

**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, NOVEMBER 15, 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 MEETING** **JULY 20, 2016**
2. **BOC REGULAR MEETING** **OCTOBER 13, 2016**

E. APPROVAL OF THE AGENDA

APPOINTMENTS

1. LIBRARY BOARD APPOINTMENT

PRESENTATIONS/PROCLAMATIONS

1. DONATIONS FROM SEAFOODFEST COORDINATOR
SONNY FLYNN
2. DEDICATION OF COMMISSION CHAMBERS
TRAVIS PALLADENO, MAYOR

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

G. CONSENT AGENDA

H. CONTRACTS/AGREEMENTS

1. CONTRACT FOR LAW ENFORCEMENT SERVICES WITH PINELLAS COUNTY
2. INTERLOCAL INSPECTION AGREEMENT BETWEEN PINELLAS COUNTY AND THE CITY OF MADEIRA BEACH

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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.

Posted November 10, 2016

I. UNFINISHED BUSINESS

1. [ORDINANCE 2016-11](#)

A THIRD AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE "FLOODPLAIN MANAGEMENT ORDINANCE"; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR SPECIFIC STANDARDS FOR A-ZONES AND V-ZONES, INCLUDING A TWO FEET OF FREEBOARD ABOVE THE BASE FLOOD ELEVATION; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

2. [ORDINANCE 2016-12](#)

A SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF "CONDO-HOTEL"; AND PROVIDING FOR AN EFFECTIVE DATE.

3. [ORDINANCE 2016-15](#)

A SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CALLING FOR A GENERAL MUNICIPAL ELECTION ON MARCH 14, 2017, FOR THE PURPOSE OF ELECTING A COMMISSIONER FOR DISTRICT THREE, A COMMISSIONER FOR DISTRICT FOUR, AND A MAYOR; PROVIDING AUTHORIZATION FOR THE CITY CLERK TO SIGN CONTRACT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR PUBLICATION; AUTHORIZING ELECTION EXPENDITURES; IDENTIFYING THE PINELLAS COUNTY CANVASSING BOARD AS THE CANVASSING BOARD FOR THE MARCH 14, 2017 ELECTION; AUTHORIZING FOR A RUN-OFF ELECTION, IF NECESSARY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

4. [ORDINANCE 2016-16](#)

A SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REPEALING CHAPTER 74 – VEHICLES FOR HIRE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

J. NEW BUSINESS

1. A [WAIVER OF BID REQUIREMENTS](#)

WAIVER OF BID REQUIREMENTS FOR THE PURCHASE OF DUMPSTERS FROM PAR-KAN

B [AUTHORIZATIONS OF EXPENDITURES](#)

AUTHORIZATION OF EXPENDITURES TO PAR-KAN FOR THE PURCHASE OF DUMPSTERS IN THE AMOUNT OF \$21,886.20

2. [AUTHORIZATION OF EXPENDITURES](#)

AUTHORIZATION OF EXPENDITURES IN THE AMOUNT OF \$237,653 FOR PETERBILT GARBAGE TRUCK IN ACCORDANCE WITH FLORIDA SHERIFFS ASSOCIATIONS' CONTRACT NO. FSA16-VEL24.0.

***CONTINGENT UPON APPROVAL OF RESOLUTION 2016-29**

3. [RESOLUTION 2016-29](#)

AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING SANITATION FUND EXPENDITURES IN THE AMOUNT OF \$40,000; AND PROVIDING FOR AN EFFECTIVE DATE.

4. [RESOLUTION 2016-30](#)

AMENDING THE FISCAL YEAR 2016 BUDGET BY DECREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; 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.

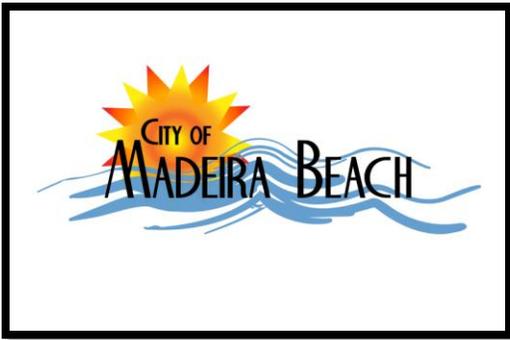
K. REPORTS/CORRESPONDENCE

- 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.

Posted November 10, 2016



THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

BOARD OF COMMISSIONERS
SPECIAL 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.

2:00 P.M. WEDNESDAY, JULY 20, 2016 COMMISSION CHAMBERS

- A. CALL TO ORDER – The meeting was called to order at 2:02 p.m.
- B. INVOCATION AND PLEDGE OF ALLEGIANCE – Commissioner Terry Lister
- C. ROLL CALL

Members Present: Travis Palladeno, Mayor
Housh Ghovae, Vice Mayor
Terry Lister, Commissioner District 1

Members Absent: Elaine Poe, Commissioner District 3
Nancy Hodges, Commissioner District 2

STAFF PRESENT: Shane B. Crawford, City Manager (CM)
Vincent M. Tenaglia, Assistant City Manager (ACM)
Aimee Servedio, City Clerk (CC)
Doug Anders, (ERD)

- D. APPROVAL OF THE MINUTES - NONE
- E. APPROVAL OF THE AGENDA

A motion to approve the agenda was made by Commissioner Lister and seconded by Vice-Mayor Ghovae.

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Hodges.....ABSENT Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

- F. PUBLIC COMMENT – LIMITED TO THREE (3) MINUTES
- G. CONSENT AGENDA - NONE
- H. CONTRACTS/AGREEMENTS - NONE
- I. UNFINISHED BUSINESS - NONE
- J. NEW BUSINESS

1. WAIVER OF BID REQUIREMENTS

WAIVER OF BID REQUIREMENTS FOR INSTALLATION OF SPRINKLER SYSTEM AT MADEIRA BEACH FUNDAMENTAL SCHOOL

CM: Need to irrigate fields at the ball diamonds. Gives us flexibility to have bigger sized tournaments. Asking for waive of bid requirements because county is doing sewer pipe work. Getting better price than if it were to go with bid.

RD: Needs to get done before school starts. Have a window of 10 days before school starts. No extra electric charges, reclaimed water charges, etc.

CM: Money is the budget, so no amendment is needed.

A motion to waive the bid requirements for \$23,100 project to install sprinkler system at Madeira Beach Fundamental has been made by Vice Mayor Ghovae and seconded by Commissioner Lister.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Hodges.....ABSENT	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

2. AUTHORIZATION OF EXPENDITURES

AUTHORIZATION OF EXPENDITURES AND APPROVAL OF CONTRACT TO MD’S IRRIGATION IN THE AMOUNT OF \$23,100 FOR INSTALLATION OF SPRINKLER SYSTEM AT MADEIRA BEACH FUNDAMENTAL SCHOOL

CM: This motion includes both authorization of expenditures and approval of contract.

Lister: Concerned if we hit salt water. Additional Cost if needed to relocate and go deeper

CM: Believes the additional cost would be \$7,250. If it happens, will come to commission. Reasonably assured by the contractor that it should not be an issue.

A motion to approve an authorization of expenditures and approval of contract to MD’s irrigation in the amount of \$23,100 for installation of sprinkler system at Madeira Beach Fundamental School was made by Commissioner Lister and seconded by Vice-Mayor Ghovae.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Hodges.....ABSENT	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

K. REPORTS/CORRESPONDENCE

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

Mayor: Madeira beach events will be receiving 180,000 in tax dollars.

CM: Vice Mayor interested in workshopping with Tampa Bay Regional Planning Council.

VM: Just about every city within 4 counties are involved with the Regional Planning Council. Very beneficial for those involved.

CM: Sea Marshall Barley, who started as an intern, is resigning. One of the best employees ever worked with. Put together proclamation.

Sea Marshall Barley: Very much appreciated. Madeira beach meant a lot. Absorbed so much knowledge.

CM: Nick Lewis will now be the new Assistant to the City Clerk.

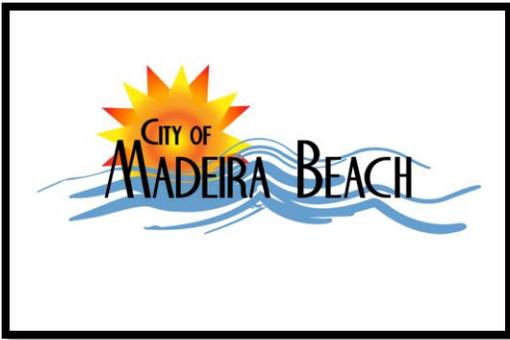
Mayor: Thanked Ms. Marshall-Barley for all her help

L. ADJOURNMENT – The meeting was adjourned at 2:30 pm.

Date approved: November 15, 2016

Travis Palladeno, MAYOR

Submitted by Nick Lewis, Deputy City Clerk



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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, OCTOBER 11, 2016 COMMISSION CHAMBERS

- A. CALL TO ORDER – The meeting was called to order at 6:00 p.m.
- B. INVOCATION AND PLEDGE OF ALLEGIANCE – COMMISSIONER TERRY LISTER
- C. ROLL CALL

MEMBERS PRESENT: Travis Palladeno, Mayor
Housh Ghovae, Vice-Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2

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
Michelle Orton, Planning and Zoning Director (PZD)

CM: Commissioner Poe notified him that she would be absent due to husband’s medical issue. Asked for excused absence.

D. APPROVAL OF THE MINUTES

- 1. BOC REGULAR MEETING JULY 12, 2016
- 2. BOC REGULAR MEETING AUGUST 9, 2016

A motion to approve the minutes as presented was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

E. APPROVAL OF THE AGENDA

A motion to approve the agenda was made by Commissioner Hodges and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

PRESENTATIONS/PROCLAMATIONS

- 1. PINELLAS COUNTY CERTIFICATE OF RECOGNITION FOR THE CITY OF MADEIRA BEACH FIRE DEPARTMENT
DERRYL O’NEAL, FIRE CHIEF

Mayor: Presented the certificate of recognition and congratulated Madeira Beach fire Department for being the only department in the county for receiving the award.

- 2. PROCLAIMING OCTOBER 9TH – OCTOBER 15TH NATIONAL FIRE PREVENTION WEEK
DERRYL O’NEAL, FIRE CHIEF

Mayor: Proclaimed October 9th-October 15th as National Fire Prevention Week

F. STAFF UPDATES

- 1. REVIEW OF CITY CLERK EMPLOYEE EVALUATION
SHANE B. CRAWFORD, CITY MANAGER – MODERATOR

CM: Acting as moderator. Very easy to work with the city clerk. Budgeted 4% raises, at liberty to offer it to her. Speaking as counterpart, she does a fantastic job. State of records are far better off than they were 3 years ago. Couldn’t as for a better clerk.

Mayor: Thanked her and complimented the fantastic job she is doing.

Hodges: Accomplished all of the goals she’s set forth. Always been there when needed.

Lister: Wonderful city clerk. Great job.

Vice Mayor Ghovae: Every time speaking to City Clerk, always on top of her game.

Steve Kochick: Wonderful job. Residents seem to feel that requests for public records aggravates the board of commissioners. All it does is make extra work for the City Clerk. Requests the people who do this think twice. Leave the staff alone with frivolous requests.

CC: Thank you for kind comments. Will continue to serve as best as possible.

A motion to approve the 4% cost of living adjustment to the City Clerk was made by Commissioner Lister and seconded by Vice Mayor Ghovae.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

- 2. PINELLAS COUNTY ANNUAL UPDATE OF THE LOCAL MITIGATION STRATEGY
MICHELLE ORTON, PLANNING AND ZONING DIRECTOR

PZD: In 2015, Madeira Beach adopted resolution 2015-10. This is the yearly annual update of the LMS. Just needs commission approval.

A motion to accept the update was made by Commissioner Hodges and seconded by Commissioner Lister.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

- 3. BOCA CIEGA STRORMWATER PROJECT – PROGRESS UPDATE
MARCI FORBES, SENIOR PROJECT ENGINEER FOR DEUEL & ASSOCIATES

Marci Forbes: Showed presentation on the Storm water Project on Boca Ciega. Working for the north and working their way to 133rd, and then south to 133rd. Addressing all complaints. Moving at a very fast rate. Showed how thick the asphalt is due to years of overlay.

Mayor: Complimented contractors moving quickly and should easily make the 365 day deadline.

Lister: Appreciates presentation. Confirmed that interactions will be leveled to match the roads.

Marci Forbes: Also working with SWFMD

A motion to accept the report was made by Commissioner Hodges and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....	YES	Vice-Mayor Ghovae.....	YES
Commissioner Poe.....	YES	Mayor Palladeno.....	YES
Commissioner Poe.....	ABSENT		

4. REVIEW OF ICMA RULING REGARDING THE CITY MANAGER'S ETHICS COMPLAINT
SHANE B. CRAWFORD, CITY MANAGER

CM: Referenced items in packet. Respects ICMA, but it is not a requirement of his contract. Been doing this since age 19 as a commissioner in 1997-1999, County Administrator in Wisconsin. Under his leadership, Archibald Park was finalized, the 9-11 memorial was completed, the City Centre was built, records were fixed under his watch, and hired a Finance Director who puts together a fantastic budget. Finally found happiness that was missing in his life, Went to the Board of Commissioners, labor attorney, and the City attorney. They all approved, did not get together with Ms. McGrady for her paycheck. Offered to transfer her to another department and she had 2 other job offers. This was in May/June and the complaint wasn't filed until March, in conjunction with all of the developments. The City needs these developments to help taxes. In the recruitment file, it asked to help develop the Holton Property.

Mayor: City Manager has done it right and has his backing.

Hodges: Gave Ms. McGrady the raise to train someone and took it back once the position filled. Reiterated that the ICMA is not mandatory and that he's not going anywhere.

Vice Mayor: Likes the City Manager and contacted the ICMA, other City Managers, and the County Commission. Found out he is very well liked. There is no law against the relationship but when they are married it's a different story, Care about Madeira Beach and thinks keeping the City Manager outweighs and negative.

Lister: Wants to get all the facts before making decision and learned that from Crawford. He is 100% behind him.

Ginger Tolliver: Poe had her support but has since learned that was unless you crossed her path, She brought negativity to this city. Never came to a meeting in 25 years until this started.

Missy Hahn: President of MB/TI Chamber. Has found CM to be professional and congratulated him on his engagement.

Jack Bodzeiak: CM has always acted in best interest of City, Encourages Support.

Bob Shaw: CM acted with permission.

Jeff Brown: When Poe didn't win, she went for the jugular. Wants Poe's resignation.

Steve Kochick: Supports Shane. BOC needs to affirm it was not a Board complaint and it was a rogue act by one commissioner. Urges Shane to keep moving forward. Tax payers shouldn't be paying for litigation.

Evelyn Page: Best City Manager in the state of Florida. Shane is a man of honor and integrity. We need him more than he needs Madeira beach.

Len Piotti: Supported Poe as a commissioner but things changed when 2 major projects were opposed. Besmirched CM and employees when the projects were oppose. Asked for resignation.

Jim Everett: Listed CM's accomplishments and projects in the works. Raise taxes or allow developments.

Sam Lewis: BOC and the CM have been great to work with. Supports Shane.

Jeff Beggins: Madeira Beach was embarrassing but now is great due to City Manager and BOC.

Reese Noren: been here 30 years, Believes City Manager should be judged by his accomplishments. Developments in the best interest of the city.

Shirley Nelle: Marinas are going to bring revenue to the City. Thanked everyone.

Pete Trott: Supports Shane. Very personal type of operation since there are only 50 people. CM may not be as effective without Cheryl. She has been a big help.

Lisa Ammons: Appreciates living here. Shane has done an amazing job.

Steve Page: Supports CM and BOC. For someone to do this to him is awful.

Larry Butterfield: Shane is outstanding. Thanked him for all he has done and congratulated him on all of his accomplishments.

Christopher Michael Reese: Asked who doesn't like Shane. City Manager bought a care for a volunteer here. Goes above and beyond.

Mark Hubbard: All in agreement. CM reaches out and helps people. Supports Shane 100%.

Hedi Goldberg: CM and assistant are a team. Wants both to stay and not stress.

CM: Never intended to bring embarrassment to the City by falling in love. He will stay as long as the BOC wants.

Consensus from the Commission is to send letters to the ICMA, along with a recording by the City Clerk.

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

Pam Rasmussen: 20th anniversary of the veterans Boat Parade. November 12th. Trying to get as many boats as possible.

Meeting recessed and reconvened at 8:10 p.m.

H. CONSENT AGENDA

1. AUTHORIZATION OF EXPENDITURES TO CREATIVE BUS SALES IN THE AMOUNT OF \$56,288 FOR A 21-PASSENGER BUS, IN ACCORDANCE WITH THE COOPERATIVE PURCHASING PROGRAM OF THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS BID NO. BT01-14

RD: Reached capacity for aftercare at the Recreation Center. Waiting list of 8 people. Having first trip with Madeira Beach social club.

Mayor: Congratulated Mr. Andrews on the job he's done for the Rec Center.

A motion to authorize expenditures to Creative Bus Sales was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovaae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

2. AUTHORIZATION OF EXPENDITURES TO MIDCOAST CONSTRUCTION ENTERPRISES IN THE AMOUNT OF \$148,679.30 FOR STORMWATER EMERGENCY IMPROVEMENTS

CM: Matter of public safety.

PWD: Price includes correction of the two storm water pipes underneath homes to secure foundations.

A motion to authorize expenditures to Midcoast Construction was made by Commissioner Hodges and seconded by Commissioner Lister

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovaae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

I. CONTRACTS/AGREEMENTS

1. AWARD OF BEACH CONCESSIONS TO SALTWATER DESTINATIONS.

CM: Received two bids. Asked staff to evaluate and Saltwater Destinations were the clear choice. Very impressed. Did go in front of the Federal Park Association.

A motion to award beach concessions to Salt Water Destinations was made by Vice Mayor Ghovae and seconded by Commissioner Lister

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

2. AUTHORIZATION OF EXPENDITURES TO W&A CLEANING SERVICES IN THE AMOUNT OF \$101,665.84 FOR CUSTODIAL SERVICE, IN ACCORDANCE WITH CHANGE ORDER PROPOSAL NO. 2

CM: Staff recommends approval

A motion to authorize expenditures for W&A cleaning services in the amount of \$21,700 was made by Commissioner Hodges and seconded by Vice Mayor Ghovae.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

3. AUTHORIZATION OF MADEIRA BEACH BUS SHELTER MAINTENANCE AGREEMENT

CM: States that we will maintain the bus shelter. Staff recommends approval.

A motion to authorize the Madeira Beach Bus Shelter Maintenance Agreement was made by Commissioner Lister and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

4. AUTHORIZATION OF EXPENDITURES VIA PUBLIC RISK INSURANCE AGENCY IN THE AMOUNT OF \$387,484.55 FOR PROPERTY, CASUALTY, AND LIABILITY INSURANCE, INCLUDING TWO-YEAR WORKERS' COMPENSATION RATE AGREEMENT

CM: Routine expenditure

A motion to authorize expenditures via public risk insurance agency was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

5. AUTHORIZATION OF SECOND AMENDMENT TO SERVICES AGREEMENT WITH HUBBARD'S SEA ADVENTURE INC.

CM: When contract was initially created, we came up with a tedious and antiquated way to pay them. This simplifies the payment process. Will not cut a check until contracts are signed.

A motion to authorize the second amendment to services agreement with Hubbard's Sea Adventure was made by Commissioner Hodges and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

J. UNFINISHED BUSINESS

1. **RESOLUTION 2016-27**

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA RECOMMENDING APPOINTMENT OF A MEMBER TO THE JOINT PINELLAS COUNTY METROPOLITAN PLANNING ORGANIZATION, AND PROVIDING FOR AN EFFECTIVE DATE

A motion to approve resolution 2016-27 was made by Vice Mayor Ghovae and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

2. **ORDINANCE 2016-07**

A SECOND AND FINAL 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.

Luis Serna: July was the first reading in response to MPO’s request to adopt changes for consistency pouposes.

A motion to approve Ordinance 2016-07 was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

3. **ORDINANCE 2016-08**

A SECOND AND FINAL 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.

Luis Serna: Amends comp plan to reflect transportation element and state approved mobility management system.

A motion to approve Ordinance 2016-08 was made by Vice Mayor Ghovae and seconded by Commissioner Lister

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

4. **ORDINANCE 2016-09**

A SECOND AND FINAL 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.

Luis Serna: Compliant to State Law passed in 2015. State did not pose any objections. Not required until 2022, but being cautious.

A motion to approve Ordinance 2016-09 was made by Commissioner Hodges and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

5. **ORDINANCE 2016-10**

A SECOND AND FINAL 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.

Luis Serna – Amendment to Public School element.

A motion to approve Ordinance 2016-10 was made by Commissioner Lister and seconded by Vice Mayor Ghovae

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES	Mayor Palladeno.....YES
Commissioner Poe.....ABSENT	

6. **ORDINANCE 2016-11**

A SECOND READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE “FLOODPLAIN MANAGEMENT ORDINANCE”; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR SPECIFIC STANDARDS FOR A-ZONES AND V-ZONES, INCLUDING A TWO FEET OF FREEBOARD ABOVE THE BASE FLOOD ELEVATION; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Although it’s second reading, it is not the final. Reasoning is there has been changes and is making sure the public has 2 hearings in its revised state.

A motion to approve the second reading of Ordinance 2016-11 was made by Vice Mayor Ghovae and seconded by Commissioner Lister

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

K. NEW BUSINESS

1. RESOLUTION 2016-28

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE FISCAL YEAR 2016 BUDGET BY DECREASING CAPITAL OUTLAY EXPENDITURES IN THE AMOUNT OF \$2,793,251.74; AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING CAPITAL OUTLAY EXPENDITURES IN THE AMOUNT OF \$2,793,251.74; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion to approve Resolution 2016-28 was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

2. ORDINANCE 2016-12

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF "CONDO-HOTEL"; AND PROVIDING FOR AN EFFECTIVE DATE.

CA: Wants to address a few issues. The state changed the name of occupational license to business tax receipt to make it clear and consistent with code. In paragraph 8, it refers to a change from 60 to 90 days. Lastly, deleting of the word central.

PZD: Madeira Beach relies on tourism. Condo-Hotel was created to bring in tourism on a short term basis for allowing for a higher density. Developers request higher density for a greater number of tourist units. Currently we have owner being able to stay for 60 days a year. The request was for 120. If the commission is in agreement, we can change to 90. Want to remove the days of separation all together. We'd like to keep it at 30. Recommends approval with the changes made in red. Local Planning Agency approved staffs approval.

CM: Not the recommendation from the City Managers seat. Want to make it as developer friendly as possible.

Jeff Beggins: not just for Madeira Bay. It's for all development. Take away 30 day separation and please let them stay 90 days.

Sam Lewis: Original developer of Madeira Bay. Majority of owners use reservations. 9 units do it individually, 18 contracts of 44 units contingent on being able to use units. 85% occupancy.

Bill Karns: During slow season, owner should be able to use rather than be penalized.

A motion to approve the first reading of Ordinance 2016-12 was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

3. **ORDINANCE 2016-15**

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CALLING FOR A GENERAL MUNICIPAL ELECTION ON MARCH 14, 2017, FOR THE PURPOSE OF ELECTING A COMMISSIONER FOR DISTRICT THREE, A COMMISSIONER FOR DISTRICT FOUR, AND A MAYOR; PROVIDING AUTHORIZATION FOR THE CITY CLERK TO SIGN CONTRACT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR PUBLICATION; AUTHORIZING ELECTION EXPENDITURES; IDENTIFYING THE PINELLAS COUNTY CANVASSING BOARD AS THE CANVASSING BOARD FOR THE MARCH 14, 2017 ELECTION; AUTHORIZING FOR A RUN-OFF ELECTION, IF NECESSARY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

A motion to approve the first reading of Ordinance 2016-15 was made by Commissioner Hodges and seconded by Commissioner Lister

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

4. **ORDINANCE 2016-16**

A FIRST READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REPEALING CHAPTER 74 – VEHICLES FOR HIRE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF

CM: Has nothing to eliminating mass transportation. Brought forth by the City Clerk.

A motion to approve the first reading of 2016-16 was made by Vice Mayor Ghovae and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

L. REPORTS/CORRESPONDENCE

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

VM: Lives in Snug Harbor. A resident was given a ticket for making a U-turn out of the complex. Westbound must enter the Marina to make a turn. Trying to handle this with PCSO.

Lister: Wanted to workshop being able to walk dogs in John’s Pass.

CA: Sent memo 3 weeks ago regarding a Special magistrate case against Tyrone J. Scott. There is a total due to the city of \$23,746.38. Received a letter of settlement in the amount of \$11,873.19. Recommends accepting.

A motion to accept the \$11,873.19 for the lean against Tyrone J. Scott was made by Commissioner Lister and seconded by Commissioner Hodges

ROLL CALL:

Commissioner Lister.....YES Vice-Mayor Ghovae.....YES
Commissioner Poe.....YES Mayor Palladeno.....YES
Commissioner Poe.....ABSENT

CM: Received email that Vincent Tenaglia received achievement for excellence in financial reporting. 5th in a row. Increased annual interest rate by 453%.

CA: The motion for summary of judgment that was scheduled for last week. The night before the hearing, the plaintiffs in the lawsuit dismissed part of the lawsuit. The Judge requested each side to hand recommended orders on October 28th.

M. ADJOURNMENT – The meeting was adjourned at 9:57

Date approved: November 15, 2016

Travis Palladeno, MAYOR

Submitted by Nick Lewis, Deputy City Clerk



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016 – Agenda Report

FROM: Nick Lewis, Deputy City Clerk

SUBJECT: LIBRARY BOARD APPOINTMENTS

BACKGROUND: The City has 1 vacancy on the Library Board.

The City advertised and we received 2 applications for the Library Board.

At the workshop meeting on Tuesday, November 15th, you will have voted for the candidate 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.

BUDGETARY N/A
IMPACT:

RECOMMENDED N/A
BY STAFF:

ATTACHMENT(S): N/A

CONTRACT FOR LAW ENFORCEMENT SERVICES

THIS AGREEMENT is made and entered into by and between the CITY OF MADEIRA BEACH, FLORIDA, a municipal corporation of the State of Florida, hereinafter referred to as "CITY"; and BOB GUALTIERI, as Sheriff, Pinellas County, Florida, hereinafter referred to as "SHERIFF".

WITNESSETH:

WHEREAS, the CITY is a municipality within the boundaries of Pinellas County, Florida and wishes to purchase municipal law enforcement services for that area of land within its municipal boundaries in addition to those required to be provided by the SHERIFF prior to the execution of this Agreement; and

WHEREAS, the CITY is desirous of providing a high level of competent law enforcement service in conjunction and in harmony with its fiscal policies of sound, economical management; and

WHEREAS, the CITY has requested that the SHERIFF furnish law enforcement protection to its inhabitants and citizens; and

WHEREAS, the CITY desires that the SHERIFF furnish law enforcement protection on a full-time basis and duly perform any and all necessary and appropriate functions, actions, and responsibilities of a law enforcement force for the CITY; and

WHEREAS, the SHERIFF has indicated his desire and willingness to accept and fulfill the responsibilities hereinbefore mentioned; and

WHEREAS, the CITY desires to retain its ability to determine whether law enforcement services shall be provided by a City Police Department, by contract with another law enforcement agency or otherwise; and

WHEREAS, the SHERIFF is an independent constitutional officer of the State of Florida; and

WHEREAS, it is further the desire of the CITY that the full, complete and entire responsibility for law enforcement within the CITY be turned over to and be performed by the SHERIFF;

NOW, THEREFORE, in consideration of the mutual promises contained herein and given by each party to the other, the parties do hereby covenant and agree as follows:

1. That the recitations set forth above are incorporated herein by reference in their entirety.

2. PURPOSE: The purpose of this Agreement shall be to provide the citizens of the CITY with high quality law enforcement services by the Sheriff's Office.

It is expressly acknowledged and agreed that all services provided by the SHERIFF under the terms of this Agreement are completely paid for by the consideration paid by the CITY under the terms of this Agreement and are completely separate and in addition to any and all ad valorem taxes or any other revenues paid by or received on behalf of the citizens of the CITY to the Pinellas County Board of County Commissioners. In light thereof, the SHERIFF shall continue to have the obligation to

provide normal services to the same degree that such services are provided to the rest of Pinellas County and the CITY is not to be charged extra for these normal services.

PATROL SERVICES:

The SHERIFF hereby agrees to provide all necessary and appropriate law enforcement services in and for the CITY by providing two (2) deputies with patrol automobile for twenty-four (24) consecutive hours each day, seven (7) days a week, to serve as law enforcement officers of the CITY. It is the obligation of the SHERIFF to insure that two or more deputies are present within the city limits of the CITY at all such times except under emergency circumstances when backup assistance may be required from other Sheriff's deputies or municipal law enforcement officers.

COMMUNITY POLICING:

The SHERIFF further agrees to furnish one (1) deputy specifically for performing community oriented policing services. Said deputy shall be provided five (5) days per week for eight (8) hours per day excepting holiday leave, vacation leave, required training, court appearances, authorized sick leave, and such other absences as may be authorized by the SHERIFF or his designee. The specific hours of work of the community policing deputy shall be determined by his or her supervisor after consultation with the CITY.

- a. The Community Deputy will perform interactive and proactive foot and bicycle patrols whenever transportation by a patrol vehicle is not necessary.

- b. The Community Deputy will actively make personal contacts with both citizens and businesses to solve community crime problems.
- c. The Community Deputy will meet with community leaders to explain crime prevention techniques.
- d. The Community Deputy shall utilize business cards, voice mail, and cellular phones to ensure citizen contact regarding public safety concerns.

The SHERIFF further agrees to furnish one (1) deputy specifically for performing codes enforcement services. This community policing deputy will also be provided five (5) days per week for eight (8) hours per day excepting holiday leave, vacation leave, required training, court appearances, authorized sick leave, and such other absences as may be authorized by the SHERIFF or his designee. The specific hours of work of this community policing deputy shall be determined by his or her supervisor after consultation with the CITY.

- a. The Community Policing Deputy/Codes Enforcement will investigate and take enforcement actions for violations of the CITY'S Code of Ordinances.
- b. The Community Policing Deputy will track and prepare statistical reports for the CITY concerning the numbers and types of violations issued on a monthly basis.
- c. The Community Policing Deputy will interact with both citizens and businesses to address and resolve codes violation related issues.

- d. The Community Policing Deputy will, in conjunction with the CITY'S attorney, prepare and present code violation cases before the CITY'S Special magistrate as necessary.
- e. The Community Policing Deputy will, in conjunction with the CITY'S administrative/clerical staff, prepare citations, send notices of violations and Special Magistrate hearings, and perform other related administrative tasks.
- f. The Community Policing Deputy shall utilize business cards, voice mail and cellular phones to facilitate citizen contact regarding codes violation concerns and questions.

While the CITY anticipates the codes violation related work will occupy all or most of this Community Policing Deputy's time, this Deputy will also assist and work with the other Community Policing Deputy, if and when time allows and the need arises. Likewise, the other Community Policing Deputy may, from time to time as the need arises, assist this Community Policing Deputy with work related to the enforcement of the City's Code of Ordinances.

The CITY agrees that it will provide the following at its expense:

- a. Both Community Policing Deputies will be provided with the necessary codes enforcement training, which currently consists of four (4) separate courses.
- b. The Community Policing Deputy performing full-time codes enforcement service will be provided the assistance of CITY

administrative and clerical staffs, who will perform research, prepare and send out notices and correspondence, and other like administrative and clerical tasks.

- c. Office space and the appropriate equipment needed for the performance of the Community Policing Deputies' administrative duties will be provided.

SCHOOL CROSSING GUARDS:

The SHERIFF further agrees to furnish three (3) school crossing guards. The hours of service of the school crossing guards shall be determined by the SHERIFF based on the hours of operation of the school or schools served.

3. POWER OF CITY TO DIRECT SERVICES. The SHERIFF shall confer with the Mayor and the City Commission and/or City Manager regarding law enforcement or codes enforcement problems within the CITY and shall accept from the City Commission general policy direction on how these services are delivered and to what portion of the municipality a particular type or level of service shall be delivered to counteract law enforcement or codes enforcement problems within the CITY. The SHERIFF shall comply with the request of the CITY regarding such matters unless such decisions will represent a danger to the deputies providing such service or to other members of the Sheriff's Office, will be violative of the law, good law enforcement practices, the rules and regulations of the Pinellas County Sheriff's Office, or detrimental to the citizens of the CITY or the County. In the event that such concern arises, the SHERIFF will meet and confer with the Mayor and the City Commission, as is

appropriate, on policy matters regarding the delivery of services and attempt to resolve any dispute or misunderstanding between them.

4. NO PLEDGE OF AD VALOREM TAXES. The parties agree that this Agreement does not constitute a general indebtedness of the CITY within the meaning of any constitutional, statutory, or charter provision or limitation and it is expressly agreed by the parties that the SHERIFF will not ever have the right to require or compel the exercise of ad valorem taxing power of the CITY or taxation of any real or personal property therein for the payment of any monetary obligations due under the terms of this Agreement and it is further agreed between the parties that this Agreement and any funds called for to be paid hereunder shall not constitute a lien upon any real or personal property of the CITY, or any part thereof, and that the obligation for monetary payments called for to be made hereunder shall be deemed to exist for less than a year at any point in time and shall be entirely subject to the legislative budgetary discretion of the CITY.

5. AUTHORITY TO ACT. The CITY does hereby vest in each sworn law enforcement officer of the SHERIFF, who from time to time may be assigned to the CITY, to the extent allowed by law, the law enforcement powers of the CITY which are necessary to implement and carry forth the services, duties and responsibilities imposed upon the SHERIFF hereby, for the limited purpose of giving official and lawful status and validity to the performance thereof by such sworn law enforcement officers. Every sworn law enforcement officer of the SHERIFF so empowered hereby and engaged in the performance of the services, duties, and responsibilities described and

contemplated herein shall be deemed to be a sworn law enforcement officer of the CITY while performing such services, duties and responsibilities which constitute municipal functions and are within the scope of this Agreement. Accordingly, such sworn law enforcement officers of the SHERIFF are hereby vested with the power to enforce the ordinances of the CITY, to make arrests incident to the enforcement thereof, and to do such other things and perform such other acts as are necessary with respect thereto.

6. INDEMNIFICATION OF CITY. The SHERIFF will defend and pay any litigation or judgment against the CITY, its agents or employees, arising out of the acts or omissions of the SHERIFF, his deputy sheriffs, or other members of the Sheriff's Office performing services under this Agreement. Lawsuits and claims that may be filed from time to time hereunder shall be handled by the SHERIFF in accordance with normal procedures. The SHERIFF shall defend such lawsuits or claims and pay judgments or settlements in accordance with law.

Nothing contained herein shall be construed to limit or modify the provisions of Florida Statute 768.28 as it applies to the CITY and the SHERIFF. Nothing herein shall abrogate or expand the sovereign immunity enjoyed by the SHERIFF and the CITY pursuant to the provisions of Chapter 768, Florida Statutes, nor shall any third party receive any benefit whatsoever from the indemnification provided herein.

7. INDEPENDENT CONTRACTOR. The SHERIFF, for the purposes of this Agreement, is and shall remain an independent contractor; provided, however, such independent contractor status shall not diminish the power and authority vested in the SHERIFF and his sworn officers.

8. SOVEREIGN IMMUNITY. The parties hereto agree that nothing contained herein shall in any way waive the sovereign immunity that both parties enjoy presently under the Constitution and statutes of the State of Florida and particularly with respect to Chapter 768, Florida Statutes.

9. PROVISION OF SERVICES. The SHERIFF shall provide each deputy who serves in the CITY pursuant to this Agreement with a patrol automobile and all other necessary or appropriate equipment, except as provided above in Paragraph 2, Community Policing section.

10. PERSONNEL. The SHERIFF shall be responsible for the appointment, training, assignment, discipline and dismissal of all his law enforcement personnel performing services under this Agreement. The parties shall mutually cooperate to carry out the terms and conditions of this Agreement. Should the CITY or its designee believe that any deputy assigned to the CITY pursuant to the terms of this Agreement is failing to perform in a satisfactory manner, the CITY or its designee shall notify the Commander of the Patrol Operations Bureau of the Pinellas County Sheriff's Office. The parties shall work together to reach a mutually satisfactory resolution of the matter. However, it is understood that under this Agreement, the SHERIFF shall retain the sole authority to transfer, counsel, or discipline any deputy or other member of the Pinellas County Sheriff's Office.

11. ENFORCEMENT OF LAWS. The SHERIFF shall discharge his responsibility under this Agreement by the enforcement of all state laws, county ordinances applicable within the CITY and the ordinances of the CITY. The SHERIFF

shall bring appropriate charges for violations of all laws and ordinances. The SHERIFF shall ensure that deputies assigned to the CITY will have a general familiarity with the code of ordinances of the CITY. The CITY will provide adequate copies of its ordinances for this purpose at no cost to the SHERIFF.

12. FINES AND FORFEITURES. All fines and forfeitures rendered in any court as a result of charges made by the SHERIFF shall be distributed according to general law and the rules of the court.

13. RECORDS. The SHERIFF shall maintain Uniform Crime Reporting records regarding crimes committed within the CITY. These records shall include the number and type of crimes committed, the number of arrests made for each type of crime, and any other information as required by law. A computer printout reflecting a summary of overall activity by event type shall be furnished to the CITY each month. Additionally, the SHERIFF shall maintain a dispatch log with respect to calls for assistance. The dispatch log shall reflect the time a call is received, the time a call is dispatched, the deputy's arrival time, the time the assignment is completed and the geographical location of the incident.

14. NOTICE. Notice as required to be given hereunder shall be given to the following persons:

- A. The Sheriff of Pinellas County: Bob Gualtieri, Sheriff, P. O. Drawer 2500, Largo, FL 33779-2500.
- B. City of Madeira Beach: Attention: Mayor, 300 Municipal Drive, Madeira Beach, FL 33708.

15. TERM. This Agreement shall take effect on October 1, 2016, and continue in effect thereafter through September 30, 2017, unless hereafter extended upon such terms and conditions as the parties hereto may later agree.

16. TERMINATION: Any party may terminate this Agreement without cause or further liability to the other parties, except as to the indemnification provided herein, upon written notice to the other parties given not less than ninety (90) days prior to the requested termination date. The required notice is deemed delivered when a copy is delivered to the other party and a receipt therefore signed by the other party.

The parties agree that where the Agreement is not terminated as provided for herein, the terms of this Agreement shall automatically continue for 120 days beyond September 30, 2017, in the event a replacement contract has not yet been completely executed. The CITY shall continue to pay to the SHERIFF on a monthly basis the amount due per this Agreement, until such time as a replacement contract has been approved. The parties further agree that an increase, if any, in the cost of service, shall be retroactively applied for services rendered from October 1, 2017, to the approval and execution of the replacement contract, and shall be paid by the CITY to the SHERIFF immediately for the services already provided.

17. CONTRACT COSTS. The CITY shall pay to the SHERIFF, as payment in full for all of the services herein agreed to be performed by the SHERIFF of Pinellas County, the sum of ONE MILLION TWO HUNDRED TWENTY-SEVEN THOUSAND FOUR HUNDRED THIRTY-EIGHT DOLLARS AND NINETEEN CENTS (\$1,227,438.19). Payment shall be made in twelve monthly installments of ONE

HUNDRED TWO THOUSAND TWO HUNDRED EIGHTY-SIX DOLLARS AND NO CENTS (\$102,286.00). Payment shall be made on the first day of each month beginning on the 1st day of October 2016. (Work Sheet attached.)

18. THIRD PARTIES. In no event shall any of the terms of this Agreement confer upon any third person, corporation or entity other than the parties hereto any right or cause of action or damages against the parties to this Agreement arising from the performance of the obligation and responsibilities of the parties herein or for any other reason.

19. ENTIRE AGREEMENT. This Agreement reflects the full and complete understanding of the parties and may be modified or amended only by a document in writing executed by the parties hereto and with the same formality of this Agreement.

20. NON-ASSIGNABILITY. The SHERIFF shall not assign or delegate the obligations, responsibilities or benefits imposed hereby or contained herein to any third party or in any manner contract for the provision of the services required to be performed herein by a third party without the express written consent of the CITY, which consent must have been agreed to by the CITY at a public meeting and which consent may be withheld within the sole discretion of the CITY.

21. LIAISON. A close liaison shall be maintained between the CITY and the SHERIFF. The SHERIFF agrees to make available to the CITY a specific member or members of the command staff who shall be available twenty-four (24) hours per day to act as liaison between the CITY and the SHERIFF. The Mayor and Commissioners and the SHERIFF, or their designees, shall meet and confer with each other on a regularly

scheduled basis to discuss the administration of this Agreement. The SHERIFF or his designee shall, upon request of the City Commission, be present at City Commission meetings for discussion of the provision of law or codes enforcement services within the CITY, for budget preparation purposes, or for any other purpose as the City Commission shall request from time to time. The SHERIFF, or his designee, shall be responsible for submitting appropriate staffing or information to the City Commission as is necessary for it to conduct its legislative business. Any request for the presence of the SHERIFF or his designee, or for the production of any information or staffing, shall be communicated solely through the Mayor and Commissioners or the City Manager.

IN WITNESS WHEREOF the parties to this Agreement have caused the same to be signed by their duly authorized representatives this ____ day of _____, 2016.

ATTEST:

CITY OF MADEIRA BEACH

CITY CLERK

BY _____
MAYOR

APPROVED AS TO FORM:

(CITY SEAL)

CITY ATTORNEY

SHERIFF, PINELLAS COUNTY, FLORIDA

BY _____
BOB GUALTIERI, Sheriff



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016 – Agenda Report

FROM: Frank DeSantis, CBO – Building Official

SUBJECT: Pinellas County “Inter-local Agreement”

BACKGROUND: The standard inspection agreement between both Building Departments would be in place as a “back-up” if necessary for any type of inspections to be completed daily in the absence of the City’s Building Official.

Once the agreement is approved, the final step would be to obtain approval from the County Administrator in a process called “Delegated Authority Memorandum”. Per the Pinellas County Building Department, a delegated authority memo should take a week or two to final.

BUDGETARY N/A
IMPACT:

RECOMMENDED YES
BY STAFF:

ATTACHMENT(S):

INTERLOCAL AGREEMENT

This Agreement made and entered into on this ____ day of _____ 2016 by and between Pinellas County, a political subdivision of the State of Florida hereinafter referred to as the "County", and the City of Madeira Beach, a municipal corporation of the State of Florida hereinafter referred to as the "City".

WITNESSETH:

WHEREAS, the City and the County do hereby have the express authority to enter into this Agreement in order to make the most efficient use of their powers by cooperating with other localities in a manner that will accord the best with the geographic, economic, population and other factors influencing the needs and development of the local communities; and

WHEREAS, the County through the Building Services Department of Pinellas County has the capacity to perform this service in a manner which would be economically beneficial to both parties.

NOW, THEREFORE, in consideration of these and other covenants to be performed by the respective parties, the parties agree as follows:

1) INSPECTIONS-

- a) The County agrees to perform inspections for building permits issued by the City, as requested by the City and when required by the Florida Building Code, and will incorporate them as part of their regularly scheduled inspection routes, and will arrange the sequence and timing of the inspections in the same manner as County building permits.
- b) Permit holders will make requests to the City for inspections using the systems, methods, policies and procedures of the City. It is the policy of the County to make every effort to complete all requested inspections by the end of the business day.

- c) Additionally, the County may require a certified survey to ensure compliance with the City's setback, height and flood elevation requirements.

2) MUNICIPAL CODE, ZONING AND LOCAL ORDINANCES -

- a) Except as stated above as applicable, the City hereby understands and agrees that the City will retain jurisdiction, administration, enforcement, and ultimate responsibility in applying its zoning and ordinance regulations and will coordinate and communicate its information and decisions with the County as applicable to building inspections performed by the County pursuant to this Agreement. This includes but is not limited to setbacks, land use, building heights, fences, hedges, docks, seawalls, sheds, easements, right-of-way, flood damage prevention, existing buildings, construction site conditions.

3) CORRECTION NOTICES –

The County will issue written correction notices at the point of inspection in the same manner as with any other permit issued by the County.

4) COMPENSATION –

- a) The City will be charged and shall pay for such inspections that the County shall perform pursuant to this Agreement according to the County fee schedule.
- b) All services provided by the County are based on service delivery occurring during weekday business hours on a business day of the County. After hours inspections offered by the County will be charged according to the County fee schedule and paid directly to the County by the customer.
- c) The County will incur no charges from the City pursuant to this Agreement.

5) OTHER—

- a) This Agreement is intended for the benefit of these parties only and is not intended for the benefit of any third parties.
- b) This Agreement is not a personal services contract and the County may assign, re-assign or delegate its staff and resources as the County deems necessary and at the sole option of the County to perform this Agreement.
- c) It is further agreed that the City and the County shall notify each other in writing within ten (10) business days of any claims, or potential or pending claims, arising out of this Agreement of which the City or the County has knowledge. Failure of one party to notify the other in writing within ten (10) business days of any claims or potential or pending claims as described above, will forfeit and waive the right of that party to make a claim against the other party.
- d) Each party shall be fully responsible for the negligence, errors and omissions of its respective agents, officers and employees, when such person is acting within the scope of his or her employment, and shall be liable for any damages alleged or claimed to have resulted or arisen from said negligence, errors and omissions. Nothing herein is intended to serve as a waiver of sovereign immunity by the City or the County, or to extend the liability of the City or the County beyond the limits set forth in Section 768.28, Florida Statutes. Nothing herein shall be construed as consent by either party to be sued by third parties in any matter arising out of this Agreement. Each party's liability and obligations to the other shall be limited to those liabilities expressly set forth herein.
- e) Each party shall have the right to defend or settle claims at their own cost. However, without express prior agreement of the other party, there shall be no obligation of either the City or the County to be party to a defense or liable for any costs of a settlement. In the event that a claim is settled, either jointly or severally, a full and unconditional release to both the City and the County will be obtained from the claimant as part of the settlement.

- f) If either the County or the City wishes to modify this Agreement, either may do so only with the written consent of the other party.
- g) This Agreement shall continue in force until terminated with or without cause by either party upon ninety (90) days of prior written notice.
- h) As required by section 163.01 (11), Florida Statutes, this Interlocal Agreement shall be filed with the Clerk of The Circuit Court of Pinellas County after the execution by the parties and shall become effective upon _____, 2016.

6) BUSINESS DAY –

Is defined as a day when both the County and the City are open for their respective normal business hours. Conversely, a day when either the City or the County or both are not open for their respective normal business hours including but not limited to weekends and holidays are not considered business days.

IN WITNESS WHEREOF, the undersigned have hereto affixed their hands and seals the day and year first above-written.

THE CITY OF MADEIRA BEACH, FLORIDA

PINELLAS COUNTY, FLORIDA

By:

By:

(Name)

Mark S. Woodard

TITLE

County Administrator

APPROVED AS TO FORM:

APPROVED AS TO FORM:

CITY ATTORNEY

COUNTY ATTORNEY

ATTEST:

CITY CLERK



MADEIRA BEACH
BOARD OF COMMISSIONERS
NOVEMBER 15, 2016 – AGENDA MEMO

FROM: Michelle Orton, CFM
Planning and Zoning Director

SUBJECT: THIRD AND FINAL READING AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE “FLOODPLAIN MANAGEMENT ORDINANCE”; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND: The National Flood Insurance Program (NFIP) provides federally backed flood insurance within communities that enact and enforce floodplain regulations. To be covered by a flood insurance policy, a property must be in a community that participates in the NFIP. To qualify a community adopts and enforces a floodplain management ordinance to regulate development in flood hazard areas. The City of Madeira Beach in its entirety is located in a Special Flood Hazard Area (SFHA) as identified by the Federal

Emergency Management Agency (FEMA). The objective of this ordinance is to minimize the potential for flood damage to future development.

The NFIP has been effective in requiring new buildings to be protected from damage by a flood. However, flood damage still results from floods that exceed the base flood, and from flooding that affects buildings constructed before the community joined the NFIP.

Florida Statutes provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code called the Florida Building Code. In the best interest of Madeira Beach the floodplain management regulations coordinate with the Florida Building Code. This floodplain management ordinance will also require an increase in freeboard to two feet above the base flood elevation for buildings and structures in the SFHA.

Madeira Beach participates in the Community Rating System (CRS), allowing communities to be rewarded for doing more than simply regulating construction of new buildings to the minimum national standards. Madeira Beach receives a 20% premium discount as the result of the City's qualifying as a Class 6.

**BUDGETARY
IMPACT:**

N/A

**STAFF
RECOMMENDATION:**

Staff and the Local Planning Agency/Planning Commission recommend **APPROVAL** to the Board of Commissioners for Ordinance 2016-11. The BOC approved the first and second reading and will move forward to a third and final reading on November 15, 2016. It is necessary based on substantial changes from the Florida Division of Emergency Management to bring Ordinance 2016-11 back for a third and final reading prior to adoption.

ATTACHMENT(S):

Ordinance 2016-11
Approval letter from Forward Pinellas dated August 25, 2016
Approval from Florida Division of Emergency Management dated October 6, 2016

Agenda Item: _____

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE “FLOODPLAIN MANAGEMENT ORDINANCE”; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166--Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of Madeira Beach and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, Madeira Beach was accepted for participation in the National Flood Insurance Program May 7, 1971 and Madeira Beach Board of Commissioners desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, Chapter 553, Florida Statutes, allows for local amendments to the *Florida Building Code* that provide for more stringent requirements than those specified in the Code and to implement the National Flood Insurance Program and incentives; and

WHEREAS, the Madeira Beach Board of Commissioners previously adopted requirements prior to July 1, 2010 to (1) require buildings that sustain repetitive flood damage over a 10-year period to be included in the definition of “substantial damage” and (2) limitations on enclosures

below elevated buildings, and, pursuant to section 553.73(5), F.S., is formatting these requirements to coordinate with the *Florida Building Code*;

WHEREAS, the Madeira Beach Board of Commissioners is (1) modifying a previously adopted requirement for buildings to be elevated to a minimum of the base flood elevation plus one foot and is increasing the requirement to the base flood elevation plus two feet, and is (2) adopting a new requirement to require accumulation of costs of improvements and repairs of buildings, based on issued building permits, over a 1-year period, and for the purpose of participating in the National Flood Insurance Program's Community Rating System and pursuant to section 553.73(5), F.S., is formatting these requirements to coordinate with the *Florida Building Code*;

WHEREAS, the Madeira Beach Board of Commissioners has determined that it is in the public interest to adopt the proposed floodplain management regulations that are coordinated with the Florida Building Code; and

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

Section 1. The foregoing whereas clauses are incorporated herein by reference and made a part hereof

Section 2. That Chapter 94 of the Code of Ordinances the City of Madeira Beach is amended in its entirety, to read as follows:

CHAPTER 94 – FLOODPLAIN MANAGEMENT

Sec. 94-01 – 94-09 - Reserved.

DIVISION 1. - GENERAL

Sec. 94-10 - Title.

These regulations shall be known as the *Floodplain Management Ordinance* of Madeira Beach, hereinafter referred to as "this ordinance."

Sec. 94-11 - Scope.

The provisions of this ordinance shall apply to all development that is wholly within or partially within any flood hazard area, including but not limited to the subdivision of land; filling, grading, and other site improvements and utility installations; construction, alteration, remodeling, enlargement, improvement, replacement, repair, relocation or demolition of buildings, structures, and facilities that are exempt from the Florida Building Code; installation or replacement of tanks; installation of swimming pools; and any other development.

Sec. 94-12 - Intent.

The purposes of this ordinance and the flood load and flood resistant construction requirements of the Florida Building Code are to establish minimum requirements to safeguard the public health, safety, and general welfare and to minimize public and private losses due to flooding through regulation of development in flood hazard areas to:

- (1) Minimize unnecessary disruption of commerce, access and public service during times of flooding;
- (2) Require the use of appropriate construction practices in order to prevent or minimize future flood damage;
- (3) Manage filling, grading, dredging, mining, paving, excavation, drilling operations, storage of equipment or materials, and other development which may increase flood damage or erosion potential;
- (4) Minimize damage to public and private facilities and utilities;
- (5) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas;
- (6) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events;
- (7) Meet the requirements of the national flood insurance program for community participation as set forth in the Title 44 Code of Federal Regulations, Section 59.22; and
- (9) Protect human life and health and minimize the need for rescue and relief efforts associated with flooding.

Sec. 94-13 - Coordination with the Florida Building Code.

This ordinance is intended to be administered and enforced in conjunction with the Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that is referenced by the Florida Building Code.

Sec. 94-14 - Warning.

The degree of flood protection required by this ordinance and the Florida Building Code, as amended by this community, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the national flood insurance program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this ordinance.

Sec. 94-15 - Disclaimer of liability.

This ordinance shall not create liability on the part of the Madeira Beach Board of Commissioners or by any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision lawfully made thereunder.

Sec. 94-16 – 94-19 – Reserved.

DIVISION 2. – APPLICABILITY

Sec. 94-20 - General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Sec. 94-21 - Areas to which this ordinance applies.

This ordinance shall apply to all flood hazard areas within Madeira Beach, as established in Section 94-22.

Sec. 94-22 - Basis for establishing flood hazard areas.

The Flood Insurance Study for Pinellas County, Florida and Incorporated Areas dated August 18, 2009, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM) dated September 3, 2003, and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Community Services Department, 300 Municipal Drive, Madeira Beach, Florida 33708.

Sec. 94-23 - Submission of additional data to establish flood hazard areas.

To establish flood hazard areas and base flood elevations, pursuant to Division 5 the Floodplain Administrator may require submission of additional data. Where field surveyed topography prepared by a state licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- (1) Are below the closest applicable base flood elevation , even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.
- (2) Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a letter of map change that removes the area from the special flood hazard area.

Sec. 94-24 - Other laws.

The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.

Sec. 94-25 - Abrogation and greater restrictions.

This ordinance supersedes any ordinance in effect for management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Florida Building Code. In the event of a conflict between this ordinance and any other ordinance, the more restrictive shall govern. This ordinance shall not impair any deed restriction,

covenant or easement, but any land that is subject to such interests shall also be governed by this ordinance.

Sec. 94-26 - Interpretation.

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Sec. 97-27 – 97-29 – Reserved

DIVISION 3. - DUTIES AND POWERS OF THE FLOODPLAIN ADMINISTRATOR

Sec. 94-30 - Designation.

The Planning and Zoning Director is designated as the Floodplain Administrator. The Floodplain Administrator may delegate performance of certain duties to other employees.

Sec. 94-31 - General.

The Floodplain Administrator is authorized and directed to administer and enforce the provisions of this ordinance. The Floodplain Administrator shall have the authority to render interpretations of this ordinance consistent with the intent and purpose of this ordinance and may establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies, and procedures shall not have the effect of waiving requirements specifically provided in this ordinance without the granting of a variance pursuant to Division 7 of this ordinance.

Sec. 94-32 - Applications and permits.

The Floodplain Administrator, in coordination with other pertinent offices of the community, shall:

- (1) Review applications and plans to determine whether proposed new development will be located in flood hazard areas;
- (2) Review applications for modification of any existing development in flood hazard areas for compliance with the requirements of this ordinance;
- (3) Interpret flood hazard area boundaries where such interpretation is necessary to determine the exact location of boundaries; a person contesting the determination shall have the opportunity to appeal the interpretation;
- (4) Provide available flood elevation and flood hazard information;
- (5) Determine whether additional flood hazard data shall be obtained from other sources or shall be developed by an applicant;

- (6) Review applications to determine whether proposed development will be reasonably safe from flooding;
- (7) Issue floodplain development permits or approvals for development other than buildings and structures that are subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code, when compliance with this ordinance is demonstrated, or disapprove the same in the event of noncompliance; and
- (8) Coordinate with and provide comments to the Building Official to assure that applications, plan reviews, and inspections for buildings and structures in flood hazard areas comply with the applicable provisions of this ordinance.

Sec. 94-33 - Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations (Levels 1-2-3), movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

- (1) Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made;
- (2) Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure;
- (3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements as specified in the definition of "substantial improvement; and for work to repair damage caused by flooding, the determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of "substantial damage;" and
- (4) Notify the applicant if it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the Florida Building Code and this ordinance is required.

Sec. 94-34 - Modifications of the strict application of the requirements of the Florida Building Code.

The Floodplain Administrator shall review requests submitted to the Building Official that seek approval to modify the strict application of the flood load and flood resistant construction requirements of the Florida Building Code to determine whether such requests require the granting of a variance pursuant to Division 7 of this ordinance.

Sec. 94-35 - Notices and orders.

The Floodplain Administrator shall coordinate with appropriate local agencies for the issuance of all necessary notices or orders to ensure compliance with this ordinance.

Sec. 94-36 - Inspections.

The Floodplain Administrator shall make the required inspections as specified in Division 6 for development that is not subject to the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. The Floodplain Administrator shall inspect flood hazard areas to determine if development is undertaken without issuance of a permit.

Sec. 94-37 - Other duties of the Floodplain Administrator.

The Floodplain Administrator shall have other duties, including but not limited to:

- (1) Establish, in coordination with the Building Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 94-33 of this ordinance.
- (2) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps if the analyses propose to change base flood elevations, or flood hazard area boundaries; such submissions shall be made within six months of such data becoming available;
- (3) Review required design certifications and documentation of elevations specified by this ordinance and the Florida Building Code and this ordinance to determine that such certifications and documentations are complete;
- (4) Notify the FEMA when the corporate boundaries of Madeira Beach are modified; and
- (5) Advise applicants for new buildings and structures, including substantial improvements that are located in any unit of the coastal barrier resources system established by the Coastal Barrier Resources Act (Pub. L. 97-348) and the Coastal Barrier Improvement Act of 1990 (Pub. L. 101-591) that federal flood insurance is not available on such construction; areas subject to this limitation are identified on Flood Insurance Rate Maps as "Coastal Barrier Resource System Areas" and "Otherwise Protected Areas."

Sec. 94-38 - Floodplain management records.

Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this ordinance; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the Florida Building Code. These records shall be

available for public inspection at Community Services Department, 300 Municipal Drive, Madeira Beach, Florida 33708 during normal business hours.

Sec. 94-39 Reserved

DIVISION 4. - PERMITS

Sec. 94-40 - Permits required.

Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this ordinance, including buildings, structures and facilities exempt from the Florida Building Code, which is wholly within or partially within any flood hazard area shall first make application to the Floodplain Administrator, and the Building Official if applicable, and shall obtain the required permit(s) and approval(s). No such permit or approval shall be issued until compliance with the requirements of this ordinance and all other applicable codes and regulations has been satisfied.

Sec. 94-41 - Floodplain development permits or approvals.

Floodplain development permits or approvals shall be issued pursuant to this ordinance for any development activities not subject to the requirements of the Florida Building Code, including buildings, structures and facilities exempt from the Florida Building Code. Depending on the nature and extent of proposed development that includes a building or structure, the Floodplain Administrator may determine that a floodplain development permit or approval is required in addition to a building permit.

Sec. 94-42 - Buildings, structures and facilities exempt from the Florida Building Code.

Pursuant to the requirements of federal regulation for participation in the national flood insurance program (44 C.F.R. Sections 59 and 60), floodplain development permits or approvals shall be required for the following buildings, structures and facilities that are exempt from the Florida Building Code and any further exemptions provided by law, which are subject to the requirements of this ordinance:

- (1) Railroads and ancillary facilities associated with the railroad.
- (2) Nonresidential farm buildings on farms, as provided in F.S. § 604.50.
- (3) Temporary buildings or sheds used exclusively for construction purposes.
- (4) Mobile or modular structures used as temporary offices.
- (5) Those structures or facilities of electric utilities, as defined in F.S. § 366.02, which are directly involved in the generation, transmission, or distribution of electricity.
- (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the Seminole Tribe of Florida. As used in this paragraph, the term "chickee" means an open-sided wooden hut that has a thatched roof of palm or palmetto or other traditional materials, and that does not incorporate any electrical, plumbing, or other non-wood features.

- (7) Family mausoleums not exceeding 250 square feet in area which are prefabricated and assembled on site or preassembled and delivered on site and have walls, roofs, and a floor constructed of granite, marble, or reinforced concrete.
- (8) Temporary housing provided by the department of corrections to any prisoner in the state correctional system.
- (9) Structures identified in F.S. § 553.73(10)(k), are not exempt from the Florida Building Code if such structures are located in flood hazard areas established on Flood Insurance Rate Maps.

Sec. 94-43 - Application for a permit or approval.

To obtain a floodplain development permit or approval the applicant shall first file an application in writing on a form furnished by the community. The information provided shall:

- (1) Identify and describe the development to be covered by the permit or approval.
- (2) Describe the land on which the proposed development is to be conducted by legal description, street address or similar description that will readily identify and definitively locate the site.
- (3) Indicate the use and occupancy for which the proposed development is intended.
- (4) Be accompanied by a site plan or construction documents as specified in Division 5 of this ordinance.
- (5) State the valuation of the proposed work.
- (6) Be signed by the applicant or the applicant's authorized agent.
- (7) Give such other data and information as required by the Floodplain Administrator.

Sec. 94-44 - Validity of permit or approval.

The issuance of a floodplain development permit or approval pursuant to this ordinance shall not be construed to be a permit for, or approval of, any violation of this ordinance, the Florida Building Codes, or any other ordinance of this community. The issuance of permits based on submitted applications, construction documents, and information shall not prevent the Floodplain Administrator from requiring the correction of errors and omissions.

Sec. 94-45 - Expiration.

A floodplain development permit or approval shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized is suspended or abandoned for a period of 180 days after the work commences. Extensions for periods of not more than 180 days each shall be requested in writing and justifiable cause shall be demonstrated.

Sec. 94-46 - Suspension or revocation.

The Floodplain Administrator is authorized to suspend or revoke a floodplain development permit or approval if the permit was issued in error, on the basis of incorrect, inaccurate or incomplete information, or in violation of this ordinance or any other ordinance, regulation or requirement of this community.

Sec. 94-47 - Other permits required.

Floodplain development permits and building permits shall include a condition that all other applicable state or federal permits be obtained before commencement of the permitted development, including but not limited to the following:

- (1) The Southwest Florida Water Management District; F.S. § 373.036.
- (2) Florida Department of Health for onsite sewage treatment and disposal systems; F.S. § 381.0065 and Ordinance 64E-6, F.A.C.
- (3) Florida Department of Environmental Protection for construction, reconstruction, changes, or physical activities for shore protection or other activities seaward of the coastal construction control line; F.S. § 161.141.
- (4) Florida Department of Environmental Protection for activities subject to the joint coastal permit; F.S. § 161.055.
- (5) Florida Department of Environmental Protection for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.
- (6) Federal permits and approvals.

Sec. 94-48 – 94-49 - Reserved.

DIVISION 5. - SITE PLANS AND CONSTRUCTION DOCUMENTS

Sec. 94-50 - Information for development in flood hazard areas.

The site plan or construction documents for any development subject to the requirements of this ordinance shall be drawn to scale and shall include, as applicable to the proposed development:

- (1) Delineation of flood hazard areas and flood zone(s), base flood elevation(s), minimum lowest floor elevation (BFE plus two feet of freeboard), and ground elevations if necessary for review of the proposed development.
- (2) Location of the proposed activity and proposed structures, and locations of existing buildings and structures; in coastal high hazard areas, new buildings shall be located landward of the reach of mean high tide.
- (3) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

- (4) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.
- (5) Delineation of the Coastal Construction Control Line or notation that the site is seaward of the Coastal Construction Control Line, if applicable.
- (6) Extent of any proposed alteration of sand dunes or mangrove stands provided such alteration is approved by Florida Department of Environmental Protection.

The Floodplain Administrator is authorized to waive the submission of site plans, construction documents, and other data that are required by this ordinance but that are not required to be prepared by a registered design professional if it is found that the nature of the proposed development is such that the review of such submissions is not necessary to ascertain compliance with this ordinance.

Sec. 94-51 - Information in flood hazard areas without base flood elevations (approximate zone A).

The FIRM for the City of Madeira Beach does not show any zone A without base flood elevations.

Sec. 94-52 - Additional analyses and certifications.

In addition to the requirements of this division, for activities that propose to alter sand dunes or mangrove stands in Coastal High Hazard Areas (Zones A and V), the applicant shall submit an engineering analysis prepared, signed, and sealed by a Florida licensed engineer that demonstrates that the proposed alteration will not increase the potential for flood damage.

Sec. 94-53 - Submission of additional data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a Florida licensed engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant.

Sec. 94-54 – 94-59 – Reserved.

DIVISION 6. – INSPECTIONS

Sec. 94-60 - General.

Development for which a floodplain development permit or approval is required shall be subject to inspection.

Sec. 94-61 - Development other than buildings and structures.

The Floodplain Administrator shall inspect all development to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

Sec. 94-62 - Buildings, structures and facilities exempt from the Florida Building Code.

The Floodplain Administrator shall inspect buildings, structures and facilities exempt from the Florida Building Code to determine compliance with the requirements of this ordinance and the conditions of issued floodplain development permits or approvals.

Sec. 94-63 - Buildings, structures and facilities exempt from the Florida Building Code, lowest floor inspection.

Upon placement of the lowest floor, including basement, and prior to further vertical construction, the owner of a building, structure or facility exempt from the Florida Building Code, or the owner's authorized agent, shall submit to the Floodplain Administrator, the certification of elevation of the lowest floor prepared and sealed by a Florida licensed professional surveyor.

Sec. 94-64 - Buildings, structures and facilities exempt from the Florida Building Code, final inspection.

As part of the final inspection, the owner or owner's authorized agent shall submit to the Floodplain Administrator a final certification of elevation of the lowest floor or final documentation of the height of the lowest floor above the highest adjacent grade; such certifications and documentations shall be prepared as specified in Section 94-63 of this ordinance.

Sec. 94-65 – 94-69 - Reserved.

DIVISION 7. - VARIANCES AND APPEALS

Sec. 94-70 - General.

The Special Magistrate shall hear and decide on requests for appeals and requests for variances from the strict application of this ordinance. Pursuant to F.S. § 553.73(5), the Special Magistrate shall hear and decide on requests for appeals and requests for variances from the strict application of the flood resistant construction requirements of the Florida Building Code. This section does not apply to Section 3109 of the Florida Building Code, Building.

Sec. 94-71 - Appeals.

The Special Magistrate shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the administration and enforcement of this ordinance. Any person aggrieved by the decision may appeal such decision to the Circuit Court, as provided by Florida Statutes.

Sec. 94-72 - Limitations on authority to grant variances.

The Special Magistrate shall base his/her decisions on variances on technical justifications submitted by applicants, the considerations for issuance in Section 94-75 of this ordinance, the conditions of issuance set forth in Section 94-76 of this ordinance, and the comments and recommendations of the Floodplain Administrator and the Building Official. The Special Magistrate has the right to attach such conditions as it deems necessary to further the purposes and objectives of this ordinance.

Sec. 94-73 - Historic buildings.

A variance is authorized to be issued for the repair, improvement, or rehabilitation of a historic building that is determined eligible for the exception to the flood resistant construction requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings, upon a determination that the proposed repair, improvement, or rehabilitation will not preclude the building's continued designation as a historic building and the variance is the minimum necessary to preserve the historic character and design of the building.

If the proposed work precludes the building's continued designation as a historic building, a variance shall not be granted and the building and any repair, improvement, and rehabilitation shall be subject to the requirements of the Florida Building Code.

Sec. 94-74 - Functionally dependent uses.

A variance is authorized to be issued for the construction or substantial improvement necessary for the conduct of a functionally dependent use, as defined in this Ordinance, provided the variance meets the requirements of Section 94-72, is the minimum necessary considering the flood hazard, and all due consideration has been given to use of methods and materials that minimize flood damage during occurrence of the base flood.

Sec. 94-75 - Considerations for issuance of variances.

In reviewing requests for variances, the Special Magistrate shall consider all technical evaluations, all relevant factors, and all other applicable provisions of the Florida Building Code, this ordinance, and the following:

- (1) The danger that materials and debris may be swept onto other lands resulting in further injury or damage;
- (2) The danger to life and property due to flooding or erosion damage;
- (3) The susceptibility of the proposed development, including contents, to flood damage and the effect of such damage on current and future owners;
- (4) The importance of the services provided by the proposed development to the community;
- (5) The availability of alternate locations for the proposed development that are subject to lower risk of flooding or erosion;
- (6) The compatibility of the proposed development with existing and anticipated development;

- (7) The relationship of the proposed development to the comprehensive plan and floodplain management program for the area;
- (8) The safety of access to the property in times of flooding for ordinary and emergency vehicles;
- (9) The expected heights, velocity, duration, rate of rise and debris and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
- (10) The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

Sec. 94-76 - Conditions for issuance of variances.

Variances shall be issued only upon:

- (1) Submission by the applicant, of a showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site limit compliance with any provision of this ordinance or the required elevation standards;
- (2) Determination by the Special Magistrate that:
 - a. Failure to grant the variance would result in exceptional hardship due to the physical characteristics of the land that render the lot undevelopable; increased costs to satisfy the requirements or inconvenience do not constitute hardship;
 - b. The granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public or conflict with existing local laws and ordinances; and
 - c. The variance is the minimum necessary, considering the flood hazard, to afford relief;
- (3) Receipt of a signed statement by the applicant that the variance, if granted, shall be recorded in the Office of the Clerk of the Court in such a manner that it appears in the chain of title of the affected parcel of land; and
- (4) If the request is for a variance to allow construction of the lowest floor of a new building, or substantial improvement of a building, below the required elevation, a copy in the record of a written notice from the Floodplain Administrator to the applicant for the variance, specifying the difference between the base flood elevation and the proposed elevation of the lowest floor, stating that the cost of federal flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation (up to amounts as high as \$25.00 for \$100.00 of insurance coverage), and stating that construction below the base flood elevation increases risks to life and property.

Sec. 94-77 – 94-79 Reserved

DIVISION 8. - VIOLATIONS

Sec. 94-80 - Violations.

Any development that is not within the scope of the Florida Building Code but that is regulated by this ordinance that is performed without an issued permit, that is in conflict with an issued permit, or that does not fully comply with this ordinance, shall be deemed a violation of this ordinance. A building or structure without the documentation of elevation of the lowest floor, other required design certifications, or other evidence of compliance required by this ordinance or the Florida Building Code is presumed to be a violation until such time as that documentation is provided.

Sec. 94-81 - Authority.

For development that is not within the scope of the Florida Building Code but that is regulated by this ordinance and that is determined to be a violation, the Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of the property involved, to the owner's agent, or to the person or persons performing the work.

Sec. 94-82 - Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Sec. 94-83 - Further action permitted due to unresolved violations.

For violation(s) of the requirements of this ordinance or the flood provisions of the Florida Building Code, the Building Official or the Floodplain Administrator may take action as cited within this Code and, if the violation is not resolved or corrected, such action may include submitting a request to the FEMA to remove the respective property's eligibility for flood insurance coverage through the NFIP.

Sec. 94-84 – Penalties for violation.

Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall be punishable for a non-criminal violation. Any person who violates this article or fails to comply with any of its requirements shall, upon adjudication therefore, be fined not more than \$500.00, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the floodplain administrator from taking such other lawful actions as are necessary to prevent or remedy any violation.

Sec. 94-85 – 94-89 Reserved

DIVISION 9. – GENERAL

Sec. 94-90 - Scope.

Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings shown in this section.

Sec. 94-91 - Terms defined in the Florida Building Code.

Where terms are not defined in this ordinance and are defined in the Florida Building Code, such terms shall have the meanings ascribed to them in that code.

Sec. 94-92- Terms not defined.

Where terms are not defined in this ordinance or the Florida Building Code, such terms shall have ordinarily accepted meanings such as the context implies.

Sec. 94-93 – Definitions.

Appeal. A request for a review of the Floodplain Administrator's interpretation of any provision of this ordinance.

ASCE 24. A standard titled *Flood Resistant Design and Construction* that is referenced by the Florida Building Code. ASCE 24 is developed and published by the American Society of Civil Engineers, Reston, VA.

Base flood. A flood having a one-percent chance of being equaled or exceeded in any given year. [Also defined in FBC, B, Section 1612.2.] The base flood is commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

Base flood elevation. The elevation of the base flood, including wave height, relative to the national geodetic vertical datum (NGVD), North American vertical datum (NAVD) or other datum specified on the flood insurance rate map (FIRM). [Also defined in FBC, B, Section 1612.2.]

Basement. The portion of a building having its floor subgrade (below ground level) on all sides. [Also defined in FBC, B, Section 1612.2.]

Breakaway wall. A partition or wall that is independent of supporting structural members and that is intended to withstand design wind forces but to collapse from a water load less than that which would occur during the base flood, without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system.

Coastal construction control line. The line established by the state pursuant to F.S. § 161.053, and recorded in the official records of the community, which defines that portion of the beach-dune system subject to severe fluctuations based on a 100-year storm surge, storm waves or other predictable weather conditions.

Coastal high hazard area. A special flood hazard area extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. Coastal high hazard areas are also referred to as "high

hazard areas subject to high velocity wave action" or "V zones" and are designated on Flood Insurance Rate Maps (FIRM) as zone V1-V30, VE, or V.

Design flood. The flood associated with the greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) Area with a floodplain subject to a one-percent or greater chance of flooding in any year;
or
- (2) Area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Design flood elevation. The elevation of the "design flood," including wave height, relative to the datum specified on the community's legally designated flood hazard map. In areas designated as zone AO, the design flood elevation shall be the elevation of the highest existing grade of the building's perimeter plus the depth number (in feet) specified on the flood hazard map. In areas designated as zone AO where the depth number is not specified on the map, the depth number shall be taken as being equal to two feet. [Also defined in FBC, B, Section 1612.2.]

Development. Any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of equipment or materials, mining, dredging, filling, grading, paving, excavations, drilling operations or any other land disturbing activities.

Encroachment. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

Existing building and existing structure. Any buildings and structures for which the "start of construction" commenced before May 7, 1971. [Also defined in FBC, B, Section 1612.2.]

Federal emergency management agency (FEMA). The federal agency that, in addition to carrying out other functions, administers the national flood insurance program.

Flood or flooding. A general and temporary condition of partial or complete inundation of normally dry land from: [Also defined in FBC, B, Section 1612.2.]

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood damage-resistant materials. Any construction material capable of withstanding direct and prolonged contact with floodwaters without sustaining any damage that requires more than cosmetic repair. [Also defined in FBC, B, Section 1612.2.]

Flood hazard area. The greater of the following two areas: [Also defined in FBC, B, Section 1612.2.]

- (1) The area within a floodplain subject to a one-percent or greater chance of flooding in any year.
- (2) The area designated as a flood hazard area on the community's flood hazard map, or otherwise legally designated.

Flood insurance rate map (FIRM). The official map of the community on which the Federal Emergency Management Agency has delineated both special flood hazard areas and the risk premium zones applicable to the community. [Also defined in FBC, B, Section 1612.2.]

Flood Insurance Study (FIS). The official report provided by the federal emergency management agency that contains the flood insurance rate map, the flood boundary and floodway map (if applicable), the water surface elevations of the base flood, and supporting technical data. [Also defined in FBC, B, Section 1612.2.]

Floodplain Administrator. The office or position designated and charged with the administration and enforcement of this ordinance (may be referred to as the floodplain manager).

Floodplain development permit or approval. An official document or certificate issued by the community, or other evidence of approval or concurrence, which authorizes performance of specific development activities that are located in flood hazard areas and that are determined to be compliant with this Ordinance.

Florida Building Code. The family of codes adopted by the Florida Building Commission, including: Florida Building Code, Building; Florida Building Code, Residential; Florida Building Code, Existing Building; Florida Building Code, Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

Freeboard. Freeboard means a level higher than the base flood elevation. It is a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. Freeboard compensates for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action or the hydrological effect of urbanization on the watershed. Madeira Beach of Madeira Beach requires two feet of freeboard above base flood elevation.

Functionally dependent use. A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities; the term does not include long-term storage or related manufacturing facilities.

Highest adjacent grade. The highest natural elevation of the ground surface prior to construction next to the proposed walls or foundation of a structure.

Historic structure. Any structure that is determined eligible for the exception to the flood hazard area requirements of the Florida Building Code, Existing Building, Chapter 12 Historic Buildings.

Letter of Map Change (LOMC). An official determination issued by FEMA that amends or revises an effective flood insurance rate map or flood insurance study. Letters of map change include:

Letter of Map Amendment (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective flood insurance rate map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

Letter of Map Revision (LOMR). A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

Letter of Map Revision Based on Fill (LOMR-F). A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.

Conditional Letter of Map Revision (CLOMR). A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective flood insurance rate map or flood insurance study; upon submission and approval of certified as-built documentation, a letter of map revision may be issued by FEMA to revise the effective FIRM.

Light-duty truck. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds gross vehicular weight rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of 45 square feet or less, which is:

- (1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or
- (2) Designed primarily for transportation of persons and has a capacity of more than 12 persons; or
- (3) Available with special features enabling off-street or off-highway operation and use.

Lowest floor. The lowest floor of the lowest enclosed area of a building or structure, including basement, but excluding any unfinished or flood-resistant enclosure, other than a basement, usable solely for vehicle parking, building access or limited storage provided that such enclosure is not built so as to render the structure in violation of the non-elevation requirements of the Florida Building Code or ASCE 24. [Also defined in FBC, B, Section 1612.2.]

Market value. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in this ordinance, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value may be established by a qualified independent appraiser, actual cash value (replacement cost depreciated for age and quality of construction), or tax assessment value adjusted to approximate market value by a factor provided by the property appraiser.

New construction. For the purposes of administration of this ordinance and the flood resistant construction requirements of the Florida Building Code, structures for which the "start of construction" commenced on or after May 7, 1971 and includes any subsequent improvements to such structures.

Sand dunes. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

Special flood hazard area. An area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. Special flood hazard areas are shown on FIRMs as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. All of Madeira Beach is located in a special flood hazard area. [Also defined in FBC, B, Section 1612.2.]

Start of construction. The date of issuance of permits for new construction and substantial improvements structures, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement is within 180 days of the date of the issuance. The actual start of construction means either the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns.

Permanent construction does not include land preparation (such as clearing, grading, or filling), the installation of streets or walkways, excavation for a basement, footings, piers, or foundations, the erection of temporary forms or the installation of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main buildings. For a substantial improvement, the actual "start of construction" means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building. [Also defined in FBC, B, Section 1612.2.]

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial improvement means any combination of repair, reconstruction, rehabilitation, addition, or other improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the building or structure before the "start of construction" of the improvement. For each building or structure, the one-year period begins on the date of the first permit issued for improvement or repair subsequent to November 15, 2016. This term includes structures which have incurred [RQ1]"substantial damage", regardless of the actual repair work performed. The term does not, however, include either: [Also defined in FBC, B, Section 202.]

- (1) Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
- (2) Any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure.

Variance. A grant of relief from the requirements of this ordinance, or the flood resistant construction requirements of the Florida Building Code, which permits construction in a manner that would not otherwise be permitted by this ordinance or the Florida Building Code.

Sec. 94-94 – 94-99 – Reserved.

DIVISION 10 – FLOOD RESISTANT DEVELOPMENT

ARTICLE – I BUILDINGS AND STRUCTURES

Sec. 94-100 - Design and construction of buildings, structures and facilities exempt from the *Florida Building Code*.

Pursuant to Section 94-42 of this ordinance, buildings, structures, and facilities that are exempt from the *Florida Building Code*, including substantial improvement or repair of substantial damage of such buildings, structures and facilities, shall be designed and constructed in accordance with the flood load and flood resistant construction requirements of ASCE 24. Structures exempt from the *Florida Building Code* that are not walled and roofed buildings shall comply with the requirements of Division 10, Article V of this ordinance.

Sec. 94-101- Buildings and structures seaward of the coastal construction control line.

If extending, in whole or in part, seaward of the coastal construction control line and also located, in whole or in part, in a flood hazard area:

- (1) Buildings and structures shall be designed and constructed to comply with the more restrictive applicable requirements of the *Florida Building Code, Building Section 3109* and *Section 1612* or *Florida Building Code, Residential Section R322*.
- (2) Minor structures and non-habitable major structures as defined in section 161.54, F.S., shall be designed and constructed to comply with the intent and applicable provisions of this ordinance and ASCE 24.

Sec. 94-102 – Sec. 94-109 Reserved

ARTICLE - II SUBDIVISIONS

Sec. 94-110 - Minimum requirements.

Subdivision proposals shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 94-111 - Subdivision plats.

Where any portion of proposed subdivisions lies within a flood hazard area, the following shall be required:

- (1) Delineation of flood hazard areas, flood zones, base flood elevation(s), and minimum lowest floor elevations (BFE plus two feet of freeboard), as appropriate, shall be shown on preliminary plats;

- (2) Compliance with the site improvement and utilities requirements of Division 10, Article III of this ordinance.

Sec. 94-112 – Sec. 94-119 - Reserved

ARTICLE III - SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS

Sec. 94-120 - Minimum requirements.

All proposed new development shall be reviewed to determine that:

- (1) Such proposals are consistent with the need to minimize flood damage and will be reasonably safe from flooding;
- (2) All public utilities and facilities such as sewer, gas, electric, communications, and water systems are located and constructed to minimize or eliminate flood damage; and
- (3) Adequate drainage is provided to reduce exposure to flood hazards; in Zones AH and AO, adequate drainage paths shall be provided to guide floodwaters around and away from proposed structures.

Sec. 94-121 - Sanitary sewage facilities.

All new and replacement sanitary sewage facilities, private sewage treatment plants (including all pumping stations and collector systems), and on-site waste disposal systems shall be designed in accordance with the standards for onsite sewage treatment and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the facilities and discharge from the facilities into flood waters, and impairment of the facilities and systems.

Sec. 94-122 - Water supply facilities.

All new and replacement water supply facilities shall be designed in accordance with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.

Sec. 94-123 - Limitations on placement of fill.

Subject to the limitations of this ordinance, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, if intended to support buildings and structures (Zone A only), fill shall comply with the requirements of the *Florida Building Code*.

Sec. 94-124 - Limitations on sites in coastal high hazard areas (Zone V).

In coastal high hazard areas, alteration of sand dunes and mangrove stands shall be permitted only if such alteration is approved by the Florida Department of Environmental Protection and only if the engineering analysis required by Sec. 94-52 of this ordinance demonstrates that the proposed alteration will not increase the potential for flood damage. Construction or restoration of dunes under or around elevated buildings and structures shall comply with Sec. 94-144(3) of this ordinance.

Sec. 94-125 – Sec. 94-129 – Reserved

ARTICLE IV - TANKS

Sec. 94-130 - Underground tanks.

Underground tanks in flood hazard areas shall be anchored to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty.

Sec. 94-131 - Above-ground tanks, not elevated.

Above-ground tanks that do not meet the elevation requirements of Sec. 94-132 of this ordinance shall:

- (1) Be permitted in flood hazard areas (Zone A) other than coastal high hazard areas, provided the tanks are anchored or otherwise designed and constructed to prevent flotation, collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during conditions of the design flood, including the effects of buoyancy assuming the tank is empty and the effects of flood-borne debris.
- (2) Not be permitted in coastal high hazard areas (Zone V).

Sec. 94-132 - Above-ground tanks, elevated.

Above-ground tanks in flood hazard areas shall be attached to and elevated to or above the design flood elevation on a supporting structure that is designed to prevent flotation, collapse or lateral movement during conditions of the design flood. Tank-supporting structures shall meet the foundation requirements of the applicable flood hazard area.

Sec. 94-133 - Tank inlets and vents.

Tank inlets, fill openings, outlets and vents shall be:

- (1) At or above the design flood elevation or fitted with covers designed to prevent the inflow of floodwater or outflow of the contents of the tanks during conditions of the design flood; and
- (2) Anchored to prevent lateral movement resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the design flood.

Sec. 94-134 – Sec. 94-139

ARTICLE V - OTHER DEVELOPMENT

Sec. 94-140 - General requirements for other development.

All development, including man-made changes to improved or unimproved real estate for which specific provisions are not specified in this ordinance or the *Florida Building Code*, shall:

- (1) Be located and constructed to minimize flood damage;
- (2) Be anchored to prevent flotation, collapse or lateral movement resulting from hydrostatic loads, including the effects of buoyancy, during conditions of the design flood;
- (3) Be constructed of flood damage-resistant materials; and

- (4) Have mechanical, plumbing, and electrical systems above the design flood elevation or meet the requirements of ASCE 24, except that minimum electric service required to address life safety and electric code requirements is permitted below the design flood elevation provided it conforms to the provisions of the electrical part of building code for wet locations.

Sec. 94-141 - Concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses in coastal high hazard areas (Zone V).

In coastal high hazard areas, concrete slabs used as parking pads, enclosure floors, landings, decks, walkways, patios and similar nonstructural uses are permitted beneath or adjacent to buildings and structures provided the concrete slabs are designed and constructed to be:

- (1) Structurally independent of the foundation system of the building or structure;
- (2) Frangible and not reinforced, so as to minimize debris during flooding that is capable of causing significant damage to any structure; and
- (3) Have a maximum slab thickness of not more than four (4) inches.

Sec. 94-142 - Decks and patios in coastal high hazard areas (Zone V).

In addition to the requirements of the *Florida Building Code*, in coastal high hazard areas decks and patios shall be located, designed, and constructed in compliance with the following:

- (1) A deck that is structurally attached to a building or structure shall have the bottom of the lowest horizontal structural member at or above the design flood elevation and any supporting members that extend below the design flood elevation shall comply with the foundation requirements that apply to the building or structure, which shall be designed to accommodate any increased loads resulting from the attached deck.
- (2) A deck or patio that is located below the design flood elevation shall be structurally independent from buildings or structures and their foundation systems, and shall be designed and constructed either to remain intact and in place during design flood conditions or to break apart into small pieces to minimize debris during flooding that is capable of causing structural damage to the building or structure or to adjacent buildings and structures.
- (3) A deck or patio that has a vertical thickness of more than twelve (12) inches or that is constructed with more than the minimum amount of fill necessary for site drainage shall not be approved unless an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to the building or structure or to adjacent buildings and structures.
- (4) A deck or patio that has a vertical thickness of twelve (12) inches or less and that is at natural grade or on nonstructural fill material that is similar to and compatible with local soils and is the minimum amount necessary for site drainage may be approved without requiring analysis of the impact on diversion of floodwaters or wave runup and wave reflection.

Sec. 94-143 - Other development in coastal high hazard areas (Zone V).

In coastal high hazard areas, development activities other than buildings and structures shall be permitted only if also authorized by the appropriate federal, state or local authority; if located outside the footprint of, and not structurally attached to, buildings and structures; and if analyses prepared

by qualified registered design professionals demonstrate no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures. Such other development activities include but are not limited to:

- (1) Bulkheads, seawalls, retaining walls, revetments, and similar erosion control structures;
- (2) Solid fences and privacy walls, and fences prone to trapping debris, unless designed and constructed to fail under flood conditions less than the design flood or otherwise function to avoid obstruction of floodwaters; and
- (3) On-site sewage treatment and disposal systems defined in 64E-6.002, F.A.C., as filled systems or mound systems.

Sec. 94-144 - Nonstructural fill in coastal high hazard areas (Zone V).

In coastal high hazard areas:

- (1) Minor grading and the placement of minor quantities of nonstructural fill shall be permitted for landscaping and for drainage purposes under and around buildings.
- (2) Nonstructural fill with finished slopes that are steeper than one unit vertical to five units horizontal shall be permitted only if an analysis prepared by a qualified registered design professional demonstrates no harmful diversion of floodwaters or wave runup and wave reflection that would increase damage to adjacent buildings and structures.
- (3) Where authorized by the Florida Department of Environmental Protection or applicable local approval, sand dune construction and restoration of sand dunes under or around elevated buildings are permitted without additional engineering analysis or certification of the diversion of floodwater or wave runup and wave reflection if the scale and location of the dune work is consistent with local beach-dune morphology and the vertical clearance is maintained between the top of the sand dune and the lowest horizontal structural member of the building.

Sec. 94-145 through 150 - Reserved

Section 3. The *Florida Building Code* is hereby amended by the following technical amendments:

Sec. 14-39. – Technical amendments.

(a) Modify the *Florida Building Code, Residential*, Section R322.2 to read as follows:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.
2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus ~~4 feet (305 mm)~~ 2 feet, or to the design flood elevation, whichever is higher.
3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 2 feet, or at least ~~4 feet (610 mm)~~ 2 feet if a depth number is not specified.

4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

R322.2.2 Enclosed area below design flood elevation. Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).
2. Be provided with flood openings that meet the following criteria:
 - 2.1. There shall be a minimum of two openings on different sides of each enclosed area; if a building has more than one enclosed area below the design flood elevation, each area shall have openings on exterior walls.
 - 2.2. The total net area of all openings shall be at least 1 square inch (645 mm²) for each square foot (0.093 m²) of enclosed area, or the openings shall be designed and the construction documents shall include a statement by a registered design professional that the design of the openings will provide for equalization of hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwaters as specified in Section 2.6.2.2 of ASCE 24.
 - 2.3. The bottom of each opening shall be 1 foot (305 mm) or less above the adjacent ground level.
 - 2.4. Openings shall be not less than 3 inches (76 mm) in any direction in the plane of the wall.
 - 2.5. Any louvers, screens or other opening covers shall allow the automatic flow of floodwaters into and out of the enclosed area.
 - 2.6. Openings installed in doors and windows, that meet requirements 2.1 through 2.5, are acceptable; however, doors and windows without installed openings do not meet the requirements of this section.
3. Be not more than 299 square feet in area, except for crawlspace foundations that have a wall height less than 36 inches.

(b) Modify the *Florida Building Code, Residential*, Section R322.3 to read as follows:

R322.3.2 Elevation requirements.

1. All buildings and structures erected within coastal high-hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of piling, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher.
2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support

of parking slabs, pool decks, patios and walkways.

Exception: Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and R322.3.5.

R322.3.4 Walls below design flood elevation. Walls and partitions are permitted below the elevated floor, provided that such walls and partitions are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and
2. Are constructed with insect screening or open lattice; or
3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than 10 (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
 - 4.1. The walls and partitions below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
 - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code

R322.3.5 Enclosed areas below design flood elevation. Enclosed areas below the design flood elevation shall be not more than 299 square feet in area and shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

(c) Modify the *Florida Building Code, Building*, Section 202 to read as follows:

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the

one-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to November 15, 2016. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

(d) Modify the *Florida Building Code, Building*, Section 1612.4 to read as follows:

1612.4.2 Elevation requirements. The minimum elevation requirements shall be as specified in ASCE 24 or the base flood elevation plus 2 feet (610 mm), whichever is higher.

1612.4.3 Additional requirements for enclosed areas. In addition to the requirements of ASCE 24, enclosed areas below the design flood elevation shall be not more than 299 square feet in area and shall not be partitioned or finished into separate rooms except for stairwells and elevators.

Section 4. FISCAL IMPACT STATEMENT. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

Section 5. APPLICABILITY. For the purposes of jurisdictional applicability, this ordinance shall apply in the City of Madeira Beach. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

Section 6. INCLUSION INTO THE CODE OF ORDINANCES. It is the intent of the City of Madeira Beach Board of Commissioners that the provisions of this ordinance shall become and be made a part of the City of Madeira Beach Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 7. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

Section 8. That this Ordinance shall become effective immediately upon its passage and adoption.

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

APPROVED AS TO FORM:

Thomas J. Trask, CITY ATTORNEY

Travis Palladeno, MAYOR

ATTEST:

Aimee Servedio, CITY CLERK

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____

PUBLISHED: _____

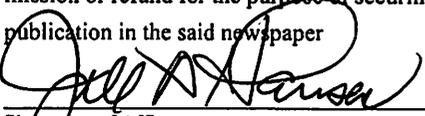
PASSED ON THIRD READING: _____

Tampa Bay Times
Published Daily

STATE OF FLORIDA)
COUNTY OF Pinellas County ss

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is Legal Clerk of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: ORD. 2016-11,12** was published in **Tampa Bay Times: 10/21/16**. in said newspaper in the issues of **St Pete Times Beaches**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper



Signature of Affiant

Sworn to and subscribed before me this 10/21/2016.



Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



**NOTICE OF LAND DEVELOPMENT
REGULATION CHANGES**

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes:

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the City of Madeira Beach will conduct a third and final reading of, and proposes to adopt, **Ordinance 2016-11 and Ordinance 2016-12** at a public hearing on **Tuesday, November 15, 2016 at 6:00 p.m.** at the City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

The title of said Ordinances are as follows:

ORDINANCE 2016-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE "FLOODPLAIN MANAGEMENT ORDINANCE"; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF "CONDO-HOTEL"; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed Ordinances 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, the applicant 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.

Michelle Orton
Planning and Zoning Director



300 Municipal Drive
Madeira Beach, Florida 33708
Phone: (727) 391 – 9951
Fax: (727) 399-1131
www.madeirabeachfl.gov

PUBLIC NOTICE

NOTICE OF LAND DEVELOPMENT REGULATION CHANGES

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes:

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the City of Madeira Beach will conduct a second and final reading of, and proposes to adopt, **Ordinance 2016-11 and Ordinance 2016-12** at a public hearing on **Tuesday, November 15, 2016** at 6:00 p.m. at the City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

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AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF "CONDO-HOTEL"; AND PROVIDING FOR AN EFFECTIVE DATE.

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Michelle Orton, Planning and Zoning Director

FORWARD PINELLAS

P: (727) 464.8250

F: (727) 464.8212

forwardpinellas.org

310 Court Street

Clearwater, FL 33756



August 25, 2016

Ms. Michelle Orton
Planning and Zoning Director
City of Madeira Beach
300 Municipal Drive
Madeira Beach, FL 33708

RE: Review of Proposed Amendments to the City of Madeira Beach's Land Development Regulations (Ord. No. 2016-11)

Dear Michelle:

Thank you for forwarding the proposed amendments to the land development regulations. Pursuant to Division 3.3 of the Countywide Rules, Forward Pinellas staff has reviewed the proposed amendments for consistency with the Countywide Rules, as follows:

- The amendments to the City of Madeira Beach's Land Development Regulations to amend Chapter 94 – Floodplain Management Ordinance can be considered consistent with the Countywide Rules.

Thank you for transmitting these amendments for review. Please note that upon adoption, a copy of the final ordinance as adopted, and any subsequent codification thereof, must be filed with us, so we can maintain a copy of your code. If you have any questions, please feel free to call me at 727-464-8250.

Sincerely,

A handwritten signature in blue ink that reads "Alicia Parinello". The signature is written in a cursive, flowing style.

Alicia Parinello
Program Planner

cc: Shane B. Crawford, City Manager
Commissioner Joanne "Cookie" Kennedy, PPC Representative

Countywide Rules Determination of Consistency

Type of amendment:	Land development regulations
Submitted by:	Madeira Beach
Date received:	August 22, 2016
Subject of amendment(s):	Amendments to the land development regulations
Consistency status:	The amendments to the City of Madeira Beach's Land Development Regulations to amend Chapter 94 – Floodplain Management Ordinance can be considered consistent with the Countywide Rules.
Reviewed by:	Alicia Parinello
Approved by:	<i>Rory S. D'Amico</i>

From: Rebecca C. Quinn [<mailto:rcquinn@earthlink.net>]
Sent: Thursday, October 6, 2016 10:16 AM
To: Michelle Orton <morton@madeirabeachfl.gov>
Subject: RE: Madeira Beach RE: Floodplain Management Ordinance

Michelle,

On behalf of the Florida Division of Emergency Management and in accordance with the guidelines established between DEM and FEMA Region IV, this affirms the draft ordinance provided by your email below is approved for adoption.

Rebecca C. Quinn, CFM
RCQuinn Consulting, Inc.
104 4th St NE #2
Charlottesville, VA 22902
Phone: 434-296-1349
Cell: 443-398-5005



MADEIRA BEACH
BOARD OF COMMISSIONERS
NOVEMBER 15, 2016 – AGENDA MEMO

FROM: Michelle Orton, CFM
Planning and Zoning Director

SUBJECT: FINAL READING OF ORDINANCE 2016-12 OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF “CONDO-HOTEL”; AND PROVIDING FOR AN EFFECTIVE DATE.

BACKGROUND: The City of Madeira Beach relies heavily on tourism. Currently, there are a limited number of hotels within the city limits. Madeira Beach is made up of single family residents, apartments, duplexes, townhouses and condo owners. The Land Development Regulations (LDR) defines tourist dwelling units as a “Condo-Hotel” and “Motel or Hotel”.

The Condo-Hotel was created to allow for tourism on a short term basis by allowing for a higher density. Developers request the higher density in order to provide a greater number of tourist units. The density rises from two and a half to four times based on the Future Land Use and a Developers Agreement.

Zoning District	FLU	Dwelling Units	Tourist Units ⁱ	With Developers Agreement
R-3 MFR ⁱⁱ	RFM ⁱⁱⁱ	18	45	45+ per CPR ^{iv}
C-1	CG	15	60	60+ per CPR
C-2	CG	-	-	-
C-3	CG	15	60	-
C-3	R/O/R ^v	18	45	45+ per CPR

Condo-hotel tourist dwelling units are purchased by individuals, corporation, or any other legal entity having membership in an association comprised of owners within the same development. Property owners are permitted to stay in the unit for 60 days a year, no longer than 30 consecutive days and separated by not less than 60 days. Condo-hotel tourist dwelling units are purchased as an investment and not as a residential dwelling unit.

Staff has been requested to review this portion of the LDR and consider changing the amount of time a property owner can stay in the unit from

60 days to 120 days, no days of separation and to remove the central reservation system.

Staff has reviewed the Madeira Beach LDR with other beach communities in Pinellas County and throughout Florida and believe the Madeira Beach LDR is consistent.

If the Local Planning Agency and Board of Commissioners consider a change in the LDR, staff recommends that the amount of time the property owner is permitted to stay in the unit not be greater than 90 days per calendar year, a 30 day instead of 60 day separation and maintain the central reservation system.

A central reservation system is needed in order for city staff to verify conformance with the provisions established by the LDR. Without a central reservation system staff will need to go to each individual owner to obtain records.

**BUDGETARY
IMPACT:**

N/A

**STAFF
RECOMMENDATION:**

Staff recommends **APPROVAL** of Ordinance 2016-12 with the recommended changes by the Local Planning Agency/Planning Commission and the Board of Commissioners at their first reading

ATTACHMENT(S):

Ordinance 2016-12
Proposed changes to the LDR per Peter Graham
Letter submitted by Peter Graham 9-2-2016

Agenda Item: _____

ⁱ Tourist Units = Temporary Lodging
ⁱⁱ Medium Density Multifamily Residential
ⁱⁱⁱ Resort Facilities Medium
^{iv} Countywide Plan Rules
^v Residential/Office/Retail

ORDINANCE NO. 2016-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF “CONDO-HOTEL”; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City staff has received requests to revise the definition of “condo-hotel” to allow owners to use their condo-hotel units for periods of time up to 90 days per year; and

WHEREAS, the City Commission of the City of Madeira Beach has found meritorious certain revisions to the definition of “condo-hotel”.

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

Section 1. That the definition of “condo-hotel”, as defined within the definition of “dwelling unit”, of Section 82-2 of the Code of Ordinances is amended to read as follows:

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Duplex means two dwelling units contained in one structure on a single lot or parcel and attached by common vertical walls.

Multifamily means three or more dwelling units contained in one structure on a single lot or parcel and attached by common vertical walls.

Single-family detached means a dwelling unit in a single structure not attached to any other dwelling by any means, designed for or occupied exclusively by one family.

Tourist:

- A. *Condo-hotel* means a hotel, motel, tourist or seasonal accommodation room or group of rooms forming a separate, habitable unit used or which could be used for living and sleeping by one family with independent kitchen facilities. Each unit shall be owned by an individual, corporation, or any other legal entity having membership into an association comprised of all owners within the same development. No unit in a condo-hotel shall be used as a timeshare or fractional ownership unit or be converted to a permanent, non-tourist dwelling unit. Each unit in the structure shall be no larger than 850 square feet. Each 850 square feet, or portion thereof, shall be defined as one tourist dwelling unit for purposes of calculating density.

Each condo-hotel shall:

1. Contain a front desk, lobby, internally oriented and easily accessible to members of the public;
2. Have the appropriate license for a hotel and all such licenses must be kept up-to-date annually;

3. Have sufficient signage viewable by the general public advertising such structure as a condo-hotel, with units available for daily, weekly or monthly rentals;
4. Provide a reservation system or agency for rental of units; and
5. Upon request of the city, provide access to all rental records, tax receipts or any other documents necessary to verify conformance with the provisions established herein.

Each unit shall:

1. Have the appropriate license for hotel unit and all such licenses must be kept up-to-date annually;
2. Be required to obtain a business tax receipt for each unit from the city;
3. Be subject to all applicable tourist tax collection requirements;
4. Utilize the reservation system or agency;
5. Not be used for homesteading purposes;
6. Not be issued a home occupational license;
7. Not be utilized as an address for the purposes of establishing residency or registering to vote; and
8. Be available to the owner for use no more than 90 days within a calendar year. The unit shall be available for lease to parties other than the owner in intervals of 30 days or less for the remainder of the calendar year

Only one unit in a condo-hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). This unit must be owned by the condo association or management company and shall not be used for homestead purposes. This manager unit shall be exempt from the requirement of leasing 30 days or less in the calendar year.

- B. *Motel* or *hotel* means a room or a group of rooms forming a separate, habitable unit used or which could be used for living and sleeping purposes by one family, with or without independent kitchen facilities, occupied or intended to be occupied by transients on a rental or leased basis. Such unit shall be no larger than 850 square feet. Each 850 square feet, or portion thereof, shall be defined as one tourist dwelling unit for purposes of calculating density.

Each motel or hotel shall:

1. Contain a front desk and/or lobby with a reservation system, and easily accessible to members of the public;
2. Have the appropriate license for a motel or hotel and all such licenses must be kept up-to-date annually; and
3. Have sufficient signage viewable by the general public advertising such structure as a motel or hotel, with units available for daily, weekly or monthly rentals.

Each unit shall:

1. Be subject to all applicable tourist tax collection requirements;
2. Not be used for homesteading purposes;
3. Not be issued a home occupational license; and

4. Not be utilized as an address for the purposes of establishing residency or registering to vote.

Only one unit in the motel or hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). The manager unit may be used to establish residency. If the unit is owner-occupied, this unit may be used for homestead purposes. This manager unit shall be exempt from the requirement being available for daily, weekly or monthly rental.

Townhouse means a building designed for or occupied exclusively by one family and attached to two or more other buildings of similar design and separated by one or more party walls. The attached townhouses as defined constitute a building group.

Triplex means a multifamily dwelling with three units contained in one structure on a single lot or parcel and attached by common vertical walls.

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.

APPROVED AS TO FORM:

Thomas J. Trask, CITY ATTORNEY

Travis Palladeno
Mayor

ATTEST:

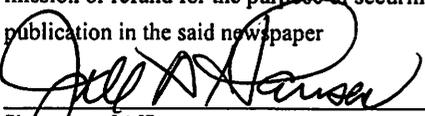
Aimee Servedio, City Clerk

Tampa Bay Times
Published Daily

STATE OF FLORIDA)
COUNTY OF Pinellas County ss

Before the undersigned authority personally appeared **Jill Harrison** who on oath says that he/she is Legal Clerk of the **Tampa Bay Times** a daily newspaper printed in St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter **RE: ORD. 2016-11,12** was published in **Tampa Bay Times: 10/21/16**. in said newspaper in the issues of **St Pete Times Beaches**

Affiant further says the said **Tampa Bay Times** is a newspaper published in Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as a second class mail matter at the post office in said Pinellas County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that he/she neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper



Signature of Affiant

Sworn to and subscribed before me this 10/21/2016.



Signature of Notary Public

Personally known or produced identification

Type of identification produced _____



**NOTICE OF LAND DEVELOPMENT
REGULATION CHANGES**

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AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE "FLOODPLAIN MANAGEMENT ORDINANCE"; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-12

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING SECTION 82-2 OF THE CODE OF ORDINANCES TO REVISE THE DEFINITION OF "CONDO-HOTEL"; AND PROVIDING FOR AN EFFECTIVE DATE.

Copies of the proposed Ordinances 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, the applicant 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.

Michelle Orton
Planning and Zoning Director



300 Municipal Drive
Madeira Beach, Florida 33708
Phone: (727) 391 – 9951
Fax: (727) 399-1131
www.madeirabeachfl.gov

PUBLIC NOTICE

NOTICE OF LAND DEVELOPMENT REGULATION CHANGES

In accordance with the City of Madeira Beach Code of Ordinances, the City of Madeira Beach Charter, and Florida Statutes:

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the City of Madeira Beach will conduct a second and final reading of, and proposes to adopt, **Ordinance 2016-11 and Ordinance 2016-12** at a public hearing on **Tuesday, November 15, 2016** at 6:00 p.m. at the City of Madeira Beach Commission Chambers, located at 300 Municipal Drive, Madeira Beach, FL 33708.

The title of said Ordinances are as follows:

ORDINANCE NO. 2016-11

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, AMENDING IN ITS ENTIRETY CHAPTER 94 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION AND FLOOD HAZARD MANAGEMENT; ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR THE REGULATIONS TO BE KNOWN AS THE "FLOODPLAIN MANAGEMENT ORDINANCE"; ESTABLISHING MINIMUM REQUIREMENTS, IN CONJUNCTION WITH THE FLORIDA BUILDING CODE, TO MINIMIZE PUBLIC AND PRIVATE LOSSES DUE TO FLOODING THROUGH THE REGULATION OF DEVELOPMENT IN FLOOD HAZARD AREAS; ADOPTING DEFINITIONS; ADOPTING FLOOD INSURANCE RATE MAPS TO SERVE AS THE MINIMUM BASIS FOR ESTABLISHING FLOOD HAZARD AREAS; PROVIDING FOR THE DESIGNATION, AUTHORITY AND DUTIES OF A FLOODPLAIN ADMINISTRATOR; PROVIDING FOR PERMITTING AND INSPECTION PROVISIONS WITHIN FLOOD HAZARD AREAS; PROVIDING FOR VARIANCES AND APPEALS TO BE HEARD BY SPECIAL MAGISTRATE; PROVIDING REGULATION FOR VIOLATION OF THE FLOODPLAIN MANAGEMENT ORDINANCE; PROVIDING FOR TERMS NOT DEFINED BY THE FLOODPLAIN MANAGEMENT ORDINANCE OR THE FLORIDA BUILDING CODE; ADOPTING LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2016-12

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Michelle Orton, Planning and Zoning Director

Zacur, Graham & Costis, P.A.

Attorneys and Counselors at Law

RICHARD A. ZACUR
SEAN A. COSTIS
ASHLEY DREW GRAHAM

5200 CENTRAL AVE.
POST OFFICE BOX 14409
ST. PETERSBURG, FLORIDA 33733
TELEPHONE 727-328-1000
FAX 727-323-7519

PETER D. GRAHAM*
*BOARD CERTIFIED
REAL ESTATE ATTORNEY

September 2, 2016

Via Email: morton@madeirabeachfl.gov
Michelle Orton, Planning and Zoning Director
City of Madeira Beach

Re: Madeira Bay Resort I, a condominium

Dear Ms. Orton:

I thank you for your August 31st email.

I have yet to have the opportunity to discuss your changes with Mr. Lewis, but it is my opinion that the reduction of the time a unit owner can occupy the unit and the requirement of a central reservation agency will effectively prevent the development of condo-hotels in Madeira Beach.

The basis for my opinion is federal bankruptcy cases out of the Middle District of Florida which indicate that where a purchaser is required to rent out his unit when he's not occupying it and he's required to rent the unit out through third party who manages and controls and is responsible for the financial success of the purchaser's investment, the sales agreement can be deemed a "security" which must be registered in accordance with provisions of the Federal Securities Act or the Florida Securities and Investor Protection Act.

If record keeping is the City's concern, perhaps the ordinance could require individual unit owners, as well as the condominium association, to provide access to records? Now the association must provide access per the 5th requirement of the condo-hotel. If that same 5th requirement were included among the unit owner's duties, then the City would have the access to records and upon non-compliance with a request, could suspend the unit's occupational license.

I'd prefer that the proposed ordinance remain as I presented to the City. If that is not possible then I request the 120 – day (total) of owner occupancy remain and the central reservation system be dropped with the addition of each unit owner's duty to provide access to rental records.

Very truly yours,

ZACUR, GRAHAM & COSTIS, P.A.



PETER D. GRAHAM

PDG/sm
cc: client

Tourist:

- A. *Condo-hotel* means a hotel, motel, tourist or seasonal accommodation room or group of rooms forming a separate, habitable unit used or which could be used for living and sleeping by one family with independent kitchen facilities. Each unit shall be owned by an individual, corporation, or any other legal entity having membership into an association comprised of all owners within the same development. No unit in a condo-hotel shall be used as a timeshare or fractional ownership unit or be converted to a permanent, non-tourist dwelling unit. Each unit in the structure shall be no larger than 850 square feet. Each 850 square feet, or portion thereof, shall be defined as one tourist dwelling unit for the purposes of calculating density. Each condo-hotel shall:
1. Contain a front desk, lobby, internally oriented and easily accessible to members of the public;
 2. Have the appropriate license for a hotel and all such licenses must be kept up-to-date annually;
 3. Have sufficient signage viewable by the general public advertising such structure as a condo-hotel, with units available for daily, weekly or monthly rentals;
 4. Provide a ~~central~~ reservation system or agency for rental of ~~all~~ units; and
 5. Upon request of the city, provide access to all rental records, tax receipts or any other documents within its custody or control necessary to verify conformance with the provisions established herein.

Each unit shall:

1. Have the appropriate license for hotel unit and all such licenses must be kept up-to date annually;
2. Be required to obtain an occupational license for each unit from the city;
3. Be subject to all applicable tourist tax collection requirements;
4. Utilize a ~~the central~~ reservation system or agency;
5. Not be used for homesteading purposes;
6. Not be issued a home occupational license;
7. Not be utilized as an address for the purposes of establishing residency or registering to vote; and

8. Be available to the owner for use no more than ~~60~~ 120 days within a calendar year. ~~, providing however, that any owner's stay can be no longer than 30 consecutive days and separated by not less than 60 day.~~ The unit shall be available for lease to parties other than the owner in intervals of 30 days or less for the remainder of the calendar year.

Only one unit in a condo-hotel structure may be used for the year-round occupancy by a person or family serving as the on-site manager(s). This unit must be owned by the condo association or management company and shall not be used for homestead purposes. This manager unit shall be exempt from the requirement of leasing 30 days or less in the calendar year.



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016 – Agenda Report

FROM: Nick Lewis, Deputy City Clerk

SUBJECT: ORDINANCE 2016-15 CALLING FOR A 2017 MUNICIPAL ELECTION

BACKGROUND: Each year around October-November, the City is required to draft an ordinance that calls for a municipal election to take place in the second Tuesday of March.

This year, the Municipal Election will take place on March 14, 2017. This ordinance also gives the City Clerk authority to sign the contract for conducting the March 14, 2017 Municipal election, procure voting equipment, expend monies necessary to prepare for and conduct the election, and accept Campaign Treasurer's reports from potential candidates.

BUDGETARY N/A

IMPACT:

RECOMMENDED Staff recommends approval

BY STAFF:

ATTACHMENT(S): Ordinance 2016-15

ORDINANCE NO. 2016-15

AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, CALLING FOR A GENERAL MUNICIPAL ELECTION ON MARCH 14, 2017, FOR THE PURPOSE OF ELECTING A COMMISSIONER FOR DISTRICT THREE, A COMMISSIONER FOR DISTRICT FOUR, AND A MAYOR; PROVIDING AUTHORIZATION FOR THE CITY CLERK TO SIGN CONTRACT WITH THE PINELLAS COUNTY SUPERVISOR OF ELECTIONS; PROVIDING FOR PUBLICATION; AUTHORIZING ELECTION EXPENDITURES; IDENTIFYING THE PINELLAS COUNTY CANVASSING BOARD AS THE CANVASSING BOARD FOR THE MARCH 14, 2017 ELECTION; AUTHORIZING FOR A RUN-OFF ELECTION, IF NECESSARY; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH TO THE EXTENT OF SUCH CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to the City Charter, Section 3.4, Subsection A, elections for Commissioners of Districts Three (3) and Four (4) shall be held in odd numbered years and the term for the Commissioners of Districts shall be for two (2) years; and

WHEREAS, pursuant to the City Charter, Section 3.4 (Manner of Holding Elections), item A: "Elections for Mayor-Commissioner shall be for three (3) years allowing the seat to alternate with Commissioners of Districts; and

WHEREAS, pursuant to the City Charter:

- A General Municipal Election is scheduled for March 14, 2017
- The commissioners from District Three (3) and Four (4) shall be elected for a two year term.
- The Mayor shall be elected for a three year term.

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

SECTION 1. An election shall be held in the City of Madeira Beach, Florida on Tuesday, March 14, 2017, for the purpose of electing a Mayor, a Commissioner for District Three (3), and a Commissioner for District Four (4).

SECTION 2. The City Clerk is hereby authorized:

- To sign the Contract for Conducting the March 14, 2017 Municipal Election between the City and the Pinellas County Supervisor of Elections.
- To procure such voting equipment, ballots, tally sheets, list of registered voters, certificates and such other similar items as shall be necessary for the conducting and holding of such election.
- To expend such monies as may be necessary to order, to prepare for and conduct said election(s).
- To accept Campaign Treasurer's Reports and review such reports to verify information for completeness and allow amendments as provided by law.

SECTION 3. In accordance with Section 3.4, Subsection B. of the Charter of the City of Madeira Beach, the Board of Commissioners shall designate the Pinellas County Canvassing Board, for this election. The Canvassing Board shall certify all tests of election

equipment and shall canvass absentee as well as provisional ballots. The actions of the Canvassing Board shall be reported to the Board of Commissioners at their next meeting following the election. The Board of Commissioners shall meet following the certification for the purpose of declaring the results of said election.

Pursuant to F.S. 106.141, any member of the canvassing board who is an active candidate with opposition in the election to be canvassed shall not be part of the canvassing board.

SECTION 4. The new two-year terms for the District Commissioners will commence at the first regular meeting following the election. However, in the event a run-off election is necessitated for a particular seat; the new term would commence at the first regular meeting following the run-off election.

SECTION 5. In the event a majority vote cast for any particular office is not received by any candidate for the office, then another election shall be held for that particular office or offices, as the case may be, on Tuesday, April 11, 2017 (the second Tuesday in April, pursuant to the City Charter, Section 3.4, Subsection E.), at the same time and place and during the same hours, at which election the name of the two candidates having received the highest number of votes in the first election in which the majority vote was not received shall be placed upon the ballot for the particular office for which they are candidates.

SECTION 6. All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be hereby repealed insofar as the same affect this Ordinance.

SECTION 7. This Ordinance shall take effect immediately upon adoption in the manner provided by law.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF MADEIRA BEACH, FLORIDA, this _____ day of _____, 2016.

APPROVED AS TO FORM:

Thomas Trask, B.C.S., CITY ATTORNEY

Travis Palladeno, MAYOR

ATTEST:

Aimee Servedio, CITY CLERK

PASSED ON FIRST READING: _____

PUBLISHED: _____

PASSED ON SECOND READING: _____



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15th, 2016 – Agenda Report

FROM: Nick Lewis, Deputy City Clerk

SUBJECT: Ordinance 2016-16 to repeal chapter 74 – vehicles for hire, of the City Ordinances

BACKGROUND: Chapter 74 of the City’s Code of Ordinances refers to vehicles for hire. The city no longer monitors the schedule of rates, minimum vehicle standards, operator requirements, etc.

Ordinance 2016-16 Repeals Chapter 74 of the City Charter

BUDGETARY N/A

IMPACT:

RECOMMENDED Yes

BY STAFF:

ATTACHMENT(S): Ordinance No. 2016-16

ORDINANCE NO. 2016-16

**AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA,
REPEALING CHAPTER 74 – VEHICLES FOR HIRE; AND PROVIDING FOR
AN EFFECTIVE DATE HEREOF.**

WHEREAS, City Staff has reviewed Chapter 74 of the Madeira Beach Code of Ordinances and found the City no longer monitors the schedule of rates, minimum vehicle standards, operator requirements or other provisions regarding vehicles for hire, and such provisions are antiquated and no longer meritorious; and

WHEREAS, the Board of Commissioners has determined it is appropriate to repeal Chapter 74 of the Madeira Beach Code of Ordinances which regulates vehicles for hire.

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

Section 1. That Chapter 74 of the Code of Ordinances of the City of Madeira Beach entitled, Vehicles for Hire, is hereby repealed in its entirety.

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



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016– Agenda Report

FROM: David Marsicano, Director of Marina and Central Services

SUBJECT: Par- Kan Company

BACKGROUND: The City currently uses dumpsters from Par- Kan company and will be able to interchange parts to fix broken dumpsters.

BUDGETARY Sanitation departmental supplies has \$50,000 budgeted and the cost of
IMPACT: dumpster purchase is \$21,886.20

RECOMMENDED Approve the purchase for Par – Kan in the amount of \$21,886.20
BY STAFF:

ATTACHMENT(S): Quote Attached from Par-Kan



PAR-KAN COMPANY

2915 WEST 900 SOUTH
 SILVER LAKE, IN 46982
 PH (260) 352-2141
 FAX (260) 352-0701

QUOTATION

Quote No.: **RF161005-001**
 Date: **10/05/16**
 Page: **1**

Quotation For

CITY OF MADEIRA BEACH
 CENTRAL SERVICES
 505 - 150 AVENUE
 MADEIRA BEACH, FL 33708

CUSTOMER ID	PHONE #	QUOTE TERMS	QUOTE LEADTIME - WEEK(S)	
101317	727-543-8154	Net 30 Days	4.00	
SALES REP ID	SHIPPING METHOD	CONTACT NAME	EXPIRATION DATE	
REFUSE	JAY TRANS	MEGAN WEPFER		
PART ID	QUOTE QTY	CUSTOMER PART NO / DESCRIPTION	UNIT PRICE	EXTENDED PRICE
0RL100-049-002	6	1 YARD REAR LOAD KAN WITH LIDS AND 4 SWIVEL CASTERS	404.5000	\$2,427.00
0RL200-000-002	16	2 YARD REAR LOAD KAN WITH LIDS AND 4 SWIVEL CASTERS	440.0000	\$7,040.00
0RL300S-000-002	16	3 YARD REAR LOAD KAN WITH LIDS AND 4 SWIVEL CASTERS	630.0000	\$10,080.00
231115	12	6" SWIVEL CASTERS	11.6000	\$139.20
	1	FREIGHT TO MADEIRA BEACH, FL	2,200.0000	\$2,200.00
** QUOTE SPECIFICATIONS **				

Total 21,886.20



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2017 – Agenda Report

FROM: David Marsicano

SUBJECT: 2017 Peterbilt 32 yard rear load garbage truck.

BACKGROUND: The City currently uses all Peterbilt garbage trucks. We are requesting to replace truck number 37, which is a 27 yard truck, with a larger 32 yard rear loader to accommodate our growing sanitation needs more effectively. The alternative is to purchase the same truck we currently operate at a cost of \$204,913.00.

BUDGETARY
IMPACT: We currently have \$200,000, so an additional \$4,913 is needed for the 27 yard truck or \$37,653 would be needed for the recommended upgrade of 32 yards.

RECOMMENDED
BY STAFF: Staff recommends approval for the purchase of the 2017 Peterbilt 32 yard rear load Garbage truck for \$237,653.00

ATTACHMENT(S): Quotes attached



Rush Truck Center, Tampa

8111 East Adamo Dr.
Tampa, FL 33619
800-575-7383

Customer Proposal Letter

City of Madeira Beach
505 150th Ave.
Madeira Beach, FL 33708
727-391-1611
Leroy Walker

Leroy Walker, thank you for the opportunity to earn your business. We look forward to working with you on your business needs. Please accept the following proposal.

VEHICLE

Make Peterbilt Model 348 Year 2017 Stock Number To Be Determined

Additional Vehicle and Accessories Description To be delivered on or about _____

Florida Sheriffs Bid 16-VEH14.0 Spec #14 All Fees Included
2017 Peterbilt 348 chassis /
Dura-Pack 5000-27 Yard Tandem Axle Rear Loader

Quantity	<u>1</u>	Total
Truck Price per Unit	<u>\$204,913.00</u>	<u>\$204,913.00</u>
F.E.T. (Factory & Dealer Paid)	<u>\$0.00</u>	<u>\$0.00</u>
Net Sales Price	<u>\$204,913.00</u>	<u>\$204,913.00</u>
Optional Extended Warranty(ies)	_____	_____
State Sales Tax	_____	_____
Dealer Fee	_____	_____
Administration Fee	_____	_____
Vehicle Inventory Tax	_____	_____
Additional Taxes	_____	_____
Tire Recycling Program	_____	_____
Battery Disposal Fee	_____	_____
Out of State Vehicle Fee	_____	_____
Rebate(s)	_____	_____
Total Sales Price (Including Rebate(s))	<u>\$204,913.00</u>	<u>\$204,913.00</u>
Trade Allowance (see DISCLAIMER Below)		<u>\$0.00</u>

Sales Representative	_____	Steven Bell
	signature	printed name
Purchaser	_____	_____
	signature	printed name
	_____	_____
	title	date
Accepted by Sales Manager or General Manager	_____	_____
	signature	printed name

Quote good until 9/30/2017 **Note: The above Customer Proposal is a quotation only. Sale terms subject to approval of Sales Manager of Dealer.**

DISCLAIMER: Any order based on this Proposal subject to Customer executing Dealer's standard form Retail Purchase Order incorporating above terms. Any documentary fees, state tax, title, registration and license fees subject to adjustment and change. Actual F.E.T. to be paid by Dealer, subject to adjustment. Any F.E.T. variance will be responsibility of Dealer. Manufacturer has reserved the right to change the price to Dealer of any vehicle not currently in Dealer's stock, without notice to Dealer. If Quoted Vehicle(s) not currently in Dealer's stock, Dealer reserves right to change Quotation Total to reflect any price increases from Manufacturer. This Proposal is based upon Dealer's current and expected inventory, which is subject to change. Dealer not obligated to retain any specific vehicles in stock, nor maintain any specific inventory level. Dealer shall not be obligated to fulfill Proposal in event quoted vehicle(s) not in stock or available within requested delivery schedule at time Proposal accepted. Dealer shall not be liable for any delay in providing or inability to provide Quoted Vehicle(s), where such inability or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer or is without the gross negligence or intended misconduct of Dealer. Above listed Trade Value based upon current appraisal of Trade Vehicle(s). Dealer may adjust Trade Value of Trade Vehicle(s) to reflect changes in condition and/or mileage of Trade Vehicle(s) between date of current appraisal and acceptance of this Proposal by Customer.



www.rushtruckcenters.com

Rush Truck Center – Tampa | 8111 East Adamo Drive, Highway 60 | Tampa, Florida 33619 | 813-664-1441 Direct | 813-626-5024 Fax

Florida Sheriffs Bid 16-VEH14.0 Spec #14 All Fees Included		
2017 Peterbilt 348 chassis /		
Dura-Pack 5000-20 Yard Tandem Axle Rear Loader		
Option Code	Description	Contract Pricing
Spec #14	Peterbilt 567 Base Price	\$ 103,657.50
348	Peterbilt Model 348	\$ (14,356.50)
20758409	PX9 345HP 1150Tourque	\$ 3,945.00
1012400	Dana Spicer D2000F 20,000 lb,	\$ 1,921.00
7852020	Cab suspension - air ride	\$ 226.00
601500	Double Frame: full steel insert	\$ 1,107.00
4543430 / 4543440	Clear Outside Frame Rail Pkg.	\$ 531.00
4052110 / 40552230	Allison 3500 / 3000 RDSP include synthetic oil, TES 295	\$ 10,235.00
1687090	Driver controlled differential lock	\$ 1,498.00
1824240	Hendrickson Haulmaax HMX460 46K	\$ 2,846.00
1526130	Rear Axle: 46,000 lb Arvin Meritor, Eaton,	\$ 2,895.00
		\$ -
TCB	Dura-Pack 5000-20 Yard Tandem Axle Rear Loader	\$ 65,154.00
TCB	Madeira Beach Option Pkg.	\$ 25,254.00
		\$ -
	Total	\$ 204,913.00





Rush Truck Center P476
8111 East Adamo Dr

City of Mederia Beach
505 150th Ave.

Tampa, Florida United States 33619
Phone: (800) 575-7383
Fax: (813) 626-5024
Email:

Maderia Beach, Florida United States 33708
Phone: (407) 774-0800
Fax:
Contact Email:
Prepared for:

Vehicle Summary

	Unit		Chassis	
Model:		Model 348	Fr Axle Load (lbs):	20000
Type:		Full Truck	Rr Axle Load (lbs)	46000
Description:		2017 348 W/ 27yd Heil REL	G.C.W. (lbs):	62000
	Application		Road Conditions:	
Intended Serv.:		Refuse/On-Highway	Class A (Highway)	100
Commodity:		Refuse, Scrap	Class B (Hwy/Mtn)	0
	Body		Class C (Off-Hwy)	0
Type:		Rear Loader	Class D (Off-Road)	0
Length (ft):		24	Maximum Grade:	6
Height (ft):		8.5	Wheelbase (in):	238
Max Laden Weight (lbs):		3000	Overhang (in):	99.70001
	Trailer		Fr Axle to BOC (in):	69.8
No. of Trailer Axles:		0	Cab to Axle (in):	168.2
Type:			Cab to EOF (in):	267.9
Length (ft):		0	Overall Comb. Length (in):	402
Height (ft):		0.0		
Kingpin Inset (in):		0	Special Req.	
Corner Radius (in):		0	United States Registry	
	Restrictions			
Length (ft):		65		
Width (in):		102		
Height (ft):		13.5		

Approved by: _____

Date: _____

Note: All sales are F.O.B. designated plant of manufacture.

	Ask your dealer for a quote today, or visit our website @ www.paccarfinancial.com .
	PACCAR Financial offers innovative finance, lease and insurance programs customized to meet your needs.

Unpublished options may require review/approval.
Dimensional and performance data for unpublished options may vary from that displayed in PROSPECTOR.

Printed:	9/13/2016 8:37:04 AM	Complete	Model Number:	Model 348
Effective Date:	Jul 1, 2016		Quote/DTPO/CO:	Q33547080
Prepared by:	ID: SteveBell		Version Number:	33.10



Rush Truck Center P476
8111 East Adamo Dr

City of Mederia Beach
505 150th Ave.

Tampa, Florida United States 33619
Phone: (800) 575-7383
Fax: (813) 626-5024
Email:

Maderia Beach, Florida United States 33708
Phone: (407) 774-0800
Fax:
Contact Email:
Prepared for:

	Description	Weight
Base Model		
	Model 348	10,620
	Refuse, Scrap	0
	Refuse/On-Highway Truck or tractor which hauls refuse, recycled material, etc. Includes roll-on/roll-off container movement, as well as hauling refuse from transfer stations to, but not into, landfills.	0
	Rear Loader	0
	United States Registry	0
Configuration		
	Not Applicable Secondary Manufacturer	0
Frame & Equipment		
	10-5/8in Steel Rails 385-444in 10.625 x 3.45 x .313 Dimension, 1,776,000 RBM; Yield Strength: 120,000 psi. Section Modulus: 14.8 cubic inches. Weight: 1.44 lbs/inch pair	488
	Full Steel Inner Liner	703
	238in Wheelbase	0
	Three-Piece Crossmembers	0
	FEPTO Provision 27.8in Bumper Extension Includes Crankshaft Adapter Plate and Stationary Grille. Requires FEPTO Bumper.	86
	EOF Square without Xmbr For use with body builder installed crossmember.	0
	Omit Rear Mudflaps and Hangers	0

Front Axle & Equipment

Unpublished options may require review/approval.
Dimensional and performance data for unpublished options may vary from that displayed in PROSPECTOR.

Printed:	9/13/2016 8:37:04 AM	Complete	Model Number:	Model 348
Effective Date:	Jul 1, 2016		Quote/DTPO/CO:	Q33547080
Prepared by:	ID: SteveBell		Version Number:	33.10



Description	Weight
Dana Spicer D2000F 20,000 lb, 3.5in Drop Factory front axle alignment to improve handling & reduce tire wear. Zerk fittings on tie rod ends, king pins, & draglink ball joints for ease of maintenance & help extend service life of components. Cognis EMGARD® FE 75W-90 synthetic axle lube provides over 1% fuel economy improvement. Reduces wear & extends maintenance intervals, resulting in increased uptime. Provides improved fluid flow to protect components in extreme cold conditions & withstand the stress from high temperatures, extending component life.	445
Taper Leaf Springs, Shocks 20,000 lb Standard with Heavy Resistance Shocks.	0
Power Steering TRW THP60 Dual For use with 16,000 to 20,000 lb. axle ratings. Glidekote splines on steering shaft extend service life of components.	0
Power Steering Reservoir Frame Mounted w/Cooler	2
PHP10 Iron LMS Hubs 11-1/4" bolt circle. Includes a supplier extended coverage up to 3 years / 350,000 miles for bearings & seals.	78
Bendix Air Cam Front Drum Brakes 16.5x7 For use with 16,000 lbs to 22,000 lbs steer axles or front drive axles. Includes automatic slack adjusters & outboard mounted brake drums.	0
Long Stroke Brakes, Front Axle	0
Heavy Duty CAM Bushings, Steer Axle	0

Rear Axle & Equipment

Dana Spicer D46-170 46,000 lb Interaxle diff lock air rocker occupies space of one gauge. Laser factory axle alignment to improve handling & reduce tire wear. Magnetic rear axle oil drain plug captures & holds any metal fragments in drive axle lube to extend service life. Parking brakes on all drive axles for optimal performance. Cognis EMGARD® FE 75W-90 synthetic axle lube provides over 1% fuel economy improvement. Reduces wear & extends maintenance intervals, resulting in increased uptime. Provides improved fluid flow to protect components in extreme cold conditions & withstand the stress from high temperatures, extending component life.	2,525
PHP10 Iron LMS Hubs 11-1/4" bolt circle. Includes a supplier extended coverage up to 3 years / 350,000 miles for bearings & seals.	0
Long Stroke Parking Brakes, Drive Axle(s)	20
Diff Lock Both Axles (Air Rocker Switch occupies the space of one gauge)	60
Refuse Service Brakes, Steer And Drive Axles	0
Heavy Wall, Drive Axle(s)	88

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Description	Weight
SBM Valve Full trucks require a spring brake modulation (SBM) system for emergency braking application. This system requires an SBM valve and a relay valve with spring brakes on the rear axles. The SBM valve allows the foot valve to operate the rear axle spring brakes if a failure exists in the rear air system.	0
Stability System Not Selected or Not Available	0
Anti-Lock Braking System (ABS) 6S6M ABS-6. Includes air braking system.	35
Synthetic Axle Lubricant All Axles Peterbilt heavy duty models include Fuel Efficient Cognis EMGARD FE75W-90 which provides customers performance advantages over current synthetic lubricants with reduced gear wear and extended maintenance intervals, resulting in increased uptime. In addition, the lubricant provides improved fluid flow to protect gears in extreme cold conditions and withstand the stress from high temperatures, extending component life.	0
Bendix Air Cam Rear Drum Brakes 16.5x7 Includes Automatic Slack Adjusters & Outboard Mounted Brake Drums.	0
Tandem Drive Axle (Model 348)	0
Ratio 5.57 Rear Axle	0
Hendrickson Haulmax HMX460 46,000 lb, 54in Axle Spacing, 60K Creep Rating	593

Engine & Equipment

PACCAR PX-9 345@1900 GOV@2100 1150@1400 (2013 Emissions) Includes aluminum flywheel housing. Chevron Delo LE SAE 10W30 engine oil is specially formulated for new low emissions engines. Magnetic engine oil drain plug captures and holds any metal fragments in engine oil to extend service life. N21320 N205 120..Standard Maximum Speed Limit [LSL] N21330 N207 0....Expiration Distance N21340 P005 120..Hard Maximum Speed Limit N21350 P001 65...Maximum Accelerator Pedal Vehicle Speed N21360 P110 0....Accelerator Lower Droop N21370 P059 65...Maximum Cruise Speed N21380 P111 0....Cruise Control Lower Droop N21400 N203 252..Reserve Speed Function Reset Distance N21410 N202 0....Maximum Cycle Distance N21420 N206 10...Maximum Active Distance N21430 N201 0....Reserve Speed Limit Offset N21440 P015 NO...Engine Protection Shutdown N21450 P026 NO...Gear Down Protection N21460 P046 1400.Max PTO Speed N21470 P062 NO...Cruise Control Auto Resume N21480 P068 NO...Auto Engine Brake in Cruise N21500 N209 0....Expiration Distance N21510 P520 YES..Enable Idle Shutdown Park Brake Set N21520 P030 5....Timer Setting N21530 P233 YES..Enable Impending Shutdown Warning	0
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Description	Weight
N21540 P234 60...Timer For Impending Shutdown Warning	
N21550 P516 35...Engine Load Threshold	
N21570 P031 NO...Idle Shutdown Manual Override	
N21590 P230 YES..Enable Hot Ambient Automatic Override	
N21610 P172 40...Low Ambient Temperature Threshold	
N21620 P173 60...Intermediate Ambient Temperature Threshold	
N21630 P171 80...High Ambient Temperature Threshold	
Engine Idle Shutdown Timer Disabled	0
Enable EIST Ambient Temp Override	0
Eff EIST NA Expiration Miles	0
Effective VSL Setting NA	0
Belly Pan	35
Remote PTO And Throttle Provision	0
CARB Engine Idling Compliance PACCAR PX-7, PX-9 and MX, Cummins ISL, ISM and ISX diesel engines will include the required factory installed serialized sticker on the drivers door to identify them as meeting the NOx idling standard.	0
PACCAR 160 Amp Alternator, Brushed	0
PACCAR 12V Starter	0
2 PACCAR Premium 12V Dual Purpose Batt 1400 CCA Threaded stud type terminal. Stranded copper battery cables are double aught (00) or larger to reduce resistance.	0
Kissling Battery Disconnect Switch Mounted on battery box	3
2-Speed Fan Clutch For Frequent Start/Stops	0
18.7 CFM Air Compressor Furnished on engine. Teflon lined stainless steel braided compressor discharge line.	0
Spin-on Fuel Filter/Water Separator, Unheated Frame Mounted. In addition to the fuel filter supplied with the engine.	0
Engine Protection Shutdown Includes oil pressure, oil temperature, coolant temperature, and intake manifold temperature.	0
High Efficiency Cooling System Cooling module is a combination of steel and aluminum components, with aluminum connections to maximize performance and cooling capability. Silicone radiator & heater hoses enhance value, durability, & reliability. Constant tension band clamps reduce leaks. ClimaTech extended life coolant extends maintenance intervals which reduces maintenance costs. Anti-freeze effective to -30 degrees F helps protect the engine. Low coolant level sensor warns of low coolant condition to prevent engine damage. Radiator Size by Model: 587: 1330 sq in, 579/367 FEPTO 1325 sq in, 567/365/367: 1440 sq in, 384/386: 1301 sq in, 365 FEPTO: 1184 sq in, 389/367 HH: 1669 sq in, 348: 1000 sq in, 320: 1242 sq in.	0

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Description	Weight
Radial Seal, Dry Type Air Cleaner, Frontal Air Intake. Molded rubber air intake connections with lined stainless steel clamps seal to prevent contaminants in air intake.	0
Exhaust Single RH Side Of Cab DPF/SCR RH under cab. Includes cab entry RH under cab and full round stainless steel exhaust guard.	0
Curved Tip Standpipe(s)	0
24in Ht, 5in Dia Chrome, Clear Coat Standpipe(s)	0

Transmission & Equipment

Allison 3000 RDS-P Transmission, Gen 5 Rugged Duty Series. Includes Rear Transmission Support, TranSynd Automatic Transmission Fluid, and Water Oil Heat Exchange. Also includes features that monitor the transmission fluid, filter and clutch condition. Will display percent life remaining for the transmission fluid, filter and clutches on the shift selector. This information may be displayed using the Mode and Up and Down buttons. A wrench icon will also be included to indicate when the transmission fluid, filter or clutches need servicing. (Suited for vehicles operating on/off highway and/or requiring PTO operation) Forward Ratios: 1st-3.49, 2nd-1.86, 3rd-1.41, 4th-1.00, 5th-0.75, 6th-0.65 / Reverse Ratios: DR-(5.03)	110
1760 HD Driveline, 2 Midship Bearings	80
Allison FuelSense Not Desired	0
Auto Neutral Activates With Parking Brake	0
Allison 6-Speed Configuration, Close Ratio Gears 3000 Series Transmissions	0
Allison Output Function S Neutral Indicator For PTO. Required on Refuse Packer Applications. With this configuration NEUTRAL only, PTO engagement is permitted only when the transmission is in Neutral. Once the transmission is in Neutral, the PTO is automatically engaged and fast idle is initiated when the PTO switch is switched On. Also, with this configuration Pack-on-the-fly, the PTO is automatically engaged and fast idle is initiated when the PTO switch is On concurrently with shifting of the transmission to Neutral.	0
Dash Mounted Push Button Shifter	0

Air & Trailer Equipment

Bendix AD-IS Air Dryer with Heater An integrated system air dryer that incorporates the functions of the air dryer, purge reservoir (which increases the drying capacity), wet air tank, pressure relief valve, single check valves, and pressure protection valve for air susp and other air accessories. Includes easy-to-service spin-on dessicant cartridge.	0
Berg Pull Cord Drain Valve(s) - All Air Tanks	0
Nylon Chassis Hose	0

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Description	Weight
Steel Painted Air Tanks All air tanks are steel with painted finish except when Code 4543330 Polish Aluminum Air Tanks is also selected (then exposed air tanks outside the frame rails will be polished aluminum). Peterbilt will determine the optimal size and location of required air tanks. Narratives requesting a specific air tank size or location will not be accepted for factory installation. See ECAT to determine number or location of air tanks installed.	0
Clear Outside Frame of All Air System Components LH BOC	0
Clear Outside Frame of All Air System Components RH BOC	0
Tires & Wheels	
FF: BR 20ply 425/65R22.5 M854 Diameter = 44.8 inches; SLR = 20.7 inches	148
RR: BR 16ply 11R22.5 M843 Diameter = 42.5 inches; SLR = 19.9 inches	192
Code-rear Tire Qty 08	0
FF: Alcoa 823627 LVL1 Plt 22.5X12.25 Alm Whl	-16
RR: Accur Steel Armor 50344PK 22.5X8.25 Heavy Duty, 5 Hand Holes	88
Code-rear Rim Qty 08	0
Fuel Tanks	
23in Aluminum 70 Gallon Fuel Tank LH U/C Includes steps for cab access. Paddle handle filler cap with threadless filler neck. Top draw fuel plumbing reduces chance of introducing air into the fuel system during low fuel level conditions due to the central placement of fuel pickup tube. Wire braid fuel lines increase durability & reduce potential for leaks.	9
Location LH U/C 70 Gallon	0
DEF Tank Mounted LH BOC Models 210, 220 and 320 mounted LH cab fender.	0
Standard DEF To Fuel Ratio 2:1 Or Greater	0
DEF Tank Small	0
Battery Box & Bumper	
Aluminum Space Saver Battery Box RH BOC Battery Access From Side	-84
Rubber Battery Pad In Bottom Of (1) Battery Box (Mat in box that holds batteries only)	2
Aftertreatment RH U/C Alum Non-Slip Cab Entry Step. DPF/SCR for diesel engines, catalyst for natural gas engines. On Models 579 specifying chassis fairings, the box will be aerodynamic.	0
Steel Bumper Swept Back Painted Black, FEPTO only With two tow pin holes and step plates on top of bumper.	90

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Cab & Equipment	Description	Weight
	Alum Cab 108in BBC Metton Hood w/Bright Crown Includes view window RH door and convex mirror over RH door.	0
	Severe Service Cab Package #1 Includes Aluminum side skins, aluminum rear skin, steel windshield mask, steel firewall, and steel front floor sheet on all cabs, and additional reinforcement structure on the back wall of the day cab.	39
	Thermal Insulation Package in Cab Includes thick, closed-cell foam in floor, special mylar-faced foam in walls and roof structure.	2
	Rubber Fender Lips 2 Inch Wide	8
	Peterbilt UltraRide Driver Seat	0
	(2) Person Passenger Seat	0
	Air Ride Driver	0
	High Back Driver	0
	Vinyl Driver	0
	Non-Air Ride Passenger	0
	Low Back Passenger	0
	Vinyl Passenger	0
	Adjustable Steering Column – Tilt Only	0
	Steering Wheel with Peterbilt Logo Steering Wheel with embossed Peterbilt logo over horn button.	0
	Interior Grey/Black Includes rugged charcoal instrument panels, glare-resistant gray dash, black bezels on gauges, (2) power ports, monochromatic molded door pads with durable in-mold color, gray molded back wall, 18 inch 4-spoke soft-touch steering wheel, soft-touch steering column cover, power lift passenger window, extruded rubber floor covering, header-mounted dome light, foot well lighting, integrated "dead pedal", (4) inside entry grab handles, (2) inside sunvisors, (2) coat hooks, (2) cup holders and map bin in dash.	0
	Dark Window Tint ipo STD Tint - Day Cab	0
	Day Cab Rear Window	0
	One Piece Curved Windshield	0
	Combo Fresh Air Heater/Air Conditioner With radiator mounted condenser, dedicated side window defrosters, Bi-Level Heater/Defroster Controls, 54,500 BTU/HR, and silicone heater hoses.	0
	Outside Sunvisor - Stainless Steel Not available with 2.1M high roof sleeper.	4
	Stainless Steel Mirrors 7x16 Right Click on Option to See Picture in Product Portfolio.	0

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Description	Weight
(2) Convex 8 Inch SS Mirror Center mounted under mirror bracket. If rear view mirrors are heated, the convex mirrors will be heated. Option includes dual door stops.	4
Mirror Aux RH Fender/Hood (2 legs on fender and 1 leg on hood)	4
Power Package Includes power door locks and power windows.	0
(1) Air Horn 15in Painted Mounted under cab.	8
Standard Speaker Package For Cab (2) Speakers	4
ConcertClass Without CD, Includes BT Phone and Audio, AM/FM, WB, USB and MP3.	10
Plug-In Auto Reset Circuit Breaker in place of fuses in junction box.	0
Peterbilt Electric Windshield Wipers With Intermittent Feature.	0
Triangle Reflector Kit Shipped Loose	13
5 lb 3A:40bc Fire Extinguisher Cab Mounted	8
Backup Alarm Wiring To EOF	0
Main Transmission Oil Temperature Gauge Located in Driver Information Display	0
Air Restriction Indicator Mounted on air cleaner or intake piping.	0
Main Instrumentation Panel, Graphics Display Includes speedometer with trip odometer, tachometer with hourmeter and outside air temperature display, voltmeter, engine oil pressure, engine coolant temperature, fuel level, primary and secondary air pressure gauges. Includes standard warning light package: high water temperature, low oil pressure, and low air pressure warning lights w/audible alarms, high beam, turn signal, low fuel, parking brake, and ice warning indicators; seat belt reminder; rocker switches with long-life LED indicators; multi-function turn stalk with flash-to-pass feature (night mode flashes headlights and marker lights; day mode flashes headlights only), intermittent windshield wiper and headlamp beam control. Hydraulic braked trucks do not include air pressure gauges.	0
Headlights Composite Fender Mounted Integral Park, Turn, and Side Marker	0
(5) Marker Lights, Aero LED Light Emitting Diodes	0
None Furnished Stop/Tail/Backup Lights Available with Full Truck only. Not available with Tractor.	0
Paint	
Standard Paint Color Selection	0

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Description	Weight
(1) Color Axalta Two Stage - Cab/Hood	0
Base Coat/Clear Coat	
N85020 A - L0006EY WHITE - Stand	
N85400 HOOD TOP L0006EY WHITE - Stand	
N85500 CAB ROOF L0006EY WHITE - Stand	
N85200 FRAME N0001EA BLACK	
N85700 BUMPER N0001EA BLACK	
N85300 FENDER L0006EY WHITE - Stand	

Shipping Destination	0
Shipping Destination	
(Specify by narrative attached to option code). In Presentation Information screen add "See Instructions" for the Shipping Destination instead of Dealer code.	
N89900 Heil Environmental	
N89910 106 45th Street NE	
N89920 Fort Payne, AL 35967	
N89930 Vic Stuart - (256) 304-2219	

Options Not Subject To Discount	
Medium Duty Emissions Surcharge	0

Miscellaneous	0
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Total Weight	16504
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Prices and Specifications Subject to Change Without Notice.

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QUOTATION

Prepared For:

RUSH TRUCK CENTER
 City of Madeira Beach
 LeRoy Walker
 505 150th Ave.
 Madeira Beach, FL. 33708

Ship To:

TCB

Prepared By:

Jim Norris
 Tampa Crane & Body
 813-786-7748 Cell
 813-246-5322 Fax
jnorris@tampacrane.com

QUOTE REFERENCE NUMBER	ISSUE DATE	VALID FOR	EST. DELIVERY FROM RECEIPT OF ORDER	SUBMITTED BY	SHIPPED VIA	FOB POINT	TERMS
TA REL 2017FSA	10-1-2016	1 year	CHECK AT TIME OF ORDER	TCB	DRIVE AWAY	Dealership	Net 30 Days

Body

Dura-Pack 5000-20 Yard Tandem Axle Rear Loader

Standard Options

Front Mount Pump
 Left Hand Buzzer
 20 lb. Fire Extinguisher
 Single Camera System
 Freight from Ft. Payne
 12 Month Warranty
 All Standard Features
 1 Year Warranty

Total Body FSA Pricing: **\$65,154.00**

Additional Options: **\$25,254.00**

27 Yard Body Capacity
 15,000lb Reeving Cylinder Attachment Kit
 Roll Bar with Lip & Latch Kit
 H.D. Contractors Pkg.
 Side Access Door
 60gl Washout Tank
 Tool Box
 Dual Hopper Lights
 LED Side Backing Lights
 Peterson Smart Lights

Quote Per Unit **\$90,408.00**

If you have any questions concerning this quotation, please feel free to contact us.

Drew Weil
 Sunbelt Waste Equipment
 2201 N.W. 22nd St.
 Pompano Beach, FL 33069
 561-274-8505
 954-444-1529 Cell
drewweil@sunbeltwaste.com

Jim Norris
 Tampa Crane
 5701 North 50th St.
 Tampa, FL 33687
 813-246-5510
 813-786-7748 Cell
jnorris@tampacrane.com

Joe King
 Ingram Equipment
 11 Monroe Dr.
 Pelham, AL 35124
 205-663-3946
JKing@IngramEquipment.net



Rush Truck Center, Tampa

8111 East Adamo Dr.
Tampa, FL 33619
800-575-7383

Customer Proposal Letter

City of Madeira Beach
505 150th Ave.
Madeira Beach, FL 33708
727-391-1611
Leroy Walker

Leroy Walker, thank you for the opportunity to earn your business. We look forward to working with you on your business needs. Please accept the following proposal.

VEHICLE

Make Peterbilt Model 320 Year 2017 Stock Number 697491

Additional Vehicle and Accessories Description To be delivered on or about _____

Florida Sheriffs Bid 16-VEH14.0 Spec #15 All Fees Included
2017 Peterbilt 320 chassis /
Dura-Pack 5000-32 Yard Tandem Axle Rear Loader

Quantity	<u>1</u>	Total
Truck Price per Unit	<u>\$237,653.00</u>	<u>\$237,653.00</u>
F.E.T. (Factory & Dealer Paid)	<u>\$0.00</u>	<u>\$0.00</u>
Net Sales Price	<u>\$237,653.00</u>	<u>\$237,653.00</u>
Optional Extended Warranty(ies)	_____	_____
State Sales Tax	_____	_____
Dealer Fee	_____	_____
Administration Fee	_____	_____
Vehicle Inventory Tax	_____	_____
Additional Taxes	_____	_____
Tire Recycling Program	_____	_____
Battery Disposal Fee	_____	_____
Out of State Vehicle Fee	_____	_____
Rebate(s)	_____	_____
Total Sales Price (Including Rebate(s))	<u>\$237,653.00</u>	<u>\$237,653.00</u>
Trade Allowance (see DISCLAIMER Below)		<u>\$0.00</u>

Sales Representative	_____	Steven Bell
	signature	printed name
Purchaser	_____	_____
	signature	printed name
	_____	_____
	title	date
Accepted by Sales Manager or General Manager	_____	_____
	signature	printed name

Quote good until 9/30/2017 **Note: The above Customer Proposal is a quotation only. Sale terms subject to approval of Sales Manager of Dealer.**

DISCLAIMER: Any order based on this Proposal subject to Customer executing Dealer's standard form Retail Purchase Order incorporating above terms. Any documentary fees, state tax, title, registration and license fees subject to adjustment and change. Actual F.E.T. to be paid by Dealer, subject to adjustment. Any F.E.T. variance will be responsibility of Dealer. Manufacturer has reserved the right to change the price to Dealer of any vehicle not currently in Dealer's stock, without notice to Dealer. If Quoted Vehicle(s) not currently in Dealer's stock, Dealer reserves right to change Quotation Total to reflect any price increases from Manufacturer. This Proposal is based upon Dealer's current and expected inventory, which is subject to change. Dealer not obligated to retain any specific vehicles in stock, nor maintain any specific inventory level. Dealer shall not be obligated to fulfill Proposal in event quoted vehicle(s) not in stock or available within requested delivery schedule at time Proposal accepted. Dealer shall not be liable for any delay in providing or inability to provide Quoted Vehicle(s), where such inability or delay is due, in whole or in part, to any cause beyond the reasonable control of Dealer or is without the gross negligence or intended misconduct of Dealer. Above listed Trade Value based upon current appraisal of Trade Vehicle(s). Dealer may adjust Trade Value of Trade Vehicle(s) to reflect changes in condition and/or mileage of Trade Vehicle(s) between date of current appraisal and acceptance of this Proposal by Customer.



www.rushtruckcenters.com

Rush Truck Center – Tampa | 8111 East Adamo Drive, Highway 60 | Tampa, Florida 33619 | 813-664-1441 Direct | 813-626-5024 Fax

Florida Sheriffs Bid 16-VEH14.0 Spec #15 All Fees Included		
2017 Peterbilt 320 chassis /		
Dura-Pack 5000-32 Yard Tandem Axle Rear Loader		
<u>Option Code</u>	<u>Description</u>	<u>Contract Pricing</u>
Spec #14	Peterbilt 320 Base Price	\$ 131,929.00
20758409	ISX 12 - 350 HP / 1450 Torque	\$ 2,645.00
1012400	Dana Spicer D2000F 20,000 lb,	\$ 1,921.00
6122810/6132400	Steel Bumper Swept Back Painted / Notched Top Flange of Bumper	\$ 125.00
601500	Double Frame: full steel insert	\$ 1,107.00
4543430 / 4543440	Clear Outside Frame Rail Pkg.	\$ 531.00
1523340/1824240	Hendrickson Haulmax HMX460 46K	\$ 2,973.00
1526130	Rear Axle: 46,000 lb Arvin Meritor, Eaton,	\$ 2,895.00
2539090	Battery disconnect switch	\$ 345.00
620160	Front Engine PTO Provision (FEPTO)	\$ 681.00
		\$ -
TCB	Dura-Pack 5000-20 Yard Tandem Axle Rear Loader	\$ 66,868.00
TCB	Madeira Beach Option Pkg.	\$ 25,633.00
		\$ -
	Total	\$ 237,653.00



DEALER CODE - S047 CUSTOMER NO - CGZ9 DATES
NAME AND ADDRESS RRS 320LH X12 FLEET REQ DELV 07/18/16
RUSH PBLT CTRS OF TX LP
P. O. BOX 200105 DELIVERY 07/29/16
PRIC EFF 07/29/16
SAN ANTONIO TX 78220

PREVIOUS CHASSIS NO.

THE FOLLOWING LIST DESCRIBES ALL COMPONENTS USED FOR THIS CHASSIS
DIMENSIONS AND WEIGHTS FOR THE ENTIRE ORDER ARE STATED IN CUSTOMARY.

APPLICATION
COMMODITY HAULED 0091180 REFUSE, SCRAP
INTENDED SERVICE 0093040 REFUSE/LANDFILL

BODY
BODY TYPE 0095380 COMMERCIAL FRONT LOADER / PUSH-OUT
BODY LENGTH 288.00 IN BODY HEIGHT 168.00 IN
MAX LADEN WEIGHT 1000.00 LBS

TRAILER
TRAILER TYPE
TRAILER LENGTH .00 FT TRAILER HEIGHT .00 FT
KINGPIN .00 IN CTR LINE AXLE GRP .00 IN
CORNER RADIUS .00 IN NO TRAILER AXLES 00

OPERATING AREA RESTRICTIONS
LENGTH 40.00 FT WIDTH 102.00 IN HEIGHT 13.50 FT
**** DEALER ASSIGNED:

CHASSIS
FRONT AXLE LOAD 20000.00 LBS REAR AXLE LOAD 46000.00 LBS GCW 66000.00 LBS
WHEELBASE 204.00 IN FAX/BOC .10 IN CAB/AXLE 204.00 IN
CAB/EOF 314.00 IN MAXIMUM GRADE 06 PERCENT HIGHWAY 094 % CLASS B 006
% CLASS C 000
% CLASS D 000

SPECIAL REQUIREMENTS
SPECIAL RESTRICTIONS 0098010 CALIFORNIA REGISTRY

ENGINEERING ASSIGNED RATINGS

GAWR FRONT: 20,000.00 LBS
GAWR FIRST INTER 23,000.00 LBS SECOND INTER 23,000.00 LBS
GAWR REAR: 0.00 LBS
GVWR: 66,000.00 LBS

DESCRIPTION	PUB CD	WEIGHT
-----	----	-----
BASE MODEL		
MODEL 320 LCF	P	16,490
THE CODES LISTED IN N01XX LINES WERE NOT VALID FOR THIS MODEL OR YOUR DESCRIPTION DID NOT PROVIDE ADEQUATE INFORMATION FOR A CODE TO BE DETERMINED YOU SHOULD CONTACT THE OPTION APPROVAL GROUP FOR A VALID CODE OF THE OPTION DESIRED. A SALES CHANGE NOTICE WILL BE REQUIRED TO HAVE THE OPTION ADDED TO THIS ORDER. 1381460 1381460	U	0
NOT APPLICABLE SECONDARY MANUFACTURER	P	0
FRAME AND EQUIPMENT		
10-3/4" STEEL RAILS 343-450" 3/8" RAIL THICKNESS	P	251
FULL STEEL INNER LINER	P	340
USE W/10-1/2, 10-3/4, 10-5/8" RAILS		
FEPTO PROV 4-7/8" BUMPER EXTENSION	P	44
EOF SQUARE WITHOUT XMBR	P	0
USE WITH BODY BUILDER INSTALLED XMBR		
PBILT RR MUDFLAPS,PBILT HANGER STRAIGHT	P	24
(2) SOLID MOUNT CABLE HOOKS	P	0
FRONT AXLE AND EQUIPMENT		
DANA SPICER D2000F 20,000 LB 3.5" DROP	P	0
TAPER LEAF SPRINGS, SHOCKS 23,000 LB	P	410
POWER STEERING SHEPPARD SD110 DUAL	P	40
PHP10 IRON PRESET+ HUBS	P	84
DANA SPICER 5" DROP IPO 3.5"	P	0
DANA SPICER WIDE TRACK IPO STD	P	4
FRONT AXLE(S)		
MERITOR Q+ AIR CAM FRT DRUM BRKS 16.5X7	P	0
25 MM FRONT SPRING SPACER BLOCKS	U	0
LONG STROKE BRAKES, FRONT AXLE	P	0
GUSSETED CAM BRACKETS, STEER AXLE	P	0
1381460 OARO		
REAR AXLE AND EQUIPMENT		

DESCRIPTION	PUB CD	WEIGHT
-----	----	-----
MERITOR RT46-160 46,000 LB	P	15-
PHP10 IRON PRESET+ HUBS	P	0
LONG STROKE PARKING BRAKES	P	0
DRIVE AXLE(S)		
BENDIX SMART ATC TRACTION CONTROL	P	2
REFUSE SERVICE BRAKES, STEER AND DRIVE	P	0
AXLES		
REAR BRAKE CAMSHAFT REINFORCEMENT	P	9
LUBE PUMP, DRIVE AXLE(S)	P	35
GUSSETED CAM BRACKETS, DRIVE AXLE(S)	P	2
SBM VALVE	P	0
MERITOR Q+ CAM RR DRUM BRKS 16.5X8.625	P	0
ANTI-LOCK BRAKING SYSTEM (ABS) 6S6M	P	35
SYNTHETIC AXLE LUBRICANT ALL AXLES	P	0
RATIO 4.89 REAR AXLE	P	0
HENDRICKSON HMX460 46,000 LBS, 54" AS	P	15-
HAULMAAX, 60K CREEP RATING		
SHOCK ABSORBERS FOR HMX SUSPENSION	P	31
ENGINE AND ENGINE EQUIPMENT		
ISX12 350R 350@1800 GOV@2100 1450@1100	P	1,030
REFUSE SERVICE (2013 EMISSIONS)		
ENGINE IDLE SHUTDOWN TIMER ENABLED	P	0
ENABLE EIST AMBIENT TEMP OVERRULE	P	0
EFF EIST NA EXPIRATION MILES	P	0
EFFECTIVE VSL SETTING NA	P	0
REMOTE PTO & THROTTLE PROVISION	P	0
12-PIN CONNECTOR ON ENGINE HARNESS		
CARB ENGINE IDLING COMPLIANCE	P	0
N205 120...STANDARD MAXIMUM SPEED LIMIT		
N207 0....EXPIRATION DISTANCE (N207)		
P112 120...HARD MAXIMUM SPEED LIMIT (P1		
P001 65...MAXIMUM ACCELERATOR PEDAL VE		
P110 0....ACCELERATOR LOWER DROOP (P11		
P059 65...MAXIMUM CRUISE SPEED (P059)		
P111 0....CRUISE CONTROL LOWER DROOP (
N203 252...RESERVE SPEED FUNCTION RESET		
N202 0....MAXIMUM CYCLE DISTANCE (N202		
N206 10...MAXIMUM ACTIVE DISTANCE (N20		
N201 0....RESERVE SPEED LIMIT OFFSET (
P015 YES...ENGINE PROTECTION SHUTDOWN (
P026 NO...GEAR DOWN PROTECTION (P026)		
P046 1400..MAX PTO SPEED (P046)		
P062 NO...CRUISE CONTROL AUTO RESUME (
P068 NO...AUTO ENGINE BRAKE IN CRUISE		
N209 0....EXPIRATION DISTANCE (N209)		
P520 YES...ENABLE IDLE SHUTDOWN PARK BR		
P030 5....TIMER SETTING (P030)		
P233 YES...ENABLE IMPENDING SHUTDOWN WA		
P234 60...TIMER FOR IMPENDING SHUTDOWN		
P516 35...ENGINE LOAD THRESHOLD (P516)		
P031 NO...IDLE SHUTDOWN MANUAL OVERRUL		
P230 YES...ENABLE HOT AMBIENT AUTOMATIC		

DESCRIPTION	PUB CD	WEIGHT
-----	----	-----
P172 40...LOW AMBIENT TEMPERATURE THRE		
P173 60...INTERMEDIATE AMBIENT TEMPERA		
P171 80...HIGH AMBIENT TEMPERATURE THR		
160 AMP ALTERNATOR, 36 SI BRUSHLESS	P	11
IMMERSION TYPE BLOCK HEATER 110-120V	P	2
LOCATED CENTER LH U/C		
DELCO 39MT STARTER	U	0
3 PACCAR PREMIUM 12V DUAL PURPOSE	P	0
BATTERIES, 2100 CCA		
KISSLING BATTERY DISCONNECT SWITCH	P	2
MOUNTED ON BATTERY BOX		
2/21/13: R-220 PER ASAP OMD (FJJ)		
2-SPEED FAN CLUTCH FOR FREQUENT	P	0
START/STOPS		
18.7 CFM AIR COMPRESSOR	P	0
OMIT ENGINE BRAKE - ISX12	P	77-
DAVCO 382 FUEL FILTER/WATER SEP	P	4
120V & 12V HEAT, W/O RETURN LINES		
ENGINE PROTECTION SHUTDOWN	P	0
W/DASH LABEL		
HIGH EFFICIENCY COOLING SYSTEM	P	0
BUGSCREEN--REMOVABLE TYPE GRILL MTD	P	0
W/ADTL CLIPS @ BTM OF BUGSCREEN		
STAINLESS STEEL GRILLE	P	0
HEAVY DUTY AIR CLEANER	P	0
EXHAUST VERTICAL LH	P	0
DPF/SCR TRANSVERSE MTD		
CURVED TIP STANDPIPE(S)	P	0
18" HT, 5" DIA STANDPIPE(S)	P	2-
CHROME WITH CLEAR COAT		
TRANSMISSION AND CLUTCH		
ALLISON 4500 RDS-P TRANSMISSION, GEN 5	P	366
RUGGED DUTY SERIES		
TRANSMISSION APPROVED	U	0
ALLISON SCAAN 275590		
1810 DRIVELINE, 1 MIDSHIP BEARING	P	75
SLOTTED RUBBER MOUNT		
ALLISON WORLD TRANS PRIMARY SHIFT	U	0
SCHEDULE 2		
ALLISON 5TH GEN RDS, PKG 225	U	0
3000, 3500, 4000, 4500, 4700 TRANS		
ALLISON FUELSENSE BASIC	P	0
TC-521 TORQUE CONVERTER	U	0
ALLISON TRANSMISSION		
CONSOLE MTD PUSH BUTTON SHIFTER	P	0
ALLISON TRANSMISSIONS		
ALLISON 6-SPEED CONFIGURATION	P	0
4500 TRANSMISSIONS ONLY		
ALLISON OUTPUT FUNCTION S NEUTRAL	P	0
INDICATOR FOR PTO		

DESCRIPTION	PUB CD	WEIGHT
----- ROLLING DIRECTION CHANGE SHIFT INHIBIT FEATURE, ALLISON TRANSMISSIONS	P	0
AIR AND TRAILER EQUIPMENT		
BENDIX AD-IS EP AIR DRYER W/HTR	P	0
"EXTENDED PURGE"		
AIR TANK VALVE GUARDS	P	0
BERG PULL CORDS - ALL AIR TANKS	P	0
NYLON CHASSIS HOSE	P	0
COMPRESSOR DISCHARGE LINE TEST VALVE	P	0
STEEL PAINTED AIR TANKS	P	0
TIRES AND WHEELS		
FF: BR 20PLY 315/80R22.5 M860A	P	4-
PART: BR244329 FET: 122		
RR: BR 20PLY 315/80R22.5 M860A	P	380
PART: BR244329 FET: 488		
CODE-REAR TIRE QTY 08.		
FF: ALCOA 89U637LVL1 22.5X9.00 ALM WHL	P	71-
PILOT MOUNT		
RR: ALCOA 89U647LVL1 22.5X9.00 ALUM WHL	P	212-
PILOT MOUNT		
CODE-REAR RIM QTY 08.		
FUEL TANKS		
26" ALUM 80 GAL FUEL TANK RH BOC	P	13
LOCATION RH BEHIND CAB 080 GAL.		
FUEL COOLER	P	0
TOP OF FUEL TANK 5" BELOW TOP OF FRAME	P	33
DEF TANK MOUNTED LH BOC	P	0
STD DEF TO FUEL RATIO 2:1 OR GREATER	P	0
DEF TANK 520/320	P	0
BATTERY BOX AND BUMPER		
ALUMINUM SPACE SAVER BATTERY BOX LH BOC	P	11-
RUBBER BATTERY PAD IN BOTTOM	P	2
(1) BATTERY BOX		
MOUNT SPACE SAVER BATTERY BOX TOP OF	P	0
BOX 8" BELOW TOP OF FRAME		
STEEL BUMPER SWEEP BACK PAINTED	P	2
NOTCHED TOP FLANGE OF BUMPER	P	0
CAB AND EQUIPMENT		
53" LCF PROBILT CAB LH DRIVE	P	0
KEY ALL UNITS ALIKE	P	0
KEY G479	P	0
4.5 INCH RUBBER FLARES ON CAB	P	0
AND WHEEL WELL FENDERS		
SEARS C2 DRIVER SEAT	P	0
PETERBILT PASSENGER SEAT	P	0
DRIVER RH ARM REST, HEADREST AND LUMBER	P	0
SUPPORT LH DRIVE, C2 SEAT ONLY		

DESCRIPTION	PUB CD	WEIGHT
SEAT BELT COLOR ORANGE IPO STANDARD BLACK	P	0
AIR RIDE DRIVER	P	0
MID BACK DRIVER (SEARS ATLAS 70 AND C2 ONLY)	P	0
FABRIC DRIVER	P	0
NON-AIR RIDE PASSENGER	P	0
LOW BACK PASSENGER	P	0
VINYL PASSENGER	P	0
GREY INTERIOR COLOR	P	0
ADJUSTABLE STEERING COLUMN TILT/TELESCOPE	P	0
STEERING WHEEL WITH PETERBILT LOGO	P	0
FIXED REAR WINDOW BOC STD TINT 18.5" X 54"	P	0
TWO-PIECE FLAT WINDSHIELD	P	0
COMBO FRESH AIR HEATER/AIR CONDITIONER	P	4
MIRRORS SSSL EACH SIDE HTD & MTRZD (N/A W/6501100)	P	7-
(2) CONVEX 8" SS MIRROR, CNTR MTD UNDER MIRROR BRKT; INCLUDES DUAL DOOR STOPS	P	2
(1) AIR HORN 15" PAINTED MOUNTED UNDER CAB	P	0
CONCERTCLASS W/CD, BLUETOOTH PHONE & AUDIO INC. AM/FM, WB, USB & MP3	P	11
MIDLEVEL SPEAKER PACKAGE FOR CAB (4) SPEAKERS	P	7
RADIO MUTE WHEN ALLISON TRANSMISSION IN REVERSE (REQ OPT 8140690, M320 ONLY)	P	0
SmartLINQ REMOTE DIAGNOSTICS	P	0
PRE-WIRE CAB 3RD EYE VISION SYSTEM	P	0
PRE-WIRE CHASSIS FOR 3RD EYE VISION SYS	P	0
CAB TILT PUMP AIR ASSIST	P	0
PB ELEC WINDSHIELD WIPERS W/INTERMITTENT FEATURE	P	0
FRONT CAB GUARD, PAINTED BLACK	P	15
RAIN GUTTERS OVER BOTH DOORS	P	9
TRIANGLE REFLECTOR KIT SHIP LOOSE	P	13
ECCO DS-1500 REVERSE MOTION SENSOR USE W/BACKUP ALARM	P	0
BACKUP ALARM (87-112 DECIBELS) SELF ADJUSTING	P	7
ENGINE OIL TEMPERATURE GAUGE LOCATED IN DRIVER INFORMATION DISPLAY	P	0
MAIN TRANSMISSION OIL TEMPERATURE GAUGE LOCATED IN DRIVER INFORMATION DISPLAY	P	0
AIR RESTRICTION INDICATOR	P	0
MTD ON AIR CLEANER OR INTAKE PIPING WARNING LIGHT BATTERY DISCONNECT SWITCH ENGAGED (MARKER LIGHT)	P	0

DESCRIPTION	PUB CD	WEIGHT
INDICATOR LIGHT FOR F/O PTO CONTROLS LOCATED IN DRIVER INFORMATION DISPLAY	P	0
HEADLIGHTS DUAL RECTANGULAR HALOGEN	P	0
(5) LIGHT GUARDS ON MARKER LIGHTS	P	2
(5) LED CLEARANCE, (2) LED MARKER LIGHTS	P	0
DAYTIME RUNNING LIGHTS	P	0
REQUIRED ON ALL CANADIAN VEHICLES		
BRAKE LIGHTS ACTIVATED BY PARK BRAKE	P	0
REQUIRES OPTION 7726010		
* STANDARD TAILLIGHT DRILLING REQUIRED		

PAINT

STANDARD PAINT COLOR SELECTION	P	0
(1) COLOR AXALTA TWO STAGE PAINT	P	0
CAB/HOOD		
A - L0006EB WHITE - STAND		
FRAME N0001EA BLACK		
CAB ROOF L0006EB WHITE - STAND		
BUMPER N0001EA BLACK		

MISCELLANEOUS

YUMA DELIVERY \$485	U	0
SmartLINQ AVAIL MARCH 2016	U	0
APPLICATIONS CONTACT:	U	0
MALLORY EVANS (940) 891-6294		

NOTES

REQUESTS PRECEDED BY N98XX NARRATIVES ARE DISAPPROVED--CONTACT INSIDE SALES REPRESENTATIVE DELCO 39MT STARTER, OVERCRANK PROTECTION EMAIL: HUDEKR@RUSHENTERPRISES.COM CELL PHONE: 2109017211 SALESPERSON ID: RYANHUDEK DEALER CONTACT NAME: RYAN HUDEK PH:2109017211 MDE 03/01/16 OC005	U	0
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** TOTAL ESTIMATED WEIGHT 19,377
TOTAL LIST PRICE

BELOW CHARGES NOT INCLUDED IN TOTAL LIST PRICE
ADJUSTED LIST PRICE

PROMOTION PROGRAM CODE @ 0.00 %

COMPETITIVE ALLOWANCE NO 01234769 @ 0.00 %

SURCHARGE/OPTIONS NO DISC

PETERBILT
VMXXR036-1

CHASSIS FINAL BILL
FOR VIN 3BPZL70X8HF173282
UNIT TYPE 2 OF FLEET 173278 THRU 173282

PAGE 008
AS OF 07/29/16

DESCRIPTION

PUB CD

WEIGHT

HEAVY DUTY EMISSIONS SURCHARGE
TOTAL SURCHARGE/OPTIONS NOT SUBJECT TO DISC

OPTIONAL EXT WTY & PRV MNT
9409959 - 2013 EPA EMISSIONS ENGINE
WARRANTY ONLY

TOTAL OPTIONAL EXT WTY & PRV MNT

TOTAL TIRE FET INCLUDED -- AS PRODUCED

MARKETING PROGRAMS AND PROMOTIONS

** WEIGHT SHOWN HERE IS AN ENGINEERING ESTIMATE AND DOES NOT INCLUDE
UNPUBLISHED OPTIONS. ACTUAL "SHIPPING" WEIGHT MAY VARY.

CERTIFICATE OF ORIGIN FOR A VEHICLE



A **PACCAR** COMPANY
PETERBILT MOTORS COMPANY

DATE	JULY 29, 2016	INVOICE NO.	N/A
VEHICLE IDENTIFICATION NO.	3BPZL70X8HF173282	YEAR	2017
BODY TYPE	TRUCK	MAKE	PETERBILT
H.P. (S.A.E)	350.0	SHIPPING WEIGHT	19,642 LB
G.V.W.R	66,000 LB	NO. CYLS.	6
		SERIES OR MODEL	MODEL 320

I, the undersigned authorized representative of the company, firm or corporation named below, hereby certify that the new vehicle described above is the property of the said company, firm or corporation and is transferred on the above date and under the Invoice Number indicated to the following distributor or dealer.

S047
RUSH CRANE & REF SYS INT
P.O. BOX 200105
SAN ANTONIO TX 78220

It is further certified that this was the first transfer of such new vehicle in ordinary trade and commerce.

PETERBILT MOTORS COMPANY

BY: 
(SIGNATURE OF AUTHORIZED REPRESENTATIVE) (AGENT)

PE 898928

DENTON, TEXAS

CITY-STATE



QUOTATION

Prepared For:

RUSH TRUCK CENTER
City of Madeira Beach
LeRoy Walker
505 150th Ave.
Madeira Beach, FL. 33708

Ship To:

TCB

Prepared By:

Jim Norris
Tampa Crane & Body
813-786-7748 Cell
813-246-5322 Fax
jnorris@tampacrane.com

QUOTE REFERENCE NUMBER	ISSUE DATE	VALID FOR	EST. DELIVERY FROM RECEIPT OF ORDER	SUBMITTED BY	SHIPPED VIA	FOB POINT	TERMS
TA REL 2016FSA	10-1-2015	1 year	CHECK AT TIME OF ORDER	TCB	DRIVE AWAY	Dealership	Net 30 Days

Body

Dura-Pack 5000-25 Yard Tandem Axle Rear Loader

Standard Options

Front Mount Pump
Left Hand Buzzer
20 lb. Fire Extinguisher
Single Camera System
Freight from Ft. Payne
12 Month Warranty
All Standard Features
1 Year Warranty

Total Body FSA Pricing: **\$66,868.00**

Additional Options: **\$25,633.00**

32 Yard Body Capacity
15,000lb Reeving Cylinder Attachment Kit
Roll Bar with Lip & Latch Kit
H.D. Contractors Pkg.
Side Access Door
60gl Washout Tank Aluminum
Tool Box
Dual Hopper Lights
LED Side Backing Lights
Peterson Smart Lights
Safety Vision back up camera

Quote Per Unit **\$92,501.00**

If you have any questions concerning this quotation, please feel free to contact us.

Drew Weil
Sunbelt Waste Equipment
2201 N.W. 22nd St.
Pompano Beach, FL 33069
561-274-8505
954-444-1529 Cell
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Ingram Equipment
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Pelham, AL 35124
205-663-3946
JKing@IngramEquipment.net



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016 – Agenda Report

FROM: Vincent M. Tenaglia, Assistant City Manager

SUBJECT: **RESOLUTION 2016-29: AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING SANITATION FUND EXPENDITURES IN THE AMOUNT OF \$40,000; AND PROVIDING FOR AN EFFECTIVE DATE**

BACKGROUND: Item J-3 on the November 15 agenda includes requested authorization to purchase a Sanitation truck in excess of budgeted funds. If approved by the Board of Commissioners, a budget amendment is necessary to provide sufficient funding.

FINANCIAL IMPACT: Finance recommends evaluating all budget amendment requests from the context of the City's fund balance policy. Although the fund balance policy primarily addresses Governmental Funds, Proprietary Funds can and should be considered from a similar perspective, emphasizing working capital rather than fund balance. Estimated FY 2017 Sanitation Fund working capital includes \$1,535,600, which will serve as the source of funding for this request.

<u>Account</u>	<u>Adopted budget</u>	<u>Revised budget</u>	<u>Current request</u>	<u>Total revised</u>
Expenditures:				
402.7000.6400	\$ 200,000	\$ 200,000	\$ 40,000	\$ 240,000

RECOMMENDED BY STAFF: Finance recommends approval of Resolution 2016-29.

ATTACHMENT(S): Resolution 2016-29

Agenda Item: _____

RESOLUTION 2016-29

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING SANITATION FUND EXPENDITURES IN THE AMOUNT OF \$40,000; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Madeira Beach Board of Commissioners has approved an annual budget for fiscal year 2017; and

WHEREAS, the City of Madeira Beach Board of Commissioners desires to amend the annual budget for fiscal year 2017; and

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

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

Section 1. The Board of Commissioners authorizes the increase of Sanitation Fund expenditures in the amount of \$40,000.

Section 2. The Board of Commissioners authorizes management to allocate the budget amendment pursuant to the account level detailed provided as Exhibit A.

Section 3. 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 2016-29: Exhibit A

<u>Account</u>	<u>Adopted budget</u>	<u>Revised budget</u>	<u>Current request</u>	<u>Total revised</u>
Expenditures:				
402.7000.6400	\$ 200,000	\$ 200,000	\$ 40,000	\$ 240,000



MADEIRA BEACH BOARD OF COMMISSIONERS

November 15, 2016 – Agenda Report

FROM: Vincent M. Tenaglia, Assistant City Manager

SUBJECT: **RESOLUTION 2016-30: AMENDING THE FISCAL YEAR 2016 BUDGET BY DECREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; AND PROVIDING FOR AN EFFECTIVE DATE**

BACKGROUND: City staff is currently finalizing the Highway Landscape Reimbursement project with the Florida Department of Transportation, reimbursement for which is currently budgeted in fiscal year 2016. The intent of Resolution 2016-30 is to reschedule revenue corresponding to the status of the grant-funded project. A budget amendment is necessary to bring the funding schedule into congruence with the project schedule.

FINANCIAL IMPACT: The net effect of Resolution 2016-30 has no impact to long-term fund balance.

Project description	Fund	Account no.	Reductions FY 2016	Additions FY 2017
Highway Landscape Reimbursement	General	001.331.490	\$ (50,000)	\$ 50,000
Total			<u>\$ (50,000)</u>	<u>\$ 50,000</u>

RECOMMENDED BY STAFF: Finance recommends approval of Resolution 2016-30.

ATTACHMENT(S): Resolution 2016-30

Agenda Item: _____

RESOLUTION 2016-30

A RESOLUTION OF THE CITY OF MADEIRA BEACH, FLORIDA AMENDING THE FISCAL YEAR 2016 BUDGET BY DECREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; AMENDING THE FISCAL YEAR 2017 BUDGET BY INCREASING GENERAL FUND REVENUE IN THE AMOUNT OF \$50,000; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Madeira Beach Board of Commissioners has approved an annual budget for fiscal year 2016; and

WHEREAS, the City of Madeira Beach Board of Commissioners has approved an annual budget for fiscal year 2017; and

WHEREAS, the City of Madeira Beach Board of Commissioners desires to amend the annual budgets for fiscal years 2016 and 2017; and

WHEREAS, Florida Statutes 166.241 authorizes the governing body of a municipality to amend a budget within 60 days following the end of the fiscal year; and

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

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

Section 1. The Board of Commissioners authorizes the decrease of General Fund revenue from the fiscal year 2016 budget, in the amount of \$50,000.

Section 2. The Board of Commissioners authorizes the increase of General Fund revenue to the fiscal year 2017 budget, in the amount of \$50,000.

Section 3. The Board of Commissioners authorizes management 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.

[REMAINDER OF THE PAGE INTENTIONALLY LEFT BLANK]

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

Grant Funding Roll-Forward Schedule
FY 2016 to FY 2017

Resolution 2016-30
Exhibit A

<u>Project description</u>	<u>Fund</u>	<u>Account no.</u>	<u>Reductions</u> <u>FY 2016</u>	<u>Additions</u> <u>FY 2017</u>
Highway Landscape Reimbursement	General	001.331.490	\$ (50,000)	\$ 50,000
Total			<u>\$ (50,000)</u>	<u>\$ 50,000</u>