013

Juris Doctor and Certificate of Concentration in Advocacy

Honors: Victor O. Wehle Award for Trial Advocacy; Leadership Development Certificate

Stetson University, DeLand, FL

Master of Business Administration

December 2013

Auburn University, Auburn, AL

Bachelor of Science, Marketing

May 2004

Activities: Alpha Kappa Psi Business Fraternity

EXPERIENCE

Trask Daigneault, LLP, Clearwater, FL

Partner

Jan. 2019 - Present

Associate Attorney

Feb. 2014 - Dec. 2018

- Practice focused on civil defense litigation and municipal representation.
- Representing and advising municipalities and various local government boards.
- Litigating matters including insurance defense, code enforcement, land use and zoning, civil rights, Title VII & ADA claims, premises liability, employment law, First Amendment claims, and governmental law.
- Conducting comprehensive drafting and review of contracts; regulatory compliance.
- Drafting of legislation at the local and state levels.

Bloomin' Brands, Inc., Tampa, FL

Aug. 2013- Nov. 2013

In-House Counsel Legal Intern

- Assisted General Counsel with legal research and drafting of legal documents in the areas of compliance, licensing, intellectual property, and litigation; extensive work with trademark and copyright infringement issues.

Scarritt Law Group, P.A., Tampa, FL

Apr. 2010 – Feb. 2012

Trial Litigation Paralegal, Law Clerk

June 2013 – Dec. 2013

- Research and draft legal documents for civil litigation focusing on municipal insurance defense in both state and federal court through all points of litigation.
- Assist with trial preparation; participate in client interviews and meetings; attend hearings, trial, and depositions.

Michael P. Maddux, P.A., Tampa, FL

Law Clerk

Feb. 2012 – Aug. 2012

- Assisted attorneys with legal research, legal drafting.
- Attended and participated in mediations, depositions, and various court appearances for a firm specializing in criminal law, personal injury, and civil rights litigation.

PROFESSIONAL AFFILIATIONS & COMMUNITY INVOLVEMENT

- Member of the Clearwater Bar Association, American Bar Association, Florida Municipal Attorneys Association, and Florida Defense Lawyers Association.
- Member of the Tampa Bay Auburn Club, a 502(c)(3) organization (2018-2022); Vice President (2018-2022); Director at Large (2022- present)
- Florida Supreme Court Certified Civil Circuit Mediator
- Member of Leadership Hillsborough Class of '22-'23

Robert Michael Eschenfelder

EDUCATION:

Florida Bar Number 0008435

St. Thomas University College of Law, Miami, FL (1st & 2nd Yr.) Juris Doctor, May 1994

Stetson University College of law, St. Petersburg, FL (3rd Yr.)

Graduating Class Rank: **Top 20%** **Dean's List**: Spring 1993 **Honor Roll**: Spring 1994

Activities: Semi-Finalist–Trial Court Skills Competition (1992)

Co-Founder–Christian Legal Society of St. Thomas Law

School Stetson Law Inns of Court Committee (1993-1994)

Staff Writer–*Opinio Juris* Tutor: Torts & Property Law Volunteer–

Legal Assistance Wednesday (Haitian legal aid group 1992)

University of South Florida, Tampa, FL Bachelor of Science, July 1991

Major: **Finance** Minor: **Political Science** (1st place–Moot Court Competition—1989 & 1990)

St. Petersburg Junior College, Clearwater, FL Associate of Arts, July 1989

Major: **Business Administration** Focus: **Accounting**

FEDERAL BAR MEMBERSHIPS:

United States Supreme Court (October 2010 to current)

United States Eleventh Circuit Court of Appeals (December 1994 to current)

United States Middle District of Florida (January 1995 to current)

PROFESSIONAL CERTIFICATIONS AND ASSOCIATIONS:

Board Certified in City, County & Local Government Law (August 1, 2016 to present)

Florida Bar Labor & Employment Law Section (1997 to present)

BAR INVOLVEMENT AND LEADERSHIP:

Florida Bar City, County & Local Government Law Certification Committee (2022-current)

Florida Bar Special Committee on Parental Leave in Court Actions (**Chair** 2016-2017)

Florida Bar Governmental & Public Policy Advocacy Committee (2016-2019)

Fla. Bar Rules of Judicial Administration Committee (2012-18) (**subcommittee chair** 2013-2016)

Manatee County Bar Association Board of Directors (2012-2017) (**President** 2015/2016)

Florida Bar Labor & Employment Section * Executive Council (2011 - current) * Bar Journal **Articles Editor**

(2012 - current) * Law School Liaison Committee (**Chair** 2004 - 05) * Judicial Education Committee (03-04)

Florida Bar Code & Rules of Evidence Committee (2006 - 2012) (**Chair** 2011 - 2012)

Florida Bar Rules of Judicial Administration Select Committee on E Service Rule (2009/10)

Florida Bar Student Education & Bar Admissions Committee (2003-06) (**Chair** 2006/07)

Florida Board of Bar Examiners (**Exam Proctor** periodically from 2007 through 2012)

GOVERNMENTAL OFFICES AND APPOINTMENTS:

Commissioner: St. Petersburg Planning & Vision Commission (December 2009 to 2012)

Commissioner: St. Petersburg Historic Preservation & Planning Commission (June 2002 to October 2008)

(**Chairman** in 2004-05)

Member: Board of Adjustment of the City of Pinellas Park, Florida (1993-98) (**Chairman** in 98)

AWARDS, PROFESSIONAL RECOGNITION:

Cameo Award: Presented by national board of directors of the Susan G. Komen Breast Cancer Foundation for outstanding long-term volunteer work for the Foundation (2005)

Volunteer of the Year: Presented by the Florida Bar Labor & Employment Section (2019)

PUBLISHED WORKS:

- *Scientia Sit Potential: Is the Education Department's Newest Financial Responsibility Reporting Rule a Source of Powerful Knowledge or a Bureaucratic Mess?*, Vol. 94, No. 1 **Florida Bar Journal** (January 2020)
- *When is a Public Official Entitled to Prevailing Party Attorneys' Fee Reimbursement in Public Records Act Cases? (Parts I & II)*, Volume 91, Nos. 5 & 6 **Florida Bar Journal** 31 & 47 (May & June 2017)
- *Padi-Waggin: The Tail of One Dog's Journey from Death Row to Legislative Inspiration for Dog Bite Due Process*, Volume 91, No. 1 **Florida Bar Journal** 36 (January 2017)
- *Me, Myself, and I: Does Florida's Sunshine Law Apply to Communications of a Lone Member of a Board or Commission?*, Volume 88, No. 9 **Florida Bar Journal** 48 (November 2014)
- *Florida Trial Objections*, Chapter 13 of Evidence in Florida, 8th through 11th Editions. Lexis Publishing 2011, 2012 and 2014
- *Modern Sunshine: Attending Public Meetings in the Digital Age*, Vol. 84, No. 4 **Florida Bar Journal** 28 (April 2010)
- *Florida's Single Subject Requirement: The Crumbling Foundations of a Constitutional Protection*, 5 **Stetson Law Journal** 45 (w/ Tom Marks) (Spring 1994)

LECTURES/SEMINARS:

- Presenter:** *Constitutional Employment Claims*, Annual Labor & Employment Law Certification Exam Review CLE (January 2015, 2016, 2017, Feb. 2020)
- Presenter:** *Public Sector Retaliation Claims*, 45th Annual Pub. Employment Labor Relations Forum (October 17th 2019)
- Presenter:** *Constitutional Employment Claims*, 37th Ann. Fla. Municipal Attys Assn. Conf. (July 12th 2018)
- Program Co-Chair:** *Advanced Labor Topics 2017* (April 27-28, 2017)
- Presenter:** *Meetings of One & Other Current Sunshine Issues*, 38th Annual Local Government Law in Florida Certification Exam Review (May 8th 2015)
- Presenter:** *Regulating Public Employee Speech*, 40th Annual Public Employment Labor Relations Forum (October 24, 2014)
- Presenter:** *Evidence Issues in Employment Trials*, Litigating Employment Law Claims (October 2, 2011)
- Presenter:** *How to Run Effective Meetings*, St. Pete Council of Neighborhood Assns. (Yearly 2003 - 2014)
- Presenter:** *Quasi-Judicial Procedure*, St. Pete Council of Neighborhood Assns. (Yearly 2011 - 2014)
- Presenter:** *Cable Television Franchising: Trends & Travails*, Fl. Assn. of County Attys. (June 29, 2006)
- Presenter:** *Zoning Laws & Non-Profits*, Florida Coalition for the Homeless 7th Annual Conf. (Oct. 8, 2002)
- Presenter:** *Dealing with Quasi-Judicial Bodies*, Ann. Florida Conf. of Neighborhoods (September 6, 2002)
- Seminar:** *Employment Law for Non-Profits*, Community Law Program of Pinellas (December 5-6, 2001)
- Guest Lecturer:** *Public Employment Law Overview*, Stetson Law School (February 2003 & 04)

MEMBERSHIPS, BOARDS & COMMUNITY/VOLUNTEER ACTIVITIES:

- Graduate:** Leadership Manatee (Class of 2012); Leadership St. Pete (Class of 1998)
- Director:** Suncoast Tiger Bay Club, Inc. (1999-2001) (2008-2011) (**President** 2010)
- Associate Member:** Board of Governors, St. Petersburg Area Chamber of Commerce (2006)
- Guardian ad Litem:** 6th Judicial Circuit GAL Program (2004-05)
- Director:** Leadership St. Pete Alumni Assn, Inc. (1998 to 2008) (**President** 2005/06)
- Member:** Leadership St. Pete Planning Committee (2000 to 2004)
- Director:** Susan G. Komen Breast Cancer Foundation Affiliate, Inc. (99-09) (**President** 02-05)
- Director:** Board of Directors Pinellas Cares, Inc. (1999 to 2002) (**Vice-President** 2002)
- Committeeman:** Pinellas County Republican Executive Committee, Pct. 201 (1998 to 2002)
- Delegate:** St. Petersburg Vision 2020 (long-range municipal planning process) (2001)
- Campaign Manager:** Janet Caramello for Pinellas County School Board Campaign (1998)
- Member:** Florida Communications Service Tax Legislative Workgroup (1999 to 2002)

EXPERIENCE:**Senior Associate, Trask Daigneault, LLP**

Clearwater, FL

Serve as senior associate servicing the firm's governmental clients in the areas of constitutional law, contract and procurement law, labor and employment law, administrative law, appellate law, public records/ethics/sunshine law, healthcare law, telecommunications law; litigate in state, federal and administrative tribunals; advise governing bodies, executive team members and advisory boards and commissions. **January 2020 to current**

Associate General Counsel, Florida Gulf Coast University

Esterio, FL

Provide in-house counsel in the areas of public procurement law, labor and employment law, administrative law, appellate law, public ethics/records/sunshine law, higher education law, litigate in state, federal and administrative tribunals; advise the university's trustees and administrative team. Substantial regular involvement in negotiating and reviewing complex contracts, bid protest management and RFP process administration. Responsible for development of and training on policies and procedures associated with university operations. **July 2019 to December 2019**

Associate, Trask Daigneault, LLP

Clearwater, FL

Serve the firm's local government clients in the areas of constitutional law, contract and procurement law, labor and employment law, administrative law, appellate law, public records/ethics/sunshine law, healthcare law, telecommunications law; litigate in state, federal and administrative tribunals; advise governing bodies, executive team members and advisory boards and commissions. **November 2017 to July 2019**

Special Magistrate, City of Bradenton Beach

Bradenton Beach, FL

In contracted capacity, preside over quasi-judicial proceedings wherein one or more parties are appealing or disputing land use, zoning or other quasi-judicial decisions made by the municipality. Draft and render final orders appealable to the Circuit Court. **January 2017 to December 2019**

Special Counsel, City of North Port

North Port, FL

In contracted capacity, serve as an outside special counsel to the City Attorney. Draft ordinances, review, revise and advise on contractual documents. Perform other attorney services as assigned by the City Attorney. **August to October 2017**

Chief Assistant County Attorney, Manatee County Attorney's Office**Assistant County Attorney, Manatee County Attorney's Office**

Bradenton, FL

Practice in the areas of public procurement law, labor and employment law, administrative law, appellate law, public records/sunshine law, healthcare law, telecommunications law; litigate in state, federal and administrative tribunals; advise the County Commission, administrative team and boards and commissions. Substantial regular involvement in negotiating and reviewing complex contracts, bid protest management and RFP process administration with additional experience with debarment proceedings. Assist in administering 9 attorney law office. Directly oversee Risk Management Division. Served via interlocal agreement as General Counsel for Sarasota/Manatee MPO. **October 2000 to June 2015, June 2015 to November 2016**

Adjunct Professor, St. Petersburg College

St. Petersburg, FL

Teach course in business law to second year college students. **January 2000 to May 2012**

Hearing Officer, St. Petersburg Community Affairs Department

St. Petersburg, FL (uncompensated appointment)

Conduct quasi-judicial hearings concerning alleged violations of Title VII, Pinellas County and St. Petersburg ordinances concerning employment rights. Enter orders disposing of cases and where appropriate awarding appropriate damages. **April 2001 to 2010**

Assistant City Attorney, City of St. Petersburg, Florida

St. Petersburg, FL

Practice in the areas of Title VII, FMLA, ADA, § 1983, telecommunications/cable law, public records, ethics and sunshine law, constitutional law; litigate claims in state and federal courts; draft ordinances, resolutions and policies; advise City Council, administrators, departments and boards. **Sept. 1994 to Oct. 2000**

Special Master, Pinellas County Value Adjustment Board

Pinellas County, FL (uncompensated)

Selected to hear appeals of property tax assessments made by the Pinellas County Property Appraiser, draft recommended orders for adoption by the VAB. **May 1999 to 2000**

Criminal Appellate Practice

Lakeland, FL

Work as an independent contractor writing appeals to the 2nd DCA for indigent defendants convicted in Florida's Tenth Circuit upon PD disqualification. **March 1994 to January 1995**

Federal Judicial Law Clerk Intern, Alexander Paskay—Chief Bankruptcy Judge, United States Bankruptcy Court for the Middle District of Florida

Tampa, FL

Wrote orders and memorandum of law on various matters of bankruptcy law and related matters, consulted with the judge, attended proceedings. **January to May 1994**

Research Assistant, Thomas Marks—Professor of Law, Stetson University

St. Petersburg, FL

Researched in the area of Florida constitutional law. **January to May 1994**

Research Assistant, Joryn Jenkins—Professor of Law, Stetson University

St. Petersburg, FL

Performed scholarly research in the areas of debtor/creditor rights, bankruptcy, and limitations of actions in Florida law. **August 1993 to May 1994**

Instructor, Academy for the Gifted

St. Petersburg, FL

Taught courses in Modern American History and Business Law. **August 1993 to May 1994**

State Judicial Law Clerk, Randall McDonald—Chief Judge, Tenth Judicial Circuit of Florida

Bartow, FL

Wrote orders and legal memorandum on matters ranging from civil procedure to a heavy concentration in felony post-conviction relief matters. **May-August 1993**

Research Assistant, Omar Saleem—Professor of Law, St. Thomas University

Miami, FL

Performed scholarly research in insurance, environmental, and human rights law. Served as the professor's contact with various governmental agencies. **August 1992 to June 1993**

Law Clerk, Talbot & Associates—Attorneys at law

Miami, FL

Researched and drafted memorandum on various civil law issues, aided in drafting motions, pleadings, discovery and other documents. **November 1991 to May 1992**

NANCY S. MEYER, ESQ.

1001 S. Fort Harrison Ave., Ste. 201, Clearwater, FL 33756
 (727) 733-0494 • Email: Nancy@cityattorneys.legal

LEGAL BACKGROUND

Trask Daigneault, LLP (2020 to present) / Clearwater, Florida

Practice Areas: Representation of municipal clients in general representation and civil litigation matters.

Pinellas County Attorney's Office (2013 to 2020) / Clearwater, Florida

Senior Assistant County Attorney

Practice Areas: Responsible for representation of Pinellas County in civil litigation matters in trial and appellate courts, defense of workers' compensation claims for Pinellas County and the Pinellas County Sheriff's Office

Abbey, Adams, Byelick and Mueller, LLP (2002 to 2011) / St. Petersburg, Florida

Senior Associate Attorney

Practice Areas: Workers' compensation defense for clients of private law firm

Office of the State Attorney, Sixth Judicial Circuit (1998 to 2002) / Clearwater, Florida

Assistant State Attorney

Practice Areas: Prosecution of felony and misdemeanor cases (responsible for all aspects of litigation from investigation through jury trial)

St. Petersburg College (2010 to 2012) / Clearwater/Pinellas Park/St. Petersburg, Florida

Adjunct Professor (Civil Litigation, Business Law, Bankruptcy)

PROFESSIONAL AND CIVIC SERVICE

- Member of the Pinellas County Trial Lawyers Association
- Sixth Judicial Circuit Professionalism Committee, Contact Attorney for Professionalism Implementation Panel
- Nominated by the Sixth Judicial Circuit Judicial Nominating Committee for both county court and circuit court judicial positions
- Member of Florida Bar Grievance Committee for the Sixth Judicial Circuit Group 6B (2017-2019)
- Member of the Clearwater Bar Association (Co-chair of Professionalism Seminar Committee 2014)
- Member of the St. Petersburg Bar Association (Professionalism Award Committee 2010)
- Barney Masterson Inn of Court (2014-2016 Group Presentation Leader)
- Leadership Pinellas (Class of 2016)
- Peace Memorial Presbyterian Church (Previously on the Board of Deacons and GROW Committee)
- Stetson University College of Law (Previous volunteer attorney coach for moot court teams)

EDUCATION

Stetson University, College of Law (Juris Doctorate)

-Moot Court Board, Teaching Fellow, Research Assistant

University of South Florida (B.A. Finance)

-Teaching Fellow

BAR ADMISSIONS

- Florida Bar
- U.S. District Court, Middle District, Florida
- U.S. District Court, Northern District, Florida
- United States Court of Appeals for the Eleventh Circuit

JEREMY A. SIMON, ESQ.

1001 S. Fort Harrison Ave., Ste. 201, Clearwater, FL 33756
(727) 733-0494 • Email: Jeremy@cityattorneys.legal

PROFESSIONAL LICENSES

Member in Good Standing of the Florida Bar since 2011

EDUCATION

Stetson University College of Law, 2011
Juris Doctor

Florida State University, 2008
Bachelor of Science, Criminology

EXPERIENCE

Trask Daigneault, L.L.P., Clearwater, Florida
Associate Attorney

October 2019 - Present

Associate Attorney at municipal civil defense firm. Responsible for case evaluation, propounding and responding to discovery requests, preparing for and conducting depositions, preparing dispositive motions and representing municipalities in personal injury, land use, zoning, contract and other civil cases.

Simon & Schinella, Attorneys at Law, Clearwater, Florida
Partner

2015 - 2019

Founding partner of criminal defense, personal injury, injunction, and traffic law firm that serviced primarily Pinellas, Hillsborough, Pasco, Sarasota and Manatee Counties. Responsible for client acquisition, file management, business management, legal analysis, discovery, court appearances, depositions and negotiations from the inception of representation until the conclusion of representation via jury trial, motion hearing, or negotiated resolution. Negotiated contracts, including a high value agreement with a web start up that handled hundreds of traffic tickets throughout the State of Florida. Worked closely with insurance personnel to resolve personal injury matters including one case in which hospital bills were in excess of \$375,000, but coverage was limited to \$50,000.

Fowler Law Group, Bradenton, Florida
Partner

2014 - 2015

Partner in criminal defense firm serving Sarasota and Manatee Counties. Responsible for client acquisition and court appearances, discovery, and depositions throughout the course of representation.

Finebloom, Haenel, and Higgins, Sarasota, Florida
Associate Attorney

2012 - 2014

Associate in high volume criminal defense firm defense firm serving Pinellas, Hillsborough, Sarasota, and Manatee Counties. Responsibilities included direction of support staff, handling client matters after hours on an on-call basis, client acquisition and retention, court appearances, including pre-trial conferences, motion hearings, depositions, discovery litigation and jury trials. Handled construction law matters involving construction liens and variances.

Twelfth Judicial Circuit, Sarasota, Florida
Assistant State Attorney

2011 - 2012

Served as a prosecutor in the Sarasota Office of the State Attorney. Responsibilities included meeting with victims of alleged crimes, making decisions on whether to file criminal charges and representing the State of Florida in criminal court proceedings including arraignments, pre-trial conferences, motion hearings, depositions and jury trials.

MEGAN R. HAMISEVICZ, ESQ.

1001 South Fort Harrison Avenue, Suite 201, Clearwater, FL 33756

Tel: 727.275.1989 • Email: Megan@cityattorneys.legal

EDUCATION**New England Law | Boston***Juris Doctor*

Boston, Massachusetts

May 2015

Honors: Justice Sandra Day O'Connor Full-Tuition Merit Scholarship, 2011–2015
Dean's List, 2011–2015

Marist College*Paralegal Certificate*

Poughkeepsie, New York

February 2010

Honors: Dean's List, 2009–2010

The University of Tampa*Bachelor of Science in Criminology*

Tampa, Florida

May 2008

Honors: Presidential Scholarship, 2004–2008
Honors Program, 2004–2008
Dean's List, 2004–2008

PROFESSIONAL LICENSES

- Member in Good Standing of The Florida Bar since 2020

LEGAL EXPERIENCE**Trask Daigneault LLP***Associate**Real Estate Paralegal*

Clearwater, Florida

March 2022 – Present

July 2018 – March 2022

- Conducts residential and commercial real estate closings and serves as escrow officer, which includes the receipt and disbursement of funds
- Prepares closing documents for residential and commercial real estate transactions, including settlement statements, deeds and affidavits
- Examines and clears requirements on title commitments and resolves title defects prior to closing
- Maintains a working knowledge of all current title laws, procedures and compliance as related to real estate transactions
- Prepares Wills, Trusts, Durable Power of Attorneys, Health Care Proxies, and other estate-planning documentation
- Handles representation of Personal Representatives and Trustees from opening to closing of probate estates and trusts

Ligris & Associates, P.C.*Commercial Real Estate Attorney**Real Estate Paralegal*

Boston, Massachusetts

May 2015 – July 2018

August 2011 – May 2015

- Drafted documents for commercial real estate transactions, including the preparation and negotiation of purchase and sale agreements, loan documents, commercial leases, easements and similar real property agreements
- Represented lenders in complex commercial loans, asset-based loans, business lines of credit, and real estate, construction and SBA loans
- Reviewed title work to determine ownership, encumbrances and any title defects

The Law Offices of Saffioti & Anderson*Real Estate Paralegal*

Newburgh, New York

September 2008 – August 2011

Trask Daigneault, L.L.P.

City of Madeira Beach RFQ #2023-08

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PUBLIC SECTOR EXPERIENCE

The following is a list of the public sector clients the Firm has represented in the past five (5) years, exclusive of representation as special litigation and insurance defense counsel:

- Client Name: Town of Belleair (Trask)
Contract: The Firm served as Special Magistrate for Code Enforcement and Code Enforcement Board for the Town of Belleair from 2000 to 2021. In November 2021, the Firm was appointed as Town Attorney and in that capacity handles both day-to-day representation and litigation.
- Client Name: City of Belleair Bluffs (Trask)
Contract: The Firm has served as City Attorney for the City of Belleair Bluffs since 1989. The Firm handles both day-to-day representation and litigation.
- Client Name: City of Oldsmar (Trask)
Contract: The Firm has served as City Attorney for the City of Oldsmar since 1996. The Firm handles both day-to-day representation and litigation.
- Client Name: City of Madeira Beach (Trask)
Contract: The Firm has served as the Interim City Attorney for the City of Madeira Beach since 2020. The Firm handles both day-to-day representation and litigation.
- Client Name: City of Safety Harbor (Trask)
Contract: The Firm has served as Code Enforcement Board Attorney for the City of Safety Harbor since 1991.
- Client Name: City of Clearwater Nuisance Abatement Board (Trask)
Contract: The Firm has served as Board Attorney for the City of Clearwater Nuisance Abatement Board since 2016.
- Client Name: City of Seminole (Daigneault)
Contract: The Firm has served as City Attorney for the City of Seminole since 2015. The Firm handles both day-to-day representation and litigation.
- Client Name: Town of North Redington Beach (Daigneault)
Contract: The Firm has served as Town Attorney for the Town of North Redington Beach since 2013. The Firm handles both day-to-day representation and litigation.

- Client Name: City of Clearwater Building/Flood Board of Adjustment and Appeals (Daigneault)
Contract: The Firm has served as Board Attorney for the City of Clearwater Building/Flood Board of Adjustment and Appeals since 2013.
- Client Name: City of Clearwater Community Development Board (Daigneault)
Contract: The Firm has served as Board Attorney for the City of Clearwater Community Development Board since 2013.
- Client Name: City of Indian Rocks Beach (Mora)
Contract: The Firm has served as City Attorney for the City of Indian Rocks Beach since 2014. The Firm handles both day-to-day representation and litigation.
- Client Name: Town of Indian Shores (Mora)
Contract: The Firm has served as Special Magistrate for Code Enforcement for the Town of Indian Shores since 2020.
- Client Name: City of Belleair Beach (Mora)
Contract: The Firm has served as City Attorney for the City of Belleair Beach since 2022 and handles both day-to-day representation and litigation.
- Client Name: City of Holmes Beach (Augello)
Contract: The Firm has served as litigation counsel through the City's insurer for over ten years. Effective January 1, 2022, the Firm was appointed as City Attorney and presently handles both day-to-day representation and litigation.
- Client Name: City of Dade City (Augello)
Contract: The Firm has served as Special Magistrate for Code Enforcement for the City of Dade City since 2019.
- Client Name: Town of Redington Beach (Eschenfelder)
Contract: The Firm has served as Town Attorney for the Town of Redington Beach since 2011. The Firm handles both day-to-day representation and litigation.
- Client Name: Town of Redington Shores (Eschenfelder)
Contract: The Firm served as Special Magistrate for Variances from 2010-2021 and as Special Master for Code Enforcement from 2012 to 2021. In 2021, the Firm was appointed as Town Attorney and in that capacity handles both day-to-day representation and litigation.

- Client Name: Sarasota/Manatee MPO (Eschenfelder)
Contract: The Firm has provided General Counsel services to the MPO since 2022.
- Client Name: Village of Estero (Eschenfelder)
Contract: Attorney Eschenfelder of the Firm has served as Special Counsel to the Village of Estero, advising the Village on complex land matters, since 2018. In 2022, the firm was appointed as Village Attorney.
- Client Name: City of Port Richey (Meyer)
Contract: The Firm was recently (February 2023) appointed to serve as City Attorney for the City of Port Richey and handles day-to-day representation and litigation.

JUDGMENTS AWARDED AND LAWSUITS DEFENDED FOR CLIENTS

Owing to the Firm's robust litigation practice, the attorneys of Trask Daigneault have been involved in well over 100 lawsuits in the past ten years, ranging from code enforcement appeals, personal injury lawsuits, constitutional claims, employment law claims, lien foreclosures, forfeitures, contract disputes, and land use litigation. Below is a non-exhaustive list of some of the cases we have successfully litigated for our clients:

Mojito Splash, LLC v. City of Holmes Beach, 326 So.3d 137 (Fla. 2d DCA 2021)

- Secured final summary judgment before the trial court on claims asserted under the Bert J. Harris, Jr. Private Property Rights Protection Act concerning regulation of occupancy in vacation rental property. Successfully defended summary judgment before the Second District Court of Appeals.

City of Holmes Beach v. Coral Escapes of Holmes Beach, LLC, 327 So.3d 361 (Fla. 2d DCA 2021)

- Obtained reversal of circuit court order denying award of attorney's fees to city in Bert J. Harris Act case.

Ficken v. City of Dunedin, 2022 WL 2734429 (11th Cir. July 14, 2022)

- Successfully defended the city from a civil rights lawsuit brought by a plaintiff landowner who repeatedly failed to maintain his property. Obtained affirmance from the federal 11th Circuit Court of Appeals of a summary judgment order entered by the United States District Court for the Middle District of Florida.

Management Properties, LLC v Town of Redington Shores, 352 So.3d 909 (Fla. 2d DCA 2022)

- Obtained judgment on pleadings from the circuit court in case challenging First Amendment validity of the town's short-term rental management ordinance and defended judgment before the Second District Court of Appeals.

3.3 LITIGATION

- **JUDGMENTS AND LAWSUITS**

There are currently no judgments or lawsuits against the Firm or any of its attorneys. On November 14, 2022 a Complaint was filed against the Firm by a former employee regarding the terms of employment but the matter was voluntarily dismissed on April 28, 2023.

- **LOBBYISTS**

The Firm does not currently employ any lobbyists.

- **ETHICS COMPLAINTS**

The Firm does not have any ethics complaints filed against it.

- **FLORIDA BAR COMPLAINTS**

The Firm is currently addressing Complaints filed by William Gay against Thomas J. Trask and Jay Daigneault. The details of these Complaints will be discussed privately with each Commissioner should that be requested.

3.4 CONFLICT OF INTEREST

The Firm is unaware of any actual conflicts of interest relative to the Firm's current or previous activities in representing the City of Madeira Beach or its officers. The Firm does not currently represent any client that could cause a conflict of interest with responsibilities toward the City and, in light of the Firm's focus on representation of municipalities, it is unlikely any conflict would arise in the future. However, a conflict may arise in the event both the City and one or more individual City officials or employees require representation on a specific matter. If the conflict provisions of Rule 4-1.7 of the Rules Regulating The Florida Bar, given the facts that are then known to the Firm, prohibit the Firm from representing both the City and the officer(s) or employee(s) in the matter, the Firm will continue to represent the City and will assist the individual officer(s) or employee(s) to identify separate counsel.

In addition, in the event the City and one or more other municipalities represented by the Firm require legal services from the Firm with respect to the same matter (for instance, if multiple

municipalities are negotiating an interlocal agreement or contracting for the joint acquisition of goods or services), if the Firm does not perceive there to be a disunity of interests, it will first submit to each such client an informed consent waiver before continuing with the representation, as provided for in Rule 4-1.7(b) of the Rules Regulating The Florida Bar.

In general, to the extent a conflict or potential conflict were to arise, the Firm will be guided by the Rules Regulating the Florida Bar concerning the resolution of representational conflicts of interest. The City would, of course, be fully informed of any such matters.

The Firm agrees that it will not act as counsel in any lawsuit or other adversarial proceeding in which the City, any of its departments, divisions and boards, or any City official or employee is named as an adverse party; nor shall the Firm undertake any private representation of any party before the City or any other board of the City, in reference to any judicial or quasi-judicial hearing or proceeding, or any application, request for ruling or other determination, contract, claim, controversy, petition, or other matter, including lobbying, while retained as counsel to the City. In the event the Firm represents a pre-existing client or has a question regarding whether a proposed future representation may constitute a conflict of interest, the Firm shall immediately bring such matter to the attention of the Board of Commissioners for the purpose of having the Board of Commissioners determine, in their sole discretion, whether such representation is acceptable to the City.

3.5 LOCATION

The Firm of Trask Daigneault, LLP ("LLP") will be providing legal services to the City. The LLP is equally owned by its four partners, Thomas J. Trask, Jay Daigneault, Randy Mora and Erica Augello, and operates at the following principal office address:

Trask Daigneault, LLP
 1001 S. Ft. Harrison Avenue, Suite 201
 Clearwater, FL 33756
 Phone: (727) 733-0494
 Fax: (727) 733-2991
Thomas J. Trask, Esq.
tom@cityattorneys.legal

3.6 PROPOSED SCREENED

Included in this Proposal, on Page 59 under REQUIRED FORMS, we have provided the Public Entity Crime Statement which certifies that the Firm of Trask Daigneault, LLP has not been placed on the convicted vendor list following a conviction for a public entity crime.

ADDITIONAL INFORMATION

I. INDEMNIFICATION

The Firm, if awarded a contract with the City, agrees to defend, indemnify and hold harmless the City of Madeira Beach and its officers, employees, and agents, from and against all claims which arise out of the performance of the position of City Attorney as well as negligence, malpractice or actions of pertinent officers, employees and agents in the performance of the position of City Attorney.

II. ASSURANCES

The Attorneys of Trask Daigneault, LLP are not presently in violation of any statutes or regulatory rules that might have an impact on its operations.

III. DEVIATIONS FROM SPECIFICATIONS

The Firm's proposed services shall fully comply with all requirements of this submittal.

IV. MBE/WBE STATUS

The Firm does not claim MBE/WBE status.

INSURANCE REQUIREMENTS

INSURANCE COVERAGE CARRIED

The Firm carries \$2,000,000.00 in General Liability Insurance, \$1,000,000.00 in Employer's Liability Insurance and \$2,000,000.00 in Professional Liability Insurance.

Automobile Liability Insurance is carried personally by the individual attorneys of the Firm. In addition, the Firm does not carry Owner's and Consultant's Protective Liability Insurance.

WORKERS COMPENSATION INSURANCE

26255 American Drive
Southfield, MI 48034-6112
Tel: (800) 482-2726

for information, assistance, and inquires on coverage or claims

Workers Compensation and Employers Liability
Insurance Policy

Policy Number		Policy Period From To	
WC 0827653		07/27/2022 07/27/2023 12:01 A.M. Standard Time of the mailing address of the insured as stated herein	
Renewal Of		Transaction	
WC 0827653		Policy Information Page	
1. Named Insured and Mailing Address		Agent	
TRASK DAIGNEAULT LLP 1001 S. PORT HARRISON AVE # 201 CLEARWATER, FL 33756-3905		PAUL DONGOVAN LLC DBA DONGOVAN INS SOLUTIONS 1 E. TARPON AVE TARPON SPRINGS, FL 34689	
UNEMPLOYMENT ID #	CARRIER #	FEIN #	Risk ID #
	24562	593542714	
		Entity of Insured LIMITED LIAB PARTNSHP	

Other Workplaces Not Shown Above: NONE

2. The Policy Period is from 07/27/2022 to 07/27/2023 12:01 a.m. Standard Time at the Insured's mailing address.
3. A. Workers Compensation Insurance: Part ONE of the policy applies to the Workers Compensation Law of the states listed here: FL.
- B. Employers Liability Insurance: Part TWO of the policy applies to work in each state listed in Item 3A. The limits of our liability under Part TWO are:
- | | | | |
|---------------------------|----|-----------|---------------|
| Bodily Injury by Accident | \$ | 1,000,000 | each accident |
| Bodily Injury by Disease | \$ | 1,000,000 | policy limit |
| Bodily Injury by Disease | \$ | 1,000,000 | each employee |
- C. Other States Insurance: Part THREE of the policy applies to the states, if any, listed here: All states except North Dakota, Ohio, Washington, Wyoming, and states designated in item 3.A. above.
- D. This policy includes these endorsements and schedules: SEE ATTACHED ENDORSEMENT SCHEDULE
4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates, and Rating Plans. All information required below is subject to verification and change by audit.

SEE EXTENSION OF INFORMATION PAGE

Minimum Premium:	\$173	Manual Premium	\$	1,458
		Employers Liability Increased Limits Premium	\$	120
		Safety Factor Credit	\$	
		Drug-Free Workplace Credit	\$	
		Experience Rating Modification Factor	\$	
		Florida CCPAP Credit	\$	
		Premium Discount	\$	
		Expense Constant	\$	160
		Foreign Terrorism Premium	\$	112
		Estimated Annual	\$	1,850
		Deposit Premium	\$	1,850

Florida Workers Compensation Insurance Guaranty Assoc Surcharge: 0.000 %

☐ This is a Three Year Fixed Rate Policy

Premium Adjustment Period: ☒ Annual; ☐ Semiannual; ☐ Quarterly; ☐ Monthly

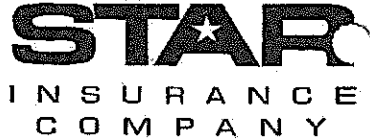
Issued Date: 06/02/2022

Issuing Office

WC 00 00 01 A (07/07)

Authorized Representative

INSURED COPY


**Workers Compensation and Employers Liability
Insurance Policy**

Policy Number: WC 0827853
Named Insured: TRASK DAIGNEAULT LLP
Agent: PAUL DONOVAN LLC 0010685

**EXTENSION OF INFORMATION PAGE
CLASSIFICATION OF OPERATIONS**

Code No.	Classification Description	Premium Basis Total Est. Annual Remuneration	Rate Per \$100 of Remuneration	Estimated Annual Premium
FLORIDA				
UNIT: 00001 ADDRESS: 1001 S FORT HARRISON AVE # 201 PERIOD: 07/27/2022 TO 07/27/2023				
8820	ATTORNEY-ALL EMPLOYEES & CLERICAL, MESSENGERS, DRIVERS	\$ 1,121,834	0.130000	\$ 1,458.00
	MANUAL PREMIUM			\$ 1,458.00
9812	INCREASED LIMITS OF EMPLOYERS LIABILITY	\$ 1,458	0.014000	\$ 20.00
9848	TO EQUAL MINIMUM PREMIUM (E L)	\$	0.000000	\$ 100.00
0900	EXPENSE CONSTANT	\$		\$ 160.00
FL IGA	FLORIDA INSURANCE GUARANTEE ASSOCIATION SURCHARGE	\$ 1,850	1.000000	\$ 0.00
9740	TERRORISM	\$ 1,121,834	0.010000	\$ 112.00
	STATE TOTAL			\$ 1,850.00
	POLICY TOTAL			\$ 1,850.00

0000000455

Issued Date: 06/02/2022
Issuing Office
WC 00 00 01 A (07/07)

INSURED COPY

Page 2 of 3

GENERAL LIABILITY INSURANCE**CNA**

CNA Connect

Renewal Declaration

POLICY NUMBER B 5094331078	COVERAGE PROVIDED BY CONTINENTAL CASUALTY COMPANY 151 N Franklin CHICAGO, IL 60606	FROM - POLICY PERIOD - TO 07/27/2022 07/27/2023
	INSURED NAME AND ADDRESS TRASK DAIGNEAULT LLP ATTORNEYS 1001 S FORT HARRISON AVE STE 201 CLEARWATER, FL 33756	
AGENCY NUMBER 063161	AGENCY NAME AND ADDRESS CONDON-MEEK INC STE 501 1180 PONCE DE LEON BLVD CLEARWATER, FL 33756 Phone Number: (727)446-5051	
BRANCH NUMBER 770	BRANCH NAME AND ADDRESS FLORIDA BRANCH 500 COLONIAL CENTER PARKWAY LAKE MARY, FL 32746 Phone Number: (407)919-3000	

This policy becomes effective and expires at 12:01 A.M. standard time at your mailing address on the dates shown above.

The Named Insured is a Limited Partnership.

Your policy is composed of this Declarations, with the attached Common Policy Conditions, Coverage Forms, and Endorsements, if any. The Policy Forms and Endorsement Schedule shows all forms applicable to this policy at the time of policy issuance.

The Estimated Policy Premium Is	\$1,486.00
Florida Fire Insurance Surcharge	\$1.48
Florida Insurance Guaranty Association Assessment	\$29.72
Florida Property Surcharge	\$4.00
Total Policy Charges	\$1,521.20
Terrorism Risk Insurance Act Premium	\$11.00
Audit Period is Not Auditable	

INSURED

Page 1 of 6

POLICY NUMBER
B 5094331078

INSURED NAME AND ADDRESS
TRASK DAIGNEAULT LLP ATTORNEYS
1001 S FORT HARRISON AVE STE 201
CLEARWATER, FL 33756

PROPERTY COVERAGE**LIMIT OF INSURANCE**

The following deductible applies unless a separate deductible is shown on the Schedule of Locations and Coverage.

Deductible: \$2,500

Business Income and Extra Expense Coverage
Business Income and Extra Expense

12 Months Actual Loss Sustained

Business Income and Extra Expense - Dependent Properties	\$10,000
Employee Dishonesty	\$50,000
Forgery and Alteration	\$50,000

LIABILITY COVERAGE**LIMIT OF INSURANCE**

Liability and Medical Expense Limit - Each Occurrence	\$2,000,000
Medical Expense Limit -- Per Person	\$10,000
Personal and Advertising Injury	\$2,000,000
Products/Completed Operations Aggregate	\$4,000,000
General Aggregate	\$4,000,000
Damage To Premises Rented To You	\$1,000,000
Hired Auto Liability	\$1,000,000
Nonowned Auto Liability	\$1,000,000

INSURED

Page 2 of 6

POLICY NUMBER	INSURED NAME AND ADDRESS
B 5094331078	TRASK DAIGNEAULT LLP ATTORNEYS
	1001 S FORT HARRISON AVE STE 201
	CLEARWATER, FL 33756

SCHEDULE OF LOCATIONS AND COVERAGE

LOCATION 1 BUILDING 1

1001 S FT HARRISON AVE, SUITE 201
CLEARWATER, FL 33756

Construction: Joisted Masonry

Class Description: LAWYERS OFFICES - EXCL. PROFESSIONAL

Inflation Guard 3%

Windstorm or Hail Exclusion

PROPERTY COVERAGE**LIMIT OF INSURANCE**

Accounts Receivable	\$25,000
Building	Not Covered
Business Personal Property	\$264,116
Electronic Data Processing	\$50,000
Equipment Breakdown	\$264,116
Fine Arts	\$25,000
Ordinance or Law - Demolition Cost, Increased Cost of Construction	\$25,000
Seasonal Increase: 25%	
Sewer or Drain Back Up	\$25,000
Valuable Papers & Records	\$25,000



INSURED

Page 3 of 6

POLICY NUMBER
B 5094331078

INSURED NAME AND ADDRESS
TRASK DAIGNEAULT LLP ATTORNEYS
1001 S FORT HARRISON AVE STE 201
CLEARWATER, FL 33756

LOSS PAYEE SCHEDULE

All loss payees as their interests may appear in the Covered Property.

The following provisions apply in accordance with the insurable interest of the loss payee: Loss Payee

Description of Property: Any Covered Property in which a loss payee, creditor or lender holds an interest, including any person or organization you have entered a contract with for the sale of Covered Property.

INSURED

Page 4 of 6

POLICY NUMBER	INSURED NAME AND ADDRESS
B 5094331078	TRASK DAIGNEAULT LLP ATTORNEYS
	1001 S FORT HARRISON AVE STE 201
	CLEARWATER, FL 33756

FORMS AND ENDORSEMENTS SCHEDULE

The following list shows the Forms, Schedules and Endorsements by Line of Business that are a part of this policy.

COMMON

FORM NUMBER		FORM TITLE
CNA79203XX	06/2014	Exclusion - Access or Disclosure of Confidential
CNA80103XX	09/2014	Primary and Non Contributory - Other Ins Condition
CNA81751XX	03/2015	Cap on Losses from Certified Acts of Terrorism
CNA85710XX	06/2016	Unmanned Aircraft Exclusion Endorsement
CNA92680XX	10/2019	Non-Accumulation of Limits Endorsement
SB146927E	03/2016	Florida Changes
SB146933A	01/2006	Florida Changes - Legal Action Against Us
SB146957A	01/2006	Florida Risk Management Plans
SB146958A	01/2006	Important Information for Florida Policyholders
SB147075A	01/2006	Economic and Trade Sanctions Condition
SB147082E	04/2014	Businessowners Common Policy Conditions
SB147086B	04/2010	Loss Payable Provisions

COMMERCIAL PROPERTY

FORM NUMBER		FORM TITLE
SB146801J	10/2019	Businessowners Special Property Coverage Form
SB146802F	10/2019	Business Income and Extra Expense
SB146803A	01/2006	Seasonal Increase
SB146804A	01/2006	Arson and Theft Reward
SB146805B	06/2016	Claim Data Expense
SB146806B	01/2008	Debris Removal
SB146807F	10/2019	Employee Dishonesty
SB146808A	01/2006	Expediting Expenses
SB146809C	07/2009	Fine Arts
SB146810A	01/2006	Fire Department Service Charge
SB146811A	01/2006	Fire Protective Equipment Discharge
SB146812D	10/2019	Forgery and Alteration
SB146813B	01/2008	Newly Acquired or Constructed Property
SB146814B	03/2006	Ordinance or Law
SB146815A	01/2006	Outdoor Trees, Shrubs, Plants and Lawns
SB146816A	01/2006	Pollutant Clean Up and Removal
SB146817A	01/2006	Preservation of Property
SB146818A	01/2006	Temporary Relocation of Property
SB146819A	01/2006	Water Damage, Other Liquids, Solder, Molten Damage
SB146820C	11/2010	Accounts Receivable
SB146821A	01/2006	Appurtenant Buildings and Structures
SB146822A	01/2006	Building Glass
SB146823C	10/2019	Business Income Extra Expense - Dependent Property
SB146824B	01/2008	Business Income Extra Expense-Newly Acquired Loss
SB146825C	06/2011	Business Personal Property Off Premises
SB146826C	10/2019	Civil Authority
SB146827F	06/2011	Electronic Data Processing
SB146828E	04/2014	Equipment Breakdown
SB146830B	01/2008	Money Orders and Counterfeit Paper Currency
SB146831B	11/2010	Nonowned Detached Trailers
SB146832B	01/2008	Ordinance or Law-Increased Period of Restoration
SB146833A	01/2006	Outdoor Property
SB146834A	01/2006	Personal Effects
SB146835A	01/2006	Signs

INSURED

Page 5 of 6

POLICY NUMBER
B 5094331078

INSURED NAME AND ADDRESS
TRASK DAIGNEAULT LLP ATTORNEYS
1001 S FORT HARRISON AVE STE 201
CLEARWATER, FL 33756

FORMS AND ENDORSEMENTS SCHEDULE

COMMERCIAL PROPERTY

FORM NUMBER		FORM TITLE
SB146836A	01/2006	Spoilage Consequential Loss
SB146837A	01/2006	Theft Damage to Rented Property
SB146838C	11/2010	Valuable Papers and Records
SB146839F09	06/2011	Sewer or Drain Back Up
SB146864A	01/2006	FL Windstorm or Hail Exclusion
SB146928A	01/2006	Florida Changes in Property Coverage
SB146936A	01/2006	Inflation Guard
SB147084B09	07/2009	Fungi, Wet Rot, Dry Rot and Microbe Exclusion
SB300129C	10/2019	Targeted Hacker Attack
SB300181H	10/2019	Lawyers Choice Endorsement
SB300456A09	04/2010	FL-Concurrent Causation, Earth Mov, Water Excl Chg
SB300596A09	01/2008	Identity Theft/Recovery Services Endorsement
SB300629C	03/2016	Florida Sinkhole Loss

COMMERCIAL GENERAL LIABILITY

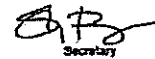
FORM NUMBER		FORM TITLE
SB146902G	06/2016	Hired Auto and Non-owned Auto Liability
SB146932G	10/2019	Blanket Additional Insured - Liability Extension
SB147079A	01/2006	War Liability Exclusion
SB147080B	10/2019	Exclusion - Silica
SB147083C	10/2019	Fungi/Mold/Mildew/Yeast/Microbe Exclusion
SB147088A	01/2006	Exclusion - Asbestos
SB147089A	01/2006	Employment - Related Practices Exclusion
SB300000D	04/2014	Businessowners Liability Coverage Form
SB300849A	07/2009	Recd and Distribution of Material or information

*** PLEASE READ THE ENCLOSED IMPORTANT NOTICES CONCERNING YOUR POLICY ***

FORM NUMBER		FORM TITLE
CNA102797FL	10/2021	FL Insurance Guaranty Association (FIGA) Asmt.
CNA62823XX	07/2017	Req For Jurisdictional Inspection Of Pressure Equip
CNA62826FL	09/2012	Important Information - For Florida Policyholders
CNA62827FL	09/2012	Important Information - For Florida Policyholders
CNA77863FL	02/2014	Policyholder Notice Florida
CNA79207FL	06/2014	Florida Policyholder Notice
CNA79905FL	09/2014	Florida Policyholder Notice
CNA81758FL	01/2021	PHN - FL: Offer of Terrorism Disclosure of Premium
CNA95404XX	03/2019	CNA Coverage Form
G300541A	07/2007	Your Option to Exclude Windstorm Coverage
SB300597A	12/2007	Your Option to Exclude Wind/Hail Coverage

Countersignature


Chairman of the Board


Secretary

SB-146895-A (Ed. 01/06)

INSURED

Page 6 of 6

MALPRACTICE INSURANCE**Swiss Re Corporate Solutions America Insurance Corporation****PROFESSIONALS ADVANTAGE FOR LAWYERSSM****LAWYERS PROFESSIONAL LIABILITY INSURANCE**

Swiss Re Corporate Solutions America Insurance Corporation
(A Stock Insurance Company, hereinafter called the "Company")

Policy Number: WLA308012153601

Renewal of Policy: WLA308012153600

DECLARATIONS

NOTICE: THIS IS A CLAIMS-MADE AND REPORTED POLICY. EXCEPT AS MAY BE OTHERWISE PROVIDED HEREIN, THIS COVERAGE IS LIMITED TO LIABILITY FOR ONLY THOSE CLAIMS WHICH ARE FIRST MADE AGAINST AN INSURED AND REPORTED TO THE COMPANY WHILE THE POLICY IS IN FORCE.

A. Named Insured: TRASK DAIGNEAULT, LLP

Address: 1001 SOUTH FORT HARRISON AVENUE
SUITE 201
CLEARWATER, FL 33756

B. Policy Period: From 12:01 A.M. 07-01-2022 To 12:01 A.M. 07-01-2023
Local time at the address stated herein

C. Limits of Liability: \$ 2,000,000 Per Claim
\$ 2,000,000 Aggregate for the Policy Period

D. Deductible: \$ 5,000 Per Claim

Claims Expenses are included within the Limit of Liability and Deductible.

E. Premium: \$ 20,298.00
2022 FIGA Assessment Surcharge: \$ 142.09
Total Premium + Surcharge: \$ 20,440.09

F. Retroactive Date: None

The Declarations and the forms listed on the attached Schedule of Form(s) and Endorsement(s), together with the completed and signed application and supplements, shall constitute the contract between the NAMED INSURED and the Company.

Swiss Re Corporate Solutions America Insurance Corporation

Mary Katherine Rodriguez Dainka

Date

Authorized Representative

SP 3 383 I 0206

Page 1 of 1

Insured Copy

Swiss Re Corporate Solutions America Insurance Corporation

SCHEDULE OF FORM(S) AND ENDORSEMENT(S)

The Declarations and the forms listed below and attached hereto, together with the completed and signed application and supplements, shall constitute the contract between the NAMED INSURED and the Company.

FORMS AND ENDORSEMENTS

SP 5 369	05-21	POLICY JACKET
LETTER NAS	05-22	NAME CHANGE COVER LETTER - NAS
EP CRP	11-18	LOSS REPORTING PROCEDURES
SP 13 222	12-16	FLORIDA LOSS CONTROL NOTICE
SP 3 383 I	02-06	DECLARATIONS
SP 3 689	02-06	SCHEDULE OF FORMS AND ENDORSEMENTS
SP 3 897	06-21	AMEND ENDT - FL - TERMINATION ENDT
SP 4 343	08-08	SPECIFIED CLAIM EXCLUSION
SP 3 370	09-11	ADDITIONAL LIM OF LIAB FOR CLAIMS EXP
SP 3 389	07-11	LIMITATION OF INDIVIDUAL PRIOR ACTS
SP 3 390	06-19	LOSS ONLY DED(ACE)-CLAIMS EXP INSIDE
SP 17 504 FL	10-20	LAWYERS PROFESSIONAL LIABILITY POLICY

SP 3 689 0206

Insured Copy

OTHER REQUIRED FORMS

FORM W-9

Form W-9 (Rev. October 2018) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification ▶ Go to www.irs.gov/FormW9 for instructions and the latest information.	Give Form to the requester. Do not send to the IRS.
1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank. Trask Daigneault LLP		
2 Business name/disregarded entity name, if different from above		
Print or type. See Specific Instructions on page 3.	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.	
	<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input checked="" type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ▶ P <small>Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.</small> </div> <div> <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate <input type="checkbox"/> Other (see instructions) ▶ </div> </div>	
	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <small>(Applies to accounts maintained outside the U.S.)</small>	
5 Address (number, street, and apt. or suite no.) See instructions. 1001 S. Fort Harrison Ave., Suite 201		Requester's name and address (optional)
6 City, state, and ZIP code Clearwater, FL 33756		
7 List account number(s) here (optional)		
Part I Taxpayer Identification Number (TIN) Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> , later. Note: If the account is in more than one name, see the instructions for line 1. Also see <i>What Name and Number To Give the Requester</i> for guidelines on whose number to enter.		
Social security number <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"> </div> or Employer identification number <div style="border: 1px solid black; padding: 2px; display: flex; justify-content: space-around;"> </div>		
Part II Certification Under penalties of perjury, I certify that: 1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and 3. I am a U.S. citizen or other U.S. person (defined below); and 4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct. Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.		
Sign Here	Signature of U.S. person ▶	Date ▶ 1/13/2023
General Instructions Section references are to the Internal Revenue Code unless otherwise noted. Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9 . Purpose of Form An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following. • Form 1099-DIV (dividends, including those from stocks or mutual funds) • Form 1099-MISC (various types of income, prizes, awards, or gross proceeds) • Form 1099-B (stock or mutual fund sales and certain other transactions by brokers) • Form 1099-S (proceeds from real estate transactions) • Form 1099-K (merchant card and third party network transactions) • Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition) • Form 1099-C (canceled debt) • Form 1099-A (acquisition or abandonment of secured property) Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN. If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.		

Cat. No. 10231X

Form **W-9** (Rev. 10-2018)

BUSINESS LICENSES



DIVISION of CORPORATIONS
an official State of Florida website

[Previous on List](#) [Next on List](#) [Return to List](#)
[Filing History](#) [No Authority Info](#) [No Partner Info](#) [Name History](#)

Partnership Name Search

Partnership Detail**Limited Liability Partnership Name**

TRASK DAIGNEAULT, L.L.P.

Principal Address

1001 S. FT. HARRISON AVENUE, SUITE 201
 CLEARWATER, FL 33756 US
 Change Date: 12/02/2015

Filing Information

Document Number	LLP000000590
FE/EIN Number	593642714
File Date	04/24/2000
State	FL
Total Pages	30
Pages in Original Filing	2
Florida Partners	1
Total Partners	1
Status	ACTIVE
Effective Date	NONE
Expiration Date	NONE
Name History	0002

Mailing Address

TRASK DAIGNEAULT, L.L.P.
 1001 S. FT HARRISON AVE., SUITE 201
 CLEARWATER, FL 33756
 Change Date: 05/01/2014

Registered Agent

TRASK THOMAS J
 1001 S. FT HARRISON AVE., SUITE 201
 CLEARWATER, FL 337556



The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0749206

Thomas Joshua Trask
Trask Daigneault, L.L.P.
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **April 29, 1988**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 22nd day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-234178





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0025859
Jay Daigneault
Trask Daigneault, LLP
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **September 20, 2006**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 20th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-233809





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0099895
Randol Didier Mora
Trask Daigneault, LLP 1001 S Fort Harrison Ave
Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **October 2, 2012**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 22nd day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-234292





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0109085
Erica Farawell Augello
Trask Daigneaut, LLP
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **April 17, 2014**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 21st day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-233960





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0008435
Robert Michael Eschenfelder
Trask Daigneault, LLP
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **September 21, 1994**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 21st day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-234113





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 0144452
Nancy S Meyer
Trask Daigneault
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **September 22, 1998**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 20th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-233845





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)
County of Leon)

In Re: 0091655
Jeremy Allan Simon
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **September 27, 2011**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 20th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-233811





The Florida Bar

651 East Jefferson Street
Tallahassee, FL 32399-2300

Joshua E. Doyle
Executive Director

850/561-5600
www.FLORIDABAR.org

State of Florida)

County of Leon)

In Re: 1023766
Megan Reeder Hamisevicz
Trask Daigneault, L.L.P.
1001 S Fort Harrison Ave Ste 201
Clearwater, FL 33756-3941

I CERTIFY THE FOLLOWING:

I am the custodian of membership records of The Florida Bar.

Membership records of The Florida Bar indicate that The Florida Bar member listed above was admitted to practice law in the state of Florida on **August 26, 2020**.

The Florida Bar member above is an active member in good standing of The Florida Bar who is eligible to practice law in the state of Florida.

Dated this 20th day of **June, 2023**.

Cynthia B. Jackson, CFO
Administration Division
The Florida Bar

PG:R10
CTM-233807





CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0032708

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address
 THOMAS JOSHUA TRASK
 TRASK DAIGNEAULT LLP
 1001 S FT HARRISON SUITE 201
 CLEARWATER, FL 33756

Business Name
 TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

Quantity

084030 Attorney

LICENSE	PERIOD BEGINNING	PERIOD ENDING	PRINT DATE
2022-2023	October 1, 2022	September 30, 2023	September 21, 2022
FEE TYPE	CHECK NO	RECEIPT	FEE RECEIVED
Business Tax Receipt - Renewal	10654	667474	127.50 127.50

TOTAL RECEIVED

127.50

THE ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT DOES NOT PERMIT THE HOLDER TO VIOLATE ANY ZONING LAWS OF THE CITY OF CLEARWATER NOR DOES IT EXEMPT THE HOLDER FROM ANY OTHER LICENSE, PERMIT OR IMPOSED TRAFFIC IMPACT FEES.

ANY CHANGE IN THE BUSINESS LOCATION, NAME, OR OWNERSHIP MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

NON-REFUNDABLE

Lina A. Clayton

GINA CLAYTON, DIRECTOR

CLW000LicRenewalApp



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0032710

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address
 JAY DAIGNEAULT
 TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON SUITE 201
 CLEARWATER, FL 33756

Business Name
 TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (no phone listed)

Category

Quantity

084030 Attorney

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE	RECEIVED
Business Tax Receipt - Renewal		10654	667474	127.50	127.50

TOTAL RECEIVED

127.50

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NON-REFUNDABLE

Lina R. Clayton

GINA CLAYTON, DIRECTOR

CLW000LicRenewalAdv



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0033167

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address

RANDOL D MORA
 TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE SUITE 201
 CLEARWATER, FL 33756

Business Name

TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

084030 Attorney

Quantity

1 99895

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE	RECEIVED
Business Tax Receipt - Renewal		10654	667474	127.50	127.50

TOTAL RECEIVED

127.50

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ANY CHANGE IN THE BUSINESS LOCATION, NAME, OR OWNERSHIP MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

NON-REFUNDABLE

Lina R. Clayton

GINA CLAYTON, DIRECTOR

CLW000000RenewalAdv



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0033164

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address

ERICA F AUGELLO
 TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE SUITE 201
 CLEARWATER, FL 33756

Business Name

TRASK DAIGNEAULT, L.L.P.
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-4064

Category

084030 Attorney

Quantity

1 109085

LICENSE	PERIOD BEGINNING	PERIOD ENDING	PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023	September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE RECEIVED
Business Tax Receipt - Renewal		10654	667474	127.50 127.50

TOTAL RECEIVED

127.50

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NON-REFUNDABLE

Lina A. Clayton

GINA CLAYTON, DIRECTOR

CLW000LicRenewalAq



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0039874

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address
 ROBERT MESCHENFELDER
 TRASK DAIGNEAULT LLP
 1001 S FT HARRISON AVE # 201
 CLEARWATER, FL 33756

Business Name
 TRASK DAIGNEAULT, LLP
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

Quantity

084030 Attorney

FL BAR# 8435

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE	RECEIVED
Business Tax Receipt - Renewal		10657	667488	127.50	127.50

TOTAL RECEIVED

127.50

THE ISSUANCE OF A LOCAL BUSINESS TAX RECEIPT DOES NOT PERMIT THE HOLDER TO VIOLATE ANY ZONING LAWS OF THE CITY OF CLEARWATER NOR DOES IT EXEMPT THE HOLDER FROM ANY OTHER LICENSE, PERMIT OR IMPOSED TRAFFIC IMPACT FEES.

ANY CHANGE IN THE BUSINESS LOCATION, NAME, OR OWNERSHIP MUST BE APPROVED BY THE PLANNING AND DEVELOPMENT SERVICES DEPARTMENT.

NON-REFUNDABLE

Gina Clayton

GINA CLAYTON, DIRECTOR

CLW0000RenewalAdv



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0040299

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address

NANCY S MEYER
 TRASK DAIGNEAULT, LLP
 1001 S FT HARRISON AVE SUITE 201
 CLEARWATER, FL 33756

Business Name

TRASK DAIGNEAULT, LLP
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

084030 Attorney

Quantity

1 FL BAR #0144452

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE	RECEIVED
Business Tax Receipt - Renewal		10657	667488	127.50	127.50

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NON-REFUNDABLE

Gina Clayton

GINA CLAYTON, DIRECTOR

CLWDOctLicRenewalAdv



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0039348

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address

JEREMY SIMON
 TRASK DAIGNEAULT LLP
 1001 S FT HARRISON AVE #201
 CLEARWATER, FL 33756

Business Name

TRASK DAIGNEAULT LLP
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

084030 Attorney

Quantity

1 FL BAR# 0091655

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
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NON-REFUNDABLE

Lina R. Clayton

GINA CLAYTON, DIRECTOR

CLW00cLicRenewalAdv



CITY OF CLEARWATER

PLANNING & DEVELOPMENT DEPARTMENT
 POST OFFICE BOX 4748, CLEARWATER, FLORIDA 33758-4748
 MUNICIPAL SERVICES BUILDING, 100 SOUTH MYRTLE AVENUE, CLEARWATER, FLORIDA 33756
 TELEPHONE (727) 562-4005

BTR-0041956

2022-2023 LOCAL BUSINESS TAX RECEIPT

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN PLACE OF BUSINESS

Owner Name/Address

MEGAN REEDER HAMISEVICZ
 TRASK DAIGNEAULT LLP
 1001 S FT HARRISON AVE SUITE 201
 CLEARWATER, FL 33756

Business Name

TRASK DAIGNEAULT LLP
 1001 S FT HARRISON AVE, SUITE 201
 CLEARWATER, FL 33756

Phone: (727) 733-0494

Category

084030 Attorney

Quantity

1 FL BAR #1023766

LICENSE	PERIOD BEGINNING	PERIOD ENDING		PRINT DATE	
2022-2023	October 1, 2022	September 30, 2023		September 21, 2022	
FEE TYPE		CHECK NO	RECEIPT	FEE	RECEIVED
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NON-REFUNDABLE

Gina Clayton

GINA CLAYTON, DIRECTOR

CLW000LICRenewalAdv

REQUIRED FORMS INCLUDED WITH RFQ

Please Note: The following Required Forms as provided by the City were erroneously labeled “Request for Proposal No. 20-04” and have been modified to correctly reflect the subject Request for Qualifications #2023-08.

PUBLIC ENTITY CRIME STATEMENT

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08
PUBLIC ENTITY CRIME STATEMENT**

PUBLIC ENTITY CRIMES

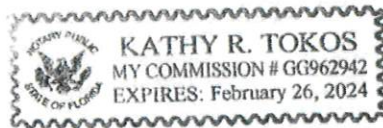
Pursuant to Subsections 287.133(2) and (3), F.S., "a person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in s.287.017 for CATEGORY TWO for a period of 36 months following the date of being placed on the convicted vendor list."

I, Thomas J. Trask, being an authorized
representative of TRASK DAIGNEAULT, L.L.P.,
located at 1001 S. Ft. Harrison Avenue, Suite 201, Clearwater
City: _____
State: FL Zip Code: 33756, have read and understand the contents
above.

Signature: *Thomas J. Trask* Date: 6/27/2023
Telephone #: (727) 733-0494 Fax #: (727) 733-2991
Federal ID #: 59-3642714

STATE OF FLORIDA
COUNTY OF PINELLAS

Sworn to and subscribed before me this 27th day of June, 2020, 2023,
by Thomas J. Trask
who is personally known to me or has produced his/her driver's license as identification.



Kathy R. Tokos
Notary Public - State of Florida
Print Name: Kathy R. Tokos
Commission No: GG962942

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

NON-COLLUSIVE AFFIDAVIT**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES****REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08****NON-COLLUSIVE AFFIDAVIT**State of FLORIDACounty of PINELLAS

SS.

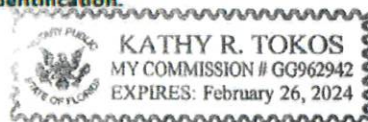
Before me, the undersigned authority personally appeared:

Thomas J. Trask who, being first duly sworn, deposes and says that:1. He/She is the Partner (Owner, Partner, Officer, Representative or Agent) of TRASK DAIGNEAULT, L.L.P. the offeror/Proposer that has submitted the attached proposal;2. He/She is fully informed respecting the preparation and contents of the attached proposal and of all pertinent circumstances respecting such proposal;3. Such proposal is genuine and is not a collusive or sham proposal;4. Neither the offeror/Proposer nor any of its officers, partners, owners, agents, representatives, employees or parties in interest, including this affiant, have in any way colluded, conspired, connived or agreed, directly or indirectly, with any other offeror, CITY ATTORNEY/FIRM, or person to submit a collusive or sham proposal in connection with the work for which the attached proposal has been submitted; or have in any manner, directly or indirectly sought by agreement or collusion, or communication or conference with any offeror, CITY ATTORNEY/FIRM, or person to fix the price or prices in the attached proposal or of any other offeror, or to fix any overhead, profit, or cost elements of the proposal price or the proposal price of any other offeror, or to secure through any collusion, conspiracy, connivance, or unlawful agreement any advantage against (Recipient), or any person interested in the proposal work.Signed, sealed and delivered this 27th day of June, ~~2020~~ 2023.By: Thomas J. TraskThomas J. Trask

(Printed Name)

Partner

(Title)

STATE OF FLORIDA
COUNTY OF PINELLASSworn to and subscribed before me this 27th day of June, ~~2020~~ 2023, by Thomas J. Trask who ☐ is personally known to me or ☐ has produced his/her driver's license as identification.Kathy R. Tokos

Notary Public - State of Florida

Print Name: Kathy R. TokosCommission No: GG962942**THIS PAGE MUST BE SUBMITTED WITH PROPOSAL.**

STATEMENT OF ORGANIZATION

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. 20-04 RFQ #2023-08
STATEMENT OF ORGANIZATION**

Page 1 of 3

Proposer must state whether he/she is an individual, partnership, corporation or joint venture. Partnerships shall show the names, titles, and original signature of all partners with authority to bind the company. Corporations must be signed in the name and with the seal of the corporation, followed by the original signature and title of the person authorized to bind the corporation. Each joint venture shall be required to sign for each individual, partnership and corporation that is a party to the joint venture

If the Proposer is an INDIVIDUAL:

Individual's Name: _____

D/B/A: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

**If the Proposer is a PARTNERSHIP and Limited Liability Company
(Provide names and signatures of all partners):**Company Name: TRASK DAIGNEAULT, L.L.P.Partner: Thomas J. TraskSignature:  _____Partner: Jay DaigneaultSignature:  _____Partner: Randol D. MoraSignature:  _____Business Address: 1001 S. Ft. Harrison Avenue, Suite 201Clearwater, FL 33756Phone: (727) 733-0494 Fax: (727) 733-2991

(Attach additional sheets if necessary)

*** SEE CONTINUATION PAGE FOR ADDITIONAL PARTNER ***

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08
STATEMENT OF ORGANIZATION

Page 1 of 3 – CONTINUED

Proposer must state whether he/she is an individual, partnership, corporation or joint venture. Partnerships shall show the names, titles, and original signature of all partners with authority to bind the company. Corporations must be signed in the name and with the seal of the corporation, followed by the original signature and title of the person authorized to bind the corporation. Each joint venture shall be required to sign for each individual, partnership and corporation that is a party to the joint venture

If the Proposer is an **INDIVIDUAL**:

Individual's Name: _____

D/B/A: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If the Proposer is a **PARTNERSHIP and Limited Liability Company**
 (Provide names and signatures of all partners):

Company Name: TRASK DAIGNEAULT, L.L.P.

Partner: Erica F. Augello

Signature: *Erica Augello*

Partner: ----

Signature: ----

Partner: ----

Signature: ----

Business Address: 1001 S. Ft. Harrison Avenue, Suite 201
Clearwater, FL 33756

Phone: (727) 733-0494 Fax: (727) 733-0494

(Attach additional sheets if necessary)

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08
STATEMENT OF ORGANIZATION**

Page 2 of 3

If the Proposer is a CORPORATION:

Corporation Name: _____

State of Incorporation: _____ CORPORATE SEAL _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

Business Address: _____

Phone: _____ Fax: _____

If Proposer is a JOINT VENTURE:

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title: _____

Business Address: _____

Phone: _____ Fax: _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

THIS PAGE MUST BE SUBMITTED WITH PROPOSAL

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08**

STATEMENT OF ORGANIZATION

Page 3 of 3

If the Proposer is ANY OTHER BUSINESS ENTITY:

Please list all pertinent organizational information similar to the above requested information, including.

Type of Entity: _____

Entity Name: _____

Registration/Originating State: _____

Entity Address: _____

Name/Title of person authorized to bind: _____

Signature: _____

Name/Title of person authorized to bind: _____

Signature: _____

PROPOSAL ACKNOWLEDGMENT

**CITY OF MADEIRA BEACH
CITY ATTORNEY – PROFESSIONAL LEGAL SERVICES
REQUEST FOR PROPOSAL NO. ~~20-04~~ RFQ #2023-08**

PROPOSAL ACKNOWLEDGEMENT

Company/Firm Name TRASK DAIGNEAULT, L.L.P.
Address: 1001 S. Ft. Harrison Avenue, Suite 201
City: Clearwater
State & ZIP Florida 33756
Telephone (727) 733-0494
Email tom@cityattorneys.legal

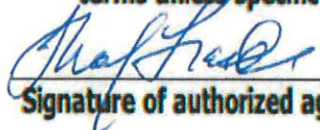
Type of Business (Corporation, Partnership, Other (Specify): Limited Liability Partnership

Tax ID number (FEIN): 59-3642714

Certification

The undersigned hereby confirms as follows:

1. I am a duly authorized agent of the Law Firm submitting the proposal;
2. I have read the Proposal in its entirety and fully understand and accept these terms unless specific variations have been expressly listed below.

 Signature of authorized agent <u>Thomas J. Trask</u>	<u>6/27/2023</u> Date <u>Partner</u>
Printed Name	Title of Agent

Proposals without the manual and original signature of an authorized agent of the Proposer shall be deemed non-responsive and ineligible for selection.



MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

VIA: Robin Gomez, City Manager

FROM: Clara VanBlargan, City Clerk

DATE: July 17, 2023

RE: **City of Madeira Beach – Change in Existing Boundaries of Election Districts**

Background

The City of Madeira Beach electors approved a charter amendment at the March 2019 Municipal Election requiring the Board of Commissioners to every five years, by Ordinance, either change the existing boundaries of its districts as it may deem equitable or to reaffirm the old district boundaries so that each district contains as nearly as possible the same number of electors. This was last done through the passage of Ordinance 2018-08 on September 4, 2018. No change in the boundaries of districts shall be made within six (6) months preceding an election in the City. The next Municipal Election is scheduled for March 19, 2024. Therefore there can be no change in the boundaries of the districts after September 18, 2023. This agenda item was prepared for that purpose.

City Charter, Section 3.2, Election District, (B) provides:

“Every five years the Board of Commissioners shall, by Ordinance either change the existing boundaries of said districts as it may deem equitable or to reaffirm the old district boundaries so that each district contain as nearly as possible the same number of electors; and similar Ordinances either changing or affirming the said district boundary lines for this purpose shall be passed every five years thereafter. If, prior to the passage of any Ordinance or Ordinances and applicable to district boundary lines and made mandatory by this section, if determined by the Board of Commissioners that there is an imbalance of electors exceeding fifteen (15) percent of the said district, or such imbalance that in their judgment and opinion, a new Ordinance changing the boundaries of said districts should be passed in order to equalize as nearly as possible the number of electors in each district, by Ordinance, change the boundaries of said district for such purposes. No change in districts shall be made within six (6) months preceding an election in the City.”

The Chart below shows the number of electors for each district in 2007, 2008, 2014, 2018, 2023, and in 2023 with the proposed change in district boundaries. The City Clerk’s office obtained the number of current electors for 2023 as of the last election from the Pinellas County Supervisors of Elections. The updated district maps were recently prepared by the Community Development Department.

The item was discussed at the June 28, 2023 BOC Regular Workshop Meeting. The consensus was for the City Clerk to bring forward at the July 26, 2023 BOC Regular Workshop Meeting the changes to equalize as nearly as possible the number of electors in each district.

Once the boundaries have been established by the Board of Commissioners an ordinance will be prepared for 1st reading at the August 9, 2023, BOC Regular Meeting for that purpose.

CITY OF MADEIRA BEACH VOTERS PER DISTRICT						
DISTRICT	3,246 VOTERS Ord. 1114 (8/14/2007)	3,294 VOTERS Ord. 1128 (6/10/2008)	3,602 VOTERS Ord. 2014-11 (10/14/2014)	3,275 VOTERS Ord. 2018-08 (09/04/2018)	3,153 VOTERS As of March 2023	3,153 VOTERS Change in District Boundaries July 26, 2023
1	841	841	903	807	757	787
2	638	798	850	761	766	787
3	926	814	861	792	758	792
4	841	841	988	915	872	790
<p>Current – Before change in District Boundaries:</p> <p>District 4 – District with highest number of voters (115 more voters than District 1, lowest number of voters)</p> <ul style="list-style-type: none"> 15.2% higher than District 1 - (115 more voters) 13.9% higher than District 2 - (106 more voters) 15.05% higher than District 3 - (114 more voters) 						

Attachments

- Number of City of Madeira Beach Electors per District
- City Charter, Section 3.2 – Election District
- Change Election District Boundaries 1, 2, 3 & 4

TOTAL REGISTERED VOTERS: 3,153		REVISED DISTRICTS - JULY 2023	
DISTRICT 1	787 Voters	DISTRICT 3	792 Voters
	25% of Electors		25% of Electors
99	129th Avenue	16	140th Avenue (410 - 699)
53	131st Avenue	5	141st Avenue
0	131st Avenue Circle	2	142nd Avenue
1	132nd Avenue	8	143rd Avenue
10	133rd Avenue	65	144th Avenue
2	134th Avenue	60	145th Avenue
50	137th Avenue Circle	21	146th Avenue
64	1st Street	37	147th Avenue
37	2nd Street	42	148th Avenue
41	3rd Street	7	B Street
33	4th Street	114	Bay Point Drive
3	Boardwalk Place		N. Bayshore Drive (14101 - 14905 Odd)(14109-14785)
0	Boardwalk Place East		Gulf Blvd (14101 - 14550)(14601-14603)
106	Boca Ciega Avenue	37	Lynn Way
70	Boca Ciega Drive	14	Marguerite Drive
3	East End Lane	31	Palm Street (14101 - 14248)
135	Gulf Blvd (12901 - 14099)	44	Parsley Drive East (14016-14227)
17	Pelican Lane	58	Parsley Drive West
2	Plymouth Street	93	Pruitt Drive (746 - 756)
3	Salem Street	9	Sunset Cove (706-736 Even)
43	Gulf Lane	20	
1	140th Avenue (40)		
14	Palm Street (14001-14065)		
DISTRICT 2	787 Voters	DISTRICT 4	790 Voters
	25% of electors		25% Electors
	140th Avenue (100-325) (503-699 Odd)		
48	South Bayshore Drive	181	150th Avenue
69	Crystal Drive	12	154th Avenue
149	Flamingo Drive	36	1st Street East
5	Island Drive	28	2nd Street East
4	Johns Pass Avenue	8	American Legion Drive
157	Lillian Drive	36	N. Bayshore Drive (14791-14920)
116	Marlyn Way		Gulf Blvd (14560, 14600, 14701-15481)
8	Mirimar avenue	261	Harbor Drive
32	Normandy Road	62	Madeira Avenue
91	Pruitt Drive (698-745)(747-753 Odd)	55	Madeira Way
53	Virginia Avenue	1	Medallion Blvd
4	Vivian Drive	76	Rex Place
16	N. Bayshore Drive (14000-14094 Even)	34	
17	Sunset Cove (701-753)		
18	E. Parsley (14011)		
0			

District 1 (Draft)

Item 4D.

Legend

City of Madeira Beach Election Districts (Draft)

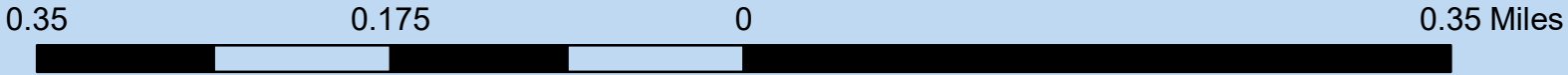
Districts

District 1

District 2

District 3

District 4



District 2 (Draft)

Item 4D.

Legend
City of Madeira Beach Election Districts (Draft)
Districts

District 1
 District 2
 District 3
 District 4



0.35 Miles

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

District 3 (Draft)

Item 4D.

Legend

City of Madeira Beach Election Districts (Draft)

Districts

District 1

District 2

District 3

District 4



District 4 (Draft)

Item 4D.

Legend

City of Madeira Beach Election Districts (Draft)

Districts

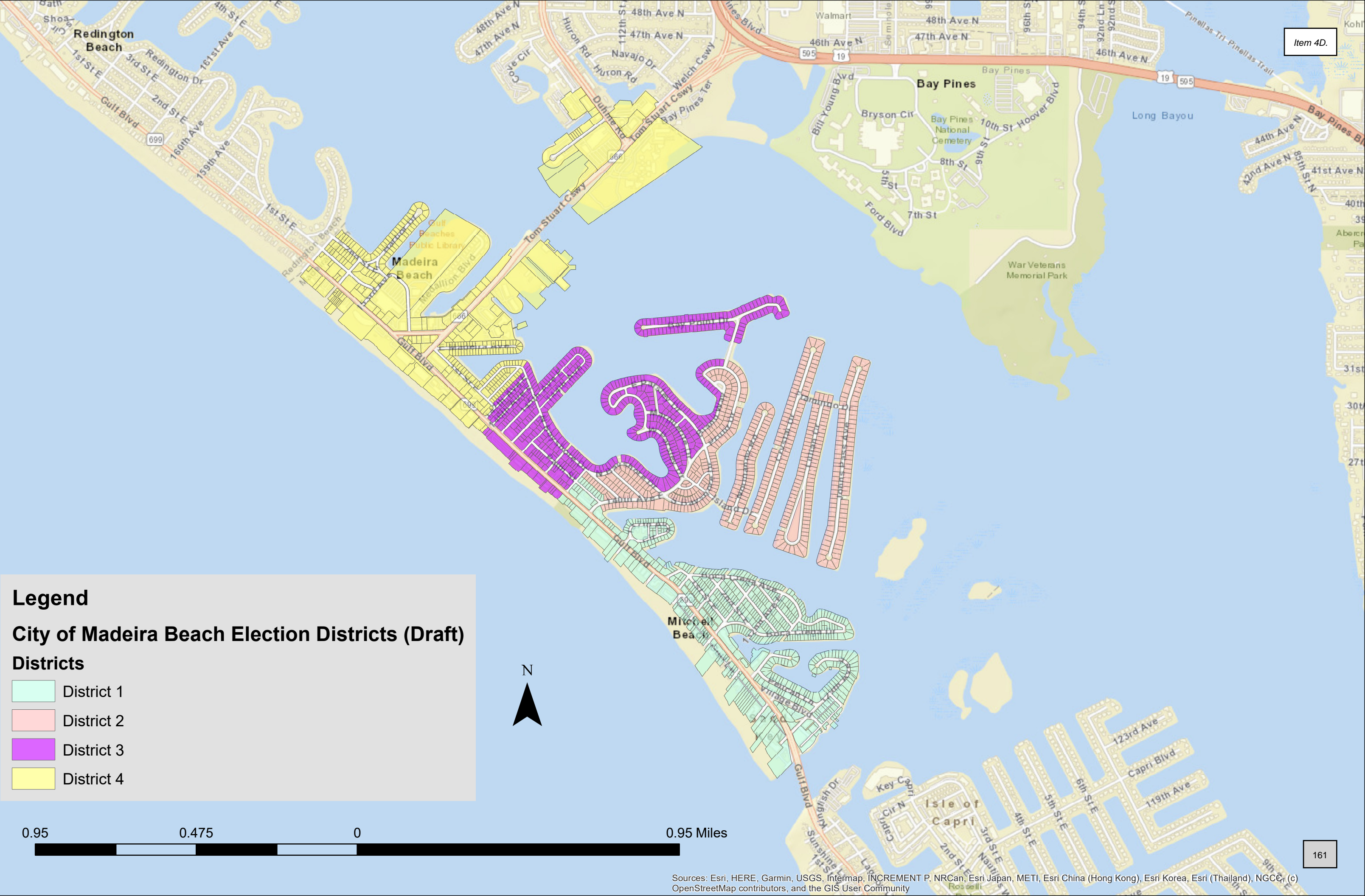
District 1

District 2

District 3

District 4





Legend

City of Madeira Beach Election Districts (Draft)

Districts

- District 1
- District 2
- District 3
- District 4



Item 4D.

Item 4D.





MEMORANDUM

TO: Honorable Mayor and Board of Commissioners
VIA: Robin Gomez, City Manager
FROM: Clara VanBlargan, City Clerk
DATE: 07/17/2023
RE: **Health Insurance, Benefits, and Salary Increase for Commissioners**

Background

The Board of Commissioners last adopted an ordinance increasing the annual salary of Commissioners on July 14, 2015.

At the October 27, 2021, BOC Regular Workshop Meeting, the Board of Commissioners discussed an annual salary increase, health insurance, and benefits for Commissioners. City Attorney Trask explained at the December 8, 2021, BOC Regular Meeting that according to an AGO, an Attorney General Opinion, health insurance must be treated as compensation. He would need to draft an ordinance providing for it. The Board of Commissioners consented to the City Attorney holding off on preparing an ordinance at that time.

The Board of Commissioners can decide what it would like to do. It would require an ordinance to move forward.

No ordinance increasing the salary of Commissioners shall become effective until the date of commencement of the terms of Commissioners elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months (City Charter, Section 4.11).

City Charter, Section 4.11 Compensation; expenses.

The Board of Commissioners may determine the annual salary of Commissioners by Ordinance, but no Ordinance increasing such salary shall become effective until the date of commencement of the terms of Commissioners elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months.

All members of the Board of Commissioners, may be reimbursed for any ordinary travel and other expenses incurred in connection with their official duties

inside and outside the limits of Pinellas County and shall account therefore in accordance with Florida Statutes.

Salary rates of six hundred (\$600.00) dollars per month for the Mayor and four hundred (\$400.00) dollars per month for District Commissioners shall be paid until amended by ordinance as hereinabove provided.

Changes in the salaries of the Board of Commission members shall be established by Ordinance.

Fiscal Impact

There is no fiscal impact at this time.

Attachments:

- City Charter, Section 4.11, Compensation; expenses
- 2022 PEPE Annual Salary Survey – Final Results
- 2021 Elected Officials Salary & Benefits (*provide updated document at the meeting*)
- 2023 Health Insurance and Contributions
- October 27, 2021, BOC Regular Workshop Meeting Minutes – pages 3 & 4 of page 7, B. Health Insurance, Benefits, Salary Increase for Commissioners
- December 8, 2021, BOC Regular Meeting Minutes – page 11 of 12, B. City Attorney

Section 4.10 Independent audit.

The Board of Commissioners shall provide for an independent annual audit of all City accounts and may provide for a more comprehensive audit as it deems necessary. Such audits shall be made by a certified public accountant or a firm of such accountants who have no personal interest, direct or indirect, in the fiscal affairs of the City government or any of its officers.

(Ord. No. 2018-09 , § 1(Exh. A), 8-20-2018; Ord. No. 2020-17 , § 1, 8-19-2020)

State law reference(s)—Independent fiscal audit required, Florida Statutes §§ 166.241, 218.32.

Section 4.11 Compensation; expenses.

The Board of Commissioners may determine the annual salary of Commissioners by Ordinance, but no Ordinance increasing such salary shall become effective until the date of commencement of the terms of Commissioners elected at the next regular election, provided that such election follows the adoption of such ordinance by at least six (6) months.

All members of the Board of Commissioners, may be reimbursed for any ordinary travel and other expenses incurred in connection with their official duties inside and outside the limits of Pinellas County and shall account therefore in accordance with Florida Statutes.

Salary rates of six hundred (\$600.00) dollars per month for the Mayor and four hundred (\$400.00) dollars per month for District Commissioners shall be paid until amended by ordinance as hereinabove provided.

Changes in the salaries of the Board of Commission members shall be established by Ordinance.

(Ord. No. 722, 9-6-1988/4-4-1989; Ord. No. 1007, 12-14-2004/3-8-2005; Ord. No. 2018-09 , § 1(Exh. A), 8-20-2018)

Section 4.12 Recall.

The Recall of elected officials shall be governed by Florida Statutes § 100.361, as may be amended from time to time.

(Ord. No. 2018-16 , § 1, 1-8-2019)

ARTICLE V. CHARTER OFFICERS, ADMINISTRATIVE DEPARTMENTS AND CIVIL SERVICE COMMISSION³

Section 5.1 City Clerk, City Attorney, City Manager and City Treasurer; Charter Officers.

There shall be appointed a City Clerk, City Attorney, City Manager and City Treasurer who shall serve at the pleasure of the Board of Commissioners and said officers shall be considered "Charter Officers".

³Editor's note(s)—Ord. No. 2018-09 , § 1, adopted Aug. 20, 2018, and at the direction of the city, repealed Art. V and renumbered Art. VI as Art. V and amended it in its entirety. Former Art. V pertained to city manager, which can now be found in § 5.4, and derived from Ord. No. 1009, adopted Dec. 9, 2003.

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Agency Commissioner/Council Member									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
Alachua County Bocc	Alachua County	County Commissioner	FR	CC				\$82,930	Annual Rate (5 positions)-State set Salary
Brevard County Board Of County Commissioners	Brevard County	County Commissioner	FR	CC				\$58,145	5 County Commissioners all have that exact salary
Broward County	Broward County	County Commissioner	FR	CC	\$106,176	\$106,176	\$106,176	\$106,176	
Charlotte County Board Of County Commissioners	Charlotte County	County Commissioner		CC				\$75,294	No pay range
City Of Boca Raton	Palm Beach County	Council Member		CM				\$28,000	Annual
City Of Boynton Beach	Palm Beach County	City Commissioner	PT	CM & CC				\$19,854	4 positions, yearly rate
City Of Cape Coral	Lee County	Council Member	PT	CM				\$37,369	SSA COLA based annual increase
City Of Casselberry	Seminole County	City Commissioner	PT	CM				\$8,605	
City Of Clearwater	Pinellas County	Councilmember	PT	CM	\$25,292	\$25,292	\$25,292	\$25,292	
City Of Cocoa Beach	Brevard County	Commissioner	PT	CM				\$6,000	Does not have office at City Hall
		Agency Commissioner/Council Member							
City Of Coconut Creek	Broward County		FR	CM			\$34,154	\$34,154	
City Of Coral Springs	Broward County		PT	CM	\$20,073	\$20,073	\$20,073	\$25,092	Expense Allowance - \$3,418.92
City Of Dania Beach	Broward County	Commissioner		CC	\$36,433	\$36,433	\$36,433	\$36,433	
City Of Deerfield Beach	Broward County	Commissioner	PT	CM	Contractual		Contractual	\$34,465	
City Of Delray Beach	Palm Beach County	Commissioner	PT	CM				\$10,272	plus exp and car allowance
City Of Dunedin	Pinellas County	Commissioner	PT	CC	\$11,500				
City Of Fellsmere	Indian River County	Council Member	PT	CM	\$4,800	\$4,800	\$4,800	\$4,800	
City Of Greenacres	Palm Beach County	Council Member	PT	CM				\$13,798	
City Of Hollywood	Broward County	Commissioner	PT	CM				\$31,370	\$100.00 per month cell phone stipend
City Of Lake Worth Beach	Palm Beach County	CITY COMMISSIONER	PT	CC				\$24,500	ANNUAL SALARY
City Of Lakeland	Polk County	City Commissioner	PT	CC	\$30,179	\$30,179	\$30,179	\$30,179	
City Of Largo	Pinellas County	Commissioner	PT	CM	\$17,209	\$17,209	\$17,209	\$17,209	
City Of Lauderdale Lakes	Broward County			CM			\$9,000	\$9,000	
City Of Lauderhill	Broward County	Commissioner	PT	CC	\$35,509	\$45,551	\$55,593		
City Of Marco Island	Collier County	City Council person	PT	CM				\$6,000	
City Of Margate	Broward County	City Commissioner	FR	CM	\$35,356	\$35,356	\$35,356	\$35,356	
City Of Miami	Miami-Dade County	City Commissioner	PT	CC			\$58,200		
									Commissioner Allowance- \$27,000,Car Allowance \$6,000& Cell Phone Allowance \$1,300
City Of Miami Beach	Miami-Dade County	Commissioner	FR	CM	\$6,000	\$6,000	\$6,000	\$6,000	
City Of Naples	Collier County	Council Member	FR	CM	\$40,000	\$40,000	\$40,000	\$40,000	
City Of North Port	Sarasota County	Commissioner			\$34,800	\$34,800	\$34,800	\$34,800	
City Of Oakland Park	Broward County	Commissioner	PT	CM/CC				\$16,766	
City Of Palm Beach Gardens	Palm Beach County	Council Member	PT	CM				\$33,045	
City Of Parkland	Broward County	Commissioner	FR	CC/CM				\$34,683	Commission-Manager Govt.

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Agency Commissioner/Council Member									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
City Of Pembroke Pines	Broward County	Commissioner	PT	CC				\$23,386	
City Of Pompano Beach	Broward County	Commissioner	FR	CC				\$48,962	
City Of St. Augustine	St. Johns County	Commissioner	PT	CM				\$18,021	
City Of Stuart	Martin County	City Commissioner	PT	CM				\$18,000	
City Of Sunrise	Broward County	City Commissioner	PT	CC	\$41,751	\$46,945	\$52,140	\$49,628	
City Of Tamarac	Broward County	Commissioner	PT	CM	\$51,747	\$51,747	\$51,747	\$51,747	
City Of Treasure Island	Pinellas County	Commissioner	PT	CM/CC	\$5,400	\$5,400	\$5,400	\$5,400	100% Employer paid health & dental for employee only
City Of Venice	Sarasota County	Council Member	PT	CC	\$10,200	\$10,200	\$10,200	\$10,200	
City Of West Palm Beach	Palm Beach County	City Commissioner	PT	SM				\$35,000	
City Of Wilton Manors	Broward County	Commissioner		CC	\$9,750	\$9,750	\$9,750	\$9,750	
Collier County Board Of County Commissioners	Collier County	Commissioner		County				\$91,131	5 Commissioners; Salary determined by State
Ft Myers Beach Fire Control District	Lee County	Fire Commissioners	PT	CC	\$2,500	\$2,500	\$2,500	\$2,500	
Hillsborough County	Lee County	County Commissioner		County	\$105,441	\$105,441	\$105,441	\$105,441	7 commissioners paid same except chair gets 10k more elected
Indian River County Bocc	Indian River County	County Commissioner	FR	CC				\$69,121	
Lee County Board Of County Commissioners	Lee County	County Commissioner	FR	CC				\$100,014	Annual rate set by state
Martin County Bocc	Martin County	Commissioner		CC			\$100,000	\$69,644	Elected position (flat salary)
Miami-Dade County	Miami-Dade County	County Commissioner	FR	SM	\$6,000	\$6,000	\$6,000	\$6,000	
Orange County	Orange County	County Administrator	FR	SM	\$180,003	\$238,503	\$297,003	\$285,646	Elected by PBC Voters
Palm Beach County School District	Palm Beach County	Board Members (7)	PT	School Board				\$47,189	
Polk County Board Of County Commissioners	Polk County	Commissioner-District 1	FR	CC				\$45,429	Elected Official
Sarasota County Government	Sarasota County	Commissioner	FR	CC				\$92,682	5 Incumbents
St. Lucie County Bocc	St. Lucie County	County Commissioner	FR	BOCC				\$85,517	5 Commissioners
Town Of Juno Beach	Palm Beach County	Vice Mayor	PT		\$3,000	\$3,000	\$3,000	\$3,000	
Town Of Juno Beach	Palm Beach County	Vice Mayor Pro Tem	PT		\$2,400	\$2,400	\$2,400	\$2,400	
Town Of Juno Beach	Palm Beach County	Councilmember	PT		\$2,400	\$2,400	\$2,400	\$2,400	
Town Of Jupiter	Palm Beach County	Town Council	PT	CM	\$18,600	\$18,600	\$18,600	\$18,600	
Town Of Lantana	Palm Beach County	Council Members	PT	CM	\$7,200	\$7,200	\$7,200	\$7,200	\$2400 Annual Stipend part time
Village Of North Palm Beach	Palm Beach County	Council Member	PT	CC	\$9,000	\$9,000	\$9,000	\$9,000	
Village Of Palmetto Bay	Miami-Dade County	Council Member	PT	CM				\$12,000	Contribution to Village Benefits (Medical, Dental, Life/ADD, 401a defined contribution), Village-Issued Phone OR Phone Allowance of \$120/month
Village Of Royal Palm Beach	Palm Beach County	Councilperson		CM				\$10,975	
Village Of Tequesta	Palm Beach County	Council Member	PT	CM				\$7,900	

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Agency Commissioner/Council Member									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
Volusia County	Volusia County	County Commissioners		CC	\$47,798	\$47,798	\$47,798	\$47,798	Under our ordinance, our council members get 50% of the Commissioner's pay and the Chair gets 60%.

	Minimum	Midpoint	Maximum
Average:	\$31,259	\$34,598	\$38,870
3rd Quartile:	\$36,433	\$41,388	\$48,785
1st Quartile:	\$6,000	\$6,000	\$6,900
Median:	\$18,600	\$19,337	\$22,683
Actual Salary Results			
3rd Quartile:	\$47,646	Simple Average:	\$37,375
1st Quartile:	\$9,863		

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Mayor									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
Indian River County Bocc	Hillsborough County	County Administrator	FR	CC				\$199,879	contract
Brevard County Board Of County Commissioners	Brevard County								
Broward County	Broward County								
Charlotte County Board Of County Commissioners	Charlotte County								
City Of Boca Raton	Palm Beach County	Mayor		CM				\$38,000	Annual
City Of Boynton Beach	Palm Beach County	City Mayor	PT	CM & CC				\$23,823	yearly rate
City Of Cape Coral	Lee County	Mayor	PT	CM				\$41,954	SSA COLA based annual increase
City Of Casselberry	Seminole County	Mayor	PT	CM	\$0		\$9,999,999	\$10,170	
City Of Clearwater	Pinellas County	Mayor	PT	CM	\$30,350	\$30,350	\$30,350	\$30,350	
City Of Cocoa Beach	Brevard County	Mayor	PT	CM				\$500/MONTH	Does not have office at City Hall
City Of Coconut Creek	Broward County	Mayor	FT	CM			\$36,878	\$36,878	
City Of Coral Springs	Broward County		PT	CM	\$25,092	\$25,092	\$25,092	\$25,092	Expense Allowance - \$4,273.96
City Of Dania Beach	Broward County	Mayor		CC	\$38,655	\$38,655	\$38,655	\$38,655	
City Of Deerfield Beach	Broward County	Mayor	PT	CM	Contractual		Contractual	\$41,296	
City Of Delray Beach	Palm Beach County	Mayor	PT	CM				\$13,708	plus exp and car allowance
City Of Dunedin	Pinellas County	Mayor	PT	SM	\$15,000				
City Of Fellsmere	Indian River County	Mayor	PT	CM	\$6,000	\$6,000	\$6,000	\$6,000	
City Of Greenacres	Palm Beach County	Mayor	PT	CM				\$16,982	COLA annually, expense allowance of \$500 monthly, City health insurance, retirement, City cellphone, City laptop
City Of Hollywood	Broward County	Mayor	PT	CM				\$42,574	\$100.00 per month cell phone stipend
City Of Lake Worth Beach	Palm Beach County	MAYOR	PT	SM				\$29,500	ANNUAL SALARY
City Of Lakeland	Polk County	Mayor	PT	CC	\$45,268	\$45,268	\$45,268	\$45,268	
City Of Largo	Pinellas County	Mayor	PT	CM	\$25,812	\$25,812	\$25,812	\$25,812	
City Of Lauderdale Lakes	Broward County			CM			\$11,000	\$11,000	
City Of Lauderhill	Broward County	Mayor	PT	CC	\$42,678	\$54,110	\$65,542		
City Of Marco Island	Collier County	Council Chair	PT	CM				\$9,000	
City Of Margate	Broward County	Mayor	FR	CM	\$36,703	\$36,703	\$36,703	\$36,703	
City Of Miami	Miami-Dade County	City Mayor	FR	CC			\$97,000		
City Of Miami Beach	Miami-Dade County	Mayor	FT	CM	\$10,000	\$10,000	\$10,000	\$10,000	Mayor Allowance-\$24,000 & Car Allowance \$6,000
City Of Naples	Collier County	Mayor	FT	CM	\$50,000	\$50,000	\$50,000	\$40,000	
City Of North Port	Sarasota County			CM	\$36,000	\$36,000	\$36,000	\$36,000	mayor is elected by the commissioners
City Of Oakland Park	Broward County	Mayor	PT	CM/CC				\$19,002	
City Of Palm Beach Gardens	Palm Beach County	Mayor	PT	CM				\$35,170	
City Of Parkland	Broward County	Mayor	FR	CC/CM				\$37,893	Commission-Manager Govt.
City Of Pembroke Pines	Broward County	Mayor	PT	SM				\$45,853	

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Mayor									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
City Of Pompano Beach	Broward County	Mayor	FR	CM				\$51,723	
City Of St. Augustine	St. Johns County	Same	PT	CM				\$24,028	
City Of Stuart	Martin County		PT	CM				\$18,000	
City Of Sunrise	Broward County	Mayor	PT	CC	\$41,751	\$46,945	\$52,140	\$49,628	
City Of Tamarac	Broward County	Mayor	PT	CM	\$62,356	\$62,356	\$62,356	\$62,356	
City Of Treasure Island	Pinellas County	Mayor	PT	CM/CC	\$7,800	\$7,800	\$7,800	\$7,800	100% Employer paid health & dental for employee only
City Of Venice	Sarasota County	Mayor	PT	CC	\$12,000	\$12,000	\$12,000	\$12,000	
City Of West Palm Beach	Palm Beach County	Mayor	FR	SM				\$150,000	
City Of Wilton Manors	Broward County	Mayor		CC	\$11,250	\$11,250	\$11,250	\$11,250	
Hillsborough County Tax Collector	Hillsborough County	Tax Collector	FR	CC				\$181,160	Based on population of county
Martin County Bocc	Martin County	Chair		CC			\$100,000	\$69,644	
Miami-Dade County	Miami-Dade County	County Mayor	FR	SM	\$200,000	\$200,000	\$200,000	\$200,000	Elected position (flat salay)
Orange County	Orange County	County Mayor	FR	SM	\$65,749	\$100,308	\$134,867	\$168,953	
Palm Beach County School District	Palm Beach County	Superintendent of Schools	FR	School Board				\$300,000	Appointed by the Board
Palm Beach County Property Appraiser	Palm Beach County	Property Appraiser	FR					\$182,227	Salary is determined by Florida Department of Revenue
Town Of Juno Beach	Palm Beach County	Mayor	PT	CM	\$6,000	\$6,000	\$6,000	\$6,000	
Town Of Jupiter	Palm Beach County	Mayor	PT	CM	\$22,200	\$22,200	\$22,200	\$22,200	
Town Of Lantana	Palm Beach County	Mayor	PT	CM	\$10,800	\$10,800	\$10,800	\$10,800	\$3600 Annual Stipend
Village Of North Palm Beach	Palm Beach County	Mayor	PT	CC	\$10,800	\$10,800	\$10,800	\$10,800	part time
Village Of Palmetto Bay	Miami-Dade County	Mayor	PT	CM				\$24,000	Contribution to Village Benefits (Medical, Dental, Life/ADD, 401a defined contribution), Village-Issued Phone OR Phone Allowance of \$220/month
Village Of Royal Palm Beach	Palm Beach County	Mayor		CM				\$10,975	

2022 PEPIE ANNUAL SALARY SURVEY
ELECTED OFFICIALS

Item 4E.

Mayor									
Organization	County	Your Title	EE Category	Type of Government	Minimum	Midpoint	Maximum	Actual Salary	Comments
Village Of Tequesta	Palm Beach County	Mayor	PT	CM				\$7,900	
					<u>Minimum</u>	<u>Midpoint</u>	<u>Maximum</u>		
Average:					\$33,844	\$38,566	\$412,760		
3rd Quartile:					\$41,983	\$46,526	\$57,248		
1st Quartile:					\$10,800	\$10,913	\$11,125		
Median:					\$25,452	\$28,081	\$36,000		
Actual Salary Results									
3rd Quartile:					\$45,268	Simple Average:		\$51,592	
1st Quartile:					\$12,000				

2021 Elected Officials Salary & Benefits Survey Council/Manager Form of Government				
Municipality	Mayor Salary	Council Salary	Health Insurance	Population
Clearwater	\$28,659	\$23,883	Yes, the same benefits as employees at the same rate	117,292
Pinellas Park	\$25,135	\$21,784	Yes, the same benefits as employees at the same rate	53,093
Largo	\$24,096	\$16,065	Yes, the same benefits as employees at the same rate	82,485
Dunedin	\$15,000	\$11,000	Yes, the same benefits as employees at the same rate	36,068
Gulfport	\$14,400	\$10,800	No	11,783
Tarpon Springs	\$13,000	\$8,000	Yes, the same benefits as employees at the same rate	25,577
Seminole	\$11,000	\$8,200	Yes, the same benefits as employees at the same rate	19,364
Oldsmar	\$10,800	\$8,400	No	14,898
Madeira Beach	\$10,000	\$7,500	No policy in place to offer Health Insurance & Benefits to Elected Officials	4,276
Treasure Island	\$7,800	\$5,400	Yes, by resolution	6,584
Indian Rocks Beach	\$7,200	\$6,000	Yes, the same benefits as employees at the same rate	4,274
St. Pete Beach	\$7,200	\$4,800	Yes, the same benefits as employees at the same rate	8,879
Kenneth City	\$6,000	\$3,600	No	5,047
Safety Harbor	\$6,000	\$4,000	Yes, the same benefits as employees at the same rate	17,072
Belleair	\$2,400	\$1,800	No	4,302
Belleair Beach (Volunteer Position)	\$0	\$0	No	1,595
South Pasadena	\$13,519	\$10,274	No	10,530

2023-2024 Contribution Schedule for All Employees

Please fill out each sheet on this workbook with the appropriate contributions as applicable to you.
Contact benefits@wrmlc.com with any questions or concerns.

Health Plan PPO 0727	Total Cost	Employer Monthly Cost	Employee Monthly Cost	Employee Semi- Monthly Cost
EE	\$ 1,090.25	\$ 1,041.19	\$ 49.06	\$ 24.53
EE/Spouse	\$ 2,102.36	\$ 1,547.24	\$ 555.12	\$ 277.56
EE/Child	\$ 1,918.27	\$ 1,455.19	\$ 463.08	\$ 231.54
EE/Family	\$ 2,746.42	\$ 1,869.28	\$ 877.14	\$ 438.57

Health Plan BO 03559	Total Cost	Employer Monthly Cost	Employee Monthly Cost	Employee Semi- Monthly Cost
EE	\$ 1,041.19	\$ 1,041.19	\$ -	\$ -
EE/Spouse	\$ 1,974.15	\$ 1,507.67	\$ 466.48	\$ 233.24
EE/Child	\$ 1,804.51	\$ 1,422.85	\$ 381.66	\$ 190.83
EE/Family	\$ 2,567.87	\$ 1,804.53	\$ 763.34	\$ 381.67

Health Plan BO 05901	Total Cost	Employer Monthly Cost	Employee Monthly Cost	Employee Semi- Monthly Cost
EE	\$ 857.84	\$ 857.84	\$ -	\$ -
EE/Spouse	\$ 1,654.20	\$ 1,347.70	\$ 306.50	\$ 153.25
EE/Child	\$ 1,509.36	\$ 1,275.28	\$ 234.08	\$ 117.04
EE/Family	\$ 2,160.97	\$ 1,601.07	\$ 559.90	\$ 279.95

Vision Plan NVA	Total Cost	Employer Monthly Cost	Employee Monthly Cost	Employee Semi- Monthly Cost
EE	\$ 5.24	\$ -	\$ 5.24	\$ 2.62
EE/Spouse	\$ 9.83	\$ -	\$ 9.83	\$ 4.92
EE/Child	\$ 8.18	\$ -	\$ 8.18	\$ 4.09
EE/Family	\$ 16.19	\$ -	\$ 16.19	\$ 8.10
Dental High	Total Cost	Employer Monthly Cost	Employee Monthly Cost	Employee Semi- Monthly Cost
EE	\$ 31.97	\$ 31.97	\$ -	\$ -
EE/Spouse	\$ 63.94	\$ 47.96	\$ 15.98	\$ 7.99
EE/Child	\$ 57.73	\$ 44.85	\$ 12.88	\$ 6.44
EE/Family	\$ 102.64	\$ 67.30	\$ 35.34	\$ 17.67

Mayor Hendricks received confirmation that \$200,000 was budgeted this year for engineering on the garage and that \$55,000 plus money accumulated from the parking increase could go towards that. He agreed the money needed to be put in a separate account. Mr. Laflin said it could be formally ratified by a budget amendment approved by the Board, taking the \$55,000 from the General Fund and applying it to the \$200,000.

The Board consented to increasing the parking rate from \$2.50 per hour to \$3.00 per hour. Mr. Laflin said he would prepare an ordinance for the next meeting amending the fees and collections manual providing for the increase.

Mayor Hendricks opened to public comment.

Deby Weinstein, 441 129th Avenue, Madeira Beach, said the City is way overdue in increasing the parking rates in the City. The \$0.50 should be divided, \$0.25 going into the General Fund for major City improvements to benefit all the citizens, businesses, and tourism in Madeira Beach, and \$0.25 going into a fund for the parking garage. It would not be appropriate to allocate the entire \$0.50 toward the garage.

B. Health Insurance, Benefits, and Salary Increase for Commissioners – *Andrew Laflin, Finance Consultant; Clara VanBlargan, City Clerk*

Mayor Hendricks said p. 56 of p. 61 of the packet is a comparison of cities around them, and most offer insurance to their commission. He does not need health insurance, so it would not matter if offered, but if they want to encourage the next generation to get involved in public service, it would be a good enticement. Salary wise they are pretty much in step with other cities their size. He supports insurance for the Commission, and there could be other things to offer them.

Vice Mayor Price said to encourage people to run for office, they could make it easier by changing the charter. They could decrease the number of signed petitions from 100 to 25 and eliminate the \$50 petition fee. It is difficult at times to get 100 petitions signed. They could also do a charter amendment changing the residency requirement to run for office from two years to one year.

Commissioner Andrews said he is in favor of anything that makes it easier for candidates to qualify to run for office.

Commissioner Hutson said it should be cut down to 50 or 25 signed petitions.

The Board consented to putting on the agenda a proposed charter amendment decreasing the number of signed petitions from 100 to 25 and eliminating the \$50 petition fee.

Mayor Hendricks said they could probably wait on the health insurance. Vice Mayor Price said she does not mind easing it in now since it is not going to hit them so hard. Commissioner Hutson said it probably doesn't need to go for a vote.

Mayor Hendricks asked if they needed a resolution or ordinance to give the Commission insurance. Attorney Nancy Meyer said the Charter talks about salaries but not extra benefits and perks, so she does not know that it needs to be either if it is budgeted for. They could clarify that with Mr. Trask to make sure.

Mr. Laflin said they could draft a policy for the Commission to adopt. The insurers are needing an internal policy.

Mayor Hendricks asked if the Commission wanted to get a policy change. If they should do it, everyone may not need the insurance. Vice Mayor Price said she is in favor of bringing younger people in. Commissioner Hutson said he is for it. He is currently paying \$900 month for health insurance.

Mayor Hendricks said whatever they need to do on it he would like to carry it forward. Attorney Meyer said she will talk to Mr. Trask about it tomorrow.

Mayor Hendricks opened to public comment.

Deby Weinstein, 441 129th Avenue, said public service is public service. She would like the Commission to consider retaining the 100 signatures and make it city-wide instead of it being district-wise. So many people run for office, and do not know their constituents. It is a responsibility of the proposed candidate to want to go out and learn their constituency and get the 100 signed signatures. If city-wide they could get 25 signatures from each of the four districts. It is important for a candidate to know their city and what people think and feel. She asked the Commission reconsider.

C. Charter Amendment Discussion – *Board of Commissioners*

Mayor Hendricks said they discussed part of it in the previous item. They are putting a proposed charter amendment on the agenda to decrease the number of signed petitions from 100 to 25 and eliminate the \$50 petition fee. He would like to see them start coming to the meetings to learn what is going on before throwing their hat into the ring.

The Board discussed changing the residency requirement from two years to one year. Commissioner Andrews said he would like to keep it at two years and wait to see if the other charter amendment passes and see if it brings people in. If not, they can go back to the drawing board.

The consensus of the Board was to put on the agenda a proposed charter amendment changing the residency requirement from two years to one year.

Mayor Hendricks opened to public comment. There were no public comments.

D. Recruiting Members to serve on the Planning Commission and Civil Service Commission – *Robert Daniels, City Manager; Clara VanBlargan, City Clerk*

October 27, 2021, BOC Regular Workshop Meeting

Page 4 of 7

Mayor Hendricks said it would be their last meeting with Mr. Daniels. He has been a friend and helped him more times than he can count over the past 18 months. There is a lot to running a city and whether something is done is a direct reflection on the City. To say that the City Manager has not done anything is to say the City Commission has not done anything. The City Manager and the City Commission have done quite a bit. He thanked the City Manager for his guidance, his help. People have got to understand that when you are in a position like that, you may make decisions you do not necessarily agree with, but those are the laws, regulations, and ordinances in place for a city. Whether you agree or not, you must abide by them. He said to Mr. Daniels when he first came into office that he did not want him leaning left or right but steering the ship straight. Do a good job for the City and help it move forward. Bob has done that, and he will miss Bob.

Vice Mayor Price said she agreed and thanked Bob.

B. City Attorney

The City Attorney said he was not at the October 27 meeting where the Commission talked about health insurance. According to an AGO, an Attorney General Opinion, health insurance must be treated as compensation. If the Commission would like to move forward, he would need to draft an ordinance providing for it. He would like direction on preparing the ordinance.

Mayor Hendricks said he would like to see what the charter amendments do on changing the ability to run and see if that brings some new blood into the fold. They had that recently for Planning Commission and Civil Service Commission. That might be a direction they are turning to get more involved.

Following discussion, the Board consented to the City Attorney holding off on preparing an ordinance at that time.

C. City Manager

The City Manager said part of being a professional manager is admitting when you make a mistake. He was working on getting everything done so there would be a smooth transition with the new city manager coming on Board, and he failed to put the amendment to the Fantasy Planet lease agreement on the agenda.

The Board scheduled a special meeting for Tuesday, December 14, 2021, at 1:30 p.m. for the Fantasy Planet lease agreement.

The City Manager thanked each Commissioner for the opportunity to work with them. It has been a pleasure to work for the City and serve the residents. He has gotten a lot of well wishes, calls, emails, and notes from people. He tries to uphold the code of ethics and professionalism of being a manager. There are times that he will disagree with a manager, and he will let them know why. He will give guidance and hopefully come up with a vision they can all share and move to the future. That is what he has tried to do. He had the opportunity to work with the finest staff in

Kitty Stuart Parking Revenues

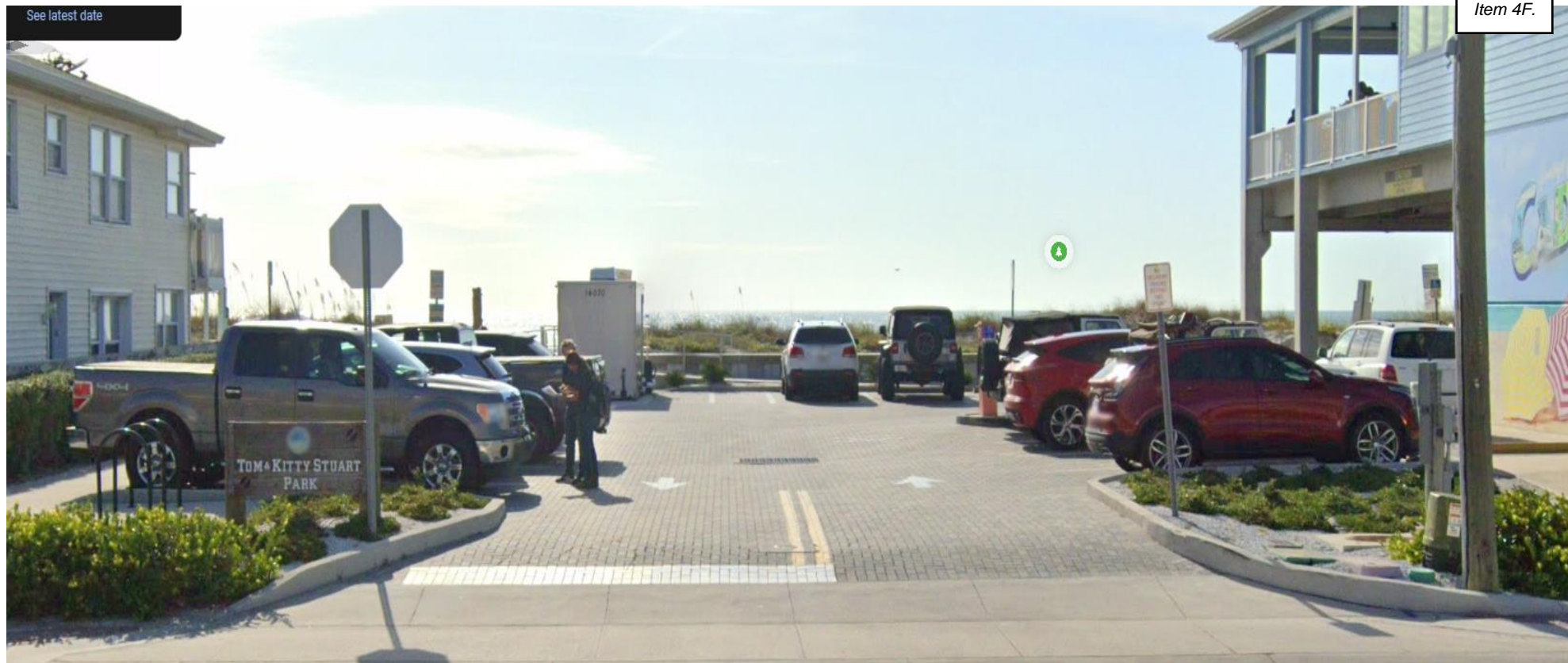
	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
October	564.00	273.05	451.25	-	7,909.65
November	376.00	217.85	306.25	-	6,704.69
December	305.20	386.25	31.25	-	7,590.88
January	139.50	256.50	111.13	-	6,386.85
February	642.00	699.00	267.84	5.00	7,547.60
March	704.50	1,003.75	-	5,815.61	11,481.30
April	973.00	1,006.50	-	9,611.13	9,237.50
May	746.00	940.75	-	10,286.44	9,570.45
June	1,357.00	966.25	-	9,326.08	9,679.15
July	1,374.80	840.00	-	8,239.54	10,323.00
August	803.15	532.50	-	6,836.41	7,506.00
September	171.75	616.25	-	6,300.64	5,775.00
Meter Totals	\$ 8,156.90	\$ 7,738.65	\$ 1,167.72	\$ 56,420.85	\$ 99,712.07
Sales Tax	\$ 533.63	\$ 506.27	\$ 76.39	\$ 3,691.08	\$ 6,523.22
Revenue	\$ 7,623.27	\$ 7,232.38	\$ 1,091.33	\$ 52,729.77	\$ 93,188.85

View

latest date



Item 4F.





MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

VIA: Robin Gomez, City Manager

FROM: Jay Hatch, Recreation Director

DATE: July 17, 2023

RE: **City Hall Fitness Facility**

Background

Based on prior discussion of the utilization of the fitness center located at City Hall, staff has prepared a plan to potentially open the facility to the public.

Strengths: Fitness Center built out and equipped for use. No additional financial commitment for software. Fitness Center cleaning already included in the current contract.

Challenges: Fitness Center located in building not attached to Recreation Center. Limited size and space based on existing location. Shared use with FD and City staff. Additional staff responsibility without increases in staff size. Additional unknown expenses based on sanitary needs of additional usage by patrons.

Fiscal Impact

An estimated expense spreadsheet is attached.

Initial opening of the Fitness to only Madeira Beach Residents will be offered for FREE during a trial period until January 1st. During this time, staff will be able to monitor trends with the fitness center on usage and maintenance needs. After January 1st, staff seeks to implement a paid structure for fitness center use.

Daily – Resident - \$2 / Non-Resident \$5

Weekly – Resident – \$5 / Non-Resident \$10

Monthly – Resident - \$10 / Non-Resident - \$15

Annual – Resident - \$100 / Non-Resident - \$150

Recommendation

Staff Recommends a trial period from open until Dec 31, 2023 that is open specifically for residents and is Free to use. During this time staff will be able to evaluate usage, dial in on maintenance needs and evaluate any need for potential addition of necessary equipment. On January 1, 2024 staff will move to the implementation of a fee schedule for use based on resident, non-resident status.

Attachments

Fitness Center Estimated Costs

Resolution 2015-07

AIT Life Safety Keypad/Card Reader Quote

City of Seminole Fitness Center Info

City of St. Pete Beach Fitness Center Info

Fitness Center Estimated Costs

Actual Costs	COSTS	OPERATING
Equipment Purchase (Assistance to Fire Fighters Grants) Res. 2015-07	\$ 23,655.00	
Quarterly Maintenanc Plan (\$219.99 per quarter)	\$ -	\$ 879.96
Keypad / Card Resder for Access Door	\$ 1,498.00	\$ -
Facility Daily Cleaning (Currently included in Cleaning Contract)	\$ -	\$ -
Updated Signed with rules/hours/etc	\$ -	\$ 500.00
Estimated Costs		
Sanitary Whips for Equipment (\$100 per month)	\$ -	\$ 1,200.00
10% of CivicRec Registration Software for Facility Access	\$ -	\$ 500.00
Additional equipment needs (Based on feedback - \$500 - \$5,000)	\$ -	\$ -
Staff Time - \$25/hr - \$10hr a week	\$ -	\$ 13,000.00
Quarterly Repairs - Average of \$350 per quarter.	\$ -	\$ 1,400.00
Cameras Added to Existing Surveillance System - Unknown at this time.	\$ -	\$ -
Total	\$ 25,153.00	\$17,479.96

RESOLUTION 2015-07

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE FY2015 BUDGET BY INCREASING GENERAL FUND REVENUE AND EXPENDITURES BY \$23,655 IN ACCORDANCE WITH ASSISTANCE TO FIREFIGHTERS GRANT AWARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of Commissioners of the City of Madeira Beach, Florida has approved a municipal budget for the fiscal year beginning October 1st, 2014 and ending September 30th, 2015; and

WHEREAS, the Board of Commissioners desires to amend the budget by providing that the following items be revised in the following manner for the purpose of recognizing grant proceeds and expenditures.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

SECTION 1. The Board of Commissioners authorizes the increase of budgeted General Fund revenues, in the amount of \$23,655 (account 001.331.508).

SECTION 2. The Board of Commissioners authorizes the increase of budgeted General Fund expenditures in the amount of \$23,655 (account 001.1400.6318).

SECTION 3. This resolution shall become effective immediately upon its adoption.

INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH,

THIS 10th day of March, 2015.

TRAVIS PALLADENO, Mayor

ATTEST:

AIMEE SERVEDIO, City Clerk

Advantage Integration Technology



life safety
SINGLE SOURCE SOLUTION
FIRE ALARM • SPRINKLER • SECURITY
24 HOUR SERVICE

Page 1 of 2

4707 140th Ave Suite 108
Clearwater, Florida 33762
Phone: 727-953-9886
Fax: 727-953-9887
EF20001812
dshannon@aitlifesafety.com

Date: July 12, 2023
Job Name: City of Madeira Beach – Fitness Center
Attn: Jay Hatch
Ph#: 727-392-0665
email: jhatch@madeirabeachfl.gov

AIT Life Safety is pleased to submit the following proposal for changes to the existing access control system. Provide and install an outdoor, weatherproof, keypad/reader at fitness center door.

Total Price for Above \$ 1,498. (Plus Tax)

Specifically Included in this Proposal:

1. Labor to install listed devices
2. Equipment as listed

Specifically Excluded in this Proposal:

1. Tax
2. Entry of cardholder database or PIN numbers
3. Additional devices required by owner
4. Permit
5. Repairs to other devices or wiring
6. Any changes/upgrades to existing design

For value received and other considerations, the seller agrees with the buyer to provide the buyer with the listed products in accordance with the terms and conditions of this proposal. Cancellation of proposal after acceptance will be billed for restocking fee for material and labor charges for work performed through date of cancellation.

Customer Signature: _____ Printed Name: _____

Date of Acceptance: _____

Submitted by: Dennis Shannon Office: 727-953-9886 Fax: 727-953-9887 Cell: 727-331-5718
email: dshannon@aitlifesafety.com

Terms & Conditions:

1. The cost of any charges and/or additions to the system as herein contracted or as originally installed, made at the request of or made necessary or required by Client's action, or which may be required by any government agency or insurance interest or inspection and rating bureaus are to be borne by Client. Client acknowledges that client has chosen the system and that additional protection is available and may be obtained from Company over and above that provided herein, at an additional cost to client. All risk of loss or damage to the system shall be borne exclusively by Client.
2. It is understood and agreed by the parties hereto that the Company is not an insurer, and that insurance, if any, covering injury and property loss or damage on Client's premises shall be obtained by the Client. That the payments herein before named are based solely upon the value of the services herein described and it is not the intention of the parties that the Company assume responsibility for any loss or damage sustained through burglary, theft, robbery, fire or other cause. Or that there exists or shall exist any liability on the part of the Company by virtue of this agreement or because of the relationship herein established if notwithstanding the above provisions, there should arise any liability is and shall be limited to a sum equal in the amount to the service charge hereunder for a period of service not to exceed six (6) months or \$250.00 whichever is greater. Which sum shall be paid and received as liquidated damages, and not as a penalty, and the liability for said payments shall be complete and exclusive. In the event that the Client wishes the company to assume greater liability, the Client may, as a matter of right, obtain from the Company a higher limit by paying an additional amount proportioned to the responsibility and a rider shall be attached to this agreement, setting forth the additional liability of the Company and the additional charges. However such additional obligation shall in no way be interpreted to hold the Company as the insurer.
3. In the event any person not a party to this Agreement, shall make any claim or file any lawsuit against Company for any reason relating to Company's duties and obligations pursuant to this Agreement; including but not limited to the design, installation, maintenance, monitoring, operation, or non-operation of the alarm system; Client agrees to indemnify, defend and hold Company harmless for any and all claims and lawsuits, including the payment of all damages, expenses, cost, and attorney's fees, whether these claims be based upon alleged intentional conduct, active or passive negligence, or product liability on the part of the Company, its agents, servants or employees.
4. Client acknowledges that this Agreement, and particularly those paragraphs relating to disclaiming of warranties, liquidated damages and third party indemnification, are to be to the benefit of and are applicable to any subcontractors employed by Company to provide monitoring, maintenance, installation or service of the alarm system(s) provided herein, and that they bind Client to said subcontractors with the same force and effect as they bind Client to Company.
5. Company shall have the right to assign this Agreement to any other person, firm, or corporation without notice to Subscriber and shall have the further right to subcontract any services which it may perform.
6. Client and/or its agents represents and covenants that he has full authority to enter into this Agreement and the undersigned personally guarantees all payments covered by this Agreement.
7. In the event any of the terms or provisions of this Agreement shall be invalid or inoperative, all of the remaining terms and provisions shall remain in full force and effect.
8. This writing is intended by the parties as a final expression of their agreements and as a complete and exclusive statement of the terms thereof. This agreement supersedes all prior representations, understandings or agreements of the parties, and the parties rely only upon the contents of this Agreement in executing it. This agreement can only be modified in writing signed by the parties or their duly authorized agent. No waiver of a breach of any term or condition of this agreement shall be construed to be a waiver of any succeeding breach.
9. All notices to be given hereunder shall be in writing and may be served either personally or by mail, postage prepaid to the addresses set forth in the agreement or to any other from time to time.
10. Company's liability, disclaimer of warranties. Company does not represent or warrant that the alarm system may not be compromised or circumvented: or that the system will prevent any loss by burglary, robbery, fire, or otherwise; or that the system will in all cases provide the protection for which it is installed or intended. Client acknowledges and agrees that company has made no representations or warranties, expressed or implied, as to any matter whatsoever including without limitation the condition of the equipment, it's merchantability, or its fitness for any particular purpose, nor has Client relied on any representations of warranties expressed or implied that any affirmation of fact or promise shall not be deemed to create an express warranty that there are no warranties which extend beyond the face of the agreement hereof; that Company is not an insurer; that Client assumes all risk of loss of this agreement, particularly paragraph 2 which sets forth Company's maximum liability in the event of loss or damage to client or anyone else.
11. Receipt of copy: Client acknowledges receipt of a copy of this agreement. This agreement shall not be binding upon Company unless approved in writing by an officer of Company. In the event of non-approval the sole liability of Company shall be to refund to client the amount that has been paid to Company by Client upon signing of this agreement.

Navigation



Fitness Center

Fitness Center Access

Included with Recreation Center Membership

Youth ages 12 and up may use the Fitness Center with an adult

Youth ages 15 and up may use the Fitness Center unaccompanied.

Fitness Center Orientation

Fitness Center Orientation Contact the Recreation Center to set up an appointment
727-391-8345

Item 4G.

FREE

Ages 15 and older

Monthly

1st Mondays

5:00 pm-6:00 pm

3rd Wednesdays

1:00 pm-2:00 pm

Fitness Center Maintenance

2nd and 4th Tuesday of each month the Fitness Center will be closed from 9:00am-12:00 pm for routine maintenance


Personal Training

Contact (727) 391-8345 to schedule a one-on-one appointment with one of our certified trainers

Sessions: 40 minutes each

\$32.00 per session for Members

\$48.00 per session for Non-Members

City of Seminole | 9100 113th Street, Seminole, FL 33772 Call Us: 727-391-8345 (tel: 17273918345) 
(<https://www.willyweather.com/m/pinellas-county/seminole.html>)
(<https://www.facebook.com/getseminole/>)

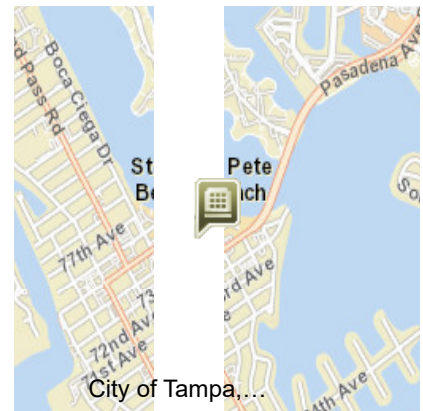


Explore Our City

View St. Pete Beach beaches, parks, fishing piers, boat ramps and more

Fitness Facility

Subfacility of [Community Center](#)



Fitness Facility

7701 Boca Ciega Drive
St. Pete Beach, FL 33706

Come check out our newly renovated fitness center.

- 3 Recumbent bikes
- 3 Treadmills
- 2 Ellipticals
- Strength training equipment
- Free weights

- Bench press and more

Item 4G.

Daily Admissions

- \$1 St Pete Beach Residents
- \$2 Non Residents

Monthly Pass

- \$10 St Pete Beach Residents
- \$16 Non Residents

Personal Training

Meet your individual fitness goals by booking a session with one of our personal trainers. You schedule the date and time that is convenient to you. They will work with up to 4 people in a session at the same cost, so you can split the cost with your friends!

The cost for a one hour session is only \$40. More information is available at the front desk.

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MEMORANDUM

TO: Honorable Mayor and Board of Commissioners

VIA: Robin Gomez, City Manager

FROM: Jay Hatch, Recreation Director

DATE: July 17, 2023

RE: The Spring Games - Contract

Background

Since February of 2015, the City of Madeira Beach has partnered with various third parties and Visit St. Pete Clearwater to host Division I Collegiate Softball games on the Softball Fields located at the Recreation Complex. During that span, over 100 different Colleges and Universities have visited Madeira Beach at least one time to participate in these tournaments. At this time, The Spring Games, LLC has expressed interest in utilizing the facility to host these tournaments in 2024. The weekends which are requested are February 23-25, March 1-3, and March 8-10. Staff has worked with the City Attorney and put together an agreement for the usage of the facility during this time.

Fiscal Impact

The Spring Games, LLC would be charged for the usage of the field based upon the Fee Schedule which is enclosed in the attached Contract. Currently Visit St. Pete Clearwater is committed to funding up to \$5,000 per weekend in from the bed tax dollars which are collected throughout the County. Fees that are accumulated beyond the committed funds provided by Visit St. Pete Clearwater would be invoiced and the responsibility of The Spring Games, LLC.

Beyond the invoiced fees for the usage of the facility, this tournament has a large economic impact on Madeira Beach and the surrounding areas. Typically, a total number of 26-32 collegiate programs participate each year with travel parties (participants only) averaging 25 persons per program. In addition that those travel parties, each program attracts numerous local and out of town spectators with the inclusion of parents, supporters, and alumni.

Recommendation

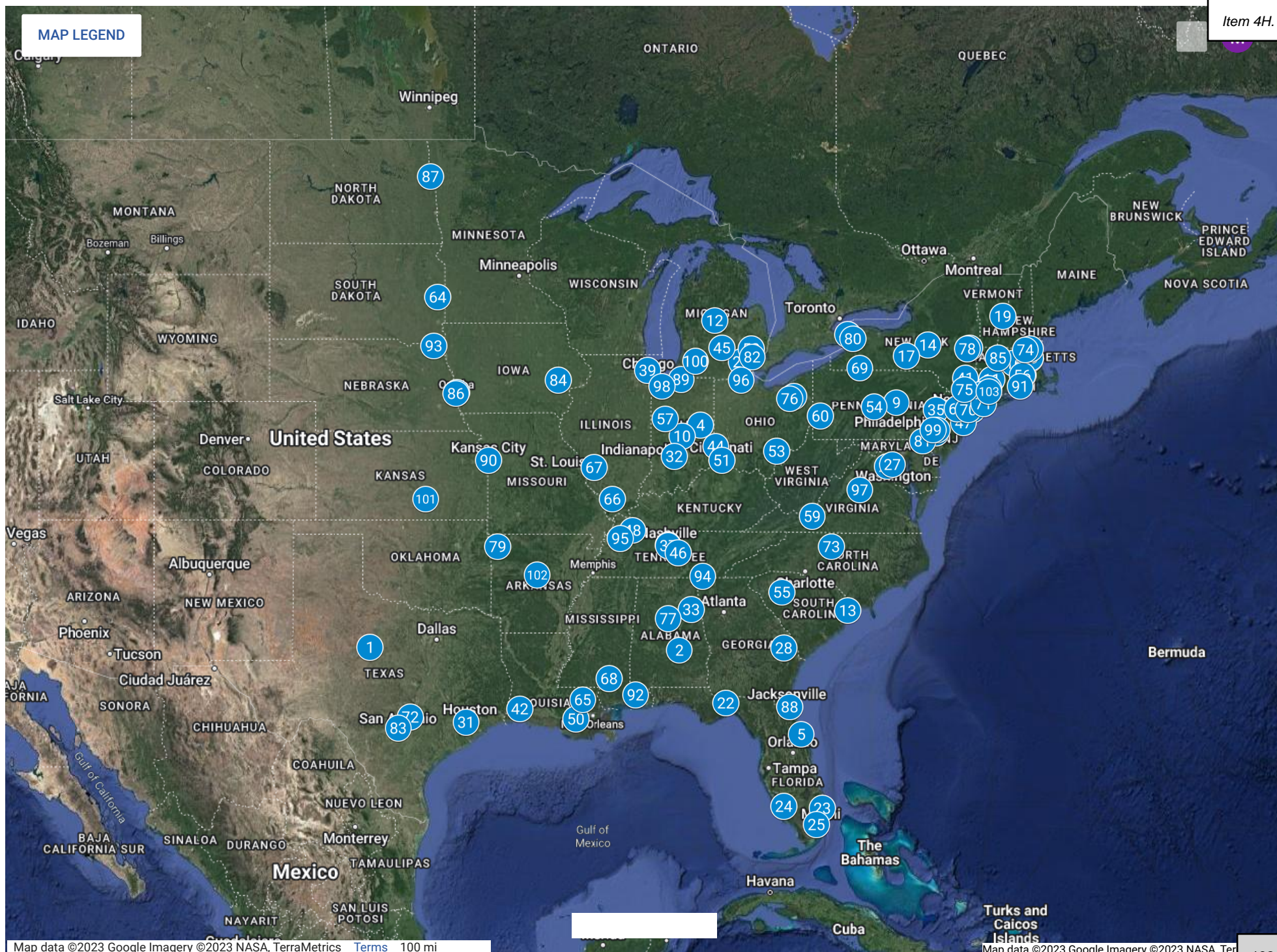
Staff Recommends moving forward with negotiating the proposed contract with The Spring Games, LLC.

Attachments

The Spring Games Proposed Contract
 Google Maps Softball Teams Map
 Google Maps Softball Team List

MAP LEGEND

Item 4H.



	<u>University</u>	<u>First Year Participated</u>
1	Abilene Christian University	2018 - EMU Invitational
2	Alabama State University	2018 - EMU Invitational
3	Belmont University	2019 - Powerline Invitational
4	Ball State University	2019 - Powerline Invitational
5	Bethune-Cookman University	2023 - The Spring Games
6	Boston College	2019 - Powerline Invitational
7	Boston University	2017 - EMU Invitational
8	Brown University	2017 - EMU Invitational
9	Bucknell University	2022 - The Spring Games
10	Butler University	2019 - Powerline Invitational
11	Central Connecticut State University	2020 - The Spring Games
12	Central Michigan University	2017 - EMU Invitational
13	Coastal Carolina University	2023 - The Spring Games
14	Colgate University	2019 - Powerline Invitational
15	Columbia University	2015 - EMU Invitational
16	College of the Holy Cross	2019 - Powerline Invitational
17	Cornell University	2019 - Powerline Invitational
18	Creighton University	2020 - The Spring Games
19	Dartmouth College	2022 - The Spring Games
20	Drexel University	2019 - Powerline Invitational
21	Eastern Michigan University	2015 - EMU Invitational
22	Florida A&M University	2019 - Powerline Invitational
23	Florida Atlantic University	2020 - The Spring Games
24	Florida Gulf Coast University	2020 - The Spring Games
25	Florida International University	2015 - EMU Invitational
26	George Mason University	2016 - EMU Invitational
27	Georgetown University	2017 - EMU Invitational
28	Georgia Southern University	2016 - EMU Invitational
29	Harvard University	2015 - EMU Invitational
30	Hofstra University	2023 - The Spring Games
31	Houston Christian University	2020 - The Spring Games
32	Indiana University Bloomington	2020 - The Spring Games
33	Jacksonville State University	2018 - EMU Invitational
34	Kent State University	2017 - EMU Invitational
35	Lafayette College	2020 - The Spring Games
36	La Salle University	2018 - EMU Invitational
37	Lipscomb University	2018 - EMU Invitational
38	Long Island University Brooklyn	2018 - EMU Invitational
39	Loyola University Chicago	2017 - EMU Invitational
40	Manhattan College	2016 - EMU Invitational
41	Marist College	2016 - EMU Invitational
42	McNeese State University	2018 - EMU Invitational
43	Merrimack College	2020 - The Spring Games
44	Miami University	2020 - The Spring Games
45	Michigan State University	2017 - EMU Invitational
46	Middle Tennessee State University	2018 - EMU Invitational
47	Monmouth University	2018 - EMU Invitational
48	Murray State University	2019 - Powerline Invitational
49	Niagara University	2020 - The Spring Games
50	Nicholls State University	2018 - EMU Invitational
51	Northern Kentucky University	2018 - EMU Invitational

52	Oakland University	2017 - EMU Invitational
53	Ohio University	2018 - EMU Invitational
54	Penn State University	2019 - Powerline Invitational
55	Presbyterian College	2019 - Powerline Invitational
56	Providence College	2016 - EMU Invitational
57	Purdue University	2019 - Powerline Invitational
58	Quinnipiac University	2017 - EMU Invitational
59	Radford University	2022 - The Spring Games
60	Robert Morris University	2015 - EMU Invitational
61	Sacred Heart University	2020 - The Spring Games
62	Seton Hall University	2018 - EMU Invitational
63	Siena College	2015 - EMU Invitational
64	South Dakota State University	2020 - The Spring Games
65	Southeastern Louisiana University	2023 - The Spring Games
66	Southern Illinois University	2017 - EMU Invitational
67	Southern Illinois University Edwardsville	2018 - EMU Invitational
68	Southern Miss	2022 - The Spring Games
69	St. Bonaventure University	2020 - The Spring Games
70	St John's University	2019 - Powerline Invitational
71	Stony Brook University	2017 - EMU Invitational
72	Texas State University	2015 - EMU Invitational
73	UNC Greensboro	2018 - EMU Invitational
74	UMass Lowell	2015 - EMU Invitational
75	United States Military Academy	2017 - EMU Invitational
76	University of Akron	2019 - Powerline Softball Invitational
77	University of Alabama at Birmingham	2015 - EMU Invitational
78	University at Albany	2017 - EMU Invitational
79	University of Arkansas	2018 - EMU Invitational
80	University at Buffalo	2018 - EMU Invitational
81	University of Delaware	2018 - EMU Invitational
82	University of Detroit Mercy	2017 - EMU Invitational
83	University of the Incarnate Word	2018 - EMU Invitational
84	University of Iowa	2020 - The Spring Games
85	University of Massachusetts Amherst	2017 - EMU Invitational
86	University of Nebraska Omaha	2022 - The Spring Games
87	University of North Dakota	2015 - EMU Invitational
88	University of North Florida	2016 - EMU Invitational
89	University of Notre Dame	2023 - The Spring Games
90	University of Missouri-Kansas City	2018 - EMU Invitational
91	University of Rhode Island	2018 - EMU Invitational
92	University of South Alabama	2020 - The Spring Games
93	University of South Dakota	2019 - Powerline Invitational
94	University of Tennessee at Chattanooga	2019 - Powerline Invitational
95	University of Tennessee at Martin	2023 - The Spring Games
96	University of Toledo	2020 - The Spring Games
97	University of Virginia	2018 - EMU Invitational
98	Valparaiso University	2023 - The Spring Games
99	Villanova University	2015 - EMU Invitational
100	Western Michigan University	2020 - The Spring Games
101	Wichita State University	2015 - EMU Invitational
102	University of Central Arkansas	2018 - EMU Invitational
103	Yale University	2023 - The Spring Games



MEMORANDUM

Date: July 12, 2023
To: Hon. Mayor and Board of Commissioners
Through: Robin Gomez, City Manager
From: Andrew Laflin, Director of Finance
Subject: Ordinance 2023-18 Fees and Collection Procedure Manual – FY 2023 Update

Background

The purpose of this agenda item is to present to the Board of Commissioners proposed amendments to the Fees and Collection Procedure Manual to establish new fees and alter certain existing fees.

Exhibit A - Fees and Collection Procedure Manual with tracked changes. Within Exhibit A, all updates to the manual, including addition of new fees, changing existing fees, modification of current explanatory language, and other similar changes, are included in red font with previous fee amounts and language stricken. Thus, Exhibit A provides an illustration of listed fees before and after the amendments resulting from Ordinance 2023-18. The primary areas or departments involved in these proposed fee changes are as follows:

- Development Services – Conversion of nonconforming non-habitable area to a habitable area.
- Finance Department – Business Parking, Parking fines and penalty update.
- Public Works – Fees for \$5.00 increase in Garbage and new fees for Toter.
- Municipal Marina – Temporary 3HR Wet Slip Parking.

Fiscal Impact

This amendment will result in additional revenues for the City to support the services, facilities, and other amenities provided by the City.

Recommendation

Staff recommends approval of Ordinance 2023-18 on First Reading.

Attachment(s):

- Ordinance 2023-18
- Exhibit A: Fees and Collection Procedure Manual with tracked changes

Exhibit A
Ordinance 2023-18



FEES & COLLECTION PROCEDURE MANUAL

(Updated Through Ordinance 2023-05)

Office of the City Clerk
Adopted: July __, 2023

FEES & COLLECTION PROCEDURE MANUAL

(UPDATED THROUGH ORDINANCE 2023-05)

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ARTICLE I. CITY CLERK'S OFFICE- FEES FOR INSPECTING AND COPYING PUBLIC RECORDS

(Res. 2016-24, 07/12/2016; Res. 2013-50, 10/08/2013; Res. 09.10, 09/21/2009; Res. 04.02, 01/27/2004; ORD. 2018-03; 06/12/2018; Ord. 2019-06); Ord. 2020-04; Ord. 2021-12 05/12/21

SECTION A. What is a public record?

Section 119.11 (12), F.S., defines "public records" to include:

"all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

The Florida Supreme Court has interpreted this definition to encompass all materials made or received by an agency in connection with official business which are used to perpetuate, communicate, or formalize knowledge. *Shevin v. Byron, Harless, Schaffer, Reid and Associates, Inc.*, 379 So. 2d 633, 640 (Fla. 1980).

All such materials, regardless of whether they are in final form are open for public inspection unless the Legislature has exempted them from disclosure.

Wait v. Florida Power & Light Company, 372 So. 2d 420 (Fla. 1979)

SECTION B. Right of access to public records under reasonable conditions, F.S., Sec. 119.07(1)(a):

"Every person who has custody of a public record shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian of the public records."

The term "reasonable conditions" as used in Sec. 119.07(1)(a), F.S., "refers not to conditions which must be fulfilled before review is permitted but to reasonable regulations that would permit the custodian of the records to protect them from alteration damage, or destruction and also to ensure that the person reviewing the records is not subjected to physical constraints designed to preclude review." *Wait v. Florida Power & light Company*, 372 So. 2d 420. 425 (Fla. 1979). See also *Chandler v. City of Greenacres*, 140 So. 3d 1080, 1084 (Fla. 4th DCA 2014) (noting the narrow interpretation of the phrase "reasonable conditions"): and *Tribune Company v. Cannella*, 458 So. 2d 1075, 1078 (Fla. 1984), *appeal dismissed sub nom.*, *DePerte v. Tribune Company*, 105 S.Ct. 2315 (1985) (the sole purpose of custodial supervision is to protect the records from alteration, damage, or destruction).

Accordingly, the "reasonable conditions" do not include a rule or condition of inspection which operates to restrict or circumvent a person's right of access. AGO 75-50. "The courts of this state have invalidated measures which seek to impose any additional burden on those seeking to exercise their rights to obtain records" under Ch. 119, F.S. inf. op. to Cook, May 27. 2011. And see *State v. Webb*, 786 so. 2d 602 (Fla. 1st DCA 2001) (requirement that persons with custody of the public records allow records to be examined "at any reasonable time, under reasonable conditions" is not unconstitutional as applied to public records custodian who was dilatory in responding to public records requests).

A public records request "shall provide sufficient specificity to enable the custodian to identify the

requested records. The reason for the request is not required to be disclosed." Fla. R. Jud. Admin 2.420(m)(l). The custodian "is required to provide access to or copies of records but is not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002). The custodian having custody of the records shall determine whether the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Admin. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

SECTION C. Extensive requests pursuant to F.S. §199.07.(4).

Sec. 119.07(4)(d), F.S., provides, "[i]f the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required or both."

If a public records request requires an extensive use of the City's resources, a special service charge may be imposed. Special service charges will be calculated based upon the City's actual cost of burden, (wages, taxes, insurance, and benefits), for the lowest paid personnel capable of fulfilling the request.

Large volume of records requested. Deposits are based upon an actual estimate of the cost of production, with a minimum of 50% due before production of the records begins.

SECTION D. Fees for inspecting and copying public records pursuant to F.S. §119.07(1)(a).

Public records held by the City are open to inspection by any person, during reasonable times and under reasonable circumstances. Although Florida law makes some records exempt or confidential, the City wishes to make all non-exempt records available to the public at no cost provided the request to inspect or copy records does not involve an extensive use of City personnel or other resources.

- | | |
|-------------------------------------|--------|
| (1) One-sided copy, each page..... | \$0.15 |
| (2) Two-sided copy, each page..... | \$0.20 |
| (3) Certified copy, each page | \$1.00 |
| (4) Notary Public Fee..... | \$5.00 |
- Pursuant to F.S. §117.05(2a); the fee of a notary public may not exceed \$10.00 for any one notarial act, except provided in Sec. 117.045.)

****For all other requests, the fee prescribed for duplication of public records shall represent the actual cost of duplication.***

For purposes of this sections, "Duplicating" means the process of reproducing an image or images from an original to a final substrate through the electrophotographic, xerographic, LED, inkjet or dye sublimation, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without rehandling the original.

SECTION E. Custodian of Public Records and Designated Custodians of Public Records

CUSTODIAN OF PUBLIC RECORDS

Clara VanBlargan, MMC, MSM, City
 Clerk cvanblargan@madeirabeachfl.gov
 Phone (727) 391-9951, ext. 231

RECORDS CUSTODIANS

The Records Custodian of each department are designated by the City Clerk. The records custodian of their department shall permit the record to be inspected and copied by any person desiring to do so, at any reasonable time under reasonable conditions and under supervision by the custodian (supervisor) of those public records to be inspected or copied. Although, the custodian "is required to provide access to or copies of records they are not required either to provide information from records or to create new records in response to a request." *Commentary, In re Report of the Supreme Court Workgroup on Public Records*, 825 So. 2d 889, 898 (Fla. 2002), and shall determine if the requested records are subject to the rule, whether there are any exemptions, and the form in which the record is provided. Fla. R. Jud. Adm in. 2.420(m)(2). If the request is denied, the custodian shall state in writing the basis for the denial. *Id.*

A list of designated department Records Custodians is posted in each department and on the City's website.

ARTICLE II. DEVELOPMENT SERVICES

A. General Development Services Fee Structure:

It is the intent of the City that all development review costs be borne by the beneficiaries. The initial nonrefundable fee will be required at the time an application is submitted. Costs for review services including personnel, consulting or material will be charged against the account of each application. At such time as costs meet the value of the submitted fee, all review activities will be suspended until the applicant submits an additional fee in an amount equal to the initial fee. Unused fee amounts beyond the initial nonrefundable fee will be reimbursed at issuance of the Certificate of Occupancy (CO). The cost of required advertising and mailing for major site plans, land use or zoning amendments will be charged separately and paid prior to the scheduling, advertising, or preparation of mailed notice for public hearings and/or meetings. These fees do not include costs associated with the developer's conduct of neighborhood/community meetings which will be the financial responsibility of the developer. This policy applies to all the fees of this section.

B. Special Magistrate Hearings. Fees for Special Magistrate Hearings shall be as follows:

(*Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 05.20, 09/14/2005; res. 04.08, 06/22/2004, Ord. 936, §1, 02/20/2001; Ord. 953, §2, 11/13/2001; Code 1983, §19-502*)

- (1) Zoning variances for residential dwelling units (per variance, up to three units).....\$1,800.00
- (2) Zoning variances for multifamily, tourist dwellings, or commercial\$2,000.00

- (3) Special exception use\$1,800.00
- (4) Appeal of decision (appeal is refundable if decision is overruled)\$1,500.00
- (5) After-the-fact variance (double fee)\$3,600.00
(Ordinance 2016-06)

(6) Conversion of a nonconforming non-habitable area into a habitable area\$1,000.00

C. *Alcoholic Beverage Permit Application Fee* \$800.00
(Res. 2012-14, 09/05/2012)

D. *Platting.*

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Review of construction drawings \$500.00
- (2) Replat \$500.00
- (3) Final \$500.00
- (4) Amendment to a plat \$500.00
- (5) Minor subdivision \$350.00
- (6) Lot line adjustments \$200.00
- (7) Unity of title \$100.00
- (8) Rescission of unity of title \$250.00

E. *Vacation. (Not including costs associated with referendum)*

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

Right-of-way (as approved by referendum)\$1,500.00

Easement (as approved by referendum when required)\$1,500.00

F. *Site Plan and Redevelopment Process*

Level of site plan review to be determined in accordance with city land development ordinance and interpreted by development review staff.

(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

- (1) Minor Site Plan Review \$300.00
- (2) Intermediate Site Plan Review
 - a. Preliminary Site Plan \$300.00
 - b. First Review Site Plan Submittal\$1,000.00
 - c. Each Additional Submittal \$500.00

(3) Major Site Plan Review

- a. Preliminary Site Plan \$500.00
- b. First Review Site Plan Submittal.....\$2,000.00
- c. Each Additional Submittal..... \$500.00
- (4) Administrative Waiver \$500.00
- (5) Encroachment Extension\$1,000.00

G. Zoning/Land Development Regulation Interpretations and Meetings –Base Fee

- (1) Single Family – Fourplex..... \$100.00
- (2) 5-12 Units, Commercial less than 2000sqft..... \$150.00
- (3) 13 + Units, Temporary Lodging, Commercial more than 2000sqft \$200.00

Interpretation of land development regulations such as number of legal units existing on a property, nonconforming provisions, subdivision regulations, and/or Planning, Zoning or Predevelopment review meetings. Such services would include up to one hour of meeting and or research of the Planner and can include the preparation of a written interpretation. Time required above an hour or requiring the participation of additional staff, shall be charged at the employees' hourly rate plus benefits on a time for time basis. On-site consultation with planner or Certified Flood Plain Manager (as needed; by request) requires an additional fee of \$100.00.

H. Zoning Verification Letter..... \$100.00

Includes one hour of research. Additional time will be charged at the employee's hourly rate plus benefits.

(Res. 2016-24, 07/12/2016)

Verification in writing (formal letter on City stationery) as to the property's zoning. This includes a copy of the related district regulations. Such letters are often requested by realtors for property closings.

I. Land Development Regulations Amendment \$1,500.00
(Res. 2016-24, 07/12/2016)

J. Land Use Amendment \$3,000.00
(Res. 2016-24, 07/12/2016; Res. 07.14, 06/26/2007; Res. 04.02, 01/27/2004)

K. Rezoning..... \$2,000.00
(Res. 07-14, 06/26/2007)

L. Planned Development (PD) and Planned Development Amendments. (Res. 07.14, 06/26/2007)

- (1) Development Meetings-Charged as Plan Review Meetings at the combined hourly rate of all staff assigned by the Planning Director.
- (2) Plan Review
 - a. Preliminary Plan and Standards Review\$1,500.00
 - b. First Plan and Standards Plan Review.....\$2,500.00
 - c. Each Subsequent Submittal.....\$500.00
 - Plus hourly rate of assigned staff.

(3) Minor modifications not requiring full site plan, neighborhood/community meetings or zoning map amendment or amendment of the planned development agreement\$1,000.00

(4) Major modificationsTo be charged by the full rate for a new Planned Development.

(5) Development Agreements Application fee of \$500.00 and charges will include all staff and consulting time at hourly rates plus benefits and will be paid prior to execution of the Development Agreement Ordinance.

*M. Special Agreements (for Development Agreements, see Section L)
(Res. 10.12, 07/20/2010; 07.14, 06/26/2007)*

(1) For Board of Commissioner's Approval \$500.00

**Plus, City Attorney's legal and recording fees; i.e. encroachment(s); use of City parking area, etc.*

(2) For Administrative Review and Approvalall staff hourly rates, legal and recording fees

N. Unaddressed Research Requests – Base Fee \$100.00

O. FEMA/Floodplain Ordinance Interpretations and Reviews– Interpretation Base Fee \$100.00

Interpretation of the City's Floodplain Ordinance beyond the verification of the specific flood zone and the basic requirements related to that zone. Such request would include up to one hour of research and include the preparation of a written interpretation. Additional research time shall be charged at the rate of \$100 per hour.

Building Plan Review Base Fee of \$50 or 10% of any building permit fee of over \$1,000, whichever is greater plus \$100 additional fee for any revisions to signed and sealed plans or for site changes.

P. FEMA Verification Letter \$100.00

Verification of FEMA flood zone in writing (formal letter on city stationery) (Res. 2016-24; 07/12/2016)

Q. Solicitor's Permit (Res. 07.23, 12/11/2007)

(1) Permit for any business with current Local Business Tax Receipt (BTR)\$10.00

(2) Permit for any business without current BTR \$100.00

a. For each additional person participating without a BTR\$20.00

R. Short-term/Vacation Rental Certification \$300.00

S. S. Specific Site Plan Applications

(1) Dog Dining Request\$75.00

A fee of \$75.00 shall be required for both the initial application and subsequent annual renewals requesting to allow dogs in specified outdoor area(s) of a food service establishment during operating hours. This fee shall offset the City's cost to administer, review and inspect such request. This fee shall apply only to pet dogs, service animals are already permitted within business establishments by law.

(2) Sign, Murals, Banners\$75.00

T. Building Permit Fee Schedule.

The following building permit fee schedule shall be used when issuing a permit for any type of construction including, but not limited to, the following: Commercial, Residential, Single Family or Multi-Family for Building, Mechanical, Plumbing, Gas, Fire Roofing, Swimming Pools, Aluminum Structures, Interior or Exterior remodeling, Accessory Structures, Additions, Fuel Tanks, Alarms, Sprinklers, Driveways, Signs, Docks, Seawalls, Walls and Fences, Sheds, Infrastructure or Excavation, or any other type of construction under the Florida Building Code.

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016)

- (1) Residential and Commercial (NON-REFUNDABLE) permit plan review deposit fee
 - a. Value of \$2,499 or less\$50.00
 - b. Value of \$2,500 or more 25% of total permit value (minimum \$50)

The application plan review fee shall be collected at the time of the submitted permit application. This shall be a non-refundable plan review application fee in addition to any other applicable fees listed in Article II, Section I (Building Permit Fee Schedule).

Definitions of "residential" and "commercial" are based on the ~~2017~~ 2020 Florida Building Code:

"Residential building" shall mean any "one- and two-family dwelling" or portion thereof, including "townhouses", that is used, or designed or intended to be used for human habitation, for living, sleeping, cooking, or eating purposes, or any combination thereof, and shall include accessory structures thereto.

"Commercial": for this code, all buildings that are not included in the definition of "residential buildings."

(2) EXPRESS Permit – issued same day (plus any additional applicable fees).....\$50.00

(3) Valuation Fee: Two percent (2%) of the Total Project Value, which includes both materials and labor and other related fees).

(4) Florida Surcharge Fee: The Building Permit fee as required by Florida Law, a total of two and one-half (2½%) percent per permit. A minimum of four dollars of the Building Permit Fees.

(5) Pre-Permit Plan Review Fee: All plan review fees for large "commercial and residential" building permits including one-and-two family dwellings, townhouses, multifamily units and all commercial projects shall be:

- a. One-and-two family dwellings & townhouses \$250.00
 - b. Multifamily units & commercial projects..... \$500.00
 - c. FEMA - SI/SD projects \$250.00
 - d. Minimum fee..... \$100.00
- (6) Re-examination of plans due to corrections, changes, or alterations, prior to or after permit issuance.
- a. Plan revisions (Minor, 2,499 sq. ft. or less) \$100.00
 - b. Plan revisions (Large) greater than (>) 2500 sq. ft \$250.00
- (7) Miscellaneous Fees:
- a. Certificate of Occupancy and/or Certificate of Completion.....\$50.00
 - b. Letters of Determination (e.g., flood, building, etc.).....\$50.00
 - c. Change of contractor (all trades)\$50.00
 - d. Change of use or occupancy.....\$50.00
 - e. Demolition of structure:
 - i. Demolition base fee (up to 5,000 sq \$100.00
 - ii. Structures over 5,000 sq. ft \$250.00
 - f. Early release of power (*before electrical final*) \$50.00
 - g. Moving of structure \$100.00
 - h. Permit extension (*per extension*) \$50.00
 - i. Transfer of Permit\$50.00
 - j. Permit fee for applications performed by an outside entity:
The permit fee for an application when the Building Official has approved the request of the applicant to have an outside entity, contracted by the applicant, perform the required inspections shall be:
 - i. Fee per sq. ft. of the proposed structure \$1.00
 - ii. Minimum fee, (plus any applicable fees)\$50.00
 - k. Red tags and/or failed inspection(s) (*per each tag/inspection*) \$50.00
 - l. Replacement of placard card (*per placard card*)..... \$25.00
 - m. Special consultation with Building Official (*as needed; by request*)..... \$100.00
 - n. FEMA or damage pre-permit inspection, Fire or Structural (*Includes Trades*)..... \$100.00
 - o. Building Code, Life & Health Safety inspection \$100.00
 - p. After hours inspection (*beyond normal business hours*)..... \$250.00
 - q. Stop-work order (*per order*)..... \$50.00
 - r. Temporary power pole\$50.00
 - s. Tent permit\$25.00
 - t. Tree removal permit\$50.00
 - u. Well/Test boring application..... \$100.00
 - i. Each additional boring on same site\$20.00
- (8) "After the Fact" permit fee:
- a. Shall be **(5)** times the face value of the permit valuation fees.
 - b. Any subsequent "After-the-fact" permit issued to the same Contractor, Property Owner and/or Homeowner within the following (12) months shall be **(10)** times the normal fees.

(9) Refunds. NO refunds on permits unless such permit was issued in error on part of the City. There shall be no refund of fees if work commences or of the permit is 90 days or older.

(10) Miscellaneous items. At the discretion of the Building Official, all construction related activities that do not qualify under one of the trades (Building, Mechanical, Electrical, Plumbing, and others) may be classified as miscellaneous. A permit for such activity may or may not be required at the discretion of the Building Official. An appropriate related fee shall be set by the Building Official for such miscellaneous permit.

(11) Rental inspection fees (4 units or less)

- a. Initial application.....\$40.00
- b. Biennial license renewal.....\$15.00
- c. Initial inspection (*per unit*).....\$50.00
- d. Biennial inspection (*per unit*).....\$70.00
- e. Re-inspection fee (*per inspection*).....\$100.00

Re-inspection fee for every inspection after second if failure to correct violation(s) is due to owner/manager negligence.

- f. Penalties: Ten percent (10%) penalty for failure to submit a timely renewal fee during first month of delinquency; an additional five percent (5%) penalty for each month of delinquency thereafter.

U. Impact Fee Schedule

Impact fees were adopted beginning on April 1, 2022, and impact fees are updated annually beginning October 1st each year through fiscal year 2028 in accordance with the schedule below, based on the following amount per sq ft of building area*:

Category or Class	Calculated fee rate multiply by building area						
	FY 2022	FY 2023	FY 2024	FY 2025	FY2026	FY 2027	FY 2028
Culture & Recreation	\$3.57	\$4.76	\$5.94	\$7.13	\$8.23	\$9.52	\$11.89
Mobility	\$0.45	\$0.60	\$0.75	\$0.90	\$1.05	\$1.20	\$1.50
Public Safety	\$0.18	\$0.24	\$0.30	\$0.36	\$0.42	\$0.48	\$0.60
Total	\$4.20	\$5.60	\$6.99	\$8.39	\$9.70	\$11.20	\$13.99

**Building area refers to the enclosed area of buildings measured in square feet within the city according to the Pinellas County Property Appraiser as provided in the field TOTLVGAREA in the Pinellas County Property Appraiser's Geographic Information System.*

ARTICLE III. FINANCE DEPARTMENT

- A. *Credit Card Transaction Convenience Fee* An amount suitable to recover card processing fees charged to the City.
- B. *Indebtedness Search*..... \$50.00
- C. *Returned/unfunded/worthless checks*..... Pursuant to F.S. §68.065(2)
- D. *Recording of Documents*:
- (1) First Page \$10.00
- (2) Each Additional Page \$8.50
- E. ~~*Parking permit. Parking permits may be purchased on a weekly or monthly basis, for up to 50% of the metered parking spaces in the following City parking lots at the fees listed below: (Res. 05.10, 03/22/2005; Code 1983, §19-153)*~~
- ~~129th Avenue West & Gulf Boulevard ————— 134th Avenue West & Gulf Boulevard~~
- ~~130th Avenue West & Gulf Boulevard ————— 135th Avenue West & Gulf Boulevard~~
- ~~131st Avenue West & Gulf Boulevard ————— 136th Avenue West & Gulf Boulevard~~
- ~~132nd Avenue West & Gulf Boulevard ————— Johns Pass Park~~
- ~~133rd Avenue West & Gulf Boulevard~~
- F. *Parking fines and penalties.* Parking fines and penalties shall be as follows:
(Res. 06.29, 11/28/2006; Res. 04.09, 08/10/2004; Code 1983, §5-19; City Ord 2022-23)
- (1) Overtime Parking \$60.00
- (2) Double Parking \$80.00
- (3) Parking in a "NO PARKING" Zone \$90.00
- (4) Other Improper Parking \$90.00
- (5) Delinquency Fee (After 15 Days) \$30.00
- (6) Disabled Parking Permit Sec. 66-52(c), Code of Ordinances
- Note: A Parking enforcement officer can ticket every hour for repeat violations.*
- G. *Special event parking permit (daily permit)* \$35.00
Special event parking permits and road closure fees established for specified events are listed below with additional events authorized by the City Manager. ~~at the fees listed below:~~
(Res. 2014-20, 05/13/2014)

Johns Pass Seafood Festival

The Fourth of July

Memorial Day

Additional event days as authorized by
the BOCC by resolution.

- H. *Business Parking Permit (up to 4 permits/month/Business) per month \$40.00*
Permit for any business with current Local Business Tax Receipt (BTR).
- I. *Vanity Plates (1 plate for each current registered vehicle) \$40.00*
For residents of the City of Madeira Beach ONLY and is a substitute for the free parking sticker issued at the beginning of each year.
- J. *Parking meters city-wide \$3.00/hr.*
- K. *Overnight Parking \$72.00/day*
up to 7 days. Selective Surface Parking lots from 130th to Kitty Stuart Park.
- L. *Festival Parking-The City Manager maintains the right to designate festival parking rates for designated special events at his/her discretion. Each special event is subject to review.*
- M. *No operator of a vehicle shall park a vehicle on dirt, grass or landscaped city rights-of-way, medians, swales, or similar areas. The city manager, or designee, may waive this prohibition on a temporary basis where it is determined that such waiver is necessary.*
- N. *Parking Fee Amendment Resolution.* In order to adjust parking fees as may be needed due to environmental, economic, or other conditions that may occur during the fiscal year, parking fees can be waived, decreased, or increased at any time during the fiscal year by Resolution of the Board of City Commissioners.

**Note/Clarification: Due to the parking meter fee increasing from \$2.50 to \$3.00 per hour, the minimum charge for credit cards for half the time or thirty minutes is now \$1.50.*

(Res. 04.09, 08/10/2004; Res. 04.02, 01/27/2004)

ARTICLE IV. FIRE DEPARTMENT

A. *Fire & Life Safety Inspection*

(1) Places of Assembly (Posted Occupant Load):

- a. Up to 49 People.....\$50.00
- b. 50 – 149 People \$100.00
- c. 150 People or More \$150.00

(2) Residential structures, hotel/motel, timeshare, rentals/resort rentals (5 units or greater)

- a. 5 – 10 Units..... \$100.00
- b. 11 – 20 Units..... \$150.00
- c. 21 – 49 Units \$200.00
- d. 50 or More Units \$350.00

- (3) Automotive and/or Marine Service or Storage Facilities \$200.00
- (4) Automotive and/or Marine Fueling Facilities \$200.00
- (5) Standalone Single Business:
 - a. Up to 2,499 sq. ft \$50.00
 - b. 2,000 or more sq. ft \$100.00
- (6) Multiple Commercial/Businesses:
 - a. Unoccupied, per suite \$25.00
 - b. Occupied, per suite \$50.00
- (7) Storage Facilities
 - a. Up to 4,999 sq. ft \$100.00
 - b. 5,000 or more sq. ft \$200.00
- (8) Subsequent Fee for Each Return Inspection for Compliance \$30.00
- (9) Fire Department Red Tag/Stop Work Order \$50.00
- B. Fire Plan Review and Correlated Inspection(s)*
 - (1) For Site Plans and Building Plans \$0.05/sqft
 - (2) Other fire plans review (fire alarm, fire suppression, etc.) \$250.00
 - (3) Failed inspections(s) (per each inspection) \$50.00
- C. CPR Classes.*
 - (1) Resident \$25.00
 - (2) Non-resident \$50.00
- D. Fire Engine Rental for Fire System Testing and/or Certification.*
 - (1) First 4 Hours \$1,000.00
 - (2) Each Additional Hour \$250.00
(Res. 08.10, 09/23/2008)
- E. Special Event Fee*
 - (1) Fire Rescue Special Event (per Hour) \$125.00
 - (2) Equipment Service Fee; Fuel, Oil, Maintenance, etc. (per unit per day) \$50.00
 - (3) Special Event Inspection; Cooking Tents, Food Trucks, etc. (per event) \$100.00

ARTICLE V. PARKS & RECREATION

(Res. 2016-24, 07/12/2016; Res. 2016-03, 02/09/2016; Res. 2015-21, 08/11/2015; Res. 2015-09, 03/10/2015; Res. 2014-53, 12/10/2014; Res. 10.05, 03/23/2010; Res. 09.09, 09/21/2009; Res. 07.14, 06/26/2007; Res. 05.20, 09/14/2005; Res. 06.23, 09/13/2005; Code 1983 §19-508)

A. Recreation.

(1) Adult Sports Registration:

- a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.

(2) Youth Sports

- a. Rate determined by sport, competitive analysis, and cost recovery.
 - i. Resident/Non-Resident Pricing model will be utilized.

(3) After-School Program (will take effect August 1, 2020):

- a. Resident (*daily*) \$9.00
- b. Non-Resident (*daily*) \$12.00
- c. City Employee (*daily*) \$9.00

(4) Summer Camp Program:

- a. Resident Rate by Session:
 - i. Session 1 \$500.00
 - ii. Session 2 \$500.00
 - iii. Full Summer Session \$1,000.00
 - iv. Individual Weekly Rate \$150.00
- b. Non-Resident Rate by Session:
 - i. Session 1 \$625.00
 - ii. Session 2 \$625.00
 - iii. Full summer session \$1,250.00
 - iv. Individual weekly rate \$200.00
- c. City Employee Free

(5) Fitness Classes

- a. Contracted Recreation Instructors will agree to a 75% and 25% contract split with the City for their services.
- b. Recreation Director may negotiate class rate based upon needs/uses of recreation facilities as well as class supply requirements.

B. Recreation Center and City Hall Rentals.

(Res. 2016-24, 07/12/2016; Res. 2015-21, 08/11/2-15; Res. 2014-53, 12/20/2014)

- (1) Monday – Thursday rental period. Rental hours must include set-up and breakdown for all vendors and guests. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.5% sales tax is included in hourly rates. Deposits may be refunded within thirty (30) days of an event.

- a. Recreation Center Rooms (security deposits are refundable)

- i. Full Recreation Center (all rooms) (*security deposit \$400.00*)..... \$300.00/hr.
- ii. Boca View Hall (*security deposit \$200.00.00*) \$100.00/hr.
- iii. Ocean Walk Room (*security deposit \$200.00*) \$50.00/hr.
- iv. Starboard Room (*security deposit \$200.00*)..... \$50.00/hr.
- v. Outside Deck (*security deposit \$400.00*)..... \$100.00/hr.
- vi. Boca View Hall & Outside Deck (*security deposit \$400.00*) \$150.00/hr.
- vii. Setup/breakdown Fee- *Up to 2 hours before and 2 hours after* \$50.00/hr.

- b. City Hall Rooms (security deposits are refundable)
 - i. City Centre Room (*security deposit \$400.00*) \$200.00/hr.
(*includes use of outside deck & restrooms*)
 - ii. Commission Chambers* (*security deposit \$200.00*) \$200.00/hr.

***ONLY** as a backup space for outside reservations negatively impacted by weather.

- c. Resident Discount- applied to hourly rental rates 20% discount.

(2) Friday – Sunday rental period. Rental includes use of contracted space, set-up/breakdown of tables and chairs, banquet kitchen (if applicable), and cleaning fee. The 6.5% sales tax is not included in hourly rates. Security deposit may be refunded within thirty (30) days following an event.

- a. Recreation Center Rooms (security deposits are refundable)
 - i. Full Recreation Center (*all rooms*) (*security deposit \$400.00*) \$350.00/hr.
 - ii. Boca View Hall (*security deposit \$200.00*) \$150.00/hr.
 - iii. Ocean Walk Room (*security deposit \$200.00*) \$75.00/hr.
 - iv. Starboard Room (*security deposit \$200.00*) \$75.00/hr.
 - v. Outside Deck (*security deposit \$200.00*)..... \$125.00/hr.
 - vi. Boca View Hall & Outside Deck-(*security deposit \$400.00*) \$250.00/hr.
 - vii. Setup/breakdown Fee – Up to 2 hours before and 2 hours after.....\$50.00/hr.
- b. City Hall Rooms (security deposits are refundable):
 - i. City Centre Room (*security deposit \$400.00*) \$250.00/hr.
(*includes use of outside deck & restrooms*)
 - ii. Commission Chambers* (*security deposit \$200.00*) \$250.00/hr.

***ONLY** as a backup space for outside reservations negatively impacted by weather.

- c. Resident discount on hourly rates.

(3) Set-up and Cleaning Fees (*per location*):

- a. Less than 50 attendees \$100.00
- b. 50+ attendees \$200.00

C. Park Pavilion Rentals

(Res. 2016-24, 07/12/2016; Res. 2015-09,03/10/2015)

(1) Archibald Park

- a. Pavilion rental for four (4) hours (each additional hour is \$25.00/hour):

- i. Resident..... \$100.00
 - ii. Non-Resident..... \$200.00
- b. Sand Volleyball Court Rental for four (4) hours (each additional hour is \$25.00/hour):
 - i. Resident..... \$25.00
 - ii. Non-Resident \$50.00

(2) John's Pass Park:

- a. Pavilion rental for four (4) hours (each additional hour is \$25.00/hour):
 - i. Resident..... \$100.00
 - ii. Non-Resident..... \$200.00

(3) Splash Pads Rentals

- a. Resident Rates
 - i. Splash Pad (2 Hours)..... \$100.00
 - ii. Splash Pad w/ Tables & Chairs on Patio (2 Hours)..... \$200.00
- b. Non-Resident Rates
 - i. Splash Pad (2 Hours)..... \$150.00
 - ii. Splash Pad w/ Tables & Chairs on Patio (2 Hours)..... \$250.00

D. Athletic Field Rentals

(Res. 2016-24, 07/12/2016; Res. 2014-53, 12/10/2014)

(1) Hourly resident rates by facility (6.8% Sales Tax NOT included)

- a. Softball Field \$25.00
- b. Soccer Field..... \$25.00
- c. Basketball Court \$5.00
- d. Tennis Court \$5.00
- e. Field Preparation and Lining (softball)..... \$45.00
- f. Field Preparation and Lining (football/soccer) \$25.00
- g. Attendant Fee (per staff member) \$25.00
- h. Rental Cleaning Fee \$25.00
- i. Light Fee \$10.00

(2) Hourly non-resident rates by facility (6.5% Sales Tax NOT included)

- a. Softball Field \$30.00
- b. Soccer Field..... \$30.00
- c. Basketball Court \$10.00
- d. Tennis Court \$10.00
- e. Field Preparation and Lining (softball)..... \$50.00
- f. Field Preparation and Lining (football/soccer) \$30.00
- g. Attendant Fee (per staff member) \$30.00
- h. Rental Cleaning Fee \$30.00
- i. Light Fee \$15.00

E. Wedding Permits.

- (1) Small wedding permit application fee \$100.00*

- a. **A gathering of less than 50 persons with minimal decor as determined by staff; additional fees may apply.*

(2) Wedding permit application fee..... \$200.00*

- a. **A gathering of more than 50 persons with minimal decor as determined by staff; additional fees may apply.*

F. Special Events.

(1) Event Application Fee (*less than 1,000 attendees*) \$100.00

(2) Event Application Fee (*more than 1,000 attendees*)..... \$250.00

A fee of \$100.00/\$250.00 payable to the City as reasonable cost for processing, evaluating, and issuing the permit is required. The BOC may waive the application fee by resolution at annual special event review when determined in the best interest of the community and upon demonstration of non- profit status.

(3) Deposit. *Deposits shall be determined upon the estimated impact on the City owned property of which the event is hosted.*

- a. Small event..... \$250.00
- b. Large event \$500.00

A refundable deposit shall be payable to the City in advance of the event for damage to public property or City services incurred in direct association with the event and not identified in the original special event application approval. The BOCC may waive the deposit by resolution at annual special event review when determined in the best interest of the community, and upon. The City reserves the sole right to determine which portion, if any, of the deposit shall be returned to the applicant within 30 days after the event. The City Manager may waive special event fees to the amount of no more than \$500 upon his/her determination that it will be a benefit to the community.

(4) Fees

a. Large Event (1,000+ Attendees)

i. Facility Rental Per Event\$3,000.00

(Includes use of stage and event field)

b. Small Event (Less than 1,000 attendees)

i. Stage Fee

1. Resident\$50.00/hr.

2. Non-Resident \$100.00/hr.

ii. Field Usage Fee

1. Resident\$50.00/hr.

2. Non-Resident \$100.00/hr.

c. City Event Fees

i. Trash Can Fee (*per trash can*)\$5.00

ii. Dumpster fee with single pick-up 3 Yard Dumpster.....\$136.70

iii. Event Barricades (available at City Hall Property Only)

1. Setup Fee per – event \$100.00

2. Barricade Fee - per day\$10.00
- iv. Other fees including but not limited to additional City personnel staff, such as EMT support through Madeira Beach Fire Department, etc. Five times the rental fee for receptacles will be withheld from deposit for those not returned within 48 hours of event.
- d. Mandatory Non-City Fees. The required use of Pinellas County Sheriff's Deputies, as defined within the special events section of ordinances, will be negotiated directly with the Pinellas County Sheriff's Office. It is the **sole responsibility of the applicant** to secure the appropriate number of deputies as required by the Sheriff's Department.
- e. Other Non-City Fees. Other fees included but not limited to Madeira Beach City Centre and field clean-up, additional civilian security, and vehicle parking professionals shall be the **sole responsibility of the applicant**.
- f. Table games (Canasta, Bridge, etc.)
- i. Resident: \$1.00
 - ii. Non-resident: \$2.00

ARTICLE VI. PUBLIC WORKS

A. Trash, Recycling, and Garbage

(1) Removal service fees-

All residents, occupants, or owners of premises in the city shall be required to have accumulations of garbage, trash, garden trash, recyclable items, and noncombustible refuse removed and disposed of by the sanitation division of the city Public Works Department. For the purpose of this section a unit shall be defined as a living unit for human habitation containing kitchen facilities. The charges for garbage, recycling, and trash removal services shall be as follows:

- a. Single Family and Multi-Family, per dwelling, per month:
- i. 64 Gallon Cart.....~~\$36.27~~ \$38.74
 - o Each additional cart per month\$14.00
 - ii. 96 Gallon Cart.....\$45.74
 - o Each additional cart per month\$14.00
- b. ~~Multi-Family dwelling (per premise/month)\$36.27~~
~~Each additional cart (per premise/per month).....\$14.00~~
- c. Commercial. All offices and business establishments required to have a local business tax receipt are hereby classified commercial. A commercial rate for the collection of garbage and trash is hereby established to be in accordance with the following for non-compacting containers:
- i. Service twice per week, per month (**Dumpster**)

- (a) One cubic yard..... ~~\$115.00~~
\$122.82
 - (b) One and a half cubic yard..... ~~\$147.00~~ \$157.00
 - (c) Two cubic yard ~~\$179.00~~ \$191.17
 - (d) Three cubic yard..... ~~\$243.00~~ \$259.52
 - ii. Each additional service per week, per month (Dumpster)
 - (a) One cubic yard ~~\$64.00~~ \$68.35
 - (b) One and a half cubic yard..... ~~\$72.00~~ \$76.90
 - (c) Two cubic yard ~~\$96.00~~ \$102.53
 - (d) Three cubic yard..... ~~\$128.00~~ \$136.70
 - iii. Service twice per week, per month (96 Gallon cart) ~~\$32.00~~ \$40.00
 - o Each additional cart per month \$14.00
 - ~~(a) Two cans \$32.00~~
 - ~~(b) Three Cans \$47.00~~
 - ~~(c) Four Cans \$64.00~~
 - iv. Each additional service per week, per month (96 gallon cart)
 - ~~\$16.00~~
 - 0
 - ~~(a) Two Cans \$16.00~~
 - ~~(b) Three Cans \$24.00~~
 - ~~(c) Four Cans \$32.00~~
 - v. Sunday collections are double the additional service rate.
 - vi. Replacement Toter fee \$75.00
 - vii. ~~Charges for use of more than four cans will consist of multiples of the two, three or four can rates. Ultimate charges to the customer or property owner shall be based on the frequency of collection and the amount of garbage and trash generated as set forth above for each establishment.~~ Accounts classified as multifamily dwelling, or hotel, motel or motor lodge may elect to be charged for garbage and trash removal services in conformity with the commercial rates defined in this section but in no case shall less than one can per unit be elected. It is the burden of the property owner to notify the city of such election. Those establishments electing the commercial or bulk rate shall have the option of changing the type of service by giving 30 days' notice. Requests for changes in service shall be in writing and addressed to the city. The city reserves the right to determine the number of cans, the number and size of containers and/or frequency of disposal, with applicable charges, during any period of the year, for commercial containers.
 - d. Bulk item removal. Any item identified in section 54-33 regarding the removal of other waste and non-combustible refuse will be collected by the city, for a minimum disposal fee of \$50.00 plus \$10.00 for each item picked up
 - e. Unlawful/Illegal Dumping \$250.00

~~f. Extra service fees. Business establishments and other establishments requiring the pickup and disposal of garbage and/or trash of an average amount greater than 80 gallons per week of garbage and one cubic yard per week of trash, must make arrangements with the city and pay proportionately greater fees required for the greater services estimated and furnished, in the same ratio and proportion.~~

g. Bulk waste. Noncombustible refuse in excess of normal weekly limits, by either residential or commercial establishments shall be picked up at the rate of \$50.00 per hour per collection day, based on elapsed time of collection, plus allowances for disposal run and dump charges. Such charges shall also be made to homes having more than normal trash collection.

(2) Recycling service fees (Commercial)

a. Condominium properties shall be billed based on direct costs incurred by the City to provide recycling service through its contractual service provider.

(3) Billing.

It is the property owner's responsibility to pay charges against the property. It shall be at the discretion of the city to determine the appropriate billing party. Upon request, the city will attempt to bill tenants, but only if the owner signs a statement acknowledging his responsibility for the charges generated, along with the information necessary so that they may be contacted at the point wherever a delinquency occurs. The city reserves the right to bill the property owner, if it so chooses, regardless of circumstances surrounding the account.

~~(4) Commercial Minimum charge (base) for unoccupied (dormant) businesses:~~

~~(Res. 07.14, 06/26/2007)~~

~~If there is a commercial property with no current occupant, upon written notification by the property owner, the property will be charged a minimum fee, based on the twice per week collection service rate for two cans (the least expensive bulk rate). Upon leasing the property, the normal charges will apply as per this schedule. No Madeira Beach local business tax receipt for the tenant or property owner will be granted until the account is made current by the property owner. It is the responsibility of the property owner to notify the city, in writing, anytime a vacancy occurs, if they hope to receive the adjustment downward to the minimum charge. No retroactive adjustments will be made. The minimum charge will begin once the city has been notified and proof is provided that the property has no occupant.~~

(5) Owner's liability.

If the premises are sold, any remaining claims by the city for garbage and trash services not settled at time of transfer of ownership of the property shall become the responsibility of the new owner. This applies equally to the sale or foreclosure of any property and represents charges for service presently or previously provided. On all premises, the owner of such premises shall be liable for all garbage and trash service charges against the property irrespective of whether such premises is occupied by owner, tenant, or vacant. The occupation of fully constructed premises shall be irrelevant to the liability of the owner and/or occupant for the charges as provided for in this section. The schedule of charges shall be imposed on all fully constructed premises, whether occupied or not, and regardless of volume of garbage or trash generated. Liability for payment shall begin on the date of ownership of property.

(6) Payment, penalties, delinquency constitutes lien against property.

(Code 1983, §19-511)

All garbage and trash fees are due and payable upon receipt. Bills not paid within 30 days of the billing date will be considered delinquent and shall constitute grounds for filing a lien against the property with the clerk of the circuit court. Bills that arrive after the 30-day deadline will be assessed penalty interest on the next bill. It is the owner's responsibility to see that the payment arrives within the 30-day billing period. Bills not paid within 30 days shall have penalty interest added at the rate of 1½ percent per month beyond the delinquency date (30 days).

B. Stormwater Utility Management

(1) Created.

A stormwater management utility fee, also referred to in this section as "fee" was created and imposed on all developed property within the city for services and facilities provided by the stormwater management program. For the purposes of imposing the fee, all developed property within the city shall be classified into the following three classes:

- a. Residential Property
- b. Non-Residential Property
- c. Mixed Use Property

The Public Works Director will, from time to time, prepare a list of property within the City and assign a classification of residential or nonresidential property.

(2) Schedule of Rates

(Res. 05.20, 09/14/2005)

- (1) The EDU rate shall be \$10.00 per month for each EDU.
- (2) The stormwater management utility fee shall be calculated for each developed property as follows:
 - i. The fee for property consisting solely of dwelling units is the rate of one EDU multiplied by the number of dwelling units existing on the property. That is:

Fee = (EDU rate) X (Number of dwelling units)

- ii. The fee of a property with no dwelling units is the rate of one EDU multiplied by the numerical factor. The numerical factor is obtained by dividing the total impervious area in square feet of the nonresidential property by 1,249 square feet. The resulting calculation is:

Fee = (EDU rate) X (Impervious area expressed in square feet) / 1,249 square feet, but not less than the rate for one EDU)

****Fractional remainders***

- iii. The fee for mixed use property (dwelling units and commercial) is the rate of one EDU multiplied by the number of dwelling units existing on the property. The total on-site impervious is then compared to the impervious area allocated to dwelling units by multiplying the number of dwelling units X 1,249 square feet

per dwelling unit and subtracting the resulting square footage of impervious area from the total impervious area. If the remaining impervious area is zero or negative, the fee is the EDU rate multiplied by the number of dwelling units.

If the remaining impervious area is greater than zero, then the additional fee for the remaining impervious area is calculated under subsection (2)(b) of this section.

- (3) The minimum fee for developed property, whether residential or nonresidential, within the city is equal to the rate of one EDU subject to reduction as set forth in subsection (4) of this section.
- (4) On-site stormwater quality management facilities reduction shall be allowed and calculated as follows:
 - i. In order to encourage the improvement of the quality of stormwater runoff, a reduction in the stormwater management utility fee is authorized for those developed properties which are addressed by a stormwater management facility designed and constructed for the purpose of stormwater pollution reduction.
 - ii. A reduction in fee is allowed for a particular developed property only if the stormwater runoff from the property is treated by a stormwater management facility that has been designed, constructed, and is maintained properly for the purpose of stormwater pollution reduction and adheres to the drainage requirements of the ten-year frequency, 60-minute storm event. If it is determined by the Director of Community Services that the stormwater management facility has not been, nor is currently being, properly maintained as designed, the Director of Community Services may disallow the on-site stormwater management facility credit.
 - iii. Specific stormwater treatment facilities that qualify for this reduction include, but are not limited to, retention or filtration ponds; front, rear, and side lot swales; mechanical treatment or separation facilities; or extensive improvement in the amount of pervious surfaces by the use of turf-block for parking areas, driveways, patios and sidewalks.
 - iv. For applicable properties, the fee shall be reduced by 25 percent. The reduced fee will, therefore, be calculated as the fee determined in this subsection multiplied by the factor of 0.75 (Fee X 0.75).

(3) Billing, Collecting, Delinquency, and Penalty

- a. Bills for stormwater service shall be rendered bimonthly by the county water system as agent for the city. The fixed monthly charge shall be payable in advance.
- b. If any bill shall not be paid within seven days after the date it has been declared delinquent, water service to the premises shall be disconnected until such delinquent account is paid in full, including all applicable disconnection and reconnection charges.

- c. Statements for the stormwater management utility fee shall be payable at the same time and in the same manner and subject to the same penalties as they are otherwise set forth for other utility fees administered by the city. The property owner or fee payer will be notified of any delinquency in the payment of the stormwater management utility fee in the same manner that delinquent water, garbage and sewer bills are notified and the failure to pay such fee as is otherwise provided in the statement rendered to the payer shall subject the property to the discontinuance of water, garbage and sewer services and shall subject the fee payer to all other penalties and charges provided relative to the discontinuance of such utility services.
- d. The administrative appeal and hearing procedure applicable to the discontinuance of utility services shall be applicable to the discontinuance of such services for the nonpayment of the stormwater management utility fee.

(4) Adjustments of fees.

(Code 1983, §19-512)

- a. Any owner, tenant or occupant who has paid the rendered fee and who believes that the fee is in error may, subject to the limitations set forth in this division, submit an adjustment request to the Public Works Director.
 - i. Adjustment requests shall be made in writing and shall set forth in detail the grounds upon which the belief is based.
 - ii. The Public Works Director shall review the adjustment request within 90 days of the submittal of the request and shall respond in writing to the requesting fee payer, either denying or granting the request with the reason therefore stated in such response.
 - iii. The rate adjustment, if granted, will apply retroactively to the date at which the erroneous information was applied to the fee payer's fee, but will not exceed one year prior to the adjustment request.
 - iv. Upon denial of the adjustment request, the owner, tenant, or occupant making the original adjustment request may, within 30 days of the receipt of denial, petition for a review of the adjustment request by the board of adjustment. The board of adjustment shall review the adjustment request in accordance with the provisions set forth in the City Code, Chapter 2, as well as the documented evidence provided in the original adjustment request and supplemental evidence requested by the Director of Community Services or provided by the fee payer prior to the decision made by the Director of Community Services. Within 60 days of the petition the board of adjustment shall in writing, either grant or deny the petition. If the petition is granted, the Public Works Director will apply the adjustment to the fee for the requesting

customer for the retroactive period identified by the board of adjustment.

- b. The Public Works Director, upon discovering an error or oversight in the calculation of the fee, may initiate an adjustment request. The request must be made in writing documenting the reasons for the adjustment. In the event that the adjustment would require the increase in fee for a fee payer, the Public Works/Marina Director must provide the adjustment request to the affected fee payer 30 days prior to adjusting the fee and offer the fee payer an opportunity within the stated 30 days to provide reasons why the adjustment should not be made. An increase or decrease in fee shall not be retroactively effective more than one year from the date of adjustment.

(5) Sec. 70-156. - Enforcement.

- a. *Civil penalties.* Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to a civil penalty not less than \$50.00 or more than \$500.00 per day, or imprisonment of up to 60 days, or both such fine and imprisonment, for each violation.
- b. *Criminal penalties.* Any intentional or willful violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to a criminal penalty not less than \$50.00 or more than \$500.00 per day, or imprisonment of up to 60 days, or both such fine and imprisonment, for each violation.
- c. *Injunctive relief.* Any violation of any provision of this article, or of any regulation or order issued under this article, shall be subject to injunctive relief if necessary to protect the public health, safety, or general welfare.
- d. *Continuing violation.* A person shall be deemed guilty of a separate violation for each and every day during any continuing violation of any provision of this article, or of any regulation or permit issued under this article.
- e. *Enforcement actions.* The director may take all actions necessary, including the issuance of notices of violation and the filing of court actions, to require and enforce compliance with the provisions of this article and with any regulation or permit issued under this article.

ARTICLE VII. MADEIRA BEACH MUNICIPAL MARINA

A. Vessel inspection.

(Code 1983, Chapter 19, Article VII)

Live-aboard vessels desiring to stay beyond ten days will be required to obtain a no-fee annual permit and pay a vessel inspection fee of \$25.00

B. Madeira Beach Municipal Marina fees

(Res 2016-03, 02/10/2016)

The marina maintains the ability to adjust the rates below to account for changes in the sales tax Rates during the fiscal year; allowing for payments to stay consistent until this manual is updated and approved by the Commission. Employees receive the same rates as residents. The marina staff can issue transient slip discount coupons up to 20% off through online booking sites as a marketing tool. Discounts will be for off peak times.

Fees for the Madeira Beach Municipal Marina shall be as follows (each of these fees are subject to all applicable sales taxes):

- (1) Transient Wet Slip per day.....\$2.10/foot/day
- (2) Transient Wet Slip per week.....\$11.00/foot/week
- (3) Transient Dry Storage
 - a. Regular per day\$28.04/day
 - b. Holidays and/or weekends per day.....\$37.38/day
- (4) Transient Dry Storage\$233.64/month
- (5) Wet Slip non-Live-aboard\$12.00/foot/month
- (6) Boat Lift\$15.50/foot/month
- (7) Commercial non-live-aboard wet slip.....\$13.00/foot/month
- (8) Wet Slip Live – aboard\$18.50/foot/month
- (9) Dry Storage – under 26’ boat length\$158.88/month
- (10) Dry Storage – 26’+ boat length\$196.26/month
- (11) Resident Dry Storage (*Limited to Madeira Beach Residents Only*)\$128.33/month
- (12) Dry storage for non-motorized boat*\$28.17/month
 - a. **Kayaks, canoes, and small boat that can be carried by one (1) person.*
- (13) Boat Ramp Fees
 - a. Launch\$4.67/day
 - b. Launch and Park\$14.02/day
 - c. Holiday Launch and Park\$18.69/day
 - d. Resident Launch (New)\$1.87
 - e. Resident Launch & Park (New)\$9.35
- (14) Late Fee\$30.00
- (15) Residents with recreational vehicles and motor homes and boat displaced by City Road and/or Stormwater construction will be provided free storage space for those vehicles.
- (16) Fuel Discounts -Maximum discount per gallon \$0.30/gal
 - a. Commercial\$0.20/gal

- b. Gulf of Mexico Commercial Fishing Fleet Discount \$0.30/gal
- c. 50+ Gallon \$0.05/gal
- d. Boat US/ Sea Tow \$0.05/gal
- e. Madeira Beach Resident \$0.05/gal
- f. City Co-sponsored / Community events..... \$0.20/gal
 - i. Great American Grunt Hunt
 - ii. King of the Beach fishing tournament (Spring and Fall)
 - iii. Veterans Boat Parade
 - iv. Wild West Kingfish Tournament (*Spring and Fall*)
 - v. Sun Coast Kingfish Classic (*Spring and Fall*)
 - vi. Christmas Boat Parade
 - vii. Any other City Co-sponsored events as approved by the City Manager
- (17) Surveillance camera optional fee \$25.00/month
- (18) Live-aboard permits \$5.00(72 hours)
(*Res 2019-18, 12/17/2019*)
- (19) Temporary 3HR Wet Slip Parking/No Power..... \$20.00 + Tax

This page reserve for Publications by the City Clerk

ORDINANCE 2023-18

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE FEES AND COLLECTIONS PROCEDURES MANUAL THAT WAS AMENDED BY ORDINANCE 2023-05, PROVIDING FOR CONFLICT, PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the Board of Commissioners finds it appropriate to regularly review and amend the amount and type of fees collected in order to reflect the cost of service and facility provision city-wide; and

WHEREAS, the Board of Commissioners wishes to amend the Fees and Collection Procedures Manual to revise certain fees.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THAT:

SECTION 1. The Fees and Collections Procedures Manual be amended as attached in Exhibit B – FEES AND COLLECTION PROCEDURE MANUAL

SECTION 2. That the provision of this Ordinance shall be deemed severable. If any part of the Ordinance is deemed unconstitutional, it shall not affect the constitutionality of other portions of the Ordinance.

SECTION 3. That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same effect this Ordinance.

SECTION 4. That this Ordinance shall be in full force and effect upon adoption in the manner provided by law.

PASSED AND ADOPTED, following a first reading and public hearing, this ____ day of _____, 2023 by the Board of Commissioners of the City of Madeira Beach, Florida.

Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk



Memorandum

Meeting Details: Board of Commissioners Workshop Meeting, July 26, 2023

Prepared For: Hon. Mayor and Board of Commissioners

From: Community Development Department

Subject: Shade Structures – Permitting Considerations & Impact to Land Development Regulations

Background: Madeira Beach Land Development Regulations (LDRs) do not define “shade structure” nor any structure that would be directly comparable. While we have definitions for “Structure”, broken into subcategories of Major, Minor, Non-habitable Major and Coastal or Shore Protection, only the Minor definition makes mention of a gazebo. Other definitions reviewed were, “Accessory Building” (Sec. 82-2) as a “General Provision” definition and “Accessory Structure” (Sec. 94-93) defined for reference in “Floodplain Management”, neither of these addressed shade structures. The LDRs that will require review and possible alterations are mentioned here in this document and are provided as an attachment, pending any alteration in definitions and verbiage other LDRs may be subsequently impacted as well and will be addressed accordingly at that time. Links to all code references are located in this document.

Discussion: Permitting of accessory structures in Madeira Beach has some unique considerations. All of Madeira Beach lies within a Special Flood Hazard Area (SFHA) and several areas further fall into Coastal High Hazard Areas, as an example most all of Bay Point Drive. See link to FEMA flood maps below. With regards to floodplain management, FEMA allows for accessory structures, Sec. 94-102 At-grade Accessory Structures, only when utilized for parking or storage and with limited sizing.

Questions to consider:

1. Defining “shade structure” and/or “sun shelter”, with differentiation between shades that are free standing structures, attached to & extend out from house or retractable styles.
2. What setbacks would be applicable to the structure?
3. What is the allowable square footage and height?

4. Would construction be limited to four minimally sized posts composed of what type material?
5. The structure would have no walls.
6. What roof material would be allowed?
7. If other than an official “chickee hut”, what permit design documents would be required?
8. How will the allowance of these structures be viewed by FEMA and what impact could it have on our community Rating System (CRS)? CRS info link below.
9. Visibility for neighboring properties.
10. Potential for more outdoor kitchens.
11. What to do with the shade structures that are already built and unpermitted.

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH82G_EPR_S82-2DE

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH94F_LMA_DIV9GE_S94-93DE

<https://msc.fema.gov/portal/search?AddressQuery=Madeira%20Beach%20Florida>

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH94F_LMA_DIV10FLREDE_ARTIBUST_S94-102ADACST

<https://www.floridadisaster.org/dem/mitigation/floodplain/crs/#:~:text=What%20is%20the%20Community%20Rating,flood%20damage%20to%20insurable%20property>

In general, the permitting of “shade structures” will need to take into consideration:

The maximum area of a lot or parcel to be covered by structures which currently allows for:

- 40% in all of R-1, R-3 & for single family residence in R-2
- 50% for townhomes in R-2

A large % of developed lots have maximized buildable structure area and as such many properties may be left with little to no square footage for fixed shade structures mounted on posts/columns.

Pending site location, (i.e. over existing hardscape or grass) the ISR (Impervious Surface Ratio) will be impacted with the current allowable being:

- 0.65 (65%) of the lot can be impervious in R-1
- 0.70 (70%) of the lot can be impervious in R-2
- 0.85 (85%) of the lot can be impervious in R-3

Similar to maxed out structure coverage, several properties have reached max ISR and as such would have to take into consideration where to place the structure.

Specific LDR sections that will need to be reviewed, see below and refer to attached sections with highlights.

DIVISION 2. – R-1, Single-Family Residential – Anticipated alterations to sections listed below

- Sec. 110-178 – Accessory Uses
- Sec. 110-181 – Setback Requirements
- Sec. 110-183 – Maximum lot coverage

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH110_ZO_ARTVDI_DIV2SIMIRE

DIVISION 3. – R- 2, Low Density Multifamily Residential - Anticipated alterations to sections listed below

- Sec. 110-203 – Accessory Uses
- Sec. 110-206 – Setback Requirements
- Sec. 110-208 – Maximum lot coverage

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH110_ZO_ARTVDI_DIV3LODEMURE

DIVISION 3. – R- 3, Medium Density Multifamily Residential - Anticipated alterations to sections listed below

- Sec. 110-228 – Accessory Uses
- Sec. 110-231 – Setback Requirements
- Sec. 110-233 – Maximum lot coverage

https://library.municode.com/fl/madeira_beach/codes/code_of_ordinances?nodeId=PTIICOOR_CH110_ZO_ARTVDI_DIV4MEDEMURE

Recommendation(s):

Staff recommends in depth discussion and consideration of permitting these type structures. While we understand they are seen throughout the city and adjacent cities, research indicates most all adjacent cities do not permit these structures by right and hold to the same development and FEMA requirements as Madeira Beach.

Fiscal Impact or Other:

There is no anticipated fiscal impact, with the possible exception of increased permit fees associated with permitting and inspections. A foreseeable impact will be to the Community Rating System (CRS) and points the city receives for enforcement of FEMA recommended allowances for accessory structures.

Attachments:

- Applicable Madeira Beach Code of Ordinances

Sec. 82-2. Definitions.

The following words, terms and phrases when used in the land development regulations shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Absorption area means any area designed, or natural, capable of allowing stormwater percolation.

Abutting means to physically touch or border upon, to share a common property line, or is directly across a street, access easement, alley or other right-of-way (except those properties separated by an arterial street) from the subject property.

Accessory building or use means a building structure or use which is:

- (1) Subordinate to and serves a principal building or use.
- (2) Subordinate in area, extent and purpose to principal building or use.
- (3) Contributes to the comfort, convenience or necessities of the principal building or use.
- (4) Is located on the same lot as the principal building or use.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common loadbearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter loadbearing walls is new construction.

Adjoining means the same as "Abutting."

Adult arcade means a place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images, including motion pictures, films, video cassettes, slides or other photographic reproductions to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult bookstore means:

- (1) An establishment having as a substantial or significant portion of its stock in trade books, magazines, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities, or specified anatomical areas, or an establishment with a segment or section devoted to the sale, rental or display of such material.
- (2) It is an affirmative defense to an alleged violation of operating an adult bookstore without a permit if the adult material is accessible only by employees and either the gross income from the sale and/or rental of adult material comprises less than ten percent of the gross income from the sale; and/or rental of goods and/or services at the establishment, or the individual items of adult material offered for sale and/or rental comprises less than ten percent of the individual items publicly displayed at the establishment as stock in trade in any of the following categories: books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations, or recordings or other audio matter. Any adult use activity other than the sale or rental of adult material shall preclude the establishment's qualifying solely as an adult bookstore and shall mandate its classification as other than an adult bookstore.

Adult booth means a separate enclosure inside an adult entertainment establishment, accessible to any person, regardless of whether a fee is charged for access. The term "adult booth" includes, but is not limited to, a "peep show" booth, adult arcade booth or other booth used to view adult material. The term "adult booth" does not include a foyer through which any person can enter or exit the establishment, nor a restroom.

Structure means anything constructed or erected, the use of which requires permanent location on the land or attachment to something having permanent location on the land. Structures include buildings, walls, screened enclosures, fences, advertising signs, billboards, swimming pools and exterior mechanical equipment such as air-conditioning compressors.

- (1) *Major structure*: Houses, mobile homes, apartment buildings, condominiums, motels, hotels, restaurants, towers, other types of residential, commercial, or public buildings, and other construction.
- (2) *Minor structure*: Pile-supported, elevated dune and beach walkover structures; beach access ramps and walkways; stairways; pile-supported, elevated viewing platforms, gazebos, and boardwalks; lifeguard support stands; public and private bathhouses; sidewalks, driveways, parking areas, shuffleboard courts, tennis courts, handball courts, racquetball courts, and other uncovered paved areas; earth retaining walls; and sand fences, privacy fences, ornamental walls, ornamental garden structures, aviaries, and other ornamental construction. It shall be a characteristic of minor structures that they are considered to be expendable under design wind, wave, and storm forces.
- (3) *Nonhabitable major structure*: Swimming pools; parking garages; pipelines; piers; canals, lakes, ditches, drainage structures, and other water retention structures; water and sewage treatment plants; electrical power plants, and all related structures or facilities, transmission lines, distribution lines, transformer pads, vaults, and substations; roads, bridges, streets and highways; and underground storage tanks.
- (4) *Coastal or shore protection structure*: Shore-hardening structures, such as seawalls, bulkheads, revetments, rubble mound structures, groins, breakwaters, and aggregates of materials other than beach sand used for shoreline protection; beach and dune restoration; and other structures which are intended to prevent erosion or protect other structures from wave and hydrodynamic forces.

Sec. 94-93. Definitions.

Accessory structure means a structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

Appeal means a request for a review of the Floodplain Administrator's interpretation of any provision of this chapter.

ASCE 24 means a standard titled *Flood Resistant Design and Construction* that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood means a flood having a one-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 202.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base flood elevation means the elevation of the base flood, including wave height, relative to the national geodetic vertical datum (NGVD), North American vertical datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in FBC, B, Section 202.]

Basement means the portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 202.]

Breakaway wall means a partition or wall that is independent of supporting structural members and that is intended to withstand design wind forces but to collapse from a water load less than that which would occur during the base flood, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

Sec. 94-102. At-grade accessory structures.

At-grade accessory structures are permitted provided the accessory structures are used only for parking or storage and:

- (1) If located in special flood hazard areas (Zone A/AE) other than coastal high hazard areas, are one-story and not larger than 600 square feet and have flood openings in accordance with Section R322.2 of the Florida Building Code, Residential.
- (2) If located in coastal high hazard areas (Zone V/VE), are not located below elevated buildings and are not larger than 100 square feet.
- (3) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
- (4) Have flood damage-resistant materials used below the base flood elevation plus one foot.
- (5) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation plus one foot.

DIVISION 2. R-1, SINGLE-FAMILY RESIDENTIAL**Sec. 110-176. Definition; purpose and intent.**

The R-1, single-family residential district provides for single-family residential development located where lower density single-family uses are desirable. The R-1, single-family residential district correlates with the residential urban (RU) category of the Countywide Plan. The lots and dwellings are larger sized to provide for the desired density of use. Essential services and public facilities compatible with this residential district are also provided.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a six-month period.

(Code 1983, § 20-404; Ord. No. 1069, § 1, 2-28-06; Ord. No. 1138, § 2, 12-9-08)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-177. Permitted uses.

The permitted uses in the R-1, single-family residential district are single-family residential dwellings and public education facilities of the school board.

(Code 1983, § 20-404; Ord. No. 1138, § 2, 12-9-08)

Sec. 110-178. Accessory uses.

The accessory uses in the R-1, single-family residential district are as follows:

- (1) Home occupations.
- (2) Private garages and carports.
- (3) Private swimming pools.

- (4) Residential signs.
- (5) Residential docks.
- (6) Essential services.
- (7) Other accessory uses customarily incident to permitted or approved special exception uses.

(Code 1983, § 20-404)

Sec. 110-179. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the R-1, single-family residential district:

- (1) Publicly owned or operated parks or recreation areas.
- (2) Public service facilities.
- (3) Cabanas used as bathhouses.
- (4) Amateur/marine radio antenna's not exceeding 50 feet.

(Code 1983, § 20-404; Ord. No. 2017-03 , § 2, 3-7-17)

Sec. 110-180. Minimum building site area requirements.

The minimum building site area requirements in the R-1, single-family residential district are as follows:

- (1) Lot size:
 - a. Single-family:
 - Lots existing on or before December 9, 2008: 5,000 square feet.
 - Lots created after December 9, 2008: 5,800 square feet.
 - b. Public service facilities: Shall not exceed a maximum area of three acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.
- (2) Minimum width: 50 feet.
- (3) Minimum depth: 80 feet.
- (4) Density: The maximum density is seven and one-half dwelling units per acre.

(Code 1983, § 20-404; Ord. No. 1138, § 2, 12-9-08)

Sec. 110-181. Setback requirements.

The following minimum setbacks shall apply in the R-1 district:

- (1) Front yard: 20 feet measured from the right-of-way line to the structure
- (2) Rear yard:
 - Waterfront lots: 30 feet.
 - Non-waterfront lots: 25 feet.

- (3) Side yard: Total side setback of 15 feet with a minimum of seven feet on either side.
- (4) For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be placed in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to louvers, lattice and the like.

(Code 1983, § 20-404; Ord. No. 1023, § 1, 11-30-04)

Sec. 110-182. Maximum building height.

No structure in the R-1, district shall exceed 30 feet in height measured from the designated base flood elevation on the flood insurance rate map (FIRM) plus required freeboard, to the eave line of the building, unless otherwise provided in the land development regulations.

In any case, the overall height of the building measured from the base flood elevation to the highest point shall not exceed 40 feet and the maximum roof pitch shall not exceed 6:12 pitch or 45 degrees.

(Code 1983, § 20-404; Ord. No. 1023, § 2, 11-30-04; Ord. No. 2021-23, § 1, 11-10-21)

Sec. 110-183. Maximum lot coverage.

The maximum lot coverage in the R-1, single-family residential district is as follows:

- (1) Residential use: Floor area ratio (FAR) 0.80. The maximum area of a lot or parcel to be covered by structures shall be 40 percent of the total area.
- (2) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.
- (3) Public service facilities: Floor area ratio (FAR) 0.40.

(Code 1983, § 20-404; Ord. No. 1138, § 2, 12-9-08)

Sec. 110-184. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the R-1, single-family residential district for all uses is 0.65.

(Code 1983, § 20-404; Ord. No. 1138, § 2, 12-9-08)

Secs. 110-185—110-200. Reserved.

DIVISION 3. R-2, LOW DENSITY MULTIFAMILY RESIDENTIAL

Sec. 110-201. Definition; purpose and intent.

The R-2, low density multifamily residential district provides for low density multifamily residential correlates with the residential medium (RM) category of the countywide plan and, which does allow for a variety of dwelling types.

Any use which is not specifically identified as a permitted use, accessory use or special exception use is a prohibited use. Prohibited uses shall include, but are not limited to, short term rentals of a housing unit. As used in this division, the term "short term rental" shall mean any rental of a dwelling unit, or portion thereof, for less than a three-month period.

(Code 1983, § 20-404; Ord. No. 1069, § 2, 2-28-06; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07 , § 1, 7-11-18)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-202. Permitted uses.

The permitted uses in the R-2, low density multifamily residential district are as follows:

- (1) Single-family.
- (2) Duplex.
- (3) Triplex.
- (4) Townhouse type construction.
- (5) Public education facilities of the school board.

(Code 1983, § 20-404; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07 , § 1, 7-11-18)

Sec. 110-203. Accessory uses.

The accessory uses in the R-2, low density multifamily residential district are as follows:

- (1) Home occupations.
- (2) Private garages and carports.
- (3) Private swimming pools.
- (4) Residential signs.
- (5) Residential docks.
- (6) Essential services.
- (7) Other accessory uses customarily incident to permitted or approved special exception uses.

(Code 1983, § 20-404; Ord. No. 2018-07 , § 1, 7-11-18)

Sec. 110-204. Special exception uses.

Upon application for a special exception to the board of adjustment and favorable action thereon, the following uses may be permitted in the R-2, low density multifamily residential district:

- (1) Churches, synagogues or other houses of worship.
- (2) Publicly owned or operated parks or recreation areas.
- (3) Private schools.
- (4) Public service facilities.
- (5) Cabanas used as bathhouses.

(Code 1983, § 20-404; Ord. No. 2017-03 , § 3, 3-7-17; Ord. No. 2018-07 , § 1, 7-11-18)

Sec. 110-205. Minimum building site area requirements.

The minimum building site area requirements in the R-2, low density multifamily residential district are as follows:

- (1) Lot size:
 - a. Single-family: 4,000 square feet.
 - b. Duplex and triplex: Minimum land area of 3,000 square feet per dwelling unit.
 - c. Townhouses: Minimum land area of 12,000 square feet (3,000 square feet per dwelling unit). (See article VI, division 10, subdivisions II and III of this chapter.)
 - d. Public service facilities: Shall not exceed a maximum area of three acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.
- (2) Lot width:
 - a. Single-family: 40 feet.
 - b. Duplex: 60 feet.
 - c. Triplex: 80 feet.
 - d. Townhouses: 100 feet.
- (3) Lot depth: 80 feet.
- (4) The maximum density is 15 dwelling units per acre.

(Code 1983, § 20-404; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07 , § 1, 7-11-18)

Sec. 110-206. Setback requirements.

The following minimum setbacks shall apply in the R-2, low density multifamily residential district:

- (1) Front yard: 20 feet.
- (2) Rear yard: 25 feet.
- (3) Side yard:
 - a. Single-family lots less than 50 feet wide may reduce the total side setback to ten feet with a minimum of five feet on either side.
 - b. Single-family and duplex lots, the total side setback shall be 15 feet with a minimum of seven feet on either side for lots equal to 50 feet and less than 80 feet wide.
 - c. Single-family and duplex lots, the total side setback shall be 18 foot with a minimum of eight feet on either side for lots equal to 80 feet and less than 120 feet wide.
 - d. Single-family and duplex lots 120 feet in width or greater, the total side setback shall be 25 foot with a minimum of 12 feet on either side.
 - e. Triplex lots, the total side setback shall be 20 feet with a minimum of nine feet on either side.

- f. Townhouses: A minimum of 15 feet between each row of townhouses and minimum of nine feet on each side property line.
- (4) For only those dwelling units with the lowest habitable space elevated at or above the elevation designated on the flood insurance rate map (FIRM); exterior stairs, platforms for mechanical equipment, and chimneys shall be allowed to extend into the side-yard setback, but only to a depth of no more than one-half of the required setback. Such equipment shall be located in the middle one-third of the structure. All mechanical equipment must be appropriately shielded from public view with materials including, but not limited to, louvers, lattice and the like.

(Code 1983, § 20-404; Ord. No. 1023, § 3, 11-30-04; Ord. No. 2018-07, § 1, 7-11-18; Ord. No. 2020-01, § 1, 3-24-20)

Sec. 110-207. Maximum building height.

No structure in the R-2, district shall exceed 30 feet in height measured from the designated base flood elevation on the flood insurance rate map (FIRM) plus required freeboard, to the eave line of the building; except as provided in the land development regulations.

In any case, the overall height of the building measured from the base flood elevation to the highest point shall not exceed 40 feet and the maximum roof pitch shall not exceed 6:12 pitch or 45 degrees.

(Code 1983, § 20-404; Ord. No. 1023, § 4, 11-30-04; Ord. No. 2018-07, § 1, 7-11-18; Ord. No. 2021-23, § 1, 11-10-21)

Sec. 110-208. Maximum lot coverage.

The maximum lot coverage in the R-2, low density multifamily residential district is as follows:

- (1) Residential use: Floor area ratio (FAR) 0.80. The maximum area of a lot or parcel to be covered by structures shall be 40 percent of the total area except for townhouse dwelling units which shall be 50 percent of the total lot area.
- (2) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.
- (3) Public service facilities:
 - a. Institutional: Floor area ratio (FAR) 0.50.
 - b. Transportation/utility: Floor area ratio (FAR) 0.50.

(Code 1983, § 20-404; Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07, § 1, 7-11-18)

Sec. 110-209. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the R-2, low density multifamily residential district for all uses is 0.70.

(Code 1983, § 20-404; Ord. No. 2018-07, § 1, 7-11-18)

Sec. 110-210. Special requirement.

Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.

(Ord. No. 1138, § 3, 12-9-08; Ord. No. 2018-07, § 1, 7-11-18)

Secs. 110-211—110-225. Reserved.

DIVISION 4. R-3, MEDIUM DENSITY MULTIFAMILY RESIDENTIAL

Sec. 110-226. Definition; purpose and intent.

The R-3, medium density multifamily residential district provides for medium density development for both permanent and tourist residential facilities at locations where public facilities are adequate to support such intensity. The R-3, medium density multifamily residential district correlates with the resort facilities medium (RFM) category of the City of Madeira Beach Comprehensive Plan.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14, § 1, 5-11-22)

Cross reference(s)—Definitions generally, § 1-2.

Sec. 110-227. Permitted uses.

The permitted uses in the R-3, medium density multifamily residential district are as follows:

- (1) Single-family.
- (2) Duplex.
- (3) Triplex.
- (4) Multifamily.
- (5) Tourist dwelling units.
- (6) Restaurants, excluding drive-in restaurants.
- (7) Publicly owned or operated parks and recreation areas.

(Code 1983, § 20-404)

Sec. 110-228. Accessory uses.

The accessory uses in the R-3, medium density multifamily residential district are as follows:

- (1) Home occupation.
- (2) Private garages and carports.
- (3) Swimming pools or cabanas used as bath houses.
- (4) Residential docks.
- (5) Essential services.
- (6) Wireless communication antennas as regulated by article VI, division 12, subdivisions I, II and IV of this chapter.

(Code 1983, § 20-404)

Sec. 110-229. Special exception uses.

Upon application for a special exception to the special magistrate and favorable action thereon, the following uses may be permitted in the R-3, medium density multifamily residential district:

- (1) Retail and personal service uses only ancillary to a permitted use.
- (2) Public service facilities.
- (3) Commercial recreation and entertainment facilities.

(Code 1983, § 20-404; Ord. No. 2017-03 , § 4, 3-7-17)

Sec. 110-230. Minimum building site area requirements.

The minimum building site area requirements in the R-3, medium density multifamily residential district are as follows:

- (1) Lot size:
 - a. Single-family: 4,000 square feet.
 - b. Duplex, triplex: 3,000 square feet per dwelling unit.
 - c. Multifamily: 2,420 square feet per dwelling unit.
 - d. Restaurants: 5,000 square feet.
 - e. Public service facilities: Shall not exceed a maximum area of three acres. Like uses or contiguous like uses in excess of this threshold shall require the parcel to be amended to the P-SP zoning district and the appropriate land use category.
- (2) Lot width:
 - a. Single-family, duplex, triplex: 40 feet.
 - b. Multifamily and hotel: 60 feet.
 - c. Restaurants: 60 feet.
- (3) Lot depth: All permitted uses 80 feet.

(Code 1983, § 20-404; Ord. No. 1043, § 1, 6-14-05; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 2, 5-11-22)

Sec. 110-231. Setback requirements.

The following minimum setbacks shall apply in the R-3, medium density multifamily residential district:

- (1) Front yard:
 - a. Single-family, duplex and triplex: 20 feet, measured from right-of-way to structure.
 - b. Multifamily, hotel and restaurants: 25 feet.
- (2) Rear yard: 25 feet, unless otherwise provided in the land development regulations, and then the more restrictive requirement shall apply.
- (3) Waterfront yard: For lots with a waterfront yard on the Gulf of Mexico, the setback shall be landward of to the county coastal construction control line.

(4) Side yard setbacks:

a. Single-family, duplex and triplex dwellings:

1. For lots less than 50 feet in width, the minimum side yard setback shall be five feet.
2. For lots 50 feet or greater in width, the minimum total side yard setback shall be 15 feet with a minimum of seven feet on either side.

b. Multifamily, hotels and restaurants: The minimum side yard setback shall be ten feet provided that the provisions of section 110-236 are met.

(Code 1983, § 20-404; Ord. No. 2022-14 , § 3, 5-11-22)

Sec. 110-232. Maximum building height.

No building in the R-3, medium density multifamily residential district shall exceed 44 feet in height.

(Code 1983, § 20-404; Ord. No. 2021-23 , § 1, 11-10-21; Ord. No. 2022-14 , § 4, 5-11-22)

Sec. 110-233. Maximum lot coverage.

The maximum lot coverage in the R-3, medium density multifamily residential district is as follows:

- (1) Residential use: Floor area ratio (FAR) 1.0. The maximum area of a lot or parcel to be covered by structures shall be 40 percent.
- (2) Multifamily, hotel, and related uses: The density shall be a maximum of 18 residential dwelling units or temporary lodging units as shown in the table below. A combination of both residential and tourist dwelling units may be permissible provided that the provisions of subsection 110-236(b) are met.

Land Area of the Development Site	Units/Acre	FAR	ISR
Less than one acre	45	1.0	0.85
One to three acres	60	1.5	0.85
Greater than three acres	75	2.0	0.85

(3) Commercial/nonresidential: Floor area ratio (FAR) 0.55.

(4) Public service facilities: Floor area ratio (FAR) 0.65.

(5) Public owned parks and recreation facilities: Floor area ratio (FAR) 0.25.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14 , § 5, 5-11-22)

Sec. 110-234. Impervious surface ratio (ISR).

The impervious surface ratio (ISR) in the R-3, medium density multifamily residential district for all uses is 0.85.

(Code 1983, § 20-404; Ord. No. 2022-14 , § 6, 5-11-22)

Sec. 110-235. Buffering requirements.

Buffering requirements in the R-3, medium density multifamily residential district are as follows:

- (1) Parking lots/garages for tourist dwellings and nonresidential uses shall be designed to minimize their impacts to any adjacent residential uses as established in the land development regulations.
- (2) During the development process, existing curb cuts shall be reoriented, if necessary, to minimize the negative impact on adjacent properties.
- (3) All development within this category will meet or exceed the buffering/landscape requirements as outlined in chapter 106, article II.

(Code 1983, § 20-404)

Sec. 110-236. Special requirements.

- (a) No structure in the R-3, medium density multifamily residential district shall be constructed that is greater than 250 feet in width. If two structures are proposed on the same lot or parcel, the buildings shall be separated by a minimum of ten feet.
- (b) Mixed uses in a single development shall not exceed, in combination, the respective number of units per acre and floor area ratio permitted, when allocated in their respective proportion to the gross land area of the property.
- (c) Institutional, other than public educational facilities shall not exceed a maximum area of five acres. Transportation and/or utility uses shall not exceed a maximum area of three acres.
- (d) When a proposed multifamily or non-residential use in the R-3, medium density multifamily residential district abuts a single-family, duplex, or triplex, an additional five-foot setback is required along the length of the entire shared lot line. This additional setback will be utilized to provide additional landscaped screening.

(Code 1983, § 20-404; Ord. No. 1138, § 4, 12-9-08; Ord. No. 2022-14, § 7, 5-11-22)

Secs. 110-237—110-255. Reserved.

Sec. 110-472. R-1, single-family residential zones.

Accessory structures may not be located in front yards in R-1, single-family residential zones.

- (1) *Lots not on water.* For lots not on water in R-1, single-family residential zones, accessory structures may be located in side or rear yards but must provide a minimum of 2½-foot setback to allow for vegetation control.
- (2) *Lots on water.* For lots on water in R-1, single-family residential zones, accessory structures may be located in side or rear yards. If the accessory structure is located in a side yard, a minimum of 2½-foot side setback must be provided. If the accessory structure is located in the rear yard, the same rear setback as required for principal structures must be provided.

(Code 1983, § 20-505(B))

Sec. 110-473. R-2, low density multifamily residential zones.

Accessory structures may not be located in front yards in R-2, low density multifamily residential zones.

- (1) *Lots not on water.* For lots not on water in R-2, low density multifamily residential zones, accessory structures may be located in side or rear yards but must provide a minimum of 2½-foot setback to allow for vegetation control.

- (2) *Lots on water.* For lots on water in R-2, low density multifamily residential zones, accessory structures may be located in side or rear yards. If the accessory structure is located in a side yard, a minimum of 2½-foot side setback must be provided. If the accessory structure is located in the rear yard, the same rear setback as required for principal structures must be provided.

(Code 1983, § 20-505(C))

Sec. 110-474. R-3, medium density multifamily residential zones.

Accessory structures (except carports) may not be located in front yards in R-3, medium density multifamily residential zones.

- (1) *Lots not on water.* For lots not on water in R-3, medium density multifamily residential zones, accessory structures (except carports) may be located in side yard, but must provide a five-foot minimum side setback. If the accessory structure is located in the rear yard, a minimum of two-foot setback must be provided to allow for vegetation control.
- (2) *Lots on water.* Accessory structures (except carports) on lots on water in R-3, medium density multifamily residential zones must provide the same setbacks as are required for the principal structure.
- (3) Carports in the R-3, medium density multifamily residential zones may be located in the front or side yard and must provide a five-foot side yard setback and ten-foot front yard setback.
- (4) The accessory structure must meet the intersection visibility requirement.

(Code 1983, § 20-505(D); Ord. No. 2022-12, § 1, 5-11-22)

Sec. 110-480. Maximum size in R-1, R-2 and R-3 zones.

For single-family structures, the maximum size for an accessory structure will be eight feet wide by ten feet long by eight feet high. For duplex and multifamily structures, there may not be more than two accessory structures for a maximum size of six feet by eight feet by eight feet or a single accessory structure eight feet by ten feet by eight feet. The maximum size of a carport in the R-3, medium density multifamily residential zone for single family structures, is 20 feet wide by 22 feet long by ten feet high. For single family structures, there may not be more than one carport. The limit to the number of carport structure for duplex and multifamily structures will be regulated by parking requirements and the site plan approval process.

(Code 1983, § 20-505(J); Ord. No. 2022-12, § 2, 5-11-22)

Sec. 110-482. Lot coverage.

The area covered by accessory structures shall be included in the allowable lot coverage.

(Code 1983, § 20-505(L))

Sec. 110-484. Placement.

An accessory type structure may not be placed forward of the front entrance of the principal structure. In no case shall an accessory type structure be placed closer to any lot line adjacent to a street than provided for the principal structure nor closer than 18 feet to any seawall on the Gulf of Mexico.

(Code 1983, § 20-505(N); Ord. No. 918, § 3, 12-7-99)

CITY MANAGER'S REPORT- JUNE 2023

CITY MANAGER

CLEAN-UPS: Thank you to all who continue daily to ensure we maintain a safe, clean, and overall beautiful City. Specifically, the Trash Pirates and the Trash Turtles (both based right here in Madeira Beach) continue to provide wonderful messages and thousands of volunteer hours planning, advertising, and holding clean-ups monthly. Thank you to them and all residents who continue to remind us why we have such a wonderful City.

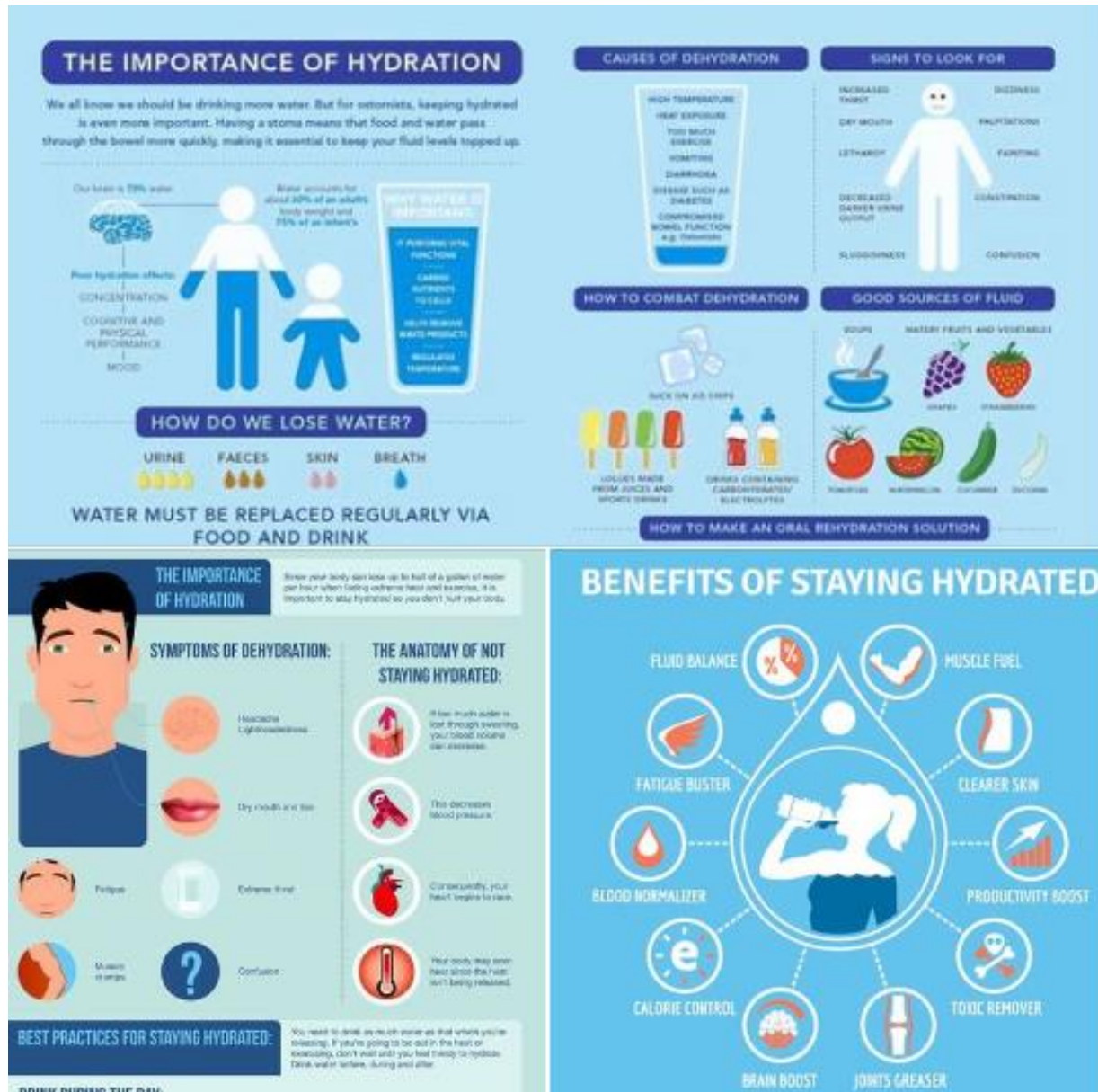


As in prior months thousands enjoyed our vast and varied events including our monthly clean-up on Saturday, June 3, various youth softball tournaments, nearly 200 runners participating in a 5K on the sand, and a spectacular final Friday at the John's Pass bell tower area. Please read below for additional events/activities/meetings in July including our Independence Day fireworks on Monday, July 3, the Trash Pirates, Trash Turtles of Madeira Beach, and Keep Pinellas Beautiful Community Clean-up on Wednesday, July 5, Fiscal Year 2024 City Budget workshop on July 24, and Final Friday in John's Pass Village on Friday, July 28.



SUMMER STORMS, HURRICANES, SAFETY, HYDRATION AWARENESS: Throughout June we continued to focus on hurricane/storm awareness and boater/water safety. As thousands continued using the gulf, the various waterways, and pools, we are reminded of the need to be safe remembering and utilizing all available safety precautions and devices from swimming in marked areas to wearing safety devices on boats to following all posted signs and markers both on water and land. Additionally, we reminded residents and visitors of the importance to stay hydrated as the heat and humidity continue through the summer. Important to remember that our fluid levels can drop by 2-3% of our body weight before we even realize we are thirsty. Consequently, we must remember to drink fluids (water is a great one) even before we are thirsty.

CITY MANAGER'S REPORT- JUNE 2023



SEAWEED: Though June is historically the month of greatest seaweed deposits, there is no way to predict when it will wash ashore in larger quantities or how long it will last. While the City of Madeira Beach does rake the beach daily, we are not permitted to rake along the wet sand since there is an importance of seaweed to our ecosystem. For example, turtles use sargassum seaweed mats as nurseries where hatchlings have food and shelter. Sargassum also provides essential habitat for shrimp, crab, fish, and other marine species that have adapted specifically to this floating alga. Per the National Geographic organization, the Gulf of Mexico is home to many layers of life and varied coastal and marine ecosystems heavily dependent on many water, land, and air movements and life systems including seaweed/grass. The below links provide some interesting information on seaweed/grass:

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[The Importance of Seaweed to Our Ecosystem | SoWal.com](https://cleantechnica.com/2021/06/02/seaweed-can-resotre-ocean-dead-zones-caused-by-nutrient-run-off/)

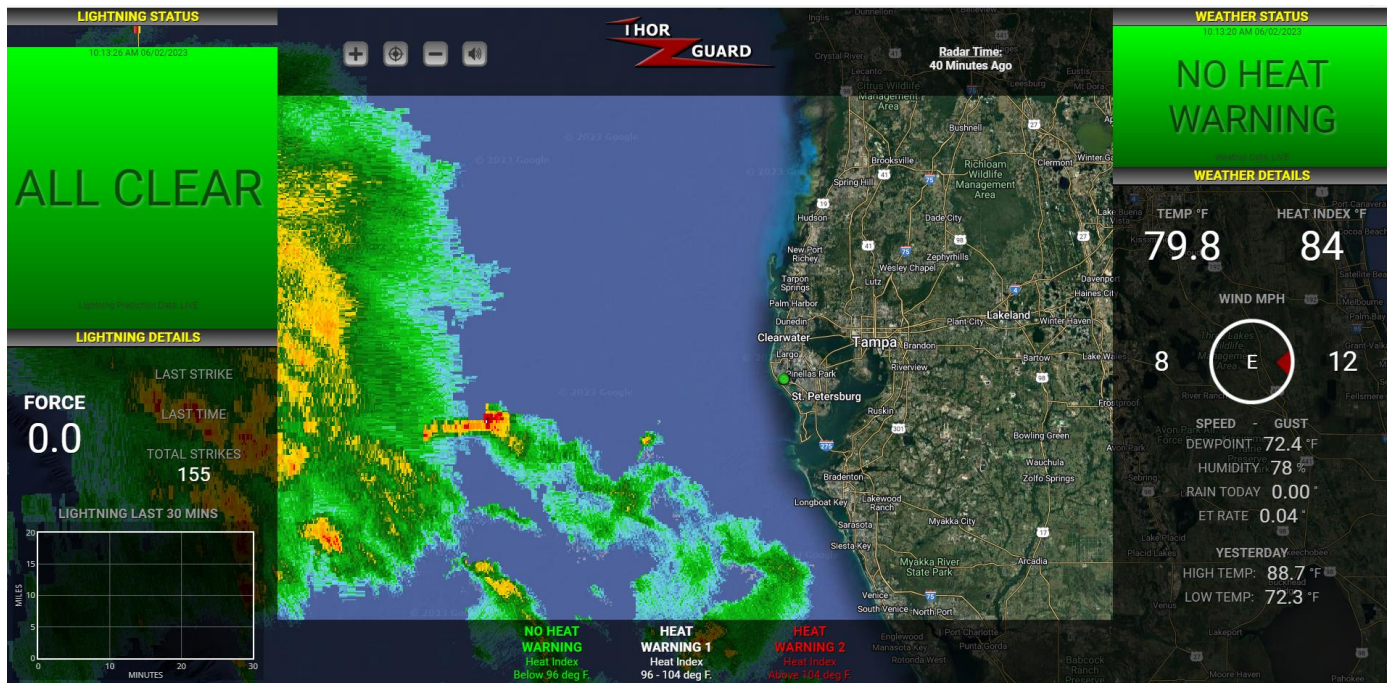
<https://cleantechnica.com/2021/06/02/seaweed-can-resotre-ocean-dead-zones-caused-by-nutrient-run-off/>



WEATHER & HURRICANE SEASON – June 1 to November 30

A reminder that our Madeira Beach Rec Center has a weather station and lightning detection system located on top of the building. The system/software offers a public page for the community to utilize when there is weather approaching. Check it out here: <https://bit.ly/43CfwvW>

CITY MANAGER'S REPORT- JUNE 2023



June 1 officially marks the start of the Atlantic basin Hurricane Season – a note from our Madeira Beach Fire Department:

Some important reminders include:

- Keep a hurricane kit stocked with food, water, meds, flashlights, battery-powered radio, etc
- Make an evacuation plan for your family (remember to include your pets)
- Gas up vehicles
- Physically prepare/protect your home – clear yard of furniture, debris, and potential projectiles
- Board up windows, put up shutters
- Be ready to turn off power in case of flooding
- Place important documents and valuables in watertight containers
- Keep calm & stay alert

CITY MANAGER'S REPORT- JUNE 2023

As we enter the Hurricane Season, Madeira Beach Fire Department would like to encourage all of our residents and businesses to have a plan in the event a storm is heading our way. You can pick up a Hurricane Guide at City Hall or the Fire Station that will be able to assist you with shelter information, pet shelters, preparation of supplies and important numbers and resources for before and after the storm.

The Hurricane Supplies Tax Free Holiday runs through June 9, 2023... See more

A graphic with a dark, stormy background featuring a hurricane. It contains several informational boxes and images:

- June 1 - November 30** (in a blue rounded rectangle)
- HURRICANE SEASON** (on a red and blue sign)
- A satellite image of a hurricane over the Gulf of Mexico.
- Stop by City Hall to pick up the Pinellas County Hurricane Guide & Your Emergency Access Pass** (in a blue rounded rectangle)
- Have a Plan** (in a blue rounded rectangle)
- Hurricane Preparedness ASSEMBLE DISASTER SUPPLIES** (in a box showing a checklist and supplies):
 - Food & water
 - Medicine & prescriptions
 - Keep gas tank full
 - Radio, batteries, phone charger
 - Cash on hand

Ready Pinellas Emergency Planning Mobile App

Introducing the new and improved Ready Pinellas mobile app!

Ready Pinellas is designed to help residents prepare themselves and their families before, during and after a storm. It is available for free download on the Apple [App Store](#) and [Google Play](#) store.

Note: Android device users who already had the previous Ready Pinellas app installed will need to download the new app from the Google Play store and remove the old app from their devices. Apple device (iPhone and iPad) users will see the app automatically updated.

The new app features a refreshed design and user experience, additional information and tips, and convenient checklists to make sure you and your family are prepared. App users can use emergency supply checklist, home inventory and emergency contacts tools to build a personal emergency plan.

As a storm approaches, the app will provide real-time updates to help keep you safe, including detailed information that is available at your fingertips even if you lose internet connectivity. It will provide resources to contact us year-round and during a disaster and give you tips to Stay Informed.



Ready Pinellas App Features

- **Know Your Zone**: If you have your locator services on, the app will tell you if you are in a designated evacuation zone. You can also look up other addresses to see if they are in an evacuation zone. Remember: Evacuation zones were updated for the 2022 hurricane season, so you may have a new zone. When a storm is approaching, it will tell you if Pinellas County is in the 5-day or 3-day cone and if an evacuation order has been issued.
- **Make a Plan**: Use our emergency supply checklist, home inventory and emergency contacts tools to build a personal emergency plan that you can share. You can take pictures of items for your home inventory.
- **Push Notifications**: Through the app, you will receive informational and emergency notifications from Pinellas County Emergency Management, the National Weather Service and [Alert Pinellas](#).
- **Special Needs**: You can learn more about special needs assistance, which is intended for those who need transportation or require minimal medical assistance while seeking public shelter. You can register from the app.
- **Preparedness Tips**: Learn how to prepare your family, pets, home, condo, mobile home, boat and more.
- **Safety Tips**: Find information on What to Do Now before, during, and after an event. Learn about year-round preparedness, how to clean up after a flood or food safety if power has been out.
- **Report Damages** after a storm has hit Pinellas County.

FEMA- July Plan



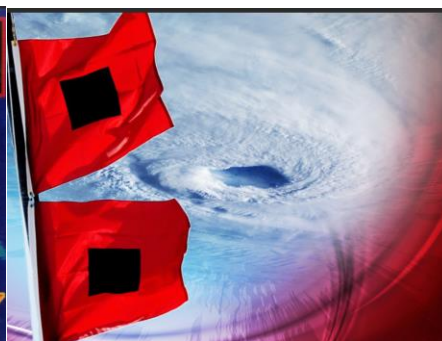
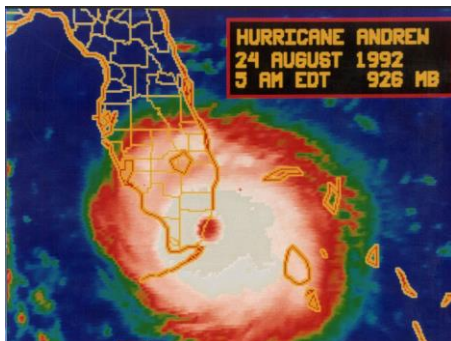
Power Outage2



What to do when you lose power!

Summer tends to include thunderstorms into our daily weather. While we correlate power outages with tropical storms and hurricanes, a strong summer thunderstorm can cause an unexpected power outage. Please see below some actions to take before or immediately after a power outage during a thunderstorm or hurricane:

- Keep freezer and refrigerator doors closed
- Use a generator OUTDOOR/OUTSIDE and away from windows
- Disconnect appliances and electronics to avoid damage from electrical surges
- Have alternate plans for refrigerating medicines or using power-dependent medical devices
- If going outside, avoid large puddles around power lines that might be submerged but still active
- Power outage means NO A/C. . .



TURTLE NESTING SEASON BEGAN MAY 1



CITY MANAGER'S REPORT- JUNE 2023

Here in Madeira Beach, we love sea turtles! Nesting season runs from May 1st to November 30th. The City of Madeira Beach greatly appreciates your support by helping to pick up litter on the beach, filling sand holes on the beach, and making sure your home lighting is sea turtle compliant if you live on the beach side. Look below for some links on more information on what you can do and organizations that help our beloved sea turtles!

- **Pinellas County Sea Turtle Information** – pinellascounty.org/environmental/coastal/sea-turtles.htm
- **SeaTurtleTrackers.org**
- **Clearwater Marine Aquarium Rescue Program** – <https://mission.cmaquarium.org/what-we-do/rescue-rehab-release>
- **Madeira Beach Leave No Trace Ordinance** - <https://storage.googleapis.com/proudcity/madeirabeachfl/uploads/2021/04/Leave-no-trace-flyer.pdf>




CITY VISIONING – MISSION & VISION STATEMENTS

This summer the city will begin its visioning process to determine the future of our wonderful City. Numerous Commission and public meetings will begin by late summer/early fall to review and discuss our City's Mission and Vision Statements, essentially a very comprehensive look at the City's master plan that will guide our development/redevelopment, public safety, infrastructure

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maintenance, and over-all quality of life over the next twenty (20) years. Please stay tuned for notices on these and other public meetings to obtain your input.

The first discussion will begin on May 26 at the monthly Commission Workshop beginning at 6 pm at City Hall Commission Chambers.



City of Madeira Beach's Mission Statement

Madeira Beach, A Gulf Coast barrier island community, provides exceptional services to our residents, businesses, and visitors in a manner consistent with the eclectic nature of our city. We celebrate a quality of life enjoyed by all.

City of Madeira Beach's Vision Statement

Madeira Beach, gateway to the Gulf, is a welcoming, livable community dedicated to the preservation of our pristine natural beaches and our eclectic neighborhoods which create a unique sense of place for all.

Public Trust - *We believe that honesty and integrity are the foundation of all constructive relationships and the basis of public trust. We will ensure this through ethical behavior and decision making.*

Safety - *We value safety by promoting a healthy environment, infrastructure, and lifestyle for the community.*

Transparency - *We will protect and preserve open and honest governance to maintain the public's trust and confidence.*

Teamwork - *We are committed to working together, embracing diversity and inclusion to best serve one another and the public.*

Accountability - *We define accountability as taking ownership and responsibility for the outcomes of our decisions, actions, and management of our resources.*

Professionalism - *Professionalism is dedication to excellence through integrity, requiring careful analysis of issues, free of personal biases, with a commitment to the organization and the community.*

Respect - *We value all viewpoints and opinions and treat each other with courtesy and respect.*

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CITY BUDGET

The next Fiscal Year (FY) 24 Budget Workshop will take place on Wednesday, July 26, beginning at 4 pm (at City Commission Chambers, 300 Municipal Dr) to discuss department personnel and operating expenditures, the City's tax (millage) rate, and various non-departmental expenditures including contributions to other agencies (Chambers of Commerce, Coast Guard Auxiliary, etc). A reminder that the City's fiscal year runs from October 1 to September 30 – so our fiscal year 2023, will conclude this September 30, with the fiscal year 2024, beginning the following day on October 1, 2022. Also, under Florida law we must adopt a balanced budget where our revenues equal our expenditures. Our property/millage tax rate compared to other cities (millage rate utilized for FY 23 budget):

MILLAGE RATES – MB & OTHER CITIES

<u>Municipality</u>	<u>FY 2022 millage rate</u>
City of Clearwater	5.8850
City of South Pasadena	4.9650
City of Dunedin	4.1345
City of Treasure Island	3.8129
City of St. Pete Beach	3.1500
City of Madeira Beach	2.7500
City of Belleair Beach	2.0394
City of Indian Rocks Beach	1.8326

ENVIRONMENTAL STEWARDSHIP – LEAVE NO TRACE

As we continue with beautification work including the monthly city-wide clean-ups and enhanced recycling services, we will also continue reminding our residents, businesses, and visitors to ensure all trash/waste ends up in the proper containers particularly when visiting our sand. Also please remember: No dogs on the Sand, No glass on the Sand. Fines are \$250 for littering and \$93 for dog on the sand/beach:



Beach Ordinances

Sec. 42-37 - Leave no trace

- Any unattended tent or property left on the Public Beach at night shall be deemed discarded by the owners and become the property of the City of Madeira Beach and may be removed and disposed of by the appropriate authority.
- All holes on the beach are to be filled in the same day they are created.
- Camping, bonfire, grilling and glass are prohibited.

Sec. 42-38 - Enforcement

- Violation of any provision of this article shall be subject to the following penalties:
 - ⇒ First violation: \$100.00 fine.
 - ⇒ Second violation: \$200.00 fine.
 - ⇒ Third violation: Fine not to exceed \$500.00 pursuant to F.S. § 162.22.

Sec. 10-5 – Animals banned from Public Beaches

- It shall be unlawful for any dog, cat, other animal , whether running at large, on a leash, or being carried, to be on any public beach within the city.

For more information or questions please call

Code Enforcement at 727-391-9951 X 295

Help us leave no Trace !



Sanitation-Trash Collection

REMINDER: Trash containers need to be stored somewhere other than curbside, and wheeled out to the curb for collection no earlier than 5:30 pm the day prior to collection, and removed away from the curb by sunset the day of collection. If your container is damaged or missing please contact the City of Madeira Beach Public Works/Sanitation department at 727.543.8154. The City of Madeira Beach greatly appreciates everyone's patience and understanding with the trash collection change that will help to keep our City even cleaner.

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To verify your trash collection days and brush/yard waste collection day (only WEDNESDAY), please view the trash collection map on the City's website:

<https://madeirabeachfl.gov/sanitation/>

PARKING

A few reminders regarding **resident** and **visitor** parking:

1. Residents can obtain up to 3 **RESIDENT PARKING PASSES** at no charge, that allow residents to park in any City of Madeira Beach lot while the lot is open as well as on streets that allow resident parking. No overnight parking is allowed at any City lot using the **RESIDENT PARKING PASS** (everyone can use the overnight parking lot areas by paying the \$3/hour fee).
2. **RESIDENT PARKING PASSES** are only for residents physically living within the City of Madeira Beach City limits – not for businesses, visitors, or tourists – **MUST** prove City residency and provide a driver's license and a valid vehicle registration.
3. **VISITOR PARKING** is available at all City of Madeira Beach lots and the John's Pass Boardwalk & Village on-street spaces and the lot adjacent to the VFW (entrance off 129th Ave E) by paying the hourly rate of \$3 (may pay using the ParkMobile app or at a kiosk/meter located at each lot). Overnight parking is only allowed at City of Madeira Beach lots located from 130th Ave to 136th Ave (entrances off Gulf Blvd) – not allowed at the John's Pass Parking lot and the Archibald Park Parking lot – by paying the \$3/hr rate (available for up to 7 days).
4. Please keep in mind, particularly visitors, that there are other privately-run/managed parking lots throughout our City that typically charge \$4-\$8/hour as well as the occasional \$20 - \$45 full day rate/charge. These lots are NOT owned/managed/enforced by the City of Madeira Beach



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UPCOMING SPECIAL EVENTS/ACTIVITIES/MEETINGS

- (1) **Trash Pirates monthly clean up** at John's Pass Bell Tower area and Archibald Park, Tue, July 5 beginning at 8 am.
- (2) **BOARD OF COMMISSIONERS REGULAR MEETING**, Wed, July 12, 6 pm, CITY HALL – Commission Chambers
- (3) **Big-C Monthly Meeting**, Wednesday, July 26, 9 am, Belleair Beach Community Center, 444 Causeway Boulevard
- (4) **BOARD OF COMMISSIONERS BUDGET WORKSHOP** CITY HALL, Wed, July 26, 4pm – Commission Chambers
- (5) **BOARD OF COMMISSIONERS WORKSHOP** CITY HALL, Wed, July 26, 6 pm – Commission Chambers
- (6) **Final Friday, Friday, July 28, 6 pm, John's Pass Bell Tower area**

GULF BEACHES PUBLIC LIBRARY



In addition to various eResources, databases, books, and other available materials, our Gulf Beaches Library also offers Notary services for \$5.00 per stamp. To schedule an appointment for Notary services please call Monday – Friday, 727-391-2828. Of course, libraries still continue to loan out materials, please take a look at the loan periods, item limits, and length of check-out for the below items.

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Loan Periods

Items	Item Limit	Due Dates
New Books	50	14 days
Books	50	28 days
DVD	25	7 days
CD Books	25	28 days
CD Music	25	14 days
Sunshine States	2	14 days

You may check out a combined total of 50 items.

If you do not already have a library card, please stop by to obtain one, items needed to obtain one:

Provide the following identification with your name and current local address. A current valid Florida Driver's License/Florida Identification Card -OR- – An alternate picture ID -AND- – Your current TRIM notice or tax bill – A current utility bill (including cable television) – A long-term lease on property in the Cooperative area – A deed to property in the Cooperative area – Vehicle registration or title-current year – Voter's registration – Other appropriate identification

A unique identification number is needed for each library card. You may provide a social security number or a passport number for all family members applying for a card. Alternatively, a library may use a combination of the last three letters of the name and the birth date.

Complete and sign the application and begin borrowing materials.

CONTACTING CITY OF MADEIRA BEACH: a reminder of the various means and methods to contact/reach out to us, report an issue/concern, visit, etc.,

- City internet/web site: www.madeirabeachfl.gov
- Via email (listed on our website): rgomez@madeirabeachfl.gov
-all city employee emails are the first letter of the first name followed by last name
- On the phone (main line): **727-391-9951**
-additional phone #'s listed on website
- In person at City Hall, 300 Municipal Dr, open M-F 8 am to 4:30 pm: to obtain a resident permit parking pass/sticker, purchase our 75th anniversary items (shirts, hats, etc), to ask a question(s), or to just say hello
- In person at City Hall Commission Chambers, for our monthly Board of Commission meetings: Regular Meeting on the 2nd Tuesday of each month
Workshop Meeting on the 4th Tuesday of each month
-both typically begin at 6pm

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- Via our App: **CITY OF MADEIRA BEACH MOBILE APP**

CITY OF MADEIRA BEACH MOBILE APP



Launched in early November 2021, remember to download the free City of Madeira Beach mobile app, ***My Madeira Beach***, from the Apple App or Google Play stores. Residents, businesses, visitors can utilize the app to communicate service requests and/or report concerns/issues such as potholes, trash, graffiti, or any other area needing City attention. The app is also a great resource with links to the City website, news, and ongoing/upcoming events.

Thank you very much for your attention. Again, a huge thank you to all City staff that daily make Madeira Beach shine. Please let us know of any matter needing the City's attention. Stay Safe, enjoy Our Slice of Paradise, and a wish for all to enjoy every day throughout 2023 !!



CITY MANAGER'S REPORT- JUNE 2023

Building Official(s) – Development Report (June - 2023)

City Building Official, Frank DeSantis reports that our redevelopment/economic development continues at a steady pace including several large condominium projects on-going and/or under current plan review.

- The **Schooner Resort** is under review
- The **Tiki Docks Bar & Grill** permit has been issued. (Interior Restaurant only)
 - ✓ Framing is complete
 - ✓ Plumbing rough in is complete
 - ✓ Electrical rough in is 75% complete
 - ✓ Store front door has been installed
 - ✓ Drywall is installed.
 - ✓ Kitchen hoods installed.
- **15405 Gulf Blvd. Azul Townhomes**
 - ✓ Phase #1 roof is dried-in.
 - ✓ Phase #1 windows and S.G.D. are all in.
 - ✓ M.E.P.s cont.
 - ✓ Tyvek is being installed.
 - ✓ Phase #2 Bldg "B" trusses are complete.
 - ✓ Bldg "B" roof dry-in starts today.
 - ✓ Bldg "B" windows and S.G.D. are 75% complete.
 - ✓ Bldg "C" continues with 2nd lift floor trusses
- **200 150th Ave. Harbor at Town Center**
 - ✓ Drywall is complete on 3rd floor
 - ✓ M.E.P's are complete on 4th floor
 - ✓ Insulation is underway on 4th floor
 - ✓ Roof top railings are being installed
 - ✓ Roof top pergolas are due in 2 weeks
 - ✓ Paint and stucco continue
- The **Holiday Isles projects** (*The Development Order expires October 20, 2024*)
 - ✓ **555 150th Ave.** (Hampton Inn Hotel) – (*The permit #4082 expires July 1, 2024*)
Site clearing and grading work continues – expected to be complete in two to three weeks.
 - ✓ **565 150th Ave.** (31-unit building) – (*The permit #20210386 expires January 26, 2026*)
New silt fencing installed, no scheduled date to start

CITY MANAGER'S REPORT- JUNE 2023

PERMIT TYPES ISSUED (06/01/2023 through 06/31/2023):

- | | | |
|--|---|---|
| • SFH projects – (1)
<i>Single Family Homes</i> | • Commercial projects – (1)
<i>Remodel</i> | • Residential projects – (2)
<i>Remodel</i> |
| • Docks & Lift projects – (7)
<i>Replacement & Repairs</i> | • Roof & Awning projects – (0)
<i>New & Re-roof</i> | • Fence – (7)
<i>New & Replacement</i> |
| • Generator projects – (0)
<i>New Generator</i> | • Swimming Pool – (0)
<i>New</i> | • Seawall projects – (5)
<i>New Seawall & Cap</i> |
| • Demo Permits – (2)
<i>Demolition</i> | • Driveway/Pavers – (6)
<i>New</i> | • Deck – (1)
<i>New & Replacement</i> |
| • Windows/Doors – (13)
<i>Replacement</i> | • Mechanical E/C/O's – (12)
<i>New AC units</i> | • Sign projects – (3)
<i>New Sign Permits</i> |
| • Electrical Permits – (6)
<i>Meter, Panel C/O's</i> | • Plumbing HW C/O's – (0)
<i>Hot Water Heaters</i> | • Solar Permits – (0)
<i>New Solar Permits</i> |

Monthly Totals (06/01/2023 through 06/31/2023):

- **Building Department:**
 1. 84 different types of permits were processed & issued.
 2. \$76,791.25 Permit fees collected.
 3. \$2,277,179 Permit estimated value or cost.
 4. 190 completed inspections (average 12 +/- per day)

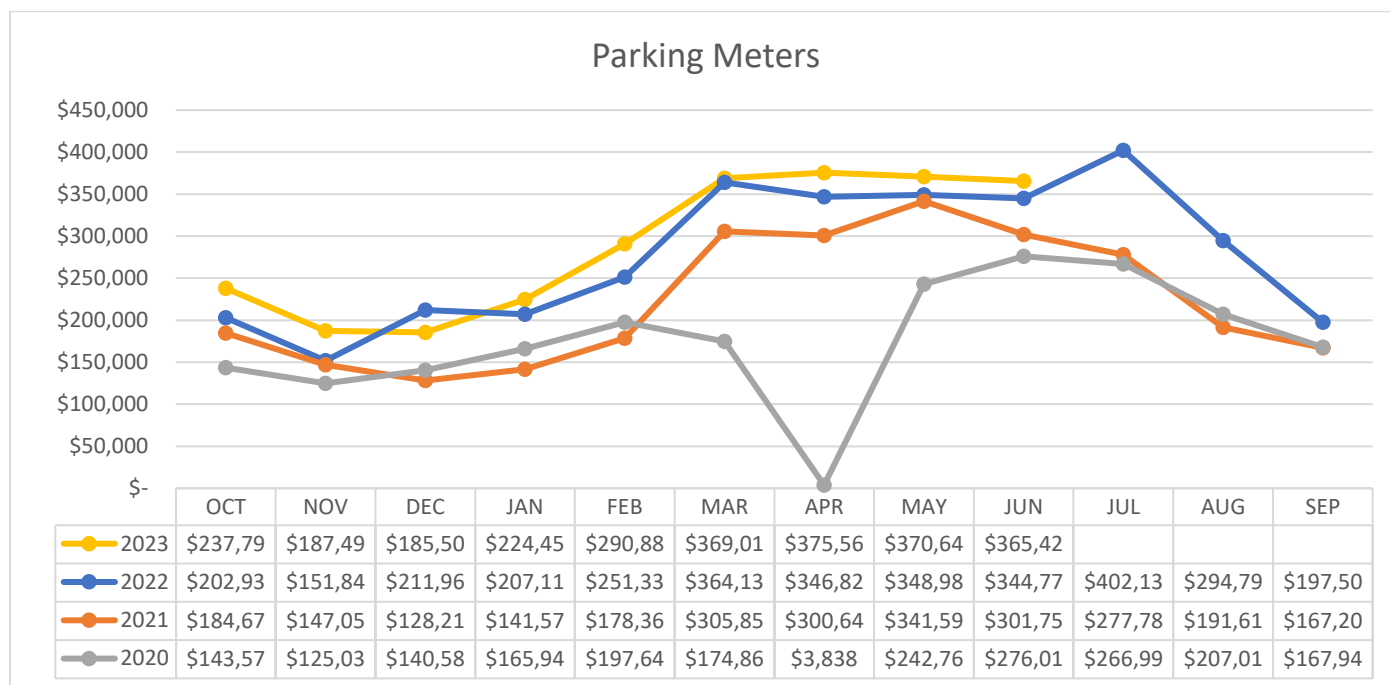
- **Building Code Compliance & Residential Rental Inspections:**
 1. 15 new code compliance cases were created.
 2. 6 code compliance cases being resolved.
 3. 40 open/outstanding code compliance concerns with the help of the Special Magistrate.
 4. 0 residential rental inspections for the month of June.

PARKING

June Parking Revenue: \$ 423,018.10

- Parking Meters: \$ 365,5426.10
- Parking Fines: \$ 57,592.00
- Parking Garage Fund: \$ 759,946.31
 - \$.50 from every hour of parking fees are placed in a fund to build a parking garage. This fund was started December 2021.

CITY MANAGER'S REPORT- JUNE 2023



MADEIRA BEACH FIRE DEPARTMENT

A fun day at the beach can turn very dangerous when rip currents are present. Many beaches in Pinellas County, including Madeira Beach, do not have lifeguards on duty. It is important to stay informed of the forecast for local beach conditions before heading out and be observant of the water conditions once you arrive. Never leave children unattended in the water or near the shoreline.

We recommend that you review the tips below as a family to help everyone have a safe beach day.



CITY MANAGER'S REPORT- JUNE 2023

What are rip currents

- Rip currents are channelized currents of water flowing away from shore at surf beaches.
- Rip currents typically form at breaks in sandbars, and also near structures such as jetties and piers.
- Rip currents are commonly found on all surf beaches, including Great Lakes beaches.

Facts about rip currents

- Rip current speeds can vary from moment to moment and can quickly increase to become dangerous to anyone entering the surf. Average speeds are 1-2 feet per second, but they have been measured as fast as 8 feet per second – that's faster than an Olympic swimmer!
- Rip currents do not pull people under the water – they pull people away from the shore.
- Rip currents can sweep even the strongest swimmer.
- Sometimes a rip current ends just beyond the line of breaking waves; however, others may continue to flow hundreds of yards offshore.

What are the visible clues that a rip current may be present?

- A narrow gap of darker, seemingly calmer water between areas of breaking waves and whitewater.
- A channel of churning, choppy water.
- A difference in water color.
- A line of foam, seaweed or debris moving seaward.



What if I'm caught in a rip current?

- Relax, rip currents don't pull you under.
- Don't swim against the current.
- You may be able to escape by swimming out of the current in a direction following the shoreline, or toward breaking waves, then at an angle toward the beach.
- You may be able to escape by floating or treading water if the current circulates back toward shore.
- If you feel you will be unable to reach the shore, draw attention to yourself. If you need help, yell and wave for assistance.

How to help someone that is struggling in a rip current?

Don't become a victim while trying to help someone else! Many people have died trying to rescue rip current victims.

- Get help from a lifeguard! If lifeguards are not present, call 9-1-1, then try to direct the victim to swim following the shoreline to escape.

CITY MANAGER'S REPORT- JUNE 2023

- If possible, throw the rip current victim something that floats.
- Never enter the water without a floatation device.

More information about rip currents can be found at <https://www.weather.gov/safety/ripcurrent>.

CITY OF MADEIRA BEACH MARINA

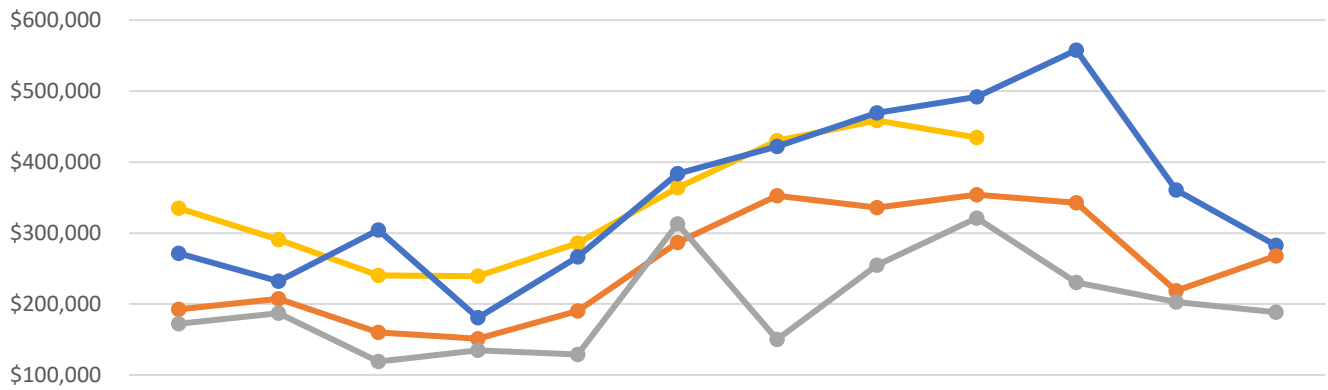
The temperature is on the rise and the summer boating season is upon us. Summer vacation has begun for most of the schools throughout the country. The Marina is prepared for a busy boating and fishing season, as we will have the longest Red Snapper season in recent years.

Red Snapper season began on June 1st and ends August 25th for the Charter Boats (for hire captains with federal reef permits) only. Then on June 16th the recreational Red Snapper season will begin and continue until July 31st. In addition, the fall Red Snapper season will reopen for recreational anglers on weekends during October and November (Friday, Saturday, and Sunday). Red Grouper season will close on July 20th. Gag grouper season will start September 1st and close on November 10th. So, there will be a lot of different fishing opportunities over the next six months.

On May 20th the Madeira Beach Coast Guard Auxiliary was at the Marina performing courtesy vessel safety checks. Several dozen boaters took advantage of this opportunity to have their vessels examined and brought to compliance with the required Coast Guard Regulations. Remember to check your boating safety gear and make sure it is in good working condition. You must have a proper size life jacket for everyone on board. Also, you will need a throwable device such as a life ring or "throwable cushion". The throwable device and life jackets must be easily accessible, they can not have any holes or tears in the material. Signal flares must also be onboard and in date. A noise-making device such as a whistle or horn is also required. Any boat with a permanently fixed fuel tank is required to have a charged 5-B or 10-B fire extinguisher that is easily accessible, the extinguisher cannot be more than 12 years old. Boats 26-40 feet are required to have at least two 5-B extinguishers or a single 20-B. Boats 40-65 feet long need three 5-B extinguishers. Other things to consider are a working VHF radio, safety lanyard attached to the kill switch, first aid kit, proper navigational lighting, and the right size anchor with chain. A registered and inspected EPIRB can literally be a lifesaver especially if you consider offshore fishing. The Marina is fully stocked with all the safety gear you will need to have a safe and enjoyable summer boating season.

CITY MANAGER'S REPORT- JUNE 2023

Marina Revenue



\$-

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
2023	\$334,92	\$290,75	\$240,51	\$239,24	\$285,89	\$363,73	\$430,16	\$458,53	\$434,41			
2022	\$271,39	\$232,08	\$304,21	\$180,59	\$266,29	\$383,87	\$422,06	\$469,09	\$491,79	\$557,70	\$360,60	\$282,70
2021	\$192,41	\$207,58	\$160,07	\$151,17	\$190,31	\$286,88	\$352,39	\$335,82	\$354,06	\$342,62	\$218,69	\$267,85
2020	\$172,15	\$187,22	\$118,94	\$134,87	\$128,82	\$312,75	\$149,93	\$254,54	\$321,18	\$230,60	\$202,75	\$188,26

CITY MANAGER'S REPORT- JUNE 2023

Account #	Description	Jun'23	Totals
405.9300.347500	ATM Service Charge	\$ -	\$ 187.00
405.9300.347901	Unleaded Fuel Sales	\$ 299,431.47	\$ 1,945,350.94
405.9300.347902	Diesel Sales	\$ 10,407.97	\$ 88,140.79
405.9300.347903	Diesel - Commerical	\$ 31,774.47	\$ 333,808.43
405.9300.347905	Propane Sales	\$ 114.95	\$ 1,701.26
405.9300.347906	Propane - Exempt	\$ 97.99	\$ 364.90
405.9300.347908	Misc Store Income-Taxable	\$ 32,524.02	\$ 211,995.75
405.9300.347909	Misc Store Income-Non Taxable	\$ 338.00	\$ 2,048.86
405.9300.347911	Dry Storage Fees	\$ 11,276.33	\$ 99,900.42
405.9300.347912	Transient Rentals	\$ 12,039.42	\$ 71,605.51
405.9300.347913	Marina Slip Rent	\$ 23,155.00	\$ 207,033.41
405.9300.347914	Annual Fishing Tournament	\$ -	\$ 25,612.74
405.9300.347915	Land & Sea Sales	\$ -	\$ -
405.9300.347916	Late Fees	\$ -	\$ -
405.9300.347917	Boat Ramp Parking	\$ 703.76	\$ 5,750.68
405.9300.361100	Interest Earnings	\$ 12,465.28	\$ 83,645.07
405.9300.369900	Other Miscellaneous Revenues	\$ -	\$ 0.01
405.9300.369903	Refund Prior Year Expenses	\$ -	\$ -
405.9300.369904	Sales Tax Collection Allowance	\$ 30.00	\$ 270.00
405.9300.369912	Boat Ramp Fees	\$ -	\$ 60.00
405.9300.369913	Commission - Laundry Equipment	\$ 60.25	\$ 715.25
405.9300.389201	Federal Grant - Clean Vessel	\$ -	\$ -
		\$ 434,418.91	\$ 3,078,191.02

PUBLIC WORKS

Public Works Project Updates

Beach Groin Renourishment Project

- Design is finalized and submitted for Permitting.
- Permits received from FDEP and under review with Pinellas County and Army Corp.

Area 3 – E Parsley, W Parsley, Marguerite, A Street, B Street, and Lynn Way. Roadway and Drainage improvement Project.

- Working on final comments from FDOT
- Placing out to bid as by August 2023 as long as FDOT has completed

Area 5- 131st Ave E and 129th Ave Roadway and Drainage improvement Project

- Engineering Scope approved by the BOC and in Engineering

Area 6a- Municipal Dr., Harbor Dr., 1st St. E., 2nd St. E., 153rd Ave., 154th Ave., & 155th Ave. Roadway and Drainage Improvements

CITY MANAGER'S REPORT- JUNE 2023

- Engineering Scope approved by the BOC and in Engineering

Gulf Lane and Beach Access roadway and drainage improvements

- The contract has been awarded to Keystone and project is set to begin Early September.

Johns Pass Parking Lot Mill and Resurface

- Included with Gulf Lane and will be completed under Keystone contract

Gulf Blvd Utility Undergrounding

- Gulf Lane Underground began the week of June 26th.
- All supplies and equipment have been received from Duke and Spectrum and will begin the final phase of Gulf Blvd. once Gulf Lane has been completed.

FDOT Gulf Blvd Water leak near 148th

- FDOT has designed plans to create an underdrain and connect it to their existing storm that runs down Gulf Blvd.
- FDOT has signed a contract with Ajax.
- Ajax has placed the order for materials
- Estimated start early September





Sanitation Reminders

& Recycling Reminders

Garbage & Recycling Carts



- Place at curb by 7 AM on Pickup day
- Place 3 Feet away from mailboxes, trees, and other structures
- Carts are for household garbage and recycling only. No bulk items are to be placed inside the carts
- Report any damaged cart to Public Works

Branches & Palm Fronds



- Must be placed at the curb by 7 AM Wednesday
- Branches must be cut to 4 feet or less in length and 4 inches in diameter
- Piles larger than 4' in height and 8' in length will be charged an additional fee
- Do not place any debris on the street, curb, or on top of stormdrains
- Leaves, Grass Clippings, and Small plants should be placed in a bag or garbage can no more than 50 pounds.

Contractor Debris



- All contractors are required to haul away any and all debris they generate within Madeira Beach

Commercial Dumpsters



- Do not block dumpsters
- Keep lids closed to keep out rain and critters
- Keep dumpster on solid ground ex concrete, pavers, or asphalt
- Properties with garbage on the ground or overflowing will be charged additional fees

Items Not Accepted



- Concrete, tile, or pavers
- Interior or Exterior Demolition Material
- Paint or Chemicals

Bulk Items



- Additional fee will be charged, call to schedule pickup

Please call Public Works @ 727-543-8154 with any questions.



Pollution Prevention is up to you!

You can help keep our waters & wildlife healthy with a few simple steps!

- **Contain Yard Debris with landscape barriers (Mulch, shell, rock, leaves, dirt, tree debris)**

Brush and Landscape Debris is picked up on Wednesday, place all debris on your property.

DO NOT PLACE YARD DEBRIS ON THE ROAD, CURB, OR STORMDRAIN FOR PICKUP.

Recycle grass clippings on your lawn/mulch bins or bag and place out for pickup with your Wednesday brush/landscaping pickup.

DO NOT BLOW GRASS CLIPPINGS ON TO THE ROADWAY.

- **Do not pour/wash anything down stormdrains, they drain to the bay.**

Paint, Chemicals can be disposed of at Pinellas Counties Chemical collection Center or mobile collection events

Phone: 727-464-7500, Address 2855 109th Ave. N. St. Petersburg

Concrete pours, place plastic under to protect the roadway and stormwater system, cleanup any spill with a shovel.

DO NOT DROP ANY DIRT OR ROCKS ON THE ROADWAY. ALL SYSTEMS DRAIN DIRECTLY TO THE BAY AND CAN CAUSE UNWANTED FLOODING BY CLOGGING THE DRAIN.

- **Dispose of Swimming pool water properly**

Chlorine pools, turn off chlorinator (24 Hours) and allow for levels to drop to zero (0).

Drain water through grass or rocks to filter sediment.

Up to \$500.00 per day fine or imprisonment for violations.

**Thank you and Remember
ONLY RAIN DOWN THE DRAIN!**

Sec. 70-197 (B), Sec. 70-198 (B) & 70-156

To report a violation Call (727) 543-8154