



# City of Edgewater

104 N. Riverside Drive  
Edgewater, FL 32132

## Meeting Minutes City Council

Resolution adoption can  
be found on page 10-11.

Resolution 2022-R-27 begins on page 16.

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Monday, September 12, 2022

6:00 PM

Council Chambers

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### 1. CALL TO ORDER and ROLL CALL, PLEDGE OF ALLEGIANCE, INVOCATION

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

**Present:** 5 - Mayor Mike Thomas, Councilwoman Christine Power, Councilwoman Gigi Bennington, Councilwoman Debbie Dolbow, and Councilman Jonah Powers

**Also Present:** 4 - City Attorney Aaron Wolfe, City Manager Glenn Irby, City Clerk Bonnie Zlotnik, and Assistant to the City Clerk Monique Toupin

### 2. APPROVAL OF MINUTES

#### a. Regular Meeting - January 10, 2022

**A motion was made by Councilwoman Bennington, second by Councilwoman Power, to approve the January 10, 2022 Minutes. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

#### b. Regular Meeting - February 7, 2022

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve the February 7, 2022 Minutes. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

### 3. PRESENTATIONS/PROCLAMATIONS/PLAQUES/CERTIFICATES/DONATIONS

*None at this time.*

### 4. CITIZEN COMMENTS

*Mike Barnett, 3104 Travelers Palm Drive, owner of Splash-N-Dash Car Wash, asked about the possibility of another car wash going in nearby and expressed concern over it affecting his business. City Manager Irby clarified that something like that would not come before Council as the property in question is legally zoned for that use; they cannot prohibit it.*

*James Collier, 3033 Silver Palm Drive, discussed hurricane shutters, regulations over air bnb's, and streets that need paving. Fire Chief Lariscy explained the reasoning behind the rules regarding the shutters and said it was dealt with on a complaint basis.*

*Councilman Powers asked what the noise Ordinance stated; Chief Lariscy stated that it depends on zoning and he would have to look it up.*

## 5. APPROVAL OR CHANGES/MODIFICATIONS TO THE AGENDA

*None at this time.*

## 6. CITY COUNCIL REPORTS

*Councilwoman Power had nothing at this time.*

*Councilwoman Bennington reported that she had received the Land Development Code and felt as though it was convoluted; she asked if it would be possible for Council and the Planning and Zoning Board to sit down and go over the highlights. City Manager Irby asked if it should be done before or after the election; Mayor Thomas suggested after the election.*

*Councilwoman Dolbow reminded everyone that the River Rescue Regatta is this Saturday at Menard May park.*

*Councilman Powers had attended the Police Departments' Summer BBQ and appreciates all that they do for the community; he reported that the YMCA is doing well and has had a very good summer.*

*Mayor Thomas had attended the Police Departments Summer BBQ and expressed his pride over the Police Departments effort to be community friendly.*

## 7. CONSENT AGENDA

**A motion was made by Councilman Powers, second by Councilwoman Dolbow, to approve the Consent Agenda, excluding 7c. The MOTION was APPROVED by the following vote:**

**Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers**

- a. FDOT High Visibility Education and Enforcement Grant
- b. Use Agreement between the City of Edgewater Fire Rescue Department & Zoll Data Systems, Inc.
- c. Utility Rate Study Services Agreement - Raftelis Financial Consultants, Inc. - Additional Funding
- d. 1st Amendment to the Professional Services Agreement, Special Magistrate Services.
- e. Renewal of Lime Slurry Hauling and Disposal contract with KAG Specialty Products

- f. Hart Avenue Drainage and Water Main Improvement Project: Cancel Contract with American Design Engineering Construction, Inc.
- g. Hart Avenue Drainage and Water Main Improvement Project: Award ITB 22-ES-003 to 2nd Low Bidder GPS Civil Construction Inc. in the amount of \$3,030,327
- h. Hart Avenue Drainage and Water Main Improvement Project: CEI/Inspection Services Negotiated Scope and Fee Proposal from Top Ranked Firm from RFQ 22-ES-08
- i. Additional audit services and implementation consultation related to GASB 87, Leases

*Councilwoman Dolbow asked why the City was billed an extra \$15,500 for the power point and presentation for the study; City Manager Irby explained that there was a scope of service the company was to provide under contract, Staff had requested additional information and it was provided for the added cost of \$15,500. The cost was within City Manager Irby's purchasing purview, thus he had approved it.*

*City Manager Irby stated that they are always trying to get the utility bills as affordable as possible and had thought about other ways to do it; they had therefore asked for the company's service and information.*

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve Consent Agenda item 7c. The MOTION was APPROVED by the following vote:**

**Yes:** 4 - Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

**No:** 1 - Mayor Thomas

## **8. PUBLIC HEARINGS, ORDINANCES AND RESOLUTIONS**

- a. 2nd Reading - Ordinance No. 2022-O-17: Amending the General Employees' Retirement Plan by modifying Article VI (When Benefits Start and Distribution of Benefits), Section 6.04(c).

*City Attorney Wolfe read the Resolution into the record.*

*There was no staff report as this was a second reading.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Ordinance No. 2022-O-17. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- b. 2nd Reading - Ordinance No. 2022-O-18: Amending the Police Officers' Pension Plan; providing for the purchase of an Enhanced Multiplier

*City Attorney Wolfe read the Ordinance into the record.*

*There was no staff report as this was a second reading.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilwoman Bennington, second by Councilman Powers, to approve Ordinance No. 2022-O-18. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- c. 2nd Reading - Ordinance No. 2022-O-14 - Jeffrey Lariscy, requesting annexation of 11.2± acres of land located at 1805 St. Croix Way

*City Attorney Wolfe read the Ordinance into the record.*

*Darren Lear, Development Services Director, provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Theresa Collier, 3033 Silver Palm Drive, asked how many houses were to be built there; Mr. Lear answered that it was just one (1).*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilman Powers, second by Councilwoman Bennington, to approve Ordinance No. 2022-O-14. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- d. 2nd Reading - Ordinance No. 2022-O-15 - Jeffrey Lariscy, requesting an amendment to the Future Land Use Map to include 11.2± acres of land located at 1805 St. Croix Way as Agriculture with Conservation Overlay

*City Attorney Wolfe read the Ordinance into the record.*

*Darren Lear, Development Services Director, provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Mayor Thomas asked if Chief Lariscy was expecting water or sewer services, he said no and that the road would be built up to ensure that emergency services could safely pass through.*

*Councilwoman Bennington explained why Chief Lariscy didn't have to come up to the podium to answer questions; Mayor Thomas added that the reason Chief Lariscy has to annex is because due to his role as Fire Chief, he is required to reside in the City.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Dolbow, second by Councilwoman Bennington to approve Ordinance No. 2022-O-15. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- e. 2nd Reading - Ordinance No. 2022-O-16 - Jeffrey Lariscy, requesting an amendment to the Official Zoning Map to include 11.2± acres of land located at 1805 St. Croix Way as AG (Agriculture).

*City Attorney Wolfe read the Ordinance into the record.*

*Darren Lear, Development Services Director, provided a staff report and recommendation.*

*Mayor Thomas asked if there could be chickens and horses on the property; Mr. Lear said yes but only a limited amount.*

*Cynthia Black, 2723 Umbrella Tree Drive, asked if there was greater benefit to being zoned agriculturally versus residential as far as property taxes go; Mr. Lear said only if someone has an agriculture exemption with the County.*

*Councilman Powers clarified that the zoning being requested is already the zoning via the County, it's just being transferred to the City. Mr. Irby said that for tax exemption, Chief Lariscy will have to go to the Property Appraiser as the City doesn't handle that.*

*Mayor Thomas closed the public hearing.*

**A motion was made by to Ordinance No. 2022-O-16. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- f. Resolution 2022-R-11 Fire Assessment Fee approving Rate of Assessment and Assessment roll

*City Attorney Wolfe read the Resolution into the record.*

*City Manager Irby provided a staff report and recommendation.*

*Bridgette Vaissiere, Finance Director and Sandi Neubarth, Consultant from Government Services Group, gave a brief presentation on the estimated net revenue and reminded Council that all the*

information provided was based on prior years property values. Ms. Vaissiere made Council aware that based on the information from the certified value received from the Property Appraiser, the millage that would equate to a revenue neutral situation would be 0.3724; formerly it was .5.

Councilman Powers asked what that would mean for net zero; Ms. Vaissiere answered that they would be looking at 6.3276 for the millage rate reduction if they were trying to achieve net neutrality.

Ms. Neubarth stated that Council and staff had followed all procedures to collect on the tax bill this year pursuant to the City Ordinance and Florida Statue; tonight Council makes the decision to go forward with the \$50 fee; they can't go any higher than that but they can go lower or have no fee at all. If they do decided to go forward, it will be on the tax bill.

Mayor Thomas opened the public hearing.

Councilwoman Dolbow wanted clarification that the 0.3724 millage would lower the millage to 6.3276; Ms. Vaissiere informed her those numbers were based on the revised property values that the Property Appraiser provided the City. Finance staff worked with Ms. Neubarth to calculate what the impact would be to the proposed millage or any changes to the millage.

James Collier, 3033 Silver Palm Drive, asked about disabled veterans having to pay the \$50 fee; Ms. Neubarth apologized and explained that there had been an error, there were 208 VA exempt parcels that were accidentally included on that trim. They would not be on the final bill; if someone qualifies for 100% VA disability, they will not have the fee on their tax bill.

John Pitera Sr, 127 W Connecticut Avenue, asked why this fee is being handled differently than the normal taxing process the State and County have. Ms. Neubarth broke down the process for him and upon his continued confusion, Councilwoman Powers provided a simpler explanation.

Mayor Thomas asked approximately how many houses in Edgewater did not pay taxes; Ms. Neubarth answered that it was 800 that pay nothing and about 25% of parcels that have a taxable value of \$25,000 or less which means they pay next to nothing. Mayor Thomas expounded that they were trying to make everything even for residents in the City.

Councilman Powers further explained to Mr. Pitera that he had received a tax notice and that is why it had included the \$50 fee; they are hoping that will be lowered so that it will be net neutral, therefore there will be no impact.

Councilwoman Bennington stated that they are simply taking \$50 off their Ad Valorem taxes and putting it towards fire services as so many people hadn't been paying anything for it. It's just a transfer of funds.

Mr. Pitera asked what's preventing the City from raising the fee next year; Mr. Irby said they could

do that but they would have to go through the same process they are currently going through. Ms. Neubarth said to keep in mind that it is revenue neutral to the City, not each individual property owner. Those who are presently paying no taxes for any of the City services will at least pay the \$50 but if the threshold of revenue neutrality, you may pay a little more or a little less.

Cindy Black, 2923 Umbrella Tree Drive, expressed concerns over the 6.7% millage rate being too high.

Mayor Thomas closed the public hearing.

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to adopt Resolution No. 2022-R-11 and set the Fire Services Assessment Rates as follows:**  
**Residential \$50.00 Per Dwelling Unit**  
**Commercial \$0.03 Per Square Foot (capped at 97,000 sq. ft.) Industrial/Warehouse \$0.01 Per Square Foot (capped at 97,000 sq. ft.) Institutional \$0.05 Per Square Foot (capped at 97,000 sq. ft.). The MOTION was APPROVED by the following vote:**

Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- g. Resolution No. 2022-R-16: Tentative Edgewater Operating Millage Rate for Fiscal Year 2022-2023

City Attorney Wolfe read the Resolution into the record.

Bridgette Vaissiere, Finance Director, provided a staff report and recommendation.

Councilwoman Bennington clarified that Ms. Vaissiere just needed direction for what is to be proposed at the next meeting. Ms. Vaissiere said yes, however they would need a motion presently on the millage and the operating budget.

Mayor Thomas opened the public hearing.

Councilwoman Power asked about the amount of 6.3276; Ms. Vaissiere explained the calculations used to come up with the net neutral revenue for the City.

Councilwoman Dolbow stated that the 6.33 would be the millage rate; Ms. Vaissiere explained that if they went from 6.7 to 6.33, it would be a reduction of .37 to the millage. The estimated net reduction in revenue would be approximately \$522,583; however management had discussed that the impact would then be to use fund balanced reserves. If they used fund balanced reserves to rebalance, they would get approximately a 28% fund balance reserve level.

Councilwoman Dolbow asked if there was a possibility that they could do this without having to dip into the reserves to balance. Ms. Vaissiere deferred to City Manager Irby; he said there was nothing they could recommend.

*Councilwoman Power commented that the City had been conservative over the last 10 years; it's tax payer money in the reserves and they have a substantial amount. It makes sense to her to do this as a one time thing to even things out. Councilwoman Dolbow asked if the reserves could instead be used for a project that is unfunded; Councilwoman Power explained that doing so would go against what they've been telling residents concerning their \$50 fire fee.*

*Councilman Powers added that right now reserves are at 32%; they will drop down to 28% if the millage gets set at 6.33. Ms. Vaissiere agreed but did correct that reserves currently are at 30% after the wage increase included in the budget. Councilman Powers pointed out that 28% in the reserves is still a lot as the City is only required to have 15%.*

*Councilwoman Dolbow inquired over the capital outlay with the general fund and the equipment being bought with it; she wondered if there a way to possibly group all the costs together to get a loan that would get paid off over 10-15 years. That way future residents will also be a part of that payment process as well. Councilwoman Power pointed out that some of them are already loans with Mayor Thomas adding that the interest is the concern there.*

*Councilman Powers felt that because they had been fiscally conservative over the years and the money in the reserves is the tax payers; it doesn't make sense to increase the burden and then just sit on the money.*

*Councilwoman Bennington said she felt she understood where Councilwoman Dolbow was coming from as they do have major projects in the future.*

*Cindy Black, 2923 Umbrella Tree, shared her thoughts over the current and future millage.*

*Councilman Powers said that at this point he's ready to make a motion that the millage be set at 6.33; Councilwoman Power interjected that they are still waiting for the Firefighters for the budget. Ms. Vaissiere informed Council that she has to provide a legal ad to the newspaper that is legally required for the tentative millage and the tentative operating budget; doing so does not lock them into the current numbers. She recommended that Council approve the tentative millage rate of 6.7 and then direct staff to work on getting it down to 6.3 for the next meeting.*

*Ms. Vaissiere requested, if they chose to make any changes to the tentative millage, that Council allow a brief recess as the Resolutions pertaining to that millage would have to be updated; the Resolution also has the rollback rate. She explained that the impact would affect both the general fund and the CRA fund because the CRA matches the millage rate. The operating budget resolution would need amended or revised for the final dollar as well as the two line items for the funds.*

*Further discussion ensued over transparency with the residents and Councilman Powers asked for confirmation that when they return to set the final millage, it will reflect the 6.33. Ms. Vaissiere said if that is the direction given to her this evening, yes.*



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*Mayor Thomas asked City Attorney Wolfe if he could poll the Council for their decisions; City Attorney Wolfe said yes as it was informal and they were not making a motion.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve Resolution No. 2022-R-16 for the Tentative Edgewater Operating Millage Rate of \$6.70 for Fiscal Year 2022-2023. The MOTION was APPROVED by the following vote:**

**Yes:** 3 - Councilwoman Power, Councilwoman Bennington and Councilman Powers

**No:** 2 - Mayor Thomas and Councilwoman Dolbow

- h.** Resolution No. 2022-R-17: Tentative Edgewater I & S 2005 Voted Debt Service Millage Rate for the Animal Shelter for Fiscal Year 2022-2023

*City Attorney Wolfe read the Resolution into the record.*

*Bridgette Vaissiere, Finance Director, provided a staff report and recommendation.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilwoman Dolbow, second by Councilwoman Power, to approve Resolution No. 2022-R-17 Tentative Edgewater I & S 2005 Voted Debt Service Millage Rate of \$0.0248 for the Animal Shelter for Fiscal Year 2022-2023. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- i.** Resolution No. 2022-R-18: Tentative Edgewater I & S 2016 Voted Debt Service Millage Rate for the GO for Parks for Fiscal Year 2022-2023

*City Attorney Wolfe read the Resolution into the record.*

*Bridgette Vaissiere, Finance Director, provided a staff report and recommendation.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilman Powers, to approve Resolution No. 2022-R-18 for the Tentative Edgewater I & S 2016 Voted Debt Service Millage Rate of \$0.1682 for the GO for Parks for Fiscal Year 2022-2023. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- j.** Resolution No. 2022-R-19: Tentative Budget providing for appropriations for Fiscal Year 2022-2023

*City Attorney Wolfe read the Resolution into the record.*

*Bridgette Vaissiere, Finance Director, provided a staff report and recommendation.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilman Powers, second by Councilwoman Dolbow, to approve Resolution No. 2022-R-19 for the Tentative Budget for Fiscal Year 2022-2023. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

**k. Resolution 2022-R-25 CDBG Disaster Recovery Procurement Policy Rewrite**

*City Attorney Wolfe read the Resolution into the record.*

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilman Powers, to approve Resolution No. 2022-R-25. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

**l. Resolution 2022-R-26 Adopting Policies Relating to CD Block Grants**

*City Attorney Wolfe read the Resolution into the record.*

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Councilwoman Power asked if this was a grant that they hadn't been awarded yet; Mr. Irby confirmed it was.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve Resolution No. 2022-R-26. The MOTION was APPROVED by the following vote:**

**Yes:** 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

**m. Resolution 2022-R-27 Adopting policies and procedures for CD Block Grants**

*Mayor Thomas read the Resolution into the record.*

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Mayor Thomas asked if there was still a Grant Writer on staff; Mr. Irby said yes.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve Resolution No. 2022-R-27. The MOTION was APPROVED by the following vote:**

**Yes: 5 -** Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- n. Resolution 2022-R-28 Policy Relating to City's Financial Management Policy CDBGs

*City Attorney Wolfe read the Resolution into the record.*

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened and closed the public hearing.*

**A motion was made by Councilwoman Dolbow, second by Councilwoman Power, to approve Resolution No. 2022-R-28. The MOTION was APPROVED by the following vote:**

**Yes: 5 -** Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

## 9. BOARD APPOINTMENTS

*None at this time.*

## 10. OTHER BUSINESS

- a. SD-2103 - Mark Goldshmidt, requesting Preliminary Plat approval for Air Park Village

*Darren Lear, Development Services Director, provided a staff report and recommendation.*

*Mayor Thomas asked how many acres the proposed perpetual conservation area would be; Mr. Lear said it was 660 feet in diameter. Mayor Thomas then expressed concern for the eagles nest located on the property; Mr. Lear assured him that it is on said perpetual conservation so it will be there forever as green space.*

*Councilwoman Bennington stated that the acreage will be cut down and Mr. Lear confirmed; that was why they could only fit so many parcels. Mr. Lear also informed Council that these were to be townhomes with a minimum of 4 dwellings per building.*

*Councilwoman Bennington felt as though the 15 foot to the rear of the buildings wasn't enough room*

*and that if they were 900 square feet as stated in the PUD, people might be unable to do as much with their space. She also expressed concern that there wouldn't be enough parking to accommodate; Mr. Lear informed her that they had them add extra parking to the development for that reason.*

*Joey Posey, 420 S. Nova Road, Daytona Beach, Attorney for the Developer, explained that the platted lots themselves are a little big larger; the 15-foot in the rear of the building is correct, however there is a 40-foot buffer plus a 15-foot building setback.*

*Councilwoman Bennington expressed further concern about the future of the townhomes, referencing similar former developments where there had been issues; Mr. Lear stated that the problem with those may have been the lack of an HOA. Mr. Posey assured that they had taken the time to add in off-site parking to try to accommodate.*

*Mayor Thomas asked about lakes on the property; Mr. Posey said he believed it was a combination of dry and wet retention.*

*Councilwoman Bennington asked about sidewalks; Mr. Lear said they were not going to be in the set back area. Councilman Power confirmed with Mr. Lear that there will be 20 feet of length beside the sidewalk.*

*Mr. Lear informed Mayor Thomas that there were to be 111 livable units; Councilwoman Dolbow asked if the road leading to the development would be expanded, Mr. Lear and Mr. Posey confirmed, with Mr. Irby adding that they were currently reconfiguring the "s" curve to be a four (4) way stop. Councilwoman Dolbow expressed concern over how busy the road may get with the developments; Mr. Posey said that if the City ever planned to expand the road, there should be more than enough space.*

*Councilman Powers asked if there had been a traffic study; Mr. Posey said yes and that it hadn't triggered any issues. Councilman Powers stated that for the record, they were not debating whether or not the project was to be approved at they currently have no legal recourse.*

*Further discussion ensued about the cost of units; the need for diversified housing; the type of unit and the access to the development.*

*Councilwoman Dolbow inquired over the drainage and the possibility that water may flow onto Airpark Road or the homes on the West side; Mr. Posey said that to his understanding, that is what the retention ponds will be utilized for.*

*Cindy Black, 2923 Umbrella Tree Drive, asked if the plan was to still have it be a right turn only at Air Park; Mr. Posey confirmed that it was.*

*Councilwoman Dolbow asked if the pool was to be installed before or after the homes were in place and if there was going to be a privacy fence put in place; Mr. Posey said they might go in*

*simultaneously but he isn't sure and that he doesn't recall any fencing.*

*John Pitera, 127 W Connecticut Avenue, asked for clarification over the ratio of units to parking spaces; Mr. Posey provided the specific details. Councilman Powers further assured that all units would have their own parking spots with additional parking included.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilwoman Bennington, to approve SD-2103 The MOTION was APPROVED by the following vote:**

**Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers**

- b. Motion to award and authorize the City Manager to execute contract to Perfect Trades LLC for the Metal Building and Slab for City Clerk Office Space and Storage (ITB 22-ES-10).

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Councilman Powers thinks it's amazing that the only thing the City is paying for is the materials as Staff is doing all the labor.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilwoman Dolbow, to award and authorize the City Manager to execute contract to Perfect Trades LLC for the Metal Building and Slab for City Clerk Office Space and Storage (ITB 22-ES-10). The MOTION was APPROVED by the following vote:**

**Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers**

- c. Ratification of the Laborers International Union of North America, Local 630 (LiUNA) Collective Bargaining Agreement.

*City Manager Irby provided a staff report and recommendation.*

*Mayor Thomas opened the public hearing.*

*Councilwoman Power thanked Staff for their effort and said it was a three (3) year contract with the agreement that employees can come back in the 2nd and 3rd year to renegotiate their contract.*

*Mayor Thomas closed the public hearing.*

**A motion was made by Councilwoman Power, second by Councilman Powers, to approve Laborers International Union of North America, Local 630 (LiUNA) Collective Bargaining**

**Agreement. The MOTION was APPROVED by the following vote:**

Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

- d. Ratification of the Coastal Florida Police Benevolent Association (PBA) Collective Bargaining Agreement.

*City Attorney Wolfe provided a staff report and recommendation.*

*Mayor Thomas asked Police Chief Mahoney how many K9 units the City had; Chief Mahoney said that there were two (2) and one (1) motorcycle unit as well. Mayor Thomas expressed pride over the Police Department.*

*Mayor Thomas asked for public comment.*

**A motion was made by Councilman Powers, second by Councilwoman Power, to approve the Coastal Florida Police Benevolent Association (PBA) Collective Bargaining Agreement. The MOTION was APPROVED by the following vote:**

Yes: 5 - Mayor Thomas, Councilwoman Power, Councilwoman Bennington, Councilwoman Dolbow and Councilman Powers

**11. OFFICER REPORTS**

- a. City Clerk

*Nothing at this time.*

- b. City Attorney

*City Attorney Wolfe provided an update on the Deborah Richards case and the Johnny Ingles case.*

*Mayor Thomas commended City Attorney Wolfe for doing a good job.*

- c. City Manager

*Nothing at this time.*

**12. CITIZEN COMMENTS**

*Cindy Black, 2923 Umbrella Tree Drive, discussed next month being Domestic Violence Awareness Month and what the City could possibly do to accommodate that.*

**14. ADJOURN**

*There being nothing left to discuss, Mayor Thomas adjourned the meeting at 7:59 p.m.*

*Minutes respectfully submitted by:*

*Monique Toupin, Assistant to the City Clerk.*

**RESOLUTION NO. 2022-R-27**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EDGEWATER, FLORIDA ADOPTING POLICIES AND PROCEDURES RELATING TO THE CITY'S QUALITY ASSURANCE AND QUALITY CONTROL FOR USE IN ADMINISTERING COMMUNITY DEVELOPMENT BLOCK GRANTS; PROVIDING DEFINITIONS; DEFINING AN ACTION PLAN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Edgewater desires to establish policies and procedures regarding quality control and quality assurance under the City's Community Development Block Grants (CDBG), and

**WHEREAS**, the City Council of the City of Edgewater recognizes the need to adopt policies and procedures for quality assurance and quality control under the Community Development Block Grant to ensure compliance and adherence to requirements and standards set for by the United State Department of Housing and Urban Development (HUD), the Florida Department of Economic Opportunity (DEO), Federal Regulations, State Statutes, and State Administrative Rules.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Edgewater Florida:

**Section 1.** The City Council adopts, a Quality Assurance and Quality Control Policies and Procedures for use in administering Community Development Block Grants, a copy of which is attached and incorporated herein as Exhibit "A"

**Section 2.** All conflicting purchasing policies are superseded by this policy.

**Section 3.** All resolutions or part of resolutions in conflict herewith are hereby repealed.

**Section 4.** This resolution shall take effect upon adoption.



After Motion to approve by \_\_\_\_\_ with Second by \_\_\_\_\_, the vote on this Resolution was as follows:

|                              | <b>AYE</b> | <b>NAY</b> |
|------------------------------|------------|------------|
| Mayor Mike Thomas            | _____      | _____      |
| Councilwoman Christine Power | _____      | _____      |
| Councilwoman Gigi Bennington | _____      | _____      |
| Councilwoman Debbie Dolbow   | _____      | _____      |
| Councilman Jonah Powers      | _____      | _____      |

**PASSED AND DULY ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2022.

**CITY COUNCIL OF THE  
CITY OF EDGEWATER,  
FLORIDA**

\_\_\_\_\_  
**Mike Thomas  
Mayor**

**ATTEST:**

\_\_\_\_\_  
**Bonnie Zlotnik, CMC  
City Clerk**

For the use and reliance only by the City of Edgewater,  
Florida Approved as to form and legality by:  
Aaron R. Wolfe, Esquire  
City Attorney  
Doran, Sims, Wolfe & Yoon

Approved by the City Council of the City of Edgewater at a  
meeting held on this \_\_\_\_ day of \_\_\_\_\_, 2022,  
under Agenda Item No 8 \_\_\_\_\_

**EXHIBIT "A"**  
**CDBG QUALITY ASSURANCE AND QUALITY CONTROL POLICY**

**CDBG  
Quality Assurance/Quality Control (QA/QC)  
Procedures**



Resolution No. 2022-R-27

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## **Purpose**

The purpose of these Quality Assurance/Quality Control (QA/QC) procedures is to assure the City's CDBG program quality, ensure the program meets performance measures, and to ensure compliance with rules, regulations, statutes, laws, best practices and requirements identified by the federal government, the State of Florida and those incorporated in the City's contractual agreement with the Florida Department of Economic Opportunity (DEO).

This document is the general approach for compliance of the City of Edgewater's CDBG program, establishing monitoring practices and oversight of all program areas including:

- Self-Evaluation
- Eligible Activities and National Objective
- Duplication of Benefits
- Procurements
- Environmental Review
- Acquisition
- Financial Systems and Financial Management
- Monitoring
- Project Progress and Amendments
- Construction Related (Labor Standards Compliance/Engineer or Housing Specialist)

Inspection Services/Certification of Completion or Certificate of Completion or Occupancy [housing])

- Civil Rights (Fair Housing, EEO, MWBE, Section 504, and Section 3)
- Reporting
- Complaints
- Records Retention
- Public Records Requests

## **Self Evaluation, Capacity and Monitoring Plan**

The City will, upon receipt of notification of award OR receipt of an executed CDBG agreement, evaluate its capacity, staffing, grant management history, financial systems and fiscal history (i.e. any previous financial monitoring findings or concerns from previous grants and/or audit findings or compliance issues) and coupled with DEO's Risk Assessment will put into place strategic adjustments that supplement the City's existing capacity. These adjustments may include such actions as purchasing updated accounting software, hiring additional staff or hiring consultants. In addition, to these adjustments, the City will adhere to and participate in monitoring in accordance with DEO's monitoring plan.

## **Eligible Activities and Meeting a National Objective**

The City of Edgewater will take the appropriate steps to ensure that only eligible activities are addressed with CDBG funds and that projects paid for with these grant funds meet a National Objective. Activities approved through the project's application and contracting

with DEO are assumed to meet the tests for being eligible activities and for meeting a National Objective. Any changes in the activities, beneficiaries and scope of work will require reviews by City staff and DEO to determine the eligibility of activities and whether or not a project continues to meet a National Object. Projects that provide direct benefit to residents, such as housing rehabilitation will require the beneficiaries to provide substantial documentation of household income to ensure they are low-to-moderate income, or in the case of work on a multi-unit housing project documentation confirming that at least 51% of the units are occupied by person from low-to-moderate income and/or will be or remain available and affordable to persons from low-to-moderate income households.

### **Duplication of Benefits**

The City, will take ongoing measures to ensure that there is no Duplication of Benefits (DOB) utilizing the CDBG funds. For Disaster Recovery projects the City will adhere to the requirements of the Stafford Act to avoid DOB. A DOB occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. Within the CDBG program, all grantees are bound by Section 312 of the Stafford Act, as amended by the DRRA, and the OMB Cost Principles within 2 C.F.R. § 200 that requires all costs to be "necessary and reasonable for the performance of the Federal award."

The City will ensure that no DOB occurs by:

1. **Assessing Need:** Determine the amount of need (total cost) to accomplish a project.
2. **Determining Available Assistance:** Determine the amount of assistance that has or will be provided from all sources to pay for the cost of the project.
3. **Calculating Unmet Need:** Determine the amount of assistance already provided compared to the need to determine the maximum CDBG award (unmet need)
4. **Documenting the analysis:** Document calculation and maintain adequate documentation justifying determination of maximum award.

Additionally, the City will adhere to the Disaster Recovery Subrogation Agreement, enclosed in the CDBG agreement, and cooperate with DEO in its prescribed monitoring for and recovery of dollars that are deemed a DOB.

### **Procurements**

The City will follow 2 CFR 200.317-326 and the City's adopted and DEO approved Procurement Policy for all procurements funded by CDBG. Additionally, the City will adhere to the requirements of Section 287.055 Florida Statutes when conducting procurements for professional services such as grant administration engineering. The City will advertise its procurements for CDBG funded work and services in a regional Metropolitan Statistical Area newspaper of general circulation. Construction procurements will additionally adhere to Sections 255.05 (bonding), 255.0525 and DEO requirements

(advertising times). Requests for Proposals, at a minimum, must be advertised at least twelve (12) days prior to the deadline for receipt of proposals.

The City will make every effort to ensure that no conflicts of interest occur in the procurements process. City Elected officials and staff will be required to divulge any potential conflicts of interest and will be required to remove themselves from the process and abstain from participation in any procurements where an actual or a perceived conflict of interest exists.

In the event of any bid protest, the City will follow the procedure as outlined in Section 127.57(3) Florida Statutes and will notify its DEO contract manager immediately of any protests it receives. The City will communicate any other procurement challenges or problems to its DEO contract manager immediately.

The City will ensure that it has an E-Verify Memorandum of Understanding (MOU) and will include a requirement in all contracts with contractors, subcontractors, consultants and subrecipients, funded with CDB funds, to utilize the U.S. Department of Homeland Security's E-verify system (E-Verify) to verify employment eligibility of all new employees hired during the term of the CDBG agreement. Additionally, the City will utilize E-Verify for any new employees it hires during the Grant Period.

The City will include the Section 3 Clause in all contracts with contractors, subcontractors, consultants and subrecipients that are \$100,000 or more.

### **Environmental Review**

Prior to the expenditure any CDBG funded project, other than the allowable expenditures for administration, the City will complete a HUD required Environmental Review that meets the requirements of 24 CFR Part 58. While additional environmental reviews, studies or reports (such as a Phase I and Phase II Environmental Study typically conducted by an engineer) may be required, and may also be needed for the HUD Environmental Review, the City understands that these reviews, studies and reports are not a substitute for the HUD required Environmental Review. The City understands that any expenditure of or commitment to expend CDBG funds (other than the allowable \$5,000 for initial administration) prior to its receipt of DEO's Authority to Use Grants Funds will not be eligible for payment or reimbursement with CDBG-DR funds. Commitments to expend funds, include but are not limited to the actual expenditure of funds, construction bidding and/or award, and agreements to acquire property.

### **Acquisition and Displacement/Relocation**

The City will adhere to 49 CFR Part 24, the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs when purchasing property for a CDBG, regardless of the source of the funding. Additionally, the City will make every effort to avoid CDBG funded projects that displace people or businesses. In instances where the CDBG funded project will displace persons or businesses, the City will ensure that those displaced are accommodated as directed and required in the regulations.

### **Financial Managements Systems and Financial Management**

The City will manage all financial aspects of the CDBG program by ensuring that its financial systems and staff are structured in a manner that ensures optimal accountability and adheres to federal and state accounting requirements. All CDBG awards will be included in the City's budget. A staffing system will be structured that ensures, to the extent possible, segregation of duties in the financial processes.

In instances where non- CDBG funding will be used with CDBG funding, the funding sources and uses will be clearly represented as separate funding streams and expenses in the City's accounting systems. The City's accounting system or subset of the same will be structured in a manner that reports budget to actual expenditures, detailed check/expenditure registers, and cash balance reporting and expenditures by request for funds.

The City will ensure that there is no comingling of funds by placing CDBG funds in a separate bank account or by demonstrating that its accounting system has sufficient capacity and internal controls to separately track the receipts and expenditures of the CDBG grant. For CDBG projects that are funded through an advance process, the City will ensure that these CDBG funds will be maintained in a separate non-interest-bearing account.

The City will report any program income generated from CDBG projects in the Quarterly Status Report. The City will return any program income generated after the closeout of the CDBG agreement to DEO. The City also understands that any program income generated prior to closeout must be returned to DEO unless the program income can be used for additional units of CDBG activities that are specified in a modification to the agreement executed prior to the closeout. It is also understood that program income included in the project by modification to the agreement must be used in accordance with 2 C.F.R. part 200, 24 C.F.R. part 570.504 and the terms of the CDBG agreement.

The City will submit requests for funds through the DEO Subrecipient Enterprise Resource Application (SERA) system. To ensure the timely expenditure of CDBG funds the City will submit requests for funds on a regular basis and in accordance with the CDBG agreement's Scope of Work, Project Detail Budget and Activity Work Plans. These requests for funds will include a signed invoice from the City as well as all contractor invoices, cancelled checks and other documentation required by DEO that supports the expenditures reflected in the City's invoice.

The City will maintain detailed and organized financial records and will be prepared to provide the same for DEO monitorings and annual audits. For years that the City expends \$750,000 or more in federal funds, it will submit a Single Act or Program Specific Audit to DEO and the Florida Auditor General no later than June 30. For years that the City expends less than \$750,000 in federal funds, it will submit a DEO Audit Certification Memo to DEO no later than June 30. Additionally, the City will submit an Audit Compliance Certification (an attachment to the CDBG agreement) no later than sixty (60) calendar days following the end of its fiscal year. The City will respond in a timely manner to any potential DEO financial monitoring findings or concerns and to any potential audit findings or issues.



## **Monitoring**

The City, on an ongoing basis, will self-monitor to ensure:

1. adherence to the requirements of the CDBG agreement, as well as state and federal requirements,
2. adequate efforts are made, and actions taken to Affirmatively Further Fair Housing, that additional efforts are made toward Affirmative Action, enhancing opportunities for minority and women business enterprises (MWBE) in procurements, ensuring program access for handicap persons (Section 504), as well as staffing and beneficiaries, and proactive approaches to providing opportunities to low to moderate income persons (Section 3).
3. the project's timely progress as it relates to the agreement's Milestones/Activity Work Plans/Timeline,
4. the project's timely expenditure rate,
5. the maintenance and accuracy of project related accounting,
6. that project work is certified complete by a Housing Rehab Specialist and Building Official for housing projects and by an engineer for infrastructure and public facilities projects,
7. timely submission of required reporting,
8. complete, correct and organized retention of records,
9. the avoidance of conflicts of interest in procurements and beneficiaries,
10. the timely and appropriate response to complaints, and
11. the timely response to public records requests.

The City will prioritize preparation for, participation in and responses to DEO monitoring visits and desk monitorings. The City will prepare for these monitorings by:

1. completing, when available, DEO monitoring checklists to organize appropriate files and copies of backup,
2. utilizing DEO monitoring checklists and/or DEO Initial Document Request List from the DEO monitoring notification letter to organize appropriate files, documents, policies, financials record, etc.,
3. providing DEO advanced copies of requested files, documents, policies, financial records, etc., for desk and remote monitorings,
4. having appropriate City staff including program and fiscal staff as well as consultants (if applicable) available for the monitorings, whether they are desk, remote or in person monitorings,
5. making sure a local elected official or City Manager is available for the entrance and exit interviews, and
6. making appropriate City staff available for interim telephone conference calls, which are not actual monitorings, but serve to provide DEO project updates.

The City will respond to DEO monitoring questions, findings and concerns by:

1. providing DEO any requested additional documentation or information in a timely manner,
2. taking appropriate action(s) to correct any monitoring findings and/or concerns, and
3. providing DEO with a timely written response to any monitoring findings and/or concerns.

The City will additionally review ongoing DEO and HUD correspondence and notices as well as annual audit reports and will take necessary prescribed actions to correct or improve any items requiring corrections or improvements, and will in a timely manner respond in writing to DEO regarding these actions, when required.

The City is committed to requesting technical assistance from DEO, as needed, to ensure project quality, compliance and progress.

### **Project Progress and Amendments**

The City understands that the timely completion of the CDBG project and timely expenditure of funds must be a priority as it is vital to provide the grant funded repairs, improvements, infrastructure, public facilities, housing and/or services to its residents. Additionally, the City is aware of the mandates on HUD and DEO to expend the grant funds in a timely manner, and that failure to do so can potentially jeopardize additional future funding opportunities.

The City is committed to working within the parameters and requirements of the program to ensure timely completion of the CDBG project. In the event that unforeseen and unavoidable delays are imminent, the City will communicate in a reasonable timeframe with the appropriate DEO staff and if necessary, will initiate a request for any necessary contract amendments to align actual timeframes with project work plans, timelines and to adjust expiration dates if necessary.

### **Construction Elements**

The City will conduct the bidding process, taking actions to promote minority and women business enterprises and Section 3 participation and advertising for the required time frames. As required, the City will conduct a pre-bid conference/meeting, will provide bid documents at a reasonable cost, will receive sealed bids with proper bonding and required documents, will open the bids publicly, will create or obtain a bid tabulation and award recommendation from staff or the project engineer, will have the governing body vote to award the contract to the contractor pending receipt of any additional information including proof of active registration in the SAM.gov system, required bonds and proof documenting that the contractor is not on the Excluded Parties list.

Follow receipt of these documents, the City will request contractor clearance from DEO and once received, will execute a contract with the contractor.

Following execution of the construction contract, the City will conduct a pre-construction meeting with the contractor and discuss requirements for Section 3, MWBE, Davis Bacon (prevailing wage requirements) including submission of weekly certified payroll reports, Contract Work Hours and Safety Standards Act (CWHSSA) requiring time and a half pay for hours worked over 40 hours per week, and Copeland Act-Anti-Kickback assuring contractors do not induce an employee to give up part of their compensation they are entitled to. This meeting will also serve to outline schedules for work, payments and other discussions deemed necessary with the contractor.

The City will then issue a Notice to Proceed to the contractor allowing the contractor to begin construction.

The contractor will be required to provide weekly signed certified payrolls to ensure compliance with Labor Standards (Davis-Bacon, Copeland Act, and CWHSSA). The City's staff or consultant will review the certified payrolls for compliance prior to any payments to the contractor. Also, prior to payments being made to the contractor, the City's engineer will conduct an onsite review of the work accomplished to date, compare the accomplishments to the work reported in the contractor's invoice and will sign off on any pay requests certifying that the work reported by the contractor has been completed.

Prior to the final payment being made to the contractor, the City's engineer must inspect the work site(s) and provide a Certification of Completion, and the City or its consultant will confirm that all required documentation and reports from the contractor have been received and are complete and in good order.

### **Civil Rights Compliance**

The City will adhere to contract requirements, federal regulations and state laws and rules in meeting Civil Rights requirements. To this end, the City will follow the Civil Rights Compliance attachment to the CDBG agreement, adopting required policies, ordinances and resolutions, designating various coordinators, advertising the coordinators' contact information, conducting various required activities, and establishing various complaint procedures and tracking logs.

The City will ensure compliance in regards to:

1. Affirmatively Furthering Fair Housing,
2. Equal Employment Opportunity (EEO),
3. Section 504 and the Americans with Disabilities Act, and
4. Section 3

Additionally, the City will maintain a list of minority and women business enterprises and will take measures to ensure that when requesting bids, Minority and Women Business Enterprises (MWBE) on this list are contacted and that contractors awarded CDBG funded contracts are required to take measures to hire MWBE subcontractors and make efforts to hire Section 3 residents for available work.

## **Reporting**

The City will provide the required reports as established in the Reports attachment to the CDBG agreement. The City understands that if all reports are not submitted to DEO in an acceptable manner, payments from DEO may be withheld until the reports are properly completed and submitted. The following reports will be submitted to DEO through the SERA system (or other DEO specified means) by the required outlined dates:

1. Monthly Progress Reports will be submitted no later than 10 days following the end of the month.
2. Quarterly Progress Reports or Quarterly Status Reports will be submitted no later than the 10<sup>th</sup> of April, July, October and January.
3. Contract and Subcontract Activity forms, HUD 2516, reporting MWBE participation as well as Section 3 participation, will be submitted no later than April 15 and October 15.
4. Single or Program Specific Audit will be submitted no later than June 30, if the City expends \$750,000 or more in total federal funds from all sources. If the City expends less than \$750,000 in total federal funds, a DEO Audit Certification Memo will be submitted no later than June 30. Submissions will be made to [Audit@deo.myflorida.com](mailto:Audit@deo.myflorida.com) or as specified by the DEO staff and to the Florida Auditor General through their website at <https://flauditor.gov>. Hard copies of the audits may be submitted to DEO and the Audit General via the addresses outlined in the CDBG agreement.
5. Audit Compliance Certification, attesting whether or not an audit submission will be required, will be annually submitted no later than 60 days following the end of the City's fiscal year.
6. An Administrative Closeout Report and supporting documentation will be submitted no later than 60 days following the expiration of the CDBG agreement.
7. Section 3 Report, HUD 60002, will be annually submitted no later than July 30.
8. Any additional updates or reports as requested by DEO will be provided in a timely manner.

## **Citizen's Complaints**

The City will take prompt actions to address any complaints it receives and will make every effort to resolve these complaints in a timely manner.

All complaints received, including verbal (phone calls, in person) and written, will be documented in appropriate log sheets for general citizen's complaints, Fair Housing complaints, EEO complaints and Section 504/ADA complaints. The City will notify its DEO grant manager immediately upon receipt of any of CDBG grant related complaints and will make efforts to address, assist, resolve and/or make referrals on complaints received, whether verbal or written. The actions, results and conclusions of these complaints will be recorded in the appropriate log sheets.

For a complaint to be formally processed, reviewed and responded to by the City in writing, the complaint must:

1. Be submitted in writing,
2. Include the complainant's full name,
3. Include the Complainant's Contact information and preferred method of notification for communications regarding complaint (telephone; physical, postal, and Email addresses), Nature of the complaint (CDBG or Other, please specify), and
4. Include a summary of the complaint and desired remedy requested.

Additionally, the complainant should include previously contacted individuals concerning the complaint and any supporting evidence.

The City will respond in writing to written complaints that meet the above criteria within fifteen (15) days and may take additional measures to address and close the complaint. The City's written response is not a guarantee of resolution to the complaint. CDBG grant related complaints that are not resolved and closed within 30 days will be referred to the City's DEO contract manager.

#### **Records Retention and Access**

The City will retain all grant related and grant agreement specified records and audits for a period of five (5) years following the final audit after the grant closeout, or for six (6) state fiscal years after all reporting requirements have been satisfied and final payments have been received; whichever period is longest. The City will provide access to these records and audits to DEO, Florida's CFO, and the Auditor General upon request for a period of six (6) years following the final audit, unless extended by DEO. The City understands that this period for records retention and access will be extended if any litigation, claim, negotiation, audit or other action involving the records has been started prior to the expiration of the controlling periods. The City additionally understands that such extensions will be in place until the completion of any associated actions and resolution of all associated issues have been determined.

#### **Public Records Requests**

The City will directly respond to each CDBG agreement related public records request and will notify DEO of such requests by email to [PRRequest@deo.myflorida.com](mailto:PRRequest@deo.myflorida.com) within one business day following the date of the records request. Additionally, the City, upon request from DEO's custodian of public records, will provide DEO records or allow inspection of these records within a reasonable time. The City understands that it may be reimbursed for the costs of preparing and providing these records as long as the costs do not exceed the allowable costs outlined in Chapter 119, Florida Statutes. Furthermore, the City understands that DEO may terminate the CDBG agreement if the City fails to provide and/or allow access to public records.

#### **Summary**

Utilizing these procedures, the City will make it a priority to implement its CDBG programs in a manner that adheres to federal, state and local requirements, will ensure CDBG

projects employ a quality and fiscally responsible process that provides a successful project result in a timely manner.