



BOARD OF COMMISSIONERS REGULAR WORKSHOP MEETING AGENDA

**Wednesday, April 16, 2025 at 6:00 PM
Commission Chambers, 300 Municipal Drive,
Madeira Beach, FL 33708**

This Meeting 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, and the organization or group you represent. 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. Completing a comment card is not mandatory.

4. BOARD OF COMMISSIONERS

A. Board of Commissioners Policy Handbook

B. Key to the City & Awards Policy and Procedure

5. CITY MANAGER

A. Personnel, Policy, & Procedures Manual (Ordinance 2025-01)

B. John's Pass Dredging Update

C. City External Financial Audit

6. COMMUNITY DEVELOPMENT

A. Madeira Beach Master Plan Update

- B. Impact Fees
- C. Pinellas County Local Mitigation Strategy (LMS)
- D. Amendment to Kimley-Horn Agreement for the Master Plan
- E. Post-Hurricanes Update-Recovery, Rebuild, Permitting, FEMA, FDEM

7. FINANCE

- A. FY 2025 Financial Overview Presentation - Through March 2025
- B. Fees and Collection Manual Updates

8. PUBLIC WORKS

- A. Court of Honor update April 16, 2025
- B. Boca Ciega Street End Project Update 4-16-25
- C. Archibald Parking lot and 142nd Beach Access repair Update
- D. Tom & Kitty Stuart Repair update
- E. ITB 25-05 Area 3 Roadway & Drainage Improvement Project
- F. Interlocal Agreement for Storm Debris Management Site utilization
- G. Joint Participation Agreement with Pinellas County for Area 3 Roadway and Drainage Improvement Project

9. 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 email a written request to cvanblargan@madeirabeachfl.gov.

RESOLUTION 2024-02**A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE BOARD OF COMMISSIONERS POLICY HANDBOOK; REPEALING RESOLUTION 2023-05; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, City Charter Section 4.5 (B) authorizes the Board of Commissioners to determine its own rules for the order of business by resolution at a regular meeting of the Board of Commissioners within ninety (90) days following the municipal election.

WHEREAS, the Board of Commissioners desires to consider, update, amend, restate and adopt the recommended changes proposed by Commission members and City staff.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THAT:

1. The City of Madeira Beach Board of Commissioners Policy Handbook has been reviewed, updated, amended and restated.
2. The **"City of Madeira Beach Board of Commissioners Policy Handbook"** attached hereto as Exhibit "A" is hereby adopted.
3. A copy of this Resolution and the Board of Commissioners Policy Handbook will be provided to all Commission members, City staff, and posted on the City's website.
4. Resolution 2023-05 is hereby repealed.
5. This resolution shall become effective immediately upon its adoption.

INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS 10th DAY OF April, 2024.


James "Jim" Rostek, Mayor

ATTEST:


Clara VanBlargan, MMC, MSM, City Clerk





**CITY OF MADEIRA BEACH
BOARD OF COMMISSIONERS POLICY HANDBOOK
(Resolution 2024-02; 04/10/2024)**



BOARD OF COMMISSIONERS POLICY HANDBOOK
Resolution 2024-02; April 10, 2024
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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)

- The Board of Commissioners shall appoint a Vice-Mayor at its first regular meeting following the election. The term of Vice-Mayor shall be for one (1) year. The Vice-Mayor shall 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 implement and administer 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.

The 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

The 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.

The 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 the 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 YouTube 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, the 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.

2022 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.

2022 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, the Board**
- 4. 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.

5. 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.

6. 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 COMMISSIONERS 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 Statutes.
- **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 edition 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 the date and time of the 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. Approval of Minutes
 8. Consent Agenda
 9. Public Hearings
 10. Unfinished Business
 11. Contracts/Agreements
 12. New Business
 13. Agenda Setting Meeting
 14. Reports/Correspondence
 - A. City Commission
 - B. City Attorney
 - C. City Clerk
 - D. City Manager
 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 for each meeting shall be as contained on 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 at his own discretion. The 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 five (5) 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 five-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 a response on. It is not mandatory that a speaker complete a comment card.

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.

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. **Approval of Minutes.** A majority vote required to approve the minutes of the previous meetings.
8. **Consent Agenda.** The Consent Agenda shall be used to handle routine matters on the agenda expeditiously. Examples of Consent Agenda items are 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."
9. **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.

- 10. 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 five (5) minutes.
- 11. 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 five (5) minutes.
- 12. 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 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, Charter Officers, 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 five (5) minutes.

The Reports section also provides for the City Manager, City Clerk, and the City Attorney to make reports, announcements, and report on current topics. This section is limited to five (5) minutes.

Litigation Status Report. This section will allow for any litigation updates by the City Attorney.

Outstanding Lien Settlements. This section will allow for any updates by the City Attorney on Outstanding Lien Settlements and liens that are 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 five (5) minutes.

6. Agenda Preparation

- **Notice.** The final agenda for regular, special, and workshop meetings shall serve as 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.** The City Manager and City Clerk are responsible for publishing the agenda packets. The deadline for publishing agenda packets is on Wednesday afternoon, the week before the scheduled meeting. However, at times it may be necessary to publish the agenda packets by Thursday afternoon to allow for any unforeseen items or emergency items. Only when necessary, paper copies of agenda packets are provided to the Board of Commissioners or at the request of a Commission member. Paper copies of the agenda packet are placed in Commission mailboxes at City Hall.

The publishing deadline allows sufficient time for the Board of Commissioners to review the packet materials, and to obtain additional information on the agenda items from the City Manager, City Clerk, 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 Manager or 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).

I. DEFINITIONS

- A. Certificates of Recognition, Appreciation, and/or Achievement ("Certificates"): An honorary document issued by the City, used to honor special events or individuals.
- B. Key to the City: An honor bestowed by the City, upon distinguished persons or organizations in Cocoa Beach, symbolizing outstanding civic contributions or other significant accomplishments.
- C. Proclamation: An official public announcement or declaration to formally recognize and/or draw awareness to an issue that impacts the City of Cocoa Beach, during a specific time frame.

II. STATEMENT OF POLICY

- A. The City wishes to provide an avenue to encourage public awareness, and provide recognition to what is significant to the City of Cocoa Beach.
- B. This policy provides for directives, and criteria for the issuance of ceremonial elements.

III. POLICY AND PROCEDURE

- A. Criteria.
 - 1. Certificates. Celebrate achievements and recognize individuals and organizations for their accomplishments. May be issued for things such as, and not limited to, significant birthdays, anniversaries, retirements, professional celebrations, and award recipients.
 - 2. Key to the City. The City's most prestigious award. May be given selectively to honor a person, which may or may not be a Cocoa Beach resident, with extraordinary, significant accomplishments and contributions to any of the following: the history, economic, social and/or cultural fabric of the City. The Key may be given to honor significant contributions to the military service, to persons who have performed acts of heroism in the City, and to dignitaries and celebrities who have an effect on the City and are visiting.
 - 3. Proclamation. These may include, but are not limited to Cocoa Beach citizen recognitions; City organizations with occasions of significance; dates that are noteworthy or historically significant, special events, civic celebrations, fund-raisers benefiting the citizens of Cocoa Beach, individuals who have made a significant contribution to society, and significant events or anniversaries of major City of Cocoa Beach based institutions and companies. Proclamations will not be offered for matters of political controversy; ideological or religious beliefs, individual convictions; for campaigns or events contrary to City policies, and for commercial reasons. Proclamations are honorary, are issued as a courtesy, are not legally binding, and do not constitute an endorsement by the City of Cocoa Beach.

- B. Requests. City Commissioners, City staff, individuals, and organizations seeking a Proclamation, Certificate, or Key to the City shall submit their request in writing to the City Manager or City Clerk. Standing requests or rolling requests will not be accepted.

Requestors may use the City's Proclamation, Certificate and Key to the City Request Form ("Form") available on the City's website at cityofcocoabeach.com. Requests may also be submitted via email at citymanager@cityofcocoabeach.com or cityclerk@cityofcocoabeach.com, or in writing addressed to the City Manager or City Clerk at P.O. Box 322430, Cocoa Beach, Florida 32932-2430.

C. Approval.

1. Certificates. Upon receipt of a complete, qualifying request for a Certificate, the City Manager's Office will process the Certificate for signature by the Mayor. The City reserves the right to refuse issuance.
2. Key to the City. The City Commission will consider a complete, qualifying request for a Key to the City during a public meeting, and determine awarding of Key. Few and limited exceptions apply when Commission approval is not required.
3. Proclamation. Upon receipt of a complete, qualifying request for a Proclamation, the City Manager's Office will process the Proclamation for signature by the Mayor. The City reserves the right to refuse issuance. If the City chooses not to issue the Proclamation, the requestor may appeal the decision to the City Commission, under the Public Comments portion of the Agenda.

- D. Issuance. Upon approval of a Proclamation, Certificate, or Key to the City, the City shall process the issued document or Key as requested by the applicant.

City of Cocoa Beach, Florida
Policy on Awarding Certificates, Keys to the City and Proclamations

Item 4B.

Proclamation, Certificate and Key to the City Request Form

City of Cocoa Beach

Request for

Certificate _____

Proclamation _____

Key to the City _____

Certificates of Recognition, Appreciation, and/or Achievement ("Certificates"): An honorary document issued by the City, used to honor special events or individuals.

Key to the City: An honor bestowed by the City upon distinguished persons or organizations in Cocoa Beach, symbolizing outstanding civic contributions or other significant accomplishments.

Proclamation: An official public announcement or declaration to formally recognize and/or draw awareness to an issue that impacts the City of Cocoa Beach, during a specific time frame.

The contact person's first and last name, address, telephone number, and email address:

Name of the person or the date and name of the event to be proclaimed or recognized:

A brief summary and/or background of the event, organization, or person. If requesting Key to the City, please enumerate extraordinary, significant accomplishments and contributions deserving the recognition.

Indicate whether the Proclamation, Certificate, or Key to the City is to be mailed, picked up, or if the requestor wishes to have this presented at a City Commission meeting. Charges will be incurred for mailing of the Key to the City.

Reason for Recognition (*Please attach 4 – 6 "whereas clauses" as draft text for a Proclamation*):

Date and Time of Recognition: _____

Document is to be:

- Presented at a Commission Meeting _____ (month / year)
- Presented at the following event _____ (Please provide event information)
- Picked up by _____ on _____ (date)
- Mailed to _____

Note: Submission of a request for a Proclamation, Certificate or Key to the City does not guarantee issuance.



CITY OF DORAL

KEY TO THE CITY, PROCLAMATION AND CERTIFICATES

POLICY AND PROCEDURE

OFFICE OF THE MAYOR

KEY TO THE CITY

The Key to the City is an honor bestowed on and approved only by the Mayor, upon esteemed residents, visitors, and others whom the Mayor wishes to honor. A key to the City is strictly honorary. The name of the current Mayor shall be printed on the Key to the City. Only the Mayor will have authority to present the Key to the City. In the Vice Mayor's absence, the Mayor may delegate a Councilmember, City Administrator or City Attorney to act on the Mayor's behalf.

Only Individuals who have contributed significantly to the City through cultural, historic, educational, community service, humanitarian, financial, or business efforts should qualify for this honor. Those not in good standing with the City, such as having outstanding liens or unresolved legal issues, should be ineligible to receive a Key to the City. This also applies to anyone convicted of felonies or any crime that involves moral turpitude.

Keys to the City shall be designed to the specifications of the Mayor.

PROCLAMATIONS

Proclamations are ceremonial documents issued and approved by the Mayor that recognize, celebrate, and honor extraordinary achievements. They may include but are not limited to the citizens of the City of Doral; residents of Miami-Dade County; certain organizations' occasions of importance and significance; days that are noteworthy or historically significant; and special events. All approved Proclamations are to reflect the name of the current Mayor, and should the Mayor not be available to present the Proclamation, the requesting Councilmember shall be able to present it. In addition, In the Vice Mayor's absence, the Mayor may delegate a Councilmember, City Administrator or City Attorney to act on the Mayor's behalf

Only Individuals who have contributed significantly to the City through cultural, historic, educational, community service, humanitarian, financial, or business efforts should qualify for this honor. Those not in good standing with the City, such as having outstanding liens or unresolved legal issues, should be ineligible to receive a Proclamation. This also applies to anyone convicted of felonies or any crime that involves moral turpitude.

Proclamations will not be issued for matters of political controversy; and campaigns or events contrary to City policies, espousing hatred, violence, or racism. Proclamations are strictly honorary, and they are issued as a courtesy. In addition, they are not legally binding and do not constitute an endorsement by the City of Doral.

Proclamations are not automatically renewed, and are limited to one (1) recipient per event, per calendar year.

Proclamations shall be designed to the specifications of the Mayor.



CITY OF DORAL

KEY TO THE CITY, PROCLAMATION AND CERTIFICATES

POLICY AND PROCEDURE

OFFICE OF THE MAYOR

CERTIFICATES OF RECOGNITION AND/OR ACHIEVEMENT

Certificates of Recognition and/or Achievement, which are inclusive of any other similar type of recognition, are honorary documents which can be requested by Councilmembers to be approved or denied only by the current Mayor, and may be used to honor special events or individuals. These may include but are not limited to the citizens and businesses of the City of Doral, as well as certain organizations' occasions of importance and significance to the City of Doral. Certificates shall include the name and signature of the requesting Councilmember to be placed in addition to the Mayor's name and signature. Certificates of Recognition and/or Achievement are not automatically renewed and are limited to one (1) recipient per event, per calendar year.

Those not in good standing with the City, such as having outstanding liens or unresolved legal issues, should be ineligible for a Certificate of Recognition and/or Achievement. This also applies to anyone convicted of felonies or any crime that involves moral turpitude.

Certificates, plaques, proclamations and any other form of recognition which bears the name of the City of Doral and/or includes the logo or seal of the City of Doral and, or which indicate that the certificate or recognition is being bestowed upon by the City of Doral, its Councilmembers, Administration, Staff or Agencies shall only be authored, created and bestowed by the Mayor. The reproduction or creation of such without written consent from the Mayor, shall be a direct violation of city policy and can include disciplinary actions in accordance with City Charter, Ordinances and Policies.

POLICY AND PROCEDURE

Anyone seeking a Key to the City, Proclamation or Certificate, shall submit their request in writing to the Mayor's office for processing via email at mayor@cityofdoral.com and copy the City Clerk's Office for recordkeeping at cityclerk@cityofdoral.com. Requestors may use the City's Key to the City, Proclamation and Certificate Request Form which is available on the City's website at www.cityofdoral.com, under the tab "Office of the Mayor."

Request forms must include the following information **(Incomplete forms will not be accepted or processed):**

- Contact person's first and last name, address, telephone number, and e-mail address.
- The name, date, week, month, or event to be proclaimed or recognized.
- A summary and/or background of the event, organization, or person must be submitted, as well as the date, time, and location of the event where it will be presented (if applicable).
- Draft text for the proclamation including 4 – 6 "whereas" clauses, or draft text for the certificate.
- Date to be presented and/or when needed.
- An indication of whether the Key to the City, Proclamation or Certificate is to be mailed, picked up, or if the requestor wishes to have this presented at a Council Meeting during Protocol Hour.



CITY OF DORAL

KEY TO THE CITY, PROCLAMATION AND CERTIFICATES

POLICY AND PROCEDURE

OFFICE OF THE MAYOR

A minimum of five (5) business days is requested for processing, but may be waived by the Mayor's office.

Upon the Mayor's approval of a Key to the City and/or Proclamation, the Mayor, Councilmembers and City Manager shall be invited to attend the event at which the Key to the City and/or Proclamation is to be awarded.

In addition, the Mayor, Councilmembers and City Manager shall be notified of the event in which a Certificate requested is to be presented.

Note: Submission of a request for a Key to the City, Proclamation, or Certificate does not guarantee issuance.

RESOLUTION 2024-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, ADOPTING A CEREMONIAL ITEMS POLICY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, City Council wishes to award ceremonial items to celebrate the achievements of residents, businesses, and organizations, fostering community connection and engagement; and

WHEREAS, a ceremonial items policy is needed to outline the procedures for submitting requests, processing, and issuing ceremonial items; and

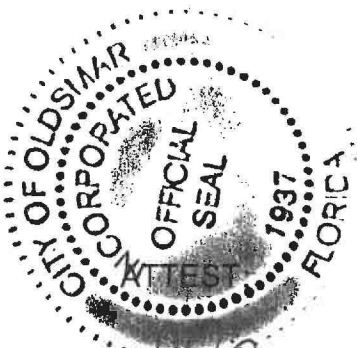
WHEREAS, City Council, based on the direction provided at its September 24, 2024 Work Session, wishes to adopt a Policy outlining the procedures for submitting requests, processing, and issuing ceremonial items.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, IN SESSION DULY AND REGULARLY ASSEMBLED:

Section 1. That the City Council of the City of Oldsmar hereby approves the Ceremonial Items Policy attached as Exhibit A hereto.

Section 2. That this Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF OLDSMAR, FLORIDA, THIS 19 DAY OF November, 2024.



Kristin Garcia, CMC
City Clerk
City of Oldsmar



Daniel M. Saracki, Mayor
City of Oldsmar

APPROVED AS TO FORM:



Thomas J. Trask, B.C.S.
City Attorney
City of Oldsmar

Exhibit A

CEREMONIAL ITEMS POLICY

STATEMENT OF POLICY

The City Council awards ceremonial items to celebrate the achievements of residents, businesses, and organizations, fostering community connection and engagement.

This policy outlines the procedures for submitting requests, processing, and issuing ceremonial items.

DEFINITIONS

Proclamation: A Proclamation is an official public declaration by the Mayor to recognize or raise awareness of an organization, business, issue, event, or individual that has impacted the City of Oldsmar during a specific time frame.

City Council – City Manager Award: The City Council - City Manager Award may be presented by the Mayor, Council members, or City Manager to recognize individuals for their contributions to the City of Oldsmar.

Business of the Quarter Award: The Business of the Quarter award recognizes a business, nonprofit organization, or religious institution each quarter of a calendar year.

Key to the City: The Key to the City is an honor and ceremonial gesture granted by the Council to distinguished individuals or special guests, typically to recognize exceptional civic contributions.

Board Member Milestone Awards: Board Member Milestone Awards are awarded to Board Members for their years of service in 5-year increments at the annual Volunteer Appreciation Dinner.

Certificates of Recognition and Appreciation: Certificates of Recognition and Appreciation are awarded to those individuals or organizations who have performed some act or completed some task or effort on behalf of the City or residents of the City such as graduation certificates awarded to Citizens Academy graduates.

Purple Heart Challenge Coin: The Purple Heart Challenge Coin, presented by a Veterans Advisory Board Member through a handshake.

City Coin: The City Coin is a coin created for Council Members or the Mayor to present at their discretion.

Congratulatory Letters: Congratulatory Letters are issued to individuals or organizations for accomplishments such as those congratulating Eagle Scouts, Girl Scouts, and newly elected municipal officials in Pinellas County.

POLICY AND PROCEDURE FOR CEREMONIAL ITEMS:

Proclamation

Individuals and organizations seeking a proclamation must submit an application along with sample language that can be modified. Recipients must be able to attend the Council meeting to receive the proclamation, as proclamations will not be mailed. The Mayor and/or Council members may also propose a proclamation, subject to Council approval. Proclamations will be listed on the agenda under the Consent Docket for approval at the Council meeting prior to their presentation. Approved proclamations will be presented by the Mayor and/or Council members on a rotating basis. Proclamations proposed by City staff will continue to be added to Council meeting agendas as needed.

City Council- City Manager Award

The Mayor, Council members, or City Manager may nominate individuals for the City Council - City Manager Award by submitting their nominations to the City Clerk. The City Clerk will prepare the award and invite the nominee to the Council meeting at which the award will be presented by the nominator.

Business of the Quarter Award

The City Clerk will contact the Mayor and/or Council members on a rotating basis each quarter to submit their nominations for a business, nonprofit, or religious institution, with assistance provided by the Upper Tampa Bay Chamber of Commerce. Upon receiving the information regarding the nominee, the City Clerk will prepare the award and follow up with an invitation to the nominee to the Council meeting at which the award will be presented by the nominator.

Key to the City

The Mayor and/or Council members may nominate a distinguished individual to receive the Key to the City by submitting their nomination to the City Clerk. The nomination will be included on the City Council meeting agenda under "City Council" for consideration prior to the presentation. The Key to the City will be presented to the recipient by the City Council at a following Council meeting.

Board Member Milestone Awards

All board members who served since the date of the previous Volunteer Appreciation Dinner and reached a milestone will be eligible to receive the award for their service at the next annual Volunteer Appreciation Dinner.

Certificates of Recognition and Appreciation

Certificates of Recognition and Appreciation signed by the entire City Council are awarded to those individuals or organizations who have performed some act or completed some task or effort on behalf of the City or residents of the City such as graduation certificates awarded to Citizens Academy graduates which are presented annually at the Citizens Academy Graduation Ceremony, held during a City Council meeting.

Challenge Coin

The Purple Heart Challenge Coin may be presented by a Veterans Advisory Board member or liaison to speakers at the Memorial Day and Veterans Day Ceremonies.

City Coin

The City Coin may be presented by the Mayor and/or City Council members. Each Council member and the Mayor will be provided with three coins to present.

Congratulatory Letters

Congratulatory letters, signed by the entire City Council, will be mailed to those individuals or organizations for their accomplishments such as Eagle Scouts, Girl Scouts, and newly elected municipal officials in Pinellas County.



CITY OF GREEN COVE SPRINGS CEREMONIAL GUIDELINES FOR PROCLAMATIONS, LETTERS OF HONOR, AND KEYS TO THE CITY

General Information

Proclamations are official announcements and/or public declarations issued by the Mayor. They are ceremonial in nature and do not have any legislative value.

Letters of Honor are ceremonial documents that recognize an individual's service or extraordinary achievement. They do not have any legislative value.

Keys to the City are an honor bestowed by the City upon distinguished persons and honored guests of the City of Green Cove Springs. It symbolizes outstanding civic contributions of the recipients.

Purpose

These ceremonial declarations are issued for the following reasons:

1. Recognition of action or service above and beyond the call of duty;
2. Recognition of extraordinary achievement;
3. Supporting actions that improve the quality of life of the Green Cove Springs community;
or
4. Raise public awareness of issues that directly affect the Green Cove Springs community.

Format

Proclamation

Proclamations are usually presented to the recipient at a regular City Council meeting. They are prepared on 8 ½ x 11 paper and always includes the following:

- *Whereas* clauses providing information that basically describe the five W's (who, what, when, where and why);
- *A Now, Therefore Be it Resolved* clause proclaiming a specific event;
- An execution date representing the date the Mayor signed the document and/or the date of the event;
- Signature of the Mayor and City Clerk;
- City Seal; and
- Be enclosed in a certificate holder.

Letters of Honor

Prepared on the Mayor's letterhead, Letters of Honor include information supplied by the requester containing the five W's (who, what, when, where and why) and will be signed by the Mayor. Letters will be mailed to the recipient.

Keys to the City

The Key to the City is the City's most prestigious award and will only be used to recognize exceptional achievement or to bestow honor upon distinguished persons and honored guests of the City of Green Cove Springs. Keys to the City are usually presented by the Mayor or member of the City Council.

Request Process

All application forms (see attached) must be returned to the City Clerk's Office for processing. Applications for a Proclamation or Letter of Honor must be submitted at least 15 business days prior to the event. Applications for a Key to the City must be submitted at least 30 days prior to the event. Individuals/organizations are encouraged to file their request as early as possible. Applications received after the deadline will be prepared based upon staff availability. Requestors will be advised when issuance cannot occur by the event date.

The City Clerk's Office will initially review all applications and forward to the Mayor for final approval.

Receipt of Final Document

Individuals/organizations have several options for receiving the finalized document:

1. Presentation can occur at an event sponsored by the individual/organization subject to availability of the Mayor or a City Council Member.
2. Presentation can occur at a regularly scheduled City Council meeting which will require additional information for agenda purposes.
3. Presentation can be mailed or picked up from the City Clerk's Office.

Media Coverage

The individual/organization requesting a Proclamation or Letter of Honor will arrange for any and all media coverage. Pictures taken by City Staff upon presentation at the City Council meetings will be uploaded to the City website and Facebook page.

Contact Information

Erin West, CMC, City Clerk
City of Green Cove Springs
321 Walnut Street
Green Cove Springs, FL 32043

Telephone: (904)297-7047
Fax: (904)284-8118
Email: ewest@greencovesprings.com



**CITY OF GREEN COVE SPRINGS
PROCLAMATION, LETTER OF HONOR,
AND KEY TO THE CITY
APPLICATION FORM**

Return completed form to the City Clerk's Office
City of Green Cove Springs, 321 Walnut Street, Green Cove Springs, FL 32043

Requestor's Name: _____

Requestor's Address: _____

Requestor's Telephone and Email: _____

Person/Organization to be Honored: _____

Event Title: _____

Event Date, Time & Location: _____

Type of Honor Requested:

Proclamation _____ Letter of Honor _____ Key to the City _____

Provide a detailed reason for the request including a list of accomplishments and how the individual/organization benefits the quality of life in the City of Green Cove Springs. For Proclamations, provide a sample Proclamation or text for the "WHEREAS" clauses (attach additional sheets, if necessary):

The Offices of the Mayor and City Clerk reserve the right to use submitted facts as deemed appropriate and may request additional information when necessary.

MADEIRA BEACH BOARD OF COMMISSIONERS

PERSONNEL POLICY, RULES, AND PROCEDURES MANUAL



ADOPTED BY ORDINANCE 25-01

EFFECTIVE APRIL 6TH 2025

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GENERAL POLICY STATEMENT

Excellence in government public service is attained, in part, through personnel systems that reflect merit principles and sound administrative management. It is the intent of Madeira Beach's Board of Commissioners that its Personnel Policies, Rules and Procedures Manual provide firm and clear direction to its employees. To this end, every reasonable effort is made to protect the personal rights and privileges of individual employees.

Furthermore, it is the intent of the Board of Commissioners that no unlawful discrimination exist in the application and administration of any Madeira Beach Board of Commissioners' policy, practice, rule or regulation.

The City Manager, through the City department directors, in coordination with the Human Resources staff, is charged with ensuring that the provisions of this Policy are implemented and made known to the employees of Madeira Beach.

These Personnel Policies are not and shall not be considered an employment contract with any person. Nothing herein is intended to create an employment contract between the City and any person for the purposes of employment, promotions, or for the providing of any benefit.

The provisions contained within this Manual are and shall be considered as part of the terms and conditions of employment of all regular employees with Madeira Beach and should thus be adhered to by all regular City employees. Madeira Beach reserves the right to establish, modify, or make exceptions to these rules when necessary. Any question concerning the interpretation or application of these rules shall be referred to the Human Resources staff for resolution.

Madeira Beach may, from time to time, designate certain positions, such as part time, temporary, initial probationary, managers or directors, as serving at the will of the City Manager and exempt from "regular employee" status. In such cases, the provisions within this Manual regarding regular employees, including just cause and disciplinary appeals, are inapplicable.

The City of Madeira Beach ("the City") endeavors to include a comprehensive overview of the rules and policies governing employment with Madeira Beach within this Personnel Policy Manual. However, there may from time to time be additional personnel rules or policies issued by the Board of Commissioners. The City Manager or a particular department head may also issue additional rules so long as such additional rules do not conflict with the provisions in this Manual. All administrative rules and related personnel forms shall be reviewed by the Civil Service Commission prior to becoming effective. All such additional rules shall also constitute a part of the terms of employment. Violation of any provision of any such additional rules will subject an employee to discipline.

If a direct conflict exists between policies and procedures included in these rules and a current labor agreement to which the City is a party, the terms and conditions of the labor agreement shall take precedence for employees in classifications represented by a bargaining agent, whether the rights and benefits are greater or less than those provided in these rules.

Equal Employment Opportunity

It is the continuing policy of the Board of Commissioners of Madeira Beach, Florida, to promote the concepts of equal employment opportunity in its employment function and to comply with all federal, state and local laws, rules and regulations pertaining to fair employment practices.

1. All employees and applicants for employment will be treated fairly with respect to all terms and conditions of employment regardless of race, color, religion, national origin, ancestry, gender, age, marital status, or physical or mental disability which does not preclude the performance of the essential functions of the job with or without reasonable accommodation(s).
2. All personnel opportunities and decisions related to employment, promotions, transfers, reclassifications, compensation, benefits, performance ratings, training courses and programs, layoffs, returns from layoff, terminations, and all other aspects of employment with Madeira Beach will be in accordance with the principles of the merit system, which afford equal opportunity by imposing only valid requirements.
3. The Board of Commissioners reaffirms its commitment to equal employment opportunity through a formal Affirmative Action Program.
4. Employees who allege that they have been unlawfully discriminated against or treated unfairly in the application or employment process must follow the steps outlined in the policy on Illegal Harassment or Discrimination, as described in Section XIII of this Policy. Non-employee applicants and applicants for temporary employment alleging unlawful discrimination must complain in writing to the Human Resources Staff, who will conduct an investigation in accordance with the applicable portions of this Policy.

I. EMPLOYMENT

Section: I-A

A. Non-Temporary (Regular) Employment

I. EMPLOYMENT**A. Non-Temporary (Regular) Employment**

1. In the interest of hiring "best qualified and available" people to meet City employment requirements, and to avoid favoritism in hiring practices, the Human Resources Department is responsible for ensuring that all interested applicants have an equal opportunity to apply for City employment.
2. Notices of open positions will be published interdepartmentally and/or publicly according to the department's request and concurrence of the Human Resources Department. Notwithstanding the foregoing, where a department director or other official with hiring authority determines that a particular candidate is fully qualified for a position (for instance where an intern or employee in acting status has been working successfully in the position for some time), the Human Resources Staff may authorize that candidate to be offered the position without the need to post the position. However, to prevent undue favoritism or nepotism and ensure a diverse, well qualified work force, this exception should not be regularly used in place of posting opportunities and allowing candidates to apply.
3. Applicants for City employment apply to the Human Resources Department in the form and manner, including electronic application submission, as the Department designates. Applicants who make initial contact with an individual City department and/or applications/resumes received by other City departments shall immediately be directed to the Human Resources Department.
4. Applications are accepted for announced openings during the published advertising period.
5. Once a position has been filled, the position is closed. Should one or more of the same position come open again within ninety days after first being filled, a department may make an offer to the next most qualified candidate from among the original applications.
6. Employees chosen for interview for other City jobs will be allowed to interview during paid work hours if necessary. Departments shall work with the employee to make reasonable adjustments to the employee's schedule to permit the interview.
7. The Human Resources Staff may establish eligibility registers for positions as required by turnover frequency or other recruitment issues. Positions that are identified by departments or the Human Resources Department as being vacant on a regular basis or having certain recruitment needs, may have an eligibility register of qualified applicants established. The Human Resources Staff is responsible for establishing the registers in accordance with the City's policy of non-discrimination.

I. EMPLOYMENT

Section: I-A

A. Non-Temporary (Regular) Employment

8. No employee may begin activities associated with working for the City, including engaging in post-offer screening activities, until the candidate signs, electronically or otherwise, a conditional offer of employment. No term or condition of employment, including matters of pay, bonuses, expense reimbursement, or other similar matters, shall be effective unless included within a conditional offer of employment.
9. The City Manager and Human Resources Staff are authorized to adopt such forms and procedures as are deemed necessary to effectively implement these employment policies and to conduct such pre-employment screening as may be either legally or administratively required, including background and reference checks and physical or psychological examinations related to job functions. For any position requiring a pre-employment, post-offer examination, it shall be job-related, and given uniformly to all candidates conditionally offered the position. Candidates must meet/satisfy any established screening requirements and any candidate who fails to do so may be denied employment. In addition to the foregoing, for any City position requiring interaction with law enforcement personnel, records or other matters, access to secure facilities, or otherwise required to pass background standards promulgated by a regulating agency with jurisdiction over such records, personnel or facilities, employees holding such positions must be able to pass the relevant standards and their inability to do so will disqualify them from continued employment.
10. For purposes of this Policy, the term “at-will” or “serving at-will” shall mean that employees holding positions designated by the Board of Commissioners as such serve at the will and pleasure of the City Manager, and includes, but is not limited to, all deputy or assistant city managers and directors. All employees directly reporting to the City Manager shall be deemed as “director” for purposes of this Policy notwithstanding their actual title. Absent City Charter or contract terms to the contrary, the City Manager, City Clerk, City Treasurer, and City Attorney serve at the will and pleasure of the Board of Commissioners subject only to the terms of any employment contract to the contrary.
11. All volunteers are not City employees for any purpose. However, Florida Statutes § 440.02 provides eligibility for certain worker compensation benefits for municipal volunteers. Therefore, City volunteers must comply with all related City accident or injury reporting procedures.
12. Employment of persons under 18 years of age in either regular or temporary positions shall be subject to and in accordance with applicable child labor laws.
13. To ensure compliance with the Affordable Care Act, when an employee formerly eligible for health benefits leaves the City’s employ for any reason, he/she shall be ineligible for re-hire until the former employee has been separated from the City for a minimum of thirteen (13) weeks.

I. EMPLOYMENT

Section: I-B

B. Temporary Employment**B. Temporary Employment**

1. Temporary employment, for purposes of this Policy, shall include:
 - a. OPS regular (Other Personal Services) positions (including non-student interns) which typically does not extend beyond six (6) consecutive calendar months.
 - b. OPS on-call positions where employees are called unexpectedly, on an as-needed basis, to complete a specific task or assignment.
 - c. OPS Seasonal positions where employees work a seasonal assignment (such as summer camp or pool guard).
 - d. OPS Intern positions follow guidelines provided in Section I.B.3. of this Policy.
 - e. Other temporary employment programs, not specifically defined herein, shall be considered at the option of the Human Resources Staff in compliance with any federal, State or local laws, rules or regulations governing such programs.
2. Employment procedures described in Section I.A of this policy shall apply to employees hired in temporary positions with the exception of temporary employees defined in Section I.B.1.d.e. of this Policy.
3. Interns
 - a. The City provides internship opportunities for students to experience work in City government that is relevant to their educational goals and objectives or personal career interests, and to non-students seeking to experience working in a City position.
 - b. Interns shall not be recruited to fill regularly authorized position vacancies or displace regular employees. Interns are considered temporary employees and are not eligible for benefits provided regular employees. Intern appointments shall not exceed 12 months.
 - c. In order for a student to be eligible for employment as an intern, an individual must be a student in good standing, enrolled in or on school-approved break from an accredited secondary or post-secondary school, junior college, college or university, or a vocational-technical school.
 - d. Student Interns are required to notify the employing department of any change in their academic or disciplinary standing at the institution.
 - e. Interns will be paid at the minimum pay rate of assigned pay grades. A departure from the minimum pay rate may be approved by the Human Resources Staff upon request and proper justification from the relevant director.
 - f. Persons who may be students but who wish to volunteer with the City outside of any academic program must complete a Volunteer Service Agreement to be developed by Human Resources with assistance from the City Attorney as needed.
 - g. Students who are present in the workplace and who are not performing any services for

I. EMPLOYMENT

Section: I-B

B. Temporary Employment

the City, nor participating in any related academic program, are considered to be “job shadowing” and are not considered to be volunteers, or employees, of the City. Any persons who are “job shadowing” must be approved by the relevant department director in advance, must not perform any work for the City, and must be under the supervision of an employee-mentor.

- h. Students who are present in the workplace and who may perform work for the City but who are not compensated shall meet the requirements of the federal Department of Labor concerning the acceptance of work by student interns. Interns who are not students must be compensated at least the prevailing minimum wage for work performed for the City.
 - i. The Human Resources Department is responsible for the development, coordination and promotion of intern recruitment activities and is responsible for ensuring that all interested persons have an equal opportunity to apply and be considered for internship opportunities.
 - j. Notwithstanding the foregoing, Madeira Beach may, from time to time, enter into agreements with educational institutions whereby student interns will be identified, assigned and compensated pursuant to the terms of such agreements. In such cases, Human Resources shall assist hiring departments as needed to implement the terms of the agreements, even where same may vary from the provisions of this Policy.
- 4. Employment of temporary personnel shall be subject to the equal employment opportunity provisions of this Policy.
 - 5. To ensure compliance with the federal Affordable Care Act, except for Seasonal OPS staff, all persons employed in temporary/OPS positions who are not offered health care coverage shall not be scheduled or permitted to work more than 30 hours per week.
 - 6. Unless otherwise required by law, individuals performing work for the City through temporary employment agencies shall not be considered “employees” for purposes of this Policy.

I. EMPLOYMENT

Section: I-C

C. Joint Employment**C. Joint Employment**

The intent of this policy is to allow employees to be employed in more than one position, and at possibly more than one pay rate, at the same time within the City payroll structure. The following criteria must be met for eligibility:

1. Only temporary OPS, part-time positions, which are considered to be occasional or sporadic (in accordance with 29 C.F.R., Section 553.30), will be eligible.
2. The employee's decision to work in a different capacity must be made freely and without coercion, implicit or explicit, by the employer.
3. The joint position must be in a different capacity, i. e., it must not fall within the same general occupational category as the employee's primary government employment.

Administrative procedures for implementation and tracking of this program will be published separately.

I. EMPLOYMENT

Section: I-D

D. Employment of Relatives (Nepotism)**D. Employment of Relatives (Nepotism)**

1. Employment shall be in compliance with Florida Statutes § 112.3135 regarding “*Restriction on employment of relatives.*” Pursuant to this section, a public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in which the official is serving or over which the official exercises jurisdiction or control any relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over a City department or office, who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by a City board of which a relative of the individual is a member.
2. Relative, for purposes of this Section only, shall include father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half-brother, or half-sister; but shall not include any other relatives who become related by law or marriage not specifically listed above.
3. For purposes of this Section only, public official, hereinafter referred to as "official," shall include, but not be limited to, Commissioners, the City Manager, assistant City Manager, City Clerk, City Attorney, City Treasurer, department directors, assistant directors, managers, supervisory employees and any other City employee authorized to make employment-related recommendations or decisions, whether the official is elected, contracted, appointed, or hired.
4. It is the City's policy to prohibit an official from having direct supervision over any employee who is a relative of the official, as more fully set forth in Paragraph 1. It is also the City's policy to prohibit an official from having direct supervision over any employee to whom the official is engaged or is otherwise involved in a current romantic relationship.
5. Direct supervision shall include any situation in which the official would be in a position to make decisions concerning the terms and conditions of the person's employment with the City including decisions about hiring, promotion, transfer, reclassification, compensation, benefits, work assignments, performance evaluations, training courses and programs, layoffs, return from layoff, termination, and all other tangible aspects of employment.

I. EMPLOYMENT

Section: I-E

E. Re-Employment and Disqualification**E. Re-Employment and Disqualification**

1. An employee who has been terminated from City employment for violation of any conduct or performance rule set forth in this Policy, or who resigns after being notified of the City's intent to conduct a pre-termination meeting but prior to a final disciplinary decision, is ineligible for re-employment for three years from the date of such resignation or termination.
2. An employee terminated due to a positive drug/alcohol test, a refusal to test, or other violations of the drug-free workplace policy; or who voluntarily resigns within two weeks of a positive result in a test for drug use; or when an employee serves notice of resignation immediately upon notification of being selected for such test, is ineligible for re-employment for a period of three years after such resignation. Additionally, a former employee who owes the City money for drug testing or treatment which was the responsibility of the employee to pay shall be ineligible for re-employment until all funds owed are paid.
3. An employee who voluntarily resigns without giving the required two-week notice (see Section IX.A.4) or is separated from employment for absence without leave (see Section VIII) is ineligible for re-employment for a period of one year. In circumstances where the hiring department director certifies, to the Human Resources Staff's satisfaction, that a non-eligible former employee will meet a critical need of the City, the Human Resources Staff has the authority to waive this waiting period.
4. Employees who separate from City service due to failure to complete probation period where no discipline violation occurred, layoff, end of a temporary position, or whose employment is terminated because work is no longer available, are eligible for re-employment with no waiting period.
5. Notwithstanding the foregoing provisions, an employee may become ineligible for a longer period, or permanently ineligible for re-employment, as the result of independent action such as the settlement of a legal claim or an arbitration decision. Additionally, the City Manager shall have the authority, in exceptional circumstances and where the best interests of the City will be served, to waive or reduce the periods of ineligibility stated in paragraphs 1 and 2 above. Waiver justifications shall be documented in writing by the Manager and placed in the employee's personnel file.
6. Notwithstanding the disqualification periods contained herein, a department director may recommend or not recommend an employee for re-hire. If made, such recommendations are simply the opinion of the former employee's director. Though such recommendations may be taken into account should a former employee apply for re-employment, they do not create a bar against such applicant from being considered for re-hire so long as the applicant is not under a disqualification period, and is otherwise qualified to perform the job duties.

II. PERSONNEL FILES

Section: II-B

*B. Access to and Retention of Official Personnel Files***II. PERSONNEL FILES***A. File Location and Content*

1. The City's official records of present and past employees' personnel files are maintained by the Human Resources Department. The Human Resources Staff is the custodian of these records and may delegate maintenance and control responsibilities to staff members.
2. The Human Resources Department shall develop, revise and authorize all forms related to personnel matters. Therefore, absent specific authorization from the Human Resources Staff to the contrary, departments may not promulgate or make use of any customized or unauthorized personnel forms, including leave requests, time records or employee evaluations.
3. Public Records requests for personnel files made to the City must be transferred to the Human Resources Department for response. The Human Resources Staff, or designee, shall be responsible for reviewing files to ascertain any information which has been designated as confidential or exempt from public records disclosure, and in conjunction with the City Attorney's Office, asserting applicable public records exemptions for such records.
4. The official personnel record, which will be maintained by the Human Resources Department, shall contain at least the following paper or digital documents regarding the employee:
 - a. The employee's initial and any subsequent employment/transfer/promotion applications; the eligibility verification report; I-9 form; interview forms; oath of employment; employment contract (if applicable); acknowledgments of receipt of benefits (to include secondary employment approval forms); conditional offer forms; retirement enrollment forms (when applicable); approved hire action forms authorizing employment; and other related documents required by law or City policy to be included.
 - b. All licenses or certifications required to hold the position;
 - c. The employee's performance evaluation forms and written responses thereto;
 - d. All official personnel actions, such as promotions, transfers, and pay increases;
 - e. Official disciplinary notices and warning or counseling forms issued to the employee;
 - f. Signature forms demonstrating an employee's receipt of City policies;
 - g. Records demonstrating attendance at City training sessions.
 - h. Any separation surveys provided by a departing employee.
5. The personnel record may also contain the following items, at the discretion of the Human Resources Staff:
 - a. Correspondence from citizens, co-workers, etc., concerning the employee's performance of his or her job or contribution to the community (excepting documents which are found

II. PERSONNEL FILES

Section: II-B

B. Access to and Retention of Official Personnel Files

- to be fraudulent, false, or which are required by law to be separately maintained);
- b. Records regarding an employee's education or professional credentials;
 - c. Such other records as the Human Resources Staff may deem appropriate for inclusion or which are not prohibited from inclusion by law.
6. The Human Resources Department will also keep and maintain separate and secured files of current and former employees which contain medical records or medical claim records exempt under Florida Statutes § 112.08, the results of drug tests (excepting discipline notices confirming a positive result was received), medical documents provided in support of sick leave requests (including those covered under the FMLA), reports of a healthcare provider discussing specific health conditions or status associated with a fitness-for-duty exam, medical records provided in support of a request for accommodation of a disability under the ADA, medical records received in the course of administering a worker compensation claim.
 7. Notwithstanding the foregoing, the City Manager and all department directors are entitled to review medical records of applicants and current employees when these officials have the business need to do so. Such instances include reviewing an employee's defense against a disciplinary action where the employee cites a medical reason for the conduct or performance, reviewing requests for sick leave including decisions as to whether an absence is covered by the FMLA, reviewing requests for accommodation under the ADA or determining whether the applicant or employee presents a danger to him/herself or others due to a medical condition. The City Attorney or other attorneys representing the City in any employment claim or suit are also authorized to examine such records to the extent the claim or suit places the medical condition of the applicant or employee at issue.
 8. In the event a City official examines records which includes information which is otherwise confidential or exempt from public disclosure under law, such official must exercise care and discretion so as not to further communicate any such information to subordinates or an employee's co-workers unless there is a valid legal reason to do so. City officials in doubt as to their duties in such circumstances are encouraged to seek advice from the City Attorney.
 9. The City Manager is responsible for ensuring that human resources records are controlled, maintained, disposed of, and that requests for copies are processed, in accordance with the Public Records Act and the rules of the Florida Division of Archives, History and Records Management. To that end, the City Manager is authorized to develop such additional administrative procedures and forms so as to accomplish this responsibility.
 10. While managerial personnel responsible for drafting performance evaluations may, to assist them in drafting annual evaluations, maintain separate notes on positive/negative conduct or performance, including notes on verbal counseling events, such records are public records and, if specifically referenced in an evaluation or discipline notice, must be attached thereto.

B. Access to and Retention of Official Personnel Files

1. Personnel files (official and informational copies) are public records subject to review under Florida Statutes § 119.07, subject to any applicable exemption(s). Official employee

II. PERSONNEL FILES

Section: II-B

B. Access to and Retention of Official Personnel Files

personnel files may be reviewed at the Human Resources Department during normal working hours. The records custodian, or designee, will assist and supervise during the review. Documents cannot be removed or rearranged within the official personnel file during review.

***NOTE:** Employees holding certain positions are entitled under Florida law to request that certain personally-identifying information such as home addresses, not be released by other governmental agencies which may be in possession of this information. It is the responsibility of each employee holding such a position to make these requests to other governmental agencies.*

2. Requests concerning past or present employee personnel information should be referred to the Human Resources Department. The Human Resources Staff will respond to inquiries from agencies and the general public regarding disclosure of official personnel data.
3. In accordance with the Florida Public Records Act, copies of personnel files may be made and furnished to requesters upon payment of the statutory fees. Money collected is remitted to the City's general fund. Employees are not charged for single copies made from their official personnel files. However, they shall be charged the established rate for additional copies. The Human Resources Department is responsible for reviewing a personnel file prior to production or copying to ensure all material exempt from public records disclosure has been covered.
4. Official personnel files must be retained for a length of time determined by the State of Florida Bureau of Archives and Records Management. This period is currently twenty-five (25) years following the employee's effective date of separation from City employment. Because of the permanency of such records, department directors must carefully review documents to determine their necessity before requesting entry to the "official" personnel file. The City Manager, in consultation with the City Attorney as needed, is authorized to develop administrative procedures concerning the proper storage of, and access to, records, including medical files, of current or former employees.

III. PROBATIONARY PERIOD

Section: III

*Initial and Promotional Probationary Periods***III. PROBATIONARY PERIOD**

1. The first six (6) months of employment, and following a promotion, serve as a probationary period for all non-at-will employees hired or promoted into regular full-time or part-time positions. The probationary period is used for the following:
 - a. To provide an adjustment period for an employee to become familiar with his/her job duties and responsibilities.
 - b. To provide on-the-job instruction, guidance and counseling.
 - c. To observe and evaluate employee job performance.
 - d. To remove or discharge an employee whose job performance fails to meet required work standards or who, for reasons stated in Section XI.B. of this Policy, must be removed or discharged for other reasons.
2. Probationary employees are not entitled to utilize the Employee Complaint Procedure (ECP) or appeal process unless a claim of unlawful discrimination is made, nor are they entitled to any hearing except as provided in Section XI.D.2.d. of this Policy.
3. Regular employees accrue paid leaves of absence during probationary periods. They may use accrued sick hours subject to normal approval procedures (after they have been credited to their accrual accounts). Newly hired regular employees on initial probation are not eligible to use vacation until they have passed initial probation. See Section VII.A.2.
4. Probationary employees who leave City employment are paid their accrued vacation leave balances in accordance with Section VII. A. of the Policy. This payment is made at the employee's base hourly pay rate in effect at the time of separation. If service is terminated by death, payment is made as authorized by Florida Statutes § 222.15.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV.A

*A. General Policies***IV. PAY, HOURS OF WORK AND WORKWEEK***A. General Policies*

1. Due to the variety of services provided by City departments, certain employees may be required to work varying days and hours. Department directors schedule work that is necessary and beneficial for the efficient operation of the City. It is the responsibility of the department director to manage overtime within budgetary constraints. While the City does not currently do so, pursuant to 29 C.F.R. § 553.23, by accepting employment with the City, all overtime-eligible employees agree that the City may in the future elect to provide compensatory time in lieu of payment of overtime work in cash pursuant to adopted compensatory time policies. If a comp time policy is adopted in the future, employees may also be required, at the discretion of the City, to use compensatory time in lieu of vacation pay when requesting vacation time off.
2. Non-Exempt Employees
 - a. For purposes of this Policy, all employees not considered exempt will be considered non-exempt, and therefore subject to the minimum wage and maximum hour provisions of the Fair Labor Standards Act (FLSA). Non-exempt employees are eligible to earn overtime or (if adopted in the future) compensatory time at one and one-half (1 ½) times their hourly rate.
 - b. Whenever a non-exempt employee becomes promoted or reclassified to an FLSA-exempt position, the employee shall have any accrued compensatory time (if any) paid to him/her at the employee's rate of pay of the non-exempt position he or she held immediately prior to his or her promotion.
3. Exempt Employees:
 - a. For purposes of this Policy, exempt employees are expected to work whatever hours are necessary to accomplish assigned duties and responsibilities. However, it is recognized that because exempt employees are often required to work irregular and/or extended hours, it is appropriate that they be provided a certain latitude in occasionally being away from their place of work during normal work hours. It is the responsibility of the immediate supervisor or the department director to determine if the absences are inappropriate.
 - b. If a compensatory time policy is adopted in the future, exempt employees are not eligible to be awarded compensatory time.
 - c. Department directors may suggest the exemption of certain job classifications from the provisions of the Fair Labor Standards Act (FLSA). However, the final determination is made and executed by the City Manager, in consultation with the City Attorney's Office.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

B. Allocation of Work Hours, Workweek and Work Period***B. Allocation of Work Hours, Workweek and Work Period***

1. The *workweek* starts at 12:00 a.m. on Monday and ends at midnight the following Sunday. The normal full-time work schedule includes forty (40) hours during the workweek. These hours should not be construed as either a fixed minimum or maximum. Work hours that exceed a normal workweek may be required. Except as provided herein or as determined by the department director, in conjunction with the City Manager and payroll staff, normal hours are Monday through Friday, 8:00 a.m. to 4:30 p.m.
2. *Lunch periods*- Bona fide meal periods (employee is completely relieved from duty for the purpose of eating regular meals) are not work time and are unpaid. The time scheduling and length of lunch periods are coordinated between the employee and the supervisor, according to that organization's needs. (Note: There is no federal or State of Florida law requiring meal breaks in industries or offices, with the exception that minors 17 years of age or younger shall not be permitted to work for more than 4 hours continuously without at least 30 minutes for a meal period.)
3. *Break (rest periods)* - Breaks (usually not more than 15 minutes each) may be permitted by supervisors when the work requirements allow them, and must be allowed for nursing mothers to express milk for up to one year after birth. Break periods are considered to be rest periods and must fall within working hours (work is performed immediately preceding and following the break period) and may not be accumulated for additional time away from work. (Note: There is no federal or State of Florida law requiring rest periods, but if they are offered, they must be counted as hours worked.)
4. *Flextime* is the generic term for flexible scheduling programs - work schedules that permit flexible starting and quitting times within limits set by management. Flextime requires employees to work a standard number of hours within a given time period (usually forty (40) hours during a five-day work week). Each City department has the option to use flextime, if it can be adapted to better meet that organization's unique needs. However, each City department or division which elects to permit flextime must, with the assistance of the Human Resources Staff, adopt a flextime procedure which will be published to the department's employees and which will be uniformly applied within that department or division.
5. *Work-at-Home* - There may be times when certain projects could be performed by employees who are at home due to extenuating circumstances. Any such projects must be authorized by the department director and approved by the City Manager prior to at-home work being done. Employees approved to complete a project at home must be capable of performing the project, and the project must have definite parameters for measuring time necessary to perform the work. The employee will only be compensated for the hours to complete the project. City equipment is not to be used outside the regular workplace, unless authorized by the department director and approved by the City Manager. All hours worked at home must be reported.
6. *Medical Attention* - In accordance with 29 C.F.R., § 785.43, time spent by an employee in waiting for and receiving non-elective medical attention on the premises or at the direction of the employer during the employee's normal working hours on days when he or she is working constitutes hours worked except for worker compensation visits (see also section

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

B. Allocation of Work Hours, Workweek and Work Period

VII.B.8.a. of this Manual).

7. *Furlough* - Notwithstanding any other provision of these policies to the contrary, where the City Manager, in consultation with the Board of Commissioners, determines that current budgetary conditions require a reduction in the overall hours employees work in order to remain within the authorized budget, the operational hours of any one or more office, service or function of the City may be reduced for one or more weeks, days or hours, either consecutively or sporadically. Such periods of reduction may be either by complete closure or operation with a less than full staff as deemed necessary. Employees working within such offices, services or functions will be placed on unpaid furlough during such periods, and hours spent on furlough shall not count as hours worked for any purpose. Pursuant to 29 C.F.R. § 541.710(b), the City Manager is authorized to deduct hours spent on any furlough from any employee being compensated on a salary basis if budgetary constraints require the deduction.
8. *Electronic Timekeeping* – In recognition of the limitations which may be inherent in the electronic timekeeping systems the City may now or in the future use, including limitations on the delineation of actual lunch or break schedules, employees who are unable to enter the actual chronological times for such events shall not be subject to discipline for falsifying records. FLSA non-exempt employees must, however, ensure that their actual hours worked each day are truthfully and accurately recorded in any such system to ensure proper payment of wages due, including overtime and premium pay.
9. *Pay Class/Annual Base Salary Calculations* – Annual base salaries shall be calculated based upon the pay class and full-time equivalent assigned to the position.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-C

C. Pay Eligibility**C. Pay Eligibility****1. Extra Hours**

The necessity to work extra hours is made at the discretion of the City Manager. It is important that department directors ensure that extra hours are distributed equitably among employees qualified to perform the work, while giving consideration to the personal wishes of employees involved. However, it is ultimately the department director's decision to designate who will perform the extra hours.

For overtime control purposes, overtime-eligible employees are prohibited from coming to work early and leaving late for purposes of conducting work, or working through lunch periods or bringing work home, unless specifically authorized by their supervisor in advance. Supervisors shall monitor the workplace to ensure that employees who are not scheduled to be working do not remain in the workplace. Nothing herein is intended to prevent an employee from remaining in a City building during a meal period. However, during such period, the employee is not expected to, and is prohibited from, performing work of any kind (including answering phones or reviewing emails) for the City.

Unless otherwise specified by a collective bargaining agreement, an employee shall be required to work overtime when assigned unless excused by the supervisor. An employee who refuses to work overtime when assigned will be subject to disciplinary action for said refusal. An employee scheduled to work overtime who fails to fulfill the assignment for reported medical reasons will, at the City's discretion, be required to substantiate the medical absence with a doctor's note or similar proof.

Overtime shall be documented by the City's time off request form. However, if this is not feasible, a schedule of work hours or other form of written documentation should be available to support the designation of overtime.

a. Non-Exempt Employees

All hours worked over forty (40) in a workweek are considered overtime and are compensated by overtime pay. Absent emergency circumstances, overtime must be approved in advance by the manager with the authority to approve overtime.

b. Exempt Employees

For purposes of this Policy, exempt employees are paid on a salaried basis and are expected to work the hours necessary to accomplish assigned duties and responsibilities. Paid extra hours are only to be considered under the terms of an approved performance bonus plan.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-G

C. Pay Eligibility

2. Overtime Pay

Employees entitled to overtime pay are paid for each work hour in excess of forty (40) hours in the workweek at a rate of one and one-half (1 ½) times their regular hourly rate of pay, including premium pay differentials when applicable.

3. Compensatory (Comp.) Time

Time off in place of overtime is called compensatory (comp.) time. **The City does not allow accumulation of comp time.** However, it reserves the right in the future to begin doing so, in accordance with then-applicable federal regulations.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-G

C. Pay Eligibility**4. On-Call Status**

- a. Exempt employees are ineligible for on-call status or overtime or other additional compensation for being required to be ready to be called to work during irregular hours.
- b. An employee required to remain on-call (on City premises or so close that he/she cannot use the time effectively for personal purposes) is considered to be working in an on-call status. On-call hours are designated as work hours for the workweek and count towards overtime.
- c. On-call employees must always be reachable by a pre-designated means of communication and able to arrive at the work location within the time established by the department director or designee. As employees are compensated for on-call assignments, they must refrain from drinking alcohol, taking medications or engaging in any other conduct which would prevent being ready for duty. Further, if they are unavailable when called in, they will be subject to disciplinary action and will not be paid any on-call pay for that assigned period. On-call assignments should be distributed equitably among qualified employees, consistent with operational needs.

5. Rounding of employee time.

Pursuant to 29 C.F.R. § 785.48(b), the City adopts the right to round the time of FLSA-overtime eligible employees such that employee time from 1 to 7 minutes will be rounded down and not count as hours worked, and time from 8 minutes to 14 minutes will be rounded up and counted as a quarter hour of work time.

6. Certifications and degrees.

Based on the operational needs of the City, the City may designate certain positions to be subject to a requirement that the incumbent hold a certification or academic degree, or that they obtain such certification or degree within a set period of time after being hired or promoted. In accordance with the resources provided in the Commission's annual budget, employees who are required to obtain a certification or academic degree as provided above may be awarded additional compensation upon obtaining or receiving such certification or academic degree. In the event the City pays for some or all of the expenses associated with the employee's certification or degree, the City may require the employee, prior to receiving such expense reimbursement, to enter a repayment agreement should the employee leave City employment prior to the expiration of the repayment period. In the event an employee receives reimbursement assistance under such repayment agreement leaves during the repayment period, the employee agrees, as a term of employment, that the City may retain any wages or other payments due the employee upon separation in order to satisfy some or all of the repayment obligation, except that the City may not withhold wages beyond the prevailing Florida minimum wage for the hours worked in the final pay period.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

D. Work Time Records and Emergency Conditions

D. Work Time Records and Emergency Conditions

1. The City's Work Time Records or timecards are designed to meet the record-keeping requirements of the FLSA. Department directors are responsible for maintaining a record of work schedules for non-exempt employees.
2. **Exempt Employees:** Due to their exempt, salaried status and the expectation that they are often required to work irregular and extended hours, but have the latitude of occasionally being away from their workplace during normal work hours, exempt employees complete work records but do not have to complete a daily record of time worked. For payroll accounting purposes, they will need to record absences charged to employee benefit accounts (i. e., sick, vacation, holiday, etc.). Exempt employees are not required to create time worked records, unless absences are charged to their accrued benefit accounts.
3. **Non-Exempt Employees:** All hours (paid, unpaid or charged to accrual accounts) must be recorded in the City's time and attendance system daily for the non-exempt employee's scheduled work periods. Pay, including overtime pay, is calculated for each workweek and paid (if overtime pay) or credited (if comp. time) to employees on a bi-weekly basis. Non-exempt employees are required to sign their time records, either physically or, where provided, via electronic means.
4. After payroll has completed processing, original records of time worked are maintained by human resources for the appropriate periods set forth in the FLSA and Florida records retention schedule. To the extent the City employs an electronic time and attendance system, such records maintenance may be performed electronically.
5. **Emergency Conditions:** When the Board of Commissioners formally declares a state of emergency, City employees who hold positions designated to perform essential services during the actual emergency declaration period shall report to work when required. The City Manager or department directors may also require employees who perform essential services to work during actual or impending extreme emergency situations or conditions (weather, hazard, etc.), not declared as a "state of emergency."
6. **Pay for Work During Declared Emergency:** During a declared emergency, City offices and operations may close. Employees who are not directed to work in any capacity during such closure must not report for duty during such periods. Employees are not authorized to designate themselves as essential or to perform work of any kind for the City during a closure of City offices and operations, unless expressly directed to work by their director or the city manager.

For all employees in positions classified as FLSA exempt, such employees will receive no additional compensation for any hours worked during any declared emergency. FLSA non-exempt employees shall receive overtime at 1.5 times their regular hourly rate of pay for any hours worked in excess of 40 hours in a work week during any declared emergency regardless of what non-emergency hours he or she may have worked during any given work week and regardless of what specific work assignment such employee is given during the emergency period.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-D

D. Work Time Records and Emergency Conditions

Non-FLSA exempt employees shall not be compensated for any time off during such periods. FLSA exempt employees shall be paid their established salaries except that if they are not directed to perform any work during the entire work week, such employees shall not receive their salaries for that week.

Employees who are not compensated due to a closure during a declared emergency may, at their discretion, use any available vacation leave to accommodate otherwise unpaid periods. Employees may not use non-FMLA sick leave for such periods unless they demonstrate through medical documentation to their department director's satisfaction that they were medically unable to perform their duties during the period in question.

In the event a City holiday falls on a day where the City is closed due to an emergency condition, compensation of the holiday for employees not required to report for duty shall be as provided for in this policy with respect to holiday compensation. Employees required to work on a holiday during a declared emergency shall be entitled to take the equivalent unpaid time off with no reduction in leave balance once the declared emergency ends and the leave may be scheduled.

All employees with approved leave requests covering the declared emergency period, regardless of leave type, are subject to having such leave cancelled and to being recalled to duty during the emergency period. Directors shall make every effort to accommodate pressing conditions, and ill employees, when determining which employees to call back from leave. Notwithstanding the foregoing, employees who cannot report for duty due to a certified FMLA condition shall not be called back to duty during an emergency condition.

7. **Failure to Report for Duty When Assigned:** Any employee required to report for duty during an emergency condition who fails or refuses to report and/or to perform duties as directed will be subject to termination from employment. Failure to monitor on-call or stand-by phone numbers and respond to calls will constitute a failure to report. The only exception to this policy will be for employees physically or medically unable to report or perform as ordered, or where the employee is on pre-authorized FMLA leave during the emergency period. For non-FMLA medical conditions, the City will require after the fact medical verification of medical conditions, and reserves the right to require second opinion examinations. Employees claiming a physical inability to report when required are not permitted to cite a mere fear of travel during the emergency condition, or a general concern for not staying with family. Employees, particularly those designated by their departments as being critical responders during emergency conditions, have a responsibility to plan ahead for the safety and welfare of their families and the securing of their property so that they will have the ability to report when called. Only extraordinary incidents of inability to report wholly beyond the employee's ability to control will be excused.
8. **Meal eligibility.** The City Manager is authorized, within appropriate budgeted funds, to acquire and provide meals for employees and volunteers engaged in eligible emergency work, including working in the City's Emergency Operations Center or working in the field, unless any such employee or volunteer is already receiving a per diem for means by virtue of any other employment benefit.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-9

*E. Salary Basis Questions**E. Salary Basis Compensation Questions*

1. It is Madeira Beach's policy to comply with applicable wage and hour laws and regulations. Accordingly, the City intends that deductions be made from your pay only in circumstances permitted by the Fair Labor Standards Act and the U.S. Department of Labor's rules governing the salary basis for pay for exempt employees. The improper pay deductions specified in 29 C.F.R. §541.602(a) may not be made from the pay of employees subject to the salary basis test.
2. If you have any questions or concerns about your salaried status, or you believe that any deduction has been made from your pay that is inconsistent with your salaried status, you should immediately raise the matter with your department director. If you have raised the matter with your supervisor and it is not resolved within ten (10) business days, or if, for any reason, you are uncomfortable discussing the matter with your director, you must submit your question or concern to the Human Resources Staff for review and response.
3. To ensure the City understands your question or concern and is able to conduct a proper review, any such question or concern which seeks the payment of wages allegedly owed must be made using the official HR form approved for that purpose. Any such question or concern must, at a minimum, include employee name, a brief description of the facts related to the question or concern, and the response of the employee's director, if any. The pay period(s) at issue should also be identified. If you are unable due to disability to submit your complaint in writing, a Human Resources representative will assist you in formalizing your question or concern, which you will then be asked to review and sign to ensure its accuracy.
4. The City is committed to investigating and resolving all compensation disputes as promptly, but also as accurately, as possible. Consistent with the U.S. Department of Labor's policy, any question or concern will be responded to within a reasonable time given all the facts and circumstances. If a review of the matter reveals you were subjected to an improper deduction from pay, you will be reimbursed and the City will take whatever action it deems necessary to ensure compliance with the salary basis test in the future.

IV. PAY, HOURS OF WORK AND WORKWEEK

Section: IV-1

F. Forms

F. Forms

1. Department directors, in conjunction with the Human Resources Staff, are responsible for investigating and ensuring job compliance for all positions (exempt and non-exempt) under applicable federal, state, local, and personnel policy guidelines. Any significant or important changes should be noted on the appropriate position description forms.
2. Changes (i. e., pay, classification, status, etc.) for exempt and non-exempt positions are initiated and approved by processing Pay Assignments and other pertinent forms. Procedures are set through "administrative" guidelines.
3. The Human Resources Staff ensures standardization of forms used throughout City departments. These forms are designed, updated and distributed from time to time under direction of the Human Resources Staff. To reduce the cost of purchasing, printing and storing paper, and to enhance efficiency, the Human Resources Staff shall endeavor to use electronic generation, electronic signatures, and electronic storage and retrieval systems for personnel records whenever possible.

V. CLASSIFICATION AND PAY PLAN

Section: V-1

A. General Policies**V. CLASSIFICATION AND PAY PLAN****A. General Policies**

The Madeira Beach Civil Service Commission, in cooperation with the City Manager, is charged with the on-going development of Madeira Beach classification and pay plans. This includes periodic studies relating to equitable classification categories and pay ranges. The goal of the Board of Commissioners is to maintain sound plans providing classification and pay structures that are fair, equitable, and systematic compared with other governmental jurisdictions and the private sector. This enhances Madeira Beach's ability to attract and retain competent employees to provide efficient services to the citizens of Madeira Beach.

The Civil Service Commission, working with the Human Resources Department, will periodically examine, by use of staff, consultants and such other resources available, market conditions and comparative wage data for relevant public and private sector employers, and based upon the results of this examination, will make a written recommendation to the City Manager and Board of Commissioners concerning wage adjustments. Based upon such written recommendations concerning the need for market equity adjustments, the City Manager may propose a budget including funds sufficient to implement such adjustments concurrent with a new fiscal year, and may implement same upon budget approval. Any such overarching market equity adjustments shall be confined by the budget approved by the Board of Commissioners for that fiscal year.

The Civil Service Commission, working with the City Manager, is charged with creating recommended classifications and pay plans (subject to budgets approved by the Board of Commissioners) as the City's business needs and operating experience dictate.

Madeira Beach reserves the right to organize itself, and classify and schedule its employees, in the manner deemed most effective and efficient at any given time, based on the needs of the community the City serves, and available City resources. Therefore, while the City will make every attempt to create stable career opportunities and work environments for employees, no City employee has any permanent right to claim any job title, classification, department, pay plan or rate, job description, benefit, schedule, shift, work location, co-worker(s) or any other aspects of the employment relationship other than those required by law to be provided.

V. CLASSIFICATION AND PAY PLAN

Section: V-D

B. Administration

B. Administration

1. Recommendations for assignment of authorized positions to classification titles and pay grades and recommendations for changes to existing classification and pay grade assignments are made to the City Manager by the Civil Service Commission and Human Resources Staff. Any such changes for administration positions shall become effective once approved by the City Manager.
2. Recommendations for staffing level changes which will result in an overall increase in the number of authorized employees under the City Manager or for which an increase in the overall operating budget is sought shall be submitted to the Board of Commissioners for approval. Staffing level reductions, or any transfer or reassignment of one or more City staff, either within or between departments, may be performed administratively by the City Manager.
3. In the event an employee voluntarily transfers or is involuntarily reclassified into a part time position from a full time position, such employee shall be entitled to the same payout of accumulated leave as is provided to full time employees who leave their positions, as set forth in Chapter VII of this Manual. However, employees demoted from a full time to a part time position as a result of disciplinary action shall not be entitled to such leave payout.

V. CLASSIFICATION AND PAY PLAN

Section: V-C

C. Application**C. Application****1. General**

- a. Notwithstanding any other provision of this Policy, no employee may receive any pay rate increase (other than for temporary duty performance) which would cause such employee to be compensated in excess of the maximum of the pay range established for the position such employee holds.
- b. Requests that are different from the parameters provided in Section V. of this Policy may be considered under exceptional circumstances. Such requests must be submitted, with appropriate justification, by the department director to the City Manager, who shall approve or decline such requests.
- c. At no time is an applicant or employee to be promised pay or conditions that are outside the parameters of the Policy, unless authorized through the approval process (as outlined in b. above). Any terms or conditions of employment, including but not limited to departures from established pay rates, moving expenses, hiring bonuses, language inducements, unique leave accrual rates, or transfer of unpaid leave balances or time in service, must, to be effective, be included in the written conditional offer of employment presented to the candidate by the City. Any other promises or representations made to a candidate not included in the conditional offer of employment shall not be valid or enforceable against the City.

2. New Hire Employment

- a. Initial employment in a classified position is normally paid the minimum of the assigned pay grade.
- b. Initial employment in a classified position may be paid at any rate agreed to between the City and an applicant. In establishing a pay rate offer, department director shall consider grant/program funding levels, current budgetary allocations and projected expenditures within the department, labor market conditions, equity and compression issues within the department, as well as candidate qualifications. Prior to extending an offer to a candidate which exceeds the mid-point of the pay range, the department must be able to provide appropriate justification to the Human Resources Staff. The Human Resources Staff shall review all proposed offers and, where an offer is in excess of the mid-point of the pay range established for the position, shall make a recommendation to the City Manager as to whether the proposed offer should be approved or denied.

3. Promotions

- a. *Advertised Promotion* occurs when a current employee is selected through open competition for a position in a higher classification. Subject to available resources and market conditions, employees promoted as a result of advertising to a classification in a higher pay grade will generally receive the greater of a 5% increase or entry level of the new pay grade. Directors may request higher increases for extenuating circumstances, but may not be offered to an employee prior to the Human Resources Staff's review and approval of the written documentation supporting the request. All current employees are encouraged to apply for promotions, and department directors and Human Resources

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Staff shall endeavor to make promotional opportunities known to current employees.

- b. Internal Promotion occurs when a qualified employee is placed in a higher position without advertising. Requests for internal promotions must be submitted to the Human Resources Staff by the department director with explicit support documentation (i. e., employee meets job requirements, will not create equity or other issues with other employees, is in the employee's career path, employee is already performing duties, and is in the best interest of the City). The Human Resources Staff shall either approve or deny the request. Pay guidelines are the same as outlined in V.C.3.a. above (Note: External recruitment helps build strong workforces. Therefore, positions below director level should usually be advertised. Internal promotions without first advertising should only be considered in unusual circumstances, such as recruitment difficulty, departmental health/safety criteria dictates immediate need to fill, internal candidate with extraordinary skills or background, etc.)

4. Demotions (Changes to Lower Classifications)

When an employee is demoted for any reason, the employee is requested to sign a statement of understanding, acknowledging the demotion and rate of pay. Signing this document does not mean that the employee agrees or disagrees with the action, only that he/she received notice of it. This acknowledgment is attached to the demotion paperwork sent to Human Resources for processing.

- a. An employee who applies through open competition, or requests a voluntary transfer, to a lower classification and pay grade, and is accepted; or who is involuntarily demoted to a lower classification for non-disciplinary reasons (i. e., inability to perform the duties of the job, reduction in work force, lack of work, reorganization, etc.), will be placed in the lower pay grade at the same percentage above the lower pay grade minimum as the employee's previous rate of pay was above the previous pay grade minimum. (See example below). This is subject to approval by the Human Resources Staff.

EXAMPLE: Employee's current hourly pay rate is \$10.00. Entry level pay rate for the current pay grade is \$9.00. To calculate the percentage over entry level, divide the difference (\$1.00) by \$9.00 = 11.11% over entry level. If the entry level pay rate for the lower pay grade is \$8.00 (\$8.00 plus 11.11% = \$8.888, rounded to \$8.89). Employee's new pay rate for the lower pay grade will be \$8.89.

- b. Notwithstanding the provisions of Paragraph 4.a. above, in order to ensure fair and equitable treatment, each case of demotion shall be reviewed individually. The department director must document any salary adjustment request that is different (either a greater rate or lower rate) from that provided in Paragraph 4.a. above and have the request approved by the Human Resources Staff.
- c. In cases where an employee is demoted as the result of disciplinary action, the disciplining director shall have the authority to assign the employee a pay rate lower than those otherwise specified for non-disciplinary involuntary demotions.

5. Temporary Assignments

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- a. **Acting Status.** Employees temporarily assigned to perform all duties of a higher-level position may receive additional compensation during the assignment at a rate determined by the City Manager. The assignment must be appropriately documented by the department director, and approved by the Human Resources Staff. Regular salary adjustments are granted during temporary assignments, and shall be applied to the employee's non-acting pay rate. Upon expiration of the acting status, the employee's pay rate will return to the same level it was prior to entering into acting status, but increased by any regular salary adjustments which occurred during that period. An employee may not be placed in acting status unless that employee meets the minimum qualifications of the higher-level position. Acting status begins and ends on the dates established by the Manager and agreed to by the employee. When a non-exempt employee is designated as "acting" in an open exempt position (such as a manager position open due to retirement where a new manager must be recruited), the employee shall be compensated during this acting status as an FLSA exempt manager and shall therefore not be eligible for overtime.
- b. **Additional Duties.** Employees temporarily assigned by their directors to perform additional duties while continuing to perform their regular duties may, upon request of the director and approval by the Human Resources Staff, be eligible to receive additional compensation over their current pay rate. However, when a non-exempt employee is only temporarily fulfilling the duties normally associated with an exempt position (such as to cover for a vacationing manager) in addition to their normal duties, the employee shall continue to be paid his/her normal rate of pay, and shall be eligible for overtime as may normally be applicable. Regular salary adjustments are granted during temporary additional duty status, and shall be applied to the employee's non-temporary duty pay rate. Upon expiration of the temporary duties status, the employee's pay rate will return to the same level it was prior to assignment of the temporary additional duties. Alternative forms of compensation for the performance of additional duties may be developed by the City Manager from time to time and may be utilized in lieu of the rate enhancement provided for above.

6. Reclassifications and Reorganizations

Market factors, evolving priorities, evolutions in equipment and materials, employee input, grant funding, or changing organizational needs may cause a particular position classification within the City to become subject to change. Madeira Beach continually evaluates these factors against classified positions accordingly and at times determines, where the position is not wholly eliminated, to re-classify and/or reassign one or a group of positions to better serve the needs of the City and its citizens. Such reclassifications/reassignments can be minor or significant, and may result in enhancing one or more positions and related duties and requirements, or decreasing duties and requirements. Such reclassifications/reorganizations are solely within the discretion of the City and no employee possesses any right or expectation to hold or keep any one position or set of duties. To ensure compliance with any applicable personnel policies or regulations, requests for reclassifications must be submitted by a department director in writing with supporting justification to the Human Resources Department which shall review and comment upon all reclassifications or reorganization requests regardless of number of employees involved. Every possible scenario cannot be described in a general policy document such as this Manual. However, in an effort to inform employees of the outcomes of common reclassification decisions, the following examples are

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provided:

- a. Employees reclassified to higher pay grades shall be compensated based upon the City's assessment of the factors set forth in subsection (c) below, and such compensation changes shall take effect on the first pay period after the effective date of the reclassification.
- b. In circumstances where an employee's position is downgraded based upon reorganization, market study, individual job analysis or other similar non-disciplinary reasons, the employee will not normally have their pay rate reduced, though their pay grade may be reduced, based upon the City's assessment of the factors set forth in subsection (c) below.
- c. In reaching any decisions regarding the establishment of reclassifications and accompanying pay grades and rates, the City will consider various factors including, but not limited to, individual experience and years of service, individual work/discipline records, current compensation and where same falls within a new pay range, equity between and among similarly-situated positions and incumbent employees, market factors, established career ladders and budgetary constraints.
- d. Any reclassification or reorganization shall be presented to the Civil Service Commission prior to implementation.

7. Transfers/Lateral Transfers

Employees may be transferred to vacant positions with the same job title (transfer) or within the same pay grade, different job title (lateral transfer) without advertising, if appropriate justification is provided and the request is authorized by the department director, approved by the Human Resources Staff and future department director if transfer is to another department. Transfers/lateral transfers are not eligible for pay adjustments. An employee may not be transferred to a different position unless that employee meets the minimum qualifications of that position.

V. CLASSIFICATION AND PAY PLAN

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Where an employee is permanently assigned significant additional duties not warranting a reclassification of their position, the employee's director shall work with the Human Resources Staff to determine a suitable wage rate increase.

9. Equity Pay Adjustment

- a. Equity Pay Adjustments are granted to maintain fair and equitable treatment of employees.
- b. Requests for equity pay adjustments may be submitted, with appropriate justification, by the department director to the Human Resources Staff for review and approval.

10. Retroactive Pay Adjustments

Retroactive pay adjustments may be considered under exceptional circumstances (such as where an employee performed assigned duties but due to accounting/recordkeeping error was not paid or where a pay-increasing certification was earned but unknown to the City). If a department director requests retroactive payment for an action, a written request must be submitted to the Human Resources Staff for consideration. If approved by the Human Resources Staff, the amount of retroactive compensation will be determined by Human Resources and Payroll. (NOTE: Nothing herein should be interpreted as authorizing any employee to be paid for work which was not authorized to be performed by the City. Employees performing unauthorized work shall be subject to disciplinary action). To the extent the adjustment results in a deduction from pay for wrongly-paid compensation, any such deduction shall not result in an employee being paid less than the established minimum wage for any given pay period.

11. Pay for Performance

In addition to any general wage adjustment that the Board of Commissioners may from time to time adopt, the Board of Commissioners may, by separate resolution, adopt a compensation program which includes variable wage increases linked to job performance. Such program may distinguish between exempt professional and managerial classifications, and full and part time hourly compensated employees. As to hourly employees, any such program shall be based upon quantifiable measures of performance and shall be designed and administered so as to ensure discrimination, favoritism or inconsistent application of eligibility criteria do not occur. In addition, pursuant to Florida Statutes § 215.425(3), the Board of Commissioners may from time to time adopt, by resolution, a performance bonus plan based on work performance which describes the performance standards and evaluation process by which such awards are to be given. Any such plan must be noticed to all employees prior to implementation. Nothing herein shall be interpreted as creating any requirement to develop or budget funds for pay for performance or bonus programs or policies, nor as creating an entitlement on the part of any employee to receive same.

VI. HOLIDAYS

Section: VI-1

A. Administration**VI. HOLIDAYS****A. Administration**

The following is offered as a guideline and is not considered to be all inclusive. Recognized holidays are subject to periodic review and revision by the Board of Commissioners.

1. Paid holidays are a City employee benefit. They may not be accrued for future use, and holiday hours taken shall not count as hours worked for any purpose other than FMLA eligibility.
2. A holiday must be taken in one (1) workday.
3. When a City-observed holiday occurs during an approved leave of absence with pay (i. e., vacation, sick, military, bereavement, etc.), and the appropriate leave is identified on the timecard, the employee will be paid for the holiday. (The holiday should be coded as "holiday" on the timecard.) If applicable accrued leave balances (i. e., vacation, sick, etc.) are charged on the timecard for the period in which the holiday occurs and the holiday is not coded as "Holiday," if eligible, the employee will be credited for the appropriate accrued leave upon written request from the department director to the Human Resources Staff.
4. An employee who is not on an approved leave of absence and is absent from work on the day preceding or the day following a City observed holiday is required by the department director to explain the absence. If the absence is approved, appropriate accrued balances will be charged on the timecard. If the absence is not approved, or if the employee has no appropriate accrued balances to be charged, the employee is not paid for the unapproved absence, nor for the holiday, and may also be subject to discipline.
5. When an employee is scheduled to work on a City observed holiday and fails to report for duty, the employee shall not be paid for the holiday and may be subject to discipline.
6. When a City observed holiday occurs during a leave of absence without pay, i.e., FMLA, suspension, sick/vacation with no accrued leave balances, administrative leave pending discipline, etc., the employee will not be paid for the holiday.
7. When a City observed holiday occurs within a period of Workers' Compensation benefit pay, holiday hours shall be paid to bring the employee's pay to 100 percent pay status for that day.
8. When a holiday falls on a Saturday, it is observed on the preceding Friday. When a holiday falls on a Sunday, it is observed on the following Monday, except as may be determined otherwise by the City Manager.
9. When a holiday falls outside of an employee's regular work schedule, the employee will be paid straight time for the holiday at 8 hours multiplied by the full-time equivalent (FTE). These hours will not be subject to overtime consideration or count as hours worked for any purpose.

VI. HOLIDAYS

Section: VI-B

B. Listing of Holidays**B. Listing of Holidays**

Holidays recognized are as follows:

1. New Year's Eve – December 31
2. New Year's Day - January 1
3. Martin Luther King's Birthday - Third Monday in January
4. President's Day - Third Monday in February
5. Memorial Day - The last Monday in May
6. Juneteenth – June 19
7. Independence Day - July 4
8. Labor Day - First Monday in September
9. Veteran's Day - November 11
10. Thanksgiving Day - Fourth Thursday in November
11. Friday After Thanksgiving Day
12. Christmas Day - December 25
13. Day before or after Christmas (determined annually by the City Manager).
14. Two Floating Holidays
 - a. Floating holidays are to be taken during the year in which they are awarded. Failure to use available floating holidays by the end of the fiscal year will result in those days being lost.
 - b. OPS (temporary) employees are not eligible for floating holidays.
 - c. Since daily scheduled work hours can vary depending on an employee's status and job assignment, the number of hours to be paid as a floating holiday must be equal to the number of regular work hours scheduled for that day. Floating holiday hours used do not count as hours worked for any purpose.
 - d. While on unpaid leaves of absence employees are ineligible to use a floating holiday.
 - e. Notwithstanding the availability of floating holidays to employees, advanced permission to use a floating holiday must be obtained, and the department director has the sole discretion (with the Manager's concurrence) to allow a floating holiday to be used on any particular day, or to rescind a prior approval where the urgent needs of the City so require, and no reasonable alternative is present.
 - f. Employees who separate from City employment and are rehired within the same calendar year are ineligible to use a floating holiday if it was used prior to separation.

VII. LEAVES OF ABSENCE

Section: VII-A

A. Vacation Leave; Maternity/Paternity Leave**VII. LEAVES OF ABSENCE****A. Vacation Leave; Maternity/Paternity Leave**

1. Full-time employees who fill established positions earn Vacation Leave credits. For health and well-being purposes, employees are encouraged to use their vacation leave each year and it is recommended that supervisors ensure employees are given that opportunity. Vacation Leave taken for purposes which qualify for FMLA coverage will be designated as FMLA Vacation Leave. Scheduling preference (where such decisions become required such as traditional holiday seasonal request increases) will be made by the department director based upon the operational needs and efficiencies of the department, seniority, timing of request, and any other factors which the department director deems appropriate. However, employees are encouraged to plan for vacation leaves in advance, particularly for holiday periods, by mid-year. Floating holidays must be taken or scheduled by July 1st of each year.
2. A new hire or rehire will accrue leave at the listed rates, but cannot use it until probation is complete. However, a newly-hired or rehired employee must have successfully completed the initial probationary period before being eligible to use vacation. Promoted employees on probation may use vacation leave without restriction. The City Manager may approve an exception to this policy for specific reasons. An employee who leaves the employment of the City during a new-hire probationary period will forfeit all vacation leave. Vacation leave will not be accrued while an employee is on leave without pay, or in any other non-pay status.
3. Accumulated vacation leave will be tracked by payroll. Accruals will be tracked by the City on the last day of each calendar month, crediting each eligible employee with leave earned for the month past. Advance vacation leave payments will only be made when approved by the City Manager and will be distributed on a regular payday. Vacation leave for department directors shall be 15 days (10 hours/month) for 0-10 years of service and shall thereafter follow the accrual rate of general employees. For all other employees, vacation leave shall accumulate pursuant to the following chart:

Years of Service	Vacation Leave Accrual Earned	Minimum Accrual	Max Accrual Allowed 400 hours
0 through 4 years, 11 months	10 days (6.66 hours per month)	80	160 hours
5 years through 9 years, 11 months	15 days (10 hours per month)	120	240 hours
10 years through 19 years, 11 months	20 days (13.33 hours per month)	160	320 hours
20 years or more	20 days plus one day per year of service over 20 years with a maximum of 25 days annual leave per year	160	320 hours
21 years	14 hours	168	336 hours
22 years	14.66 hours	176	352 hours
23 years	15.33 hours	184	368 hours
24 years	16 hours	192	384 hours
25 years	16.66 hours	200	400 hours

VII. LEAVES OF ABSENCE

Section: VII-A

A. Vacation Leave; Maternity/Paternity Leave

4. Department Directors will approve requests consistent with operational requirements. Restrictions regarding scheduling remain a management right and may be necessary during certain periods of the year. Vacation leave may be taken in fifteen (15) minute increments.
5. Employees who become hospitalized while on vacation leave may use sick time for such period of illness, provided they submit a doctor's certificate documenting same.
6. Upon separation from City employment, employees, except for those on initial probation, will be paid for all unused annual leave pro-rated to the date of separation, at the employee's current hourly wage. The City does not pay-out annual leave for DROP participants. Annual Leave may not be used for last days of employment in lieu of working, unless approved by the City Manager.
7. Sick Leave accruals cannot be used or paid out as vacation leave.
8. Notwithstanding any provision of this Policy referring to "calendar year," accruals of leave balances shall be governed by the City's adopted payroll tracking system, and may be calculated by the payroll calendar year used by that system.
9. Notwithstanding the requirement to use vacation leave by the end of the fiscal year or forfeit same, in recognition of the change in the City's prior "buy out" policy, employees may receive a one-time payout of accrued vacation leave until July 1st 2025.
10. Paternity/Maternity Leave
 - a. Full time employees who have worked for the City for at least 1250 hours shall be entitled to the following maternity/paternity leave:
 - (1) Four weeks (160 hours) of paid maternity leave for (a) birth mothers immediately following the birth of a child, or (b) maternity/paternity leave for a non-birth parent within the first 12 months of the birth or adoption of a child to permit parental bonding with the child.
 - (2) In the event both parents work for the City, they may share the maximum four weeks between them in any manner they desire.
 - b. This maternity/paternity leave shall be in addition to the vacation leave benefit set forth in subsection (A) above, and is in addition to any paid or unpaid leave taken by employees pursuant to the FMLA birth or adoption provisions in Section VII(K) of this Policy.

VII. LEAVES OF ABSENCE

Section: VII-B

*B. Sick Leave**B. Sick Leave*

NOTE: Family and Medical Leave Act (FMLA) will be considered and, if applicable, will run concurrently with Sick Leave. (See FMLA Section: VII.L.)

1. Full-time employees who fill established positions earn Sick Leave credits each pay period at the rate of 96 hours per year (8 hours per month), pro-rated if the employee works less than 40 hours). Part time and temporary employees are not eligible for paid sick leave. Tracking of sick leave accruals is by the fiscal year.
2. Employees using sick leave are paid at the hourly rate in effect at the time the approved sick leave is taken, but such leave used shall not count as hours worked for any purpose other than FMLA eligibility.
3. During leaves of absence with pay, employees continue to earn sick leave credits (with the exception of employees drawing hours from the sick leave bank or Long-Term Disability insurance coverage).
4. Full-time employees who fill established positions may accumulate unlimited sick leave.
5. Sick leave earned during any pay period is credited to the employee on the last day of that pay period. In the case of employment termination, it is credited on the last day the employee is on the payroll. Employees who submit notice of resignation may not use sick leave during the last two weeks of employment unless the employee had, as of the date notice was submitted, an FMLA Certification of Healthcare Provider and related request for FMLA use on file.
6. Use of sick leave credits cannot be authorized prior to being earned and credited. Sick leave may be used only with approval from the department director or designee.
7. Sick leave hours are charged to an employee's sick leave account. If accumulated sick leave is exhausted, the employee may request through the appropriate departmental authority to use vacation, sick leave bank, or floating holiday (may be used only as a whole day) leave to cover remainder of the absence.
8. Sick leave can be authorized for the following purposes:
 - a. Personal Sick Leave
Personal Sick Leave is for an employee's personal illness, injury, or exposure to a contagious disease which could endanger other employees. Any sick leave credits used for these reasons are authorized in accordance with provisions of Section VII.B.9. For purposes of this Policy, personal illness includes complications in pregnancy, miscarriage, childbirth, and recovery from these. Note: Medical Attention - In accordance with 29 C.F.R., § 785.43, and Section IV.B.6, time spent by an employee in waiting for and receiving non-elective medical attention (with the exception of worker compensation-related visits) on the premises or at the direction of the employer during the employee's normal working hours on days when he or she is working constitutes hours worked.
9. The employee has the responsibility of notifying his/her supervisor or other designated personnel when sick leave absence is necessary. This notification should be given prior to the absence, if possible, or as soon as possible on the first day of absence. Upon request, an employee may be permitted to use sick leave credits if the following procedures are followed:

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

- a. Prior to authorizing an employee to use sick leave credits, the department director may require the employee to certify that the absence is for reasons outlined in this Policy. The department director may require sufficient and specific medical documentation of the need for leave prior to authorizing sick leave pay. Sick leave pay may be denied to any employee who fails to provide requested documentation.
- b. After three (3) consecutive workdays (regardless of number of scheduled hours in any workday) of sick leave absence, the employee shall be required to provide FMLA medical certification from a certified health care provider before being authorized to use additional sick leave credits, unless deemed unnecessary by the department director based upon facts already known.
- c. Employees may be required to report periodically (no more often than seven (7) calendar day intervals) on the status of their sick leave and intent to return to work, and may be required to submit (no more often than thirty (30) day intervals) medical certification/re-certification from a certified health care provider if their sick leave continues.
- d. Employees may be required to convalesce at a specific location, such as a health care facility or at home when deemed necessary by the department director to prevent abuse of sick leave.
- e. Upon returning to work following a long-term illness or injury, an employee may be required to provide medical certification from a certified health care provider showing he/she is safely able to perform the essential functions of his/her job with or without reasonable accommodation.

VII. LEAVES OF ABSENCE

Section: VII-B

B. Sick Leave

10. An employee who refuses to comply with the above stated requirements is not eligible to use sick leave credits. Any unapproved absence from work will be considered unauthorized and may subject the employee to disciplinary action in accordance with the provisions of Section XI. of this Policy.
11. Employees providing written documentation from a certified health care provider indicating that the employee is unable to perform regular job duties due to an accident, illness, or medically related reason, with the approval of the department director, may be placed on light duty status or assigned to perform other temporary duties which will not be prohibited by the condition during recuperation, within the following guidelines:
 - a. The employee's hourly rate of pay remains the same, including personnel working non-standard schedules (such as 24/48 shifts).
 - b. If requested by the employer, the employee submits to a physical examination by a certified health care provider (selected and paid for by the department) prior to approval (or continuation) of the temporary status. Failure to comply could result in denial of use of further sick leave.
 - c. The temporary status may be approved by the department director for a period not to exceed three (3) consecutive months.
 - d. Requests to remain in the temporary status in excess of the three-month period must be authorized by the City Manager. Such requests will only be considered under exceptional circumstances.
 - e. Approval of temporary light duty is in the sole discretion of the City and is conditioned upon the availability of budgeted payroll funds to pay the employee and/or temporary workers at the same time, the disruption which may be caused to other workers in the workplace, the needs of the department, and the availability of bona fide light duty work to be done.
 - f. With documentation from a certified health care provider stating the employee may return to regular, unrestricted, full duty status, the employee will resume his/her regular position.
 - g. When approved to return to regular, unrestricted, full duty status, failure by the employee to do so could result in termination of employment under Section XI. of the Policy.
 - h. Approval of temporary light duty does not signify the City's agreement that the employee is a qualified individual with a disability under the Americans with Disabilities Act ("ADA") or the Rehabilitation Act, or that the employee is covered by the terms of the FMLA, or abrogate any defense that the City may have under the civil rights laws.
 - i. Employees who are determined to be unable to perform the essential functions of their job may either request a reasonable accommodation under Section IX.E, or where no accommodation is available, be referred to the Alternate Employment Program under Section IX.F.

VII. LEAVES OF ABSENCE

Section: VII-B

*B. Sick Leave***12. Payment of Unused Sick Leave**

NOTE: Payment for unused sick leave balances for contract employees will be in accordance with the contract in effect at the time of separation.

- a. On the effective date of this Policy, unused sick leave credits shall expire upon an employee's separation from City employment.
 - b. Notwithstanding the expiration provision in subsection (a) above, in recognition of the change in the City's prior policy of paying out 25% of sick leave upon separation, employees may request a one-time payout of 25% of accrued sick leave until July 1st 2025, or may donate that same amount to the sick leave bank by that date.
13. Notwithstanding any provision of this Policy referring to "fiscal year" or "calendar year," accruals of leave balances shall be governed by the City's adopted payroll tracking system, and may be calculated by the payroll calendar year used by that system.
14. The City Manager is authorized to administer an employee leave donation program (referred to herein as sick leave bank) wherein employees may elect to voluntarily donate sick leave for use by other sick leave-eligible City employees. The terms and conditions of any such program shall first be reviewed by the Civil Service Commission before being implemented. Employees may not be compelled to participate in any such program.

VII. LEAVES OF ABSENCE

Section: VII-C

*C. Personal Medical Appointment Leave**C. Personal Medical Appointment Leave*

1. With prior approval, Personal Medical Appointment leave allows eligible employees to attend personal medical-related appointments when it is not possible to arrange for appointments during off-duty hours.
2. Approved personal medical appointment leave is charged to an employee's sick leave account. Personal medical appointment hours are not considered hours worked towards overtime.
3. Personal medical leave will be recorded appropriately on the timecard (i.e., sick, FMLA, or no pay), in accordance with established pay codes for such leave. Where applicable, use of this leave will also be classified as FMLA protected and recorded as such. Departments are responsible for ensuring that FMLA coverage be documented where applicable.
4. Since medical facilities have varying waiting periods for appointments, there is no set limit for number of hours for an appointment. The employee should give his/her best estimate at the time of submission of request to the department.
5. Only the time used for the medical appointment, plus travel time to and from the appointment, may be coded as personal medical appointment leave. In addition, where the appointment is for an invasive medical test requiring pre-test preparation or a recovery period which causes an employee to be unable to report for duty, such preparation or recovery time may also qualify as personal medical appointment leave.
6. If there is a question that an employee may be abusing personal medical appointment leave, the department director may require verification of appointments.
7. Requests for personal medical appointment leave should be submitted with as much lead-time as possible. Personal Medical Appointment Leave may not be used for worker compensation examinations, treatment, etc., which must instead be coded as worker compensation leave.
8. If covered under the Family and Medical Leave Act, as evidenced through execution of adequate certification and employer response forms, personal medical appointment leave will not be used in evaluating an employee's performance.

VII. LEAVES OF ABSENCE

Section: VII-D

*D. Bereavement Leave****D. Bereavement Leave***

1. Paid leave may be authorized for probationary and regular employees (OPS employees are ineligible) who have a death in their "immediate" families (see 2. below). The following procedures apply:
 - a. Bereavement leave may be authorized (excluding holidays if scheduled to work the holiday) for up to three (3) scheduled workdays (five (5) days if the deceased family member lived outside of Florida).
 - b. Bereavement leave is separate and distinct from other types of leave and is not chargeable to any accrued leave balance (i.e., sick, vacation, etc.). Bereavement leave does not count as hours worked towards overtime.
 - c. In the event a family death occurs during an employee's approved sick or vacation leave, the time missed due to the death may be designated as bereavement leave, if eligible. The actual leave account charged (i. e., sick, vacation, etc.) can be adjusted through a request from the department director to the Human Resources Staff.

2. Definition of Immediate Family

For the purpose of administering this type of leave, "Immediate Family" is defined as the following persons, as related by blood or law to the employee and/or the employee's spouse: spouse, child, step-child, foster child, grandchild, parent, step-parent, grand or great grandparent, step-grand or step-great grandparent, brother, sister, half-brother, half-sister, step-brother, step-sister, or legal guardian. The definition also includes an individual for whom the employee or the employee's spouse is the legal guardian, and any other family member of the employee or of the employee's spouse who was a full-time resident in the employee's household immediately preceding the death.

3. Proof of Purpose of Leave

Validation of the request is left to the discretion of the employee's department director.

VII. LEAVES OF ABSENCE

Section: VII-E

*E. Military Leave**E. Military Leave*

1. For purposes of interpreting this Section, the general term "Military Leave" includes both Military Leave, as provided for in subsection (2) below, and Military Call, as provided for in subsection (3) below.
2. Military Leave: In accordance with Chapter 115, Florida Statutes, City employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or a member of the National Guard, shall, upon presentation of a copy of the employee's official orders, be granted military leave on all days during which the employee is ordered to active duty or inactive duty for training. Such employees shall not be required to work or use accrued personal leave on any day during which they are engaged in training under official orders. Whether continuous or intermittent, such leave with pay may not exceed 240 working hours in any one annual period beginning January 1 and ending December 31. Administrative leaves of absence for additional or longer periods of time for assignment to duty functions of a military character, including assignments under applicable FEMA or USERRA regulations, shall be without pay unless required by federal law.
3. Military Call: City employees who are commissioned reserve officers or reserve enlisted personnel in the United States military or naval service or members of the National Guard, who are ordered to active military duty shall, upon presentation of a copy of the employee's official orders, be granted military leave beginning with the day ordered to duty and ending up to 31 days after the date of release from the military service or from hospitalization continuing after discharge, unless a longer period is required by the FMLA. The first thirty (30) calendar days of such leave shall be with full pay. (Note: Employees would only be compensated for scheduled workdays during this 30-day period.)
4. Scheduled workdays for which Military Leave is taken under the rules outlined in subsections (2) and (3) above will be compensated as Military Leave or Military Call (as applicable) and will not count towards overtime. If an employee approved for Military Leave is scheduled to work a shift which qualifies for premium pay differential, Military Leave hours will be compensated at the appropriate premium pay differential rate.
5. Employees requesting Military Leave shall furnish the department director with competent orders from the appropriate military command as valid evidence of such duty status. These orders shall be kept in the employee's departmental personnel file. Since "competent orders" are not always defined or consistent, department directors should consult with the Human Resources Department for guidance.
6. Any absence in excess of the limits set in subsections (2) and (3) above may, upon request by the employee and approval by the appropriate supervisor, be covered by accrued vacation leave, accrued comp. time or floating holiday. If not requested by the employee or approved by the appropriate supervisor as vacation, comp. time, or floating holiday, such absences in excess of the limits shall be approved as military leave without pay. However, such leave shall be without loss of seniority, time or efficiency rating. Should any portion of the leave be paid leave, the employee shall be entitled to accumulate all benefits granted under paid leave status.
7. Madeira Beach employees called to active military service will not be discharged, reprimanded, or in any other way penalized because of their absence due to such service.

VII. LEAVES OF ABSENCE

Section: VII-E

E. Military Leave

The employee's position may be filled by another employee with substitute or temporary status. Upon separation from the military service, the employee shall be eligible to return to the former position held or a different position in the same class in the same geographic location.

8. Veteran's Leave: A City employee filling a regular established position and who has been rated by the United States Department of Veterans Affairs or its predecessors to have incurred a service-connected disability and has been scheduled by the United States Department of Veterans Affairs to be examined or treated for the disability, shall be granted veteran's leave for such reexamination or treatment without loss of pay or benefits. The maximum veteran's leave authorized for this purpose shall not exceed six (6) calendar days in any one annual period beginning January 1 and ending December 31. Hours used are not counted as hours worked toward overtime.
9. Issues of military leave not addressed in this policy shall be resolved as provided for state employees in applicable provisions of the Florida Administrative Code, Florida Statutes, and federal law.

VII. LEAVES OF ABSENCE

Section: VII-I

*F. Jury Leave**F. Jury Leave*

1. Whenever an employee (full-time, part-time or temporary OPS) is called for jury duty, upon presentation of the summons to his/her supervisor, the employee will be excused from scheduled work days and will receive Jury Leave pay for hours actually performing such duty, but not exceeding their scheduled work hours. The employee will not be compensated by the City for Jury Leave on unscheduled workdays unless the employee requests to substitute a night or weekend shift or portion thereof immediately preceding or following jury duty. The employee keeps any jury fees received.
2. Paid Jury Leave hours are considered as hours worked for all compensation purposes including calculating hours worked towards overtime. The City does not reimburse an employee for meals, lodging, travel, or any other expenses incurred as a juror.
3. Employees are required to report to work if excused from jury duty during their regular working hours. However, if their scheduled shift has been filled or they are not otherwise needed to complete the shift, they may, with supervisory approval, charge the balance of their scheduled work hours to their vacation leave account, or take the time off without pay, but only to the extent they are not able to make up regularly-scheduled hours by means of flex time assignment.
4. An employee called to jury duty shall promptly notify his or her department director and provide a copy of the court summons so that arrangements may be made in advance for his or her absence from work. Where so requested by an employee's department director, an employee will provide the director with a statement of actual days spent on jury duty service (such as by memo or e mail) before compensation is approved. Where the Clerk of Court engages in "day prior call in" programs (where unseated jurors call a number to determine whether their presence will be needed the next day), employees who discover their presence at the courthouse will not be required the following day (but who have not yet been released from duty) shall report to work on that day unless otherwise ordered by the Court. Once an employee is released from duty, he or she shall inform the department and report to work as required in Paragraph 3 above.
5. An employee called to jury duty while on vacation leave shall be allowed jury duty pay for that time served in court which corresponds to his or her regular workday. Such employee shall have his or her vacation leave hours restored provided satisfactory evidence of the time served on jury duty is presented to the department. In the event a holiday occurs during the period an employee is serving on jury duty, he or she shall receive holiday pay for the holiday rather than jury duty pay.
6. Employees who have a normal work schedule outside the regular business day (night or weekend shifts) who are summoned for jury duty during the business day immediately following the scheduled shift shall, if they request, be permitted to be excused from their scheduled work shift (or portion thereof) immediately prior to the jury duty day, in order to rest or otherwise prepare for their jury service. However, such excused period shall not exceed 8 hours and, where an employee requests to be excused from work for a portion or all of a scheduled shift, the employee shall not be compensated for the shift or portion thereof, not actually worked (unless vacation leave is used) but shall only be compensated for jury duty equal to the number of shift hours missed performing such duty. Notwithstanding the general requirement for employees to report to duty should they not be required to spend an entire day of jury duty service, night/weekend shift employees who serve any portion of a day for jury duty without taking time off their regular shift shall be paid for the entire shift, not to exceed the number of work hours scheduled.

VII. LEAVES OF ABSENCE

Section: VII-C

*G. Witness Leave**G. Witness Leave*

1. An employee appearing as a witness for the City in a court case or administrative proceeding within the boundaries of Pinellas County, in which the City is a party, including depositions, post-termination proceedings, mediation or arbitration proceedings, or who is subpoenaed as a witness in a court case or administrative proceeding in which the employee's testimony is related to official City business, is considered to be on duty during such appearance (not including travel time), even during off-duty hours. The employee must remit to the City any witness fee received in connection with such appearance. In the event the litigation is in a forum outside Pinellas County, and the employee attends as a witness for Madeira Beach, he/she shall be entitled to per diem expenses in accordance with Florida Statutes § 112.061. However, in the event the litigation is in a forum outside Pinellas County, and the employee is subpoenaed by a party other than Madeira Beach, the employee may keep any reimbursement of travel expenses, and he/she shall not be entitled to reimbursement of per diem expenses from the City.
2. An employee who voluntarily appears at a court or administrative proceeding, as defined above, on behalf of a party litigating against the City shall be ineligible for witness leave pay by the City for any time spent at such proceeding and must attribute such time to appropriate available leave balances or take leave without pay.
3. An employee who becomes a party in, or appearing as a witness in any case other than those described in Paragraph 1. is considered to be off duty, and must attribute such time to appropriate available leave balances or take leave without pay. Under such circumstances, the employee is entitled to keep any witness fee received. The only exception to this provision is where a City EMT or Paramedic who, while off duty, renders medical aid or assistance at an accident scene or emergency event and by so doing becomes a witness. In such cases, the EMT or Paramedic will be paid as described in Paragraph 1. above.

VII. LEAVES OF ABSENCE

Section: VII-H

*H. Disability Leave**H. Disability Leave*

Note: Family and Medical Leave Act (FMLA) eligibility will be considered and may run concurrently with Disability Leave. (See FMLA Section: VII.L.)

1. Workers' Compensation

- a. An employee who suffers accidental injury arising out of work performed in the course and scope of City employment may qualify for benefits during periods in which the employee is unable to work, as provided in the Workers' Compensation Law, F.S. Chapter 440. Any employee who has suffered an injury or illness while at work is required to report that injury or illness on an appropriate City form as soon as possible. Supervisors or managers who are aware of such illness/injury are required to provide the appropriate form to the employee, to compel the employee to complete it, and to promptly report the incident to the director and human resources staff.
- b. The City's human resources staff administers all workers' compensation claims and benefits.
- c. An employee receiving workers' compensation wage benefits may, at the employee's election, use available leave balances, in accordance with Section VII.B.7, to supplement those benefits. The supplemental payments plus workers' compensation benefits cannot exceed the employee's regular salary. Time spent by an employee accessing treatment for a workers' compensation covered injury does not count as hours worked toward overtime.
- d. In accordance with Section VII.B.11, an employee who is released to light duty by the workers' compensation primary care provider may, at the discretion of the department director, be assigned to perform other than his/her regular duties during recuperation. An employee who refuses to accept a light duty assignment will be ineligible for other disability leave, may lose workers' compensation benefits, and will be subject to disciplinary action under Section XI. of the policy.
- e. An employee who refuses to return to work after being released to unrestricted full duty by the workers' compensation primary care provider will be subject to discipline, including discharge, or may be deemed to have abandoned his/her job and resigned.
- f. Nothing in this sub-section eliminates or reduces an employee's rights under Florida law, to appeal workers' compensation decisions, nor should it be read as guaranteeing light duty work. Where no bona fide light duty work is available within the employee's department, the employee may be required to remain out of the workplace until recuperated. While no employee will be retaliated against for having submitted a claim for benefits and will give every opportunity for employees to recover from work-related injuries, the City reserves its right under law to terminate any employee for the inability to perform the essential functions of his or her job where the needs of the City so require. (See Section IX-E).

2. Short-Term Disability Leave/Reasonable Accommodations/Fitness for Duty Exam

- a. All employees of the City are expected to be able to perform the essential functions of the positions they hold. At times, a physical or mental impairment may cause an employee to become unable to perform one or more job functions. In such circumstance, it will be the responsibility of the employee's department, in consultation with the Human

VII. LEAVES OF ABSENCE

Section: VII-H

H. Disability Leave

Resources Department, to work with the employee to identify reasonable accommodations, which will permit the employee to perform all essential job functions. This process may take more than one try, depending on the specific facts of the case. Though the employee's input on accommodations should be given weight, an employee is not entitled to demand a particular accommodation if the department wishes to provide a different accommodation, so long as the accommodation will permit the employee to perform his or her job functions. The Human Resources Department, with appropriate advice from the City Attorney's Office, should be consulted where any questions arise over the identification of accommodations.

- b. A department director who, through appropriate medical documentation or written representations from the employee, becomes aware that an employee is unable to perform the functions of his/her job due to illness or injury, will explore with the employee any workplace accommodations which may permit the employee to perform the affected job functions. In conjunction with this accommodation search, or in instances where the facts reveal that an accommodation is not possible or legally unreasonable, the department may require the employee to submit to a fitness for duty medical examination by a physician named and paid for by the department. The City's inquiry is limited to whether the employee is able to perform job-related functions and if not, the probable duration of the disability and expected return to full duty. If the medical examination confirms that the employee is unable to perform the essential functions of his/her job with or without reasonable accommodation, the employee may request to be placed on short term disability leave for up to thirty (30) calendar days. The granting of such request is at the discretion of the department director. NOTE: Outside of a worker compensation claim or a City-paid fitness for duty examination, department employees, including directors, should NOT be directly communicating with healthcare providers of employees. Instead, all such communication will be made through the employee to the provider in writing.
- c. At the outset of short-term disability leave, the department director informs the employee in writing of the maximum duration of the leave and that, at the conclusion of that time period, the employee is expected to return to unrestricted full duty work, if he/she is able to perform the essential functions of the job with or without reasonable accommodation.

NOTE: The granting, denying, or administration of short-term disability leave under this rule relates only to the ability to remain on the City's payroll as an employee and does not constitute, and is in no way related to, any disability insurance policy or other benefit to which an employee may be entitled on becoming disabled, whether such policy or benefit is issued through a City insurance program or via a private insurer.

- d. An employee placed on short-term disability leave is required to use sick leave hours. If sick leave is exhausted, the employee may request use of vacation or floating holiday (must be used as a whole day) credits. If the employee uses all such leave or does not have enough leave to cover the duration of the short-term disability leave period, the employee may request to be placed on leave without pay for the balance of the short-term disability leave period.
- e. If, at the conclusion of the short-term disability leave, the employee is still unable to perform the essential functions of his/her job with or without reasonable accommodation, the following options are available:

VII. LEAVES OF ABSENCE

Section: VII-H

H. Disability Leave

- (1) The department director may require the employee to submit to another medical examination as described in Section VII.I.2.a. If the examination reveals that the employee is able to perform the essential functions of the job with or without reasonable accommodation, the employee must return to work or face discharge in accordance with Section XI-B. of the Policy, or be deemed to have abandoned his/her position and resigned.
 - (2) The employee may request an extension of short-term disability leave for another thirty (30) calendar day period not to exceed a total of three (3) consecutive months. The department director may require the employee to produce medical certification indicating that he/she remains unable to perform the essential functions of the job during these periods. Such requests may be granted under exceptional circumstances, depending on the operational needs of the department.
 - (3) The department director may refer the employee to the Alternate Employment Program, as outlined in Section IX-F of this Policy.
 - (4) The department director may accept the employee's voluntary written resignation for reason of inability to perform assigned duties.
 - (5) The employee may be non-disciplinarily separated for inability to perform.
- f. While under short-term disability leave without pay, the City will continue to pay the employer portion of any group health premiums, however, it is the employee's responsibility to pay any group health and life insurance premiums that are normally paid by the employee. Such monthly premiums must be paid by the employee prior to the effective month of coverage (or as otherwise required by the plan); otherwise, coverage may terminate.

VII. LEAVES OF ABSENCE

Section: VII-

*I. Domestic Violence Leave****I. Domestic Violence Leave***

1. Pursuant to Florida Statutes § 741.313, an employee who has been employed for 3 or more months is permitted to request up to 3 working days of paid or unpaid leave during any rolling 12 month period if the employee, or a family or household member of the employee is the victim of domestic violence, where such leave is taken to:
 - a. Seek an injunction for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
 - b. Obtain medical or mental health care for the employee or family or household member to address injuries resulting from an act of domestic violence;
 - c. Make the employee's home secure from the perpetrator of domestic violence or to seek new housing to escape the perpetrator; or
 - d. Seek legal assistance or attend court proceedings arising from an act of domestic violence.
2. Domestic violence leave shall be coded as paid vacation or sick leave (depending on whether the reason for taking the leave is to seek medical treatment or not) to the extent the employee has sufficient balances in his or her relevant leave account. Otherwise, the leave shall be coded as no pay.
3. Except in cases of imminent danger to the health or safety of the employee or family or household member, an employee seeking domestic violence leave must provide appropriate advanced notice of the leave request and may be required to produce sufficient documentation to support the requested leave. To the extent an employee provides personal identifying information related to a request for domestic violence leave, such information shall be maintained by the department as confidential and exempt from public records disclosure, pursuant to Florida Statutes § 741.313(4)(c)(2).
4. Employees who feel they are not being granted domestic violence leave should contact a Human Resources Staff to determine eligibility and obtain a suitable resolution to the matter.

VII. LEAVES OF ABSENCE

Section: VII-

J. Leaves of Absence Without Pay

J. Leaves of Absence Without Pay

Note: Family and Medical Leave Act (FMLA) eligibility will be considered and may run concurrently with Leaves of Absence Without Pay which are unrelated to judicial proceedings. (See FMLA Section: VII.L.)

1. Leaves of absence without pay will only be allowed upon depletion of applicable accrued leave balances. The exception to this would be an employee who requests a leave of absence without pay to supplement military leave.
2. The decision to grant leaves of absence without pay is a matter of administrative discretion and must be approved by the department director.
3. Leaves of absence without pay may be approved up to a maximum of three (3) months.
4. While under a leave of absence without pay, the City will continue to pay the employer portion of any group health premiums, however, any group health and life insurance premiums that are normally paid by the employee must continue to be paid by the employee. Applicable monthly premiums must be paid by the employee prior to the effective month of coverage (or as otherwise required by the plan); otherwise, coverage will be canceled at the beginning of the delinquent period.

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)**K. Family and Medical Leave Act of 1993 (FMLA)**

Note: This section of Policy is intended to set guidelines only and does not represent the Family and Medical Leave Act of 1993 in its entirety. FMLA procedures may differ from other types of City leave but FMLA does not provide any additional paid leave accruals over the City's other leave awards. (If further information is needed, contact the Human Resources Department.) FMLA use will be tracked concurrently with other types of leave where the reason for the leave is an FMLA-qualifying event. There are two general FMLA types, Basic Leave (see Section VII.L.1, et seq.) and Military Family Leave (see Section VII.L.15).

1. Basic FMLA Eligibility and Qualifying Events

The Family and Medical Leave Act (FMLA) is not to be considered as a separate or distinct form of leave. Instead, it is a law which provides for protection for employees who take leave from work for a covered reason, regardless of the pay code used. The FMLA authorizes an employee with 12 months of City service, who has worked at least 1,250 hours during the 12 months preceding commencement of leave, a maximum of 12 weeks of FMLA, job-protected, leave during a 12-month period. The 12 month-period is based on a rolling 12-month period beginning with the most recent day upon which coverage is requested and counting back 12 months. Basic FMLA leave may be taken for the following reasons:

- a. The birth of a son or daughter of an employee and to care for the newborn child;
- b. The placement of a son or daughter with an employee for adoption or foster care (entitlement to leave for birth, placement for adoption or foster care of a son or daughter expires 12 months from the date of the birth or placement of the child);
- c. In order to care for the employee's spouse, son, daughter or natural or adoptive parent with a serious health condition.

For purposes of this policy, definitions of spouse, son, daughter or parent are:

- (1) Spouse means a husband or wife as defined or recognized under State law for purposes of marriage in the State where the employee resides. (Note: Florida does not recognize common law marriage.)
- (2) Parent means a biological parent or an individual who stands or stood "in loco parentis" to an employee when the employee was a son or daughter as defined in (3) below. This term does not include parents "in law".
- (3) Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing "in loco parentis" who is either under age 18, or age 18 or older and "incapable of self-care because of a mental or physical disability."
- d. A serious health condition which renders the employee unable to perform one or more functions of the employee's position.

2. Serious Health Condition

A "serious health condition" means an illness, injury, impairment, or physical or mental

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

condition that involves either:

- a. In-patient care (i. e., an overnight stay) in a hospital, hospice facility, including any period of incapacity (for purposes of this policy defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom), or any subsequent treatment in connection with such in-patient care; or
- b. Continuing treatment by a health care provider, which includes any one or more of the following:
 - (1) A period of incapacity (i. e., inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery there from) of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:
 - (a) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
 - (2) Any period of incapacity due to pregnancy, or for prenatal care.
 - (3) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition.
 - (4) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective.
 - (5) Any period of absence to receive multiple treatments (including any period of recovery there from) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).
 - (6) FMLA leave for a serious health condition may be intermittent under the following circumstances: For intermittent leave or leave on a reduced leave schedule, there must be a medical need for leave (as distinguished from voluntary treatments and procedures) and it must be that such medical need can be best accommodated through an intermittent or reduced leave schedule. The treatment regimen and other information described in the certification of a serious health condition meets the requirement for certification of the medical necessity of intermittent leave or leave on a reduced leave schedule. Employees needing intermittent FMLA leave or leave on a reduced leave schedule must attempt to schedule their leave so as not to disrupt the

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

employer's operations. In addition, the employer may assign an employee to an alternative position with equivalent pay and benefits that better accommodates the employee's intermittent or reduced leave schedule.

- c. When leave is taken after the birth, or placement of a child for adoption or foster care, an employee may take leave intermittently or on a reduced leave schedule only if the employer agrees. However, the employer's agreement is not required for leave during which the mother has a serious health condition in connection with the birth of her child or if the newborn child has a serious health condition.

3. Medical Certification

- a. The employer may require that an employee's leave to care for the employee's seriously ill spouse, son, daughter, or parent, or due to the employee's own serious health condition that makes the employee unable to perform one or more of the essential functions of the employee's position, be supported by a medical certification issued by the certified health care provider of the employee or the employee's ill family member.
- b. When leave is foreseeable and at least 30 days-notice has been provided, the employee should provide the medical certification before the leave begins. When this is not possible, the employee must provide the requested certification to the employer within the time frame requested by the employer (which must allow at least 15 calendar days after the employer's request), unless it is not practicable under the particular circumstances to do so despite the employee's diligent, good faith efforts. Failure to provide the appropriate healthcare certifications after having been requested to do so may result in disciplinary action, and/or in the delay or denial of approval of FMLA leave.
- c. In accordance with Department of Labor (DOL) rules, if the employer has reason to doubt the validity of the medical certification, the employer may request, at the employer's expense, a second or third health care provider's opinion for leave taken because of a serious health condition. The employer may also require subsequent recertification from the employee's health care provider on a reasonable basis, in accordance with DOL rules, which normally will not be more than every thirty (30) days. No second or third opinion on recertification may be required.

4. Spouses Working for the Same Employer

If both spouses work for the same employer (Board of Commissioners), the combined leave shall not exceed 12 weeks in the 12-month period, if the leave is taken:

- a. for birth of the employee's son or daughter or to care for the child after birth;
- b. for placement of a son or daughter with the employee for adoption or foster care, or to care for the child after placement; or
- c. to care for the employee's parent with a serious health condition.

5. Health Insurance Premiums

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K. Family and Medical Leave Act of 1993 (FMLA)

(Note: Any questions regarding employee health insurance premiums while under FMLA should be directed to the health insurance policy administrator.)

- a. During FMLA leaves of absence, the employer will continue to pay its portion of the health insurance premiums and maintain the employee's coverage under the health plan in the same manner as if the employee had been continuously employed during the entire leave period, provided the employee continues to pay his or her share of the premiums normally paid by the employee.
- b. Should the employee fail to continue to pay his or her share of the premiums, notices of proposed insurance cancellation and the opportunity to pay the premium as required by the FMLA will be provided before cancellation.
- c. Employees will be advised well in advance of any changes in premiums so they will have ample opportunity to make arrangements to continue to pay their share of the premiums during the Family Medical Leave. To avoid required reimbursement, appropriate certification from a health care provider may be required if the employee does not return to work because of a serious health condition.

6. Benefit Accruals

- a. During FMLA leave, the FMLA does not require accrual of employment benefits, such as vacation leave, sick leave, etc. Accordingly, during unpaid FMLA leave, accrual of benefits shall be on the same basis as for any other unpaid leaves of absence. Paid FMLA leave will continue to accrue vacation, sick, etc., on the same basis as other types of paid leave. With respect to pension and other retirement plans, any period of unpaid FMLA leave shall not be treated as or counted toward a break in service for purposes of vesting and eligibility to participate. Employment benefits to which an employee may be entitled on the day on which the Family and Medical Leave of absence begins will not be lost because of such leave, except for those paid leave days substituted for leave taken under this policy.
- b. Employees on unpaid FMLA leave are to be treated as if they continued to work for purposes of changes to benefit plans. They are entitled to changes in benefits plans, except those which may be dependent upon seniority or accrual during the leave period, immediately upon return from leave or to the same extent they would have qualified if no leave had been taken.
- c. Employees will not be disqualified from bonuses based upon safety for which they qualified prior to leave because of the taking of FMLA leave.

VII. LEAVES OF ABSENCE

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K. Family and Medical Leave Act of 1993 (FMLA)**7. Relationship to Paid Leave**

- a. Employees will be required to substitute paid sick leave for an equivalent portion of FMLA leave for a serious health condition.
- b. If eligible sick leave is exhausted, the employee will be required to substitute any other available paid leave sources, as outlined in Section VII.B.7. If all eligible leave balances are exhausted, any FMLA leave entitlement remaining will be coded as FMLA, no-pay status.
- c. To the extent the City does not provide paid sick leave for a condition covered by FMLA, neither this policy nor the FMLA entitles the employee to paid leave. However, under paragraphs a. and b. above, paid leave and the FMLA leave will run concurrently.
- d. Workers' Compensation or Short-Term Disability-based leaves, whether paid or unpaid, will run concurrently with FMLA leave when the reason for the leave is an FMLA qualifying event.
- e. To the extent an event occurs which makes an employee eligible for an alternative form of leave not related to absence due to covered medical reason (for instance family death and ensuing need for bereavement leave), the employee's use of such leave will not be counted as an FMLA absence.

8. Return from Family Medical Leave

- a. With the exception of certain "key" employees (salaried FMLA-eligible employees among highest paid 10 percent of all employees employed by the employer), those who return to work from FMLA leave within or on the business day following the expiration of the leave are entitled to return to their job or a position with equivalent benefits, pay and other terms and conditions of employment. Designation of "key" employee status and whether such status will affect the employee's right to reinstatement will be made at the time the employee gives notice of the need for leave, or at the commencement of leave, whichever is earlier, or as soon as practicable thereafter if such determinations cannot be made at that time.
- b. Failure to return to work upon completion or expiration of FMLA-protected leave could result in termination of employment, in accordance with FMLA rules and regulations and the Madeira Beach Personnel Policy, Rules, and Procedures Manual.

9. FMLA Procedures and Forms:

Department directors, managers, supervisors and personnel liaisons shall review, be familiar with, and make use of procedures applicable to requesting, qualifying for, and approval of FMLA coverage. Requests for FMLA-covered leave must be submitted through use of the City's leave request system at least thirty (30) days before the leave is to begin if need for leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member. If thirty (30) days-notice is not practicable, such as because of a lack of knowledge of approximately when leave will be required to begin, change in circumstances, or medical

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emergency, notice must be given as soon as practicable. (Note: Notwithstanding any requirement to submit leave requests via the established leave request system, verbal notice, or the City's knowledge of the need for FMLA qualified leave, is sufficient to trigger the obligations under the FMLA.) Once the department has acquired knowledge that the leave is being taken for an FMLA eligible reason, whether from the employee, a health care provider or some other reliable source, the department will notify the employee, on an official Employer Response Form signed by the director, that the leave is being designated as FMLA qualified and whether it will be paid or unpaid leave (according to whether or not the employee has chargeable accrued balances.)

10. Counting FMLA Leave

To the extent allowed by law, in the event an absence is for a reason covered by the FMLA, the City will designate it as Family Medical Leave-protected whether the employee has applied for it or not. When this occurs, the employee will be promptly notified as described above. Tracking of FMLA leave is the responsibility of the employee and the employee's department. FMLA is specific to the individual employee, not to the particular health condition or family event. Therefore, employees should be aware that the maximum 12 week protection period will be inclusive of all covered conditions and events which happen within the applicable 12 month period. Additionally, where the City obtains unequivocal confirmation, either from the employee or a health care provider, that the employee does not intend to return, or the employee's medical condition will prevent the employee from returning to full duty permanently, or for a significant or indefinite extended period past the FMLA period, the City may terminate employment even where the 12 week period has not yet run, and the employee's entitlement to continued leave, maintenance of health benefits, and reemployment will cease.

11. Coordination

Absences due to sickness or injury, whether paid or unpaid, including absences for work-related sickness or injury that are also covered by the FMLA, will be considered for FMLA leave.

12. Employee Obligations

During FMLA leave, employees must periodically report on their medical status and intent to return to work. Upon taking such leave, the employee will be advised of the reporting requirements.

13. Medical Certification Upon Return to Work

An employee who has taken FMLA-covered leave for his/her own health condition (whatever pay code) may be required to obtain certification from the employee's health care provider, based on a job and FMLA condition-related fitness-for-duty exam at the employee's expense, that the employee is able to perform the essential functions of his/her job before being allowed to return to work.

14. Failure to Cooperate

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

Employees who fail to provide information, which Madeira Beach is allowed by law to require the employee to provide, may have their leave delayed, or not counted as FMLA leave, and be subject to discipline up to and including discharge as permitted by law.

15. FMLA Military Family Leave.

In addition to the FMLA-protected categories above, Congress's 2007 and 2010 FMLA military family leave amendments in the 2013 Final Rule provide that employees eligible for FMLA leave are entitled to leave for a covered family member's service in the Armed Forces under the following circumstances:

- a. Qualifying Exigency Leave. Up to 12 weeks of unpaid leave in any 12 month period for a qualifying exigency arising out of a covered employee's spouse, son, daughter, or parent's Armed Forces (including members of the National Guard or Reserves) covered active duty or notification of an impending call or order to active duty in the support of a contingency operation; or
- b. Military Caregiver Leave. Up to 26 weeks of unpaid leave in a single, 12 month period for an employee to care for his or her spouse, son, daughter, parent, or next of kin, a service member/covered veteran, recovering from a serious injury or illness suffered while on active duty in the armed forces. FMLA leave taken for family military leave runs concurrent with other leave entitlements, as allowed under federal, state and local law.

Qualifying exigencies may arise when the employee's spouse, son, daughter or parent who is a member of the Armed Forces (including the National Guard and Reserves) and who is on covered active duty or has been notified of an impending call or order to covered active duty.

Qualifying exigencies categories.

- Issues arising from the military member's short notice deployment (within seven or less days of notice)
- attending military events and related activities
- to arrange for childcare and related activities
- issues related to care of the military member's parent who is incapable of self-care
- making or updating financial and legal arrangements
- Attending counseling
- Rest and Recuperation leave during deployment (up to 15 calendar days)
- Post-deployment activities (within 90 days of the end of the military member's covered active duty)
- Any other event that the employee and employer agree is a qualifying exigency

Should an employee request FMLA military family leave for a qualifying exigency, please

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

consult with Human Resources and the City Attorney's Office for additional guidance.

Contingency operation. A "contingency operation" means a military operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or results in the call or order to, or retention on, active duty of members of the uniformed services during a war or during a national emergency declared by the President or Congress.

Covered active duty is duty during deployment of the covered service member of the Armed Forces to a foreign Country.

For members of the National Guard and Reserves, covered active duty is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation.

Deployment to a foreign country means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the United States. It also includes deployment to international waters.

Service member is a current member of the Armed Forces, including a member of the National Guard or Reserves who is receiving medical treatment, recuperation, or therapy, or in outpatient status, or is on the temporary disability retired list for a serious injury or illness.

Covered veteran is an individual who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran. The period between enactment of the FY 2010 NDAA on October 28, 2009 and effective date of the 2013 Final Rule is excluded in the determination of the five-year period for covered veteran status.

The covered veteran is undergoing medical treatment, recuperation, or therapy for a serious injury or illness if he or she:

- was a member of the Armed Forces (including a member of the National Guard or Reserves);
- was discharged or released under conditions other than dishonorable; and
- was discharged within the five-year period before the eligible employee first takes FMLA military caregiver leave to care for him or her.

Serious injury or illness. A serious injury or illness means an injury or illness that is/was incurred by the covered service member in the line of duty on active duty in the Armed Forces (including National Guard and Reserves) and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating. A serious injury or illness also includes injuries or illnesses that existed before the service member's active duty and that were aggravated by service in the line of duty on active duty.

Serious injury or illness for a veteran means an injury or illness that was incurred by the

VII. LEAVES OF ABSENCE

Section: VII-K

K. Family and Medical Leave Act of 1993 (FMLA)

covered veteran in the line of duty on active duty in the Armed Forces or that existed before the veteran's active duty and was aggravated by service in the line of duty on active duty, and that is either:

1. A continuation of a serious injury or illness that was incurred or aggravated when the veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank or rating; or
2. A physical or mental condition for which the veteran has received a U.S. Department of Veterans Affairs Services Related Disability rating (VASRD) of 50% or greater, and the need for military caregiver leave is related to that condition; or
3. A physical or mental condition that substantially impairs the veteran's ability to work because of a disability or disabilities related to military service, or would do so absent treatment; or
4. An injury that is the basis for the veteran's enrollment in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

In order to obtain military family leave to care for a family member who is recovering from an injury or illness suffered while on active duty in the armed forces, an employee must demonstrate a qualifying injury or illness is suffered by a covered family member who is a service member/veteran of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness.

The term "outpatient status" means the status of a member/veteran of the armed forces assigned to a military medical treatment facility as an outpatient, or a unit established for the purpose of providing command and control of members of the armed forces receiving medical care as outpatients. The illness or injury must be serious enough to render the person unable to perform the duties of the member's office, grade, rank, or rating.

Next of kin. "Next of kin" is defined as the nearest blood relative to that individual.

Substitution of paid leave for military family leave. For leave taken for a qualifying exigency or for injured serviceperson caregiver leave, an eligible employee will be required to use available paid leave balances in the same manner as the City requires for other FMLA leave taken as noted below:

Qualifying Exigency Leave: Vacation then No Pay

Military Care Giver Leave: Vacation then No Pay.

Married employees. When both husband and wife work for the City, the aggregate amount of leave that can be taken by the husband and wife is 26 weeks in a single 12 month period for serviceperson caregiver leave, or a combination of active duty leave and serviceperson caregiver leave. The aggregate number of workweeks of leave to which both that husband and wife can take for only active-duty leave is 12 weeks.

Notice and certification. If the need for leave is foreseeable, the employee must provide

VII. LEAVES OF ABSENCE

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K. Family and Medical Leave Act of 1993 (FMLA)

such notice to the City as is reasonable and practicable. Employees requesting leave under this section shall provide certification for the need for the leave on such forms as may be developed in the Secretary of Labor's final regulations, as modified by the City.

Calculating the 12-month period. Leave for a qualifying exigency is counted as the City calculates other categories of FMLA leave. Leave to care for a covered spouse, son, daughter, parent, or next of kin recovering from an injury or illness suffered while on active duty in the armed forces is a one-time benefit and as such, the 26 weeks are only available during a single, 12-month period. The City will begin counting the 12-month period on the first day of leave taken to care for the injured or ill service person.

Note: This FMLA military family leave policy supplements the City's main FMLA policy and provides general notice of employee rights to such leave. Except as discussed above, an employee's rights and obligations to FMLA military family leave are governed by the City's main FMLA policy and application/approval procedures.

VII. LEAVES OF ABSENCE

Section: VII-L

*L. Judicial Leave**L. Judicial Leave***Leaves of Absence Related to Judicial Proceedings**

1. If an employee is arrested for, and/or charged with, an alleged violation of a federal or State law, county or municipal ordinance, or an order of a court, and/or becomes incarcerated for such reason, the concerned department director shall investigate as necessary for the purpose of determining whether to take disciplinary action and/or whether to place the employee on judicial leave of absence pending judicial proceedings. The investigation, review and action options shall be coordinated with the Human Resources Department. The decision to place an employee on leave of absence is discretionary with the department director and subject to review by the Human Resources Staff. Any decision to place an employee on judicial leave shall be final and not subject to appeal through any grievance process.
2. While in some cases the City may elect to await the outcome of judicial proceedings prior to discipline action, the City reserves the right to make its own determination regarding the facts of the case and whether its personnel rules were violated, regardless of the outcome of any criminal proceedings.
3. An employee not incarcerated while awaiting disposition of a charge may be permitted to work if it is determined by the department director that allowing the employee to work will not adversely impact City operations or citizen good will, or jeopardize the well being of other employees or citizens.
4. Judicial Leave is not a right but an option which may be exercised in the sole discretion of the City and shall be unpaid. However, an employee must use all of his or her Vacation Leave prior to any unpaid period. Nothing herein should be interpreted as preventing the City from proceeding to terminate or otherwise discipline an employee at any time after a charge or arrest where the City possesses adequate information upon which to base its decision.

VIII. ABSENCE WITHOUT AUTHORITY

Section: VII

VIII. ABSENCE WITHOUT AUTHORITY

None of the provisions of this Policy shall be interpreted or construed to circumvent or mitigate the rule that: Any City employee absent from his/her position of employment without approval of competent authority for a period of two (2) consecutive workdays/shifts is considered to have resigned without notice.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-A

A. Resignation**IX. NON-DISCIPLINARY SEPARATIONS FROM CITY EMPLOYMENT****A. Resignation**

1. Resignation is the separation of an employee from City employment through submission of a written or verbal notice of intent to resign. An employee's resignation shall be deemed as accepted by Madeira Beach the moment it is tendered regardless of any stated effective date, and no supervisor, manager or director has the authority to reject or permit an employee to rescind a resignation without the express prior authorization of the City Manager.
2. An employee who wants to leave City employment in good standing must notify his/her immediate supervisor at least two (2) weeks prior to leaving. The supervisor, in turn, will notify the department director. The department director may allow the employee, under extenuating circumstances, to give less than two (2) weeks' notice and still resign in good standing. In the event the department director, in consultation with the Human Resources Staff, determines that it would be in the City's best interest to deem a resignation notice an immediate resignation or shorten the resigning employee's notice, he/she may do so.
3. Upon an employee's resignation notice, any interest in continued employment ceases, and the employee is not entitled to any due process hearing.
4. Employees who resign from City employment without two (2) weeks' notice (unless otherwise approved by the department director), may not be recommended for rehire, nor be eligible for re-employment, with the City for one (1) year following their date of termination unless approved by the Human Resources Department.
5. Each City employee separating from City employment is requested to complete an Employee Separation Survey. The purpose of this survey form is to provide management with input the employee may have about his/her job and the City. The completed form is maintained by the Human Resources Department.
6. An employee who fails to report to work for two (2) consecutive workdays/shifts without approval of competent authority is considered to have resigned without notice. (See Section VIII., Absence Without Authority.)
7. An employee who takes any step to run for a Madeira Beach Board of Commissioners seat, including opening a campaign account for that purpose, filing qualifying paperwork with the Supervisor of Elections, or conducting a press conference or issuing a press release confirming his or her candidacy, shall be deemed to have resigned his or her position with Madeira Beach as of the close of business of the date any of these actions are first taken. Nothing herein shall be read or interpreted as preventing an employee from standing for election for any other elective public office or applying for appointment to any appointive public office.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-B

B. Retirement

B. Retirement

1. None of the provisions of this Policy can be construed or interpreted to alter or impair the City's retirement plan.
2. There is no mandatory retirement age for employees of Madeira Beach unless otherwise provided by Florida Statute or a pension plan provision. Continued employment is determined by the employee's ability to perform satisfactorily in the job classification assigned.
3. Employee assistance and retirement information is available from the Human Resources Staff as needed. Department directors should urge their employees to contact the Human Resources Department for such time as is required under Florida Retirement System regulations in advance of the anticipated retirement date, to allow time to process retirement benefits.
4. Employees who have retired from City employment may be re-hired by the City in any position and under such terms and conditions as the City may offer, consistent with policies or procedures applicable at the time of application.
5. Employees who retire prior to December 31st of a given year are eligible for vacation leave payout as provided for in Section VII.A.6 of this Policy Manual.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT****Section: IX-C*****C. Death***

C. Death

1. Separation is effective on the date the death occurs.
2. All compensation due the employee at separation is paid to the beneficiary, surviving spouse, or to the estate of the employee, as determined by law or by executed forms in the employee's official personnel file.
3. Department directors must immediately report an employee's death, regardless of cause, to the Human Resources Staff and initiate the appropriate separation paperwork forthwith.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-D

*D. Layoff****D. Layoff***

1. It is the intent of the Board of Commissioners to provide stable employment to members of the City of Madeira Beach's workforce. However, there may be occasions which necessitate a reduction in the City workforce.
2. A reduction of work force may be instituted in cases of bona fide budget reduction, lack of work, lack of funds, program or grant discontinuation, technological replacement, or any other significant organizational change or condition of serious financial distress that may occur. When such conditions exist, the department director may, after coordination with the Human Resources Staff and approval by the City Manager, proceed to lay off an employee or employees. To the extent a reduction in force is necessitated by the City Manager's proposed budget, layoff decisions shall be consistent with the programs, services or operations to be reduced or eliminated by such budget.
3. A reduction in workforce may be made by work site assignment and/or specific function performed and/or unique skills or qualifications held and/or by general job classification and/or by pay grade within the affected department, or division or operation thereof. Layoffs which are targeted solely at reduction of salary costs must fairly target the foregoing employee classifications in a roughly uniform way so as not to cause the layoff of a more senior worker where a more junior employee performing the exact same duties and working at the same location is earning more.
4. The duties previously performed by a laid-off employee may be reassigned to other employees already working in positions in appropriate job classifications.
5. The Human Resources Department, with appropriate advice from the City Attorney, shall review any reduction in force proposals prior to their implementation so as to review such proposals to minimize negative impacts on prior equal employment gains in impacted work units, and advise the City Manager on any labor law implications.
6. Layoff Priority
 - a. In the event of layoff, primary consideration will be on the factors set out in Section IX.D.3. Thereafter, the order of layoff shall begin with temporary then probationary employees. The next order of layoff shall begin with the employee who has the least seniority (see Section IX.D.6.b.).
 - b. Seniority shall be determined by City-wide continuous service. Rules of continuous service shall be observed in deciding the date of last hire for the purpose of seniority determination.
 - c. If two or more individuals should have the same hire date for determining seniority, the employee with the most disciplinary and/or counseling notices shall be laid off first.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-D

D. Layoff

- d. In accordance with prevailing veteran laws, including Chapter 295, Florida Statutes, certain veterans and spouses of certain veterans may be eligible for preference in retention when layoffs are necessitated. Human Resources shall review layoff proposals to ensure compliance with such laws.
7. City employees who are scheduled for layoff shall not have "bumping rights" to other positions in any City department. However, where the City is able to forecast a layoff in advance, the City may establish a time period wherein employees subject to a pending layoff will be permitted to apply for open positions. During this period, such employees shall, when being considered by interviewing departments, receive preference in hiring where they are otherwise equally qualified with other candidates. Nothing herein, however, is intended to require the hiring of any such employee by a department where another candidate is clearly more qualified for the position.
8. Employees scheduled for layoff may, if offered by the City, elect to accept transfer to vacant City positions for which they are qualified. Such transfer offers may be made at the discretion of the City and must be accepted by the employee within 3 days of receipt of the written offer. The employee's pay rate would be adjusted in accordance with Policy for any other City employee changing positions within the City. Employees who accept a transfer offer under this paragraph shall not be further entitled to any reinstatement to their prior position.
9. However, employees on layoff status with no offer of transfer, may for a period of twelve (12) months from the date of layoff apply and receive preference in interviewing for or receipt of any job for which they are minimally qualified.
10. Human Resources Department shall ensure Employee Health Benefits is made aware of any layoffs to ensure proper COBRA notices are provided.
11. Reinstatement
 - a. Laid-off employees, who have not accepted an offer of transfer to a different City position, have priority for reinstatement, according to seniority, in jobs within their classifications at the time of separation for twelve (12) months following the effective date of layoff. Laid-off employees reinstated to those classifications within the twelve (12) month period shall have their previous dates of hire restored (including vacation and sick leave accrual rates and any unpaid sick leave balances in effect at the time of layoff). However, recalled employees may not be offered the rate of pay they had prior to their layoff, where fiscal conditions require a reduced rate for the position. At the end of the twelve (12) month period, all laid-off employees' rights associated with reinstatement are concluded. The City offers reinstatement to laid-off employees by certified mail to the last known address. (Note: It is the laid-off employee's responsibility to keep the Human Resources Department notified of any change of address, if he/she is interested in reinstatement.)

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-D

D. Layoff

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- b. Reinstatement is offered to laid-off employees provided they are qualified (medical certification may be required) to perform the essential duties of the job, and are in compliance with current pre-employment requirements including the City's Drug Free Workplace Program. A laid-off employee, who is temporarily unable to accept an offer of reinstatement due to medical certification, may request a delay in starting work, not to exceed thirty (30) calendar days.
 - c. The return to work date for a laid-off employee, who is qualified to return to work and compliant with all pre-employment requirements, is determined by the City's requirements, but the employee must be available for work no later than two (2) weeks following notice or his/her seniority will be forfeited and he/she is no longer considered eligible for reinstatement under the Layoff procedures.
 - d. If the employee fails to report to the Human Resources Staff within three (3) business days after receipt of the certified notice or if the employee does not meet all current pre-employment requirements, his/her seniority is forfeited and he/she is no longer considered eligible for reinstatement under the Layoff procedures.
12. Employees who are scheduled for layoff do not have the right to submit appeals or complaints in regard to layoff actions, except for reasons of alleged violation of these policies and procedures governing such reduction of work force, or for alleged acts of illegal discrimination. The City Manager may elect to offer separation agreements to employees subject to layoff. Such agreements should be reviewed by the City Attorney's Office prior to being offered.
13. Employees who are scheduled for layoff should contact Human Resources to discuss their medical coverage and other health benefits.
14. The Human Resources Department shall make all reasonable efforts to provide outplacement assistance and services to laid-off employees.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-E

*E. Disability Separation/Reasonable Accommodation****E. Disability Separation/Reasonable Accommodation***

1. All employees of the City are expected to be able to perform the essential functions of the positions they hold. At times, a physical or mental impairment may cause an employee to become unable to perform one or more job functions. In such circumstance, it will be the responsibility of the employee's department, in consultation with the Human Resources Department, to work with the employee to identify reasonable accommodations which will permit the employee to perform all essential job functions. This process may take more than one try, depending on the specific facts of the case.
2. Though the employee's input on accommodations should be given weight, an employee is not entitled to demand a particular accommodation if the department wishes to provide a different accommodation, so long as the accommodation will permit the employee to perform his or her job functions. The Human Resources Department and the City Attorney's Office should be consulted where any questions arise over the identification of accommodations.
3. If no reasonable accommodation can be identified, or if attempts at accommodations fail, or if the employee declines to accept reasonable accommodations offered by the department, then the department director, prior to separation, may refer the employee to the Alternate Employment Program (AEP). Such referrals shall be in writing and shall review the accommodations attempts made by the department.
4. An employee may be terminated when he/she is unable to perform the essential functions of the job because of a physical or mental impairment and where no reasonable accommodation has been identified or accepted. Separations based on the employee's inability to perform the essential functions of the job under the provisions of this section will not be considered disciplinary terminations.
5. If the inability to perform the job occurs due to an on-the-job injury, the employee should be given a reasonable opportunity to reach maximum medical improvement (MMI) as stated by the Workers' Compensation doctor before being evaluated for mandatory participation in the Alternate Employment Program (AEP) unless such inability has existed for more than 12 weeks in the immediate prior 12 month period. The point in time at which an employee is considered for discharge for an illness or off-duty injury will be dependent upon the needs of the department in conjunction with the availability of a definitive recovery prognosis. Nothing herein prohibits discharge for inability to perform duties, regardless of the source of illness or injury, where the continued non-performance of essential job functions by the employee results in an extreme hardship for the City department or operation involved.

**IX. NON-DISCIPLINARY SEPARATIONS
FROM CITY EMPLOYMENT**

Section: IX-I

F. Alternate Employment Program (AEP)***F. Alternate Employment Program (AEP)***

1. When the City receives information an employee has medical restrictions/limitations that appear to prevent the employee from performing the essential functions of the job and the department cannot provide or the employee does not accept reasonable accommodation(s) which would allow the performance of the essential job functions, the department director shall submit the appropriate referral form to the Human Resources Staff indicating the information received regarding the restrictions and how those restrictions prevent the employee from performing the essential job functions. The department director shall also indicate what efforts were made to identify reasonable accommodations; what accommodations were suggested by the employee; and why any potential accommodations were rejected by the department as an undue hardship. The Human Resources Staff will determine if the rationale are sufficient. If not, an independent medical and/or vocational evaluation may be arranged to further explore the potential for an accommodation.
2. After the Human Resources Staff receives sufficient notice from a physician and/or vocational rehabilitation counselor and the department that the employee is restricted in such a manner that he/she can no longer perform essential job functions, an HR representative will meet with the employee and over a 90-day period assist him/her in searching for suitable alternate employment within the City. The 90-day period shall be consecutive calendar days from the time the employee is notified in writing of acceptance into the AEP. Where deemed necessary by the Human Resources Staff, a vocational rehabilitation counselor may be utilized in the search for alternate employment.
3. The HR representative shall maintain a list of all vacancies which occur during the 90-day period and evaluate the requirements for each vacant position vis-a-vis the individual's qualifications and capabilities. Employees in the AEP can be considered for any currently-vacant budgeted position which he/she would be otherwise qualified for, either with or without an accommodation. The HR representative will refer the employee to the department where an opening exists for an interview provided the employee executes an application, meets the qualifications for the position and satisfies all requirements with respect to testing, licensing and certification.
4. If suitable alternate employment has not been arranged within the 90-day period following the employee's entrance into the AEP, the employee administering the AEP will notify Human Resources that no suitable alternate position was identified or accepted. Human Resources will thereafter notify the employee's department director that the employee may be discharged.
5. If the employee should recuperate to the extent that he/she can perform the essential functions of the job within nine (9) months of termination under this policy, he/she may contact the Human Resources Department and the employee's former Director may authorize reinstatement upon receipt of acceptable evidence that the employee can satisfactorily perform the job, providing there is a vacancy. The individual may continue to check the City job postings and may apply for other positions within the City as they occur. Nothing in this policy should be construed as creating a right to transfer to a different position, a right to reinstatement after termination under this policy, nor a right to any particular wage rate upon reinstatement.

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

Section: X

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

1. Officer and Employee Ethics: Officers and employees are required to conduct the affairs of the City in an ethical manner in accordance with the Code of Ethics for Public Officers and Employees (Florida Statutes 112.311 - 112.326), including, but not limited to, the following:
 - a. Duties and obligations will be discharged in a manner that reflects credibility upon the City. Conduct that gives the appearance that decisions and actions are motivated by personal relationships or for personal gain do not meet the standards of conduct for employees under the Policy.
 - b. In conducting the affairs of the City, no employee shall seek or assure a favorable decision or service by any person or entity, public or private, through acceptance of gifts, loans, favors, or any other form of unethical or unlawful conduct.
 - c. Employees shall not be employed or accept employment with any business entity or agency or engage in a professional activity which might result in a conflict of interest or cause/require the employee to disclose confidential information acquired as a result of his/her official capacity with the City. Approval of secondary employment shall be obtained as provided for in Section XVII of this Policy regarding outside employment.
 - d. No City officer or employee shall solicit or accept anything of value to the recipient such as a gift (including Christmas gift), favor, loan, reward, promise of future employment, preferred service, benefit, or concession that would reasonably tend to improperly influence the officer or employee in the discharge of his or her official duties or give the appearance of improperly influencing the officer or employee.
 - e. No City officer or employee shall disclose/use information not available to members of the general public and gained by reason of his or her official position for his or her personal gain or benefit or for the personal gain or benefit of any other person or business entity.
 - f. No City officer or employee shall transact, or solicit to transact any business in his or her official capacity with any business entity of which the officer or employee, or his or her spouse or child is an officer, director, agent, or member, or in which the officer or employee or his/her spouse or child owns a financial interest, or otherwise has any material interest therein. Nor shall a City officer or employee, acting in a private capacity, transact or solicit to transact any business with the City, or with any of its subdivisions or agencies.
 - g. No City officer or employee shall have personal investments in any business which would reasonably create a conflict between his or her private interests and the City's interest.
 - h. No City officer or employee or his or her spouse or minor child shall, at any time, accept any compensation, payment or thing of value when he or she knows, or with the exercise of reasonable care, should know, that it was given to influence a vote or other action in which the officer or employee was expected to participate in his or her official capacity.

X. CODE OF ETHICS FOR OFFICERS AND EMPLOYEES

Section: X

- i. No City officer or employee shall have or hold any employment or contractual relationship with any business entity or agency which is subject to the regulation of, or is doing business with the City, or any part of the City of which he or she is an officer or employee. Nor shall any City officer or employee have or hold any employment or contractual relationship which will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties, or that would impede the full and faithful discharge of his or her public duties.
 - j. Violations of the Code of Ethics for Public Officers and Employees are violations of State law and can result in fines, removal from employment, and criminal conviction; as well as in discipline including discharge from City employment.
2. Certain City public officers and employees, including “Local Officers,” “Procurement Employees,” “Legislative Analysts,” and those who are required by law to file either limited financial disclosure forms (Form 1), or full financial disclosure forms (Form 6), are under more stringent requirements, especially with regard to the acceptance of gifts and honoraria.
3. City employees are encouraged to seek guidance from the City Attorney and/or the Human Resources Department if there is any question whatsoever about the propriety of any contemplated action prior to such action being undertaken. A copy of the statutory Code of Ethics may be obtained by contacting the City Attorney’s Office. Employees may also request, through their department directors, a formal request for an opinion from the Florida Commission on Ethics in Tallahassee. Such requests shall be directed to the City Attorney’s Office, which shall formulate the request and be the point of contact with the Commission.
4. Procedures Upon Offering of Group Gift-From time to time, including during holidays, City departments, divisions, crews or individuals may receive or be offered gifts including gift certificates, baskets, tickets, food, or other items of value, from developers, vendors, contractors, lobbyists and other persons who conduct, have conducted, or seek to conduct business with Madeira Beach. In such instances, such gifts or offers should be reported to the City Manager’s Office so that the gift or offer may be evaluated under the applicable ethics laws. In cases where it is determined that a gift or offer may not be accepted, the gift will be returned or offer declined. Nothing herein, however, prevents any person from presenting a gift to the City, which gift may be accepted on behalf of the City by the Board of Commissioners and used at its sole direction.
5. No current employee of Madeira Beach may serve on any Madeira Beach board, commission, task force or other body, nor hold any other office of City government, including advisory bodies. Nothing herein shall be interpreted as preventing employees from holding any office of any other governmental entity, or from serving on the board of directors of any corporation, so long as no other ethical conflict prevents such service.
6. Employees who may wish to disclose information concerning alleged violations of law or gross mismanagement, malfeasance, waste of public funds or neglect of duty by a City agent, official or contractor must follow the procedures outlined in the City’s Whistle-Blower Ordinance, which are at § 50-20 through § 50-25 of the Madeira Beach Code.

XI. DISCIPLINE AND DISCHARGE

Section: XI-A

*A. General Provisions***XI. DISCIPLINE AND DISCHARGE***A. General Provisions*

1. The level of discipline an employee will receive for a given offense varies in each case depending on the employee's past work and discipline record, seniority and the severity of the offense.
2. Employees may be disciplined by written notice alone (with or without other conditions), suspension, probation, demotion, discharge or combinations of these for an action or failure to act which adversely affects job performance or the efficient operation of the City or the work unit. It is the intent of the City that employees succeed within their own departments. Therefore, transferring unsuccessful employees from one department to another is a disfavored practice and will not generally be used to address employee performance or misconduct issues.
3. Probationary and temporary employees and other employees designated as serving at the will of the Board of Commissioners or the City Manager do not possess a property interest in their positions and therefore may, absent contrary charter or contract terms, be discharged without cause and are not entitled to any recourse in the event of discipline or discharge, except as provided in this paragraph and Section XI.D.2.d. of this Policy. Further, the City Manager may elect to grant an employee a last chance agreement or voluntary separation agreement (in a form approved by the City Attorney) and employees who have waived their appeal rights by virtue of having entered into such agreements are not entitled to appeal any subsequent discharge to the extent set forth in such agreements. If any such employee believes he/she has been disciplined or discharged as a result of illegal discrimination, the employee must follow the procedures outlined in Section XIII of this Policy regarding Illegal Discrimination or Harassment.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge***B. Grounds for Discipline or Discharge***

Employees may be disciplined or discharged for any of the following reasons, or for any other just cause:

1. Incompetency or inefficiency in the performance of assigned duties.
2. Possession, use, sale, purchase, or attempt to sell or purchase, any illegal controlled substance, on or off duty; misuse of prescription drugs while on duty.
3. Consumption or possession of any alcoholic beverage on duty or while operating or riding in or on City vehicles or equipment or immediately prior to driving a City vehicle or operating City equipment.
4. Reporting to work, or working with, the presence of alcohol or illegal drugs in one's body; or failure to inform supervisor of use of prescription or non-prescription medication which may affect the employee's ability to safely and effectively perform job functions, or otherwise reporting to work while either mentally or physically unfit to perform duty.
5. Refusal to submit to drug or alcohol testing as provided for in this policy or as may be required by law; attempting to contaminate test specimens or otherwise interfering with drug or alcohol testing procedures.
6. Insubordination including refusing to perform work when assigned, or to comply with written or verbal instructions of the supervisory force, including the use of abusive or threatening language or behavior directed toward a supervisor.
7. Refusal to fully and truthfully cooperate in an investigation conducted by or at the direction of the City or to testify at any hearing or proceeding when directed to do so.
8. Interference with the work of another employee.
9. Conducting personal business during duty hours.
10. Unexcused absenteeism or tardiness, including failure to report to duty at any reasonable time.
11. Political campaigning in writing, orally, or by telephone while on the job or during work hours.
12. Carelessness or negligence in handling or control of City property or the improper appropriation of City property.
13. Willful or negligent failure to follow safety rules or procedures.
14. Discourteous, insulting, abusive, or inflammatory language or conduct toward any person, which disrupts the workplace or serves to offend any citizen, vendor or other person with whom the employee comes into contact during the performance of duties.
15. Inability to perform the essential functions of the employee's position with or without reasonable accommodation, including the inability to maintain regular attendance.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

16. Failure to comply with ethical requirements in law or these Policies, including the acceptance of a gift under circumstances from which it could reasonably be inferred that the giver expects preferred treatment in a City-related matter.
17. On or off the job conduct which adversely affects the ability of the employee to perform his/her duties or the ability of another employee to perform his/her duties. This includes conduct that adversely affects the efficient operation of the City or any department, office, division, or area thereof.
18. Lying, falsifying an official document including employment applications, medical examination forms, accident records, insurance records, leave or payroll records, purchase orders, or any other dishonesty connected with the employee's job or the operation of City government.
19. Unlawful or unauthorized possession, use, or threat of use, of a deadly weapon, including a firearm, ammunition, explosive device, illegal knife, or other weapon, while on duty, on City property, or in a City vehicle.
20. Horseplay, fighting, unsafe conduct, or other disorderly misconduct, while on duty or on City of Madeira Beach property.
21. Violation of a City or departmental rule, procedure, order or regulation, any statute or ordinance related to City employment, or any provision of this Policy.
22. Unlawful or improper conduct, either on or off the job, which would tend to affect the employee's relationship to his or her job, his or her fellow workers, or Madeira Beach's reputation or goodwill in the community.
23. Engaging in discriminatory or harassing behavior of a verbal or physical nature which includes, but is not limited to, slurs, epithets, jokes, negative stereotyping, or other acts that relate to race, religion, gender, national origin, marital status, age or disability; or any display or written or graphic material such as photographs or cartoons that denigrates or shows hostility or aversion toward any individual or group because of same; as prohibited by Section XIII and the City's EEO/AA Policy.
24. Violation of Florida Statute 447.505, prohibiting public employees from participating in any strike against a public employer.
25. Conviction or guilt of a felony or a misdemeanor of the first or second degree as defined by Florida statutes or federal criminal law, without regard to or status of any criminal proceeding, or any violation of a county or municipal ordinance involving moral turpitude, while either on or off the job.
26. Failure to obtain and maintain, or suspension or revocation, of a state, federal or other license/certificate required or essential to the performance of the employee's job, and failure to inform the City of such suspension or revocation of license/certification.
27. Unacceptable driving record as determined by the City Manager or department director, or the loss, suspension, or revocation, of a driver's license, when driving duties and/or possession of a valid driver's license are requirements for the employee's job.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

28. Two or more related or unrelated disciplinary actions.
29. A less than satisfactory employee performance evaluation.
30. Use of City vehicles for other than City business.
31. Failure to use seat belts while driving or riding in City vehicles, or any other violation of the policies on the use of vehicles for City business.
32. Failure to notify the City Human Resources Staff of any criminal arrest, charge or conviction within three (3) business days of such arrest, charge or conviction.
33. Operating, using, or possessing tools, equipment or machines to which the employee has not been assigned, or performing other than assigned work.
34. Productivity or workmanship not up to required standards of performance.
35. Failure to properly wear a complete City uniform as provided by the employee's department, or to display proper City identification as required by departmental rules.
36. Taking more than specified time for meals and rest periods.
37. Habitual failure to properly and timely complete record of time worked.
38. Knowingly making any unauthorized marks or amendments to time records of oneself or of another, or requesting or soliciting another employee to make such marks or amendments.
39. Failure to obtain and keep current the required authorization for outside employment.
40. Failure to pay just debts due, including debts to the City, or failure to make reasonable provision for the future payment of such debts, thereby causing annoyance or embarrassment to the City or its agents.
41. Failure to report immediately to the department director the loss of a City identification card or access keys.
42. Knowingly permitting another person to use your City identification card, or using another person's identification card, or altering a City identification card.
43. Failure to keep the Human Resources Department notified of current address and telephone number.
44. Unauthorized posting or removal of any matter on or from any City bulletin boards or City property.
45. Provoking or instigating a fight, or actively participating in a fight during the workday, including breaks and meal periods, or at any time while on City property.
46. Sleeping during work hours unless otherwise provided as in the Emergency Medical Service.
47. Unauthorized distribution of written or printed matter of any description on City premises.
48. Failure to report to the City Attorney's Office a request for information, or receipt of a subpoena from an attorney, law firm, or court of law in connection with City related litigation.

XI. DISCIPLINE AND DISCHARGE

Section: XI-B

B. Grounds for Discipline or Discharge

49. Unauthorized vending, soliciting or collecting contributions at any time on City premises.
50. Failure to comply with the City's computer and internet use policies.
51. Disregarding job duties by loafing or neglecting work during working hours or stopping work, wasting time, or loitering, or temporarily leaving assigned work area during working hours without permission.
52. Abuse of vacation or other leave privileges, including failure to follow leave request procedures or giving false information to access leave.
53. Being absent without permission or leave.
54. Deliberately misusing, destroying, damaging, or causing to be destroyed or damaged, any City property or property of a co-worker or citizen.
55. Making false claims or misrepresentations in an attempt to obtain accident benefits, workers' compensation benefits, health insurance payments, or other benefits.
56. Knowingly harboring without proper treatment, a communicable disease, which may endanger the health of other employees.
57. Concerted curtailment or restriction of production or interference with work in or about the City's work stations including, but not limited to, instigating, leading or participating in any walkout, sit-down, stand-in, slowdown, sick-out, refusal to return to work at the assigned time for the scheduled shift, or participation in a strike or any concerted activity against the City as defined in Florida Statutes. For purposes of this rule, "concerted curtailment" means a coordinated effort by two or more employees to significantly reduce or limit work output or activity.
58. Threatening, intimidating, coercing or interfering with fellow employees, supervision or the public at any time, including the use of abusive, foul or obscene language.
59. Making or publishing false, vicious or malicious statements concerning any employee, supervisor, the City or its operations.
60. Failure to report a work-related accident, illness or injury to the Risk Management Division.
61. Theft or misappropriation of City funds or other assets.

XI. DISCIPLINE AND DISCHARGE

Section: XI-C

C. Progressive Discipline**C. Progressive Discipline**

1. Progressive discipline is a series of steps which provide a systematic approach to address and correct performance or behavior that fails to meet standards established by the City.
2. This subsection shall cover regular employees except those listed in Section XI.A.3, and XI.D.2.d. of this Policy. Regular employees may appeal discipline in accordance with Section XI.D.
3. Directors and supervisors may utilize this process when discipline becomes necessary in an attempt to maintain fairness and consistency. However, the step at which progressive discipline begins may vary depending on a number of factors, such as the nature and severity of the conduct, the employee's past discipline and performance record, and seniority. The Human Resources Staff may be consulted at any step in the Progressive Discipline procedure.
4. The following steps apply to progressive discipline (Note-counseling and warnings alone are not considered disciplinary action for purposes of appeal, but are available tools to use in appropriate circumstances prior to issuing discipline. However, where conduct so warrants, counseling and/or warnings may be skipped in favor of disciplinary action):

Step 1 - Oral Counseling or Warning

Step 2 - Written Counseling or Warning

Step 3 - Written Discipline Notice, Suspension Without Pay, Probation, Demotion

Step 4 - Discharge

For purposes of this Section, the term "Probation" means that an employee who has attained the right to request a due process review of disciplinary action by having served beyond an initial or rehire probationary period shall be deemed to be back in a probationary period where the employee may be separated from employment without any such review.

5. When a supervisor determines that an employee's behavior or performance fails to meet standards established by the City or violates any provision of this policy, the supervisor should discuss such concerns with the employee and recommend a course of action for improvement. The discussion should include the following interactive process:
 - a. Clearly outline the behavioral problem or performance deficiency.
 - b. Allow the employee to respond to the concerns.
 - c. After considering the employee response, explain expected conduct or performance changes.
 - d. Establish a reasonable time frame in which improvement can be noted. In some cases, it is reasonable to expect quick improvement; other times, months may be more appropriate.
 - e. Tell the employee what the consequences will be if performance does not improve.
 - f. Ask the employee for a commitment to improve performance and correct the problems and follow up with the employee, providing feedback where appropriate.

XI. DISCIPLINE AND DISCHARGE

Section: XI-C

C. Progressive Discipline

- g. Document this process on official Counseling/Warning or Discipline forms as appropriate.

Step 1 - Oral Counseling or Warning. Progressive discipline may begin with an informal discussion between the supervisor and the employee.

Step 2 - Written Counseling or Warning. Absent an improvement in performance, or upon recurrence of a minor violation, the supervisor issues a written warning or counseling to the employee on appropriate City form. A copy of the counseling/warning, together with a copy of the employee's response (if any) will be sent to Human Resources for inclusion in the employee's official personnel file.

Step 3 - Written Discipline Notice, Suspension without Pay, Probation, Demotion. Absent an improvement in performance following a written counseling/warning, or upon the occurrence or recurrence of a serious violation, the department director may discipline with written notice, suspend without pay, place on probation, or demote, the employee. These measures are coordinated with Human Resources. Discipline actions shall be taken through issuance of the City's official Notice of Employee Discipline form, and will be sent to Human Resources for inclusion in the employee's official personnel file.

Step 4 - Discharge. Absent an improvement in performance following suspension without pay, probation, or demotion, or upon the occurrence or recurrence of a serious violation, the department director may decide to discharge the employee. Documentation associated with discharge will be included in the employee's official personnel file.

6. The progressive discipline policies specified herein are guidelines only and shall not be interpreted as creating a condition precedent to the issuing of justified disciplinary action or any particular level of discipline. Furthermore, due to the severity of discharge, where a director is considering discharge (in cases where discharge is not mandatory), in addition to considering the most recent conduct or performance which give rise to the need to discipline, the director shall also consider the employee's entire performance and discipline history, how the director has handled similar conduct or performance in the past, and how the performance or conduct impacts the employee's co-workers, the City's operations and reputation, and the City's citizens. While each case and each employee will have its unique factors, directors should strive to administer discipline in a consistent manner across his or her department and over time.
7. Managerial, professional or confidential personnel of the City who have been designated as serving at the pleasure of the Board of Commissioners or the City Manager are not covered by this progressive discipline policy and may be terminated at any time without regard to cause. To the extent the City adopts official forms for the purpose of issuing counseling, warnings or discipline, department directors will be required to make use of such official forms to communicate these actions to employees.

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

*D. Appeal Process****D. Appeal Process*****1. Discipline Not Including Discharge**

- a. A regular employee, not probationary or otherwise classified as serving at-will, who is disciplined by written notice of discipline only, or by probation, suspension without pay, or demotion may, within five (5) business days (excluding weekends and holidays) after the employee is notified of the discipline, request a review by the City Manager of the discipline action. The request for review must be submitted to the Human Resources Staff in writing and must state with specificity why the employee disagrees with the discipline action. The official City form adopted by Human Resources must be used to file the appeal. Upon receipt of a timely request, the City Manager will provide a review of the discipline action, which will include an opportunity for the employee to explain to the City Manager the facts surrounding the discipline and why he/she disagrees with the disciplinary action. In addition to providing an opportunity for the employee to present his or her arguments and any related documents, the City Manager shall speak with the director who issued the discipline, any relevant witnesses provided by the employee or director, and may review any City documents which might assist the City Manager in reaching a conclusion as to the merits of the review request.
- b. The City Manager shall make the final determination in writing. In the event the City Manager determines that the discipline was unwarranted or too severe for the incident concerned, the employee's suspension will be rescinded and loss of pay, benefits, or seniority restored, or the appropriate level of discipline will be imposed as determined by the City Manager. The City Manager's decision shall be final and not appealable.

2. Discharge

- a. A regular employee, not probationary, at-will, or otherwise ineligible for appeal per Section XI.A, whose conduct is under investigation or whose discharge is contemplated, may be placed on administrative leave without pay pending a final decision. Such employee shall be offered a pre-termination meeting unless the discharge is in accordance with Section XX of this Policy or immediate dismissal is required to protect the health, safety or welfare of City employees or the public. The purpose of a pre-termination meeting is to provide the employee an opportunity to hear the charges against him or her, and to present reasons why his/her employment should not be terminated.
- b. A regular employee, not probationary, at-will, or otherwise ineligible for appeal per Section XI.A, who has been discharged for cause may file a written request for a post-termination hearing with the Human Resources Department within ten (10) calendar days following the date the notice of termination is mailed. The hearing shall be conducted by a hearing officer retained by the City Commission in the manner provided for in the City Code.

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process

- c. Within ten days after the hearing officer renders her or his findings of fact and conclusions of law related to a termination appeal, the employee may request a review of the order by the Civil Service Commission. As further set forth in the City Charter and Code, the jurisdiction of the Civil Service Commission is to interpret this Policy and any other relevant City policies, and to ultimately determine whether the City had factual and legal just cause to impose the discipline. In reaching its decision, the Civil Service Commission sits in an appellate advisory capacity. The focus is on whether, during the evidentiary hearing before the hearing officer, the City proved, through documents and witness testimony and by a preponderance of evidence, facts which demonstrate that the employee violated the cited City rules and policies. In addition to the question of proof of violation, the Civil Service Commission may also hear and consider an employee's argument that termination was not warranted. However, as to this question of proportionality, the Civil Service Commission should not impose its own managerial philosophy on the administration. Rather, it should consider factors such as whether the discipline imposed is required or allowed in this Policy, and whether the director issuing the discipline has dealt with similar past cases in the same manner in light of the particular appellant's entire record vs. other employees the appellant may seek to compare him or herself to. While the Civil Service Commission's proceedings are appellate in nature (meaning that no new evidence or testimony will be introduced and the record developed during the hearing officer proceedings (including any transcripts of witness testimony) will be the record on appeal), the Civil Service Commission may consider new evidence, but only if it finds, by separate vote, that the evidence was intentionally hidden from the employee by the City such that the employee could not have known about it at the time of the hearing officer proceedings.
- d. The Civil Service Commission does not have jurisdiction over, and may not rule upon, or make findings about, any allegations of a violation of a county, state or federal law. Appellants seeking to raise such violations should do so by way of the appropriate statutory procedures.
- e. Employees may not appeal letters confirming job abandonment, letters confirming separation due to inability to perform due to health issues or loss of license or qualification, last chance agreements or voluntary separation agreements, as these are not forms of discipline.
- f. Discharges for violation of Section XX based on test results must proceed with the test result challenge process in that Section prior to being granted a post-termination hearing. Employees failing to challenge a test result will be deemed to have waived any right to a post-termination hearing. Employees seeking a hearing to challenge a test result are deemed to waive any medical confidentiality of records, but only to the extent the City will be required to introduce records of the test results and any related documentation the employee provides the City to rebut a positive test.
- g. Upon timely receipt of a request for a post-termination hearing, the following will occur:
 - (1) The City Manager will refer the request to the Civil Service Commission, which will work with Human Resources staff to schedule a hearing date in a prompt and reasonable time.
 - (2) The City Clerk will serve as the Clerk for the proceedings, and shall maintain the

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process

official record of evidence submitted and meeting notes. The Clerk will set the time and place of the hearing, and will notify all interested parties. The Clerk shall also ensure that hearing officers are provided with the City's standard hearing procedures to permit an orderly, efficient and fair hearing.

- (3) The hearing officer will conduct the post-termination hearing as a quasi-judicial process. At a post-termination hearing, the City and the discharged employee may present evidence, examine and cross-examine witnesses, raise objections, and be represented by counsel.
- (4) The hearing officer will make findings of fact and conclusions as to the application of those facts to the City's policies.
- (5) The hearing officer's recommended order (and if appealed further, the Civil Service Commission's advisory opinion) will be forwarded to the City Manager who will make a final decision. In making a final decision, the City Manager may not overturn the hearing officer's findings of fact, but may reach a different conclusion as to how such facts should be applied to the City's policies. For purposes of certiorari appellate review, the City Manager's written decision shall be the final action of the City.
- (6) In the event the City Manager determines that the violation was not factually supported, the employee will be reinstated without loss of pay, benefits, or seniority. Upon determining that policy violations occurred but that a disciplinary action other than termination is warranted, the City Manager shall impose the appropriate discipline, which shall not be further appealable. If the City Manager determines that policy violations occurred and that the discipline imposed was appropriate, he/she shall so find. A copy of the Manager's final written determination shall be provided to the employee.
- (7) Notwithstanding the foregoing, employees may elect an alternative remedy to appeal a disciplinary action where same is provided for by applicable collective bargaining agreement.

h. Name Clearing Hearings

- (1) When an employee is discharged for cause, and where the employee believes that his or her file contains stigmatizing information connected with the discharge or where a City official publishes post-termination information connected with the discharge the employee believes contains stigmatizing information, the employee may, within ten (10) calendar days of receiving notice of the discharge or of the publishing of the post-termination information, request a hearing for the sole purpose of responding to the information considered to be stigmatizing.
- (2) The Civil Service Commission shall conduct a name-clearing hearing, and shall provide the discharged employee an opportunity to clear his/her name. A hearing held pursuant to this section (h) will be recorded and the record preserved for such times as may be prescribed by law or, if no such time is prescribed, for a reasonable time. Upon hearing from the former employee and any relevant City witnesses, the

XI. DISCIPLINE AND DISCHARGE

Section: XI-D

D. Appeal Process

Civil Service Commission may require that the City Manager remove or supplement a demonstrably false or incomplete statement or conclusion in a file, including by supplementing the file with the former employee's position, or that the City issue a retraction or clarification of a demonstrably false or incomplete statement to the public, or take some other measure requested by the former employee so as to eliminate or reduce the alleged unwarranted stigma. The Civil Service Commission may also decide to make no recommendation if one is not warranted. The mere confirmation that the former employee had been discharged, the fulfillment of a public records request for documents related to the discharge, or the former employee's disagreement with a discharge decision, will not be proper foundations for a name-clearing hearing. Such a hearing shall not entitle the employee to any relief from discharge.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-A

A. Definition of Terms

XII. EMPLOYEE COMPLAINT PROCEDURE**A. Definition of Terms**

1. **Complaint** - a written statement made by an employee concerning any non-disciplinary, work-related problem. The statement must be submitted on the City's official grievance form before it can be considered a "complaint."
2. **Immediate Supervisor** - the person in the chain of command to whom an employee directly reports and under whose direct supervision the employee performs his/her job.
3. **Regular Employee or Employee** - (for purposes of this Section) - a person employed by the City who is not working in a temporary status.
4. **Occurrence** - an event that caused the complaint or an incident which the employee, through the exercise of reasonable care, should have known about.
5. **Temporary Employee** - a non-regular employee (e.g., OPS, on-call, contingency, student intern) as defined in Section I.B.1. of this policy.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-B

B. General Provisions**B. General Provisions****1. Purpose**

The purpose of the Complaint Procedure is to establish a process for resolving employee work-related problems and grievances at the lowest administrative level possible and to ensure the fair, expeditious and orderly resolution same. The Complaint Procedure shall NOT be used to appeal evaluations or discipline, nor to address allegations of illegal harassment or discrimination. Complaints regarding such matters must be processed under the provisions of Section XIII, Illegal Discrimination or Harassment.

2. Coverage

- a. The Employee Complaint Procedure is applicable to all regular employees.
- b. Employees, including probationary and temporary employees, who wish to lodge a complaint concerning illegal discrimination must utilize the formal procedures established in Section XIII of this Policy.
- c. Employees wishing to report violations of federal, state, or local laws committed by an employee or independent contractor of the City which presents a substantial and specific danger to the public's health, safety, or welfare, or an act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, or gross neglect of duty committed by an employee or agent of the City may be reported under the whistleblower provisions in Article II of Chapter 50 of the City Code.

3. Time Limits

- a. The time limits set forth in this Procedure are strictly adhered to unless waived by both parties concerned or the Human Resources Staff.
- b. Failure on the part of the supervisor, the department or the Human Resources Department to comply with the time limits enables the employee to proceed to the next step.
- c. If an employee fails to comply with the time limits, his or her problem shall be deemed resolved, and any pending complaint shall be dismissed.

4. Responsibilities of Department Directors

- a. Department directors are responsible for ensuring that supervisors promptly handle employee problems and that each employee is made aware of this Procedure.
- b. Department directors are encouraged to call upon the Human Resources Staff for an interpretation of any City Personnel Policy or Procedure or for guidance regarding the application of City Personnel Policies, Rules and Procedures. Department directors are also encouraged to consult with the Human Resources Staff or designee concerning employee relations matters.

5. Available Complaint Procedures

Employees have the following procedures available to them:

- a. Opportunity to file a complaint with the Human Resources Department.
- b. Opportunity for informal resolution of the complaint. An effort will be made within the affected department to resolve the problem informally through the use of representatives of the Human Resources Department, as necessary.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-B

B. General Provisions

- c. Opportunity to bring witnesses and documentary evidence at any step in this Procedure.
- d. Opportunity to have copies of relevant records or documents provided by the records custodian when such records or documents are kept by or for the City in the ordinary course of business.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-C

C. Procedural Steps**C. Procedural Steps**

The following steps are available to employees for the orderly and expeditious processing of non-disciplinary, work-related problems or complaints.

1. STEP I: Immediate Supervisor

- a. When an employee has a work-related complaint, the employee should consult with his/her immediate supervisor within fifteen (15) calendar days of the occurrence. Either or both parties may request Human Resources' assistance in resolving the complaint. However, employees are encouraged to work in good faith with their respective supervisors for speedy resolutions of their problems or concerns.
- b. If a satisfactory resolution is not reached within two (2) of the supervisor's working days following the employee's initial consultation with the supervisor, the employee has two (2) additional workdays to put the problem in writing on an official form and to present it to his/her supervisor.
- c. The supervisor has two (2) working days (supervisor's working days) from the day the employee presented the written complaint to give the employee a written decision on an official form, with forwarding copies.

2. STEP II: Department Director

If the matter is not satisfactorily resolved in Step I, the employee may present the written statement of the problem or concern to the department director. This step must be taken within five (5) working days of receipt of the supervisor's written decision. The department director shall render a written decision to the employee within five (5) working days after receipt of the employee's written statement, with forwarding copies.

3. STEP III: Human Resources Department

In the event the complaint remains unsettled, the employee may refer the matter to Human Resources within five (5) working days of receipt of the department director's decision. The Human Resources Staff or designee attempts to resolve complaints within his/her area of responsibility. In the event the complaint is not resolved within ten (10) working days of receiving the complaint or if it is beyond the scope of the Human Resources Staff's responsibility, the Human Resources Department will prepare a report to the City Manager.

4. STEP IV: City Manager

The City Manager or his/her designee will consider the complaint. Upon request, the complaining employee may explain his/her position in writing and/or in a meeting with the relevant official/designee. After considering all the available information, including any recommendation by a designee, the City Manager will make a final determination within twenty (20) calendar days after receipt of written submission, meeting with employee, or receipt of designee's report, whichever is last-occurring.

XII. EMPLOYEE COMPLAINT PROCEDURE

Section: XII-D

D. Prohibition Against Retaliation; periodic reports to civil service commission

D. Prohibition Against Retaliation; Civil Service Commission Oversight

1. Madeira Beach prohibits retaliation against any employee for using the Employee Complaint Procedure or for participating or cooperating in any way in connection with this Procedure.
2. An employee who believes that he/she has been harassed or retaliated against for having used this complaint procedure may, within fifteen (15) calendar days of the occurrence, file such allegation with the Human Resources Department for further investigation. After completion of its investigation, the Human Resources Department will submit a report of its investigation to the City Manager, who will take appropriate action.
3. Violation of this subsection is subject to disciplinary action up to and/or including discharge.
4. The Civil Service Commission shall receive quarterly reports of all complaints within the prior quarter, setting forth the nature of the complaint, the resolution, whether the complaint was processed according to the time limits set forth in this Section, and indicating whether the employee agreed with the disposition.

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT

Section: XII

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT**A. Policy**

1. Madeira Beach is committed to providing workplaces that are non-discriminatory and afford equal treatment to all. The City will not condone or tolerate illegal discriminatory behavior. This specifically includes sexual harassment and any other type of harassment or discriminatory conduct based on race, color, national origin, religion, gender, marital status, age, citizenship or disability (protected class).
2. Employees shall not engage in conduct which violates this policy at any time during working hours, or on City premises while off duty, or while off duty and interacting with fellow employees (including interactions on social media).
3. All administrative and supervisory personnel are expected to abide by the City's commitment to equal opportunity and treatment under the law and to ensure that this policy is fully implemented and enforced.
4. Due to the severity of illegal discriminatory conduct, and the legal questions which are often involved in investigating such conduct, the procedures in this policy shall be used in investigating and dealing with illegal discrimination complaints. The City's general Complaint Procedure shall not be used to address such complaints.

B. Definitions

1. Illegal harassment or discriminatory conduct can be any verbal or physical conduct that belittles or otherwise shows hostility or aversion toward an individual or group based upon that individual's or group's race, color, religion, gender (including sexual orientation or transgender status), national origin, marital status, age, citizenship or disability, and that for a reasonable person:
 - (a) has the effect of creating an intimidating, hostile, or offensive work environment; or
 - (b) has the effect of unreasonably interfering with an individual's work performance; or
 - (c) otherwise adversely affects an individual's terms and conditions of employment.
2. Examples of illegal harassment include, but are not limited to, epithets, slurs, jokes, negative stereotyping, or other acts which are threatening, intimidating, or hostile in nature, that relate to a protected class, or any display of written or graphic material such as photographs or cartoons that belittles or shows hostility or aversion toward an individual or group because of the same.
3. Sexual harassment is generally defined as abusive treatment of an employee by the employer or by a person or persons under the employer's control, which would not occur but for the person's gender, when:
 - (a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
 - (b) submission to such conduct by an individual is used as the basis for employment decisions affecting the individual; or

XIII. ILLEGAL DISCRIMINATION OR HARASSMENT

Section: XII

- (c) such conduct has the effect of unreasonably interfering with an individual's work performance or creating an intimidating or offensive work environment.
- 4. Examples of conduct which may constitute sexual harassment may include, but are not limited to, the following:
 - (a) unwelcome sexual advances, flirtations, or propositions
 - (b) actual or implied demands for sexual favors in exchange for favorable treatment or continued employment
 - (c) unwelcome jokes or remarks of a sexually oriented nature
 - (d) verbal abuse of a sexual nature
 - (e) unwelcome commentary about an individual's body, sexual prowess, attractiveness, or sexual deficiency
 - (f) any display in the workplace of sexually suggestive objects, pictures, posters, or reading material
 - (g) a coerced sexual act or assault
 - (h) uninvited physical contact of a sexual nature such as pinching, grabbing, patting, or brushing against another person
 - (i) uninvited leering, whistling, or gestures of a sexual nature

C. Procedure

1. Any employee or applicant who believes that he or she is being or has been illegally discriminated or retaliated against or harassed must file a timely written complaint with the Human Resources Staff. To the extent the City maintains an official form for the purpose of filing a charge under this section, such form must be used and all questions therein responded to fully.
2. Directors, managers and supervisors must not initiate investigations on their own but are responsible for immediately bringing any allegation or concern related to potential cases of illegal discrimination or harassment to the attention of Human Resources.
3. The Human Resources Department will be responsible for evaluating all complaints under this policy with legal advice as needed, and making the determination on whether an internal investigation is warranted. In cases where such an investigation is determined to be warranted, the City Manager will designate an appropriately qualified person or persons from outside the employee's department who shall be responsible for conducting a prompt, thorough and objective investigation.
4. Employees questioned during the course of an investigation are obligated to cooperate in a full and honest manner. No employee shall face any form of reprisal for making a complaint or for his or her cooperation with an internal investigation. Employees who either refuse to cooperate in an internal investigation, or who intentionally give false information at any point within an investigation, shall be subject to disciplinary action.

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5. Once an internal investigation has been concluded, the Human Resources Department will review the investigator's written report with the City Manager and appropriate senior staff, to include the department director(s) at-interest. In appropriate cases, the City Attorney may also be present to advise. This panel will determine the remedial action to be taken, if required. A final written report containing final findings and the actions taken will be generated at the conclusion of the investigation and review, with a copy provided to the complainant. Individuals against whom allegations were raised will likewise be entitled to receive a copy of the final report upon request.
6. Once an investigation has been concluded, it shall be the responsibility of the department director at-interest to implement the remedial actions which were determined by the review panel to be appropriate. The Human Resources Department shall be responsible for monitoring the workplace situation, and should be contacted by the complainant or other affected parties if they at any point feel that either retaliation is taking place or the illegal behavior is continuing.
7. This internal complaint and investigation process does not preclude an aggrieved employee from filing a complaint with the United States Equal Employment Opportunity Commission and/or the Florida Commission on Human Relations. However, failing to utilize this internal procedure may under the law result in the loss of important legal rights.

XIV. LABOR-MANAGEMENT RELATIONS

Section: XIV

XIV. LABOR-MANAGEMENT RELATIONS

1. By law, Madeira Beach employees have the right to form, join, and participate in, or to refrain from forming, joining, or participating in legally sanctioned employee organizations to represent them in employee relations matters.
2. City employees have the right to refuse to join or participate in the activities of employee organizations. They also have the right to represent themselves individually in their employment relations with the City.
3. No employee will be interfered with, intimidated, restrained, coerced or discriminated against because of his/her exercise of these rights. It is the intent of the City that nothing in this section shall be construed to either encourage or discourage the organization of employees.
4. Employees who are or become covered under a collective bargaining agreement shall also be subject to the Personnel Policy, Rules and Procedures. If any direct conflicts occur between such agreements and the Personnel Policies, the agreement shall take precedence. Such agreements shall be controlling, in cases of conflict, even where the rights or benefits provided within said agreements are lesser than those contained within the Personnel Policies.

XV. EMPLOYEE RECOGNITION PROGRAM

Section: XV

XV. EMPLOYEE RECOGNITION PROGRAM

1. The Board of Commissioners seeks to recognize and reward City employees for dedication to the City, exemplary performance and innovation, and gains in efficiency, City positive environmental impacts and cost reduction, all of which enhance the performance of City government.
2. All regular full and part-time employees shall be eligible to receive recognition and awards related to an individual employee's or work group's exceptional accomplishments or contributions related to their City service.
3. Employees may, to the extent budgeted funds are available, receive appropriate recognition including plaques or other tokens, paid time off, leave credits or monetary awards for the following categories such as employee of the month/year, heroism, and years of service.
4. Employees may receive recognition based on the following criteria:
 - Discovery or invention of a unique innovative idea, process, procedure or policy which will result in significant improvement or efficiency in the operation of their department or the City in general.
 - Implementation of a project, idea, process, procedure or policy resulting in significant monetary savings to the City.
 - Outstanding and exemplary performance in the daily capacity of an employee which far exceeds the expectations of the position.
 - Achieving or substantially contributing to the achievement of a highly desirable outcome, either in terms of substantial safety improvements or the avoidance of risk, or otherwise obtaining an extraordinary beneficial result through exceptionally strenuous or complex work of a non-routine nature.
 - Providing highly effective assistance "above and beyond the call of duty" type efforts resulting in a positively changed outcome for the employees or citizens of Madeira Beach.
5. All employee awards provided for herein shall be in accordance with Florida law and City policies concerning such awards. The City Manager shall have the authority to develop and periodically revise procedures and forms to implement this section.

XVI. EMPLOYEE PERFORMANCE EVALUATION SYSTEM

Section: XVI

XVI. EMPLOYEE PERFORMANCE EVALUATION SYSTEM

1. Under the direction of the City Manager, the Human Resources Staff administers a program for rating the work performance of Madeira Beach employees.
2. The Performance Evaluation Program is designed to provide procedures and guidelines for supervisors to evaluate the performance of City employees in the accomplishment of their assigned duties and responsibilities.
3. Through the uniform application of these procedures and guidelines, supervisors can use the Performance Evaluation Program as an effective management tool to recognize accomplishments, guide and reward performance and improve productivity and morale.
4. The City Manager is authorized to approve administrative revisions to the Performance Evaluation Program.
5. The Employee Performance Evaluation Forms adopted by the City Manager must be used for all official employee performance evaluations. These forms shall be posted on any available employee-only City computer networks so as to facilitate electronic completion by management.
6. Performance Evaluation Program guidelines may be published separately by Human Resources to aid management in the use of the Program.
7. All employees of Madeira Beach may, at their election, draft and submit a written response to any performance evaluation given by management. Such written responses, which shall be free of profane, discriminatory, abusive or inflammatory language, and which should address and respond to the evaluation, will be appended to the evaluation being responded to, and placed in the official personnel file.

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

Section: XVII

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

1. No City official or employee shall work in any enterprise or business, including self-employment, accept outside employment, or render services for private interests, whether paid or unpaid, non-profit or profit, when the employment or service conflicts with the employee's official duties. Nor shall such work create an appearance of conflict or impair independent judgment or action in the performance of the duties of a City employee.
2. Newly-hired or current employees wishing to engage in, or continue in any enterprise, business, outside employment, or to render services for private interests, paid or unpaid, non-profit or profit, must first request approval from their department director on a request for outside employment form provided by the Human Resources Department. The department director will make an initial assessment of the request to ascertain whether the proposed nature and/or schedule of the outside employment will or likely will negatively impact the employee's City job performance. If an initial determination of non-interference is made by the director, the department director then informs the City Manager of the request. Employees who fail to file a request to their department director (City Manager for employees directly reporting to that official) prior to engaging in outside employment activity may be subject to disciplinary action up to and/or including dismissal. Newly hired employees must declare and seek approval of supplemental employment or other outside business at the time of hiring.
3. Upon referral from the department, the City Manager reviews all pertinent information and consults with the department director as needed. The City Manager determines if the employment or activity is inconsistent, incompatible, or conflicts with the employee's duties and responsibilities, or may tend to do so. Based upon this information, the City Manager approves or disapproves the request to engage in the secondary employment or outside business.
4. The proposed employment shall not be with a business or agency subject to the regulation of, or that is doing business with, the department of the employee, except if expressly permitted by state law.
5. The proposed employment cannot require the employee to disclose or use information gained in his/her official City position that is not available to the public.
6. Changes in secondary employment or outside business must be reported promptly to the department director, who will determine whether further approval is required.
7. Permission to engage in secondary employment and outside business may be denied or withdrawn at any time if the City Manager or Department Director determines, in his or her sole discretion, that such activities are interfering with, or may be expected to interfere with, the employee's production, efficiency, duties or responsibilities, or when it causes discredit or is in conflict with City interests.
8. Any outside employment or business described above is secondary to the requirements of regular City employment. It must not interfere with or impede the availability of an employee to perform his/her duties and responsibilities. Every employee granted approval under this rule must agree to respond immediately to any call to duty by the City whenever the

XVII. OUTSIDE EMPLOYMENT, ENTERPRISE, BUSINESS

Section: XVII

department director (City Manager for employees directly reporting to that official) determines his/her services are necessary.

9. Supervisors must be notified immediately, but no later than the employee's next scheduled working day, of injuries sustained during outside employment. Employees sustaining injuries are ineligible to receive workers compensation benefits from the City. Sick leave benefits are allowed based on injury or illness arising from outside employment only if the outside employment has been approved under this policy and only to the extent the employee is not eligible to be otherwise compensated for absences caused by the injury or illness.
10. No City personnel, equipment, facilities, vehicles, or other property may be used by employees while engaged in outside employment, enterprise or business.
11. No employee shall perform work for private individuals or other governmental departments/agencies as a part of his/her City employment except when the work is part of contract arrangements, mutual aid agreements, or interlocal agreements entered into by the Board of Commissioners.
12. No employee of Madeira Beach shall have financial interests in the profits of contracts, services or other work performed by or for the City. Nor shall a City employee personally profit, directly or indirectly, from any contract, purchase, sale or service between the City and any person or business. Any employee who violates this rule is guilty of misconduct and subject to immediate dismissal.

XVIII. POLITICAL ACTIVITY

Section: XVIII

XVIII. POLITICAL ACTIVITY

1. No person shall be appointed to, demoted, or dismissed from any City position, or in any way favored or discriminated against with respect to employment with Madeira Beach, because of political opinion or affiliations.
2. No person shall use or promise to use, directly or indirectly, any official authority or influence, whether possessed or anticipated, to secure for any person an appointment or advantage in appointment to a position in Madeira Beach government service, or in the service of any Pinellas County constitutional officer, or an increase in pay or other advantage in employment in any such position, for the purpose of influencing the vote or political action of any person, or for any other political consideration.
3. As an individual, each employee retains all rights and obligations of citizenship provided in the Constitution and laws of the State and the Constitution and laws of the United States. However, no employee of the City of Madeira Beach shall:
 - a. Take any active part in a political campaign while on duty or within any period of time during which they are expected to perform services for which they receive compensation from the City. This will include making or distributing flyers, hand cards, or other campaign or political items in the workplace; or making use of any City equipment, service or facility in furtherance of any campaign or political purpose.
 - b. Use the authority of their position to secure support for or oppose any candidate, party or issue in an election or affect the results thereof.
 - c. Use any promise or reward or threat of loss to encourage or coerce any employee to support or contribute to any political issue, candidate or party.
 - d. Display on their person (while on duty), City vehicles or in their workplace, any button, sign, decal or other symbol of support for any elected official, political party, issue or candidate for public office.
 - e. Appear in any print, television, radio, online, social media or other form of advertisement for any elected official, political party, issue or candidate while wearing a Madeira Beach uniform, or while identifying oneself as an employee of Madeira Beach.

Nothing herein shall be interpreted as prohibiting a City employee from using City resources related to state or local referendum or initiative to the extent authorized by Florida Statute § 106.113 where that employee's duties permit or require such work, and where the Madeira Beach Commission has adopted a policy or position concerning the matter.

4. An employee who takes any step to run for a Madeira Beach Commission seat, including opening a campaign account for that purpose, filing qualifying paperwork with the Supervisor of Elections, or conducting a press conference or issuing a press release confirming his or her candidacy, shall be deemed to have resigned his or her position with Madeira Beach as of the close of business of the date any of these actions are first taken. Nothing herein shall be read or interpreted as preventing an employee from standing for election for any other elective

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public office or applying for appointment to any appointive public office.

5. An employee elected to public office other than as a Madeira Beach Commissioner or Constitutional Officer shall resign from City employment if the elected position presents any conflict of interest or interference with the employee's City job. The City Manager may grant written permission to remain in the City job, if no such conflict or interference exists. For purposes of this section, a conflict of interest will be determined in the sole discretion of the City Manager regardless of any other determination.
6. Any person who violates any provision of this section shall be subject to disciplinary action, up to and/or including discharge. However, nothing herein shall be construed to prohibit an employee's right to file a complaint of workplace discrimination or harassment, to raise a concern regarding workplace safety, to report to appropriate authorities the misuse or theft of City assets, or to engage in casual workplace discussions on social or political topics, so long as such discussions do not, in the judgment of management, interfere with the orderly, peaceful, and efficient performance of assigned duties or with the valid exercise of authority of management. Employees or managers having questions concerning political activities or the interpretation of this policy should consult the Human Resources Staff and the City Attorney's Office.

XIX. SAFETY

Section: XIX

XIX. SAFETY

1. Employee safety is a primary Madeira Beach obligation. All employees are personally responsible for safety in the workplace.
2. The City Manager is authorized to develop and publish a Madeira Beach Safety Manual to provide safety policies and procedures to be used by all departments for the safety of City employees and protection of City property.
3. Employees who knowingly and willfully violate any published safety policies and procedures are subject to disciplinary action, up to and/or including discharge, under Section XI of the Policy.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-A

*A Purpose, Scope and Prohibitions***XX. DRUG-FREE WORKPLACE PROGRAM*****A. Purpose, Scope and Prohibitions***

1. The City of Madeira Beach has a compelling interest in maintaining a safe, healthy and productive work environment for all its employees; in providing professional services for its customers in a safe, timely and efficient manner; in maintaining the security of its equipment and workplace; and in performing all these functions in a fashion consistent with the interests and concerns of the community.
2. Pursuant to these goals, the City has established a Drug-Free Workplace Program. This program is intended to comply with: the Drug-Free Workplace Program requirements set forth in Chapter 440, Florida Statutes; the implementing regulations, promulgated by the State of Florida, Department of Labor and Employment Security, Division of Workers' Compensation; 49 U.S.C. §§ 5301 and 5331; and the implementing regulations in Title 49 of the Code of Federal Regulations, Parts 29, 40, 382 and 655 (bolded throughout Sections XX-A, B, C, and D of this policy). The program is also intended to deter drug and alcohol abuse by employees in order to limit illness and injuries to themselves and to others. While the majority of the program will have standards applicable to all City employees, certain provisions will vary to comply with regulations specific to certain job classifications. A copy of the federal regulations applicable to this program may be obtained in the Human Resources Department, or directly from the federal government's web sites.
3. To enforce the City's drug and alcohol-free policies and programs, candidates for employment and current employees can be required to submit to substance abuse testing under certain circumstances as set forth herein, and are expected to cooperate fully in providing specimens and explanations that may be subsequently required by this Policy.
4. This policy applies to candidates for employment and to City employees in all job classifications at all locations, during their entire work day (includes on-call and stand-by time).
5. City employees are strictly prohibited from engaging in any of the following acts while on City premises or within City facilities, while conducting City-related work off City premises, or while operating City vehicles:
 - a. Unlawful possession, use, consumption, sale, purchase, distribution, dispensation or manufacture of any illegal drug; or
 - b. Use or consumption of alcoholic beverages; or
 - c. Misuse of legally obtained drugs.
6. The City:
 - a. Will not permit any employee to report to work nor to perform duties with the presence of any illegal drug in his/her system; or with a blood-alcohol level as defined in Florida Statutes § 316.1932(1) (b), of 0.08 percent or more; or if his/her senses are impaired due to misuse of legally obtained drugs.

XX. DRUG-FREE WORKPLACE PROGRAM

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A Purpose, Scope and Prohibitions

- b. Will not permit any safety-sensitive employee covered by Parts 655 (Federal Transit Administration) and 382 (Federal Motor Carrier Safety Administration) of Title 49 of the Code of Federal Regulations (hereinafter: "covered employee") to:**

 - (1) report to work with an alcohol concentration of 0.02 or greater**
 - (2) perform safety sensitive functions within four hours of using alcohol**
 - (3) consume alcohol for 8 hours following an accident unless employee has undergone and tested clean after being administered a post-accident alcohol test**
 - (4) perform or continue to perform safety sensitive functions with an alcohol concentration of 0.02 or greater.**
- c. Will not permit employees to consume alcohol during the hours the employee is on call. Pursuant to Federal Transit Administration regulation 49 C.F.R. Part 655, a covered on-call employee who is called to report to duty shall have the opportunity to acknowledge that he/she has used alcohol during the on-call period, and whether he/she is able to perform his or her safety-sensitive duties. If the covered employee acknowledges having used alcohol during the on-call period, but asserts that he/she is able to perform his/her duties, the City shall refer the employee for testing. The City requires any admission that an on-call employee has used alcohol during an on-call duty shift be in writing, and reserves the right to send any employee for testing, even where the employee admits alcohol use and that he/she cannot perform their duties.**
- d. Will not permit any employee to report to work or to perform his/her duties while taking prescription or non-prescription medication which adversely affects the person's ability to safely and effectively perform his or her job functions. Employees are required to notify their supervisor of prescription or over-the-counter medication which carries a warning label that indicates mental functioning, motor skills, or judgment may be adversely affected. All employees holding safety sensitive positions must comply with this requirement by completing the official reporting form developed by the Human Resources Department for this purpose. The City also reserves the right, once in receipt of notice, to require submission of additional documentation from the prescribing physician(s) confirming the ability to work under this policy. Medical advice will then be sought, as appropriate, before allowing the employee to return to performing work-related duties.**
- e. Will require an employee to report any criminal drug statute conviction, or a finding of guilt whether or not adjudication is withheld, or the entry into a diversionary program in lieu of prosecution to the Human Resources Staff, in writing, no later than three (3) days after such conviction. Any employee who fails to notify the Human Resources Staff will be subject to disciplinary action, up to and including termination.**
- 7. Abiding by the terms of this policy is a condition of employment.**
- 8. Any employee who violates this policy is subject to disciplinary action, up to and/or including discharge.**
- 9. The policies and procedures set forth in the City's Drug-Free Workplace Program constitute statements of policy only, and are not to be interpreted as a contract of employment between the City and any of its employees. The City reserves the right to change, modify, or delete any of the Program's provisions and policies at any time.**

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-B

B. Drug and Alcohol Testing Program**B. Drug and Alcohol Testing Program**

1. Types of Testing

a. Job Applicant Testing

- (1) Employment of every applicant who has received an offer of a job which has been designated as safety-sensitive is contingent on successfully passing a substance abuse test. The City reserves the right to allow a job applicant to start work pending the results of the drug test (with exception to applicants hired into "covered" positions).
- (2) For purposes of this section, the term "applicant" includes City employees who, for any reason, accept or are assigned to a safety-sensitive position.
- (3) Employees who advance within an established career ladder into a safety-sensitive position must submit to a drug test.

b. Persons covered under subsection two (2) or three (3) above will be sent for testing under City authority and using non-DOT referral form(s). **Non-safety-sensitive employees accepting or being assigned a covered safety-sensitive position must use DOT-approved referral form(s).**

c. Reasonable Suspicion Testing and/or Post Accident/Cause.

- (1) Personnel trained by the City to detect the signs and symptoms of drug or alcohol use (and any other official authorized to make non-DOT referrals) may develop a reasonable suspicion to believe that an employee is using or has used drugs in violation of the City's policy. Evidence sufficient to support the development of a reasonable suspicion may consist of, but is not limited to:
 - (a) Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol.
 - (b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - (c) A report of drug/alcohol use, provided by a reliable and credible source. Covered employees will be referred and tests processed on non-DOT chain of custody and breath alcohol forms.
 - (d) Evidence that an individual has tampered with a required drug test.
 - (e) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on City premises or while operating a City vehicle, machinery, or equipment. Covered employees will be referred and tests processed on non-DOT chain of custody and breath alcohol forms.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-B

B. Drug and Alcohol Testing Program

- (f) Information that an employee has caused, contributed to, or been involved in an accident while at work. An employee who is unable to submit to testing at the time of an accident due to the seriousness of his/her injuries is required to provide the necessary authorization for obtaining medical reports or other documentation that would indicate whether there were any drugs or alcohol in his or her body. Employees not involved in accidents covered by specific federal regulatory criteria shall be referred to post-accident testing pursuant to forms and criteria developed by the Human Resources Department. **Pursuant to Federal Transit Administration regulation 49 C.F.R. Part 655, covered employees, including operators and other covered employees whose performance could have contributed to the accident, shall be referred for post-accident testing in the case of a fatality, bodily injury requiring medical attention away from the scene of the accident, or if the transit vehicle is a rubber tire vehicle and any of the involved vehicles are towed away, unless, in the case of a non-fatal accident, the employee's performance can be completely discounted as a contributing factor based on the best information available at the time of the referral decision. Accidents involving employees covered by Federal Motor Carrier Administration regulations will be referred for post-accident testing as required by 49 C.F.R. Part 382.**
- (g) An expanded panel drug test will be completed if any of the above criteria (a-e) exist. Note: **Federal Motor Carrier Administration and Federal Transit Administration** employees will have both a 5-panel test and a City specified expanded panel test completed during the one collection.
- (2) Immediate supervisors will report their suspicions to their department director. An employee will report immediately after the order to the designated laboratory for testing, under the following conditions:
- (a) If the supervisor believes the employee is impaired in any way by drugs or alcohol, the supervisor will personally drive or direct another responsible individual to drive the employee to the approved drug testing site.
 - (b) An employee suspected of being impaired shall never be permitted to drive a vehicle during any duty shift during the period of suspicion.
 - (c) Travel to and from, and time spent at, the drug testing site will be on City time - not the employee's own time.
 - (d) After drug testing is completed, the employee should be transported to the department director's location. The director, based on the facts and circumstances, may place the employee on administrative leave pending receipt of the results of the drug or alcohol testing.

XX. DRUG-FREE WORKPLACE PROGRAM

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B. Drug and Alcohol Testing Program

- (e) The director should arrange to have an impaired employee taken home. The director should tell an employee who refuses assistance that law enforcement authorities will be called if the employee attempts to drive home alone. If the employee persists in attempting to drive after such a warning, the director must call the appropriate law enforcement agency.
- (f) **Pursuant to 49 C.F.R. Parts 382 and 655, covered employees will be subject to alcohol testing only while performing safety sensitive duties or immediately before or after the performance of such functions. Alcohol testing shall only be administered if the reasonable suspicion observation is made immediately before or after the performance of safety sensitive duties, or while actually performing such duties (non-DOT forms shall be used to process referrals of employees performing non-safety-sensitive duties). If breath alcohol test is not administered within two (2) hours, then reasons shall be documented by the supervisor or other authorized official on designated HR forms and attempts to obtain testing shall continue. However, attempts to obtain alcohol testing shall cease after eight (8) hours and the supervisor or authorized official must further document the reasons for the failure to obtain testing within the allotted time period.**
- (3) Within seven (7) days after testing based on reasonable suspicion, the supervisor who recommended the testing shall detail in writing, on the City's Reasonable Suspicion Testing Report Form, the circumstances which formed the basis of his or her belief that reasonable suspicion existed to warrant the testing. The department director who directed the drug test will certify on the form that he/she was informed of the basis of suspicion and was satisfied reasonable suspicion existed. A copy of this report shall be provided to the employee being tested upon request. The original copy of the report shall be kept confidential and retained by the Human Resources Department for at least twelve months.
- (4) Any on-the-job injury for which an employee requests or is required to seek Workers' Compensation medical treatment amounts to sufficient reasonable suspicion to require drug testing. All employees reporting for such medical treatment will submit to a drug/alcohol test as part of the evaluation. The employee's immediate supervisor will prepare a Reasonable Suspicion Testing Report Form the first time an employee is treated for a particular injury and forward the Form, through the department director for certification, to the Human Resources Staff within three (3) work days of the first treatment.
- (5) **Pursuant to 49 C.F.R. Parts 382 and 655, post-accident testing related to accidents involving covered employees shall be completed as soon as practicable but must be within thirty-two (32) hours of the accident. If a post-accident alcohol test is not conducted within two (2) hours of the accident, the supervisor must document the reasons why on such form as may be developed by the Human Resources Department for such use. Nevertheless, the supervisor shall continue attempts to obtain a specimen for up to eight (8) hours after the accident. All reasons why attempts to obtain a specimen within this eight (8) hour period were unsuccessful must be documented as noted above. Covered**

XX. DRUG-FREE WORKPLACE PROGRAM

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B. Drug and Alcohol Testing Program

employees must remain readily available for post-accident testing, including notifying their department or Human Resources of their location if they leave the scene of an accident prior to submission to post-accident testing. Failure to make such notifications upon leaving an accident scene shall constitute a refusal to submit to testing.

d. Routine Fitness-for-Duty Testing

All employees in an employment classification or group, for which the City routinely schedules employee fitness-for-duty medical examinations pursuant to City policy, must submit to a drug test as a part of their medical examinations.

e. Follow-up/Return to Duty Testing

(1) Covered employees subject to return to duty and follow up testing must first meet with a substance abuse professional pursuant to the requirements of 49 C.F.R. Part 655 and 40. Covered employees reemployed after violating DOT drug and/or alcohol regulations must show written proof of completion of required certified substance abuse professional (SAP) evaluation, referral and education/treatment process and obtain a negative return to duty test. If said covered employee has been released by the SAP to return to safety sensitive duties but still required by the SAP to obtain ongoing treatment (at employee's expense), all such SAP requirements must be complied with as a condition of continued employment. Any post-positive return to duty or follow up testing required will be at the employee's expense and be "observed collections."

(2) If, in the course of employment, an employee is required by the City to enter an employee assistance program (EAP) for drug-related problems or a drug/alcohol rehabilitation program, the employee must submit to drug or alcohol testing as a part of and as follow-up to such program.

f. Post-Absence Testing

Safety sensitive employees who are returning to the workplace after an absence of ninety (90) calendar days or more (i.e., sick, vacation, jury duty, military leave, leave of absence, worker compensation, etc.), must, whether leave was FMLA-covered or not, submit to drug testing before returning. **In accordance with applicable federal regulations, a Covered Employee returning to duty after ninety (90) consecutive calendar days or more, must obtain a negative test result prior to the reassignment to safety-sensitive duties. Covered Employees absent from the workplace for ninety (90) days or more shall not be subjected to random testing during the period of absence.**

g. Random Testing

(1) An employee in a safety-sensitive or special-risk position (X-B-1-g(3)) will be required to submit to unannounced and unpredictable drug/alcohol testing when selected pursuant to a random selection process, any time while on duty. The process developed by Human Resources to make the random selections shall be by a scientifically valid method, such as a random number table or computer-based random number generator, and ensure that each covered employee will

XX. DRUG-FREE WORKPLACE PROGRAM

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have an equal chance of being tested each time selections are made. Pursuant to 49 C.F.R. Parts 382 and 655, covered employees will be subject to alcohol testing only while performing safety sensitive duties or immediately before or after the performance of such functions. Notwithstanding the foregoing and regardless of applicable federal DOT regulations, any employee may be subject to random testing at any time where such random testing has been agreed to by the employee and the City within a labor contract, last chance agreement or similar contract.

- (2) The Human Resources Staff will establish a program to annually test randomly a number of employees in safety-sensitive and special-risk positions. Of the total number of employees in these positions, 10 percent will test for alcohol and 50 percent will test for drugs. The Program shall ensure that the dates established for administering random tests are spread reasonable throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are being performed by those subject to such testing. Once notified of selection for random testing, the selected employee must proceed immediately to the testing facility as instructed by the referral.
- (3) "Safety-sensitive or special-risk positions" include, but are not limited to, the following positions:
 - (a) Transit and Para-transit vehicle operators and attendants.
 - (b) Transit and Para-transit dispatchers, schedulers, and movement controllers.
 - (c) Mechanics who perform maintenance on Transit and Para-Transit vehicles and equipment.
 - (d) Pool lifeguards.
 - (e) Emergency Communications Division dispatchers.
 - (f) Emergency Medical Technicians, Paramedics, Supply Officers and Trainees.
 - (g) Emergency Medical Lieutenants, Captains and Chiefs.
 - (h) Beach lifeguards and officers.
 - (i) Water treatment plant operators and laboratory technicians.
 - (j) Any employee not listed above who, as a condition of employment, must possess a Commercial Drivers License (CDL) or who has the use of heavy equipment or machinery, such as back hoes and chain saws which could, during a momentary lapse of attention, cause great harm to others, or who work with toxic or hazardous chemicals, high voltage, pressurized gasses, or volatile chemicals.

2. Conditions of Testing

- a. Confidentiality

- (1) All information including, but not limited to, interviews, reports, statements,

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B. Drug and Alcohol Testing Program

memoranda, and drug test results received by any City official in conjunction with this Drug Testing Program, will be forwarded to the Human Resources Staff and will be considered confidential communications. Such information will not be disclosed or released except as authorized pursuant to State law or regulations or written consent by the person tested.

- (2) The Human Resources Department will establish and maintain a separate confidential file for Drug Testing Program information. All correspondence and documentation shall be retained for at least one year. The file is exempt from release except as provided in Florida Statutes § 440.102(8).

b. Consent Form

- (1) Employees and applicants must sign a "Testing Consent Form" stating they agree to be tested for drugs and alcohol as provided in this program and they release the City and its employees from liability.
- (2) Refusal to sign the consent form may result in applicant disqualification for further employment or promotion consideration, or an employee's termination from City employment.

c. Refusal to Submit to Testing**(1) Refusals to submit to drug/alcohol testing will consist of the following:**

- (a) **Refusing to provide a specimen or report for drug and/or alcohol testing as required by the City.**
- (b) **Failing to provide adequate breath for alcohol testing without a valid medical explanation.**
- (c) **Failing to provide an adequate urine sample for controlled substance testing without a medical explanation.**
- (d) **Failure to permit direct observation of urination when required, or, where directed to attend a direct observation collection, to follow an observer's instructions to raise clothing above waist, lower clothing/underpants, and turn to permit observer to determine if any type of prosthetic or other device is being used to interfere with the collection process.**
- (e) **Failing or refusing to submit to a second test directed by the City or collector. Examples of when such second tests may be directed include the following categories: Negative Dilute—the employee will be required to undergo another test. Should this second test result in a negative dilute, the test will be considered a negative, and no additional testing will be required unless directed by the medical review officer (MRO). Invalid Result with no Medical Explanation will require immediate observed recollection. Test Cancelled Results will require an immediate, non-observed recollection when a negative test result is required (i.e.: pre-employment, post-absence, etc.). Test Cancelled Results will require observed recollection if directed by the MRO. Negative-dilute result or invalid result with no medical explanation**

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will require immediate observed recollection.

- (f) **Failing to undergo a medical examination or evaluation when directed by the Medical Review Officer as part of the test result verification process, or when required as part of the “Shy Bladder”/“Shy Lung” evaluation.**
 - (g) Under non-DOT authority, refusing to comply with the Drug-Free Workplace Program policy or disciplinary consequences of this procedure.
 - (h) Under non-DOT authority, refusing to comply with mandatory referrals to the City’s employee assistance program provider or failing to comply with any recommendations made by that provider.
 - (i) **Engaging in conduct that clearly obstructs the testing process, including failing to remain readily available for testing by leaving an accident scene without notifying the department or Human Resources of location, including refusal to empty pockets when directed by collector, behaving in a confrontational manner that disrupts the collection process, failure to wash hands after being directed by the collector, or wearing or possessing prosthetic devices or other items/substances which could be used to interfere with test results.**
 - (j) **A verified MRO report of an altered, adulterated or substituted test sample. Admit to collector or MRO that you adulterated or substituted specimen.**
 - (k) **Failing to appear at the collection facility at date and time directed by the City, via form or verbal instruction of authorized personnel, without prior approval or valid explanation.** Failure of applicants for positions covered under DOT regulations who fail to appear at a testing facility as directed as part of the pre-employment application process shall be considered to have refused by virtue of non-DOT authority.
 - (l) **Failure to sign the certification on Step 2 of the alcohol test form.**
 - (m) **Failure to remain at the testing facility, once the testing process has begun, until the testing process is complete.**
- (2) An employee who is injured in the course and scope of his/her employment and who refuses to submit to a drug test, forfeits his/her eligibility for Florida Workers' Compensation medical and indemnity benefits. Any City group health/medical insurance in effect does not cover injuries sustained in the course and scope of employment.

3. Testing Procedures

a. Licensed/Certified Laboratory

- (1) All drug testing will be conducted by a City-designated laboratory licensed by the State of Florida Agency for Health Care Administration or, **in the case of Department of Transportation employees in safety sensitive positions, certified by the United States Department of Health and Human Services to do drug-**

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testing for Federal agencies. All testing procedures will comply with 49 C.F.R Parts 40, 382 and 655.

- (2) The testing will be conducted with chain of custody procedures in place to ensure accuracy/continuity in specimen collection, handling, transfer and storage.

b. Drugs to be Tested

When testing is conducted in conjunction with this Program, the City may test for any or all of the following drugs: **amphetamines; cannabinoids; cocaine; opiates; phencyclidine;** barbiturates; benzodiazepines; methaqualone; hallucinogens; synthetic narcotics; designer drugs; alcohol, including distilled spirits, wine, malt beverages or an intoxicating liquor; or a metabolite of any of the substances listed in this paragraph. **Screening test cut off levels for the first five listed drugs will be as set forth in 49 C.F.R. Part 40.87.**

c. Reporting Medication Which May Alter or Affect a Drug Test Result

Either before or after being tested, job applicants or employees are required to inform the MRO of the use of prescription or non-prescription medication which may alter or affect the outcome of a drug test as well as any other information relevant to the drug test result. The information provided by the employee or job applicant will be kept confidential and shall be reviewed only by a Medical Review Officer (MRO) interpreting any confirmed positive results. Applicants or employees have the right to consult with the MRO for technical information regarding prescription and non-prescription medication to determine whether the medication has affected a drug or alcohol test result. To aid in this opportunity, the City will provide to the applicant or employee, at the point of referral, a list of the most common medications, by brand name or common name, as well as by chemical name, which may alter or affect a drug test result. (Note: hemp, hemp and/or "coca" products, nor "medical marijuana" will not be accepted as a legitimate explanation for a THC positive test.)

d. Cost of Testing

- (1) The City will pay the costs of initial and confirmation drug/alcohol testing which it requires of job applicants and employees.
- (2) Applicants and employees shall pay the cost of any additional drug and alcohol testing not required by the City, including tests conducted for employees as part of an EAP or drug/alcohol rehabilitation program, or as a condition of returning to work. Payment for such tests are a condition of employment and must be paid under the terms and conditions established by the Human Resources Staff. Former employees who owe the City funds for drug testing or treatment which remain unpaid will not be eligible for re-employment until such amounts are paid.
- (3) Any drug/alcohol test requested by an employee, but not required by the City, will be at the employee's expense. The employee requesting the test may not use the City's "Drug Test Referral" form, nor will the result of the test be reported to the City through its normal testing/reporting procedures.

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B. Drug and Alcohol Testing Program**e. Collection Site and Laboratory Analysis Procedures**

Security of the collection site, chain of custody procedures, privacy of the individual, collection control, integrity and identity of the specimen and transportation of the specimen to the laboratory, as well as laboratory security, laboratory chain of custody, transporting and receiving of specimens, specimen processing, retesting, storage of specimens, instrument calibration, and reporting of results, shall be in accordance with Florida Statutes §§ 112.0455 and 440.102, or 49 U.S.C. § 5331, and the rules established by the State of Florida, Agency for Health Care Administration, or by 49 C.F.R. Parts 40, 382 and 655. These procedures are intended to ensure that specimens are properly collected, identified and tested.

f. Specimen Type Testing

- (1) Drug testing will be by urinalysis, following the procedures of 49 C.F.R. Part 40 Subpart E and Chapters 112 and 440 of the Florida Statutes.**
- (2) Normally, alcohol testing will be by a breath alcohol device, following the procedures of 49 C.F.R. Part 40 Subpart L. Evidential breath testing devices (EBTs), approved by the National Highway Traffic Safety Administration, will be operated only by Breath Alcohol Technicians (BATs), qualified under 49 C.F.R. §40.211 or certified under Florida law. EBTs will be able to print out results and will conform to subparts L & M of 49 C.F.R. Alcohol screening tests will be conducted according to the procedures set forth in 49 C.F.R. §40.243. If the screening shows an alcohol concentration of 0.02 or greater, a confirmation test will be performed, according to 49 C.F.R §40.253 & 40.255, within 30 minutes of the screening test. A different BAT, EBT or location is not required.**

4. Release and Review of Test Results**a. Medical Review Officer (MRO)**

The City will contract with a private entity, which will employ licensed physicians to act as MROs. The MROs will be responsible for receiving and reviewing all confirmed test results from the testing laboratory. The MROs will contact each donor who tested positive to inquire about possible prescription or over-the-counter medications or other factors which could have caused a positive test result, and to provide technical assistance for the purpose of interpreting the result.

b. Reporting Results

- (1) The testing laboratory will report all drug test results directly to the MRO as soon as possible. The laboratory must provide the MRO quantification of the test results upon request.**
- (2) Only specimens which are confirmed as positive on the confirmation test shall be reported positive to an MRO for a specific drug.**
- (3) When the MRO receives a confirmed non-negative drug test result from the**

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B. Drug and Alcohol Testing Program

laboratory, the MRO will telephonically contact the donor (actually talk to the donor) on a confidential basis to determine whether the employee wants to discuss the test result. In making this contact, the MRO will explain to the donor that if he or she declines to discuss the result, either face to face or on the phone, the result will be verified as positive or a refusal, as applicable. While the staff of the MRO may make the initial contact with the donor to schedule the discussion, advise the donor to have medical information (e.g. prescriptions or other medical information explaining the result) ready to present to the MRO, and relay the consequences of the donor's refusal to discuss the results with the MRO, MRO staff will not gather any medical information from the donor, nor any information concerning possible explanations for the test result. If the donor declines to schedule a discussion with the MRO concerning results, MRO staff will document this decision, including the date and time the donor so declined. The MRO or his/her staff will make reasonable efforts to contact the donor at the day and evening phone numbers listed on the referral form. Such efforts will include, at a minimum, three (3) attempts to call each number, at reasonable intervals, over a 24-hour period.

- (4) If the MRO is unable to directly contact a donor who has tested positive after contact efforts, such efforts will be documented, including dates and times of calls. If the numbers provided are found to be incorrect (disconnected, wrong number), upon the first attempts to use them, then, without waiting the full 24-hour period, the MRO will notify the Designated Employer Representative (DER) and request that the City direct the donor to contact the MRO, but will not then inform the City that the donor has a confirmed positive, adulterated, substituted or invalid result. The MRO will document the dates and times the City was contacted, and the name of the City staff person contacted. After such notice from the MRO, the City will attempt to contact the donor immediately, using procedures that protect, as much as possible, the confidentiality of the MRO's request that the donor contact the MRO. If the City succeeds in contacting and actually talking to the donor, it will order the donor to comply with the MRO's request for contact immediately, inform the donor of the consequences of failing to contact the MRO within the next 72-hours, document the date and time, and inform the MRO that the foregoing information has been conveyed to the donor. The City will not inform anyone else about its efforts to contact the donor on behalf of the MRO. If the City has made at least three (3) reasonably-spaced attempts over a 24-hour period to contact the donor at both the day and evening phone numbers listed, the City will leave a message for the donor by any reasonable means (including letter, e mail or voice mail) that the donor must contact the MRO, and may thereafter place the donor on unpaid leave pending receipt of test results from the MRO. The City will document the dates and times of the call attempts.
- (5) If the MRO was unable to speak directly with the donor and has reported the result to the DER, or designee, the MRO will allow the donor to present information to the MRO within 60 days of the verification to document that serious illness, injury, or other circumstances unavoidably precluded contact with the MRO and/or DER in the times provided. On the basis of such information, the MRO may reopen the verification, allowing the donor to present information concerning whether there is a legitimate medical explanation of the confirmed test result.

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B. Drug and Alcohol Testing Program

- (6) If the donor refuses to talk with the MRO regarding a confirmed positive test result, the MRO will validate the result as positive and annotate such refusal in the report.
- (7) The MRO will notify the Human Resources Staff or designee, in writing, of the verified test result, either negative, positive or inconclusive. If the MRO determines that there is a legitimate medical explanation for the positive test result, the MRO will report a negative test result to the City.
- (8) Should the MRO feel that the legal use of a medication would endanger the donor or others, or if the donor is in a safety sensitive or special risk position at the City, the MRO will report the test negative due to a validated prescription, but will request that the individual be placed in a position which would not threaten the safety of the donor or others. The Human Resources Staff or designee will notify the employee's department director, or designee, immediately.

c. Notice to Donor of Test Results

Within three (3) workdays after receipt of a confirmed positive test result from the MRO on an employee or a job applicant, the Human Resources Staff, or designee, will inform the applicant in writing of the positive test results, the consequences of the results, and the options available to the employee/applicant, including the right to file an administrative or legal challenge.

d. Administrative Requirements

The City will contract with a reputable firm which will be responsible for maintaining all records and making all reports required by federal and state laws, regulations and rules. Employees will have access to their personal records.

5. Challenges to Test Results

a. A copy of the test results will be provided to the donor upon request.

b. Administrative or Legal Challenge

- (1) An injured employee may administratively challenge test results by filing a petition for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes.
- (2) Any donor may challenge the test result in a Court of competent jurisdiction, as may be authorized by general law.
- (3) A donor who desires to challenge the results of a test is responsible for notifying the testing laboratory to retain the testing sample until the retesting is performed or the matter otherwise closed.

c. Independent Testing

- (1) **DOT employees that have a verified positive drug test result, or a test refusal due**

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B. Drug and Alcohol Testing Program

to adulteration or substitution, may request a test of their split specimen. However, there is no split specimen testing for an invalid result.

- (2) The donor has 180 days, from time of written notification, **(3 days, from time of MRO notification, for safety-sensitive Department of Transportation employees)** to request independent testing of a portion of the tested specimen after receiving written notification of a positive test result. The laboratory utilized must also be licensed by the State of Florida Agency for Health Care Administration certified by the United States Department of Health and Human Services. Split specimens conducted under DOT regulations must be tested at a laboratory certified by the United States Department of Health and Human Services.
- (3) The independent testing is at the donor's expense. Safety-sensitive Department of Transportation employees will be required to pay in full any and all costs relating to their requested re-test of their original split specimen after such test has been ordered.
- (4) Results of the testing may be used in any administrative or legal challenge.
- (5) Notwithstanding the foregoing, the City reserves the right, where an adequate sample size exists, to request a retest on its own, but only to the extent that such retest can be performed without compromising the ability of the employee or applicant to request his or her own retest, as otherwise permitted under this policy.

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Section: XX-C

*C. Consequences of Positive Test Results**C. Consequences of Positive Test Results*

1. Non-Employee Applicants

- a. If the results of a pre-employment drug test are confirmed positive, or if the applicant's actions are deemed a refusal to submit to testing, as defined in Section XX.B.2.c.1 (hereinafter defined as "refusals"), a general public applicant will be disqualified from further consideration.
- b. General public applicants are eligible to reapply for employment consideration employment consideration as provided in that section.
- c. Disqualified after a thirty-six (36) month waiting period.
- d. Once the applicant has taken the pre-employment drug test, he/she must begin work within thirty (30) calendar days from the test date. If thirty (30) calendar days pass prior to the applicant beginning work, the hiring department must send the applicant for a re-test.
- e. **Covered safety-sensitive applicants who have violated the DOT drug and alcohol regulations cannot perform any DOT safety-sensitive duties for any employer until and unless they complete the certified Substance Abuse Professional's evaluation, referral and education/treatment process set forth by the CFR. Additionally, any DOT employee returning to City employment at the end of his/her restriction period will be required to show proof of completing the Substance Abuse Professional's (SAP) evaluation and recommendations and stating his/her ability to return to safety-sensitive duties. This must be done by a written report on letterhead from the SAP.**

2. Employees

- a. Any employee whose results are confirmed positive when tested for any valid reason, or who refuses to submit to testing as defined in Section XX.B.2.c(1), will be immediately removed from duties and discharged. **Covered employees who test positive will be given a list of local substance abuse professionals and treatment providers.**
- b. Notwithstanding the foregoing, non-safety-sensitive employees with a confirmed alcohol concentration of .02 or greater but less than .08, or safety-sensitive employees with confirmed alcohol concentration of .02 but less than .04 will not constitute a "positive." However, such employee will be immediately removed from duties and placed on administrative leave without pay pending disciplinary action for having alcohol in the system during working hours.
- c. Employees terminated from employment due to a positive drug/alcohol test, refusal to test, or violation of the Drug-Free Policy shall be disqualified from re-employment for a period of thirty-six (36) months, as required by Section I.E.2.
- d. The City reserves the right to place an employee on administrative leave with or without pay pending receipt of the results of a drug test or the outcome of an investigation or appeal related to a violation of the City's Drug-Free Workplace Policy.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-C

*C. Consequences of Positive Test Results***3. Request for Review of Termination/Disqualification**

- a. Within five (5) working days after receiving notice of a confirmed positive test result, the donor may submit a written, signed statement to the Human Resources Staff explaining the test results and providing all relevant information the donor believes should result in the automatic dismissal/disqualification provisions of this policy not being applied. The donor may be required to submit additional statements or materials to facilitate the Human Resources Staff's review. The purpose of the submission would be to explain how the positive test result was not the fault of the donor, not to challenge the underlying test result.
- b. The Human Resources Staff will review the submission and if he/she believes that the donor has provided confirmed, reliable evidence that the positive test result was not in any way the fault of the donor or the result of the donor's actions, inaction, or illegal, careless or negligent behavior, and that the circumstances otherwise may not support the application of the automatic dismissal/disqualification provisions of this policy to the donor, a recommendation to that effect may be made to the City Manager, who shall have sole authority to except the application of the provisions, and may condition any exception on such terms and conditions as he or she may deem appropriate to place upon the donor. The Human Resources Staff will provide the donor with a written response to the submission once a determination has been made. Notwithstanding any reversal of the automatic dismissal/disqualification provisions pursuant to this section, neither confirmed positive test results nor related medical conclusions concerning the reasons for those results may be overturned by the City and the record of same will remain in the applicable confidential drug free workplace program files.

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-D

*D. Awareness and Education Program****D. Awareness and Education Program***

1. The Madeira Beach Drug-Free Workplace Awareness and Education Program is designed to help achieve the City's goal of maintaining a drug-free workplace.
2. The Human Resources Staff will establish an awareness and education program, which will include the following elements:
 - a. Ongoing communications to City employees through educational and informational materials advising about the dangers of drug and alcohol abuse.
 - b. Display and distribution to City employees of the City's Drug-Free Workplace Policy and a community service hot-line telephone number for employee assistance concerning drug and alcohol abuse.
 - c. Training of City management and supervisory personnel who are responsible for determining when an individual is subject to testing based on "reasonable suspicion." Such training will encompass the physical, behavioral, and performance indicators of probable drug or alcohol use. **Training will comply with 49 C.F.R. § 382.603 and § 655.14.**
 - d. Maintaining a current resource file of EAP providers the City may have available and providing a representative sampling of local drug/alcohol rehabilitation programs and employee assistance programs.
 - e. Notice of drug-testing requirements on all job vacancy announcements.
 - f. Copies of drug testing policy available for inspection by employees and job applicants.
 - g. The Human Resources Director or designee is designated as the person to whom employees may direct their questions on drug and alcohol related matters.
 - h. **Training of "covered employees" will comply with 49 C.F.R § 655.14.**

XX. DRUG-FREE WORKPLACE PROGRAM

Section: XX-E

*E. Rehabilitation****E. Rehabilitation***

1. The City supports sound treatment efforts. No employee will be retaliated against for voluntarily seeking assistance for problems relating to drug or alcohol use or abuse. Such individuals will be allowed to address and resolve any drug and alcohol related problems on a confidential basis.
2. An employee who realizes that he or she has developed a dependence on drugs, alcohol or any controlled substance should inform his/her supervisor, or the Human Resources Staff, of that condition and seek trained, professional assistance immediately. Employees are encouraged to seek rehabilitation voluntarily (without disciplinary action) prior to any management action, to address and resolve any drug and alcohol related problems on a confidential basis.
3. The City reserves the right to require an employee to use an Employee Assistance Program or drug rehabilitation program. In all cases, the cost will be paid by the employee, through insurance or otherwise.

XXI. PROFESSIONAL DEVELOPMENT

Section: XXI

XXI. PROFESSIONAL DEVELOPMENT

1. To encourage a well-trained, educated workforce, the Board of Commissioners desires through this policy to provide training and education opportunities for its employees to the fullest extent allowed by law.
2. The Human Resources Department shall serve as clearing-house for all education/training opportunities, including but not limited to the development of training programs for all employees with the authority to make such programs mandatory where deemed necessary, and shall otherwise administer the professional development policy. Individual department directors shall have oversight of all issues herein related to the obtaining and maintaining of professional licenses, legal or technical certifications, or similar department-specific or specialized training or testing.
3. An annual report of training and education activities/participation will be generated at the end of each fiscal year to allow the City Manager and department directors to assess trends and set training/education program priorities. A record indicating the employee has attended training and/or participation in tuition reimbursement shall be maintained by Human Resources for each employee.
4. The following policies apply to costs related to degree programs and non-degree courses:
 - a. *Non-degree courses or seminars:* Costs of training courses or seminars not taken as part of a college or university program terminating in the award of a degree may be paid for or reimbursed only if the course or seminar is designed to improve the effectiveness or efficiency of an already qualified employee in the position which the employee already holds and works in, and is not designed to qualify an employee for his/her current duties. However, such costs may be paid for or reimbursed for courses or seminars which will allow an employee to advance within established career tracks, or to obtain or maintain certifications required by state or federal laws or regulatory authorities.
 - b. *Degree programs:* Tuition may be reimbursed at a level not to exceed 100% of the prevailing in-state resident University of South Florida rate. Reimbursement shall be limited to courses which are required as part of an overall academic program leading to a degree related to the employee's current City position, but specifically excludes remedial courses and doctoral dissertation credits. The tuition reimbursement benefit shall only be applicable to actual tuition charged and shall not be used to pay for other college-related costs such as books, fees or campus housing. Reimbursement may only be provided for a course offered by an institution accredited by the Southern Association of Colleges and Schools, or other national or regional accrediting agency recognized by U. S. Secretary of Education, as listed at: www.ed.gov.
5. *Tuition reimbursement conditions:* Reimbursement for college tuition is a discretionary benefit and shall always be subject to the availability of appropriated funds from the Board of Commissioners. Approval of any specific reimbursement request is at the sole discretion of the Human Resources Staff, who must weigh all relevant facts and policies in granting or denying any request. Reimbursement is further conditioned on the award of a "C" grade (or "pass" in pass/fail courses), and upon such standards or priorities as Human Resources may develop for eligibility, such as execution of tuition records release, whether the employee is full or part time, the employee's work, attendance or discipline record, whether the institution is a Florida public institution, private college, or online college, and past ability of the

XXI. PROFESSIONAL DEVELOPMENT

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employee to successfully complete reimbursed courses. Reimbursement may also be conditioned upon an employee's agreeing to reimburse the City for tuition paid should the employee receive subsequent grants or scholarships covering all or part of the City tuition payment, resign prior to a set period of time after the course is taken, or be terminated for cause.

6. Pursuant to paragraph 4(a) above, expenditures for technical training, licensing and/or certifications, renewal of licensing and/or certifications, and testing fees may be paid for or reimbursed as long as they relate to the employee's position. Where the department director deems it appropriate, he/she may authorize a one-time pre-payment of fees for a required license or certification exam where such license or certification is contingent upon the passage of such exam.
7. In accordance with 29 C.F.R. § 785.27, attendance at lectures, meetings, training programs and similar activities need not be counted and, consequently, shall not be counted as working time if the following four criteria are met:
 - a. Attendance is outside of the employee's regular working hours;
 - b. Attendance is in fact voluntary;
 - c. The course, lecture, or meeting is not directly related to the employee's job; and
 - d. The employee does not perform any productive work during such attendance.
8. Attendance at training workshops/seminars is permissible during working hours with prior department approval. All employees who attend education or training classes during normal working hours are directed to mark their time cards with the appropriate code as enacted by the City's payroll system.
9. Where reimbursement requests under this policy exceed available funds as they have been budgeted and allocated across the City organization, the Human Resources Staff, subject to approval of the City Manager, may set priorities such as electing to offer only partial reimbursement to requestors, reimburse in a first-come, first-served manner, or in such other manner as is deemed needed to ensure a fair and balanced ability for all employees to obtain the benefit.
10. An employee may not use any City personnel, equipment or supplies as part of the course or program of instruction. Nor may an employee work on projects or homework, or attend a tuition-reimbursed course during assigned working hours, unless such time is covered by approved vacation leave, or leave without pay.
11. NOTE: The establishment of this section does not create an entitlement to any given level of tuition or training funding. Each fiscal year, the Board of Commissioners will budget such funds as it deems appropriate to provide for such expenses, balancing the City's desire to provide training and educational opportunities to its employees vs. the many other funding priorities of the City. To the extent funding is made available in any given fiscal year, the City Manager and Human Resources shall endeavor to ensure such funds are equitably granted among the City's various departments.
12. Human Resources is authorized, subject to approval of the City Manager, to develop such forms, schedules and procedures so as to implement the provisions of this policy.

XXII. TRAVEL TIMESection: XXII

XXII. TRAVEL TIME

1. Ordinary home to work travel is not considered "hours worked" or compensable time. (This includes travel time to and from home for employees assigned a take-home City vehicle.)
2. **Non-Exempt Employees**
 - a. Travel time and/or attendance at a meeting, seminar, conference, etc., which is for the City's benefit and at the employer's request is compensable, regardless if it occurs within or outside regular working hours. These hours count as hours worked towards overtime.
 - b. Travel time and/or attendance at a meeting, seminar, conference, etc., which is voluntary and not required by the employer, will be compensated only during regular scheduled working hours during the regularly scheduled workweek.
 - c. Employees driving or riding as passengers will receive compensation in accordance with Section XXII.3.a. and b. above.

XXIII. WORKPLACE VIOLENCE AND THREATS

Section: XXIII

XXIII. WORKPLACE VIOLENCE AND THREATS

1. Madeira Beach does not condone workplace violence, or the threat of violence, by any of its employees, customers, the general public and/or anyone who conducts business with the City. It is the intent of the City to provide an environment free from violence, threats of violence, harassment, intimidation, and other disruptive behavior.
2. Violence or the threat of violence, by or against any employee of Madeira Beach or other person, is unacceptable and will subject the perpetrator to disciplinary action up to and including discharge and possible criminal charges. The City will work with law enforcement to aid in the prosecution of anyone within or outside of the organization who commits or threatens violence against an employee or employees.
3. Possession, use, or threat of use, of a deadly weapon, including a firearm, ammunition, explosive device, illegal knife, bow and arrow, or other weapon, is not permitted while on duty, on City property, or in a City vehicle, unless specifically required by law. Notwithstanding the foregoing, pursuant to Florida Statutes § 790.251(4)(a), an employee may possess any legally owned firearm when such firearm is lawfully possessed and locked inside or locked to a private motor vehicle in a City parking lot and when the employee is lawfully in such area. Pursuant to Florida Statutes § 790.251(4)(e), employees shall not exhibit any legally owned firearm on City property for any reason other than lawful defensive purposes.
4. Each incident of violence or threat of violent behavior, whether committed by another employee or an outside individual such as a customer, vendor, or citizen, must be reported immediately to the appropriate management authority (supervisor or Department Director) or directly to the Human Resources Department.
5. Any employee who acts in good faith by reporting real or implied threats or violent behavior will not be subject to any form of retaliation or harassment.
6. False or malicious reports of threats or violent behavior, real or implied, will result in an investigation and be subject to appropriate disciplinary action.

XXIV. UNIFORMSSection: XXIV

XXIV. UNIFORMS**1. Purpose**

It is the intent of this policy to provide the following guidelines to City employees required to wear uniforms in the performance of their duties.

1. If the City provides an employee a uniform, the employee shall be required to wear such uniform as a condition of employment.
2. Employees required to wear uniforms shall only wear the uniforms while on duty or commuting. Wearing uniforms at any other time is strictly prohibited.
3. Uniforms are City property and must be returned to the Department upon separation or transfer to a position which does not require use of the uniform.
4. It is the responsibility of the employee to ensure that their uniforms are properly maintained and laundered.
5. Employees may be subject to disciplinary action, up to and/or including dismissal, for violation of any of the above.

2. *Uniform Rental Service*

If the City contracts for uniform rental and maintenance, the City's contract for uniform rentals will provide for maintenance and laundering services for uniforms.

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XXV. MISCELLANEOUS POLICIES**A. *Departmental Rules***

Though Madeira Beach attempts, where possible, to maintain uniform rules generally applicable to all City employees, unique departmental needs may call for customized rules. Therefore, each City department director may promulgate and implement departmental rules based upon operational needs and requirements as a supplement to the Personnel Policy, Rules and Procedures Manual. Such rules, when reviewed by the Civil Service Commission and issued by a department head, shall be applicable to employees of that department as though they were published herein.

B. *General Appearance and Work Attire*

The City's management staff are authorized to adopt reasonable standards of personal dress, appearance and hygiene during working hours. Personal appearance should be evaluated based upon the type of work, the work environment, and the amount of public contact required by the job. Designated uniforms or work clothes shall be worn as required by City or departmental policy.

C. *City Property and Supplies*

1. Employees are expected to take proper care in the handling and use of all City equipment and property. Employees are not to remove City property from the premises without authorization by the department director with the exception of those items that have been authorized for use off the premises such as cellular phones, pagers, laptop computers, etc.
2. Employees are not permitted to "recycle," "scavenge" or take for personal use any used or excess supplies, tools or equipment, including construction materials and office supplies, absent a published City policy on re-use or recycling of such materials.
3. Upon request, or separation from employment or extended leave, employees shall return all City property to the City. By accepting employment with the City, employees agree that the replacement cost for all property damaged, lost or not returned may be deducted from the employee's paycheck without need to file any further legal action against the employee, except to the extent a deduction would reduce pay to an hourly rate below the prevailing minimum wage.

D. *City Communications Equipment*

All City equipment, including electronic communications systems such as e mail, video recording, streaming and voice mail, is the property of the City and is subject to monitoring at any time, with or without further notice, at the sole discretion of management. All City employees are required to comply with the terms of the City's computer and internet use policies, to the extent such are adopted by the Board of Commissioners.

E. *Address and Telephone Number*

Each employee shall provide Human Resources with a current physical address, telephone number, and contact information. The employee shall also provide and maintain a current name and telephone number of an emergency contact. The department and Human Resources must be informed of any change in the above-required data in a timely manner.

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F. Solicitation of Contributions, Memberships, or Business

1. The solicitation of contributions, memberships, or business among employees of the City shall not be permitted on City property during the employee's working time except for those charity drives or employee benefit promotions specifically authorized by the Board of Commissioners. Employees may, with department approval, engage in limited, temporary, passive solicitation such as the temporary posting of a girl scout cookie order form, placement in break area of little league candy box, and the like. However, other forms of direct solicitation, including direct or network marketing, whether for charitable, business or other reasons, is prohibited.
2. Employee organizations, their members, agents, representatives, or persons acting on their behalf are prohibited from soliciting employees during working hours. This section shall not be construed to prohibit solicitation by employee organizations during the employee's lunch period or in such areas not specifically devoted to the performance of the employee's official duties. This provision is not intended to conflict with the provisions of the Florida Public Employee Relations Act and where any conflict is shown, the Act shall prevail.

G. Statements by City Employees to Attorneys, Law Firms, or Others Concerning Employees or City Business

City employees may from time to time be requested or subpoenaed to make a statement to an investigator, an attorney, or a law firm. These statements may be concerned with an actual or contemplated legal action against the City. Employees are not generally authorized to make representations to anyone regarding City business. Therefore, should any employee receive either a request to make a statement or be subpoenaed regarding City business, the employee shall discuss the matter first with his or her department director and, prior to making any oral or written statements, discuss the matter with the City Attorney. Nothing herein should be interpreted as preventing an employee from speaking with his or her own legal counsel regarding personal legal matters, nor from speaking with a representative of a labor association concerning any grievance, mutual aid or concerted activity as protected by Florida Statutes § 447.301, or filing an administrative complaint with any state or federal agency.

H. Media Relations, Requests for Interviews

1. General Policy: The City's official positions and policies are set and communicated to the public by the elected Board of Commissioners and, in certain circumstances such as litigation or administrative matters, the City Manager or City Attorney. However, other City employees may from time to time be asked by various media outlets to provide comments or interviews concerning the City's policies, operations, or other such matters. To ensure that the City's official positions on matters related to the business of the City are communicated to the media in a consistent and informed way, any employee, with the exception of the City Manager or City Attorney or their respective assistants, who receives a request to be interviewed or provide comments concerning City business shall refer the matter to his or her department director or designated media officer for response.

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2. Exceptions: Certain City departments or functions, by their nature, draw frequent media requests for interviews or information. In these circumstances, such as hurricane and other emergency services operations, the department chief or director overseeing the department or function may designate an employee as a “spokesperson” regarding that matter and that employee, once designated, may then provide interviews and information to the media concerning their area of responsibility without the need to obtain individualized prior approval. Such employees should, however, keep the City Administration and, where appropriate Board of Commissioners and the City Attorney informed of interviews or information requests of significant concern.
3. Nothing herein shall be interpreted or applied so as to prevent any employee from the exercise of the personal right to free speech as a citizen, as that right is defined by the federal courts. However, employees in such situations should be clear they are speaking for themselves and refrain from stating or implying that they are speaking for or as representatives of Madeira Beach.

I. Recording Workplace Communications Prohibited

Chapter 934, Florida Statutes, prohibits interception of wire or oral communications by electronic, mechanical or other device without the consent of all parties involved. Recordings related to City business are also public records subject to being retained and inspected. Employees are therefore prohibited from recording any conversations between individuals, whether fellow employees, subordinates or citizens, with or without the permission of all parties, except as otherwise provided by law, as part of an official City broadcast production, as may be authorized by a criminal investigation conducted by law enforcement, or as is authorized by City policies regarding City-owned phones, faxes, radios and computers.

J. Loss of or Failure to Obtain Professional Certification or License

1. Where an employee’s position with the City requires any specific certification, license or other credential, including driver’s license, as a condition of holding that position, the employee is required to obtain and maintain the certification, license or credential, and to provide written proof thereof upon request. An employee who loses or within the provided amount of time fails to obtain the required certification, license or credential for whatever reason, including suspension, revocation, or expiration, has a responsibility to immediately report this fact to his or her department director. Failure to provide timely notice will result in discipline up to termination.
2. Upon timely notification by an employee that he or she has lost or failed to obtain the certification, license or credential, his or her department shall have the following options:
 - (a) Make a reasonable effort to reassign the employee, on a temporary basis, to appropriate and available responsibilities not requiring the certification, license or credential, for a reasonable timeframe up to the subsequent exam/incident follow-up and results notification date to provide continuous employment during his or her efforts to attempt to acquire or obtain reinstatement.
 - (b) Allow him or her to use any available and applicable leave during the allotted timeframe while obtaining reinstatement.
 - (c) Place him or her on a temporary administrative leave of absence without pay not to

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exceed the allotted timeframe.

3. An employee who fails to have his or her certification, license or credential reinstated, or to initially obtain same within the allotted period, may apply for and be considered on a competitive basis for any vacant City position for which he or she is qualified. If the employee is not selected or does not apply for such position prior to expiration of the allotted timeframe, then he or she shall be non-disciplinarily separated for failure to obtain or maintain a necessary job qualification.

K. Searches on City Property

Madeira Beach seeks to provide a safe work environment for all its employees. To that end, the City reserves the right whenever a manager or department director has reasonable suspicion to believe an employee has brought on City premises or work sites alcohol, illegal drugs or controlled substances, or any other illegal or prohibited item, weapon, or stolen property; or has misused City equipment, to search City property including, but not limited to work locations, desks, file or storage cabinets, computer files (including software, hardware, e mail, voice mail, and internet activity), lockers (locked or unlocked), City vehicles and private vehicles parked on City property or being used at the time of search for City business, and all other City equipment.

On a case by case basis, employees may be requested to display personal property for visual inspection. Failure to comply with a search or visual inspection request from supervisory or security personnel will be grounds for discipline. Searches of an employee's personal property, such as purses or briefcases or lunch containers, will take place only in the employee's presence unless an emergency condition exists which would, if confirmed, endanger others or the employee him/herself. Unless circumstances prohibit, a search shall be conducted by a department director or above, with one other member of management also present. Employees who do not wish to subject personal items to possible inspection are strongly advised to leave such items at home.

The City will make every effort to honor the personal dignity of employees during any search but will take appropriate disciplinary action in cases where prohibited items or activities are uncovered, regardless of how such item(s) or activity has been discovered (accidentally or in the process of a search).

L. Employee Arrest or Charge

Employees must inform the City's Human Resources Staff, either verbally or in writing and either personally or via an attorney or family member, etc., within three (3) business days of their being criminally arrested, charged or convicted of any state or federal crime, including for violation of parole or probation. Failure to do so will result in disciplinary action.

M. Use of Tobacco and "e cigarettes"

Use of any tobacco product or e-cigarette (including any "vape" products whether or not they contain nicotine), is prohibited within City owned/leased buildings, including bathrooms and stairwells, except in areas specifically designated and designed for smoking.

N. City Bulletin Boards and Common Areas

The City may from time to time establish and ordain certain display cases, bulletin boards, or the like for the purpose of posting authorized communications to employees and/or the

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public. The purpose of such bulletin boards or display cases is not to create a general speech area but is instead intended to effectively and efficiently communicate information to citizens and employees. Employees are thus prohibited from posting any item not approved by the City Manager, Human Resources Staff, or department heads in advance, and which are not related to City government or City employment. Employees are likewise prohibited from removing any posted notice or item from a City display case or bulletin board unless authorized, and from posting, or facilitating or authorizing anyone else to post any advertisement, notice, solicitation or any other printed materials in, on or along any common area of any City building or facility. Common areas include, but are not limited to, break rooms, entryways, doors, elevators, hallways and parking facilities.

O. Communicable Diseases

The City of Madeira Beach desires to maintain a workplace free from preventable risks of communicable illness or disease. Therefore, all employees of Madeira Beach government are required to properly treat any communicable disease which would present a danger to the health or safety of fellow employees. Employees should, in consultation with their health care providers, take appropriate precautions within the workplace to reduce any infection risks to co-workers. Madeira Beach does not seek to needlessly impose on the medical privacy of its employees and where a communicable disease or illness is adequately managed and treated, the employee need not disclose same to co-workers or the City. However, should the employee desire the assistance of the City in modifying working conditions to prevent risk of transmission, the Human Resources Staff should be consulted and any records generated concerning the medical condition will be treated as confidential as permitted by state and federal law.

P. Inventions and Intellectual Property

Any invention, method, program, publication or other form of intellectual property which is developed by a City employee during work hours or using City equipment or resources, is the property of Madeira Beach. Employees are prohibited from seeking to patent, trademark, service mark, copyright or otherwise register such intellectual property without the prior authorization of the Board of Commissioners.

Q. Letters of Reference

Though all employees have the right to express their personal opinions regarding another current or former co-worker, no employee below the rank of Department Director may write any letter of recommendation, commendation, etc., on City letterhead without the express prior approval of the Department Director or City Manager.

R. Funds Owed by Employees; Debt Collection Calls

Employees may on occasion become indebted to the City. By accepting employment with the City, employees acknowledge and consent to the City's authority to retain or otherwise withhold portions of an employee's compensation (including from a final paycheck) to allow such funds to be recovered by the City except to the extent the deduction would reduce regular pay to an hourly rate below the prevailing minimum wage, or as otherwise prohibited by law. The City does not authorize or permit the use of City communication assets, including phones and e mail systems, to be used to make or receive messages related to debt collection efforts. Employees are not authorized to initiate, receive or forward such communications to any other person, and

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debt collectors violating this policy shall be subject to fines and penalties as provided for by federal and state debt collection practice laws.

S. *Electronic Communications and City Social Media Resources*

1. Employees are prohibited from using City owned devices (computers, tablets, smart phones) for personal use.
2. For those employees of the City who have been provided with computers, tablets, or smart phones that enable them to send and receive electronic mail (email) and access the Internet to assist in the performance of their job duties, the employees are to use these systems for appropriate purposes related to their job duties.
3. The internet may not be accessed at any time to gamble or engage in other illegal activities or to view, display, store, download, transmit, or receive any material that is fraudulent, harassing, sexually explicit, profane, obscene, defamatory, or otherwise unlawful, including offensive material concerning gender, race, color, national origin, religion, age, disability or other characteristic protected by law, regardless of intent.
4. It is the employee's responsibility to make every effort to protect the City's technology resources available to him or her. Each employee is responsible for the use and security of assigned City computers and passwords.
5. City employees must adhere to the following technology use rules in order to protect the City's technology assets and systems/data security:
 - Never write passwords down or share with another individual.
 - **PASSWORDS SHOULD NEVER BE SAVED IN MEMORY!** Do not store your password on your computer.
 - When leaving the desk, an employee must log out or use a password-locked screensaver to obscure the normal display the monitor. This prevents a logged-in system from being accessed by unauthorized individuals, protects you from an email being sent "from you" without your knowledge, protects the information stored on your computer, and also hides the work currently being done from passers-by.
 - When not in use, keep removable storage media and paper documents containing information that should be protected from disclosure in a secure place.
 - Report suspected computer security incidents such as viruses, unauthorized disclosure or inappropriate use to the department director or City Manager.
 - When reviewing emails, if you do not know who the sender of the email is, or the email does not seem to be regarding legitimate City business, do not click on any embedded links. **CLICKING ON EMBEDDED LINKS MAY ALLOW THE CITY'S SOFTWARE AND DATA SYSTEMS TO BE HIJACKED FOR RANSOM**
6. All City departments may use the City's social media tools as outlined in this Policy.

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Social media is a communication channel for distributing information to the public. It is used in addition to existing communication channels such as City newsletters, website, press releases, official documents, etc. The City encourages the use of social media sites and tools to further the goals and vision of the City and the mission of its departments, where appropriate; use of social media is optional and not required. The most appropriate uses of City social media sites are: (1) for time-sensitive and emergency information; (2) as a communication tool for citizen engagement, promotions and marketing; and (3) as a tool to direct citizens and site users to the City's official website.

7. City employees who are not authorized to use the social media tools are not allowed to publish or comment as a representative of the City via social media. All uses of social media shall follow the same ethical standards that City employees must otherwise follow.
8. Employees are expressly forbidden to misuse any social media access privileges in any way, including:
 - a. Using social media accounts for unlawful activities, including violations of copyright law, or for activities that are malicious or have the effect of harassing other users;
 - b. Misrepresenting the City's programs or policies in their communications;
 - c. Publishing confidential information. Examples of confidential information may include unpublished details about projects, private customer data, protected health information, unreleased bid or financial information, private personnel information and other sensitive or classified information. Determination of confidential-natured content is the responsibility of the site topic administrator and their department director.

T. Payment of Final Compensation Upon Employee's Death

- a. Pursuant to Florida Statutes § 222.15, in case of the death of an employee, the City will pay (subject to any withholdings required by law or this Policy) to the spouse, and in case there is no spouse, then to the child or children, provided the child or children are over the age of 18 years, and in case there is no child or children, then to the father or mother, any wages, travel expenses, or leave balances that may be due such employee at the time of his or her death.
- b. An employee may designate, using a form promulgated by the City for that purpose, some other person or entity to which the City will pay payments due upon death. In the event no such designation is made, and the City cannot promptly identify any spouse, children or parents, the City will directly deposit the payment into the employee's account and the employee's estate will address entitlement to the funds.

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1. When it is necessary to allow an employee to carry out assigned job duties, an employee may be required to operate and control City-owned vehicles, or to operate a personally owned vehicle for City business. When possessing a City-owned vehicle for such a reason, employees may only use it during the course and scope of their assigned employment duties, and under no circumstances is the vehicle to be used for personal business or pleasure, whether during duty hours or not. However, employees may make workday deviations to use restrooms or take meal/comfort breaks.
2. An employee driving a City vehicle, or a personal vehicle for City business, must have in his or her possession a valid state driver's license with any required endorsements or classifications.
3. Except when transporting citizens to a City program where transportation in City vehicles is a component of the program, City vehicles will not be used to transport anyone other than City employees unless the person(s) to be transported are directly involved in the provision of City-related services or otherwise involved in City operations.
4. In normal circumstances, City owned vehicles are to be driven over the most direct route. Any out of Pinellas County travel must be pre-approved by the employee's director unless emergency circumstances prevent prior approval.
5. No employee shall operate a City vehicle or personal vehicle on City business when any physical or mental impairment causes the employee to be unable to drive. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of illness, medication or being under the influence of illegal drugs or alcohol.
6. Vehicles driven on City business must be driven in accordance with all applicable traffic and parking laws, including applicable speed limits. Seat belts must be used by vehicle occupants at all times. Each employee shall be personally responsible for any fines or penalties incurred as a result of driving or parking violations while operating a City vehicle.
7. Any accident involving a City-owned vehicle which results in property damage and/or personal injury will be reported without delay to the operator's immediate supervisor, regardless of whether such accident occurs during or after regular duty hours, as well as to the law enforcement agency with jurisdiction over the accident scene.
8. Employees involved in an accident while operating personal or City vehicles on City business will, regardless of fault, be subject to post-accident testing as detailed in Chapter XX of this Policy.
9. Employees assigned a City vehicle for use to and from work shall be responsible for the personal tax liability for the value of this use. Employees using take-home vehicles must record such use when recording their hours in the City's time and attendance system.
10. City vehicles must be maintained in good working order at all times. An employee who observes an apparent safety or equipment defect regarding vehicle equipment should report it to a supervisor immediately and if the vehicle is unsafe, it shall not be driven further.

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Employees who have been assigned a take-home vehicle shall store the vehicle in a safe, secure area at the employee's residence, keep it locked, and shall take all reasonable measures to prevent damage to the vehicle.

11. Employees are on notice that they should avoid bringing valuable personal items into City vehicles. The City will not be responsible for the loss or theft of any personal items from City vehicles, and City vehicles may be inspected or searched at any time at the City's election.
12. Employees who are assigned a City vehicle, or who are using their personal vehicle while on City business, must refrain from speaking on cellular phones while driving the vehicle unless the employee makes use of a "hands-free" device. Employees not using hands-free devices must bring their vehicles to a full stop in a safe location prior to using a cellular phone. Employees shall not text or type on cellular phones while driving.
13. Employees who are assigned a City vehicle, either permanently or on a rotational or pool basis, shall not smoke, or use smokeless tobacco or e-cigarettes (including "vape" products whether or not they contain nicotine) within the vehicle.
14. No City employee shall order, authorize or permit any non-City employee, including contractors and temporary workers, to operate any City vehicle, including cars, trucks, earth-moving equipment, drones or unmanned areal vehicles, all-terrain vehicles, and boats, unless same is absolutely required to respond to an extreme emergency or imminent threat to life or safety and no City employee is available to operate the vehicle.
15. Employees may not use a City owned take home vehicle to engage in personal business while commuting to and from work, including shopping trips, stopping at dry cleaners (other than to pick up or drop off City uniforms), or picking up or dropping off school children.
16. Under Florida law, the City may not be required to cover injuries or damages resulting from use of vehicles by its employees unless such use was in the course and scope of employment. Employees are therefore warned that failure to limit use of City vehicles to such purposes may result in personal financial liability for any such damage or injury to the employee or third persons. To the extent the City Manager determines appropriate, employees being granted use of City vehicles or being instructed to use personal vehicles to conduct City business may be required to execute acknowledgement forms concerning issues of liability.
17. Authorization given to an employee to use a City owned vehicle, whether take home, daily assignment, pool or otherwise, is not and shall not be construed as being a guaranteed benefit or entitled form of compensation to the employee. Vehicles are assigned based on operational needs and budgetary limitations and the City may remove, reassign or decommission any of its vehicles at any time within its discretion.
18. The City Manager is authorized to issue operational procedures which govern the administration of this vehicle policy by the departments.



MINUTES
BOARD OF COMMISSIONERS
REGULAR MEETING
April 2, 2025
6:00 p.m.

The City of Madeira Beach Board of Commissioners held a regular meeting at 6:00 p.m. on April 2, 2025, in the Patricia Shontz Commission Chambers at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida.

MEMBERS PRESENT: Anne-Marie Brooks, Mayor
 Ray Kerr, Vice Mayor/Commissioner District 2
 David Tagliarini, Commissioner District 1
 Eddie McGeehen, Commissioner District 3
 Housh Ghovae, Commissioner District 4

MEMBERS ABSENT: None.

CHARTER OFFICERS PRESENT: Robin Gomez, City Manager - Absent
 Clara VanBlargan, City Clerk
 Andrew Laflin, Finance Director/City Treasurer
 Thomas Trask, City Attorney

1. CALL TO ORDER

Mayor Brooks called the meeting to order at 6:00 p.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE

City Attorney Tom Trask gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

City Clerk Clara VanBlargan called the roll. All were present.

4. APPROVAL OF THE AGENDA

Vice Mayor Kerr motioned to approve the agenda. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"

Commissioner McGeehen	"YES"
Commissioner Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

5. PROCLAMATIONS

Mayor Brooks read a proclamation proclaiming the 56th Annual Professional Municipal Clerks Week as May 4-10, 2025. The City Clerk accepted the proclamation.

6. PRESENTATIONS

There were no presentations.

7. PUBLIC COMMENT

There were no public comments.

8. APPROVAL OF MINUTES

A. 2025-03-12, BOC Regular Meeting Minutes

Commissioner Tagliarini motioned to approve the meeting minutes as written. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

9. CONSENT AGENDA

There were no consent agenda items.

10. PUBLIC HEARINGS

A. Ordinance 2025-01, New Personnel Policy – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-01 by title only:

April 2, 2025, BOC Regular Meeting Minutes

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ORDINANCE 2025-01

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A NEW PERSONNEL POLICY; REPEALING ORDINANCE 2019-13; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said the ordinance includes the changes made at the meeting on March 12. His partner, Rob Eschenfelder, was present to address any concerns of the Board.

Mayor Brooks said there was no public in the audience for public comment.

Vice Mayor Kerr asked if the changes made were highlighted in red. Attorney Eschenfelder said the changes were not made with underlines and strikeouts. He explained the changes as follows:

- On-Call Status – He provided that exempt employees are ineligible for overtime. In the document, he combined IV.C.4, a. and c. The "ineligible for status" language was left because the policy should be clear that an FLSA exempt employee can never be on call, as that term is used for FLSA compensation requirements. The Commission needs to understand that under the FLSA, nonexempt employees are required to be paid for all hours worked and must be paid a premium rate for overtime. They also must be compensated for the time they spend on call waiting to be called to work if such time is spent for the employer's benefit.

Exempt employees are not entitled by law to compensation in excess of their regular salaries, even for on-call time. Under the FLSA, exempt employees must be paid on a salary basis, not hourly. FLSA's regulations provide that additional compensation besides the salary is not inconsistent with the salary basis payment. However, such additional compensation could be a one-time performance bonus for an exceptional project completed.

Payment of exempt employees based on the number of hours they work or are on call typically violates the act's salary basis test. Therefore, awarding exempt employees extra pay, such as on-call pay, could lead to loss of an employee's exempt status and, by extension, to liability to the employer for back overtime pay under the FLSA's two-year lookback period.

- Floating Holidays – They wanted to change the calendar year to a fiscal year. The edit was made.
- Vacation Provision – The Board wanted to change the calendar year to fiscal year and remove the sentence after the chart, "Vacation leave must be used by December 31 of each year." The edits were made.

The Mayor had shared with him that an additional edit was needed to make it consistent with the Board's intent in VII, A, paragraph 3, that accumulated vacation leave will be tracked by payroll. There was a sentence, "If employees do not use their vacation by the end of the calendar year, they shall forfeit their remaining unused leave." That should also have come out. With the Board's motion to approve, that change will be made.

- Degree Program - They wanted to change the reimbursement from 80% to 100%. That edit was made.

Vice Mayor Kerr said he was okay with the clarity on the exempt vs. non-exempt. They talked about changing the calendar year to a fiscal year. He asked if that was what they wanted to do. Mayor Brooks and Commissioner Tagliarini said that was their understanding.

Mayor Brooks said they did not receive the revised personnel policy until that day, so she was unsure if everyone had time to read the comments. She disagreed with the comment regarding allowing the City Manager to determine how long someone would be required to work for the City if the City paid their tuition. She disagreed because the City Manager could show bias or favoritism. He might require one to work one year and someone else three or five years. As a compromise to that and to be a better option, if someone got a bachelor's degree, they would be required to work three years and five years for a master's degree, regardless of who they are. She asked if they could vote to change it now or leave it at one year the way it is written, and the Board will discuss it later and then come back and approve it. Also, since they did not receive the final until today, the City Clerk's office was going through it today and found different things where verbiage was used that might conflict with the city charter, which are not necessarily hugely consequential. Attorney Eschenfelder had given her a brief explanation during their conversation. She asked if they voted on it today, could they still bring it to a workshop along with all the input from the City Clerk's office so that they could address those regarding being consistent with the City Charter. They would just be wordsmithing some things with the charter.

Attorney Eschenfelder said they could do that. It was a multi-year project, and they wanted to get it done. They could adopt the three ordinances tonight. The City Clerk had not shared any comments with him, so he did not have the opportunity to respond tonight. The information the Mayor briefly shared with him, he saw no issues, problems, or concerns. If they need to come back with some particular tweaks, they could come back with a glitch ordinance.

Mayor Brooks said she would like to discuss it at the next workshop. The City Clerk can send them what they find before the workshop so they are all on the same page at the workshop. She wants to move the policy handbook forward because the Civil Service Commission has worked on it for three or four years.

Mayor Brooks said that to be fair to Clara and her office, she was there today to discuss what they got. The City Clerk had shared with her some things they found going through it. She asked the City Clerk to give her the preliminary to use as a conversation tonight so that everyone would know and want to discuss it again.

Commissioner Tagliarini asked for clarification that the City Manager can currently decide how many years a person must work after compensation for education. The Mayor said in the workshop that they discussed making it three years after getting the education and compensation. Commissioner Tagliarini asked what would happen if that did not happen. Would they need to hash it out at the workshop? The Mayor said she would rather keep it at three years, as they discussed at the workshop. And not changing it to say it would be at the discretion of the City

Manager. They could decide what they want to do at the workshop.

Commissioner Tagliarini motioned to adopt Ordinance 2025-01, New Personnel Policy, after second reading and public hearing, with the changes discussed. Vice Mayor Kerr seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

B. Ordinance 2025-02, Amendment to Civil Service Commission Duties and Responsibilities – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-02 by title only:

ORDINANCE 2025-02

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING DIVISION 4 OF ARTICLE III OF CHAPTER 2 OF THE MADEIRA BEACH CODE OF ORDINANCES RELATING TO THE CIVIL SERVICE COMMISSION; PROVIDING FOR CONFLICT, CODIFICATION, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-02 by title only. No changes have been made since its first reading on March 12, 2025.

Mayor Brooks said there was no public in the audience for public comment.

Commissioner Ghovae motioned to adopt Ordinance 2025-02, Amendment to Civil Service Commission Duties and Responsibilities, after second reading and public hearing. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commissioner Ghovae	"YES"
Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Commissioner McGeehen	"YES"

Mayor Brooks

"YES"

The motion carried 5-0.

C. Ordinance 2025-03, Post Termination Hearings, Hearing Officer – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-03 by title only:

ORDINANCE 2025-03

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADDING DIVISION 5 (POST TERMINATION HEARINGS; HEARING OFFICER) TO ARTICLE III OF CHAPTER 2 OF THE MADEIRA BEACH CODE OF ORDINANCES; PROVIDING FOR CONFLICT, CODIFICATION, AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-03 by title only. No changes have been made since its first reading on March 12, 2025.

Mayor Brooks said there was no public in the audience for public comment.

The City Clerk said on the last page of the ordinance that the effective date is January 5, 2025. The City Attorney said he would change it to April 6, 2025 [April 2, 2025].

Commissioner McGeehen motioned to adopt Ordinance 2025-03, Post Termination Hearings, Hearing Officer, after the second reading and public hearing, with the correction. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commissioner McGeehen	"YES"
Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

D. Ordinance 2025-09, Districts – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-09 by title only:

ORDINANCE 2025-09

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AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 110-151 (ESTABLISHMENT OF DISTRICTS) OF CHAPTER 110 (ZONING) OF ARTICLE V. (DISTRICTS) DIVISION 1 (GENERALLY) OF THE CITY'S LAND DEVELOPMENT REGULATIONS; RENAMING THE C-1 ZONING DISTRICT TO JOHN'S PASS VILLAGE ACTIVITY CENTER; REMOVING C-2, JOHN'S PASS MARINE COMMERCIAL ZONING DISTRICT; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-09 by title only. No changes have been made since its first reading on March 12, 2025.

Mayor Brooks said there was no public in the audience for public comment.

Commissioner McGeehen motioned to adopt Ordinance 2025-09, Districts, after second reading and public hearing. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Commissioner McGeehen	"YES"
Commissioner Tagliarini	"YES"
Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

E. Ordinance 2025-10, Accessory Structures – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-10 by title only:

ORDINANCE 2025-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 4 (ACCESSORY STRUCTURES) OF THE CITY'S LAND DEVELOPMENT REGULATIONS TO RENAME THE C-1 TOURIST COMMERCIAL ZONES TO INCLUDE JOHN'S PASS VILLAGE ACTIVITY CENTER; ADD SETBACKS FOR EACH CHARACTER DISTRICT OF JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING; AND REMOVE REFERENCES TO THE C-2 ZONING DISTRICT; PROVIDING FOR CONFLICT, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-10 by title only. No changes have been made since its first reading on March 12, 2025.

Mayor Brooks said there was no public in the audience for public comment.

Commissioner Ghovae motioned to adopt Ordinance 2025-10, Accessory Structures, after the second reading and public hearing. Vice Mayor Kerr seconded the motion.

ROLL CALL:

Commissioner Ghovae	"YES"
Vice Mayor Kerr	"YES"
Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

F. Ordinance 2025-11, Alcoholic Beverages – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-11 by title only:

ORDINANCE 2025-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH FLORIDA, AMENDING CHAPTER 110 (ZONING), ARTICLE VI. (SUPPLEMENTARY DISTRICT REGULATIONS), DIVISION 6. (ALCOHOLIC BEVERAGES) OF THE CITY'S LAND DEVELOPMENT REGULATIONS; PROVIDING FOR JOHN'S PASS VILLAGE ACTIVITY CENTER ZONING DISTRICT REGULATIONS; PROVIDING FOR PLANNED DEVELOPMENT ZONING DISTRICT REGULATIONS; REMOVING REFERENCES TO C-2, JOHN'S PASS MARINE COMMERCIAL; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-11 by title only. Between the workshop and the first reading, the ordinance was changed. A change related to the PD zoning district was made. Some language was added at the top of page 261 of the packet, at the end of subparagraph (e):

(e) PD Zoning District

(1) Properties that are rezoned to the PD Zoning District have the same restrictions for alcoholic beverages as the zoning district prior to rezoning to PD Zoning District "unless otherwise specified at the time of PD Zoning adoption."

Mayor Brooks said there was no public in the audience for public comment.

Commissioner Tagliarini motioned to adopt Ordinance 2025-11, Alcoholic Beverages, after the second reading and public hearing. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"YES"
Vice Mayor Kerr	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

G. Ordinance 2025-12, Amendment to the Fees and Collection Procedures Manual – 2nd Reading and Public Hearing

City Attorney Tom Trask read Ordinance 2025-12 by title only:

ORDINANCE 2025-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, ADOPTING A REVISED APPENDIX A. – FEES AND COLLECTION PROCEDURES MANUAL OF THE CODE OF ORDINANCES OF CITY OF MADEIRA BEACH, FLORIDA, TO PROVIDE FOR THE MODIFICATION OF HOURLY RATES AND ROOMS AVAILABLE FOR RENT WITHIN THE RECREATION CENTER AND CITY HALL AND REWORD THE REFERENCE TO SALES TAX COLLECTED THEREFOR; REPEALING ORDINANCE 2025-08; PROVIDING FOR CONFLICT, CODIFICATION AND SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

The City Attorney said it was the second and final reading of Ordinance 2025-12 by title only.

Mayor Brooks said there was no public in the audience for public comment.

Vice Mayor Kerr motioned to adopt Ordinance 2025-12, Amendment to the Fees and Collection Procedures Manual, after the second reading and public hearing. Commissioner Tagliarini seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Tagliarini	"YES"
Commissioner Ghovae	"YES"
Commissioner McGeehen	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

11. UNFINISHED BUSINESS

There was no unfinished business.

12. CONTRACTS/AGREEMENTS

A. Automated Side Load Garbage Truck Lease Agreement

Public Works Director Megan Wepfer reviewed the item. It is for a 13-month lease for a side-load garbage truck from RDK. No changes have been made since the previous meeting.

Mayor Brooks said there was no public in the audience for public comment.

Vice Mayor Kerr motioned to approve the 13-month Automated Side Load Garbage Truck Lease Agreement for \$8,500 from RDK Trucks. Commissioner Ghovae seconded the motion.

ROLL CALL:

Vice Mayor Kerr	"YES"
Commissioner Ghovae	"YES"
Commissioner McGeehen	"YES"
Commissioner Tagliarini	"YES"
Mayor Brooks	"YES"

The motion carried 5-0.

B. Public Works / Satellite Building Change Order

Director Wepfer explained that an error occurred. The change order is to add the architectural and structural engineering services not included in the original approval. It is in addition to the previously approved contracted amount.

Mayor Brooks said there was no public in the audience for public comment.

Commissioner Ghovae said he did not favor the development for two reasons. One reason is that

the real estate is extremely valuable, not just in terms of the cost but also in terms of location and what it can offer regarding water works, boating, future growth, and anything associated with the bay and the Gulf. The other reason is that the engineering and architectural costs are excessive. They should not be that high.

Vice Mayor Kerr said he agreed with Commissioner Ghovae 100%. There were multiple opportunities, although they lost those opportunities, to buy property for much less than the \$2 million for the building construction. It should not go there, and he opposed it from the beginning.

Commissioner Tagliarini said if they are going to prioritize and value their public works, which provide services for the City, he does not believe they should be cramming them in different corners throughout the City. It is a great location, and he supported it.

Commissioner Tagliarini motioned to approve the Public Works / Satellite Change Order with Pennoni to include Task 3 and 4 for an additional \$88,610. Commissioner McGeehen seconded the motion.

ROLL CALL:

Commissioner Tagliarini	"YES"
Commissioner McGeehen	"YES"
Commissioner Ghovae	"NO"
Vice Mayor Kerr	"NO"
Mayor Brooks	"YES"

The motion carried 3-2.

13. NEW BUSINESS

There was no new business.

14. AGENDA SETTING - 6:00 p.m., April 16, 2025 BOC Regular Workshop (BOC Budget Workshop, 4:00 p.m.)

- A. Master Plan
- B. 2025 Local Mitigation Strategy
- C. RFP No. 25-05, Area 3 Drainage & Roadway Improvements

Mayor Brooks said the City Manager is not at the meeting, but he did send them an email with additional items to add.

- John's Pass Dredging Update
- Boca Ciega Street End Update
- Court of Honor Update
- Archibald Park Update

- Post Storm Updates
- 2024 Audit Presentation

Mayor Brooks added:

- BOC Policy Handbook—Discuss adding a section on the order of business agenda for BOC regular meetings in the BOC Policy Handbook to address citizen comments received at the meeting. She would like it to be discussed and added so they can vote on it at their next regular meeting.
- Tom and Kitty Stuart Park
- Key to the City and Awards Procedure

Vice Mayor Kerr said at a recent meeting that Chuck Dillion came to the podium and said that permitting was not free. The Mayor said Mr. Dillion came into City Hall afterward and clarified that he spoke of impact fees, not building permit fees. The City Manager would probably include capturing permit fees for people who purchased homes after the storms on the workshop agenda because some fell through the cracks.

Vice Mayor Kerr said at a previous workshop that they discussed the impact fees and what should be done to eliminate them. It was a long process, but if it never starts, it will never end. Mayor Brooks said they can discuss it again, but impact fees are intended for homeowners who increase the square footage of their house. They can have that continued discussion. Vice Mayor Kerr said they cannot do that without increasing the home's square footage.

Commissioner Ghovaee said he had spoken with Senator DiCeglie and Representative Cheney regarding the Keys to the City. He will make sure there is a nice write-up about what they did for them during that presentation. They said they would be there to accept the keys after the Florida Legislative Session.

Mayor Brooks said they will set the criteria for who qualifies to get a key at their next workshop. The City Attorney provided them with great examples. Understanding what he sent would be in the community's best interest. Whatever decision is made at the workshop, the City Attorney can write a resolution for them to approve the procedure.

Commissioner Ghovaee said he had spoken with FDOT about 150th Avenue. The milling and resurfacing of 150th Avenue are under their radar, and they will also improve the bridge down the road. Both items are on FDOT's list.

15. REPORTS/CORRESPONDENCE

A. Board of Commissioners – 2025 BOC Meeting Schedule

Commissioner Tagliarini said he would be on vacation for three weeks and miss the June 25th workshop meetings. Mayor Brooks said he could watch the workshop meetings and come prepared to vote at the regular meeting.

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B. Board of Commissioners Meetings Report

The City Clerk commented on the Board of Commissioners Meeting Report. She will update it after each meeting, and they will have an annual report at the end of the year. The Board thanked the City Clerk and said it was helpful.

C. City Attorney

The City Attorney said they are still working hard to get the settlement agreement language. There are many moving parts and many different people involved, such as insurance companies and defendants, in the litigation for the fire station. They have boiled down to one last thing: some language in the agreement portion that Crowther Roofing has to deal with the roof issue. The attorney representing the City, Brett Henson, wanted the agreement on the agenda for the Board's consideration tonight but was told he was uncomfortable with it not being a complete settlement agreement. The hope is to put it on the next regular meeting for approval if it is complete, so there is nothing that will fall through the cracks.

D. City Clerk's Report – April 2025

The City Clerk reviewed the item and said she included a roster listing all the City of Madeira Beach City Clerks dating back to 1947, the roles and responsibilities of the City Clerk today, and the history of Municipal Clerks. She is working on the City Manager Roster for the next report.

E. City Manager

The City Manager was not present at the meeting.

Commissioner McGeehen thanked Recreation Director Jay Hatch for his amazing job on the recent Captain's Dinner event and the Seafood Festival, which were a great success. The Mayor said she was waiting to see the final numbers because of the number of people. The weather was fantastic. It would be interesting to see the feedback from attendees and the stores in John's Pass and get the amount of parking revenue and sales that they did.

16. ADJOURNMENT

Mayor Brooks adjourned the meeting at 6:43 p.m.

Anne-Marie Brooks, Mayor

ATTEST:

Clara VanBlargan, MMC, MSM, City Clerk
April 2, 2025, BOC Regular Meeting Minutes

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From: [Paulson, Karen](#)
To: [Powers, Megan](#)
Cc: [VanBlargan, Clara](#); [Cade, Patrick](#)
Subject: handbook clarifications
Date: Thursday, April 10, 2025 11:48:49 AM

These are questions or statements I just want clarity on? Some may just be yes or no answers and some are just corrections. I'll be on vacation so hopefully the Attorney can reply back to me.

- IV.D,6, No more emergency pay for exempt employees correct?
- IV.D,6, No more Admin time for non-exempt employees during emergency conditions correct?
- V.C,6,a, Reclassifications take effect on first day of next pay period correct?
- VI.A.1, Holidays do not count towards OT correct?
- VI.A.4, is this referring to a whole day of any part of the day before or after a holiday?
- VI.A.9. there's no mention that part-time receiving 4 hours holiday pay which they currently do now.
- VI.B.12,b – OPS and part-time are not eligible for floating holidays.
- VI.B.14,c – Floating holidays do not count towards OT correct?
 - Do we lose the current floating holiday accruals by Sept. 30 and accrue new ones on Oct. 1?
- VII.A.1, – Why would floating holidays have to be taken or scheduled by July 1?
 - VII.A.3,– Does the refer to excess accrual hours?
 - Will vacation leave (or as we call it Annual Leave) count towards OT (Yes/No?)
- The only payout after July 1st will be when someone leaves they get paid out their Annual Leave correct?
- VII.A.6, – The city does payout annual leave from DROP participants, it just does not get reported to FRS as that payout is not eligible to be considered as part of their DROP salary.
- VII.A.9, – Is this referring to all vacation leave or just excess vacation leave?
- VII.B.5, – Sick leave earned is credited at the end of the month not at the end of each pay period.
- VII.D.1b, – Bereavement leave does not count towards OT?
- VII.E.4, – Military leave does not count towards OT?
- VII.E.8, – Veterans leave does not count towards OT?
- VII.H.4, – City does not provide STD Insurance.
- VII.I.2, – Domestic leave doesn't specify (like the other leaves do) whether it counts towards OT or not.
- Heading on Page 127-134 – The title at the top of the page (referring to city vehicle use XXV1) is mislabeled and should start on page 134, not 127 (after Miscellaneous Policies)
- Somewhere it should state that everything in the handbook refers to fiscal year.

Sincerely,

Karen Paulson
Payroll/Financial Coordinator
City of Madeira Beach
727-391-9951, ext. 222



Disclaimer: Under Florida law (Florida Statute 668.6076), email addresses are public records. If you do not want your email address released in response to a public records request, please do not send electronic mail to the City of Madeira Beach. Instead, contact the appropriate department/division.

4/2/2025 Personnel Policy, Rules, and Procedures Manual

Page I-6.D.3. 1st sentence:

“Assistant City Manager” should be changed to “Acting City Manager.”

B. Acting City Manager. By letter filed with the City Clerk, the City Manager shall designate,

Page IV-6.C.6. Certifications and degrees

Subsection 6. should be deleted. It is covered in Section XXI “Professional Development.”

Page VI-2B.14.a.

Add “Floating holidays are awarded on October 1 annually.”

Page VII-3.A.1.

Remove the last sentence, “Floating holidays must be taken or scheduled by July 1st of each year.”

Page VII-4.A.8.

Should “payroll calendar year” be changed to “fiscal year”?

Page VII-4.A. 9.

Change “Paternity/Maternity Leave” to “Maternity/Paternity Leave”

Page VII-8.B.a.

Change “am” to “an”

Page VII-8B.b.

Change “July 1st” to “September 30th”

Page VII-10.D.a.

Wordsmith because the deceased could be brought to Florida for burial/memorial

Page VII-22.K.4. 1st sentence:

Remove “(Board of Commissioners)”

Page XII-4.C.4.

Change “twent (20)” to “twenty (20)”

Page XXVI-1 through Page XXV-7

Change the Header on each page from “XXVI. USE OF CITY VEHICLES & USE OF PRIVATE VEHICLES FOR CITY BUSINESS” to “MISCELLANEOUS POLICIES”

Page XXVI-8 and Page XXVI-9

Change the page numbers to read “XXVI-1” and “XXVI-2”

City Clerk's Office Comments

4/2/2025 Personnel Policy, Rules, and Procedures Manual

1. Front cover of personnel policy:

- Change “Ordinance 25-01” to “Ordinance 2025-01”
- Change effective date “April 6th, 2025” to “April 2, 2025,” the ordinance's effective date was changed to April 2, 2025, the date of adoption.

2. **Not clear about this one. Page 1-2, - I. Employment, A. Non-Temporary (Regular)**

Employment, 8. - No employee may begin activities associated with working for the City, including engaging in post-offer screening activities, until the candidate signs, electronically or otherwise, a conditional offer of employment. No term or condition of employment, including matters of pay, **bonuses**, expense reimbursement, or other similar matters, shall be effective unless included within a conditional offer of employment.

- **Page IV-4, – IV. Pay Hours of Work and Workweek, C. Pay Eligibility, 1. Extra Hours. b. Exempt Employees** - For purposes of this Policy, exempt employees are paid on a salaried basis and are expected to work the hours necessary to accomplish assigned duties and responsibilities. **Paid extra hours are only to be considered under the terms of an approved performance bonus plan.**
- **Page IV-7, IV. Pay Hours of Work and Workweek, D. Work Time Records and Emergency Conditions, 6. Pay for Work During Declared Emergency. – 2nd Paragraph.** - For all employees in positions classified as FLSA exempt, such employees **will receive no additional compensation** for any hours worked during any declared emergency. FLSA non-exempt employees shall receive overtime at 1.5 times their regular hourly rate of pay for any hours worked in excess of 40 hours in a work week during any declared emergency regardless of what non-emergency hours he or she may have worked during any given work week and regardless of what specific work assignment such employee is given during the emergency period.

3. **Page 1-2, I. Employment. A. Non-Temporary (Regular) Employment, 10.** For purposes of this Policy, the term “at-will” or “serving at-will” shall mean that employees holding positions **designated** by the **Board of Commissioners** as such serve at the will and pleasure of the City Manager, and includes, but is not limited to, all deputy or assistant city managers and directors. All employees directly reporting to the City Manager shall be deemed as “director” for purposes of this Policy notwithstanding their actual title. Absent City Charter or contract terms to the contrary, the City Manager, City Clerk, City Treasurer, and City Attorney serve at the will and pleasure of the Board of Commissioners subject only to the terms of any employment contract to the contrary.

- Should “Board of Commissioners” in the first sentence be changed to “**City Manager?**” The City Manager designates and appoints the administrative officers who serve at the will and pleasure of the City Manager. The Board of Commissioners does not approve the City Manager’s designations, only the “Acting City Manager” designation.
- Should “acting city manager” be added in the last sentence? “By letter filed with the City Clerk, the City Manager shall designate, **subject to the approval of the Board of Commissioners**, a qualified City administrative officer **to exercise the powers and perform the administrative duties of the Manager during an extended temporary absence or debilitating disability** (city charter, 5.4. B.). The Board of Commissioners approves the City Manager’s designation of the administrative officer to serve as the “acting city manager.” When an “acting city manager” is serving in the absence of the city manager, would the “acting city manager” serve at the will and pleasure of the Board of Commissioners until the city manager returns to work?
- **City Charter 5.4, B**

B. *Acting City Manager.* By letter filed with the City Clerk, the City Manager shall designate, subject to approval of the Board of Commissioners, a qualified City administrative officer to exercise the powers and perform the administrative duties of Manager during an extended temporary absence or debilitating disability. In the event the City Manager fails, or is unable, to make such a designation, the Board of Commissioners by resolution may appoint a qualified City administrative officer to serve in the extended absence or incapacity of the City Manager. The Board of Commissioners may revoke the City Manager's designation at any time and appoint another officer of the City to serve until the City Manager shall return to duty.

4. **Page I-6. – I. Employment. D. Employment of Relatives (Nepotism). 3.** - For purposes of this Section only, public official, hereinafter referred to as "official," shall include, but not be limited to, Commissioners, the City Manager, assistant City Manager, City Clerk, City Attorney, City Treasurer, department directors, assistant directors, managers, supervisory employees and any other City employee authorized to make employment-related recommendations or decisions, whether the official is elected, contracted, appointed, or hired.
 - Should “Acting City Manager” be named in the list of officials?
5. **Page II-10. – Personnel Files. B. Access to and Retention of Official Personnel Files.**
 - Official personnel files must be retained for a length of time determined by the State of Florida Bureau of Archives and Records Management. **This period is currently twenty-**

five (25) years following the employee's effective date of separation from City employment. Because of the permanency of such records, department directors must carefully review documents to determine their necessity before requesting entry to the "official" personnel file. The City Manager, in consultation with the City Attorney as needed, is authorized to develop administrative procedures concerning the proper storage of, and access to, records, including medical files, of current or former employees.

- Currently, some employees are in FRS and others are in the IIMC Retirement System. – It would be better to remove the sentence stating the 25 years. It could be 25 years or 50 years, depending on the retirement system the employee is a member of.

PERSONNEL RECORDS: STATE-ADMINISTERED RETIREMENT SYSTEM

Item #19

This record series consists of all personnel information relating to each employee participating in a state-administered retirement system. The series may include, but is not limited to, employment applications, résumés, personnel action reports, correspondence, oaths of loyalty, fingerprints, job-related medical examination reports, performance evaluation reports, workers' compensation reports, copies of I-9 forms (Department of Homeland Security, U.S. Citizenship and Immigration Services, Employment Eligibility Verification form), benefits records, work schedules/assignments, training records, emergency contact information, copies of licensure/professional credentials, and other related materials. Section 110.201, *Florida Statutes*, Personnel rules, records, and reports, and Rule 60L-30, *Florida Administrative Code*, Personnel Programs and Records, require state agency personnel officers to institute uniform personnel rules and procedures and to determine what records are to be filed in their agency's official personnel files. Agencies should ensure that any records needed beyond the stated retention to calculate post-employment benefits are retained. See also "DRUG TEST CASE FILES," "EMPLOYMENT APPLICATION AND SELECTION RECORDS," "EMPLOYMENT ELIGIBILITY VERIFICATION FORMS," "STAFF ADMINISTRATION RECORDS," and other "PERSONNEL RECORDS" items.

RETENTION: 25 fiscal years after any manner of separation or termination of employment

PERSONNEL RECORDS: NON-STATE-ADMINISTERED RETIREMENT SYSTEM (LOCAL GOVERNMENT)

Item #162

This record series consists of all personnel information relating to each employee not participating in a state-administered retirement system, including all "permanent" employees (with or without benefits). The series may include, but is not

limited to, employment applications, résumés, personnel action reports, correspondence, oaths of loyalty, fingerprints, job-related medical examination reports, performance evaluation reports, workers' compensation reports, copies of I-9 forms (Department of Homeland Security, U.S. Citizenship and Immigration Services, Employment Eligibility Verification form), benefits records, work schedules/assignments, training records, emergency contact information, copies of licensure/professional credentials, and other related materials. Agencies should ensure that any records needed beyond the stated retention to calculate post-employment benefits are retained. See also "DRUG TEST CASE FILES," "EMPLOYMENT APPLICATION AND SELECTION RECORDS," "EMPLOYMENT ELIGIBILITY VERIFICATION FORMS," "STAFF ADMINISTRATION RECORDS," and other "PERSONNEL RECORDS" items.

RETENTION: 50 fiscal years after any manner of separation or termination of employment.

6. Page IV-6. Pay, Hours of Work and Workweek, C. Pay Eligibility, 6. Certifications and Degrees. Paragraph 6. Certifications and Degrees

Paragraph 6 does not belong in this section. The same or similar information is referenced on Pages XXI-1 and XXI-2, Professional Development, which the Board of Commissioners discussed and changed at first reading.

7. Page VI-2. – VI. Holidays. B. Listing of Holidays. 14. Floating Holidays. A. - Floating holidays are to be taken during the **year in which they are awarded. Failure to use available floating holidays by the end of the fiscal year will result in those days being lost.**

- To be clearer, to address when floating holidays are awarded, could the first sentence be changed to “**Floating holidays are awarded at the beginning of the fiscal year.**” Floating holidays are currently awarded in January of the fiscal year. If they must be taken by the end of the fiscal year, it only gives nine months to take the floating holidays if awarded in January.

8. Page VII-4 – VII. Leaves of Absence, A. Vacation Leave; Maternity/Paternity Leave,

9. - Notwithstanding the requirement to use vacation leave by the end of the fiscal year or forfeit same, in recognition of the change in the City’s prior “buy out” policy, employees may receive a one-time payout of accrued vacation leave until July 1st 2025.

To be clearer, could the sentence be changed to, “Notwithstanding the requirement to use **the** vacation leave **in excess of the accrued amount allowed shown in the above chart** by the end of the fiscal year or forfeit same, in recognition of the change in the City’s prior “buy out” policy, employees may receive a one-time payout of accrued vacation leave until July 1st 2025.

9. Page VII-4 – VII. Leaves of Absence, A. Vacation Leave; Maternity/Paternity Leave,

10. – In paragraph 10, should “**Paternity/Maternity Leave**” be changed to “**Maternity/Paternity Leave**,” the same as the section title?

10. Page VII-10. – VII. Leaves of Absence. D. Bereavement Leave. 1. A. - Bereavement leave may be authorized (excluding holidays if scheduled to work the holiday) for up to three (3) scheduled workdays (five (5) days if the deceased family member lived outside of Florida).

Will five days of bereavement leave be given if the deceased person lived outside the state but was brought back to Florida for service and burial?

11. Page VII-22 – VII. Leaves of Absence. K. Family and Medical Leave Act of 1993

(FMLA). 4. Spouses Working for the Same Employer. – If both spouses work for the same employer (**Board of Commissioners**), the combined leave shall not exceed 12 weeks in the 12-month period, if the leave is taken:

Does Paragraph 9 only apply to charter officers that work directly for the Board of Commissioners, or should Board of Commissioners be changed to “City of Madeira Beach?”

JOHNS PASS DREDGING

JUNE 2022 – APR 2025

PURPOSE

To dredge a section of the John's Pass channel/waterway, more specifically an approximate 1.6 acres area on the northern side of the channel/waterway adjacent to a FDOT right-of-way, City property, and private property to remove/alleviate sedimentation likely attributed to alongshore sediment transport of sand moving north to south which becomes entrained via tidal currents along the updrift bank of the inlet.

ACTIONS

June 2022 City officials notified the Florida Legislature appropriated just over \$1.5 million to help fund the project.

Oct 2022 City contracts with Aptim Environmental (the Pinellas County coastal contractor) to manage the project specifically to obtain all requisite permits and assist with bid issuance.

Jan - Feb 2023 Aptim staff meet with the Florida Department of Environmental Protection (FDEP) and US Army Corps of Engineers, USACE, representatives (pre-planning) to discuss and review permit application requirements. Aptim also communicated with FDOT throughout the middle of 2023 as the project will occur within State DOT right-of-way.

May 2023 Aptim submits FDOT permit application.

Dec 2023 FDOT approves State right-of-way permit with the DEP and USACE permits now able to be applied for by Aptim.

Mar 2024 FDOT permit received by Aptim. Issuance delayed due to impacts of Hurricane Idalia.

Mar 2024 City requests extension of the State appropriation funding through June 30, 2025 (can be extended through Dec 31, 2025).

July 2024 Aptim submits all remaining completed permits to the USACE and the FDEP.

- Why is it almost a year and half to submit?

- The FDOT permit was required to move forward with FDEP and USACE permitting as stated during the pre-application meetings. Neither agency was willing to issue a permit until FDOT approved of the project due to concerns about bridge infrastructure. Permit drawings, final design, analysis of impacts to the coastal system, environmental investigations, and permit applications were finalized and submitted between December 2023 and July 2024; however, specific permit conditions were needed to complete final design.

Aug-Sep 2024 Follow-up comments received from USACE and FDP requesting additional information

Dec 2024 Temporary access and construction easement obtained from private property owner adjacent to proposed dredging area USACE and FDEP

Jan 2025 FDEP on-site visit to John's Pass proposed dredging area. Aptim replies to USACE and FDEP requests for additional information

- Why did this take 4 months to respond?

- **APTIM needed clarification on the FDEP and USACE request for additional information (RAI)**
- **APTIM reached out to FDEP on 8/20/24.**
 - **Heard back from FDEP on 8/30/24 and a meeting was set up for 9/9/24.**
 - **Additional information regarding easement requirements was requested by APTIM on 9/9/24.**
 - **Information was provided by FDEP to APTIM regarding the need for an easement on 10/1/24.**
 - **A meeting was held with the City regarding procuring an easement for the RAI on 12/3/24.**
 - **FDEP required a site visit as criteria for response to RAI; APTIM requested site visit, but FDEP arranged for what would be the passage of Hurricane Helene. Site visit was rescheduled but delayed again due to impacts from Hurricane Milton. Final date coordinated based upon FDEP schedule was 1/14/25.**
- **APTIM reached out to USACE on 9/5/24, 9/19/24, and 10/14/24 to discuss the RAI.**
 - **Heard back from USACE on 10/22/24 and meeting was set up for 10/28/24.**
- **Why no request for confirmation?**
 - **We will request confirmation for future RAI responses. We are told by the FDEP to wait 21 days after submittal until follow-up as review timeline courtesy and 28 days for the Corps as that is their standard review timelines.**

Feb 2025 FDEP replied on Feb 18 requesting additional information (due w/in next 30 days) involving construction plans, water quality standards, and disposal and dewater processes, as well as possible additional comments from state agencies, FWC and Water Resource Management.

Feb-Mar 2025 USACE continues information reviews

Expected replies from USACE and FDEP to occur within 30-60 days. Upon receipt of permits, bid issued shortly after to schedule to complete the dredging by summer 2025.

- Follow up on February 14, 2025 –
 - **Why did you wait over 3 weeks to follow up**
 - **We are told by the FDEP to wait 21 days after submittal until follow-up as that is their standard review timelines.**
- Follow up on March 13, 2025 –
 - **Why did you wait 4 weeks to follow up**

- **APTIM followed up with the USACE on 2/14/25 and 3/3/25, and the USACE responded on 3/13/25.**
- **We are told by the USACE to wait 28 days after submittal until follow-up as that is their standard review timelines.**
- Has confirmation from the March 13 submittal been received from USACE?
 - **Yes, the USACE has received the RAI response.**
- If no confirmation what are you doing to move this project forward?
 - **A meeting was held between APTIM and USACE on 3/20/25 to discuss the RAI response.**
 - **An additional RAI was received from FDEP on 2/18/25.**
 - **APTIM reached out regarding a meeting on 2/19/25.**
 - **A meeting was held between APTIM and FDEP on 3/5/25.**
 - **Additional clarification from FDEP regarding mitigation and best management practices is pending.**

Aptim followed up with FDEP and USACE on March 21 and April 7, 2025, on the additional information submitted to both agencies. USACE replied on April 7, 2025, I will let you know. There may be additional information required after the Corps receives comments from the resource agencies. No reply from FDEP as of Wed, Apr 9, will follow-up prior to Apr 16 meeting.

March 28, 2025

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

We have audited the financial statements of City of Madeira Beach, Florida (the City) as of and for the year ended September 30, 2024, and have issued our report thereon dated March 28, 2025. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit

As communicated in our engagement letter dated September 25, 2024, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of the system of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the system of internal control of the City solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our findings regarding significant control deficiencies over financial reporting and material noncompliance, and other matters noted during our audit, if any, in a separate letter to you dated March 28, 2025.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, and our firm have complied with all relevant ethical requirements regarding independence.

Significant Risks Identified

Professional standards require that we, as auditors, identify significant risks that impact the audit based upon the nature of the organization and design our audit procedures to adequately address those risks. As part of the audit process, we have identified the following significant risks, which are being communicated solely to comply with auditing standards and do not represent any specific finding and/or concerns related to the audit:

- Override of internal controls by management
- Improper revenue recognition due to fraud
- Improper use of restricted resources

Our audit was designed to adequately address the above risks and no issues were noted that impacted our ability to render an opinion on the financial statements.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by the City is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2024. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Significant Accounting Estimates and Related Disclosures

Accounting estimates and related disclosures are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments.

The most sensitive accounting estimates affecting the financial statements are:

Management's estimate of the allowance for doubtful accounts was based on a percentage of unbilled sanitation, stormwater, and utility revenues, and an analysis of the collectability of individual accounts. We evaluated the key factors and assumptions used to develop the fair value estimate and determined that it is reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Management's estimate of the net amounts due from other governments are based on the costs incurred from the flood hazard mitigation projects. We evaluated the key factors and assumptions used to develop the receivable in determining that it is reasonable in relation to the financial statements taken as a whole.

Management's estimate of the useful lives for depreciation was based on past history within each capital asset class. We evaluated the key factors and assumptions used to develop the fair value estimate and determined that it is reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Management's estimates of the net pension liability and the total OPEB liability were based on actuarial factors and were calculated by actuaries independent of the City. We evaluated the key factors and assumptions used to develop the fair value estimate and determined that it is reasonable in relation to the basic financial statements taken as a whole and in relation to the applicable opinion units.

Financial Statement Disclosures

Certain financial statement disclosures involve significant judgment and are particularly sensitive because of their significance to financial statement users. The most sensitive disclosures affecting the City's financial statements relate to:

The Long-term Liabilities note summarizes the City's long-term debt obligations, including future debt service payments.

The Employees' Retirement Plans note summarizes the basic information regarding the City's net pension liability.

Significant Unusual Transactions

There were no significant unusual transactions identified as a result of our audit procedures that were brought to the attention of management and required to be communicated to you.

Identified or Suspected Fraud

We have not identified nor have we obtained information that indicates that fraud may have occurred.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. A summary of the uncorrected misstatements of the financial statements follows:

- None noted.

In addition, professional standards require us to communicate to you all material, corrected misstatements that were brought to the attention of management as a result of our audit procedures. The following list summarizes the material, corrected misstatements that have been recorded by management:

- To record approximately \$1,333,000 from capital improvement current year expenditures to prepaid expenses for the Beach Groin project

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to the City's financial statements or the auditors' report. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditor's Report

There were no circumstances that arose during the course of the audit that affect the form and content of our auditor's report.

Representations Requested from Management

We have requested certain written representations from management, which are included in the management representation letter dated March 28, 2025.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with the City, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as the City's auditors.

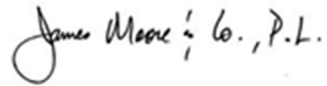
Other Information Included in Annual Reports

Pursuant to professional standards, our responsibility as auditors for other information in whether financial or nonfinancial, included in the City's annual reports does not extend beyond the information identified in the audit report, and we are not required to perform any procedures to corroborate such other information. However, in accordance with such standards, with respect to the supplementary information accompanying the financial statements, we have: made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

Our responsibility also includes communicating to you any information which we believe is a material misstatement of fact. Nothing came to our attention that caused us to believe that such information or its manner of presentation, is materially inconsistent with the information, or manner of its presentation, appearing in the financial statements.

This report is intended solely for the information and use of the City Commission and management of the City of Madeira Beach, Florida, and is not intended to be and should not be used by anyone other than these specified parties.

Respectfully,

A handwritten signature in black ink that reads "James Moore & Co., P.L.". The signature is written in a cursive, slightly stylized font.

JAMES MOORE & CO., P.L.

CITY OF MADEIRA BEACH, FLORIDA
ANNUAL COMPREHENSIVE FINANCIAL REPORT
FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2024



Prepared By: City of Madeira Beach Finance Department

**CITY OF MADEIRA BEACH, FLORIDA
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SEPTEMBER 30, 2024**

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**CITY OF MADEIRA BEACH, FLORIDA
PRINCIPAL CITY OFFICIALS
SEPTEMBER 30, 2024**

Mayor and Board of Commissioners:

Mayor – Anne-Marie Brooks

District 1 – David Tagliarini

District 2 – Ray Kerr

District 3 – Eddie McGeehen

District 4 – Housh Ghovae

City Officials:

City Manager – Robin Gomez

City Clerk – Clara VanBlargan, MMC, MSM

City Attorney – Thomas Trask, Esq.

City Treasurer – Andrew Laflin, CPA

City officials in place as of financial statement date



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Madeira Beach, Florida 33708
(727) 391-9951
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Item 5C.

March 28, 2025

Honorable Mayor,
Members of the Board of Commissioners, and
Citizens of the City of Madeira Beach, Florida

The Annual Comprehensive Financial Report (ACFR) of the City of Madeira Beach for the fiscal year ended September 30, 2024, is hereby submitted. In addition to meeting legal requirements of the City Charter, Florida Statutes and the Rules of the Auditor General of the State of Florida, the report continues to present the City's tradition of full financial disclosure. The Annual Comprehensive Financial Report represents the official report of the City's financial position and operations to the citizens, Board of Commissioners, rating agencies, bond holders and other interested parties.

Responsibility for the accuracy of the data and the completeness and fairness of presentation, including all disclosures, rests with the City. Management believes the data as presented is accurate in all material respects; that the report is presented in a manner which fairly illustrates the financial activity of the various funds; and that all disclosures necessary to enable the reader to gain a complete understanding of the City's financial activities have been included.

Profile of the Government

The City of Madeira Beach originally began as a fishing village. Located on a barrier island at John's Pass with direct access to the Gulf of Mexico, Madeira Beach connects to the mainland near St. Petersburg by a free causeway and to the other barrier islands by bridges. The City was incorporated in 1947 with a Council-Manager form of government. The City's resident population is 3,999, complemented by a visiting population of over 18,000 annual tourists during the winter months.

The City of Madeira Beach provides a traditional range of services, including fire protection and emergency medical service; maintenance of parks, streets and other infrastructure; stormwater and sanitation collection services; a municipal marina; and recreational programs and events. The City contracts with the Pinellas County Sheriff's Office for law enforcement. Pinellas County provides potable water, sanitary sewerage, solid waste disposal and treatment, and criminal justice systems.

Accounting Systems and Internal Control

To provide a reasonable basis for making the financial presentations, management maintains an internal control structure that provides reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition; that transactions are executed in accordance with management's authorization; and that transactions are recorded properly to facilitate preparation of financial statements in accordance with generally accepted accounting principles (GAAP). The concept of reasonable assurance recognizes that: (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management. We believe the City's

internal accounting controls adequately safeguard assets and provide reasonable assurance of proper recording of financial transactions.

Pursuant to the City Charter, Florida Statutes Chapters 11.45 and 218, and Chapter 10.550 of the Rules of the Auditor General of the State of Florida, an audit of the accounts and financial statements of the City of Madeira Beach has been completed by the City's independent certified public accountants, James Moore & Company, whose opinion is included in the financial section of this report. The goal of the independent audit is to provide reasonable assurance that the financial statements are free of material misstatement. The independent audit involves examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; assessing the accounting principles used and significant estimates made by management; and evaluating the overall financial statement presentation.

The independent auditor concluded, based upon the audit, that there was a reasonable basis for rendering an unmodified opinion that the City of Madeira Beach's financial statements for the fiscal year ended September 30, 2024, are fairly presented in conformity with GAAP.

Generally accepted accounting principles require that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in the form of Management's Discussion and Analysis (MD&A). This letter of transmittal is designed to complement MD&A and should be read in conjunction with it. The City of Madeira Beach's MD&A can be found immediately following the audit report.

Budgetary Control

The annual budget serves as the foundation for the City's financial planning and control. Department directors are required to submit budget requests to the Director of Finance, who then develops the proposed budget based on additional direction from the City Manager. The City Manager is required by City Charter to present the proposed long term capital improvement plan to the Board of Commissioners (BOC) prior to July 1. The BOC is required to hold public hearings on the proposed budget and to adopt a final budget by September 30, the close of the City's fiscal year. The appropriated budget is prepared by fund and department. The City Manager may transfer any unencumbered appropriation or portion thereof between classifications of expenditures within a department. The BOC may, by resolution, make additional appropriations or transfer any unencumbered appropriation from any department to another department. Budget-to-actual comparisons are provided in this report for each individual governmental fund for which an appropriated annual budget has been adopted. The comparison is presented as part of the basic financial statements for governmental funds.

Local Economy

The information presented in the financial statements is perhaps best understood when considered from the broader perspective of the specific environment within which the City of Madeira Beach operates. The City of Madeira Beach is one of twenty-four incorporated municipalities in Pinellas County. The sunny climate and long stretches of white, sandy beaches along the Gulf of Mexico attract visitors and new residents each year. Tourism is the primary industry of Pinellas County as well as Madeira Beach.

Madeira Beach is home to John's Pass Village, a regional commercial fishing hub that also includes retail shops, condominium rentals, restaurants, and a beach and waterfront boardwalk for visitors and tourists. The Village provides a unique, multi-purpose experience for fishing, shopping, dining and entertainment. The City works closely together with the John's Pass merchants to ensure the Village remains a destination attraction, both locally and nationally.

Madeira Beach suffered devastation from two hurricanes at the end of fiscal year 2024 and beginning of fiscal year 2025 that caused significant flooding damage to residential and commercial properties throughout the City. Madeira Beach remains resilient and focused on efforts to rebuild and restore those structures that were impacted and return as quickly as possible to the vibrant destination attraction it is widely known for.

Major Initiatives

The City did not issue any new debt in fiscal year 2024. The last debt issuance occurred in fiscal year 2019 with the Series 2019 debt in the amount of \$15,063,000 was issued to rebuild roadways and stormwater systems along three areas: Crystal Island, Marguerite Drive, and John's Pass Village area. At the beginning of fiscal year 2021, the City refunded the Series 2015 Stormwater System Revenue Bond with the Series 2020 Stormwater System Refunding Revenue Bond in order to take advantage of a lower interest rate environment. The City is realizing debt service savings of approximately \$16,000 annually by refinancing at a lower borrowing rate, which is at a fixed rate of 1.73%, 0.86% lower than the interest rate on the Series 2015 Revenue Bond.

In fiscal year 2024, the most significant projects undertaken by the City related to stormwater improvements and a beach groin restoration project. Challenges associated with completing these large multi-year roadway and drainage improvement projects are not isolated to funding but will also be recognized through rising construction costs as well as competition for quality contractors to perform the work. Also, requests for grants and other interlocal funding from the Southwest Florida Management District (SWFMD), Pinellas County, and other governmental units are being considered for submission in a proactive manner.

The Board of Commissioners have managed to keep millage rates constant, or at 2.2000 for FY 2019 and for the three years prior. Increases to taxable values within the city have contributed to substantial increases in property tax revenue. However, the \$15,063,000 debt funding received in FY 2019 required annual principal and interest payments of \$1,000,000 per year over the next twenty years. The Stormwater Fund alone could not support this annual payment. Due to this, the General Fund needed to assist with these payments going forward. It was determined that the millage rate for FY 2020 needed to be increased from 2.2000 to 2.7500. There was no increase in the millage rate in fiscal year 2024. Below is a summary of property tax revenue over the last eight years:

Fiscal Year	Millage rate	Property Tax Revenue	Percent change
2017	2.2000	\$ 2,305,198	
2018	2.2000	\$ 2,483,174	7.7%
2019	2.2000	\$ 2,688,109	8.3%
2020	2.7500	\$ 3,533,688	31.5%
2021	2.7500	\$ 3,770,607	6.7%
2022	2.7500	\$ 4,134,405	9.6%
2023	2.7500	\$ 4,744,071	14.7%
2024	2.7500	\$ 5,387,345	13.5%

Madeira Beach continues to operate on a competitive tax rate in relation to neighboring communities. Comparative millage rates among similar cities in Pinellas County are provided in the following table.

<u>Municipality</u>	<u>FY 2024 millage rate</u>
City of Clearwater	5.8850
City of South Pasadena	5.1750
City of Dunedin	4.1345
City of Treasure Island	3.8129
City of St. Pete Beach	3.0913
City of Madeira Beach	2.7500
City of Belleair Beach	2.0394
City of Indian Rocks Beach	1.7300

Long-term Financial Planning

The City uses a five-year Capital Improvement Program (CIP), located in the budget document, to link the Annual Comprehensive Financial Report with long-term financial estimates and capital improvement planning. The General Fund, for example, begins with the unassigned balance as reported in the Annual Comprehensive Financial Report and projects current-year revenue and expenditures to derive an estimated year-end final balance. Management then allocates funding plans for various capital needs based on direction from the Board of Commissioners. The CIP illustrates the City's desire to balance capital investment with cash preservation.

Relevant Financial Policies and Practices

The City's fund balance policy, adopted on September 8, 2015, is to maintain committed fund balance for an emergency storm response that is no less than 33% of General Fund operating expenditures. However, on June 11, 2019, at the recommendation of staff Resolution 2019-09 was approved by the Board of Commissioners establishing a halt to the annual funding of this reserve. Management asserted that \$2,409,363 was a sufficient balance for emergency storm response. The City is to maintain a minimum unassigned balance equivalent to two months of annual General Fund operating expenditures. The respective balances are to be maintained not only in relation to the current period but also to that of each annual period within the five-year projections in the capital improvement program. Material one-time revenues shall not be used to fund ongoing expenditures.

The City was in compliance with its fund balance policy as of September 30, 2024.

Awards and Acknowledgements

The Government Finance Officers Association of the United States and Canada (GFOA) awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Madeira Beach for its Annual Comprehensive Financial Report for the fiscal year ended September 30, 2023. This was the 26th consecutive year the City has received the prestigious award.

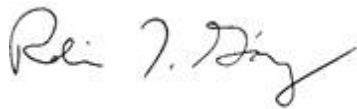
In order to be awarded a Certificate of Achievement, a governmental unit must publish an easily readable and efficiently organized Annual Comprehensive Financial Report. The report must satisfy generally accepted accounting principles, applicable legal requirements, and best practices established by GFOA.

Management believes the current report also conforms to the Certificate of Achievement program's requirements.

Preparation of the Annual Comprehensive Financial Report relies on the diligent and professional efforts of everyone in the Finance Department. The year-end closing procedure was an arduous process involving tireless efforts by staff. The City's independent auditors, James Moore & Company, also contributed invaluable to the process by testing data integrity and internal controls.

Management believes the Annual Comprehensive Financial Report clearly illustrates the financial position of the City of Madeira Beach and thanks you for your support and commitment to valuing and preserving the City's financial condition.

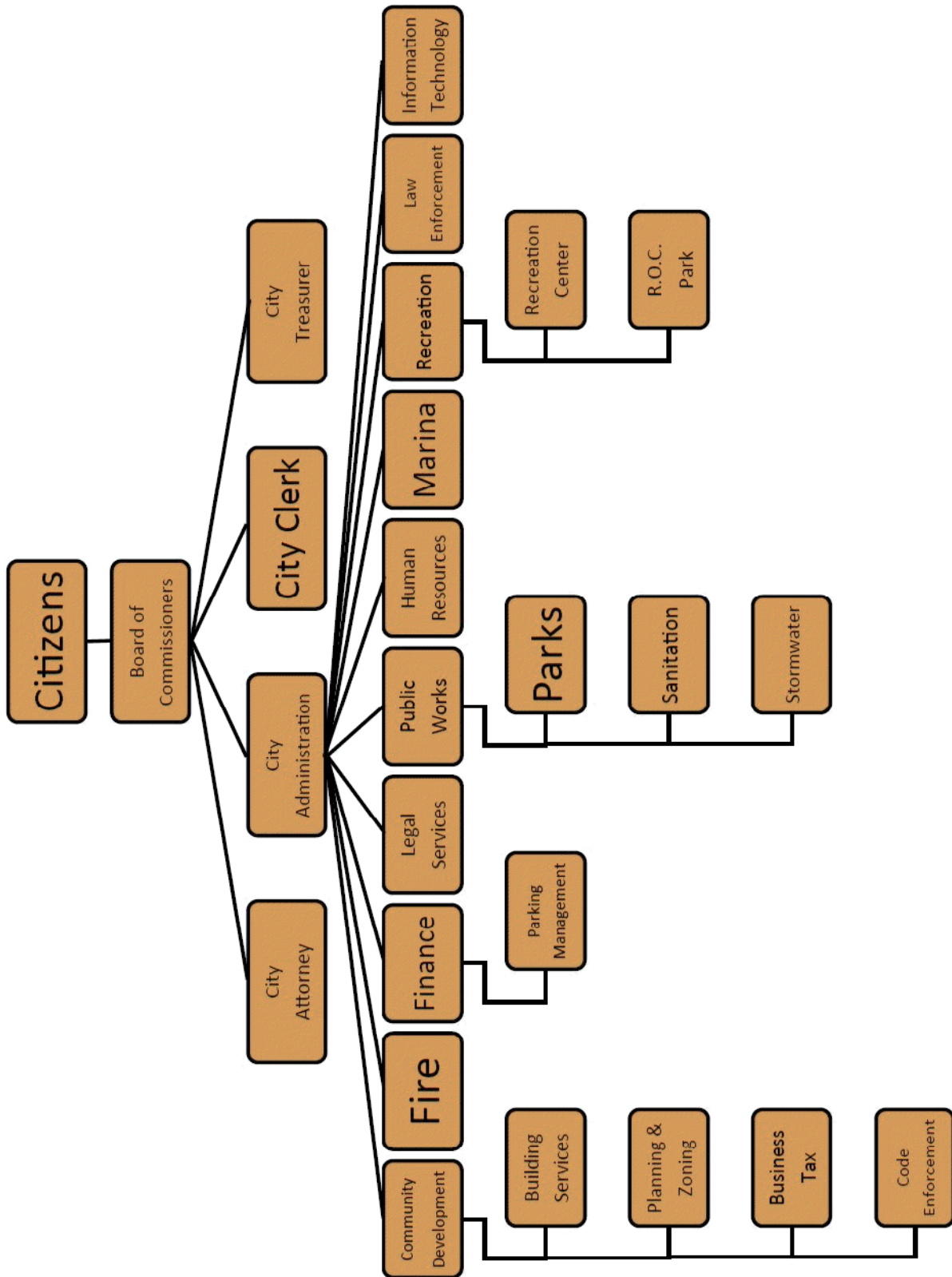
Respectfully submitted,



Robin Gomez
City Manager



Andrew Laflin
Director of Finance





Government Finance Officers Association

Certificate of
Achievement
for Excellence
in Financial
Reporting

Presented to

**City of Madeira Beach
Florida**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2023

Christopher P. Morill

Executive Director/CEO



INDEPENDENT AUDITORS' REPORT

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Madeira Beach, Florida (the City), as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City, as of September 30, 2024, and the respective changes in financial position and, where applicable, cash flows thereof, for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* (GAS) issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and GAS will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and GAS, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The combining and individual nonmajor fund financial statements and other schedules, and schedule of expenditures of state financial assistance as required by Section 215.97, Florida Statutes, Florida Single Audit Act, presented for purposes of additional analysis and are not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and other schedules, and schedule of expenditures of state financial assistance as required by Section 215.97, Florida Statutes, Florida Single Audit Act, is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the basic financial statements as a whole.

Other Information Included in the Annual Comprehensive Financial Report

Management is responsible for the other information included in the annual comprehensive financial report (ACFR). The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated March 28, 2025, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

Daytona Beach, Florida
March 28, 2025

James Moore & Co., P.L.

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Management's discussion and analysis (MD&A) is designed to focus on significant financial issues and provide an overview of the City of Madeira Beach's financial activity for the fiscal year ended September 30, 2024. The MD&A is designed to focus on the current year's activities, resulting changes, and currently known facts. It should be read in conjunction with the transmittal letter, basic financial statements, and notes to the financial statements.

Financial Highlights

Government-wide Financial Position	As of September 30, 2024	As of September 30, 2023	Percent Change
Total assets	\$86,350,823	\$83,282,171	3.68%
Deferred outflows	2,448,715	701,717	248.96%
Total liabilities	26,925,617	27,484,293	-2.03%
Deferred inflows	1,875,116	1,851,680	1.27%
Net position	\$59,998,805	\$54,647,915	9.79%

Overview of the Financial Statements

The financial statements provide insight into the City of Madeira Beach's (the City's) ability to provide services and meet obligations, both now and in the future. Trends in assets, liabilities and net position illustrate the City's overall financial position and can be evaluated to determine whether the City is better off or worse off as a result of its operations.

The financial statements include three components that should be considered together in order to gain a comprehensive understanding of the City's financial position: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements.

1. **Government-wide Financial Statements:**

The government-wide financial statements provide a broad overview of the City's finances, in a manner similar to the private sector. The statements include two different reports: the statement of net position and the statement of activities.

The **Statement of Net Position** presents information on *all* of the City's assets and liabilities as of September 30, 2024. The difference between assets (plus deferred outflows of resources) and liabilities (plus deferred inflows of resources) is known in governmental accounting as net position. Analysis of net position requires evaluation of unrestricted and restricted net position as well as net investment in capital assets. The latter category represents the net assets being used by the City to provide goods and services to the community. As such, these assets are not readily available for spending without first being converted to financial resources. Restricted net position represents restricted assets and deferred outflows minus related restricted liabilities and deferred inflows controlled by state statutes, enabling legislation, debt covenants, or other external requirements. The remaining balance is unrestricted net position, which represents the accumulated resources available to the City for meeting its future obligations.

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

The **Statement of Activities** illustrates *how* the City's net position changed as a result of its operations throughout the fiscal year. This section categorizes City services by program and illustrates the extent to which various functions are subsidized by general tax revenues. Distinction is made between those operations which are expected to be supported by taxes (i.e., governmental activities) and those which are intended to recover their costs (i.e., business-type activities).

2. Fund Financial Statements:

In governmental accounting, a "fund" is a segregated group of related accounts used to ensure and demonstrate compliance with enabling legislation, legal requirements, or other financial administration goals and objectives. The City of Madeira Beach reports two types of funds: governmental and proprietary.

Governmental Funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements (e.g., public safety, parks and recreation, physical environment, and parking enforcement). However, unlike the government-wide financial statements, governmental fund financial statements focus on financial resources rather than economic resources. Financial resources represent those which may be used to meet near-term requirements. Economic resources, such as capital assets which cannot be quickly converted to finance near-term requirements, are excluded from governmental fund reporting. The narrower focus is intended to emphasize the use of spendable assets.

The long-term impact of the City's shorter-term financial activities can be analyzed by comparing governmental fund reporting to the government-wide statements. Both the governmental fund balance sheet and statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate the comparison.

Budgetary comparison statements are provided for the major funds to demonstrate compliance with the legally adopted budget.

The City's **Proprietary Funds** include four enterprise funds: the Sanitation Fund, Stormwater Fund, Marina Fund, and Parking Fund. These funds report the same functions and use the same basis of accounting as the business-type activities presented in the government-wide financial statements.

3. Notes to the Financial Statements:

Notes to the financial statements provide additional information that is essential to gaining a full understanding of the data provided in the government-wide and fund financial statements.

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Government-Wide Financial Analysis

The City's financial position as of September 30, 2024, depicts reasonable growth in both governmental and enterprise operations primarily due to higher than anticipated tax revenues as well as interest earnings generated from the City's cash and cash equivalents.

The City's parking operation generates much needed additional revenue, and the most recent results indicate continued growth in parking transaction volume. A rate increase from \$2.50 per hour to \$3.00 per hour for parking meters city-wide that took place in fiscal year 2022 has contributed to the positive revenue totals in fiscal year 2022 and 2023. Parking revenues were relatively flat in fiscal year 2024 due to ebbs and flows in demand from seasonal tourists.

Fiscal Year	Parking Revenue	Growth
2017	\$2,072,161	(0.20%)
2018	\$2,073,573	0.10%
2019	\$2,244,975	8.27%
2020	\$2,288,946	1.96%
2021	\$2,766,089	20.85%
2022	\$3,406,055	23.14%
2023	\$4,188,534	22.97%
2024	\$3,982,300	(4.92%)

Net pension liability increased by 55.46%, based on the City's allocated share of the Florida Retirement System's funding status and the results of an actuarial valuation performed as of June 30, 2024, as further explained in Note 12 of the financial statements. The City's net pension liability as of September 30, 2024, was \$4,612,925. The City completed a debt refunding in fiscal year 2021 to take advantage of lower interest rates, and retired the Series 2018 revenue bonds in the prior fiscal year. Below is an updated summary of the debt administered by the City since October 2013:

Description	Date issued	Principal borrowed	Scheduled total interest due	Final maturity
Capital improvement revenue bonds	10/24/2013	\$ 4,760,000	\$ 4,173,376	10/1/2043
Infrastructure sales surtax revenue note	2/18/2016	725,000	24,843	12/1/2019
Capital improvement refunding revenue bond	6/14/2019	1,297,000	80,749	11/1/2021
Capital improvement revenue bond	7/11/2019	15,063,000	5,466,153	11/1/2039
Stormwater system refunding revenue bond	10/1/2020	4,442,000	414,443	10/1/2030
Total		\$ 26,287,000	\$ 10,159,564	

The City continued to maintain an ambitious list of capital improvement projects in fiscal year 2024, with construction in progress (CIP) activity totaling \$3,855,694 during 2024. This resulted in a 8.09% year-over-year increase in the net investment in capital assets. As shown in the following table, a higher percentage of net position is unrestricted than in past years. This is the result of the increase in net position in fiscal year 2024 resulting from higher tax revenues and interest earnings. The table illustrates the extent to which the City's net position has been shaped by capital asset activity over the last seven years:

CITY OF MADEIRA BEACH, FLORIDA

Item 5C.

Management's Discussion and Analysis

**September 30, 2024
(Unaudited)**

Fiscal Year	Net Investment in Capital Assets	As Percent of Total Net Position	Unrestricted Net Position	As Percent of Total Net Position
2018	\$24,026,207	59.3%	\$12,255,416	30.2%
2019	\$27,602,307	61.6%	\$13,492,461	30.1%
2020	\$24,393,386	54.6%	\$15,907,027	35.6%
2021	\$26,690,877	56.6%	\$16,339,790	34.7%
2022	\$26,286,995	51.6%	\$20,471,887	40.2%
2023	\$26,102,863	47.8%	\$22,173,591	40.6%
2024	\$28,214,859	47.0%	\$25,551,786	42.6%

The tables to follow present the condensed Statement of Net Position and Statement of Activities for the current year as compared to the previous year.

STATEMENT OF NET POSITION	Governmental Activities		Business-type Activities		Totals	
	2024	2023	2024	2023	2024	2023
Current assets	\$ 27,366,015	\$ 27,651,845	\$ 12,301,696	\$ 8,922,735	\$ 39,667,711	\$ 36,574,580
Capital Assets	24,215,365	22,849,822	18,434,754	18,274,227	42,650,119	41,124,049
Noncurrent assets	1,573,482	1,821,979	2,769,129	4,162,094	4,342,611	5,984,073
Total assets	53,154,862	52,323,646	33,505,579	31,359,056	86,660,441	83,682,702
Deferred outflows	2,201,997	687,927	246,718	13,790	2,448,715	701,717
Total assets and deferred outflows	55,356,859	53,011,573	33,752,297	31,372,846	89,109,156	84,384,419
Current and other liabilities	1,736,612	2,734,986	1,140,877	1,392,978	2,877,489	4,127,964
Long-term liabilities outstanding	8,505,598	7,168,888	15,852,148	16,587,972	24,357,746	23,756,860
Total Liabilities	10,242,210	9,903,874	16,993,025	17,980,950	27,235,235	27,884,824
Deferred inflows	1,835,131	1,849,527	39,985	2,153	1,875,116	1,851,680
Total liabilities and deferred inflows	12,077,341	11,753,401	17,033,010	17,983,103	29,110,351	29,736,504
Net position:						
Invested in capital assets	19,876,082	18,968,572	8,338,777	7,134,291	28,214,859	26,102,863
Restricted	5,604,616	5,733,288	627,544	638,173	6,232,160	6,371,461
Unrestricted	17,798,820	16,556,312	7,752,966	5,617,279	25,551,786	22,173,591
Total net position	\$ 43,279,518	\$ 41,258,172	\$ 16,719,287	\$ 13,389,743	\$ 59,998,805	\$ 54,647,915

CITY OF MADEIRA BEACH, FLORIDA

Item 5C.

Management's Discussion and Analysis

**September 30, 2024
(Unaudited)**

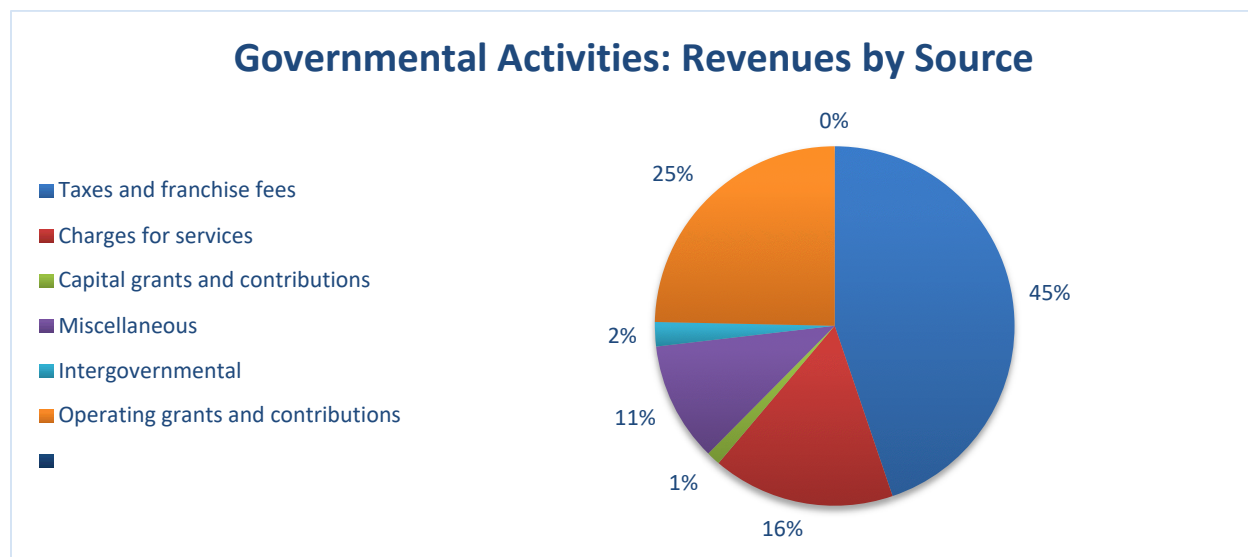
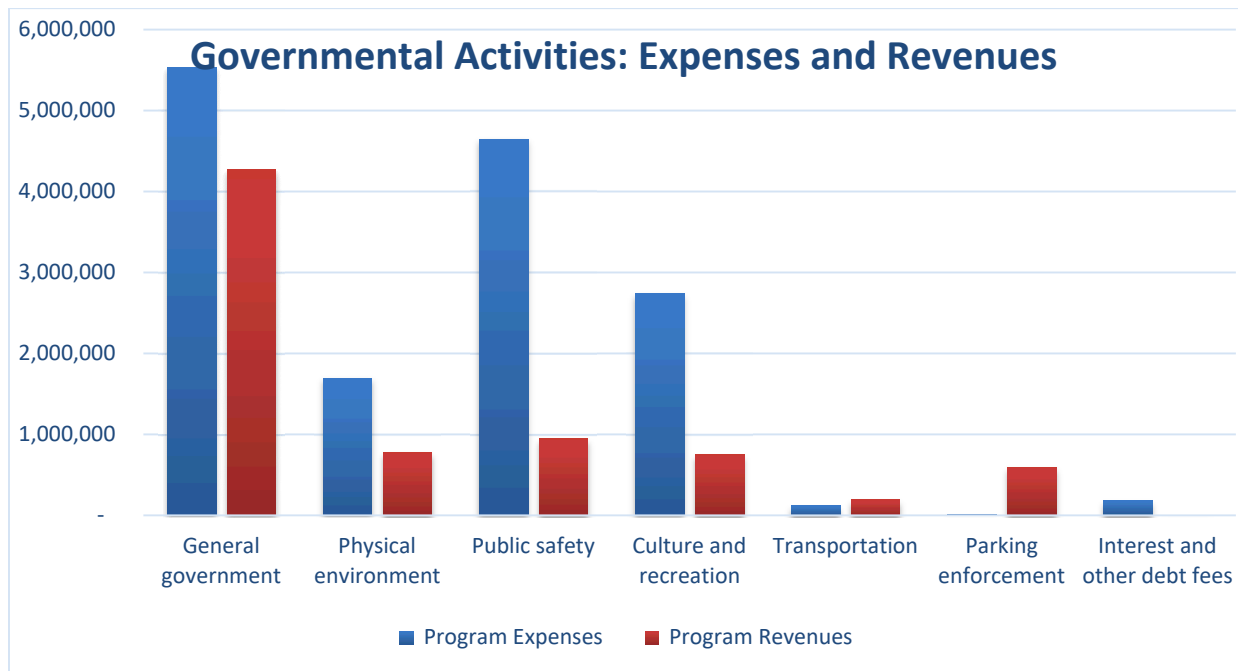
STATEMENT OF ACTIVITIES	Governmental Activities		Business-type Activities		Totals	
	2024	2023	2024	2023	2024	2023
Revenues:						
Program revenues:						
Charges for services	\$ 2,928,091	\$ 2,698,668	\$ 10,013,954	\$ 10,402,462	\$ 12,942,045	\$ 13,101,130
Operating grants & contributions	4,399,882	4,131,707	39,469	35,031	4,439,351	4,166,738
Capital grants & contributions	222,706	113,003	-	-	222,706	113,003
General revenues:						
Property taxes	5,387,345	4,744,071	-	-	5,387,345	4,744,071
Franchise and utility taxes	2,614,572	2,692,993	-	-	2,614,572	2,692,993
Intergovernmental sources	392,108	436,205	-	-	392,108	436,205
Other	1,920,560	1,360,559	388,814	463,990	2,309,374	1,824,549
Total revenues	<u>17,865,264</u>	<u>16,177,206</u>	<u>10,442,237</u>	<u>10,901,483</u>	<u>28,307,501</u>	<u>27,078,689</u>
Expenses:						
General government	\$ 5,537,963	\$ 4,735,227	\$ -	\$ -	\$ 5,537,963	\$ 4,735,227
Physical environment	1,696,742	4,184,881	-	-	1,696,742	4,184,881
Public safety	4,647,340	3,744,742	-	-	4,647,340	3,744,742
Culture and recreation	2,735,362	2,473,170	-	-	2,735,362	2,473,170
Parking	8,879	8,946	733,619	623,678	742,498	632,624
Transportation	119,083	123,192	-	-	119,083	123,192
Sanitation	-	-	2,047,608	1,857,869	2,047,608	1,857,869
Stormwater	-	-	2,024,496	1,914,720	2,024,496	1,914,720
Marina	-	-	3,225,570	3,489,965	3,225,570	3,489,965
Interest on long-term debt	179,949	184,592	-	-	179,949	184,592
Total expenses	<u>14,925,318</u>	<u>15,454,750</u>	<u>8,031,293</u>	<u>7,886,232</u>	<u>22,956,611</u>	<u>23,340,982</u>
Increase (decrease) in net position before transfers:	<u>2,939,946</u>	<u>722,456</u>	<u>2,410,944</u>	<u>3,015,251</u>	<u>5,350,890</u>	<u>3,737,707</u>
Transfers	(918,600)	575,373	918,600	(575,373)	-	-
Increase (decrease) in net position:	<u>2,021,346</u>	<u>1,297,829</u>	<u>3,329,544</u>	<u>2,439,878</u>	<u>5,350,890</u>	<u>3,737,707</u>
Net position: October 1	<u>41,258,172</u>	<u>39,960,343</u>	<u>13,389,743</u>	<u>10,949,865</u>	<u>54,647,915</u>	<u>50,910,208</u>
Net position: September 30	<u>\$ 43,279,518</u>	<u>\$ 41,258,172</u>	<u>\$ 16,719,287</u>	<u>\$ 13,389,743</u>	<u>\$ 59,998,805</u>	<u>\$ 54,647,915</u>

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Governmental Activities:

Governmental activities increased the City's net position by \$2,021,346, due to cost controls, combined with higher than anticipated tax revenues and investment income. The increase in tax revenues compared to the prior year was due to an increase in gross taxable property values of approximately \$244 million. Investment income was higher than budgeted due to the higher interest rate environment during fiscal year 2024 compared to prior year. The average daily rate of return within the City's local government investment pool was 5.41% in fiscal year 2024, which was 0.67% higher than the average daily rate in fiscal year 2023.

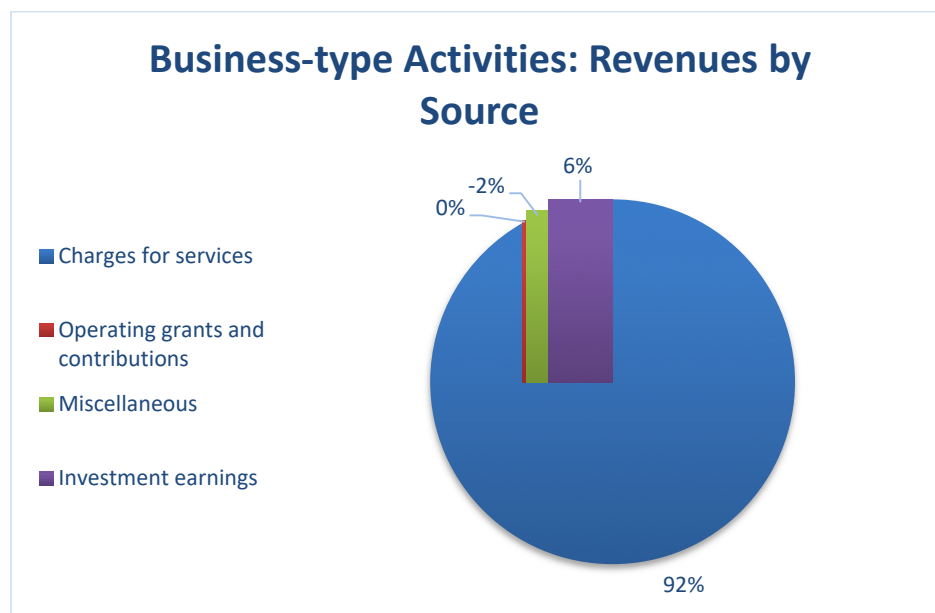
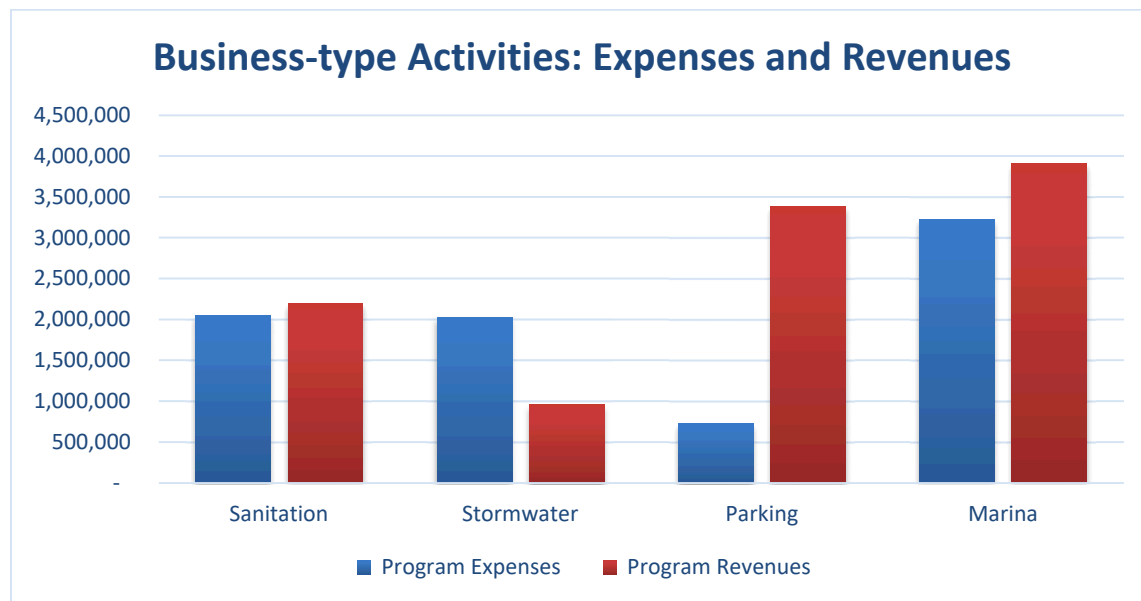


Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Business-type Activities:

Business-type activities increased the City's net position by \$3,329,544. This increase was due primarily to high revenues from parking and marina activities relative to the lower cost of those operations. The combined increase in net position of the Marina Fund and Parking Fund was \$2,932,328 for the year ended September 30, 2024. Within the Marina Fund, sales of unleaded and diesel fuel and sale of retail goods at the marina store exceeded the cost of fuel and store purchases by \$820,257 in fiscal year 2024. Within the Parking Fund, interest earnings in fiscal year 2024 totaled \$123,124, an increase of \$80,805 over the previous fiscal year.



Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Fund Statement Financial Analysis**Governmental Funds:**

The Governmental Accounting Standards Board (GASB) requires certain thresholds to be met that would result in a determination about categorizing a particular fund as being considered "major" vs. "non-major." The distinction carries additional detailed reporting requirements for those considered major. All funds are included in the annual appropriations process and illustrated for budgeting purposes; however, they are considered "non-major" for the purpose of financial reporting due to their relative lack of size. The table below illustrates the City's governmental funds and their classification for financial reporting purposes:

FY 2024 Major Funds	FY 2024 Non-Major Funds
General Fund	Local Option Sales Tax Fund
Archibald Fund	Debt Service Fund
Building Fund	Gas Tax Fund

An analysis of changes in fund balances for the City's major governmental funds are as follows:

- **General Fund:** Fund balance decreased by \$695,065 largely due to interfund transfers out to the Stormwater Fund and Debt Service totaling \$1,793,925, to fund principal and interest payments on outstanding debt. The General Fund also transferred \$2,200,000 to the Archibald Fund to provide funding for the beach groin renourishment project.
- **Archibald Fund:** Fund balance increased by \$1,303,542 due to the \$2,200,000 transfer from the General Fund, which exceeded total capital outlay expenditures of \$1,726,591 in the Archibald Fund.
- **Building Fund:** Fund balance decreased by \$163,054 due to non-recurring capital expenditures, such as the construction of a code enforcement dayroom and expansion of the parking lot for building services employees.

Governmental fund revenue increased by 11.42% over the prior year, primarily due to increases in tax revenue, stemming from higher property taxable values, and interest income, stemming from a higher rate of return on the City's local government investment pool. Also, the City recognized grant revenue for a beach groin rehabilitation project that is partially funded by a state grant. Expenditures increased by 14.25% overall, with capital outlay accounting for the largest portion of the increase, an increase of \$2,486,249 over the prior year. The increase was primarily due to expenses associated with the beach groin rehabilitation project for \$2,761,786 and a mill and resurfacing project at John's Pass Park for \$421,020. For illustrative purposes, below is a summary of year-over-year expenditure trends:

Type of Expenditure	FY 2024	FY 2023	Percent Change
Current (i.e., recurring)	\$12,908,056	\$13,340,239	(3.24%)
Capital Outlay	\$3,129,289	\$643,040	386.64%
Debt Service	\$327,460	\$340,012	(3.69%)

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

As described previously, the treatment of governmental funds is perhaps the most unique feature of governmental financial reporting. The difference between assets and liabilities in a governmental fund is known as fund balance. Fund balance is a commonly used measure of a government's available resources and liquidity. Designations are applied to various components of fund balance to describe the extent to which resources may be limited.

Non-spendable fund balance items include inventories, prepaid accounts, and other resources that are inherently not easily convertible into financial resources. The City's non-spendable fund balance was \$1,721,954.

Restricted fund balance includes accounts and designations upon which restrictions have been externally imposed by enabling legislation. The restricted balance total of \$5,604,616 is primarily comprised of unspent discretionary surtax revenues restricted for capital infrastructure, totaling \$2,554,329, and the cumulative excess of building permit revenues over related expenditures that is restricted for future use to administer the Florida Building Code, totaling \$1,027,964.

Committed fund balance includes resources set aside by the Board of Commissioners (BOC). These funds may only be spent upon authorization by the BOC and have been reserved to meet the City's emergency reserve policy; to provide for future debt service payoffs; to fund future appropriations for capital projects, such as the construction of a parking garage; and to account for remaining proceeds from the BP lawsuit settlement. The committed balance, as of fiscal year-end, was \$6,050,315.

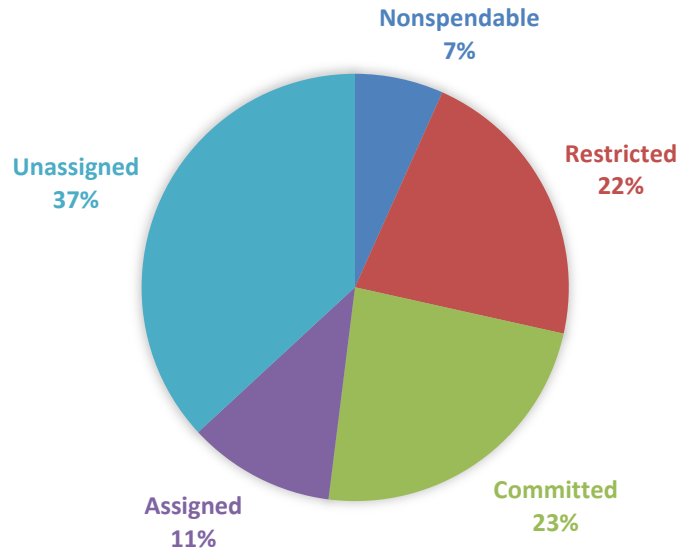
Assigned fund balance represents management's intended use of specific resources. The City's assigned balance includes reserves for existing purchase obligations and use of existing fund balance to fund next year's excess of budgeted expenditures and other uses over budgeted revenues and other sources. The City's assigned balance is \$2,862,513, as of September 30, 2024.

Unassigned fund balance should be considered the City's most liquid resource available for appropriation. Trends in unassigned balance may reflect policy changes (e.g., intentionally building up or drawing down reserves), or planned and unplanned financial changes (i.e., budgetary imbalances). Unassigned fund balance decreased by 18.4% to \$9,483,282. This decrease is primarily the result of transfers out of the general fund in fiscal year 2024 totaling \$3,993,925.

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

**GOVERNMENTAL FUNDS:
FUND BALANCES AS OF SEPTEMBER 30, 2024**

**Proprietary Funds:**

The City's proprietary fund statements provide the same type of information located in the government-wide financial statements, using the same basis of accounting. Based on the extent to which each of the City's four enterprise funds generated operating income, total assets will increase or decrease accordingly. The Parking Fund was a new fund starting in fiscal year 2023. Previously, parking operations were reported in the General Fund. The Parking Fund resulted in a change in net position and ending net position as of September 30, 2024 of \$3,501,596. Both the Sanitation and Marina Funds experienced positive operating margin. The Marina Fund has consistently achieved year over year positive operating income, which bodes well for the financial position of the Enterprise group of funds when combined. The Sanitation Fund experienced positive operating income of \$284,217 and positive change in net position of \$52,075, largely due to a rate increase for residential garbage services that took effect in fiscal year 2022.

Debt proceeds within the Stormwater Fund, received in fiscal year 2019, continue to have an effect on the financial position of the Stormwater fund. Continued principal and interest payments annually in the Stormwater Fund necessitate periodic financial support from the City's General Fund in the form of interfund transfers. The Stormwater Fund received a transfer in from the General Fund in fiscal year 2024 for \$1,495,000, which results in an overall increase in net position of \$345,141.

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

General Fund Budgetary Highlights

Total General Fund actual revenue totaled \$14,200,694 for the fiscal year ended September 30, 2024, which was \$806,346 lower than budgeted revenue of \$15,007,040. Actual revenues were less than budgeted due to anticipated grant revenues that did not materialize because the related project activities did not occur. The fiscal year 2024 adopted budget included a millage rate of 2.75 mills per \$1,000 of assessed property value. Property values increased in all of the barrier island beach communities. The City's investment earnings also were a key contributor to the positive variance between final budget and actual balances, as actual interest income in the General Fund was \$532,186 higher than budgeted due to a higher interest rate environment in fiscal year 2024 compared to fiscal year 2023.

The Stormwater Fund will continue to require assistance from the General Fund in order to support future annual debt service payments ranging from \$1m to \$1.5m annually. A total of \$4,295,000 was budgeted in the General Fund to transfer to other funds. The total of \$3,993,925 was transferred out to Archibald Park, Debt Service and Stormwater Funds. Total capital outlay budgeted in the General Fund for fiscal year 2024 was \$638,000, including \$250,000 for the construction of the Military Honor Court.

Capital Assets and Debt Administration**Capital Assets:**

The chart below illustrates the impact of the City's capital improvement policy initiatives discussed throughout this report. Net capital assets experienced a year over year increase due to Construction in Progress (CIP) project activity totaling \$4,577,865 in the current year, compared to \$793,124 in the prior year. Significant capital improvement projects in fiscal year 2024 include the beach groin rehabilitation project and Gulf Boulevard drainage and roadway improvement project. The City recognized right-to-use assets relating to building and vehicle leases, which are recorded as capital assets upon adoption of Governmental Accounting Standards Board (GASB) Statement No. 87, Leases. Note 6 of the notes to the financial statements includes more information on the City's capital assets and activity for fiscal year 2024.

CAPITAL ASSETS, NET	Governmental activities		Business-type activities		Totals	
	2024	2023	2024	2023	2024	2023
Land	\$ 2,784,675	\$ 2,784,675	\$ 5,000	\$ 5,000	\$ 2,789,675	\$ 2,789,675
Buildings	6,126,345	6,427,769	269,147	286,305	6,395,492	6,714,074
Improvements other than buildings	7,260,939	7,738,134	11,397,695	12,196,026	18,658,634	19,934,160
Infrastructure	2,770,373	3,035,900	4,059,261	4,334,977	6,829,634	7,370,877
Intangibles	2,178	20,217	-	-	2,178	20,217
Right-to-use assets	47,040	82,443	638,268	98,832	685,308	181,275
Vehicles and equipment	2,488,417	2,312,726	222,916	1,007,921	2,711,333	3,320,647
Construction in progress	2,735,398	447,958	1,842,467	345,166	4,577,865	793,124
Total	<u>\$ 24,215,365</u>	<u>\$ 22,849,822</u>	<u>\$ 18,434,754</u>	<u>\$ 18,274,227</u>	<u>\$ 42,650,119</u>	<u>\$ 41,124,049</u>

Management's Discussion and Analysis

September 30, 2024
(Unaudited)

Long-term Debt:

Note 7 of the Notes to Financial Statements includes a detailed listing of long-term liabilities. Below is a summary of the City's outstanding debt as of September 30, 2024, compared to the prior year. The City did not issue new debt for fiscal year 2024 or 2023. Also, there were no new leases recognized in fiscal year 2023. It is still important to monitor long-term liabilities, especially those in the enterprise funds.

City of Madeira Beach's Outstanding Debt

	Governmental activities		Business-type activities		Totals	
	2024	2023	2024	2023	2024	2023
Revenue Bonds - Publicly Issued	\$ 3,620,000	\$ 3,740,000	\$ -	\$ -	\$ 3,620,000	\$ 3,740,000
Revenue Bonds - Direct Placements	-	-	15,498,000	16,537,000	15,498,000	16,537,000
Leases Payable	46,259	73,770	69,390	97,910	115,649	171,680
Total	\$ 3,666,259	\$ 3,813,770	\$ 15,567,390	\$ 16,634,910	\$ 19,233,649	\$ 20,448,680

Economic Factors and Next Year's Budget and Rates

Madeira Beach taxable property values are estimated to increase from the fiscal year 2024 tax levy to the fiscal year 2025 tax levy by approximately \$184 million, or 9.08%. However, the City anticipates an overall reduction in property tax collections in fiscal year 2025 due to the impact of two hurricanes that devastated Madeira Beach, causing residents to be displaced from their homes. As a result, property owners are eligible for a partial refund of property taxes paid based on the duration of time that the home was unoccupied. The fiscal year 2025 budget remained at a millage rate of 2.7500. Overall, the City's ad valorem property taxes provide needed funding for all City needs.

In developing the 2025 budget, the focus was placed on capital project spending totaling \$18,058,500, and the majority of planned expenditures were in the City's Stormwater Fund, budgeted at \$9,410,000. The largest capital projects for next year's budget include stormwater drainage and roadway improvements, continuation of the beach groin rehabilitation project, and acquisition and renovation of a public works and building services facility.

In connection with the budget adoption process, the Board of Commissioners implemented two policies designed to help guide financial decision making:

Tax rates, fees, and charges policy: This policy is intended to ensure the City prudently designs and manages its tax rates, fees, and charges in order to achieve each of the following:

- Revenue diversification, so that ongoing operations are less reliant upon variable revenue streams
- Revenues that exceed normal growth rates are used either for one-time expenditures or to increase reserves
- Revenue forecasts are adequate to provide for the variety and level of services expected by vested stakeholders
- Alignment of revenue with growth-related endeavors (e.g., economic development activities)

Management's Discussion and Analysis

**September 30, 2024
(Unaudited)**

Debt management policy: This policy recognizes the long-term implications of debt issuance and provides guidelines to consider the following:

- Equity, such that those who pay for debt are those who benefit from the assets provided
- Essentiality, in that the financed asset is considered essential to the City's core operation
- Efficiency, with respect to the identified revenue source's sufficiency to meet debt service obligations and the total cost of financing being less than other alternatives

Requests for Information

This financial report is designed to provide a general overview of the City of Madeira Beach's financial position for all those interested in the City's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to Andrew Laflin, Director of Finance, at 300 Municipal Drive, Madeira Beach, Florida 33708.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF NET POSITION
SEPTEMBER 30, 2024

	Governmental Activities	Business-type Activities	Total
ASSETS			
Equity in pooled cash and cash equivalents	\$ 15,210,460	\$ 7,854,450	\$ 23,064,910
Investments	8,016,603	3,034,365	11,050,968
Receivables, net	178,217	56,149	234,366
Internal balances	309,618	(309,618)	-
Due from other governments, net	2,238,781	437,631	2,676,412
Leases receivable	1,573,482	-	1,573,482
Inventories	14,106	78,304	92,410
Prepays	1,398,230	20,926	1,419,156
Restricted assets:			
Equity in pooled cash	-	3,589,000	3,589,000
Capital assets:			
Capital assets, not being depreciated	5,520,073	1,847,467	7,367,540
Other capital assets, net of depreciation	18,695,292	16,587,287	35,282,579
Total assets	<u>\$ 53,154,862</u>	<u>\$ 33,195,961</u>	<u>\$ 86,350,823</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred loss on bond refunding	\$ 12,308	\$ -	\$ 12,308
Deferred outflows related to pensions	2,189,689	246,718	2,436,407
Total deferred outflows	<u>\$ 2,201,997</u>	<u>\$ 246,718</u>	<u>\$ 2,448,715</u>
LIABILITIES			
Accounts payable and accrued liabilities	\$ 1,699,389	\$ 279,633	\$ 1,979,022
Customer deposits	16,450	31,234	47,684
Unearned revenue	20,773	7,026	27,799
Accrued interest payable	-	162,637	162,637
Noncurrent liabilities:			
Due within one year:			
Bonds and notes payable	-	626,000	626,000
Leases payable	14,676	22,014	36,690
Compensated absences	49,483	12,333	61,816
Due in more than one year:			
Bonds and notes payable	3,620,000	14,872,000	18,492,000
Leases payable	31,583	47,376	78,959
Compensated absences	445,350	110,998	556,348
Total OPEB liability	198,700	45,037	243,737
Net pension liability	4,145,806	467,119	4,612,925
Total liabilities	<u>\$ 10,242,210</u>	<u>\$ 16,683,407</u>	<u>\$ 26,925,617</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred inflows related to pensions	\$ 354,876	\$ 39,985	\$ 394,861
Deferred inflows related to leases	1,480,255	-	1,480,255
Total deferred inflows of resources	<u>\$ 1,835,131</u>	<u>\$ 39,985</u>	<u>\$ 1,875,116</u>
NET POSITION			
Net investment in capital assets	\$ 19,876,082	\$ 6,401,181	\$ 26,277,263
Restricted for:			
Capital projects	2,554,329	-	2,554,329
Debt service	-	572,833	572,833
Renewal and replacement	-	54,711	54,711
Public safety	15,422	-	15,422
Parks and recreation	1,877,406	-	1,877,406
Florida Building Code administration	1,027,964	-	1,027,964
Transportation	129,495	-	129,495
Unrestricted	17,798,820	9,690,562	27,489,382
Total net position	<u>\$ 43,279,518</u>	<u>\$ 16,719,287</u>	<u>\$ 59,998,805</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2024

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes in Net Position		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Governmental activities:							
General government	\$ 5,537,963	\$ 1,379,936	\$ 2,899,131	\$ -	\$ (1,258,896)	\$ -	\$ (1,258,896)
Public safety	4,647,340	317,215	625,104	8,720	(3,696,301)	-	(3,696,301)
Physical environment	1,696,742	-	780,427	-	(916,315)	-	(916,315)
Transportation	119,083	56,769	95,220	41,326	74,232	-	74,232
Culture and recreation	2,735,362	579,107	-	172,660	(1,983,595)	-	(1,983,595)
Parking enforcement	8,879	595,064	-	-	586,185	-	586,185
Interest on long-term debt	179,949	-	-	-	(179,949)	-	(179,949)
Total governmental activities	14,925,318	2,928,091	4,399,882	222,706	(7,374,639)	-	(7,374,639)
Business-type activities:							
Sanitation	2,047,608	2,327,515	2,860	-	-	282,767	282,767
Stormwater	2,024,496	693,243	32,127	-	-	(1,299,126)	(1,299,126)
Marina	3,225,570	3,729,686	4,482	-	-	508,598	508,598
Parking	733,619	3,263,510	-	-	-	2,529,891	2,529,891
Total business-type activities	8,031,293	10,013,954	39,469	-	-	2,022,130	2,022,130
Total primary government	<u>\$ 22,956,611</u>	<u>\$ 12,942,045</u>	<u>\$ 4,439,351</u>	<u>\$ 222,706</u>	<u>(7,374,639)</u>	<u>2,022,130</u>	<u>(5,352,509)</u>
General revenues:							
Property taxes					5,387,345	-	5,387,345
Sales taxes					972,289	-	972,289
Communications service tax					214,456	-	214,456
Utility taxes and franchise fees					1,642,283	-	1,642,283
Other taxes					79,912	-	79,912
State revenue sharing					177,652	-	177,652
Investment earnings					1,546,810	619,988	2,166,798
Gain (loss) on disposition of capital assets					(49,265)	(236,344)	(285,609)
Miscellaneous revenues					343,103	5,170	348,273
Transfers					(918,600)	918,600	-
Total general revenues and transfers					9,395,985	1,307,414	10,703,399
Change in net position					2,021,346	3,329,544	5,350,890
Net position, beginning of year					41,258,172	13,389,743	54,647,915
Net position, ending of year					<u>\$ 43,279,518</u>	<u>\$ 16,719,287</u>	<u>\$ 59,998,805</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
BALANCE SHEET
GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024

	General	Archibald Park	Building Department	Nonmajor Governmental Funds	Total Governmental Funds
ASSETS					
Equity in pooled cash and cash equivalents	\$ 10,013,897	\$ 2,160,366	\$ 718,523	\$ 2,317,674	\$ 15,210,460
Investments	6,300,171	284,783	390,319	1,041,330	8,016,603
Receivables, net	176,284	-	1,933	-	178,217
Due from other governments, net	1,284,629	790,303	-	163,849	2,238,781
Leases receivable	1,573,482	-	-	-	1,573,482
Advances to other funds	309,618	-	-	-	309,618
Inventories	14,106	-	-	-	14,106
Prepaid items	65,241	1,332,989	-	-	1,398,230
Total assets	<u>\$ 19,737,428</u>	<u>\$ 4,568,441</u>	<u>\$ 1,110,775</u>	<u>\$ 3,522,853</u>	<u>\$ 28,939,497</u>
LIABILITIES					
Accounts payable and accrued liabilities	\$ 791,398	\$ 789,713	\$ 82,811	\$ 12,276	\$ 1,676,198
Customer deposits	16,450	-	-	-	16,450
Due to other governments	-	-	-	23,191	23,191
Unearned revenue	20,773	-	-	-	20,773
Total liabilities	<u>828,621</u>	<u>789,713</u>	<u>82,811</u>	<u>35,467</u>	<u>1,736,612</u>
DEFERRED INFLOWS OF RESOURCES					
Deferred inflows related to leases	1,477,560	2,695	-	-	1,480,255
Total deferred inflows of resources	<u>1,477,560</u>	<u>2,695</u>	<u>-</u>	<u>-</u>	<u>1,480,255</u>
FUND BALANCES					
Nonspendable:					
Inventories	14,106	-	-	-	14,106
Prepaid items	65,241	1,332,989	-	-	1,398,230
Advances to other funds	309,618	-	-	-	309,618
Restricted for:					
Capital Projects	-	-	-	2,554,329	2,554,329
Public Safety	-	-	-	15,422	15,422
Parks and recreation	-	1,567,392	-	310,014	1,877,406
Florida Building Code administration	-	-	1,027,964	-	1,027,964
Transportation	-	-	-	129,495	129,495
Committed to:					
BP Settlement	383,544	-	-	-	383,544
Capital Projects	55,941	-	-	-	55,941
Debt service	1,647,488	-	-	478,126	2,125,614
Parks and recreation	400,767	875,652	-	-	1,276,419
Emergency reserve	2,208,797	-	-	-	2,208,797
Assigned to:					
Subsequent year's budget	2,862,513	-	-	-	2,862,513
Unassigned	9,483,232	-	-	-	9,483,232
Total fund balances	<u>17,431,247</u>	<u>3,776,033</u>	<u>1,027,964</u>	<u>3,487,386</u>	<u>25,722,630</u>
Total liabilities, deferred inflows, and fund balances	<u>\$ 19,737,428</u>	<u>\$ 4,568,441</u>	<u>\$ 1,110,775</u>	<u>\$ 3,522,853</u>	<u>\$ 28,939,497</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION
SEPTEMBER 30, 2024

Fund balances - total governmental funds \$ 25,722,630

Amounts reported for governmental activities in the statement of activities are different because:

Capital assets used in governmental activities are not financial resources and, therefore, are not reported in the funds

Total governmental capital assets	43,686,742	
Less: accumulated depreciation	<u>(19,471,377)</u>	24,215,365

On the governmental fund statements, a net pension liability is not recorded until an amount is due and payable and the pension plan's fiduciary net position is not sufficient for payment of those benefits (no such liability exists at the end of the current fiscal year). On the statement of net position, the City's net pension liability of the defined benefit pension plans is reported as a noncurrent liability. Additionally, deferred outflows and deferred inflows related to pensions are also reported.

Net pension liability	(4,145,806)	
Deferred outflows related to pensions	2,189,689	
Deferred inflows related to pensions	<u>(354,876)</u>	(2,310,993)

On the governmental fund statements, a total OPEB liability is not recorded unless an amount is due and payable (no such liability exists at the end of the current fiscal year). On the Statement of Net Position, the City's total OPEB liability is reported as a noncurrent liability.

Total OPEB liability		(198,700)
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Long-term liabilities, including bonds payable and notes payable, are not due and payable in the current period and, therefore, are not reported in the funds. These liabilities, deferred outflows, and other debt-related deferred charges consist of the following:

Bonds and notes payable	(3,620,000)	
Lease obligations	(46,259)	
Unamortized deferred loss on bond refunding	12,308	
Compensated absences	<u>(494,833)</u>	(4,148,784)

Net position of governmental activities		<u><u>\$ 43,279,518</u></u>
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The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Formerly Nonmajor Fund			Nonmajor Governmental Funds	Total Governmental Funds
	General	Archibald Park	Building Department		
Revenues					
Taxes	\$ 6,682,910	\$ -	\$ -	\$ 710,179	\$ 7,393,089
Permits and fees	702,401	-	1,063,876	229,631	1,995,908
Intergovernmental	4,452,991	721,765	-	38,595	5,213,351
Charges for services	481,503	704,831	-	-	1,186,334
Fines and forfeitures	95,774	-	-	-	95,774
Investment income	1,238,571	68,953	65,784	173,502	1,546,810
Miscellaneous	546,544	8,000	20,162	-	574,706
Total revenues	14,200,694	1,503,549	1,149,822	1,151,907	18,005,972
Expenditures					
Current:					
General government	4,037,056	-	713,598	-	4,750,654
Public safety	4,347,748	-	-	-	4,347,748
Physical environment	1,578,438	-	-	-	1,578,438
Transportation	-	-	-	119,083	119,083
Culture and recreation	1,503,744	608,378	-	11	2,112,133
Capital outlay	254,450	1,726,591	397,953	750,295	3,129,289
Debt service:					
Principal retirement	23,403	4,108	-	120,000	147,511
Interest and fiscal charges	994	30	-	178,925	179,949
Total expenditures	11,745,833	2,339,107	1,111,551	1,168,314	16,364,805
Excess (deficiency) of revenues over expenditures	2,454,861	(835,558)	38,271	(16,407)	1,641,167
Other financing sources (uses)					
Transfers in	839,900	2,200,000	-	298,925	3,338,825
Transfers out	(3,993,925)	(60,900)	(202,600)	-	(4,257,425)
Proceeds from insurance recoveries	4,099	-	1,275	-	5,374
Total other financing sources (uses)	(3,149,926)	2,139,100	(201,325)	298,925	(913,226)
Net change in fund balances	(695,065)	1,303,542	(163,054)	282,518	727,941
Fund balances, beginning of year, as previously reported	18,276,090	-	1,191,018	5,527,581	24,994,689
Changes within the financial reporting entity (nonmajor to major)	-	2,472,491	-	(2,472,491)	-
Changes within the financial reporting entity (Impact Fee Fund separated out from General Fund)	(149,778)	-	-	149,778	-
Fund balances, beginning of year, as restated	18,126,312	2,472,491	1,191,018	3,204,868	24,994,689
Fund balances, end of year	<u>\$ 17,431,247</u>	<u>\$ 3,776,033</u>	<u>\$ 1,027,964</u>	<u>\$ 3,487,386</u>	<u>\$ 25,722,630</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES
FOR THE YEAR ENDED SEPTEMBER 30, 2024

Net change in fund balances - total governmental funds	\$ 727,941
Differences in amounts reported for governmental activities in the statement of activities are:	
Governmental funds report capital outlays as expenditures. However, in the statement of activities, the cost of those assets is depreciated over their estimated useful lives.	
Capital outlay expenditures	3,129,289
Depreciation expense	(1,714,481)
The net effect of various miscellaneous transactions involving capital assets (i.e. sales, trade-ins, donations, CIP project abandoned) is to decrease net position.	(49,265)
Bond, loan, and leases proceeds are reported as financing sources in the governmental funds. However, the issuance of debt is reported as long-term debt payable in the statement of net position. Repayment of bond, note and leases principal is an expenditure in the governmental funds, but the repayment of debt principal reduces long-term liabilities in the statement of net position. These amounts are as follows:	
Principal repayment of general long-term debt and lease principal	147,511
Governmental funds report contributions to defined benefit pension plans as expenditures. However, in the statement of activities, the amount contributed to defined benefit pension plans reduces future net pension liability. Also included in pension expense in the statement of activities are amounts required to be amortized.	
Change in net pension liability and deferred inflows/outflows related to pensions	27,280
Under the modified accrual basis of accounting used in the governmental funds, expenditures are not recognized for transactions that are not normally paid with expendable available financial resources. In the statement of activities, however, which is presented on the accrual basis, expenses and liabilities are reported regardless of when financial resources are available. In addition, interest on long-term debt is not recognized under the modified accrual basis of accounting until due, rather than as it accrues. These adjustments are as follows:	
Amortization of bond discounts, premiums, and loss on refunding	(648)
Change in compensated absences liability	(111,344)
Change in total OPEB liability	(134,937)
Change in net position of governmental activities	<u>\$ 2,021,346</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
SEPTEMBER 30, 2024

	Business-type Activities				
	Sanitation	Stormwater	Marina	Parking	Total
ASSETS					
Equity in pooled cash and cash equivalents	\$ 1,541,311	\$ -	\$ 2,867,524	\$ 3,445,615	\$ 7,854,450
Investments	419,217	1,858,325	756,823	-	3,034,365
Accounts receivable, net	4,636	39,174	2,554	9,785	56,149
Due from other governments, net	332,503	105,128	-	-	437,631
Inventories	-	-	78,304	-	78,304
Prepaid items	-	14,314	6,612	-	20,926
Restricted current assets:					
Equity in pooled cash	-	788,637	31,234	-	819,871
Total current assets	<u>2,297,667</u>	<u>2,805,578</u>	<u>3,743,051</u>	<u>3,455,400</u>	<u>12,301,696</u>
Noncurrent assets:					
Restricted cash	-	2,769,129	-	-	2,769,129
Capital assets:					
Land	-	5,000	-	-	5,000
Construction in progress	7,250	1,829,417	5,800	-	1,842,467
Buildings	-	-	494,724	-	494,724
Improvements	91,253	13,952,950	1,901,057	-	15,945,260
Equipment	1,029,883	562,885	177,553	134,168	1,904,489
Right to use assets	83,062	45,981	-	-	129,043
Infrastructure	-	5,960,737	-	-	5,960,737
Accumulated depreciation	(764,466)	(5,450,154)	(1,618,547)	(13,799)	(7,846,966)
Total capital assets, net	<u>446,982</u>	<u>16,906,816</u>	<u>960,587</u>	<u>120,369</u>	<u>18,434,754</u>
Total noncurrent assets	<u>446,982</u>	<u>19,675,945</u>	<u>960,587</u>	<u>120,369</u>	<u>21,203,883</u>
Total assets	<u>\$ 2,744,649</u>	<u>\$ 22,481,523</u>	<u>\$ 4,703,638</u>	<u>\$ 3,575,769</u>	<u>\$ 33,505,579</u>
DEFERRED OUTFLOWS OF RESOURCES					
Deferred outflows related to pensions	\$ 246,718	\$ -	\$ -	\$ -	\$ 246,718
Total deferred outflows of resources	<u>\$ 246,718</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 246,718</u>
LIABILITIES					
Current liabilities:					
Accounts payable and accrued liabilities	\$ 78,825	\$ 37,100	\$ 104,614	\$ 59,094	\$ 279,633
Deposits	-	-	31,234	-	31,234
Unearned revenue	290	-	6,016	720	7,026
Compensated absences	4,387	2,804	4,427	715	12,333
Current portion of lease obligations	14,676	7,338	-	-	22,014
Payable from restricted assets:					
Current maturities on long-term debt	-	626,000	-	-	626,000
Accrued interest payable	-	162,637	-	-	162,637
Total current liabilities	<u>98,178</u>	<u>835,879</u>	<u>146,291</u>	<u>60,529</u>	<u>1,140,877</u>
Noncurrent liabilities:					
Bonds and notes payable, net	-	14,872,000	-	-	14,872,000
Leases payable	31,584	15,792	-	-	47,376
Advances to other funds	-	-	309,618	-	309,618
Compensated absences	39,482	25,231	39,846	6,439	110,998
Total OPEB liability	17,068	10,804	9,960	7,205	45,037
Net pension liability	467,119	-	-	-	467,119
Total noncurrent liabilities	<u>555,253</u>	<u>14,923,827</u>	<u>359,424</u>	<u>13,644</u>	<u>15,852,148</u>
Total liabilities	<u>\$ 653,431</u>	<u>\$ 15,759,706</u>	<u>\$ 505,715</u>	<u>\$ 74,173</u>	<u>\$ 16,993,025</u>
DEFERRED INFLOWS OF RESOURCES					
Deferred inflows related to pensions	\$ 39,985	\$ -	\$ -	\$ -	\$ 39,985
Total deferred inflows of resources	<u>\$ 39,985</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 39,985</u>
NET POSITION					
Net investment in capital assets	\$ 400,722	\$ 4,919,503	\$ 960,587	\$ 120,369	\$ 6,401,181
Restricted for debt service	-	572,833	-	-	572,833
Restricted for renewal and replacement	-	54,711	-	-	54,711
Unrestricted	1,897,229	1,174,770	3,237,336	3,381,227	9,690,562
Total net position	<u>\$ 2,297,951</u>	<u>\$ 6,721,817</u>	<u>\$ 4,197,923</u>	<u>\$ 3,501,596</u>	<u>\$ 16,719,287</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF REVENUE, EXPENSES AND CHANGES IN NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Business-type Activities				
	Sanitation	Stormwater	Marina	Parking	Total
Operating revenues					
Charges for services	\$ 2,327,515	\$ 693,243	\$ 3,729,686	\$ 2,715,692	\$ 9,466,136
Fines and forfeitures	-	-	-	547,818	547,818
Other revenues	3,335	-	1,233	602	5,170
Total operating revenues	2,330,850	693,243	3,730,919	3,264,112	10,019,124
Operating expenses					
Personal services	955,094	397,682	410,991	275,350	2,039,117
Operating expenses	893,814	186,950	262,002	445,203	1,787,969
Cost of sales	-	-	2,383,374	-	2,383,374
Depreciation	197,725	991,496	163,818	13,066	1,366,105
Total operating expenses	2,046,633	1,576,128	3,220,185	733,619	7,576,565
Operating income (loss)	284,217	(882,885)	510,734	2,530,493	2,442,559
Nonoperating revenues (expenses)					
Interest earnings	87,002	229,567	180,295	123,124	619,988
Intergovernmental grants	2,860	32,127	4,482	-	39,469
Gain (loss) on disposition of capital assets	(228,929)	-	(7,415)	-	(236,344)
Interest expense	(975)	(448,368)	(5,385)	-	(454,728)
Total nonoperating revenues (expenses)	(140,042)	(186,674)	171,977	123,124	(31,615)
Income (loss) before contributions and transfers	144,175	(1,069,559)	682,711	2,653,617	2,410,944
Transfers in	-	1,495,000	-	-	1,495,000
Transfers out	(92,100)	(80,300)	(130,000)	(274,000)	(576,400)
Change in net position	52,075	345,141	552,711	2,379,617	3,329,544
Net position, beginning of year	2,245,876	6,376,676	3,645,212	1,121,979	13,389,743
Net position, end of year	<u>\$ 2,297,951</u>	<u>\$ 6,721,817</u>	<u>\$ 4,197,923</u>	<u>\$ 3,501,596</u>	<u>\$ 16,719,287</u>

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Business-type Activities				
	Sanitation	Stormwater	Marina	Parking	Total
Cash flows from operating activities					
Cash received from customers	\$ 2,314,085	\$ 694,981	\$ 3,731,979	\$ 3,274,708	\$ 10,015,753
Cash paid to employees	(749,890)	(384,244)	(396,353)	(268,656)	(1,799,143)
Cash paid to suppliers	(895,561)	(194,623)	(2,869,840)	(435,326)	(4,395,350)
Other receipts (expenses)	(228,929)	-	-	-	(228,929)
Net cash provided by (used in) operating activities	439,705	116,114	465,786	2,570,726	3,592,331
Cash flows from noncapital financing activities					
Transfers from other funds	-	1,495,000	-	-	1,495,000
Transfers to other funds	(92,100)	(80,300)	(130,000)	(274,000)	(576,400)
Intergovernmental grant proceeds	2,860	32,127	4,482	-	39,469
Principal payments of interfund loans	-	-	(90,913)	-	(90,913)
Net cash provided by (used in) noncapital financing activities	(89,240)	1,446,827	(216,431)	(274,000)	867,156
Cash flows from capital and related financing activities					
Acquisition and construction of capital assets	219,113	(1,574,143)	(47,698)	(123,904)	(1,526,632)
Proceeds from sale of capital assets	-	-	(7,415)	-	(7,415)
Principal payments of long-term debt	(21,546)	(1,045,974)	-	-	(1,067,520)
Interest paid	(975)	(456,116)	(5,385)	-	(462,476)
Net cash provided by (used in) capital and related financing activities	196,592	(3,076,233)	(60,498)	(123,904)	(3,064,043)
Cash flows from investing activities					
Interest received	87,002	229,567	180,295	123,124	619,988
Purchases of investments	(22,105)	(97,988)	(39,906)	-	(159,999)
Net cash provided by (used in) investing activities	64,897	131,579	140,389	123,124	459,989
Net change in cash and cash equivalents	611,954	(1,381,713)	329,246	2,295,946	1,855,433
Cash and cash equivalents, beginning of year	929,357	4,939,479	2,569,512	1,149,669	9,588,017
Cash and cash equivalents, end of year	<u>\$ 1,541,311</u>	<u>\$ 3,557,766</u>	<u>\$ 2,898,758</u>	<u>\$ 3,445,615</u>	<u>\$ 11,443,450</u>
Cash and cash equivalents classified as:					
Unrestricted	\$ 1,541,311	\$ -	\$ 2,867,524	\$ 3,445,615	\$ 7,854,450
Restricted	-	3,557,766	31,234	-	\$ 3,589,000
Total cash and cash equivalents	<u>\$ 1,541,311</u>	<u>\$ 3,557,766</u>	<u>\$ 2,898,758</u>	<u>\$ 3,445,615</u>	<u>\$ 11,443,450</u>
Reconciliation of operating income (loss) to net cash provided by (used in) operating activities:					
Operating income (loss)	\$ 284,217	\$ (882,885)	\$ 510,734	\$ 2,530,493	\$ 2,442,559
Adjustments to reconcile net operating income (loss) to net cash provided by (used in) operating activities:					
Depreciation	197,725	991,496	163,818	13,066	1,366,105
Nonoperating revenues (expenses)	(228,929)	-	-	-	(228,929)
Changes in assets and liabilities:					
Accounts receivable	(353)	1,771	41	10,596	12,055
Due from other governments	(16,493)	(33)	-	-	(16,526)
Inventories	-	-	32,046	-	32,046
Prepaid items	2,235	-	(374)	-	1,861
Accounts payable and accrued liabilities	(3,982)	(7,673)	(256,136)	9,877	(257,914)
Deposits	81	-	960	-	1,041
Unearned revenue	-	-	59	-	59
Compensated absences	(17,268)	5,811	9,060	2,070	(327)
Net pension liability	212,614	-	-	-	212,614
Total OPEB liability	9,858	7,627	5,578	4,624	27,687
Net cash provided by (used in) operating activities	<u>\$ 439,705</u>	<u>\$ 116,114</u>	<u>\$ 465,786</u>	<u>\$ 2,570,726</u>	<u>\$ 3,592,331</u>
Non-cash investing, capital, and financing activities:					
Purchases of capital assets included in accounts payable	\$ -	\$ 10,242	\$ -	\$ -	\$ -

The accompanying notes to financial statements are an integral part of this statement.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) Summary of Significant Accounting Policies:

The financial statements of the City of Madeira Beach, Florida (the City), have been prepared in conformance with accounting principles generally accepted in the United States of America as applicable to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted body for promulgating governmental accounting and financial reporting principles and the City has adopted the GASB Codification. The following is a summary of the City's significant accounting policies:

(a) **Reporting entity**—The City of Madeira Beach, Florida was incorporated in 1951 as a political subdivision of the State of Florida under a Council-Manager form of Government. The City is a municipal corporation with a five (5) member elected Board of Commissioners. The Board of Commissioners is governed by the City Charter and by state and local laws and regulations. The Board of Commissioners is responsible for the establishment and adoption of policy. The execution of such policy is the responsibility of the City Manager.

In evaluating how to define the government, for financial reporting purposes, the City has considered all potential component units. The definition of the reporting entity is based primarily on the notion of financial accountability. A primary government is financially accountable for the organizations that make up its legal entity. It is also financially accountable for legally separate organizations if its officials appoint a voting majority of an organization's governing body, and either it is able to impose its will on that organization or there is a potential for the organization to provide specific financial benefits to, or to impose specific financial burdens on, the primary government. A primary government may also be financially accountable for governmental organizations that are fiscally dependent on it.

A primary government has the ability to impose its will on an organization if it can significantly influence the programs, projects or activities of, or the level of services performed or provided by, the organization. A financial benefit or burden relationship exists if the primary government: (a) is entitled to the organization's resources; (b) is legally obligated or has otherwise assumed the obligation to finance the deficits of, or provide financial support to, the organization; or (c) is obligated in some manner for the debt of the organization. Management has determined that there are no component units to be included within the reporting entity.

(b) **Government-wide and fund financial statements**—The government-wide financial statements (i.e., the statement of net position and the statement of changes in net position) report aggregated information for the overall government for all of the activities of the primary government. The effect of interfund activity has been removed from these statements.

Governmental activities, which normally are supported by taxes, intergovernmental revenues, and other nonexchange revenues, are reported separately from business-type activities, which are financed wholly or partially by fees charged to external parties for goods or services and are reported in enterprise funds.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Indirect costs are included in the program expense reported for individual functions and activities. Program revenues include (1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment and (2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) **Summary of Significant Accounting Policies:** (Continued)

(c) **Measurement focus, basis of accounting, and financial statement presentation**—The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations of each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund balance, revenues, and expenditures. Government resources are allocated to, and accounted for in, individual funds based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

The accounting and financial reporting treatment is determined by the applicable measurement focus and the basis of accounting. The basis of accounting refers to when revenues and expenditures are recognized in the accounts and reported in the financial statements. The basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied. Measurement focus indicates the type of resources being measured such as current financial resources (current assets less current liabilities) or economic resources (all assets and liabilities).

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*, as are the proprietary funds financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers property tax revenues to be available if they are collected within 60 days of the end of the current fiscal period. Grants, other intergovernmental revenues, charges for services, licenses and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the City.

Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, certain expenditures relating to future periods, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

The City reports the following major governmental funds:

General Fund—The General Fund is the principal fund of the City which accounts for all financial transactions not accounted for in other funds. The majority of current operating expenditures of the City other than proprietary fund activities are financed through revenues received by the General Fund.

Archibald Park Fund—This fund is used to account for the activity at the Archibald Memorial Beach Park. The fund is used for the maintenance for every park in the City along with the maintenance of the beach.

Building Fund—This fund is used to account for building permits and inspections.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) **Summary of Significant Accounting Policies:** (Continued)

The City reports the following major proprietary funds:

Sanitation Fund—The Sanitation Fund provides the community with solid waste collection and disposal services. Collection and disposal of recyclable items is performed by a vendor under contract.

Stormwater Fund—The Stormwater Fund accounts for stormwater utility fee revenues, and expenses for drainage and stormwater related projects, including National Pollutant Discharge Elimination System (NPDES) reporting and compliance.

Marina Fund—The Marina Fund accounts for the operations of the Madeira Beach Municipal Marina.

Parking Fund—The Parking Fund accounts for the activities within the city-owned parking lots.

Additionally, the City reports the following governmental funds:

Local Option Sales Tax Fund—This fund accounts for the discretionary infrastructure surtax, or Penny for Pinellas revenue. Proceeds from this tax is used for long-term capital infrastructure projects in the local community.

Impact Fee Fund—This fund is used to account for the collection of transportation, public safety, and recreation impact fees and expend amounts collected in accordance with legal and statutory requirements.

Gas Tax Fund—This fund is used to account for the local option gas tax and the motor fuel portion of State Revenue Sharing.

Debt Service Fund—This fund is used to account for the accumulation of resources for, and payment of, general long-term debt principal, interest, and related costs. This fund type is used to provide for the debt service requirements of the City's governmental long-term debt.

As a general rule, the effect of the City's interfund activity has been eliminated from the government-wide financial statements, though interfund services provided and used are not eliminated in the process of consolidation.

Amounts reported as program revenues include 1) charges to customers for goods, services, or privileges provided, 2) operating grants and contributions, and 3) capital grants and contributions, including special assessments (when applicable). Internally dedicated resources are reported as general revenues rather than as program revenues. Likewise, general revenues include all taxes, interest revenue, and other miscellaneous revenues.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City's enterprise funds are charges to customers for sales and services. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) **Summary of Significant Accounting Policies:** (Continued)

(d) **Budgets and budgetary accounting**— Annual budgets are adopted on a basis consistent with generally accepted accounting principles for all funds. All annual appropriations lapse at fiscal year-end. The appropriated budget is adopted by fund and department. The legal level of budgetary control is at the fund level with exception of the General Fund at the department level, since the City Manager may transfer funds between line items within a department. The City cannot legally exceed the budget; however, at any time during the year, the Board of Commissioners may, by Resolution, transfer part or all of any unencumbered appropriation balance between departments or funds. The Board of Commissioners may also amend the adopted budget to provide supplemental appropriations or to revise budgeted estimates.

(e) **Deposits and investments**—The City's cash and cash equivalents include cash on hand, demand deposits and short-term investments that are readily convertible to known amounts of cash. Investments with original maturities of three months or less are considered to be cash equivalents and are reported at fair value.

(f) **Receivables and payables**—Activity between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as either "due to/from other funds" (i.e., the current portion of interfund loans) or "advances to/from other funds" (i.e., the non-current portion of interfund loans). All other outstanding balances between funds are reported as "due to/from other funds." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances."

All trade and property tax receivables are reported net of an allowance for uncollectible accounts, which is based upon management's analysis of historical trends. Utility operating sales are generally recognized on the basis of cycle billings rendered monthly. Unbilled accounts receivable are accrued by the City at September 30th, to recognize the sales revenues earned between the last meter reading and bill dates in mid-September through the end of the fiscal year.

(g) **Leases**—The City is a lessee for noncancellable leases of vehicles and buildings. The City recognizes a lease liability and an intangible right-to-use asset (lease asset) in the financial statements. The City recognizes lease liabilities with an initial, individual value of \$5,000 or more.

At the commencement of a lease, the City initially measures the lease liability at the present value of payments expected to be made during the lease term. Subsequently, the lease liability is reduced by the principal portion of lease payments made. The lease asset is initially measured as the initial amount of the lease liability, adjusted for lease payments made at or before the lease commencement date, plus certain initial direct costs. Subsequently, the lease asset is amortized on a straight-line basis over the term of the lease.

Key estimates and judgments related to leases include how the City determines (1) the discount rate it uses to discount the expected lease payments to present value, (2) lease term, and (3) lease payments.

The lease term includes the noncancellable period of the lease. Lease payments included in the measurement of the lease liability are comprised of fixed payments and any purchase option price that the City is reasonably certain to exercise.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) **Summary of Significant Accounting Policies:** (Continued)

In determining the lease term, management considers all facts and circumstances that create an economic incentive to exercise an extension option, or not exercise a termination option. Extension options are only included in the lease term if the lease is reasonably certain to be extended.

The City monitors changes in circumstances that would require a remeasurement of its lease and will remeasure the lease asset and liability if certain changes occur that are expected to significantly affect the amount of the lease liability. Leased assets are reported with other capital assets and lease liabilities are reported with long-term debt on the statement of net position.

The City also serves as the lessor in certain agreements whereby similar methodologies are followed to calculate the lease receivable. See Note (4) for further discussion of the City's lease activity as lessor.

(h) **Inventories and prepaid items**—The cost of inventory is accounted for on the consumption basis wherein inventories are charged as expenditures when used, rather than when purchased. All inventories are valued at cost using first-in/first-out (FIFO).

Certain payments to vendors reflect costs applicable to future accounting periods and are recognized on the consumption method and recorded as prepaid items in both government-wide and fund financial statements.

(i) **Capital assets**—Capital assets, which include property, plant, equipment, right-to-use assets and infrastructure assets (e.g., roads, drainage improvements, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the government as assets with an initial, individual cost of more than \$5,000 with an initial life of two or more years. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at estimated acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend asset lives are not capitalized, but charged to operating expense as incurred. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Property, plant, and equipment are depreciated using the straight-line method over the following estimated useful lives:

Assets	Years
Buildings	10 – 50 years
Improvements	3 – 50 years
Infrastructure	2 – 50 years
Intangible	2 – 10 years
Vehicle and equipment	2 – 20 years
Right-to-use assets	2 – 20 years

(j) **Compensated absences**—It is the City's policy to permit employees to accumulate earned but unused vacation and sick pay benefits. Vested or accumulated vacation leave is recorded as an expense and liability of the appropriate fund as the benefits accrue to employees. No liability is recorded for the non-vesting accumulating right to receive sick pay benefits; however, a liability is recognized for that portion estimated to be paid at separation.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) **Summary of Significant Accounting Policies:** (Continued)

The enterprise funds report 100% of compensated absence liability in both the government-wide and the proprietary fund statements, because it is accrued when incurred. The General Fund reports 100% of the amount due in the government-wide statements because it is accrued when incurred, but only the amount the City estimates to be due and payable as of the balance sheet date is recorded as a liability in the governmental fund statements. The remaining amount is presented as assigned fund balance. The City estimates 10% of compensated absences will become due and payable within one year.

(k) **Long-term obligations**—In the government-wide financial statements, and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position.

(l) **Deferred outflows/inflows of resources**—In addition to assets, the statement of financial position will, if required, report a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net assets that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. Currently, the only items in this category consisted of deferred amounts related to pensions, as discussed further in Note 0; and deferred loss on bond refunding amortized over the shorter of the term of the original bond or refunding bond.

In addition to liabilities, the statement of net position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net assets that applies to future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. Currently, the items in this category are deferred inflows relates to leases, as discussed further in Note (4), and deferred inflows of resources related to pensions, as discussed further in Note (12).

(m) **Fund equity**—In the fund financial statements, governmental funds report fund balance classifications that comprise a hierarchy based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in those funds can be spent. Those classifications are as follows:

Nonspendable – amounts not available to be spent or not in spendable form, such as inventory and prepaid items.

Restricted – amounts constrained to specific purposes by their providers (such as grantors and higher levels of government), through constitutional provisions or by enabling legislation.

Committed – amounts constrained to specific purposes based on actions taken by the Board of Commissioners through ordinance.

Assigned – amounts the City intends to use for a specific purpose. Intent can be expressed by Board of Commissioners or by an official or body which the Board of Commissioners delegates authority.

Unassigned – amounts that are available for any purpose. Positive amounts are reported only in the General Fund.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) Summary of Significant Accounting Policies: (Continued)

Disbursements of fund balances will first be made from restricted amounts when both restricted and unrestricted fund balance is available. Additionally, the City will first use committed fund balance, following by assigned fund balance, and then unassigned fund balance when expenditures are incurred for purposes which amounts in any of the unrestricted fund balance classifications could be used.

The fund balance policy adopted by the Board of Commissioners in September 2015 establishes expectations with respect to several aspects of managing and utilizing fund balances:

1. The City shall maintain a committed fund balance for the purpose of emergency storm response (e.g., flood or hurricane) equivalent to at least 33% of General Fund operating expenditures. In the event such fund balance is drawn upon, the City shall seek to restore the committed balance as soon as is practicable and in no event later than five years subsequent to the initial emergency response. Resolution 2019-09 adopted June 11, 2019, halted the annual funding and froze the Emergency Storm Response reserve at the amount of \$2,409,363.
2. In addition to the committed fund balance reserve, minimum unassigned fund balance shall be 16.67% (i.e., two months) of annual General Fund operating expenditures.
3. The City shall utilize funds in the following spending order: restricted; committed; assigned; unassigned.
4. In the case of an anticipated budget shortfall, the City may choose to balance its annual budget by assigning a portion of existing unassigned balance, or by reassigning funds in an amount no greater than the projected deficit.

(n) **Net position**—The government-wide and business-type fund financial statements utilize a net position presentation. Net position is presented in three components – net investment in capital assets, restricted, and unrestricted.

Net Investment in Capital Assets consists of capital assets including leased assets, net of accumulated depreciation and amortization and reduced by the outstanding balances of any external bonds, notes or other borrowings attributable to the acquisition, construction or improvement of those assets. This component does not include the portion of debt attributable to the unspent proceeds.

Restricted consists of amounts that have constraints placed on them either externally by third parties (e.g., creditors, grantors, and contributors) or by law through constitutional provisions or enabling legislation.

Unrestricted consists of net position that does not meet the definition of “net investment in capital assets” or “restricted.”

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(1) Summary of Significant Accounting Policies: (Continued)

(o) **Net position flow assumption**—In order to determine amounts reported as restricted and unrestricted net position, it is the City's policy to consider restricted net position to have been used before unrestricted net position is applied.

(p) **Property taxes**—Property tax revenues are recognized when levied, to the extent that they result in current receivables. Details of the property tax calendar are presented below:

Lien date	January 1
Levy date	October 1
Discount periods	November – February
No discount period	March
Delinquent date	April 1

(q) **Use of estimates**—Management uses estimates and assumptions in preparing financial statements in accordance with generally accepted accounting principles. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenue and expenses. Actual results could vary from the estimates assumed in preparing the financial statements.

(2) Reconciliation of Government-Wide and Fund Financial Statements:

(a) **Explanation of certain differences between the governmental fund balance sheet and the government-wide statement of net position**—Following the governmental fund balance sheet is a reconciliation between fund balance – total governmental funds and net position – governmental activities as reported in the government-wide statement of net position. A detailed explanation of these differences is provided in this reconciliation.

(b) **Explanation of certain differences between the governmental fund statement of revenues, expenditures, and changes in fund balances and the government-wide statement of activities**—Following the governmental fund statement of revenues, expenditures, and changes in fund balances, there is a reconciliation between net changes in fund balances - total governmental funds and changes in net position of governmental activities as reported in the government-wide statement of activities. A detailed explanation of these differences is provided in this reconciliation.

(3) Deposits and Investments:

At September 30, 2024, the City had a bank balance of \$26,706,829 at two bank accounts insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. The amounts in excess of FDIC coverage are fully collateralized in accordance with the Qualified Public Depository (QPD) program. According to Chapter 280, Florida Statutes, the City's deposits must be with financial institutions designated as qualified public depositories by the Chief Financial Officer of the State of Florida. In accordance with this statute, QPDs are required to pledge eligible collateral in varying percentages. Any losses to public depositories are covered by applicable deposit insurance, by the sale of pledged securities, and, if necessary, by assessments against other QPDs.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(3) Deposits and Investments: (Continued)

The City is governed by its investment policy adopted by Resolution 2015-34 on September 8, 2015, which authorizes investments in the following securities:

- U.S. Treasury obligations, and obligations the principal and interest of which are backed by the full faith and credit of the U.S. Government.
- Non-negotiable interest-bearing time certificates of deposit, or savings accounts in banks organized under state law or in national banks organized under the laws of the United States and doing business.
- Shares in open-end and no-load money market mutual funds, provided such funds are registered under the Investment Company Act of 1940 and operate in accordance with Rule 2a-7.
- State, local government, or privately-sponsored investment pools that are authorized pursuant to state law.

The investment policy is designed to address the following risk factors:

Interest Rate Risk: Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of investments. Generally, the longer the time to maturity, the greater the exposure to interest rate risk. The City's investment policy provides for this risk by requiring a maximum maturity of two years with respect to certificates of deposit and 5.5 years for U.S. Treasuries.

Credit Risk: Credit risk is the risk that a security or a portfolio will lose some or all of its value due to a real or perceived change in the ability of the issuer to fulfill its obligations. The City's portfolio is held entirely with public depositories.

The City invests only in certificate of deposits and local government investment pools with the highest credit quality ratings.

Concentration of Credit Risk: Concentration risk refers to the risk of loss resulting from over-exposure to a specific security or asset class. The City's investment policy addresses concentration risk by requiring maximum allocations to specific investment sectors and issuers.

Custodial Credit Risk: Custodial credit risk is the risk that the City may not recover cash and investments held by another party in the event of financial failure. Custodial credit risk is limited since investments are held in independent custodial safekeeping accounts.

The Florida Cooperative Liquid Assets Security System (Florida CLASS) is an external investment pool that meets all of the necessary criteria to elect to measure all of the investments in Florida CLASS at amortized cost. Therefore, the City's investment in Florida CLASS is reported at amortized cost. The fair value of the position in the pool is equal to the value of the pool shares. As of September 30, 2024, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100% of their account value. The weighted average maturity of the fund was 30 days and the rating by S&P Global Ratings was AAAM. At September 30, 2024, the City had \$11,050,968 invested with Florida CLASS.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(4) Receivables:

Accounts Receivable

The City's accounts receivable consisted of the following at September 30, 2024:

	Gross and Net Receivable
Governmental Activities:	
General Fund	\$ 176,284
Building Fund	1,933
Totals – Governmental Activities	<u>178,217</u>
Business-Type Activities:	
Sanitation Fund	4,636
Stormwater Fund	39,174
Marina Fund	2,554
Parking Fund	9,785
Totals – Business-Type Activities	<u>56,149</u>
Totals	<u><u>\$ 234,366</u></u>

Due from Other Governments

In addition to accounts receivable, the City also recorded \$2,676,412 in due from other governments at September 30, 2024, of which \$24,157 was allowed for.

Leases Receivable

The City has ongoing lease agreements with third parties related to rentals of building space and land owned by the City. The City has four active leases as of September 30, 2024, most of which were entered into with 5-year terms that include additional renewal terms of up to 25 or more years. The interest rate applied to these leases was 1.73%. Inflows of \$263,893 were recognized during the fiscal year ended September 30, 2024, relating to these leases.

A summary of the City's activity surrounding leases receivable as of and for the year ending September 30, 2024, is as follows:

	General Fund	Archibald Fund	Governmental Activities
Leases Receivable	\$ 1,573,482	\$ -	\$ 1,573,482
Deferred Inflows Related to Leases	1,477,560	2,695	1,480,255

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(5) Interfund Loans and Transfers:

The General Fund loaned \$500,000 and \$625,000 to the Marina Fund in fiscal year 2011 and 2017, respectively, for construction of a recreational and commercial fishing retail center known as the Ship Store and for Marina Dock Improvements. The loans are scheduled to be repaid over 20 years at an interest rate of 1.5%. The balance as of September 30, 2024, was \$309,618 and is reflected as an internal balance on the statement of net position and as an advance to/from other funds in the fund financial statements.

Transfers are used to (1) move revenues from the fund with collection authorization to the debt service fund as debt service principal and interest payments become due, (2) move restricted amounts from borrowings to the debt service funds to establish and maintain mandatory reserve and sinking fund accounts, (3) move revenues from special revenue and proprietary fund operations to the general fund for each fund's allocable share of City-wide administrative overhead charges borne by the general fund, and (4) move unrestricted revenues to finance various programs that the City must account for in other funds in accordance with budgetary authorizations, including amounts provided as matching funds for various grant programs. For the year ended September 30, 2024, individual fund transfers to and from other funds for the primary government were comprised of the following:

	<u>Transfers In</u>	<u>Transfers Out</u>
Governmental Activities:		
General Fund	\$ 839,900	\$ 3,993,925
Archibald Fund	2,200,000	60,900
Building Fund	-	202,600
Debt Service Fund	298,925	-
Total Governmental Activities	<u>3,338,825</u>	<u>4,257,425</u>
Business-type Activities:		
Sanitation Fund	-	92,100
Stormwater Fund	1,495,000	80,300
Marina Fund	-	130,000
Paarking Fund	-	274,000
Total Business-type Activities	<u>1,495,000</u>	<u>576,400</u>
Totals - All Funds	<u>\$ 4,833,825</u>	<u>\$ 4,833,825</u>

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(6) Capital Assets:

Capital asset activity for the fiscal year ended September 30, 2024, is as follows:

Governmental activities:	Balance 09/30/23	Increases	Decreases	Balance 09/30/24
Capital assets not being depreciated:				
Land	\$ 2,784,675	\$ -	\$ -	\$ 2,784,675
Construction in progress	447,958	2,336,705	(49,265)	2,735,398
Total assets not being depreciated	<u>3,232,633</u>	<u>2,336,705</u>	<u>(49,265)</u>	<u>5,520,073</u>
Capital assets being depreciated and amortized:				
Buildings	9,108,893	-	-	9,108,893
Infrastructure	5,175,291	-	-	5,175,291
Improvements	18,888,330	183,970	-	19,072,300
Right to use assets - Building	83,062	-	-	83,062
Right to use assets - Equipment	64,321	-	-	64,321
Intangibles	262,087	-	-	262,087
Equipment	4,271,505	608,614	(479,404)	4,400,715
Total assets being depreciated and amortized	<u>37,853,489</u>	<u>792,584</u>	<u>(479,404)</u>	<u>38,166,669</u>
Less accumulated depreciation and amortization for:				
Buildings	(2,681,124)	(301,424)	-	(2,982,548)
Infrastructure	(2,139,391)	(265,527)	-	(2,404,918)
Improvements	(11,150,196)	(661,165)	-	(11,811,361)
Right to use assets - Building	(27,688)	(13,843)	-	(41,531)
Right to use assets - Equipment	(37,252)	(21,560)	-	(58,812)
Intangibles	(241,870)	(18,039)	-	(259,909)
Equipment	(1,958,779)	(432,923)	479,404	(1,912,298)
Less: accumulated depreciation and amortization	<u>(18,236,300)</u>	<u>(1,714,481)</u>	<u>479,404</u>	<u>(19,471,377)</u>
Total capital assets being depreciated and amortized, net	<u>19,617,189</u>	<u>(921,897)</u>	<u>-</u>	<u>18,695,292</u>
Governmental activities capital assets, net	<u>\$ 22,849,822</u>	<u>\$ 1,414,808</u>	<u>\$ (49,265)</u>	<u>\$ 24,215,365</u>
Business-type activities:	Balance 09/30/23	Increases	Decreases	Balance 09/30/24
Capital assets not being depreciated:				
Land	\$ 5,000	\$ -	\$ -	\$ 5,000
Construction in progress	345,166	1,518,989	(21,688)	1,842,467
Total assets not being depreciated	<u>350,166</u>	<u>1,518,989</u>	<u>(21,688)</u>	<u>1,847,467</u>
Capital assets being depreciated and amortized:				
Buildings	494,724	-	-	494,724
Infrastructure	5,939,049	21,688	-	5,960,737
Improvements	15,961,449	-	(16,189)	15,945,260
Right to use assets - Building	129,043	-	-	129,043
Right to use assets - Equipment	33,076	-	(33,076)	-
Equipment	2,462,288	244,155	(801,954)	1,904,489
Total assets being depreciated and amortized	<u>25,019,629</u>	<u>265,843</u>	<u>(851,219)</u>	<u>24,434,253</u>
Less accumulated depreciation and amortization for:				
Buildings	(208,419)	(17,158)	-	(225,577)
Infrastructure	(1,604,072)	(297,404)	-	(1,901,476)
Improvements	(3,765,423)	(795,363)	13,221	(4,547,565)
Right to use assets - Building	(43,015)	(21,505)	27,741	(36,779)
Right to use assets - Equipment	(20,272)	(7,469)	573,745	546,004
Equipment	(1,454,367)	(227,206)	-	(1,681,573)
Less: accumulated depreciation and amortization	<u>(7,095,568)</u>	<u>(1,366,105)</u>	<u>614,707</u>	<u>(7,846,966)</u>
Total capital assets being depreciated and amortized, net	<u>17,924,061</u>	<u>(1,100,262)</u>	<u>(236,512)</u>	<u>16,587,287</u>
Business-type activities capital assets, net	<u>\$ 18,274,227</u>	<u>\$ 418,727</u>	<u>\$ (258,200)</u>	<u>\$ 18,434,754</u>

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(6) Capital Assets: (Continued)

Depreciation and amortization expense were charged to functions/programs as follows:

Governmental activities:	
General government	\$ 664,477
Physical environment	118,304
Public safety	299,592
Culture and recreation	623,229
Parking enforcement	8,879
Total depreciation and amortization expense - governmental activities	<u>\$ 1,714,481</u>
Business-type activities:	
Sanitation	\$ 197,725
Stormwater	991,496
Marina	163,818
Parking	13,066
Total depreciation and amortization expense - business-type activities	<u>\$ 1,366,105</u>

Included in depreciation and amortization expense is amortization on property under lease for governmental and business-type activities as follows:

	<u>Original Cost</u>	<u>Accumulated Amortization</u>
Governmental Activities:		
Buildings	\$ 83,062	\$ 41,531
Equipment	64,321	58,812
Total Governmental Activities	<u>147,383</u>	<u>100,343</u>
Sanitation Fund:		
Buildings	83,062	41,531
Stormwater Fund:		
Buildings	45,981	22,991
Total Business-type Activities	<u>\$ 129,043</u>	<u>\$ 64,522</u>

Amortization expense for governmental activities are included in the general government function.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(7) Long-Term Liabilities:

Long-term liability activity for the year ended September 30, 2024, was as follows:

	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Governmental activities:					
Publicly Issued:					
Revenue Bonds, Series 2013	\$ 3,740,000	\$ -	\$ (120,000)	\$ 3,620,000	\$ -
Lease payable	73,770	-	(27,511)	46,259	14,676
Compensated absences	383,489	448,444	(337,100)	494,833	49,483
Total long-term liabilities	<u>\$ 4,197,259</u>	<u>\$ 448,444</u>	<u>\$ (484,611)</u>	<u>\$ 4,161,092</u>	<u>\$ 64,159</u>
	<u>Beginning Balance</u>	<u>Additions</u>	<u>Deletions</u>	<u>Ending Balance</u>	<u>Due Within One Year</u>
Business-type activities:					
Direct Placements					
Revenue Bond, 2019	\$13,349,000	\$ -	\$ (607,000)	\$12,742,000	\$ 626,000
Refunding Revenue Bond, 2020	3,188,000	-	(432,000)	2,756,000	-
Lease payable	97,910	-	(28,520)	69,390	22,014
Compensated absences	123,658	105,152	(105,479)	123,331	12,333
Total long-term liabilities	<u>\$16,758,568</u>	<u>\$ 105,152</u>	<u>\$ (1,172,999)</u>	<u>\$15,690,721</u>	<u>\$ 660,347</u>

For governmental activities, compensated absences, net pension liabilities, and OPEB liabilities are generally liquidated by the General Fund.

Bonds and notes payable in the City's governmental activities at September 30, 2024, were comprised of the following obligations:

Capital Improvement Revenue Bonds, Series 2013: Issued in October 2013 in the amount of \$4,760,000 to finance the construction of the City Centre project, including reconstruction of the City Hall, Recreation Center, Fire Station, and park amenities located at or near 300 Municipal Drive. Serial bonds in the amount of \$1,020,000 with interest rates from 3.00% to 3.50% payable semiannually October 1 and April 1, due in annual principal installments from \$90,000 to \$115,000 from October 1, 2014 to October 1, 2023. Term bonds in the amount of \$3,740,000 with interest rates from 4.00% to 5.00% payable semiannually on October 1 and April 1, due in annual principal installments from \$120,000 to \$285,000 from October 1, 2024 to October 1, 2043. Pledged revenue: public services tax, half-cent sales tax, franchise fees, and state revenue sharing.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(7) Long-Term Liabilities: (Continued)

Annual debt service requirements to maturity for the City's governmental activities bonds and notes payable are as follows:

Year Ending September 30,	Governmental Activities		Total
	Publicly Issued		
	Principal	Interest	
2025	\$ -	\$ -	\$ -
2026	125,000	174,125	299,125
2027	130,000	169,125	299,125
2028	135,000	163,925	298,925
2029	140,000	158,525	298,525
2030-2034	795,000	692,125	1,487,125
2035-2039	1,005,000	477,750	1,482,750
2040-2044	1,290,000	199,750	1,489,750
	<u>\$ 3,620,000</u>	<u>\$ 2,035,325</u>	<u>\$ 5,655,325</u>

There is no current portion payable in the above schedule as maturities due October 1, 2024, were paid in fiscal year 2024 prior to the due date.

Bonds payable in the City's business-type activities at September 30, 2024, were comprised of the following obligations:

Capital Improvement Revenue Bond, Series 2019: Issued in July 2019 in the amount of \$15,063,000 to finance roadway and stormwater improvements and pay the associated cost of issuance. Serial bond with interest rate of 3.07% payable semiannually May 1 and November 1, due in annual principal installments from \$554,000 to \$993,000 from November 1, 2019 to November 1, 2039. Pledged revenue: covenant to budget and appropriate annual debt service from non-ad valorem revenues.

Stormwater System Refunding Bond, Series 2020: Issued in October 2020 in the amount of \$4,442,000 to finance improvements to the stormwater system. Serial bond with interest rate of 1.73% payable annually October 1, due in annual principal installments from \$411,000 to \$479,000 from October 1, 2021 to October 1, 2030. Pledged revenue: drainage fee gross revenues, with a backup covenant to budget and appropriate non-ad valorem revenues.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(7) Long-Term Liabilities: (Continued)

Annual debt service requirements to maturity for the City's business-type activities bonds, and notes payable, are as follows:

Year Ending September 30,	Business-type Activities		Total
	Direct Placements		
	Principal	Interest	
2025	\$ 626,000	\$ 381,570	\$ 1,007,570
2026	1,086,000	409,724	1,495,724
2027	1,114,000	381,973	1,495,973
2028	1,142,000	353,453	1,495,453
2029	1,171,000	324,169	1,495,169
2030-2034	4,836,000	1,178,122	6,014,122
2035-2039	4,530,000	508,668	5,038,668
2040	993,000	15,243	1,008,243
	\$ 15,498,000	\$ 3,552,922	\$ 19,050,922

(8) Leases:

The City has entered into various leases for vehicles as indicated in Note (7). Imputed interest rates on the leases range from 1.775% to 2.701%.

Future minimum lease payments for the City's governmental activities leases are as follows:

Year Ending September 30,	Governmental Activities		
	Principal	Interest	Total
2025	\$ 14,676	\$ 684	15,360
2026	\$ 15,415	\$ 425	15,840
2027	\$ 16,168	\$ 152	16,320
	<u>\$ 46,259</u>	<u>\$ 1,261</u>	<u>\$ 47,520</u>

Future minimum lease payments for the City's business-type activities leases are as follows:

Year Ending September 30,	Business-type Activities		
	Principal	Interest	Total
2025	\$ 22,014	\$ 1,026	\$ 23,040
2026	\$ 23,123	\$ 637	\$ 23,760
2027	\$ 24,253	\$ 228	\$ 24,481
2028	\$ -	\$ -	\$ -
	<u>\$ 69,390</u>	<u>\$ 1,891</u>	<u>\$ 71,281</u>

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(9) Commitments and Contingencies:

The City participates in several programs that are fully or partially funded by grants received from state, county or federal governmental agency sources. Expenditures financed by grants are subject to audit by the appropriate grantor government or agency. If expenditures are disallowed due to non-compliance with grant program regulations, the City may be required to reimburse the grantor. As of September 30, 2024, the City believes that disallowed expenditures discovered in subsequent audits, if any, will not have a material effect on any of the individual funds or the overall financial position of the City.

(10) Risk Management:

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters, all of which is satisfactorily insured by limited risk, high deductible commercial general liability insurance. Commercial insurance policies are also obtained for other risks of loss, including employee health and accident insurance. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three years.

(11) Other Postemployment Benefits (OPEB):

The City does not provide any postretirement health care or life insurance benefits for employees. As mandated by Chapter 112.0801, *Florida Statutes*, retirees and their eligible dependents are offered the same health and hospitalization insurance coverage as is offered to active employees at a premium cost that is no more than the premium cost applicable to active employees. The entire premium cost is paid by the retirees.

Even though the City does not provide any postretirement health care or life insurance benefits for employees, there is an implicit rate subsidy because retirees are able to purchase insurance coverage at the same premium cost applicable to active employees. This practice creates a Total OPEB liability based on the theory that retirees have higher utilization of health care benefits than active employees, and the retirees are therefore subsidized by the active employees. This liability must be actuarially determined and recognized in the financial statements. The latest actuarial report used by the City was the September 30, 2024, actuarial date.

Plan Description—The City administers a single-employer defined benefit healthcare plan that provides medical and dental coverage to retirees as well as their eligible spouses. Benefits are provided through the City's group health insurance plan, which covers both active and retired members.

Funding Policy—For all retired employees, the employee contributes 100% of the active premium rate and may also purchase spouse coverage at the active premium rate. The City does not contribute any amount. Plan provisions and contribution requirements are established and may be amended by the City Manager. The postretirement medical and dental benefits are funded on a pay-as-you-go basis (i.e., as benefits are paid). No assets have been segregated and restricted to fund postretirement benefits. No trust or agency fund has been established for the plan.

Plan Membership—At September 30, 2024, plan participation consisted of the following:

Active Employees	69
Retired Employees	3
Eligible Employees	0
Spouses	16
	<u>88</u>

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(11) Other Postemployment Benefits (OPEB): (Continued)

Total OPEB Liability—The City's total OPEB liability of \$243,737 was measured as of September 30, 2024, and was determined by an actuarial valuation as of September 30, 2024, utilizing the alternative measurement method.

Actuarial Assumptions and Other Inputs—The total OPEB liability in the September 30, 2024, actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods in the measurement, unless otherwise specified:

Salary increases	5%
Employer investment return	0%
Post-retirement benefit increases	0%
Discount rate	3.22%
Healthcare cost trend rate	Varies by year

Mortality rates were based on the Pub-2000 Public Retirement Plans Mortality Tables. Amortization method/period is the level percentage of payroll over 20 years. The City's Total OPEB liability is calculated using the alternative measurement method permitted for employers with fewer than one hundred total plan members. As a result of using the alternative measurement method and the same measurement date as the financial statement date, there are no deferred outflows or inflows of resources related to OPEB.

For the fiscal year ended September 30, 2024, changes in the total OPEB liability were as follows:

Balance at September 30, 2023	\$ 81,113
Changes for a year:	
Service cost	5,632
Interest	3,600
Effect of economic/demographic gains (losses)	131,120
Changes of assumptions	22,272
Net changes	162,624
Balance at September 30, 2024	<u>\$ 243,737</u>

Sensitivity of the total OPEB liability to changes in the discount rate:

The following presents the total OPEB liability of the City calculated using the discount rate of 3.220%, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1% lower or 1% higher than the current rate:

	<u>1% Decrease</u>	<u>Current Discount Rate</u>	<u>1% Increase</u>
Total OPEB Liability	\$ 271,373	\$ 243,737	\$ 219,876

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(11) Other Postemployment Benefits (OPEB): (Continued)

Sensitivity of the total OPEB liability to changes in the healthcare cost trend rate:

The following presents the total OPEB liability of the City as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1% lower (2.00%-4.20%) or 1% higher (4.00%-6.20%) than the current healthcare cost trend rates (3.00%-5.20%):

	<u>1% Decrease</u>	<u>Current Trend Rates</u>	<u>1% Increase</u>
Total OPEB Liability	\$ 219,395	\$ 243,737	\$ 271,485

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources

For the year ended September 30, 2024, the City recognized OPEB expense of \$162,624. At September 30, 2024, the City reported no deferred outflows of resources or deferred inflows of resources related to OPEB.

(12) Employees' Retirement Plans:

A. Florida Retirement System and Health Insurance Subsidy

Plan Description and Administration

The entity participates in the Florida Retirement System (FRS), a multiple-employer, cost-sharing defined public employee retirement system which covers all general employees hired before January 1, 1996, and all firefighters, regardless of date of hire. The System is administered by the State of Florida, Department of Administration, Division of Retirement to provide retirement and survivor benefits to participating public employees. Provisions relating to the FRS are established by Chapters 121 and 122, Florida Statutes; Chapter 112, Part IV, Florida Statutes; Chapter 238, Florida Statutes; and FRS Rules, Chapter 60S, Florida Administrative Code; wherein eligibility, contributions, and benefits are defined and described in detail. The FRS is a single retirement system administered by the Department of Management Services, Division of Retirement, and consists of two cost-sharing, multiple-employer retirement plans and other nonintegrated programs. These include a defined-benefit pension plan (Plan), with a Deferred Retirement Option Program (DROP), and a defined-contribution plan, referred to as the FRS Investment Plan (Investment Plan).

In addition, all regular employees of the entity are eligible to enroll as members of the Retiree Health Insurance Subsidy (HIS) Program. The HIS is a cost-sharing, multiple-employer defined benefit pension plan established and administered in accordance with section 112.363, Florida Statutes. The benefit is a monthly payment to assist retirees of the state-administered retirement systems in paying their health insurance costs. Eligible retirees and beneficiaries receive a monthly HIS payment equal to the number of years of service credited at retirement multiplied by \$7.50. The minimum payment is \$45 and the maximum payment is \$225 per month, pursuant to section 112.363, Florida Statutes. To be eligible to receive a HIS benefit, a retiree under one of the state-administered retirement systems must provide proof of eligible health insurance coverage, which can include Medicare.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(12) Employees' Retirement Plans: (Continued)

Benefits Provided and Employees Covered

Employees enrolled in the Plan prior to July 1, 2011, vest at six years of creditable service and employees enrolled in the Plan on or after July 1, 2011, vest at eight years of creditable service. All vested members, enrolled prior to July 1, 2011, are eligible for normal retirement benefits at age 62 or at any age after 30 years of service. All members enrolled in the Plan on or after July 1, 2011, once vested, are eligible for normal retirement benefits at age 65 or any time after 33 years of creditable service. Members of both Plans may include up to four years of credit for military service toward creditable service. The Plan also includes an early retirement provision; however, there is a benefit reduction for each year a member retires before his or her normal retirement date. The Plan provides retirement, disability, death benefits, and annual cost-of-living adjustments. Benefits under the Plan are computed on the basis of age and/or years of service, average final compensation, and service credit. Credit for each year of service is expressed as a percentage of the average final compensation. For members initially enrolled before July 1, 2011, the average final compensation is the average of the five highest fiscal years' earnings; for members initially enrolled on or after July 1, 2011, the average final compensation is the average of the eight highest fiscal years' earnings. The total percentage value of the benefit received is determined by calculating the total value of all service, which is based on the retirement plan and/or class to which the member belonged when the service credit was earned.

DROP, subject to provisions of Section 121.091, Florida Statutes, permits employees eligible for normal retirement under the Plan to defer receipt of monthly benefit payments while continuing employment with an FRS employer. An employee may participate in DROP for a period not to exceed 96 months after electing to participate, except that certain instructional personnel may participate for up to 120 months. During the period of DROP participation, deferred monthly benefits are held in the FRS Trust Fund and accrue interest.

Employees may elect to participate in the Investment Plan in lieu of the FRS defined-benefit plan. Employer and employee contributions are defined by law, but the ultimate benefit depends in part on the performance of investment funds. The Investment Plan is funded by employer and employee contributions that are based on salary and membership class (Regular, DROP, etc.). Contributions are directed to individual member accounts, and the individual members allocate contributions and account balances among various approved investment choices. Employees in the Investment Plan vest at one year of service.

Financial Statements

Financial statements and other supplementary information of the FRS are included in the State's Annual Comprehensive Financial Report, which is available from the Florida Department of Financial Services, Bureau of Financial Reporting Statewide Financial Reporting Section by mail at 200 E. Gaines Street, Tallahassee, Florida 32399-0364; by telephone at (850) 413-5511; or at the Department's Web site (www.myfloridacfo.com). An annual report on the FRS, which includes its financial statements, required supplementary information, actuarial report, and other relevant information, is available from:

Florida Department of Management Services
 Division of Retirement
 P.O. Box 9000
 Tallahassee, FL 32315-9000
 850-488-5706 or toll free at 877-377-1737

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(12) **Employees' Retirement Plans:** (Continued)

Contributions

The entity participates in certain classes of FRS membership. Each class had descriptions and contribution rates in effect during the year ended September 30, 2024, as follows (contribution rates are in agreement with the actuarially determined rates):

FRS Membership Plan & Class	Through June 30, 2024	After June 30, 2024
Regular Class	13.57%	13.63%
Senior Management	34.52%	34.52%
Special Risk	32.67%	32.79%

Current-year employer HIS contributions were made at a rate of 2.00% of covered payroll, which are included in the above rates.

For the plan year ended June 30, 2024, actual contributions made for employees participating in FRS and HIS were as follows:

City Contributions – FRS	\$ 540,074
City Contributions – HIS	52,113
Employee Contributions – FRS	78,170

Net Pension Liability, Pension Expense, and Deferred Outflows and Inflows of Resources Related to Pensions

At September 30, 2024, the City reported a liability related to FRS and HIS as follows:

Plan	Net Pension Liability
FRS	\$ 3,689,559
HIS	923,366
Total	<u>\$ 4,612,925</u>

The net pension liability was measured as of June 30, 2024, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The entity's proportion of the net pension liability was based on a projection of the long-term share of contributions to the pension plan relative to the projected contributions of all participating governmental entities, as actuarially determined. At June 30, 2024 and June 30, 2023, the City's proportionate share of the FRS and HIS net pension liabilities were as follows:

Plan	2024	2023
FRS	0.009537514%	0.006171989%
HIS	0.006155369%	0.003198303%

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(12) Employees' Retirement Plans: (Continued)

For the year ended June 30, 2024, pension expense was recognized related to the FRS and HIS plans as follows:

<u>Plan</u>	<u>Pension Expense</u>
FRS	\$ 761,711
HIS	114,182
Total	<u>\$ 875,893</u>

Deferred outflows/inflows related to pensions:

At September 30, 2024, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	<u>FRS</u>		<u>HIS</u>	
	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>	<u>Deferred Outflows of Resources</u>	<u>Deferred Inflows of Resources</u>
Differences between expected and actual experience	\$ 372,744	\$ -	\$ 8,916	\$ (1,773)
Changes of assumptions	505,688	-	16,341	(109,315)
Net difference between projected and actual investment earnings	-	(245,227)	-	(334)
Change in proportionate share	930,943	(31,168)	417,541	(7,044)
Contributions subsequent to measurement date	165,618	-	18,616	-
Total	<u>\$ 1,974,993</u>	<u>\$ (276,395)</u>	<u>\$ 461,414</u>	<u>\$ (118,466)</u>

The above amounts for deferred outflows of resources for contributions related to pensions resulting from City contributions subsequent to the measurement date and will be recognized as a reduction of the net pension liability in the year ended September 30, 2025. Other amounts reported as deferred outflows and deferred inflows of resources related to pensions being amortized for a period of greater than one year will be recognized in pension expense in succeeding years as follows:

	<u>FRS</u>	<u>HIS</u>	<u>Total</u>
2025	\$ 148,397	\$ 62,913	\$ 211,310
2026	818,302	58,598	876,900
2027	263,545	52,465	316,010
2028	208,624	60,960	269,584
2029	94,112	68,641	162,753
Thereafter	-	20,755	20,755
	<u>\$ 1,532,980</u>	<u>\$ 324,332</u>	<u>\$ 1,857,312</u>

Actuarial assumptions:

The actuarial assumptions for both defined benefit plans are reviewed annually by the Florida Retirement System Actuarial Assumptions Conference. The FRS has a valuation performed annually. The HIS Program has a valuation performed biennially that is updated for GASB reporting in the year a valuation is not performed. The most recent experience study for the FRS was completed in 2024 for the period July 1, 2018 through June 30, 2023. Because HIS is funded on a pay-as-you-go basis, no experience study has been completed.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(12) Employees' Retirement Plans: (Continued)

The total pension liability for each of the defined benefit plans was determined by an actuarial valuation, using the entry age normal actuarial cost method. Inflation increases for both plans is assumed at 2.40%. Payroll growth, including inflation, for both plans is assumed at 3.50%. Both the discount rate and the long-term expected rate of return used for FRS investments is 6.70%. This rate is consistent with the prior year rate of 6.70%. The plan's fiduciary net position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the discount rate for calculating the total pension liability is equal to the long-term expected rate of return. Because HIS Program uses a pay-as-you-go funding structure, a municipal bond rate of 3.93% was used to determine the total pension for the program. This rate increased from the prior year rate, which was 3.65%. Mortality assumptions for both plans were based on the PUB-2010 base table varies by member category and sex, projected generationally with Scale MP-2021.

Long-term expected rate of return:

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in October 2024, the FRS Actuarial Assumptions Conference reviewed long-term assumptions developed by both Milliman's capital market assumptions team and by a capital market assumptions team from Aon Hewitt Investment Consulting, which consults to the Florida State Board of Administration. The table below shows Milliman's assumptions for each of the asset classes in which the plan was invested at that time based on the long-term target asset allocation. The allocation policy's description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes an adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead are based on a forward-looking capital market economic model.

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Annual Arithmetic Expected Rate of Return</u>
Cash	1.0%	3.3%
Fixed income	29.0%	5.7%
Global equities	45.0%	8.6%
Real estate	12.0%	8.1%
Private equity	11.0%	12.4%
Strategic investments	2.0%	6.6%
Total	<u>100.0%</u>	

Sensitivity of the net pension liability to changes in the discount rate:

The following presents the proportionate shares of the FRS and HIS net pension liability of the City calculated using the current discount rates, as well as what the City's net pension liability would be if it were calculated using a discount rate that is 1% lower or 1% higher than the current rate:

<u>Plan</u>	<u>Current Discount Rate</u>	<u>NPL with 1% Decrease</u>	<u>NPL at Current Discount Rate</u>	<u>NPL with 1% Increase</u>
FRS	6.70%	\$ 6,489,805	\$ 3,689,559	\$ 1,343,759
HIS	3.93%	1,051,133	923,366	817,298

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(12) Employees' Retirement Plans: (Continued)

B. General Employee 401(a) Plan

The City maintains a single-employer defined contribution plan for all general employees and elected officials hired after January 1, 1996. This is a tax-qualified plan pursuant to section 401(a) of the Internal Revenue Code. This plan was established by Resolution 98.20. Amendments to the plan provisions or contribution requirements may be made by resolution.

The plan, administered by the ICMA Retirement Corporation, provides for the employer to contribute 9% of earnings. Employees are not required to contribute to this plan; however, each employee directs the investment of his or her account. Employees are eligible to participate immediately upon hire, and the vesting schedule provides for employees to be fully vested after five years of service, or upon reaching the plan retirement age of 65 while employed by the City. The plan permits distributions of the vested amount for retirement, death, disability, hardship or direct rollover to another eligible retirement plan. For the year ended September 30, 2024, employer contributions required and made totaled \$162,790 and covered payroll totaled \$1,760,107.

Participation in the plan at September 30, 2024 was as follows:

<u>Years of Service</u>	<u>Percent Vested</u>	<u>Number of Employees</u>
5 or more	100%	3
4	75%	2
3	50%	3
2	25%	4
1	0%	3
0	0%	1

The City also maintains a defined contribution plan for the Senior Management Class, which includes the City Manager. This is a tax-qualified plan pursuant to section 401(a) of the Internal Revenue Code and is administered by the ICMA Retirement Corporation. This plan was established by Resolution 96.02. Amendments to the plan provisions or contribution requirements may be made by resolution. It provides for the employer to contribute 12% of the City Manager's base salary. The City Manager is eligible to participate immediately upon employment and is immediately vested. The City has designated a retirement age of 62 for this plan. Distributions of the vested amount for retirement, death, disability, hardship or direct rollover to another eligible retirement plan are permitted.

C. Deferred Compensation

The City offers its employees a choice of two deferred compensation plans created in accordance with Internal Revenue Code Section 457(b). The plans, which are available to all City employees, permit the deferral of salary until future years. The deferred compensation is not available to employees until termination, retirement, death or other unforeseen non-reimbursed emergency. Limited loan provisions are available under the terms and conditions of the respective plans. Because all assets of the plans must be held in trust for the exclusive benefit of plan participants and their beneficiaries and the plan is administered by a third party, these plans are not accounted for in the City's financial statements.

CITY OF MADEIRA BEACH, FLORIDA
NOTES TO FINANCIAL STATEMENTS
SEPTEMBER 30, 2024

(13) Adjustments to Beginning Fund Balance

	Reporting Units Affected by Adjustments to Beginning Balances			
	General Fund	Impact Fee Fund	Archibald Fund	Nonmajor Governmental Funds
9/30/2023, as previously reported	\$ 18,276,090	\$ -	\$ -	\$ 5,527,581
Change from nonmajor to major fund (nonmajor to major)	-	-	2,472,491	(2,472,491)
Changes within the financial reporting entity (Impact Fee Fund separated out from General Fund)	(149,778)	149,778	-	149,778
9/30/2023, as adjusted	\$ 18,126,312	\$ 149,778	\$ 2,472,491	\$ 3,204,868

(14) Recent Accounting Pronouncements:

The Governmental Accounting Standards Board (“GASB”) has issued several pronouncements that have effective dates that may impact future financial statements. Listed below are pronouncements with required implementation dates effective for subsequent fiscal years that have not yet been implemented. Management has not currently determined what, if any, impact implementation of the following will have on the City’s financial statements:

GASB issued Statement No. 101, *Compensated Absences*, in June 2022. GASB Statement No. 101 amends the existing guidance related to the calculation and disclosures surrounding the liability for compensated absences. The provisions for GASB 101 are effective for fiscal years beginning after December 15, 2023.

GASB issued Statement No. 102, *Certain Risk Disclosures*, in December 2023. The objective of GASB 102 is to provide users of government financial statements with essential information about risks related to a government’s vulnerabilities due to certain concentrations or constraints. The effective date for implementation is fiscal years beginning after June 15, 2024, and all reporting periods thereafter.

GASB issued Statement No. 103, *Financial Reporting Model Improvements*, in April 2024. The objective of GASB 103 improve key components of the financial reporting model to enhance its effectiveness in providing information that is essential for decision making and assessing a government’s accountability. The effective date for implementation is fiscal years beginning after June 15, 2025, and all reporting periods thereafter.

GASB issued Statement No. 104, *Disclosure of Certain Capital Assets*, in September 2024. GASB Statement No. 104 requires governments to disclose separate information about specific types of capital assets and establishes criteria for identifying and reporting capital assets held for sale. The objective of GASB 104 is to enhance transparency and improve the usefulness of financial statements for stakeholders by providing more detailed information on these assets. The provisions are effective for fiscal years beginning after June 15, 2025.

REQUIRED SUPPLEMENTARY INFORMATION

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GENERAL FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
Revenues				
Taxes	\$ 6,642,669	\$ 6,642,669	\$ 6,682,910	\$ 40,241
Permits and fees	660,000	660,000	702,401	42,401
Intergovernmental	6,193,030	6,193,030	4,452,991	(1,740,039)
Charges for services	522,300	522,300	481,503	(40,797)
Fines and forfeitures	16,000	16,000	95,774	79,774
Investment income	706,385	706,385	1,238,571	532,186
Miscellaneous	266,656	266,656	546,544	279,888
Total revenues	15,007,040	15,007,040	14,200,694	(806,346)
Expenditures				
Current:				
General government:				
City Commission	81,300	81,300	55,258	26,042
City Clerk	521,399	542,599	418,104	124,495
City Manager	962,306	1,202,906	891,767	311,139
Legal services	209,000	209,000	178,863	30,137
Information technology	220,300	220,300	210,669	9,631
Human resources	26,000	56,000	55,322	678
Finance	631,896	751,496	682,357	69,139
Community development	910,158	919,058	768,067	150,991
Nondepartmental	5,058,741	5,058,741	822,070	4,236,671
Public safety:				
Law enforcement	1,608,420	1,608,420	1,593,502	14,918
Fire / EMS	2,649,027	2,948,727	2,916,141	32,586
Physical environment:				
Public works	1,617,382	1,784,682	1,322,921	461,761
John's Pass Village	1,953,500	1,991,500	310,397	1,681,103
Culture and recreation:				
Parks and recreation	1,602,050	1,713,130	1,520,395	192,735
Total expenditures	18,051,479	19,087,859	11,745,833	7,342,026
Excess (deficiency) of revenues over expenditures	(3,044,439)	(4,080,819)	2,454,861	6,535,680
Other financing sources (uses)				
Transfers in	839,900	839,900	839,900	-
Transfers out	-	-	(3,993,925)	(3,993,925)
Proceeds from insurance recoveries	-	-	4,099	4,099
Total other financing sources (uses)	839,900	839,900	(3,149,926)	(3,989,826)
Net change in fund balances	(2,204,539)	(3,240,919)	(695,065)	2,545,854
Fund balances , beginning of year, as previously reported	18,276,090	18,276,090	18,276,090	-
Changes within the financial reporting entity (Impact Fee Fund separated out from General Fund)	(149,778)	(149,778)	(149,778)	-
Fund balances , beginning of year, as adjusted	18,126,312	18,126,312	18,126,312	-
Fund balances , end of year	\$ 15,921,773	\$ 14,885,393	\$ 17,431,247	\$ 2,545,854

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - BUILDING DEPARTMENT FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
Revenues				
Permits and fees	\$ 1,300,000	\$ 1,300,000	\$ 1,063,876	\$ (236,124)
Investment income	30,000	30,000	65,784	35,784
Miscellaneous	1,500	1,500	20,162	18,662
Total revenues	<u>1,331,500</u>	<u>1,331,500</u>	<u>1,149,822</u>	<u>(181,678)</u>
Expenditures				
Current:				
General government	802,645	830,045	713,598	116,447
Capital outlay	791,000	791,000	397,953	393,047
Total expenditures	<u>1,593,645</u>	<u>1,621,045</u>	<u>1,111,551</u>	<u>509,494</u>
Excess (deficiency) of revenues over expenditures	<u>(262,145)</u>	<u>(289,545)</u>	<u>38,271</u>	<u>327,816</u>
Other financing sources (uses)				
Transfers out	(202,600)	(202,600)	(202,600)	-
Proceeds from insurance recoveries	-	-	1,275	1,275
Total other financing sources (uses)	<u>(202,600)</u>	<u>(202,600)</u>	<u>(201,325)</u>	<u>1,275</u>
Net change in fund balances	<u>(464,745)</u>	<u>(492,145)</u>	<u>(163,054)</u>	<u>329,091</u>
Fund balances, beginning of year	1,191,018	1,191,018	1,191,018	-
Fund balances, end of year	<u>\$ 726,273</u>	<u>\$ 698,873</u>	<u>\$ 1,027,964</u>	<u>\$ 329,091</u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - ARCHIBALD PARK FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
Revenues				
Intergovernmental	\$ 1,750,000	\$ 1,750,000	\$ 721,765	\$ (1,028,235)
Charges for services	750,000	750,000	704,831	(45,169)
Investment income	30,000	30,000	68,953	38,953
Miscellaneous	-	-	8,000	8,000
Total revenues	<u>2,530,000</u>	<u>2,530,000</u>	<u>1,503,549</u>	<u>(1,026,451)</u>
Expenditures				
Current:				
Culture and recreation	<u>5,595,653</u>	<u>5,676,053</u>	<u>2,339,107</u>	<u>3,336,946</u>
Total expenditures	<u>5,595,653</u>	<u>5,676,053</u>	<u>2,339,107</u>	<u>3,336,946</u>
Excess (deficiency) of revenues over expenditures	<u>(3,065,653)</u>	<u>(3,146,053)</u>	<u>(835,558)</u>	<u>2,310,495</u>
Other financing sources (uses)				
Transfers in	2,500,000	2,500,000	2,200,000	(300,000)
Transfers out	<u>(60,900)</u>	<u>(60,900)</u>	<u>(60,900)</u>	<u>-</u>
Total other financing sources (uses)	<u>2,439,100</u>	<u>2,439,100</u>	<u>2,139,100</u>	<u>(300,000)</u>
Net change in fund balances	<u>(626,553)</u>	<u>(706,953)</u>	<u>1,303,542</u>	<u>2,010,495</u>
Fund balances, beginning of year	2,472,491	2,472,491	2,472,491	-
Fund balances, end of year	<u>\$ 1,845,938</u>	<u>\$ 1,765,538</u>	<u>\$ 3,776,033</u>	<u>\$ 2,010,495</u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY
AND RELATED RATIOS
LAST 10 FISCAL YEARS
(UNAUDITED)

	2024	2023	2022	2021	2020	2019	2018
Total OPEB Liability							
Service cost	\$ 5,632	\$ 7,003	\$ 9,610	\$ 1,981	\$ 2,490	\$ 2,825	\$ 4,367
Interest	3,600	3,249	1,603	657	893	1,483	518
Effect of economic/demographic gains (losses)	131,120	(5,918)	(8,765)	52,776	(7,095)	(7,575)	(16,649)
Changes of assumptions	22,272	(3,316)	(21,839)	(596)	2,057	6,778	(15,060)
Net change in total OPEB liability	162,624	1,018	(19,391)	54,818	(1,655)	3,511	(26,824)
Total OPEB liability - beginning of year	81,113	80,095	99,486	44,668	46,323	42,812	69,636
Total OPEB liability - end of year	\$ 243,737	\$ 81,113	\$ 80,095	\$ 99,486	\$ 44,668	\$ 46,323	\$ 42,812
Covered employee payroll	\$ 4,463,667	\$ 3,912,871	\$ 3,427,251	\$ 3,113,188	\$ 3,032,470	\$ 2,973,385	\$ 2,942,881
Total OPEB liability as a percentage of covered employee payroll	5.46%	2.07%	2.34%	3.20%	1.47%	1.56%	1.45%

Notes to Schedule:

Valuation date:	9/30/2024	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2018	9/30/2018
Measurement date:	9/30/2024	9/30/2023	9/30/2022	9/30/2021	9/30/2020	9/30/2019	9/30/2018

Changes of assumptions. Changes of assumptions and other changes reflect the effects of changes in the discount rate each period. The following are the discount rates used in each period:

3.22%	4.15%	3.73%	1.47%	1.41%	1.83%	3.25%
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No assets are being accumulated in a trust to pay for OPEB benefits. Therefore, the City only reports a total OPEB liability.

*10 years of data will be presented as it becomes available.

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY
LAST 10 FISCAL YEARS
(UNAUDITED)

	As of the Plan Year Ended June 30,									
	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Florida Retirement System (FRS)										
Proportion of the net pension liability	0.009537514%	0.006171989%	0.005903722%	0.005801937%	0.006132501%	0.006099031%	0.006127095%	0.006279726%	0.006582629%	0.005158269%
Proportionate share of the net pension liability	\$ 3,689,559	\$ 2,459,342	\$ 2,196,659	\$ 438,270	\$ 2,657,916	\$ 2,100,422	\$ 1,845,513	\$ 1,857,501	\$ 1,662,119	\$ 666,260
Covered payroll	2,605,659	1,267,410	1,157,351	1,123,195	1,138,133	1,122,364	1,080,732	1,047,689	1,017,350	924,304
Proportionate share of the net pension liability as a percentage of covered payroll	141.60%	194.04%	189.80%	39.02%	233.53%	187.14%	170.77%	177.30%	163.38%	72.08%
Plan fiduciary net position as a percentage of the total pension liability	83.70%	82.38%	82.89%	96.40%	78.85%	82.61%	84.26%	83.89%	84.88%	92.00%
Health Insurance Subsidy Program (HIS)										
Proportion of the net pension liability	0.006155369%	0.003198303%	0.003175099%	0.003171998%	0.003278595%	0.003355923%	0.003258092%	0.003286902%	0.003282245%	0.003046655%
Proportionate share of the net pension liability	\$ 923,366	\$ 507,933	\$ 336,294	\$ 389,093	\$ 400,311	\$ 375,494	\$ 344,840	\$ 351,451	\$ 382,532	\$ 310,711
Covered payroll	2,605,659	1,267,410	1,157,351	1,123,195	1,138,133	1,122,364	1,080,732	1,047,689	1,017,350	924,304
Proportionate share of the net pension liability as a percentage of covered payroll	35.44%	40.08%	29.06%	34.64%	35.17%	33.46%	31.91%	33.55%	37.60%	33.62%
Plan fiduciary net position as a percentage of the total pension liability	4.80%	4.12%	4.81%	3.56%	3.00%	2.63%	1.88%	1.64%	0.97%	0.50%

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF CONTRIBUTIONS
LAST 10 FISCAL YEARS
(UNAUDITED)

	For the Fiscal Year Ended September 30,									
	2024	2023	2022	2021	2020	2019	2018	2017	2016	2015
Florida Retirement System (FRS)										
Contractually required contribution	\$ 625,601	\$ 306,007	\$ 254,989	\$ 233,320	\$ 203,756	\$ 200,538	\$ 178,194	\$ 167,140	\$ 168,400	\$ 138,195
Contributions in relation to the contractually required contribution	625,601	306,007	254,989	233,320	203,756	200,538	178,194	167,140	168,400	138,195
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 3,247,883	\$ 1,250,909	\$ 1,151,776	\$ 1,124,463	\$ 1,138,133	\$ 1,122,364	\$ 1,080,732	\$ 1,047,689	\$ 1,017,350	\$ 924,304
Contributions as a percentage of covered payroll	19.26%	24.46%	22.14%	20.75%	17.90%	17.87%	16.49%	15.95%	16.55%	14.95%
Health Insurance Subsidy Program (HIS)										
Contractually required contribution	\$ 64,958	\$ 21,746	\$ 19,119	\$ 18,666	\$ 18,893	\$ 18,923	\$ 17,761	\$ 17,872	\$ 17,596	\$ 12,013
Contributions in relation to the contractually required contribution	64,958	21,746	19,119	18,666	18,893	18,923	17,761	17,872	17,596	12,013
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Covered payroll	\$ 3,247,883	\$ 1,250,909	\$ 1,151,776	\$ 1,124,463	\$ 1,138,133	\$ 1,122,364	\$ 1,080,732	\$ 1,047,689	\$ 1,017,350	\$ 924,304
Contributions as a percentage of covered payroll	2.00%	1.74%	1.66%	1.66%	1.66%	1.69%	1.64%	1.71%	1.73%	1.30%

SUPPLEMENTARY INFORMATION

**CITY OF MADEIRA BEACH, FLORIDA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
SEPTEMBER 30, 2024**

	Local Option Sales Tax	Impact Fee	Gas Tax	Debt Service	Total Nonmajor Governmental Funds
ASSETS					
Equity in pooled cash and cash equivalents	\$ 1,559,313	\$ 416,917	\$ 27,756	\$ 313,688	\$ 2,317,674
Investments	845,065	-	31,827	164,438	1,041,330
Due from other governments	149,964	-	13,885	-	163,849
Total assets	<u>\$ 2,554,342</u>	<u>\$ 416,917</u>	<u>\$ 73,468</u>	<u>\$ 478,126</u>	<u>\$ 3,522,853</u>
LIABILITIES					
Accounts payable and accrued liabilities	\$ 13	\$ -	\$ 12,263	\$ -	\$ 12,276
Due to other governments	-	23,191	-	-	23,191
Total liabilities	<u>13</u>	<u>23,191</u>	<u>12,263</u>	<u>-</u>	<u>35,467</u>
FUND BALANCES					
Restricted for:					
Capital projects	2,554,329	-	-	-	2,554,329
Public Safety	-	15,422	-	-	15,422
Parks and recreation	-	310,014	-	-	310,014
Transportation	-	68,290	61,205	-	129,495
Committed to:					
Debt service	-	-	-	478,126	478,126
Total fund balances	<u>2,554,329</u>	<u>393,726</u>	<u>61,205</u>	<u>478,126</u>	<u>3,487,386</u>
Total liabilities, deferred inflows and fund balances	<u>\$ 2,554,342</u>	<u>\$ 416,917</u>	<u>\$ 73,468</u>	<u>\$ 478,126</u>	<u>\$ 3,522,853</u>

CITY OF MADEIRA BEACH, FLORIDA
COMBINING STATEMENT OF REVENUES, EXPENDITURES,
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Local Option Sales Tax	Formerly part of General Fund Impact Fee	Gas Tax	Debt Service	Formerly Nonmajor Fund Archibald Park	Total Nonmajor Governmental Funds
Revenues						
Taxes	\$ 653,554	\$ -	\$ 56,625	\$ -		\$ 710,179
Permits and fees	-	229,631	-	-		229,631
Intergovernmental	-	-	38,595	-		38,595
Investment income	130,422	14,317	3,853	24,910		173,502
Total revenues	<u>783,976</u>	<u>243,948</u>	<u>99,073</u>	<u>24,910</u>		<u>1,151,907</u>
Expenditures						
Current:						
Transportation	-	-	119,083	-		119,083
Culture and recreation	11	-	-	-		11
Capital outlay	750,295	-	-	-		750,295
Debt service:						
Principal retirement	-	-	-	120,000		120,000
Interest and fiscal charges	-	-	-	178,925		178,925
Total expenditures	<u>750,306</u>	<u>-</u>	<u>119,083</u>	<u>298,925</u>		<u>1,168,314</u>
Excess (deficiency) of revenues over expenditures	<u>33,670</u>	<u>243,948</u>	<u>(20,010)</u>	<u>(274,015)</u>		<u>(16,407)</u>
Other financing sources (uses)						
Transfers in	-	-	-	298,925		298,925
Total other financing sources (uses)	<u>-</u>	<u>-</u>	<u>-</u>	<u>298,925</u>		<u>298,925</u>
Net change in fund balances	<u>33,670</u>	<u>243,948</u>	<u>(20,010)</u>	<u>24,910</u>		<u>282,518</u>
Fund balances , beginning of year, as previously reported	2,520,659	-	81,215	453,216	2,472,491	5,527,581
Changes within the financial reporting entity (nonmajor to major)	-	-	-	-	(2,472,491)	(2,472,491)
Changes within the financial reporting entity (Impact Fee Fund separated out from General Fund)	-	149,778	-	-	-	149,778
Fund balances , beginning of year, as adjusted	<u>2,520,659</u>	<u>149,778</u>	<u>81,215</u>	<u>453,216</u>	<u>-</u>	<u>3,204,868</u>
Fund balances , end of year	<u>\$ 2,554,329</u>	<u>\$ 393,726</u>	<u>\$ 61,205</u>	<u>\$ 478,126</u>	<u>\$ -</u>	<u>\$ 3,487,386</u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - LOCAL OPTION SALES TAX FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
Revenues				
Taxes	\$ 671,121	\$ 671,121	\$ 653,554	\$ (17,567)
Investment income	75,000	75,000	130,422	55,422
Total revenues	<u>746,121</u>	<u>746,121</u>	<u>783,976</u>	<u>37,855</u>
Expenditures				
Current:				
Culture and recreation	-	-	11	(11)
Capital Outlay	<u>2,780,000</u>	<u>2,830,000</u>	<u>750,295</u>	<u>2,079,705</u>
Total expenditures	<u>2,780,000</u>	<u>2,830,000</u>	<u>750,306</u>	<u>2,079,694</u>
Excess (deficiency) of revenues over expenditures	<u>(2,033,879)</u>	<u>(2,083,879)</u>	<u>33,670</u>	<u>2,117,549</u>
Net change in fund balances	<u>(2,033,879)</u>	<u>(2,083,879)</u>	<u>33,670</u>	<u>2,117,549</u>
Fund balances, beginning of year	2,520,659	2,520,659	2,520,659	-
Fund balances, end of year	<u><u>\$ 486,780</u></u>	<u><u>\$ 436,780</u></u>	<u><u>\$ 2,554,329</u></u>	<u><u>\$ 2,117,549</u></u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - IMPACT FEE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts		Variance with Final Budget - Positive (Negative)
	Original	Final	Actual
Revenues			
Permits and fees	\$ 125,000	\$ 125,000	\$ 229,631
Investment income	-	-	14,317
Total revenues	<u>125,000</u>	<u>125,000</u>	<u>243,948</u>
Net change in fund balances	<u>125,000</u>	<u>125,000</u>	<u>243,948</u>
Fund balances , beginning of year, as previously reported	-	-	-
Changes within the financial reporting entity (Impact Fee Fund separated out from General Fund)	149,778	149,778	149,778
Fund balances , beginning of year, as adjusted	<u>149,778</u>	<u>149,778</u>	<u>149,778</u>
Fund balances , end of year	<u>\$ 274,778</u>	<u>\$ 274,778</u>	<u>\$ 393,726</u>
			<u>\$ 118,948</u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - GAS TAX FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	<u>Budgeted Amounts</u>		<u>Actual</u>	<u>Variance with Final Budget - Positive (Negative)</u>
	<u>Original</u>	<u>Final</u>		
Revenues				
Taxes	\$ 60,000	\$ 60,000	\$ 56,625	\$ (3,375)
Intergovernmental	50,000	50,000	38,595	(11,405)
Investment income	3,500	3,500	3,853	353
Total revenues	<u>113,500</u>	<u>113,500</u>	<u>99,073</u>	<u>(14,427)</u>
Expenditures				
Current:				
Transportation	<u>137,000</u>	<u>137,000</u>	<u>119,083</u>	<u>17,917</u>
Total expenditures	<u>137,000</u>	<u>137,000</u>	<u>119,083</u>	<u>17,917</u>
Net change in fund balances	<u>(23,500)</u>	<u>(23,500)</u>	<u>(20,010)</u>	<u>3,490</u>
Fund balances, beginning of year	81,215	81,215	81,215	-
Fund balances, end of year	<u>\$ 57,715</u>	<u>\$ 57,715</u>	<u>\$ 61,205</u>	<u>\$ 3,490</u>

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
BUDGET AND ACTUAL - DEBT SERVICE FUND
FOR THE YEAR ENDED SEPTEMBER 30, 2024

	Budgeted Amounts			Variance with Final Budget - Positive (Negative)
	Original	Final	Actual	
Revenues				
Investment income	\$ 20,000	\$ 20,000	\$ 24,910	\$ 4,910
Total revenues	20,000	20,000	24,910	4,910
Expenditures				
Debt service:				
Principal retirement	125,000	125,000	120,000	5,000
Interest and fiscal charges	205,000	205,000	178,925	26,075
Total expenditures	330,000	330,000	298,925	31,075
Excess (deficiency) of revenues over expenditures	(310,000)	(310,000)	(274,015)	35,985
Other financing sources (uses)				
Transfers in	300,000	300,000	298,925	(1,075)
Net change in fund balances	(10,000)	(10,000)	24,910	34,910
Fund balances, beginning of year	453,216	453,216	453,216	-
Fund balances, end of year	<u>\$ 443,216</u>	<u>\$ 443,216</u>	<u>\$ 478,126</u>	<u>\$ 34,910</u>

**CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF REVENUES AND EXPENDITURES
EMERGENCY MEDICAL SERVICES (EMS)
FOR THE YEAR ENDED SEPTEMBER 30, 2024**

REVENUES

EMS operating reimbursement	\$ 625,104
Total revenues	<u>625,104</u>

EXPENDITURES

Current:

Salaries, wages, and employees benefits	756,000
Insurance	13,040
Repairs and maintenance	15,182
Uniforms	7,335
Fuel	10,733
Other	<u>7,449</u>
Total expenditures	<u>809,739</u>

Excess (deficiency) of revenues over expenditures	<u><u>\$ (184,635)</u></u>
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Statistical Section

This part of the City of Madeira Beach, Florida's annual comprehensive financial report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

Contents

Financial Trends (*Schedules 1-4*)

These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.

Revenue Capacity (*Schedules 5-8*)

These schedules contain information to help the reader assess the factors affecting the City's ability to generate its property and sales taxes.

Debt Capacity (*Schedules 9-11*)

These schedules present information to help the reader assess the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future.

Demographic and Economic Information (*Schedules 12-13*)

These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place and help make comparisons over time and with other governments.

Operating Information (*Schedules 14-16*)

These schedules contain information about the City's operations and resources to help the reader understand how the City's financial information relates to the services the City provides and the activities it performs.

Sources: Unless otherwise noted, the information in these schedules is derived from the annual comprehensive financial reports for the relevant year.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 1 - Net Position by Component
Last Ten Fiscal Years

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Governmental activities										
Net investment in capital assets	\$ 17,176,826	\$ 20,834,168	\$ 19,115,318	\$ 18,849,172	\$ 21,426,039	\$ 19,243,130	\$ 19,645,954	\$ 19,163,068	\$ 18,968,572	\$ 19,876,082
Restricted	1,394,219	1,822,272	2,537,922	2,506,064	3,244,903	3,838,490	3,476,218	3,615,143	5,733,288	5,604,616
Unrestricted	10,470,942	6,659,456	8,682,268	9,545,575	10,216,657	11,324,497	12,787,295	17,182,133	16,556,312	17,798,820
Total governmental activities net position	<u>\$ 29,041,987</u>	<u>\$ 29,315,896</u>	<u>\$ 30,335,508</u>	<u>\$ 30,900,811</u>	<u>\$ 34,887,599</u>	<u>\$ 34,406,117</u>	<u>\$ 35,909,467</u>	<u>\$ 39,960,344</u>	<u>\$ 41,258,172</u>	<u>\$ 43,279,518</u>
Business-type activities										
Net investment in capital assets	\$ 3,971,754	\$ 5,030,687	\$ 3,106,312	\$ 5,177,035	\$ 6,176,268	\$ 5,151,256	\$ 7,044,923	\$ 7,123,928	\$ 7,134,291	\$ 8,338,777
Restricted	-	-	3,123,891	1,744,352	502,475	506,948	617,414	646,382	638,173	627,544
Unrestricted	2,395,490	1,721,782	2,551,955	2,709,841	3,275,804	4,582,530	3,552,495	3,179,555	5,617,279	7,752,966
Total business-type net position	<u>\$ 6,367,244</u>	<u>\$ 6,752,469</u>	<u>\$ 8,782,158</u>	<u>\$ 9,631,228</u>	<u>\$ 9,954,547</u>	<u>\$ 10,240,734</u>	<u>\$ 11,214,832</u>	<u>\$ 10,949,865</u>	<u>\$ 13,389,743</u>	<u>\$ 16,719,287</u>
Total primary government										
Net investment in capital assets	\$ 21,148,580	\$ 25,864,855	\$ 22,221,630	\$ 24,026,207	\$ 27,602,307	\$ 24,394,386	\$ 26,690,877	\$ 26,286,996	\$ 26,102,863	\$ 28,214,859
Restricted	1,394,219	1,822,272	5,661,813	4,250,416	3,747,378	4,345,438	4,093,632	4,261,525	6,371,461	6,232,160
Unrestricted	12,866,432	8,381,238	11,234,223	12,255,416	13,492,461	15,907,027	16,339,790	20,361,688	22,173,591	25,551,786
Total primary government net position	<u>\$ 35,409,231</u>	<u>\$ 36,068,365</u>	<u>\$ 39,117,666</u>	<u>\$ 40,532,039</u>	<u>\$ 44,842,146</u>	<u>\$ 44,646,851</u>	<u>\$ 47,124,299</u>	<u>\$ 50,910,209</u>	<u>\$ 54,647,915</u>	<u>\$ 59,998,805</u>

Note:

GASB No. 68 was implemented in 2016.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 2 - Changes in Net Position
Last Ten Fiscal Years

Item 5C.

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Expenses										
Governmental activities:										
General government	\$ 2,459,928	\$ 3,132,603	\$ 3,741,235	\$ 3,371,549	\$ 3,630,067	\$ 4,254,336	\$ 3,768,129	\$ 3,900,539	\$ 4,735,227	\$ 5,537,963
Physical environment	418,301	355,628	359,015	347,428	388,376	554,824	578,761	698,848	4,184,881	1,696,742
Transportation	-	86,402	86,769	90,246	99,993	102,045	91,971	108,047	123,192	119,083
Public safety	2,664,433	2,789,136	2,920,618	3,100,023	3,384,679	3,168,751	3,255,594	3,353,919	3,744,742	4,647,340
Culture and recreation	1,446,682	1,915,085	2,060,546	1,956,408	1,974,810	1,841,332	1,919,097	2,050,431	2,473,170	2,735,362
Parking	255,765	275,092	271,622	337,615	385,397	370,391	409,434	481,837	8,946	8,879
Interest and other fees on long term debt	192,169	320,334	343,386	126,186	231,620	216,736	203,624	189,727	184,592	179,949
Total governmental activities expenses	<u>\$ 7,437,278</u>	<u>\$ 8,874,280</u>	<u>\$ 9,783,191</u>	<u>\$ 9,329,455</u>	<u>\$ 10,094,942</u>	<u>\$ 10,508,415</u>	<u>\$ 10,226,610</u>	<u>\$ 10,783,348</u>	<u>\$ 15,454,750</u>	<u>\$ 14,925,318</u>
Business-type activities:										
Sanitation	\$ 1,184,959	\$ 1,173,844	\$ 1,261,613	\$ 1,267,370	\$ 1,378,114	\$ 1,383,213	\$ 1,443,081	\$ 1,514,246	\$ 1,857,869	\$ 2,047,608
Stormwater	476,227	637,036	621,754	682,240	1,144,905	2,373,105	2,004,475	2,750,748	1,914,720	2,024,496
Marina	1,872,121	1,880,631	2,306,407	2,533,025	2,266,351	2,013,784	2,557,482	3,567,718	3,489,965	3,225,570
Parking	-	-	-	-	-	-	-	-	623,678	733,619
Total business-type activities expenses	<u>3,533,307</u>	<u>3,691,511</u>	<u>4,189,774</u>	<u>4,482,635</u>	<u>4,789,370</u>	<u>5,770,102</u>	<u>6,005,038</u>	<u>7,832,712</u>	<u>7,886,232</u>	<u>8,031,293</u>
Total government expenses	<u>\$ 10,970,585</u>	<u>\$ 12,565,791</u>	<u>\$ 13,972,965</u>	<u>\$ 13,812,090</u>	<u>\$ 14,884,312</u>	<u>\$ 16,278,517</u>	<u>\$ 16,231,648</u>	<u>\$ 18,616,060</u>	<u>\$ 23,340,982</u>	<u>\$ 22,956,611</u>
Program Revenues										
Governmental activities:										
Charges for services:										
General government	\$ 912,202	\$ 1,101,012	\$ 1,055,876	\$ 1,198,947	\$ 1,492,659	\$ 1,096,603	\$ 1,265,112	\$ 1,503,261	\$ 1,083,229	\$ 1,379,936
Transportation	-	-	-	-	-	-	-	-	-	56,769
Public safety	626,273	628,352	653,046	701,730	703,678	267,253	271,274	280,151	300,222	317,215
Culture and recreation	636,413	349,626	459,137	498,577	529,465	374,270	410,857	609,010	629,689	579,107
Parking	1,285,041	2,075,709	2,072,161	2,073,573	2,244,975	2,288,946	2,811,724	3,406,055	685,528	595,064
Operating grants and contributions	6,626	-	116,939	38,134	277,542	798,829	767,838	775,714	4,131,707	4,399,882
Capital grants and contributions	1,768,069	87,781	1,464,527	190,194	3,154,386	494,602	4,634	115,373	113,003	222,706
Total governmental activities program revenues	<u>\$ 5,234,624</u>	<u>\$ 4,242,480</u>	<u>\$ 5,821,686</u>	<u>\$ 4,701,155</u>	<u>\$ 8,402,705</u>	<u>\$ 5,320,503</u>	<u>\$ 5,531,439</u>	<u>\$ 6,689,564</u>	<u>\$ 6,943,378</u>	<u>\$ 7,550,679</u>
Business-type activities:										
Charges for services:										
Sanitation	\$ 1,126,910	\$ 1,257,616	\$ 1,285,252	\$ 1,285,159	\$ 1,291,884	\$ 1,263,496	\$ 1,377,876	\$ 1,854,440	\$ 2,093,709	\$ 2,327,515
Stormwater	671,303	690,819	722,291	718,988	685,920	1,690,480	1,249,012	684,822	678,215	693,243
Marina	1,991,260	2,000,166	2,446,408	2,634,733	2,511,476	2,356,385	3,013,226	4,171,926	4,127,532	3,729,686
Parking	-	-	-	-	-	-	-	-	3,503,006	3,263,510
Operating grants and contributions	3,300	3,270	3,237	3,209	3,187	44,232	2,453	11,221	35,031	39,469
Capital grants and contributions	-	78,350	1,736,607	621,907	434,290	-	-	-	-	-
Total business-type activities program revenues	<u>3,792,773</u>	<u>4,030,221</u>	<u>6,193,795</u>	<u>5,263,996</u>	<u>4,926,757</u>	<u>5,354,593</u>	<u>5,642,567</u>	<u>6,722,409</u>	<u>10,437,493</u>	<u>10,053,423</u>
Total government program revenues	<u>\$ 9,027,397</u>	<u>\$ 8,272,701</u>	<u>\$ 12,015,481</u>	<u>\$ 9,965,151</u>	<u>\$ 13,329,462</u>	<u>\$ 10,675,096</u>	<u>\$ 11,174,006</u>	<u>\$ 13,411,973</u>	<u>\$ 17,380,871</u>	<u>\$ 17,604,102</u>

CITY OF MADEIRA BEACH, FLORIDA
Schedule 2 - Changes in Net Position
Last Ten Fiscal Years

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Schedule 2: Continued										
Net (Expense)/Revenue										
Governmental activities	\$ (2,202,654)	\$ (4,631,800)	\$ (3,961,505)	\$ (4,628,300)	\$ (1,692,237)	\$ (5,187,912)	\$ (4,695,171)	\$ (4,093,784)	\$ (8,511,372)	\$ (7,374,639)
Business-type activities	259,466	338,710	2,004,021	781,361	137,387	(415,509)	(362,471)	(1,110,303)	2,551,261	2,022,130
Total governmental net expense	<u>\$ (1,943,188)</u>	<u>\$ (4,293,090)</u>	<u>\$ (1,957,484)</u>	<u>\$ (3,846,939)</u>	<u>\$ (1,554,850)</u>	<u>\$ (5,603,421)</u>	<u>\$ (5,057,642)</u>	<u>\$ (5,204,087)</u>	<u>\$ (5,960,111)</u>	<u>\$ (5,352,509)</u>
General Revenues and Other Changes in Net Position										
Governmental activities:										
Taxes:										
Property taxes	\$ 1,758,259	\$ 2,101,355	\$ 2,305,198	\$ 2,483,174	\$ 2,688,109	\$ 3,533,688	\$ 3,770,607	\$ 4,134,405	\$ 4,744,071	\$ 5,387,345
Franchise and utility taxes	1,249,780	1,236,625	1,485,784	1,545,823	1,632,840	1,651,917	1,787,986	1,937,878	1,694,133	1,642,283
Intergovernmental revenues	1,212,668	2,401,947	1,018,915	1,039,773	1,103,831	1,051,820	1,099,137	1,164,634	1,435,065	1,364,397
Local business tax receipts	71,842	-	-	-	-	-	-	-	34,278	79,912
Investment earnings	20,966	48,198	78,341	97,037	188,210	304,903	451,159	572,742	1,197,710	1,546,810
Gain/(loss) on disposal of capital assets	5,220	-	2,686	3,960	29,974	-	-	(5,837)	46,500	(49,265)
Miscellaneous revenues	49,415	252,521	35,193	23,836	36,061	71,221	108,511	97,959	82,071	343,103
Transfers	-	(55,000)	55,000	-	-	(372,600)	(1,018,879)	242,880	575,373	(918,600)
BP settlement	746,904	-	-	-	-	-	-	-	-	-
Total governmental activities	<u>\$ 5,115,054</u>	<u>\$ 5,985,646</u>	<u>\$ 4,981,117</u>	<u>\$ 5,193,603</u>	<u>\$ 5,679,025</u>	<u>\$ 6,240,949</u>	<u>\$ 6,198,521</u>	<u>\$ 8,144,661</u>	<u>\$ 9,809,201</u>	<u>\$ 9,395,985</u>
Business-type activities:										
Investment earnings	\$ 777	\$ 38,077	\$ 60,269	\$ 60,111	\$ 183,010	\$ 293,594	\$ 254,985	\$ 235,637	\$ 442,406	\$ 619,988
Gain/(loss) on disposal of capital assets	28,211	-	20,400	-	-	-	41,680	1,250	8,100	(236,344)
Miscellaneous revenues	10,648	13,276	-	7,598	2,922	35,512	21,025	851,329	13,484	5,170
Transfers	-	55,000	(55,000)	-	-	372,600	1,018,879	(242,880)	(575,373)	918,600
Total business-type activities	<u>39,636</u>	<u>106,353</u>	<u>25,669</u>	<u>67,709</u>	<u>185,932</u>	<u>701,706</u>	<u>1,336,569</u>	<u>845,336</u>	<u>(111,383)</u>	<u>1,307,414</u>
Total government	<u>\$ 5,154,690</u>	<u>\$ 6,091,999</u>	<u>\$ 5,006,786</u>	<u>\$ 5,261,312</u>	<u>\$ 5,864,957</u>	<u>\$ 6,942,655</u>	<u>\$ 7,535,090</u>	<u>\$ 8,989,997</u>	<u>\$ 9,697,818</u>	<u>\$ 10,703,399</u>
Total Change in Net Position										
Governmental activities	\$ 2,912,400	\$ 1,353,846	\$ 1,019,612	\$ 565,303	\$ 3,986,788	\$ 1,053,037	\$ 1,503,350	\$ 4,050,877	\$ 1,297,829	\$ 2,021,346
Business-type activities	299,102	445,063	2,029,690	849,070	323,319	286,197	974,098	(264,967)	2,439,878	3,329,544
Total government	<u>\$ 3,211,502</u>	<u>\$ 1,798,909</u>	<u>\$ 3,049,302</u>	<u>\$ 1,414,373</u>	<u>\$ 4,310,107</u>	<u>\$ 1,339,234</u>	<u>\$ 2,477,448</u>	<u>\$ 3,785,910</u>	<u>\$ 3,737,707</u>	<u>\$ 5,350,890</u>

CITY OF MADEIRA BEACH, FLORIDA
Schedule 3 - Fund Balances of Governmental Funds
Last Ten Fiscal Years

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
General Fund:										
Nonspendable	\$ 406,596	\$ 387,874	\$ 932,373	\$ 877,253	\$ 790,959	\$ 683,937	\$ 596,573	\$ 513,391	\$ 476,335	\$ 388,965
Restricted	629,489	461,386	592,329	-	-	-	-	32,169	145,172	-
Committed	2,480,852	3,289,423	3,600,294	3,692,492	4,014,990	3,250,494	3,164,189	3,457,560	4,114,376	4,696,537
Assigned	2,620,071	581,344	464,581	3,222,794	903,219	410,968	8,119	1,629,491	1,915,223	2,862,513
Unassigned	<u>5,370,831</u>	<u>5,493,842</u>	<u>5,108,200</u>	<u>3,273,992</u>	<u>6,364,966</u>	<u>8,919,096</u>	<u>10,753,573</u>	<u>12,420,743</u>	<u>11,624,984</u>	<u>9,483,232</u>
Total General Fund	<u>\$ 11,507,839</u>	<u>\$ 10,213,869</u>	<u>\$ 10,697,777</u>	<u>\$ 11,066,531</u>	<u>\$ 12,074,134</u>	<u>\$ 13,264,495</u>	<u>\$ 14,522,454</u>	<u>\$ 18,053,354</u>	<u>\$ 18,276,090</u>	<u>\$ 17,431,247</u>
All other governmental funds:										
Nonspendable	\$ 30	\$ 30	\$ -	\$ 845	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,332,989
Restricted	744,508	1,360,886	1,945,593	2,506,064	3,244,903	3,838,490	3,518,751	3,582,974	5,588,116	5,604,616
Committed	-	192,000	193,564	194,921	197,918	474,999	486,441	898,054	1,130,483	1,353,778
Assigned	<u>20,192</u>	<u>858,286</u>	<u>90,892</u>	<u>53,038</u>	<u>32,294</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total all other governmental funds	<u>\$ 764,730</u>	<u>\$ 2,411,202</u>	<u>\$ 2,230,049</u>	<u>\$ 2,754,868</u>	<u>\$ 3,475,115</u>	<u>\$ 4,313,489</u>	<u>\$ 4,005,192</u>	<u>\$ 4,481,028</u>	<u>\$ 6,718,599</u>	<u>\$ 8,291,383</u>

CITY OF MADEIRA BEACH, FLORIDA
Schedule 4 - Changes in Fund Balances of Governmental Funds
Last Ten Fiscal Years

	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
Revenues										
Taxes	\$ 3,008,039	\$ 3,337,980	\$ 3,546,460	\$ 3,785,095	\$ 4,090,076	\$ 5,286,371	\$ 5,585,804	\$ 6,146,225	\$ 6,785,218	\$ 7,393,089
Licenses and permits	452,182	146,127	130,338	105,901	122,092	1,410,732	1,583,363	1,887,414	1,629,358	1,995,908
Intergovernmental revenue	2,370,981	2,489,728	3,488,516	2,199,999	5,464,986	2,017,217	1,599,783	1,670,044	4,948,451	5,213,351
Charges for services	2,036,367	3,827,736	3,226,708	3,472,346	3,923,452	2,511,931	3,128,144	3,978,641	1,287,737	1,186,334
Fines and forfeitures	159,890	180,836	23,202	11,153	6,619	104,715	44,688	261,408	28,567	95,774
Investment earnings	20,966	48,198	78,340	83,832	176,260	304,903	451,159	572,742	1,197,710	1,546,810
Miscellaneous revenue	322,283	252,519	251,552	232,472	268,272	578,973	363,472	332,633	283,684	574,706
Total revenues	<u>\$ 8,370,708</u>	<u>\$ 10,283,124</u>	<u>\$ 10,745,116</u>	<u>\$ 9,890,798</u>	<u>\$ 14,051,757</u>	<u>\$ 12,214,842</u>	<u>\$ 12,756,413</u>	<u>\$ 14,849,107</u>	<u>\$ 16,160,725</u>	<u>\$ 18,005,972</u>
Expenditures										
General government	\$ 2,149,840	\$ 2,614,854	\$ 3,387,885	\$ 2,858,302	\$ 3,128,844	\$ 3,542,531	\$ 3,327,715	\$ 3,460,983	\$ 3,787,104	\$ 4,750,654
Physical environment	306,922	248,354	254,933	246,777	289,330	442,920	475,693	586,421	4,077,923	1,578,438
Transportation	-	86,402	86,769	90,246	99,993	102,045	91,971	108,047	123,192	119,083
Public safety	2,518,423	2,647,305	2,630,950	2,783,768	2,900,493	3,004,044	3,108,547	3,193,420	3,498,456	4,347,748
Culture and recreation	1,080,304	1,348,342	1,339,397	1,273,233	1,341,461	1,186,759	1,272,894	1,471,130	1,862,929	2,112,133
Parking enforcement	243,278	264,918	259,651	284,300	322,056	297,854	337,106	420,399	(9,365)	-
Capital outlay	6,415,879	2,756,777	1,511,411	315,055	3,432,206	504,592	1,631,300	1,326,310	643,040	3,129,289
Debt Service:										
Cost of issuance	63,393	49,526	-	32,754	-	-	-	-	-	-
Principal	100,000	333,000	1,306,000	2,183,000	608,092	543,735	460,901	481,101	155,420	147,511
Interest	228,980	251,145	348,050	230,750	232,030	220,700	206,274	194,303	184,592	179,949
Total expenditures	<u>\$ 13,107,019</u>	<u>\$ 10,600,623</u>	<u>\$ 11,125,046</u>	<u>\$ 10,298,185</u>	<u>\$ 12,354,505</u>	<u>\$ 9,845,180</u>	<u>\$ 10,912,401</u>	<u>\$ 11,242,114</u>	<u>\$ 14,323,291</u>	<u>\$ 16,364,805</u>
Excess (deficit) of revenue over expenditures	\$ (4,736,311)	\$ (317,499)	\$ (379,930)	\$ (407,387)	\$ 1,697,252	\$ 2,369,662	\$ 1,844,012	\$ 3,606,993	\$ 1,837,434	\$ 1,641,167
Other Financing Sources (Uses)										
Issuance of debt	3,010,000	725,000	-	1,297,000	-	-	-	-	-	-
Discount on debt issued	-	-	-	-	-	-	-	-	-	-
Transfers in	-	-	1,972,750	2,413,750	1,121,322	833,901	1,161,574	980,690	4,335,112	3,338,825
Transfers out	-	(55,000)	(1,917,749)	(2,413,750)	(1,121,322)	(1,206,501)	(2,058,174)	(737,810)	(3,759,739)	(4,257,425)
Sale of capital assets or insurance proceeds	6,870	-	627,686	3,960	30,598	31,673	2,250	156,863	47,500	5,374
BP settlement	746,904	-	-	-	-	-	-	-	-	-
Total other financing sources (uses)	<u>3,763,774</u>	<u>670,000</u>	<u>682,687</u>	<u>1,300,960</u>	<u>30,598</u>	<u>(340,927)</u>	<u>(894,350)</u>	<u>399,743</u>	<u>622,873</u>	<u>(913,226)</u>
Net change in fund balances	<u>\$ (972,537)</u>	<u>\$ 352,501</u>	<u>\$ 302,757</u>	<u>\$ 893,573</u>	<u>\$ 1,727,850</u>	<u>\$ 2,028,735</u>	<u>\$ 949,662</u>	<u>\$ 4,006,736</u>	<u>\$ 2,460,307</u>	<u>\$ 727,941</u>
Debt service as a percentage of noncapital expenditures	4.9%	7.4%	17.2%	24.2%	9.4%	8.2%	7.2%	6.8%	2.5%	2.5%

CITY OF MADEIRA BEACH, FLORIDA
Schedule 5 - Taxable and Estimated Actual Value of Taxable Property
Last Ten Fiscal Years

<u>Fiscal Year</u>	<u>Tax Roll</u>	<u>Total Direct Tax Rate¹</u>	<u>Real Property Taxable Value</u>	<u>Personal Property Taxable Value</u>	<u>Total Taxable Value</u>	<u>Exempt Real and Personal Property</u>	<u>Total Estimated Actual Value²</u>	<u>Ratio of Total Taxable Value to Total Estimated Actual Value</u>
2015	2014	1.9900	900,523,821	11,819,245	912,343,066	231,229,210	1,143,572,276	79.8%
2016	2015	2.2000	973,000,175	13,793,217	986,793,392	271,926,223	1,258,719,615	78.4%
2017	2016	2.2000	1,066,933,051	14,639,582	1,081,572,633	314,465,957	1,396,038,590	77.5%
2018	2017	2.2000	1,153,459,150	15,076,555	1,168,535,705	148,261,225	1,316,796,930	88.7%
2019	2018	2.2000	1,244,779,115	14,295,408	1,259,074,523	156,010,008	1,415,084,531	89.0%
2020	2019	2.7500	1,317,009,736	13,542,821	1,330,552,557	162,113,338	1,492,665,895	89.1%
2021	2020	2.7500	1,405,030,173	13,683,641	1,418,713,814	169,482,701	1,588,196,515	89.3%
2022	2021	2.7500	1,537,499,197	18,268,410	1,555,767,607	176,850,592	1,732,618,199	89.8%
2023	2022	2.7500	1,764,738,180	20,066,938	1,784,805,118	184,622,774	1,969,427,892	90.6%
2024	2023	2.7500	2,006,939,856	20,818,866	2,027,758,722	195,889,963	2,223,648,685	91.2%

Source:

Pinellas County Property Appraiser

Notes:

1) Tax rate is per \$1,000 of taxable value.

2) Estimated Actual Value is the "Just Value" of the properties per Chapter 193.011, Florida Statutes, without exemptions.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 6 - Property Tax Rates
Direct and Overlapping Governments
Per \$1,000 of Assessed Valuation
Last Ten Fiscal Years

Fiscal Year	Tax Roll	City of Madeira Beach Operating Millage	Overlapping Rates				Total Direct and Overlapping Rates
			County ¹	School	Transit District	Other ²	
2015	2014	1.9900	6.2535	7.8410	0.7305	1.2799	18.0949
2016	2015	2.2000	6.2535	7.3180	0.7500	1.2448	17.7663
2017	2016	2.2000	6.2748	7.0090	0.7500	1.2262	17.4600
2018	2017	2.2000	6.2748	7.0090	0.7500	1.2262	17.4600
2019	2018	2.2000	6.2748	6.7270	0.7500	1.2086	17.1604
2020	2019	2.7500	6.2748	6.5840	0.7500	1.1932	17.5520
2021	2020	2.7500	6.2748	6.4270	0.7500	1.1800	17.3818
2022	2021	2.7500	6.1250	6.3250	0.7500	1.1666	17.1166
2023	2022	2.7500	5.6963	5.9630	0.7500	1.0978	16.2571
2024	2023	2.7500	5.6529	5.9380	0.7500	1.0503	16.1412

Source:

Pinellas County Property Appraiser

Notes:

1) "County" includes Pinellas County's General Fund, Health Department and Emergency Medical Services (EMS) millage rates. The EMS millage rate is assessed only on Real Property.

2) "Other" includes Pinellas County Planning Council, Juvenile Welfare Board and Southwest Florida Water Management District.

Overlapping rates are those of local and county governments that apply to property owners within the City of Madeira Beach.

Chapter 200.081, Florida Statutes, limits the operating millage that may be levied to 10 mills.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 7 - Principal Property Taxpayers
Current Year and Nine Years Ago

Taxpayer	2024			2015		
	Taxable Value	Rank	Percentage Total Assessed Valuation	Taxable Value	Rank	Percentage Total Assessed Valuation
Madeira Hotel Investors LLC	\$ 26,250,000	1	1.19%			
John's Pass Plaza LLC	16,785,000	2	0.76%			
Shaner Madeira Beach LLC	15,150,000	3	0.68%			
Barefoot Beach Resort South LLC	12,625,000	4	0.57%	4,350,000	7	0.48%
Publix Super Markets Inc.	11,774,063	5	0.53%	8,769,063	2	0.96%
Shoreline Island Resort LLC	11,681,387	6	0.53%	6,413,656	4	0.70%
JPV Hotel Property LLC	8,569,110	7	0.39%			
Extra Space Properties Eighty Six LLC	7,320,000	8	0.33%	4,000,000	8	0.44%
Madeira Triangle Properties LLC	6,954,848	9	0.31%			
Pines Carter of Florida, Inc.	6,205,000	10	0.28%			
Investors Warranty of Amer Inc.				12,625,000	1	1.38%
919 Land Trust				7,024,721	3	0.77%
Pines Madeira LLC				4,425,000	5	0.49%
R N J Madeira Beach, Inc.				4,783,000	6	0.52%
Musca Properties LLC				3,422,000	9	0.38%
DAG Bros Inc.				3,152,278	10	0.35%
Total taxable valuation of ten largest taxpayers	123,314,408		5.57%	58,964,718		6.50%
Total taxable valuation of other taxpayers	2,089,566,400		94.43%	853,378,348		93.50%
Total taxable valuation of all taxpayers	<u>\$ 2,212,880,808</u>		<u>100.00%</u>	<u>\$ 912,343,066</u>		<u>100.00%</u>

Source:
Pinellas County Property Appraiser

CITY OF MADEIRA BEACH, FLORIDA
Schedule 8 - Property Tax Levies and Collections
Last Ten Fiscal Years

Fiscal Year	Tax Roll	Taxable Assessed Valuation	Tax Rate in Mills	Taxes Levied for the Fiscal Year ¹	Collected Within the Fiscal Year of the Levy		Collections in Subsequent Years	Total Collections to Date	
					Amount	Percentage of Levy		Amount	Percentage of Levy
2015	2014	912,343,066	1.9900	1,815,563	1,718,260	94.64%	45,400	1,763,660	97.14%
2016	2015	986,793,392	2.2000	2,170,945	2,055,955	94.70%	332	2,056,287	94.72%
2017	2016	1,081,572,633	2.2000	2,379,460	2,255,465	94.79%	10,365	2,265,829	95.22%
2018	2017	1,168,535,705	2.2000	2,574,410	2,444,466	94.95%	38,708	2,483,174	96.46%
2019	2018	1,259,074,523	2.2000	2,770,173	2,607,444	94.13%	80,665	2,688,109	97.04%
2020	2019	1,330,552,557	2.7500	3,659,020	3,529,569	96.46%	4,119	3,533,688	96.57%
2021	2020	1,418,713,814	2.7500	3,901,464	3,700,818	94.86%	69,789	3,770,607	96.65%
2022	2021	1,555,767,607	2.7500	4,278,362	4,028,179	94.15%	106,226	4,134,405	96.64%
2023	2022	1,784,805,118	2.7500	4,908,215	4,642,054	94.58%	102,017	4,744,071	96.66%
2024	2023	2,027,758,722	2.7500	5,576,337	5,254,855	94.23%	132,490	5,387,345	96.61%

Note:

1) Gross taxes before discounts of 1% - 4%, depending on month paid.

Source:

Pinellas County Tax Collector

CITY OF MADEIRA BEACH, FLORIDA
Schedule 9 - Ratios of Outstanding Debt by Type
Last Ten Fiscal Years

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Governmental activities:										
Capital Improvement Revenue Bonds, Series 2013	\$ 4,641,861	\$ 4,552,509	\$ 4,380,000	\$ 4,280,000	\$ 4,180,000	\$ 4,075,000	\$ 3,965,000	\$ 3,855,000	\$ 3,740,000	\$ 3,620,000
Interlocal Payments Revenue Bond, Series 2014	3,010,000	2,820,000	1,892,000	-	-	-	-	-	-	-
Infrastructure Sales Surtax Revenue Note, Series 2016	-	672,000	484,000	293,000	98,000	-	-	-	-	-
Capital Improvement Refunding Revenue Bond, Series 2018	-	-	-	1,297,000	983,908	665,908	337,908	-	-	-
Total governmental activities revenue bonds and notes	7,651,861	8,044,509	6,756,000	5,870,000	5,261,908	4,740,908	4,302,908	3,855,000	3,740,000	3,620,000
Capital lease obligations	-	-	-	-	109,520	86,785	63,884	114,189	73,770	46,259
Total governmental activities	\$ 7,651,861	\$ 8,044,509	\$ 6,756,000	\$ 5,870,000	\$ 5,371,428	\$ 4,827,693	\$ 4,366,792	\$ 3,969,189	\$ 3,813,770	\$ 3,666,259
Business-type activities:										
Stormwater System Revenue Bond, Series 2015	\$ 6,200,000	\$ 5,856,000	\$ 5,504,000	\$ 5,142,000	\$ 4,771,000	\$ 4,390,000	\$ -	\$ -	\$ -	\$ -
Capital Improvement Revenue Bond, Series 2019	-	-	-	-	15,063,000	15,063,000	14,509,000	13,938,000	13,349,000	12,742,000
Stormwater System Revenue Bond, Series 2020	-	-	-	-	-	-	4,031,000	3,613,000	3,188,000	2,756,000
Total business-type activities revenue bonds	6,200,000	5,856,000	5,504,000	5,142,000	19,834,000	19,453,000	18,540,000	17,551,000	16,537,000	15,498,000
Capital lease obligations	-	-	-	-	125,486	100,322	74,535	130,610	97,910	69,390
Total business-type activities	\$ 6,200,000	\$ 5,856,000	\$ 5,504,000	\$ 5,142,000	\$ 19,959,486	\$ 19,553,322	\$ 18,614,535	\$ 17,681,610	\$ 16,634,910	\$ 15,567,390
Total primary government outstanding debt	\$ 13,851,861	\$ 13,900,509	\$ 12,260,000	\$ 11,012,000	\$ 25,330,914	\$ 24,381,015	\$ 22,981,327	\$ 21,650,799	\$ 20,448,680	\$ 19,233,649
Total outstanding debt as a percentage of personal income:	7.4%	7.0%	5.6%	4.6%	9.9%	9.7%	9.1%	8.57%	8.01%	7.08%
Total outstanding debt per capita:	\$ 326	\$ 316	\$ 259	\$ 216	\$ 464	\$ 452	\$ 415	\$ 391	\$ 315	\$ 266

Note:

The City of Madeira Beach is not subject to any legal limitations on the issuance of debt.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 10 - Computation of Direct and Overlapping Governmental Debt
September 30, 2024

<u>Governmental Unit</u>	<u>Debt Outstanding</u>	<u>Percentage Applicable to City of Madeira Beach</u>	<u>Amount Applicable to City of Madeira Beach</u>
City of Madeira Beach			
Total direct debt	\$ 3,666,259	100%	\$ 3,666,259
Pinellas County Government:			
Pinellas County School Board			
Bonds and notes	\$ -		
Capital leases	105,280,958		
Pinellas County Governmental Activities			
Bonds and notes	-		
Capital leases	30,540,960		
SBITAs Outstanding	5,077,220		
Total overlapping debt	140,899,138	1.64%	2,310,746
Total direct and overlapping debt			\$ 5,977,005
Total direct and overlapping debt as a percentage of personal income:			2.20%
Total direct and overlapping debt per capita:			\$ 1,591.32

Note:

The City's share of overlapping debt is based on the ratio of the City's taxable value of \$2,027,758,722 to the County's taxable value of \$123,766,839,593 for the 2023 tax roll.

Sources:

Pinellas County Property Appraiser
Pinellas County Finance Department
Pinellas County School Board

CITY OF MADEIRA BEACH, FLORIDA
Schedule 11 - Pledged Revenue Coverage
Last Ten Fiscal Years

Item 5C.

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Capital Improvement Revenue Bonds, Series 2013										
Pledged revenue sources:										
Utility Services Taxes	\$ 722,007	\$ 741,662	\$ 751,504	\$ 774,744	\$ 832,997	\$ 851,419	\$ 902,158	\$ 944,250	\$ 1,026,165	\$ 1,001,197
Half Cent Sales Tax Revenue	260,470	272,519	274,044	284,094	288,236	299,744	320,977	354,885	328,971	314,556
Franchise Fee Revenue	527,771	494,963	489,758	527,177	568,966	547,080	572,480	626,343	677,844	649,254
Guaranteed Entitlement Revenue	174,090	174,090	158,715	159,793	161,844	161,507	165,005	174,167	176,981	177,652
Total pledged revenues	1,684,338	1,683,235	1,674,021	1,745,808	1,852,043	1,859,750	1,960,620	2,099,645	2,209,961	2,142,659
Debt service:										
Principal	100,000	90,000	95,000	100,000	100,000	105,000	105,000	110,000	115,000	120,000
Interest	209,013	206,163	203,388	199,113	196,112	193,112	191,538	186,525	182,950	178,925
Total debt service	309,013	296,163	298,388	299,113	296,112	298,112	296,538	296,525	297,950	298,925
Coverage ratio:	5.45	5.68	5.61	5.84	6.25	6.24	6.61	7.08	7.42	7.17
Interlocal Payments Revenue Bond, Series 2014										
Pledged revenue sources:										
Interlocal agreement	141,766	1,049,529	558,920	-	-	-	-	-	-	-
Total pledged revenues	141,766	1,049,529	558,920	-	-	-	-	-	-	-
Debt service:										
Principal	-	190,000	485,000	1,892,000	-	-	-	-	-	-
Interest	19,967	41,685	33,743	24,698	-	-	-	-	-	-
Total debt service	19,967	231,685	518,743	1,916,698	-	-	-	-	-	-
Coverage ratio:	7.10	4.53	1.08	-	-	-	-	-	-	-
Stormwater System Revenue Bond, Series 2015										
Pledged revenue sources:										
Stormwater drainage fees	671,303	691,348	688,304	686,399	685,920	678,652	-	-	-	-
Total pledged revenues	671,303	691,348	688,304	686,399	685,920	678,652	-	-	-	-
Debt service:										
Principal	-	344,000	352,000	362,000	371,000	381,000	-	-	-	-
Interest	20,965	160,580	151,646	142,478	133,074	123,569	-	-	-	-
Total debt service	20,965	504,580	503,646	504,478	504,074	504,569	-	-	-	-
Coverage ratio:	32.02	1.37	1.37	1.36	1.36	1.35	-	-	-	-
Infrastructure Sales Surtax Revenue Note, Series 2016										
Pledged revenue sources:										
Local Option Sales Tax	-	436,346	449,245	477,312	499,379	527,970	-	-	-	-
Total pledged revenues	-	436,346	449,245	477,312	499,379	527,970	-	-	-	-
Debt service:										
Principal	-	53,000	188,000	191,000	195,000	98,000	-	-	-	-
Interest	-	3,298	9,938	6,940	3,888	779	-	-	-	-
Total debt service	-	56,298	197,938	197,940	198,888	98,779	-	-	-	-
Coverage ratio:	-	7.75	2.27	2.41	2.51	5.34	-	-	-	-
Capital Improvement Refunding Revenue Bond, Series 2018										
Pledged revenue sources:										
Non-ad valorem revenues	-	-	-	-	345,121	344,845	344,348	343,399	-	-
Total pledged revenues	-	-	-	-	345,121	344,845	344,348	343,399	-	-
Debt service:										
Principal	-	-	-	-	312,000	318,000	328,000	337,908	-	-
Interest	-	-	-	-	32,029	26,845	16,348	5,491	-	-
Total debt service	-	-	-	-	344,029	344,845	344,348	343,399	-	-
Coverage ratio:	-	-	-	-	1.00	1.00	1.00	1.00	-	-
Capital Improvement Revenue Bond, Series 2019										
Pledged revenue sources:										
Non-ad valorem revenues	-	-	-	-	-	372,516	1,007,930	1,007,661	1,007,855	1,007,497
Total pledged revenues	-	-	-	-	-	372,516	1,007,930	1,007,661	1,007,855	1,007,497
Debt service:										
Principal	-	-	-	-	-	-	554,000	571,000	589,000	607,000
Interest	-	-	-	-	-	372,516	453,930	436,661	418,855	400,497
Total debt service	-	-	-	-	-	372,516	1,007,930	1,007,661	1,007,855	1,007,497
Coverage ratio:	-	-	-	-	-	1.00	1.00	1.00	1.00	1.00
Stormwater System Revenue Bond, Series 2020										
Pledged revenue sources:										
Non-ad valorem revenues	-	-	-	-	-	-	449,423	487,736	487,505	487,152
Total pledged revenues	-	-	-	-	-	-	449,423	487,736	487,505	487,152
Debt service:										
Principal	-	-	-	-	-	-	411,000	418,000	425,000	432,000
Interest	-	-	-	-	-	-	38,423	69,736	62,505	55,152
Total debt service	-	-	-	-	-	-	449,423	487,736	487,505	487,152
Coverage ratio:	-	-	-	-	-	-	1.00	1.00	1.00	1.00

The Bond Series 2018 was issued to refund the Series 2014 in FY18. The City has set aside funds to cover 100% of the future debt service for the Series 2018 Bond. There were no principal or interest debt service payments required in FY18.

The Bond Series 2019 was issued to finance roadway and stormwater improvements over multiple years beginning in FY20. There were no required debt service requirements in FY19.

The Bond Series 2020 was issued to refund the Series 2015 in FY21. There were no principal debt service payments required in FY21.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 12 - Demographic and Economic Statistics
Last Ten Fiscal Years

Fiscal Year	Population¹	Per Capita Personal Income¹	Personal Income	Median Age¹	Unemployment Rate²
2015	4,399	42,475	186,847,525	54.80	6.0%
2016	4,495	43,989	197,730,555	55.20	4.2%
2017	4,613	47,342	218,388,646	55.80	3.1%
2018	4,673	51,008	238,360,384	58.10	2.7%
2019	4,677	54,565	255,200,505	56.90	2.7%
2020	4,647	53,962	250,761,414	56.70	5.9%
2021	4,565	55,320	252,535,800	57.10	3.6%
2022	4,565	55,320	252,535,800	57.20	4.0%
2023	3,931	64,937	255,267,347	59.80	4.5%
2024	3,756	72,367	271,810,452	59.30	3.4%

Sources:

1) Fiscal Years 2015 and thereafter, data is based on a comprehensive socioeconomic report conducted by the Pinellas County Economic Development Department.

2) Unemployment data is reported for Pinellas County rather than Madeira Beach

CITY OF MADEIRA BEACH, FLORIDA
Schedule 13 - Principal Employers
Current Year and Nine Years Ago

Employer	2024			2015		
	Number of Employees	Rank	Percentage of Total City Employment	Number of Employees	Rank	Percentage of Total City Employment
Publix (Supermarket)	160	1	5.70%	140	3	3.66%
Bubba Gump Shrimp Co. (Restaurant)	130	2	4.63%	100	5	2.62%
Madeira Beach Elementary and Middle School	120	3	4.27%	150	2	3.93%
City of Madeira Beach (Municipality)	87	4	3.10%	55	8	1.44%
Friendly Fisherman (Restaurant)	70	5	2.49%	70	6	1.83%
Landrys Seafood House Arlington Inc	70	6	2.49%			
Winn Dixie (Supermarket)	60	7	2.14%	200	1	5.23%
McDonald's (Restaurant)	55	8	1.96%	49	9	1.28%
Slyce Madeira Beach LLC	50	9	1.78%			
Pappa John's Pizza	50	10	1.78%			
Nina Walker Century 21 Real Estate				101	4	2.64%
Hooters (Restaurant)				56	7	1.47%
Brown Boxer (Restaurant)				40	10	1.05%
Total employment of ten largest employers	852		30.33%	961		25.15%
Total employment of other employers	1957		69.67%	2860		74.85%
Total employment of all employers	2809		100.00%	3821		100.00%

Source:

Copyright 2024 Data Axle and Esri. Esri Total Population forecasts for 2024. Data Axle Business Locations (Feb 2024).

CITY OF MADEIRA BEACH, FLORIDA
Schedule 14 - Full-time Equivalent City Government Employees by Function
Last Ten Fiscal Years

Function	<u>2015</u>	<u>2016</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>
General Government	18.50	18.50	18.70	19.20	22.20	22.65	22.75	21.75	28.44	28.35
Public Works:										
Administration	0.70	0.70	2.00	2.00	3.00	2.30	2.10	2.30	2.55	2.80
Streets	-	-	-	-	-	-	-	-	-	-
Sanitation	6.00	7.00	6.00	8.00	7.50	7.50	7.60	8.60	8.60	8.60
Stormwater	3.00	3.00	3.00	3.00	4.00	4.00	4.80	3.80	4.10	3.60
Public Safety:										
Fire:										
Firefighters and officers	13.00	13.00	13.00	14.00	14.00	14.00	14.00	14.00	14.00	17.00
Civilians	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Parking Enforcement	3.05	2.75	2.75	3.00	3.00	3.25	2.50	3.00	3.75	4.00
Parks and Recreation	11.10	9.50	12.00	12.00	11.25	12.25	11.75	13.25	14.00	14.00
Municipal Marina	<u>3.60</u>	<u>4.35</u>	<u>4.35</u>	<u>4.35</u>	<u>4.35</u>	<u>5.05</u>	<u>5.00</u>	<u>4.00</u>	<u>4.63</u>	<u>4.63</u>
Total	<u><u>59.95</u></u>	<u><u>59.80</u></u>	<u><u>62.80</u></u>	<u><u>66.55</u></u>	<u><u>70.30</u></u>	<u><u>72.00</u></u>	<u><u>71.50</u></u>	<u><u>71.70</u></u>	<u><u>81.07</u></u>	<u><u>83.98</u></u>

CITY OF MADEIRA BEACH, FLORIDA
Schedule 15 - Operating Indicators by Function
Last Ten Fiscal Years

Function	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
General Government										
Community Development:										
Building permits issued	781	950	979	1,068	1,033	941	1,090	908	1,065	1,287
Occupational licenses issued	796	953	884	863	778	813	835	960	963	1,057
Public Safety										
Law Enforcement ¹ :										
Arrests made	569	540	316	175	162	332	527	470	318	412
Traffic citations issued	647	626	668	510	3,154	2,151	2,874	3,199	2,595	2,431
Fire Department:										
Emergency responses	1,903	1,715	1,805	1,195	1,729	1,818	1,965	1,841	1,978	2,298
Fires and other non-medical emergencies	480	464	448	242	430	475	552	570	582	1,051
Emergency medical calls	1,423	1,251	1,356	953	1,299	1,343	1,413	1,271	1,396	1,247
Fire inspections completed	313	108	15	120	167	112	110	221	384	609
Parking Enforcement:										
Parking citations issued	6,059	7,184	7,015	3,511	5,746	3,846	1,714	6,103	13,369	13,620

Note:

1) Law Enforcement services are provided by the Pinellas County Sheriff's Office.

CITY OF MADEIRA BEACH, FLORIDA
Schedule 16 - Capital Asset Statistics by Function
Last Ten Fiscal Years

Function	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Transportation:										
Streets - paved (miles)	18.2	18.2	18.2	18.2	18.2	18.2	18.2	18.2	18.2	18.2
Streets - unpaved (miles)	-	-	-	-	-	-	-	-	-	-
Traffic signals	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0	7.0
Public safety:										
Fire Stations	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Police Stations (1)	-	-	-	-	-	-	-	-	-	-
Culture and recreation:										
Parkland acreage	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6	13.6
Playgrounds	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Athletic fields	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Tennis courts	4.0	4.0	4.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
Basketball courts	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Community center	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Marina	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Beach access areas	12.0	12.0	12.0	18.0	18.0	18.0	18.0	18.0	18.0	18.0
Picnic areas	5.0	5.0	5.0	7.0	7.0	7.0	6.0	6.0	6.0	6.0

Notes:

1) Law Enforcement services are provided by the Pinellas County Sheriff's Department. Deputies have a designated office within City Hall.

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF EXPENDITURES OF STATE FINANCIAL ASSISTANCE
FOR THE YEAR ENDED SEPTEMBER 30, 2024

Item 5C.

<u>State Grantor/Pass Through Grantor/Program Title</u>	<u>CSFA Number</u>	<u>Contract Number</u>	<u>Expenditures</u>
STATE AGENCY			
Florida Department of Environmental Protection			
Direct Programs:			
Statewide Surface Water Restoration and Wastewater Projects	37.039	LPA0321	\$ 42,375
Statewide Surface Water Restoration and Wastewater Projects	37.039	L0067	5,800
Total Statewide Surface Water Restoration and Wastewater Projects			<u>48,175</u>
Statewide Water Restoration Projects	37.101	22PIL	717,293
Total Florida Department of Environmental Protection			<u>765,468</u>
Florida Department of Financial Services			
Direct Programs:			
Fire Decontamination Equipment Grant Project	43.013	FM886	21,604
Total Florida Department of Financial Services			<u>21,604</u>
Florida Department of Transportation			
Direct Programs:			
Local Transportation Projects	55.039	G2671 / 449181-1-54-01	13,950
Local Transportation Projects	55.004	G2L57 / 449181-2-54-01	30,927
Total Local Transportation Projects			<u>44,877</u>
Total Florida Department of Transportation			<u>44,877</u>
TOTAL EXPENDITURES OF STATE FINANCIAL ASSISTANCE			<u>\$ 831,949</u>

The accompanying notes to the schedule of expenditures of federal awards and state financial assistance are an integral part of this statement.

**CITY OF MADEIRA BEACH, FLORIDA
NOTES TO THE SCHEDULE OF EXPENDITURES OF
STATE FINANCIAL ASSISTANCE
FOR THE YEAR ENDED SEPTEMBER 30, 2024**

(1) **Basis of Presentation:**

The accompanying schedule of expenditures of state financial assistance includes the state grant activity of City of Madeira Beach, Florida (the City). The information in this schedule is presented in accordance with the requirements of Section 215.97, Florida Statutes, *Florida Single Audit Act*. Because the Schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net position, or cash flows of the City.

(2) **Summary of Significant Accounting Policies:**

Expenditures reported on the schedule are reported on the accrual basis of accounting. Such expenditures are recognized following, as applicable, either the cost principles contained in Section 215, Florida Statutes, wherein certain types of expenditures are not allowable or are limited as to reimbursement.

(3) **De Minimis Indirect Cost Rate Election:**

The City has elected not to use the 10 percent de minimis indirect cost rate as allowed under Uniform Guidance.

(4) **Contingency:**

Project expenditures are subject to audit and adjustment. If any expenditures were to be disallowed by the grantor agency as a result of such an audit, any claim for reimbursement to the grantor agency would become a liability of the City. In the opinion of management, all project expenditures included on the accompanying schedule are in compliance with the terms of the project agreements and applicable state laws and regulations.

CITY OF MADEIRA BEACH, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
SEPTEMBER 30, 2024

A. Summary of Auditors' Results:

Financial Statements:

Type of audit report issued on the financial statements: *Unmodified*

Internal control over financial reporting:

Material weakness(es) identified? _____ yes X no

Significant deficiency(ies) identified? _____ yes X none reported

Noncompliance material to financial statements noted? _____ yes X no

State Financial Assistance:

Internal control over major state projects:

Material weakness(es) identified? _____ yes X no

Significant deficiency(ies) identified? _____ yes X none reported

Type of auditors' report issued on compliance for major state projects: *Unmodified*

Any audit findings disclosed that are required to be reported for state financial assistance projects in accordance with Chapter 10.550? _____ yes X none reported

Dollar threshold used to distinguish between type A and type B programs: \$300,000

Identification of major state projects:

CSFA Number	Project Name
37.101	Statewide Water Restoration Projects

B. Financial Statement Findings: None.

C. State Financial Assistance Findings and Questioned Costs: None.

D. Summary Schedule of Prior Audit Findings: Not applicable as there were no audit findings for the year ended September 30, 2023.

E. Corrective Action Plan: Not applicable as there are no current year comments related to internal control and/or compliance over financial reporting or state awards.

**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR STATE
PROJECT AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE
REQUIRED BY CHAPTER 10.550, RULES OF THE AUDITOR GENERAL**

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

Report on Compliance for Each Major State Project

Opinion on Each Major State Project

We have audited City of Madeira Beach, Florida's (the City) compliance with the types of compliance requirements described in the Department of Financial Services' *State Projects Compliance Supplement* that could have a direct and material effect on each of the City's major state projects for the year ended September 30, 2024. The City's major state projects are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, the City complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its major state projects for the year ended September 30, 2024.

Basis for Opinion on Each Major State Project

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Auditor General. Our responsibilities under those standards and the Chapter 10.550, Rules of the Auditor General, are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major state project. Our audit does not provide a legal determination of the City's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules and provisions of contracts or grant agreements applicable to the City's state projects.

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the City's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and Chapter 10.550, Rules of the Auditor General will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material, if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the City's compliance with the requirements of each major state project as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and Chapter 10.550, Rules of the Auditor General, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the City's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the City's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with Chapter 10.550, Rules of the Auditor General, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

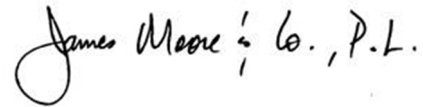
Report on Internal Control over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state project on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state project will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a state project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of Chapter 10.550, Rules of the Auditor General. Accordingly, this report is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Moore & Co., P.L." The signature is written in a cursive, flowing style.

Daytona Beach, Florida
March 28, 2025

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL
REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT
AUDITING STANDARDS***

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to the financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Madeira Beach, Florida (the City) as of and for the year ended September 30, 2024, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated March 28, 2025.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the City's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

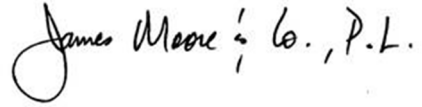
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Moore & Co., P.L." The signature is written in a cursive, flowing style.

Daytona Beach, Florida
March 28, 2025

**INDEPENDENT AUDITORS' MANAGEMENT LETTER REQUIRED
BY CHAPTER 10.550, RULES OF THE STATE OF FLORIDA
OFFICE OF THE AUDITOR GENERAL**

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

Report on the Financial Statements

We have audited the basic financial statements of City of Madeira Beach, Florida (the City), as of and for the fiscal year ended September 30, 2024, and have issued our report thereon dated March 28, 2025.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Chapter 10.550, Rules of the Florida Auditor General.

Other Reporting Requirements

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; Independent Auditors' Report on Compliance for Each Major State Project and Report on Internal Control over Compliance in accordance with the Chapter 10.550 Rules of the Florida Auditor General; Schedule of Findings and Questioned Costs; and Independent Accountants' Examination Report on an examination conducted in accordance with *AICPA Professional Standards*, AT-C Section 315, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated March 28, 2025, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. The following summarizes the status of prior year findings and recommendations. There were no second preceding year findings that remain unresolved.

2023-001 – Unexpended Balance – Building Permits – Corrective action taken.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The legal authority for the primary government and component units of the reporting entity is disclosed in Note 1 of the basic financial statements.

Financial Condition and Management

Sections 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require us to apply appropriate procedures and report the results of our determination as to whether or not the City has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and to identify the specific conditions met. In connection with our audit, we determined that the City, did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.b. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we communicate any recommendations to improve financial management. In connection with our audit, see the following recommendation:

2024-001 – Construction Project Pay Application Review

During testing over grants, we noted the City initially overpaid the amounts due on a construction project due to calculation errors with the calculation of amounts due for payment. While this error was subsequently identified and all amounts overpaid applied against subsequent amounts due, we recommend the City review all progress billing activity for accuracy prior to payment.

Special District Component Units

Section 10.554(1)(i)5.c., Rules of the Auditor General, requires, if appropriate, that we communicate the failure of a special district that is a component unit of a county, municipality, or special district, to provide the financial information necessary for proper reporting of the component unit within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. In connection with our audit, we did not note any special district component units that failed to provide the necessary information for proper reporting in accordance with Section 218.39(3)(b), Florida Statutes.

Additional Matters

Section 10.554(1)(i)3., Rules of the Auditor General, requires us to address noncompliance with provisions of contracts or grant agreements, or fraud, waste, or abuse, that has occurred, or is likely to have occurred, that have an effect on the financial statements that is less than material, but which warrants the attention of those charged with governance. In connection with our audit, we did not note any such findings.

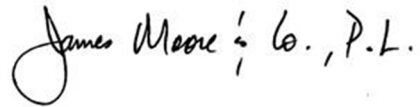
Management's Response to Findings

The City's response to the findings identified in our audit is outlined as listed in the table of contents. The City's response was not subjected to the auditing procedures applied in the audit of the financial statements, and accordingly, we express no opinion on it.

Purpose of this Letter

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, Federal and State grant agencies, the City Commission, management, others within the City, and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Daytona Beach, Florida
March 28, 2025

A handwritten signature in black ink that reads "James Moore, Esq., P.L.". The signature is written in a cursive style with a large initial "J".

INDEPENDENT ACCOUNTANTS' EXAMINATION REPORT

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

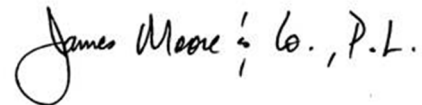
We have examined the City of Madeira Beach, Florida's (the City) compliance with Section 218.415, Florida Statutes, *Local Government Investment Policies* (the Statute), for the year ended September 30, 2024. Management is responsible for the City's compliance with those requirements. Our responsibility is to obtain reasonable assurance by evaluating the City's compliance with the Statute and performing other procedures to obtain sufficient appropriate evidence to express an opinion that conveys the results of our evaluation based on our examination.

Our examination was conducted in accordance with attestation standards for a direct examination engagement established by the American Institute of Certified Public Accountants (AICPA). Those standards require that we obtain reasonable assurance for evaluating against the aforementioned statute during the year ended September 30, 2024 and performing other procedures to obtain sufficient appropriate evidence to express an opinion that conveys the results of our evaluation of the City's compliance with the Statute during the year ended September 30, 2024. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of risks that the City was not in compliance with the Statute in all material respects, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent of City and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our examination engagement.

In our opinion, the City complied with the aforementioned requirements, in all material respects, for the year ended September 30, 2024.

Daytona Beach, Florida
March 28, 2025

 James Moore & Co., P.L.

Management's Response to Findings

2024-001 – Overpayment of Grant Expenditures

The City was overbilled on a construction application and certification for payment due to an error within the engineering firm's spreadsheet used to create the billing event. While this construction pay app was reviewed and approved via electronic workflow by multiple City personnel, the error was not initially identified, and an overpayment resulted. However, the City's internal controls over grant compliance were operating effectively, as the City's Finance representative overseeing grant billing and administration identified this billing error, notified the vendor, and the overpayment will be applied to future billings. Furthermore, only eligible project expenditures actually incurred were subject to reimbursement and billing to the applicable state granting agency.

EMS FINANCIAL INFORMATION ATTESTATION FORM**Instructions:**

In accordance with the ALS First Responder Agreement, funds provided by the EMS Authority must be used solely for EMS Allowable Costs. Any unspent balance at the conclusion of a fiscal year must be accounted for and returned to the EMS Authority.

The following form is provided for consistent cost reporting and shall be submitted within ten (10) business days of Contractor's receipt of Annual External Audit.

To be Completed by Contractor:

City or Fire District (Contractor):	<u>City of Madeira Beach</u>
Name of Person Completing Form:	<u>Andrew Laflin</u>
Phone Number and Email Address:	<u>727-391-9951 alaflin@madeirabeachfl.gov</u>
Fiscal Year:	<u>2024</u>

EMS Funding Received by Contractor	\$625,104	Audit Page: 73
EMS Allowable Costs Incurred by Contractor	\$809,739	Audit Page: 73
Difference (If excess, amount due to Pinellas County)	\$(184,635)	Audit Page: 73

**PLEASE INCLUDE A COPY OF ANNUAL AUDIT AND
SUPPORTING DOCUMENTATION AS NEEDED.**

We certify that, based on our audit of the entity's financial statement for the fiscal year 2024, we have reviewed payroll registers, salary and benefit actual expenditures, actual relief staffing costs incurred to maintain continuous staffing of Authority authorized positions, and actual costs of supervision, fuel, maintenance and repairs and other allowable costs. Nothing has come to our attention related to the costs identified in the audit of the financial statements to contradict that those costs, in line 2 above, are related to EMS Authorized positions and units and comply with the EMS Allowable Cost Standards contained in Pinellas County EMS Resolution 09-38.

James Moore & Co., P.L.

Signature and Date, Contractor's External Auditor



**INDEPENDENT ACCOUNTANTS' REPORT ON COMPLIANCE FOR THE U.S.
DEPARTMENT OF TREASURY CORONAVIRUS STATE AND LOCAL FISCAL
RECOVERY FUNDS PROGRAM (CSLFRF) REQUIREMENTS FOR AN
ALTERNATIVE CSLFRF COMPLIANCE EXAMINATION ENGAGEMENT**

To the Honorable Mayor and Board of Commissioners,
City of Madeira Beach, Florida:

We have examined the City of Madeira Beach, Florida's (the City) compliance with the compliance requirements "activities allowed or unallowed" and "allowable cost/cost principles" (the specified requirements) as described in Part IV "Requirements for an Alternative Compliance Examination Engagement for Recipients That Would Otherwise be Required to Undergo a Single Audit or Program-Specific Audit as a Result of Receiving Coronavirus State and Local Fiscal Recovery Funds" of the CSLFRF section of the 2024 OMB *Compliance Supplement* (referred to herein as "Requirements for an Alternative CSLFRF Compliance Examination Engagement") during the year ended September 30, 2024. Management of the City is responsible for the City's compliance with the specified requirements. Our responsibility is to express an opinion on the City's compliance with the specified requirements based on our examination.

Our examination was conducted in accordance with attestation standards established by the AICPA; the standards applicable to attestation engagements contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and in the "Requirements for an Alternative CSLFRF Compliance Examination Engagement." Those standards and requirements require that we plan and perform the examination to obtain reasonable assurance about whether the City complied, in all material respects, with the specified requirements referenced above. An examination involves performing procedures to obtain evidence about whether the City complied with the specified requirements. The nature, timing, and extent of the procedures selected depend on our judgment, including an assessment of the risks of material noncompliance, whether due to fraud or error. We believe that the evidence we obtained is sufficient and appropriate to provide a reasonable basis for our opinion.

We are required to be independent and meet our other ethical responsibilities in accordance with relevant ethical requirements relating to the engagement.

Our examination does not provide a legal determination on the City's compliance with specified requirements.

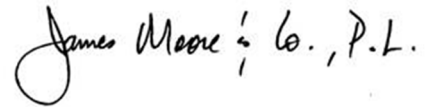
In our opinion, the City of Madeira Beach, Florida complied, in all material respects, with the specified requirements referenced above during the year ended September 30, 2024.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we are required to report all deficiencies that are considered to be significant deficiencies or material weaknesses in internal control; fraud, and noncompliance with provisions of laws, regulations, contracts or grant agreements that have a material effect on the City's compliance with the specified requirements and any other instances that warrant the attention of those charged with governance. We are also required to obtain and report the views of responsible officials concerning the findings, conclusions, and recommendations, as well as any planned corrective actions. We performed our examination to express an opinion on the City's compliance with the specified requirements and not for the purpose of expressing an opinion on the internal control over the specified requirements or on compliance and other matters; accordingly, we express no such opinions. The results of our tests disclosed no matters that are required to be reported under *Government Auditing Standards*.

Intended Purpose

The purpose of this examination report is solely to express an opinion on whether the City complied, in all material respects with the specified requirements referenced above during the year ended September 30, 2024. Accordingly, this report is not suitable for any other purpose.

A handwritten signature in black ink that reads "James Moore & Co., P.L." The signature is written in a cursive, flowing style.

Daytona Beach, Florida
March 28, 2025

March 28, 2025

James Moore & Co., P.L.
121 Executive Circle
Daytona Beach, FL 32114

This representation letter is provided in connection with your audit of the financial statements of the City of Madeira Beach, Florida (the City), which comprise the statement of financial position as of September 30, 2024, and the related statements of operations and cash flows for the year then ended, and the related notes to the financial statements, for the purpose of expressing an opinion on whether the basic financial statements present fairly, in all material respects, the financial position, results of operations, and cash flows of the City in accordance with accounting principles generally accepted for governments in the United States of America (U.S. GAAP).

Certain representations in this letter are described as being limited to matters that are material. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information such that, in the light of surrounding circumstances, there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

We confirm that, to the best of our knowledge and belief, having made such inquiries as we considered necessary for the purpose of appropriately informing ourselves as of March 28, 2025:

Financial Statements

1. We have fulfilled our responsibilities, as set out in the terms of the audit engagement letter dated September 25, 2024, for the preparation and fair presentation of the financial statements of the various opinion units referred to above in accordance with U.S. GAAP.
2. The financial statements referred to above have been fairly presented in accordance with U.S. GAAP and include all properly classified funds, required supplementary information, and notes to the basic financial statements.
3. We acknowledge our responsibility for the design, implementation, and maintenance of the system of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.
4. We acknowledge our responsibility for the design, implementation, and maintenance of the system of internal control to prevent and detect fraud.
5. With respect to the nonattest services provided by you, we have performed the following:
 - a. Made all management decisions and performed all management functions;
 - b. Assigned a competent individual to oversee the services;
 - c. Evaluated the adequacy of the services performed;
 - d. Evaluated and accepted responsibility for the result of the service performed; and
 - e. Established and maintained controls, including a process to monitor the system of internal control.

James Moore & Co., P.L.
March 28, 2025
Page 2

6. The methods, data, and significant assumptions used by us in making accounting estimates and their related disclosures are appropriate to achieve recognition, measurement, or disclosure that is reasonable in the context of the applicable financial reporting framework.
7. We acknowledge our responsibility for compliance with the laws, regulations, and provisions of contracts and grant agreements.
8. We have reviewed, approved, and taken responsibility for the financial statements and related notes.
9. We have a process to track the status of audit findings and recommendations.
10. We have identified and communicated to you all previous audits, attestation engagements, and other studies related to the audit objectives and whether related recommendations have been implemented.
11. All related party relationships and transactions have been appropriately accounted for and disclosed in accordance with the requirements of U.S. GAAP.
12. All events subsequent to the date of the financial statements and for which U.S. GAAP requires adjustment or disclosure have been adjusted or disclosed.
13. The effects of uncorrected misstatements summarized below and aggregated by you during the current engagement are immaterial, both individually and in the aggregate, to the applicable opinion units and to the financial statements as a whole.
 - None noted.
14. The effects of all known actual or possible litigation and claims have been accounted for and disclosed in accordance with U.S. GAAP.
15. All component units, as well as joint ventures with an equity interest, are included and other joint ventures and related organizations are properly disclosed.
16. All funds and activities are properly classified.
17. All funds that meet the quantitative criteria in GASB Statement No. 34, Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments, GASB Statement No. 37, Basic Financial Statements—and Management's Discussion and Analysis—for State and Local Governments: Omnibus as amended, and GASB Statement No. 65, Items Previously Reported as Assets and Liabilities, for presentation as major are identified and presented as such and all other funds that are presented as major are considered important to financial statement users.
18. All components of net position, nonspendable fund balance, and restricted, committed, assigned, and unassigned fund balance are properly classified and, if applicable, approved.
19. Our policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net position/fund balance are available is appropriately disclosed and net position/fund balance is properly recognized under the policy.
20. All revenues within the statement of activities have been properly classified as program revenues, general revenues, contributions to term or permanent endowments, or contributions to permanent fund principal.
21. All expenses have been properly classified in or allocated to functions and programs in the statement of activities, and allocations, if any, have been made on a reasonable basis.
22. All interfund and intra-entity transactions and balances have been properly classified and reported.
23. Special items and extraordinary items have been properly classified and reported.
24. Deposit and investment risks have been properly and fully disclosed.

James Moore & Co., P.L.
March 28, 2025
Page 3

25. Capital assets, including infrastructure assets, are properly capitalized, reported, and if applicable, depreciated.
26. All required supplementary information is measured and presented within the prescribed guidelines.
27. With regard to investments and other instruments reported at fair value:
 - a. The underlying assumptions are reasonable and they appropriately reflect management's intent and ability to carry out its stated courses of action.
 - b. The measurement methods and related assumptions used in determining fair value are appropriate in the circumstances and have been consistently applied.
 - c. The disclosures related to fair values are complete, adequate, and in accordance with U.S. GAAP.
 - d. There are no subsequent events that require adjustments to the fair value measurements and disclosures included in the financial statements.
28. Non-exchange and exchange financial guarantees, either written or oral, under which it is more likely than not that a liability exists have been properly recorded, or if we are obligated in any manner, are disclosed.
29. With regard to pensions and OPEB:
 - a. We believe that the actuarial assumptions and methods used to measure pension and OPEB liabilities and costs for financial accounting purposes are appropriate in the circumstances.
 - b. We are unable to determine the possibility of a withdrawal liability from the Plan of which we are a sponsor and are not currently contemplating withdrawing from the Plan.
 - c. Increases in benefits, elimination of benefits and all similar amendments have been disclosed in accordance with U.S. GAAP and are included in the most recent actuarial valuation, or disclosed as a subsequent event.

Information Provided

30. We have provided you with:
 - a. Access to all information, of which we are aware that is relevant to the preparation and fair presentation of the financial statements of the various opinion units referred to above, such as records, documentation, meeting minutes, and other matters;
 - b. Additional information that you have requested from us for the purpose of the audit; and
 - c. Unrestricted access to persons within the entity from whom you determined it necessary to obtain audit evidence.
 - d. A written acknowledgement of all the documents that we expect to issue that will be included in the annual report and the planned timing and method of issuance of that annual report;
 - e. A final version of the annual report (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
31. The financial statements and any other information included in the annual report are consistent with one another, and the other information does not contain any material misstatements.
32. All transactions have been recorded in the accounting records and are reflected in the financial statements.
33. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.

James Moore & Co., P.L.
 March 28, 2025
 Page 4

34. We have provided to you our analysis of the entity's ability to continue as a going concern, including significant conditions and events present, and if necessary, our analysis of management's plans, and our ability to achieve those plans.
35. We have no knowledge of any fraud or suspected fraud that affects the entity and involves:
 - a. Management;
 - b. Employees who have significant roles in internal control; or
 - c. Others where the fraud could have a material effect on the financial statements.
36. We have no knowledge of allegations of fraud, or suspected fraud, affecting the entity's financial statements communicated by employees, former employees, vendors, regulators, or others.
37. We have disclosed to you all known actual or possible litigation, claims, and assessments whose effects should be considered when preparing the financial statements.
38. We have disclosed to you the identity of all the entity's related parties and the nature of all the related party relationships and transactions of which we are aware.
39. There have been no communications from regulatory agencies concerning noncompliance with or deficiencies in accounting, internal control, or financial reporting practices.
40. The City has no plans or intentions that may materially affect the carrying value or classification of assets and liabilities.
41. We have disclosed to you all guarantees, whether written or oral, under which The City is contingently liable.
42. We have disclosed to you all nonexchange financial guarantees, under which we are obligated and have declared liabilities and disclosed properly in accordance with GASB Statement No. 70, *Accounting and Financial Reporting for Nonexchange Financial Guarantees*, for those guarantees where it is more likely than not that the entity will make a payment on any guarantee.
43. For nonexchange financial guarantees where we have declared liabilities, the amount of the liability recognized is the discounted present value of the best estimate of the future outflows expected to be incurred as a result of the guarantee. Where there was no best estimate but a range of estimated future outflows has been established, we have recognized the minimum amount within the range.
44. We have disclosed to you all significant estimates and material concentrations known to management that are required to be disclosed in accordance with GASB-62. Significant estimates are estimates at the balance sheet date that could change materially within the next year. Concentrations refer to volumes of business, revenues, available sources of supply, or markets or geographic areas for which events could occur that would significantly disrupt normal finances within the next year.
45. We have identified and disclosed to you the laws, regulations, and provisions of contracts and grant agreements that could have a direct and material effect on financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.
46. There are no:
 - a. Violations or possible violations of laws or regulations, or provisions of contracts or grant agreements whose effects should be considered for disclosure in the financial statements or as a basis for recording a loss contingency, including applicable budget laws and regulations.
 - b. Unasserted claims or assessments that our lawyer has advised are probable of assertion and must be disclosed in accordance with GASB-62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements*.

- c. Other liabilities or gain or loss contingencies that are required to be accrued or disclosed by GASB-62.
 - d. Continuing disclosure consent decree agreements or filings with the Securities and Exchange Commission and we have filed updates on a timely basis in accordance with the agreements (Rule 240, 15c2-12).
47. The City has satisfactory title to all owned assets, and there are no liens or encumbrances on such assets nor has any asset or future revenue been pledged as collateral, except as disclosed to you.
48. We have complied with all aspects of grant agreements and other contractual agreements that would have a material effect on the financial statements in the event of noncompliance.

Other Representations

49. We have taken timely and appropriate steps to remedy fraud, noncompliance with laws, regulations, or provisions of contracts or grant agreements, reported to us.
50. We have provided views on your reported audit findings, conclusions, and recommendations, as well as our planned corrective actions, for the report.
51. We agree with the findings of specialists in evaluating the Pension Plans, and OPEB, and have adequately considered the qualifications of the specialist in determining the amounts and disclosures used in the financial statements and underlying accounting records. We did not give or cause any instructions to be given to specialists with respect to the values or amounts derived in an attempt to bias their work, and we are not otherwise aware of any matters that have had an impact on the independence or objectivity of the specialists.
52. We believe that the actuarial assumptions and methods used to measure pension and OPEB liabilities and costs for financial accounting purposes are appropriate in the circumstances.
53. Arrangements with financial institutions involving compensating balances or other arrangements involving restrictions on cash balances, line of credit, or similar arrangements have been properly disclosed.
54. Provisions for uncollectible receivables have been properly identified and recorded.
55. With respect to the supplementary information accompanying the financial statements:
- a. We acknowledge our responsibility for the supplementary information in accordance with U.S. GAAP.
 - b. We believe the supplementary information, including its form and content, is fairly presented in accordance with U.S. GAAP
 - c. The methods of measurement or presentation have not changed from those used in the prior period.
 - d. We believe significant assumptions or interpretations underlying the measurement or presentation of the supplementary information, and the basis for our assumptions and interpretations, are reasonable and appropriate in the circumstances
56. With regard to pensions and OPEB, increases in benefits, elimination of benefits and all similar amendments have been disclosed in accordance with U.S. GAAP and are included in the most recent actuarial valuation, or disclosed as a subsequent events.
57. All significant loss contingencies for litigation related to general liability cases are covered by the City's insurance policies; no additional amounts have been recorded.

James Moore & Co., P.L.
 March 28, 2025
 Page 6

58. There have been no cybersecurity breaches or other cyber events whose effects should be considered for disclosure in the financial statements, as a basis for recording a loss contingency, or otherwise considered when preparing the financial statements.

Florida Single Audit Act

59. With respect to state assistance projects:

- a. We are responsible for complying and have complied with the requirements of Section 215.97, Florida Statutes, Florida Single Audit Act.
- b. We have, in accordance with Rule 27D-1.002, Rules of the Executive Office of the Governor, identified in the schedule of expenditures of Federal awards and State financial assistance, expenditures made during the audit period for all awards provided by state agencies in the form of grants, loans, loan guarantees, investments, property (including donated surplus property), cooperative agreements, insurance, food commodities, direct appropriations, tax credits, tax refunds and other assistance.
- c. We are responsible for complying with the requirements of laws, regulations, and the provisions of contracts and grant agreements related to each of our state projects and have identified and disclosed to you the requirements of laws, regulations and the provisions of contracts and grant agreements that are considered to have a direct and material effect on each major state project.
- d. We are responsible for establishing and maintaining effective internal control over compliance requirements applicable to state projects that provides reasonable assurance that we are managing our state assistance in compliance with laws, regulations, and the provisions of contracts and grant agreements that could have a material effect on our state projects. We believe the internal control system is adequate and is functioning as intended. Also, no changes have been made in the internal control system to the date of this letter that might significantly affect internal control, including any corrective action taken with regard to control deficiencies reported in the schedule of findings and questioned costs.
- e. We have made available to you all contracts and grant agreements (including amendments, if any) and any other correspondence with state agencies or pass-through entities relating to each major state project.
- f. We have received no requests from a state agency to audit one or more specific projects as a major project.
- g. We have complied, in all material respects, with the compliance requirements, including when applicable, those set forth in the "State Projects Compliance Supplement," relating to state assistance and have identified and disclosed to you all amounts questioned and any known noncompliance with the requirements of state assistance, including the results of other audits or program reviews.
- h. Amounts claimed or used for matching were determined in accordance with relevant guidelines in the Uniform Guidance.
- i. We have disclosed to you our interpretation of compliance requirements that may have varying interpretations.
- j. We have made available to you all documentation related to the compliance requirements, including information related to state projects financial reports and claims for advances and reimbursements.
- k. State projects financial reports and claims for advances and reimbursements are supported by the books and records from which the basic financial statements have been prepared, and are prepared on a basis consistent with the schedule of expenditures of awards.

James Moore & Co., P.L.
 March 28, 2025
 Page 7

- l. The copies of state projects financial reports provided you are true copies of the reports submitted, or electronically transmitted, to the respective state agency or pass-through entity, as applicable.
- m. We have monitored subrecipients to determine that they have expended pass-through assistance in accordance with applicable laws and regulations and have met the requirements of Florida Single Audit Act.

Examination Engagement

60. We confirm, to the best of our knowledge and belief, as of March 28, 2025, the following representations made to you during your examination engagement related to the City's compliance with Section 218.415, Florida Statutes, *Local Government Investment Policies* (the Statutes):
 - a. All relevant matters are reflected in the measurement or evaluation of the City's compliance with the Statutes.
 - b. All known matters contradicting the measurement or evaluation of the City's compliance with the Statutes and any communication from regulatory agencies or others affecting the City's compliance with the Statutes have been disclosed to you, including communications received between the end of the period addressed by the practitioner's report and the date of the practitioner's report.
 - c. We are responsible for:
 - i. All deficiencies in internal control relevant to the City's compliance with the Statutes;
 - ii. Selecting the criteria; and
 - iii. Determining that such criteria are suitable, will be available to the intended users, and are appropriate for the purpose of the engagement.
 - d. Any known events occurring subsequent to September 30, 2024, that would have a material effect on the City's compliance with the Statutes have been disclosed to you.
 - e. We have provided you with all relevant information and access as agreed upon in the terms of the engagement.
 - f. We have responded fully to all inquiries made to us by you during the examination.
 - g. We have disclosed to you:
 - i. All deficiencies in internal control relevant to the City's compliance with the Statutes of which we are aware.
 - ii. Our knowledge of any actual, suspected, or alleged fraud affecting the City's compliance with the Statutes.
 - iii. Our knowledge of any actual, suspected, or alleged noncompliance with laws or regulations affecting the City's compliance with the Statutes.
 - h. We understand that your examination was conducted in accordance with attestation standards established by the AICPA and was designed for the purpose of expressing an opinion on the fairness of the presentation of the City's compliance in accordance with US GAAP based on your examination, and that your procedures were limited to those that you considered necessary for that purpose.

Signed: _____

James Moore & Co., P.L.
March 28, 2025
Page 8

Robin Gomez, City Manager

Signed: _____

Andrew Laflin, Finance Director

Signed: _____

Patrick Cade, Assistant Finance Director

City of Madeira Beach, Florida

**Annual Audit for the Year Ended
September 30, 2024**

**Presented by:
Zach Chalifour, CPA**

 **JAMES
MOORE**
888-387-6851
www.jmco.com



GFOA Certificate of Achievement



Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

**City of Madeira Beach
Florida**

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

September 30, 2023

Christopher P. Morill

Executive Director/CEO



Auditors' Reports

- **Independent Auditors' Report (pages 9 - 11)**
 - Unmodified Opinion
- **Single Audit Report (pages 95 - 97)**
 - State Single Audit – No Findings
 - **Federal Alternative Compliance Examination report issued for ARPA activity*
- **Report on Internal Control and Compliance (pages 98 - 99)**
 - No internal control or compliance findings
- **Management Letter Required by Chapter 10.550 (pages 100 - 102)**
 - 1 other recommendation – Grant Expenditures
 - 1 prior year comment corrected
- **Independent Accountants' Examination Report (page 103)**
 - In compliance with specified investment statutes

General Fund (Page 27)

History of Fund Balance in the General Fund:

<u>Fund Balance</u>	<u>9/30/2024</u>	<u>9/30/2023</u>	<u>9/30/2022</u>	<u>9/30/2021</u>
Nonspendable	\$ 388,965	\$ 476,335	\$ 513,391	\$ 596,573
Restricted	-0-	145,172	32,169	-0-
Committed	4,696,537	4,114,376	3,457,560	3,164,189
Assigned	2,862,513	1,915,223	4,087,078	8,119
Unassigned	9,483,232	11,624,984	10,073,355	10,753,573
Total	\$ 17,431,247	\$ 18,276,090	\$ 18,163,553	\$ 14,522,454

General Fund (continued)

Total Assigned/Unassigned Fund Balance	\$ 12,345,745
2023 Expenditures and Transfers Out	\$ 15,739,758
Percentage Assigned/Unassigned Fund Balance as % of Expenditures and Transfers out:	60.3%
Prior Year %	85.5%
GFOA Minimum Recommendation = 2 Months	At least 16.7%

Business-Type Funds (Page 31)

History of Unrestricted Net Position in Proprietary Funds:

Fund	9/30/2024	9/30/2023	9/30/2022	9/30/2021
Sanitation	\$ 1,897,229	\$ 1,449,862	\$ 1,328,112	\$ 1,022,636
Stormwater	1,174,770	486,464	73,754	1,355,249
Marina	3,237,336	2,568,505	1,777,689	1,174,610
Parking	3,381,227	1,112,448	-0-	-0-

Other Items

- Other Governmental Funds
 - Fund Balance at 9/30/2024: \$8,291,383
 - Increase (Decrease) for year: \$1,423,006
 - No individual deficit fund balances
 - No identified exceptions in used of restricted funds for allowed purposes
- Pensions: Impact of Net Position Liability (FRS)
 - Governmental Activities
 - \$4,145,806 net position liability (allocated from FRS)
 - Business-type activities
 - \$467,119 net pension liability allocation
 - General / Government Funds
 - No impact
 - All required contributions being made

QUESTIONS



Memorandum

Meeting Details: April 16, 2025 – Board of Commissioners Workshop Meeting

Prepared For: Honorable Mayor Brooks and the Board of Commissioners

From: Community Development Department

Subject: Madeira Beach Master Plan Update

Background:

Over the past the few months, Kimley-Horn and City Staff have been gathering community feedback to help guide the Madeira Beach Master Plan. We have received feedback from public workshops, online surveys, an interactive map, and various community pop-up events.

Discussion:

Kimley-Horn recently gave us a presentation document that has draft versions of the goals and objectives. The document includes an overall engagement summary and has the goals and objectives within the Master Plan Topic Areas based on the community feedback.

Recommendation(s):

City Staff recommends for the Madeira Beach Board of Commissioners to review the Madeira Beach Master Plan presentation document and to make sure to promote the second survey.

Fiscal Impact or Other:

N/A

Attachments:

Madeira Beach Master Plan LPA Presentation

Links:

Madeira Beach Master Plan Survey #2

<https://www.surveymonkey.com/r/MadeiraBeachMP>

Madeira Beach Master Plan Website

<https://madeirabeachfl.gov/master-plan/>



Photo Courtesy of Trash Pirates of Mad Beach



Item 6A.

Master Plan Update Planning Commission Meeting

April 7, 2025



Kimley»Horn
Expect More. Experience Better.

MADEIRA BEACH MASTER PLAN
Guiding the City Towards a Resilient Future



Outline

- Project Schedule and Status
- What We've Heard So Far
- Draft Goals and Objectives
- What's Next?



Project Scope and Timeline



What is the purpose of the new City Master Plan?

- **Guiding document** for future development and capital improvements that reflects the community's vision for the future of Madeira Beach
- Replace the 2002 Master Plan to **address evolving community needs and implement modern, sustainable practices and solutions**
- The Master Plan will **identify goals, objectives, and implementation strategies** that will:
 - Address local challenges,
 - Help our City adapt to future conditions, and
 - Enhance quality of life for all who live, work, and visit Madeira Beach.



Engagement So Far

- Community Workshop #1: *June 2024*
 - Approx. 47 attendees
- Community Workshop #2: *Jan. 2025*
 - Approx. 65 attendees
- Pop-Up Events
 - Trash Pirates: July 26, 2024
 - Final Friday: Aug. 3, 2024
 - Merry Market: Dec. 14, 2024
 - John's Pass Seafood Festival: March 28, 2025



Item 6A.



Engagement So Far

- Online Survey #1: *June 2024 – Oct. 2024*
 - 77 Responses
- Online Survey #2: ***Happening now!***
- Interactive Online Map - *Ongoing*
 - 56 Comments as of 3/28/25



Item 6A.



What is your vision for Madeira Beach?



Master Plan Focus Areas



New Development/
Redevelopment



Transportation/
Mobility



Parks, Recreation, and
Public Spaces



Economic/Business
Development



Sustainability and
Resiliency



Beautification and
Placemaking





Transportation/Mobility

Goal Statement:

Create a safe and convenient transportation network that prioritizes all users, including pedestrians, cyclists, motorists, and public transit riders.





Transportation/Mobility

- Create a **safer Gulf Blvd**
- **Slow down traffic** on Tom Stuart Causeway/150th Ave
- Devise a **citywide parking strategy**
- Create **more pedestrian-friendly areas**
- More **accessible and connected shared-use paths**, trails, and protected/separated bike lanes
- **More public transportation options**





New Development/Redevelopment

Goal Statement:

Support sustainable growth that balances community identity with economic vitality by directing growth towards the City's activity centers while maintaining neighborhood character.





New Development/Redevelopment

- **“Controlled” growth** – ensure critical infrastructure can support new development
- **Encourage quality design** that creates a cohesive look and feel
- Maintain views of the beach and **character of John’s Pass Village**
- **Encourage mixed-use development** with ground floor retail
- Ensure new development provides **community benefits**





Economic/Business Development

Goal Statement:

Foster a thriving local economy that supports small business development and encourages a diversity of entrepreneurial activities that meet the daily needs of year-round residents while also providing memorable experiences for visitors.





Economic/Business Development

- Ensure Madeira Beach continues to be an **attractive place to start and run a small, local business**
- **Maintain working waterfronts**, increase dock access in commercial areas, and enhance the marina
- Program **more family-friendly events, concerts, and festivals** throughout the year
- Explore opportunities to **attract target industries and create job growth**





Sustainability and Resiliency

Goal Statement:

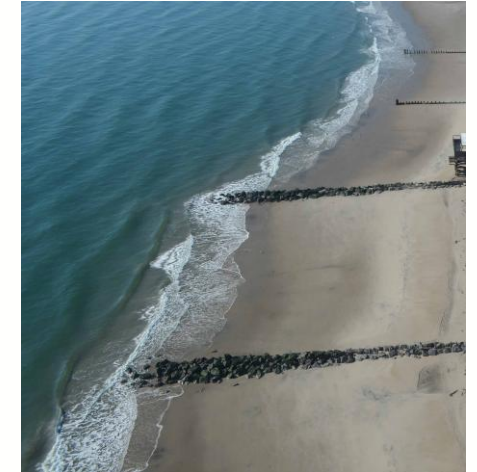
Promote stewardship of coastal resources and invest in adaptive infrastructure to mitigate flood risk and support long-term community resilience.





Sustainability and Resiliency

- Maintain **awareness and education** of evolving flood protection
- Elevate **public infrastructure and facilities**
- Explore **options for elevating residential structures** and allowances for fill material
- Continue to **improve existing stormwater management systems**
- Support **green infrastructure solutions**
- **Reduce amount of impervious surfaces**
- Continue to **educate residents and improve systems to disseminate information** and rebuild after storm events





Parks, Recreation, and Public Spaces

Goal Statement:

Optimize the use and accessibility of existing public spaces and recreational amenities to better serve the needs of current and future residents and visitors.





Parks, Recreation, and Public Spaces

- Develop a **Parks and Recreation Master Plan**
- **Activate existing recreational areas** and increase access and connectivity
- **Expand programming and hours** of the fitness center
- **Construct kid-friendly recreation areas** near the beach
- **Explore constructing an amphitheater** at R.O.C. Park
- **Continue to educate beach-goers** about sea turtle nesting and stewardship of coastal resources





Beautification and Placemaking

Goal Statement:

Encourage creative planning, design and programming of public and private spaces to increase cultural and social vibrancy and reinforce Madeira Beach's identity as a small fishing village that has evolved into a must-visit coastal destination.





Beautification and Placemaking

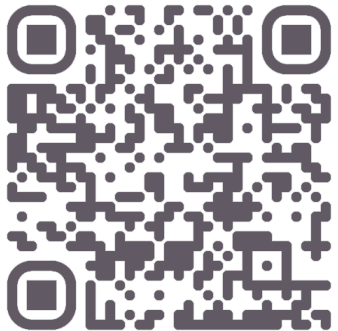
- Improve entrances to the City
- Add wayfinding signage around the City
- Install low-maintenance, salt-tolerant landscaping
- Repaint/improve exterior of public structures, such as bridges and bridge towers
- Create a storm drain and utility box mural program
- Encourage public art





What's Next?

- Refine goals and objectives
- Identify grant funding opportunities
- Continue Community Engagement
 - Online Survey #2
 - Stakeholder Meetings
 - Final Community Workshop will debut the New Master Plan



Scan for Project Website





Memorandum

Meeting Details: April 16, 2025 – Board of Commissioners Workshop
Prepared For: Honorable Mayor Brooks and the Board of Commissioners
Staff Contact: Community Development Department
Subject: Impact Fees

Background

Impact fees are one-time charges imposed by local governments on new development to fund infrastructure and capital improvements necessitated by growth. These fees help ensure that new development pays a fair share of the cost of public facilities such as roads, parks, schools, and utilities.

In Florida, the authority for local governments to impose impact fees is derived from home rule powers under Article VIII of the Florida Constitution and is further governed by state statutes and case law. The primary statute governing impact fees is Florida Statutes §163.31801, commonly referred to as the Florida Impact Fee Act.

Discussion

Madeira Beach impact fees were adopted in June of 2021 and in effect April 1, 2022. The fee rate increases each fiscal year until October 2028 when the fees are at 100% of the calculated rate (page 6 and 7 of Ordinance 2021-10).

Adjustments to the impact fees require an updated impact fee study by a qualified consultant that reviews a rational connection between the fee imposed and the need for additional capital facilities generated by the new development, and proportionality between the fee amount and the cost of the improvements needed to serve the development.

Pinellas County also has impact fees that are collected locally (Chapter 150 of the Pinellas County Code). Half of this fee is retained locally and used for multimodal. Pinellas County is currently reviewing and studying their multimodal impact fees and may have changes soon.

Fiscal Impact

See attached spreadsheet of impact fees collected and contract for the 2021 impact fees.

Recommendation(s)

Keep the current impact fees in place and use the funds. If the Board wants to review and possibly change the impact fees, staff recommend hiring a qualified consultant.

Attachments/Corresponding Documents

- Ordinance 2021-10 Creation of a proportionate-share development fee (impact fee)
- Pinellas County Impact Fees_Chapter 150
- Impact Fee Calculations

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO AMEND CHAPTER 92, THE CITY OF MADEIRA BEACH PROPORTIONATE-SHARE DEVELOPMENT FEE ORDINANCE TO REGULATE THE USE AND DEVELOPMENT OF LAND IN THE CITY OF MADEIRA BEACH; IMPOSING A PROPORTIONATE-SHARE DEVELOPMENT FEE (IMPACT FEE) ON LAND DEVELOPMENT AND REDEVELOPMENT IN THE CITY OF MADEIRA BEACH FOR PROVIDING IMPROVED MUNICIPAL CULTURE AND RECREATION AND PUBLIC SAFETY FACILITIES AND SERVICES NECESSITATED BY SUCH LAND DEVELOPMENT AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTING THE ORDINANCE; MAKING LEGISLATIVE FINDINGS; AMENDING ORDINANCE SECTIONS 92-2, PURPOSE; 92-10, DEFINITIONS; 92-20, COMPUTING THE AMOUNT OF PROPORTIONATE-SHARE DEVELOPMENT FEES; 92-21, INDEPENDENT FEE CALCULATION; 92-25, PAYMENT OF FEES; 92-26, DEPOSIT INTO TRUST FUND; 92-35, PROPORTIONATE-SHARE DEVELOPMENT FEE TRUST FUNDS ESTABLISHED; 92-40, USE OF TRUST FUNDS FOR CAPITAL IMPROVEMENTS; 92-42, USE OF TRUST FUNDS FOR DEBT SERVICE; 92-43, USE OF TRUST FUNDS FOR REIMBURSEMENT; 92-44, ANNUAL REPORT ON USE OF TRUST FUNDS; 92-52, APPLICATION FOR REFUND OF FEES PAID; 92-55, EXEMPTIONS; 92-67, BASIS FOR ADJUSTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to the authority conferred by the Constitution of the State of Florida, Article VIII, Section 2, and pursuant to Section 1-12 of the Code of Ordinances of the City of Madeira Beach, Florida ("City"), the Board of Commissioners of the City has determined that it is necessary to amend Chapter 92 of the Code of Ordinances for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and general welfare of the City; and

WHEREAS, the Board of Commissioners of the City has explored the feasibility of imposing proportionate-share development fees; and

WHEREAS, the City is a tourism destination resort community providing improved municipal culture and recreation and public safety facilities and services to citizens and visitors alike to support a high quality of life; and

WHEREAS, the Board of Commissioners of the City supports the Chambers of Commerce and the St. Petersburg/Clearwater Area Convention and Visitors Bureau, organizations that together spend millions of dollars annually to promote tourism and visitation to Madeira Beach and the other Gulf of Mexico barrier island beaches; and

WHEREAS, The St. Petersburg/Clearwater area, in which the City is located, is the leading destination on the Gulf Coast in the U.S., drawing more than 6.8 million overnight visitors in 2019; and

210630 BOC APPROVED

Ordinance 2021-10

Page 1 of 9

WHEREAS, the Board of Commissioners of the City finds that the impacts of citizens and visitors upon the improved municipal culture and recreation and public safety facilities and services of the City are roughly equivalent and proportional in their demand by building area as measured by the Pinellas County Property Appraiser; and

WHEREAS, the City of Madeira Beach Comprehensive Plan defines building area to mean the enclosed area of a building within the municipal boundaries of 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; and

WHEREAS, the Board of Commissioners of the City finds increased building area within the municipal limits of the City increases the demands upon the Board of Commissioners of the City's improved municipal culture and recreation and public safety facilities and services; and

WHEREAS, the Board of Commissioners of the City seeks to sustain the level-of-service standards for improved municipal culture and recreation and public safety facilities and services as the City grows and redevelops in the future; and

WHEREAS, the Board of Commissioners of the City finds that sustaining the level-of-service standards for improved municipal culture and recreation and public safety facilities and services entails providing additional improvements to the Board of Commissioners of the City's improved municipal culture and recreation and public safety facilities and services; and

WHEREAS, the Board of Commissioners of the City finds that providing additional improvements to the City's improved municipal culture and recreation and public safety facilities and services entails additional expense to the City, which expense should be borne by the persons permitted to increase the building area within the municipal limits of the City; and

WHEREAS, the Board of Commissioners of the City has quantified the expense of providing additional improvements to the improved municipal culture and recreation and public safety facilities and services and seeks to recover the proportionate-share of that expense from persons permitted to increase the building area within the municipal limits of the City; and

WHEREAS, the Florida Legislature, through the enactment of Florida Statutes Section 163.31801 ("the Florida Impact Fee Act") has recognized the authority of the Board of Commissioners of the City to enact proportionate-share development fees or "impact fees"; and

WHEREAS, the Board of Commissioners of the City has calculated the proportionate-share development fee for improved municipal culture and recreation and public safety facilities and services based on the most recent and localized data; and

WHEREAS, the Board of Commissioners of the City provides for accounting and reporting proportionate-share development fee collections and expenditures, and accounting for the fee revenues and expenditures in a separate accounting fund; and

WHEREAS, the Board of Commissioners of the City has provided notice not less than 90 days before the effective date of this ordinance imposing new proportionate-share development fees; and

WHEREAS, the Board of Commissioners of the City provides for collection of the proportionate-share development fees on the date of issuance of a building permit for the property subject to the fee; and

WHEREAS, the Board of Commissioners of the City finds that the proportionate-share development fee is proportional and reasonably connected to, or has a rational nexus with, the need for additional capital facilities and the increased impact generated by new residential or nonresidential development or redevelopment construction; and

WHEREAS, the Board of Commissioners of the City finds that the proportionate-share development fee is proportional and reasonably connected to, or has a rational nexus with, the expenditures of the funds collected and the benefits accruing to the new residential or nonresidential development or redevelopment construction; and

WHEREAS, the Board of Commissioners of the City provides for specifically earmarking funds collected under the proportionate-share development fee for use in acquiring, constructing, or improving capital facilities to benefit new users; and

WHEREAS, the Board of Commissioners of the City provides that revenues generated by the proportionate-share development fees may not be used, in whole or in part, to pay existing debt or for previously approved projects unless the expenditure is reasonably connected to, or has a rational nexus with, the increased impact generated by new residential or non-residential development or redevelopment construction; and

WHEREAS, the Board of Commissioners of the City provides that if the Board of Commissioners of the City increases its proportionate-share development fee rates, a holder of any proportionate-share development fee credits—whether such credits are granted under Florida Statutes sections 163.3180, 380.06, or otherwise—that were in existence before the increase, is entitled to the full benefit of the intensity prepaid by the credit balance as of the date the credit balance was first established; and

WHEREAS, the Board of Commissioners of the City provides that audits of financial statements of the City that are performed by a certified public accountant pursuant to Florida Statutes section 218.39 and submitted to the Auditor General will include an affidavit signed by the chief financial officer of the

City stating that the City has complied with Florida Statutes section 163.31801; and

WHEREAS, the Board of Commissioners of the City, in addition to the items that must be reported in the annual financial reports under Florida Statutes section 218.32, will report all of the following data on all proportionate-share development fees charged:

(a) The specific purpose of the fee, including the specific infrastructure needs to be met including, but not limited to, mobility, parks, water, sewer, and schools; and

(b) The fee schedule policy describing the method of calculating fees; and

(c) The amount assessed for each purpose and each type of development or redevelopment construction; and

(d) The total amount of impact fees charged by type of development or redevelopment construction; and

(e) Each exception and waiver provided for construction or development of housing that is affordable as defined in Florida Statutes section 420.9071; and

WHEREAS, the City of Madeira Beach Comprehensive Plan contains a Capital Improvements Element with level-of-service standards for the planning horizon of the Comprehensive Plan; and the Board of Commissioners of the City has submitted those portions of the Comprehensive Plan to the Pinellas County MPO ("Forward Pinellas") in Forward Pinellas' capacity as the Pinellas Planning Council, in accordance with the requirements of Forward Pinellas' *Countywide Rules*; and

WHEREAS, the Florida Department of Economic Opportunity, by letter dated January 8, 2021, reviewed the level-of-service standards and offered no objections, recommendations, or comments in its statutorily-required Report regarding the City's level-of-service standards; and

WHEREAS, the Board of Commissioners of the City must expand the capacity of its improved municipal culture and recreation and public safety facilities and services to maintain the City of Madeira Beach Comprehensive Plan's current level-of-service standards if land development and redevelopment construction is to be accommodated without decreasing the quality of life of the City's citizens and visitors; and

WHEREAS, the Board of Commissioners of the City finds that this capacity expansion is necessary to protect the health, safety, morals, convenience, order, prosperity, and general welfare of the City's citizens and visitors and is consistent with the City's Comprehensive Plan; and

WHEREAS, the Board of Commissioners of the City finds that collecting proportionate-share development fees is a preferred method of ensuring the availability of improved municipal culture and recreation and public safety facilities and services necessary to accommodate land development and redevelopment construction; and

WHEREAS, the Board of Commissioners of the City finds that land development and redevelopment construction that increases building area will create demand for additional improved municipal culture and recreation and public safety facilities and services; and

WHEREAS, the Board of Commissioners of the City finds that the proportionate-share development fees established by this Ordinance are derived from, based upon, and do not exceed the proportionate share of the costs of providing additional improved municipal culture and recreation and public safety facilities and services necessitated by the land development and redevelopment construction on which the fees are levied; and

WHEREAS, the Board of Commissioners of the City adopts the report entitled "City of Madeira Beach Proportionate-Share Development Fees and Regulations: Culture and Recreation and Public Safety," ("Culture and Recreation and Public Safety Report") dated April 2021, and finds the Culture and Recreation and Public Safety Report provides analysis, evidentiary bases, and methodology for determining the impact of land development and redevelopment construction on the need for and costs of additional improved municipal culture and recreation and public safety facilities and services provided by the Board of Commissioners of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA:

Section 1. Short Title, Authority, and Applicability:

That the Code of Ordinances, City of Madeira Beach, Florida, is hereby amended by amending chapter 92, which said chapter is cited as "The City of Madeira Beach Proportionate-Share Development Fee Ordinance" to read as follows:

Section 92-1. Intent. [No changes.]

Section 92-2. Purpose. The purpose of this chapter is to regulate the development, redevelopment, and use of land to assure that land development, redevelopment, and use bears a proportionate share of the cost necessary to provide improved municipal culture and recreation, mobility, and public safety facilities and services within the municipal boundaries of the City consistent with the level-of-service standards adopted in the City of Madeira Beach Comprehensive Plan.

Sections 92-3. through 92-9. [No changes.]

Section 92-10. Definitions. The following phrases, terms, or words, when used in this Chapter have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

[* * *]

“Improved municipal culture and recreation facilities and services” means the land, capital equipment, capital facilities, and other improvements necessary to deliver the City’s culture and recreation services.

“Improved municipal public safety facilities and services” means the land, capital equipment, capital facilities, and other improvements necessary to deliver the City’s public safety services.

[* * *]

Sections 92-11 through 92-19. [No changes.]

Section 92-20. Computing the Amount of Proportionate-Share Development Fees.

(1) At the option of the applicant, the amount of the proportionate-share development fees may be determined by the following fee calculationschedule:

CULTURE AND RECREATION FEE=VALUE * BUILDING AREA (B.A.) FT²

RATIO:

(\$39.68 * 0.299650) = \$11.89 PER FT²

MOBILITY FEE=VALUE * BUILDING AREA (B.A.) - FT² RATIO:

(\$12.46 * 0.120362) = \$1.50 PER FT² B.A.

PUBLIC SAFETY FEE=VALUE / BUILDING AREA (B.A.) FT²:

(\$5,292,709/8,871,213 FT²) = \$0.60 PER FT²

(2) The proportionate-share development fees provided in subsection (1) of this section include administrative expenses and will be implemented in accordance with this Proportionate-Share Development Fee Implementation Schedule, discounting fees for several fiscal years, until the full current calculated fee rate is reached.

PROPORTIONATE-SHARE DEVELOPMENT FEE IMPLEMENTATION SCHEDULE

<u>MUNICIPAL FACILITIES CATEGORY OR CLASS</u>	<u>FULL CURRENT CALCULATED FEE RATE</u>	<u>DISCOUNT PERCENTAGE (%) IMPLEMENTATION BY FISCAL YEAR</u>							
		<u>70%</u>	<u>60%</u>	<u>50%</u>	<u>40%</u>	<u>30%</u>	<u>20%</u>	<u>10%</u>	<u>0%</u>
		<u>04/1/22</u>	<u>10/1/22</u>	<u>10/1/23</u>	<u>10/1/24</u>	<u>10/1/25</u>	<u>10/1/26</u>	<u>10/1/27</u>	<u>10/1/28</u>
<u>Culture & Recreation</u>	<u>\$11.89/ sq. ft. Building Area (B.A.)</u>	<u>\$3.57/ sq. ft. B.A.</u>	<u>\$4.76/ sq. ft. B.A.</u>	<u>\$5.94/ sq. ft. B.A.</u>	<u>\$7.13/ sq. ft. B.A.</u>	<u>\$8.23/ sq. ft. B.A.</u>	<u>\$9.52/ sq. ft. B.A.</u>	<u>\$10.70/ sq. ft. B.A.</u>	<u>\$11.89/ sq. ft. B.A.</u>

<u>Mobility</u>	<u>\$1.50/ sq. ft.</u> <u>B.A.</u>	<u>\$0.45/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.60/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.75/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.90/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.05/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.20/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.35/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$1.50/</u> <u>sq. ft.</u> <u>B.A.</u>
<u>Public Safety</u>	<u>\$0.60/ sq. ft.</u> <u>B.A.</u>	<u>\$0.18/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.24/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.30/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.36/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.42/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.48/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.54/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$0.60/</u> <u>sq. ft.</u> <u>B.A.</u>
<u>TOTAL</u>	<u>\$13.99/ sq.</u> <u>ft. B.A.</u>	<u>\$4.20/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$5.60/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$6.99/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$8.39/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$9.70/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$11.20</u> <u>/ sq. ft.</u> <u>B.A.</u>	<u>\$12.59/</u> <u>sq. ft.</u> <u>B.A.</u>	<u>\$13.99/</u> <u>sq. ft.</u> <u>B.A.</u>

(3) In conjunction with the municipal budget process and review of the Capital Improvements Element and Capital Improvements Plan, the City will regularly review the proportionate-share development fees and implementation schedule and update as necessary to ensure the proportionate-share development fees are based on the most recent localized data.

Section 92-21. Independent fee calculation. If an applicant opts not to have the proportionate-share development fees determined according to Section 92-20, then the applicant must prepare and submit to the Administrator an independent fee calculation study for the land development activity requiring a building permit. The documentation submitted with the independent fee calculation study must show the basis upon which the independent fee calculation was made. The Administrator will consider the documentation submitted by the applicant but is not required to accept such documentation the Administrator reasonably deems to be inaccurate or not reliable and can require the applicant to submit additional or different documentation for consideration. If an acceptable independent fee calculation study is not submitted, the applicant must pay proportionate-share development fees based upon the schedule in Section 92-20. If an acceptable independent fee calculation study and documentation is submitted, the Administrator may adjust the fee to that appropriate to the particular development. Determinations made by the Administrator pursuant to this section may be appealed as provided in Section 92-60 et seq. of this chapter.

Sections 92-22 through 92-24. [No Changes.]

Section 92-25. Payment of fees. The applicant must pay the proportionate-share development fees required by this chapter to the Administrator prior to the issuance of a building permit.

Section 92-26. Deposit into trust fund. All funds collected will be properly identified by proportionate-share development fee improved municipal culture and recreation, mobility, and public safety facilities and services accounts and promptly transferred for deposit in the appropriate Trust Fund to be held in separate accounts as determined in sections 92-35 through 92-38 of this chapter and used solely for the purposes specified in this chapter.

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Sections 92-27 through 92-34. [No changes.]

Section 92-35. Proportionate-share development fee trust funds established. There is hereby established one (1) Improved Municipal Culture and Recreation Proportionate-Share Development Fee Trust Fund account, one (1) Improved Municipal Mobility Proportionate-Share Development Fee Trust Fund account, and one (1) Improved Public Safety Proportionate-Share Development Fee Trust Fund account for the Proportionate-Share Development Fee Service Area provided in Section 92-30 of this chapter.

Sections 92-36 through 92-39. [No changes.]

Section 92-40. Use of trust funds for capital improvements. Funds collected from proportionate-share development fees must be used solely for the purposes of acquiring or making capital improvements to the respective improved municipal culture and recreation, mobility, and public safety facilities and services under the jurisdiction of the City, Pinellas County, or the State of Florida.

Sections 92-41 through 92-42. [No changes.]

Section 92-43. Use of trust funds for reimbursement. In the event a developer enters into a development agreement with the City to construct, contribute, or fund capital improvements to the respective improved municipal culture and recreation, mobility, and public safety facilities and services, such that the amount of the credit created by such construction, contribution, or funding is in excess of the proportionate-share development fee otherwise due, the developer will be reimbursed for such excess construction, contribution, or funding from proportionate-share development fees paid by other development located in the service area benefited by such improvements.

Section 92-44. Annual report on use of trust funds. At least once each fiscal year the Administrator will present the Board of Commissioners a report detailing the amount of proportionate-share development fees collected, encumbered, and used, and a proposed capital improvement program for the respective improved municipal culture and recreation, mobility, and public safety facilities and services, assigning funds, including any accrued interest, from the proportionate-share development fee Trust Fund to specific improved municipal mobility facilities and services projects and related expenses. Monies, including any accrued interest, not assigned in any fiscal year will be retained in the respective Trust Fund until the next fiscal year except as provided by the refund provisions of this chapter.

Sections 92-45 through 92-51. [No changes.]

Section 92-52. Application for refund of fees paid. Funds not encumbered or expended by the end of the calendar quarter immediately following seven (7) years from the date the proportionate-share development fees ~~was~~ were paid will, upon receipt of a complete application for refund, be refunded to feepayer, provided the feepayer submits the application for the refund to the Administrator within one (1) year of the expiration of seven-year

period or the publication of the notice of eligibility for a refund, whichever is later. Refunds will be made to the fee payer within 60 calendar days after the Administrator determines there is sufficient proof of the claim for a refund.

Sections 92-53 through 92-66. [No changes.]

Section 92-67. Basis for adjustment. The ~~basis~~bases for computing any adjustment in the fee schedule ~~is~~are the Reports entitled *City of Madeira Beach Proportionate-Share Development Fees and Regulations: Culture and Recreation and Public Safety* and *City of Madeira Beach Proportionate-Share Development Fees and Regulations: Mobility*, as adjusted from time to time to reflect a change in the level-of-service standards for improved municipal culture and recreation, mobility, and public safety facilities and services.

Section 92-68 through 92-79. [No changes.]

Section 2. Severability: The provisions of this ordinance shall be deemed severable. If any part of the ordinance is deemed unconstitutional, it shall not affect the constitutionality of the other portions of the ordinance.

Section 3. Conflict: All ordinances or parts of ordinances in conflict with the provision of this ordinance be hereby repealed insofar as the same affect this Ordinance.

Section 4. Effective date: Pursuant to Section 163.31801, Florida Statutes, this Ordinance is effective upon adoption and 90 days after the City provided notice of this Ordinance.


PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS 30 day of June, 2021.


John B. Hendricks, Mayor

ATTEST:


Clara VanBlargen, City Clerk

APPROVED AS TO FORM:


Thomas J. Trask, B.C.S. City Attorney

210630 BOC APPROVED

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0000165179-01

Tampa Bay Times
Published Daily

STATE OF FLORIDA
COUNTY OF Pinellas, Hillsborough, Pasco,
Hernando Citrus

} ss

Before the undersigned authority personally appeared Virginia Marshall who on oath says that he/she is Legal Advertising Representative of the Tampa Bay Times a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: City of Madeira Beach - ORDINANCE NO. 2021-10 was published in Tampa Bay Times: 6/16/21 in said newspaper in the issues of Tampa Bay Times\Local B\Full Run

Affiant further says the said Tampa Bay Times is a newspaper published in Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida each day and has been entered as a second class mail matter at the post office in said Pinellas, Hillsborough, Pasco, Hernando Citrus County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.


Signature Affiant

Sworn to and subscribed before me this .06/16/2021


Signature of Notary Public

Personally known X or produced identification

Type of identification produced _____



NOTICE OF PUBLIC HEARING
CITY OF MADEIRA BEACH

Item 6B.

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach City Charter, and Florida Statutes §166.041(3)(a) and 163.31801:

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a **Second Reading and Public Hearing** for the adoption of proposed Ordinance No. 2021-10 on Wednesday, June 30, 2021 at 5:00 p.m. The meeting will be held in the Patricia Shontz Commission Chambers located at 300 Municipal Drive, Madeira Beach, FL 33708. The title of said Ordinance is as follows:

ORDINANCE NO. 2021-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA BEACH TO AMEND CHAPTER 92, THE CITY OF MADEIRA BEACH PROPORTIONATE-SHARE DEVELOPMENT FEE ORDINANCE TO REGULATE THE USE AND DEVELOPMENT OF LAND IN THE CITY OF MADEIRA BEACH; IMPOSING A PROPORTIONATE-SHARE DEVELOPMENT FEE (IMPACT FEE) ON LAND DEVELOPMENT AND REDEVELOPMENT IN THE CITY OF MADEIRA BEACH FOR PROVIDING IMPROVED MUNICIPAL CULTURE AND RECREATION AND PUBLIC SAFETY FACILITIES AND SERVICES NECESSITATED BY SUCH LAND DEVELOPMENT AND REDEVELOPMENT; STATING THE AUTHORITY FOR ADOPTING THE ORDINANCE; MAKING LEGISLATIVE FINDINGS; AMENDING ORDINANCE SECTIONS 92-2, PURPOSE; 92-10, DEFINITIONS; 92-20, COMPUTING THE AMOUNT OF PROPORTIONATE-SHARE DEVELOPMENT FEES; 92-21, INDEPENDENT FEE CALCULATION; 92-25, PAYMENT OF FEES; 92-26, DEPOSIT INTO TRUST FUND; 92-35, PROPORTIONATE-SHARE DEVELOPMENT FEE TRUST FUNDS ESTABLISHED; 92-40, USE OF TRUST FUNDS FOR CAPITAL IMPROVEMENTS; 92-42, USE OF TRUST FUNDS FOR DEBT SERVICE; 92-43, USE OF TRUST FUNDS FOR REIMBURSEMENT; 92-44, ANNUAL REPORT ON USE OF TRUST FUNDS; 92-52, APPLICATION FOR REFUND OF FEES PAID; 92-55, EXEMPTIONS; 92-67, BASIS FOR ADJUSTMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard with respect to the proposed ordinance. Copies of the proposed Ordinance are available for inspection in the City Clerk's Office between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday. If you would like more information regarding the proposed Ordinance, please contact Linda Portal, Community Development Director, at 727-391-9951, ext. 255 or 244.

The meeting will be aired on Public Access TV Spectrum Channel 640 and through the City's website.

Public comments can be submitted by email through the Public Comment form located on the front page of the City of Madeira Beach website. Comments are accepted up to three hours prior to the start of the meeting and will be read aloud during the meeting. *Please limit your comments to 400 words as the comments are limited to three minutes.*

Persons who wish to appeal any decision made by the Board of Commissioners with respect to any matter considered during a public hearing at this meeting will need a record of the proceedings, and for such purpose may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. It is the responsibility of the person making the appeal to bear the cost of hiring a private court reporter or private court recording firm to make the verbatim record.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office no later than 48 hours prior to the meeting: (727) 391-9951, Ext. 231 or 223 or fax a written request to (727) 399-1131.

Clara VanBlargan, MMC, MSM, City Clerk

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Chapter 150 IMPACT FEES¹

ARTICLE I. IN GENERAL

Secs. 150-1—150-35. Reserved.

ARTICLE II. MULTIMODAL IMPACT FEES²

Sec. 150-36. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

City manager means the chief administrative officer of the involved jurisdiction and/or his designee.

County administrator means the county administrator and/or his designee.

Credits means the impact fee deductions allowed a feepayer for eligible off-site transportation improvements funded by the feepayer.

Deficient facility means a road operating at peak hour level of service E or F, and/or a volume-to-capacity (v/c) ratio of 0.9 or higher with no mitigating improvements scheduled within three years.

Expansion of the capacity of a road applies to all road and intersection capacity enhancements and includes but is not limited to extensions, widening, intersection improvements, drainage improvements and upgrading signalization.

External trip means any trip which has either its origin or destination at the development site and which impacts the major road network system.

Fair share fee means the fee required to be paid in accordance with this article.

Feepayer means a person commencing a land development activity which generates traffic and which requires the issuance of a certificate of occupancy, land use permit or occupational license.

Independent fee calculation study means the traffic engineering and/or economic documentation prepared by a feepayer to allow the determination of the impact fee other than by the use of the table in subsection 150-40(c) of this article.

¹Charter reference(s)—General powers of county, § 2.01.

Cross reference(s)—Finance, § 2-141 et seq.; buildings and building regulations, ch. 22; impact fees in Indian Rocks fire district, § 114-54; impact fee in Palm Harbor special fire control district, § 114-93.

State law reference(s)—Impact fees encouraged, F.S. § 163.3202(3).

²Editor's note(s)—Ord. No. 16-21, § 1, adopted March 29, 2016, retitled art. II from "Transportation Impact Fee" to read as herein set out.

Land development activity generating traffic means any construction or expansion of building(s) or structure(s), or any changes in the use of any structure(s) that attracts or produces additional vehicular trips.

Level of service means a qualitative measure that represents the collective factors of speed, travel, time, traffic interruption, freedom to maneuver, safety, driving comfort and convenience, and operating costs provided by a highway facility under a particular volume condition. Levels of service vary from A to F as described in the transportation elements of the local comprehensive plans, the Transportation Research Board's Highway Capacity Manual, and similar documents.

Mobility improvement means and includes construction projects and transportation demand and system management initiatives including but not limited to:

- (1) Construction of new through lanes;
- (2) Construction of new turn lanes;
- (3) Construction of new bridges or grade separations;
- (4) Construction of new or upgrading of existing drainage facilities in conjunction with new roadway construction;
- (5) Purchase and installation of traffic signalization, including new and upgraded signalization;
- (6) Construction of curbs, medians and shoulders;
- (7) Relocating utilities to accommodate new roadway construction;
- (8) Construction of intersection improvements;
- (9) Construction of sidewalks;
- (10) Installation of on-street bicycle lanes and construction of bicycle/pedestrian trails;
- (11) Construction of transit facilities such as shelters and pullout bays;
- (12) Construction of park and ride lots;
- (13) Intelligent transportation system (ITS) projects; and
- (14) Commuter assistance programs.

Mobility management system means the process utilized by Pinellas County to implement the Pinellas County Mobility Plan. This includes the process of managing the transportation impacts of development projects and the assessment, collection and expenditure of multimodal impact fees.

Multimodal impact fee district means areas from which impact fee monies are collected and expended. These districts are defined in exhibit A.

New peak hour trip refers to a vehicle trip added to the major road network from and to a developed parcel of land during the weekday peak hour. This excludes "passerby" or "diverted" trips, whereby the site is accessed as a secondary trip.

Off-site improvements means transportation-related and/or supportive improvements, other than those referenced in the definition of site-related improvements, located outside of the boundaries of the parcel proposed for development, which are required to serve the development's external trips.

Pinellas County Mobility Plan means a countywide approach to managing the transportation impacts of development projects and increasing mobility for pedestrians, bicyclists, transit users and motor vehicles utilizing the multimodal impact fee ordinance and local site plan review processes.

Pre-existing use refers to the land use that occupied a parcel of land prior to the submittal of a permit/site plan application. In accordance with section 150-40, development projects are entitled to a credit equivalent to

the impact fee assessment of any land use activity that existed on the property as of 1986, the original adoption year of the ordinance from which this article is derived. The applicant must provide the necessary documentation to verify a pre-existing use activity not reflected in the current records of the Pinellas County Property Appraiser's Office.

Road means any public way for purposes of travel, including the entire area within the right-of-way.

Site-related improvements means capital improvements necessary for direct access/egress to the development in question. Direct access/egress site-related improvements include but are not limited to the following:

- (1) Site driveways and roads;
- (2) Right and left turn lanes leading to those driveways;
- (3) Traffic control measure for those driveways;
- (4) Acceleration/deceleration lanes;
- (5) Median openings/closing;
- (6) Frontage roads;
- (7) Roads necessary to provide direct access to the development; and
- (8) Pedestrian and other non-motorized transportation improvements such as sidewalks, pathways and bicycle lanes to provide direct access to the development.

Transportation management plan, as developed by an applicant representing a proposed development, is submitted in conjunction with individual site plans seeking to utilize transportation management strategies to address their development impacts, improve the efficiency and safety of the mobility system, and increase the mobility for all users.

Transportation management plan strategies are intended to increase mobility while addressing the transportation impacts of development projects. They include, but are not limited to, density/intensity reductions, project phasing, access controls, capital improvements and/or initiatives encouraging mass transit, bicycle or pedestrian travel, ride-sharing or roadway improvements. They do not include standard requirements necessary for site plan approval or operational improvements.

Volume-to-capacity (v/c) ratio means the rate of traffic flow of an intersection approach or group of lanes during a specific time interval divided by the capacity of the approach or group of lanes.

(Ord. No. 86-43, §§ 3(b)(8), (9), 4, 6-10-86; Ord. No. 98-78, § 1, 9-15-98; Ord. No. 02-98, § 1, 12-3-02; Ord. No. 05-26, § 1, 4-19-05; Ord. No. 16-21, § 2, 3-29-16)

Cross reference(s)—Definitions generally, § 134-2.

Sec. 150-37. Rules of construction.

- (a) The provisions of this article shall be liberally construed so as to effectively carry out its purpose in the interest of the public health, safety and welfare.
- (b) For the purpose of administration and enforcement of this article, unless otherwise stated in this article, the following rules of construction shall apply to the text of this article;
 - (1) Any road right-of-way used to define multimodal impact fee district boundaries, as identified in exhibit A (following section 150-50), shall be considered to be within each district it bounds for purposes of using these funds.

- (2) The land use types listed in section 150-40 shall have the same meaning as under the land use element(s) of the local comprehensive plans.

(Ord. No. 86-43, § 3(a), (b)(10), (11), 6-10-86; Ord. No. 02-98, § 2, 12-3-02; Ord. No. 16-21, § 3, 3-29-16)

Sec. 150-38. Intent, purpose, and legislative findings.

- (a) This article is intended to implement and be consistent with the county comprehensive plan and the plans of the municipalities in the county adopted pursuant to F.S. ch. 163.
- (b) The purpose of this article is to assure that new development bears a proportionate share of the cost of capital expenditures necessary to meet mobility needs as established by the county comprehensive plan, the Metropolitan Planning Organization's long range transportation plan, and the comprehensive plans of the municipalities in the county.
- (c) The legislative findings are as follows:
 - (1) Florida House Bill 7207, the Community Planning Act, was legislated in 2011. The act eliminated state mandated concurrency management requirements related to transportation facilities for local governments;
 - (2) In 2013, the Pinellas County Metropolitan Organization approved the Pinellas County Mobility Plan. The intent of the mobility plan is to replace local transportation concurrency management programs with a system that provides local governments with the means to manage the traffic impacts of development projects;
 - (3) The transportation element of the comprehensive plan identifies a number of highway system facilities operating under deficient level of service conditions. These require the application of mobility plan provisions in order to manage transportation impacts and to increase mobility through the use of multimodal impact fees to fund mobility improvements;
 - (4) Local comprehensive plans provide data, analysis, and policies supporting the management of development impacts on major roads operating with deficient level of service conditions through the application of the Pinellas County Mobility Plan and supporting land use policies;
 - (5) Transportation management plan strategies are important tools for local governments to manage development impacts while maximizing mobility and accessibility consistent with the comprehensive plan and Fix America's Surface Transportation (FAST) Act; and
 - (6) The Community Planning Act encourages the coordination of planning and growth management activities among local governments, the Metropolitan Planning Organization and regional and state government agencies.

(Ord. No. 86-43, § 2, 6-10-86; Ord. No. 02-98, § 3, 12-3-02; Ord. No. 16-21, § 4, 3-29-16)

Editor's note(s)—Ord. No. 16-21, § 4, adopted March 29, 2016, amended the catchline of § 150-38 to read as herein set out. Said catchline formerly read "Intent and purpose."

Sec. 150-39. Fee required.

- (a) Any person who seeks a certificate of occupancy for land development activity or seeks to change a use by applying for issuance of an occupational license, land use permit, or municipal equivalent thereof which will generate additional traffic shall be required to pay a multimodal impact fee in the manner and amount set forth in this article.

- (b) No certificate of occupancy, use permit or occupational license for any activity requiring payment of an impact fee pursuant to section 150-40 shall be issued unless and until the multimodal impact fee hereby required has been paid.
- (c) Any person who has submitted a site plan or building permit application in accordance with local land development codes prior to the effective date of Ord. No. 16-21 will be subject to the terms of the ordinance that was in effect at the time the site plan or building permit application was submitted.

(Ord. No. 86-43, § 5, 6-10-86; Ord. No. 88-50, § 7, 11-8-88, Ord. No. 01-57, § 1, 8-7-01; Ord. No. 02-98, § 4, 12-3-02; Ord. No. 05-26, § 2, 4-19-05; Ord. No. 16-21, § 5, 3-29-16)

Sec. 150-40. Computation of amount.

- (a) The amount of the multimodal impact fees imposed under this article will depend on a number of factors, including the type of land development activity, and several fixed elements, such as the average cost to construct one lane-mile of roadway (\$2,216,466.00) and the average capacity of one lane-mile of roadway (6,900 vehicles per day).
- (b) The following formula shall be used by the county administrator, city manager or functional equivalent to determine the impact fee per unit of development:

$$\frac{TGR \times \%NT \times TL \times CST (RF)}{CAP \times 2}$$

WHERE:

TGR	=	Trip generation rate, as per fee schedule
%NT	=	Percent new trips
TL	=	Average trip length, varies by land use
CST	=	The cost to construct one-lane mile of roadway (\$2,216,466.00)
CAP	=	The capacity of one-lane mile of roadway (6,900 vehicles per lane, per day)
2	=	Allocation of one-half the impact to the origin and one-half to the destination
RF	=	Reduction factor (.268)

- (c) At the option of the feepayer, the amount of the multimodal impact fee may be determined by the following fee schedules (Schedule A contains the impact fee rates for uses outside of designated downtown areas; Schedule B contains rates for downtown areas):

Schedule A. General Fee Schedule

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
<i>Residential:</i>					
Single-family:					
0—1,500 sq. ft.	du	6.3	5.0	1.00	\$1,356.00
1,501—2,499 sq. ft.	du	7.8	5.0	1.00	\$1,679.00
2,500 sq. ft. and over	du	9.6	5.0	1.00	\$2,066.00

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0-1,500 sq. ft. LIHH	du	4.1	5.0	1.00	\$882.00
Multi-family	du	6.6	5.0	1.00	\$1,420.00
Multi-family LIHH	du	3.5	5.0	1.00	\$753.00
Condominium/Townhome	du	5.8	5.0	1.00	\$1,248.00
Efficiency apt./hotel	room	5.0	3.3	0.59	\$419.00
Mobile home	du	5.0	5.0	1.00	\$1,076.00
Licensed ACLF	bed	2.7	2.8	.74	\$241.00
General Office:					
0—49,999 sq. ft.	1,000 sf	16.3	5.1	0.92	\$3,292.00
50,000—149,999 sq. ft.	1,000 sf	13.7	5.1	0.92	\$2,767.00
150,000—299,999 sq. ft.	1,000 sf	11.5	5.1	0.92	\$2,323.00
300,000—599,999 sq. ft.	1,000 sf	10.4	5.1	0.92	\$2,100.00
600,000—799,999 sq. ft.	1,000 sf	8.4	5.1	0.92	\$1,697.00
Over 800,000 sq. ft.	1,000 sf	8.2	5.1	0.92	\$1,656.00
Research Center:					
Research center	1,000 sf	6.1	5.1	0.92	\$1,232.00
Industrial:					
General industrial	1,000 sf	7.0	5.1	0.92	\$1,414.00
Industrial park	1,000 sf	7.0	5.1	0.92	\$1,414.00
Manufacturing	1,000 sf	3.8	5.1	0.92	\$767.00
Warehousing	1,000 sf	3.6	5.1	0.92	\$727.00
Mini-warehousing	1,000 sf	2.5	3.1	0.92	\$307.00
Medical:					
Hospital	bed	11.8	6.4	0.77	\$2,503.00
Nursing home	bed	2.4	2.8	0.75	\$217.00
Clinic/medical office	1,000 sf	35.2	4.9	0.85	\$6,311.00
Veterinary clinic	1,000 sf	32.8	1.9	0.70	\$1,878.00
Lodging:					
Hotel	room	8.2	6.4	0.71	\$1,604.00
Motel (budget style)	room	5.6	6.4	0.59	\$910.00
Resort hotel	room	18.4	5.4	0.75	\$3,208.00
Recreation:					
General recreation	pkg sp	3.4	6.4	0.90	\$843.00
Marina	boat berth	3.0	7.0	0.90	\$814.00
Dry dock marina	boat slip	2.1	3.6	0.90	\$293.00
Racquet club	1,000 sf	14	3.0	0.75	\$1,356.00
Golf course	acre	5.0	7.1	0.90	\$1,375.00
Fitness center	1,000 sf	27.0	4.0	0.84	\$3,905.00
Retail:					
Quality restaurant	1,000 sf	90.0	2.5	0.82	\$7,942.00
Sit-down restaurant	1,000 sf	127.0	1.9	0.79	\$8,205.00
Drive-in restaurant	1,000 sf	496.0	1.7	0.54	\$19,599.00
Quality drive-in restaurant	1,000 sf	279.7	1.7	0.75	\$15,350.00
Discount store (ind.)	1,000 sf	56.0	1.8	0.61	\$2,647.00
Building materials store	1,000 sf	45.2	1.7	0.61	\$2,018.00
Home improvement superstore	1,000 sf	29.8	2.2	0.83	\$2,342.00
New and used car sales	1,000 sf	33.3	2.4	0.79	\$2,718.00

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Service station w/ conven. market <800 sf	pump	162.8	1.9	0.23	\$3,062.00
Car wash	1,000 sf	151.2	1.6	0.67	\$6,977.00
Supermarket	1,000 sf	102.0	1.7	0.53	\$3,956.00
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456.00
Convenience market (3,000 sf or over)	1,000 sf	887.1	1.5	0.25	\$14,319.00
Movie theater w/ matinee	screen	132.0	2.3	0.85	\$11,108.00
Auto repair/detailing	1,000 sf	28.4	2.2	0.83	\$2,232.00
Furniture store	1,000 sf	5.1	2.4	0.79	\$351.00
Retail nursery (garden ctr.)	1,000 sf	36.0	1.8	0.61	\$1,701.00
Discount club store	1,000 sf	41.8	4.0	0.89	\$6,405.00
Discount superstore	1,000 sf	65.3	2.2	0.83	\$5,133.00
Video rental store (freestanding)	1,000 sf	13.6	2.3	0.85	\$1,144.00
General Commercial:					
Under 100,000 sq. ft.	1,000 sf	94.7	1.7	0.49	\$3,396.00
100,000—199,999 sq. ft.	1,000 sf	74.3	1.8	0.63	\$3,627.00
200,000—299,999 sq. ft.	1,000 sf	58.9	2.0	0.75	\$3,803.00
300,000—399,999 sq. ft.	1,000 sf	48.3	2.3	0.79	\$3,778.00
400,000—499,999 sq. ft.	1,000 sf	43.0	2.5	0.80	\$3,702.00
500,000—999,999 sq. ft.	1,000 sf	37.7	3.0	0.81	\$3,943.00
Over 1,000,000 sq. ft.	1,000 sf	33.4	3.6	0.81	\$4,192.00
Services:					
Bank	1,000 sf	144.0	1.6	0.30	\$2,975.00
Institutional:					
Church	1,000 sf	9.1	3.9	0.90	\$1,375.00
Library (private)	1,000 sf	56.0	3.9	0.90	\$8,461.00
Day care center	1,000 sf	79.0	2.0	0.74	\$5,033.00
Elementary school	student	1.3	4.3	0.80	\$192.00
High school	student	1.7	4.3	0.90	\$283.00
Junior/community college	student	1.2	7.3	0.90	\$339.00
University	student	2.4	7.3	0.90	\$679.00
Airport	flights	2.0	6.0	0.90	\$465.00
Park	acres	36.5	6.4	0.90	\$9,050.00

Notes: LIHH = Low income household. Fees for LIHH are assessed as a component of affordable housing development incentive programs as certified by the local government. Single-family square footage is the heated living area square footage. General commercial unit is gross leasable area.

Schedule B. Downtown Area Fee Schedule

Land Use Type	Unit	Trip Rate	Avg. Trip Length	Percent New Trips	Fee Per Unit
Residential:					
Single-family:					
0-1,500 sq. ft.	du	6.3	5.0	0.74	\$1,003.00
1,501 - 2,499 sq. ft.	du	7.8	5.0	0.74	\$1,242.00
2,500 sq. ft. and over	du	9.6	5.0	0.74	\$1,529.00
0-1,500 sq. ft. (LIHH)	du	4.1	5.0	0.74	\$653.00

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Multi-family	du	6.6	5.0	0.74	\$972.00
Multi-family (LIHH)	du	3.5	5.0	0.74	\$557.00
Condominium/townhome	du	5.8	5.0	0.74	\$924.00
Efficiency apt./hotel	room	5.0	3.3	0.59	
Mobile home	du	5.0	5.0	0.74	\$796.00
Licensed ACLF	bed	2.7	2.8	0.74	\$241.00
General Office:					
0—49,999 sq. ft.	1,000 sf	16.3	5.1	0.74	\$2,648.00
50,000—149,999 sq. ft.	1,000 sf	13.7	5.1	0.74	\$2,226.00
150,000—299,999 sq. ft.	1,000 sf	11.5	5.1	0.74	\$1,868.00
300,000—599,999 sq. ft.	1,000 sf	10.4	5.1	0.74	\$1,689.00
600,000—799,999 sq. ft.	1,000 sf	8.4	5.1	0.74	\$1,365.00
Over 800,000 sq. ft.	1,000 sf	8.2	5.1	0.74	\$1,332.00
Research Center:					
Research center	1,000 sf	6.1	5.1	0.74	\$991.00
Industrial:					
General industrial	1,000 sf	7.0	5.1	0.74	\$1,137.00
Industrial park	1,000 sf	7.0	5.1	0.74	\$1,137.00
Manufacturing	1,000 sf	3.8	5.1	0.74	\$617.00
Warehousing	1,000 sf	3.6	5.1	0.74	\$585.00
Mini-warehousing	1,000 sf	2.5	3.1	0.74	\$247.00
Medical:					
Hospital	bed	11.8	6.4	0.62	\$2,015.00
Nursing home	bed	2.4	2.8	0.60	\$174.00
Clinic/medical office	1,000 sf	35.2	4.9	0.70	\$5,197.00
Veterinary clinic	1,000 sf	32.8	1.9	0.70	\$1,878.00
Lodging:					
Hotel	room	8.2	6.4	0.61	\$1,378.00
Motel (budget style)	room	5.6	4.0	0.61	\$588.00
Resort hotel	room	18.4	5.4	0.61	\$2,609.00
Recreation:					
General recreation	pkg sp	3.4	6.4	0.32	\$300.00
Marina	boat berth	3.0	7.0	0.32	\$289.00
Dry dock marina	boat slip	2.1	3.6	0.32	\$104.00
Racquet club	1,000 sf	14	3.0	0.32	\$579.00
Fitness center	1,000 sf	27.0	4.0	0.36	\$1,674.00
Retail:					
Quality restaurant	1,000 sf	90.0	2.5	0.21	\$2,034.00
Sit-down restaurant	1,000 sf	127.0	1.9	0.21	\$2,181.00
Drive-in restaurant	1,000 sf	496.0	1.7	0.21	\$7,622.00
Quality drive-in restaurant	1,000 sf	279.7	1.7	0.21	\$4,298.00
Discount store (ind.)	1,000 sf	56.0	1.8	0.34	\$1,475.00
Building materials store	1,000 sf	45.2	1.7	0.34	\$1,125.00
Home improvement superstore	1,000 sf	29.8	2.2	0.34	\$959.00
New and used car sales	1,000 sf	33.3	2.4	0.52	\$1,789.00
Service station w/ conven. market <800 sf	pump	162.8	1.9	0.23	\$3,062.00

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Car wash	1,000 sf	151.2	1.6	0.40	\$4,165.00
Supermarket	1,000 sf	102.0	1.7	0.53	\$3,956.00
Convenience market (under 3,000 sf)	store	1762.9	1.5	0.25	\$28,456.00
Convenience market (3,000 sf or over)	1,000 sf	887.1	1.5	0.25	\$14,319.00
Movie theater w/ matinee	screen	132.0	2.3	0.58	\$7,580.00
Auto repair/detailing	1,000 sf	28.4	2.2	0.56	\$1,506.00
Furniture store	1,000 sf	5.1	2.4	0.52	\$231.00
Retail nursery (garden ctr.)	1,000 sf	36.0	1.8	0.34	\$948.00
Discount club store	1,000 sf	41.8	4.0	0.30	\$2,159.00
Discount superstore	1,000 sf	65.3	2.2	0.30	\$1,855.00
Video rental store (freestanding)	1,000 sf	13.6	2.3	0.32	\$431.00
General Commercial:					
Under 100,000 sq. ft.	1,000 sf	94.7	1.7	0.30	\$2,079.00
100,000—199,999 sq. ft.	1,000 sf	74.3	1.8	0.35	\$2,015.00
200,000—299,999 sq. ft.	1,000 sf	58.9	2.0	0.47	\$2,383.00
300,000—399,999 sq. ft.	1,000 sf	48.3	2.3	0.51	\$2,439.00
400,000—499,999 sq. ft.	1,000 sf	43.0	2.5	0.53	\$2,452.00
500,000—999,999 sq. ft.	1,000 sf	37.7	3.0	0.54	\$2,629.00
Over 1,000,000 sq. ft.	1,000 sf	33.4	3.6	0.54	\$2,795.00
Services:					
Bank	1,000 sf	144.0	1.6	0.30	\$2,975.00
Institutional:					
Church	1,000 sf	9.1	3.9	0.35	\$535.00
Library (private)	1,000 sf	56.0	3.9	0.63	\$5,923.00
Day care center	1,000 sf	79.0	2.0	0.47	\$3,196.00
Elementary school	student	1.3	4.3	0.53	\$128.00
High school	student	1.7	4.3	0.63	\$198.00
Junior/community college	student	1.2	7.3	0.63	\$238.00
University	student	2.4	7.3	0.63	\$475.00
Park	acre	36.5	6.4	0.63	\$6,335.00

Notes: LIHH = Low income household. Fees for LIHH are assessed as a component of affordable housing development incentive programs as certified by the local government. Single-family square footage is the heated living area square footage. General commercial unit is gross leasable area.

The Downtown Area fee schedule applies to existing downtown areas geographically depicted in the attached maps including Exhibit A: Multimodal Impact Fee Districts; Exhibit B: Tarpon Springs Downtown Area District 1A; Exhibit C: Oldsmar Downtown Area District 2A; Exhibit D: Palm Harbor Downtown Area District 3A; Exhibit E: Dunedin Downtown Area District 4A; Exhibit F: Safety Harbor Downtown Area District 5A; Exhibit G: Clearwater Downtown Area District 6A; Exhibit H: Largo Downtown Area District 7A; Exhibit I: Pinellas Park Downtown Area District 10A; and Exhibit J: St. Petersburg Downtown Area District 11A. The 1990 MPO Pinellas County Transportation Impact Fee Study contains technical data indicating there are significantly fewer new vehicle trips generated for each unit of development in these areas as compared to similar land uses outside them. These areas are delineated in locally adopted redevelopment or comprehensive plans with supporting policies designed to encourage infill and redevelopment activity. New areas with similar trip generation characteristics, as described in the 1990 MPO Pinellas County Transportation Impact Fee Study, may be added to the attached exhibits through the amendment of the ordinance pursuant to the submittal of a detailed map and documentation that such areas meet the criteria in the 1990 Pinellas County MPO Transportation Impact Fee Study.

In the case of a change of use, redevelopment, or modification of an existing use, the impact fee shall be based upon the net increase in the impact fee for the new use as compared to the impact fee for the highest previous use in existence on or after the effective date of the ordinance from which this section derives. The county administrator or city manager shall be guided in this determination by the county's transportation impact fee study (February 1990), independent study trip generation data or the Institute of Transportation Engineers' Trip Generation, sixth (or successor) edition.

- (d) If a feepayer shall opt not to have the impact fee determined according to subsections (b) and (c) of this section, then the feepayer shall prepare and submit to the county administrator, city manager or functional equivalent for approval of an independent fee calculation study for the land development activity for which a certificate of occupancy, land use permit or occupational license is sought. The traffic engineering and/or economic documentation submitted, which will require a pre-application meeting with the county administrator, city manager or functional equivalent, shall show the basis upon which the independent fee calculation was made, including but not limited to the following:
 - (1) Trip generation studies:
 - a. Documentation of trip generation rates appropriate for the proposed land development activity.
 - b. Documentation of trip length appropriate for the proposed land development activity.
 - c. Documentation of trip data appropriate for the proposed land development activity.
 - (2) Economic documentation studies:
 - a. Documentation of the cost per lane per mile for roadway construction for the proposed land development activity.
 - b. Documentation of credits attributable to the proposed land development activity which the feepayer will make available to replace the portion of the service volume used by the traffic generated by the proposed land development activity.
- (e) Trip generation data. Trip generation documentation other than traffic engineering or economic documentation described in Subsection 150-40(d)(1) and (2) may be submitted by the applicant in consideration of an independent fee calculation.

(Ord. No. 86-43, § 6, 6-10-86; Ord. No. 88-50, §§ 1—3, 5, 11-8-88; Ord. No. 90-88, § I, 12-4-90; Ord. No. 98-78, § 2, 9-15-98; Ord. No. 02-98, § 5, 12-3-02; Ord. No. 03-80, § 1, 10-21-03; Ord. No. 04-88, § 1, 12-21-04; Ord. No. 05-26, § 3, 4-19-05; Ord. No. 07-29, § 1, 7-10-07; Ord. No. 09-23, § I, 4-21-09; Ord. No. 11-04, § I, 2-22-11; Ord. No. 16-21, § 6, 3-29-16; Ord. No. 19-15, § 1, 7-23-19)

Sec. 150-41. Payment of fee and credits.

- (a) The person applying for the issuance of a certificate of occupancy, land use permit or occupational license shall pay the multimodal impact fee to the county administrator, the city manager, their functional equivalent or their respective designees at the issuance of such permit. Fees for mobile homes shall be payable at the issuance of the permits which allow the mobile home to move on to a lot. The county administrator, city manager, their functional equivalent or their respective designees will have full collection authority as well as full discretion for approval of alternative methods for calculation of impact fees on a case-by-case basis. Fees shall be collected as part of the normal permitting process of each local jurisdiction.
- (b) All funds collected under this article shall be properly identified by the multimodal impact fee district, as identified in exhibit A, and promptly transferred for deposit into the appropriate multimodal impact fee trust account to be held in separate accounts as determined in section 150-42 and used solely for the purposes specified in this article.

- (c) In lieu of all or part of the multimodal impact fee imposed under this article, the county administrator, city manager or functional equivalent may accept the offer by a feepayer to implement all or part of a mobility improvement project consistent with the local government comprehensive plan or plans, or the metropolitan planning organization's long range transportation plan. The project(s) may be for any mode of transportation, including rail, transit, pedestrian or bicycle travel, providing that it serves to add to the capacity of the surrounding transportation circulation system or to increase mobility and reduce the dependence on automobile travel. This offer shall not include site-related improvements. These improvements must be in accordance with city, county and state requirements, whichever are applicable. The feepayer shall submit an offer to make improvements in lieu of a fee payment. The offer shall include a letter detailing the improvements to be made, improvement plans and a construction cost estimate in sufficient detail to allow the county administrator, city manager or functional equivalent to determine consistency with local requirements. If the county administrator, city manager, functional equivalent or their respective designees accept such an offer, the cost of the improvement project, except for the improvements identified in subsections 150-41(h), (i) and (j), shall be credited against the multimodal impact fee assessed on the proposed development. Upon satisfactory completion and construction approval of the transportation improvement made in lieu of all or a portion of the impact fee due, the improvement shall be accepted by the appropriate jurisdiction for future maintenance. If the certificate of occupancy is requested prior to the completion of the approved project, then a performance bond shall be provided to the county administrator, city manager or functional equivalent to cover the balance of all work required following issuance of the certificate of occupancy.
- (d) Construction of on-site trail, pedestrian or bicycle facility if part of trail, bicycle or pedestrian network identified in MPO Long Range Transportation Plan or local comprehensive plan is eligible for credit against impact fee assessment. No credit shall be given for other site-related improvements or land dedicated for related right-of-way.
- (e) All transportation improvements required under a county- or city-approved development order issued for a new development of regional impact approved prior to the effective date of this ordinance, except for those improvements deemed as site-related or on-site, shall be credited against multimodal impact fees up to the total amount of the impact fee.
- (f) Mixed-use developments consisting of complementary land uses that are designed with connectivity to allow for a reduction in trip lengths and/or percent new trips are eligible for an impact fee rate adjustment based on trip generation data for similar uses.
- (g) Commuter assistance programs with long-term contract facilitating ride sharing activity are eligible for an impact fee rate reduction based on the reduction in the number of single-occupant vehicle trips that would otherwise be associated with the project.
- (h) Bus stop shelters, including pads, are eligible for a credit against the impact fee assessment in an amount equal to the cost of the improvement or one percent of the fee, whichever is greater.
- (i) Construction of shared driveway(s) between adjacent properties is eligible for a credit against the impact fee assessment in an amount that is 50 percent of the construction cost for the portion of the driveway that is located off-site.
- (j) Construction of shared inter-connecting parking lots is eligible for a credit against the impact fee assessment in an amount that is 50 percent of the construction cost for the portion of the parking area located off-site.
- (k) Sidewalks constructed for credit against impact fee assessment must provide connection between the site and surrounding sidewalk network and/or major destination point such as a park, shopping center, school, community center, etc.
- (l) Pedestrian and bicycle facilities connecting neighboring properties may be eligible for credit against impact fees for the portion of the construction that is off-site.

- (m) Construction of service roads for vehicular traffic connecting adjacent developments are eligible for credit against impact fee assessment.
- (n) Off-site crosswalk enhancements, including curb bulb-out at intersection, pavement marking, raised crossing are eligible for credit against impact fee assessment.
- (o) Subsections 150-41(c) through (f) do not apply to development projects that are subject to the requirements of subsections 150-48(c), (d) and (f).

(Ord. No. 86-43, § 7, 6-10-86; Ord. No. 01-57, § 2, 8-7-01; Ord. No. 02-98, § 6, 12-3-02; Ord. No. 05-26, § 4, 4-19-05; Ord. No. 16-21, § 7, 3-29-16; Ord. No. 19-15, § 2, 7-23-19)

Sec. 150-42. Trust accounts established.

- (a) Each municipality which collects and administers multimodal impact fee funds shall establish a trust account which shall be used exclusively for funds collected under the terms of this article. Monies collected by or forwarded to the county shall be maintained in 13 separate impact fee trust accounts consistent with the districts shown in exhibit A.
- (b) Funds deposited to the trust accounts established under this section must be used in accordance with the provisions of section 150-43.

(Ord. No. 86-43, § 8, 6-10-86; Ord. No. 02-98, § 7, 12-3-02; Ord. No. 16-21, § 8, 3-29-16)

Sec. 150-43. Disposition of funds.

- (a) Funds collected from multimodal impact fees shall be used for the purpose of preparing and implementing plans and projects that improve the capacity of the surrounding mobility system, including bicycle, pedestrian, transit and automobile uses. Such improvements may be in the form of plans and projects that involve improvements to transportation modes such as transit, pedestrian and bicycle travel as well as roadway expansion or modifications. Such improvements shall be of the type as are made necessary by the new development to support the area mobility network. Plans which are funded from multimodal impact fees shall be prepared by or for a local government and for the purpose of defining appropriate and relevant mobility projects for implementation. A plan must identify at least one project to be included in the local government capital improvement program within three years of completion of the plan, or the funds used for the plan must be returned to the appropriate trust account. Specific projects to receive funds from impact fees collected shall be determined by the elected officials of the jurisdiction from where the funds were collected in accordance with subsection 150-43(e). Priorities for impact fee funded mobility improvements shall be established by the administering jurisdictions' elected officials in compliance with the adopted plans and transportation improvement program of the metropolitan planning organization or local jurisdictions.
- (b) No funds collected under this article shall be used for periodic maintenance, as defined in F.S. ch. 334, as amended.
- (c) Except as provided in subsection (e) of this section, funds shall be used exclusively for mobility improvements or expansions within the multimodal impact fee district from which funds were collected. Funds may also be used for projects located outside the district where they were collected provided the county has notified and received concurrence from all jurisdictions located within the multimodal impact fee district where the funds were collected. Funds shall be deemed expended in the order in which they are collected.

- (d) Fees, both county and municipal share, collected within a community redevelopment or tax increment financing district shall be expended within such district. Parking garages for general public purposes shall be considered eligible transportation improvements within such districts. With the concurrence of the county administrator, appropriate city manager or functional equivalent, the funds collected within a community redevelopment or tax increment financing district may be spent within the primary district.
- (e) Multimodal impact fees collected at the local level shall be held by the collecting jurisdiction until the end of the fiscal year in which collected. At the beginning of each new fiscal year (October 1), one-half of all fees collected, and the accrued interest thereon, less the four percent retained from the total fee collected for administrative costs, shall be forwarded to the board of county commissioners for placement in the appropriate trust account. The remaining one-half shall be deposited in the municipality's multimodal impact fee trust account. All fees must be disbursed, encumbered or refunded by each jurisdiction receiving the fees in a manner consistent with this article.
- (f) Multimodal impact fees collected within each district may be made available for construction of improvements on the state road network in the district.
- (g) Multimodal impact fee funds shall be administered as an independent component of the capital improvement element of the comprehensive plan, as required by F.S. ch. 163. Each fiscal year, the county administrator, respective city managers or functional equivalents shall present to their governing boards the district improvement programs for transportation expenditures. These programs shall assign mobility improvements costs and related expenses to the trust account for specific transportation improvement projects. Monies, including any accrued interest not assigned in any fiscal year, shall be retained in the same multimodal impact fee trust accounts until the next fiscal year, except as provided by the refund provisions of this article. The collecting jurisdiction (either a municipality or the county) shall retain four percent of the fees collected for administrative costs.

(Ord. No. 86-43, § 9, 6-10-86; Ord. No. 88-50, § 6, 11-8-88; Ord. No. 90-88, § II, 12-4-90; Ord. No. 02-98, § 8, 12-3-02; Ord. No. 05-26, § 5, 4-19-05; Ord. No. 16-21, § 9, 3-29-16)

Sec. 150-44. Refund of fee paid.

Any funds not expended or encumbered by the end of the calendar quarter immediately following ten years from the date the multimodal impact fee was paid shall, upon application of the feepayer within 180 days of that date, be returned to the feepayer with interest at a yearly rate to be determined by the Consumer Price Index effective January 1, which is to be applied to the preceding year for each year the deposit is held.

(Ord. No. 86-43, § 10, 6-10-86; Ord. No. 98-78, § 3, 9-15-98; Ord. No. 16-21, § 10, 3-29-16)

Sec. 150-45. Exemptions.

The following shall be exempted from payment of the multimodal impact fee:

- (1) Alteration or expansion of an existing building where no additional units or floor area are created, use is not changed, and where no additional vehicular trips will be produced over and above that produced by the existing use.
- (2) The construction of accessory buildings or structures which will not produce additional vehicular trips over and above that produced by the principal building or use of the land.
- (3) The replacement of a building or structure with a new building or structure of the same use provided that no additional trips will be produced over and above those produced by the original building or structure.

- (4) The construction of publicly-owned facilities used primarily for traditional government uses.

(Ord. No. 86-43, § 11, 6-10-86; Ord. No. 98-78, § 4, 9-15-98; Ord. No. 99-5, § 1, 1-19-99; Ord. No. 99-41, § 1, 4-20-99; Ord. No. 99-93, § 1, 10-26-99; Ord. No. 02-98, § 9, 12-3-02; Ord. No. 03-80, § 2, 10-21-03; Ord. No. 04-28, § 1, 4-13-04; Ord. No. 04-74, § 1, 10-26-04; Ord. No. 05-26, § 6, 4-19-05; Ord. No. 16-21, § 11, 3-29-16)

Sec. 150-46. Review committee.

It is the intention of the board of county commissioners to ensure consistency in administration of the multimodal impact fee ordinance. Therefore, a review committee composed of locally designated administrative officials is created to review matters which may be subject to differing interpretations arising from the administration of the article, and which are not clearly addressed by the provisions of this article. The Metropolitan Planning Organization Technical Coordinating Committee (TCC) shall serve as the review committee. The TCC shall make advisory recommendations to the administering jurisdiction on issues brought before the committee. The county metropolitan planning organization shall maintain the records of the committee and a listing of its membership. The metropolitan planning organization shall also provide staff services to the committee.

(Ord. No. 86-43, § 12, 6-10-86; Ord. No. 90-88, § III, 12-4-90; Ord. No. 02-98, § 10, 12-3-02; Ord. No. 16-21, § 12, 3-29-16)

Cross reference(s)—Boards, commissions, councils and authorities, § 2-226 et seq.

Sec. 150-47. Review of fee structure.

The multimodal impact fee schedule shall be reviewed every two years by the board of county commissioners and the metropolitan planning organization. The review shall consider trip generation rates and the actual construction costs for work contracted by the county and the state department of transportation within the county. The purpose of this review is to analyze the effects of inflation on the actual costs of mobility improvement projects and to ensure the fee charged new land development activity generating traffic will not exceed its fair share.

(Ord. No. 86-43, § 13, 6-10-86; Ord. No. 90-88, § IV, 12-4-90; Ord. No. 02-98, § 11, 12-3-02; Ord. No. 16-21, § 13, 3-29-16)

Sec. 150-48. Mobility management.

- (a) Transportation management plans are required for development applications subject to the provisions in subsections 150-48(c), (d) and (f) utilizing transportation management strategies/improvements included in an approved transportation management plan in terms of the scale of the project(s) and roadway capacity and/or mobility benefits provided shall be based primarily on the projected impact of the development project on the surrounding traffic circulation system. Specific conditions of the deficient road corridor impacted by the development shall also be considered.

Transportation management plan strategies/improvements required in accordance with subsections 150-48(c), (d) and (f) will be determined at the time of site plan review. Transportation management plans must be developed by the applicant and accepted by the applicable local government. If the project impacts a state road, the applicant must also submit the transportation management plan to the Florida Department of Transportation District 7 Office. Transportation management plan strategies/improvements include, but are not limited to, those listed below. Transportation management plans seeking to implement strategies that do not involve structural improvements, such as ride-sharing and transit incentive programs, must include a monitoring program to ensure the strategies

are carried out in accordance with the plan. Site-related improvements are not eligible for inclusion in transportation management plans.

- (1) *Intensity reduction.* The intensity of the proposal may be reduced through an across-the-board reduction of the permitted floor area ratio, as it would otherwise normally apply to the proposal. Other such corrective actions that would reduce the intensity of the proposal may also apply.
 - (2) *Density reduction.* The density of the proposal may be decreased by a reduction in the number of units per acre below that which would otherwise normally apply to the proposal.
 - (3) *Project phasing.* A project may be divided into logical phases of development by area, with later phases of the development proposal's approval withheld until the needed facilities are available.
 - (4) *Outparcel deletion.* Those portions of the proposal characterized as outparcels that create separate and unique impacts may be deleted from the total proposal.
 - (5) *Physical highway improvements.* A project may construct link capacity improvements, acceleration/deceleration lanes, intersection improvements or frontage roads.
 - (6) *Operational improvements (signal).* This includes efforts involving signal removal or signal timing improvements.
 - (7) *Access management strategies.* These include access management controls such as the preclusion of a direct connection to an LOS deficient facility, right-in/right-out driveways, alternative driveway locations, reduction of a driveway, single point access, shared access or the implementation of median controls.
 - (8) *Mass transit initiatives.* A project may implement a plan to encourage transit (e.g., employer-issued bus passes). Other mass transit initiatives may include, but are not limited to, the construction of bus stop amenities, bus pull-off areas and dedication of park and ride parking spaces.
 - (9) *Demand management/commuter assistance.* These include efforts to encourage ride-sharing (e.g., designated parking spaces for carpools, employer-sponsored carpool program, participation in transportation management organization/initiative programs), and implementation of flexible work hours and telecommuting programs.
 - (10) *Bicycle/pedestrian improvements.* These would involve structural improvements or construction of a bikeway or sidewalk connecting an existing bikeway/sidewalk network or providing access to a school, park, shopping center, etc. These improvements may also include pedestrian treatments in parking area, sidewalks connecting developments with adjacent land uses, trail improvements and bicycle rack and on-street bicycle lane installations, and the planting of trees to provide shade canopy along sidewalks.
 - (11) *Intelligent transportation system improvements.* This includes improvements pertaining to computerized traffic signal systems that automatically adjust to maximize traffic flow and to permit emergency vehicles to pass through intersections quickly. It also includes freeway management systems, such as electronic message signs, and electronic fare payment on public buses that reduce passenger boarding time.
 - (12) *Livable community site design features.* These include, but are not limited to, implementation of pedestrian friendly site design features such as orienting buildings toward the street and parking lots to the side or rear of buildings.
- (b) Deficient road corridors include parcels, all or a portion of which lie within a corridor as defined below.
- (1) *Sole direct access.* A condition where the only means of site ingress/egress is directly onto the road facility, regardless of the distance of that site from the facility;

- (2) *Direct access.* A condition in which one or more existing or potential site ingress/egress points makes a direct connection to the road facility and the site is within one-half mile of the road facility; and
 - (3) *Sole indirect access.* A condition where the only point of site ingress/egress is onto a public non-arterial roadway which makes its first and shortest arterial level connection onto a road facility regardless of the distance of that site from the facility.
- (c) Development projects that generate between 51 and 300 new peak hour trips are designated as tier 1.
- (1) Developers of tier 1 projects located within deficient road corridors are required to submit a transportation management plan designed to address their impacts while increasing mobility and reducing the demand for single occupant vehicle travel.
 - (2) The cost of transportation management strategies implemented for tier 1 projects are creditable toward their multimodal impact fee assessment. If the cost of the improvement exceeds the assessment, the development project would not be subject to the payment of a multimodal impact fee per sections 150-39 and 150-40.
- (d) Development projects that generate more than 300 new peak hour trips are designated as tier 2.
- (1) Developers of tier 2 projects within deficient road corridors are required to conduct a traffic study and submit an accompanying report. The report shall include the results of the traffic study and a transportation management plan identifying improvements necessary to address the impacts of the project.
 - (2) The cost of transportation management strategies implemented for tier 2 projects may be applied as credit toward the project's multimodal impact fee assessment or payment of the fee could be included as part of a transportation management plan.
- (e) Development projects that generate less than 51 new peak hour trips are required to pay a multimodal impact fee in accordance with chapter 150. Such development projects are not required to submit a transportation management plan or traffic study, unless otherwise warranted.
- (f) Development projects that generate more than 50 new peak hour trips on non-deficient roads shall be reviewed by Pinellas County or municipal staff to determine if the impacts to the project adversely affect the level of service of the surrounding road network. If it is determined that approval of the development project would diminish the level of service of the adjacent road(s) to peak hour level of service E or F or would cause the volume-to-capacity ratio to reach or exceed 0.9, a transportation management plan would be required. The applicant may submit a traffic study to verify whether their project would affect the level of service of the adjacent road(s). A transportation management plan would be required if the results of the study confirm the findings of the city or county staff. The transportation management plan for such developments shall comply with the requirements of tier 1 or tier 2 projects described in subsections 150-48(c) and (d) as appropriate and as determined by the presiding local government.
- (g) Determination of trip generation associated with an application for development shall be based on impact fee schedule A or B in section 150-40 or the latest edition of the Institute of Transportation Engineers Trip Generation Manual. As an alternative to the fee schedule and trip generation manual, the applicant may submit a trip generation study in accordance with section 150-40(d) and (e).
- (h) Deficient road corridors are identified in the following table and in exhibit K. The table and exhibit K do not include deficient roads with mitigating improvements scheduled within the next three years.

Deficient road corridors include the following:

Road Segment	From	To
102nd Avenue (CR 296)	Ridge Road	131st Street

22nd Avenue North	34th Street (SR 55)	22nd St
38th Avenue North (CR 184)	49th Street North (CR 611)	34th Street North
Alternate US 19 (SR 595)	Main Street (SR 580)	Pinellas/Pasco County Line
Bay Drive (SR 686)	Clwtr Largo Road (CR 321)	US 19 (SR 55)
Bay Pines Blvd (SR 595)	Park Street (CR 1)	East of 94th Street
Belcher Road (CR 501)	Gulf to Bay Blvd (SR 60)	Belleair Road (CR 464)
Belleair Road (CR 464)	MLK Jr. Avenue	US 19 (SR 55)
Belleair Beach Causeway (SR 686)	Indian Rocks Road	Gulf Boulevard
Bryan Dairy Road (CR 296)	Seminole Blvd (SR 595)	98th Street
Court Street (SR 60)	Missouri Avenue (SR 651)	Highland Avenue
Drew Street (CR 528)	US 19 (SR 55)	NE Coachman Road (SR 590)
East Lake Road (CR 611)	Woodlands Parkway	Keystone Road (CR 582)
Forest Lakes Blvd (CR 667)	SR 580	Tampa Road
Ft. Harrison Avenue	Belleair Road (CR 464)	Drew St (SR 590)
Gandy Blvd (SR 694)	US 19 (SR 55)	Interstate 275 (SR 93)
Gandy Blvd (SR 694)	4th Street (SR 687)	Brighton Bay Boulevard NE
Gulf-To-Bay Blvd/Courtney Campbell Cswy (SR 60)	Keene Road (CR 1)	Pinellas/ Hillsborough CL
Gulf Blvd	Belleair Cswy	Walsingham Rd.
Interstate 275 (SR 93)	Gandy Blvd (SR 694)	Interstate 175
Indian Rocks Road (CR 233)	West Bay Drive (CR 416)	Walsingham Road (CR 330)
Keene Road (CR 1)	Druid Road	Belleair Road (CR 464)
Keene Road (CR 1)	Sunset Point Road (CR 576)	SR 580
McMullen-Booth Road (CR 611)	Curlew Road (SR 586)	Gulf-To-Bay Blvd (SR 60)
Memorial Causeway (SR 60)	Coronado Drive	Island Way
Park Blvd (CR/SR 694)	US 19 (SR 55)	49th Street North
Park Blvd (CR/SR 694)	66th Street North	Duhme Road/113th Street North (CR 321)
Roosevelt Blvd (SR 686)	49th Street North (CR 611)	Ulmerton Road (SR 688)
SR 580	Phillipe Parkway (CR 590)	Forest Lakes Blvd (CR 667)
Starkey Road (CR 1)	East Bay Drive (SR 686)	Largo Lakes Blvd
Tampa Road (SR 584)	Curlew Road (SR 586)	SR 580
Tarpon Avenue (SR 582)	Alternate US 19 (SR 595)	US 19 (SR 55)
Ulmerton Road (SR 688)	40th Street	E. Roosevelt Blvd (SR 686)
US 19 (SR 55)	SR 580	Beckett Way
US 19 (SR 55)	Mainlands Boulevard	54th Avenue North (CR 202)
Walsingham Road	Ulmerton Road (SR 688)	Seminole Blvd (SR 595)

- (i) Existing levels of service (LOS) used to identify deficient road corridors are based on the annual Metropolitan Planning Organizations Level of Service Report.

(Ord. No. 16-21, § 14, 3-29-16)

Sec. 150-49. Territory embraced.

This article shall apply to the unincorporated area of the county and to the incorporated areas of the county to the extent permitted by article VIII, section 1(g) of the State Constitution and the County Charter.

(Ord. No. 86-43, § 16, 6-10-86; Ord. No. 90-88, § IV, 12-4-90; Ord. No. 16-21, § 15, 3-29-16)

Charter reference(s)—Conflicts between county and municipal ordinances, §§ 2.01, 2.04.

Sec. 150-50. Repeal of article.

After final adoption of this article by the board of county commissioners, this article shall be transmitted to all municipalities within the county. In the event any one municipality or group of municipalities representing ten percent or more of the total countywide population, based upon the latest population figures published by the county planning department, shall elect to exempt itself or themselves from this article, this article shall be deemed automatically repealed.

(Ord. No. 86-43, § 17, 6-10-86; Ord. No. 90-88, § IV, 12-4-90; Ord. No. 02-98, § 12, 12-3-02; Ord. No. 16-21, § 16, 3-29-16)

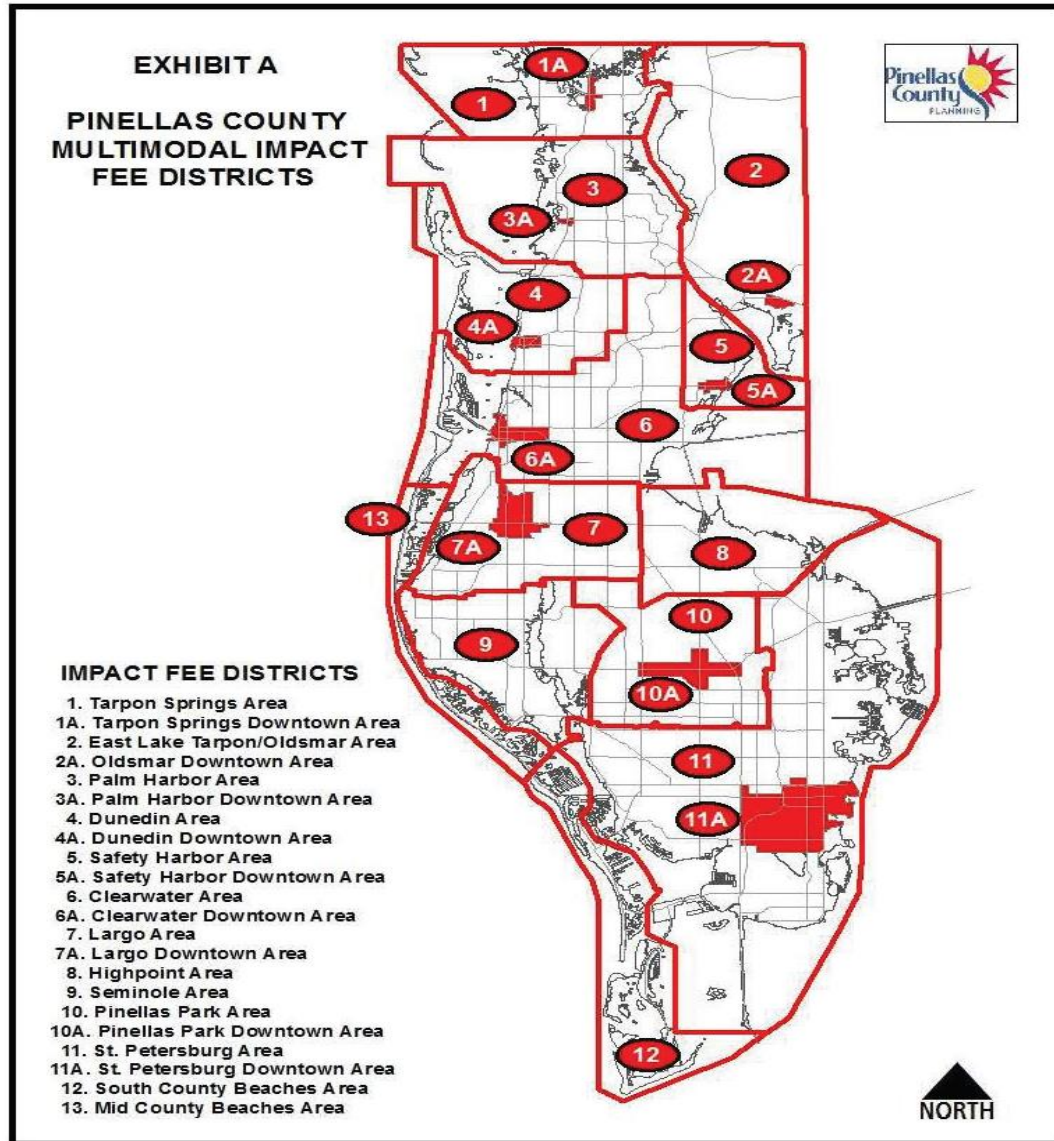
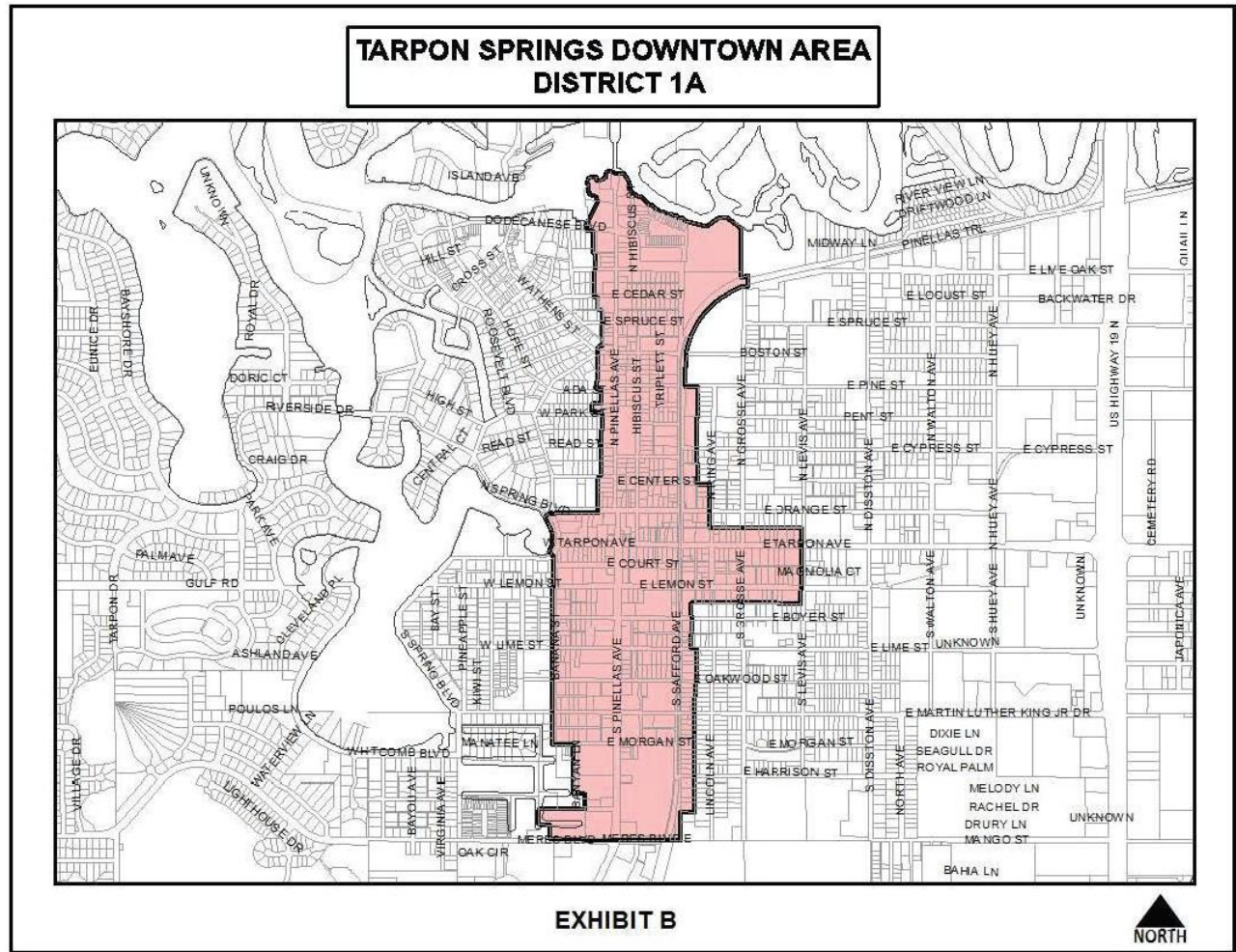
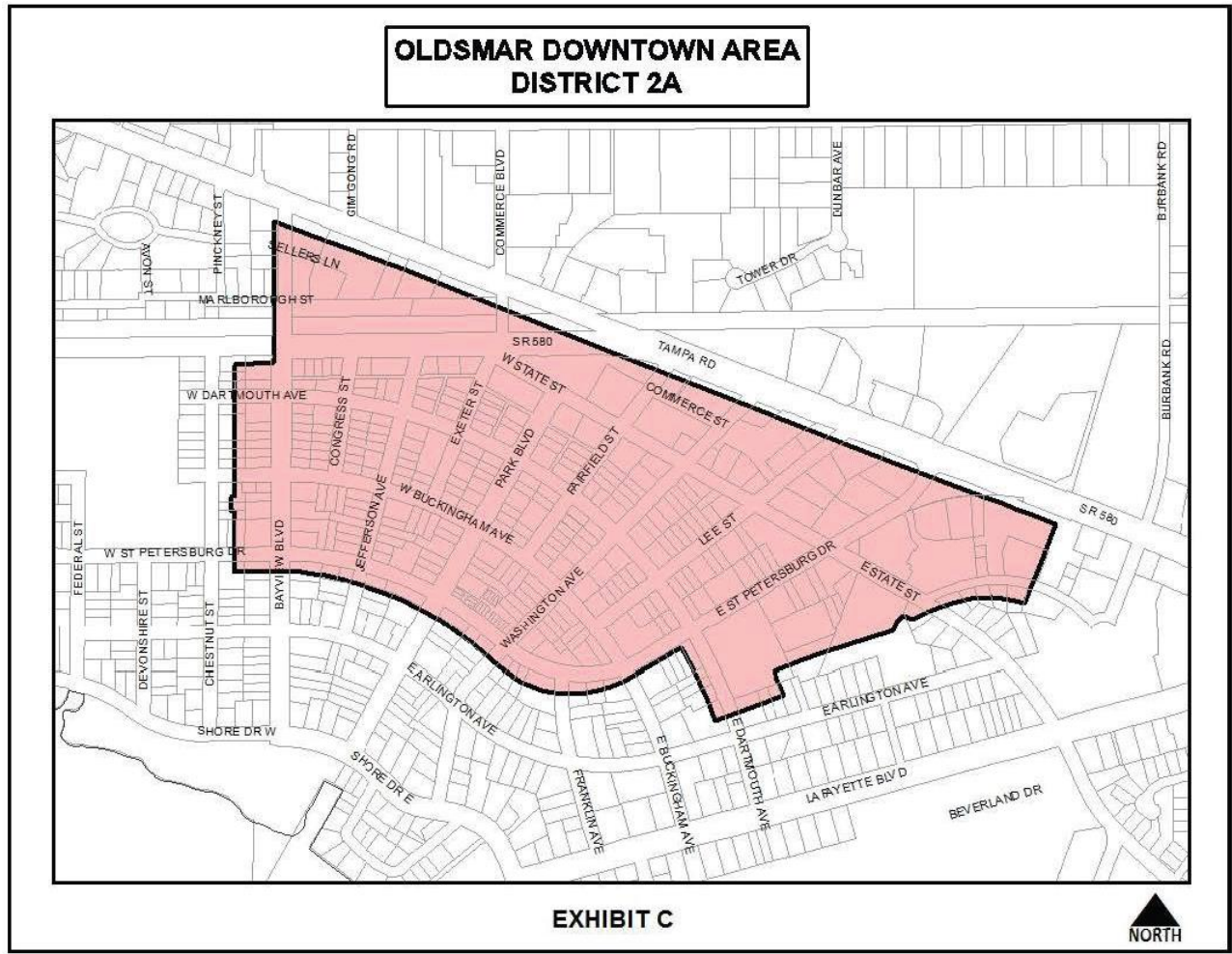


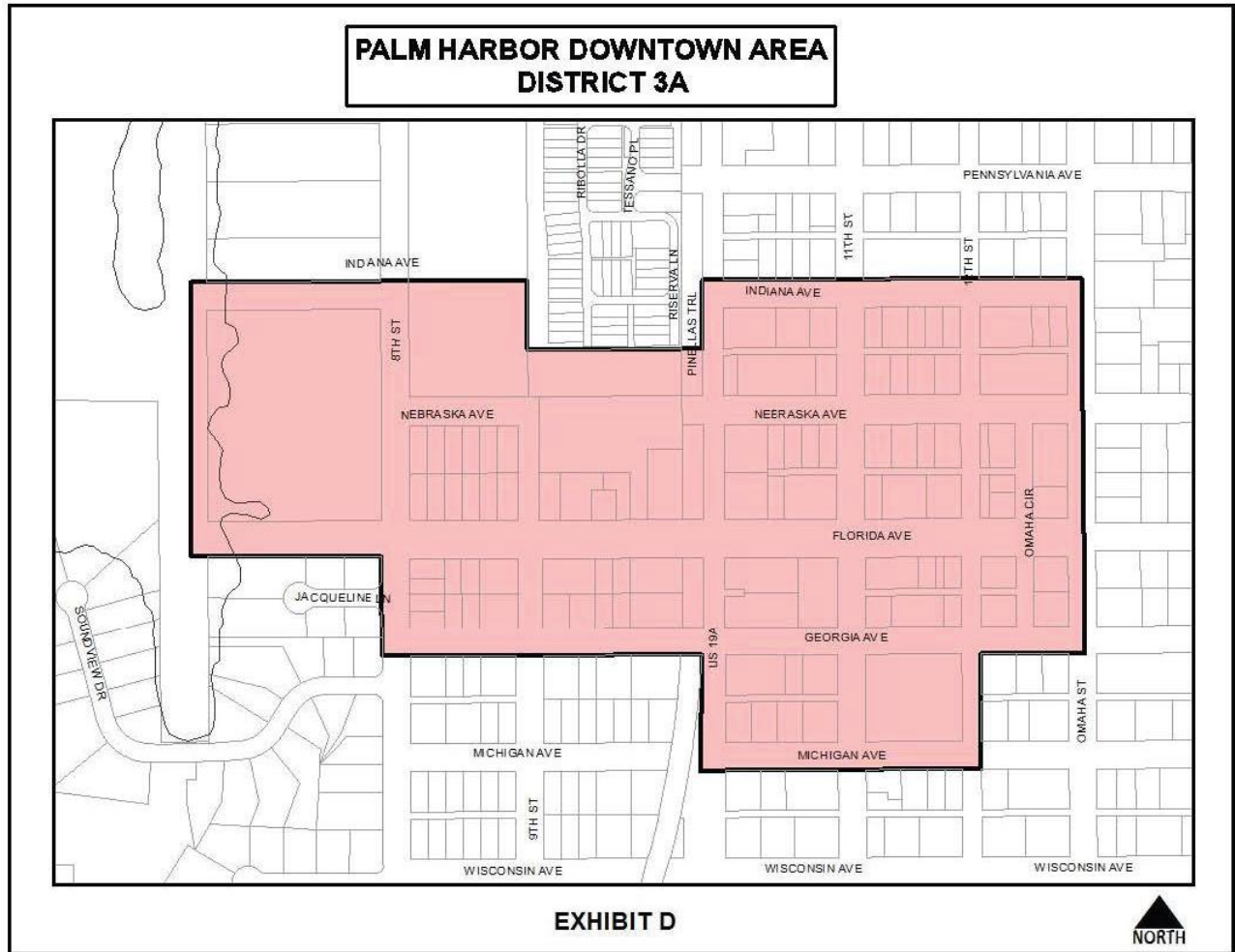
Exhibit A: Multimodal Impact Fee Districts



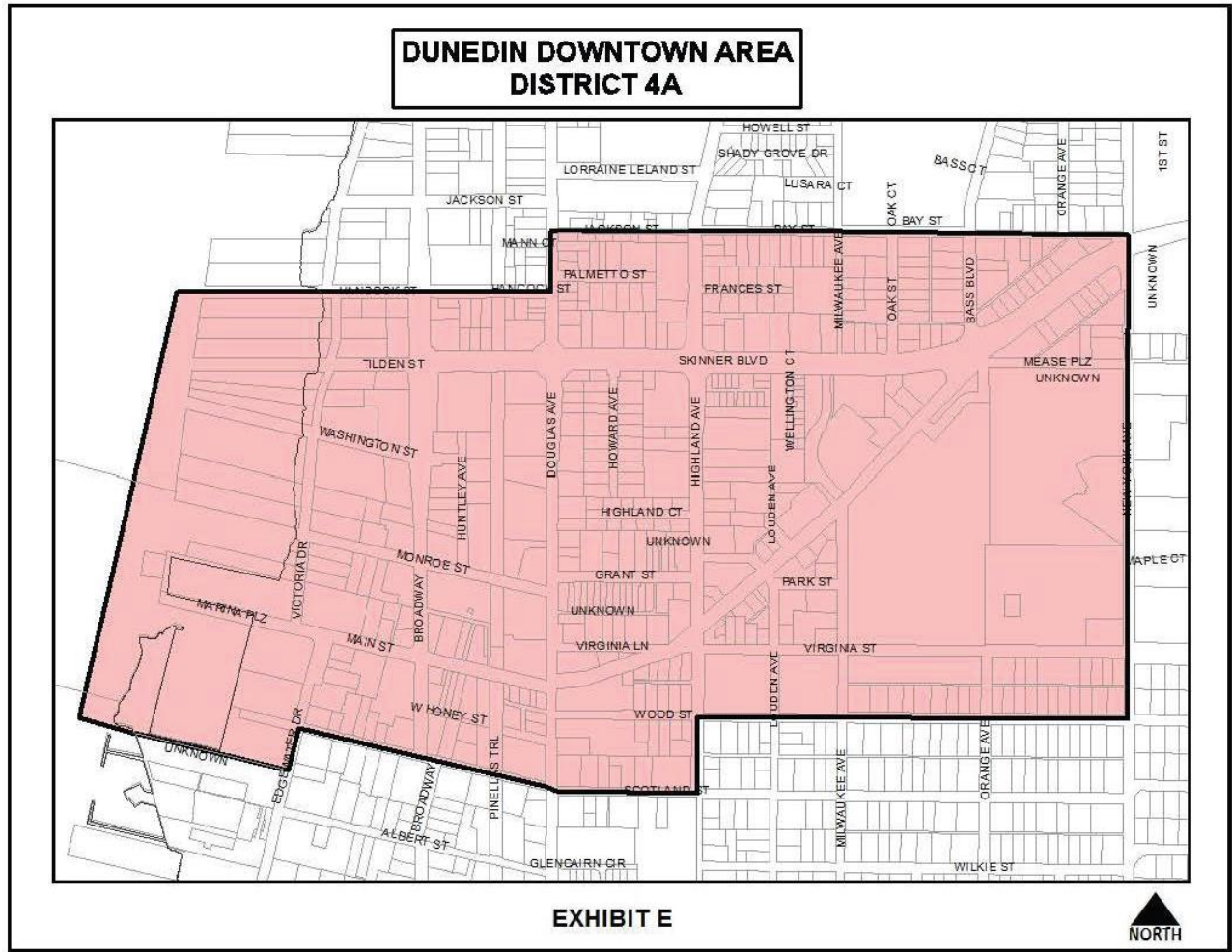
**Exhibit B: Tarpon Springs Downtown Area
District 1A**



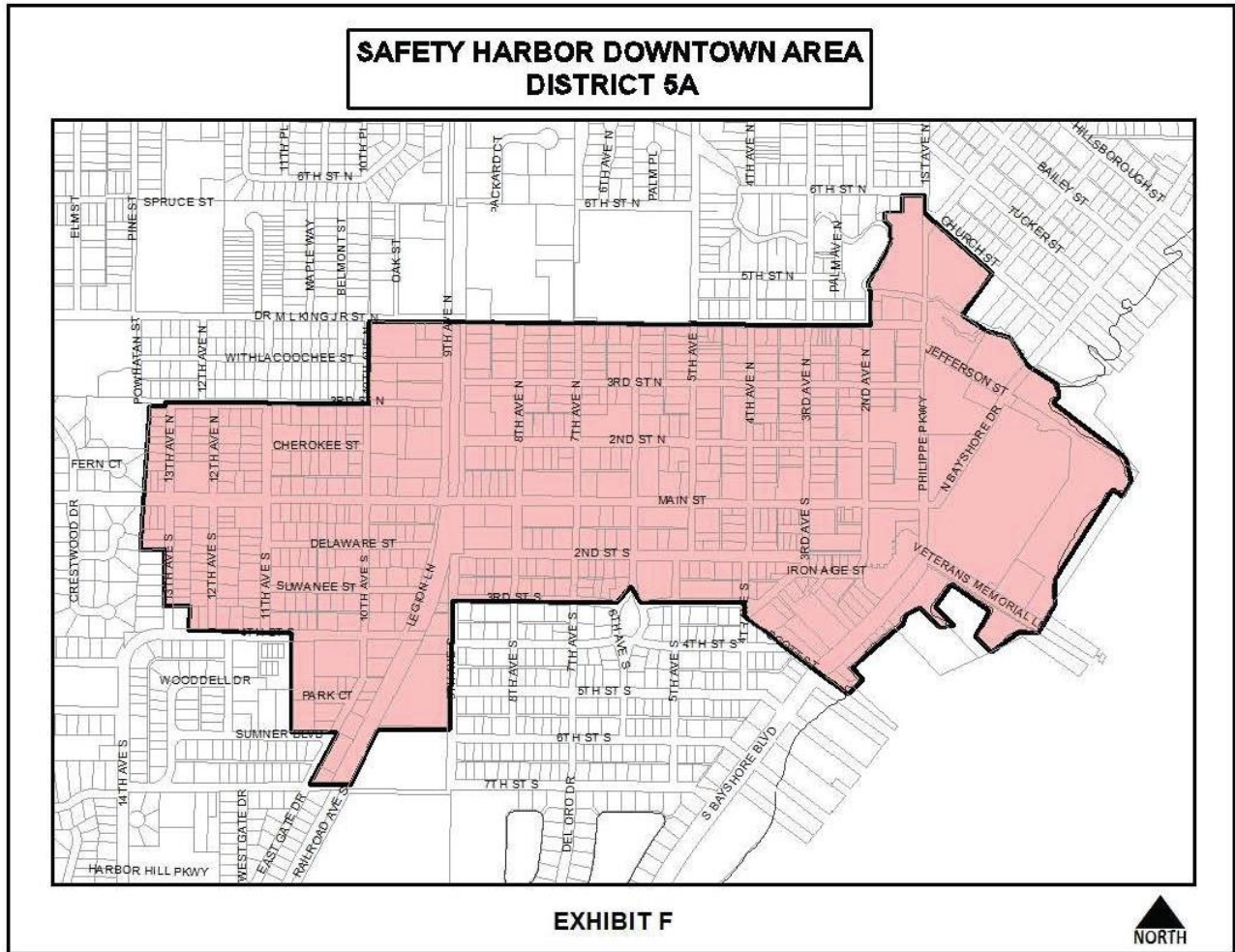
**Exhibit C: Oldsmar Downtown Area
District 2A**



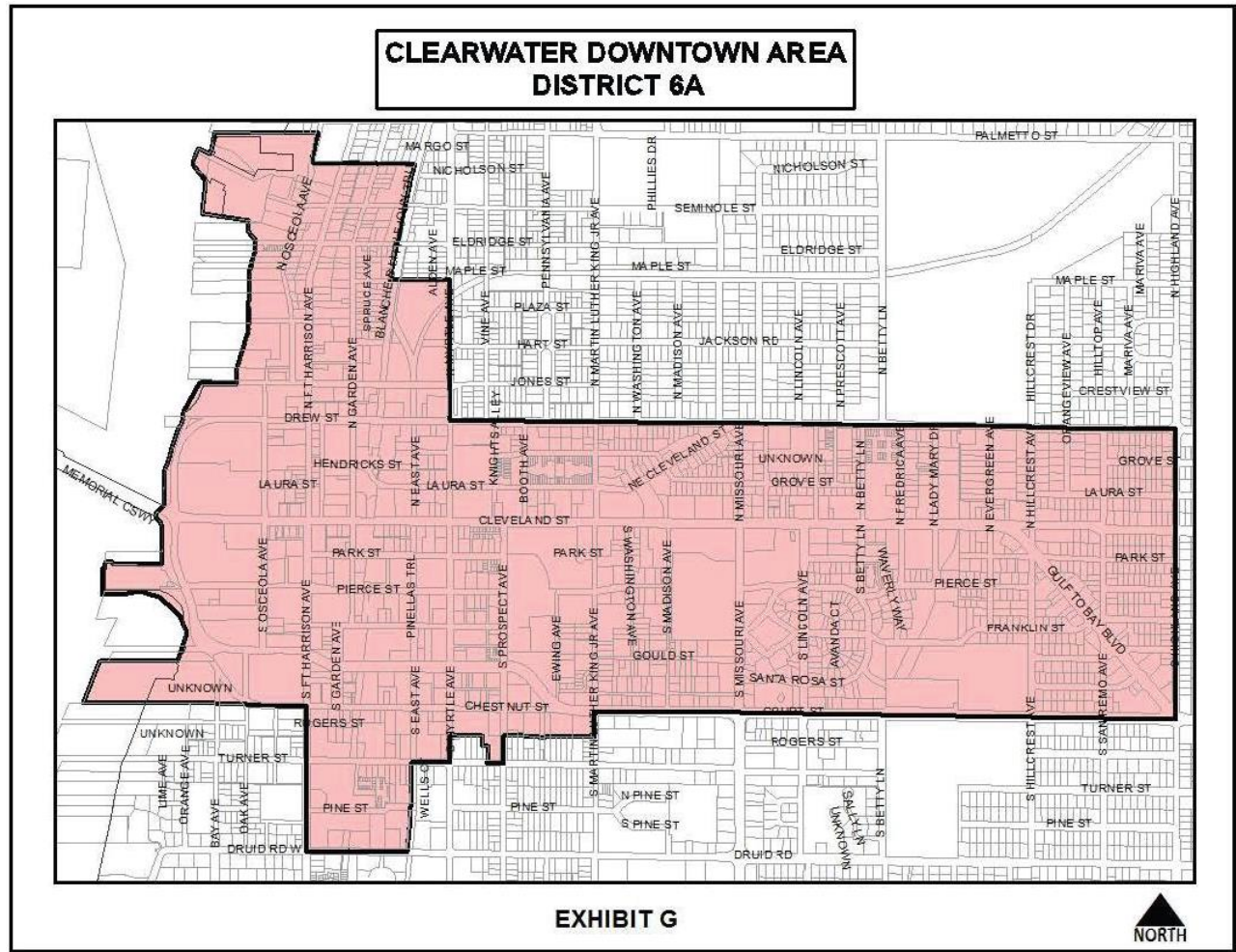
**Exhibit D: Palm Harbor Downtown Area
District 3A**



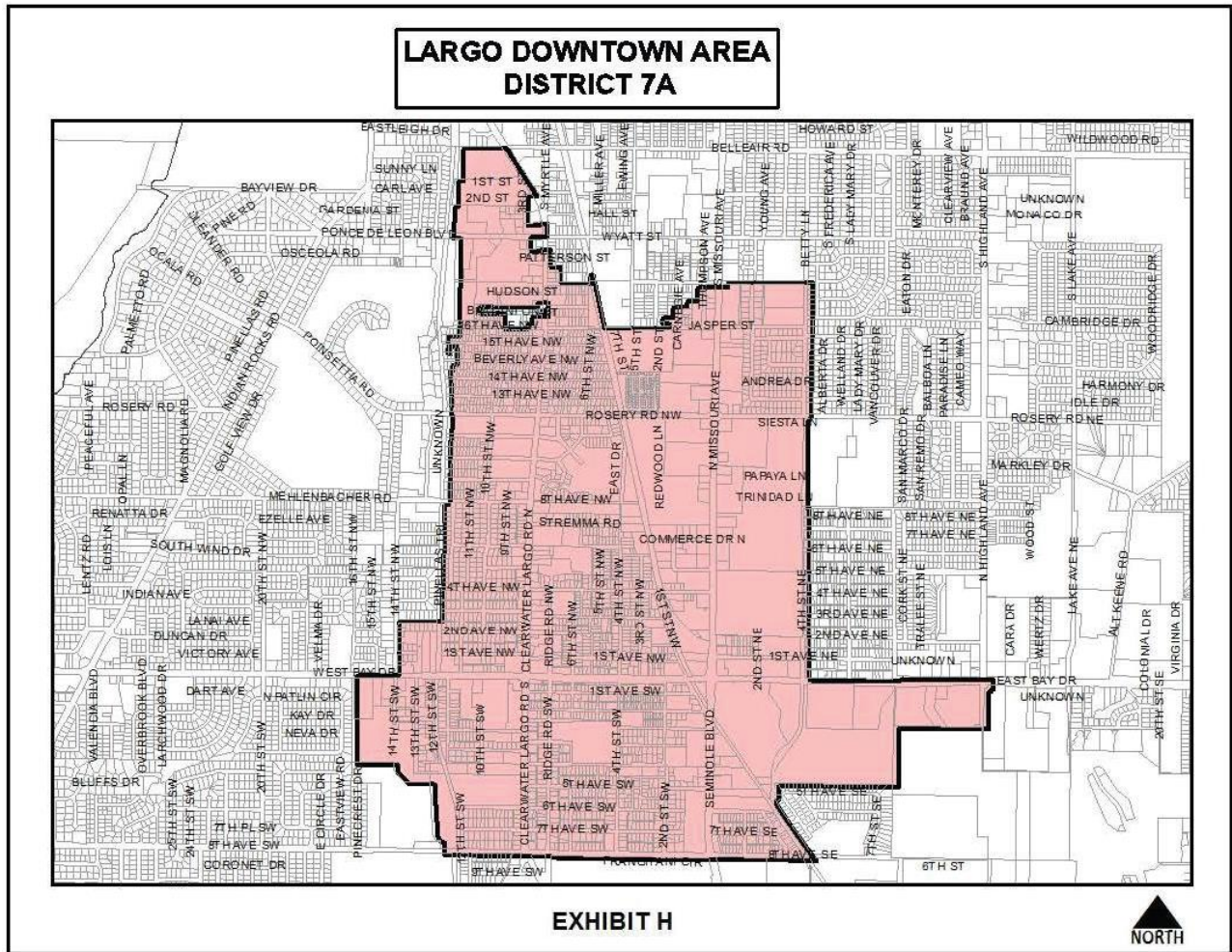
**Exhibit E: Dunedin Downtown Area
District 4A**



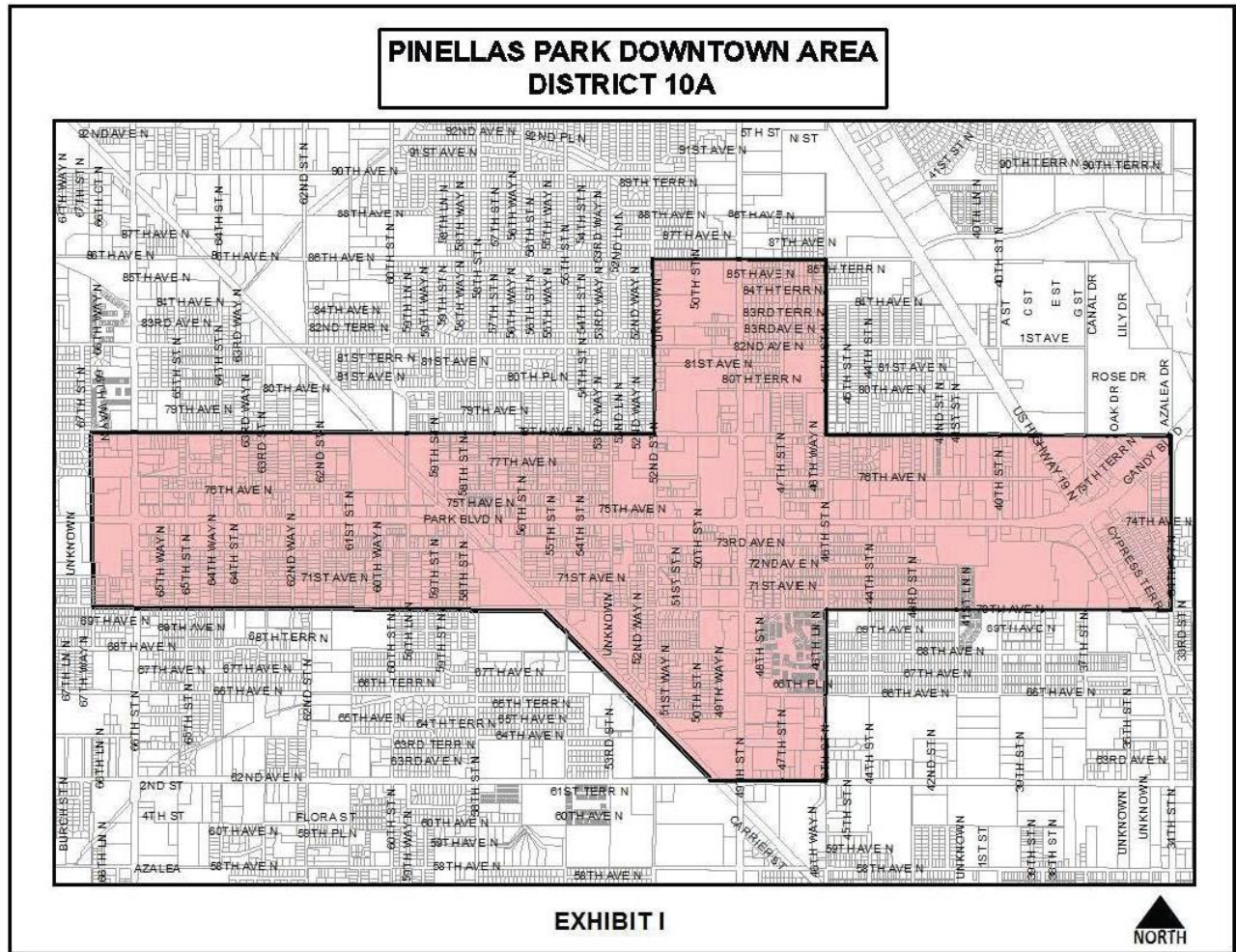
**Exhibit F: Safety Harbor Downtown Area
District 5A**



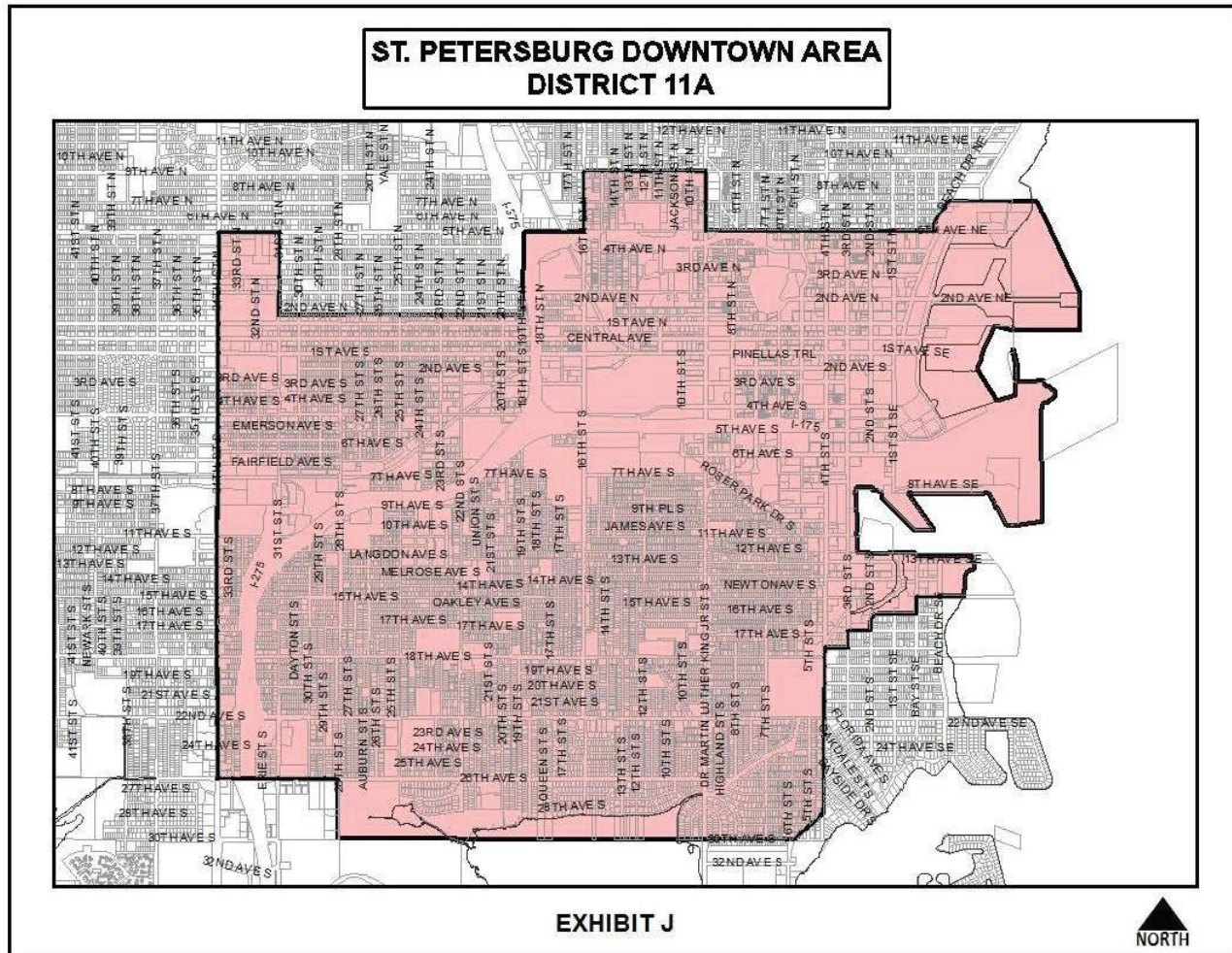
**Exhibit G: Clearwater Downtown Area
District 6A**



**Exhibit H: Largo Downtown Area
District 7A**



**Exhibit I: Pinellas Park Downtown Area
District 10A**



**Exhibit J: St. Petersburg Downtown Area
District 11A**

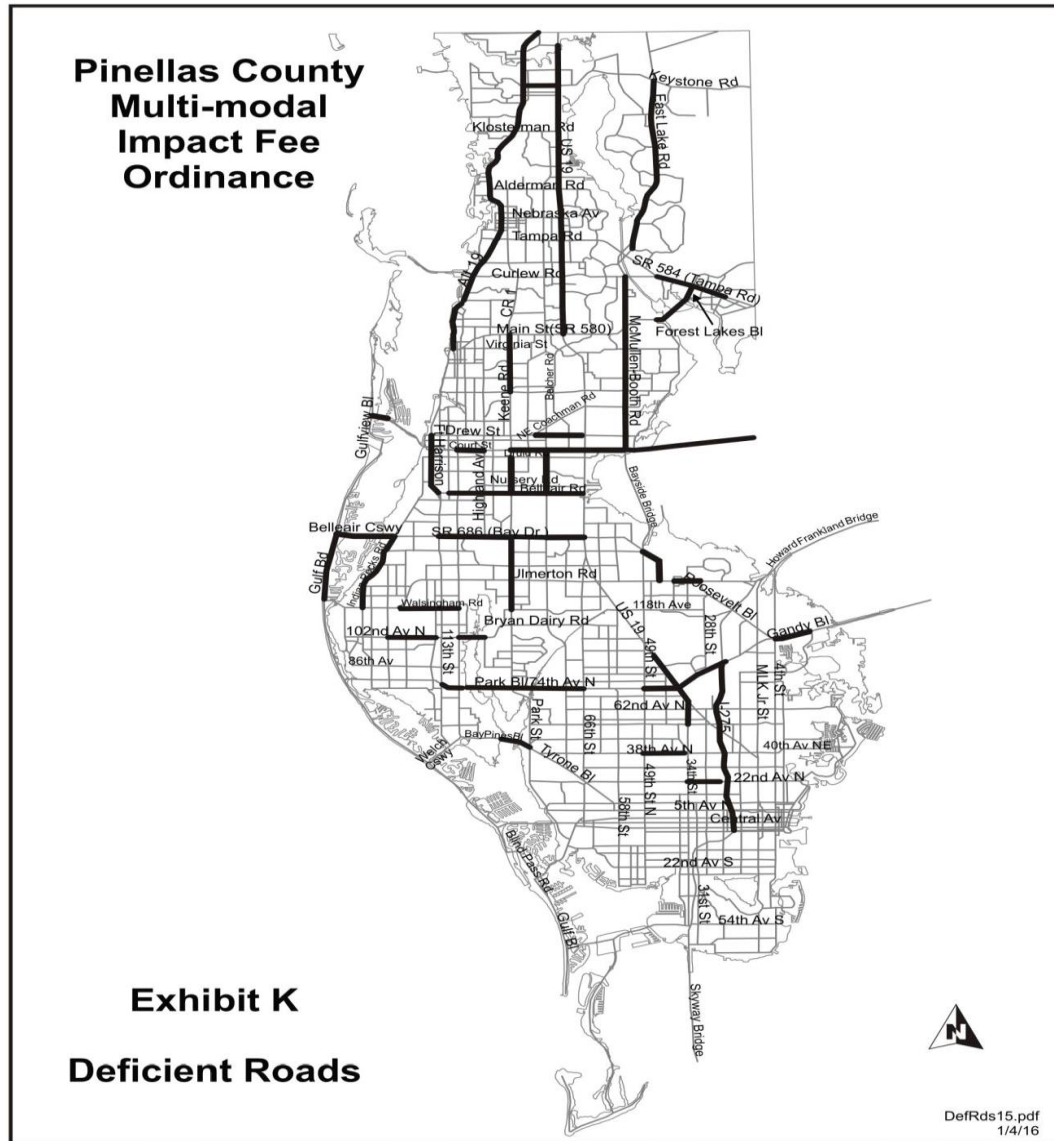


Exhibit K: Deficient Roads

(Ord. No. 16-21, § 17, 3-29-16)

Total Impact Fees Collected as of April 9, 2025

Type	FY 2022	FY 2023	FY 2024	FY 2025	
Public Safety	1,378.62	5,338.14	8,720.20	2,780.68	18,217.64
Transportation	3,446.55	14,703.60	21,800.49	6,951.69	46,902.33
Culture and Recreation	27,342.63	104,508.76	172,659.88	55,062.23	359,573.5
Total	32,167.80	124,550.50	203,180.57	64,794.60	424,693.47

Pinellas County Transportation Impact fees:

FY 2022	FY 2023	FY 2024	FY 2025	Total
	10,912.00	48,982.00	11,989.00	70,806.00



Memorandum

Meeting Details: April 16, 2025 – Board of Commissioners Workshop
Prepared For: Honorable Mayor Brooks and the Board of Commissioners
Staff Contact: Community Development Department
Subject: Pinellas County Local Mitigation Strategy (LMS)

Background

The Pinellas County Local Mitigation Strategy (LMS) is a multi-jurisdictional, FEMA-mandated plan that identifies strategies to reduce or eliminate risks from natural and manmade hazards. As a participating jurisdiction, it is our responsibility to stay engaged with the LMS process and ensure our local priorities are represented.

Discussion

The LMS serves several key functions such as identifying vulnerabilities to hazards such as flooding and hurricanes, develops prioritized projects that can reduce or eliminate those risks, maintains eligibility for FEMA Hazard Mitigation Assistance (HMA) grant funding, and coordinates a countywide effort across municipalities and agencies. Participation in the LMS allows the city to submit projects for inclusion on the county's project priority list, increasing our eligibility for federal mitigation funds, influences countywide planning efforts with local knowledge, collaborate on multi-jurisdictional projects, and satisfies a requirement under the National Flood Insurance Program's (NFIP) Community Rating System (CRS) for mitigation planning. The city must remain in good standing which includes attending LMS working group meetings, updating and submitting mitigation projects, and providing documentation of completed projects.

The LMS must be updated every five (5) years. The last LMS was adopted in 2020, and an updated LMS is near completion and must be adopted May 2025. To comply with FEMA requirements, Pinellas County initiated the 5-year update process well in advance. The updated 2025 LMS plan has been completed and reviewed by the Florida Division of Emergency Management (FDEM), which has provided an Approved Pending Adoption letter. Adopting the updated LMS plan before the expiration of the current plan is crucial. The updated 2025 LMS plan will be presented at the May BOC Regular Meeting for formal adoption.

For more information please visit: <https://www.pinellaslms.org/>

Fiscal Impact

This depends on whether the city applies and receives funds for HMA grants.

Recommendation(s)

Adopting the 2025 LMS plan.

Attachments/Corresponding Documents

- Resolution 2020-12 LMS Adoption (Madeira Beach)
- 2025 LMS Plan Executive Summary

- 2025 Plan update summary of changes
- Pinellas County LMS approved pending adoption FDEM

RESOLUTION 2020-12

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, PINELLAS COUNTY, FLORIDA, ADOPTING THE 2020 PINELLAS COUNTY LOCAL MITIGATION STRATEGY; SUPERCEDING RESOLUTION 2015-10; ADOPTING THE LOCAL MITIGATION STRATEGY AS THE CITY OF MADEIRA BEACH FLOODPLAIN MANAGEMENT PLAN; AND ESTABLISHING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach is located in Pinellas County, in an area that is vulnerable to natural and man-made disasters; and

WHEREAS, the City of Madeira Beach supports efforts to make our community more disaster-resistant, thereby reducing the costs of disasters, preventing or mitigating their impact to our residents, and reducing time needed for recovery; and

WHEREAS, the Local Mitigation Strategy represents a unified county-wide strategy toward a more disaster resistant community; and

WHEREAS, the Local Mitigation Strategy provides the consistent framework for future pre-disaster mitigation efforts and post-disaster redevelopment, regardless of the type of future threat faced by our community; and

WHEREAS, the Local Mitigation Strategy includes a section describing the method and schedule of monitoring, evaluating, and updating the mitigation plan within a five-year cycle; and

WHEREAS, the first unified county-wide Local Mitigation Strategy was adopted by the Board of County Commissioners in 1999, and

WHEREAS, Pinellas County established a website (www.pinellaslms.org) and a copy of the plan is available through the City website (www.madeirabeachfl.gov); and

WHEREAS, the Board of Commissioners has previously approved three five-year updates to the Local Mitigation Strategy (Resolution 05.14, Resolution 10.10 and Resolution 2015-10), and

WHEREAS, after a review and update period, the Executive Summary of the 2020 draft Local Mitigation Strategy has been placed on the LMS public website and copies of the Plan are available upon request to the Planning Department in order to obtain public comment regarding the plan pursuant to Federal Regulations; and

WHEREAS, the City of Madeira Beach participated in the 2020 update of the Local Mitigation Strategy included the 10-step planning process which is consistent with FEMA's multi-hazard mitigation planning regulations pursuant to the Disaster Mitigation Act of 2000

and serves as the County's Floodplain Management Plan; and

WHEREAS, a Multi-Jurisdictional Program for Public Information (Attachment A) has been included in Appendix H of the Local Mitigation Strategy to satisfy the floodplain management requirements of the City's and the County's Community Rating System (CRS Activity 330); and

WHEREAS, participation in the Community Rating System provides benefits to homeowners by providing a reduction in flood policy costs; and

WHEREAS, city staff assisted, and Madeira Beach citizens participated in two publicly noticed workshops were held at a central location in Pinellas County on March 21st, and October 17th, 2019 to inform the public and obtain public comments; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City Madeira Beach, Florida, as follows:

SECTION 1. That the Board hereby adopts the 2020 Pinellas County Local Mitigation Strategy developed by the Local Mitigation Strategy Workgroup, and effect from May 6, 2020 through May 5, 2025, a copy of which is on file in the Community Development Department and is deemed incorporated by reference herein as Exhibit A.

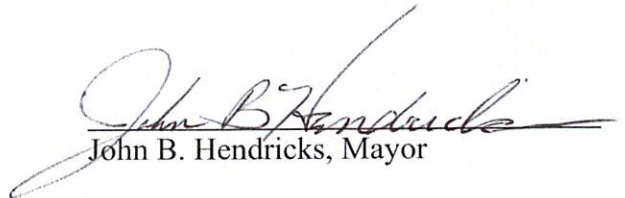
SECTION 2. That the Local Mitigation Strategy be adopted as the City's floodplain Management Plan required under the Community Rating System.

SECTION 3. That this Resolution supersedes Resolution 2015-10.


SECTION 4. That this resolution shall become effective immediately upon its adoption.

INTRODUCED AND ADOPTED by the Board of Commissioners of the City of Madeira Beach, Pinellas County, Florida, on the 8th day of July 2020.

C.W. 30th June


John B. Hendricks, Mayor

ATTEST:


Clara VanBlargan, City Clerk





Pinellas County 2025 Local Mitigation Strategy

Executive Summary

Introduction

Under Section 322 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) enacted under the Disaster Mitigation Act of 2000 (DMA2K), Pinellas County is required to have a Federal Emergency Management Agency (FEMA)-approved hazard mitigation plan in order to be eligible for federal hazard mitigation funding. The purpose of the Hazard Mitigation Plan, more commonly called the Local Mitigation Strategy (LMS) in Florida communities, is to reduce death, injuries, and property losses caused by natural hazards in Pinellas County. The 2025 Plan identifies hazards based on the history of disasters within the county and lists goals, objectives, strategies, and actions for reducing future losses. Implementation of planned, pre-identified, and cost-effective mitigation measures not only helps to reduce losses to lives, property, and the environment but it also streamlines the disaster recovery process. This is a 5-year update of the countywide LMS that was last approved in May of 2020. While the document may refer to specific historical events for context, the plan update focuses on changes to the communities and their vulnerabilities over the last 5 years and provides an update to capabilities, programs, and actions that the participants intend to utilize to reduce exposure or consequences from the identified hazards. Hazard mitigation is most effective when based on an inclusive, comprehensive, long-term plan that is developed before a disaster occurs.

The LMS serves several purposes; including providing an explanation of how Pinellas County and its 24 municipalities identify strategies to implement an effective, comprehensive countywide Local Mitigation Strategy. The local jurisdictions participating in this plan include the Unincorporated County and all its municipalities:

- Pinellas County (Unincorporated)
- Town of Belleair
- City of Belleair Beach
- City of Belleair Bluffs
- Town of Belleair Shore
- City of Clearwater
- City of Dunedin
- City of Gulfport
- City of Indian Rocks Beach
- Town of Indian Shores
- City of Kenneth City

- City of Largo
- City of Madeira Beach
- Town of North Redington Beach
- City of Oldsmar
- City of Pinellas Park
- Town of Redington Beach
- Town of Redington Shores
- City of Safety Harbor
- City of St. Pete Beach
- City of St. Petersburg
- City of Seminole
- City of South Pasadena
- City of Tarpon Springs
- City of Treasure Island

Additionally, special districts that participate in the plan are eligible for funding provided that they comply with procedures of the working group and supply a letter from their organization in lieu of the formal adoption process used by local government participants. The full list of participating entities is documented within Table 2.2 of the plan.

The 2025 Plan is coordinated through appropriate state, local, and regional agencies, as well as non-governmental interest groups. This plan, and its future revisions, will provide guidance in merging the planning efforts of all local governments, the private sector, and non-profit organizations within Pinellas County into one viable, comprehensive, mitigation program.

The scope of the LMS is broad. The plan explains the way in which the communities implement mitigation activities within the county in coordination with local agencies. Additionally, as required by statute, the Risk Assessment portion of the LMS identifies natural hazards, as well as technological and human-caused hazards. The Risk Assessment portion analyzes vulnerability of the County in countywide terms as well as results and capabilities at the municipal level.

The purpose of the 2025 LMS is to:

- Reduce risk to people, property, and the critical infrastructure.
- Increase public awareness and education about the plan and the planning process.
- Maintain grant eligibility for participating jurisdictions.
- Update the plan in accordance with Community Rating System (CRS) requirements.
- Maintain compliance with state and federal legislative requirements for local hazard mitigation plans.
- Complete an update of information in the plan to demonstrate progress and reflect current conditions.

Pinellas County is vulnerable to both natural hazards and technological and human-caused hazards, with hurricanes historically inflicting the most catastrophic destruction.

Planning Process and Maintenance Section

There are 10 primary steps that comprise the LMS planning process. The process defines not only who should be involved, but how the process is going to work, and an understanding of how the process facilitates the production of the final product.

- Step 1: The Planning Organization – The development of a mitigation strategy requires the involvement of representatives from the public, private, and governmental sectors.
- Step 2: Involving the Public – An important component of the mitigation planning process involves public participation.
- Step 3: Coordination – Coordinate activities within the County and to bring back perspectives of their constituency.
- Step 4: Assessing the Hazard – Conduct and maintain a hazard identification and vulnerability assessment.
- Step 5: Assessing the Problem – Quantify the impact of the hazards identified in the previous step on the community.
- Step 6: Goals and Objectives – Revisit goals and objectives and make adjustments as appropriate.
- Step 7: Possible Activities: Mitigation opportunities and Initiatives – Identification of potential mitigation opportunities and initiatives.
- Step 8: An Action Plan – Objectives were identified for each goal to specifically identify action items and are reflected in six categories of mitigation activities.
- Step 9: Adoption of the Strategy – officially adopt the LMS.
- Step 10: Implementation, Evaluation, and Revision – The LMS is intended to be a dynamic document that will be updated regularly.

There are two main working groups responsible for the LMS planning process. The LMS Working Group (WG) consists of representatives of the jurisdictions, private sector, and non-profits as well as any members of the public as all meetings are advertised on the County's website. The Flood Risk and Mitigation Public Information Working Group (FRMPIWG) is a group of public and private stakeholders formed to supplement input into the planning process.

The County's first LMS began its planning process in March of 1998 and took approximately 15 months to complete. The plan was then updated again in 2004, 2009, 2015, and 2020. This is the fifth update of the plan, and the focus of the update was on adding new risk assessments, refining objectives, and refreshing the project list.

The 2025 LMS update began in the spring of 2024 when the County assessed its current plan and assessed it for improvement opportunities. When the plan update began, the LMS WG was presented with results of the assessment for concurrence on a path forward.

During the timeline of the plan update, the County and its jurisdictions included several other groups to supplement input into the planning process. Pinellas is a strong advocate of the National Flood Insurance Program's Community Rating System (CRS) and had a few outreach groups in place to support those activities. A countywide Program for Public Information (PPI) is maintained and updated annually to facilitate consistent messaging across communities and provide tools for jurisdictions with limited resources. This is maintained by a group of public and private

stakeholders that is collectively known as the Flood Risk and Mitigation Public Information Working Group (FRMPIWG). The FRMPIWG uses the following mission statement:

- Increase disaster resiliency across the county through the development and dissemination of public information and educational outreach about identified flood risks, minimization of those risks through mitigation and efficacy of obtaining appropriate flood insurance coverage.
- Ensure attainment of flood insurance savings for residents and businesses within the incorporated and unincorporated areas of the county through effective participation in the Community Rating System.
- Engage and educate community stakeholders to enhance planning efforts by ensuring diverse representation and to provide stakeholders the opportunity to become more knowledgeable in the subject of mitigation and to expand reach while improving their ability to provide improved customer service.
- Develop strategies, concepts and projects for reducing flooding impacts that can become part of the county's Local Mitigation Strategy plan

The FRMPIWG group (typically over 70 participants with representatives from all municipalities) aims to meet at least three times a year (in person or virtually per availability of participants) and communicates via email messaging between meetings. During the 5-year LMS Update process, the progress of the plan update is communicated to FRMPIWG members for comment. Feedback from the FRMPIWG was provided to the LMS WG to be evaluated and included in the LMS update process and the most current PPI is included as an appendix to this plan update.

After the 2025 LMS Plan Update underwent final revisions, and the plan was completed to the satisfaction of the State Hazard Mitigation Office (SHMO), which reviews the Plan for compliance on behalf of the Federal Emergency Management Agency, the plan was officially adopted by Pinellas County Board of County Commissioners by adoption of a resolution. The 2025 LMS update was approved by the Board of County Commissioners on Month ##, 2025. The plan will be in effect from May 6, 2025, until May 5, 2030. Each jurisdiction within Pinellas County, has also approved and adopted the Plan within their community as identified in Appendix F. **(Will be updated at adoption in May 2025)**

Risk Assessment Section

It should be noted that the 2025 LMS Update was drafted prior to the devastating and historic flooding and wind damages associated with Hurricanes Helene and Milton that occurred September 26, 2024, and October 9, 2024, respectively. Their impacts to the communities of Pinellas County will be part of future updates to the Plan.

The risk assessment for Pinellas County was intentionally structured to align with the State of Florida Enhanced State Hazard Mitigation Plan (SHMP) and provides the factual basis for developing a mitigation strategy for the county. This section profiles the natural, human-caused, and technological hazards that could possibly affect Pinellas communities. This risk assessment is used not only for the LMS, but also supports the County's Comprehensive Emergency Management Plan (CEMP). Each natural hazard profile includes a discussion of the geographic areas affected, the historical occurrences in the county, an impact analysis, the probability, and

the vulnerability and loss estimation by county critical facilities, and a discussion of overall vulnerability. Alternatively, the human-caused and technological hazards include similar topics of discussion, but not all aspects are able to be quantified. This is because of the limited data available and the imprecise nature of the human-caused and technological hazards.

The risk assessment identifies 22 hazards based on an examination of past disasters, probability of occurrence, possible impacts, and vulnerability. The hazards include:

Natural Hazards

- Flood
- Tropical cyclones
- Severe Storms
- Wildfire
- Erosion
- Drought
- Extreme Heat
- Geological
- Winter Storm
- Seismic
- Tsunami
- Red Tide

Technological Hazards

- Transportation Incident
- Cyber Incident
- Hazardous Materials Incident
- Radiological Incident
- Terrorism
- Agricultural Disruption
- Biological Incident
- Mass Migration Incident
- Civil Disturbance Incident

Mitigation Strategy Section

The LMS details goals and objectives for achieving loss reduction in Pinellas County. The six goals are listed below.

1. Become a More Disaster Resilient Community.
2. Minimize Coastal Flooding losses in the CHHA, Coastal Storm Area and Hurricane Vulnerability Zone.
3. Minimize Riverine or Inland Flooding Losses in the 25, 50, and 100-year Flood Zone.
4. Minimize Storm Wind Losses in the County.
5. Minimize Losses from Hazardous Materials Incidents.
6. Minimize Vulnerability to Technological Hazards.

Additional information on the LMS goals and objectives can be found in the mitigation strategy section of the document.

Pinellas County has policies, programs, and capabilities designed to help mitigate the impacts of hazard events. Each community has its own policies, programs, and capabilities that are catalogued within this section of the plan to identify current capacity to implement mitigation functions. These depend on factors such as the size of the geographic area, its population, or the amount of funding available through local resources. Regardless of size or wealth, each community has a unique core set of policies, programs, and capabilities at its disposal related to hazard reduction and mitigation including building codes, land use plans, and regulations, which are discussed in this section. This section also covers items related to participation in the NFIP and the CRS program which incentivizes communities that go beyond minimum floodplain management standards to better protect life and property.

During the 5-year period since the last plan, five of the Pinellas jurisdictions have improved their score such that additional flood insurance premium discounts are available to policyholders. Unincorporated County became a Class 2 community resulting in 40% flood insurance premium reductions for its policyholders. This is the only Class 2 (and highest scoring) community within Florida and one of only eleven communities nationwide to reach this achievement.

Potential Funding Sources Section

The county uses a variety of programs and funds to achieve its mitigation goals, including federal grant programs such as the Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC) grant program, Flood Mitigation Assistance (FMA), and the state grant Hurricane Loss Mitigation Program (HLMP). Various grants and funding programs are discussed throughout this section.

Appendices

Many documents are included with the LMS as appendices. These appendices are referenced throughout the plan and support the plan.

- Appendix A: Planning Process Documentation
- Appendix B: Floodplain Management
- Appendix C: CRS 610
- Appendix D: Mitigation Initiatives
- Appendix E: FL Review Tool
- Appendix F: Plan Adoption
- Appendix G: Plan Maintenance
- Appendix H: Program for Public Information
- Appendix I: Repetitive Loss Area Analysis
- Appendix J: LMS Procedures
- Appendix K: Vulnerability Assessment

Please Note:

If you would like a copy of the full Local Mitigation Strategy Plan draft document, please call Planning at (727) 464-8200 or you can contact them via the County Website using <https://pinellas.gov/public-records/>

Please note, the draft document has been reviewed by the Florida Department of Emergency Management (FDEM). The Plan has been revised based on all comments from the State. FDEM has provided a final "Approved Pending Adoption" letter for Pinellas County's 2025 LMS Plan, stating that LMS Plan is in compliance with Federal Hazard Mitigation Planning standards contained in 44 CFR 201.6(b)-(d).

2025 Pinellas County Countywide Local Mitigation Strategy Update

Key Changes since 2020 Plan

The Local Mitigation Strategy is an all-hazards planning document that identifies exposure to natural hazards, vulnerabilities due to those exposures, local capabilities and planning processes that address hazards, and potential funding and projects that can reduce the exposure or consequences from those hazards. The development and adoption of a Local Mitigation Strategy is a requirement of eligibility for certain Federal disaster funding programs and for compliance with requirements of the Florida Division of Emergency Management (FDEM). In Pinellas County, staff from Unincorporated County spearhead the annual and 5-year update processes, with participation from all local governments and some non-governmental organizations.

The 2025 update provided a reassessment of these exposures and vulnerabilities, governmental capability assessments, new disaster prevention funding programs, and new requirements from federal statutes that were addressed in alignment with additional guidance provided by FDEM. As noted in the document, the devastating hurricanes of 2024 occurred after data was compiled for the study and their impacts will be incorporated into future updates of the plan. The itemized changes between the 2020 and 2025 plan are listed below:

Section 1: Introduction

- Update of the County profile (socio-economic data, land use, social vulnerability, etc.).
- Update of risk assessment introduction to include reference to Pinellas County's *Sea Level Rise & Storm Surge Vulnerability Assessment* funded through the RESTORE Act.

Section 2: Planning Process and Plan Maintenance

- Updates to elements of the 10-Step Planning Process (compliant for communities using the LMS for credit under the Community Rating System [CRS]).
- Public Information Meeting 1 (Introduction to Planning Process): April 15, 2024; Lealman Exchange Community Center
- Public Information Meeting 2 (Input on Draft Plan): October 17, 2024; Virtual Meeting

Section 3: Mitigation Strategy

- Revisions to goals and objectives based on facilitated planning sessions. Most changes were minor language revisions to emphasize collaborative approaches where applicable, reduce impacts to disproportionately affected populations, and the addition of objectives focused on better flood protection methods and education.
- Capability assessments updated for every community, including additional floodplain management criteria as part of new federal planning requirements.
- Updated mitigation project lists (included as Appendix D).

Section 4: Risk Assessment

- Updated to maps, tables, and assessments for all natural hazards:

• Flood	• Erosion	• Winter Storm
• Tropical Cyclones	• Drought	• Seismic
• Severe Storms	• Extreme Heat	• Tsunami
• Wildfire	• Geological	• Red Tide

- Updates to narratives and qualitative data associated with technological and human-caused hazards
 - Transportation Incident
 - Cyber Incident
 - Hazardous Materials Incident
 - Space Weather Incident
 - Radiological Incident
 - Terrorism
 - Agricultural Disruption
 - Biological Incident
 - Mass Migration Incident
 - Civil Disturbance Incident

Section 5: Potential Funding Sources

- Update of federal, state, and local funding sources that could be utilized in support of hazard mitigation projects.

Appendices:

- **Appendix A – Planning Process Documentation:** New documentation for activities associated with the planning process to include meeting agendas, minutes, and outreach.
- **Appendix B – Floodplain Management:** New appendix that summarizes floodplain management activities for each jurisdiction. The appendix was added to meet new plan requirements and serves as a compliment to Section 3 – Mitigation Strategy.
- **Appendix C – CRS 610 Flood Warning:** Update to include the most recent procedures that are also within the County's Comprehensive Emergency Management Plan (CEMP).
- **Appendix D – Mitigation Initiatives:** Updated list of potential projects (and completed projects list) for hazard mitigation activities (approximately \$2B in potential projects).
- **Appendix E – FL Review Tool:** Crosswalk of required plan elements to their location in the plan for use by FDEM and FEMA staff reviewing the plan.
- **Appendix F – Plan Adoption:** Inclusion of FDEM's Approval Pending Adoption (APA) letter. This section will be further updated as communities locally adopt the plan update.
- **Appendix G – Plan Maintenance:** Inclusion of the most recent annual update provided to FDEM.
- **Appendix H – Program for Public Information (PPI):** Inclusion of the latest PPI for credit under the CRS program.
- **Appendix I – Repetitive Loss Area Analysis (RLAA):** Inclusion of the County's most recent RLAA for credit under the CRS program.
- **Appendix J – LMS Procedures:** This is a new appendix to help with orientation for new members and to guide participation in the LMS Working Group (LMWWG). This item will be updated as needed by the LMSWG.
- **Appendix K – Vulnerability Assessment:** This is a new appendix to identify the many vulnerability assessment grants that local governments are going through via the Florida Department of Environmental Protection's (FDEP's) Resilient Florida program. Pinellas County and its municipalities have been awarded \$118M to date across 34 projects, with 16 of those being planning grants and 18 being implementation grants. Those grants focus on planning and implementation activities for future flooding as opposed to the LMS which has an all-hazards planning focus.



STATE OF FLORIDA

DIVISION OF EMERGENCY MANAGEMENTRon DeSantis
GovernorKevin Guthrie
Executive Director

February 7, 2025

Cathie Perkins, Director
Pinellas County Emergency Management
10750 Ulmerton Rd, Bldg. 1, Ste 267
Largo, FL 33778

Re: Pinellas County Local Hazard Mitigation Plan Approved Pending Adoption

Dear Director Perkins,

This is to confirm that we have completed a State review of the Pinellas County Local Mitigation Strategy (LMS) update for compliance with the federal hazard mitigation planning standards contained in 44 CFR 201.6(b)-(d). Based on our review and comments, Pinellas County developed and submitted all the necessary plan revisions, and our staff has reviewed and approved these revisions. We have determined that the Pinellas County LMS plan is compliant with federal standards, subject to formal community adoption, for the jurisdictions below:

Town of Belleair
City of Belleair Beach
City of Belleair Bluffs
Town of Belleair Shore
City of Clearwater
City of Dunedin
City of Gulfport
City of Indian Rocks Beach
Town of Indian Shores
Town of Kenneth City
City of Largo
City of Madeira Beach
Town of North Redington Beach
City of Oldsmar

City of Pinellas Park
Town of Redington Beach
Town of Redington Shores
City of Safety Harbor
City of St. Petersburg
City of St. Pete Beach
City of Seminole
City of South Pasadena
City of Tarpon Springs
City of Treasure Island
Pinellas County, Unincorporated

Upon submittal of a copy of all participating jurisdictions' documentation of their adoption resolutions to our office, we will send all necessary documentation to the Federal Emergency Management Agency (FEMA) who will issue formal approval of the Pinellas County LMS.

If you have any questions regarding this matter, please contact your LMS Liaison Mitchell Budihas at Mitchell.Budihas@em.myflorida.com or 850-524-4195.

Respectfully,

Kristin Lentz

Digitally signed by Kristin
Lentz
Date: 2025.02.18
13:22:52 -05'00'

Laura Dhuwe,
Bureau Chief, Mitigation
State Hazard Mitigation Officer

LD/mb

Attachments: MEMORADUM: State approval of LMS plans under Program Administration by
States (PAS)

cc: FEMA Region IV, Mitigation Division – Risk Analysis Branch



Memorandum

Meeting Details: April 16, 2025 – Board of Commissioners Workshop
Prepared For: Honorable Mayor Brooks and the Board of Commissioners
Staff Contact: Community Development Department
Subject: Amendment to Kimley-Horn Agreement for the Master Plan

Background

The Consulting and Design agreement with Kimley Horn for the Master Plan was finalized April 10, 2024. The scope of services only included the Master Plan.

Discussion

The city staff would like to amend the agreement to include additional consulting services needed as a result of the implementation of the Master Plan. This could include amendments to the Land Development Regulations and Comprehensive Plan to help the city successfully implement and apply goals and strategies from the Master Plan.

Fiscal Impact

This depends on the extent to additional consulting services.

Recommendation(s)

Keep the current impact fees in place and use the funds. If the Board of Commissioners wants to review and possibly change the impact fees, staff recommend hiring a qualified consultant.

Attachments/Corresponding Documents

- Amendment 1 to Kimley-Horn Agreement for the Master Plan

FIRST AMENDMENT TO CONSULTING AND DESIGN SERVICES

THIS FIRST AMENDMENT TOCONSULTING AND DESIGN SERVICES AGREEMENT, made and entered into on April 9, 2025 by between City of Madeira Beach, Florida ("City") and Kimley-Horn and Associates, Inc. ("Consultant").

WITNESSETH:

WHEREAS, the City and Consultant entered into a Consulting and Design Services Agreement dated April 10, 2024, hereinafter "Agreement", for the furnishing of professional services related to the City's new Master Plan: and

WHEREAS, the parties now desire to amend the Agreement to authorize additional consulting services needed as a result of the implementation of the Master Plan.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS, TERMS AND CONDITIONS CONTAINED HEREIN, THE PARTIES AGREE AS FOLLOWS:

1. That section 1.1 of the Agreement is hereby amended and shall provide as follows:

1.1 PROJECT

CONSULTANT shall provide CITY consulting, services on one or more projects, in accordance with this Agreement and as more particularly described in the Scope of Services, which shall be detailed in the form attached as Exhibit A (hereinafter "SERVICES").

2. That section 6.1.1.1 of the Agreement is hereby amended and shall provide as follows:

6.1.1.1 - The mutually agreed upon lump sum as detailed in each Scope of Service; or

3. Except as expressly set forth herein, all of the terms, covenants and conditions of the Agreement are hereby ratified and confirmed by City and Consultant and each, by the execution of this First Amendment, hereby signifies their intent to be bound thereby.

IN WITNESS WHEREOF this First Amendment is signed and sealed by the respective parties hereto.

As to Consultant:

As to CITY:



Brooke Arriaga
Regional Contract Lead
Kimley-Horn and Associates, Inc.

Robin Gomez, City Manager
Beach, Florida 300 Municipal Dr.
Madeira Beach, Florida 33706

Attest:

Clara VanBlargan, City Clerk



Memorandum

Meeting Details: April 16, 2025 – Board of Commissioners Workshop
Prepared For: Honorable Mayor Brooks and the Board of Commissioners
Staff Contact: Community Development Department
Subject: Post-Hurricane Update

All numbers are from April 9, 2025

- Total Applications submitted: 2,407 (since 9/27/24)
- Total permits to be reviewed: 421
 - Permits under current review: 259
 - Permits waiting on information from applicant: 162
- Permits Issued: 1,985 (commercial: 455 residential: 1,530)

By type:

WINDOWS/DOORS: 89

DECK: 4

FULL DEMO: 124

DOCK/LIFT: 12

DRIVEWAY: 4

ELECTRICAL: 99

FENCE: 15

FIRE ALARM/SPRINKER : 14

GAS: 2

GARAGE DOOR: 30

GENERATOR: 3

INTERIOR DEMO: 855

INTERIOR REMODEL: 512

MECHANICAL: 109

NEW RESIDENTIAL BUILDING: 2

PLUMBING: 23

RIGHT OF WAY: 1

ROOF: 70

SEAWALL: 7

SHUTTER: 5

SOLAR: 2

SWIMMING POOL: 3

SUBSTANTIAL DAMAGE DETERMINATION LETTERS ISSUED: 1360

PERMITTING

Update

Permits: Since 9/27/24

- Applications Submitted:
- Permits Under Review: 259
 - Permits with info needed: 162
- Permits Issued: 1985
(Residential: 1530; Commercial: 455)

◦ Doors/Window: 89	◦ Interior Demo: 855
◦ Deck: 4	◦ Interior Remodel: 512
◦ Full Demo: 124	◦ Mechanical: 109
◦ Driveway: 4	◦ Plumbing: 23
◦ Dock/Lift: 12	◦ Roof: 70
◦ Electrical: 99	◦ Seawall: 7
◦ Fence: 15	◦ Shutters: 5
◦ Fire Alarm Sprinkler: 14	◦ Solar: 2
◦ Garage Door: 30	◦ Generator: 3
◦ Gas: 2	◦ New Residential Bldg: 2

Substantial Damage Letters:

- Total Substantial Damage Determination Notifications Sent: 1360

Updated: Apr. 9, 2025



Open Office Hours:

City Hall- 2nd Floor
300 Municipal Dr.

- **Mon, Apr. 14th**
11:00am - 2:30pm
- **Wed, Apr. 16th**
11:00am - 2:30pm
- **Sat, Apr. 19th**
10:00am - 12:30pm
- **Mon, Apr. 21st**
11:00am - 2:30pm
- **Wed, Apr. 23rd**
10:00am - 12:30pm
- **Wed, Apr. 30th**
11:00am - 2:30pm

727-391-9951

buildingdept@madeirabeachfl.gov



Federal Insurance and Mitigation Administration

Increased Cost of Compliance Coverage

The National Flood Insurance Program: Building Smarter and Safer

Increased Cost of Compliance (ICC) coverage is one of several resources for flood insurance policyholders who need additional help rebuilding after a flood. It provides up to \$30,000 to help cover the cost of mitigation measures that will reduce flood risk. ICC coverage is a part of most standard flood insurance policies available under the Federal Emergency Management Agency's (FEMA's) National Flood Insurance Program (NFIP).

Reducing Future Damage

ICC coverage provides payment to help cover the cost of mitigation activities that will reduce the risk of future flood damage to a building. When a building covered by a Standard Flood Insurance Policy suffers a flood loss and is declared to be substantially or repetitively damaged, ICC will pay up to \$30,000 to bring the building into compliance with State or community floodplain management laws or ordinances. Usually this means elevating or relocating the building so that it is above the base flood elevation (BFE). Non-residential structures may also be floodproofed. ICC coverage applies solely to buildings and only covers the cost of the compliance measures undertaken. It is filed separately from the normal flood insurance claim.

Determining Who is Eligible

In addition to being insured under the NFIP, a building must meet one of two conditions to be eligible to receive ICC coverage; it must have been either 1) determined to be substantially damaged or 2) meet the criteria of a repetitive loss structure.

- Substantial damage is the determination by the community that damage due to flood has equaled or exceeded 50 percent of the value of the building. When repaired, the building must meet local

floodplain management ordinances. If the total damage from flooding is less than 50 percent of the market value of the building, ICC coverage is not available.

- Repetitive loss means that a building covered by flood insurance incurred flood-related damage two times over a period of 10 years, and that the cost of the repairs was, on the average, at least 25 percent of the market value of the building before the damage occurred each time. This applies only if the community has adopted a repetitive loss provision in the local floodplain management ordinance, and a flood insurance claim must have been paid in both cases. The combined damage total must be 50 percent of the value of the building before the damage occurred, but it need not be evenly distributed. So, if the damage was 35 percent of the value of the building in the first event and 15 percent of the value of the building in the second event, the policyholder would qualify for ICC coverage.

FINDING ADDITIONAL POLICYHOLDER INFORMATION

FEMA encourages flood insurance policyholders whose homes are damaged extensively by flood to ask their claims adjusters or insurance agents about ICC coverage.

People can get more information online at:

<http://www.fema.gov/library/viewRecord.do?id=3010>

or by calling their insurance agents.



National Flood
Insurance Program

Meeting Compliance Standards

ICC coverage can help pay for four different types of mitigation activities to bring a building into compliance with the community's floodplain management regulations:

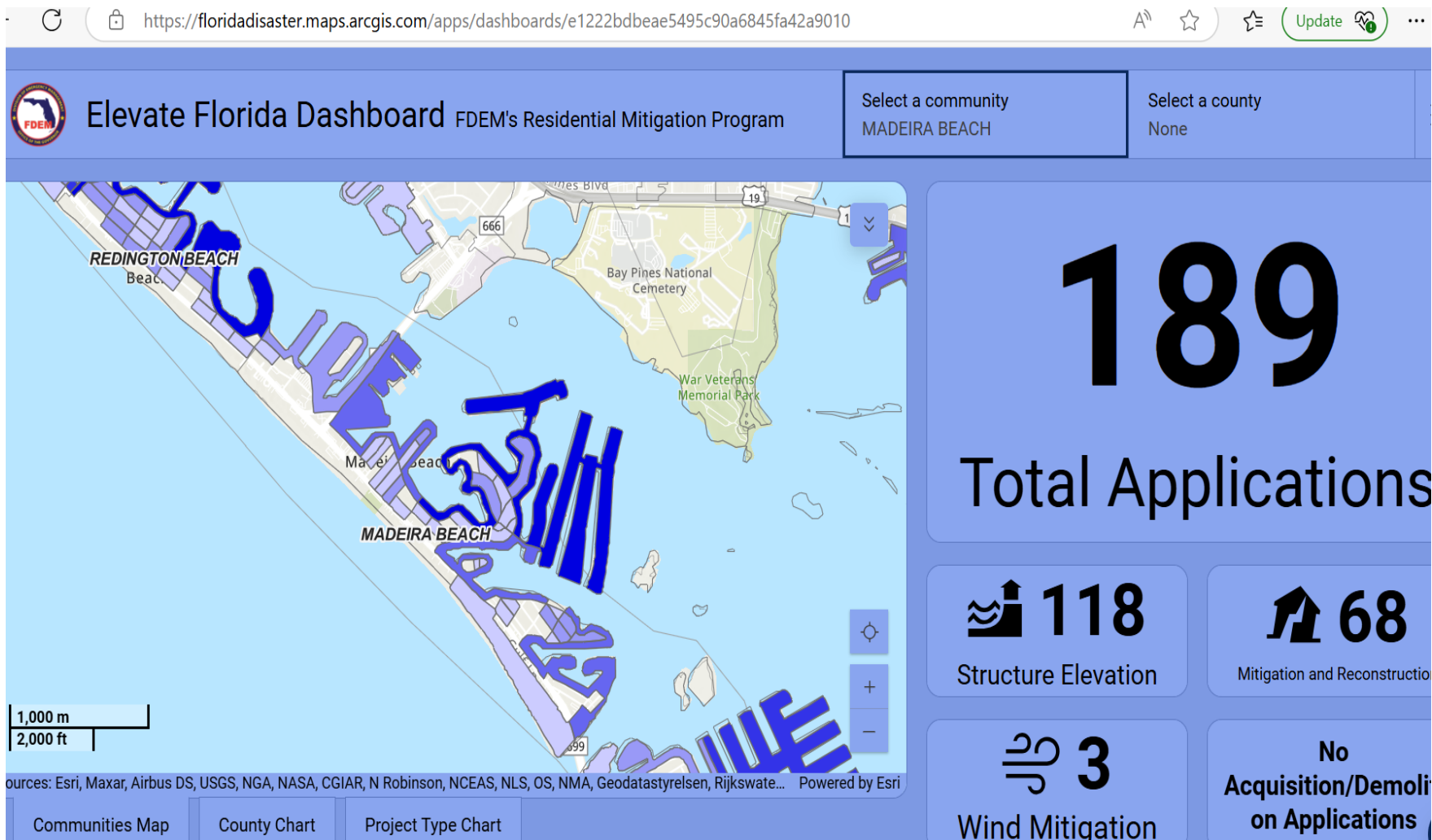
- Elevation is the most common means of reducing a building's flood risk. The process consists of raising the building to or above the BFE. While NFIP policy only requires the lowest floor of the building to be raised to the BFE, some States and communities enforce a "freeboard" requirement, which mandates that the building be raised above the BFE to meet the community's flood protection level.
- Floodproofing applies only to non-residential buildings. For a building to be certified as floodproof, it must be watertight below the BFE – the walls must be substantially impermeable to water and designed to resist the stresses imposed by floods. Floodproofing techniques include installation of watertight shields for doors and windows; drainage collection systems, sump pumps, and check valves; reinforcement of walls to withstand floodwater pressures; use of sealants to reduce seepage through and around walls; and anchoring the building to resist flotation, collapse, and lateral movement.
- Relocation involves moving the entire building to another location on the same lot, or to another lot, usually outside the floodplain. Relocation can offer the greatest protection from future flooding; however, if the new location is still within the Special Flood Hazard Area (SFHA), the building must be NFIP-compliant, meaning it must be elevated or floodproofed (if non-residential).
- Demolition may be necessary in cases where damage is too severe to warrant elevation, floodproofing, or relocation; or where the building is in such poor condition that it is not worth the investment to undertake any combination of the above activities. All applicable permits must be obtained prior to demolishing the building. The property may be redeveloped after demolition is complete, subject to all applicable Federal, State, and community laws and requirements.

Using ICC in Concert with FEMA Mitigation Grants

In some cases, individual policyholders can take advantage of Federal grant money to supplement the cost of mitigation activities. Policyholders can assign their ICC benefits to their community and enable the community to file a single claim on behalf of a community mitigation project. FEMA will count the ICC claim monies as non-Federal matching funds when applying for mitigation grants, because ICC coverage is a direct contract between the policyholder and the insurer. The community can then use FEMA mitigation grant funds to help pay for any additional portion of the cost of elevation, floodproofing, relocation, or demolition that is more than the ICC claim payment. It is extremely important for policyholders and community officials to work closely together at every stage of this process. Individual participation in a FEMA-funded community mitigation project is voluntary and the community is required to provide mitigation funds to any property owner whose ICC payment was counted towards the matching funds.

For More Information

For obtain more information on ICC coverage, visit:
<http://www.fema.gov/library/viewRecord.do?id=3010>.





ELEVATE FLORIDA

Item 6E.

Elevate Florida is a first-of-its-kind, groundbreaking statewide residential mitigation program. Led by the Florida Division of Emergency Management (FDEM), this program is designed to protect homes and communities by reducing damage caused by natural disasters like hurricanes and floods.

Benefits For Property Owners

Elevate Florida expedites the process and completes a resident's mitigation project the following ways:

- May reduce insurance premiums
- Can increase property value
- With only a cost-share up to 25 percent, much of the project cost is covered
- Enjoy end-to-end assistance, from application to construction, including contractor services, temporary housing support, and Americans with Disabilities Act (ADA) accommodations

Property Owner Eligibility

To become a potential customer of the Elevate Florida program, applicants must:

- Be over 18
- Be a U.S. citizen
- Contribute a portion of the project's total cost
- Be the legal property owner of a residential property in the State of Florida

Multi-family real estate such as duplexes, triplexes, condos, townhomes, semi-detached homes, apartments and manufactured homes may be eligible.

Eligible Projects



Structure Elevation

Physically raising an existing structure.



Mitigation Reconstruction

The construction of an improved, elevated building on the same site where an existing building and/or foundation has been partially or completely demolished or destroyed. These activities result in the construction of code-compliant and hazard-resistant structures. Mitigation Reconstruction is the alternative to Structure Elevation when the structure is not sound enough to elevate, as determined during application review.



Acquisition/Demolition

A structure is purchased from voluntary sellers and demolished, to be maintained by the local community as open space. The local community must agree to participate in this project type.



Wind Mitigation

Measures that reduce the risk of future wind damage to structures. This may include alterations to roofs, windows, doors, and other vulnerable components of structures.

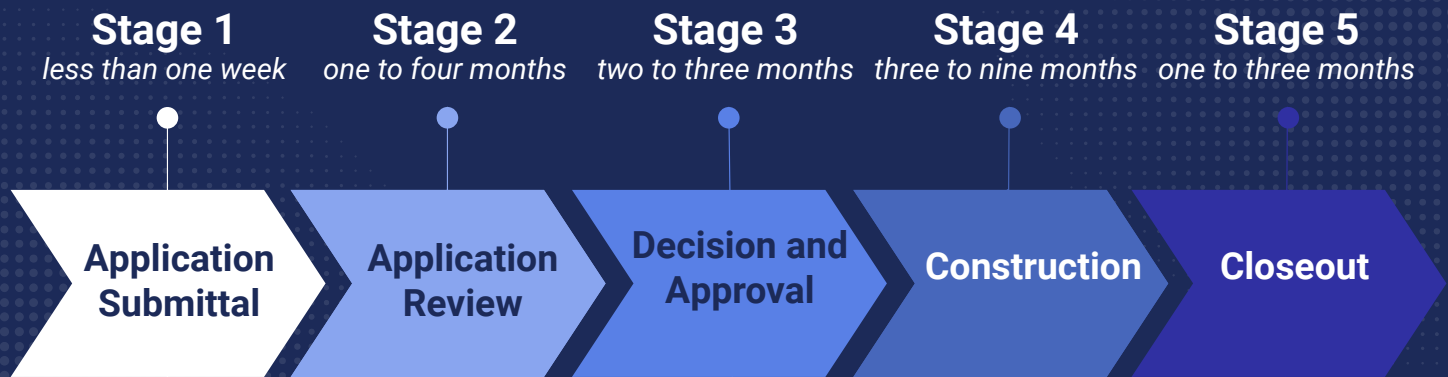
Application

Create an account and complete the application on the Elevate Florida Portal at fdem-resmit.my.site.com/Elevate/.

For questions, technical support, or application assistance, submit a “Contact Us” form at the Elevate Florida Portal or email info@elevatefl.org. You can also call the contact center Mon-Fri, 7 a.m.-7 p.m. EST at **877-ELEV8FL (877-353-8835)**.

Project Timeline

Timelines vary based on project type, with some projects taking up to two years. There are five stages with estimated time periods of:



The property does not need to have experienced flooding or damage in the past to be considered. However, applications may be prioritized based on history of loss.

Funding and Cost-share

Federal grant funding will cover at least 75 percent of the project cost, meaning property owners only need to invest up to 25 percent—a significant savings.

- Property owners will be required to provide up to 25 percent of initial inspection costs prior to inspections being completed.
- The total construction cost for each property will be determined during the initial review period based on factors such as project type, square footage of living space, foundation and construction type, and any necessary project activities.
- Approved property owners will receive a detailed breakdown of their construction cost-share and will have time to decide if they would like to move forward with the project's next phase.
- The cost-share will also include relocation expenses during construction, meaning the program will pay at least 75 percent of these expenses.

For more information, visit the **Elevate Florida Portal** and view our frequently asked questions.





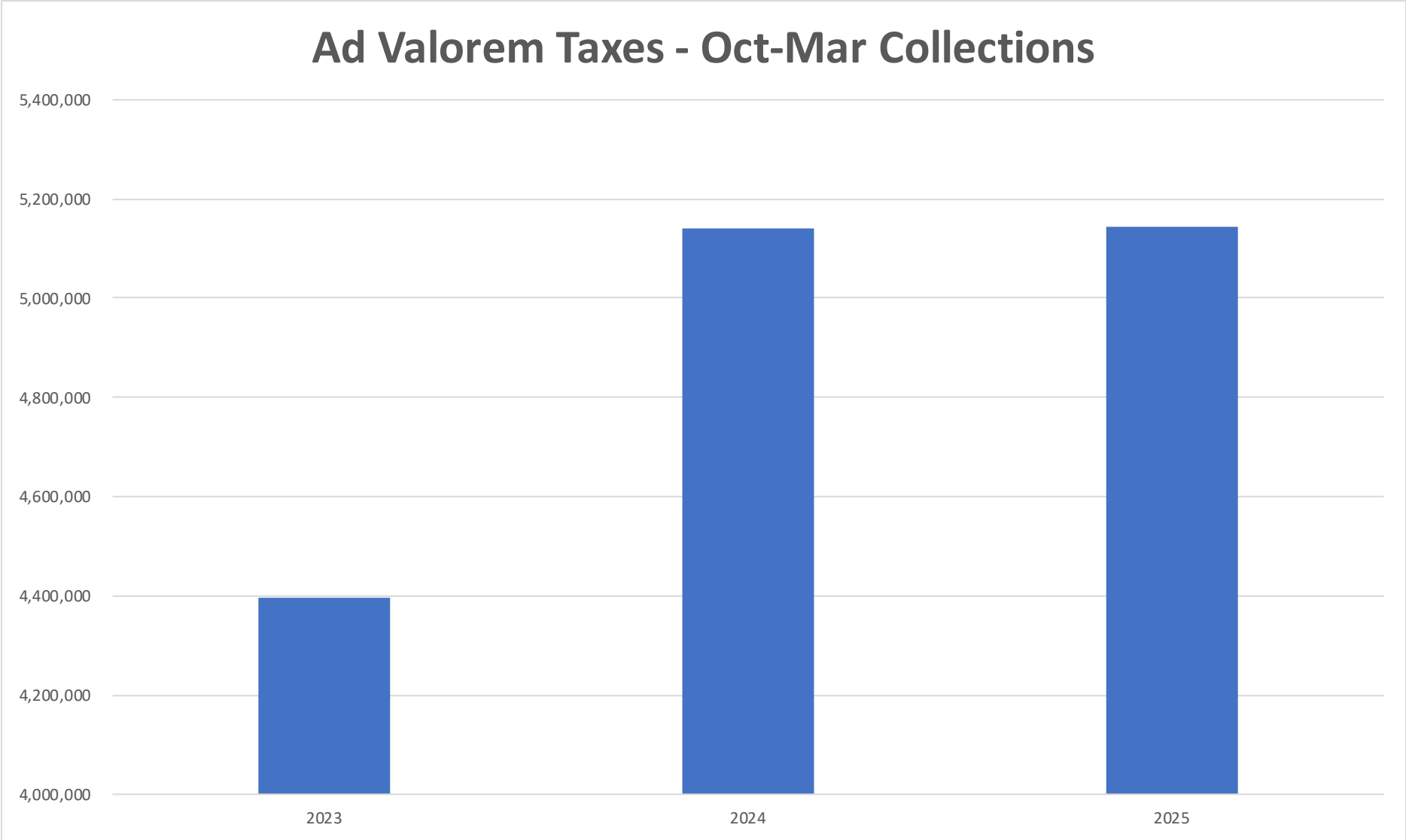
FY 2025 FINANCIAL OVERVIEW – THROUGH MARCH 2025

April 16, 2025

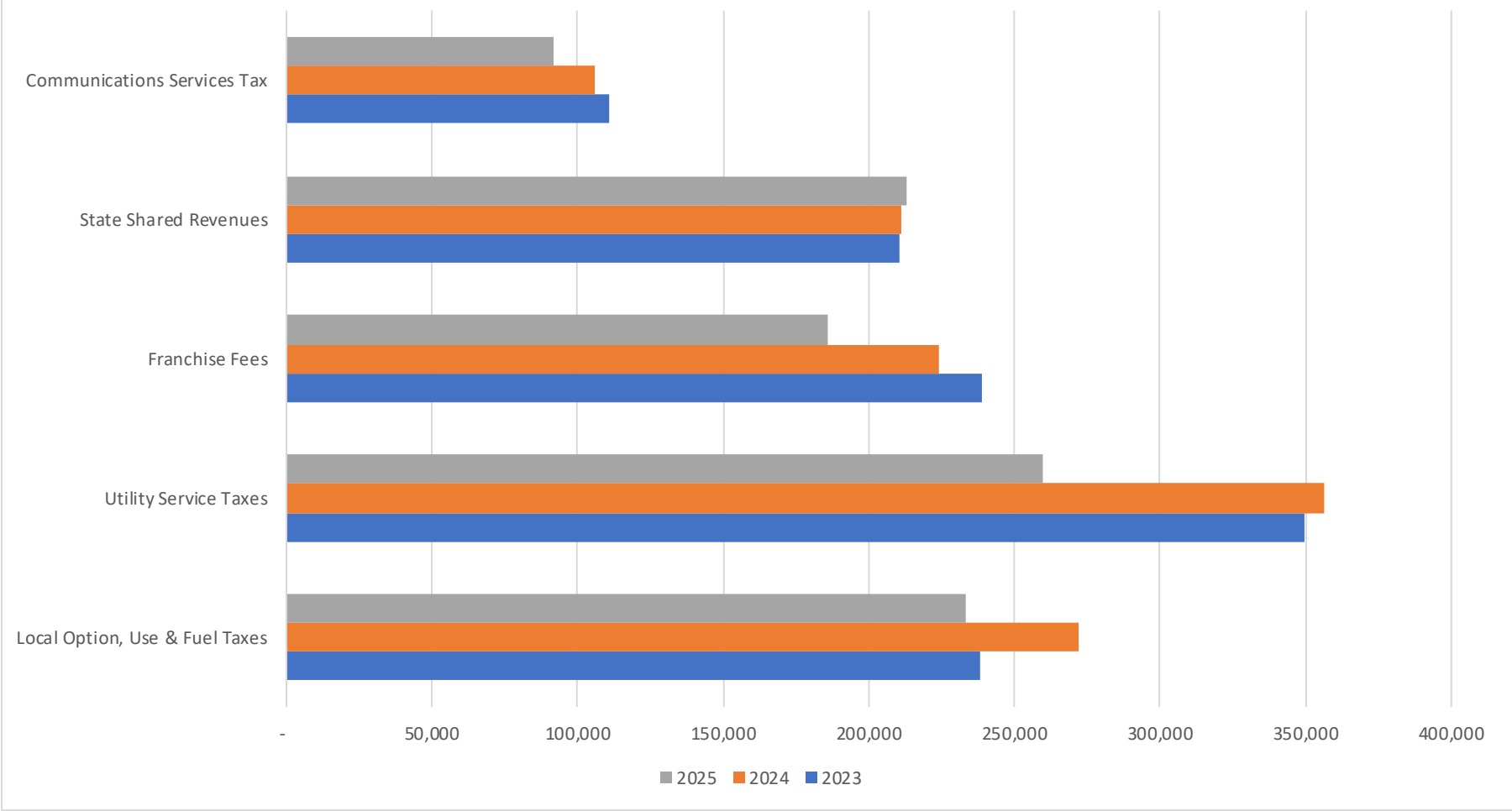
PRESENTATION AGENDA

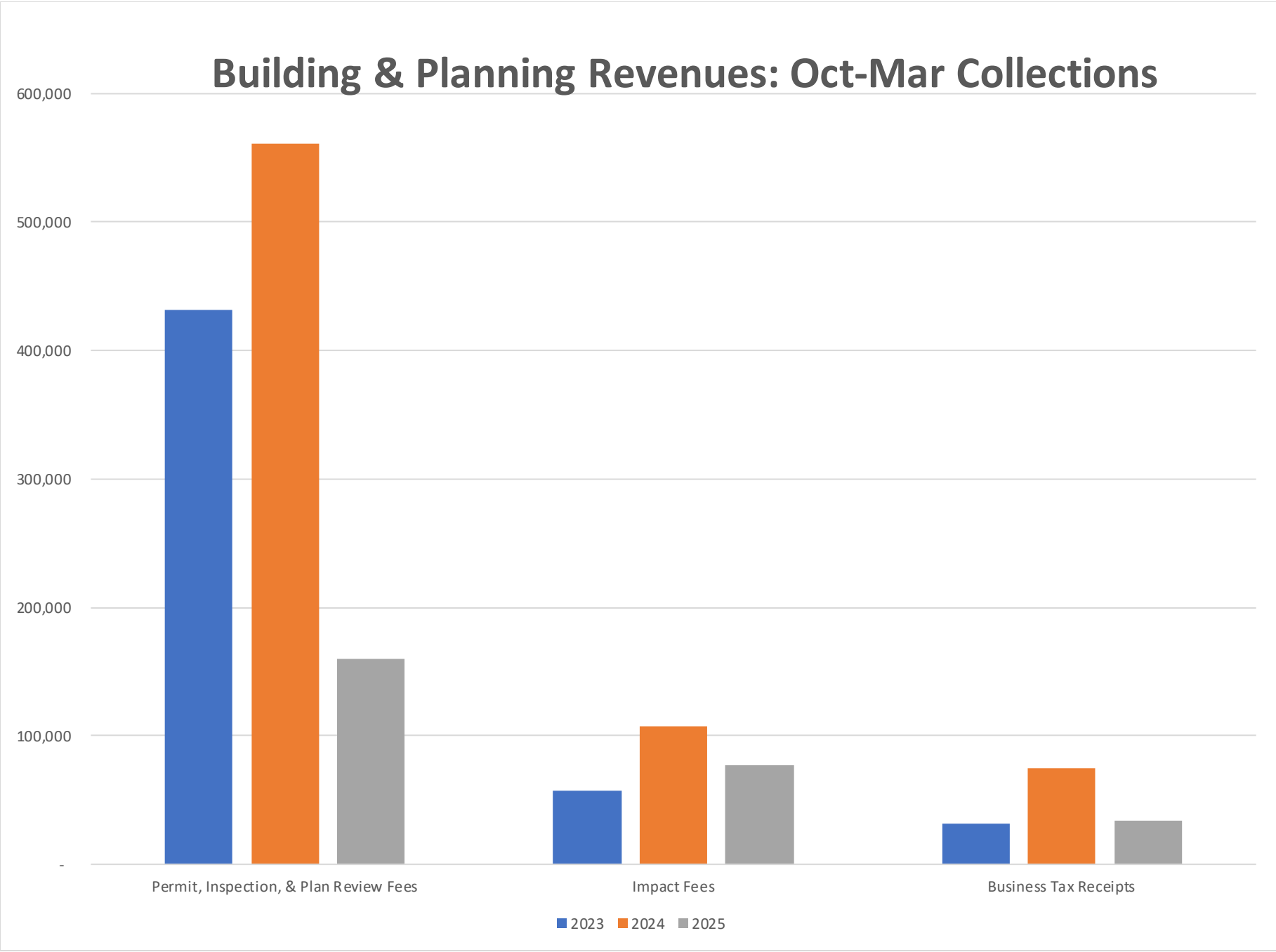
- I. Revenue & Expense Analysis – Through March 2025**
- II. YTD Hurricane Related Expenses**
- III. Damage Assessment – Current Status**
- IV. Q&A**

FY 2025 Revenue Comparison – FY 2023, FY 2024, FY 2025 YTD

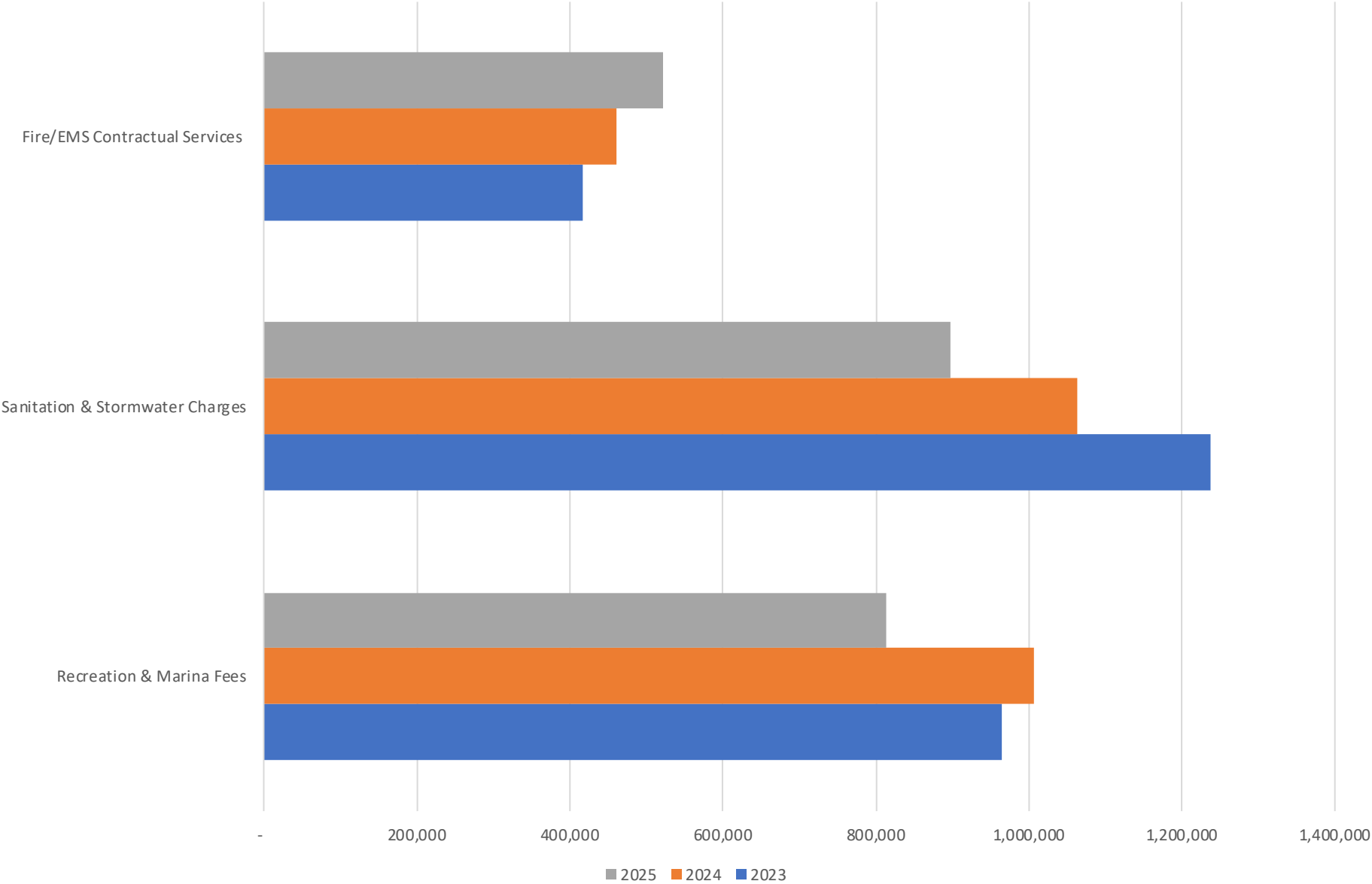


Non-Exchange Revenues - Other Taxes, Franchise Fees, State Shared Revenues: Oct - Feb

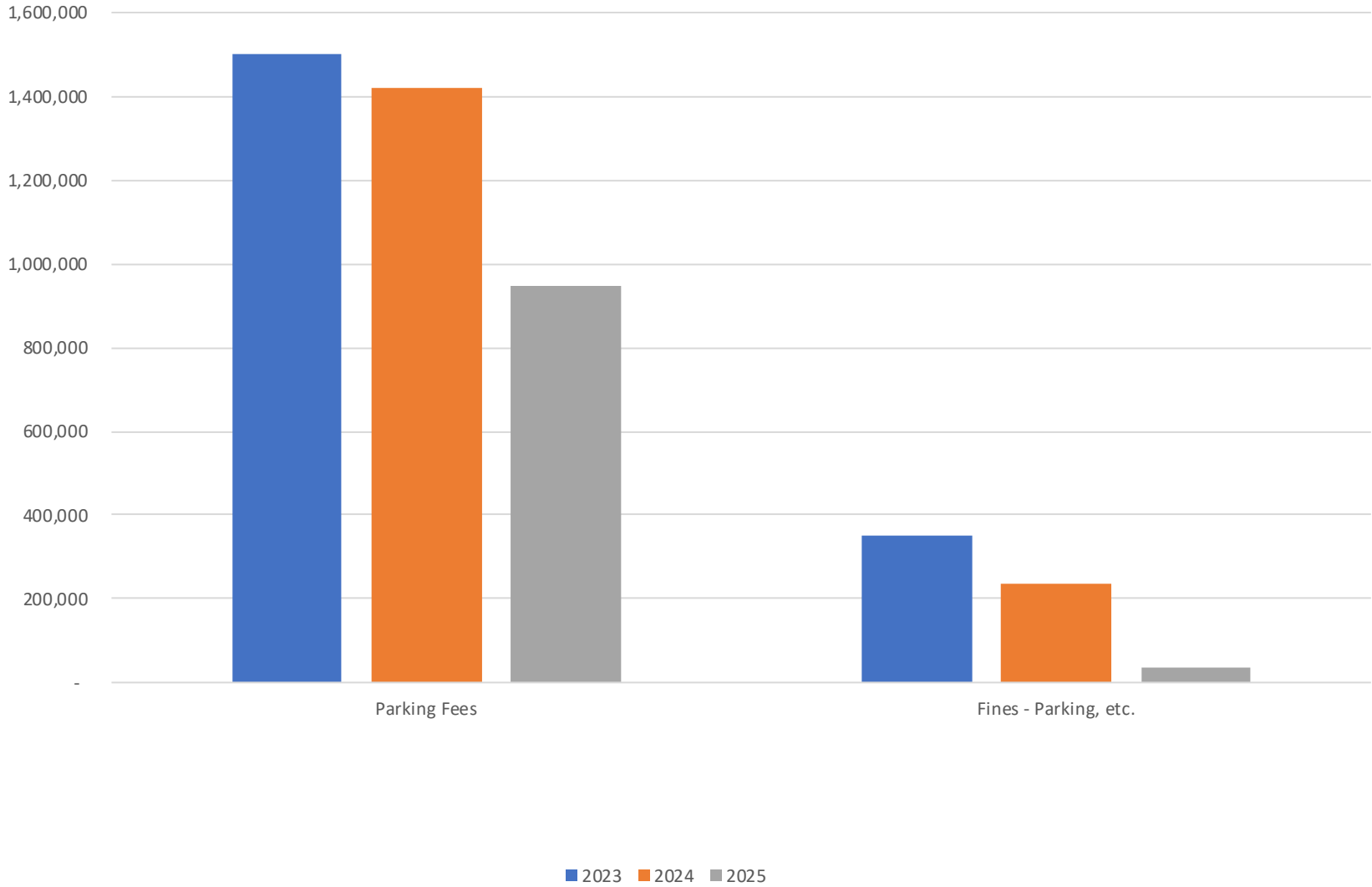




Fees for Services: Oct-Mar Collections



Parking Related Revenues: Oct-Mar Collections



October - March Revenue Comparison – Detailed List FY 2023, 2024, 2025

Revenue Type	Oct-Mar 2023	Oct-Mar 2024	Oct-Mar 2025
Ad Valorem Taxes	4,395,499	5,140,396	5,144,714
Interest & Other Earnings	56,813	107,766	76,784
Permit, Inspection, & Plan Review Fees	432,120	561,529	159,511
Impact Fees	56,813	107,766	76,784
Business Tax Receipts	31,268	75,014	33,749
Recreation & Marina Fees	964,272	1,005,781	813,514
Sanitation & Stormwater Charges	1,238,473	1,063,902	897,910
Fire/EMS Contractual Services	417,739	460,958	522,659
Parking Fees	1,500,797	1,419,491	947,562
Total:	9,093,792	9,942,604	8,673,186
% Change		9%	-13%

October - February Revenue Comparison – Detailed List FY 2023, 2024, 2025

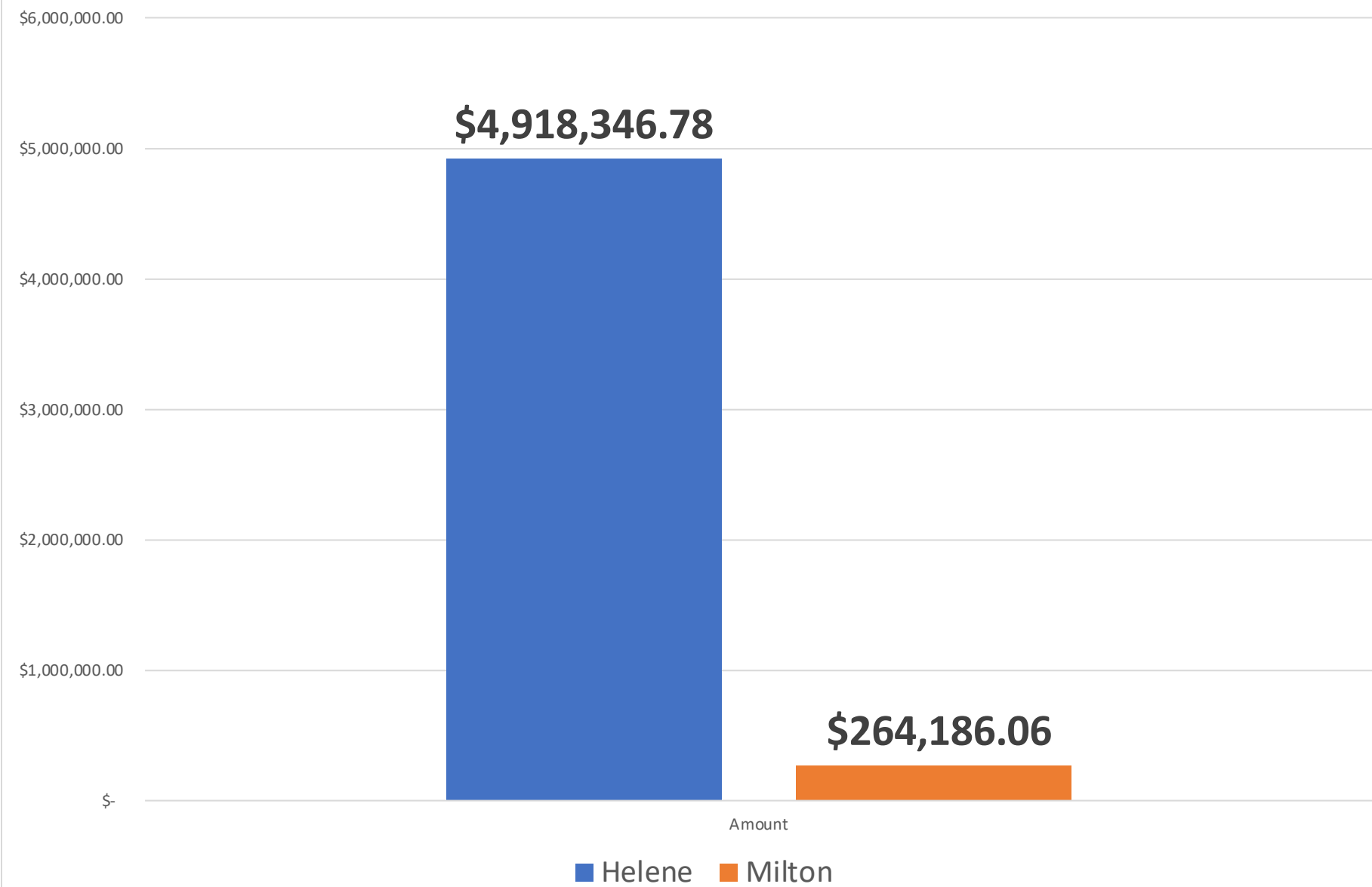
Revenue Type	Oct-Feb 2023	Oct-Feb 2024	Oct-Feb 2025
Local Option, Use & Fuel Taxes	237,980	271,910	233,376
Utility Service Taxes	349,288	356,495	259,449
Franchise Fees	238,930	224,001	185,733
State Shared Revenues	210,335	211,387	213,169
Communications Services Tax	110,967	105,579	91,873
Total:	1,147,500	1,169,371	983,600
% Change		2%	-16%

Budget Versus Actual Analysis – Expenses By Department FY 2025 YTD (Thru Early April)

Department Name	Revised Budget	Actual YTD	Outstanding Encumbrances YTD	Remaining Available Balance	% Available	Tickmark
Archibald	4,525,250.00	1,320,019.90	1,871,947.35	1,418,139.89	31.34%	
Board Of Commissioners	157,260.00	24,720.81	-	136,304.81	86.67%	
Building Services	1,775,225.00	609,534.12	75,434.49	1,128,299.39	63.56%	
City Clerk	518,729.21	210,369.05	-	329,864.26	63.59%	
City Manager	1,228,600.00	394,533.09	182,926.02	698,701.99	56.87%	
Community Development	945,275.00	432,736.22	49,000.00	521,284.78	55.15%	
Debt Service	320,000.00	-	-	320,000.00	100.00%	
Finance	712,400.00	362,618.43	120,328.00	259,924.04	36.49%	
Fire/Ems	11,181,950.00	2,422,737.01	7,015,973.35	1,983,333.25	17.74%	
Gas Tax	136,500.00	24,289.30	-	112,210.70	82.21%	
Human Resources	99,245.00	57,201.33	19,410.00	26,149.56	26.35%	<1>
Information Technology	278,806.40	124,860.98	103,846.73	50,103.10	17.97%	<1>
John's Pass Village	2,200,500.00	224,440.94	501,140.81	1,488,631.02	67.65%	
Law Enforcement	1,735,865.00	985,080.84	703,320.00	47,536.30	2.74%	<1>
Legal Services	196,500.00	57,971.29	123,028.71	16,500.00	8.40%	
Marina	2,031,200.00	491,423.54	231,941.19	1,348,762.30	66.40%	
Non-Departmental	17,570,430.00	4,681,754.13	8,830,645.96	4,059,477.45	23.10%	<1>
Parking Management	3,728,750.00	524,200.70	18,285.75	3,207,826.93	86.03%	
Parks	68,350.00	13,761.58	-	54,588.42	79.87%	
Public Works Administration	2,303,540.31	824,622.17	338,518.54	1,182,786.39	51.35%	
Recreation	2,466,100.00	889,382.90	254,758.45	1,429,361.67	57.96%	
Sanitation	2,018,670.00	824,680.80	582,831.60	703,829.02	34.87%	
Stormwater	11,790,020.00	1,172,948.56	190,969.20	10,445,191.83	88.59%	
Total:	67,989,166	16,673,888	21,214,306	30,968,807		

<1> Mid-year budget amendment resolution forthcoming

Comparison of Hurricane-Related Expenses Incurred



HELENE EXPENSES INCURRED – LARGEST VENDORS

Vendor Name	Amount	Description
DRC Emergency Services	3,321,259.16	Debris removal
Tetra Tech, Inc.	377,951.00	Debris removal inspection services
Luxe Flush	196,060.00	Bathroom rentals
Servpro Team Shaw	135,452.64	Downstairs flood damage - remediation work Emergency rental of 3 CAT 920 loaders and 3 skid steers for
Ring Power Corporation	100,783.83	Hurricane Beach Cleanup
K.B. Industries, Inc.	96,965.00	Flexi-Pave & Brick Pavers Concrete repairs in Johns Pass Village; Archibald seat wall
Mend-It Asphalt & Concrete	56,550.00	repairs Dumpsters, casters and pads, rear load containers and
Iron Container, Inc.	54,655.00	freight
USA Voltage LLC	50,387.83	Check out panels, clean electrical connections at marina
Schindler Elevator Corporation	32,342.92	Elevator Repair after Hurricane Helene flooding Hurricane asphalt repair: mobilization, remove existing
Keystone Excavators, Inc.	29,750.00	asphalt and replace with new and stripe Installation of 2 additional post crutch bents and topside
Greene Byrd Industrial Diving LLC	27,300.00	boardwalk repairs; adjacent structures inspection
Broyhill Manufacturing Company	19,483.00	2 new Broyhill dumpsters plus freight
Prime Scape Services, Inc.	18,550.00	Tree trimming services Replace 4 access panels at City Hall; A/C inspection & repair
Harper Limbach LLC	12,298.01	and new AC Condenser for JPV
Wastequip, LLC	12,754.82	Purchase of 200 64 Gallon Toters due to hurricane loss
Right Now Refrigeration Co.	12,057.52	New Ice Machines at Marina Replace Kohler brand equipment damaged from hurricane
Volt USA, LLC	9,950.00	(generator, air compressor, pressure washer, and more)
Smith Industries, Inc	7,633.88	Fence installation at Marina
Total:	4,572,184.61	

MILTON EXPENSES INCURRED – LARGEST VENDORS

Vendor	Amount	
Slyce Madeira Beach, LLC	21,770.00	Pizza to feed displaced residents due to hurricane
W & A Cleaning Services, LLC	22,305.00	Temporary Bathroom and Showers cleaning fee
Palm Trees Direct, LLC	16,726.00	Replacement of palm trees for ROC park
Coastal Contracting & Restoration	10,120.37	Repairs made to Marina Ship Store after Hurricane Milton wind damage
Funnel Vision	<u>7,538.81</u>	Food for community following Hurricane Milton
Total:	78,460.18	

DAMAGE ASSESSMENT – CURRENT STATUS

DAMAGE ASSESSMENT – LAND & INFRASTRUCTURE

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement
Public Works	Johns Pass Village - 75% of Flexi Pave damaged	\$ 96,965.00	Repairs underway and scheduled to be completed by 3-25-25
Public Works	Johns Pass Village - 25% Concrete Curbs damaged	\$ 26,725.00	Repairs completed
Public Works	Johns Pass Village - 15% Pavers damaged	\$ 1,300.00	Repairs completed
Public Works	Johns Pass Village - All electric damaged by flood	\$ 39,500.00	Repairs in progress USA Voltage (Contracted)
Public Works	Johns Pass Village - Chamber building flooded 2+ feet	\$ 50,000.00	Electric completed, dry wall purchased, scheduled to start installation by mid April
Public Works	Johns Pass Village - HVAC Condenser flooded	\$4,422.54	Harper Limbach LLC Replaced
Public Works	Johns Pass Village - Bell Tower - All wood fascia damaged	\$ 5,000.00	Rotten wood removed and replacement of pine completed
Public Works	Johns Pass Village - Boardwalk- 3 pilings need replaced, 8 sections of handrail loose, 10 sections of cross bracing damaged and West Stairs destroyed	\$50K - \$70K	Engineering received and waiting for proposal
Public Works	Johns Pass Village - West stairs completely damaged	\$ 7,250.00	Completed
Public Works	Johns Pass Park - New asphalt damaged 35%		Waiting for quote
Public Works	Johns Pass Park - 60 Parking stops	\$6,000 - \$8,000	Completed
Public Works	Johns Pass Park - Handrail on Walkover damaged completely	\$ 6,838.40	Completed
Public Works	Johns Pass Park - Landscaping park wide destroyed	\$ 55,000.00	New installation of wood barrier and landscaping completed
Public Works	Johns Pass Park - Chainlink fence enclosure damaged from flooding	\$4,572.00	Completed by Smith Fence
Public Works	Johns Pass Park - Jetty sidewalk damaged during Helene. Lifted several panels and removed one.		Waiting on design plans to send to Army Corp, Pinellas County, & FDEP
Public Works	Johns Pass Park - Restrooms fascia damaged	\$ 1,970.00	Completed
Public Works	Johns Pass Park - 9 Picnic tables gone	\$11,488.13	Completed
Public Works	Johns Pass Park - Camaera Damaged from Pole falling	\$ 277.50	Completed
Public Works	130th Parking lot - New Asphalt scraped in several locations and striping scraped from sand cleanup		Waiting for quote
Public Works	130th Parking Lot / Access - landscaping in dune area damaged from flooding	\$5K - \$10K	Creating Landscape plan

DAMAGE ASSESSMENT – LAND & INFRASTRUCTURE, CONTINUED

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement
Public Works	130th Parking Lot / Access- Handrail on East side bent		
Public Works	130th Parking Lot / Access- Rules sign and location signs missing	\$300	Signs ordered from Osburn
Public Works	131st Parking Lot / Access- New Asphalt damaged		Waiting for quote
Public Works	132nd Parking Lot / Access - Parking lot on West Side Gulf Ln Damaged from flooding	\$29,500	Keystone removed and repalced on November 11
Public Works	132nd Parking Lot / Access - Ashpalt on East parking lot scraped		Waiting for quote
Public Works	132nd Parking Lot / Access - 23 Parking stops damaged	\$2,300	Replaced
Public Works	132nd Parking Lot / Access - Beach Signs missing	\$300	Waiting for proposal for sign order
Public Works	132nd Parking Lot / Access - Concrete Curb damaged		W Lot Replaced East lot waiting for quote
Public Works	133rd Parking Lot / Access - Bollard missing	\$100	Replaced
Public Works	133rd Parking Lot East - Parking lot damaged		Waiting for quote
Public Works	133rd Parking Lot East - Parking stops missing / damaged 13	\$1,300	Replaced missing
Public Works	134th Parking Lot / Access - Boardwalk damaged boards hand rail damaged on East end		Completed
Public Works	134th Parking Lot / Access - New Asphalt damaged		Waiting for quote
Public Works	134th East Parking lot - 7 parking stops damaged	\$700	Completed
Public Works	135th Parking Lot / Access - New Asphalt Damaged		Waiting for quote
Public Works	135th Parking Lot / Access - Beach Bench Missing	\$461	Replaced
Public Works	Gulf Blvd Undergrounding - 4" conduit from 132nd to 135th on Gulf Ln compacted with sand and needs replaced	\$65K - \$75K	Project started back Feburary 6th and contractor is replacing damaged conduit
Public Works	136th Parking Lot / Access - Beach Walk over completely destroyed	\$9,135	Walkover demo complete, replacmeent cost \$60,028. Mobi Mat in place \$4,995.00
Public Works	136th Parking Lot / Access - Paver driveway damaged on South side	\$7,525	Completed
Public Works	137th Access - Palm trees, and agave's gone	\$5K	Collecting inventory for plant order
Public Works	140th Access - Whole access sloped and damaged on East and West Side		Waiting for proposal

DAMAGE ASSESSMENT – LAND & INFRASTRUCTURE, CONTINUED

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement
Public Works	Tom & Kitty Stuart Park - Seawall gone		Engineering PO issued \$16,800.00 in progress
Public Works	Tom & Kitty Stuart Park - Beach Walkover gone		Waiting for Engineering for seawall and will bid whole park out together
Public Works	Tom & Kitty Stuart Park - Parking lot pavers 50% damaged or missing		Waiting for Engineering for seawall and will bid whole park out together
Public Works	Tom & Kitty Stuart Park - Bathroom Replacement	150K	Working on Prefab bathroom, Survey to confirm what is allowed per zoning
Public Works	Tom & Kitty Stuart Park - Landscaping & Irrigation gone	\$15K - \$20K	Waiting for Engineering for seawall and will bid whole park out together
Public Works	Tom & Kitty Stuart Park - Utilites damaged		Waiting for Engineering for seawall and will bid whole park out together
Public Works	142nd Access - Concrete walkway undermined from flood and collapsed during cleanup	\$ 5,500.00	Keystone Piggyback contract approved 3-12 and includes 142nd repair
Public Works	148th Access - Concrete walkway undermined from flood and collapsed during cleanup	\$ 23,000.00	Waiting on Proposal
Public Works	149th Access - Concrete walkway damaged from flood	\$6,000	Waiting for additional quotes
Public Works	Beach Accesses - All signs on East and West side missing along with post U Channel Post	\$5K	Waiting for proposal from Osburn Signs
Public Works	Archibald Park - Asphalt damaged	\$ 494,680.00	Completed
Public Works	Archibald Park - Concrete curb and sidewalk damaged	\$ 494,680.00	Completed
Public Works	Archibald Park - Sit wall missing top caps and severely damaged	\$19,235	Completed
Public Works	Archibald Park - Shower pads and railing damaged	\$ 494,680.00	Completed
Public Works	Archibald Park - Electric to all light post flooded	\$42,700	Completed
Public Works	Archibald Park - Handrail damaged on N driveover	\$5K	Completed
Public Works	Archibald Park - Landscaping severely damaged	\$ 600.00	Planter around bathroom is complete, remainder of park working on a plan
Public Works	Archibald Park - Exit Pillar Damaged	\$ 800.00	Completed
Public Works	Archibald Park - Parking Stops missing		Completed

DAMAGE ASSESSMENT – LAND & INFRASTRUCTURE, CONTINUED

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement
Public Works	154th Access - Concrete walkway damaged from flood		
Public Works	154th Access - All signs missing	\$200	Collecting inventory for sign order
Public Works	Patriot Park - All Electrical Damaged due to flooding. New conduit and panels needed	\$ 6,100.00	Electrical repair for building and park Completed
Public Works	Patriot Park - Seawall Bollard Lights damaged due to flooding	\$10K - \$50K	Electrician looking for alternative. Electric or solar
Public Works	Patriot Park - Landscaping Damaged from flooding (Heros garden & Oak trees)	\$5K - \$10K	Compiling a citywide list for plant order
Public Works	133rd & Boca Ciega Ave - Seawall Cap is cracked	\$5K	Waiting for contractor quote
Public Works	133rd & Boca Ciega Ave - Bollards and Paver damage	\$350	Pavers repaired
Public Works	131st & Boca Ciega Dr. Street End- Seawall Cap damaged by neighbors dock	\$2,500	Waiting for contractor to inspect
Public Works	Gulf Blvd Medians - 11 planted medians plants damaged by flooding along with Ground cover of shell	\$10k-30K	Compiling a citywide list for plant order
Public Works	Gulf Blvd Medians- 11 medians electrical panels and wiring damaged	\$5K - \$15K	Waiting for full assessment from USA Voltage
Public Works	Madeira Way Light pole repair	\$ 772.99	lights flooded and needed new wiring COMPLETED
Recreation	Fencing Located in ROC Park	\$ 44,173.45	Scheduled for week of 4/7/25
Recreation	Splash Pad Repairs & Water Fall Repairs	\$ 12,385.75	Completed

DAMAGE ASSESSMENT – FACILITIES

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement	Insurance Proceeds
Building & Comm. Dev.	1st Floor of City Hall Flood Damage	\$ 250,000.00	Repair in process	\$ 116,526.67
Building & Comm. Dev.	ServPro has removed all damage from 1st floor	\$ 135,452.64		
Building & Comm. Dev.	Building & Comm. Dev. contents	\$ 55,000.00		
Marina	Sofit and facia damaged dry wall and ceiling tiles	\$ 10,226.93	Replaced	
Recreation	ServPro cost to remove flooded area in Rec. Center	\$ 75,668.99	Completed	
Recreation	Rec. Center building contents	\$ 21,086.00	Completed	
Recreation	Shed at school fields	\$ 3,255.00	Completed	
Recreation	Concession stand, including portable fence	\$ 25,880.00	Completed	
Recreation	Repairs to Recreation Center	\$ 57,700.00	In progress	
Archibald	Property repairs		In progress	\$ 2,979.68
	TOTAL:	\$ 634,269.56		\$ 119,506.35

DAMAGE ASSESSMENT – VEHICLES

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement	Insurance Proceeds Received
Parking	2022 Kubota - flood damage #94	\$ 22,534.22	total per city mechanic, needs to be disposed	\$ 25,404.62
Parking	2019 Chevy Equinox - flood damage #96	\$ 22,823.00	totalled and disposed	\$ 13,860.32
Stormwater	2019 Elgin Street Sweeper #77	\$ 295,000.00	totalled and needs to be disposed	\$ 295,000.00
Public Works Admin	2003/04 Ford F550 Dump Truck #Old 19	\$ -	surplused	\$ -
	TOTAL:	\$ 340,357.22		\$ 334,264.94

DAMAGE ASSESSMENT – EQUIPMENT

Responsible Department	Description of Damage	Estimated Cost to Repair or Replace	Current Status of Repair or Replacement	Insurance Proceeds Received
Public Works Admin	K & K Message Board #T-12	\$ 12,136.00		\$ 3,708.80
Public Works Admin	New Kohler Generator at 141st Stormwater Station	\$ 75,000.00		\$ -
Public Works Admin	Old Generator at 141st Storm Station	\$ 30,000.00		\$ 30,000.00
Public Works Admin	Bathroom Trailer at Kitty Stuart Park	\$ 56,900.00	totalled needs to be replaced, new one purchased	\$ -
Archibald	2023 Triple Crown Utility Trailer T-16	\$ 3,066.59		\$ -
Public Works Admin	1990 Trailer mounted generator #08	\$ 18,956.00	likely cost to replace \$30,000	\$ -
Recreation	2020 Big Tex Trailer #T-1	\$ 4,281.80	Completed	\$ -
Recreation	John Deere Gator	\$ 2,500.00	Completed (In house)	\$ -
Recreation	John Deere 3 Wheel Sand Rake; Water Damage from Rain	\$ 2,484.74	Completed	\$ -
Recreation	Kohler Command Mower	\$ 15,000.00	Has not begun due to the School Field being used for school activities.	\$ -
Recreation	Pallet of Rye Grass for Ball Fields	\$ 3,850.00	Completed	\$ -
Recreation	Athletic Field Equipment Damaged by Flooding	\$ 3,744.88	Completed	\$ -
Marina	2 Fuel Pumps - PMC	\$ 31,648.66	Purchased	\$ 31,959.20
Marina	Control Box for Fuel pumps	\$ 1,385.00	Purchased	\$ -
Marina	2 Koolair Ice Machines	\$ 12,037.52	Replaced	\$ -
Marina	Marine Sani pump-out motor & Control Box submerged under water	\$ 4,143.20	Replaced	\$ -
Marina	Front Security Gate - Viking electrical short from water damage	\$ 7,633.88	Replaced	\$ -
Marina	Security Camera Control Box X4 corroded from salt water and mud	\$ 2,120.50	Replaced Waiting on Invoice	\$ -
Marina	Boat Lift Control Box X8 - TEC II mud, silt and moisture damage	\$ 8,000.00	Quote Recived	\$ -
Marina	Main Breaker Panels for Docks - Eaton Breakers	\$ 14,053.00	Repaired	\$ -
Marina	Dock Power Pedestals-Eaton submerged in water	\$ 64,862.00	Pedestal Only, Labor not included	\$ -
Marina	25 dock boxes ripped off their anchors and floated away	\$ 10,998.75	Waiting to Purchase	\$ -
Marina	Dock boards, pilings and finger piers damaged due to wind and waves		Replaced Waiting on Invoice	\$ -
Marina	Gondola Displays 5 units received water damage and swelling	\$ 2,325.00	Waiting to Purchase	\$ -
Marina	120 feet of Vinyl Fence blown apart by Milton	\$ 6,360.00	Waiting for Quote	\$ -
Marina	Aluminum Awning blown away	\$ 1,058.97	Replaced	\$ -
Marina	Marina Sign wind damage	\$ 7,000.00	Quote Received	\$ -
Marina	10x10 shed	\$ 3,995.00		\$ -
Building & Comm. Dev.	2 Konica copiers	\$ 3,361.00		\$ -
Stormwater	Transformer at 141st Stormwater Station	\$ 9,950.00	Completed	\$ -
Stormwater	Flygt Control Panel at 141st Stormwater Station	\$ 2,190.00	Relay replaced at station (Euautomation)	\$ -
Stormwater	Flygt Model submersible pump for 141st Stormwater Station	\$ 41,481.90	PO issued and waiting for pump to arrive	\$ -
Public Works	Lost misc. equipment under bldg.		Replaced	\$ 19,681.69
	TOTAL:	\$ 462,524.39		\$ 85,349.69

INSURANCE PROCEEDS – PAYMENT DETAIL

Hurricane	Description	Amount Received	Date Received	Additional Comments
Helene	Claim#431787 (432475; 432461; 432463) ACV payment for loss and damages - Hurricane Helene.	151,465.55	1/2/2025	Payment#1
Helene	Kubota tractor 55730 - Insurance A/R from Hurricane Helene	27,979.03	1/29/2025	Payment #2 Kubota tractor 55730 - Insurance A/R from Hurricane Helene
Helene	PW equipment under Building - Insurance A/R from Hurricane Helene	19,681.69	1/29/2025	combined with Kubota payment BPP for location 024 - Insurance A/R from Hurricane Helene
Helene	Flood Insurance - claim number 1240016064 , for a loss that occurred during Hurricane Helene 09/26/24	43,444.91	2/19/2025	Wright National Flood Insurance
Helene	Elgin Street Sweeper - Insurance A/R from Hurricane Helene	295,000.00	2/25/2025	Street Sweeper
Helene	Rec'd Ins. Pmium refund for lost vehicles	2,668.00	3/18/2025	Premium Refund From Insurance
Helene	Payment #3 - Hurricane Helene	122,100.21	3/19/2025	Payment#3
Helene	Payment #4 - Hurricane Helene	39,560.76	PENDING	Payment #4
Milton	Hurricane Milton - Recreation Center	78,869.47	1/21/2025	Payment for Milton
Milton	Location#2 Rec Center 200 Rex Place	6,300.00	2/13/2025	Payment for Milton
	Total:	787,069.62		



MEMORANDUM

Date: April 16, 2025
To: Hon. Mayor and Board of Commissioners
Through: Robin Gomez, City Manager
From: Andrew Laflin, Director of Finance
Subject: Ordinance 2025-13 Fees and Collection Procedure Manual – FY 2025 Update

Background

The purpose of this agenda item is to present to the Board of Commissioners proposed amendment to the Fees and Collection Procedure Manual to increase the Overnight Parking and update Community Development 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 2025-13. The departments involved in these proposed fee changes are Parking and Community Development Department.

Fiscal Impact

This amendment will serve the public morale and wellbeing.

Recommendation

Staff recommends approval of Ordinance 2025-13 on First Reading.

Attachment(s):

- Ordinance 2025-13
- Exhibit A: Fees and Collection Procedure Manual with tracked changes

Exhibit A

Ordinance ~~2025-12~~ 2025-13



FEES & COLLECTION PROCEDURE MANUAL

(Updated Through Ordinance 2024-22)

Office of the City Clerk

Adopted: ~~April 2, 2025~~

FEES & COLLECTION PROCEDURE MANUAL

(UPDATED THROUGH ORDINANCE ~~2025-12~~ 13)

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- B. *Madeira Beach Municipal Marina Fees* 26

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 one- and two-family dwellings, and townhouses)~~\$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 and special exception use (double fee)\$3,600.00~~
~~Shall be two (2) times the variance or special exception use free (Ordinance 2016-06)~~

(6) Conversion of a nonconforming non-habitable area into a habitable area\$1,000.00

C. Alcoholic Beverage Permit Application Fee \$1,000.00 ~~\$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 \$500.00 ~~\$300.00~~

(2) Intermediate Site Plan Review \$1,000.00

~~a. —First Review Site Plan Submittal\$1,000.00~~

(3) Major Site Plan Review \$2,000.00

- a. ~~First Review Site Plan Submittal~~\$2,000.00
- (4) Administrative Waiver\$500.00
- (5) Nonconforming structure encroachment extension, and additions (Sec 110-93(3)f) ...\$1,000.00
- G. ~~Zoning/Land Development Regulation Interpretations and Preliminary plan meetings~~ – Base Fee ~~\$100.00-\$250.00~~

Interpretation of ~~land development~~ regulations such as ~~number of legal units existing on a property, the land development regulations, intensity and density,~~ nonconforming provisions, floodplain regulations, Florida Building Code, subdivision regulations, and/or ~~Planning, Zoning or~~ Predevelopment review meetings. Such services would include up to one hour of meeting and or research of applicable development city staff or consultant(s) ~~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 rate of \$100.00 per hour. ~~employees' hourly rate plus benefits on a time for time basis.~~ On-site consultation with planner, building official, permit technician, or Certified Flood Plain Manager (as needed; by request) requires an additional fee of \$100.00. Any formal letter prepared by city staff 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.~~ Additional research time shall be charged at the rate of \$100.00 per hour.
(Res. 2016-24, 07/12/2016)

Verification in writing (formal letter on City stationary) 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 Community Development Planning Director.
- (2) Plan Review\$2,500.00
- a. Each Subsequent Revision\$500.00
- b. Preliminary Plan and Standards Review\$1,500.00
- c. First Plan and Standards Plan Review\$2,500.00
- d. 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 modifications.....To 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 Approval.....all staff hourly rates, legal and recoding 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 Certificate of Compliance \$300.00

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 Outdoor Cafes on Public Sidewalk Request~~.....\$175.00 ~~\$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 ~~\$30,000.00 \$2,500 or more~~25% of total permit ~~fees 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~~ current 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: One Percent (1%) of the Total Project Value, which includes both materials and labor and other related fees). Zero Percent (0%) of the Total Project Value for all Hurricane Helene & Milton permit fees for work involving the interior and/or the exterior demolition, repairs, and/or new construction which includes both materials and labor and other related fees resulting from damage by both listed Hurricanes until September 26, 2025. The zero percent (0%) permit fee for Hurricane Helene and Hurricane Milton (2024) permits only applies if the property has not been sold since September 26, 2024, if the property has a new owner since September 26, 2024, then the once percent (1) permit is in effect.

The Board of Commissioners may vote to temporarily charge zero percent (0%) post-disaster permit fees and must include a start and end date.

(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 for 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 (>) 2500sq. 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~~ \$100.00
 - i. Additional research time over one hour shall be charged at the rate of \$100.00 per hour.
- e. Demolition of structure:
 - i. Demolition base fee (up to 5,000 sq ~~\$100.00~~ \$200.00
 - ii. Structures over 5,000 sq. ft ~~\$250.00~~ \$500.00
- 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 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 Floodplain or damage pre-permit inspection, Fire or Structural(*Includes Trades*), and Building Code, Life & Health Safety..... ~~\$100.00~~ \$150.00
- ~~o. Building Code, Life & Health Safety inspection.....\$100.00~~
- p. After hours inspection (*beyond normal business hours*)\$250.00
- q. Tagged property (yellow or red) and stop-work order (per order)..... ~~\$50.00~~ \$100.00
- ~~r. Temporary power pole.....\$50.00~~
- ~~s. Tent permit\$25.00~~
- ~~t. Tree removal permit\$50.00~~
- u. Well/Test boring and abandonment application\$100.00

- ~~v. Each additional boring on same site \$20.00~~
w. Building Safety/Milestone Report Review Fee \$250.00

(8) "After the Fact" permit fee:

- Shall be **(5)** times the face value of the permit valuation fees.
- 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.

Zero percent (0%) post-disaster related permits and post-disaster after-the-fact permits, as approved by the Board of Commissioners after a disaster, will be charged at the regular rate after the timeframe has expired.

(9) Refunds. NO refunds on permits unless such permit was issued in error in 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)

- Initial application.....\$40.00
- Biennial license renewal.....\$15.00
- Initial inspection (*per unit*) \$50.00
- Biennial inspection (*per unit*) \$70.00
- 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.

- 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	FY202 6	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 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 PermitSec. 66-52(c), Code of Ordinances
- Note: A Parking enforcement officer can ticket every hour for repeat violations.*
- F. *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.
(Res. 2014-20, 05/13/2014)
- | | |
|---|---|
| Johns Pass Seafood Festival
Memorial Day | The Fourth of July
Additional event days as authorized
by the BOCC by resolution. |
|---|---|
- G. *Business Parking Permit (up to 4 permits/month/Business) per month*\$40.00
Permit for any business with current Local Business Tax Receipt (BTR).
- H. ~~Parking meters city-wide~~ City-wide parking rate\$4.00/hr (minimum)
- I. *Overnight Parking*..... ~~\$72.00~~ \$96.00/day
up to 7 days. Selective Surface Parking lots from 130th to Kitty Stuart Park.

- J. *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.
- K. *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.*
- L. *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 \$4.00 per hour, the minimum charge for credit cards for half the time or thirty minutes is now \$2.00.*

(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
- F. Short Term Vacation Rental Inspection - Annual (Air BNB, VRBO, etc.)..... \$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. In addition to the hourly rental rates, the City will also collect all required sales tax. Deposits may be refunded within thirty (30) days of an event.

- a. Recreation Center Rooms (security deposits are refundable)
 - i. Boca View Hall w/ patio (*security deposit \$200.00.00*) \$200.00/hr.
 - ii. Ocean Walk Room (*security deposit \$200.00*) \$100.00/hr.
 - iii. Starboard Room (*security deposit \$200.00*) \$50.00/hr.
 - iv. Outside Deck (*security deposit \$400.00*) \$100.00/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*) \$100.00/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. Security deposit may be refunded within thirty (30) days following an event.

- a. Recreation Center Rooms (security deposits are refundable)
 - i. Boca View Hall w/ patio (security deposit \$200.00) \$225.00/hr.
 - ii. Ocean Walk Room (security deposit \$200.00) \$125.00/hr.
 - iii. Starboard Room (security deposit \$200.00) \$75.00/hr.
 - iv. Outside Deck (security deposit \$200.00) \$125.00/hr.
- b. City Hall Rooms (security deposits are refundable):
 - i. City Centre Room (security deposit \$400.00) \$275.00/hr.
(includes use of outside deck & restrooms)
 - ii. Commission Chambers* (security deposit \$200.00) \$125.00/hr.

***ONLY** as a backup space for outside reservations negatively impacted by weather.

- c. Resident discount on hourly rates.

(3) Cleaning Fees (per location) \$100.00

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. For a resident, occupant or owner of a premise in the city to qualify for the declared disaster sanitation fee the following requirements must be met: (1) the premises must have a structure on it that is rendered unoccupied and uninhabitable due damage sustained from Hurricanes Helene or Milton; (2) there must be an active city permit for demolition or remodel/repair of the structure; (3) the resident, occupant or owner must complete an on-line application and receive approval of that application by the City in writing; (4) the resident, occupant or owner must not be residing on the premises. This requirement, for example, prohibits the resident, occupant or owner from residing in the structure, tent, camper, recreational vehicle or other living quarters whether temporary or permanent; (5) the resident, occupant or owner may not place any trash, trash container, debris, equipment, or other materials at curbside for city sanitation collection or removal. Upon approval of the declared disaster sanitation fee application the City will remove city issued trash and recycling containers. 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.....\$38.74
 - o Each additional cart per month.....\$14.00
 - ii. 96 Gallon Cart\$45.74
 - o Each additional cart per month.....\$14.00
 - iii. Declared Disaster Sanitation Fee\$10.00
- b. 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.....\$122.82
 - (b) One and a half cubic yard\$157.00
 - (c) Two cubic yard.....\$191.17
 - (d) Three cubic yard\$259.52
 - ii. Each additional service per week, per month (Dumpster)
 - (a) One cubic yard\$68.35
 - (b) One and a half cubic yard\$76.90
 - (c) Two cubic yard\$102.53
 - (d) Three cubic yard\$136.70
 - iii. Service twice per week, per month (96 Gallon cart).....\$40.00
 - o Each additional cart per month.....\$14.00
 - iv. Each additional service per week, per month (96 gallon cart)\$16.00
 - v. Sunday collections are double the additional service rate.

- vi. Replacement Toter fee\$75.00
 - vii. 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.
 - c. 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
 - d. Unlawful/Illegal Dumping\$250.00
 - e. 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) 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.

(5) 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 (30days).

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\$257.01 /month
- (5) Wet Slip non-Live-aboard\$13.50/foot/month
- (6) Boat Lift\$17.00/foot/month
- (7) Commercial non-live-aboard wet slip.....\$14.50 /foot/month
- (8) Wet Slip Live – aboard\$20.00/foot/month
- (9) Dry Storage – under 26’ boat length.....\$172.90/month
- (10) Dry Storage – 26’+ boat length\$210.28/month
- (11) Resident Dry Storage (*Limited to Madeira Beach Residents Only*)\$130.84/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



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Court of Honor update April 16, 2025

Background

i.23 **TIMELINE:** Dates are tentative and subject to change.

Release ITB: April 4, 2025, 10:00AM

Mandatory Pre Bid Meeting: April 15, 2025, 10:00AM

Questions/ clarifications Due: April 17, 2025, 5:00PM

Addendums Posted: April 22, 2025, 5:00 PM

Bids Due / Bid Opening: April 24, 2025, 10:00AM

Review bids: April 24, 2025, immediately following bid opening

Recommendation: May 28, 2025, BOC Workshop

Contract Approval: June 11, 2025, BOC Regular Meeting

Pre Construction meeting: Week of June 16, 2025

Fiscal Impact

FY2025 has \$250,000 budgeted for the construction of the court of honor.

Recommendation(s)

Project Update

Attachments



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Boca Ciega Street End Project Update 4-16-25

Background

BID TIMELINE: Dates are tentative and subject to change.

- Release ITB: April 8, 2025, 5PM
- Mandatory Pre-Bid Meeting: April 17, 2025, 10AM
- Questions Due: April 21, 2025, 5PM
- Addendums Posted: April 25, 2025, 5PM
- Bids due: April 30, 2025, 1:30PM
- Open Bids: April 30, 2025, immediately following
- Review bids: April 30, 2025, immediately following
- Award recommendation: May 28, 2025 BOC Workshop Meeting
- Commission authorization: June 11, 2025
BOC Regular
- Contract begins: June 12, 2025 Once fully signed

Fiscal Impact

The FY 2024 budget had \$150,000.00 budget and will be added as a budget amendment for FY2025 by the finance department.

Recommendation(s)

Staff update as requested by the Board of Commissioners

Attachments

- **Revised plans showing changes**



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Archibald Parking lot and 142nd Beach Access repair Update

Background

Archibald Parking lot and 142nd Beach Access asphalt and concrete repairs have been completed and both reopened as of April 8th. Staff is still working on landscaping at both locations and will continue to improve each location.

Fiscal Impact

The fiscal impact for the repair of both Archibald Park and 142nd Beach Access is \$494,680.00. Staff has \$500,000.00 budgeted in FY25.

Recommendation(s)

Update

Attachments



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Tom & Kitty Stuart Repair update

Background

A Purchase Order was completed and sent to Transystems February 13, 2025 for the Construction Plans and Specifications which included a boundary survey with topography, geotechnical investigations, perform a wave run up analysis, prepare construction plans, review contractor request for information, provide bidding assistance, 2 construction inspections, and project close out for \$16,800.00.

The Wave Run Up analysis is expected within the next couple of weeks.

Fiscal Impact

The fiscal impact is unknown at this time.

Recommendation(s)

Park update

Attachments

-



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: ITB 25-05 Area 3 Roadway & Drainage Improvement Project

Background

Staff placed Area 3 which includes West Parsley, East Parsley, Marguerite Dr., Lynn Way, A St., B St., a part of S Bayshore and Puritt Dr., out to bid for 49 days and received 3 submittals. The project scope consists of replacing and upgrading the stormwater out fall pipes, replacing the concrete curb, driveway repairs, restoration of side yards disturbed by the project, and milling and resurfacing the roadway, and the replacement of Pinellas County Utilities as per their plan. The City will pay for the cost of the replacement but get fully reimbursed from Pinellas County as per the joint participation agreement that will be coming before the Board of Commissioners at a later meeting.

Staff received bids from Harbor Contracting \$7,155,457.44, Keystone Excavators \$8,624,372.00, and Harris – McBurney Company \$8,059,148.89. Staff reviewed each bid along with our Consultants Tina and Al and Harbor Contracting is the lowest responsive responsible vendor. Harbor Contracting has done work the Bellaire and has had great reviews. The Pinellas County Portion of this project came in at \$1,099,220.

Fiscal Impact

The fiscal impact of the project is \$7,155,457.44 but the cost to the city once reimbursed from Pinellas County is \$6,056,237.44. Staff have \$4,500,000 budgeted for FY25 and the remainder scheduled for FY26.

Recommendation(s)

Staff recommend the Board of Commissioners approve the contract price with Harbor Contract LLC for \$7,155,457.44 for Area 3 Roadway and Drainage Improvement project.

Attachments

- **Harbor Contracting LLC Bid Submittal**
- **Bid tab**

PROPOSAL BOND

(Not to be filled out if a certified check is submitted)

KNOWN ALL MEN BY THESE PRESENTS: That we, the undersigned, Harbor Contracting, LLC.
 _____ as Principal, and FCCI Insurance Company
 _____ as Surety, who's address is _____
6300 University Parkway Sarasota, FL 34240-8424, are held and firmly bound unto the City
 of Madeira Beach, Florida, in the sum of Six hundred and ninety nine thousand eight hundred and fifteen Dollars and
 (\$699,815.74) (being a minimum of 10% of Contractor's Total Bid Amount) for the payment of seventy
 which, well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, four
 administrators, successors and assigns. cents

The condition of the above obligation is such that if the attached Proposal of Harbor Contracting, LLC.
 _____ as Principal, and FCCI Insurance Company as Surety,
 for work specified as: Area 3 Marquerite/Parsley Drainage and Roadway Improvements RFP#25-05
(A314208001 & FPID 449181-1-54-01)

all as stipulated in said Proposal, by doing all work incidental thereto, in accordance with the plans and specifications provided here for, all within Pinellas County, is accepted and the contract awarded to the above named bidder, and the said bidder shall within ten days after notice of said award enter into a contract, in writing, and furnish the required Performance Bond with surety or sureties to be approved by the City Manager, this obligation shall be void, otherwise the same shall be in full force and virtue by law and the full amount of this Proposal Bond will be paid to the City as stipulated or liquidated damages.

Signed this 25th day of March, 2025.

(Principal must indicate whether corporation, partnership, company or individual)

Harbor Contracting, LLC.

13970 W Hillsborough Ave Tampa, FL 33635

Principal

By: 

Title Anthony Cerullo, President

FCCI Insurance Company

6300 University Parkway Sarasota, FL 34240-8424

Surety

By: 

Title Hallie Martin, Attorney-In-Fact & Florida Licensed Resident Agent

Inquiries: (321) 800-6594

(The person signing shall, in his own handwriting, sign the Principal's name, his own name, and his title; where the person is signing for a Corporation, he must, by Affidavit, show his authority to bind the Corporation).

AFFIDAVIT

(To be filled in and executed if the bidder is a corporation)

STATE OF FLORIDA**COUNTY OF** Hillborough

Anthony Cenuilo being duly sworn, deposes and says that he/she is
 Secretary of Harbor Contracting LLC a
 corporation organized and existing under and by virtue of the laws of the State of Florida, and having its
 principal office at:

13970 W Hillborough Ave Tampa Hillborough FL
 (Street & Number) (City) (County) (State)

Affiant further says that he is familiar with the records, minute books and by-laws of
Harbor Contracting LLC
 (Name of Corporation)

Affiant further says that Anthony Cenuilo is President
 (Officer's Name) (Title)
 of the corporation, is duly authorized to sign the Proposal for City of Madeira Beach
 or said corporation by virtue of _____

(state whether a provision of by laws or a Resolution of
 Board of Directors. If by Resolution give date of adoption).

Anthony Cenuilo, President, 100% owner
 Affiant

Sworn to before me this 24 day of March, 20 25.

Notary Public

Matt Farhadi
 Type / Print / Stamp Name of Notary

Comm # HH482031
 Title or Rank, and Serial No., if any



MATT FARHADI
 Notary Public
 State of Florida
 Comm# HH482031
 Expires 1/17/2028



GENERAL POWER OF ATTORNEY

Know all men by these presents: That the FCCI Insurance Company, a Corporation organized and existing under the laws of the State of Florida (the "Corporation") does make, constitute and appoint:

Jorge Bracamonte; Jessie Sloan; Hallie Martin

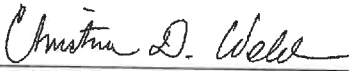
Each, its true and lawful Attorney-In-Fact, to make, execute, seal and deliver, for and on its behalf as surety, and as its act and deed in all bonds and undertakings provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed the sum of (not to exceed \$30,000,000.00): **\$30,000,000.00**

This Power of Attorney is made and executed by authority of a Resolution adopted by the Board of Directors. That resolution also authorized any further action by the officers of the Company necessary to effect such transaction.


The signatures below and the seal of the Corporation may be affixed by facsimile, and any such facsimile signatures or facsimile seal shall be binding upon the Corporation when so affixed and in the future with regard to any bond, undertaking or contract of surety to which it is attached.

In witness whereof, the FCCI Insurance Company has caused these presents to be signed by its duly authorized officers and its corporate Seal to be hereunto affixed, this 20th day of December, 2024.

Attest:


Christina D. Welch, President
FCCI Insurance Company




Christopher Shoucair,
EVP, CFO, Treasurer, Secretary
FCCI Insurance Company

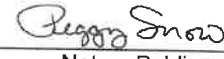
State of Florida
County of Sarasota

Before me this day personally appeared Christina D. Welch, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2027



PEGGY SNOW
Commission # HH 326535
Expires February 27, 2027


Notary Public

State of Florida
County of Sarasota

Before me this day personally appeared Christopher Shoucair, who is personally known to me and who executed the foregoing document for the purposes expressed therein.

My commission expires: 2/27/2027




PEGGY SNOW
Commission # HH 326535
Expires February 27, 2027


Notary Public

CERTIFICATE

I, the undersigned Secretary of FCCI Insurance Company, a Florida Corporation, DO HEREBY CERTIFY that the foregoing Power of Attorney remains in full force and has not been revoked; and furthermore that the February 27, 2020 Resolution of the Board of Directors, referenced in said Power of Attorney, is now in force.

Dated this 25th day of March, 2025


Christopher Shoucair, EVP, CFO, Treasurer, Secretary
FCCI Insurance Company

NON-COLLUSION AFFIDAVIT**STATE OF FLORIDA****COUNTY OF** HillboroughAnthony Cewlo being, first duly sworn, deposes and says that he is
President of Harbor Contracting LLC,

the party making the foregoing Proposal or Bid; that such Bid is genuine and not collusive or sham; that said bidder is not financially interested in or otherwise affiliated in a business way with any other bidder on the same contract; that said bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any bidders or person, to put in a sham bid or that such other person shall refrain from bidding, and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price or affiant or any other bidder, or to fix any overhead, profit or cost element of said bid price, or that of any other bidder, or to secure any advantage against the City of Madeira Beach, Florida, or any person or persons interested in the proposed contract; and that all statements contained in said proposal or bid are true; and further, that such bidder has not directly or indirectly submitted this bid, or the contents thereof, or divulged information or data relative thereto to any association or to any member or agent thereof.


 Affiant
Sworn to and subscribed before me this 24 day of March, 2025.

 Notary Public


MATT FARHADI
 Notary Public
 State of Florida
 Comm# HH482031
 Expires 1/17/2028

PROPOSAL

(1)

TO THE CITY OF MADEIRA BEACH, FLORIDA, for

AREA 3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS
PROJECT # A314208001 & FPID 449181-1-54-01)

and doing such other work incidental thereto, all in accordance with the contract documents, marked

AREA 3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS
PROJECT # A314208001 & FPID 449181-1-54-01)

Every bidder must take notice of the fact that even though his proposal be accepted and the documents signed by the bidder to whom an award is made and by those officials authorized to do so on behalf of the City of Madeira Beach, Florida, that no such award or signing shall be considered a binding contract without a certificate from the Finance Director that funds are available to cover the cost of the work to be done, or without the approval of the City Attorney as to the form and legality of the contract and all the pertinent documents relating thereto having been approved by said City Attorney; and such bidder is hereby charged with this notice.

The signer of the Proposal, as bidder, also declares that the only person, persons, company or parties interested in this Proposal, are named in this Proposal, that he has carefully examined the Advertisement, Instructions to Bidders, Contract Specifications, Plans, Supplemental Specifications, General Conditions, Special Provisions, and Contract Bond, that he or his representative has made such investigation as is necessary to determine the character and extent of the work and he proposes and agrees that if the Proposal be accepted, he will contract with the City of Madeira Beach, Florida, in the form of contract; hereto annexed, to provide the necessary labor, materials, machinery, equipment, tools or apparatus, do all the work required to complete the contract within the time mentioned in the General Conditions and according to the requirements of the City of Madeira Beach, Florida, as herein and hereinafter set forth, and furnish the required surety bonds for the following prices to wit:

PROPOSAL

(2)

If the foregoing Proposal shall be accepted by the City of Madeira Beach, Florida, and the undersigned shall fail to execute a satisfactory contract as stated in the Advertisement herein attached, then the City may, at its option determine that the undersigned has abandoned the Contract, and thereupon this Proposal shall be null and void, and the certified check or bond accompanying this Proposal, shall be forfeited to become the property of the City of Madeira Beach, Florida, and the full amount of said check shall be retained by the City, or if the Proposal Bond be given, the full amount of such bond shall be paid to the City as stipulated or liquidated damages; otherwise, the bond or certified check accompanying this Proposal, or the amount of said check, shall be returned to the undersigned as specified herein.

Attached hereto is a bond or certified check on _____
 _____ Bank, for the sum of _____
 (\$ _____)
 (being a minimum of 10% of Contractor's total bid amount).

The full names and residences of all persons and parties interested in the foregoing bid are as follows:

(If corporation, give the names and addresses of the President and Secretary. If firm or partnership, the names and addresses of the members or partners. The Bidder shall list not only his name but also the name of any person with whom bidder has any type of agreement whereby such person's improvements, enrichment, employment, or possible benefit, whether sub-contractor, materialman, agent, supplier, or employer is contingent upon the award of the contract to the bidder).

NAMES:

ADDRESSES:

Anthony Cenito

524 Oakwood Blvd Oldsmar, FL 34677

Signature of Bidder: 

(The bidder must indicate whether Corporation, Partnership, Company or Individual).

PROPOSAL

(3)

The person signing shall, in his own handwriting, sign the Principal's name, his own name and his title. Where the person signing for a corporation is other than the President or Vice President, he must, by affidavit, show his authority, to bind the corporation.

Principal:

Anthony Cewillo

By:

A

Title:

President

Business Address of Bidder:

13970 W Hillsborough Ave

City and State:

Tampa, FL

Zip Code

33635

Dated at

10:40 AM

, this

24th

day of

March, A.D., 2025

CITY OF MADEIRA BEACH
ADDENDUM SHEET

PROJECT: AREA 3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS
 PROJECT # 2020-179 (A314208001 & FPID 449181-1-54-01) A314208001 & FPID 449181-1-54-01)

Acknowledgment is hereby made of the following addenda received since issuance of Plans and Specifications.

Addendum No. <u>1</u>	Date: <u>3/14/25</u>
Addendum No. <u>2</u>	Date: <u>3/13/25</u>
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____
Addendum No. _____	Date: _____

Harbor Contracting LLC
 (Name of Bidder)

[Signature]
 (Signature of Officer)

President
 (Title of Officer)

3/24/25
 (Date)

BIDDER'S PROPOSALPROJECT: **AREA 3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS**

PROJECT # 2020-179 (A314208001 & FPID 449181-1-54-01)

CONTRACTOR: Harbor Contracting LLCBIDDER'S GRAND TOTAL: \$ 6,998,157.44 (NUMBERS)BIDDER'S GRAND TOTAL: Six million nine hundred and ninety eight thousand one hundred and fifty seven dollars and forty four cents (WORDS)

BID PROPOSAL					
Project: AREA3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS (Contract # A314208001 & FPID 449181-1-54-01)					
BID ITEM		UNIT	EST QTY	UNIT PRICE (\$)	TOTAL (\$)
1.0	Mobilization and Site Preparation				
1.1	Mobilization	LS	1	613,250.15	613,250.15
1.2	Maintenance of Traffic	LS	1	205,210.00	205,210.00
1.3	Erosion Control and Floating Turbidity	LS	1	98,560.00	98,560.00
1.4	Project Sign	LS	1	5,000.00	5,000.00
1.5	Root Pruning & Root Barrier at E. Parsley & B Street	LF	300	15.00	4,500.00
1.6	Sprinklers (Yard Frontage)	LF	3,000	3.00	9,000.00
Subtotal - General (1.1 - 1.6)					935,520.15
2.0	Earthwork				
2.1	Demolition	LS	1	985,650.25	985,650.25
2.2	Remove Unsuitable Material	CY	250	25.00	6,250.00
2.3	Sod	SF	45,000	1.00	45,000.00
2.4	Outfall Restoration between homes (Locations)				
2.4a	14022/14020 W Parsley				
	Remove wood fence	LF	60	10.00	600.00
	Construct 6' PVC fence with (2) 4 ft gate	LF	60	100.00	6,000.00
	Bag Live Oak and replant	EA	1	3,000.00	3,000.00
	Remove & Reinstall Sheds	EA	2	2,500.00	5,000.00
	Shell & Limestone (3-inch Depth with Marifi)	SF	700	3.00	2,100.00
	Foxtail Palm Trees 15 gal	EA	4	500.00	2,000.00
	Buttonwood 15 gal	EA	2	600.00	1,200.00
2.4b	14064/14066 W Parsley				
	Remove/ Replace/ Bag Palm trees	EA	2	600.00	1,200.00
	Remove wood fence	LF	60	10.00	600.00

	Install 60 LF +/- PVC fence with (2) gates	LF	60	100.00	6,000.00
	Remove, Store & Reuse Pavers	SF	600	20.00	12,000.00
	Remove & Reinstall Sheds	EA	2	2,500.00	5,000.00
	Christmas Palm 10ft front yard	EA	1	1,000.00	1,000.00
	Montgomery Palm 20ft back yard	EA	2	3,000.00	6,000.00
	Foxtail Palm Trees 25 gal	EA	2	1,000.00	2,000.00
2.4c	14180/14176 W Parsley				
	Remove 40 lf wood fence	LF	40	10.00	400.00
	Construct 6' pvc fence with (2) 4 ft gate	LF	95	100.00	9,500.00
	Remove & Replace Décor boarder rock	LS	1	1,500.00	1,500.00
	Demo & Remove Fence Columns & Pond	EA	5	600.00	3,000.00
	Demo & Remove Concrete wall	LF	60	50.00	3,000.00
	Remove & Replace Shed	LS	1	5,000.00	5,000.00
	Remove Norfolk Pine Tree	EA	1	2,000.00	2,000.00
	Areca palm 15 gal, 6' oc,	EA	7	600.00	4,200.00
2.4d	14195/14190 W Parsley				
	Remove, reinstall 80 LF +/- PVC fence with gates	LF	80	100.00	8,000.00
	Areca Palm 15 Gallon	EA	6	600.00	3,600.00
	Remove, store, and replace brick pavers as necessary	SF	700	20.00	14,000.00
	Remove Christmas palms /Replace Foxtail Palm trees	EA	2	1,000.00	2,000.00
2.4e	14035/14037 E Parsley				
	Remove wood fence	LF	75	10.00	750.00
	Construct PVC fence with (2) gate	LF	75	100.00	7,500.00
	Areca Palm 15 Gallon	EA	4	600.00	2,400.00
	Coconut Palm 15 Gallon	EA	2	600.00	1,200.00
	Mulch (3-inch Depth with Marifi)	SF	500	2.00	1,000.00
	Remove, Store, and Reuse Stepping Pavers	LF	30	50.00	1,500.00
	Construct Paver walkway 5' x 30'	SF	150	20.00	3,000.00
2.4f	513/515 S. Bayshore Drive				
	Remove 95 LF wood fence w/Gate (4')	LF	95	10.00	
	Remove & Replace 95 LF wood fence w/Gate (4')	LF	95	100.00	9,500.00
	Mulch 4" thick with Fabric	SF	600	2.00	1,200.00
	Remove and replace Pavers	SF	300	20.00	6,000.00
	Royal Palm 25 GAL	EA	1	1,000.00	1,000.00
	Remove and replace shrubs (5gal), Viburnum hedge	EA	5	300.00	1,500.00
	Remove & Replace Palm trees (foxtail palms, double trunk, 25 GAL)	EA	3	1,500.00	4,500.00
	Root Prune	LF	20	25.00	500.00
2.4g	704/ 708 Pruitt Drive				
	Remove 82 LF chain link Fence (2 Gates-PVC & Wood)	LF	82	10.00	850.00
	Remove & Replace 82 LF PVC Fence - 2 Gates	LF	82	100.00	8,200.00
	Remove, store, and replace brick pavers (44x3.5)	SF	154	20.00	3,080.00
	Remove, store, and replace steppingstones	LF	50	50.00	2,500.00

	Remove spillway	EA	1	1,000.00	1,000.00
	Repair Dock catwalk 6 feet	LS	1	2,500.00	2,500.00
2.4h	720/ 722 Pruitt Drive				
	Remove, store, reinstall 60 LF +/- PVC fence with 3 gates	LF	70	100.00	7,000.00
	Remove & Replace Palm trees (Alexanders palms, triple trunk, 4-foot clear trunk)	EA	2	1,000.00	2,000.00
	Remove, store, and replace brick pavers (44x4)	SF	280	20.00	5,600.00
	Bird of Paradise 15 Gallon	EA	2	250.00	500.00
	Foxtail Palms 15 Gallon	EA	2	600.00	1,200.00
2.4i	736/ 738 Pruitt Drive				
	Storm Pipe Point Repair, if needed.	EA	1	5,000.00	5,000.00
2.4j	744 Pruitt Drive				
	Restore Irrigation, if needed	LF	100	5.00	500.00
2.5	Flowable Fill (trench backfill between homes)	CY	620	500.00	310,000.00
2.6	PVC Fence Post	EA	15	50.00	750.00
Subtotal - Earthwork (2.1 - 2.6)					1,539,950.25
3.0	Drainage				
3.1	Seawall Repair at Storm Pipe Outfall	EA	10	25,000.00	250,000.00
3.2	Seawall & Cap Repair 10-foot Sheet Piling (Vanguard) w/ cap (Demo per Detail); for 14035/14037 E Parsley; 14180/14176 W Parsley; 14022/14020 W Parsley; any property with CMU seawall	LF	50	2,000.00	100,000.00
3.3	Manatee Protection at Outfall	EA	10	1,500.00	15,000.00
3.4	Storm Manhole with 4' bottom	EA	2	8,500.00	17,000.00
3.5	FDOT Type C Grate Inlet (with concrete surrounding inlet)	EA	29	8,500.00	246,500.00
3.6	FDOT Type E Grate Inlet (with concrete surrounding inlet)	EA	8	9,000.00	72,000.00
3.7	15" RCP Class IV	LF	2350	110.00	258,500.00
3.8	18" RCP Class IV	LF	125	150.00	18,750.00
3.9	10" Ductile Steel Pipe	LF	30	110.00	3,300.00
3.10	12" PVC DR18	LF	40	100.00	4,000.00
3.11	12" Ductile Steel Pipe	LF	40	150.00	6,000.00
3.12	12" Cure In Place Liner 16mm (14035 E Parsley)	LF	400	100.00	40,000.00
3.13	Conflict Box	EA	1	10,000.00	10,000.00
Subtotal - Drainage (3.1 - 3.13)					1,041,050.00
4.0	Paving and Marking				
4.1	8" Base for pipe trench.	SY	1600	30.00	48,000.00
4.2	Mill 1.5" & Resurface 2.0" FDOT Asphalt (SP12.5)	SY	21,000	20.65	433,650.00
4.3	Valley Gutter (FDOT INDEX 300)	LF	18,000	60.00	1,080,000.00

4.4	Concrete Flumes	SF	1,300	30.00	39,000.00
4.5	Concrete Drive Replacement 6" (3' BOC)	SY	2085	120.00	250,200.00
4.6	Brick Drive Replacement (Remove & Reuse where possible)	SY	900	20.00	18,000.00
4.7	Gravel & Shell Driveway Replacements (4")	SF	6,000	7.50	45,000.00
4.8	6" Double Yellow Pavement Markings	LF	8,000	3.00	24,000.00
4.9	24" Pavement Markings (Stop Bar)	LF	60	10.00	600.00
4.10	D Curb	LF	70	60.00	4,200.00
4.11	SW 6" conc (Pruitt)	SY	200	120.00	24,000.00
4.12	SW 4" concrete	SY	225	100.00	22,500.00
Subtotal - Paving and Marking (4.1 - 4.12)					1,989,150.00
SUBTOTAL (1.0, 2.0, 3.0 and 4.0)					5,505,470.70
Total - 10% Contingency					550,547.07
TOTAL (1.0, 2.0, 3.0 and 4.0)					6,056,017.77
PINELLAS COUNTY UTILITIES					
5.0	PC #	PC-Utilities - Sanitary Sewer			
5.1	SS-333301-301-08D-0006	8" DI Pipe Class 350	LF	214	200.00 42,800.00
5.2	SS-333301-301-960006	Adjust & Furnish 6" SS Service Lateral, (if needed)	EA	15	2,000.00 30,000.00
5.3	SS-333900-302-K002	Adjust Sanitary Manhole Rim & Cover, (outside of pavement)	EA	4	500.00 2,000.00
5.4	SS-333900-302-K001	Adjust Sanitary Manhole Rim & Cover, (in pavement)	EA	10	850.00 8,500.00
5.5	SS-333900-302-4001	4' dia. - Precast Manhole Standard	EA	1	10,000.00 10,000.00
5.6	SS-333900-302-9001	Remove Existing Manhole - Initial	EA	1	4,000.00 4,000.00
5.7	SS-333400-501-0006	6" Dia. Force Main Pipe +/- 50' Offset	EA	1	10,000.00 10,000.00
5.8	SS999-0000	Unspecified Work (Allowance)	LS	1	\$50,000 \$50,000
Subtotal - Utilities - Sanitary (5.1-5.8)					157,300.00
TOTAL (5.0)					
6.0	PC #	PC- Utilities - Potable Water			
6.1	PW331101-304-06P18	6" Dia. PVC C-900 DR18	LF	2900	58.00 168,200.00
6.2	PW331101-309-9001	Adjust valve box to finished grade (in pavement)	EA	11	500.00 5,500.00
6.3	PW-331101-501-0004	4" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	2	3,000.00 6,000.00
6.4	PW331101-304-9004D	4" DIP Pipe (CL 350) Offset < 50' w/Reverse Deadman, (if needed)	EA	1	4,000.00 4,000.00
6.5	PW-331101-501-0006	6" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	4,000.00 12,000.00

6.6	PW331101-304-9006D	6" DIP Pipe (CL 350) Offset < 50 w/Reverse Deadman, (if needed)	EA	1	5,000.00	5,000.00
6.7	PW-331101-309-06RW515	6" RWGV & Box C 515	EA	4	8,000.00	32,000.00
6.8	PW-331101-314-75SS	3/4" Service Connection	EA	49	2,000.00	98,000.00
6.9	PW-331101-314-75LS	3/4" Service Connection with Sleeves long	EA	38	3,500.00	133,000.00
6.10	PW-331101-313-9001	Horizontal Adjustment of Potable Meter Box (> 6") (Remove, Relocate & Reconnect)	EA	1	5,000.00	5,000.00
6.11	PW331101-310-0001	Fire Hydrant Assembly w/valve	EA	5	15,500.00	77,500.00
6.12	PW331101-312-0606TV	Tapping Sleeve with 6" Valve	EA	3	6,500.00	19,500.00
6.13	PW331101-308-C153	DI Fittings C 153 (Compact Body)	TN	1.5	15,000.00	22,500.00
6.14	PW-331101-304-06PP	6" Pigging Port	EA	3	5,000.00	15,000.00
6.15	PW-331301-000-0206	Disinfection of H2O	EA	3	1,000.00	3,000.00
6.16	PW-999-0000	Unspecified Work (Allowance)	LS	1	\$150,000	\$150,000

Subtotal - Utilities - Potable Water (6.1 - 6.16) 756,200.00

7.0	PC #	PC- Utilities – Reclaim Water				
7.1	RW331101-501-0004	4" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	3,000.00	9,000.00
7.2	RW-331101-304-9004D	Offset Assembly 4" Dia. DIP w/Reverse Deadman, (if needed)	EA	1	4,000.00	4,000.00
7.3	RW-331101-501-0006	6" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	4,000.00	12,000.00
7.4	RW-331101-304-9006D	Offset Assembly 6" Dia. DIP w/Reverse Deadman, (if needed)	EA	1	5,000.00	5,000.00
7.5	RW331101-308-C153	DI Fittings C 153 (Compact Body)	TN	0.5	15,000.00	7,500.00
7.6	RW-331101-314-01LS	1" Reclaim Service adjustment, (if needed)	EA	15	1,000.00	15,000.00
7.7	RW-999-0000	Unspecified Work (Allowance)	LS	1	\$25,000	\$25,000

Subtotal - Utilities - Reclaimed Water (7.1 - 7.7) 77,500.00

PINELLAS COUNTY RESTORATION MARGEURITE, PRUITT & BAYSHORE

8.0	PC#	MISC. ITEMS				
8.1	350-0206	Driveway Restoration, 6" conc. in County ROW	SY	250	120.00	30,000.00
8.2	353-0102	Driveway Restoration, In Kind, Decorative Block	SY	250	50.00	12,500.00

8.3	522-0006	SIDEWALK, CONCRETE, 6"	SY	106	120.00	12,720.00
8.4	522-1004	Sidewalk Conc. 4"	SY	280	100.00	28,000.00
8.5	204-1000	8" Base Crush Conc for water main crossings	SY	200	30.00	6,000.00
8.6	575-0112	SOD	SY	1,000	9.00	9,000.00
8.7	999-0000	Unspecified Work (Allowance)	EA	1	\$10,000	\$10,000.00
Subtotal – Miscellaneous Items (8.1 - 8.7)						108,220.00
PINELLAS COUNTY TOTAL (5.0-8.0)						941,920.00
OVERALL CONSTRUCTION COST						6,998,157.49
OPTION A						
OP-A	Drainage Option Between Homes					
OP-A1	ConTech A2000		LF	1,110	110.00	121,000.00
Subtotal - Paving and Marking (OP-A1)						121,000.00
This option does not reflect on the lowest bidder grand total for the lowest bid						

THE BIDDER'S GRAND TOTAL ABOVE IS HIS TOTAL BID BASED ON HIS UNIT PRICES AND LUMP SUM PRICES AND THE ESTIMATED QUANTITIES REQUIRED FOR EACH SECTION. THIS FIGURE IS FOR INFORMATION ONLY AT THE TIME OF OPENING BIDS. THE CITY WILL MAKE THE TABULATION FROM THE UNIT PRICES AND LUMP SUM PRICE BID. IF THERE IS AN ERROR IN THE TOTAL BY THE BIDDER, IT SHALL BE CHANGED AS ONLY THE UNIT PRICES AND LUMP SUM PRICE SHALL GOVERN.

**SCRUTINIZED COMPANIES AND BUSINESS OPERATIONS WITH
CUBA AND SYRIA CERTIFICATION FORM**

PER SECTION III, ITEM 25, IF YOUR BID IS \$1,000,000 OR MORE, THIS FORM MUST BE COMPLETED AND SUBMITTED WITH THE BID PROPOSAL. FAILURE TO SUBMIT THIS FORM AS REQUIRED, MAY DEEM YOUR SUBMITTAL NONRESPONSIVE.

The affiant, by virtue of the signature below, certifies that:

1. The vendor, company, individual, principal, subsidiary, affiliate, or owner is aware of the requirements of section 287.135, Florida Statutes, regarding companies on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaging in business operations in Cuba and Syria; and
2. The vendor, company, individual, principal, subsidiary, affiliate, or owner is eligible to participate in this solicitation and is not listed on either the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Sector List, or engaged in business operations in Cuba and Syria; and
3. Business Operations means, for purposes specifically related to Cuba or Syria, engaging in commerce in any form in Cuba or Syria, including, but not limited to, acquiring, developing, maintaining, owning, selling, possessing, leasing or operating equipment, facilities, personnel, products, services, personal property, real property, military equipment, or any other apparatus of business or commerce; and
4. If awarded the Contract (or Agreement), the vendor, company, individual, principal, subsidiary, affiliate, or owner will immediately notify the City of Madeira Beach in writing, no later than five (5) calendar days after any of its principals are placed on the Scrutinized Companies with Activities in Sudan List, the Scrutinized Companies with Activities in the Iran Petroleum Sector List, or engages in business operations in Cuba and Syria.

Authorized Signature

Printed Name

Title

Name of Entity / Corporation

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me on this 24 day of March, 2025, by Anthony Cenuilo (name of person whose signature is being notarized) as the President (title) of Harbor Contracting LLC (name of Corporation/Entity), personally known to me as described herein X, or produced a _____ (type of identification) as identification, and who did / did not take an oath.



MATT FARHADI
Notary Public
State of Florida
Comm# HH482031
Expires 1/17/2028

Notary Public

Printed Name

My Commission Expires: 1/17/28

NOTARY SEAL ABOVE

PUBLIC ENTITY CRIMES AFFIDAVITDATE: 3/24/25**SWORN STATEMENT UNDER SECTION 287.133(3) (A), FLORIDA STATUTES****THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.**

1. This sworn statement is submitted to CITY OF MADEIRA BEACH by Anthony Cenuilo, President (print individual's name and title) for Harbor Contracting LLC (print name of entity submitting sworn statement) whose business address is 13970 W Hillsborough Ave Tampa FL 33635 and, (if applicable) its Federal Employer Identification Number (FEIN) is 82- (if the entity has no FEIN, include Social Security Number of the individual signing this sworn statement: 594748555).

2. I understand that a "public entity crime" as defined in Paragraph 287.133 of the Florida Statutes, means a violation of any state or Federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including but not limited to, any bid or contract for goods or services, any lease for real property, or any contract for the construction or repair of a public building or public work, involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

3. I understand that "convicted" or "conviction" is defined by the Statute to mean a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.

4. I understand that an "affiliate" is defined in Section 287.133(1)(a), Florida Statutes, means:

(A) A predecessor or successor of a person convicted of a public entity crime; or

(B) An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

5. I understand that a "person" as defined in Section 287.133(1)(e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applied to bid on contracts let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement (indicate by placing a check in front of the statement which applies):

☒ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members or agents who are active in the management of the entity, nor any affiliate of the entity was charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity was charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity was charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there was a subsequent proceeding before a Hearing Officer of the State of Florida Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list (attach a copy of final order).

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OF THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY, PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO, OF ANY CHANGE AFFECTING THE CORRECTNESS OF THE INFORMATION CONTAINED IN THIS SWORN STATEMENT.

(Signature)
Authorized Signature

Anthony Cenilo
Printed Name

President
Title

Harbor Contracting LLC
Name of Entity / Corporation

STATE OF Florida

COUNTY OF Hillsborough

The foregoing instrument was acknowledged before me on this 24 day of March, 2025, by Anthony Cenilo (name of person whose signature is being notarized) as the President (title) of Harbor Contracting LLC (name of Corporation/Entity), personally known to me as described herein X, or produced a _____ (type of identification) as identification, and who did / did not take an oath.



MATT FARHADI
Notary Public
State of Florida
Comm# HH482031
Expires 1/17/2028

My Commission Expires: 1/17/28

NOTARY SEAL ABOVE

(Signature)
Notary Public

Matt Farhadi
Printed Name

BID PROPOSAL					
Project: FINAL AERA 3 MARGUERITE /PARSLEY DRAINAGE & ROADWAY IMPROVEMENTS					
BID ITEM		UNIT	EST QTY	UNIT PRICE (\$)	TOTAL (\$)
1.0	Mobilization and Site Preparation				
1.1	Mobilization	LS	1	\$175,000	\$ 175,000.00
1.2	Maintenance of Traffic	LS	1	\$65,000	\$ 65,000.00
1.3	Erosion Control and Floating Turbidity	LS	1	\$12,000	\$ 12,000.00
1.4	Project Sign	LS	1	\$1,500	\$ 1,500.00
1.5	Root Pruning & Root Barrier at E. Parsley & B Street	LF	300	\$8	\$ 2,400.00
1.6	Sprinklers (Yard Frontage)	LF	3,000	\$8	\$ 24,000.00
					\$ -
Subtotal - General (1.1 - 1.6)					\$ 279,900.00
2.0	Earthwork				
2.1	Demolition	LS	1	\$155,000	\$ 155,000.00
2.2	Remove Unsuitable Material	CY	250	\$90	\$ 22,500.00
2.3	Sod	SF	45,000	\$3	\$ 112,500.00
2.4	Outfall Restoration between homes (4 Locations)				
2.4a	14022/14020 W Parsley				
	Remove wood fence	LF	60	\$35	\$ 2,100.00
	Construct 6' PVC fence with (2) 4 ft gate	LF	60	\$60	\$ 3,600.00
	Bag Live Oak and replant	EA	1	\$650	\$ 650.00
	Remove & Reinstall Sheds	EA	2	\$1,000	\$ 2,000.00
	Shell & Limestone (3-inch Depth with Marifi)	SF	700	\$15	\$ 10,500.00
	Foxtail Palm Trees 15 gal	EA	4	\$450	\$ 1,800.00
	Buttonwood 15 gal	EA	2	\$400	\$ 800.00
2.4b	14064/14066 W Parsley				
	Remove/ Replace/ Bag Palm trees	EA	2	\$750	\$ 1,500.00
	Remove Wood Fence	LF	60	\$35	\$ 2,100.00
	Install 60 LF +/- PVC fence with gates	LF	60	\$65	\$ 3,900.00
	Remove, Store & Reuse Pavers	SF	600	\$35	\$ 21,000.00
	Remove & Reinstall Sheds	EA	2	\$1,000	\$ 2,000.00
	Christmas Palm 10ft front yard	EA	1	\$950	\$ 950.00
	Montgomery Palm 20ft back yard	EA	2	\$1,200	\$ 2,400.00
	Foxtail Palm Trees 25 gal	EA	2	\$450	\$ 900.00
2.4c	14180/14176 W Parsley				

	Remove 40 lf wood fence	LF	40	\$35	\$	1,400.00
	Construct 6' pvc fence with (2) 4 ft gate	LF	95	\$60	\$	5,700.00
	Remove & Replace Décor boarder rock	LS	1	\$600	\$	600.00
	Demo & Remove Fence Columns	EA	5	\$600	\$	3,000.00
	Demo & Remove Block wall & Pond Walls	LF	60	\$250	\$	15,000.00
	Remove & Restore sheds	EA	1	\$1,200	\$	1,200.00
	Remove Norfolk Pine, if needed	EA	1	\$3,000	\$	3,000.00
	Plant Areca palm 15 gal, 6' oc,	EA	7	\$450	\$	3,150.00
2.4d	14195/14190 W Parsley					
	Remove, store, reinstall 80 LF +/- PVC fence with gate	LF	80	\$60	\$	4,800.00
	Areca Palm 15 Gallon	EA	6	\$450	\$	2,700.00
	Remove, Store, and Reuse brick pavers as necessary	SF	700	\$35	\$	24,500.00
	Remove Christmas Palms & Replace Foxtail Palms	EA	2	\$450	\$	900.00
2.4e	14035/14037 E Parsley					
	Remove wood fence	LF	75	\$35	\$	2,625.00
	Construct 6' pvc fence with (2) 4 ft Gate	LF	75	\$60	\$	4,500.00
	Areca Palm 15 Gallon	EA	4	\$450	\$	1,800.00
	Coconut Palm 15 Gallon	EA	2	\$450	\$	900.00
	Mulch (3-inch Depth with Marifi)	SF	500	\$8	\$	4,000.00
	Remove, Store, and Reuse Stepping Pavers	LF	30	\$75	\$	2,250.00
	Construct pavers 5' x 30'	SF	150	\$35	\$	5,250.00
2.4f	513/515 S. Bayshore Drive					
	Remove 95 LF wood fence w/ (2) Gate 4'	LF	95	\$35	\$	3,325.00
	Construct 95 LF wood fence (like Kind) w/Gate (4')	LF	95	\$60	\$	5,700.00
	Mulch 4" thick with Marifi Fabric	SF	600	\$8	\$	4,800.00
	Remove, Store, and Reuse Pavers	SF	300	\$35	\$	10,500.00
	Royal Palm 25 GAL	EA	1	\$900	\$	900.00
	Remove and replace shrubs (10 gal), Viburnum hedge	EA	5	\$250	\$	1,250.00
	Remove & Replace Palm trees (foxtail palms, double trunk, 25 GAL)	EA	3	\$500	\$	1,500.00
	Root Prune	LF	20	\$150	\$	3,000.00
2.4g	704/ 708 Pruitt Drive					
	Remove 82 LF chain link Fence	LF	82	\$35	\$	2,870.00
	Construct 75 LF PVC Fence (2) Gates 4'	LF	82	\$60	\$	4,920.00
	Remove, Store, and Reuse brick pavers (44' x 3.5')	SF	154	\$75	\$	11,550.00
	Remove, store, and replace steppingstones	LF	50	\$35	\$	1,750.00
	Remove spillway	EA	1	\$1,200	\$	1,200.00

	Repair Dock catwalk 6 feet	LS	1	\$2,500	\$	2,500.00
2.4h	720/ 722 Pruitt Drive (10' Easement)					
	Remove, store, reinstall 70 LF +/- PVC fence with 3 gates	LF	70	\$60	\$	4,200.00
	Remove & Restore (bag) Palm trees (Alexanders palms, triple trunk, 4-foot clear trunk)	EA	2	\$500	\$	1,000.00
	Remove, Store, and Reuse brick pavers (54' x 4')	SF	280	\$12	\$	3,360.00
	Bird of Paradise 15 Gallon	EA	2	\$450	\$	900.00
	Foxtail Palms 15 Gallon	EA	2	\$450	\$	900.00
2.4i	736/ 738 Pruitt Drive (10' Easement)					
	Storm Pipe Point Repair, if needed.	EA	1	\$3,500	\$	3,500.00
2.4j	744 Pruitt Drive (5' Easement)					
	Restore Irrigation	LF	100	\$8	\$	800.00
2.5	Flowable Fill (Outfall Pipe backfill)	CY	620	\$150	\$	93,000.00
2.6	PVC Fence Post	EA	15	\$45	\$	675.00
Subtotal - Earthwork (2.1 - 2.6)					\$	597,575.00
3.0	Drainage					
3.1	Seawall Repair at Storm Pipe Outfall	EA	10	\$7,000	\$	70,000.00
3.2	Seawall & Cap Repair 10-foot Sheet Piling (Vanguard) w/ cap (Demo per Detail); for 14035/14037 E Parsley; 14180/14176 W Parsley; 14022/14020 W Parsley; any property with CMU seawall	LF	50	\$550	\$	27,500.00
3.3	Manatee Protection at Outfall (see detail in plans)	EA	10	\$1,200	\$	12,000.00
3.4	Storm Manhole with 4' bottom	EA	2	\$5,500	\$	11,000.00
3.5	FDOT Type C Grate Inlet (with concrete surrounding inlet)	EA	29	\$6,000	\$	174,000.00
3.6	FDOT Type E, Cast Iron Grate Inlet (with concrete surrounding inlet)	EA	8	\$7,200	\$	57,600.00
4	15" RCP Class IV	LF	2,350	\$175	\$	411,250.00
3.8	18" RCP Class IV	LF	125	\$220	\$	27,500.00
3.9	10" Ductile Steel Pipe	LF	30	\$225	\$	6,750.00
3.10	12" PVC DR 18	LF	40	\$155	\$	6,200.00
3.11	12" Ductile Steel Pipe	LF	40	\$225	\$	9,000.00
3.12	12" Cure In Place Liner, 16 mm (if needed)	LF	400	\$350	\$	140,000.00
3.13	Conflict Box	EA	1	\$9,000	\$	9,000.00

Subtotal - Drainage (3.1 - 3.13)					\$	961,800.00
4.0	Paving and Marking					
4.1	8" Base for pipe trench.	SY	1,600	\$30	\$	48,000.00
4.2	Mill 1.5" & Resurface 2.0" FDOT Asphalt (SP12.5)	SY	21,000	\$57	\$	1,197,000.00
4.3	Valley Gutter (FDOT INDEX 300)	LF	18,000	\$24	\$	432,000.00
4.4	Concrete Flumes	SF	1,300	\$25	\$	32,500.00
4.5	Concrete Drive Replacement 6" (3' BOC)	SY	2,085	\$30	\$	62,550.00
4.6	Brick Drive Replacement (R & R where possible)	SY	900	\$90	\$	81,000.00
4.7	Gravel & Shell Replacements (4")	SF	6,000	\$18	\$	108,000.00
4.8	6" Double Yellow Pavement Markings	LF	8,000	\$5	\$	40,000.00
4.9	24" Pavement Markings (Stop Bar)	LF	60	\$12	\$	720.00
4.10	D curb	LF	70	\$10	\$	700.00
4.11	SW 6" conc (Pruitt)	SY	200	\$25	\$	5,000.00
4.12	SW 4" conc	SY	225	\$25	\$	5,625.00
Subtotal - Paving and Marking (4.1 - 4.12)					\$	2,013,095.00
SUBTOTAL (1.0, 2.0, 3.0 and 4.0)					\$	3,852,370.00
Total - 20% Contingency					\$	963,092.50
MB TOTAL (1.0, 2.0, 3.0 and 4.0)					\$	4,815,462.50
PINELLAS COUNTY UTILITIES						
5.0	PC#	Utilities - Sanitary Sewer				
5.1	SS-333301-301-08D-1416	8" DI Pipe Class 350	LF	214	\$300	\$ 64,200.00
5.2	SS-333301-301-960006	Adjust & Furnish 6" SS Service Lateral with CO, (if needed)	EA	15	\$1,050	\$ 15,750.00
5.3	SS-333900-302-K002	Adjust Sanitary Manhole Rim & Cover, (outside of pavement)	EA	4	\$900	\$ 3,600.00
5.4	SS-333900-302-K001	Adjust Sanitary Manhole Rim & Cover, (in pavement)	EA	10	\$900	\$ 9,000.00
5.5	SS-333900-302-4001	4' dia. - Precast Manhole Standard	EA	1	\$6,500	\$ 6,500.00
5.6	SS-333900-302-9001	Remove Existing Manhole - Initial	EA	1	\$6,000	\$ 6,000.00
5.7	SS-333400-501-0006	6" Dia. Force Main Pipe Offset	EA	1	\$5,500	\$ 5,500.00
5.8	SS999-0000	Unspecified Work (Allowance)	LS	1	\$50,000	\$ 50,000.00
Subtotal - Utilities - Sanitary (5.1-5.8)					\$	160,550.00

					TOTAL (5.0)	\$	160,550.00
6.0	PC#	Utilities - Potable Water					
6.1	PW331101-304-06P18	6" Dia. PVC C-900 DR18	LF	2,900	\$125	\$	362,500.00
6.2	PW331101-309-9001	Adjust valve box to finished grade (in pavement)	EA	11	\$600	\$	6,600.00
6.3	PW-331101-501-0004	4" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	2	\$6,500	\$	13,000.00
6.4	PW331101-304-9004D	4" DIP Pipe (CL 350) Offset < 50' w/Reverse Deadman, (if needed)	EA	1	\$8,000	\$	8,000.00
6.5	PW-331101-501-0006	6" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	\$8,500	\$	25,500.00
6.6	PW331101-304-9006D	Offset Assembly 6" DIP Pipe (CL 350) w/Reverse Deadman, (if needed)	EA	1	\$10,000	\$	10,000.00
6.7	PW-331101-309-06RW515	6" RWGV & Box C 515	EA	4	\$2,500	\$	10,000.00
6.8	PW-331101-314-75SS	3/4" Service Connection	EA	49	\$450	\$	22,050.00
6.9	PW-331101-314-75LS	3/4" Service Connection with Sleeves long	EA	38	\$550	\$	20,900.00
6.10	PW-331101-313-9001	Horizontal Adjustment of Potable Meter Box (> 6") (Remove, Relocate & Reconnect)	EA	1	\$2,500	\$	2,500.00
6.11	PW331101-310-0001	Fire Hydrant Assembly w/valve	EA	5	\$7,500	\$	37,500.00
6.12	PW331101-312-0606TV	Tapping Sleeve Valve & Box	EA	3	\$3,500	\$	10,500.00
6.13	PW331101-308-C153	DI Fittings C 153 (Compact Body)	TN	1.5	\$11,000	\$	16,500.00
6.14	PW-331101-304-06PP	6" Pigging Port	EA	3	\$5,500	\$	16,500.00
6.15	PW-331301-000-0206	Disinfection of 2" to 6" Water Main	EA	3	\$2,500	\$	7,500.00
6.16	PW-999-0000	Unspecified Work (Allowance)	LS	1	\$150,000	\$	150,000.00
Subtotal - Utilities - Potable Water (6.1 - 6.16)						\$	839,750.00
7.0	PC#	Utilities - Reclaimed					
7.1	RW331101-501-0004	4" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	\$5,500	\$	16,500.00

7.2	RW331101-304-9004D	Offset Assembly 4" Dia. DIP w/Reverse Deadman, (if needed)	EA	1	\$7,500	\$	7,500.00
7.3	RW-331101-501-0006	6" Dia. Offset Assembly < 50' PVC C-900 DR18 w/Reverse Deadman, (if needed)	EA	3	\$6,500	\$	19,500.00
7.4	RW331101-304-9006D	Offset Assembly 6" Dia. DIP w/Reverse Deadman, (if needed)	EA	1	\$8,500	\$	8,500.00
7.5	RW-333501-309-C153	DI Fittings C 153 (Compact Body)	TN	0.5	\$10,000	\$	5,000.00
7.6	RW-331101-314-01LS	1" Reclaim Service adjustment, (if needed)	EA	15	\$650	\$	9,750.00
7.7	RW-999-0000	Unspecified Work (Allowance)	LS	1	\$25,000	\$	25,000.00
Subtotal - Utilities - Reclaimed Water (7.1 - 7.7)						\$	91,750.00
PINELLAS COUNTY MISC. PRUITT & BAYSHORE (1/2 SPLIT W/ MB)							
8.0	PC#	MISC. ITEMS					
8.1	350-0206	Driveway Restoration, 6" conc. in County ROW	SY	250	\$100	\$	25,000.00
8.2	353-0102	Driveway Restoration, In Kind, Decorative Block	SY	250	\$8	\$	2,000.00
8.3	522-0006	SIDEWALK, CONCRETE, 6"	SY	106	\$100	\$	10,600.00
8.4	522-1004	Sidewalk Conc. 4"	SY	280	\$90	\$	25,200.00
8.5	204-1000	8" Base Crush Conc for water main crossings	SY	200	\$55	\$	11,000.00
8.6	575-0112	SOD	SY	1,000	\$4	\$	4,000.00
8.7	999-0000	Unspecified Work (Allowance)	EA	1	\$10,000	\$	10,000.00
						\$	-
Subtotal -PINELLAS COUNTY MISC.(8.1 - 8.7)						\$	87,800.00
PINELLAS COUNTY TOTAL (5.0-8.0)						\$	1,179,850.00
OVERALL CONSTRUCTION COST						\$	5,995,312.50

OPTION A							
OP_A	Drainage Option Between Homes						
OP-A1	ConTech A2000 15"		LF	1,110	\$150	\$	166,500.00
Subtotal - Paving and Marking (OP-A1)						\$	166,500.00
Subtotal - Drainage Option Between Homes (OP-A1)						\$	166,500.00

Harbor Contracting		Keystone		Harris/McBurney Co.	
UNIT PRICE (\$)	TOTAL (\$)	UNIT PRICE (\$)	TOTAL (\$)	UNIT PRICE (\$)	TOTAL (\$)
\$ 613,250.15	\$ 613,250.15	\$ 1,160,000.00	\$ 1,160,000.00	\$ 640,000.00	\$ 640,000.00
\$ 205,210.00	\$ 205,210.00	\$ 100,000.00	\$ 100,000.00	\$ 94,267.95	\$ 94,267.95
\$ 98,560.00	\$ 98,560.00	\$ 7,500.00	\$ 7,500.00	\$ 5,600.00	\$ 5,600.00
\$ 5,000.00	\$ 5,000.00	\$ 1,500.00	\$ 1,500.00	\$ 1,400.00	\$ 1,400.00
\$ 15.00	\$ 4,500.00	\$ 25.00	\$ 7,500.00	\$ 24.50	\$ 7,350.00
\$ 3.00	\$ 9,000.00	\$ 37.50	\$ 112,500.00	\$ 22.24	\$ 66,720.00
					\$ -
	\$ 935,520.15		\$ 1,389,000.00		\$ 815,337.95
\$ 985,650.25	\$ 985,650.25	\$ 125,000.00	\$ 125,000.00	\$ 472,098.00	\$ 472,098.00
\$ 25.00	\$ 6,250.00	\$ 250.00	\$ 62,500.00	\$ 47.64	\$ 11,910.00
\$ 1.00	\$ 45,000.00	\$ 1.75	\$ 78,750.00	\$ 6.30	\$ 283,500.00
\$ 10.00	\$ 600.00	\$ 25.00	\$ 1,500.00	\$ 4.66	\$ 279.60
\$ 100.00	\$ 6,000.00	\$ 170.00	\$ 10,200.00	\$ 60.66	\$ 3,639.60
\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00	\$ 3,073.00	\$ 3,073.00
\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 11,802.45	\$ 23,604.90
\$ 3.00	\$ 2,100.00	\$ 7.00	\$ 4,900.00	\$ 7.00	\$ 4,900.00
\$ 500.00	\$ 2,000.00	\$ 650.00	\$ 2,600.00	\$ 553.00	\$ 2,212.00
\$ 600.00	\$ 1,200.00	\$ 650.00	\$ 1,300.00	\$ 525.00	\$ 1,050.00
\$ 600.00	\$ 1,200.00	\$ 6,750.00	\$ 13,500.00	\$ 1,400.00	\$ 2,800.00
\$ 10.00	\$ 600.00	\$ 25.00	\$ 1,500.00	\$ 4.80	\$ 288.00
\$ 100.00	\$ 6,000.00	\$ 170.00	\$ 10,200.00	\$ 60.66	\$ 3,639.60
\$ 20.00	\$ 12,000.00	\$ 22.50	\$ 13,500.00	\$ 16.53	\$ 9,918.00
\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 4,960.45	\$ 9,920.90
\$ 1,000.00	\$ 1,000.00	\$ 3,500.00	\$ 3,500.00	\$ 495.00	\$ 495.00
\$ 3,000.00	\$ 6,000.00	\$ 4,850.00	\$ 9,700.00	\$ 1,393.00	\$ 2,786.00
\$ 1,000.00	\$ 2,000.00	\$ 900.00	\$ 1,800.00	\$ 273.00	\$ 546.00

\$ 10.00	\$ 400.00	\$ 25.00	\$ 1,000.00	\$ 5.25	\$ 210.00
\$ 100.00	\$ 9,500.00	\$ 155.00	\$ 14,725.00	\$ 53.79	\$ 5,110.05
\$ 1,500.00	\$ 1,500.00	\$ 8,250.00	\$ 8,250.00	\$ 1,009.20	\$ 1,009.20
\$ 600.00	\$ 3,000.00	\$ 1,100.00	\$ 5,500.00	\$ 1,009.20	\$ 5,046.00
\$ 50.00	\$ 3,000.00	\$ 135.00	\$ 8,100.00	\$ 84.10	\$ 5,046.00
\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,091.95	\$ 10,091.95
\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00	\$ 420.00	\$ 420.00
\$ 600.00	\$ 4,200.00	\$ 650.00	\$ 4,550.00	\$ 553.00	\$ 3,871.00
\$ 100.00	\$ 8,000.00	\$ 160.00	\$ 12,800.00	\$ 56.00	\$ 4,480.00
\$ 600.00	\$ 3,600.00	\$ 650.00	\$ 3,900.00	\$ 553.00	\$ 3,318.00
\$ 20.00	\$ 14,000.00	\$ 18.00	\$ 12,600.00	\$ 267.40	\$ 187,180.00
\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 4,000.00	\$ 553.00	\$ 1,106.00
\$ 10.00	\$ 750.00	\$ 25.00	\$ 1,875.00	\$ 4.10	\$ 307.50
\$ 100.00	\$ 7,500.00	\$ 165.00	\$ 12,375.00	\$ 56.92	\$ 4,269.00
\$ 600.00	\$ 2,400.00	\$ 650.00	\$ 2,600.00	\$ 553.00	\$ 2,212.00
\$ 600.00	\$ 1,200.00	\$ 900.00	\$ 1,800.00	\$ 553.00	\$ 1,106.00
\$ 2.00	\$ 1,000.00	\$ 6.50	\$ 3,250.00	\$ 7.00	\$ 3,500.00
\$ 50.00	\$ 1,500.00	\$ 35.00	\$ 1,050.00	\$ 20.67	\$ 620.10
\$ 20.00	\$ 3,000.00	\$ 65.00	\$ 9,750.00	\$ 29.71	\$ 4,456.50
				\$ -	
\$ 10.00	\$ 950.00	\$ 25.00	\$ 2,375.00	\$ 5.15	\$ 489.25
\$ 100.00	\$ 9,500.00	\$ 110.00	\$ 10,450.00	\$ 47.89	\$ 4,549.55
\$ 2.00	\$ 1,200.00	\$ 8.00	\$ 4,800.00	\$ 7.00	\$ 4,200.00
\$ 20.00	\$ 6,000.00	\$ 18.00	\$ 5,400.00	\$ 31.11	\$ 9,333.00
\$ 1,000.00	\$ 1,000.00	\$ 1,200.00	\$ 1,200.00	\$ 833.00	\$ 833.00
\$ 300.00	\$ 1,500.00	\$ 130.00	\$ 650.00	\$ 95.20	\$ 476.00
\$ 1,500.00	\$ 4,500.00	\$ 900.00	\$ 2,700.00	\$ 833.00	\$ 2,499.00
\$ 25.00	\$ 500.00	\$ 100.00	\$ 2,000.00	\$ 28.00	\$ 560.00
\$ 10.00	\$ 820.00	\$ 25.00	\$ 2,050.00	\$ 4.10	\$ 336.20
\$ 100.00	\$ 8,200.00	\$ 160.00	\$ 13,120.00	\$ 55.66	\$ 4,564.12
\$ 20.00	\$ 3,080.00	\$ 50.00	\$ 7,700.00	\$ 21.22	\$ 3,267.88
\$ 50.00	\$ 2,500.00	\$ 50.00	\$ 2,500.00	\$ 20.18	\$ 1,009.00
\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,018.00	\$ 2,018.00

\$ 2,500.00	\$ 2,500.00	\$ 5,000.00	\$ 5,000.00	\$ 2,800.00	\$ 2,800.00
					\$ -
\$ 100.00	\$ 7,000.00	\$ 185.00	\$ 12,950.00	\$ 71.99	\$ 5,039.30
\$ 1,000.00	\$ 2,000.00	\$ 3,500.00	\$ 7,000.00	\$ 1,050.00	\$ 2,100.00
\$ 20.00	\$ 5,600.00	\$ 25.00	\$ 7,000.00	\$ 21.22	\$ 5,941.60
\$ 250.00	\$ 500.00	\$ 650.00	\$ 1,300.00	\$ 511.00	\$ 1,022.00
\$ 600.00	\$ 1,200.00	\$ 650.00	\$ 1,300.00	\$ 553.00	\$ 1,106.00
\$ 5,000.00	\$ 5,000.00	\$ 8,000.00	\$ 8,000.00	\$ 8,400.00	\$ 8,400.00
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
\$ 5.00	\$ 500.00	\$ 37.50	\$ 3,750.00	\$ 66.71	\$ 6,671.00
		\$ -	\$ -	\$ -	\$ -
\$ 500.00	\$ 310,000.00	\$ 475.00	\$ 294,500.00	\$ 446.93	\$ 277,096.60
\$ 50.00	\$ 750.00	\$ 225.00	\$ 3,375.00	\$ 140.00	\$ 2,100.00
	\$ 1,539,950.25	\$ 879,975.00	\$ 881,695.00		\$ 1,426,431.40
\$ 25,000.00	\$ 250,000.00	\$ 25,000.00	\$ 250,000.00	\$ 7,350.00	\$ 73,500.00
	\$ 100,000.00		\$ 360,000.00		\$ 140,000.00
\$ 2,000.00		\$ 7,200.00		\$ 2,800.00	
\$ 1,500.00	\$ 15,000.00	\$ 2,250.00	\$ 22,500.00	\$ 2,133.40	\$ 21,334.00
\$ 8,500.00	\$ 17,000.00	\$ 18,500.00	\$ 37,000.00	\$ 12,895.10	\$ 25,790.20
\$ 8,500.00	\$ 246,500.00	\$ 9,950.00	\$ 288,550.00	\$ 9,350.09	\$ 271,152.61
\$ 9,000.00	\$ 72,000.00	\$ 11,500.00	\$ 92,000.00	\$ 11,775.49	\$ 94,203.92
\$ 110.00	\$ 258,500.00	\$ 220.00	\$ 517,000.00	\$ 224.74	\$ 528,139.00
\$ 150.00	\$ 18,750.00	\$ 245.00	\$ 30,625.00	\$ 263.52	\$ 32,940.00
\$ 110.00	\$ 3,300.00	\$ 350.00	\$ 10,500.00	\$ 283.79	\$ 8,513.70
\$ 100.00	\$ 4,000.00	\$ 350.00	\$ 14,000.00	\$ 207.27	\$ 8,290.80
\$ 150.00	\$ 6,000.00	\$ 450.00	\$ 18,000.00	\$ 237.93	\$ 9,517.20
\$ 100.00	\$ 40,000.00	\$ 180.00	\$ 72,000.00	\$ 297.50	\$ 119,000.00
\$ 10,000.00	\$ 10,000.00	\$ 27,500.00	\$ 27,500.00	\$ 18,805.15	\$ 18,805.15

	\$	1,041,050.00		\$	1,739,675.00		\$	1,351,186.58			
\$	30.00	\$	48,000.00	\$	60.00	\$	96,000.00	\$	31.43	\$	50,288.00
\$	20.65	\$	433,650.00	\$	29.50	\$	619,500.00	\$	32.65	\$	685,650.00
\$	60.00	\$	1,080,000.00	\$	56.00	\$	1,008,000.00	\$	46.07	\$	829,260.00
\$	30.00	\$	39,000.00	\$	22.00	\$	28,600.00	\$	30.67	\$	39,871.00
\$	120.00	\$	250,200.00	\$	160.00	\$	333,600.00	\$	115.37	\$	240,546.45
\$	20.00	\$	18,000.00	\$	225.00	\$	202,500.00	\$	273.91	\$	246,519.00
\$	7.50	\$	45,000.00	\$	8.00	\$	48,000.00	\$	10.09	\$	60,540.00
\$	3.00	\$	24,000.00	\$	2.65	\$	21,200.00	\$	4.20	\$	33,600.00
\$	10.00	\$	600.00	\$	10.00	\$	600.00	\$	28.00	\$	1,680.00
\$	60.00	\$	4,200.00	\$	115.00	\$	8,050.00	\$	30.67	\$	2,146.90
\$	120.00	\$	24,000.00	\$	160.00	\$	32,000.00	\$	115.37	\$	23,074.00
\$	100.00	\$	22,500.00	\$	160.00	\$	36,000.00	\$	93.32	\$	20,997.00
	\$	1,989,150.00		\$	2,434,050.00		\$	2,234,172.35			
	\$	5,505,670.40	\$	6,444,920.00	\$	6,444,420.00	\$	5,827,578.67	\$	5,827,128.28	
	\$	550,567.04	\$	6,444,442.00	\$	644,442.00	\$	582,757.87	\$	582,712.83	
	\$	6,056,237.44	\$	7,089,412.00	\$	7,088,862.00	\$	6,410,336.54	\$	6,409,841.11	
\$	200.00	\$	42,800.00	\$	325.00	\$	69,550.00	\$	99.29	\$	21,248.06
\$	2,000.00	\$	30,000.00	\$	3,250.00	\$	48,750.00	\$	5,446.38	\$	81,695.70
\$	500.00	\$	2,000.00	\$	1,850.00	\$	7,400.00	\$	5,045.98	\$	20,183.92
\$	850.00	\$	8,500.00	\$	2,500.00	\$	25,000.00	\$	5,045.98	\$	50,459.80
\$	10,000.00	\$	10,000.00	\$	14,500.00	\$	14,500.00	\$	11,191.17	\$	11,191.17
\$	4,000.00	\$	4,000.00	\$	2,750.00	\$	2,750.00	\$	4,036.78	\$	4,036.78
\$	10,000.00	\$	10,000.00	\$	12,750.00	\$	12,750.00	\$	22,328.07	\$	22,328.07
\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00	\$	50,000.00
	\$	157,300.00		\$	230,700.00		\$	261,143.50			

Total - 20% Contingen

\$ -		\$ -		\$ -	
\$ 58.00	\$ 168,200.00	\$ 90.00	\$ 261,000.00	\$ 94.59	\$ 274,311.00
\$ 500.00	\$ 5,500.00	\$ 750.00	\$ 8,250.00	\$ 1,038.61	\$ 11,424.71
\$ 3,000.00	\$ 6,000.00	\$ 550.00	\$ 1,100.00	\$ 10,776.76	\$ 21,553.52
\$ 4,000.00	\$ 4,000.00	\$ 11,000.00	\$ 11,000.00	\$ 14,036.69	\$ 14,036.69
\$ 4,000.00	\$ 12,000.00	\$ 11,250.00	\$ 33,750.00	\$ 21,305.47	\$ 63,916.41
\$ 5,000.00	\$ 5,000.00	\$ 11,250.00	\$ 11,250.00	\$ 23,173.52	\$ 23,173.52
\$ 8,000.00	\$ 32,000.00	\$ 8,500.00	\$ 34,000.00	\$ 5,696.04	\$ 22,784.16
\$ 2,000.00	\$ 98,000.00	\$ 2,750.00	\$ 134,750.00	\$ 1,468.21	\$ 71,942.29
\$ 3,500.00	\$ 133,000.00	\$ 3,750.00	\$ 142,500.00	\$ 4,705.49	\$ 178,808.62
	\$ 5,000.00		\$ 3,500.00		\$ 10,091.95
\$ 5,000.00		\$ 3,500.00		\$ 10,091.95	
\$ 15,500.00	\$ 77,500.00	\$ 10,500.00	\$ 52,500.00	\$ 11,647.10	\$ 58,235.50
\$ 6,500.00	\$ 19,500.00	\$ 7,650.00	\$ 22,950.00	\$ 9,448.09	\$ 28,344.27
\$ 15,000.00	\$ 22,500.00	\$ 22,500.00	\$ 33,750.00	\$ 15,958.33	\$ 23,937.50
	\$ 15,000.00		\$ 17,250.00		\$ 57,123.93
\$ 5,000.00		\$ 5,750.00		\$ 19,041.31	
\$ 1,000.00	\$ 3,000.00	\$ 3,500.00	\$ 10,500.00	\$ 3,749.74	\$ 11,249.22
\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00	\$ 150,000.00
	\$ -		\$ -		\$ -
	\$ 756,200.00	\$ 905,050.00	\$ 928,050.00		\$ 1,020,933.29
\$ 3,000.00	\$ 9,000.00	\$ 11,000.00	\$ 33,000.00	\$ 10,750.82	\$ 32,252.46

\$	4,000.00	\$	4,000.00	\$	11,000.00	\$	11,000.00	\$	13,783.45	\$	13,783.45
\$	4,000.00	\$	12,000.00	\$	11,250.00	\$	33,750.00	\$	22,650.99	\$	67,952.97
\$	5,000.00	\$	5,000.00	\$	11,250.00	\$	11,250.00	\$	18,058.13	\$	18,058.13
\$	15,000.00	\$	7,500.00	\$	22,500.00	\$	11,250.00	\$	33,854.83	\$	16,927.42
\$	1,000.00	\$	15,000.00	\$	3,500.00	\$	52,500.00	\$	1,473.63	\$	22,104.45
\$	25,000.00	\$	25,000.00	\$	25,000.00	\$	25,000.00	\$	25,000.00	\$	25,000.00
	\$	77,500.00		\$	177,750.00		\$	196,078.88			
\$	120.00	\$	30,000.00	\$	180.00	\$	45,000.00	\$	107.10	\$	26,775.00
\$	50.00	\$	12,500.00	\$	225.00	\$	56,250.00	\$	275.67	\$	68,917.50
\$	120.00	\$	12,720.00	\$	160.00	\$	16,960.00	\$	189.77	\$	20,115.62
\$	100.00	\$	28,000.00	\$	160.00	\$	44,800.00	\$	85.05	\$	23,814.00
\$	30.00	\$	6,000.00	\$	70.00	\$	14,000.00	\$	76.15	\$	15,230.00
\$	9.00	\$	9,000.00	\$	12.00	\$	12,000.00	\$	6.30	\$	6,300.00
\$	10,000.00	\$	10,000.00	\$	10,000.00	\$	10,000.00	\$	10,000.00	\$	10,000.00
	\$	108,220.00		\$	199,010.00		\$	171,152.12			
\$	941,920.00	\$	1,099,220.00	\$	1,513,010.00	\$	1,535,510.00		\$	1,649,307.78	
\$	6,998,157.49	\$	7,155,457.44	\$	8,599,782.00	\$	8,624,372.00	\$	8,059,644.32	\$	8,059,148.89
\$	110.00	\$	122,100.00	\$	195.00	\$	216,450.00	\$	222.77	\$	247,274.70
		\$	-			\$	-			\$	-
		\$	-			\$	-			\$	-
\$	121,000.00	\$	122,100.00			\$	216,450.00			\$	247,274.70

cy



Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Interlocal Agreement for Storm Debris Management Site utilization

Background

Staff have reached out to the City of Largo to create an agreement for the use of their debris management site in the event of another hurricane. The interlocal agreement has been with the city attorney and has made minor changes. The use will be for lot 14 for a 90-day period and cost \$500 per storm. The term of this agreement is five years from the effective date and will be renewed for an additional four, one year terms unless written notice is provided before.

The reason for this agreement is due to Hurricane Helene and struggling to find a location for our storm debris cleanup. At the time the City of Largo didn't have any available space but has agreed to sign an agreement to ensure we have a location.

Fiscal Impact

The fiscal impact is \$500 per storm.

Recommendation(s)

Staff recommends the Board of Commissioners approve the interlocal agreement with the City of Largo for the use of the debris management site.

Attachments

- **Interlocal Agreement for Storm Debris Management Site**

INTERLOCAL AGREEMENT FOR

STORM DEBRIS MANAGEMENT SITE “LOT 14” UTILIZATION

This Interlocal Agreement for Storm Debris Management Site (“DMS”) “Lot 14” Utilization (“Agreement”) is made and entered into this _____ day of _____, 2025, by and between the CITY OF LARGO, a Florida municipal corporation (“Largo”) and the TOWN OF BELLAIR, a Florida municipal corporation (“Belleair”), CITY OF INDIAN ROCKS BEACH, a Florida municipal corporation (“Indian Rocks Beach”), CITY OF BELLEAIR BEACH, a Florida municipal corporation (“Belleair Beach”), and CITY OF MADERIA BEACH, a Florida municipal corporation (“Maderia Beach”) (collectively, excluding Largo, the “Cities”, individually each shall be referred to as “City”), all of which are located in Pinellas County, Florida (collectively, including Largo and Cities, shall be referred to as “Parties”).

WITNESSETH

WHEREAS, this Agreement is made and entered into among the Parties pursuant to Section 163.01, Florida Statutes, the “Florida Interlocal Cooperation Act of 1969”; and

WHEREAS, tropical storms and hurricanes often produce excessive amounts of construction & demolition debris (“C&D”) and vegetative debris; and

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has stringent requirements for clean-up activities, including but not limited to the removal of C&D and vegetative debris following certain natural disasters, including tropical storms and hurricanes; and

WHEREAS, the Cities do not currently have a location to store C&D and vegetative debris produced by a natural disaster such as a tropical storm or hurricane; and

WHEREAS, the Cities seek a location to store their C&D and vegetative debris following a natural disaster such as a tropical storm or hurricane; and

WHEREAS, Largo has agreed to provide the Cities use of an area of Largo’s land as a location for the Cities to store their C&D and vegetative debris following a natural disaster such as a tropical storm or hurricane; and

WHEREAS, the Cities have agreed to accept use of Largo’s land as a location for the Cities to store their C&D and vegetative debris following a natural disaster such as a tropical storm or hurricane in accordance with the terms and conditions of this Agreement.

NOW THEREFORE, in consideration of the mutual promises herein contained, and for other good and valuable consideration, receipt of which is hereby acknowledged by the Parties, it is agreed by and between the Parties as follows:

AGREEMENT

1. The foregoing recitals are true and correct and are hereby incorporated fully by reference.
2. Following the Governor's Declaration of an Emergency for Pinellas County for a natural disaster classified as a tropical storm or hurricane by the National Weather Service (“Storm”), Largo will make a portion of its land available to the Cities for the storage of C&D and vegetative debris produced

by the Storm (“Debris”). Specifically, Largo agrees to make available to each City a one and one-half (1.5) acre of the of an area of land commonly known as “Lot 14,” as further described in Exhibit A, attached hereto and incorporated herein (the “Lot”). In the event a City wishes to obtain additional space from Largo for Debris storage, they may request additional space from Largo’s Utilities Director in writing. Largo’s Utilities Director may provide additional space to the requesting City in his or her sole and absolute discretion.

3. Each City shall be permitted to store its Debris on the Lot for ninety (90) days after a Governor's Declaration of Emergency for Pinellas County. In the event a City requires additional time to store its Debris on the Lot, the City shall request such additional time from the Largo Utilities Director no later than seventy-five (75) days after the Declaration of Emergency. Largo’s Utilities Director may provide additional time to the requesting City in his or her sole and absolute discretion.

4. Each City shall be solely responsible for all transportation of its Debris to and from the Lot.

5. Largo shall charge \$500 per Storm for each City for the storage of their Debris on the Lot, except as provided for in this section. Each City shall be solely responsible for all costs incurred managing, transporting, monitoring, and storing its Debris, at all times, including but not limited to while its Debris is on the Lot. Largo shall not be responsible for any costs incurred by any City in relation to the Cities’ Debris or storage of the Cities’ Debris on the Lot. In the event Largo is charged for any costs associated with the Cities’ Debris, the City responsible for the costs shall immediately reimburse Largo.

6. Each City shall be responsible for its Debris at all times, including but not limited to while the Debris is being stored on the Lot.

7. Parties shall not store anything else, including any other type of debris, on the Lot except for C&D and vegetative debris produced by a Storm.

8. Upon each individual City’s removal of its Debris from the Lot, each City shall return the portion of the Lot where the City’s Debris was stored to the condition the Lot was in prior to the storage of the City’s Debris, as deemed acceptable by Largo in its discretion.

9. Each City shall coordinate its performance under this Agreement with Largo’s debris managers, whose contact information is set forth in section 17 of this Agreement.

10. At all times during this Agreement, each City shall be responsible for ensuring compliance with all federal, state and local rules and regulations including, but not limited to, federal and state environmental requirements with regard to storing its Debris on the Lot.

11. To the maximum extent permitted by law, each City agrees to assume liability for and indemnify, hold harmless, and defend Largo, its commissioners, mayor, officers, employees, agents, and attorneys of, from, and against all liability and expense, including reasonable attorneys’ fees, in connection with any and all claims, demands, damages, actions, causes of action, and suits in equity of whatever kind or nature, including claims for personal injury, property damage, equitable relief, or loss of use, arising out of the negligent or deliberate acts or omissions of the City, its elected officials, mayors, officers, employees, agents, and attorneys with regard to the City’s Debris stored on the Lot under this Agreement. Nothing contained herein shall in any way waive any immunity from or limitation of liability that each party enjoys presently under the Florida Constitution, Florida Statutes, particularly with respect to

chapter 768, Florida Statutes, or the doctrine of sovereign immunity. The obligations contained in this section shall survive termination of this Agreement.

12. If any one or more sections, clauses, sentences or parts of this Agreement shall for any reason be questioned in any court, and shall be adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remaining provisions thereof, but shall be confined in its operation to the specific provisions so held unconstitutional or invalid and the inapplicability or invalidity of any section, clause or provision of this Agreement in any one or more instances shall not affect or prejudice in any way its applicability or validity in any other instances.

13. Largo may terminate this Agreement by providing thirty (30) days' written notice to the Cities. Any City may terminate this Agreement as it relates to that City by providing thirty (30) days' written notice to Largo and the other Cities. All benefits and obligations under this Agreement as they relate to the party or parties that are the subject of the termination notice, will cease thirty (30) days from the receipt of a termination notice, except for the obligations contained in section 11 above.

14. This Agreement shall become effective ten (10) days after execution by the parties and upon its filing with the Clerk of the Circuit Court for Pinellas County as provided for in Section 163.01(11), Florida Statutes ("Effective Date"). This Agreement shall remain in effect for (5) five years from the Effective Date, unless earlier terminated pursuant to section 13 above, and shall automatically renew for (4) four additional one (1) year terms, unless Largo or a City provides written notice to the other parties thirty (30) days in advance of the renewal date of their intent not to renew.

15. This Agreement shall be binding upon the Parties, their successors, assigns, and legal representatives. No party shall assign or otherwise transfer any of its rights or duties under this Agreement without the express prior written consent of the other parties.

16. This Agreement is entered into solely for the benefit of the Parties and shall not be construed as a benefit to any third parties, including but not limited to the general public, constituents or citizens of either party, nor shall it be construed as enforceable by any third parties.

17. All notices, requests, demands, deliveries, and other communications which are required or permitted under this Agreement shall be in writing and shall be deemed to have been duly given or delivered personally when sent by facsimile, telex or telegram, or when mailed, registered or certified, first-class postage pre-paid as set forth below:

If to Belleair to:

Gay Lancaster, Town Manager
Town of Belleair
901 Ponce de Leon Blvd.
Belleair, FL 33756

With a copy to:

Town Attorney
Jay Daigneault, B.C.S.

Trask Daigneault, L.L.P.
1001 S. Ft. Harrison Ave. Suite 201
Clearwater, FL 33756

If to Indian Rocks Beach to:

Gregg Mims, City Manager
City of Indian Rocks Beach
1507 Bay Palm Blvd.
Indian Rocks Beach, FL 33785

With a copy to:
City Attorney
Randy Mora, B.C.S.
Trask Daigneault, L.L.P.
1001 S. Ft. Harrison Ave. Suite 201
Clearwater, FL 33756

If to Belleair Beach to:

Kyle Riefler, City Manager
City of Belleair Beach
444 Causeway Blvd.
Belleair Beach, FL 33786

With a copy to :
City Attorney
Randy Mora, B.C.S.
Trask Daigneault, L.L.P.
1001 S. Ft. Harrison Ave. Suite 201
Clearwater, FL 33756

If Madeira Beach to:

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

with a copy to:
Thomas J. Trask, B.C.S.

Trask Daigneault, L.L.P.
1001 S. Ft. Harrison Ave. Suite 201
Clearwater, FL 33756

If to Largo, to:

Shauwn Clark and John Benton
Debris Managers
City of Largo
P.O. Box 296
Largo, Florida 33779-0296

with a copy to:

City Attorney
Alan S. Zimmet, B.C.S.
P.O. Box 296
Largo, Florida 33779-0296

Any party may change the persons and addresses to which notices or other communications are to be sent to it by giving written notice of any such change in the manner provided herein for giving notice.

18. This Agreement embodies the whole agreement of the parties and supersedes any other prior agreements or negotiations relating to the subject matter of this Agreement. There are no promises, terms, conditions or allegations other than those contained herein, and this document shall supersede all previous communications, representations, and/or agreements, whether written or oral, between the parties. This Agreement may be modified only in writing executed by all parties.

19. This Agreement shall be construed by and controlled under the laws of the State of Florida. The parties agree that venue for any state action arising under this Agreement shall lie solely in the courts located in Pinellas County, Florida, and for any federal action shall lie solely in the United States District Court, Middle District of Florida, Tampa Division. For any dispute related to the implementation of the provisions of this Agreement, all parties agree to first utilize the dispute resolution provisions contained in Chapter 164, Florida Statutes, as amended. 20. Nothing in this Agreement shall prevent Largo from utilizing the Lot for any purposes that do not interfere with the Cities' use of the Lot during a Storm. The Cities shall not use the Lot to store their Debris to interfere with any use or operation conducted by Largo on the Lot. Nothing in this Agreement shall prevent Largo from entering into an agreement with other cities not a party to this Agreement to allow them to store debris during a Storm on the Lot.

21. This Agreement is the product of mutual drafting, each party having been represented by or having the opportunity to be represented by counsel, and therefore shall not be construed against either party on the basis of which party drafted the agreement.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the _____ day and _____ year first above written. IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the _____ day and _____ year first above written.

TOWN OF BELLAIR,
a Florida municipal corporation

By: _____

Print Name: Gay Lancaster

Town Manager of BELLEAIR

CITY OF LARGO,
a Florida municipal corporation

By: _____

Louis ("Woody") L. Brown

Mayor of Largo

ATTEST:

ATTEST:

Print Name:

Diane L. Bruner

Christine Nicole, Town Clerk of BELLEAIR

City Clerk of Largo

Reviewed and Approved:

Jay Daigneault, Town Attorney

Reviewed and Approved:

Alan S. Zimmet, City Attorney

CIT OF INDIAN ROCKS BEACH,
a Florida municipal corporation

By:

Print Name: Gregg Mims

City Manager of Indian Rocks Beach

CITY OF BELLEAIR BEACH,
a Florida municipal corporation

By:

Printed Name: Kyle Riefler

City Manager of Belleair Beach

ATTEST:

ATTEST:

Print Name:

Lorin Kornijtschuk, City Clerk of Indian
Rocks Beach

Print Name:

Renee Rose, City Clerk of Belleair Beach

Reviewed and Approved:

Randy Mora, City Attorney

Reviewed and Approved:

Randy, Mora, City Attorney

CITY OF MADERIA BEACH,
a Florida municipal corporation

By:

Print Name: Robin Gomez

City Manager of Maderia Beach

ATTEST:

Print Name:

Clara Vanblargan, City Clerk of Maderia
Beach

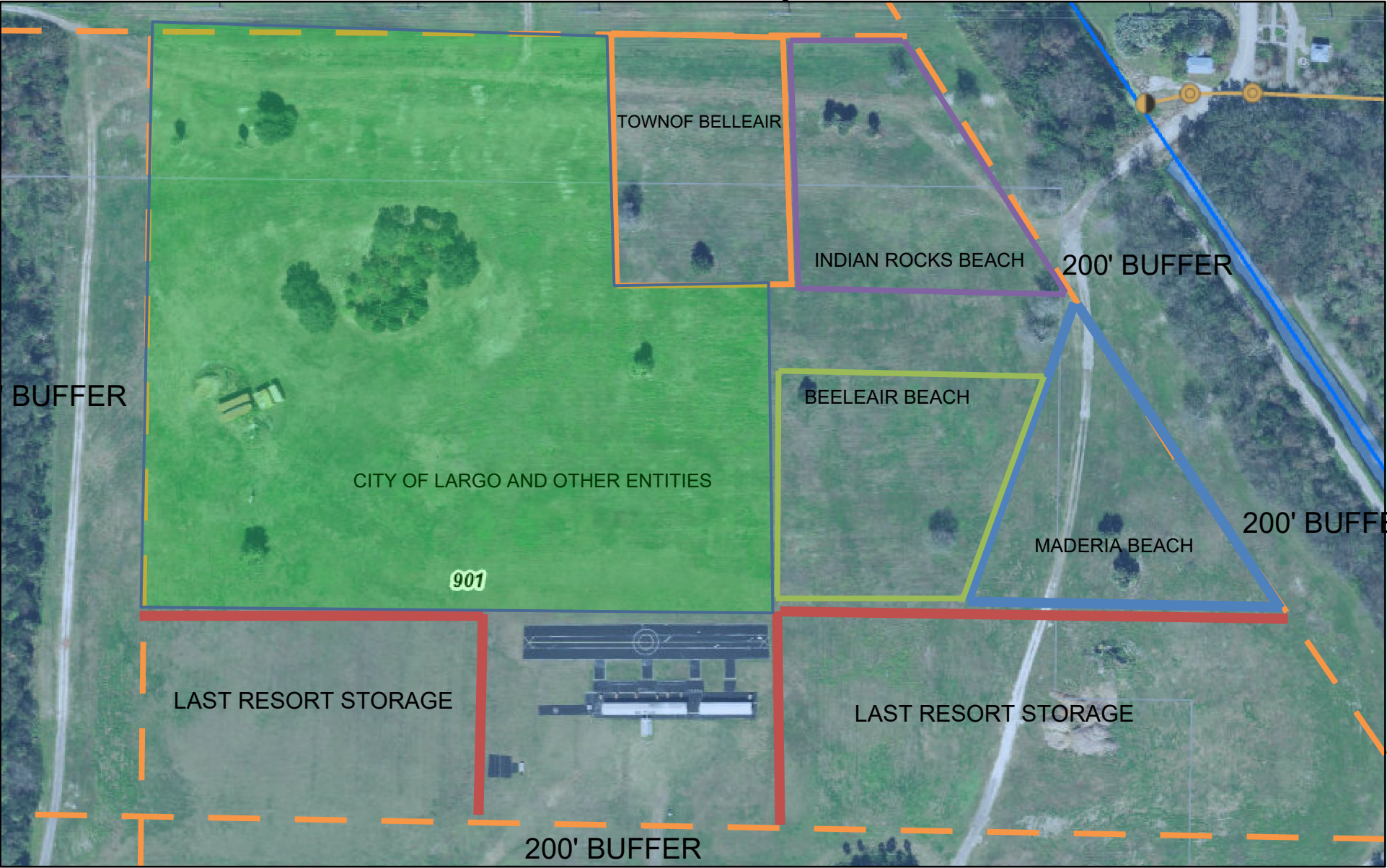
Reviewed and Approved:

Thomas J. Trask, City Attorney

Exhibit A

“The Lot 14”

Lot 14 DMS Layout





Memorandum

Meeting Details: April 16, 2025

Prepared For: Mayor & Board of Commissioners

From: Megan Wepfer, Public Works Director

Subject: Joint Participation Agreement with Pinellas County for Area 3 Roadway and Drainage Improvement Project

Background

The city is moving forward with the Area 3 Roadway and Drainage Project to address long-standing infrastructure needs. As part of the project, the existing Pinellas County utility infrastructure within the project limits will be impacted and requires replacement. Rather than the County independently scheduling and performing these improvements at a later time, it has been determined that including this work within the City's construction contract will streamline the process, reduce costs, and minimize future disruptions to residents and businesses.

Pinellas County has proposed entering into a Joint Participation Agreement with the City, under which the County agrees to reimburse the City for utility-related work performed as part of the larger construction project. This arrangement is mutually beneficial, as it provides cost savings through coordinated construction and avoids redundant excavation and road closures.

The agreement outlines responsibilities for both parties and establishes a maximum reimbursement amount of **\$1,430,000**. All work associated with the County's utilities will be clearly identified and tracked for cost recovery. The City will submit regular documentation and invoices to the County in accordance with the terms of the JPA.

Fiscal Impact

The fiscal impact is a maximum reimbursement from Pinellas County in the amount of \$1,430,000.00.

Recommendation(s)

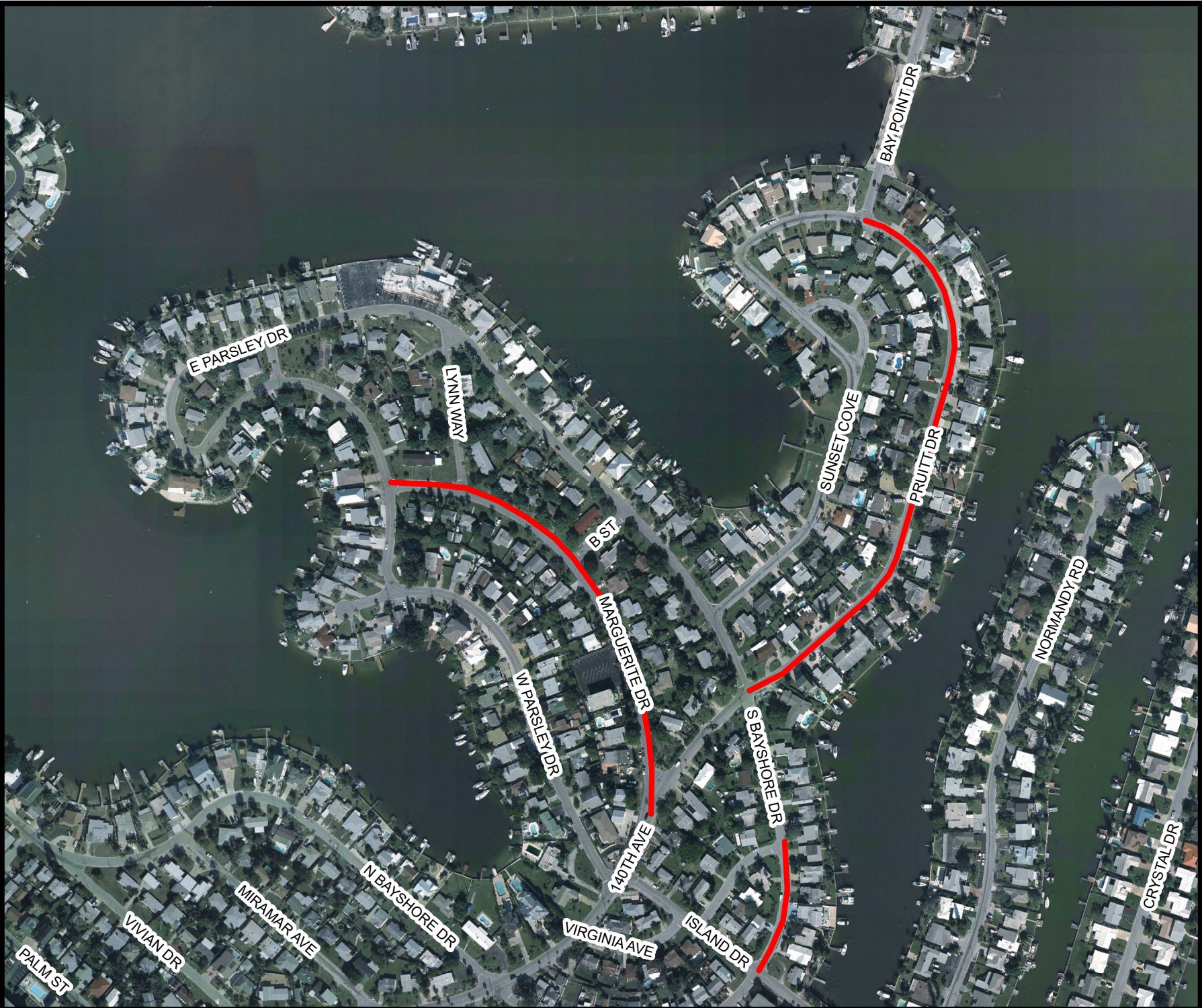
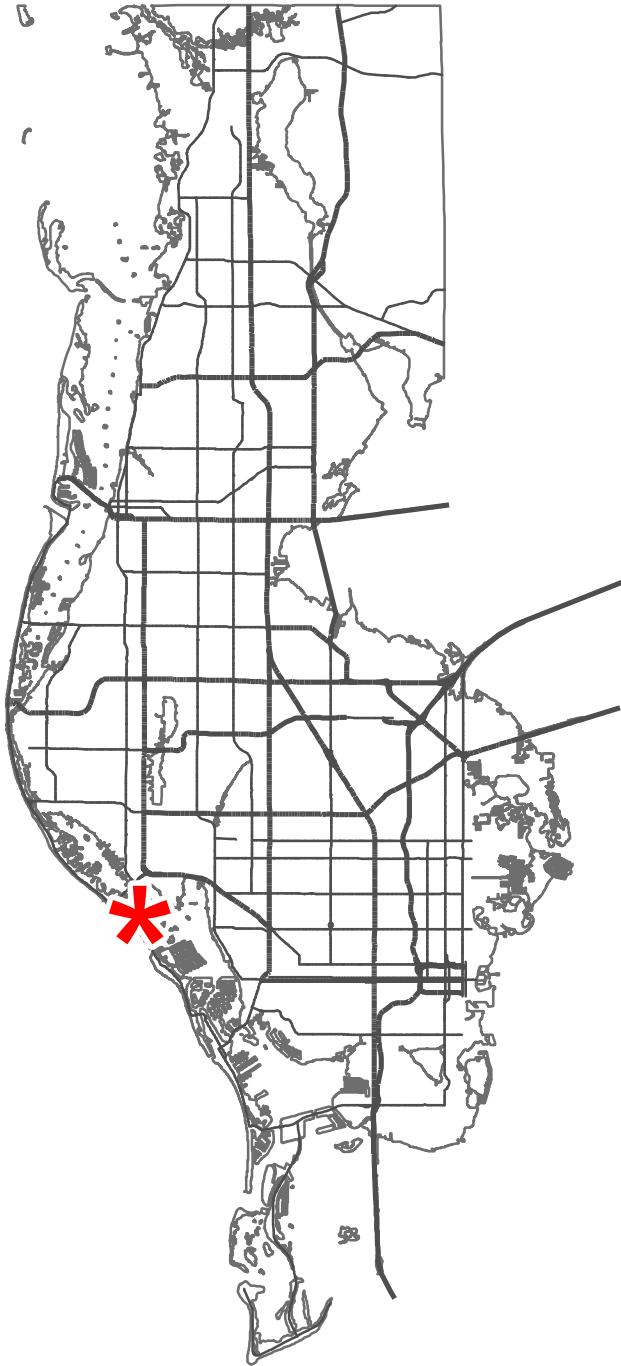
Staff recommends the Board of Commissioners approve the Joint Participation agreement with Pinellas County for Area 3 Roadway and Drainage Improvement Project.

Attachments

Joint Participation Agreement with Pinellas County

Pinellas County Project Location Map

Area 3 - Pruitt, Marguerite and Bayshore Dr, City of Maderia Beach JPA



0 0.02 0.04 0.08 0.12 0.16 Miles

Designed by:
Drawn by:
Approved by:

Pinellas County Utilities GIS Disclaimer
The information being provided is made available as a public service. Maps and data are to be used for reference purposes only. The data contained on the Pinellas County Utilities Department (PCU) Geographic Information System is subject to constant change. PCU, its agents, consultants, contractors and employees provide this information AS IS without warranty of any kind implied or expressed, including the implied warranties and merchantability and fitness for a particular purpose, as to the information being accurate or complete.

Map information is believed to be accurate but accuracy is not guaranteed. With knowledge of the foregoing, by proceeding to use PCU's GIS data, each user agrees to waive, release and indemnify PCU, its agents, consultants, contractors and employees from any and all claims, actions or causes of action for damages or injury or property arising from the use or inability to use the PCU's GIS. The GIS information is not a replacement for locating buried utilities by contacting Sunshine 811, performing field location and Surface Utilities Engineering (SUE).

JOINT PROJECT AGREEMENT

BETWEEN PINELLAS COUNTY AND THE CITY OF MADEIRA BEACH FOR CONSTRUCTION SERVICES FOR THE RELOCATION AND REPLACEMENT OF PINELLAS COUNTY WATER MAINS, SEWER GRAVITY MAINS, FORCEMAINS AND RECLAIMED WATER MAINS OWNED AND MAINTAINED BY PINELLAS COUNTY IN CONJUNCTION WITH THE PROPOSED CITY OF MADEIRA BEACH ROADWAY, SIDEWALK AND DRAINAGE CONSTRUCTION IMPROVEMENTS ALONG PRUITT DRIVE, MARGUERITE DRIVE, BAYSHORE DRIVE, AND PARSLEY DRIVE.

SECTION 1 INTENT OF AGREEMENT

This AGREEMENT, made and entered into this _____ day of _____, 2025, by and between **PINELLAS COUNTY** a political subdivision of the State of Florida, acting by and through its Board of County Commissioners, hereinafter referred to as "COUNTY", and the **CITY OF MADEIRA BEACH, FLORIDA**, a municipal corporation existing under the laws of the State of Florida, within said Pinellas County, acting by and through its City Commission, herein referred to as "CITY", collectively "PARTIES".

WITNESSETH that:

WHEREAS the CITY desires to construct roadway and drainage system improvements along Pruitt Drive, Marguerite Drive, Bayshore Drive, and Parsley Drive; and

WHEREAS, the COUNTY owns and operates potable water mains, fire hydrants, service lines, connections, water meters, gravity sewer mains, lateral services, force mains, reclaimed water mains, reclaimed water services, manholes, gate valves and miscellaneous utility appurtenances that require relocation and replacement along Pruitt Drive, Marguerite Drive, Bayshore Drive and Parsley Drive, as described in Exhibit A; herein referred to as "COUNTY UTILITY WORK," and

NOW, THEREFORE, in consideration of the monies hereinafter agreed to be paid and the mutual covenants contained herein, the parties hereby mutually agree as follows:

SECTION 2 SCOPE OF CONSTRUCTION SERVICES

The scope of Construction Services for the PROJECT shall include the following:

As part of the City of Madeira Beach's Pruitt, Marguerite, Bayshore, and Parsley Drive Roadway and Drainage Improvements, some of the existing watermain, reclaimed water and gravity sewer main owned by COUNTY conflicts with the proposed road and drainage improvements and will be replaced or realigned to accommodate the proposed project improvements. The existing water mains are composed of 2-inch and 6-inch watermain with some being old cast-iron pipes and substandard thin wall PVC Conduit pipes that has surpassed its useful life. The new replacement mains will be 2 inch and 6-inch PVC or 8-inch high-density polyethylene (HDPE) pipe by approximately 3,250 linear feet. COUNTY will also install new fire hydrants for public safety, new service lines to improve water quality and new automated electronic water meters to improve data

gathering. Some portions of the existing 8-inch gravity sewer and reclaimed water mains (4'-8") could potentially be impacted and replaced due to this road and drainage project. ("COUNTY UTILITY WORK")

SECTION 3 SERVICES TO BE PROVIDED BY THE CITY

Preceding this agreement, the COUNTY hired the services of one of its Small Business Enterprise Consultants to design the COUNTY UTILITY WORK as part of the CITY's Pruitt, Marguerite, Bayshore and Parsley Drive roadway and drainage improvement project (the "PROJECT"). Upon acceptance and approval of the construction plans and specifications by all parties, the CITY shall hire a private contractor to construct the COUNTY UTILITY WORK.

The COUNTY shall reimburse the CITY for the cost of the construction of the COUNTY UTILITY WORK as set forth in Section 5 below. The CITY shall not be obligated to provide work by its private contractor for the COUNTY UTILITY WORK that exceeds One Million Four Hundred Thirty Thousand Dollars and 00/100 (\$1,430,000) for the cost of said work.

The CITY will provide a representative to attend construction meetings and inspect the construction of the roadway and drainage improvements to ensure that construction is completed in accordance with the construction plans and specifications.

Upon completion of the COUNTY UTILITY WORK, the CITY shall ensure that any warranties, including materials, equipment, workmanship and closeout documents, by the contractor constructing the COUNTY UTILITY WORK, is passed on to the COUNTY under the same terms and conditions as that warranty applies to facilities constructed or installed on behalf of the CITY.

SECTION 4 SERVICES TO BE PROVIDED BY THE COUNTY

The COUNTY will provide a representative to attend construction meetings and inspect the construction of the COUNTY UTILITY WORK to ensure that COUNTY standards are met.

The COUNTY will submit and obtain any permits associated with the relocation of the COUNTY'S utilities and operation of the COUNTY UTILITY WORK.

When construction of the COUNTY UTILITY WORK is completed, the COUNTY shall own, operate, and maintain the upgrades to the COUNTY UTILITY WORK.

SECTION 5 FUNDING AND INVOICING

The COUNTY will pay 100% of the total cost of construction and relocation of the COUNTY

UTILITY WORK along Pruitt, Marguerite, Bayshore, and Parsley Drive, which shall not exceed One Million Three Hundred Thousand Dollars and 00/100 (\$1,300,000.00).

The COUNTY will pay an additional ten percent (10%) of the total cost of construction services which shall not exceed One Hundred Thirty Thousand Dollars and 00/100 (\$130,000.00), that will cover mobilization, maintenance of traffic and miscellaneous administrative fees of the COUNTY UTILITY WORK.

The CITY shall initially pay the total construction cost for the COUNTY UTILITY WORK. The CITY will invoice the COUNTY for the construction costs of the COUNTY UTILITY WORK, not to exceed One Million Four Hundred Thirty Thousand Dollars and 00/100 (\$1,430,000.00), upon approval of the COUNTY Project Manager. The COUNTY shall pay the CITY in accordance with the Florida Prompt Payment Act time schedule for construction projects.

During construction management, the CITY shall process invoices from the CITY's engineering consultant and construction contractor and submit copies to the COUNTY along with progress reports and requests for payment.

SECTION 6 BONDS, INSURANCE, AND INDEMNIFICATION

The CITY will require the construction contractor to comply with the following conditions. The COUNTY shall be responsible for the costs attributed to said compliance with these conditions as part of the COUNTY UTILITY WORK, subject to the total not-to-exceed figure established in Section 5:

- A. Indemnify, hold harmless, pay the costs of defense on behalf of and defend the COUNTY and its agents and employees and the CITY and its agents and employees from and against all claims, damages, losses and expenses arising out of or resulting from the performance of the Project or the COUNTY UTILITY WORK.
- B. Provide a dual obligee bond in the full amount of the PROJECT, naming the COUNTY and the CITY as obligees; and
- C. Provide insurance coverage naming the COUNTY and the CITY as additional insured entities and certificate holders.

SECTION 7 ACCOUNTING RECORDS

Records of expenses pertaining to all construction services performed by the CITY's approved contractor related to the PROJECT, shall be kept in accordance with generally recognized accounting principles and procedures.

SECTION 8 EFFECTIVE DATE

This Agreement shall take effect immediately upon filing with the Clerk of the Circuit Court in Pinellas County in accordance with Florida Statutes, Section 163.01(11), and shall continue in full force and effect until the CITY provides to the COUNTY mutually agreeable documentation which substantiates that this Agreement has been fully performed and COUNTY has paid all invoices under Section 5.

SECTION 9 TERMINATION

Upon written notice, this Agreement may be terminated by any of the PARTIES in the event of substantial failure of another party to fulfill its obligation under this Agreement through no fault of the terminating party. This Agreement shall be deemed terminated on the fifteenth (15th) day after receipt of written notice of termination. The CITY, however, shall be entitled to receive payment for all work completed as of the date of termination.

SECTION 10 NOTICE

All notices or reports under this Agreement shall be directed to the following addresses:

Project Manager for the COUNTY: Shannon Ransom
 Utilities Planning & Project Management
 14 S. Ft. Harrison Avenue, 6th Floor
 Clearwater, FL 33756

Project Manager for the CITY: Megan Wepfer
 Public Works Director
 City of Madeira Beach
 300 Municipal Drive
 Madeira Beach, FL. 33708

Engineer of Record for the CITY: Albert Carrier, P.E.
 Principal Transystems
 Civil Engineers, Land Surveyors
 565 S. Hercules Avenue
 Clearwater, FL 33764

SECTION 11 ENTIRE AGREEMENT

This document, along with Exhibit A, shall constitute the entire agreement between the PARTIES regarding the construction of the COUNTY UTILITY WORK. There are no promises, terms, conditions or allegations other than those contained herein, and this document shall supersede all previous communications, representations and/or Agreements, whether written or verbal, between the PARTIES. This agreement may be amended only by written instrument signed by both PARTIES. This Agreement shall be binding upon the PARTIES, their successors, assigns and legal representatives.

SECTION 12 ADDITIONAL PROVISIONS

12.1 Compliance with Federal, State, County, and Local Laws

Both Parties shall comply with all federal, state, county, and local laws, regulations, and ordinances at all times.

12.2 Responsibilities of the Parties

The COUNTY and the CITY shall be fully responsible for their own acts of negligence and their respective employees' and/or agents' acts of negligence, when such employees and/or agents are acting within the scope of their employment; and shall be liable for any damages resulting from said negligence to the extent permitted by Section 768.28, Florida Statutes. Nothing herein is intended to serve as a waiver of the immunity from or limitation of liability under the doctrine of sovereign immunity or Section 768.28, Fla. Statutes, by either the COUNTY or the CITY. Nothing herein shall be construed as consent by the COUNTY or the CITY to be sued by third parties in any matter arising out of this Agreement.

12.3 Discrimination

The COUNTY and the CITY shall, during the performance of this Agreement, comply with all applicable provisions of federal, state and local laws and regulations pertaining to prohibited discrimination.

12.4. Assignment

This Agreement may not be assigned.

12.5. Severability

Should any section or part of any section of this Agreement be rendered void, invalid, or unenforceable by any court of law of competent jurisdiction, for any reason, such a determination shall not render void, invalid, or unenforceable any other section or any part of any section of this Agreement.

12.6. Waiver

No act of omission or commission of either Party, including without limitation, any failure to exercise any right, remedy, or recourse, shall be deemed to be a waiver, release, or modification of the same. Such a waiver, release, or modification is to be affected only through a written modification to this Agreement.

12.7. Due Authority

Each Party to this Agreement represents and warrants to the other Party that (i) it is duly organized, qualified and existing entity under the laws of the State of Florida, and (ii) all appropriate authority exists so as to duly authorize the persons executing this Agreement to so execute the same and fully bind the party on whose behalf they are executing.

12.8. Headings

The paragraph headings are inserted herein for convenience and reference only, and in no way define, limit, or otherwise describe the scope or intent of any provisions hereof.

12.9. Fiscal Funding

The obligations of the Parties are subject to sufficient budgeted funds being available in each budget year. In the event that sufficient budgeted funds are not available in a subsequent fiscal year, this Agreement shall terminate on the last day of the fiscal year for which sufficient budgeted funds are available without penalty to either of the Parties.

IN WITNESS WHEREOF, the PARTIES hereto, or their lawful representative, have executed this Agreement as of the date first above written.

CITY OF MADEIRA BEACH,
a municipal corporation
of the State of Florida

PINELLAS COUNTY, FLORIDA, a
political subdivision of the State of
Florida, by and through its
Board of County Commissioners

By: _____
Anne-Marie Brooks, Mayor

By: _____
Chairman

ATTEST:

WITNESS:

By: _____
Clara VanBlargan, MMC, MSM, City Clerk

By: _____
County Clerk
(Seal)

APPROVED AS TO FORM:

APPROVED AS TO FORM:

By: _____
Thomas J> Trask, City Attorney

By: _____
Office of the County Attorney