

Town of Indian Shores

19305 Gulf Boulevard, Indian Shores, FL 33785
ph 727.595.4020 fax 727.596.0050

www.myindianshores.com



TOWN COUNCIL AGENDA

PLEDGE OF ALLEGIANCE TO THE FLAG

1.0 REGULAR COUNCIL MEETING

Begins at 7:00 P.M.

1.1 Consideration of approving Council Agenda for February 9, 2010.

1.2 Consideration of approving "CONSENT AGENDA", as follows:

A. MINUTES:

| | | |
|-----------------|----------|------------------|
| Council | - | 1/12/2010 |
| Workshop | - | 1/26/2010 |

(NOTE: Minutes Packet distributed separately.)

B. RE OCCURRING EXPENSES: Resolution 7-2008):

From 1/5/2009 thru 1/26/2010. (Ref.: Pg. 1)

1.3 APPROVAL of Committee expenditures: NONE

1.4 Correspondence: NONE

PLEASE DISABLE ALL CELL PHONES DURING MEETING.

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

William F. Smith
Councilor

E.D. Williams
Town Administrator
Chief of Police

Mary Karayianes
Director of Finance
and Personnel

Marcia Grantham
Town Clerk

James Yacavone
Town Attorney

Lawrence G. Nayman
Building Code
Administrator

- 1.5 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2010-1, amending Article IV of Chapter 110 of the Code of Ordinances by creating Division 8, to be entitled "Overlay Districts" and by creating Section 110-290 of the Code of Ordinances, to be entitled "Town Square Plan Area" which defines the boundaries of the Town Square Plan area. (Ref.: Pgs. 2 – 3)*
- 1.6 **PUBLIC HEARING:** *Second Reading of proposed ORDINANCE 2010-2, amending Section 86-86 of the Code of Ordinances, entitled "General Standards", which is contained in Division 3, entitled "Standards For Flood Hazard Protection", of Chapter 86 of the Code of Ordinances entitled "Floods", by adding a subsection (d) to explain how the value of substantial improvements repairs and additions to existing structures shall be determined. (Ref.: Pgs. 4 – 6)*
- 1.7 **PUBLIC HEARING:** *First Reading of proposed ORDINANCE 2010-3, enacting Section 14-36 of the Code of Ordinances, to be entitled "Supervision, confinement and tethering of canines", to provide for the protection of tethered canines and for penalties for improperly tethered canines. (Ref.: Pgs. 7 – 10)*
- 1.8 **PUBLIC HEARING:** *RESOLUTION 2-2010, adopting fiscal financial policies and goals for the Town. (Ref.: Pgs. 11 – 13)*
- 1.9 *Consideration of awarding bid covering Landscape Improvements for SR 699 – Gulf Boulevard, under the grant from FDOT. (Ref.: Pgs. 14 – 19)*
- 1.10 *Consideration of approving the Town applying for a second grant from FDOT with funds to be used for landscaping in the northern end of Town.*
- 1.11 *Consideration of approving the selection of a vendor for the Police Department Records/Communications, subject to further negotiations. (N/A)*
- 1.12 *Consideration of approving renewal of Town's Dental and Long Term Disability Insurance coverage with Assurant Employee Benefits, with a 3% increase in the dental rates and amendment to the Long Term Disability Insurance to remove Department Heads and increase their life insurance coverage. (Ref.: Pgs. 20 – 21)*
- 1.13 *Consideration of approving the Annual Library Report. (Ref.: Pg. 22)*
- 1.14 *Consideration of approving invoice in the amount of \$1,000.00 from the Beach Welcome Center. (Ref.: Pg. 23)*

- 1.15 Consideration of approving appointment of an alternate Citizen Member for the Administrative and Finance Committee and appointment to Seat #1 on the Board of Adjustment, as a result of the resignation of Larry Schear who was appointed to the Pinellas Suncoast Fire and Rescue Board. (N/A)*
- 1.16 Consideration of approving Financial Statement for the period ending January 31, 2010. (Ref.: Pg. 24)*
- 1.17 Consideration of approving Police Activity Report covering the month of January 2010. (Ref.: Pgs. 25 – 28)*
- 1.18 Update Report on status of proposed construction of a new Municipal Center.*
- 1.19 Town Administrator's Report.*
- 1.20 Citizens' Comments on any subject.
(Please limit time to 3 minutes for your comments.)*
- 1.21 Mayor's and Council Members comments on any subject.*

Marcia Grantham
MARCIA GRANTHAM, CMC
Town Clerk

Any person who decides to appeal any decision of the Town Council with respect to any matter considered at any such meeting will need a record of the proceedings, and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes that testimony and evidence upon which the appeal is to be based.

ORDINANCE NO. 2010-01

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING ARTICLE IV OF CHAPTER 110 OF THE CODE OF ORDINANCES BY CREATING DIVISION 8, TO BE ENTITLED "OVERLAY DISTRICTS" AND BY CREATING SECTION 110-290 OF THE CODE OF ORDINANCES, TO BE ENTITLED "TOWN SQUARE PLAN AREA" WHICH DEFINES THE BOUNDARIES OF THE TOWN SQUARE PLAN AREA; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR THE UNIFORM NUMBERING SYSTEM OF THE INDIAN SHORES CODE.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: Article IV of Chapter 110 of the Code of Ordinances is amended to create Division 8, to be entitled "Overlay Districts."

Section 2: Section 110-290 of the Code of Ordinances is enacted to be placed in Division 8 of Article IV of Chapter 110 of the Code of Ordinances and to read as follows:

§ 110-290. Town Square Plan Area.

As used in these ordinances, the Town Square Plan Area, also referred to as the Town Square Planning Area, shall mean the area encompassed by 191st Avenue on the south, a mangrove-lined drainage ditch on the east, 193rd Avenue on the north, and Gulf Boulevard on the west. This description of the boundaries of the Town Square Plan Area supersedes any prior descriptions or depictions of the Town Square Plan Area boundaries.

Section 3: All ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: If any section of this ordinance is declared invalid, all other provisions of this ordinance shall remain valid and enforceable.

Section 5: This ordinance shall become effective immediately upon adoption.

Section 6: The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the Town of Indian Shores, Florida, as additions or amendments to the Code, and shall be renumbered to conform to the uniform numbering system of the Code of Ordinances.

Passed on First Reading: January 12, 2010

Passed on Second Reading: _____

ENACTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES,
FLORIDA, THIS _____ DAY OF _____, _____.

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

ORDINANCE NO. 2010 - 2

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, AMENDING SECTION 86-86 OF THE CODE OF ORDINANCES, ENTITLED "GENERAL STANDARDS," WHICH IS CONTAINED IN DIVISION 3, ENTITLED "STANDARDS FOR FLOOD HAZARD PROTECTION," OF CHAPTER 86 OF THE CODE OF ORDINANCES, ENTITLED "FLOODS," BY ADDING A SUBSECTION (d) TO EXPLAIN HOW THE VALUE OF SUBSTANTIAL IMPROVEMENTS, REPAIRS AND ADDITIONS TO EXISTING STRUCTURES SHALL BE DETERMINED; PROVIDING THAT CONFLICTING PROVISIONS OF ORDINANCES BE REPEALED; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR THE UNIFORM NUMBERING SYSTEM OF THE INDIAN SHORES CODE.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: Section 86-86 of the Code of Ordinances is amended as follows:

Sec. 86-86. General standards.

(a) In all areas of the Town of Indian Shores the following standards are required to reduce the flood damage:

- (1) The Town of Indian Shores hereby establishes a four-foot freeboard above the FEMA established base flood elevation;
- (2) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (3) All new construction and substantial improvement shall be constructed with materials and utility equipment resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (5) All utilities including the electrical, heating, ventilation, plumbing, air condition equipment, ducts etc. shall be elevated above the base flood level plus the four-foot freeboard;
- (6) Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located to prevent floodwater from entering or accumulating within the components during conditions of flooding;
- (7) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (8) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;
- (9) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding;
- (10) Any alteration, repair, reconstruction or improvements to a structure, which complies with the provisions of this article, shall meet the requirements of "new construction" as contained in this article;

(11) All improvements, modifications, and/or additions to all existing structures shall be calculated cumulatively for ten years from the date of the initial permit date. Additionally, all reconstruction and/or repairs to a damaged structure shall be calculated cumulatively for ten years from the date of the initial permit date.

(12) Adequate drainage is provided to reduce exposure to flood damage.

(13) All activities in the Town of Indian Shores that may be hazardous to public health or water quality are prohibited.

(14) All new development in the Town of Indian Shores is required to avoid or minimize disruption to shorelines, stream channels and their banks.

(b) *Subdivisions proposals.* All subdivision proposals shall be consistent with the need to minimize flood damage and shall comply with the requirements, standards and procedures for the subdividing of lands as specified in section 98-2.

(c) *Construction in floodways.* Areas within special flood hazard areas designated as floodways are extremely hazardous due to the velocity of floodwaters, which carry debris, potential projectiles and erosion potential. In these areas, the following shall apply:

(1) All encroachments are prohibited, including fill, new construction, additions, and substantial improvements and other developments unless certification, with supporting technical data, by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge.

(2) All such construction shall comply with all applicable flood hazard reduction sections of this article.

(3) Placement of manufactured homes, except in an existing manufactured home park or subdivision, is prohibited. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring standards of subsection A of this section and the elevation standards of section 86-88 be met.

(d) Tracking of substantial improvement, repairs and additions to existing structures: Improvement value divided by building value = percent improvement. Percent improvement value accumulates over life of building. When percent improvement totals fifty percent, building must be brought into conformance with the flood ordinances.

Example: \$20,000 / \$100,000 = 20 percent improvement in 1990
 \$10,000 / \$120,000 = 8 percent improvement in 1991
 \$28,600 / \$130,000 = 22 percent improvement in 1999

Cumulative improvement from 1990 to 1999 = 50 percent of building value, and building must be brought into conformance with flood ordinances.

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3: If any provisions of this ordinance be declared invalid, all other provisions

hereof shall remain valid and enforceable.

Section 4: This ordinance shall become effective immediately upon adoption.

Section 5: The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the Town of Indian Shores, Florida, as an addition or amendment thereto, and shall be renumbered to conform to the uniform numbering system thereof.

PASSED ON FIRST READING: January 12, 2010

PASSED ON SECOND READING: _____

ENACTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA,

THIS _____ DAY OF _____, 2010.

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

**Frazer
Hubbard
Brandt
Trask &
Yacavone**

L.L.P.
Attorneys At Law

595 Main Street
Dunedin, FL 34698
Phone 727-733-0494
Fax 727-733-2991

JAMES L. YACAVONE, III, Esq.
e-mail: yacavone@fhbty.com

MEMORANDUM

TO: Mayor and Council; Town Administrator; Town Clerk

FROM: James L. Yacavone, III, Esq.

DATE: January 28, 2010

RE: Tethering ordinance

Attached find a tethering ordinance. Marcia provided me a copy of the one recently adopted by the City of Seminole, and I copied it in its entirety, except for the penalty provisions.

Paragraph (d) provides for escalating fines just as Seminole's ordinance does. Upon first violation of the ordinance the violator will be given a written warning. A second violation is defined as a Class V fine under the Uniform Fine Schedule for Local Ordinance Violations adopted by the Circuit Court for Pasco and Pinellas Counties. A third violation is a Class IV fine and fourth and subsequent violations are a Class III fine under the Uniform Fine Schedule. Here are the allowable fines under the Uniform Fine Schedule:

Class V fine -- \$75.00 plus costs of \$58.00 for a total of \$133.00.
Class IV fine -- \$100.00 plus costs of \$58.00 for a \$158.00 fine.
Class III fine -- \$125.00 plus costs of \$58.00 for a total of \$183.00.
Class II fine -- \$175.00 plus costs of \$58.00 for a total fine of \$233.00
Class I fine -- \$200.00 plus costs of \$58.00 for a total fine of \$258.00.

I am providing the following list to give you an idea of the level of violation contemplated by the Uniform Fine Schedule for violations involving animals:

Cruelty to animals and foul: Class II fine
Failure to comply with dangerous dog requirements: Class II fine
Improper confinement of animal in estrus: Class III fine
Animal at large: Class V fine
Animal left in unattended vehicle: Class II fine.

The fine levels set forth in the proposed ordinance are merely suggestions. You have the discretion to adjust them.

Seminole's ordinance is slightly different. It states that for a first-time violation a warning is given and the offender is given ten days to correct the violation. For a second offense the violator is given a \$100 fine and an additional ten day correction period. For a third offense, the violator is given a \$250 fine and an additional ten day correction period. For a fourth and any subsequent offense, the violator is given a \$500 fine and one count of animal cruelty (\$500 fine and/or imprisonment for up to 60 days). We can use Seminole's penalty scheme if you like.

Please do not hesitate to contact me if you have any questions.

ORDINANCE NO. 2010-3

AN ORDINANCE OF THE TOWN OF INDIAN SHORES, FLORIDA, PROVIDING ENACTING SECTION 14-36 OF THE CODE OF ORDINANCES, TO BE ENTITLED "SUPERVISION, CONFINEMENT AND TETHERING OF CANINES," TO PROVIDE FOR THE PROTECTION OF TETHERED CANINES AND FOR PENALTIES FOR IMPROPERLY TETHERED CANINES; PROVIDING THAT CONFLICTING PROVISIONS OF ORDINANCES BE REPEALED; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR THE UNIFORM NUMBERING SYSTEM OF THE INDIAN SHORES CODE.

NOW, THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES:

Section 1: Section 14-36 of the Code of Ordinances is hereby enacted to read as follows:

Sec. 14-36. Supervision, confinement and tethering of canines.

(a) As used in this section, tether means to restrain a canine by tying the canine to any object or structure, including without limitation a house, tree, fence, post, garage, or shed, by any means, including without limitation a chain, rope, cord, leash, or returning line. Tethering shall not include using a leash to walk a canine.

(b) It shall be unlawful for a responsible party to tether a canine while outdoors, except when all of the following conditions are met:

(1) The canine is in visual range of the responsible party, and the responsible party is located outside with the canine.

(2) The tether is connected to the canine by a buckle-type collar or a body harness made of nylon or leather, not less than one inch in width.

(3) The tether has the following properties: it is at least five times the length of the canine's body, as measured from the tip of the nose to the base of the tail; it terminates at both ends with a swivel; it does not weigh more than 1/8 of the canine's weight; and it is free of tangles.

(4) The canine is tethered in such a manner as to prevent injury, strangulation, or entanglement.

(5) The canine is not outside during a period of extreme weather, including without limitation extreme heat or near-freezing temperatures, thunderstorms, tornadoes, tropical storms, or hurricanes.

(6) The canine has access to water, shelter, and dry ground.

(7) The canine is at least six months of age. Puppies shall not be tethered.

(8) The canine is not sick or injured.

(9) Pulley, running line, or trolley systems are at least 15 feet in length and are less than 7 feet above the ground.

(10) If there are multiple canines, each canine is tethered separately.

(c) This section shall not apply to the transportation of canines.

(d) A person violating this ordinance the first time shall be given a written warning. Subsequent violations shall be punishable as a fine of the following class under the Uniform Fine Schedule for Local Ordinance Violations adopted by the Circuit Court for the Sixth Judicial Circuit in and for Pasco and Pinellas Counties:

- Second violation Class III fine
- Third violation Class II fine
- Fourth and subsequent violation Class I fine

Each day that a violation of this ordinance continues or occurs shall constitute a separate offense.

Section 2: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3: If any provisions of this ordinance be declared invalid, all other provisions hereof shall remain valid and enforceable.

Section 4: This ordinance shall become effective immediately upon adoption.

Section 5: The provisions of this ordinance shall be included and incorporated into the Code of Ordinances of the Town of Indian Shores, Florida, as an addition or amendment thereto, and shall be renumbered to conform to the uniform numbering system thereof.

PASSED ON FIRST READING: _____

PASSED ON SECOND READING: _____

ENACTED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA,
THIS _____ DAY OF _____, 2005.

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

RESOLUTION NO. 02-2010

A RESOLUTION OF THE TOWN OF INDIAN SHORES, FLORIDA, ADOPTING FINANCIAL POLICIES AND RECOMMENDATIONS AS GENERAL FISCAL POLICY ALONG WITH BUDGET DEVELOPMENT GUIDANCE, CAPITAL IMPROVEMENT FUND PLANNING AND A RECOMMENDED FUND BALANCE POLICY FOR THE GENERAL FUND; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA. AS FOLLOWS:

**TOWN OF INDIAN SHORES
FINANCIAL POLICIES**

The Town of Indian Shores recognizes the need to adopt sound fiscal policies that will support an outstanding Financial Management Program.

The Town Council has previously approved a comprehensive Investment Policy in accordance with Chapter 218.4415, Florida Statutes.

General Fiscal Policy The Annual Operating Budget of the Town of Indian Shores shall balance the public service needs of the community with the fiscal capabilities of the Town. The intent is to achieve the goals and objectives established by the Council for the next fiscal year. Services will be provided with special emphasis on the Town's public safety, environmental health, physical appearance and living conditions while maintaining a friendly neighborhood atmosphere.

The Town acknowledges a commitment to fiscal responsibility to our residents, and producing a balanced operating budget sets the cornerstone of fiscal responsibility. Annual operating expenditures (personal services, contracts, commodities, supplies, capital outlay, outside agency support, and transfers) will be fiscally balanced with revenues or income estimates that can reasonably and normally be projected to be received during the fiscal year.

- The Town will adopt an annual General Fund budget in which expenditures, net of pay-as-you-go capital project contributions, do not exceed projected revenues.
- Long-term borrowing will not be used to finance current operations or normal maintenance.
- All debt issued, including by lease-purchase methods, will be repaid within a period not to exceed the expected useful lives of the improvements financed by the debt.
- The Town will strive to maintain a high reliance on pay-as-you-go financing for its capital improvements.

- The Town will maintain its bonded debt at a level not to exceed 2 percent of the assessed valuation of taxable property within the Town.

Budget Development When developing the annual budget, Town Administration is guided by the following principles:

- Maintain the overall quality of life for residents.
- Maintain the quality and variety of services provided.
- Meet current infrastructure maintenance needs before acquiring or building additional infrastructure.
- Utilize the most restrictive funding sources, if more than one source is available for a project. For example, Local Option Gas Tax funds should be used for an eligible project before the use of Local Option Sales Tax (Penny for Pinellas) is considered.
- Consider not just the first year cost of a spending decision, but the long term financial implications.

Capital Improvement Fund A six-year projection of revenues and expenditures for the Capital Improvement Fund will be prepared to provide strategic perspective to each annual budget process.

- A six-year capital improvement program will be developed annually to analyze all anticipated capital expenditures by year and identify associated funding sources.
- The capital improvement program will incorporate, in its projections of expenditures and funding sources, any amounts relating to previous year's appropriations but which have yet to be expended.
- The first year of the six-year capital improvement program will be used as the basis for formal fiscal year Capital Improvement Fund appropriations during the annual budget process. Appropriations made in prior years for which expenditures have not been increased nor projects completed will be reevaluated and incorporated into appropriations for the new fiscal year.

Fund Balance Policy For increased financial stability, the Town of Indian Shores desires to manage its financial resources by establishing an unreserved fund balance in the General Fund to provide the capacity to (1) provide sufficient cash flow for daily financial needs, (2) offset significant economic downturns or revenue shortfalls, and (3) provide funds for unforeseen expenditures related to emergencies.

Due to the fact that we are located on a barrier island and extremely susceptible to Hurricane and Tropical Storm damage we are establishing an undesignated fund balance range in the amount of

\$1,000,000 to \$1,500,000.

The Government Finance Officers Association recommends a Fund Balance level of 15% of the previous fiscal year's operating budget. Based on our FY2000 Undesignated Fund Balance of \$517,000 we are electing to set the minimum Emergency Reserve level at 30% which is consistent with the historical financial position of the Town.

Annual Review Compliance with the provisions of these Financial Policies shall be reviewed as part of the annual budget adoption process.

This resolution shall become effective immediately upon adoption.

RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN SHORES, FLORIDA,

THIS _____ DAY OF _____, 2010.

ATTEST:

JAMES J. LAWRENCE
Mayor

MARCIA GRANTHAM, CMC
Town Clerk

| Contractor's Name | Total Bid Amount | Item 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
|---|-------------------------|---------------|-----------|-----------|----------|----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Morrell Landscaping, Inc. | \$104,392.25 | 6,325 | 12,508.00 | 11,872.00 | 500 | 1,080.00 | 10,172.50 | 33,860.00 | 7,401.25 | 7,912.00 | 4,702.50 | 450.00 | 1,209.00 | 3,000.00 | 3,800.00 |
| Smith Landscape Services, Inc. | \$160,439.02 | 18,535.00 | 23,718.00 | 19,884.00 | 4,500.00 | 882.00 | 7,934.55 | 35,244.00 | 10,785.77 | 8,703.20 | 5,956.50 | 525.00 | 1,560.00 | 7,873.00 | 14,338.00 |
| Buccaneer Landscape Management | \$88,808.77 | 9,350.00 | 12,696.80 | 6,600.00 | 1,200.00 | 565.20 | 6,591.78 | 24,651 | 4,612.65 | 6,151.58 | 4,313.78 | 78.00 | 1,248.00 | 7,500.00 | 3,250.00 |
| Natural Designs Landscape Man. | \$137,831.00 | 12,869.00 | 17,478.00 | 7,457.00 | 1,920.00 | 2,054.00 | 8,174.00 | 34,415.00 | 6,490.00 | 14,654.00 | 9,494.00 | 827.00 | 1,451.00 | 3,947.00 | 16,800.00 |
| Central Florida Landscaping, Inc. | \$221,754.00 | 38,087.50 | 48,262.00 | 6,074.00 | 8,229.00 | 765.00 | 10,172.50 | 55,687.50 | 868.50 | 9,148.25 | 5,956.50 | 874.50 | 3,588.00 | 28,679.75 | 5,370.00 |
| AVERAGE - Less High Bid for each line item. | \$122,586.75 | 11,719.75 | 16,600.45 | 8,000.75 | 2,030.00 | 823.05 | 8,218.20 | 31,992.50 | 4,840.85 | 7,978.76 | 5,232.32 | 470.00 | 1,367.00 | 5,580.00 | 6,639.50 |

Note: The unit prices and extensions of those unit prices were correct for Buccaneer, however, the total of these extended prices was short by approximately \$1,200. The number shown above for Buccaneer Landscape Total Bid is the corrected total bid.

Robert H. Brotherton, P.E., President
 Brotherton Engineering, Inc.
rhbrothert@venizon.net
 29-Jan-10

BID FORM (Sealed Bid)

Landscape Improvements for SR 699 – Gulf Blvd.

Town of Indian Shores, Florida

FDOT FP# 42454315801 – Contract # AP507

Buccaneer Landscape Management Contractors Name

5859 Haines Rd St Pete 33714 Contractors Address

727-209-0393 Phone Number

witherington@buccaneerlandscape.com E-Mail Address

Florida State of Incorporation

Contractor's Florida State License Number NA

TO: Town of Indian Shores
19503 Gulf Blvd.
Indian Shores, Florida 33785

BIDS DUE: January 20, 2010
11:00 A.M.
Town Hall Conference Room

Pursuant to the Plans by the AVID GROUP and Brotherton Engineering, Inc. and Specification documents by Brotherton Engineering, Inc. dated December 3, 2009, and in compliance with all contract document requirements, the undersigned does hereby propose to furnish all labor, materials, machinery, and equipment to perform all work necessary for the execution of "Landscape Improvements for SR 699 - Gulf Blvd." in the Town of Indian Shores, Florida as required by and in strict accordance with the plans and specifications and at the lump sum, each, and unit prices stated in this Bid Proposal.

List of Subcontractors Proposed Percent of total contract

CFC Associates - concrete 5%

Going Irrigation - Irrigation 5%

Base Bid

| Item No: | Estimated Quantity: | Unit: | Description: | Unit Bid Price in Numbers: | Total Bid Amount in Numbers: |
|-------------------|---------------------|-------|---|----------------------------|------------------------------|
| 1 | 550 | C.Y. | Excavation and disposal of exist, Soil to depth shown on plans. | \$ 17.00 | \$ 9350.00 |
| 2 | 472 | C.Y. | Installation of new topsoil in layer as shown on the plans. | \$ 26.90 | \$ 12696.80 |
| 3 | 4 | EA. | Furnish and install 4 separate median irrigation systems with controls complete | \$ 1650.00 | \$ 6600.00 |
| 4 | 1 | L.S. | Provide all maintenance of traffic (MOT) requirements per plans, specs, and FDOT requirements. | N/A | \$ 1200.00 |
| 5 | 180 | L.F. | Furnish and install aluminum plant separation material (Edging) | \$ 3.14 | \$ 565.20 |
| 6 | 4,069 | S.F. | Furnish and install ornamental Peanut grass sod. | \$ 1.62 | \$ 6591.78 |
| 7 | 198 | EA. | Furnish and install Cabbage Palm trees & staking per plans and detail. | \$ 124.50 | \$ 24651.00 |
| 8 | 191 | L.F. | Furnish and install 191 L.F. 5 foot wide sidewalk in two locations per plans and details. | \$ 24.15 | \$ 4612.65 |
| 9 | 989 | EA. | Furnish and install Ixora Shrubs per plans and details | \$ 6.22 | \$ 6151.58 |
| 10 | 627 | EA. | Furnish and install Schefflera Shrubs per plans and details | \$ 6.88 | \$ 4313.76 |
| 11 | 3 | EA. | Relocate 3 palm trees per plans and details. | \$ 26.00 | \$ 78.00 |
| 12 | 78 | C.Y. | Furnish and install Mulch | \$ 16.00 | \$ 1248.00 |
| 13 | 1 | L.S. | Provide 90-Day Watering period | N/A | \$ 7500.00 |
| 14 | 1 | L.S. | Provide One year Maintenance and guarantee of trees, plants and equipment. | N/A | \$ 3250.00 |
| Total Bid: | | | (Includes misc. and associated work items not specifically itemized above in order to provide a complete project as defined in the plans and specifications) | \$ 87,684.76 | |

00300 - 2

↓
\$ 88,808.77

CORRECT TOTAL

TOTAL COMPUTED BASE BID FOR PROJECT
IN NUMBERS (Same as total Bid on Page 00300 - 2)

\$ 87,684.⁷⁶

TOTAL COMPUTED BASE BID FOR PROJECT IN WORDS

Eighty seven thousand six hundred eighty four
dollars and seventy six cents.

Please state below any exceptions to the bid requirements and attach supporting information:

None

- Dwarf variegated arbutus spec does not seem
correct. Conflicts on plan.

The following are agreed by the contractor as part of this bid package:

- A. The contractor agrees to a 60-day construction period after the "Notice-to-proceed" and a 90-day watering-in period and a 12-month warranty period after substantial completion to complete all work.
- B. The Contractor agrees to furnish all Certificates of General Liability, Auto and Equipment insurance, Workers Comp. Insurance and other specified requirements at the pre-construction conference if awarded the contract and certifies that he/she has read all of the specifications and plans that pertain to this project.
- C. Designate the site superintendent to be Chris Witherington. The owner reserves the right to maintain or reject the site superintendent at any time with no additional cost to the work. The years of construction experience by this superintendent in performing similar work is yrs.

Note:

- 1) The material quantities and pay request shall be approved by the Engineer.
- 2) Work shall not proceed until after a written "Notice-to-Proceed" issued by the Engineer and a pre-construction meeting.

Memo



To: Chief E.D. Williams, Town Administrator

From: Robert H. Brotherton, P.E.

Date: February 5, 2010

Subject: Recommendation of award of contract to Buccaneer Landscape Management for the construction and 12-month guarantee of landscape improvements on Gulf Blvd.

On January 20, 2010 sealed bids for landscape improvements on Gulf Blvd. were opened in the conference room of Town Hall at 11:00 A.M. Five (5) contractors submitted bids for this project with Buccaneer Landscape Management submitting the lowest bid of \$88,808.77. These bids were reviewed by Town Council at a workshop held on January 26, 2010. The FDOT has awarded a grant to the Town for a maximum of \$150,000. Funds for irrigation systems and trees on private property are not allowed to be funded under this grant. The Town had budgeted approximately \$25,000 for the irrigation systems (4 medians) and trees on private property.

The original Engineer's Estimate for the work was \$129,000 for the FDOT portion of the work and \$25,000 for the Town's portion of the work. The low bid by Buccaneer Landscape Management breaks down into \$79,345.27 for the FDOT portion of the work and \$9,463.50 for the Town's portion of the work. These low bids are typical of work being bid over the last few months by landscape contractors due to the local economy.

References from the City of Largo, City of St. Petersburg, Florida Department of Transportation, and Hawkins Construction were checked. All of these agencies gave very good references for Buccaneer Landscape Management for both installation and maintenance of landscape work. Buccaneer Landscape Management has supplied additional information as requested for insurance, EIN# required for a 1099 form, and information on their proposed sub-contractors.

The date given by the FDOT to have the work completed is May 27, 2010. With a 60 calendar day contract time, there is adequate time to complete the project by the target completion date if the project is awarded in the next few weeks.

According to the contract documents, the Town has the right to add to the work and deduct from the work based on unit prices as bid. The Town also has the right to negotiate with the contractor for related work as may be required. Since the project as bid is lower than the maximum grant amount, the FDOT landscape architect, Mr. John Simpson was contacted to

discuss the possibility of adding work to take advantage of the very good bid prices. The response from Mr. Simpson was that there have been several very low bids on FDOT grant projects from good contractors over the last few months due to the economy. He said that we could not add to the scope of work outside of the current limits of construction as approved without a total re-design and re-permitting process but that we could add to quantities of materials or negotiate for better quality of landscape materials within the current limits of construction. It was agreed that adding additional Sable Palms to the project would not add significant value to the design. Mr. Simpson did recommend that he would approve the substitution of Medjool Palms rather than the proposed Sable Palms in the medians. This would continue the existing landscape design theme as currently constructed in other medians in other towns within the rights-of-way of Gulf Blvd. and better conform to the Graham Study. This continued landscape theme would be most desirable by the FDOT. This option was considered by the Town during the design process, however cost of these trees was a concern. Based on current bids, the substitution of Medjool Palms can again be considered.

Over the last several years, Medjool Palms have cost approximately \$6,000 each on average. A Recent bid for the City of Largo for 18-20 foot clear wood Majul Palms was for \$5,200 each but this was for a large number of Medjool palms which reduces the unit cost. The median design has been reconsidered by Brotherton Engineering, Inc. and AVID Group for a possible Change Order No. 1 to substitute the Medjool Palms for several Sable palms in the medians. It has been determined that certain Sable Palms can be eliminated and 8 Medjool Palms added to the medians. Change Order No. 1 would therefore deduct the cost of 8 new Sable Palms (- \$996.00), and relocate 8 existing Sable Palms (+\$208.00), and add 8 Medjool Palms for \$5,500 each (+\$44,000.00) for a net cost of \$43,212.00. This option would not impact the Town's current portion of the project of \$9,463.50. There would be some engineering cost to the Town to process the Change Order and issue new design sketches of the medians to the contractor and FDOT. The FDOT grant would cover all of the increased construction cost including Change Order No. 1. The cost of the Medjool Palms will be confirmed by the contractor on Tuesday night Feb. 9, 2010.

The Town therefore has two options. The first is to award the contract as currently designed and bid in an amount of \$88,808.77 with the Town paying \$9,463.50 of that amount and the FDOT paying \$79,345.27 from the current grant allocation. The second option is to award the contract for the initial bid and also direct staff that Change Order No. 1 be processed for a total of approximately \$43,463.50 plus engineering cost to process the change order. This contract including Change Order No. 1 would then have the FDOT paying \$ 122,808.77 from the current grant allocation and the Town paying \$9,463.50.

The contractor is obligated and also willing to proceed with either option based on the decision of Town Council. It is interesting to note that the second option results in a total cost that approximates the original Engineer's Project Cost Estimate and is still less than the maximum potential grant allocation from the FDOT.



Memo

To: Mayor James Lawrence and Town Council
From: Mary E. Karayianes, Director of Finance and Personnel
Date: February 3, 2010
Re: DENTAL AND LONG TERM DISABILITY INSURANCE RENEWAL

The Town has received notification from Assurant Employee Benefits of the renewal rates for our Dental and Long Term Disability coverage for which the Town pays the full premium for all full-time employees.

Originally the proposed increases were 7% for Dental and 9% for Long Term Disability. In December, I contacted our Broker, Floyd Juster from Juster & Associates and asked him to contact Assurant and negotiate a reduction in premium.

As we previously presented to the Administration and Finance Committee several of our Department Heads would not be able to benefit from our Long Term Disability coverage due to offsets from other governmental pensions and Social Security. We asked Mr. Juster to inquire about removing our department heads from the LTD coverage and to increase the Life Insurance made available to them.

Based on his discussions with both Assurant Employee Benefits and Standard Insurance Company we are requesting to amend our benefit package as follows:

Dental renewal: Rates have increased **3%** and would be as follows:

| | <u>Old</u> | <u>New</u> |
|-----------------|------------|------------|
| Employee Only - | \$24.33 | \$25.06 |

James J. Lawrence
Mayor

Joan G. Herndon
Vice Mayor

Carole Irelan
Councilor

Steve Sutch
Councilor

William F. Smith
Councilor

E.D. Williams,
Town Administrator
Chief of Police

Mary Karayianes
Director of Finance
and Personnel

Marcia Grantham
Town Clerk

James Yacavone
Town Attorney

Lawrence G. Nayman
Building Code
Administrator

Long Term Disability: Rates have increased 9% and would be as follows:

| | <u>Old</u> | <u>New</u> | |
|----------|------------|------------|---|
| Employee | \$ 0.98 | \$ 1.07 | (Rates are based on a percent of covered payroll) |

We are recommending to "class out" Department Heads from the LTD and to provide them with up to \$200,000 of Life Insurance as a replacement for their lost benefit.

Standard Insurance Company has agreed to allow the Town to continue to provide \$50,000 of group term life insurance for all full time employees with Department Heads receiving up to \$200,000.

Due to the fact that the Department Heads would experience diminishing or no benefits from the Disability coverage all affected parties have agreed to the switch in benefits that will provide up to \$200,000 of Life Insurance that reduces with age.

Funds have been budgeted that will cover the rate increases and proposed changes in coverage.

Indian Shores Library
Annual Report 2008-2009

This report covers October 1, 2008 to September 30, 2009.

Volunteers during this period were:

| | |
|----------------|---------------------|
| Kathy Benson | Helen McCluskey |
| Chris Berg | June Nadler |
| Ibby Dobson | Diantha Schear |
| Sheila Frost | Peggy Shoulders |
| Vi Hanson | Dottie Strahlendorf |
| Carole Irelan | Lynn Sutherland |
| Katie Keene | Mary Sutch |
| Alice Lawrence | |

During this period, Chris Berg, Katie Keene, Peggy Shoulders, Dottie Strahlendorf, and Mary Sutch served on the board of Directors, with Ms. Strahlendorf as Chairperson.

Monies collected and turned over to the Financial Director were \$2,814. This included membership fees, book sales and fines.

Monies expended were \$426.70 for supplies and \$3,239.89 for books. Expenditures did not exceed budget.

There were 285 active memberships during this period. Additionally, the library issued 27 computer-use only cards.

277 items were added to the inventory. Forty-seven were non-fiction, including one document for the National Flood Information Program.

The staff checked out 2,267 books this year, of which 51 involved non-fictional subjects.

The staff hosted three "Read and Feeds" and a 45th Anniversary High Tea. All events received favorable comments.

The board for 2010 will be Chris Berg, Katie Keene, Alice Lawrence, Dottie Strahlendorf, and Mary Sutch. The board agreed to have Dottie Strahlendorf continue as Chairperson.

Respectfully submitted,




DOTTIE STRAHLENDORF
Chairperson



INDIAN SHORES POLICE DEPARTMENT
SERVING
INDIAN SHORES & REDINGTON SHORES

E.D. WILLIAMS
CHIEF OF POLICE

19305 Gulf Boulevard
Indian Shores, Florida 33785
Tel: (727) 595-5414 • 596-8775
FAX (727) 595-4785

Date: 02 February, 2010
To: Members of Town Council / Commission
From: E. D. Williams, Chief of Police 
Subject: MONTHLY ACTIVITY REPORT FOR JANUARY, 2010

Following are the monthly Police activity statistics for the month of January, 2010 compared to the same month last year:

| | <u>INDIAN SHORES</u> | | | <u>REDINGTON SHORES</u> | | |
|---------------------------|----------------------|-----------|------------|-------------------------|-----------|------------|
| | <u>09</u> | <u>10</u> | <u>VAR</u> | <u>09</u> | <u>10</u> | <u>VAR</u> |
| • Criminal Reports | 11 | 19 | +08 | 21 | 10 | -11 |
| • Physical Arrests | 02 | 07 | +05 | 06 | 00 | -06 |
| • Notice to Appears | 05 | 05 | 00 | 02 | 00 | -02 |
| • Traffic Accidents | 02 | 03* | +01 | 01 | 01** | 00 |
| • Traffic Citations | 32 | 27 | -05 | 11 | 09 | -02 |
| • Parking Tickets | 13 | 06 | -07 | 23 | 24 | +01 |
| • Traffic Warnings | 69 | 52 | -17 | 51 | 46 | -05 |
| • Ordinance Violations | 00 | 01 | +01 | 00 | 00 | 00 |
| • Miscellaneous Reports | 02 | 04 | +02 | 02 | 08 | +06 |
| • Other Calls for Service | 158 | 105 | -53 | 205 | 155 | -50 |

*0 Injuries

**0 Injuries

JANUARY, 2010 MONTHLY ACTIVITY REPORT – PAGE 2

- 1) Criminal reports and miscellaneous reports were UP in Indian Shores. Criminal reports were down in Redington Shores, but miscellaneous reports were up. Calls for service were down in both Towns.

- 2) Traffic citations and traffic warnings were down in both Towns. Parking tickets were down in Indian Shores, but up in Redington Shores. Of the 3 accidents in Indian Shores and the 1 in Redington Shores all were without injuries.

- 3) Physical arrests were:
 - UP 72% in Indian Shores
 - DOWN 52% in Redington Shores

The Department investigated 3 cases in Indian Shores and 6 cases in Redington Shores. A detailed summary of those cases are attached for closer review.

EDW/th

Attachments

cc: Redington Shores Town Hall
File
Officer Ferro

To: Chief E. D. Williams
From: Detective Jason Routzahn
Re: Investigative Monthly Report for **January, 2010**

(INDIAN SHORES)

| REPORT | OFFENSE | DESCRIPTION | DISPOSITION |
|---------------|----------------|--------------------|--------------------|
| 10-0090 | Theft | Stolen Property | OPEN |
| 10-0125 | Theft | Stolen Property | OPEN |
| 10-0255 | Battery | Hate Crime | CLOSED/EXCPT |

To: Chief E. D. Williams
From: Detective Jason Routzahn
Re: Investigative Monthly Report for **January, 2010**

(REDINGTON SHORES)

| REPORT | OFFENSE | DESCRIPTION | DISPOSITION |
|---------------|-------------------|---------------------|--------------------|
| 10-0027 | Theft | Petit Theft | OPEN |
| 10-0032 | Burglary | Car Burglary | OPEN |
| 10-0059 | Burglary | Home Burglary | OPEN |
| 10-0195 | Burglary | Home Burglary | OPEN |
| 10-0241 | Criminal Mischief | Vandalism to Car | OPEN |
| 10-0419 | Criminal Mischief | Vandalism to Urinal | OPEN |