

**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**BOARD OF COMMISSIONERS
REGULAR MEETING**

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

6:00 P.M.

TUESDAY, AUGUST 9, 2016

COMMISSION CHAMBERS

A. CALL TO ORDER

B. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Terry Lister

C. ROLL CALL

D. APPROVAL OF THE MINUTES

1. [BOC SPECIAL WORKSHOP](#) **JUNE 14, 2016**
2. [BOC AGENDA SETTING MEETING](#) **JUNE 14, 2016**
3. [BOC SPECIAL WORKSHOP MEETING](#) **JULY 12, 2016**

E. APPROVAL OF THE AGENDA

PRESENTATIONS/PROCLAMATION

1. PSTA PRESENTATION
Brad Miller, Rachel Arafello, Cassandra Borchers
2. Gulf Beaches Public Library Budget Update
Maggie Cinnella

DAIS LOG REVIEW

F. PUBLIC COMMENT – LIMITED TO THREE (3) MINUTES

G. CONSENT AGENDA

1. [PLANNING COMMISSION, CIVIL SERVICE COMMISSION, AND LIBRARY BOARD APPOINTMENTS](#)

H. CONTRACTS/AGREEMENTS

1. FIRST AMENDMENT TO SERVICES AGREEMENT WITH HUBBARD'S SEA ADVENTURES INC.

I. UNFINISHED BUSINESS

1. [ORDINANCE 2016-06](#)
A SECOND AND FINAL HEARING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 86-29 OF THE CODE OF ORDINANCES TO PROVIDE FOR ADMINISTRATIVE WAIVERS; PROVIDING FOR PURPOSE, APPLICABILITY, AUTHORITY, APPLICATION PROCESS, REVIEW, FINDINGS AND DECISION, CONDITIONS OF APPROVAL, AND APPEAL PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

J. NEW BUSINESS

1. [AWARD BANKING SERVICES RFP 2016-02](#)
AUTHORIZATION TO AWARD COMPREHENSIVE BANKING SERVICES TO HANCOCK BANK, IN ACCORDANCE WITH RFP NO. 2016-02.

Any person who decides to appeal any decision of the City Commission 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 City Clerk to transcribe verbatim minutes; 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 in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

BROADCAST ON BRIGHT HOUSE GOVERNMENT ACCESS CHANNEL 640

Posted August 05, 2016

2. [**PUBLIC HEARING FOR ALCOHOLIC BEVERAGE APPLICATION #2016-06**](#)
A PUBLIC HEARING TO CONSIDER ALCOHOLIC BEVERAGE APPLICATION #2016.06 FOR A 2COP LICENSE (BEER AND WINE ONLY/SALE BY THE DRINK FOR CONSUMPTION ON PREMISES AND PACKAGE SALES IN SEALED CONTAINERS) AT A COMMERCIAL RECREATION AND ENTERTAINMENT FACILITY LOCATED AT 15395 GULF BOULEVARD.
3. [**DISCUSSION OF CITY RESPONSIBILITY REGARDING ETHICS VIOLATIONS FILED AGAINST EMPLOYEES AND BOARD MEMBERS**](#)
DISCUSSION ON WHETHER TO INCUR POSSIBLE ADDITIONAL COSTS AND FEES FOR THE DEFENSE OF CITY EMPLOYEES AND COMMISSION MEMBERS IF CITY'S INSURANCE POLICY LIMITS ARE EXCEEDED OR TERMINATED.
4. [**REAPPOINTMENT OF SPECIAL MAGISTRATES TO HEAR MOTIONS RELATED TO ORDERS PREVIOUSLY ENTERED**](#)
THOMAS J. TRASK, CITY ATTORNEY
5. [**RESOLUTION 2016-25**](#)
AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING MARINA FUND REVENUE IN THE AMOUNT OF \$21,000; INCREASING MARINA FUND EXPENDITURES IN THE AMOUNT OF \$21,000; AND PROVIDING FOR AN EFFECTIVE DATE.
6. [**RESOLUTION 2016-26**](#)
AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$14,600; INCREASING GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$8,000; AND PROVIDING FOR AN EFFECTIVE DATE.
7. [**BUDGET AND FINANCE POLICY ADOPTION – REVENUE POLICY AND DEBT MANAGEMENT POLICY**](#)
PRESENTED AS PROPOSED ON APRIL, 26TH BOC WORKSHOP MEETING.
8. [**ORDINANCE 2016-07**](#)
THE FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 90 – CONCURRENCY MANAGEMENT OF THE CODE OF ORDINANCES; AMENDING SECTION 90-2 DELETING VARIOUS DEFINITIONS RELATING TO SCHOOL CONCURRENCY, REVISING THE DEFINITION OF “PUBLIC SCHOOLS INTERLOCAL AGREEMENT”, AND CREATING DEFINITIONS FOR “DEFICIENT FACILITY”, “LAND DEVELOPMENT REGULATORY SYSTEM”, “MOBILITY PLAN”, “NEW PEAK HOUR TRIP”, “PEAK HOUR”, “PRE-EXISTING USE”, “TRANSPORTATION MANAGEMENT PLAN” AND “TRANSPORTATION MANAGEMENT SYSTEM”; AMENDING SECTIONS 90-4, 90-5, 90-7 AND 90-8 TO DELETE THE PROVISIONS RELATING TO SCHOOL CONCURRENCY; AMENDING SECTION 90-9 AND SECTION 90-10 IN THEIR ENTIRETY TO REPEAL THE TRANSPORTATION CONCURRENCY PROVISIONS AND TO ESTABLISH A TRANSPORTATION MANAGEMENT SYSTEM; CREATING SECTION 90-11 PROVIDING FOR THE APPLICATION OF TRANSPORTATION MANAGEMENT PLAN STRATEGIES TO DEFICIENT ROAD CORRIDORS; CREATING SECTION 90-12 PROVIDING FOR METHODOLOGY OF DETERMINATION OF TRIP GENERATION; RENUMBERING SECTION 90-11 TO 90-13; RENUMBERING SECTION 90-12 TO 90-14 AND DELETING THE ADOPTED LEVEL OF SERVICE FOR ARTERIAL AND COLLECTOR ROADS; RENUMBERING SECTION 90-13 TO 90-15; AND PROVIDING FOR AN EFFECTIVE DATE.
9. [**ORDINANCE 2016-08**](#)
THE FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE TRANSPORTATION CONCURRENCY, TO PROVIDE FOR A MULTIMODAL TRANSPORTATION SYSTEM THAT MANAGES THE IMPACTS OF DEVELOPMENT PROJECTS, INCREASES MOBILITY AND MITIGATES IMPROVEMENTS CONSISTENT WITH THE METROPOLITAN PLANNING ORGANIZATION'S LONG RANGE TRANSPORTATION PLAN AND THE PINELLAS COUNTY MOBILITY PLAN; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO REVISE CONCURRENCY REFERENCES TO MOBILITY MANAGEMENT AND TO UPDATE A REFERENCE TO THE INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY REGARDING THE COORDINATION OF LAND USE AND PUBLIC SCHOOL FACILITIES PLANNING; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO SUPPORT THE ESTABLISHMENT OF A MULTIMODAL TRANSPORTATION SYSTEM IN ACCORDANCE WITH THE PINELLAS COUNTY MOBILITY PLAN, AND TO ELIMINATE THE PUBLIC SCHOOLS LEVEL OF SERVICE STANDARD; AND PROVIDING FOR AN EFFECTIVE DATE.

Any person who decides to appeal any decision of the City Commission 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 City Clerk to transcribe verbatim minutes; 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 in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

BROADCAST ON BRIGHT HOUSE GOVERNMENT ACCESS CHANNEL 640

Posted August 05, 2016

10. [ORDINANCE 2016-09](#)

THE FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH; REVISING THE GOALS, POLICIES AND OBJECTIVES OF THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO DELETE REFERENCE TO ACCEPTABLE ROADWAY LEVELS OF SERVICE IN POLICY 1.8.1; TO REVISE GOAL 2 TO INCLUDE REFERENCES TO HIGH WATER EVENTS; TO ADD OBJECTIVES AND POLICIES REGARDING FLOODING AND SEA LEVEL RISE; AND PROVIDING FOR AN EFFECTIVE DATE.

11. [ORDINANCE 2016-10](#)

THE FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE OBJECTIVES 2, 3 AND 4 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; RENUMBERING OBJECTIVES 5, 6, 7 AND 8 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; AND PROVIDING FOR AN EFFECTIVE DATE.

K. REPORTS/CORRESPONDENCE

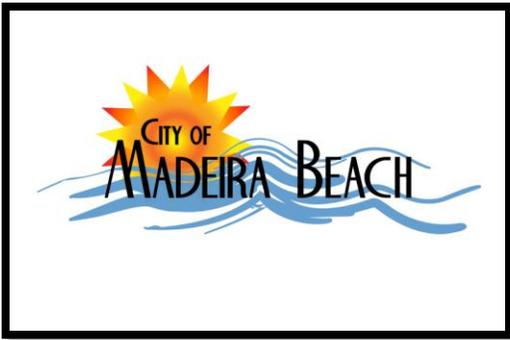
- CITY COMMISSION
- CITY ATTORNEY
- CITY MANAGER
- CITY CLERK

L. ADJOURNMENT

Any person who decides to appeal any decision of the City Commission 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 City Clerk to transcribe verbatim minutes; 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 in order to participate in this meeting should call 727-391-9951 or fax a written request to 727-399-1131.

BROADCAST ON BRIGHT HOUSE GOVERNMENT ACCESS CHANNEL 640

Posted August 05, 2016



**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**BOARD OF COMMISSIONERS
AGENDA SETTING MEETING**

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

5:45 P.M.

TUESDAY, JUNE 14, 2016

COMMISSION CHAMBERS

A. CALL TO ORDER The meeting was called to order at 5:02 P.M.

B. ROLL CALL

Members Present: Travis Palladeno, Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Patricia Shontz, Commissioner District 4

Members Absent: Elaine Poe, Vice-Mayor

Staff present: Shane B. Crawford, City Manager (CM)
Thomas Trask, City Attorney, (CA)
Aimee Servedio, City Clerk (CC)
Dave Marsicano, Public Works/Marina Director (PWMD)
Luis Serna (PC)

C. TOPICS

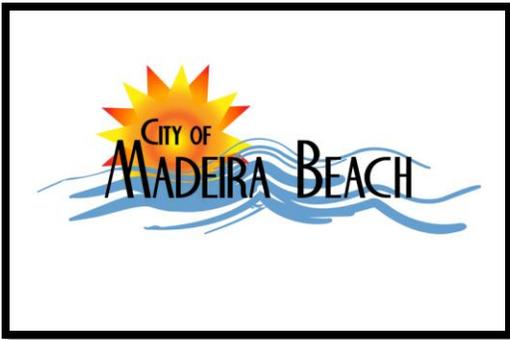
UNLESS THE BOARD OF COMMISSIONERS DETERMINES OTHERWISE, THE CITY MANAGER REQUESTS TO CANCEL REGULARLY SCHEDULED MONTHLY WORKSHOP ON JUNE 28, 2016.

D. ADJOURNMENT The meeting was adjourned at 5:46 P.M.

Date approved: August 9, 2016

Travis Palladeno, Mayor

Submitted by Nick Lewis, Support Specialist



THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

BOARD OF COMMISSIONERS
SPECIAL WORKSHOP MEETING

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

5:00 P.M.

TUESDAY, JUNE 14, 2016

COMMISSION CHAMBERS

A. CALL TO ORDER

The meeting was called to order at 5:02 PM

B. ROLL CALL

Members Present:

Travis Palladeno, Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Patricia Shontz, Commissioner District 4

Members Absent:

Elaine Poe, Vice-Mayor

Staff present:

Shane B. Crawford, City Manager (CM)
Vincent M. Tenaglia, Assistant City Manager (ACM)
Thomas Trask, City Attorney, (CA)
Aimee Servedio, City Clerk (CC)
Dave Marsicano, Public Works/Marina Director (PWMD)
Doug Andrews, Recreation Director (ERD)

C. TOPICS

1. DISCUSSION ON REMOVAL OF ISLAND IN JOHN'S PASS PARK PARKING LOT

Doug Andrews, Events & Recreation Director

CM: Johns Pass Village Association would cover half the cost. The budget is 18,000 which would be a 9,000 cost to the city. Madeira Beach could be one of the few cities in the area with an outdoor ice rink.

ERD: No effect on parking

The consensus was to move forward with this item during the 6 PM meeting

2. DISCUSSION ON USE OF RECREATION FIELDS AT MADEIRA BEACH FUNDAMENTAL

Doug Andrews, Events & Recreation Director

CM: We have a ballpark figure for irrigation the ball fields. Just wanted to get the item in front of them until they know more about the project.

The consensus was to move forward with the school fields

3. DISCUSSION ON GULF BOULEVARD ISLAND BOLLARD LIGHTING

Shane B. Crawford, City Manager

CM: Bollard lighting is approved for county roads, not state. The money transferred for it would sit in the Gulf Blvd fund.

On a side note, the undergrounding of utilities has become problematic due to unforeseen issues. Doesn't want to borrow 3 million dollars and have the lines buried east-west.

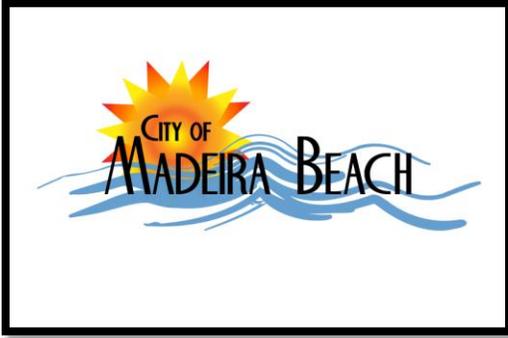
Mayor: When looking at layouts of light poles, try to work with Duke to get them closer to the crosswalk

D. ADJOURNMENT - Meeting adjourned at 5:20 PM

Date approved: August 9, 2016

Travis Palladeno, Mayor

Submitted by Nick Lewis, Support Specialist



**THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE**

**BOARD OF COMMISSIONERS
SPECIAL WORKSHOP MEETING**

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

4:30 P.M.

TUESDAY, JULY 12, 2016

COMMISSION CHAMBERS

A. CALL TO ORDER

The meeting was called to order at 4:44 P.M.

B. ROLL CALL

MEMBERS PRESENT:

Travis Palladeno, Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Elaine Poe, Commissioner District 3

STAFF PRESENT:

Shane Crawford, City Manager (CM)
Thomas Trask, City Attorney (CA)
Aimee Servedio, City Clerk (CC)
Vince Tenaglia, Assistant City Manager/Finance Director (ACM/FD)
Dave Marsicano, Public Works/Marina Director (PW/MD)
Frank DeSantis, Community Service Director/Building Official (CDS/BO)
Michelle Orton, Planning/Zoning Director (PZD)
Doug Andrews, Events and Recreation Director (ERD)

C. TOPICS

1. PRESENTATION ON EPIC ENVIRONMENTAL PRESERVATION INITIATIVE FOR OUR COMMUNITIES

Greg Tong, EPIC

Greg Tong: Board director of Treasure Island Chamber of Commerce and Chairman for EPIC. Their mission is to empower the business and residents in the community for long term environmental stability and preservation. Mr. Tong showed a news segment and power point of his organization, further showing the goals they have. Asks the commission to join the program and further awareness for environmental issues.

CM: Epic has asked for an employee to be appointed to the committee. Recommended Deb Laramée.

The consensus was to allow the employee to join the EPIC Committee

2. UPDATE ON UTILITY UNDERGROUNDING PROJECT

Stephen R. Tarte, Principal, CPWG

PW/MD: Stated that this project has been a very difficult one and that this is the test phase. They're awaiting Duke Energy to put the conduit in the ground.

Stephen Tarte: Gave an update on the phase 1 of the project. There are issues on the West side with existing utility lines and other things that have interfered with the project.

Commissioner Lister: This phase has been a success. Less money has been spent to find out if this was feasible for the 3 mile stretch of Madeira Beach. It was exactly what they intended to do.

CM: After the first phase, they will come up with a new plan to bury the east/west wires, spending 3 million dollars less. Should have the numbers by the next agenda.

3. DISCUSSION ON BOARD OF COMMISSIONER'S BALLOT AND SELECTION OF CANDIDATE FOR DISTRICT 4 VACANCY

Shane B. Crawford, City Manager

Thomas Trask, City Attorney

CA: The charter provides that when there is a vacancy amongst the commission, there is 30 days to fill the vacancy. The position will be held until the election and the commissioner will be an incumbent during the next election. The 3 applicants were John E. Douthirt, Housh Ghovae, and Joseph Fala. Mr. Ghovae is the recipient of the lowest number, making him the appropriate person to appoint based off of the balloting.

Consensus was to appoint Mr. Ghovae during the regular meeting.

4. UPDATE ON BOARD OF COMMISSIONER'S ROTARY REPRESENTATIVE DUE TO DISTRICT 4 RESIGNATION
Shane B. Crawford, City Manager
Travis Palladeno, Mayor

CM: Former commissioner Shontz was the Rotary representative. They would like to present her with an honorary membership. There's a position open and budgeted for any commissioner who wants to go. States it's important to be involved and gives the example of how the city hosted the carnival, bringing in revenue, due to them.

Consensus was for Commissioner Hodges to become the new representative

5. DISCUSSION ON CHAIR, UMBRELLA, CABANA CONTRACT SEVERING AT ARCHIBALD PARK
Shane B. Crawford, City Manager

CM: Asking to consolidate duties to one vendor, beach wide. Looking for the most efficient way to structure an RFQ to fit Madeira Beach's needs. The contracts are up in August/September and October for Archilald.

Consensus is to let City Manager move forward

6. DISCUSSION ON ANNUAL AND DAILY SPECIAL EVENT PARKING PERMIT TO ADD FISHING TOURNAMENTS AND CITY CENTRE EVENTS
Shane B. Crawford, City Manager

CM: Wants consideration to add additional events for residents to receive parking permits on private property during said events. This will help alleviate traffic and parking.

Consensus is to move forward

7. DISCUSSION ON BIG-C RESOLUTION NO. 2016-03 REGARDING SHORT TERM RENTALS AND HOME RULE
Travis Palladeno, Mayor

Mayor: Working with other counties in order to bring this forward. Next step is to bring it to the Mayor's council and the county after that.

8. DISCUSSION ON GRAPHICS ON NEW GULF BOULEVARD BUS STOPS
Travis Palladeno, Mayor

Mayor: Wants to put the city logo on bus stops in order to let visitors know that they're in Madeira Beach. Wants to go out and get some sponsorship.

Consensus is to allow an additional 30 days to assess cost and see how much the sponsors will be willing to contribute.

9. DISCUSSION AND REVIEW OF UPDATES TO FEES AND COLLECTION PROCEDURE MANUAL IN RESOLUTION 2016-24
Shane B. Crawford, City Manager
Frank DeSantis, Community Services Director
Michelle Orton, Planning & Zoning Director
Doug Andrews, Events & Recreation Director

CM: Staff recommendation is for approval.

Consensus was to move forward with approval

D. ADJOURNMENT

The meeting adjourned at 5:33 P.M.

Date approved: August 9th, 2016

Travis Palladeno, MAYOR

Submitted by Nick Lewis, Administrative Support Specialist



MADEIRA BEACH BOARD OF COMMISSIONERS

August 9, 2016 – Agenda Report

FROM: Nick Lewis, Administrative Support Specialist

SUBJECT: PSTA PRESENTATION

BACKGROUND: The PSTA will be making a presentation on the Express Bus Rapid Transit (BRT) service in St. Petersburg's Central Avenue corridor from downtown St. Petersburg to the Gulf Beaches.

BUDGETARY N/A
IMPACT:

RECOMMENDED N/A
BY STAFF:

ATTACHMENT(S): PTSA Pamphlet

Central Avenue Bus Rapid Transit

Express Bus Rapid Transit (BRT) service in St. Petersburg's Central Avenue corridor from downtown St. Petersburg to the Gulf beaches has some existing funding identified, and is the most "shovel-ready" project of the six potential corridors recommended in past studies, making it an ideal BRT "pilot project" for Pinellas County.

The **goals of the Central Avenue BRT** project are to develop and implement successful BRT service that

- Supports local revitalization and economic development plans;
- Supports tourism with a fast, convenient transportation alternative between two of Pinellas' major tourist centers;
- Attracts new ridership;
- Supports the unique character of the area; and
- Provides service in a cost-effective manner.



The Central Ave BRT will complement local service provided by the existing, and highly successful Central Avenue Trolley by providing **expedited, limited stop travel** from downtown St. Petersburg to the beaches, seven days a week on 1st Ave N (westbound) and 1st Ave S (eastbound).

The trolley route will continue to serve numerous destinations along the corridor, while the proposed BRT will serve only major stops in the corridor, cutting the current transit travel time from St. Pete to the beaches by more than a third.

This pilot BRT route will be the first of what may ultimately be a future network of rapid transit services connecting Clearwater Beach, Tampa International Airport, and other key tourist destinations and economic centers.

Funding: Total Project Cost \$16.5 Million, Phased Over 3 Years

- \$1.25M appropriated in 2016 for Project Development & Environment (PD&E) design work.
- Seek balance of construction funding in DOT work program in 2017-2019.
- Express service begins 2019.

Brad Miller
PSTA Chief Executive Officer
Office: (727) 540-1807
Cell: (727) 459-9697
Email: bmiller@psta.net





Central Avenue Bus Rapid Transit Service



Serves Major Employers, Destinations, and Residential Areas:

- Downtown St. Petersburg's medical center and other major medical facilities.
- University of South Florida St. Petersburg
- Restaurants and shops
- Museums, Performing Arts Center and arts districts
- Tropicana Field
- Tourist destinations/employment on the Beaches
- Special events downtown and on the Beaches

Supports Community Plans and Investments:

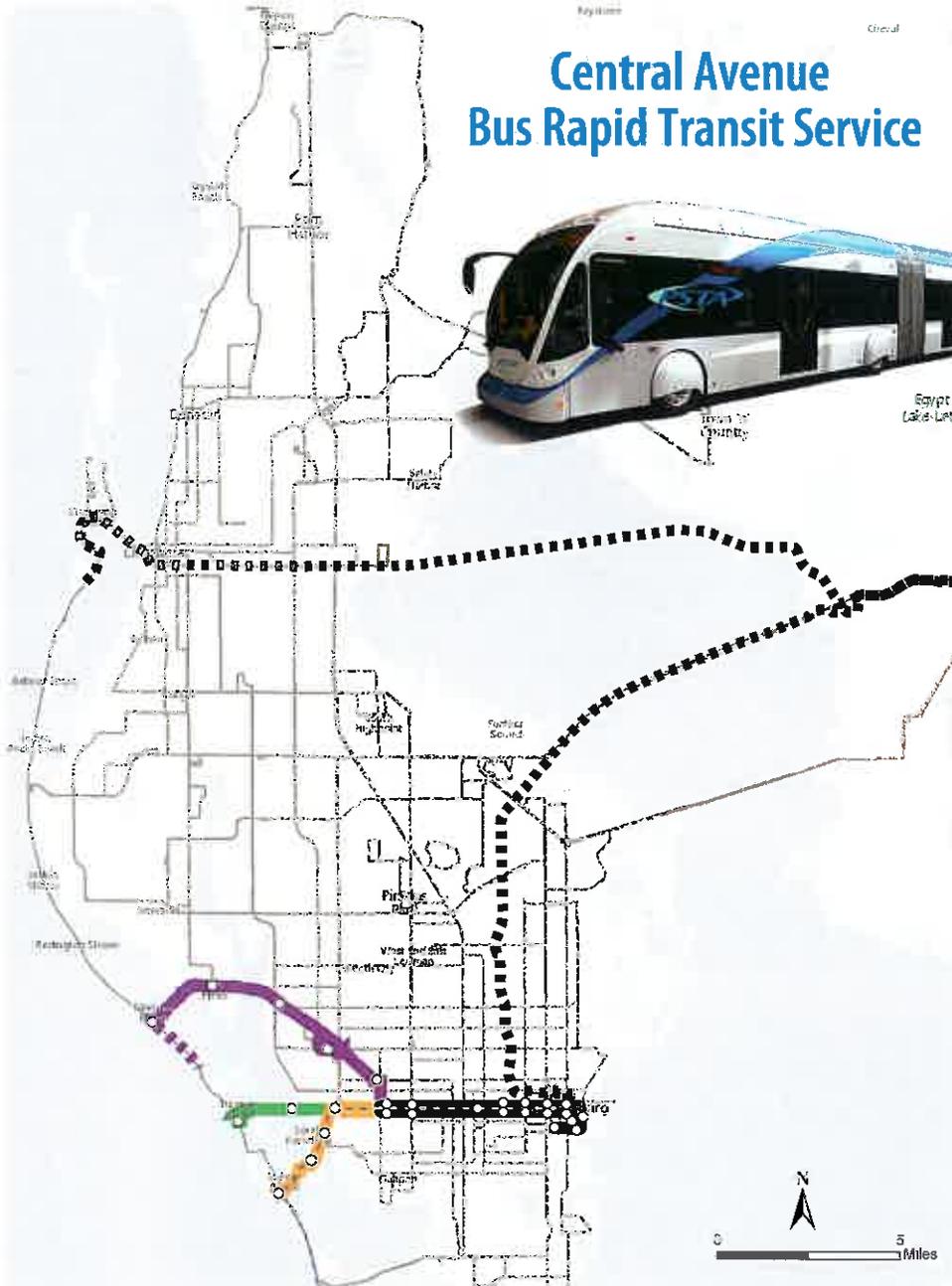
- City of St. Petersburg Central Avenue Revitalization Plan
- Central Avenue Art in Transit Project (\$2.8-\$4M+ City Investments)
- St. Petersburg City-Chamber Economic Development Initiatives

Service Facts:

- Length of Route: 10-14 miles
- Proposed Stops: 12-16 in each direction
- Proposed Frequency: Bus every 15 minutes
- Proposed Service Span: 5am-midnight
- Total Number of Vehicles: 5-7
- Total Capital Cost: \$16.5M
- # of Jobs within 1/2 mile of Corridor: 25K
- # of People within 1/2 mile of Corridor: 48K

Supported By:

- Pinellas Suncoast Transit Authority
- City of St. Petersburg
- Pinellas County
- St. Petersburg Chamber of Commerce
- Central Avenue Business District
- Tampa Bay Beaches Chamber
- Tampa Bay Rays



LEGEND

Central Avenue Corridor	Proposed Stop/Station Locations
Madeira Beach Alternative	Central Avenue Trolley
Treasure Island Alternative	Suncoast Beach Trolley
St. Petersburg Beach Alternative	Airport Express Routes
	PSTA Routes

Date: March 2015
 Author: PSTA
 Source: PSTA, 10/2014 Booking

DRAFT - MARCH 2015



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Brad Miller, PSTA Chief Executive Officer

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Email: bmill@psta.net



MADEIRA BEACH BOARD OF COMMISSIONERS

August 9, 2016 – Agenda Report

FROM: Nick Lewis, Administrative Support Specialist

SUBJECT: LIBRARY UPDATE

BACKGROUND: Maggie Cinnella, from Gulf Beach Library, will be giving a presentation on the Libraries' upcoming budget, what they've been doing in the last year, and what they have planned for the future.

BUDGETARY None
IMPACT:

RECOMMENDED N/A
BY STAFF:

ATTACHMENT(S): None



MADEIRA BEACH BOARD OF COMMISSIONERS

August 9, 2016 – Agenda Report

<u>FROM:</u>	Shane B. Crawford, City Manager
<u>SUBJECT:</u>	PLANNING COMMISSION, CIVIL SERVICE COMMISSION, AND LIBRARY BOARD APPOINTMENTS
<u>BACKGROUND:</u>	<p>The City has 2 vacancies on the Civil Service Commission, 3 on the Planning Commission and 1 on the Library Board.</p> <p>The City Advertised and we received 3 applications for the Civil Service Commission, 7 for the Planning Commission, and none for the Library Board.</p> <p>At the special workshop meeting on Tuesday, August 9th, you will have voted for the candidates you deemed most qualified in the workshop. Staff will have tabulated your voting sheets and you'll appoint the winning candidate at the BOC meeting at 6pm. I recommend that we re-advertise for a library board appointment OR you can direct staff to contact those not appointed to the Civil Service Commission and Plan Commission and see if they're interested in serving on the Library Board</p>
<u>BUDGETARY IMPACT:</u>	N/A

<u>RECOMMENDED BY STAFF:</u>	N/A
<u>ATTACHMENT(S):</u>	N/A

FIRST AMENDMENT TO SERVICES AGREEMENT

THIS FIRST AMENDMENT TO SERVICES AGREEMENT ("First Amendment"), effective as of the _____ day of _____, 2016 is hereby entered into between the City of Madeira Beach, a Florida municipal corporation, hereinafter referred to as "City", and Hubbard's Sea Adventures, Inc., a Florida corporation, hereinafter referred to as "Contractor".

RECITALS

WHEREAS, the City and Contractor entered into that Services Agreement, hereinafter referred to as "Agreement", dated June 14, 2016, whereby the City engaged the services of the Contractor to provide ferry services; and

WHEREAS, the Agreement provided that the term of the Agreement was to commence on August 1, 2016 and remain in full force and effect for one year; and

WHEREAS, the Parties wish to change the date of commencement to October 1, 2016; and

WHEREAS, Exhibit "A" to the Agreement provides for specific schedules and days of operation as well as landing points; and

WHEREAS, the City and Contractor wish to have flexibility in the schedules, days of operation and landing points.

NOW THEREFORE, in consideration of the mutual terms, covenants and conditions contained herein, the Parties mutually agree to amend the Agreement, as follows:

1. That paragraph 4.A. of the Agreement is hereby amended to read as follows:
 - A. **Initial Term.** The term of this Agreement shall commence on October 1, 2016 and shall remain in full force and effect for one (1) year.
2. That Exhibit "A" (Scope of Work) of the Agreement is hereby amended to add the following paragraph after the listing of landing points:

The scope of services, including the schedules, days of operation and landing points, set forth in this Exhibit "A" may be amended by mutual written agreement of the City Manager and the Contractor.

3. Except as expressly set forth herein, all of the terms, covenants and conditions of the Agreement, as amended, are hereby ratified and confirmed by the City and the Contractor, and each, by the execution of this First Amendment hereby signify their intent to be bound thereby.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment on the day and year set forth above.

CITY OF MADEIRA BEACH, a Florida
municipal corporation

WITNESSES:

By: _____
Travis Palladeno, Mayor

Print Name: _____

Print Name: _____

ATTEST:

Aimee Servedio, City Clerk

APPROVED AS TO FORM:

Thomas J. Trask, City Attorney

HUBBARD'S SEA ADVENTURES, INC., a
Florida corporation

WITNESSES:

By: _____
Mark Hubbard, President

Print Name: _____

Print Name: _____



**MADEIRA BEACH
BOARD OF COMMISSIONERS
AUGUST 9, 2016 – AGENDA MEMO**

FROM: Michelle Orton, CFM
Planning and Zoning Director

SUBJECT: **SECOND AND FINAL HEARING OF ORDINANCE NO. 2016-06
PERTAINING TO ADMINISTRATIVELY WAIVING THE CITY'S
LAND DEVELOPMENT REGULATIONS WHEN SPECIAL
CIRCUMSTANCES OR SPECIFIC FINDINGS APPLY.**

BACKGROUND: It has been determined by City staff that the strict application of the City's Land Development Regulations (LDR) has denied a property owner privileges enjoyed by other property owners in the same vicinity and zoning district. This has been found in older subdivisions that were platted and built prior to the City's LDR.

The granting of the waiver will only be permitted if the applicant has determined there are special circumstances and specific findings that have been made. Waivers will not be granted for permitted land uses, density, floor area ratio, specific prohibitions (ex. prohibited signs), and procedural requirements. The waiver would not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located and would ensure that the approval complies with the required findings.

**BUDGETARY
IMPACT:** N/A

**STAFF
RECOMMENDATION:** City staff and the Local Planning Agency/Planning Commission recommends **APPROVAL** to the Board of Commissioners for Ordinance 2016-06.

ATTACHMENT(S): Ordinance 2016-06
Proof of Advertising

Agenda Item: _____

ORDINANCE NO. 2016-06

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 86-29 OF THE CODE OF ORDINANCES TO PROVIDE FOR ADMINISTRATIVE WAIVERS; PROVIDING FOR PURPOSE, APPLICABILITY, AUTHORITY, APPLICATION PROCESS, REVIEW, FINDINGS AND DECISION, CONDITIONS OF APPROVAL, AND APPEAL PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, under certain circumstances City staff has found that the strict application of the City's Land Development Regulations has denied a property owner privileges enjoyed by other property owners in the same vicinity and zoning district; and

WHEREAS, City staff has reviewed Subpart B – Land Development Regulations of the Madeira Beach Code of Ordinances and found it necessary to create a process for administratively waiving standards of the Land Development Regulations; and

WHEREAS, the granting of certain administrative waivers may only occur when special circumstances apply and specific findings have been made; and

WHEREAS, it is necessary to exclude administrative waivers for permitted land uses, density, floor area ratio, prohibited development standards, and procedural requirements; and

WHEREAS, the Board of Commissioners has determined it is meritorious establish a process for waiving certain provisions of the Land Development Regulations.

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

Section 1. That Section 86-29 of Article I of Chapter 86 of the Code of Ordinances of the City of Madeira Beach is hereby created to read as follows:

Sec. 86-29 - Administrative waiver.

- (a) *Purpose.* Administrative waiver provides a process for the city staff to consider requests to waive or modify certain standards of this Code when, special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical features, the strict application of the development regulations otherwise applicable to the property denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district.
- (b) *Applicability.* An administrative waiver may be granted to waive or modify any requirement of the land development regulations (LDR) except: permitted land uses; density; floor area ratio; specific prohibitions (for example, prohibited signs), or procedural requirements.
- (c) *Review authority.* The City Manager or designee may approve an administrative waiver to grant relief from the required setbacks in the LDR, up to a maximum variance of fifteen percent of the requirement or a maximum of five feet, whichever is smaller.

An administrative waiver may also be used to grant relief from "on-site parking, loading, and landscaping" up to a maximum reduction of ten percent provided there is less than a one percent reduction in the impervious surface ratio on the site.

- (d) *Application filing and processing.* An application for an administrative waiver shall be completed, filed, the required application fee paid and processed in compliance with this chapter. It is the responsibility of the applicant to provide evidence in support of the findings required in subsection (f).
- (e) *Project review, notice and hearing.* Each application shall be reviewed by the City Manager or designee to ensure that the proposal complies with this Section, and other applicable requirements of the LDR. The City Manager or designee may approve or deny an administrative waiver without a public hearing or public notice.
- (f) *Findings and decision.* The City Manager or designee may approve or deny an application for an administrative waiver. The City Manager or designee shall record the decision and the findings on which the decision is based.
 - (1) *General findings.* The City Manager or designee may approve an administrative waiver only after first making all of the following findings.
 - a. There are special circumstances applicable to the property, including size, shape, topography, location, or surroundings, so that the strict application of the LDR deprives the property of privileges enjoyed by other property in the vicinity and within the same zoning district;
 - b. The approval of the administrative waiver includes conditions of approval as necessary to ensure that the adjustment granted does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and within the same zoning district; and
 - c. The administrative waiver is consistent with the comprehensive plan, and any other adopted plan or policy of the city.
 - (2) *Reasonable accommodation.* The City Manager or designee may also grant an administrative waiver to the site planning or development standards of the LDR in compliance with this section, based on the finding that the waiver is necessary to accomplish a reasonable accommodation of the needs of a disabled person, in compliance with the Americans with Disabilities Act (ADA).
 - (3) *Sanitation service.* The City Manager or designee may also grant an administrative waiver to the site planning or development standards of the LDR in compliance with this section, based on the finding that the waiver is necessary to install a dumpster and provide traffic circulation on the site for the sanitation vehicle.
 - (4) *Improvements to existing buildings.* The City Manager or designee may also grant an administrative waiver to a development standard of the LDR in compliance with this section, based on the finding that the improvement is required by the Florida Building Code.
- (g) *Conditions of approval.* In approving an administrative waiver, the City Manager or designee:
 - (1) Shall impose conditions to ensure that the approval does not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located; and
 - (2) May impose any reasonable conditions to ensure that the approval complies with the findings required by subsection (f).

(h) *Appeal procedures.* A property owner that is denied an administrative waiver may, before presenting their grievance to any circuit court or other court of competent jurisdiction attacking the land development regulations, or any of its terms and provisions, shall first apply to the board of commissioners of the city, or petitioning the special magistrate for relief as in such cases made and provided.

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

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
MADEIRA BEACH, FLORIDA, THIS ____ day of _____, 2016.**

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio, City Clerk

NOTICE OF PUBLIC HEARING CITY OF MADEIRA BEACH

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes §166.041 (3)(a):

NOTICE IS HEREBY GIVEN, the Board of Commissioners of the City of Madeira Beach will conduct a second and final hearing and proposes to adopt **Ordinance 2016-06** on **Tuesday, August 9, 2016** at 6:00 p.m. City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

The title of said Ordinance is as follows:

ORDINANCE 2016-06

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CREATING SECTION 86-29 OF THE CODE OF ORDINANCES TO PROVIDE FOR ADMINISTRATIVE WAIVERS; PROVIDING FOR PURPOSE, APPLICABILITY, AUTHORITY, APPLICATION PROCESS, REVIEW, FINDINGS AND DECISION, CONDITIONS OF APPROVAL, AND APPEAL PROCEDURES; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed Ordinance are available for inspection in the Office of the City Clerk between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday.

All persons are hereby advised that any presentation they make to the Board of Commissioners will be encouraged to be as precise as possible. The Board of Commissioners may limit the time of each individual to permit maximum participation by the public at large. 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 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. Therefore, any person needing a verbatim record must make the necessary arrangements with a private reporter or private recording firm and bear the resulting expense. Any person with a disability requiring reasonable accommodation in order to participate in this meeting should call (727) 391-9951 or fax a written request to (727) 391-1131.

Aimee Servedio
City Clerk

7/22/2016



MADEIRA BEACH BOARD OF COMMISSIONERS

August 2, 2016 – Agenda Report

<u>FROM:</u>	Vincent M. Tenaglia, Assistant City Manager
<u>SUBJECT:</u>	AUTHORIZATION TO AWARD COMPREHENSIVE BANKING SERVICES TO HANCOCK BANK, IN ACCORDANCE WITH RFP NO. 2016-02.
<u>BACKGROUND:</u>	<p>Finance released Request for Proposals (RFP) No. 2016-02, Comprehensive Banking Services, on June 10, 2016. The RFP was sent to professional contacts at 17 banks and advertised publicly. The three primary objectives of the RFP were to modernize the City's banking operation, secure a more favorable fee structure, and improve the degree of relationship support to staff.</p> <p>Proposals were considered not only in relation to each other but also in relation to the current agreement with Bank of America, and were evaluated on the following weighted criteria: past experience (20 points); scope of services (20 points); business systems (10 points); and applicable fees (50 points). The City received proposals from nine banks, of which three were selected for finalist interviews. Ultimately Hancock Bank was selected by Finance as the top-ranked proposal due to its robust scope of services, notably competitive rates, and attentive implementation and support team. The Hancock Bank proposal achieves each of the RFP objectives.</p>
<u>BUDGETARY IMPACT:</u>	<p>Whereas the City has maintained a minimum balance of approximately \$2.8M to offset Bank of America's service fees, the balance required by Hancock Bank to offset service fees is estimated at just \$1.1M. As a result, approximately \$1.7M becomes immediately available for investment. Meanwhile, Hancock Bank's scope of services includes an interest-bearing sweep account yielding 70 bps, higher than any other investment product in the City's portfolio. The net budgetary impact of the new agreement is an estimated increase of \$15,500 generated by additional interest earnings and reduced banking fees. The tentative FY 2017 budget will be revised accordingly.</p>
<u>RECOMMENDED BY STAFF:</u>	Finance recommends authorization to award RFP No. 2016-02 to Hancock Bank.
<u>ATTACHMENT(S):</u>	<ul style="list-style-type: none">- RFP 2016-02 Evaluation Summary- Hancock Bank Proposal

**RFP 2016-02: COMPREHENSIVE BANKING SERVICES
EVALUATION SUMMARY**

	Fee Structure Max. 50 points	Scope of Services Max. 20 points	Business Systems Max. 10 points	Experience Max. 20 points	Total Points	Rank
Bank of America*	25.18	13.33	5.00	13.33	56.85	7
BankUnited	38.98	13.33	6.25	20.00	78.57	3
BB&T	22.00	6.67	10.00	20.00	58.67	6
Chase	13.37	13.33	6.25	20.00	52.95	8
Hancock	45.23	20.00	7.50	13.33	86.07	1
Jefferson	0.00	16.67	7.50	20.00	44.17	10
Regions	24.98	13.33	7.50	20.00	65.82	4
SunTrust	18.43	13.33	10.00	20.00	61.77	5
TD	41.07	13.33	7.50	20.00	81.90	2
Wells Fargo	2.08	16.67	8.75	20.00	47.50	9

*Bank of America (City's current service provider) did not submit a proposal. Included in tabulation for comparative purposes.



City of Madeira Beach

RFP NO. 2016-02

SUBMITTED BY

Sophia Berling

Vice President, Institutional Banking Manager

Pensacola, FL

850-444-3238

sophia.berling@hancockwhitney.com

7/8/2016

7/8/2016

Mr. Vincent Tenaglia
Assistant City Manager
City of Madeira Beach (The City)
300 Municipal Drive
Madeira Beach, FL 33708

Dear Vince,

Hancock Bank is pleased to present City of Madeira Beach (hereinafter referred to as The City) the attached proposal for banking services. We are excited about the opportunity to partner with The City in order to deliver you the best products and customer service available.

Hancock Bank's unique culture continues to differentiate our organization from the competition. This culture includes a strong emphasis on customer service. We believe in order to provide a high level of service and exceed our customer's expectations it is essential that we understand The City's business and are able to anticipate your needs. This type of "relationship" banking provides both The City and the Bank the mutually beneficial consistency required in today's competitive environment.

Our proposal provides new services to The City to create efficiency plus fraud protection services to protect The City's funds. Hancock Bank will continually evaluate its services to The City and proactively review, recommend, and implement improvements to these services.

We agree to pay interest on the deposits as requested in accordance with Florida statutes. Hancock Bank would like to offer two interest rate options for The City to choose from:

With either Option 1 or Option 2 we would offer an annual Earnings Credit Rate (ECR) of 1.00%. The earnings credit will be used to reduce monthly maintenance and transaction fees. This is calculated by applying an Earnings Credit Rate to the average available balance.

The compensating balance is based on the estimated funds needed to meet The City's daily cash flow requirement and monthly service fees. The Estimated Compensating Balance will be set as a target balance with excess funds transferred to Public Now for Overnight Investment. The Target Balance of \$1,150,000 will earn 1.00% ECR. The Estimated Investment Fund is based on The City's Operating and MM account averages February - May 2016 minus the Target Balance.

Interest Rate Earnings Options based on Investment Balance of: \$2,252,377.39

Option 1

A fixed rate of .70% for the term of the contract.

Estimated Annual Interest Earnings with Hancock Bank's Public Now Fixed Rate of .70%: \$16,025.11

Option 2

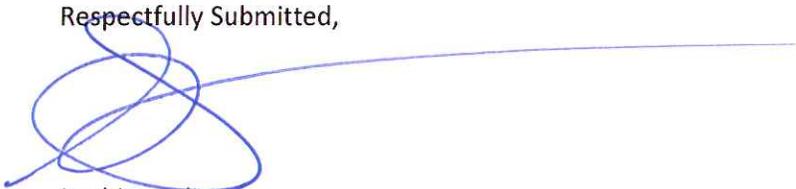
A floating rate tied to the 90 Day T-bill plus 0.15% with a floor of 0.45% for the term of the contract and will be set on the first business day of each month. As of July 1, 2016 the 90 Day T-Bill rate is 0.255%. When calculated (0.255% + 0.15%) the rate equals 0.40% with the floor rate applied The City's interest rate will be 0.45%.

Estimated Annual Interest Earnings with Hancock Bank's Public Now Floating Rate: \$10,301.86

We look forward to working with The City in meeting your banking needs. The dedicated team has experience supporting the Municipal and Institutional sector allowing our team to concentrate on the needs of your industry and provide the solutions that benefit you most.

If you should have any questions regarding the products, solutions or answers detailed in our response, please don't hesitate to contact me directly. Thank you for your consideration.

Respectfully Submitted,



Sophia Berling
Vice President, Institutional Banking Manager
Institutional Banking
sophia.berling@hancockwhitney.com
850-444-3238

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City of Madeira Beach
RFP NO. 2016-02

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Executive Summary – Section A

Hancock Bank is pleased to have the opportunity to present The City with the following proposal for Banking Services. At Hancock Bank, we believe creating strong partnerships with our clients is the first step to understanding the financial challenges and issues you deal with on a daily basis. We hope the proposed solutions in this RFP are just a starting point to providing you with the financial strength, proactive product and service recommendations, and most of all, outstanding customer service you should expect from your Bank. Our dedicated Institutional Banking Team looks forward to partnering with The City in order to develop a custom tailored solution to address all your requirements and needs. We believe the information detailed in our response will demonstrate our sincere interest in becoming the financial institution of choice for The City.

Hancock Bank understands you have many choices when selecting an organization to provide your banking solutions. We believe there are a number of factors that separate Hancock Bank from the rest of the pack. Below you will find a number of highlights we believe will help you answer the question; “Why Hancock Bank?”

Strength and Stability

Hancock Holding Company is a multi-faceted financial services company with regional business headquarters and locations throughout the growing Gulf South corridor. With a heritage dating to the late 1800s, the company’s banking subsidiary provides a comprehensive network of full-service financial locations through Hancock Bank locations in Mississippi, Alabama, and Florida and Whitney Bank locations in Louisiana and Texas. Our solid foundation has literally and figuratively weathered storms for more than a century because of our unwavering commitment to strong capital, common-sense business practices, and proactive risk management.

Hancock Bank is listed among America’s strongest, safest financial institutions, with a 5-Star Superior rating from BauerFinancial Inc. for the quarter ending June 30, 2015. This rating affirms the bank’s longstanding stability for the 104th consecutive quarters. (26 years in a row)

Since 1883 the Hancock Bank name has embodied core values of Honor & Integrity, Strength & Stability, Commitment to Service, Teamwork, and Personal Responsibility.

Dedicated Relationship Team

Hancock Bank has a dedicated group of professionals who concentrate solely on delivering products and services to the municipal sector. Our team has decades of combined experience serving the public sector, providing us with extensive knowledge and insight into what clients like The City need and allowing us to tailor products to meet those needs.

This team of professionals are responsible for implementation, product training, on-going product support and, as always, providing The City outstanding customer service. Your Relationship Manager, Sophia Berling, will be your primary contact for all your Banking Service needs along with assistance from members of our Treasury Management and Institutional Banking Support teams.

Hancock Bank believes this commitment to servicing your organization with a dedicated team helps to set us apart from other financial institutions.

Best-In-Class Treasury Services

Having funds where you need them, when you need them – not a moment too soon and not a moment too late – can mean the difference between success and failure in the business world. Our Treasury Management Service Team has a track record of proven performance. We provide products that help you manage your payments and deposits more efficiently.

Hancock Bank's **Treasury Solution** platform features powerful tools all in one place, enabling you to manage The City's banking needs securely and easily, whether you're at your desk or on the go. Treasury Solution's modular design allows you to enroll in only those components that make sense for your organization, while our convenient portal gives you a single point of entry for all your bank accounts. What's more, you can assign different levels of access to your associates based on the functions they perform.

Premier Gulf Coast Bank

The merger of Hancock and Whitney Bank in 2011 was executed with one important goal in mind; become the Preeminent Gulf Coast Bank. Both Hancock Bank and Whitney Bank had endured 100-plus years of economic ups and downs. Both banks were founded in the late 1800s, just 65 miles apart, to facilitate commerce and opportunities for people. Today, Hancock and Whitney have come together under Hancock's corporate banner to create one solid company and Bank with a contiguous five-state Gulf South footprint and over \$23 billion in assets.

Hancock Bank is well positioned to help businesses of all sizes invest and thrive in the region. The company is the only financial institution with a significant presence in every major port city on the Gulf Coast as well as Jacksonville on the East Coast.

Outstanding Customer Service

Trust isn't something that's easily built over video screens or long-distance calls. That's why, at Hancock Bank, we make it a priority to be here for you and your organization, with local branches offering face-to-face service. Hancock customers leave with more than a transaction receipt in hand. We listen to your goals and have what it takes to help you achieve them.

Developing that trust starts with providing The City with outstanding customer service. Hancock Bank has a long history of providing exceptional customer service and it's part of the tradition and culture promoted in our Bank on a daily basis. To support our efforts, the Bank was recently awarded 19 Greenwich Excellence Awards for 2015 in the areas of Overall Satisfaction, Relationship Manager Capability, Branch Satisfaction, Cash Management-Overall Satisfaction and Cash Management – Product Capabilities.

Your relationship manager, Sophia Berling, is looking forward to showing you the type of customer service for which we have been nationally recognized.

Pricing

Hancock Bank has included a very competitive pricing proposal for The City to review. Our pricing methodology takes into consideration all the products and services specified as required in the proposal. Please let us know if you have any questions or would like further details.

Community Commitment

Our associates live and work in the same Gulf Coast communities that you do. Hancock Bank realizes it has a big responsibility to the communities we serve and encourages associates to volunteer and be active participants in their communities. We realize our goal of being the “Preeminent Gulf Coast Bank” cannot be achieved without our commitment to the communities where we operate. Many of our associates sit on local boards and committees in order to better understand the needs and issues of our communities and customers. Hancock Bank donates funds annually to several charitable organizations and non-profits in its footprint, and we look forward to continuing this commitment in the future.

We’ve Got You Covered

With offices and branches stretching across the Gulf Coast, Hancock Bank looks forward to servicing all your local banking needs. With deep traditions and a customer service culture that makes us stand out from the crowd, we’re glad to have a branch footprint that allows us to make sure “We’ve Got You Covered.”



Conclusion

Hancock Bank would like to once again express our commitment and strong interest in providing The City with the solutions to help you achieve your organization's goals. We believe our team of experienced bankers coupled with Hancock Bank's broad suite of treasury products and services will help to deliver what The City needs to be successful and drive efficiency. Hancock Bank is positive that our response presents a compelling offering that not only meets, but exceeds your requirements and objectives.

The City should be confident in selecting Hancock Bank knowing that you will be supported by an experienced Institutional Banking Relationship Manager, provided unmatched customer service, have access to our advanced banking platforms and most of all, a commitment to meeting all your banking needs.

Section B - Past Experience

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Experience and Years in the Business

Hancock Bank has over 100 years' experience in providing banking and treasury services to institutional customers. We offer a comprehensive approach to serving your banking needs. As a customer, you can count on a relationship with a trusted bank committed to helping you succeed.

Experience has taught us that to be successful we need to embrace innovation, build new business relationships, and streamline transactions. We offer a comprehensive range of banking solutions to help The City succeed.

Bank Profile

Hancock Bank offers distinctive, high-value financial products and services for governmental entities. Institutional Banking clients benefit from a personalized relationship with an Institutional Banker and a team of professionals, including Treasury Management. Accompanied by a local team of dedicated experts, our Institutional Bankers are empowered to meet the comprehensive financial needs of our clients.

At Hancock Bank we're proud to bring our customers world-class financial services as well as a strong commitment to the communities we serve. Our bankers are a part of that commitment, bringing with them the values and skills that have allowed us to become one of the strongest and safest banks in America. We're honored to play our part in growing our community by helping our customers achieve their financial goals and dreams.

Relationship Team

Sophia Berling, Vice President, Institutional Banking Relationship Manager

Sophia has been with Hancock Bank for 19 years and has 29 years of professional experience in banking, with 14 years being in Treasury Management and the last 5 years in Institutional Banking.

Debbie Wright, Vice President, Treasury Management Team Lead

Debbie has been with Hancock Bank for 5 years and has 38 years commercial banking experience, with 29 plus years being in Treasury Management.

Tracy Ford, Vice President, Treasury Services Customer Advocate

Tracy has been in banking for 29 years with 16 of those years specializing in Treasury Management and currently is a Treasury Customer Advocate.

Tina Kees, Banking Officer, Public Funds Coordinator

Tina has been with Hancock Bank for 21 years working in a variety of positions associated with customer care, operations and relationship management functions.

Our Approach

Our approach to relationship management is a holistic one that focuses on serving the clients entire scope of needs. It also revolves around an ongoing dialogue that allows for a proactive approach to understanding and meeting those needs. In the case of The City, it would center around a dedicated Institutional Banking Team led by Sophia Berling, Vice President. This team would work closely with assigned local bankers to ensure The City's needs are met in a high-touch and responsive manner.

Our Philosophy

The Bank's corporate management philosophy revolves around a set of Core Values that guide our decision-making and the way we interact with clients and associates. These Core Values are:

- Honor and Integrity – Like a badge of honor, we proudly endorse and display our commitment to doing the right thing for our clients, communities, company and associates.
- Strength and Stability – We steadfastly protect and contribute to our company's financial safety and soundness, anchoring our company with strong capital and solid business practices.
- Commitment to Service – With a trustworthy handshake and a compassionate helping hand, we pledge exceptional service to our clients and communities.
- Teamwork – We work together like the cogs of a finely tuned machine, united by loyalty to the team and respect for each other.
- Personal Responsibility – Individually, our associates carry the torch of ownership, accepting challenges, creating opportunities, and empowering our decisions.

We operate with a constant, clear-cut, and heartfelt Mission – which is what we aspire to do as a company. Our Mission is to help people achieve their financial goals and dreams. Our Purpose – or why we do business – is to create opportunities for people and the communities we serve.

Our company's strengths are significant and include the following:

- A demonstrated track record of more than 115 years;
- BauerFinancial 5-Star Highest "Superior" Rating;
- Capital levels that exceed regulatory guidelines;
- Solid asset quality measures;
- The scale and resources of a \$23 billion bank combined with local decision-making and personalized service;
- Long-standing reputation for exceptional customer service, as evidenced by 2015 Greenwich Excellence awards in business banking quality and client satisfaction;
- Significant recent investments in technology, with a platform capable of supporting the operations of a bank twice our current size;
- A diversified 5 – state footprint;

References -- See Section C for a list of Client References

Section C - Vendor Reference

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SECTION C – VENDOR REFERENCES

THE FOLLOWING INFORMATION IS REQUIRED IN ORDER THAT YOUR PROPOSAL MAY BE REVIEWED AND PROPERLY EVALUATED.

COMPANY NAME: Whitney Bank dba Hancock Bank

LENGTH OF TIME COMPANY HAS BEEN IN BUSINESS: 133 years

BUSINESS ADDRESS: 2185 Airport Blvd, Pensacola, FL 32504

HOW LONG IN PRESENT LOCATION: 18 years

TELEPHONE NUMBER: (850) 444-3238 / FAX NUMBER: (850) 435-6731

TOTAL NUMBER OF CURRENT EMPLOYEES: 3,549 FULL TIME: 3,329 PART TIME: 220

NUMBER OF EMPLOYEES YOU PLAN TO USE TO SERVICE THIS CONTRACT: 4 Primary Contacts

All references will be contacted by a City Designee via email, fax, mail or phone call to obtain answers to questions, as applicable before an evaluation decision is made.

LOCAL COMMERCIAL AND/OR GOVERNMENTAL REFERENCES THAT YOU HAVE PREVIOUSLY PERFORMED SIMILAR CONTRACT SERVICES FOR:

1. COMPANY: Walton County Tax Collector

ADDRESS: 571 US Highway 90 East, DeFuniak Springs, FL 32433

TELEPHONE/FAX: (850) 951-7298/Fax (850) 892-8079

CONTACT: Nathan Thomas

CONTACT EMAIL: nathan@waltoncountytaxcollector.com

COMPANY EMAIL ADDRESS: _____

2. COMPANY: Tampa Bay Rays Baseball, Ltd.

ADDRESS: One Tropicana Dr., Saint Petersburg, FL 33705

TELEPHONE/FAX: (727) 825-3410

CONTACT: Patrick Smith

CONTACT EMAIL: psmith@raysbaseball.com

COMPANY EMAIL ADDRESS: _____

3. COMPANY: Tampa Bay Times

ADDRESS: 490 First Avenue S., St. Petersburg, FL 33731

TELEPHONE/FAX: (727) 893-8634

CONTACT: Jana Jones

CONTACT EMAIL: jjones@tampabay.com

COMPANY EMAIL ADDRESS: _____

4. COMPANY: Escambia County Housing Finance Authority

ADDRESS: 700 South Palafox Street, Suite 310, Pensacola, FL 32502

TELEPHONE/FAX: (850) 432-7077/Fax (850) 438-5205

CONTACT: Karyn Norton

CONTACT EMAIL: karyn.norton@escambiahfa.com

COMPANY EMAIL ADDRESS: _____

Section D – Scope of Services

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On-Line Platform

Treasury Solution – Online Portal

Treasury Solution is a single point of entry for all The City's commercial and treasury accounts. Access is simple; you manage accounts from your computer with an Internet connection and a browser.

The modular design allows enrollment in only those components that make sense for The City. What's more, you can assign different levels of access to your associates based on the functions they perform.

Your benefit increases in direct proportion to the level of complexity of your treasury management function. The number of accounts, services used, number of employees accessing data, etc., will drive your usage.

Treasury Solution provides prior-day information by 7:00 a.m. EST each morning. Plus, you have expanded access each day:

- USD Wire Transfers are processed until 5:00 p.m. EST each banking day.
- International FX wires are processed until 3:00 p.m. EST each banking day.
- Account Transfers are available from 9:00 a.m. EST to 9:00 p.m. EST.
- ACH Transactions are processed until 6:45 p.m. EST each banking day.

Use your data to help make sound decisions

- **Monitor Your Accounts** – View account balances in one place; plus, search for specific transactions in the account database
- **Help Make Better Decisions** – Use real-time data to help manage daily funding requirements
- **Manage Multiple Accounts** – Use account-to-account transfers and specialty services

Deposit and Commercial Loan Modules

- **Deposit Image Module** – For deposits made at the teller line, you can view images of the deposit ticket and its associated deposited items. (Six months of image history is available)
- **Commercial Loan Module** – View outstanding balances, make payments or advances, and set up Alerts to show when a payment or advance was made

Online Banking through Treasury Solution is secure

Protecting your information and secure access is our top priority. Our security features include:

Secure Login Process – Only your administrator can add a user and grant system access

- Internet Access Is Protected – Secure Socket Layer (SSL) with 128-bit encryption
- Security Token Is Required – Each login requires an authentication code from the token along with a user ID and password

- Monetary Transfers Have Extra Security – Outgoing wire transfers and ACH batches require a second approval before the bank will process the transaction
- Alerts – The system provides standard alerts for password changes and invalid login attempts. Plus, you can set up alerts for outgoing ACH and wires, ACH profile changes and commercial loan payments and advances

Control access to your accounts

The City's administrator defines each associate's access level. For example, you could enable balance reporting and exclude access to wire transfers. The ability to control access to your accounts enhances the audit capability to monitor associates who manage The City's financial functions.

Transparent Risk Management Provides Better Security

Dual Administration adds transparency to system changes and updates. By setting up Dual Administration, a second Administrator will be able to approve any changes, additions or deletions made by another Administrator. The approving Administrator will see the "before" and "after" of any scheduled changes so they have a clear picture of what is being changed.

Administrative Alerts can be set up by the Administrator to tell them that a change in a User record has occurred. The Dual Administration feature is optional for each client, but is highly recommended by the Bank.

Wire System

Wire transfers can be initiated online through Treasury Solution. Wires can be future dated up to 30 days and the cut-off time for approving wires is 5:00 p.m. EST. Phone in wires are also available and utilize a Unique Caller PIN, callbacks, or test key for verification. The opening hour for initiating outgoing wire transfers is 9:00 a.m. EST and the cut-off time is 5:00 p.m. EST. This is to ensure same-day execution.

Status updates are provided within the online banking system, Treasury Solution. They include: Pending Approval, Processed, Submitted, Expired and Deleted. A tracking number is assigned to the wire transfer after the transfer is entered into the system. Then a confirmation number is assigned by Hancock Bank which verifies the transfer. All this can be monitored through Treasury Solution. An Incoming Wire Summary is also available via Treasury Solution.

Hancock Bank has both encrypted authenticated access codes. An authorized Treasury Solution user must input a password which is encrypted in addition to using a security token for secondary authentication. A second authorized Treasury Solutions user will need to approve any outgoing wire before it can be released.

In Treasury Solution, system administrators have the ability to view audit reports on all users which include activity, date, time, and module accessed.

Electronic Federal Tax Payments can be processed via a phone in request to Hancock Bank's Wire Department; the cut-off time for same day tax payments is 4:00 p.m. EST.

Vault Services

Hancock Bank will accept deposits through multiple options including electronically, at the branch, night drop, remotely and armored car. Your Treasury Management team will work with The City to determine the most appropriate means to make deposits. Your Customer Advocate, Tracy Ford, will provide training on the electronic and remote deposit systems.

We recommend the use of our Vault location for parking meter coin deposits. These deposits will need to be delivered by armored car to the Brink's Vault location. This location is near the Tampa International Airport and is within 40 miles of The City's office.

To help The City automate Vault Deposit receipts, we recommend The City retrieve all Vault deposit information through Brink's online system.

All cash vault deposits must be made in a tamper-evident disposable bag with one deposit per bag. Vault deposits can contain currency, coin (below \$25) and checks. Hancock Bank will provide the deposit bags.

Bulk coin deposits (over \$25) must be coin only. Preference is sorted in to full bags. Hancock Bank will work with The City if full bags are not an option.

We propose The City change armored car pickups to once per week which will include daily operation cash deposits. This will lower The City's liability of having an employee deliver deposits to a branch. Hancock Bank will assess the monthly armored car fees through analysis.

ACH Positive Pay

ACH Positive Pay gives The City timely, online access to incoming ACH debit transactions each day. Generally, businesses only have 24 hours from settlement to return most ACH transactions.

The City will see each item that is scheduled to post to their account in their daily review. We streamline your review by giving you criteria to identify each item.

You are alerted each morning via e-mail or text that there are ACH debit(s) to be reviewed. Alerts are also customizable to define who receives them. You control who can work in the system; primary and secondary users may be defined by account. Our system has filtering available for amount, frequency and an 'approved list'. You set up each option to fit your needs.

Positive Pay

The City can download detail transactions on a daily basis or for a specific time frame up to 6 months. Export options include CSV and BAI. Since this information is prior to reconciliation services, encoding errors and misread check numbers are possible. To eliminate these issues, we can offer our Positive Pay and reconciliation services.

Positive Pay is a fraud detection program that helps The City identify and prevent counterfeit or amount-altered checks drawn on your accounts. Positive Pay is activated daily so you can make a decision about suspect checks while they can still be returned protecting The City from the loss of funds.

Hancock Bank offers three options for Positive Pay and The City may choose the option that best fits their needs:

City of Madeira Beach

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- Traditional Positive Pay - The City will upload their check issue file into the system each day. The checks presented to the Bank will be validated against the issue files, and any checks that do not match will display as suspects for your review the next business morning.
- Reverse Positive Pay - The City would not upload check-issue files into the system, and all items presented are suspects for client review. This service is recommended if your business writes very few checks on an account or if the account would never have checks drawn on it because all activity would be electronic. This service alerts you if there is check activity on the account.
- Payee Positive Pay – The City would upload a file of checks issued, including the Payee name as it appears on the checks. This is compared to the file of checks presented to the Bank for posting.

Teller Line Positive Pay Validation is included with all of the Positive Pay options listed above. This allows a check that is presented in person at the Bank to be validated against the checks issued file that has been uploaded into the system by the client. If the check presented does not match what is loaded into the system, the check will not be cashed, and the presenter of the check will be referred back to The City.

Positive Pay files may be manually uploaded through Treasury Solution or via an FTP transmission. File cutoff is 7:45 p.m. EST.

Positive Pay exception notices are sent each morning by email to The City's authorized personnel. The email notification outlines the need to decision checks that do not match the information provided to Hancock Bank through the daily issue files from The City. Exception item check images are presented along with the ability to pay, return, and/or correct the check information at that time. If no decisions are made, The City's default parameters are applied. Decisions must be made by The City prior to 1:30 p.m. EST each business day. Hancock Bank's Treasury Management Support Team works diligently to ensure all staff is properly trained on the service. Throughout your first 6-8 weeks on the service, a "hand-holding" approach is taken to ensure a check is not returned that was fully intended to be paid.

Reconciliation Services

- Full Reconciliation is a paid-check listing of all checks that have cleared during the cycle. This service compares your "checks-issued" data with the Bank's "checks-paid" register to give you three categories of data:
 1. -- checks paid as issued
 2. -- checks still outstanding
 3. -- exceptions that differ from your register and require your additional review
- Partial Reconciliation is a list that provides information on checks that have cleared during the cycle. You will receive a report showing checks paid. The data can be sorted by check number or additional data points.
- Deposit Reconciliation allows you to monitor deposits for multiple locations according to your individually assigned location numbers. This service requires the use of special pre-encoded deposit slips that have each location's unique identifier on them. Plus you can enter location numbers through Remote Deposit Capture service.

Hancock Bank would like to offer the following services that will add efficiencies and value to The City's daily operations.

Remote Deposit Capture

Remote Deposit Capture (RDC) enables The City to deposit checks from their office just like you were standing at a teller window. You scan the checks into the computer with a desktop scanner to create a check image. Then, transmit the data to the bank to post the deposit to your account.

The Key Features of Remote Deposit Capture

Makes Faster Deposits – The Bank credits the funds to your selected account just like you were in the branch. The Bank extends the deadlines for same-day credit for making remote deposits up to 8:00 p.m. (EST) on a banking day.

- **Enhances Cash Availability** – RDC service allows for deposit consolidation for multiple locations.
- **Improves Deposit Accuracy and Recordkeeping** – Deposits are validated and balanced when scanned, and you have access to check images for 45 days.

Reporting & Access Options

Once the enrollment process is completed, you can securely access Remote Deposit Capture through the RDC section in Treasury Solution, our online banking module. Easy-to-follow onscreen prompts will lead you through creating, balancing and transmitting your deposit to the Bank. Information detailing your deposit and check images will be available to you online every day.

ACH Origination Service

ACH Origination Service – How To Move Your Funds With Speed & Security

As an ACH originating bank, we can provide an efficient, low-cost solution to your funds transfer needs. The National Automated Clearing House (NACHA) is a network that enables The City to transfer funds via ACH to or from accounts at most U.S. financial institutions. The ACH process enables you to process electronic credits and debits based on prearranged agreements with the other parties involved.

ACH Payments

- **Direct Deposit of Payroll** – Deposit your payroll and send it to your employees securely, on time, and directly into their deposit account.
- **Corporate Trade Payment** – Exchange payments with businesses based on a prearranged basis. Payments may include data such as a bill of lading or invoice number(s).

How ACH Payments Can Help You:

- Employees, vendors, and other payees receive on-time deposits so there is no need to go to the bank to make a deposit.
- Reduce expenses for check stock, check printing, and check distribution.
- No need to worry about lost, stolen, or fraudulent checks.

Safe Wire

Safe Wire

Safe Wire provides a secure method to receive incoming wires without releasing sensitive bank account information. Since Safe Wire replaces your account number on incoming wire instructions, you can feel secure in giving this information to your customers in order to increase electronic payments to your organization.

Your customers will use the Safe Wire number assigned to your account in their wire instructions. The Safe Wire number will only accept credit entries to your account and cannot be used to initiate an outgoing wire transfer.

In the event of a fraudulent attempt using your Safe Wire number, we can quickly issue you a new Safe Wire number. You would not have to close your checking account.

ACH UPIC

ACH UPIC – Unique Account Identifier for Receiving ACH Payments

A Universal Payment Identification Code (UPIC) is a unique account identifier that replaces your bank account number on an ACH payment. A UPIC cannot be used to initiate ACH debits.

Safe ACH Payment Instructions: A UPIC can be published with your ACH (credit) payment instructions on websites and invoices without exposing confidential information. Using an UPIC reduces the risk of unauthorized ACH debits and fraudulent checks.

Zero Balance Account

Our Zero Balance Account (ZBA) service can automate the funding of other accounts from your operating account.

A ZBA service sets up all your accounts in a cash control system that provides you with the ability to concentrate excess funds into your operating account while funding all your other accounts (sub-accounts) for their special purposes. In a ZBA structure, your operating account is designated as the master account, and it performs multiple functions.

The ZBA “cash control system” is similar to just-in-time parts delivery for a manufacturer. At the close of each banking day, the Bank summarizes each sub-account’s disbursements and deposits to determine what actions need be taken. The Bank then funds or “zeros out” each sub-account for that day’s transactions and activity.

- Information detailing the transfer amounts between accounts is also available to you through Treasury Solution, our online banking module, on a previous day basis.
- Regular monthly statements are prepared for customer’s main account and each subsidiary account detailing each transfer, thereby providing The City with an audit trail.

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Hancock Bank recommends the utilization of our ZBA service to automatically invest excess funds over the operating account target balance to fully optimize The City's operating funds. We are offering a 1% ECR on The City's operating account. Please see attached proforma outlining recommend services, estimated target balance and anticipated annual interest earned on excess funds.

Investment Options

Hancock Bank is offering in a Public Funds NOW account the following Interest Rate options

Fixed Rate for the 3 year contract of 0.70%

Floating Rate for the 3 year contract of 90 Day T-Bill plus 0.15% with a floor of 0.45%

MY PayCard

Employers want to offer the security and convenience of Direct Deposit of payroll to all of their employees. Our MY PayCard payroll card service gives you the ability to offer Direct Deposit to those employees that do not have checking accounts.

The MY PayCard is a prepaid VISA® debit card that is funded by the cardholder's employer. Funds are placed on the card via ACH using the same process used for employees on Direct Deposit. Cardholders can withdraw funds at an ATM or use the card anywhere Visa is accepted.

Section E – Business Systems

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Purchasing Card

Why Hancock Bank Purchasing Card

With today's focus on improving working capital management, organizations of all sizes are seeking ways to streamline payment processes, enhance fraud controls and improve cash forecasting.

Cost Savings, Visibility and Convenience

Hancock Bank's purchasing card program can offer impressive cost-saving benefits and opportunities. It can speed up your payment process by automating payment authorization while automatically supporting your business' policy and control environment. Trade discounts may be available to buyers when they pay earlier with a card, even as they benefit from the extended payment float.

Improved spending visibility and card analytics enable business managers to analyze spending and empower them to make better buying decisions and negotiate discounts with preferred vendors to further reduce costs.

Enhanced Controls

Hancock Bank's purchasing card program gives business managers a number of tools which improve program oversight and ensure automatic compliance with internal business policies. With our Purchasing Card Manager, our online account management platform, administrators have 24/7 access to:

- View and edit account or cardholder information in real time
- Establish and change individual spending limits and merchant category controls
- Issue and cancel cards

Hancock Bank's expense reporting feature lets users review their card transactions, easily enter descriptions or business purpose for their purchases plus they can add mobile pictures of the receipts prior to creating an expense report. The receipt images are stored within the Purchasing Card Manager server. The cardholder can also add out-of-pocket expenses to the report. Purchasing Card Manager can be accessed through a PC, Tablet or Mobile device.

Rewarding Experience

Organizations utilizing Hancock Bank's Purchasing Card Program can receive either Rebates or Rewards that are awarded monthly.

Payment Terms

Our purchase card has 30 day statement cycle with a [25 day grace period for payment.](#)

Acceptance

Our cards are part of the Visa network the most globally accepted card network. Our Purchasing Cards can be used for T&E, ecommerce and A/P spend.

Program Optimization - Through review of your annual payables, a Visa analysis summary is attached, we've been able to identify suppliers that are Visa acceptors.

Please see Hancock's Purchasing Card proposed rebate letter attached in the appendix.

Payer Direct Hub

In conjunction with our Purchasing Card, Hancock Bank offers an innovative payment solution, Payer Direct Hub (PDH), which automates the invoice-to-payment workflow function from start to finish.

The platform offers buyers a simpler and more efficient payment process with increased control and security. When The City receives invoices from its suppliers, you will upload a payment file and approve it within Payer Direct Hub.

PDH is a great solution to automate The City's A/P payment process. Key benefits you will receive through use of the Hancock Bank Purchasing Card with Payer Direct Hub.

- Allow your organization to decide when and how payments are made to suppliers.
- Increased Float – up to 55 days before your purchasing card invoice is due.
- Payer Direct Hub uses file-based payments, allowing you to leverage your existing technology investment.
- Payments can be pushed (BIP) directly to your supplier's merchant bank account – OR –
- Payments can be pulled (SIP) by your suppliers and processed using a single file for both BIP and SIP payments.
- Payer Direct Hub will prevent attempted assignment of the virtual card account # to more than one supplier.
- PDH encrypts all card numbers instantly. All card numbers are masked.
- Our Payer Direct Hub Perfect Pay functionality ensures suppliers only process transactions for the exact amount of an invoice. Perfect Pay provides our clients an increased level of control and eliminates fraud and common reconciliation issues. Additionally, customers are notified via email anytime a supplier tries to run the card for an incorrect amount.
- PDH sends automatic reminder emails to suppliers who have not processed a scheduled card payment within 5 calendar days. No manual intervention is required by our client to setup these reminder emails.
- Hancock Bank provides our Payer Direct Hub solution at no cost to our clients with no hidden fees or startup costs.
- Hancock Bank provides direct in house support to our customers, whether that is in our call center, Treasury Management Advocates, Product Managers, Treasury Sales Officers and your Relationship Manager.

Payer Direct Hub Supplier Benefits

- Faster payment credit to reduce Days Sales Outstanding (DSO)
- Suppliers can receive streamlined credit card processing, which simplifies reconciliation and improves efficiency in accounts receivable
- Improved remittance data – available through automated emails, bank statements, EDI 820 payment records and a dedicated supplier portal
- Reduced costs associated with collections and non-payment
- Easy entry in to program, simple registration with no enrollment or maintenance fees
- Through BIP, expedited settlement is generally available within 24 hours

Bill Pay Direct Post

Bill Pay Direct Post – Replace “Check & List” with Automation

Our Bill Pay Direct Post service helps you streamline the receipt of consumer payments made through bill pay vendors with the elimination of “check & list” processing and manual payment posting. You will receive an electronic file that can be posted directly to your accounting system using The City’s standard format for posting payments.

The “check & list” conversion is the key; the service captures all the files from bill pay services – large and small – then combines and verifies that data into automated payments. Any exceptions or errors flow into a reconciliation review which features a “repair queue” which allows you to transform all the nonposted exceptions into accurately posted payments.

The Value To Your Business May Be Significant

- **Lower Cost to Process “Check & List” Payments** – Automating the posting process saves employee time and increases the accuracy of customer data. Resources needed to manually process payments, exceptions and research requests are reduced; this saves time and money. The service interfaces with standard accounting software (QuickBooks/Quicken, Sage, Peachtree, etc.) or we can customize the service to meet your needs.
- **Speeds Collections and Availability of Cash** – Payments are no longer in “processing limbo.” Payment is received the business day after the file is posted with no slowdown for manual processing and posting. Your revenue is available quicker and can be ready for reinvestment.

Merchant Services (Please See Full Merchant Services Proposal provided in Appendix)

Accept virtually every payment option, including Visa®, MasterCard®, American Express®, Discover®, network, PIN-based and signature debit cards and gift cards. Enjoy performance, security and reliability as you process virtually any payment type with our comprehensive suite of affordable terminals and peripherals. Choose from all-in-one countertop models or wireless solutions, including app-based technology for mobile phones. Benefit from world-class security built into the infrastructure with our latest card security solution, which utilizes encryption and tokenization to better protect customers' card data during and after transactions, removing risk and simplifying the annual PCI DSS audit process.

Manage your merchant account quickly and easily with the AccessOne Solution, our online self-service account management tool. AccessOne lets you view your transaction processing information, voids/declines, chargebacks/retrievals, and more with the ease of a few clicks. It's like online banking for your merchant account, at no additional charge.

PayActiv

Hancock Bank and PayActiv partner with employers to deliver comprehensive, turnkey financial wellness services. These life-changing HR benefits empower workers to free themselves from accruing debt and revitalize employee engagement, achieving measurable gains in the workplace.

PayActiv's financial wellness solution is unlike anything the marketplace has seen. Called MyMoNow (short for "MyMoneyNow"), the service is offered by employers as a voluntary employee membership program. The MyMoNow mobile app gives employees secure, one-click access to earned wages, their own money, without waiting for the next payday. MyMoNow is not a credit solution, so there are no loan forms, no credit checks, now waiting for approvals.

Section F – Proposed Fees

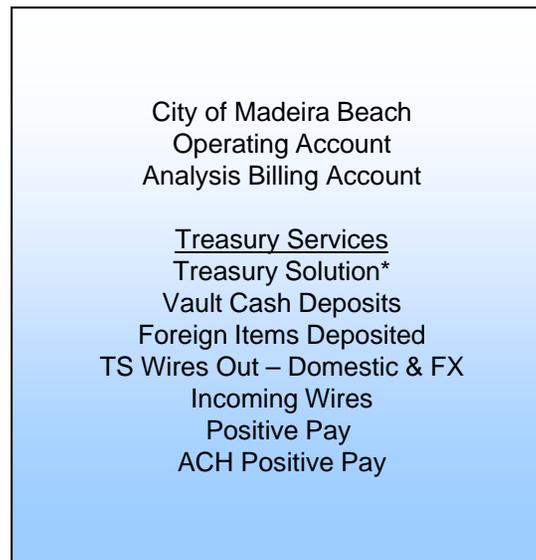
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City of Madeira Beach Current Account Schematic as of July 2016

Sophia Berling
Relationship Manager

Debbie Wright
Treasury Management



*Treasury Solution includes daily balances and detail transactions, rolling 270 day archive of check images, stop payment, book and wire transfer capabilities.



States: **FL**
7/8/2016

Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

Proposal: Current Services based on Average Balances and Activity February 2016 - May 2016

Average Ledger Balance	\$2,987,141.71	Earnings Credit	1.00%
Less Average Uncollected Funds	\$34,816.34	Negative Collected Balance Rate	7.50%
Average Collected Balance	\$2,952,325.37	Reserve Requirement	10.00%
Less Reserve Requirement	\$295,232.54	Number of Days in Cycle	31
Average Available Balance	\$2,657,092.83		

Earnings Credit Allowance	\$2,250.54
Total Analyzed Services	\$421.84
Analysis Surplus or Deficit	\$1,828.70

Earnings Credit Multiplier **\$1,311.83 at Current Earnings Credit Rate**
Breakeven Target Balance **\$553,381.51 at Current Earnings Credit Rate and Service Prices**

**This proposal, the prices and descriptions of services contained herein are considered proprietary information. Prices quoted will be offered for 90 days from the date of this proposal. Should the proposal be accepted after that time, the Bank reserves the right to revise any or all prices quoted.*

Any services not specifically listed will be charged according to the Bank's current Business Account Fee Schedule.

SERVICE	VOLUME	PRICE	TOTAL
Account Services			
Account Maintenance	1	\$8.50	\$8.50
Supervision & Assessment Fee	2,987	\$0.00	\$0.00
Checks and Other Debits	208	\$0.10	\$20.80
Deposits and Other Credits	158	\$0.22	\$34.76
Deposited Items - On Us	0	\$0.08	\$0.00
Deposited Items - Other	476	\$0.08	\$38.08
Return Deposited Items	1	\$4.00	\$4.00
RDI-Re-Deposit Item (Re-Clears)	1	\$3.00	\$3.00
RDI-Duplicate Advice	0	\$2.50	\$0.00
RDI-Telephone Advice	0	\$3.00	\$0.00
RDI-Fax/Email Advice	1	\$2.50	\$2.50
RDI-Re-Qualify Item	0	\$3.00	\$0.00
ACH EFT Debits	103	\$0.08	\$8.24
ACH EFT Credits	90	\$0.08	\$7.20
Analysis Statement Mailed	0	\$0.00	\$0.00
Duplicate Statement	0	\$5.00	\$0.00
Research Copy Fee	0	\$2.00	\$0.00
Stop Payment	0	\$20.00	\$0.00
NSF Charge	0	\$35.00	\$0.00
Deposit Correction Fee	0	\$3.00	\$0.00
Cash Services			
Currency Deposited per \$1	45,900	\$0.0007	\$32.13
Change Order Fee - Per Order	0	\$3.00	\$0.00
Currency Ordered - Per Strap	0	\$0.30	\$0.00
Currency Ordered - Per Roll	0	\$0.08	\$0.00

Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

States: FL
 7/8/2016

Vault Services

Vault Deposit	19	\$0.50	\$9.50
Vault Deposit Adjustment	1	\$1.00	\$1.00
Vault Currency Deposit - Per \$1	16,100	\$0.0008	\$12.88
Vault Currency Deposit - Bulk Coin - Per Bag	0	\$1.00	\$0.00
Vault Change Order Fee - Per Order	0	\$5.00	\$0.00
Vault Currency Ordered - Per Strap	0	\$0.35	\$0.00
Vault Currency Ordered - Per Roll	0	\$0.07	\$0.00

Wire Transfers

Domestic Wire Transfers - Incoming	3	\$10.00	\$30.00
Domestic Wire Transfers - Outgoing	5	\$12.00	\$60.00
Wire Notification (each) - Fax	0	\$5.00	\$0.00
Wire Notification (each) - Email	0	\$2.00	\$0.00
Safe Wire Monthly Maintenance	0	\$15.00	\$0.00

Account Reconciliation Services

Partial Reconciliation Service			
Monthly maintenance	0	\$35.00	\$0.00
Per Item	0	\$0.03	\$0.00
Full Reconciliation Service			
Monthly Maintenance	0	\$55.00	\$0.00
Per Item	0	\$0.03	\$0.00
Deposit Reconciliation Service			
Monthly minimum	0	\$35.00	\$0.00
Per item	0	\$0.03	\$0.00

Positive Pay Services

Standard Positive Pay Monthly Maintenance	1	\$50.00	\$50.00
Per item	215	\$0.03	\$6.45
Payee Match Positive Pay Monthly Maintenance	0	\$100.00	\$0.00
Payee Match Positive Pay - Payee Per Item	0	\$0.04	\$0.00
Reverse Positive Pay Monthly Maintenance	0	\$40.00	\$0.00
Positive Pay Exception - Per Item	0	\$1.50	\$0.00

Treasury Solution Online Banking Services

Treasury Solution Monthly Maintenance	1	\$35.00	\$35.00
3 to 5 Accounts - Per Account	0	\$3.00	\$0.00
6+ Accounts - Per Account	0	\$10.00	\$0.00
Per Previous Day Item Reported (over 500 Items)	69	\$0.10	\$6.90

Miscellaneous Fees

Alerts & Notifications (per alert or notice)	3	\$0.30	\$0.90
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Treasury Solution Modules

TS - Wire Transfer Module Monthly Maintenance	1	\$20.00	\$20.00
TS - Mobile/Tablet Module Monthly Maintenance	0	\$15.00	\$0.00

Treasury Access Services

Sunrise Report	0	\$15.00	\$0.00
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Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

States: FL
7/8/2016

Automated Clearing House Services

ACH - File Transmission			
Monthly Maintenance	0	\$75.00	\$0.00
Per Item	0	\$0.08	\$0.00
ACH - File Transmission Per File	0	\$0.00	\$0.00
ACH - Origination - File Reversal/Deletion	0	\$15.00	\$0.00
ACH - Origination Correction - Per Item	0	\$5.00	\$0.00
ACH - Return Items and NOC	0	\$2.00	\$0.00
ACH - Return Items - Auto Representation - Monthly Maintenance	0	\$25.00	\$0.00
ACH - Return Items - Auto Representation - Per Item	0	\$1.00	\$0.00
ACH Reports			
ACH Reports - EDI Report via Email Monthly Maintenance	0	\$7.50	\$0.00
ACH Reports - EDI Report via Treasury Solutions Monthly Maintenance	0	\$15.00	\$0.00
Incoming ACH Report (daily ACH debits & credits)	0	\$7.50	\$0.00

ACH Fraud Prevention Services

ACH Block - Monthly Maintenance	0	\$10.00	\$0.00
ACH Positive Pay			
Monthly Maintenance	1	\$25.00	\$25.00
ACH Positive Pay - Return Item (each)	0	\$3.00	\$0.00
ACH UPIC - Monthly Maintenance	0	\$15.00	\$0.00

Remote Check Deposit Services

(Requires scanning equipment, purchased separately)

RDC - Monthly Maintenance	0	\$40.00	\$0.00
RDC - Per Item Deposited	0	\$0.03	\$0.00
RDC - Additional Site Locations	0	\$35.00	\$0.00
RDC - Additional Accounts Added to Existing Sites (per account)	0	\$5.00	\$0.00
RDC - Virtual Endorsement (per endorsement)	0	\$0.01	\$0.00

RDC Equipment Purchase Options:

RDC with Low-Volume Scanner - Monthly Maintenance	0	\$75.00	\$0.00
RDC with High-Volume Scanner - Monthly Maintenance	0	\$95.00	\$0.00

Money Position Management Services

Zero Balance Account

ZBA - Monthly Maintenance (parent account)	0	\$15.00	\$0.00
ZBA - Monthly Maintenance (sub accounts)	0	\$10.00	\$0.00
ZBA - Transfer Fee	0	\$0.08	\$0.00

CD - ROM Image Services

CD-ROM - Monthly Maintenance	0	\$20.00	\$0.00
CD-ROM - Per item (debit)	0	\$0.02	\$0.00
CD-ROM - Per item (credit - can include items deposited)	0	\$0.02	\$0.00
CD-ROM Each Additional Account - Monthly	0	\$2.00	\$0.00

International Banking Services

Cash Letter Fees	1	\$5.00	\$5.00
Wire Transfer - FX Incoming	0	\$20.00	\$0.00
Wire Transfer - USD Incoming	0	\$20.00	\$0.00
Wire Transfer Surcharge - USD Outgoing Int'l Wire	0	\$29.00	\$0.00
Auto FX Wire Fee	0	\$25.00	\$0.00

Total Estimated One-Time Fees **\$0.00**

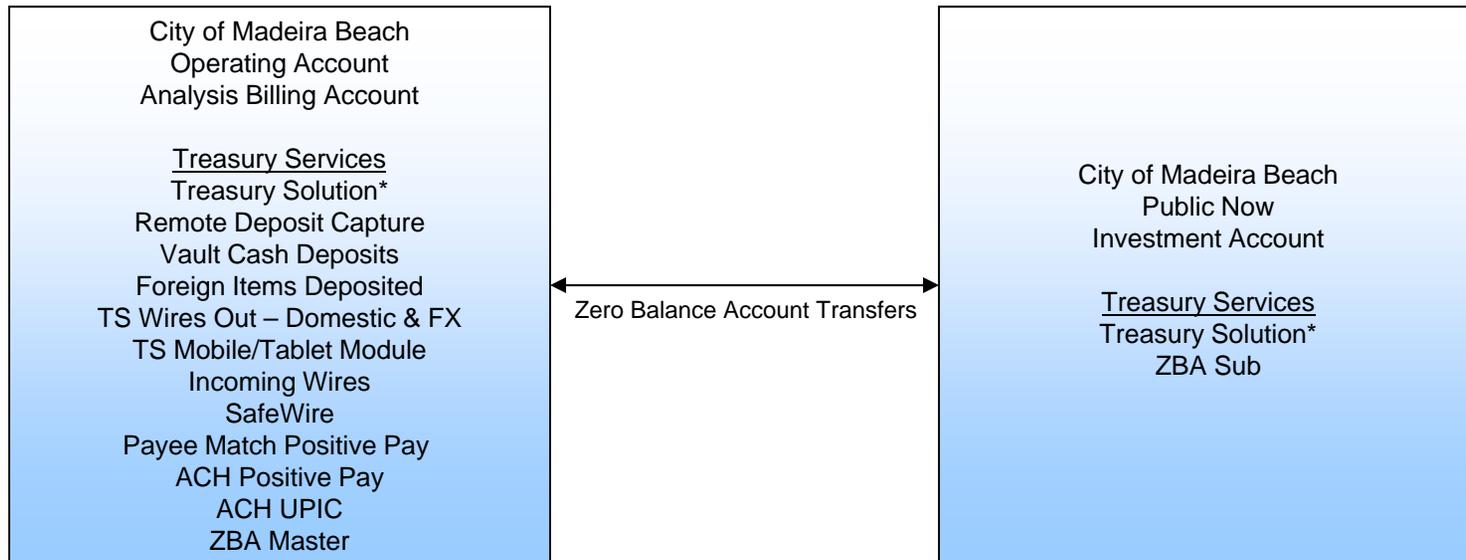
Total Estimated Monthly Fees **\$421.84**



City of Madeira Beach Proposed Account Schematic as of July 2016

Sophia Berling
Relationship Manager

Debbie Wright
Treasury Management



*Treasury Solution includes daily balances and detail transactions, rolling 270 day archive of check images, stop payment, book and wire transfer capabilities.



States: FL
7/8/2016

Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

Proposal: Proposed Services based on Average Balances and Activity February 2016 - May 2016. Proposed Services include Remote Deposit Capture, Payee Match Positive Pay, ACH UPIC, SafeWire, Mobile/Tablet access, ZBA sweep to investment account, all cash deposits picked up weekly for Vault processing with armored courier fee charged through analysis.

Average Ledger Balance	\$1,150,000.00	Earnings Credit	1.00%
Less Average Uncollected Funds	\$34,816.34	Negative Collected Balance Rate	7.50%
Average Collected Balance	\$1,115,183.66	Reserve Requirement	10.00%
Less Reserve Requirement	\$111,518.37	Number of Days in Cycle	31
Average Available Balance	\$1,003,665.29		

Earnings Credit Allowance	\$850.10
Total Analyzed Services	\$842.64
Analysis Surplus or Deficit	\$7.46

Earnings Credit Multiplier \$1,311.83 at Current Earnings Credit Rate
Breakeven Target Balance \$1,105,398.71 at Current Earnings Credit Rate and Service Prices

**This proposal, the prices and descriptions of services contained herein are considered proprietary information. Prices quoted will be offered for 90 days from the date of this proposal. Should the proposal be accepted after that time, the Bank reserves the right to revise any or all prices quoted.*

Any services not specifically listed will be charged according to the Bank's current Business Account Fee Schedule.

SERVICE	VOLUME	PRICE	TOTAL
Account Services			
Account Maintenance	1	\$8.50	\$8.50
Supervision & Assessment Fee	1,150	\$0.00	\$0.00
Checks and Other Debits	208	\$0.10	\$20.80
Deposits and Other Credits	158	\$0.22	\$34.76
Deposited Items - On Us	0	\$0.08	\$0.00
Deposited Items - Other	476	\$0.08	\$38.08
Return Deposited Items	1	\$4.00	\$4.00
RDI-Re-Deposit Item (Re-Clears)	1	\$3.00	\$3.00
RDI-Duplicate Advice	0	\$2.50	\$0.00
RDI-Telephone Advice	0	\$3.00	\$0.00
RDI-Fax/Email Advice	1	\$2.50	\$2.50
RDI-Re-Qualify Item	0	\$3.00	\$0.00
ACH EFT Debits	103	\$0.08	\$8.24
ACH EFT Credits	90	\$0.08	\$7.20
Analysis Statement Mailed	0	\$0.00	\$0.00
Duplicate Statement	0	\$5.00	\$0.00
Research Copy Fee	0	\$2.00	\$0.00
Stop Payment	0	\$20.00	\$0.00
NSF Charge	0	\$35.00	\$0.00
Deposit Correction Fee	0	\$3.00	\$0.00
Cash Services			
Currency Deposited per \$1	0	\$0.0007	\$0.00
Change Order Fee - Per Order	0	\$3.00	\$0.00
Currency Ordered - Per Strap	0	\$0.30	\$0.00
Currency Ordered - Per Roll	0	\$0.08	\$0.00

Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

States: FL
 7/8/2016

Vault Services

Vault Deposit	19	\$0.50	\$9.50
Vault Deposit Adjustment	1	\$1.00	\$1.00
Vault Currency Deposit - Per \$1	62,000	\$0.0008	\$49.60
Vault Currency Deposit - Bulk Coin - Per Bag	0	\$1.00	\$0.00
Vault Change Order Fee - Per Order	0	\$5.00	\$0.00
Vault Currency Ordered - Per Strap	0	\$0.35	\$0.00
Vault Currency Ordered - Per Roll	0	\$0.07	\$0.00
Vault Armored Car Courier Service - Weekly Pickup - Est. Based on current bi-weekly svc	1	\$233.42	\$233.42

Wire Transfers

Domestic Wire Transfers - Incoming	3	\$10.00	\$30.00
Domestic Wire Transfers - Outgoing	5	\$12.00	\$60.00
Wire Notification (each) - Fax	0	\$5.00	\$0.00
Wire Notification (each) - Email	0	\$2.00	\$0.00
Safe Wire Monthly Maintenance	1	\$15.00	\$15.00

Account Reconciliation Services

Partial Reconciliation Service			
Monthly maintenance	0	\$35.00	\$0.00
Per Item	0	\$0.03	\$0.00
Full Reconciliation Service			
Monthly Maintenance	0	\$55.00	\$0.00
Per Item	0	\$0.03	\$0.00
Deposit Reconciliation Service			
Monthly minimum	0	\$35.00	\$0.00
Per item	0	\$0.03	\$0.00

Positive Pay Services

Standard Positive Pay Monthly Maintenance	0	\$50.00	\$0.00
Per item	0	\$0.03	\$0.00
Payee Match Positive Pay Monthly Maintenance	1	\$100.00	\$100.00
Payee Match Positive Pay - Payee Per Item	215	\$0.04	\$8.60
Reverse Positive Pay Monthly Maintenance	0	\$40.00	\$0.00
Positive Pay Exception - Per Item	0	\$1.50	\$0.00

Treasury Solution Online Banking Services

Treasury Solution Monthly Maintenance	1	\$35.00	\$35.00
3 to 5 Accounts - Per Account	0	\$3.00	\$0.00
6+ Accounts - Per Account	0	\$10.00	\$0.00
Per Previous Day Item Reported (over 500 Items)	69	\$0.10	\$6.90

Miscellaneous Fees

Alerts & Notifications (per alert or notice)	3	\$0.30	\$0.90
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Treasury Solution Modules

TS - Wire Transfer Module Monthly Maintenance	1	\$20.00	\$20.00
TS - Mobile/Tablet Module Monthly Maintenance	1	\$15.00	\$15.00

Treasury Access Services

Sunrise Report	0	\$15.00	\$0.00
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Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

States: FL
 7/8/2016

Automated Clearing House Services

ACH - File Transmission			
Monthly Maintenance	0	\$75.00	\$0.00
Per Item	0	\$0.08	\$0.00
ACH - File Transmission Per File	0	\$0.00	\$0.00
ACH - Origination - File Reversal/Deletion	0	\$15.00	\$0.00
ACH - Origination Correction - Per Item	0	\$5.00	\$0.00
ACH - Return Items and NOC	0	\$2.00	\$0.00
ACH - Return Items - Auto Representation - Monthly Maintenance	0	\$25.00	\$0.00
ACH - Return Items - Auto Representation - Per Item	0	\$1.00	\$0.00
ACH Reports			
ACH Reports - EDI Report via Email Monthly Maintenance	0	\$7.50	\$0.00
ACH Reports - EDI Report via Treasury Solutions Monthly Maintenance	0	\$15.00	\$0.00
Incoming ACH Report (daily ACH debits & credits)	0	\$7.50	\$0.00

ACH Fraud Prevention Services

ACH Block - Monthly Maintenance	0	\$10.00	\$0.00
ACH Positive Pay			
Monthly Maintenance	1	\$25.00	\$25.00
ACH Positive Pay - Return Item (each)	0	\$3.00	\$0.00
ACH UPIC - Monthly Maintenance	1	\$15.00	\$15.00

Remote Check Deposit Services

(Requires scanning equipment, purchased separately)

RDC - Monthly Maintenance	1	\$40.00	\$40.00
RDC - Per Item Deposited	476	\$0.03	\$14.28
RDC - Additional Site Locations	0	\$35.00	\$0.00
RDC - Additional Accounts Added to Existing Sites (per account)	0	\$5.00	\$0.00
RDC - Virtual Endorsement (per endorsement)	476	\$0.01	\$4.76

RDC Equipment Purchase Options:

RDC with Low-Volume Scanner - Monthly Maintenance	0	\$75.00	\$0.00
RDC with High-Volume Scanner - Monthly Maintenance	0	\$95.00	\$0.00

Money Position Management Services

Zero Balance Account

ZBA - Monthly Maintenance (parent account)	1	\$15.00	\$15.00
ZBA - Monthly Maintenance (sub accounts)	1	\$10.00	\$10.00
ZBA - Transfer Fee	20	\$0.08	\$1.60

CD - ROM Image Services

CD-ROM - Monthly Maintenance	0	\$20.00	\$0.00
CD-ROM - Per item (debit)	0	\$0.02	\$0.00
CD-ROM - Per item (credit - can include items deposited)	0	\$0.02	\$0.00
CD-ROM Each Additional Account - Monthly	0	\$2.00	\$0.00

International Banking Services

Cash Letter Fees	1	\$5.00	\$5.00
Wire Transfer - FX Incoming	0	\$20.00	\$0.00
Wire Transfer - USD Incoming	0	\$20.00	\$0.00
Wire Transfer Surcharge - USD Outgoing Int'l Wire	0	\$29.00	\$0.00
Auto FX Wire Fee	0	\$25.00	\$0.00

Total Estimated One-Time Fees **\$0.00**

Total Estimated Monthly Fees **\$842.64**

Pro Forma Account Analysis for: City of Madeira Beach
Hancock Banker: Sophia Berling

Compensating balance based on estimated funds needed to meet The City' s daily cash flow requirement and monthly service fees.
Estimated Compensating Balance set as a target balance with excess funds transferred to Public Now for Overnight Investment.
Target Balance of \$1,150,000 would earn 1.0% ECR
Estimated Investment Fund is based on The City's Operating and MM account averages February - May 2016 minus Target Balance.

Interest Rate Options based on Investment Balance of: **\$2,252,377.39**

Option # 1

Estimated Annual Interest Earnings with Hancock Bank Public Now Fixed Rate of .70% **\$16,025.11**

Option # 2

Floating interest rate tied to the 90 Day T-Bill plus .15% with a floor of .45% on HB Now Account for the life of the contract.
The rate will be adjusted on the 1st day of each month.

Estimated Annual Interest Earnings with Hancock Bank Public Now Floating Rate **\$10,301.86**



**MADEIRA BEACH BOARD OF COMMISSIONERS
AUGUST 9, 2016 – AGENDA REPORT**

FROM: Michelle Orton, CFM
Planning and Zoning Director

SUBJECT: PUBLIC HEARING to consider Alcoholic Beverage Application #2016-06 for a 2COP license (beer and wine only/sale by the drink for consumption on premises and package sales in sealed containers) at a commercial recreation and entertainment facility located at 15395 Gulf Boulevard.

BACKGROUND: Pursuant to Section 110-532, consideration of alcoholic beverage application of the Madeira Beach Code of Ordinances, Smugglers Cove Adventure Golf is seeking to obtain a 2COP alcoholic beverage license for the sale of beer and wine at a commercial recreation and entertainment facility (Smugglers Cove Adventure Golf) located at 15395 Gulf Boulevard. This establishment is located in the C-3 Retail Commercial Zoning District.

Pursuant to Section 110-539, the Notice of Public Hearing has been properly sent to all property owners within 300 feet of the subject property 15 days prior to the scheduled consideration by the Board of Commission. Such notice has also been posted on the subject property.

Section 110-532. Consideration of alcoholic beverage application.

When considering the alcoholic beverage application, the Board of Commissioners shall consider the following factors:

- (1) The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.**

Analysis: The existing Smugglers Cove site has been a permanent fixture in Madeira Beach since 1988. The location is on the east side of Gulf Boulevard located in C-3 retail commercial zoning district. The C-3 zoning district provides for a full range of urban services ranging from retail, bars, restaurants, professional services, banks, transient housing and multi-family. Therefore, adding alcohol to the existing Smugglers Cove will not have an adverse effect on the neighborhood.

- (2) The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.**

Analysis: The proposed use will not generate congestion or a safety hazard. Smugglers Cove sits on a corner lot with parking in the rear. The ingress and egress for parking is located on 154th Avenue and 1st

Street East. The site meets all parking requirements. Adding beer and wine to the existing site will not create a safety hazard.

(3) Whether or not the proposed use is compatible with the particular location for which it is proposed.

Analysis: Smugglers Cove is located on the east side Gulf Boulevard. Gulf Boulevard is known for its multiple uses. The surrounding uses are retail, office, personal services and multi-family residential. One block away from this site are a few bars that serve beer, wine and liquor and across the street at the Madeira Beach Snack Shack beer and wine are sold. The proposed permit for a 2COP is compatible for the location.

(4) Whether or not the proposed use will adversely affect the public safety.

Analysis: Smugglers Cove is an outdoor miniature golf facility. Those entering the park are paying guest. The applicant will take precautions for those purchasing alcohol within the establishment. Granting the permit will not adversely affect public safety.

(5) No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owed by the applicant to the city under any section of the code.

Analysis: The applicant has no outstanding fines, or penalties owed to the City under any section of the code.

**BUDGETARY
IMPACT:**

N/A

**STAFF
RECOMMENDATION:**

Staff recommends **approval** for Alcoholic Beverage Permit #16-06 to allow a 2COP alcoholic beverage license for the sale of beer and wine (beer and wine only/sale by the drink for consumption on premises and package sales in sealed containers) at Smugglers Cove Adventure Golf located at 15395 Gulf Boulevard for the reasons contained in this agenda report.

ATTACHMENT(S):

Public Notice
Alcoholic Beverage Permit Application Submittal
Site Photographs
Location maps

Agenda Item: _____



**CITY OF MADEIRA BEACH
300 MUNICIPAL DRIVE
MADEIRA BEACH, FLORIDA 33708**

PUBLIC NOTICE

The Board of Commissioners of the City of Madeira Beach, Florida, will hold a Public Hearing on TUESDAY, **AUGUST 9, 2016** at 6:00 p.m., or as soon after as the matter may be heard, to review this application to allow a 2COP alcoholic beverage license for consumption on the premises.

THIS APPLICATION IS FOR A 2COP ALCOHOLIC BEVERAGE APPLICATION #2016-06

Operator/Manager: George Schiavone, President
Florida Golf West Florida, Inc.

Business Location: 15395 Gulf Boulevard

Business: **SMUGGLERS COVE ADVENTURE GOLF**

Permit Request:

Pursuant to City Code Section 110-532, Consideration of Alcoholic Beverage Application, SMUGGLERS COVE ADVENTURE GOLF located at 15395 GULF BOULEVARD, Madeira Beach, Florida, is seeking a 2COP alcoholic beverage license to consume alcoholic beverages on the premises. The property is located in the C-3 Retail Commercial Zoning District.

Note:

You have received this notice because you are a property owner within 300 feet of the subject property. If you are desirous of voicing approval or disapproval of this application, you may attend the Public Hearing for this application or write the City Clerk prior to the Public Hearing stating your opinions. The completed application is on file in the Office of the City Clerk and may be reviewed during regular business hours.

POSTED: July 21, 2016 @ Property Site, City Hall, City of Madeira Beach Website Posting Locations (3)



ABP #: 16-06



CITY OF MADEIRA BEACH
PLANNING & ZONING DEPARTMENT
300 MUNICIPAL DRIVE ♦ MADEIRA BEACH, FLORIDA 33708
(727) 391-9951 EXT. 255 ♦ FAX (727) 399-1131
Email: planning@madeirabeachfl.gov

ALCOHOLIC BEVERAGE PERMIT APPLICATION

Applicant's Name: George Schiavone, President, Fla Golf West Florida, Inc.

Type of License Requested: 2COP

Name of Partnership, Corporation, LLC (if applicable): Fla Golf West Florida, Inc.

Mailing Address: PO Box 20055

Bradenton, FL 34204

Phone(s): 727 460 1523

Email: info@smugglersgolf.com

Type of Ownership: Individual Partnership Corporation LLC

Name of Business: Smugglers Cove Adventure Golf Business Phone: 727 398 7008

Physical Address: 15395 Gulf Boulevard

Parcel #: 09-31-15-52524-004-0010

Legal Description: Lone Palm Beach BLK 4, Lots 1,2,3,4

Number of Seats: Inside: n/a Outside: 23

Zoning District:

- C-1 Tourist Commercial
- C-3 Retail Commercial
- R-3 Only Restaurant
- C-2 John's Pass Marine Commercial
- C-4 Marine Commercial

Classification:

- Package store, beer & wine
- Package store, beer, wine, liquor
- Bar
- Retail Store, beer, wine
- Restaurants
- Club
- Charter Boats

Number of Parking Spaces: 34 HC Parking Spaces: 2 Bike Racks: 0

DISCLAIMER: According to Florida Statutes, Chapter 119, it is the policy of this state that all state, county, and municipal records are open for personal inspection and copying by any person. Providing access to public records is a duty of each agency. All documents and information not specified in F.S. 119.071 and 119.0713 are subject to public record requests.

Hours of Operation:

Monday: __9a-11p

Tuesday: __9a-11p

Wednesday: __9a-11p

Thursday: __9a-11p

Friday: __9a-11p

Saturday: __9a-11p

Sunday: __9a-11p

General Description of Business: Miniature Golf Course

Supporting Materials Required:

Property Owner's Written Approval

Property Survey

Site Plan

Signed Certificate of Wet Zone

Questionnaire: On a separate piece of paper, please answer the following questions:

1. The extent to which the location and the extent to which the proposed alcoholic beverage request will adversely affect the character of the existing neighborhood.

Smugglers Cove is a family fun miniature golf course that has been operating for nearly 30 years in Madeira Beach. Our plan is that the serving of beer and wine to our customers on a limited controlled basis will not affect the atmosphere at the golf course or have an adverse impact on the neighborhood. We expect no change in the impact to neighborhood whatsoever. We have a successful business already and will not let the introduction of beer and wine on a limited basis negatively affect Smugglers Cove or our neighbors.

2. The extent to which traffic generated as a result of the location of the proposed alcoholic beverage request will create congestion or present a safety hazard.

The introduction of beer and wine will not affect traffic congestion. Beer and wine will now be an option for our existing customer base. Safety will not be impacted as well. Beer and wine will be sold on a controlled basis so that to preserve the family atmosphere at the golf course. Customers who are interested in purchasing an alcoholic beverage will be ID'ed. They will be able to purchase one beverage at a time per person.

3. Whether or not the proposed use is compatible with the particular location for which it is proposed.

It is very compatible. Smugglers Cove customers have requested beer and wine for years. We will take precautions to preserve the family fun atmosphere that exists today. There are restaurants and bars in the area near Smugglers Cove that do and have served alcohol.

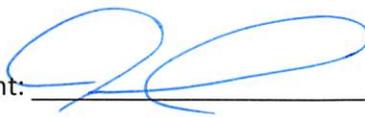
4. Whether or not the proposed use will adversely affect the public safety.

Due to the controlled nature of the serving of alcoholic beverages, public safety will not be harmed.

5. No application for review under this section shall be considered until the applicant has paid in full any outstanding charges, fees, interest, fines or penalties owned by the applicant to the City under any section of the code.

Affidavit of Applicant:

I understand that this Alcoholic Beverage Permit Application, with its attachments, becomes a permanent record for the City of Madeira Beach and hereby certify that all statements made herein together with any attachments, are true to the best of my knowledge.

Signature of Applicant:  Date: 7/13/16

****For City of Madeira Beach Use Only****

Fee: **\$300.00** Check # 1607 Cash Receipt # 12554

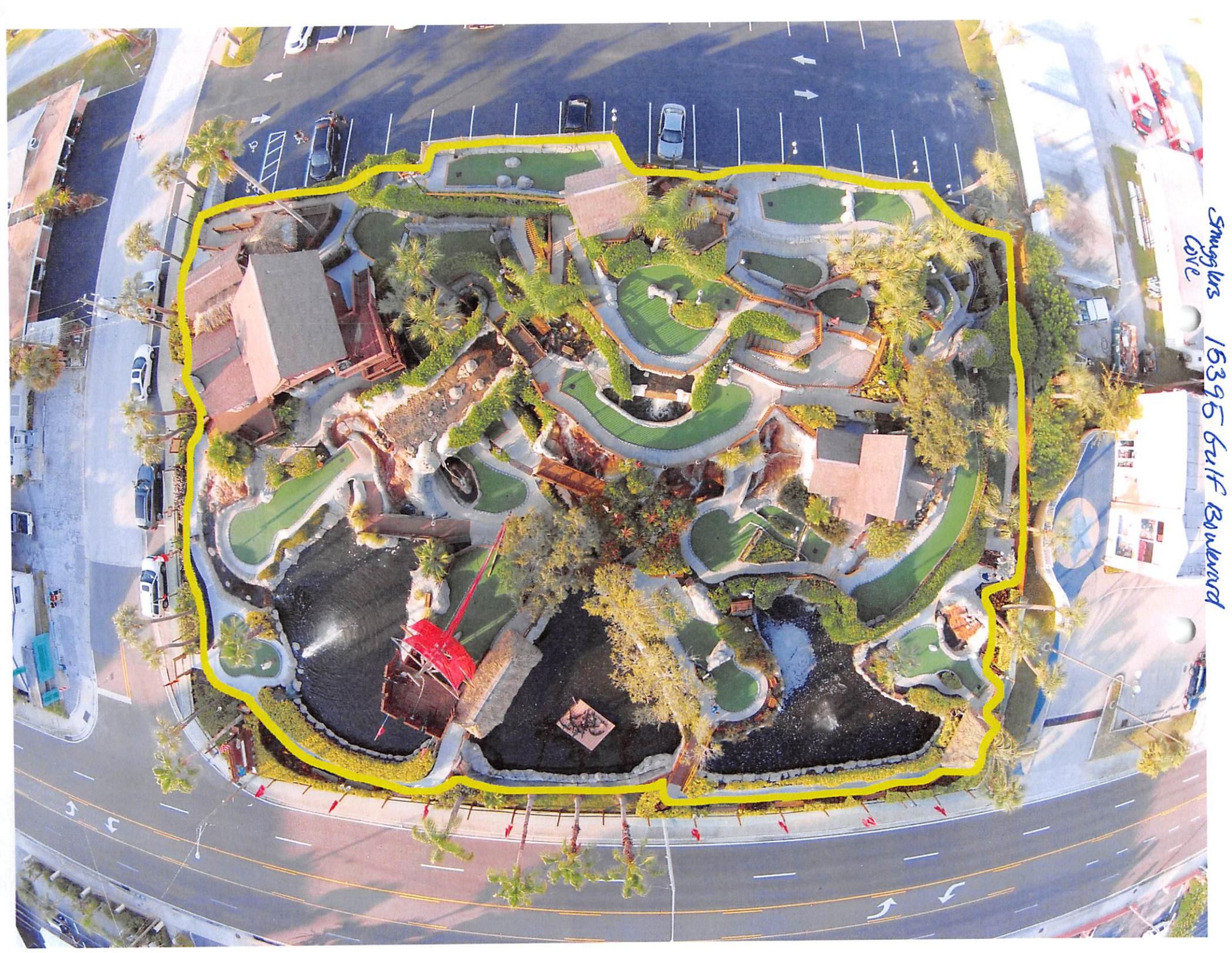
Date Received: 7-14-16 Received by: Gwen Simbroid

ABP# Assigned: 16-06

BOC Hearing Date: 8-9-16 Approved Denied

Planning & Zoning Director Date: _____

City Manager Date: _____



Smugglers Cove
15395 Gulf Boulevard

Smugglers Cove
15395 Gulf Boulevard



Smugglers Cove 15395 Gulf Blvd.





\$18.99

PUTTER
RETURN

I survived
THE ALLIGATORS!

Accy

\$1.00 OFF

Tips

25
ICEE
POINTS

Blue pen



ADVENTURE GOLF
National Alligator Exhibit
Get & Feed Live Gators!!!

DRINK
Coca-Cola

SCARY HERE

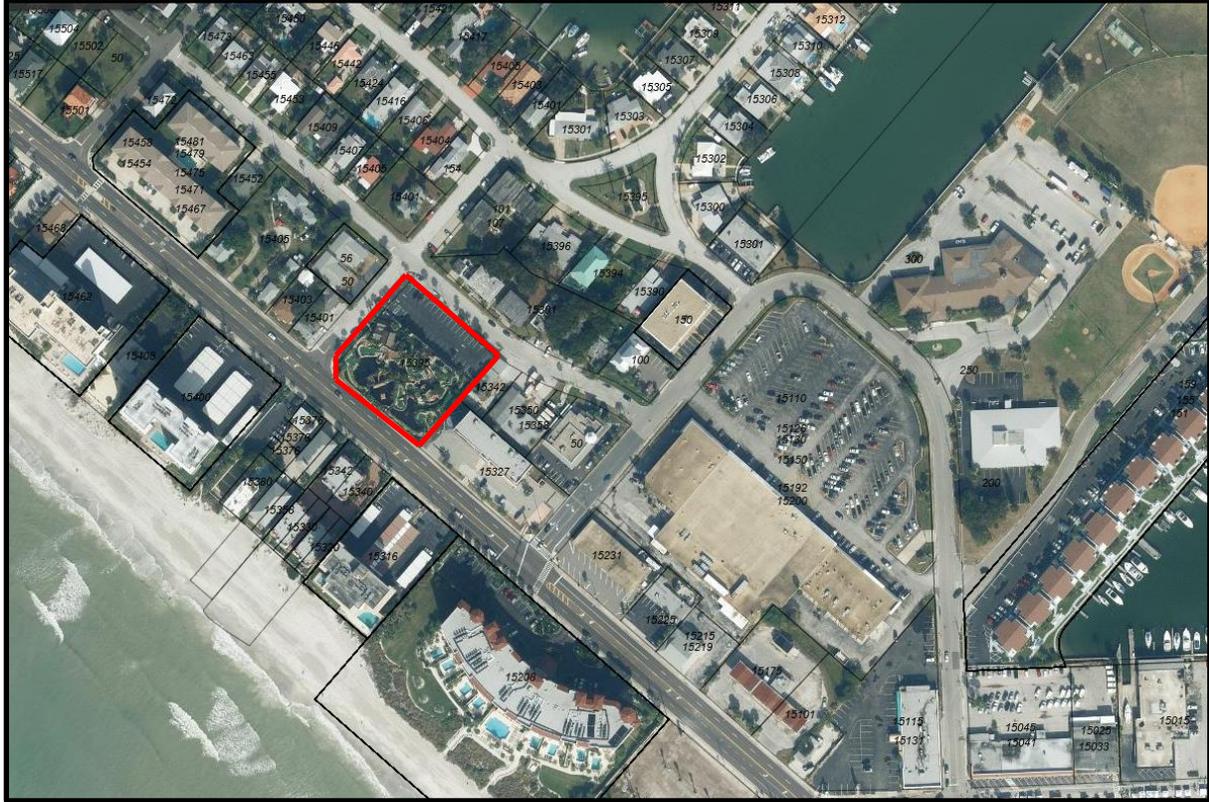
Get with
the Gators!!!

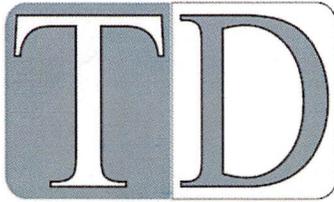
10395 Gulf Boulevard

STAYERS CORP



15395 Gulf Boulevard
Smugglers Cove Adventure Golf
Aerial





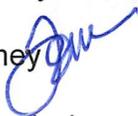
T R A S K
D A I G N E A U L T
LLP
A T T O R N E Y S

THOMAS J. TRASK, B.C.S.*
JAY DAIGNEAULT
RANDY MORA
ERICA F. AUGELLO
JOHN E. SCHAEFER
DAVID E. PLATTE

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

MEMORANDUM

TO: Mayor Travis Palladeno
Vice-Mayor Housh Ghovae
Commissioner Terry Lister
Commissioner Nancy Hodges
Commissioner Elaine Poe
Shane Crawford, City Manager
Vincent Tenaglia, Assistant City Manager/Finance Director

FROM: Thomas J. Trask, City Attorney 

RE: Complaints Filed With Commission on Ethics Regarding City of Madeira Beach Officials

DATE: July 28, 2016

BACKGROUND

Up to seven complaints, by various citizens, have been filed with the Florida Commission on Ethics in Tallahassee as to officials and employees of the City of Madeira Beach. Five of these, against Patricia Shontz, Frank DeSantis, Cheryl McGrady and two against Shane Crawford, have now received letters from the Commission on Ethics indicating the complaints were found to be "sufficient for investigation" and have been assigned to an investigator. A sixth complaint was made by a Veronica Blackwood against Mayor Travis Palladeno, and concerns alleged improper intimidation and termination of a volunteer employee. I have not seen anything from the Commission on Ethics as to this complaint since the transmittal letter of June 7, 2016. A potential seventh complaint, against Commissioner Elaine Poe, was reported in a newspaper article. It supposedly concerns the "improper contacting of City employees". Nothing has been received on this one from the Commission on Ethics.

As you know, the City of Madeira Beach sent all the ethics complaints received to an insurance carrier pursuant to a purchased insurance policy.

DISCUSSION

1. Insurance Coverage

I have not seen or read an actual policy. However, Summit Risk Services, as third party administrator for Preferred Governmental Insurance Trust, at this point has sent five coverage letters regarding these claims to the City. They are all addressed to the City, and individually to Patricia Shontz, Frank DeSantis, Shane Crawford (both his complaints) and Cheryl McGrady. Although not specifically labeled as such, the letters accept tendered coverage for these five claims, but under a "reservation of rights". This of course means the carrier expressly reserves the right to in the future deny coverage and withdraw its defense pursuant to policy exclusions, "should the circumstances warrant". The law firm of Unice Salzman Jensen, P.A. has been assigned the defense of all five claims.

From the letters, some policy provisions should be pointed out. The policy or agreement is termed a "Public Entity Public Officials Liability and Employment Practices Liability Coverage Form". The letters state actual coverage is being afforded under its:

"Section II- Supplemental Payments" portion, which states:

B. *Non-Monetary claims*

The Trust shall defend a claim seeking relief or redress in any form other than monetary damages provided said claim is not otherwise excluded, or Claims Expenses for a Claim seeking such non-monetary relief, subject to the following conditions:

- 1. Defense costs under this section have an annual aggregate limit of liability of \$100,000;*
- 2. The Trust defends the Claim from first notice to Covered Party.*

The most relevant potential exclusions are contained in:

"Section IV-Exclusions":

The Trust shall not be liable for Damages or Claims Expenses on account of any Claim:

A. based upon, arising out or attributable to any actual dishonest, fraudulent, criminal or malicious act, error or omission, or any intentional knowing violation of the law by a Covered Party.

G. alleging, based upon, arising out or attributable to the gaining in fact of any profit or financial advantage to which the Covered Party was not legally entitled.

Therefore, the coverage hereunder is provided from the “non-monetary claims” section (in this situation state-law ethics complaints). There is an annual “aggregate” limit of liability of \$100,000 for defense costs. In addition, the letters state the coverage agreement is subject to a \$5,000 deductible (presumably per claim, so a total of \$25,000 for all five claims).

2. Common Law Doctrine of Right to Legal Representation

Florida courts have long-recognized a common law doctrine of affording public officials the right to legal representation at public expense in defending themselves against litigation arising out of their public duties and while serving a public service. This “entitlement” arises independently from the authority of any statute, ordinance, or charter (some relevant statutes are discussed below). See *Thornber v City of Ft. Walton Beach*, 568 So.2d 914 (Fla.1990); *Markham v. Department of Revenue*, 298 So.2d 210(Fla. 1st DCA 1974).

The latest restatement of this common law doctrine is found in *Maloy v Board of County Commissioners of Leon County*, 946 So.2d 1260 (Fla. 1st DCA 2007). There the First District Court of Appeal looked at the origins of the doctrine, found that it applies to proceedings before the Ethics Commission, and analyzed a series of cases applying the doctrine. The court further reiterated that public officials seeking reimbursement for attorney’s fees must meet the two-prong test of:

- 1) The matter at issue must arise out of or be in connection with the performance of their official duties; and
- 2) Such performance of duties serves a public purpose.

In *Maloy*, a county commissioner was accused of soliciting sex from staff members. The commissioner prevailed before the Commission on Ethics, apparently on the basis of a consensual affair, and then sought reimbursement from the county of his attorney’s fees in court. The trial court denied his request because he did not meet the two-prong test. Furthermore, under county policy, the trial court found the county commission could have chosen to reimburse the fees but was not obligated to do so. The appellate court affirmed the denial of attorney’s fees, finding that the commissioner failed to satisfy the second prong of the two-prong test. The court held that the commissioner’s conduct, whether it was harassment or a consensual relationship, did not serve a public service.

The above-referenced two-prong test appears on the surface to be relatively straightforward. A review of the cases cited in *Maloy*, however, demonstrate actual application is problematical. It seems that at times the courts focus on the “tenor of the conduct”, and at other times on the “context of the allegation”. *Maloy*, 946 So. 2d at 1264.

This uncertainty is graphically illustrated in *Leon County v. Stephen S. Dobson, III, P.A.*, 957 So.2d 12 (Fla. 1st DCA 2007). Interestingly, this is another First District Court of Appeal decision, which was issued on the same date (January 26, 2007), by the same appellate panel (Judges Barfield, Allen and Kahn), and concerning behavior of the same county commissioner (Rudy Maloy), as in the above-cited *Maloy* case. On this occasion, the commissioner attended a function of the Florida Association of Counties and for some unspecified conduct at the event, faced criminal charges. After successfully defending those criminal charges, he again sought reimbursement of his attorney’s fees in court. This time the trial court granted reimbursement of the subject attorney’s fees, based in part on the

rationale that the commissioner's attendance at the conference was connected with his public duties. In affirming the trial court's decision, this time the First District Court of Appeal stated:

Because the trial court found the county commissioner's actions arose out of his official duties while he served a public purpose, and we do not disagree, the common law entitles the county commissioner to have his legal fees reimbursed by the public. See Thornber, 568 So.2d at 917. Accordingly, we affirm the award of attorney's fees.

Leon County, 957 So.2d at 14.

3. Chapter 111, "Public Officers: General Provisions", Florida Statutes

The below sections from Chapter 111, Florida Statutes, are not directly applicable to the subject situation involving the Commission on Ethics. However, they do provide the statutory authority for the defense of the vast majority of litigation brought against public officials, and highlight the policy considerations and choices involved.

- *F.S. 111.065. Law enforcement or correctional officers, legal action against; employer payment of costs and attorney's fees or provision of attorney.*

Provides that employing agencies of law enforcement or correctional officers have the option of paying for their legal defense in any civil or criminal action when arising out of the performance duties, under specified conditions.

Provides that employing agencies shall provide a legal defense for law enforcement or correctional officers in criminal cases arising out of the performance of official duties, under circumstances where the agency determines the officer's actions were lawful under agency guidelines and otherwise within the scope of employment. If attorney's fees cannot be agreed to, then the court having jurisdiction determines such fees.

- *F.S. 111.07. Defense of civil actions against public officers, employees, or agents.*

Governmental entities are authorized to provide an attorney to defend any civil action against a public officer arising out of and in the scope of employment, including state torts and civil rights actions, unless the employee acted in bad faith, with malicious purpose, or in a manner exhibiting willful and wanton disregard.

If the employee is later found to have acted in such bad faith etc., the governmental entity can seek to recover the attorney's fees paid from the employee.

If the governmental entity was authorized to provide an attorney and did not do so, and the employee prevails in the lawsuit, then the governmental entity is

required to reimburse that employee's reasonable court costs and attorney's fees.

- *F.S. 111.071. Payment of judgments or settlements against certain public officers or employees.*

Authorizes governmental entities to pay final judgments and settlements on behalf of sued employees unless the employee was found to have acted in bad faith, with malicious purpose, or in a manner exhibiting willful and wanton disregard, or was determined to have caused the harm intentionally.

- *F.S. 111.072. Insurance in anticipation of judgments or settlements against officers, employees, or agents of any county, municipality, or political subdivision.*

Authorizes governmental entities to be insured or purchase liability insurance for whatever coverages it chooses in anticipation of potential judgments or settlements with respect to its employees in civil lawsuits.

CONCLUSION

The City of Madeira Beach purchased "public entity/public officials" liability insurance for the potential risk of exposure to itself and covered employees. Under that policy, the defense of the subject ethics complaints has just begun. It is likely such coverage and defense will continue unless and until some sort of factual determination is made that a specific policy exclusion applies, or the annual aggregate limit of liability is reached. Therefore, it seems advisable that the City should continue to realize the contractual benefit of its bargained for insurance policy, subject of course to the policy's terms and conditions. It should also be recognized that this insurance coverage nonetheless has current costs (the deductibles), and the potential for future costs should the aggregate liability limit be reached or if policy exclusions are deemed to apply to any of the claims.

Public employees who are sued have historically received a level of protection with application of the common law doctrine for the mandatory payment of defense costs and attorney's fees associated with their defense, provided the two-prong test of: (1) arising out of or in connection with the performance of official duties; and (2) serving a public purpose, is met. However, as reviewed, application of the two-prong test is inconsistent, fact-specific, and dependent on the court having jurisdiction.

Finally, it appears the initial determination of these matters, in a wide range of circumstances, is up to the broad discretion of the employing governmental entity. Guided by the two-prong common law test (and other statutes if applicable), a governmental entity can choose whether or not to provide legal representation for an employee at the outset, wait until the conclusion of the proceeding, agree to the reimbursement of attorney's fees, or deny the payment of attorney's fees at any stage. Should defense representation be denied, however, there is always the risk that attorney's fees will later be owed should the employee prevail in the underlying proceeding.

All of this is highly dependent on the particular facts and circumstances of each situation, which must then be evaluated by the applicable governmental entity. As an example, in AGO 90-74, the Attorney General's Office was asked whether Hillsborough County could reimburse a public official for the legal expenses incurred in defending an ethics charge. In response, the Attorney General stated:

[I]f Hillsborough County makes a determination that acts alleged in an ethics complaint against an official or employee of the county arose from the officer's or employee's official duties and that a public purpose was being served at the time of such acts, the reimbursement of legal expenses for the officer or employee would appear to be authorized under the Chavez case. However, such a determination must be made by the governing body of the county based on such factual evidence as the governing body may require...

Accordingly, whether to incur costs and fees not currently being paid under the insurance policy, and as to any such future expenditures, are decisions to be made by the Board of Commissioners.

RECOMMENDATION

It is my recommendation that the Board of Commissioners decide, at this early stage, as to whether or not the City shall pay for the defense of all of the individuals referenced in this memo if the insurance policy limits are exceeded or if the insurance company stops defending them.

Respectfully submitted.

TJT/JES/jd



MADEIRA BEACH BOARD OF COMMISSIONERS

August 9, 2016 – Agenda Report

FROM: Nick Lewis, Administrative Support Specialist

SUBJECT: REAPPOINTMENT OF SPECIAL MAGISTRATE

BACKGROUND: On June 10, 2016 Mr. Langford issued a Special Magistrate Order finding Tyrone J. Scott in repeat violation of the short term rental provision of the code. He assessed a fine of \$250 per day from 2/11/16 through 5/8/16 as well as costs of \$168.88 and Special Magistrate fees of \$1,827.50. On July 8, 2016 Mr. Scott, through his attorney, filed a Motion for Reconsideration and Rehearing. This Motion needs to be heard by Mr. Langford. In order for that to occur he needs to be reappointed to hear the Motion.

The reappointment can be specific as to the Scott case but staff recommends that he be reappointed to be able to address any other Motions related to Orders he has previously entered. The same request would be made for Orders entered by Audrey Schechter as well.

BUDGETARY None

IMPACT:

RECOMMENDED Yes
BY STAFF:

ATTACHMENT(S): None



MADEIRA BEACH BOARD OF COMMISSIONERS

August 2, 2016 – Agenda Report

FROM: Vincent M. Tenaglia, Assistant City Manager

SUBJECT: **RESOLUTION 2016-25: AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING MARINA FUND REVENUE IN THE AMOUNT OF \$21,000; INCREASING MARINA FUND EXPENDITURES IN THE AMOUNT OF \$21,000; AND PROVIDING FOR AN EFFECTIVE DATE**

BACKGROUND: The intent of Resolution 2016-25 is to recognize unplanned revenue and expenditures relating to the May 2016 Grunt Hunt at the City Marina.

BUDGETARY IMPACT: The net effect of Resolution 2016-25 has no impact on fund balance.

Account	Adopted budget	Revised budget	Current request	Total revised
Revenue:				
405.347.585	\$ -	\$ -	\$ 21,000	\$ 21,000
Expenditures:				
405.9300.4800	\$ 22,500	\$ 22,500	\$ 21,000	\$ 43,500

RECOMMENDED BY STAFF: Staff recommends approval of Resolution 2016-25.

ATTACHMENT(S): Resolution 2016-25

RESOLUTION 2016-25

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING MARINA FUND REVENUE IN THE AMOUNT OF \$21,000; INCREASING MARINA FUND EXPENDITURES IN THE AMOUNT OF \$21,000; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Madeira Beach Board of Commissioners has approved a municipal budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; and

WHEREAS, Section 10.5 of the Madeira Beach City Charter authorizes the Board of Commissioners to amend the adopted budget by resolution; and

WHEREAS, the Board of Commissioners desires to amend the budget.

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

Section 1. The Board of Commissioners authorizes an increase to Marina Fund revenue, in the amount of \$21,000.

Section 2. The Board of Commissioners authorizes an increase to Marina Fund expenditures, in the amount of \$21,000.

Section 3. The Board of Commissioners authorizes staff to allocate the budget amendment pursuant to the account level detailed provided as Exhibit A.

Section 4. This resolution shall become effective immediately upon its adoption.

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INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH,
THIS ____ day of _____,2016.

TRAVIS PALLADENO, Mayor

ATTEST:

AIMEE SERVEDIO, City Clerk

Resolution 2016-25: Exhibit A

<u>Account</u>	<u>Adopted budget</u>	<u>Revised budget</u>	<u>Current request</u>	<u>Total revised</u>
Revenue:				
405.347.585	\$ -	\$ -	\$ 21,000	\$ 21,000
Expenditures:				
405.9300.4800	\$ 22,500	\$ 22,500	\$ 21,000	\$ 43,500



MADEIRA BEACH BOARD OF COMMISSIONERS

August 2, 2016 – Agenda Report

FROM: Vincent M. Tenaglia, Assistant City Manager

SUBJECT: **RESOLUTION 2016-26: AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$14,600; INCREASING GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$8,000; AND PROVIDING FOR AN EFFECTIVE DATE**

BACKGROUND: The intent of Resolution 2016-26 is to recognize the budgetary impact of parking ticket activity, which has surpassed original estimates. The adopted budget assumed a ticket revenue reduction of 31.9% noting that patrons had become more familiar with digital pay stations, the City had increased parking-related signage throughout its parking lots, and the City Manager employed a lenient approach towards enforcement. The actual ticket revenue reduction is estimated at 21.7%, which equates to \$112,500 in estimated annual revenue.

Meanwhile, parking ticket processing fees correspond to the volume of citations issued. The revised annual expenditure estimate is \$20,800.

BUDGETARY The net effect of Resolution 2016-26 is a \$6,600 increase to budgetary balance.

IMPACT:

Account	Adopted budget	Revised budget	Current request	Total revised
Revenue:				
001.351.112	\$ 97,900	\$ 97,900	\$ 14,600	\$ 112,500
Expenditures:				
001.6000.3411	\$ 12,800	\$ 12,800	\$ 8,000	\$ 20,800

RECOMMENDED BY STAFF: Staff recommends approval of Resolution 2016-26.

ATTACHMENT(S): Resolution 2016-26

RESOLUTION 2016-26

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE FISCAL YEAR 2016 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$14,600; INCREASING GENERAL FUND EXPENDITURES IN THE AMOUNT OF \$8,000; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Madeira Beach Board of Commissioners has approved a municipal budget for the fiscal year beginning October 1, 2015 and ending September 30, 2016; and

WHEREAS, Section 10.5 of the Madeira Beach City Charter authorizes the Board of Commissioners to amend the adopted budget by resolution; and

WHEREAS, the Board of Commissioners desires to amend the budget.

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

Section 1. The Board of Commissioners authorizes an increase to General Fund revenue, in the amount of \$14,600.

Section 2. The Board of Commissioners authorizes an increase to General Fund expenditures, in the amount of \$8,000.

Section 3. The Board of Commissioners authorizes staff to allocate the budget amendment pursuant to the account level detailed provided as Exhibit A.

Section 4. This resolution shall become effective immediately upon its adoption.

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INTRODUCED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH,
THIS ____ day of _____,2016.

TRAVIS PALLADENO, Mayor

ATTEST:

AIMEE SERVEDIO, City Clerk

Resolution 2016-26: Exhibit A

<u>Account</u>	<u>Adopted budget</u>	<u>Revised budget</u>	<u>Current request</u>	<u>Total revised</u>
Revenue:				
001.351.112	\$ 97,900	\$ 97,900	\$ 14,600	\$ 112,500
Expenditures:				
001.6000.3411	\$ 12,800	\$ 12,800	\$ 8,000	\$ 20,800

CITY OF MADEIRA BEACH DEBT MANAGEMENT POLICY

PROPOSED AS EFFECTIVE AUGUST 9, 2016

I. POLICY STATEMENT

The City of Madeira Beach (the “City”) was incorporated in 1947 with a Council-Manager form of government. As a municipal corporation of the State of Florida, the City is governed by a five-member elected Board of Commissioners (the “BOC”). The BOC is responsible for the establishment and adoption of policy for the City. The execution of such policy is the responsibility of the City Manager. The BOC directs the City Manager or the Manager’s designee to implement all policy. For the purposes of this Debt Management Policy (the “Policy”), the City Manager’s designee is presumed to be the City Treasurer who functions as the fiduciary entrusted to protect and enhance the City’s financial condition.

It is the express intent of the BOC that adherence to this Policy should illuminate and promote the evaluation of trade-offs between adopted City policy statements and the current and forecast fiscal condition of the City. Furthermore, it is the BOC’s intent that this Policy be informed by and benchmarked against “Best Practices and Advisories” developed by organizations such as the Municipal Securities Rulemaking Board (“MSRB”), National Association of Bond Lawyers (“NABL”), Government Finance Officers Association (“GFOA”) and Florida Municipal Officials’ Manual (the “Manual”). It is understood, however, that the Policy must also give strong consideration to the local environment in which the City operates and its objectives and tolerances.

The GFOA recommends that all state and local governments adopt comprehensive written debt management policies. This Policy has been drafted with reference to the guidance of the GFOA as of the date of adoption. It is understood that the benchmark organizations amend and modify their guidance over time. The City Treasurer is to periodically review any such “Best Practices and Advisories” and recommend conforming modifications to this Policy, if warranted.

Whether definitively debt or otherwise labeled, this Policy will set guidelines for the amount and type of long-term borrowing to be incurred by the City, the process by which such borrowing is to be executed, and the management of such outstanding obligations (for purposes of the Policy, a long-term obligation is an obligation maturing later than twelve months after incurring said obligation). The Policy is intended to enhance the quality of decisions about the affordability, structure, and management of all long-term obligations. Through this Policy, the BOC shall oversee the process by which the City shall manage its bonds, notes, certificates of indebtedness and other long-term obligations, and lease purchase agreements within the constraints of available and forecast financial resources. The Debt Management Policy should be read in its entirety and read in conjunction with other applicable Policies adopted by the City.

Terms used within this Policy, unless specifically defined herein, have the meanings assigned to them in the *Glossary of Municipal Securities Terms*, published by the Municipal Securities Rulemaking Board.

II. POLICY PURPOSE AND SCOPE

This Policy addresses the methods, procedures, and practices that will ensure prudent management of the City’s outstanding obligations. The guidelines contained in this Policy adhere to the Florida Constitution and State Statutes and reflect the recommended practices of the MSRB, NABL, GFOA and the Manual.

Long-term obligations may take the form of general obligation bonds, ad valorem bonds, revenue bonds, improvement bonds, and refunding bonds, or certificates of indebtedness or any form of anticipation certificates maturing more than twelve months after issuance. Certificates of indebtedness may be created evidencing undivided interests in the right to payments under lease purchase agreements. Short-term obligations, payable during the same fiscal year in which they are issued (or immediately thereafter so long

as payments are made from funds included in the adopted budget for that fiscal year), may take the form of anticipation notes or loan agreements.

The issuance of debt has significant long-term implications for the City. Accordingly, consideration will be given to the principles of equity (such that those who pay for the debt are those who benefit from the assets funded by incurring such obligations), essentiality (if the debt finances an asset, the financed asset is essential to the City's core operation) and efficiency (the identified revenue source is sufficient to meet the debt service and the cost of obtaining such funds is less than other viable alternatives).

This Debt Policy is not a comprehensive policy on the management of other City liabilities.

III. LONG-TERM OBLIGATIONS

Citing the Manual, the City has the option of "financing" or utilizing "borrowed" revenue. Article VII, Section 12, Florida Constitution, authorizes municipalities to issue bonds, certificates of indebtedness or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

- A. To finance or refinance capital projects authorized by law and only when approved by vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or
- B. To refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

General provisions for municipal borrowing are codified in Chapter 166, Part III, Florida Statutes. According to s. 166.101, F.S., there are five basic forms of bonds: general obligation bonds; ad valorem bonds; revenue bonds; assessment / improvement bonds; and refunding bonds.

The following forms of bonds require a referendum:

- 1. Ad valorem bonds – these bonds are payable from the proceeds of ad valorem taxes levied on real and tangible personal property.
- 2. General obligation bonds – these are known as "full faith and credit bonds" because their repayment is unconditional and based on the general credit and taxing powers of the borrowing government. Since the power to levy and collect property taxes provides the basic security to these bonds, they require voter approval to issue them, generally carry the lowest interest rates, and are typically used to finance general-purpose public buildings, roads and public safety facilities. (For most practical purposes, a general obligation bond is an ad valorem bond.)

The following forms of debt do not require a referendum:

- 1. Revenue bonds – these bonds are obligations in which repayment of debt service is entirely derived from revenue sources other than ad valorem taxes; the most common municipal issues are for utilities (e.g. water, wastewater, storm drainage), parking garages, stadiums and airports.
- 2. Assessment / Improvement bonds – these are special obligations of the municipality which are payable solely from the proceeds of special assessments levied for a project.
- 3. Refunding bonds – these bonds are issued to refinance outstanding bonds of any type and the interest and redemption premium; they should be issued and payable in the same manner as the refinanced bonds but require no electorate approval.

The use of borrowed funds for municipal government needs varies radically among jurisdictions. The selection of the appropriate instrument is dependent upon the financing circumstances of the project and the specific municipality.

IV. DEBT ISSUANCE FACTORS

This Policy is consistent with the referenced best practice and advisories as it relates to new and refunding issues; such practices and advisories encourage legal advice be sought early in the issuance process to raise key legal, tax, and financial issues. The issuance of debt is subject to a set of terms that ensure oversight and fiscal prudence:

A. Debt shall comply with all applicable laws, regulations, and covenants and shall not be issued so as to jeopardize the status of outstanding debt.

B. Long-term debt shall not be incurred to fund operations.

C. Capital improvements may be financed utilizing long-term debt.

D. Principal and interest payment schedules will be structured to result in level debt service payments, except for the refinancing of liabilities, in which case debt service may reasonably reflect the structure of the liability being refinanced. In each case repayment structures may vary when circumstances warrant.

E. Debt incurred will generally be limited to current interest serial or term maturities, but may be sold in the form of capital appreciation bonds or other structures, including short-term securities if circumstances warrant.

F. The average life of debt issued to finance assets shall be no greater than the projected average life of the assets being financed. The assets funded by debt issuance shall have a life expectancy that is equal to or greater than the final maturity of the obligations incurred.

G. The City may issue refunding bonds to reduce the interest cost on its outstanding debt or other obligations for other purposes allowable under State law. It shall be the policy of the BOC to consider the advance refunding (refinancing) of any outstanding long-term debt when such refunding will achieve present value savings of at least 3% compared to the debt service on the obligations being refunded and a minimum net present value savings of \$100,000; and will generally not require extending the maturity of the bonds beyond that of the bonds being refunded. The City should consider all available options, including maintaining the status quo (preserving the opportunity to evaluate the refunding at a future point in time), when presented with a refunding opportunity.

H. Refunding savings on current (non-advance) refunding bonds may be lower than the 3% threshold, as consideration shall be given to such factors as the declining rate of savings anticipated to be available as bonds reach their maturity date.

I. The City may issue refunding bonds for the purpose of restructuring debt service obligations or to eliminate or modify the bond covenants required by the then-outstanding issue. Prudence and circumstance shall dictate the City's decision to refund for such reasons.

J. The City shall follow the "Debt Issuance Checklist" published by GFOA to ensure the contemplated financing is completed in accordance with current best practices and advisories.

V. DEBT AFFORDABILITY

The City shall conduct a Debt Affordability Study in advance of seeking BOC authorization to incur debt. The Study will be undertaken by the City Treasurer, with advisory or consultancy support as required. Such planning analyses of debt affordability will serve to make rational the assessment of the ability of the City to carry additional debt service for so long as the proposed obligation would be outstanding. A Debt Affordability Study signals to the public, to the rating agencies, and to the investment community that the City is taking seriously its fiduciary role in the oversight and management of its debt.

The Study, along with the City Treasurer's review, should consider the following factors:

- A. A rigorous analysis of the operating strength of the City and assessment of the contemplated financing in the context of the adopted budget the City's Budget Policy;
- B. An assessment of implications of the proposed financing for the City's credit and its credit rating having drawn upon applicable rating agency criteria and metrics for peer cities and like rated credits;
- C. An analysis of financing and funding alternatives and a summary of the true interest cost of the proposed financing; and
- D. An overview of the plan of finance in the context of other current and forecast capital needs.

VI. FORM OF DEBT

Debt issued by the City is to be executed as fixed rate obligations and may be issued with or without credit enhancements and as short- and long-term obligations. At the time of adoption of this Policy, it is not expected that the City will entertain any obligation with a derivative structure. However, prudence may dictate the consideration of derivatives in the future. Any consideration of a financing utilizing either variable rate or derivatives or both shall necessitate a comprehensive and robust discussion amongst the BOC and City Treasurer prior to committing the City to any financing featuring either a variable rate, derivative structure or both.

The ultimate form of debt shall be recommended by the City Treasurer for consideration and approval by the BOC. Consideration shall be given to a number of factors as noted within this Policy.

A. General Obligation Bonds

The issuance of General Obligation (GO) Bonds should be carefully conserved and used only for projects that clearly benefit the broad public interest. Public projects deemed to be of an essential nature and without associated revenue streams are the strongest candidates for GO financing.

General obligation debt is subject to voter approval. No general obligation debt can be created unless it has been approved by a majority of the registered electors of the City, in an election held for that purpose.

Subsequent to voter approval, the BOC has the power to issue GO Bonds. It is expected:

1. At the time of issuance, the City's general obligation debt should be within an acceptable range as determined by the nationally recognized rating agencies and/or GFOA Best Practices for cities of like size and credit quality. Ratios to be considered may consist of the following:
 - a. GO debt per capita.
 - b. GO debt to personal income.
 - c. GO debt to taxable property value.
2. General obligation debt shall be structured on a level debt service basis with a maximum maturity of 30 years, but terms may vary as conditions warrant.

- a. The City will target a combined principal pay-out rate that is within nationally recognized rating agencies guidelines for the desired credit rating level.
- b. Debt service on general obligation debt is anticipated to be payable from a separate mill levy that is deposited into a separate fund created and maintained for bond redemption.

B. Revenue Bonds

Revenue bonds may be issued without approval of the registered electors of the City and are not payable from a dedicated mill levy. Revenue bond covenants such as reserves and debt service coverage ratios will be structured to maintain or improve credit ratings.

Prior to issuance of revenue bonds, the City Treasurer shall review the financial condition of the applicable City Fund(s) and the contemplated debt to confirm that current and future revenues are sufficient to:

1. Comply with additional bonds and/or anti-dilution test(s) covenanted on existing obligations;
2. Meet the rate-maintenance covenant(s) pursuant to governing bond ordinance; and
3. Maintain or improve credit ratings.

Revenue bonds shall not be included in the calculation of outstanding obligations counted towards the City's GO debt limit.

C. Lease Financings

Lease financings may be used for vehicles, buildings, and capital equipment. Lease financings are generally used for long-lived assets that would not be affordable if funded on a lump sum or cash basis during a single fiscal year. Lease financings are subject to approval by the BOC, and are not subject to voter referendum if the annual rent payable by the City is subject to annual appropriation and does not exceed the value of the leased property, and the financing otherwise qualifies under applicable Florida case law.

Criteria used to determine the use of lease financings include: the essentiality of the assets to be funded; that annual appropriations will be available as necessary to fund annual costs; and/or there is assurance that revenue enhancements or cost savings will be realized. In addition, the following guidelines shall govern lease purchase financings:

1. Lease purchase financings will be secured by a lease payment related to the utilization by the City of the assets financed, or other available assets of the City, as well as legally available future revenues and appropriations.
2. Annual lease appropriation payments as a percentage of expenditures shall be monitored over time to set standards and metrics (e.g., criteria of nationally recognized rating agencies). In this assessment, consideration must be given to the circumstance when a lease appropriation payment replaces costs that would otherwise be incurred.
3. The term of any lease transaction shall not exceed the estimated useful life of the assets financed, and shall comply with additional restrictions governing average life and term as provided by applicable law.
4. Lease financings may be entered into directly with the owner of the leased property, a financial institution, a nonprofit corporation, or for-profit entity. The preferred lessor for new lease financings and refinancings of existing lease financings that involve the issuance of certificates of participation will be a commercial bank acting as trustee.

VII. DEBT STRUCTURING PRACTICES

The following terms will govern the City in its debt structuring practices:

- A. Interest may be capitalized for revenue bonds, assessment bonds, and lease financings if warranted as determined by the City Treasurer:
1. to fund interest during construction and prior to financed assets being placed in service; or
 2. to allow for the funding of interest costs during the budget year in which a transaction is completed, or when budgeted resources may not be available.
- B. Debt issued by the City may contain optional redemption features. The City Treasurer shall determine the best course of action by selecting appropriate dates and prices, taking into account such items as the cost of funds and future financial flexibility.
- C. In the structure of a debt offering, original issue premiums and discounts will be used as deemed to be in the City's financial interest considering current investor demand, future cash flows and expected interest rate savings.
- D. Capital appreciation bonds and zero coupon bonds shall only be used if deemed to be in the City's financial interest considering current investor demand, future cash flows and expected interest rate savings.
- E. When judged advantageous to the City, agreements providing credit enhancements with municipal bond insurance companies, commercial banks, or other financial entities for the purposes of acquiring letters of credit or bond insurance policies may be obtained.
1. The projected net present value of the estimated debt service savings from the use of credit enhancement must be greater than the fees and/or premium paid by the City to obtain such credit support.
 2. If possible, a competitive process shall be used to procure credit enhancement providers.
- F. When economically beneficial, the City shall seek to avail itself of options other than cash funding a debt service reserve fund.

VIII. METHODS OF SALE

It is the interest of the City to issue debt using the method of sale or placement of obligations that is expected to achieve the best sales results, at the least cost, taking into account both short-range and long-range implications.

- A. Conditions which inform the decision about the use of a *competitive sale* process include:
1. the market is familiar and comfortable with the project being financed, the structure of the financing, and the revenues to be used to pay debt service;
 2. the issue is appropriately sized to attract investors without a concerted effort; and
 3. interest rates are stable and market demand is strong.
- B. Conditions which inform the decision about the use of a *negotiated sale* process include:
1. the transaction is of significant size for the market;
 2. market timing will be a critical factor in garnering the lowest possible interest rate;
 3. the financing requires a complex or innovative structure;
 4. the market has concerns about the credit quality of the debt; and

5. the market is unfamiliar with the project, the structure of the financing, or the revenues to be used to pay debt service.

C. Conditions which inform the decision about the use of a *private placement* include:

1. small transaction size;
2. term of the debt;
3. time to market for transactions where time is of the essence; and
4. transactions that have particular characteristics suited to one or a small number of interested buyers.

The City shall engage in a competitive, formal request for proposals (RFP) process to identify the appropriate institution to complete a contemplated financing. The City shall document and make publicly available the criteria and process for lender selection. The City shall require selected institutions to make disclosures pursuant to MSRB Rule G-17 and disclose any conflicts of interest that may exist, as well as the name(s) of any person or firm compensated to promote the selection of the institution; any existing or planned arrangements between outside professionals to share tasks, responsibilities and fees; the name(s) of any person or firm with whom the sharing is proposed; and the method used to calculate the fees to be earned.

The City shall require the preparation of a post-sale summary and analysis that documents the pricing of the debt relative to other similar transactions priced at or near the time of issuance, and record the true interest cost of the sale and the date and hour of the verbal award.

IX. CREDIT RATINGS

Criteria used by nationally recognized rating agencies in assessing an entity's credit quality indicate the existence of and adherence to formalized debt planning and debt policies. Ratings provide bondholders with reassurances that debt burdens and operational debt costs will be kept at manageable levels while ongoing capital needs continue to be met. Furthermore, the rating agencies suggest debt policies typically specify both target debt burden levels and maximum allowable debt burden levels.

The City recognizes the importance of maintaining good relations with bond rating agencies in order to increase the financial market's understanding of the credit, which may affect the City's cost of borrowing. The City expects to seek a rating on all public offerings. Exceptions to this requirement are permissible, such as when privately placing a transaction with an accredited investor or lending institution. As a matter of general policy:

- A. The City shall seek to maintain if not improve its credit quality;
- B. The City shall obtain an underlying rating on debt which is credit enhanced; and
- C. The City shall comply with all legal obligations regarding regular and ongoing disclosure of financial and other information, and will proactively provide annual reports and other regularly available financial information to those agencies which rate City obligations.

X. DEBT MANAGEMENT

The City Treasurer shall be responsible for ongoing debt management of the City. As a matter of policy, the City shall undertake the following as part of its ongoing debt management program.

A. The City Treasurer shall undertake periodic debt management performance reviews, which will include regular review of the City's outstanding debt issues, and include an analysis of interest expense. The BOC shall receive periodic reports summarizing the debt outstanding, amortization schedules, and key debt ratios.

B. To the extent that there are one or more resolutions of the BOC that would allow for staff to execute financing transactions within defined parameters, the City Treasurer shall inform the BOC when any such authorized transaction is commenced. In the event that any such authorized financing is not pursued when market conditions contemplated by such resolution(s) are available, the BOC shall be informed.

C. The City shall comply with the applicable arbitrage regulations and should regularly employ an arbitrage rebate consultant.

D. The City recognizes the importance of ongoing, proactive and transparent dissemination of information to the investment community. For the benefit of its investors, the City will post its most recent financial reports, official statements, policies and other fiscal information relating to the City's debt portfolio to the appropriate website(s).

E. The City shall invest bond proceeds according to all applicable covenants associated with the borrowing and the City's Investment Policy. Bond proceeds shall be invested in a manner such that the arbitrage liability of the City is mitigated.

XI. POST-ISSUANCE TAX COMPLIANCE POLICY FOR TAX-EXEMPT BONDS

The City recognizes that compliance with applicable provisions of the Internal Revenue Code of 1986, regulations promulgated thereunder is an ongoing process, necessary during the entire term of the City's tax-exempt obligations or tax-advantaged obligations and/or publicly offered bonds, and is an integral component of the City's debt management. Accordingly, the analysis of those facts and implementation of this Policy will require ongoing monitoring and consultation with bond and disclosure counsel.

For monitoring post-issuance compliance, the City Treasurer shall:

- A. Be responsible for monitoring post-issuance compliance issues.
- B. Coordinate procedures for record retention and review of such records with the City Clerk.
- C. Cause for all documents and other records relating to debt incurred by the City to be maintained in a manner evidencing awareness of and compliance with applicable Internal Revenue Service requirements, such as those contained in Revenue Procedure 97-22.
- D. As warranted, exercise voluntary corrections for failure to comply with post-issuance compliance requirements (such as remedial actions under Section 1.141-12 of the Regulations and Treasury's Tax-Exempt Bonds Voluntary Closing Agreement Program) and further take such corrective action when necessary and appropriate to bring the City's post-issuance circumstance and practices into compliance.
- E. Otherwise adhere to the City's *POST-ISSUANCE TAX-COMPLIANCE POLICY FOR TAX-EXEMPT BONDS* (attached hereto).

XII. LEGAL REVIEW

Prior to the issuance of any debt, the General Counsel of the City, in consultation with the City Treasurer shall secure an opinion that the proposed debt is structured and issued in a manner which complies with all applicable laws and regulations of the state and federal governments. Bond and Disclosure Counsel shall be retained to render opinions and prepare documents related to the issuance of debt. Such Bond and Disclosure Counsel shall have extensive experience in public finance, securities regulation and tax issues.

XIII. ADVISORS, CONSULTANTS AND FINANCIAL SERVICES

The City Treasurer may retain finance or other consulting professionals when such expertise is required. Such professionals may include, but not be limited to municipal advisors, bond trustees, registrar and paying agents, escrow agents, underwriters, tender/remarketing agents, credit and liquidity facility providers, arbitrage rebate consultants, verification agents, and other professional services associated with debt financings. The selection and retention of finance professionals shall conform to the City's policies/practices that govern the procurement of professional services contracts.

XIV. POLICY REVIEW AND REVISION

This Policy shall be reviewed periodically and no less than every three years by the City Treasurer, and may be amended by the Board of Commissioners as conditions warrant.

[Adopted August 8, 2016]

Originally presented on April 26, 2016

CITY OF MADEIRA BEACH TAX RATES, FEES, AND CHARGES POLICY

PROPOSED AS EFFECTIVE AUGUST 9, 2016

I. POLICY STATEMENT

The City of Madeira Beach (the “City”) was incorporated in 1947 with a Council-Manager form of government. As a political subdivision of the State of Florida, the City is governed by a five-member elected Board of Commissioners (the “BOC”). The BOC is responsible for the establishment and adoption of policy for the City. The execution of such policy is the responsibility of the City Manager. The BOC directs the City Manager or the Manager’s designee to implement all policy. For the purposes of this Revenues: Tax Rates, Fees, and Charges Policy (the “Policy”), the City Manager’s designee is presumed to be the City Treasurer who functions as the fiduciary entrusted to protect and enhance the City’s financial condition.

It is the express intent of the BOC that adherence to this Policy should illuminate and promote the evaluation of trade-offs between adopted City policy statements and the current and forecast fiscal condition of the City. Furthermore, it is the BOC’s intent that this Policy be informed by and benchmarked against “Best Practices and Advisories” contemplated by the Government Finance Officers Association (“GFOA”) and Florida Municipal Officials’ Manual (the “Manual”).

It is understood however that this Policy must also give strong consideration to the local environment in which the City operates and its objectives and tolerances. Recognizing citizens, businesses and tourists have a choice in where it is they elect to live, work, and recreate, this Policy shall be administered in such a manner as to establish and maintain the City as a preferred location for residents, businesses and visitors alike. Ultimately, adherence to this Policy is to ensure the City prudently designs and manages its tax rates, fees, and charges in order to provide for:

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

It is understood that the benchmark organizations amend and modify their guidance over time. The City Treasurer is to periodically review any such “Best Practices and Advisories” and recommend conforming modifications to this Policy, if warranted. The Revenues: Tax Rates, Fees, and Charges Policy should be read in its entirety and read in conjunction with other, applicable Policies adopted by the City.

II. DEFINITIONS

Rate: rates are established either via the state’s constitution, Florida statutes or local law. Tax rates apply to mandatory payments from a citizen to a government, levied through the authority of a government and may be used for general governmental purposes.

Fee: a charge for service issued by a local government; adopted via resolution or ordinance. It is voluntary in nature and the corresponding proceeds are intended to partially or completely fund the service provided.

III. POLICY PURPOSE AND SCOPE

State and local governments use taxes, fees and charges to fund programs and services. When certain programs or services provided especially benefit a particular group, then governments should consider taxes, fees, charges on the direct recipients of those services. However, many governments provide subsidies to various users for policy reasons, including the ability of residents or businesses to pay. Well-

designed taxes, fees, and charges not only reduce the need for additional revenue sources, but promote service efficiency. This Policy addresses the methods, procedures, and practices that will ensure prudent management of the City's tax rates, fees and charges in order to ensure City revenues are sufficient to provide the variety and level of services sought by vested stakeholders. The guidelines contained in this Policy adhere to the Florida Constitution and State Statutes and reflect the recommended practices of the GFOA and the Manual.

Factors to consider when developing tax rates, fees and charges should include:

1. Any applicable laws, statutes, and policies
2. Any applicable agreements articulating pricing factors and/or rationale for any subsidies
3. What is the full cost of providing the program or service (both direct and indirect)
4. Long-term forecasts and plans such as:
 - a. Whether imposing the full cost would pose a hardship on a specific population unable to pay; and
 - b. Whether attempts to fully cover the costs of a program or service will cause for an unrealistic demand for continued delivery
5. Public input and involvement
6. Periodic review and updates

In conjunction with adoption of this Policy, the City Treasurer shall soon update and hereinafter maintain a "Revenue Manual" summarizing each of the City's major rates, fees and charges. The Revenue Manual will be designed to address the substantive elements of *Section IV. Execution of Purpose of Scope*. The Revenue Manual is to be maintained and amended corresponding to any new or modified rates, fees, or charges. As warranted, the City Treasurer shall incorporate or make reference to the Revenue Manual in connection with the City's budget adoption processes.

IV. EXECUTION OF PURPOSE AND SCOPE

Concerning the tax rate, fee and charge setting process, the City Treasurer shall:

1. Consider applicable laws and statutes before the implementation of considering creating new or modifying existing tax rates, specific fees and/or charges.
2. Adopt formal policies regarding tax rates, fees and charges and fees. The policy should:
 - a. Identify the factors (affordability, pricing history, inflation, service delivery alternatives, and available efficiencies) to be taken into account when pricing programs and services.
 - b. Articulate whether the City intends to recover the full cost of providing programs and services and why. Set forth the circumstances under which the City might set a charge or fee at more or less than 100 percent of full cost. If the full cost of a program or service is not recovered, then an explanation of the rationale for this deviation should be provided.
 - c. Outline the considerations that might influence pricing decisions. Such policy concerns might include the need to regulate demand, the desire to subsidize a certain product or service, competition with public or private enterprise, economic development, elasticity of demand for the particular service, and visibility of the service to the community.
 - d. Address the specifics of how any current or delinquent tax, fees and/or charges will be levied and collected, including any anticipated costs of collection.
3. Calculate the full cost of providing a service in order to provide a basis for setting the rate, fee or charge.
 - a. Full cost incorporates direct and indirect costs (including operations and maintenance), overhead, and charges for the use of capital facilities. Examples of overhead costs include: payroll processing, accounting services, computer usage, and other central administrative services.
 - b. The associated costs of collection need to be addressed.

4. Review and update tax rates, fees and charges periodically based on factors such as the impact of inflation, other cost increases, adequacy of cost recovery, use of services, and the competitiveness of current rates.
 - a. By updating fees on a periodic basis, this may help smooth charges and fees over several years rather than having uneven impacts.
 - b. Periodic review of the service demand and competition is also recommended to ensure that the appropriate quality and price point of the service continues to meet actual demand.
 - c. The review should be performed in conjunction with a look at alternatives for cost reduction.
 - d. Benchmark individual tax rates, fees, and charges with those charged by comparable or neighboring might guide the City body when setting rates, fees and charges; benchmarking can also differentiate service levels to reveal service or pricing options.
5. Utilize long-term forecasting to ensure that rates, fee and charges anticipate future operational and capital costs in providing the service.

If the rate, fee and/or charge will recover costs associated with other long-term plans, such as a multi-year capital plan, a longer-term service fee plan should be consistent, recognizing the plan may be amended to reflect changing conditions in the future.
6. Provide information on rates, fees, and charges to the public.

There should be opportunities for citizen feedback, particularly when new rates are introduced or when existing rates are changed. This includes the City's policy regarding full cost recovery, subsidies, and information about the amounts of charges and fees (current and proposed), both before and after adoption, and the anticipated impact of the new rate, fee or charge on providing the service in future years.

V. ADVISORS, CONSULTANTS AND FINANCIAL SERVICES

The City Treasurer may retain finance or other consulting professionals when such expertise as required in order to fulfill that which is contemplated by *Section IV. Execution of Purpose and Scope*. Such professionals may include attorneys, municipal advisors, feasibility consultants, and other professional service providers known to possess the requisite expertise and who also have expressed interest and are known to be available when needed. The selection and retention of such professionals shall conform to the City's policies/practices that govern the procurement of professional services contracts.

VI. POLICY REVIEW AND REVISION

This Policy shall be reviewed periodically and no less than every three years by the City Treasurer, and may be amended by the Board of Commissioners as conditions warrant.

[Adopted August 8, 2016]
Originally presented on April 26, 2016



MEMORANDUM

TO: City of Madeira Beach
City Manager and Planning Director

FROM: Calvin Giordano & Associates, Inc.
Luis N. Serna, AICP. Planning Director, Tampa Bay

SUBJECT: Updates to the Madeira Beach Comprehensive Plan and
Land Development Regulations

DATE: June 29, 2016

In response to recent changes in regulations at the State and regional levels, we have prepared draft updates to the Madeira Beach Comprehensive Plan and Land Development Regulations to address consistency with these new regulations. The proposed revisions specifically address adoption by Pinellas County of a Mobility Management Plan and corresponding Mobility Management System, enactment of a requirement by the State of Florida that local governments address potential impacts of sea level rise, and the execution of a revised Interlocal Agreement between the Pinellas County School Board and the municipalities within the school district.

Mobility Management Revisions

In 2011, the State of Florida enacted the Community Planning Act which among other changes, rescinded the requirement for communities to enforce transportation concurrency and its associated level of service standards for public roadways. In response, the Pinellas County Metropolitan Planning Organization (MPO) developed a mobility management system as an alternative approach to addressing the impacts of development on public roadways. The MPO encouraged all communities within its boundaries to, by 2016, replace their transportation concurrency management regulations with rules that are consistent with the MPO's mobility management system.

The primary advantage of the proposed mobility management approach over the existing transportation concurrency system is that the mobility management approach offers a more flexible, practical, and efficient alternative that will facilitate multimodal transportation solutions. Under the current system, when a roadway is operating at capacity, the only available alternatives for development or redevelopment that would result in additional traffic on the roadway system are for developers to add capacity by paying for road widening (adding lanes), or by adjusting traffic signal timing. Often, such options are not feasible due to the physical site constraints on the roadway system in urban areas. The transportation

Building Code Services
Coastal Engineering
Code Enforcement
Construction Engineering & Inspection
Construction Services
Contract Government
Data Technologies & Development
Emergency Management Services
Engineering
Governmental Services
Indoor Air Quality
Landscape Architecture & Environmental Services
Municipal Engineering
Planning
Public Administration
Redevelopment & Urban Design
Renewable Energy
Resort Development
Surveying & Mapping
Transportation Planning & Traffic Engineering
Utility & Community Maintenance Services
Water Resources Management

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concurrency approach often encourages urban sprawl by directing development and traffic away from urban areas to less developed areas.

By contrast, the proposed mobility management approach encouraged by the MPO allows for a coordinated, regional, and multi-modal approach to transportation impacts that is better suited to more urban communities. Rather than focusing solely on vehicular traffic, the mobility management approach allows for the consideration of other transportation options such as sidewalks, bicycle facilities, and transit in order to address transportation capacity. The proposed system replaces the current system of collection of roadway impact fees with the collection of mobility fees. Such fees are directed toward improvements to all types of transportation facilities based on the MPO's Mobility Management Plan.

Sea Level Rise

In 2015, the State of Florida enacted a law that requires the Coastal Management Elements of each local government's comprehensive plan to address the impacts of sea level rise. The law, as specified in Section 163.3178(2)(f), Florida Statutes, requires that each local government's Coastal Management Element include a redevelopment component that outlines the principles that must be used to eliminate inappropriate and unsafe development in coastal areas when opportunities arise. According to the law, the component must:

1. Include development and redevelopment principles, strategies, and engineering solutions that reduce the flood risk in coastal areas which results from high-tide events, storm surge, flash floods, stormwater runoff, and the related impacts of sea-level rise.
2. Encourage the use of best practices development and redevelopment principles, strategies, and engineering solutions that will result in the removal of coastal real property from flood zone designations established by the Federal Emergency Management Agency.
3. Identify site development techniques and best practices that may reduce losses due to flooding and claims made under flood insurance policies issued in this state.
4. Be consistent with, or more stringent than, the flood-resistant construction requirements in the Florida Building Code and applicable flood plain management regulations set forth in 44 C.F.R. part 60.
5. Require that any construction activities seaward of the coastal construction control lines established pursuant to s. 161.053 be consistent with chapter 161.

6. Encourage local governments to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for their residents.

The City's existing Coastal Management Element includes some existing objectives and policies that comply with the 2015 law. However, in order to be fully compliant with the requirements of Section 163.3178 of Florida Statutes, we are recommending adoption of the proposed modifications to the City's Coastal Management Element.

Public School Facilities

In 2011, the State of Florida through the Community Planning Act rescinded the requirement for local governments to implement school concurrency. In 2012, Madeira Beach entered into a Public Schools Interlocal Agreement, which replaced the previous Interlocal Agreement with the Pinellas County School Board that was adopted 2007. While the 2012 Agreement requires continued coordination among communities and the School Board in planning for school facilities, the Pinellas Schools Collaborative, at their meeting on September 7, 2011, recommended the County and municipalities rescind school concurrency. In the City's Evaluation and Appraisal Report (EAR) notification letter to the Florida Department of Economic Opportunity, dated April 27, 2015, amendments to the Public School Facilities Element in response to the 2012 Interlocal Agreement are cited as likely being necessary. The proposed revisions remove the requirement for school concurrency from the Public School Facilities Element of the Comprehensive Plan.

Recommendation

We recommend adoption of these proposed amendments to the Land Development Code and Comprehensive Plan. The proposed amendments allow for continued coordination with regional and state Comprehensive Plan and Land Development Code requirements. The amendments are consistent with and do not impact existing or proposed land uses in an adverse manner and will not adversely affect the natural environment, the demand on public facilities, or property values. The proposed amendments will encourage the continued orderly and logical development pattern now provided for under the Comprehensive Plan and are consistent with the public interest.

Please feel free to contact us if you have any questions regarding these amendments.

ORDINANCE NO. 2016-07

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING CHAPTER 90 – CONCURRENCY MANAGEMENT OF THE CODE OF ORDINANCES; AMENDING SECTION 90-2 DELETING VARIOUS DEFINITIONS RELATING TO SCHOOL CONCURRENCY, REVISING THE DEFINITION OF “PUBLIC SCHOOLS INTERLOCAL AGREEMENT”, AND CREATING DEFINITIONS FOR “DEFICIENT FACILITY”, “LAND DEVELOPMENT REGULATORY SYSTEM”, “MOBILITY PLAN”, “NEW PEAK HOUR TRIP”, “PEAK HOUR”, “PRE-EXISTING USE”, “TRANSPORTATION MANAGEMENT PLAN” AND “TRANSPORTATION MANAGEMENT SYSTEM”; AMENDING SECTIONS 90-4, 90-5, 90-7 AND 90-8 TO DELETE THE PROVISIONS RELATING TO SCHOOL CONCURRENCY; AMENDING SECTION 90-9 AND SECTION 90-10 IN THEIR ENTIRETY TO REPEAL THE TRANSPORTATION CONCURRENCY PROVISIONS AND TO ESTABLISH A TRANSPORTATION MANAGEMENT SYSTEM; CREATING SECTION 90-11 PROVIDING FOR THE APPLICATION OF TRANSPORTATION MANAGEMENT PLAN STRATEGIES TO DEFICIENT ROAD CORRIDORS; CREATING SECTION 90-12 PROVIDING FOR METHODOLOGY OF DETERMINATION OF TRIP GENERATION; RENUMBERING SECTION 90-11 TO 90-13; RENUMBERING SECTION 90-12 TO 90-14 AND DELETING THE ADOPTED LEVEL OF SERVICE FOR ARTERIAL AND COLLECTOR ROADS; RENUMBERING SECTION 90-13 TO 90-15; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Madeira Beach amended its adopted Comprehensive Plan to replace transportation concurrency with a mobility management system in accordance with the Pinellas County Mobility Plan that provides the means to manage traffic impacts of development while maximizing mobility and accessibility through the use of multi-modal impact fees; and

WHEREAS, in coordination with Pinellas County and through the implementation of the Pinellas County Mobility Management System, certain provisions within the City’s Land Development Regulations with regard to transportation concurrency must be repealed and replaced with provisions for the Mobility Management System; and

WHEREAS, the City of Madeira Beach amended its adopted Comprehensive Plan to eliminate adopted levels of service and school capacity for public school facilities, while maintaining a cooperative partnership with Pinellas County by interlocal agreement to ensure continued public school facility planning collaboration; and

WHEREAS, certain provisions within the City’s Land Development Regulations with regard to school concurrency must be repealed.

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

Section 1. That the definitions of “additional capacity (for school concurrency)”, “available capacity (for school concurrency)”, “concurrency service area (for school concurrency)”, “district-wide level-of-service for school concurrency”, “educational plant survey or the Five-Year Plant Survey”, “effective date”, “enrollment”, “existing level of service (for school concurrency)”, “FISH (Florida Inventory of School Houses)”, “Five-Year Facilities Work Program or Five-Year Work Program (for school concurrency)”, “level-of-service standard (for school concurrency)”, “public school facilities element (PSFE)”, “school board”, “school capacity and level of service report for school concurrency”, “school concurrency approval”, and “vested students” are hereby deleted from Section 90-2 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach.

Section 2. That the definition of “public schools interlocal agreement” of Section 90-2 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is hereby amended to read as follows:

Public schools interlocal agreement means the interlocal agreement ~~filed with the Pinellas County Board Clerk on April 24, 2007~~ executed by the City on November 6, 2012 between the Pinellas County School Board, Pinellas County, and the 12 municipalities within Pinellas County ~~that are required to implement school concurrency per Florida Statutes § 163.3177(1), or as it may subsequently be amended.~~

Section 3. That Section 90-2 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended to provide for definitions of “deficient facility”, “Land Development Regulatory System”, “mobility plan”, “new peak hour trip”, “peak hour”, “pre-existing use”, “transportation management plan”, and “transportation management system”, to read as follows:

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.

Land Development Regulatory System means the coordinated system of plans (e.g., comprehensive plans), regulations, code provisions and related status reports (e.g., concurrency test statement and transportation system report) that provide standards and guidance for land development related activities.

Mobility plan means the framework providing for a countywide approach to managing the traffic impacts of development projects and to increasing mobility for pedestrians, bicyclists, transit users and motor vehicles through the implementation of the Multimodal Impact Fee Ordinance and the transportation provisions of this section through the site plan review process.

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 “passer-by” or “diverted” trips, whereby the site is accessed as a secondary trip.

Peak hour, in describing traffic conditions, means the 100th highest volume hour of the year in the predominant traffic flow direction.

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 the Pinellas County Transportation Impact Fee Ordinance (TIFO), 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 June 30, 1986, the original adoption date of the TIFO. The applicant must provide the necessary documentation to verify any pre-existing use activity not reflected in the current records of the Pinellas County Property Appraiser's Office.

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, protect roadway capacity and to increase mobility. These strategies include, but are not limited to, density/intensity reductions, project phasing, access controls, capital improvements and/or incentives encouraging mass transit, bicycle or pedestrian travel, ride-sharing or roadway improvements. Strategies that are standard site plan review requirements would not be eligible for inclusion in a transportation management plan. Transportation Management Plans must be submitted to the Planning Department for review and approval.

Transportation management system refers to the management of development impacts on transportation facilities and implementation of mobility improvements pursuant to the Mobility Plan. (Note: This is intended to replace references to concurrency management system pertaining to transportation).

Section 4. That Section 90-4 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended to read as follows:

Sec. 90-4 – Intent and findings.

- (a) The recital clauses of this chapter and the following statements are hereby adopted by reference as the legislative findings of the board of commissioners and shall act as a further justification and authority for the adoption of this chapter:
- (1) To implement the goals, objectives and policies and level of service standards in the city comprehensive plan.
 - (2) That development orders and permits be issued in a manner which will not result in a reduction of the level of service below the adopted level of service standards in the city comprehensive plan.
 - (3) To adhere to and implement the schedule of capital improvements in the city comprehensive plan and other capital improvements as necessary to maintain the level of service standards within this section.
 - (4) To adopt reasonable land development regulations in the furtherance of the public benefit, while at the same time ensuring that property owners have a reasonable, beneficial and economic use of property and that no property rights have been taken.
- (b) It is the intent of this chapter to establish a concurrency management system that ensures that facilities and services needed to support land development are available concurrent with the impacts of such development. The concurrency management system shall ensure that the adopted levels of service standards for roadways, potable water, sanitary sewer, solid waste, drainage and recreation shall not be degraded below

the levels adopted in the city comprehensive plan by the issuance of a final development permit.

- ~~(c) The purpose of school concurrency is to assure that there is available capacity for the anticipated students in each concurrency service area where residential units are created at the time those students need to go to school.~~
- ~~(d) The legislative findings are as follows:
 - ~~(1) Florida Statutes § 163.3177(12) was amended in 2005 to require all non-exempt counties and each non-exempt municipality within those counties to adopt and implement a public school facilities element and a school concurrency program;~~
 - ~~(2) The county is not exempt from the requirements of Florida Statutes § 163.3177(12), and must, along with the 12 non-exempt municipalities within the county, adopt a public school facilities element and implement school concurrency; and~~
 - ~~(3) The board of commissioners adopted amendments to the city comprehensive plan on May 27, 2008, to establish concurrency for public school facilities.~~~~

Section 5. That Section 90-5 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended to read as follows:

Sec. 90-5 – Concurrency review procedures; evaluation of a development permit.

- (a) A concurrency evaluation must be performed by the city prior to the issuance of a development permit. The concurrency evaluation for a development permit will be incorporated into the development review process. The evaluation with respect to facility or service availability will be included in the staff report or review.
- (b) The issuance of a certificate of concurrency shall be required with the issuance of any final development permit.
- (c) If a development requires more than one development permit, the issuance of the certificate of concurrency shall occur with the issuance of the first development permit.
- (d) A certificate of concurrency shall automatically expire with the expiration of the development permit to which it applies, unless otherwise specified in this chapter. In the event that a time extension is granted to the expiration of the development permit, then the accompanying certificate of concurrency shall automatically be renewed for the length of the time extension.
- (e) If the concurrency determination results in a finding that public facilities and services are sufficient to serve the proposed development, the appropriate city departments shall reserve the capacity required for the development permit at the time of application for such permit, except that reservation of capacity for F.S. ch. 380, development permits, shall occur at the time of issuance of the final report by the Tampa Bay Regional Planning Council. This capacity shall not be returned to the system unless and until the application is, for whatever reason, denied, rejected, invalidated or abandoned.
- (f) If the concurrency determination results in a finding that public facilities and services are not sufficient to serve the development, the application for the development permit shall be returned to the applicant with an explanation as to what the deficiencies are.
- ~~(g) Application for school concurrency review. The development tracking system is accessed by the city when an application for school concurrency review ("application") is submitted to the city. A city representative shall then ascertain the completeness of the documentation, in a timely manner, to ensure that the required information is sufficient to accept the application for school concurrency review.~~

~~(h) Specific procedures for school concurrency.~~

- ~~(1) When the review process for an application is initiated, the city shall consider the most current adjusted information on available capacity for school concurrency provided by the county. If this information reveals that there is available capacity within each of the concurrency service areas established for school concurrency where the proposed residential approval would be located, then the city shall proceed under subsection (2). If the information reveals that there is not available capacity within a concurrency service area for school concurrency where the proposed residential approval would be located, then the city shall proceed under subsection (3).~~
- ~~(2) Development review process when there is available capacity for school concurrency.
 - ~~a. The city is authorized to issue a school concurrency approval for a residential site plan or final subdivision approval of less than 25 dwelling units without submitting a school concurrency application to the school district.~~
 - ~~b. A school concurrency application for residential site plans or residential final subdivisions of 25 dwelling units or greater shall be submitted by the city to the school district and the county on a form provided by the school district.~~
 - ~~c. Within 25 days of receipt from the city of a completed school concurrency application, the school district will review the application and shall render a school concurrency determination stating whether there is available capacity for all types of schools to accommodate the estimated number of students that would be generated by the proposed residential approval and maintain the adopted level-of-service standard. The school district may request assistance from the county in reviewing applications.~~
 - ~~d. If the school district determines that there is available capacity within the concurrency service areas where the proposed residential approval would be located, then an adequate level of service would be provided within the concurrency service areas and the residential approval shall be issued a school concurrency approval by the city.~~
 - ~~e. If the school district determines that there is not available capacity within an affected concurrency service area and the adopted level-of-service standard would be exceeded, then the school district shall consider whether there is available capacity in the contiguous concurrency service area(s).
 - ~~1. If the school district determines that, in the aggregate, there is available capacity in the concurrency service area and in the contiguous concurrency service area(s) to accommodate the estimated number of students from the proposed residential approval, then an adequate level of service would be provided and the residential approval shall be issued a school concurrency approval by the city.~~
 - ~~2. If the school district determines that, in the aggregate, there is not available capacity in the concurrency service area and in the contiguous concurrency service area(s) to accommodate the estimated number of students from the proposed residential approval, then an adequate level of service would not be provided for that type of school and the residential approval shall not be issued a school concurrency approval by the city.~~
 - ~~3. If the school district determines that, in the aggregate there is not available capacity, then within 25 days after receiving the completed school~~~~~~

concurrency application from the county, the school district shall identify the required proportionate share mitigation and recommend acceptable form(s) of mitigation in writing to the city and the applicant.

- ~~4. When the school district determines that there is not adequate capacity for a residential approval, then the city may only issue a school concurrency approval after the execution of a legally binding development mitigation agreement between the applicant, the county, and the school board.~~
- ~~(3) Development review process when at least one concurrency service area has no available capacity.
 - ~~a. A school concurrency application shall be submitted by the city to the school district and the county for all residential approval, regardless of size, that are located within the concurrency service area that has no available capacity. The school concurrency application shall be submitted on a form provided by the school district.~~
 - ~~b. The development review process shall then follow the procedures in subsection (2)e.~~~~
- ~~(4) The city shall provide documentation of all school concurrency approvals to the county within 30 days of issuance.~~
- ~~(5) Continued validity of a school concurrency approval. A school concurrency approval shall be valid for purposes of the issuance of development orders or permits for 24 months from the date of issuance by the city. Once a development order or permit has been issued, the school concurrency approval shall be valid until a certificate of occupancy is issued or the development order or permit is no longer in effect.
 - ~~(i) Vesting for school concurrency. For the purposes of meeting the level-of-service standard, residential approvals, development orders, and permits approved for any property prior to the effective date shall be vested and shall not require a school concurrency approval.~~
 - ~~(j) Requirements when modification is proposed to an already approved site plan. A modification will not result in any extension to the validity time frame associated with a school concurrency approval issued for the initial site plan. If modifications increase the potential number of students that would be generated by the proposed residential approval, the modifications shall be subject to the school concurrency review in subsection (h). The validity period for a school concurrency approval issued for modifications to a site plan shall be identical to the validity time frame associated with the school concurrency approval issued for the initial site plan. modifications in demand on available capacity will for reflected in the development tracking system. If the city determines that such modifications constitute a large-scale review as required by section 110-51 submittal of a new site plan will be required. In such instances, the school concurrency approval issued for the original site plan submittal will no longer be valid, and the new site plan will be subject to the school concurrency review.~~
 - ~~(k) Credits for school concurrency determination.
 - ~~(1) After the effective date, any property with existing dwelling units that are demolished or destroyed shall receive a credit for the estimated number of students generated from existing dwelling units. Credits may not be transferred to another property but may be used on abutting property if part of the same residential approval. The applicant will be required to provide proof of such existing uses in a form acceptable to the city manager or his/her designee.~~
 - ~~(2) The application of credits for public school capacity attributable to the number of~~~~~~

~~student seats generated by a previous and existing on-site residential use may be used for a new residential approval, in the place of the capacity which would be generated by the new residential approval, in perpetuity from the effective date.~~

Section 6. That Section 90-7 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended to read as follows:

Sec. 90-7 – Concurrency management system; methods and procedures manual.

The manual shall define the internal procedures and methods used by the city in administering this chapter. This shall include the administrative procedures for issuing the certificate of concurrency. Such a document shall be approved and updated by the city manager or his designated representative.

~~School capacity and level of service report for school concurrency. Each year, the school district shall prepare a school capacity and level of service report for school concurrency (the "report") to calculate the existing level of service for school concurrency and the available capacity for school concurrency within each concurrency service area. The county shall be notified by the city when new dwelling units have received certificates of occupancy and when the school concurrency approval for a residential approval has expired. The county shall provide this information to the school district for inclusion in the annual report.~~

Section 7. That Section 90-8 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended to read as follows:

Sec. 90-8 – Minimum requirements for concurrency.

In order to obtain a certificate of concurrency based on the existence of adequate public facilities and/or service, including potable water, sewer, solid waste, drainage, parks and recreation, the following conditions must be satisfied:

- (1) The necessary facilities and services are in place at the time final development permit is issued;
- (2) The final development permit is issued subject to the condition that the necessary facilities and services are included in year one of the capital improvement element;
- (3) The necessary facilities are under construction at the time final development permit is issued;
- (4) Provisions of facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to a development agreement pursuant to F.S. § 163.3220, or an agreement or development order of state quality development issued pursuant to F.S. ch. 380. The agreement must guarantee that the necessary facilities and services will be in place when impacts of the development incur.
- ~~(5) Mitigation for public school concurrency.
 - a. ~~If capacity is not available, the applicant may choose to satisfy the public school facilities concurrency requirements of the city by making a proportionate fair share contribution, pursuant to the following requirements:
 1. ~~Acceptable forms of mitigation may include, without limitation, the following:
 - A. ~~Contribution of land;~~
 - B. ~~The construction of public school facility;~~
 - C. ~~Expansion of an existing public school facility;~~~~~~~~

- ~~D. Payment for land acquisition or the expansion or construction of a public school facility;~~
 - ~~E. The creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell capacity credits;~~
 - ~~F. Charter schools will be recognized as public school facilities and will serve to expand the capacity of the school district. Charter schools are a potential option for mitigating the impact that new residential approvals may have on public school facilities.~~
- ~~2. The following standards shall apply to any mitigation required by the school district:~~
- ~~A. Proposed mitigation must be directed toward a permanent school capacity improvement identified in the Five-Year Work Program for school concurrency, with the exception of charter schools, that satisfies the estimated demands created by the proposed residential approval;~~
 - ~~B. Relocatable classrooms will not be accepted as mitigation;~~
 - ~~C. Mitigation shall be proportionate to the demand for public school facilities estimated to be created by the proposed residential approval;~~
- ~~3. The proportionate share mitigation amount shall be calculated using the following formula for each school level:~~
- ~~Multiply the number of additional new student stations required for mitigation of the estimated demand for public school facilities created by the proposed residential approval by the average cost per student station using the actual construction cost being experienced by the school district for student stations at the time when proportionate share mitigation is accepted plus the inclusion of land costs, if any.~~
- ~~b. Development mitigation agreement.~~
- ~~1. The development mitigation agreement shall provide for the required mitigation to mitigate the impacts of the proposed development on public school facilities.~~
 - ~~2. Upon notification by the school district that a proposed development project is subject to public school facilities concurrency regulations and is eligible to participate in the proportionate share program, the applicant, and the city shall be notified within 21 days in writing of such during the site plan review process.~~
 - ~~3. In order to move forward in the development process, if the applicant chooses to exercise this concurrency option, a meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options, and related issues. The applicant and the school district shall attempt to negotiate a development mitigation agreement which shall provide for the required mitigation to mitigate the impacts of the proposed development on public school facilities. The city shall be a party to this agreement.~~
 - ~~4. After a mitigation project is identified and agreed upon by the applicant and the school district, a development mitigation agreement will be prepared by the applicant with direction from the school district. The final agreement, after approval by the school board, will become a part of the final site plan submittal. Final approval of the site plan and agreement rests with the city manager or designee. If the applicant and the school board are unable to agree on an acceptable form of mitigation, the conflict resolution provision provided in section 14 of the public schools interlocal agreement may be utilized.~~

- ~~5. The development mitigation agreement shall include the applicant's commitment to continue to renew the development mitigation agreement until the mitigation is completed as determined by the school board or as determined through the conflict resolution procedures provided for in section 14 of the public schools interlocal agreement, if applicable.~~
- ~~6. Upon execution of a development mitigation agreement, the applicant shall receive public school facilities concurrency approval or functional equivalent.~~
- ~~7. If the applicant chooses not to continue with their project, the applicant may submit a letter to the school district to withdraw from the development mitigation agreement at any time prior to the execution of the agreement.~~
- ~~8. A development mitigation agreement can be amended or cancelled by mutual consent of the parties to the agreement or by their successors in interest.~~
- ~~e. Cross jurisdictional impacts. In the interest of intergovernmental coordination and to reflect the shared responsibilities for managing development and concurrency, the city will notify the other local government in writing if the proposed mitigation is located in a different jurisdiction, and allow the opportunity for the other local government to comment on mitigation proposals.~~

Section 8. That Section 90-9 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended in its entirety, to read as follows:

Sec. 90-9. - Transportation.

- ~~(a) The provisions as outlined in section 90-7 may satisfy the concurrency test.~~
- ~~(b) The capital improvements element includes the necessary transportation improvements and identifies an estimated date of commencement of actual construction and the estimated date of project completion.~~
- ~~(c) The funding system is realistic, financially feasible and based upon currently available revenue services which are adequate to fund the transportation improvements required to serve the development, authorized by the development order and development permit.~~
- ~~(d) Actual construction of the necessary road or mass transit facilities and services is scheduled to commence in or before the third year of the schedule of capital improvements.~~

Sec. 90-9 – Purpose and Intent.

It is the purpose of this division to establish a transportation management system to ensure that the impacts of development on transportation facilities and services are effectively managed while increasing mobility for pedestrians, bicyclists, transit users and motor vehicles.

Section 9. That Section 90-10 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is amended in its entirety, to read as follows:

Sec. 90-10. - Proportionate fair share program.

- ~~(a) General requirements.~~
 - ~~(1) An applicant may choose to satisfy the transportation concurrency requirements of the city by making a proportionate fair share contribution, pursuant to the following requirements:~~

- a. ~~The proposed development is consistent with the comprehensive plan and applicable land development regulations.~~
 - b. ~~The five-year schedule of capital improvements in the Madeira Beach CIE includes a transportation improvement(s) that, upon completion, will mitigate the transportation impacts of the proposed development in accordance with the requirements of this subsection.~~
- (2) ~~The applicant may also choose to satisfy transportation concurrency by contributing to an improvement that, upon completion, will satisfy the requirements of this subsection, but that is not contained in the CIE where the following apply:~~
- a. ~~City adopts, by resolution or ordinance, a commitment to add the improvement to the CIE no later than the next regularly scheduled update. To qualify for consideration under this subsection, the proposed improvement must be determined to be financially feasible pursuant to F.S. § 163.3180(16)(b)1., consistent with the comprehensive plan, and in compliance with the provisions of this subsection. Financial feasibility for this subsection means that additional contributions, payments or funding sources are reasonably anticipated during a period not to exceed ten years to fully mitigate impacts on the transportation facilities.~~
 - b. ~~If the funds allocated for the CIE are insufficient to fully fund construction of a transportation improvement required for the applicant to comply with the terms of this subsection, the city may enter into a binding proportionate fair-share agreement with the applicant authorizing construction of that amount of development on which the proportionate fair-share is calculated if the proportionate fair-share amount in such agreement is sufficient to pay for one or more improvements which will significantly benefit the impacted transportation system.~~
 - c. ~~The improvement or improvements funded by the proportionate fair-share component must be adopted into the CIE.~~
 - d. ~~Any improvement project proposed to meet the applicant's fair-share obligation must meet design standards of the FDOT, as applicable.~~
- (b) ~~Proportionate fair share mitigation agreement.~~
- (1) ~~Upon notification that a proposed development project is subject to transportation concurrency regulations and is eligible to participate in the proportionate fair share program, the applicant shall be notified in writing of such during the site plan review process.~~
 - (2) ~~If the applicant chooses to exercise this concurrency option, a meeting shall be held to discuss eligibility, application submittal requirements, potential mitigation options, and related issues.~~
 - (3) ~~After a mitigation project is identified and agreed upon by the county, the applicant and FDOT, a proposed proportionate fair-share obligation and binding agreement will be prepared by the city or the applicant with direction from the city. The final agreement will become a part of the site plan submittal which will be delivered to the appropriate parties for review. Final approval of the site plan and agreement rests with the city manager.~~
- (c) ~~Determining proportionate fair-share obligation.~~
- (1) ~~The proportionate fair share obligation shall be based on the impact a development has on a transportation facility as determined by a traffic impact analysis that~~

~~assesses the distribution and volume of traffic generated by the proposed development.~~

- ~~(2) A facility shall be considered impacted when the net trips generated by the proposed development meets or exceeds five percent of the facility's peak hour capacity.~~
- ~~(3) Should the impacted facility be operating at an LOS that meets the locally adopted LOS standard, it would not be eligible for the application of proportionate fair share provisions.~~
- ~~(4) Should the impacted facility be operating at a substandard LOS based on existing conditions or as a result of the impacts of a proposed development, the facility would be identified as eligible for proportionate fair share provisions and the applicant would be notified as such.~~
- ~~(5) Proportionate fair share mitigation for concurrency impacts may include, without limitation, separately or collectively, private funds, contributions of land, and construction and contribution of facilities.~~
- ~~(6) A development shall not be required to pay more than its proportionate fair share. The fair market value of the proportionate fair share mitigation for the impacted facilities shall not differ regardless of the method of mitigation.~~
- ~~(7) The methodology used to calculate an applicant's proportionate fair share obligation shall be as provided for in F.S. § 163.3180(12), as follows:
The cumulative number of trips from the proposed development expected to reach roadways during peak hours from the complete build out of a stage or phase being approved, divided by the change in the peak hour maximum service volume (MSV) of roadways resulting from construction of an improvement necessary to maintain the adopted LOS, multiplied by the construction cost, at the time of developer payment, of the improvement necessary to maintain the adopted LOS.~~

~~or~~

~~Proportionate Fair Share = [(Development Trips)/(SV Increase)] x Cost~~

~~Where:~~

~~Development Trips = Those trips from the stage or phase of development under review that are assigned to roadway segment "i" and have triggered a deficiency per the CMS.~~

~~SV Increase = Service volume increase provided by the eligible improvement to roadway segment "i".~~

~~Cost = Adjusted cost of the improvement to segment "i". Cost shall include all improvements and associated costs, such as design, right-of-way acquisition, planning, engineering, inspection, and physical development costs directly associated with construction at the anticipated cost in the year it will be incurred.~~

- ~~(8) For the purposes of determining proportionate fair share obligations, the city shall determine improvement costs based upon the actual cost of the improvement, as obtained from the CIE or the MPO Transportation Improvement Program. Where such information is not available, improvement cost shall be determined using one of the methods described below.
 - ~~a. An analysis by the city of construction costs that incorporates data from recent projects and is updated annually; or~~
 - ~~b. The most recent issue of FDOT transportation costs, as adjusted based upon the type of cross section (urban or rural); locally available data from recent projects on acquisition, drainage and utility costs; and significant changes in the cost of materials due to unforeseeable events. Cost estimates for state road improvements~~~~

~~not included in the adopted FDOT work program shall be determined using this method in coordination with the FDOT district.~~

- ~~c. In order to accommodate increases in construction material costs, project costs shall be adjusted by an inflation factor. In the context of the above formula, the term "cumulative" includes only those trips from the stage or phase of a development being considered in the calculation. The trips expected to reach the (failing) roadway for this calculation are those identified in the traffic impact analysis for the development which has been prepared in accordance with the city's concurrency management system. Any assumptions used in the calculation of proportionate fair share contributions shall be consistent with assumptions made by or used in the city's concurrency management system.~~

~~If the city has accepted right-of-way dedication for the proportionate fair share contribution, credit for the dedication of the dedicated right-of-way shall be valued on the date of the dedication at 110 percent of the most recent assessed value by the Pinellas County property appraiser. The applicant, at its expense, shall supply a drawing and legal description of the land and a certificate of title or title search of the land to the city. If the estimated value of the right-of-way dedication proposed by the applicant is less than the city estimated total proportionate fair share obligation for that development, then the applicant shall also pay the difference.~~

~~Adjustment for Inflation and Cost Escalation.~~

$$\text{Cost} = \text{Cost}_0 \times (1 + \text{Cost growth}_{3\text{yr}})^n$$

~~Where:~~

~~Cost_n = The cost of the improvements in year n;~~

~~Cost₀ = The cost of the improvement in the current year;~~

~~Cost_{growth}_{3yr} = The growth rate of costs over the last three years;~~

~~n = The number of years until the improvement is constructed.~~

~~The three-year growth rate is determined by the following formula:~~

$$\text{Cost}_{\text{growth}}_{3\text{yr}} = [\text{Cost}_{\text{growth}}_{-1} + \text{Cost}_{\text{growth}}_{-2} + \text{Cost}_{\text{growth}}_{-3}] / 3$$

~~Where:~~

~~Cost_{growth}_{3yr} = The growth rate of costs over the last three years;~~

~~Cost_{growth}₋₁ = The growth rate of costs in the previous year;~~

~~Cost_{growth}₋₂ = The growth rate of costs two years prior;~~

~~Cost_{growth}₋₃ = The growth rate of costs three years prior.~~

- ~~(9) The value of a proportionate fair share mitigation project proposed by the applicant and accepted by the city shall be determined using one of the methods provided in this section.~~

- ~~(10) The city may also accept right-of-way dedication for the proportionate fair share payment. Credit for the dedication shall be based on fair market value established by an independent appraisal approved by the city and at no expense to the city. The applicant shall supply a drawing and legal description of the land and a certificate of title or title search of the land to the city at no expense to the city. If the estimated value of the right-of-way dedication proposed by the applicant is less than the estimated total proportionate fair share obligation for that development, then the applicant must also pay the difference.~~

- ~~(d) Impact fee credit for proportionate fair share mitigation.~~

- ~~(1) Proportionate fair share contributions shall be applied as a credit against impact fees consistent to the extent that all or a portion of the proportionate fair share~~

- ~~contribution is used to address the same capital infrastructure improvements contemplated by the applicable impact fee ordinance.~~
- ~~(2) Impact fee credits for the proportionate fair-share contribution will be determined when the transportation impact fee obligation is calculated for the proposed development. Impact fees owed by the applicant will be reduced per the proportionate fair-share agreement as they become due per the impact fee section of the Pinellas County Land Development Code. If the applicant's proportionate fair-share obligation is less than the development's anticipated road impact fee for the specific stage or phase of development under review, then the applicant or its successor must pay the remaining impact fee amount to the county.~~
- ~~(e) Proportionate fair-share agreements.~~
- ~~(1) Upon execution of a proportionate fair-share agreement, the applicant shall receive transportation concurrency approval or functional equivalent. Should the applicant fail to apply for a development permit then the agreement shall be considered null and void, and the applicant shall be required to reapply.~~
- ~~(2) Payment of the proportionate fair-share contribution is due in full prior to issuance of the final development order or recording of the final plat and shall be non-refundable. If the payment is submitted more than 12 months from the date of execution of the agreement, then the proportionate fair-share cost shall be recalculated at the time of payment based on the best estimate of the construction cost of the required improvement at the time of payment.~~
- ~~(3) All proportionate fair share mitigation improvements authorized under this subsection must be completed prior to issuance of a development permit, or as otherwise established in a binding agreement that is accompanied by a security instrument that is sufficient to ensure the completion of all required improvements. It is the intent of this subsection that any required improvements be completed before issuance of building permits or certificates of occupancy.~~
- ~~(4) Dedication of necessary right-of-way for facility improvements pursuant to a proportionate fair-share agreement must be completed prior to issuance of the final development order or recording of the final plat.~~
- ~~(5) Any requested change to a development project subsequent to a development order may be subject to additional proportionate fair-share contributions to the extent the change would generate additional traffic that would require mitigation.~~
- ~~(6) Applicants may submit a letter to withdraw from the proportionate fair-share agreement at any time prior to the execution of the agreement.~~
- ~~(7) The city may enter into proportionate fair-share agreements for selected corridor improvements to facilitate collaboration among multiple applicants on improvements to a shared transportation facility.~~
- ~~(f) Appropriation of fair-share revenues.~~
- ~~(1) Proportionate fair-share revenues shall be placed in the appropriate project account for funding of scheduled improvements in the CIE, or as otherwise established in the terms of the proportionate fair-share agreement. Proportionate fair-share revenues may be used for operational improvements prior to construction of the capacity project from which the proportionate fair-share revenues were derived. Proportionate fair-share revenues may also be used as the 50 percent local match for funding under the FDOT Transportation Regional Incentive Program.~~
- ~~(2) In the event a scheduled proportionate fair share improvement is removed from the CIE, then the revenues collected for its construction may be applied toward the~~

- construction of another improvement within the same corridor or planning sector that would mitigate the impacts of development pursuant to subsection 90-9(a)(2)b.
- ~~(3) Where an impacted facility has been designated as a regionally significant transportation facility in an adopted regional transportation plan as provided in F.S. § 339.155, the city may coordinate with other impacted jurisdictions and agencies to apply proportionate fair-share contributions and public contributions to seek funding for improving the impacted regional facility under the FDOT Transportation Regional Incentive Program. Such coordination shall be ratified by the city through an interlocal agreement that establishes a procedure for earmarking the developer contributions for this purpose.~~
- ~~(4) Where an applicant constructs a transportation facility that exceeds their proportionate fair-share obligation, the city shall reimburse them for the excess contribution using one or more of the following methods:~~
- ~~a. An impact fee credit account may be established for the applicant in the amount of the excess contribution, a portion or all of which may be assigned and reassigned under the terms and conditions acceptable to the city.~~
- ~~b. An account may be established for the applicant for the purpose of reimbursing the applicant for the excess contribution with proportionate fair-share payments from future applicants on the facility.~~
- ~~c. The city may compensate the applicant for the excess contribution through payment or some combination of means acceptable to the city and the applicant.~~
- ~~(g) Cross-jurisdictional impacts.~~
- ~~(1) In the interest of intergovernmental coordination and to reflect the shared responsibilities for managing development and concurrency, the city may enter into an agreement with one or more adjacent local governments to address cross-jurisdictional impacts of development on multi-jurisdictional transportation facilities. The agreement shall provide for application of the methodology in this subsection to address the cross-jurisdictional transportation impacts of development.~~
- ~~(2) A development application submitted subject to transportation concurrency requirements and meeting all of the criteria listed below shall be subject to this subsection.~~
- ~~a. All or part of the proposed development is located within ½-mile of the area which is under the jurisdiction, for transportation concurrency, of an adjacent local government.~~
- ~~b. If the additional traffic from the proposed development would use five percent or more of the adopted peak hour LOS maximum service volume of a multi-jurisdictional transportation facility within the concurrency jurisdiction of the adjacent local government ("impacted multi-jurisdictional facility").~~
- ~~c. The impacted multi-jurisdictional facility is projected to be operating below the level of service standard, adopted by the adjacent local government, when the traffic from the proposed development is included.~~
- ~~(3) Upon identification of an impacted multi-jurisdictional facility pursuant to subsection (g)(2)c., the city shall notify the applicant and the affected adjacent local government in writing of the opportunity to derive an additional proportionate fair-share contribution, based on the projected impacts of the proposed development on the impacted adjacent facility.~~
- ~~(4) The adjacent local government shall have up to 90 days in which to notify the city of a proposed specific proportionate fair-share obligation, and the intended use of the~~

- ~~funds when received. The adjacent local government must provide reasonable justification that both the amount of the payment and its intended use comply with the requirements of F.S. § 163.3180(16). Should the adjacent local government decline proportionate fair share mitigation under this subsection, then the provisions of this subsection would not apply and the applicant would be subject only to the proportionate fair share requirements of the city.~~
- ~~(5) If the subject application is subsequently approved by the city, the approval shall include a condition that the applicant provides, prior to the issuance of any building permit covered by that application, evidence that the proportionate fair share obligation to the adjacent local government has been satisfied.~~

Sec. 90-10 – Transportation Management Plan.

- (a) Transportation management plans are to be submitted by applicants of development projects in conjunction with their site plans. Transportation management plans are required for development applications seeking to utilize transportation management strategies/improvements to address their development impacts. The extent of the 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 will also be considered. Transportation management plan strategies/improvements applicable to development projects within deficient road corridors will be determined at the time of site plan review. Should the impacts of the development project impact a road under the jurisdiction of an adjacent local government or FDOT, the identification of appropriate TMP strategies shall be coordinated with the affected jurisdiction(s). Transportation management plans must be developed by the applicant and accepted by the [local government]. Transportation management plan strategies/improvements include, but are not limited to those listed below.
- (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 a 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, direct route subsidies, provision of feeder service or 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 to implement flexible work hour 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 areas, 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) 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, as developed by the applicant and accepted by the City of Madeira Beach.

Section 10. That Section 90-11 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is created, to read as follows:

Sec. 90-11 – Deficient Road Corridors, Transportation Management Plan Strategies Applied

- (a) Deficient road corridors include parcels within one-half mile of the centerline or terminus of a facility operating under a deficient level of service.
- (b) In support of the provisions of this section regarding deficient road corridors, policies in the comprehensive plan seek to discourage future land use map (FLUM) amendments that allow for an increase in automobile trips generated from sites proposed for amendment.
It is recognized that exceptions to this provision may apply within road corridors where the local government comprehensive plan is seeking increased densities and intensities for planning purposes.
- (c) Development projects located within deficient road corridors that generate between 51 and 300 new peak hour trips are classified as tier 1.

- (1) Developers of tier 1 projects 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 in accordance with the Multimodal Impact Fee Ordinance. If the cost of the improvement exceeds the assessment, the development project would not be subject to payment of the fee.
- (d) Development projects located within deficient road corridors that generate more than 300 new peak hour trips are classified as tier 2. Developers of tier 2 projects 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 mitigate the impacts of the project. The report shall be submitted to the Planning Department for review. The cost of transportation management strategies implemented for tier 2 projects may be applied as credit toward the project's multimodal impact fee assessment in accordance with the Multimodal Impact Fee Ordinance 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 the Multimodal Impact Fee Ordinance. They are not required to submit a transportation management plan or traffic study. A traffic study and corresponding transportation management plan for a land development project generating more than 50 new peak hour trips outside a deficient road corridor may be required if through the site plan review process the local government determines that operational improvements such as intersection or median modifications are necessary to accommodate the additional trips generated by the proposed land use.

Section 11. That Section 90-12 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is created, to read as follows:

Sec. 90-12 – Methodology Applied

Determination of trip generation shall be based on the Pinellas County Transportation Impact Fee Ordinance fee schedules and latest edition of the *Institute of Transportation Engineers Trip Generation Manual*.

Section 12. That Section 90-11 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is hereby renumbered, as follows:

Sec. 90-11-13 – Intergovernmental coordination.

- (a) Provision of public facilities or services to other governmental entities. The city shall provide service to other local governmental entities within the county in accordance with the policies included in the comprehensive plan. The city shall administer this division such that development in those areas shall be consistent with the comprehensive plan and implementing ordinances, and actions of the county.
- (b) Receipt of public facilities or services from other governmental entities. Concerning those services that are provided by other governmental entities, the city shall recognize the level of service provided by such entities in accordance with the policies of the

comprehensive plan. The city shall ensure that all development within its area shall be in accordance with such policies as identified in the comprehensive plan.

Section 13. That Section 90-12 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is hereby renumbered and amended, to read as follows:

Sec. 90-12-14 – Recognition of established levels of service in the city comprehensive plan.

The city shall recognize those levels of service adopted in the city comprehensive plan and as set forth in this section. The levels of service for public facilities and services subject to concurrency are:

- (1) Potable water. Potable water provided by the county. Adopted level of service is 150 gallons/capita/day.
- (2) Wastewater. Wastewater disposal provided by the county. Adopted level of service is 112 gallons/capita/day.
- (3) Stormwater management. All new development and redevelopment activity within the city will adhere to the drainage requirements of a ten-year frequency/60 minute stormwater event until the Sand Key Master Drainage Plan is completed, at which time the drainage requirements will adhere to the 25-year/24-hour duration storm event. This criteria is based upon a tidal elevation of plus 2.0 feet mean sea level and the water elevation anywhere in the city shall not be greater than 1.0 feet above the crown of the road. All stormwater requirements will be monitored on a permit by permit basis and require a SWFWMD permit including water quality and quantity design standards.
- (4) Solid waste. Disposal as provided by the county. Adopted level of service = 6.5 pounds/capita/day.
- (5) Recreation and open space. Adopted level of service for recreation and open space:
 - a. Mini-park: One mini-park per 2,500 population.
 - b. Neighborhood parks: One park per 5,000 population.
 - c. Community park: One park per 10,000 population.
 - d. District park: One park per 50,000 population.
 - e. Baseball/softball field: One per 6,000 population.
 - f. basketball court: One per 5,000 population.
 - g. Bicycle trails: One per 5,000 population.
 - h. Boat ramp/docks: One per 5,000 population.
 - i. Fishing site: One per 5,000 population.
 - j. Golf course: One per 50,000 population.
 - k. Handball/racquetball court: One per 5,000 population.
 - l. Picnic area: One acre per 6,000 population.
 - m. Swimming pool: One per 25,000 population.
 - n. Tennis court: One per 5,000 population.
- ~~(6) Transportation. Arterial and collector roads: Adopted level of service: D (Volume/capacity ratio \leq 0.9).~~

Section 14. That Section 90-13 of Chapter 90 of the Code of Ordinances of the City of Madeira Beach is hereby renumbered, as follows:

Sec. 90-13 15 – Appeals, reviews and variances.

- (a) The board of commissioners is the appellate authority for hearing appeals of persons aggrieved by an administrative decision relating to a concurrency determination.
- (b) Any person wishing to appeal any ruling or order of an administrative decision may file a request to the city manager to be heard by the board of commissioners. Such request must be in written form and clearly indicate when the original application was made, what the variance or review concerns, what property or project the application involved and be filed within 15 days of the ruling or order being appealed. The board of commissioners shall, within 15 days of receipt of any appeal, set a date and time to hear the appeal. The decision of the board of commissioners is final in all such matters.

Section 15. That this Ordinance shall become effective immediately upon its passage and adoption, and only upon the passage and adoption of Ordinances 2016-08 and 2016-10.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF MADEIRA BEACH, FLORIDA, THIS ____ day of _____, 2016.

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio, City Clerk

ORDINANCE NO. 2016-08

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE GOALS, OBJECTIVES AND POLICIES OF THE TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE TRANSPORTATION CONCURRENCY, TO PROVIDE FOR A MULTIMODAL TRANSPORTATION SYSTEM THAT MANAGES THE IMPACTS OF DEVELOPMENT PROJECTS, INCREASES MOBILITY AND MITIGATES IMPROVEMENTS CONSISTENT WITH THE METROPOLITAN PLANNING ORGANIZATION'S LONG RANGE TRANSPORTATION PLAN AND THE PINELLAS COUNTY MOBILITY PLAN; AMENDING THE INTERGOVERNMENTAL COORDINATION ELEMENT TO REVISE CONCURRENCY REFERENCES TO MOBILITY MANAGEMENT AND TO UPDATE A REFERENCE TO THE INTERLOCAL AGREEMENT WITH THE SCHOOL BOARD OF PINELLAS COUNTY REGARDING THE COORDINATION OF LAND USE AND PUBLIC SCHOOL FACILITIES PLANNING; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT TO SUPPORT THE ESTABLISHMENT OF A MULTIMODAL TRANSPORTATION SYSTEM IN ACCORDANCE WITH THE PINELLAS COUNTY MOBILITY PLAN, AND TO ELIMINATE THE PUBLIC SCHOOLS LEVEL OF SERVICE STANDARD; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Madeira Beach was adopted on May 27, 2008, subsequently amended by Ordinance 1179 on July 10, 2012 and Ordinance 2014-09 on November 12, 2014; and

WHEREAS, Florida's 2011 Community Planning Act lifted state-mandated requirements for transportation concurrency management and level of service standards, while encouraging the coordination of planning and growth management activities among local governments, metropolitan planning organizations, regional and state agencies; and

WHEREAS, Florida's 2011 Community Planning Act lifted state-mandated requirements for public school facilities level of service standards; and

WHEREAS, the Pinellas County Metropolitan Planning Organization (MPO) developed a coordinated countywide approach for review of development impacts utilizing a mobility management system; and

WHEREAS, the City of Madeira Beach proposes to replace transportation concurrency with a mobility management system in accordance with the Pinellas County Mobility Plan that provides the means to manage traffic impacts of development projects while maximizing mobility and accessibility through the use of multi-modal impact fees; and

WHEREAS, amendments to the Transportation Element of the City of Madeira Beach Comprehensive Plan are necessary to eliminate transportation concurrency and to establish the policy framework for a multi-modal mobility management system; and

WHEREAS, amendments to the Intergovernmental Element of the City of Madeira Beach Comprehensive Plan are necessary to reflect certain references to levels of service and concurrency management methodologies; and

WHEREAS, amendments to the Capital Improvement Element of the City of Madeira Beach Comprehensive Plan are necessary to eliminate the adopted level of service standard for roads and to coordinate the impacts of development and redevelopment projects and increase mobility in accordance with the Pinellas County Mobility Plan.

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

Section 1. That Goal 1, Objective 1.1, Policy 1.1.1, and Policy 1.1.2 of Section 3.4 Transportation Element of the Comprehensive Plan of the City of Madeira Beach are hereby amended to read as follows:

~~**Goal 1:** A safe, convenient, and efficient motorized and non-motorized transportation system shall be available for all residents and visitors to the City.~~

~~**Objective 1.1:**~~

~~The operational level-of-service (LOS) "D" peak hour shall be the standard for all roads within the City.~~

~~**Policy 1.1.1:**~~

~~The City shall review all proposed development or redevelopment for consistency with this element and impacts upon the adopted LOS standard.~~

- ~~• All development orders and permits shall be issued only when it is documented by the developer's transportation analysis that such development is consistent with the level-of-service standards for the affected public facilities adopted by this comprehensive plan.~~
- ~~• The transportation analysis will utilize the latest and best methodology available at the time.~~
- ~~• In addition, no development orders or permits that affect access to state roads shall be issued until Florida Department of Transportation completes a review and gives conceptual approval of the development site access plan.~~

~~**Policy 1.1.2:**~~

~~The City shall assess new development or redevelopment an equitable pro rata share of the costs to provide roadway improvements to serve the development or redevelopment and shall enforce countywide transportation impact fee regulations.~~

GOAL 1: PROVIDE FOR A SAFE, CONVENIENT, AND ENERGY EFFICIENT MULTIMODAL TRANSPORTATION SYSTEM THAT SERVES TO INCREASE MOBILITY, REDUCE THE INCIDENCE OF SINGLE-OCCUPANT VEHICLES,

EFFICIENTLY UTILIZE ROADWAY CAPACITY, REDUCE THE CONTRIBUTION TO AIR POLLUTION FROM MOTORIZED VEHICLES AND IMPROVE THE QUALITY OF LIFE FOR THE CITIZENS OF MADEIRA BEACH.

Objective 1.1:

Maintain the performance of the major road network within the City while furthering development of a multimodal transportation system that increases mobility for bicyclists, pedestrians and transit users as well as motorists.

Policy 1.1.1:

The City shall manage the impacts of land development projects and increase mobility through application of Transportation Element policies and Land Development Code provisions through the site plan review process in accordance with the Pinellas County Mobility Plan.

Policy 1.1.2:

The land development regulatory system shall include provisions to address development that impacts “deficient” roadways, including facilities operating at peak hour level of service (LOS) E and F and/or volume-to-capacity (v/c) ratio of 0.9 or greater to ensure that development that generates more than 51 peak hour trips does not occur without providing for a mitigating improvement scheduled for construction within three years.

Policy 1.1.3:

The City shall utilize impact fee revenue to fund multimodal improvements to local, county or state facilities that are consistent with the comprehensive plan as well as the Metropolitan Planning Organization (MPO) Long Range Transportation Plan.

Policy 1.1.4:

The City shall work cooperatively with the MPO, Pinellas County, and other local governments to complete any subsequent update of the Multimodal Impact Fee Ordinance through the MPO planning process, which includes review by the MPO Technical Coordinating Committee and MPO Policy Board.

Policy 1.1.5:

The City shall continue to work with the Pinellas Suncoast Transit Authority (PSTA) to increase the efficiency of the fixed-route system by encouraging mass transit use through the application of the Pinellas County Mobility Plan and the City’s Site Plan Review Process.

Policy 1.1.6:

The City shall work with the MPO, Pinellas County, and other local governments to coordinate the application of the Pinellas County Mobility Plan throughout the City.

Section 2. That Policy 1.2.1 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.2.1:

The City shall, through the Pinellas County Metropolitan Planning Organization (MPO), work with Florida Department of Transportation and the MPO as necessary to ~~attain and assure acceptable continued operational level of service for the city streets.~~ manage the impacts of land development projects and increase mobility in accordance with the Pinellas County Mobility Plan.

Section 3. That Policy 1.3.4 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.3.4:

The City of Madeira Beach shall continue to implement the provisions of the *Interlocal Agreement with the School Board of Pinellas County* ~~approved on April 24, 2007 executed by the City on November 6, 2012,~~ regarding coordination of land use and public school facilities ~~planning as well as coordination of a school concurrency system.~~

Section 4. That Policy 1.4.3 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.4.3:

The City will forward requests for access to county- or state-maintained roadways to the Pinellas County Public Works Department or the Florida Department of Transportation, as appropriate, for comment concerning access criteria, permitting, and ~~level-of-service~~ operational impacts.

Section 5. That Policy 2.1.4 of Section 3.9 Intergovernmental Coordination Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 2.1.4:

The City will coordinate its ~~levels-of-service, concurrency management methodologies~~ mobility management methodologies, and land development regulations with the Florida Department of Transportation and Pinellas County to encourage compatibility with ~~level-of-service~~ mobility management and access management standards for county- and state-maintained roadways.

Section 6. That Policy 1.5.4 of Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.5.4:

The City of Madeira Beach shall use the following levels-of-service to determine the impacts of development and redevelopment.

Roads:

~~The operational level-of-service (LOS) D peak hour shall be the standard for all roads within the city.~~

Sanitary Sewer:

The adopted sanitary sewer level-of-service standard to extend throughout the time frame of this comprehensive plan is 111 gallons per capita per day.

Solid Waste:

The adopted solid waste level-of-service standard to extend throughout the time frame of this comprehensive plan is 4.9 pounds per capita per day of nonrecyclable waste.

Drainage:

The City shall require the first one inch of runoff from impervious surfaces to be retained on the site of the development.

The adopted level-of-service shall be the 10-year frequency, 60-minute storm event.

Potable Water:

The adopted potable water level-of-service standard is as follows:

Year	2005	2015	2020	2025
Gallons per capita per day	137	134	132	130

Source: Regional Water Supply Plan, Chapter 4, Appendix 4, Table 34-A

Coastal Management:

The City shall protect water storage and water quality enhancement functions of wetlands and floodplain areas through land acquisition if feasible, enforcement of laws, and the application of land and water management practices which provide for compatible uses.

Parks and Recreation:

The level-of-service standard for parkland is 6.5 acres per 1,000 people

Public Schools:

~~Madeira Beach hereby adopts, consistent with Section 11 of the *Public Schools Interlocal Agreement*, the following level-of-service standard, which shall be applied consistently district-wide by all partner local governments within Pinellas County and by the School District. District-wide level-of-service standard: Student enrollment plus vested students divided by *Florida Inventory of School Houses (FISH) School Capacity* plus additional capacity does not exceed 100 percent. This level-of-service standard shall apply to each type of public school facility.~~

Section 7. That Policy 1.5.9 of Section 3.10 Capital Improvements Element of the

Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.5.9:

~~Developments or redevelopments requiring the use of road facilities shall receive development orders subject to the public facilities being in place or under construction at the time of issuance of the certificate of occupancy or:~~

- ~~• The development order issuance is conditioned upon the necessary facilities and services being in place or under construction not more than three years after building permit issuance as provided in the Schedule of Capital Improvements.~~

The City shall manage the impacts of land development and redevelopment projects and increase mobility through application of Transportation Element policies and Land Development Code provisions in accordance with the Pinellas County Mobility Plan.

Section 8. That Policy 1.5.12 and Policy 1.5.13 Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach are hereby deleted.

Section 9. That Policy 1.5.14 Section 3.10 Capital Improvements Element of the Comprehensive Plan of the City of Madeira Beach is hereby renumbered as follows:

Policy 1.5.14-12:

The city will contact Pinellas County Utilities prior to issuance of a building permit for development of vacant parcels to determine if adequate potable water supplies exist to serve the projected development.

Section 10. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
MADEIRA BEACH, FLORIDA, THIS ____ day of _____, 2016.**

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio, City Clerk

ORDINANCE NO. 2016-09

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH; REVISING THE GOALS, POLICIES AND OBJECTIVES OF THE CONSERVATION AND COASTAL MANAGEMENT ELEMENT TO DELETE REFERENCE TO ACCEPTABLE ROADWAY LEVELS OF SERVICE IN POLICY 1.8.1; TO REVISE GOAL 2 TO INCLUDE REFERENCES TO HIGH WATER EVENTS; TO ADD OBJECTIVES AND POLICIES REGARDING FLOODING AND SEA LEVEL RISE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Madeira Beach was adopted on May 27, 2008, subsequently amended by Ordinance 1179 on July 10, 2012 and Ordinance 2014-09 on November 12, 2014; and

WHEREAS, Florida's 2011 Community Planning Act lifted state-mandated requirements for transportation concurrency management and level of service standards, while encouraging the coordination of planning and growth management activities among local governments, metropolitan planning organizations, regional and state agencies; and

WHEREAS, in 2015, the State of Florida enacted a law, contained in Section 163.3178(2)(f), Florida Statutes, that requires that the Coastal Management Element of each local government comprehensive plan address the impacts of sea level rise; and

WHEREAS, amendments to the Coastal Management Element are necessary in order for the Madeira Beach Comprehensive Plan to comply with the requirements of Section 163.3178(2)(f), Florida Statutes.

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

Section 1. That Policy 1.8.1 of Section 3.7 Conservation and Coastal Management Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Policy 1.8.1:

The City shall work to reduce the effects of automobile emissions pollution by the following measures:

- Require vegetative buffer strips between roadways and residential development, as required in the land development regulations; and
- Promote alternative transportation modes such as public transportation, carpooling, walking, and bicycling; ~~and~~
- ~~Assure continued operation of roadways at acceptable levels of service.~~

Section 2. That Policy 1.11.4 of Section 3.7 Conservation and Coastal Management Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read

as follows:

Policy 1.11.4:

Pursuant to Section 163.3178, Florida Statutes, the level-of-service standards for ~~transportation, infrastructure, and recreation/open space~~ for the coastal planning area shall be identical to those for the City as a whole.

Section 3. That Goal 2 of Section 3.7 Conservation and Coastal Management Element of the Comprehensive Plan of the City of Madeira Beach is hereby amended to read as follows:

Goal 2:

The City shall provide a set of guidelines for development that protect the lives and property of its residents from the effects of natural disasters including high tide events, storm surge, flash floods, stormwater runoff, and sea level rise.

Section 4. That Objective 2.3 and Policy 2.3.1, Policy 2.3.2, Policy 2.3.3, Policy 2.3.4, Policy 2.3.5 and Policy 2.3.6 of Section 3.7 Conservation and Coastal Management Element of the Comprehensive Plan of the City of Madeira Beach are hereby created to read as follows:

Objective 2.3:

Development and redevelopment within the City shall proceed in a manner that lessens risk to public investments and private property by utilizing policies, techniques and practices that reduce negative impacts of flooding and sea level rise.

Policy 2.3.1:

Current and credible sea-level rise data should be considered when evaluating future land use amendment applications.

Policy 2.3.2:

Strategies for preparing for sea-level rise, such as increasing road surface elevation standards, subsurface stabilization, stormwater management and drainage, and adjustment of bridge heights to allow for navigation, should be collectively assessed and implemented where appropriate.

Policy 2.3.3:

The City may collaborate with state and Pinellas County as appropriate to develop strategies for responding to sea-level rise, including consideration of the effects of sea-level rise on potable water sources, saltwater intrusion, wastewater treatment facilities and the water table.

Policy 2.3.4:

Acquisition of severe repetitive loss properties, which have sustained repeated flood losses for use as public open space shall be considered as procurement opportunities arise, such as through the use of grants or tax deed sales.

Policy 2.3.5:

Development and redevelopment in the City will be consistent with or more stringent than the flood-resistant construction requirements in the Florida Building Code and

applicable floodplain management regulations set forth in 44 C.F.R. part 60.

Policy 2.3.6:

The City will continue to participate in the National Flood Insurance Program Community Rating System administered by the Federal Emergency Management Agency to achieve flood insurance premium discounts for its residents.

Section 5. Pursuant to Section 163.3184(3), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF
MADEIRA BEACH, FLORIDA, THIS ____ day of _____, 2016.**

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio, City Clerk

ORDINANCE NO. 2016-10

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING THE PUBLIC SCHOOL FACILITIES ELEMENT OF THE COMPREHENSIVE PLAN OF THE CITY OF MADEIRA BEACH TO DELETE OBJECTIVES 2, 3 AND 4 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; RENUMBERING OBJECTIVES 5, 6, 7 AND 8 AS WELL AS THE POLICIES UNDER THOSE OBJECTIVES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Comprehensive Plan of the City of Madeira Beach was adopted on May 27, 2008, subsequently amended by Ordinance 1179 on July 10, 2012 and Ordinance 2014-09 on November 12, 2014; and

WHEREAS, the 2011 Growth Management Act no longer requires local governments to ensure public school level of service or capacity through concurrency management; and

WHEREAS, in 2011, the Pinellas County Schools Collaborative recommended that Pinellas County and its municipalities rescind school concurrency; and

WHEREAS, in 2012, the City of Madeira Beach entered into a Public Schools Interlocal Agreement with the School Board of Pinellas County for the purpose of continuing to coordinate with the School Board on public school facilities planning while allowing for the elimination of school concurrency; and

WHEREAS, the City of Madeira Beach submitted an Evaluation and Appraisal Report notification letter, dated April 27, 2015, to the Florida Department of Economic Opportunity which stated the likely necessity for amendments to the Public School Facilities Element in response to the 2012 Public Schools Interlocal Agreement; and

WHEREAS, Pursuant to F.S. 163.3191 the City of Madeira Beach shall prepare and transmit a plan amendment for review within one year of its notification to the state land planning agency (Department of Economic Opportunity).

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

Section 1. That Objective 2 and Policy 2.1, Policy 2.2, Policy 2.3, Policy 2.4, Policy 2.5, Policy 2.6, Policy 2.7, Policy 2.8, Policy 2.9, Policy 2.10, Policy 2.11, Policy 2.12, and Policy 2.13 of Section 3.11 Public School Facilities Element of the Comprehensive Plan of the City of Madeira Beach are hereby deleted.

Section 2. That Objective 3 and Policy 3.1 of Section 3.11 Public School Facilities Element of the Comprehensive Plan of the City of Madeira Beach are hereby deleted.

Section 3. That Objective 4 and Policy 4.1, Policy 4.2, Policy 4.3, Policy 4.4, and Policy 4.5 of Section 3.11 Public School Facilities Element of the Comprehensive Plan of the City of Madeira Beach are hereby deleted.

Section 4. That Objective 5 and Policy 5.1, Policy 5.2, Policy 5.3; Objective 6 and Policy 6.1; Objective 7 and Policy 7.1; Objective 8 and Policy 8.1, Policy 8.2 and Policy 8.3 of Section 3.11 Public School Facilities Element of the Comprehensive Plan of the City of Madeira Beach are hereby renumbered as follows:

Objective ~~52~~:

Madeira Beach shall support efforts that facilitate coordination of planning between Madeira Beach and the School District for the location and development of public educational facilities.

Policy ~~52.1~~:

Madeira Beach shall participate with the School District in the process of evaluating potential school closures, significant renovations to existing schools, and school site selection before land acquisition in accordance with the existing Interlocal Agreement for Public Educational Facilities Siting that was entered into with the School Board or as it may be subsequently amended.

Policy ~~52.2~~:

Madeira Beach shall determine the consistency of a proposed location of a new or expanded public educational facility of the School Board with the comprehensive plan, and considered with the general locational criteria adopted by the School Board.

Policy ~~52.3~~:

Before a significant change of program at a public educational facility is implemented, City of Madeira Beach Comprehensive Plan the School District and Madeira Beach shall require a review of the facility's onsite and offsite impacts. The School District and the Madeira Beach will work cooperatively to mitigate onsite and offsite impacts, including impacts to public facilities, identified through the review.

Objective ~~63~~:

Consistent with Section 163.3177(6)(a), F.S., and consistent with the Madeira Beach future land use policies, Madeira Beach shall explore those opportunities where colocation of public facilities and public schools provides a mutual benefit, serves a desirable community purpose, or represents an efficient use of finances and staff resources.

Policy ~~63.1~~:

As the opportunity arises, Madeira Beach and the School Board, shall evaluate the ability to enter into an agreement to collocate existing or planned school sites with other public facilities, including but not limited to: bike and pedestrian pathways, libraries, parks, community and recreational centers and facilities, museums, performing arts centers, auditoriums, stadiums, healthcare and social services and other uses as may be determined appropriate.

Objective ~~74~~:

Madeira Beach will support the School District's commitment to sustainable design and operations, as public schools are integral contributors to the quality of the surrounding community.

Policy 74.1:

Madeira Beach and the School District will share information on sustainable design and green building practices, and take advantage of opportunities to incorporate demonstration projects and technologies onsite, so that local schools can serve as community models of environmental efficiency.

Objective 85:

Madeira Beach shall collaborate with the School District and other local governments to promote safe access for students to public school facilities.

Policy 85.1:

Madeira Beach shall participate on the School Transportation Safety Committee (STSC) of the Pinellas County Metropolitan Planning Organization (MPO) to identify locations within the County where student safety is a concern, and to develop recommendations in response to student safety issues raised by the School District, local governments, the School Transportation and Enhanced Pedestrian Safety (STEPS) Committee, or the community to enhance the safety of students accessing public school facilities.

Policy 85.2:

Madeira Beach shall consider implementation of recommendations from the STSC that affect its jurisdiction, in coordination with the School District and any agencies that have some involvement in the identified action, to support student access to public schools in City of Madeira Beach Comprehensive Plan a manner that both improves student safety and is compatible with the surrounding community.

Policy 85.3:

Madeira Beach shall cooperate with School District initiatives that implement STSC recommendations for modifications to a school campus.

Section 5. Pursuant to Section 163.3184(4), Florida Statutes, the effective date of this plan amendment, if the amendment is not timely challenged, shall be the date the state land planning agency posts a notice of intent determining that this amendment is in compliance. If timely challenged, or if the state land planning agency issues a notice of intent determining that this amendment is not in compliance, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF THE CITY OF

MADEIRA BEACH, FLORIDA, THIS ____ day of _____, 2016.

Travis Palladeno
Mayor

ATTEST:

Aimee Servedio, City Clerk