



AGENDA
TAVARES CITY COUNCIL
June 5, 2024
4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agenda item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or snovack@tavares.org)

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Pastor Brooks Braswell, First Baptist Church of Umatilla

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 2 Approval of the May 15, 2024, City Council Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

Tab 3 Resolution 2024-10 - Acceptance of United States Department of Justice Edward Byrne Memorial Justice Assistance Grant (Finance)

IX. ORDINANCES - PUBLIC HEARING

First Reading

Tab 4 Ordinance 2024-06 – An ordinance amending the Land Development Regulations, Table 8-2 Permitted and Special Uses, to allow Backyard Chickens as an accessory use in single-family zoning and to allow for a single-family residence in an existing “lot-

of-record” on “RMF-3” zoning district (Community Development)

- Tab 5 Ordinance 2024-08 – Amending the City of Tavares Code of Ordinances Chapter 11 and the Land Development Regulations Chapter 12 to include criteria for noise levels in new residential dwelling units in a Commercial or Industrial zoned district (Live Local Projects) and to adjust the hours of nuisance noise equipment operations (Community Development)

Second Reading

X. GENERAL GOVERNMENT

- Tab 6 Use of the Capital Improvement Notes 2020 A & B to Improve Soccer Field Turf at the Golden Triangle Regional Park - East Campus (Community Services)
- Tab 7 Authorize Purchase Agreement with AXON Enterprises, Inc. for Body Worn Cameras, Tasers, and Electronic Media Storage for the Tavares Police Department. (Finance)

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

- Tab 8 City Administrator Report
- Tab 9 City Council Member Reports

XV. ADJOURNMENT

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 742-6209.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Brooks Braswell, First Baptist Church of Umatilla

OBJECTIVE:

Pastor Brooks Braswell, First Baptist Church of Umatilla, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Brooks Braswell, First Baptist Church of Umatilla, will provide the invocation and lead those present in the Pledge of Allegiance.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 2

SUBJECT TITLE: Approval of the May 15, 2024, City Council Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the May 15, 2024, City Council meeting minutes.

SUMMARY:

Attached are the May 15, 2024, City Council meeting minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council meeting minutes under the Consent Agenda.
2. Move to approve the City Council meeting minutes with changes.

STAFF RECOMMENDATION:

For Council's consideration.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 05-15-2024 CC Minutes

Attachments not provided are available to the public upon request to the City Clerk.



**TAVARES CITY COUNCIL
MEETING MINUTES
MAY 15, 2024 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Bob Grenier, Mayor
Sandy Gamble, Vice Mayor
Lori Pfister, Council Member
Walter Price, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Antonio Fabre, Interim Community Development Director
Scott Aldrich, Community Services Director
Bob Tweedie, Economic Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Crissy Bublitz, Human Resources Director
James Dillon, Public Works Director
Mark O'Keefe, Public Communications Director
Sarah Coursey, Police Chief
Phil Clark, Utilities Director**

I. CALL TO ORDER

Mayor Grenier called the meeting to order at 4:00 p.m. He asked those who wished to speak on an agenda item to complete and submit a Request to Speak form.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Tom Cavanaugh, Retired

Pastor Tom Cavanaugh, Retired, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Grenier asked if there were any changes to the Agenda. Mr. Drury said staff had no changes.

MOTION

Troy Singer moved to approve the Agenda, seconded by Walter Price. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Update on Live Local Act and Approved Developments

Mr. Fabre and Community Development Deputy Director Terri O'Neal provided a PowerPoint presentation on the Live Local Act Senate Bill 102 and how it applies to Tavares.

Vice Mayor Gamble asked if the income levels for the Live Local Act were per person or household. Ms. O'Neal said she would confirm and provide the information to the Council.

Vice Mayor Gamble inquired about the maximum building height allowed. Ms. O'Neal said three stories or sixty feet, whichever is highest. The Live Local Act has height restrictions next to single-family residents or a community, which is 150% of the highest structure.

Council Member Pfister asked if the City could opt out of the Live Local Act. Attorney Holt said no, as it was state law.

Mr. Fabre said staff would be proposing a performance ordinance in the future that would include noise restrictions to address the Live Local Act and assist with the quality of life for those homes in the commercial and industrial zoning areas.

Council Member Pfister said it was her understanding Lake County may be able to opt out of the Live Local Act. Attorney Holt said she was unaware of an option to opt-out and could do research. Lake County Commission Chair Kirby Smith, present in the audience, said Lake County was researching their options.

Mr. Fabre discussed Live Local Act projects in the City. Council Member Pfister inquired about residential growth projections. Mr. Fabre said the City was on target with growth and homes in Tavares.

Council Member Price said he would like to see the cities and counties in Florida come together to see what could be done about the Live Local Act as it takes away City and county sovereignty.

Vice Mayor Gamble asked if the Live Local Act projects would not be subject to a Planning and Zoning Board review. Mr. Drury confirmed that the development had to be located in industrial and commercial-zoned areas.

Council Member Singer said the ability of Florida cities to decide what was best for communities was being taken away through the Live Local Act. He inquired about properties affected by the Live Local Act in Tavares. Mr. Fabre said the Live Local Act affected industrial and commercial zoned areas. He said some planned developments did not qualify for the Live Local Act because they were negotiated zonings.

Mayor Grenier said the cities and citizens no longer have control over what their City would look like and how they would develop.

Vice Mayor Gamble asked if the Council could create facade requirements that the development must comply with. Mr. Fabre said each project must meet the City's architectural code, and Live Local Act developments are not exempt from meeting those codes and standards.

Council Member Pfister said Tavares worked hard to build the commercial corridor with no residential to achieve a fair and equitable distribution of taxes. Mr. Fabre said changes to architectural standards would apply throughout the City. Council Member Pfister said commercial impact fees could be discounted with stricter residential requirements.

Council Member Singer noted the Live Local Act passed almost unanimously in Tallahassee. He encouraged the audience members to speak with their representatives and let them know they support Home Rule, where decisions are made in their communities.

Council Member Price said he met with the City's representatives and expressed displeasure with the Live Local Act.

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Holt stated there were no quasi-judicial matters before the Council for consideration.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following ordinances by title only:

RESOLUTION 2024-08

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA; PROVIDING NOTICE TO THE PUBLIC OF A PENDING ORDINANCE AND DIRECTING STAFF TO DEVELOP A PROCESS FOR ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 21, CITY OF TAVARES CODE, ENTITLED ELECTRONIC GAME ROOMS; PROHIBITING THE ACCEPTANCE OF APPLICATIONS FOR ELECTRONIC GAME ROOM FACILITIES DURING THE DEVELOPMENT AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 21, CITY OF TAVARES CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Grenier asked if anyone wished to pull an item from the Consent Agenda for discussion.

MOTION

Lori Pfister moved to approve the Consent Agenda [Tab 3. Approval of the May 1, 2024, City Council Meeting Minutes], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 3. Approval of the May 1, 2024, City Council Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 4. Resolution 2024-08 – Amending Chapter 21, Electronic Game Rooms

Attorney Holt said the proposed Resolution 2024-08 was a product of recent discussions from an ongoing concern of the Council regarding electronic game rooms.

Attorney Holt said Chapter 21, Tavares City Code, was adopted following concern regarding electronic game rooms as more were coming to the area. The Ordinance was created to control the game rooms; up to 3 were allowed in the City. The Florida Electronic Gaming Commission indicated local codifications restricting game rooms had caused confusion over the legality of the game rooms and machines. The Council asked that a proposed resolution be brought back for consideration. She said the proposed Resolution was based on the pending legislation doctrine that notifies the public and business owners that the Council intends to consider an amendment to the Ordinance and a change to Chapter 21, Code of Ordinances. The Resolution would notify the public that there was an intent within six months to consider an amendment and change to the current Chapter 21. The recommendation is to approve and adopt Resolution 2024-08, implementing the pending legislation doctrine while amendments to Chapter 21, City of Tavares, Code, Electronic Game Rooms are considered. She said

the Resolution includes a Council directive for the staff not to process any applications, including renewals, while the Resolution is in place.

Mayor Grenier asked for comments from the Council.

Council Member Price said he would like to reduce the time to consider an amendment to Chapter 21, Code of Ordinances, to three months. Mr. Drury said if the Resolution passed, it would not allow the City to renew licenses and noted it could take longer until an amending ordinance was passed.

MOTION

Lori Pfister moved to approve Option 1, seconded by Sandy Gamble.

Council Member Singer asked how the Resolution would affect the two remaining game rooms. Attorney Holt said the game rooms would not be licensed and could be code-enforced. She discussed a recent code-enforced property that did not seek a proper renewal and was shut down by order of the Special Magistrate.

Council Member Price asked if the Resolution could be extended. Attorney Holt recommended that the Council keep the Resolution as is, and if there was any directive, a proposed ordinance could come back within six months. Mr. Drury said an ordinance would come back for the Council to consider within six months and noted the time frame could change.

Council Member Pfister asked for confirmation that Game Rooms could not renew their licenses and that new licenses would not be issued. Mr. Drury confirmed.

The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

X. GENERAL GOVERNMENT

Tab 5. Friends of the Tavares Library Horizon Team Update

Mr. Aldrich made the following presentation:

At the March 20, 2024 regular City Council meeting, Mayor Bob Grenier joined the Friends of the Tavares Library MOU Horizon Team, to work with the City Administrator, Community Services Director and Library Director and the Friends executive board to develop a Memorandum of Understanding (MOU) which would give transparency, clarity and understanding of the relationship between

the Tavares Library and the Friends of the Tavares Library not-for-profit charitable group.

Mr. Aldrich said the Tavares Library Horizon Team met with representatives from the Friends of the Tavares Library (Friends) Executive Board on April 29, 2024. He said staff believed any funds raised by the Friends should be spent on the Tavares Library. The Friends indicated they wished to raise money with the Tavares Library name and brand and provide funds to the Tavares Library and other organizations, not-for-profits, hospitals, and daycare centers.

Mr. Aldrich reviewed the Friends Articles of Incorporation and identified their purpose was to raise funds for the Tavares Library. He said the Friends Executive Board countered with its own MOU, allowing funds to be provided to other organizations.

Mr. Aldrich noted the Council was given a list of items the Tavares Library requested and denied by the Friends. He said Friends fundraising efforts continued, and the Tavares Library had not been provided with any financial information on how money was raised, where money was spent, or how the Tavares Library brand was used. Mr. Aldrich said the community donated to the organization with the anticipation any funds would go to the Tavares Library.

Mr. Aldrich said the staff had not been able to work out differences with the Friends Executive Board, and there was a decision to take a six-month hiatus to allow the Friends to re-evaluate their mission and direction. The City asked the Friends to stop using the Tavares Library name in their organization. He said staff was asking for Council's support in a motion for a six-month hiatus.

Mayor Grenier said the City needs to protect its brand and name as the Friends deviated from its original mission.

Council Member Pfister recommended an immediate cease-and-desist order rather than waiting six months.

Council Member Singer asked if the staff requested the Friends to stop using the Tavares Library name. Mr. Drury confirmed. He said Friends is considering the request and continued to use the name.

MOTION

Lori Pfister moved to separate the relationship with the Friends of the Tavares Library, for the Friends not to use Tavares Library in their name, and have the City Attorney issue a cease-and-desist order, seconded by Walter Price. The motion carried unanimously 5-0.

Tab 6. Tavares Fourth of July Parade Discussion

Mr. Aldrich made the following presentation:

At the October 18, 2023, regular City Council meeting, the Council discussed several options surrounding the Main Street parade during the Fourth of July Celebration. Based on these discussions, the Council asked staff to explore the option of moving the parade to later in the evening to flow into the fireworks and bring back our findings to a future meeting.

Community Services staff worked with the Tavares Police Department and several regular parade participants to explore the possibility of starting our parade along Main Street later in the evening, around 7:00 pm. Doing so would most notably create a public safety concern and challenge with the number of people maneuvering through downtown at the later time. History has shown us that between the hours of 7:00 pm – 8:00 pm, thousands of people converge on the downtown to make their way to the waterfront for fireworks viewing. Mixing that traffic with parade traffic, road closures and restricted access would be problematic.

Additionally, staff has spoken with several downtown businesses, and they are all in favor of keeping the parade at the 5:00 pm start time, ending around 6:00 pm. It also seems to work well for the flow of the event. Entertainment and traditional family-oriented / kids activities all start right after the parade ends at 6:00 pm and segways right into the fireworks show at dark.

Staff recommended Option 1, to keep the Fourth of July Parade start time at 5:00 p.m.

Council Member Pfister noted her support.

Council Member Singer said the Council's main concern was the heat and rain. He spoke with several downtown business owners who were indifferent to the timing or preferred a 5:00 p.m. parade schedule.

Council Member Price said a 5:00 p.m. parade was better for the downtown businesses and noted his support.

Mr. Aldrich said staff also spoke with businesses who preferred a 5:00 p.m. parade schedule.

MOTION

Lori Pfister moved to approve Option 1 to keep the Fourth of July Parade start time at 5:00 p.m., seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 7. Annual Council Goals for City Administrator to Implement

Mr. Drury made the following presentation:

Every year, as part of the performance evaluation process, the City Council members identify at least five goals for the City Administrator to implement over the ensuing year. Below is a listing of each Council member's proposed goals for the City Council to collectively weigh-in on and approve or remove. It is recommended that the City Administrator read each goal into the record and provide the Council with an opportunity to adopt them as presented or make changes.

Mr. Drury read the following Council goals for the City Administrator to implement:

Mayor Bobby Grenier:

1. Plan well the development of the new Tavares Frontier along highways 19, 561, and 448. Prevent sprawl, and be mindful of the needs and desires of our citizens in the development of residential, commercial, industrial, and conservation land.
2. Purchase the Major Alexander St. Clair-Abrams home. The most significant historical structure in Lake County and Tavares could be lost if the city does not acquire it and protect it.

Council Member Singer asked for confirmation the Council voted not to pursue purchasing the Major Alexander St. Clair-Abrams home. Mr. Drury confirmed that the Council voted to pursue grant funding, not property taxes.

3. Provide the resources the Police, Fire, and Public Works Departments need to maintain a superior level of services to our citizens and visitors.
4. Provide the Tavares Library the updated resources they need to serve our citizens and patrons and the Tavares History Museum to promote and protect the history and heritage of our city.
5. Continue to improve Streets, Alleyways, and Infrastructure to meet the needs of the future.

Vice Mayor Sandy Gamble:

1. Deliver a balanced budget with pay raises for the employees.
2. Maintain the same or greater level of service.
3. Continue and finish capital projects.
4. Adopt New Impact Fees.
5. Sidewalk replacement or installed where necessary.
6. Continue to lower debt.
7. Do our best to keep or reduce the tax rate.

Council Member Lori Pfister:

1. Implement raising of impact fees.
2. Implement an enforceable, restrictive gaming ordinance.

3. Aggressive attitude toward economic development.
4. DETER RESIDENTIAL GROWTH. Our infrastructure cannot support what is already approved.
5. Work with county and/or additional partner to fund the rebuilding of Golden Triangle East Campus.
6. Begin planning stage of Senior Center and secure funding.
7. Put PONTOON PROMENADE on map with identity markers and plan future economic development on the promenade.
8. Present balanced budget, with competitive employee consideration, comparable city services, and all safety issues (lighting, etc..) addressed with funding.
9. Resuscitate the Mayor's Youth Council with Liberty Christian or another local educational facility.
10. Start discussion and planning for the east parking garage. With current economic development in the works, the garage will be needed sooner than later.

Council Member Pfister asked Mr. Drury to include the hospital golf cart crossing in her list.

11. Hospital golf cart crossing.

Council Member Price inquired about future economic development on the promenade. Council Member Pfister said she sought to bring more visitors and activity along the waterfront daily. Mr. Drury said there was a vacant piece of property next to a hotel that would make an economic engine for the area. He said the staff was working with the property owner for ideas to utilize the property.

Council Member Walter Price:

1. Continue to support hometown rule as more and more local authority is being averted to Tallahassee every year.
2. Achieve a balance between lowering taxes and providing needed city services.
3. Have the city attract higher end/national retail growth into Tavares.
4. Have a traffic signal added to the intersection of County Road 561 and State Road 19 due to continual traffic backups at that intersection.
5. West Main Street gateway project

Council Member Troy Singer

1. Maintain our "tight community" quality of life as we continue to grow smartly
2. Continue to keep our millage rate as low as possible
3. Stay involved and engaged with the community as a whole
4. Fairly compensate all the city employees
5. Continue investing in our infrastructure
6. Continue to provide a business friendly environment
7. Pursue grants to offset tax burden on city residents and businesses

Council Member Singer said he wished to take care of all City employees, including the City Administrator. He said Mr. Drury had done a fantastic job leading the City for 17 years. He noted Mr. Drury had not received a raise over the past several years and wanted to ensure he received a raise in the next budget cycle.

MOTION

Lori Pfister moved to approve Option 1, seconded by Sandy Gamble.

Mayor Grenier said the goals brought forward were excellent and commended the Council.

Council Member Singer asked if the motion included a raise for Mr. Drury. Council Member Pfister confirmed.

AMENDED MOTION

Lori Pfister moved to approve Option 1 [Approve the developed collective goals for the City Administrator to implement over the ensuing year], including a raise for Mr. Drury and hospital golf cart crossing]. Seconded by Sandy Gamble.

A discussion was held regarding compensation for the City Administrator. Council Member Pfister said she would like to discuss the City Administrator's compensation at a future meeting so a balanced budget could be brought back to the Council with a raise included.

Mayor Grenier commended Mr. Drury and said what he had done for the City and Council was beyond fantastic.

The amended motion carried unanimously 5-0.

Tab 8. Charging Station Update

Mr. Dillon said there were 4 complimentary charging station locations downtown with designated parking spaces. According to the staff's assessment, the total electric consumption cost for all charging stations in 2023 equated to 19,152 kilowatts, costing the City approximately \$1,800. Mr. Dillon provided three options provided to the Council for consideration as follows:

1. Charging as a Service: NovaCharge would manage and maintain the system entirely and return the electric cost to the City and a portion of the profits with no cost for repairs or replacements.
2. ChargeUp and NovaBot: Self Management of the system through NovaCharge for a minimum contract price of \$199/year/charger, providing access to the platform to set pricing as we determine appropriate.

3. ChargeUp and NovaBot: Self Management of the system through NovaCharge for an annual fee of \$399/year which includes an extended warranty on the equipment through December 31, 2024.

Mr. Dillon said staff recommended Option 1, Charging as a Service: NovaCharge would manage and maintain the system entirely and return the electric cost to the City and a portion of the profits with no cost for repairs or replacements. He said there would be no fiscal impact with Option 1.

Council Member Pfister asked for confirmation that Option 1 paid for the kilowatts used, there was no cost to the City, and a small portion of the profits would pay for lost parking spaces. Mr. Dillon confirmed and said the systems were turnkey. Council Member Pfister asked if a golf cart plug could be included. Mr. Drury said each system had a golf cart plug. He said the golf cart was free, with a charge for the plug-in. He said it was a nominal trickle charge. Council Member Pfister asked if signs limiting charging times could be installed.

MOTION

Lori Pfister moved to approve Option 1, seconded by Sandy Gamble.

Council Member Singer said the City of Tavares was a golf cart community and supported including golf cart plug-ins.

The motion carried unanimously 5-0.

Tab 9. Request for Code Enforcement Fine & Lien Forgiveness for 107 Ruby Street

Mr. Drury said an updated agenda summary was provided to the Council.

Chapter 2, Article 3, Section 2 of the City sets forth the Enforcement of Municipal Codes.

Ordinance 2011-12 established the provision for the creation, establishment and levy of a lien against properties which have unpaid utility charges by the owner.

Currently, there is one outstanding, unresolved, Code Enforcement Case with fines assessed on the property located at 107 Ruby Street, identified by the Lake County Property Appraiser records as Alt Key No. 3890032.

Case CET1810-0010 listed above went before the City of Tavares Code Enforcement Special Magistrate on January 22, 2019. A re-inspection of the property was conducted on the day of the hearing and Sections 12-13, 12-23, 20-5, 12-16 of the LDR as well as Section 12-4 of the Code of Ordinances

remained active.

The Special Magistrate found the property owner guilty and issued a corrective action deadline of February 28, 2019.

Fines began accruing at a rate of \$25.00 per day per violation (Sec. 12-13, 12-23, 20-5, 12-16) and \$75.00 per day for Sec.12-4. The fines continued to accrue for Sections 12-13, 20-5, 12-16 and 12-4 until July 9, 2019. The fine for Section 12-23 continued until September 14, 2021.

All violations were finally cured 2 years and 332 days from the date the case was initiated. Fines totaled

Outstanding fines remained unpaid, and a code enforcement lien was recorded on March 27, 2020 of \$28,982.04 with fines for Section 12-23 continuing until September 14, 2021 which was when fines were cured (2 years and 332 days from date of case initiation date). A copy of the recorded lien is attached for Council's review as well as details for the case. Fines accrued from recording on March 2020 from \$28,982.04 to \$42,957.04

It should be noted that Code Enforcement Case, CET1810-0010, originated when the property was owned by the previous owner: Elvey T. Kirkland.

Staff recommended Option 1, for Council to hear Emad Shahid, current property owner of 107 Ruby Street, and Council holds discussion for reduction of Code Enforcement Lien for Case CET1810-0010.

Council Member Pfister said years ago, previous Councils' were relieving fines, and a decision was made to discontinue. Mr. Drury noted the two homes had been in disrepair for many years and code enforced. He said the current owner purchased property through cash, removed the code violations, and invested in the property. He said the current owner inherited the previous owner's violations. Ms. Houghton said the prior owner created the violation, and a lien was filed in March 2020. Mr. Drury said if the new owner had completed a traditional property transaction with a title search, the violations would have been discovered, and the new owner would have come before the Council requesting a reduced lien amount before purchase.

Council Member Singer asked if the property owner was present. Ms. Houghton said the property owner was notified. Mr. Drury said the property owner was not present. Council Member Singer said he did not wish to set a precedent. Ms. Houghton said the Council would be unable to forgive the administrative fees, and if approved, the reduction amount would be \$42,750.

Council Member Pfister discussed the previous condition of the property.

Mayor Grenier said he did not wish to set a precedence.

Council Member Price asked if the violations continued and when the property was purchased. Mr. Drury said the house was renovated, and violations were cured. Ms. Houghton said the property was purchased in March 2021.

MOTION

Lori Pfister moved to deny the request, seconded by Troy Singer. The motion carried unanimously 5-0.

XI. NEW BUSINESS

XII. OLD BUSINESS

Tab 11. Employee Holiday Addition

Council Member Pfister said she would like to revisit a discussion to give employees an additional holiday, Good Friday. She noted other area agencies that observed Good Friday and said she wished for the City to be more competitive.

Mayor Grenier noted his support.

Doug Keown, 1955 Magnolia Circle, Tavares, said he concurred with Council Member Pfister and Mayor Grenier. He said the City had great employees and supported the City showing its appreciation by providing an additional day to spend with their families.

Gary Santoro, Royal Harbor, noted his support for providing the additional day off for the employees.

Bruce Peterman, 3303 Seven Seas Drive, Tavares, noted his support for a raise and having Good Friday off.

Pastor Watkins, 805 Summerall Avenue, Tavares, noted his support for the employees to have Good Friday off.

Mayor Grenier noted Pastor Cavanaugh mentioned in his opening prayer that Good Friday was as important as Easter.

MOTION

Lori Pfister moved to approve the addition of Good Friday as an annual employee holiday, seconded by Sandy Gamble. The motion carried unanimously 5-0.

Council Member Pfister thanked the Council.

XIII. AUDIENCE TO BE HEARD

Pastor Watkins, 805 Summerall Avenue, Tavares, noted his support for Mr. Drury and the employees to receive raises. He commended the Tavares Library for completing over 900 tax returns and other community programs they provide.

Pastor Watkins asked if the Major Alexander St. Clair-Abrams House would be purchased with grants. Mr. Drury said the purchase would remain in the capital program as unfunded, and grants would be pursued for the purchase. The Council would then review any awarded grants. He confirmed no property taxes would be used to purchase the property.

Pastor Watkins commended Debby Blais, Community Services Coordinator, for her work at the Tavares Historical Museum. He said she was doing a great job. Pastor Watkins commended Pete Sherrard, Deputy Director of Recreation, for his efforts at the ballfield. He said the parents and children appeared enthusiastic.

Kaitlin Brody, 2155 Kalin Way, Tavares, said she purchased a home from DR Horton. Ms. Brody said some inspections should have failed to pass and asked the Council to hold builders more accountable. She said there were code violations at her home, including broken tresses, and the builder is not honoring its warranties. She noted the builder was blaming the City for the issues.

Mr. Drury said staff would review the case and speak with the building inspector. He thanked Ms. Brody for bringing her concerns to the attention of the City.

Gary Santoro, Royal Harbor, said he appreciated the goals provided to Mr. Drury. He thanked Council Member Singer for making well-deserved comments regarding Mr. Drury. Mr. Santoro said Mr. Drury deserved a raise as much as the City staff, and his team was as successful as it is because of his leadership.

XIV. REPORTS

Tab 12. City Administrator Report

Mr. Drury noted an upcoming Tavares Chamber of Commerce luncheon would be held at the hospital rather than the Civic Center, as depicted in his report.

Mr. Drury said street lighting had become an issue in the community due to increased costs by SECO and Duke Energy, which would negatively affect the budget. Mr. Drury said he initiated a Horizon Team to include the Public Works Director, Finance Director, and himself to review the number of lights in the City and explore all available options. He asked if a Council member would like to join the Street Lighting Horizon Team.

Council Member Singer volunteered to be on the Street Lighting Horizon Team.

Mayor Grenier thanked Council Member Singer for joining the Horizon Team.

Mayor Grenier thanked Mr. Drury for joining him at a recent presentation at the hospital in recognition of Nurses Week. Mr. Drury discussed how Mayor Grenier and the Proclamation he delivered resonated with the hospital staff and said it was a great event.

Mr. Drury recognized Board of County Commissioners Chairman, Kirby Smith, as being in the audience.

Chief Coursey noted an upcoming annual summer send event at the elementary school. She said Detective Seargent Schmidbauer was recently honored at the Leesburg Rotary Club for her outstanding service.

Mr. Dillon said the Public Works Facility on Captain Haines Road was at substantial completion, a phenomenal project, and thanked the Council for their support.

Mr. Clark thanked the Council and citizens for supporting the City employees.

Ms. Bublitz thanked the Council for adding an additional holiday and said it would help with the recruitment process.

Mr. Aldrich said the Tavares Library hosted and AARP Tax Aid Help completed 900 tax forms for the community. Mr. Aldrich provided an update on the All-Star Teams.

Ms. Houghton thanked the Council for an additional holiday for their employees and for their comments and support of staff.

Tab 8. City Council Member Reports

Council Member Pfister thanked Commissioner Smith and the employees in the audience for attending the City Council meeting.

Council Member Price encouraged those present to research the Live Local Act and contact their legislators in Tallahassee.

Council Member Singer said he had the honor of attending the Lake County Sheriff's Office annual Officer memorial. He recognized Commissioner Smith and Chief Coursey, who was the keynote speaker.

Vice Mayor Gamble congratulated Ms. Bublitz's daughter for her efforts on the Eustis High School Softball Team, which was headed toward state competition.

Vice Mayor Gamble said the Council may need to look at fence and vegetation height restrictions on zero lot lines at intersections to ensure no visual impediments to oncoming traffic.

XV. ADJOURNMENT

There was no further business, and Mayor Grenier adjourned the meeting at 5:44 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 3

SUBJECT TITLE: Resolution 2024-10 - Acceptance of United States Department of Justice Edward Byrne Memorial Justice Assistance Grant (Finance)

OBJECTIVE:

Consider approval of Resolution 2024-10 authorizing acceptance of United States Department of Justice JAG Grant.

SUMMARY:

The City of Tavares Police Department was awarded a United States Department of Justice (US DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase six (6) new body cameras and related equipment.

Details of the grant include the following:

- Agreement Number: R7089.
- Pass-through Entity: Florida Department of Law Enforcement.
- Subrecipient: City of Tavares.
- Grant Award: \$4,331.
- No grant match required.
- Award Period: 10/1/2023 – 9/30/2024.
- The grant is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200).

Instead of purchasing body cameras, the Police Department would instead like to purchase two lidars with batteries for a total cost of \$5,323. The city has submitted a request to change the scope of the project from body cameras to lidar equipment, and FDLE has tentatively approved the request; however, the original grant agreement must be signed first before the scope change request may be finalized. All other aspects of the grant agreement would remain the same (including the grant award amount of \$4,331). The lidars exceed the grant award by \$992. The additional cost will be paid from the Police Department operating budget.

OPTIONS:

Option 1: Move to approve resolution 2024-10 authorizing the Chief of Police and Mayor to execute the body camera JAG grant.

Option 2: Do not approve resolution 2024-10.

STAFF RECOMMENDATION:

Option 1: Move to approve resolution 2024-10 authorizing the Chief of Police and Mayor to execute the body camera JAG grant.

FISCAL IMPACT:

\$4,331 will be budgeted in the Fiscal Year 2024 Budget.

LEGAL SUFFICIENCY:

Legally Sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2024-10
2. R7089 Federal Award - Agreement-1

Attachments not provided are available to the public upon request to the City Clerk.

RESOLUTION 2024-10

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO PURCHASE BODY CAMERA EQUIPMENT

WHEREAS, the Florida Department of Law Enforcement as a pass-through entity for the United States Department of Justice has awarded the City of Tavares an Edward Byrne Memorial Justice Assistance Grant (JAG).

WHEREAS, the grant awarded by the Florida Department of Law Enforcement represents a program to assist municipal law enforcement agencies in their effort to combat crime.

WHEREAS, the Justice Assistance Grant provides funding to purchase body camera equipment in the amount of \$4,331.

WHEREAS, the Florida Department of Law Enforcement has tentatively accepted a scope change request submitted by the city to purchase lidar equipment instead of body cameras.

WHEREAS, the original award must be accepted before the scope change request can be executed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AS FOLLOWS:

SECTION I. The Chief of Police and Mayor are hereby authorized to execute an award Agreement and scope change for lidar equipment with the Florida Department of Law Enforcement for award of an Edward Byrne Memorial Justice Assistance Grant. Elements of the award include:

- Agreement Number: R7089.
- Pass-through Entity: Florida Department of Law Enforcement.
- Subrecipient: City of Tavares.
- Grant Award: \$4,331.
- No grant match required.
- Award Period: 10/1/2023 – 9/30/2024.

- The grant is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200).

SECTION II. If any section or portion of a section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Resolution.

SECTION III. This Resolution shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED this 5th day of June 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

ATTEST:

Susie Novack
City Clerk

Approved as to form:
Lindsey Holt
City Attorney

**State of Florida
Office of Criminal Justice Grants
Florida Department of Law Enforcement
2331 Phillips Road
Tallahassee, FL 32308**

AWARD AGREEMENT

Recipient: City of Tavares

Recipient SAM UEI: L17MFA7LNLT6

Award Number: R7089

Award Period: 10/01/2023 – 09/30/2024

Award Title: C-R7089: BODY WORN CAMERAS

Federal Funds: \$4,331.00

Matching Funds: \$0.00

Total Funds: \$4,331.00

CFDA: 16.738

Federal Award Number: 15PBJA-22-GG-00656-MUMU

Federal Program: Edward Byrne Memorial Justice Assistance Grant (JAG)

Federal Awarding Agency: U.S. Department of Justice (USDOJ)

Pass-through Entity: Florida Department of Law Enforcement (FDLE)

Research & Development: No

Indirect Cost: No

An award agreement is entered into by and between the Florida Department of Law Enforcement (herein referred to as “FDLE” or “Department”) and the City of Tavares (herein referred to as “Recipient”);

WHEREAS, the Department has the authority pursuant to Florida law and does hereby agree to provide federal financial assistance to the Recipient in accordance with the terms and conditions set forth in the award agreement, and

WHEREAS, the Department has available funds resulting from the federal award listed above, and

WHEREAS, the Recipient and the Department have each affirmed they have read and understood the agreement in its entirety and the Recipient has provided an executed agreement to the Department.

SCHEDULE OF APPENDICES

Appendix A – Scope of Work

Appendix B – Deliverables

Appendix C – Approved Budget

Appendix D – Award Contacts

Appendix E – Special Conditions

Appendix F – Standard Conditions

PERFORMANCE REPORTING

The Recipient shall provide **Quarterly Performance Reports** to the Department attesting to the progress towards deliverables. Performance Reports are due no later than 15 days after the end of each reporting period.

For example: If the monthly reporting period is July 1-31, the Performance Report is due August 15th; if the quarterly reporting period is January 1 – March 31, the Performance Report is due by April 15th.

The Recipient shall respond to the metrics in the electronic grant management system. Information provided by the Recipient will be used by the Department to compile reports on project progress and metrics to the U.S. Department of Justice.

Supporting documentation for performance must be maintained by Recipient and made available upon request for monitoring purposes. Examples of supporting documentation include but are not limited to timesheets, activity reports, meeting notices, delivery documents, public announcements, rosters, presentations, database statistics, etc.

Failure to submit performance reports by the deadline will result in a withholding of funds until performance reports are received.

FINANCIAL REPORTING

The State of Florida's performance and obligation to pay under this agreement is contingent upon an appropriation by the Legislature. The Department will administer and disburse funds under this agreement in accordance with ss. 215.97, 215.971, 215.981 and 215.985, F.S.

This is a cost reimbursement agreement. The Department will reimburse the Recipient for allowable expenditures included in the approved budget (**Appendix B**) incurred during each reporting period. The Recipient shall provide **Quarterly Payment Requests** to the Department attesting to expenditures made during the reporting period. These reports are due no later than 30 days after the end of each reporting period. For example: If the monthly reporting period is July 1-31, the Payment Request is due August 30th; if the quarterly reporting period is January 1 – March 31, the Payment Request is due by April 30th.

Using the electronic grant management system to record expenses, Payment Requests must clearly identify the dates of services, a description of the specific contract deliverables provided during the reporting period, the quantity provided, and the payment amount. All Payment Requests are reviewed and may be audited to the satisfaction of the Department. The Department's determination of acceptable expenditures shall be conclusive.

The final Payment Request shall be submitted to the Department no more than 60 days after the end date of the award. Any payment due under the terms of this agreement may be withheld until performance of services, all reports due are received, and necessary adjustments have been approved by the Department.

The Recipient must maintain original supporting documentation for all funds expended and received under this agreement in sufficient detail for proper pre- and post-audit and to verify work performed was in accordance with the deliverable(s). Payment shall be contingent upon the Department's grant manager receiving and accepting the invoice and the associated supporting documentation. Supporting documentation includes, but is not limited to: quotes, procurement documents, purchase orders, original receipts, invoices, canceled checks or EFT records, bank statements, etc. The state's Chief Financial Officer (CFO) reserves the right to require further documentation on an as needed basis.

Failure to comply with these provisions shall result in forfeiture of reimbursement.

Award Signatures

In witness whereof, the parties affirm they each have read and agree to the conditions set forth in **Appendix C and Appendix D** of this agreement, have read and understand the agreement in its entirety and have executed this agreement by their duly authorized officers on the date, month and year set out below.

Award ID: R7089
Award Title: C-R7089: BODY WORN CAMERAS
Award Period: 10/01/2023 – 09/30/2024

Florida Department of Law Enforcement Office of Criminal Justice Grants

Signature: _____

Typed Name and Title: Cody Menacof, Bureau Chief

Date: _____

Recipient City of Tavares

Signature: _____

Typed Name and Title: Walter B. Price, Mayor

Date: _____

***** If using a designee, sign in the “Chief Official Designee” section below. *****

Chief Official Designee (optional) City of Tavares

Signature: _____

Typed Name and Title: _____

Date: _____

THIS AWARD IS NOT VALID UNTIL SIGNED AND DATED BY ALL REQUIRED PARTIES

Appendix A - Scope of Work

Award Number:	R7089
Recipient:	City of Tavares
Award Title:	C-R7089: BODY WORN CAMERAS
Award Period:	10/01/2023 - 09/30/2024

Problem Identification

The City of Tavares Police Department is dedicated to the people of the community. While the main priority for law enforcement officers is to keep their community safe, the officers only have one single opportunity to collect accurate information before they run the risk of it being permanently lost. Body-worn cameras have become a necessity for the City of Tavares Police Department to protect the integrity of all agencies and communities they serve.

The City of Tavares Police Department has prioritized the need to purchase body-worn cameras to be able to collect and provide evidence to the State Attorney's Office for the successful prosecution of criminal suspects. The Police Department equips its officers with body-worn cameras, but many of the cameras are unable to be utilized due to damage and old age.

Scope of Work

The City of Tavares Police Department will purchase body-worn cameras, as well as camera holder clips that law enforcement officers can attach to their uniforms. Along with the cameras and the clips, the police department will be purchasing dock chargers to ensure that the cameras can be charged at any point during the day. This equipment is expected to maintain the integrity and professionalism of patrol officers, as they will have working cameras and replacement clips on hand to limit missing crucial information.

Appendix B - Deliverables

Award Number: R7089
Recipient: City of Tavares
Award Title: C-R7089: BODY WORN CAMERAS
Award Period: 10/01/2023 - 09/30/2024

Total payments for all deliverables will not exceed the maximum grant award amount.

Deliverable 1	Recipient will use federal grant funds to procure body-worn cameras, as well as body worn camera accessories such as clip holders and dock chargers.
Minimum Performance Criteria:	Performance will be the procurement and receipt of goods/services purchased.
Financial Consequences:	This is a cost reimbursement deliverable. Only those items purchased and received will be eligible for payment.
Deliverable Price:	Total payments for this deliverable will be approximately \$4,331.00

Appendix C - Approved Budget

Award Number:	R7089		
Recipient:	City of Tavares		
Award Title:	C-R7089: BODY WORN CAMERAS		
Award Period:	10/01/2023-09/30/2024		
Award Amount:	\$4,331.00	\$0.00	\$4,331.00
	Grant Funded	Match	Total

Standard Budget Terms

All items, quantities, and/or prices below are estimates based on the information available at the time of application.

The item(s) listed below may include additional individually priced, operationally necessary accessories, components, and/or peripherals and may be categorized as a "kit", "bundle", "system" etc.

Award funds may be used to pay for any applicable shipping, freight, and/or installation costs.

Award funds will NOT be used to pay for extended warranties, service agreements, contracts, etc., covering any periods that extend beyond the award end date. Funds may be prorated for services within the award period.

Any costs that exceed the award allocation will be the responsibility of the Recipient.

D. Equipment				
Item Name	Description	Grant Funded	Match	Total
Body-Worn Cameras	6 Body Cameras @\$639.20=\$3,835.20 Shipping = \$34.70. Total = \$3,869.90	\$3,869.90	\$0.00	\$3,869.90
BWC Clip Holders	6 Clip holders @\$64.35=\$386.10	\$386.10	\$0.00	\$386.10
Commander 2.0 Dock Charger	6 Dock Charger@\$12.50=\$75.00	\$75.00	\$0.00	\$75.00
D. Equipment Subtotal:				\$4,331.00

Appendix D: Award Contacts

Award Number: R7089
Recipient: City of Tavares
Award Title: C-R7089: BODY WORN CAMERAS
Award Period: 10/01/2023 - 09/30/2024

Recipient Grant Manager (GM)

Name: Brett Jones
Title: Budget & Grant Manager
Address: 201 E. Main St.
Tavares, FL 32778
Phone: 3522534216
Email: bjones@tavares.org

Recipient Chief Official (CO)

Name: Walter B. Price
Title: Mayor
Address: 201 E. Main St.
Tavares, FL 32778
Phone: 3527426209
Email: wprice@tavares.org

Recipient Chief Financial Officer (CFO)

Name: Lori Houghton
Title: CFO
Address: 201 E Main St.
Tavares, FL
Phone: 3527426212
Email: lhoughton@tavares.org

Recipient Additional Point of Contact (POC)

Name: Tammy Sue Fitzgerald
Title: Administrative Coordinator
Phone: 3527426201
Email: tfitzgerald@tavares.org

Appendix E: Special Conditions

Award Number: R7089
Recipient: City of Tavares
Award Title: C-R7089: BODY WORN CAMERAS
Award Period: 10/01/2023 - 09/30/2024

In addition to the attached standard conditions, the above-referenced grant project is subject to the special conditions set forth below.

- S0001 At the time of application, the recipient had not submitted a current EEO Plan (Utilization Report) to the Office of Criminal Justice Grants. The recipient must provide an EEO Plan to the Office of Criminal Justice Grants at monitoring.
- S0002 This project requests federal grant funding for body worn cameras and/or related equipment. Any warranties or data storage agreements extending past the end date of the award must be pro-rated from the date of purchase. No reimbursements will be made for costs outside of the award period.
- W0003 WITHHOLDING OF FUNDS: This project requests funding for telecommunications and/or video surveillance equipment. Prior to the drawdown of funds for such equipment, the recipient must provide documentation that the manufacturer and vendor are not on the Excluded Parties List in SAM.gov to the Office of Criminal Justice Grants.
- S0004 A risk assessment completed at the time of application review determined this project is low-risk. As a result, backup documentation related to expenditures must be maintained and made available upon request. Documentation may include, but is not limited to: procurement records (including quotes, competitive solicitations/bids, etc.), purchase orders, packing slips, delivery/receivable documents, invoices, proof of payment, timesheets, paystubs, activity logs, client activity logs, participant sign in sheets, billing documentation, travel vouchers etc.
- W0005 WITHHOLDING OF FUNDS: The project period for this award starts 10/01/2023. Prior to the drawdown of funds, the Recipient must submit all required quarterly performance reports due since the start date of the award period.

Appendix F – FY2022 Award Standard Conditions

The Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants (OCJG) serves as the State Administering Agency (SAA) for various federal award programs awarded through the U.S. Department of Justice (DOJ), Office of Justice Programs (OJP). FDLE has been assigned as the certified Fiscal Agent for the 2021 Project Safe Neighborhoods awards by the U.S. Attorney. OCJG awards funds to eligible applicants, and requires compliance with the agreement and Standard Conditions upon signed acceptance of the award.

The Department will only reimburse recipients for authorized activities specified in the agreement. Failure to comply with provisions of this agreement, or failure to perform award activities as specified, will result in required corrective action including but not limited to financial consequences, project costs being disallowed, withholding of federal funds and/or termination of the project.

For NCHIP and NARIP Awards

Comprehensive Evaluation - In order to ensure that the National Criminal History Improvement Program (NCHIP) and the NICS Act Record Improvement Program (NARIP) are realizing the objectives in the most productive manner, the recipient agrees to participate in a comprehensive evaluation effort. It is anticipated that the evaluation will take place during the course of the program and will likely involve each participating agency. It is expected that the evaluation will have a minimal impact on an agency's program personnel and resources.

GENERAL REQUIREMENTS

All recipients must comply with the financial and administrative requirements set forth in the following:

Current edition of the U.S. Department of Justice (DOJ) Grants Financial Guide

https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf

Office of Management and Budget (OMB) Uniform Grant Guidance (2 CFR Part 200)

Subpart A, Definitions

Subparts B-D, Administrative Requirements

Subpart E, Cost Principles

Subpart F, Audit Requirements and all applicable Appendices

Code of Federal Regulations: www.gpo.gov/fdsys/

2 C.F.R. §175.15(b), Award Term for Trafficking in Persons

28 C.F.R. §38, Equal Treatment for Faith-Based Organizations

28 C.F.R. § 66, U.S. Department of Justice Common Rule for State and Local Governments

28 C.F.R. § 83, Government-Wide Requirements for Drug-Free Workplace

28 C.F.R. §§ 18, 22, 23, 30, 35, 42, 61, and 63

U.S. Code:

Title 34, U.S. Code, Crime Control and Law Enforcement

Title 41, U.S. Code § 4712, Enhancement of Contractor Protection from Reprisal for Disclosure of Certain Information

Title 34, U.S. Code, § 10101 et seq., "Omnibus Crime Control and Safe Streets Act of 1968"

State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:

<https://fdoswebumbracoprod.blob.core.windows.net/media/703328/g1-sl-2020.pdf> and

<http://dos.myflorida.com/media/698314/g2-sl-2017-final.pdf>

State of Florida Statutes

Section 112.061, F.S., Per diem/travel expenses of public officers, employees, authorized persons

Chapter 119, F.S., Public Records

Section 215.34(2), F.S., State funds; non-collectible items; procedure

Section 215.97, F.S. Florida Single Audit Act

Section 215.971, F.S., Agreements funded with federal or state assistance

Section 215.985, F.S., Transparency in government spending

Section 216.181(6), F.S., Approved budgets for operations and fixed capital outlay

DEFINITIONS

Award agreement means a legal instrument of financial assistance between a Federal awarding agency or pass-through entity and a non-Federal entity that, consistent with 31 U.S.C. 6302, 6304, is used to enter into a relationship the principal

purpose of which is to transfer anything of value from the Federal awarding agency or pass-through entity to the non-Federal entity to carry out a public purpose authorized by a law of the United States (see 31 U.S.C. 6101(3)); and not to acquire property or services for the Federal awarding agency or pass-through entity's direct benefit or use; and is distinguished from a cooperative agreement in that it does not provide for substantial involvement between the Federal awarding agency or pass-through entity and the non-Federal entity in carrying out the activity contemplated by the Federal award.

Disallowed costs means those charges to a Federal award that the Federal awarding agency or pass-through entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.

Equipment means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. *See also §§200.12 Capital assets, 200.20 Computing devices, 200.48 General purpose equipment, 200.58 Information technology systems, 200.89 Special purpose equipment, and 200.94 Supplies.*

Fiscal Agent refers to the agency responsible for the administration of the PSN award programs. FDLE has been assigned as the certified Fiscal Agent for PSN awards.

Improper payment means any payment that should not have been made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements. Improper payment also includes any payment to an ineligible party, any payment for an ineligible good or service, any duplicate payment, any payment for a good or service not received (except for such payments where authorized by law), any payment that does not account for credit for applicable discounts, and any payment where insufficient or lack of documentation prevents a reviewer from discerning whether a payment was proper.

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. The non-Federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation in 48 CFR Subpart 2.1 (Definitions). It is \$10,000 except as otherwise discussed in Subpart 2.1 of that regulation, but this threshold is periodically adjusted for inflation.

Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each award (regardless of the period of performance of the awards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each award in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

Non-Federal entity is a state, local government, Indian tribe, institution of higher education (IHE), or nonprofit organization that carries out a Federal award as a recipient or subrecipient.

Non-federal pass-through entity is a non-Federal entity that provides an award to a recipient to carry out part of a Federal program; the Florida Department of Law Enforcement (FDLE) is the non-federal pass-through entity for this agreement, also referred to as the State Administering Agency (SAA).

Performance goal means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate. In some instances (e.g., discretionary research awards), this may be limited to the requirement to submit technical performance reports (to be evaluated in accordance with agency policy).

Period of performance means the time during which the non-Federal entity may incur new obligations to carry out the work authorized under the Federal award. The Federal awarding agency or pass-through entity must include start and end dates of the period of performance in the Federal award (see §§200.211 Information contained in a Federal award paragraph (b)(5) and 200.332 Requirements for pass-through entities, paragraph (a)(1)(iv)).

Protected Personally Identifiable Information (PII) means an individual's first name or first initial and last name in combination with any one or more of types of information, including, but not limited to social security numbers; passport numbers; credit card numbers; clearances; bank numbers; biometrics; date and place of birth; mother's maiden name; criminal, medical, and financial records; and educational transcripts. This does not include PII that is required by law to be disclosed. (See also § 200.79 Personally Identifiable Information (PII)).

Questioned cost means a cost that is questioned by the auditor because of an audit finding 1) that resulted from a violation or possible violation of a statute, regulation, or the terms and conditions of a Federal award, including for funds used to

match Federal funds; 2) where the costs, at the time of the audit, are not supported by adequate documentation; or 3) where the costs incurred appear unreasonable and do not reflect the actions a prudent person would take in the circumstances.

Simplified acquisition threshold means the dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 C.F.R. Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. § 1908. As of the publication of this part, the simplified acquisition threshold is \$250,000, but this threshold is periodically adjusted for inflation. (Also see definition of Micro-purchase, 2 C.F.R. § 200.67).

Subaward is an award provided by a pass-through entity to a recipient for the recipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual who is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Recipient means a non-Federal entity that receives an award from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program.

Supplies means all tangible personal property other than those described in §200.33 Equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the non-Federal entity for financial statement purposes or \$5,000, regardless of the length of its useful life. See also §§200.20 Computing devices and 200.33 Equipment.

For PSN: Task Forces are established by each USAO to collaborate with a PSN team of federal, state, local, and tribal (where applicable) law enforcement and other community members to implement a strategic plan for investigating, prosecuting, and preventing violent crime.

SECTION I: TERMS AND CONDITIONS

1.0 Payment Contingent on Appropriation and Available Funds - The State of Florida's obligation to pay under this agreement is contingent upon an annual appropriation by the Florida Legislature. Furthermore, the obligation of the State of Florida to reimburse recipients for incurred costs is subject to available federal funds.

2.0 Commencement of Project – If a project is not operational within 60 days of the original start date of the award period or the date of award activation (whichever is later), the recipient must report by letter to the Department the steps taken to initiate the project, the reasons for delay, and the expected start date.

If a project is not operational within 90 days of the original start date of the award period or the date of award activation (whichever is later), the recipient must submit a second statement to the Department explaining the implementation delay.

Upon receipt of the ninety (90) day letter, the Department shall determine if the reason for delay is justified or shall, at its discretion, unilaterally terminate this agreement and re-obligate award funds to other Department approved projects. The Department, where warranted by extenuating circumstances, may extend the starting date of the project past the ninety (90) day period, but only by formal written adjustment to this agreement.

3.0 Supplanting - The recipient agrees that funds received under this award will not be used to supplant state or local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for award activities.

4.0 Non-Procurement, Debarment and Suspension - The recipient agrees to comply with Executive Order 12549, Debarment and Suspension and 2 C.F.R. § 180, "OMB Guidelines To Agencies On Governmentwide Debarment And Suspension (Non-procurement)". These procedures require the recipient to certify it shall not enter into any lower tiered covered transaction with a person who is debarred, suspended, declared ineligible or is voluntarily excluded from participating in this covered transaction, unless authorized by the Department. If the award is \$100,000 or more, the sub recipient and implementing agency certify that they and their principals:

- 1) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department or agency;
- 2) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal

or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- 3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (a)(ii) of the "Lobbying, Debarment and Drug Free Workplace" certification; and
- 4) Have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

5.0 Federal Restrictions on Lobbying - In general, as a matter of federal law, federal funds may not be used by any recipient or subrecipient at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. § 1913.

Another federal law generally prohibits federal funds from being used by any recipient or subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal award or cooperative agreement, subaward, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. § 1352.

7.0 State Restrictions on Lobbying - In addition to the provisions contained above, the expenditure of funds for the purpose of lobbying the legislature or a state agency is prohibited under this agreement.

8.0 Additional Restrictions on Lobbying - The recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of the enactment, repeal, modification or adoption of any law, regulation or policy, at any level of government, without the express prior written approval of the Office of Justice Programs.

9.0 "Pay-to-Stay" - Funds from this award may not be used to operate a "pay-to-stay" program in any local jail. Furthermore, no funds may be given to local jails that operate "pay-to-stay" programs. "Local jail", as referenced in this condition, means an adult facility or detention center owned and/or operated by city, county, or municipality. It does not include juvenile detention centers. "Pay-to-stay" programs as referenced in this condition, means a program by which extraordinary services, amenities and/or accommodations, not otherwise available to the general inmate population, may be provided, based upon an offender's apparent ability to pay, such that disparate conditions of confinement are created for the same or similar offenders within a jurisdiction.

10.0 The Coastal Barrier Resources Act - The recipient will comply and assure the compliance of all contractors with the provisions of the Coastal Barrier Resources Act (P.L. No. 97-348) dated October 18, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new federal funds within the units of the Coastal Barrier Resources System.

11.0 Background Check - Whenever a background screening for employment or a background security check is required by law for employment, unless otherwise provided by law, the provisions of § 435, F.S. shall apply. All employees in positions designated by law as positions of trust or responsibility shall be required to undergo security background investigations as a condition of employment and continued employment. For the purposes of the subsection, security background investigations shall include, but not be limited to, employment history checks, fingerprinting for all purposes and checks in this subsection, statewide criminal and juvenile records checks through the Florida Department of Law Enforcement, and federal criminal records checks through the Federal Bureau of Investigation, and may include local criminal records checks through local law enforcement agencies. Such background investigations shall be conducted at the expense of the employing agency or employee.

12.0 Confidentiality of Data - The recipient (or subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. § 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate in accordance with the requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23. Privacy Certification forms must be signed by the recipient chief official or an individual with formal, written signature authority for the chief official.

13.0 Conferences and Inspection of Work - Conferences may be held at the request of any party to this agreement. At any time, a representative of the Department, of the U.S. Department of Justice, or the Auditor General of the State

of Florida, have the right of visiting the project site to monitor, inspect and assess work performed under this agreement.

- 14.0 Insurance for Real Property and Equipment** - The recipient must, at a minimum, provide the equivalent insurance coverage for real property and equipment acquired or improved with Federal funds as provided to property owned by the non-Federal entity.
- 15.0 Flood Disaster Protection Act** - The subrecipient will comply with Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, requiring that the purchase of flood insurance in communities where such insurance is available as a condition of the receipt of any federal financial assistance for construction or acquisition purposes for use in any area that has been identified as an area having special flood hazards.
- 16.0 General Appropriations Restrictions** – The recipient must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes as set forth in the Consolidated Appropriations Act, 2018.
- 17.0 Immigration and Nationality Act** - No public funds will intentionally be awarded to any contractor who knowingly employs unauthorized alien workers, constituting a violation of the employment provisions contained in 8 U.S.C. Section 1324(a), Section 274(A) of the Immigration and Nationality Act (“INA”). The Department shall consider the employment by any contractor of unauthorized aliens a violation of Section 274(A) of the INA. Such violation by the recipient of the employment provisions contained in Section 274(A) of the INA shall be grounds for unilateral cancellation of this contract by the Department.
- 18.0 For NCHIP & NARIP: Enhancement of Security** - If funds are used for enhancing security, the recipient must:
- 1) Have an adequate process to assess the impact of any enhancement of a school security measure that is undertaken on the incidence of crime in the geographic area where the enhancement is undertaken.
 - 2) Conduct such an assessment with respect to each such enhancement; and submit to the Department the aforementioned assessment in its Final Program Report.
- 19.0 Personally Identifiable Information Breaches** – The recipient (or subrecipient at any tier) must have written procedures in place to respond in the event of actual or imminent “breach” (OMB M-17-12) if it: 1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of “personally identifiable information (PII)” within the scope of an OJP award-funded program or activity, or 2) uses or operates a “federal information system” (OMB Circular A-130). The recipient’s breach procedures must include a requirement to report actual or imminent breach of PII to FDLE’s Office of Criminal Justice Grants for subsequent reporting to the OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

SECTION II: CIVIL RIGHTS REQUIREMENTS

- 1.0 Participant Notification of Non-discrimination** - FDLE does not discriminate on the basis of race, color, religion, national origin, sex, disability or age in the delivery of services, benefits or in employment.
- 2.0 Title VI of the Civil Rights Act of 1964** - The recipient or subrecipient at any tier, must comply with all applicable requirements of 28 CFR § 42, specifically including any applicable requirements in Subpart E that relate to an equal employment opportunity program.
- Equal Employment Opportunity Certification (EEOC)** – The recipient must submit an EEO Certification annually within 120 days of award.
- Equal Employment Opportunity Program (EEOP)** – The recipient and/or implementing agency must comply with all applicable requirements in 28 C.F.R. §42, Subpart E.
- Recipients are advised to use the Office for Civil Rights EEO Reporting Tool to satisfy this condition (<https://ojp.gov/about/ocr/eeop.htm>).
- 3.0 Title IX of the Education Amendments of 1972** - If the recipient operates an education program or activity, the recipient must comply with all applicable requirements of 28 C.F.R. § 54, “Nondiscrimination on the basis of sex in education programs or activities receiving federal financial assistance.”
- 4.0 Partnerships with Faith-Based and other Neighborhood Organizations** - The recipient or subrecipient at any tier, must comply with all applicable requirements of 28 C.F.R. § 38, “Partnerships with Faith-Based and other

Neighborhood Organizations”, specifically including the provision for written notice to current or prospective program beneficiaries.

- 5.0 Americans with Disabilities Act** - Recipients must comply with the requirements of the Americans with Disabilities Act (ADA), Public Law 101-336, which prohibits discrimination on the basis of disability including provision to provide reasonable accommodations.
- 6.0 Section 504 of the Rehabilitation Act of 1973 (28 C.F.R. § 42, Subpart G)** - Recipients must comply with all provisions prohibiting discrimination on the basis of disability in both employment and the delivery of services.
- 7.0 Age Discrimination Act of 1975** - Recipients must comply with all requirements in Subpart I of 28 C.F.R. §42 which prohibits discrimination based on age in federally assisted programs.
- 8.0 Limited English Proficiency (LEP)** - In accordance with Department of Justice Guidance pertaining to Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, recipients of federal financial assistance must take reasonable steps to provide meaningful access to their programs and activities for persons with LEP. FDLE strongly advises recipients to have a written LEP Language Access Plan. For more information visit www.lep.gov.
- 9.0 Finding of Discrimination** - In the event a federal or state court or federal or state administrative agency makes, after a due process hearing, a finding of discrimination on the grounds of race, color, religion, national origin, sex, or disability against a recipient of funds, the recipient will forward a copy of the finding to FDLE and to the Office for Civil Rights, Office of Justice Programs.
- 10.0 Filing a Complaint** - If the recipient or any of its employees, contractors, vendors, or program beneficiaries has a discrimination complaint, they may file a complaint with the recipient, with FDLE, or with the Office for Civil Rights.

Discrimination complaints may be submitted to FDLE at Office of the Inspector General, Post Office Box 1489, Tallahassee, Florida 32302-1489, or online at info@fdle.state.fl.us. Any discrimination complaints filed with FDLE will be reviewed by FDLE's Inspector General and referred to the Office for Civil Rights, the Florida Commission on Human Relations, or the Equal Employment Opportunity Commission, based on the nature of the complaint.

Discrimination complaints may also be submitted to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice, 810 7th Street, Northwest, Washington, D.C. 20531, or by phone at (202) 307-0690.

For additional information on procedures for filing discrimination complaints, please visit <https://www.fdle.state.fl.us/Grants/Contacts>.

- 11.0 Retaliation** - In accordance with federal civil rights laws, the recipient shall not retaliate against individuals for taking action or participating in action to secure rights protected by these laws.
- 12.0 Non-discrimination Contract Requirements** - Recipients must include comprehensive Civil Rights nondiscrimination provisions in all contracts funded by the recipient.
- 13.0 Pass-through Requirements** - Recipients are responsible for the compliance of contractors and other entities to whom they pass-through funds including compliance with all Civil Rights requirements. These additional tier subrecipients must be made aware that they may file a discrimination complaint with the recipient, with FDLE, or with the USDOJ Office for Civil Rights and provided the contact information.
- 14.0 Civil Rights Training Requirements** – In accordance with Office of Justice Programs (OJP) requirements, the grant manager of the recipient entity responsible for managing awards from FDLE Office of Criminal Justice Grants, will be required to complete a two part [Civil Rights Training](#) and maintain copies of the training certificates within their award files to be provided upon request at monitoring.

SECTION III: FINANCIAL REQUIREMENTS AND RESPONSIBILITY

- 1.0 Fiscal Control and Fund Accounting Procedures** - All expenditures and cost accounting of funds shall conform to the DOJ Grants Financial Guide, the 28 C.F.R. § 66, and 2 C.F.R. § 200 as applicable, in their entirety.

Recipients are required to establish and maintain adequate accounting systems and financial records and to accurately account for funds awarded to them. Financial management systems must be able to record and report on the receipt, obligation, and expenditure of award funds. Systems must also be able to accommodate a fund and account structure to separately track receipts, expenditures, assets, and liabilities for awards, programs, and additional tiered subrecipients. The awarded funds may or may not be an interest-bearing account, but any earned interest must be accounted for as program income and used for program purposes before the federal award period

end date. Any unexpended interest remaining at the end of the federal award period must be refunded to the Office of Criminal Justice Grants for transmittal to DOJ.

- 2.0 Match** - The value or amount of any "non-federal share," "match," or cost-sharing contribution incorporated into the approved budget is part of the "project cost" for purposes of the 2 C.F.R. § 200 Uniform Requirements, and is subject to audit. In general, the rules and restrictions that apply to award funds from federal sources also apply to funds in the approved budget that are provided as "match" or through "cost sharing."

SECTION IV: AWARD MANAGEMENT AND REPORTING REQUIREMENTS

- 1.0 Obligation of Funds** - Award funds shall not be obligated prior to the start date, or subsequent to the end date, of the award. Only project costs incurred on or after the effective date, and on or prior to the termination date of the recipient's project are eligible for reimbursement.
- 2.0 Use of Funds** – Federal funds may only be used for the purposes in the recipient's approved award agreement.
- 3.0 Advance Funding** - Advance funding may be provided to a recipient upon a written request to the Department.
- 4.0 Performance Reporting** - The recipient shall submit Monthly or Quarterly Project performance achievements and performance questionnaires to the Department, within fifteen (15) days after the end of the reporting period. Performance reporting must clearly articulate the activities that occurred within the reporting period, including descriptions of major accomplishments, milestones achieved, and/or barriers or delays encountered. Additional information may be required if necessary to comply with federal reporting requirements. Performance achievements and performance questionnaires that are not complete, accurate, and timely may result in sanctions, as specified in Section IV, Award Management and Reporting Requirements.
- 5.0 Financial Consequences for Failure to Perform** - In accordance with Section 215.971, Florida Statutes, payments for state and federal financial assistance must be directly related to the scope of work and meet the minimum level of performance for successful completion. If the recipient fails to meet the minimum level of service or performance identified in this agreement, the Department will apply financial consequences commensurate with the deficiency. Financial consequences may include but are not limited to withholding payments or reimbursement until the deficiency is resolved, tendering only partial payment/reimbursement, imposition of other financial consequences according to the Standard Conditions as applicable, and/or termination of contract and requisition of goods or services from an alternate source. Any payment made in reliance on recipient's evidence of performance, which evidence is subsequently determined to be erroneous, will be immediately due to the Department as a refund.
- 6.0 Award Amendments** - Recipients must submit an award amendment through the electronic grant management system for major substantive changes such as changes in project activities or scope of the project, target populations, service providers, implementation schedules, and designs or research plans set forth in the approved agreement and for any budget changes that affect a cost category that was not included in the original budget. Amendments are also required when there will be a transfer of 10% or more of the total budget between budget categories, or there is an indirect cost rate category change.

Recipients may transfer up to 10% of the total budget between current, approved budget categories without prior approval as long as the funds are transferred to an existing line item.

Under no circumstances can transfers of funds increase the total budgeted award.

Retroactive (after-the-fact) approval of project adjustments or items not currently in the approved award will only be considered under extenuating circumstances. Recipients who incur costs prior to approval of requested adjustments do so at the risk of the items being ineligible for reimbursement under the award.

All requests for changes, including requests for project period extensions, must be submitted in the electronic grant management system no later than thirty (30) days prior to award expiration date.

- 7.0 Financial Expenditures and Reporting** - The recipient shall close the expense reporting period either on a Monthly or Quarterly basis. For any reporting period the recipient is seeking reimbursement, a payment request must also be submitted in the grant management system. Closing of the reporting period and Payment Requests are due thirty (30) days after the end of the reporting period with the exception of the final reporting period.

All project expenditures for reimbursement of recipient costs shall be submitted on the Project Expenditure Report Forms prescribed and provided by the Office of Criminal Justice Grants (OCJG) through the electronic grant management system.

All Project Expenditure Reports shall be submitted in sufficient detail for proper pre-audit and post-audit.

All reports must relate financial data to performance accomplishments.

An expenditure report is not required when no reimbursement is being requested; however, recipients should close the associated reporting period in the electronic grant management system.

Before the "final" Payment Request will be processed, the recipient must submit to the Department all outstanding Performance Achievements and must have satisfied all withholding, special, and monitoring conditions. Failure to comply with the above provisions shall result in forfeiture of reimbursement.

- 8.0 Project Income (PGI)** - All income generated as a direct result of a project shall be deemed program income. Program income from asset seizures and forfeitures is considered earned when the property has been adjudicated to the benefit of the plaintiff (i.e., law enforcement entity).

The recipient shall submit a PGI Earnings and Expenditures form in the electronic grant management system as soon as PGI is earned or expended. Prior to expending funds, the recipient shall submit a PGI Spending Request form for OCJG approval. All PGI expenditures must directly relate to the project being funded and must be allowable under the federal award.

Additionally, any unexpended PGI remaining at the end of the federal award period must be submitted to OCJG for transmittal to the Bureau of Justice Assistance.

- 9.0 Recipient Integrity and Performance Matters** - Requirement to report information on certain civil, criminal, and administrative proceedings to OCJG, SAM and FAPIIS.

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management ("SAM"), to the designated federal integrity and performance system ("FAPIIS").

SECTION V: MONITORING AND AUDITS

- 1.0 Access to Records** - The Florida Department of Law Enforcement, the Auditor General of the State of Florida, the U.S. Department of Justice, the U.S. Comptroller General or any of their duly authorized representatives, shall have access to books, documents, papers and records of the recipient and contractors for the purpose of audit and examination according to the Financial Guide and the 28 C.F.R. § 66. At any time, a representative of the Department, the U.S. Department of Justice, or the Auditor General of the State of Florida, have the right to visit the project site to monitor, inspect and assess work performed under this agreement.

The Department reserves the right to unilaterally terminate this agreement if the recipient or contractor refuses to allow public access to all documents, papers, letters, or other materials subject to provisions of s. 119, F.S., unless specifically exempted and/or made confidential by operation of s. 119, F.S., and made or received by the recipient or its contractor in conjunction with this agreement.

The recipient will give the awarding agency or the General Accounting Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

- 2.0 Assessments and Evaluations** – The recipient agrees to participate in a data collection process measuring program outputs and outcomes as outline by the Office of Justice Programs. The recipient agrees to cooperate with any assessments, national evaluation efforts, and/or information or data collection requests related to activities under this award.

- 3.0 Monitoring** - The recipient agrees to comply with FDLE's award monitoring guidelines, protocols, and procedures; and to cooperate with FDLE on all award monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide FDLE all documentation necessary to complete monitoring of the award. Further, the recipient agrees to abide by reasonable deadlines set by FDLE for providing requested documents. Failure to cooperate with award monitoring activities may result in sanctions affecting the recipient's award, including, but not limited to: withholding and/or other restrictions on the recipient's access to funds, referral to the Office of the Inspector General for audit review, designation of the recipient as a FDLE High Risk grantee, or termination of award(s).

- 4.0 Property Management** - The recipient shall establish and administer a system to protect, preserve, use, maintain and dispose of any property furnished to it by the Department or purchased pursuant to this agreement according to federal property management standards set forth in the DOJ Grants Financial Guide, 28 C.F.R. § 66, 2 C.F.R. §200.313. This obligation continues as long as the recipient retains the property, notwithstanding expiration of this agreement.
- 5.0 Award Closeout** - Award Closeout will be initiated by the Department after the final payment request has been processed. The final payment request must be submitted within sixty (60) days of the end date of the award. All performance achievements and performance questionnaires must be completed before the award can be closed.
- 6.0 High Risk Recipients** - If a recipient is designated "high risk" by a federal award-making agency, currently or at any time during the course of the period of performance under this award, the recipient must disclose that fact and certain related information to FDLE's OCJG. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.
- 7.0 Imposition of Additional Requirements** - The recipient agrees to comply with any additional requirements that may be imposed by OCJG during the period of performance for this award if the recipient is designated as "high risk" for purposes of the DOJ high-risk list.
- 8.0 Retention of Records** - The recipient shall maintain all records and documents for a minimum of five (5) years from the date of the final financial statement and be available for audit and public disclosure upon request of duly authorized persons. The recipient shall comply with State of Florida General Records Schedule GS1-SL for State and Local Government Agencies:
<https://fldoswebumbracoprod.blob.core.windows.net/media/703328/g1-sl-2020.pdf>.
- 9.0 Disputes and Appeals** - The Department shall make its decision in writing when responding to any disputes, disagreements, or questions of fact arising under this agreement and shall distribute its response to all concerned parties. The recipient shall proceed diligently with the performance of this agreement according to the Department's decision. If the recipient appeals the Department's decision, the appeal also shall be made in writing within twenty-one (21) calendar days to the Department's clerk (agency clerk). The recipient's right to appeal the Department's decision is contained in § 120, F.S., and in procedures set forth in Rule 28-106.104, Florida Administrative Code. Failure to appeal within this time frame constitutes a waiver of proceedings under Chapter 120, F.S.
- 10.0 Failure to Address Audit Issues** - The recipient understands and agrees that FDLE's OCJG may withhold award funds, or may impose award conditions or other related requirements, if (as determined by OCJG) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the 2 C.F.R. § 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews.
- 11.0 Single Annual Audit** - Recipients that expend \$750,000 or more in a year in total federal award funding shall have a single audit or program-specific audit conducted for that year. The audit shall be performed in accordance with the OMB 2 C.F.R. § 200 Subpart F – Audit Requirements and other applicable federal law. The contract for this agreement shall be identified in the Schedule of Federal Financial Assistance in the subject audit. The contract shall be identified as federal funds passed through the Florida Department of Law Enforcement and include the contract number, CFDA number, award amount, contract period, funds received and disbursed. When applicable, the recipient shall submit an annual financial audit that meets the requirements of 2 C.F.R. § 200 Subpart F, "Audit Requirements" s. 215.97, F.S., "Florida Single Audit Act" and Rules of the Auditor General, Chapter 10.550, and Chapter 10.650, "Local Governmental Entity Audits" and "Florida Single Audit Act Audits Nonprofit and For-Profit Organizations."

A complete audit report that covers any portion of the effective dates of this agreement must be performed and submitted to the Federal Audit Clearinghouse within the earlier of thirty (30) calendar days after receipt of the auditor's report(s), or nine (9) months after the end of the audit period. Submissions must include required elements described in Appendix X to 2 C.F.R. § 200 on the specified ass Form (Form SF-SAC).

Records shall be made available upon request for a period of five (5) years from the date the audit report is issued, unless extended in writing by the Department.

Recipients that expend less than \$750,000 in federal awards during a fiscal year are exempt from the Single Audit Act audit requirements for that fiscal year. In this case, written notification, in the form of the "Certification of Audit Exemption" form, shall be provided to the Department by the Chief Financial Officer, or designee, that the recipient is exempt. This notice shall be provided to the Department no later than March 1 following the end of the fiscal year.

SECTION VI: AWARD PROCUREMENT AND COST PRINCIPLES

- 1.0 Procurement Procedures** - Recipients must have written procedures for procurement transactions. Procedures must conform to applicable Federal law and the standards in 2 C.F.R. §§ 200.318-326.

This condition applies to agreements that OCJG considers to be a procurement “contract”, and not a second-tier award.

The details of the advance approval requirement to use a noncompetitive approach in a procurement contract under this award are posed on the OJP website at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm>.

Additional information on Federal purchasing guidelines can be found in the Guide to Procurements Under DOJ Grants and Cooperative agreements at <https://ojp.gov/funding/Implement/Resources/GuideToProcurementProcedures.pdf>.

- 2.0 Cost Analysis** - A cost analysis must be performed by the recipient if the cost or price is at or above the \$35,000 acquisition threshold and the contract was awarded non-competitively in accordance with s. 216.3475, F.S. The recipient must maintain records to support the cost analysis, which includes a detailed budget, documented review of individual cost elements for allowability, reasonableness, and necessity. See also: [Reference Guide for State Expenditures](#).
- 3.0 Allowable Costs** - Allowance for costs incurred under the award shall be determined according to the general principles and standards for selected cost items set forth in the DOJ Grants Financial Guide, 28 C.F.R. § 66, “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”, and 2 CFR Subpart E, “Cost Principles”.
- 4.0 Unallowable Costs** - Payments made for costs determined to be unallowable by either the Federal awarding agency, or the Department, either as direct or indirect costs, must be refunded (including interest) to FDLE and the Federal Government in accordance with instructions that determined the costs are unallowable unless state or Federal statute or regulation directs otherwise. See also 2 C.F.R. §§ 200.300-309.
- 5.0 Unmanned Aircraft Systems (UAS)** – The recipient agrees that no funds under this award (including via subcontract or subaward, at any tier) may be used for unmanned aircraft systems (UAS), which includes unmanned aircraft vehicles (UAV), or for any accompanying accessories to support UAS.
- 6.0 Facial Recognition Technology (FRT)** - In accepting this award, the recipient agrees that grant funds cannot be used for Facial Recognition Technology (FRT) unless the recipient has policies and procedures in place to ensure that the FRT will be utilized in an appropriate and responsible manner that promotes public safety, and protects privacy, civil rights, and civil liberties and complies with all applicable provisions of the U.S. Constitution, including the Fourth Amendment's protection against unreasonable searches and seizures and the First Amendment's freedom of association and speech, as well as other laws and regulations. Recipients utilizing funds for FRT must make such policies and procedures available to DOJ upon request.
- 7.0 Body Armor** - Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>.
- 8.0 Indirect Cost Rate** - A recipient that is eligible to use the "de minimis" indirect cost rate described in 2 C.F.R. § 200.414(f), and elects to do so, must advise OCJG in writing of both its eligibility and its election, and must comply with all associated requirements in the 2 C.F.R. § 200 and Appendix VII.
- 9.0 Sole Source** - If the project requires a non-competitive purchase from a sole source, the recipient must complete the Sole Source Justification for Services and Equipment Form and submit to OCJG upon application for pre-approval. If the recipient is a state agency and the cost meets or exceeds \$250,000, the recipient must also receive approval from the Florida Department of Management Services (DMS) (s. 287.057(5), F.S.). Additional details on the sole source requirement can be found at 2 C.F.R. § 200 and the DOJ Grants Financial Guide.
- 10.0 Personnel Services** - Recipients may use award funds for eligible personnel services including salaries, wages, and

fringe benefits, including overtime in accordance with the DOJ Grants Financial Guide Section 3.9 - Compensation for Personal Services, consistent with the principles set out in 2 C.F.R. § 200, Subpart E and those permitted in the federal program's authorizing legislation. Recipient employees should be compensated with overtime payments for work performed in excess of the established work week and in accordance with the recipient's written compensation and pay plan.

Documentation - Charges for salaries, wages, and fringe benefits must be supported by a system of internal controls providing reasonable assurance that charges are accurate, allowable, and properly allocated. Documentation supporting charges must be incorporated into the official records of the organization.

Charges made to the Personnel Budget Category must reasonably reflect the total time and activity for which the employee is compensated by the organization and cover both federally funded and all other activities. The records may include the use of subsidiary records as defined in the organization's written policies. Where award recipients work on multiple award programs or cost activities, documentation must support a reasonable allocation or distribution of costs among specific activities or cost objectives.

Federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. An award recipient may compensate an employee at a higher rate, provided the amount in excess of the compensation limitation is not paid with federal funds.

11.0 Contractual Services - The recipient must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts as described in 2 C.F.R. § 200.318, General procurement.

Requirements for Contractors of Recipients - The recipient assures the compliance of all contractors with the applicable provisions of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended 34 U.S.C. § 10101 et seq.; the provisions of the current edition of the DOJ Grants Financial Guide (https://ojp.gov/financialguide/doj/pdfs/DOJ_FinancialGuide.pdf); and all other applicable federal and state laws, orders, circulars, or regulations. The recipient must pass-through all requirements and conditions applicable to the federal award to any subcontract. The term "contractor" is used rather than the term "vendor" and means an entity that receives a contract as defined in 2 C.F.R. § 200.22, the nature of the contractual relationship determines the type of agreement.

Approval of Consultant Contracts - Compensation for individual consultant services must be reasonable and consistent with that paid for similar services in the marketplace. The Federal awarding agency and pass-through entity must review and approve in writing all consultant contracts prior to employment of a consultant when the individual compensation rate exceeds \$650 (excluding travel and subsistence costs) per eight-hour day, or \$81.25 per hour. A detailed justification must be submitted to and approved by FDLE, who will coordinate written approval of the Federal awarding agency, prior to recipient obligation or expenditures of such funds. Approval shall be based upon the contract's compliance with requirements found in the Financial Guide Section 3.6 Consultant Rates, 28 C.F.R. § 66, and applicable state statutes. The Department's approval of the recipient agreement does not constitute approval of individual consultant contracts or rates. If consultants are hired through a competitive bidding process (not sole source), the \$650 threshold does not apply.

12.0 FFATA Reporting Requirements - Recipients that enter into awards of \$30,000 or more should review the Federal Funding Accountability and Transparency Act of 2006 (FFATA), website for additional reporting requirements at <https://ojp.gov/funding/Explore/FFATA.htm>.

13.0 Travel and Training - The cost of all travel shall be reimbursed according to the recipient's written travel policy. If the recipient does not have a written travel policy, cost of all travel will be reimbursed according to State of Florida Travel Guidelines § 112.061, F.S. Any foreign travel must obtain prior written approval from the Federal awarding agency and pass-through entity.

14.0 Expenses Related to Conferences, Meetings, Trainings, and Other Events - Award funds requested for meetings, retreats, seminars, symposia, events, and group training activities and related expenses must receive written pre-approval from the Federal awarding agency and pass-through entity and comply with all provisions in 2 C.F.R. § 200.432 and DOJ Grants Financial Guide Section 3.10; Conference Approval, Planning, and Reporting. Award applications requesting approval for meeting, training, conference, or other event costs must include a completed Conference & Events Submission Form for approval prior to obligating award funds for these purposes.

15.0 Training and Training Materials – Any training or training materials that has been developed or delivered with award funding under this award must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at www.ojp.gov/funding/ojptrainingguidingprinciples.htm.

16.0 Publications, Media, Websites, and Patents Ownership of Data and Creative Material - Ownership of material, discoveries, inventions, and results developed, produced, or discovered subordinate to this agreement is governed by the terms of the DOJ Grants Financial Guide, 28 C.F.R. §§ 66, and 200.315.

Publication or Printing of Materials - Publication costs for electronic and print media, including distribution, promotion, and general handling are allowable. If these costs are not identifiable with a particular direct cost objective, it should be allocated as indirect costs. Publication includes writing, editing, and preparing the illustrated material (including videos and electronic mediums).

Recipients must request pre-approval in writing for page charges for professional journal publications. All publication materials must comply with provisions in 2 C.F.R. § 200.461 and DOJ Grants Financial Guide, Section 3.9; Allowable Costs – Publication.

Recipients must submit for review and approval one (1) copy of any written materials to be published, including web-based materials and website content, to be paid under this award at least thirty (30) days prior to the targeted dissemination date.

All electronic and print materials paid under this award must contain the following statements identifying the federal award:

"This project was supported by Award No. [Federal Award Number] awarded by the [Bureau of Justice Assistance/Bureau of Justice Statistics], Office of Justice programs. The opinions, findings, and conclusions or recommendations expressed in this publication/program/exhibition are those of the authors and do not necessarily reflect the views of the Department of Justice or grant-making component."

Websites - Any website funded in whole or in part under this award must include the same statement above on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a web-based service, including any pages that provide results or outputs from the service. The full text of the statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

Patents - Recipients are subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce (37 C.F.R. § 401 and 2 C.F.R. § 200.315(c)).

Recipients must promptly and fully report to FDLE and the Federal awarding agency if any program produces patentable items, patent rights, processes, or inventions, in the course of work sponsored under this award.

17.0 For NCHIP & NICS: Purchase of Automated Fingerprint Identification System (AFIS) - AFIS equipment purchased under this award must conform to the American National Standards Institute (ANSI) Standard, "Data Format for the Interchange of Fingerprint, Facial & Other Biometric Information" (ANSI/NIST-ITL 1-2007 PART 1) and any other applicable standards set forth by the Federal Bureau of Investigation (FBI).

18.0 Information Technology Projects

Criminal Intelligence Systems - The recipient agrees that any information technology system funded or supported by the Office of Justice Programs funds will comply with 28 C.F.R. § 23, Criminal Intelligence Systems Operating Policies, if the Office of Justice Programs determines this regulation to be applicable. Should the Office of Justice Programs determine 28 C.F.R. § 23 to be applicable, the Office of Justice Programs may, at its discretion, perform audits of the system, as per 28 C.F.R. § 23.20(g). Should any violation of 28 C.F.R. § 23 occur, the recipient may be fined as per 42 U.S.C. § 3789g(c)-(d). The recipient may not satisfy such a fine with federal funds.

The recipient understands and agrees that no awarded funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography. In doing so the recipient agrees that these restrictions will not limit the use of awarded funds necessary for any federal, state, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecutions, or adjudication activities.

State IT Point of Contact - The recipient must ensure that the State IT Point of Contact receives written notification regarding any information technology project funded by this award during the obligation and expenditures period.

This is to facilitate communication among local and state governmental entities regarding various information technology projects being conducted with these award funds. In addition, the recipient must maintain an administrative file documenting the meeting of this requirement. For a list of State IT Points of Contact, go to <https://it.ojp.gov/technology-contacts>.

The State IT Point of Contact will ensure the recipient's project follows a statewide comprehensive strategy for information sharing systems that improve the functioning of the criminal justice system, with an emphasis on integration of all criminal justice components, law enforcement, courts, prosecution, corrections, and probation and parole.

Interstate Connectivity - To avoid duplicating existing networks or IT systems in any initiatives funded by the Bureau of Justice Assistance for law enforcement information sharing systems which involve interstate connectivity between jurisdictions, such systems shall employ, to the extent possible, existing networks as the communication backbone to achieve interstate connectivity, unless the recipient can demonstrate to the satisfaction of the Bureau of Justice Assistance that this requirement would not be cost effective or would impair the functionality of an existing or proposed IT system.

- 19.0 Interoperable Communications Guidance** - Recipients using funds to support emergency communications activities must comply with the current SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications. Emergency communications activities include the purchase of Interoperable Communications Equipment and technologies such as voice-over-internet protocol bridging or gateway devices, or equipment to support the build out of wireless broadband networks in the 700 MHz public safety band under the Federal Communications Commission (FCC) Waiver Order. SAFECOM guidance can be found at <https://www.dhs.gov/publication/funding-documents>.

Recipients interested in developing a public safety broadband network in the 700 MHz band in their jurisdictions must adhere to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band. The recipient shall also ensure projects support the Statewide Communication Interoperability Plan (SCIP) and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC). If any future regulatory requirement (from the FCC or other governmental entity) results in a material technical or financial change in the project, the recipient should submit associated documentation, and other material, as applicable, for review by the SWIC to ensure coordination. Recipients must provide a listing of all communications equipment purchased with award funding (plus the quantity purchased of each item) to FDLE once items are procured during any periodic programmatic progress reports.

- 20.0 Global Standards Package** - In order to promote information sharing and enable interoperability among disparate systems across the justice and public safety community, OJP requires the recipient to comply with DOJ's Global Justice Information Sharing Initiative (DOJ's Global) guidelines and recommendations for this particular award. Recipient shall conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at <https://it.ojp.gov/gsp>. Recipient shall document planned approaches to information sharing and describe compliance to the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

- 21.0 Prohibition on Certain Telecommunications and Video Surveillance Services or Equipment** – In accordance with the requirements as set out in 2 C.F.R. § 200.216, recipients are prohibited from obligating or expending award funds to:

- 1) Procure or obtain;
- 2) Extend or renew a contract to procure or obtain;
- 3) Enter into a contract to procure or obtain equipment, services, or systems that use telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, produced by Huawei Technologies Company or ZTE Corporation (or a subsidiary or affiliate of such entities).

- 22.0 Unreasonable Restrictions on Competition** - This condition applies with respect to any procurement of property or services funded (in whole or in part) by this award, by the recipient (or subrecipient at any tier), and regardless of the dollar amount of the purchase or acquisition, the method of procurement, or the nature of any legal instrument used. The provisions of this condition must be among those included in any subaward (at any tier).

- 1) Consistent with the (DOJ) Part 200 Uniform Requirements -- including as set out at 2 C.F.R. 200.300 and 200.319(a) – Recipient (or subrecipient at any tier) may (in any procurement transaction) discriminate against any person or entity on the basis of such person or entity's status as an "associate of the federal government" (or on the basis of such person or entity's status as a parent, affiliate, or subsidiary of such an associate), except as expressly set out in 2 C.F.R. 200.319(a) or as specifically authorized by USDOJ.
- 2) Monitoring of compliance with the requirements of this condition will be conducted by FDLE.

- 3) The term "associate of the federal government" means any person or entity engaged or employed (in the past or at present) by or on behalf of the federal government -- as an employee, contractor or subcontractor (at any tier), award recipient or -subrecipient (at any tier), agent, or otherwise -- in undertaking any work, project, or activity for or on behalf of (or in providing goods or services to or on behalf of) the federal government, and includes any applicant for such employment or engagement, and any person or entity committed by legal instrument to undertake any such work, project, or activity (or to provide such goods or services) in future.
- 4) Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

23.0 Non-Disclosure Agreements - No recipient or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

24.0 Confidential Funds and Confidential Funds Certificate - A signed certification that the Project Director or Implementing Agency Chief Official has read, understands, and agrees to abide by all conditions for confidential funds outlined in Section 3.12 of the [DOJ Grants Financial Guide](#) is required for all projects that involve confidential funds. The signed certification must be submitted at the time of award application. Confidential Funds certifications must be signed by the recipient Chief Official or an individual with formal, written signature authority for the Chief Official.

Prior to the reimbursement of expenditures for confidential funds, the recipient must compile and maintain a CI Funds Tracking Sheet to record all disbursements under the award. The completed form must be submitted with the payment request for OCJG review.

25.0 For JAG: Task Force Training Requirement - The recipient agrees that within 120 days of award, each current member of a law enforcement task force funded with these funds who is a task force commander, agency executive, task force officer, or other task force member of equivalent rank, will complete required online (internet-based) task force training. The training can be accessed <https://www.centf.org/CTFLI/>.

All current and new task force members are required to complete this training once during the life of the award, or once every four years if multiple awards include this requirement. This training addresses task force effectiveness as well as other key issues including privacy and civil liberties/rights, task force performance measurement, personnel selection, and task force oversight and accountability.

When FDLE awards funds to support a task force, the recipient must compile and maintain a task force personnel roster along with course completion certificates.

26.0 For NCHIP and NARIP: Protective Order Systems - Any system developed with funds awarded under this cooperative agreement will be designed to permit interface with the National Protective Order file maintained by the FBI.

27.0 For PREA: PREA Audits - Recipients using funds, in whole or in part, to conduct PREA audits must utilize a DOJ certified PREA auditor who must abide by all applicable requirements in the DOJ PREA Auditor Handbook.

SECTION VII: ADDITIONAL REQUIREMENTS

1.0 Environmental Protection Agency's (EPA) list of Violating Facilities - The recipient assures that the facilities under its ownership, lease or supervision which shall be utilized in the accomplishment of the Program Purpose are not listed on the EPA's list of Violating Facilities and that it will notify the Department of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA.

2.0 National Environmental Policy Act (NEPA) - The recipient agrees to assist FDLE in complying with the NEPA, the National Historic Preservation Act, and other related federal environmental impact analyses requirements in the use of award funds by the recipient. This applies to the following new activities whether or not they are being specifically funded with these award funds. That is, it applies as long as the activity is being conducted by the recipient or any third party and the activity needs to be undertaken in order to use these award funds. Accordingly, the recipient

agrees to first determine if any of the following activities will be funded by the award, prior to obligating funds for any of these purposes.

If it is determined that any of the following activities will be funded by the award, the recipient agrees to contact FDLE OCJG.

- 1) New construction;
- 2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including properties located within a 100-year flood plain; a wetland, or habitat for endangered species, or a property listed on or eligible for listing on the National Register of Historic Places;
- 3) A renovation, lease, or any other proposed use of a building or facility that will either (a) result in a change in its basic prior use or (b) significantly change its size;
- 4) Implementation of a new program involving the use of chemicals other than chemicals that are (a) purchased as an incidental component of a funded activity and (b) traditionally used, for example, in office, household, recreational, or educational environments; and
- 5) Implementation of a program relating to clandestine methamphetamine laboratory operations, including the identification, seizure, or closure of clandestine methamphetamine laboratories.

The recipient understands and agrees that complying with NEPA may require the preparation of an Environmental Assessment and/or an Environmental Impact Statement, as directed by the Bureau of Justice Assistance. The recipient further understands and agrees to the requirements for implementation of a Mitigation Plan, as detailed by the Department of Justice at <https://www.bja.gov/Funding/nepa.html>, for programs relating to methamphetamine laboratory operations.

3.0 National Historic Preservation Act – The Act will assist the Department (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Ex. Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).

4.0 Human Research Subjects – The recipient agrees to comply with the requirements of 28 C.F.R. part 46 and all Office of Justice Programs policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

5.0 Disclosures

Conflict of Interest - The recipient and implementing agency will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. Recipients must disclose in writing any potential conflict of interest to FDLE (the non-federal pass-through entity).

Violations of Criminal Law - The recipient must disclose all violations of state or federal criminal law involving fraud, bribery or gratuity violations potentially affecting the award.

6.0 Uniform Relocation Assistance and Real Property Acquisitions Act - The recipient will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs.

7.0 Limitations on Government Employees Financed by Federal Assistance - The recipient will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7321-26, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

8.0 Funds to Association of Community Organizations for Reform Now (ACORN) Unallowable - Recipient understands and agrees that it cannot use any federal funds, either directly or indirectly, in support of any contract or award to either the Association of Community Organizations for Reform Now (ACORN) or its subsidiaries, without the express prior written approval of OJP.

9.0 Text Messaging While Driving - Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), and §316.305, F.S., the recipient is encouraged to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

10.0 DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database - If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA

Index System (CODIS), by a government DNA lab with access to CODIS. No profiles generated with award funding may be entered into any other non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

11.0 Forensic Genealogy Testing – Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching and must collect and report the metrics identified in Section IX of the document to the Bureau of Justice Assistance. For more information, visit <https://www.justice.gov/olp/page/file/1204386/download>.

12.0 Environmental Requirements and Energy - For awards in excess of \$100,000, the recipient must comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C 85), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR 1). The recipient must comply with mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871), if any.

13.0 Other Federal Funds - The recipient agrees that if it currently has an open award of federal funds or if it receives an award of federal funds other than this award, and those awards have been, are being, or are to be used, in whole or in part, for one or more of the identical cost items for which funds are being provided under this award, the recipient will promptly notify, in writing the grant manager for this award, and, if so requested by OCJG seek a budget modification or change of project scope amendment to eliminate any inappropriate duplication of funding.

14.0 Trafficking in Persons - The recipient must comply with applicable requirements pertaining to prohibited conduct relating to the trafficking of persons, whether on the part of recipients, recipients or individuals defined as “employees” of the recipient. The details of the recipient and recipient obligations related to prohibited conduct related to trafficking in persons are incorporated by reference and posted at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm>.

15.0 Requirement of the Award; Remedies for Non-Compliance or for Materially False Statements: Any materially false, fictitious, or fraudulent statement to the Department related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001, 1621, and/or 34 U.S.C. § 10272), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or unenforceable; such provision shall be deemed severable from this award.

16.0 Employment Eligibility Verification for Hiring Under This Award – The recipient must ensure that as part of the hiring process for any position that is or will be funded (in whole or in part) with award funds, the employment eligibility of the individual being hired is properly verified in accordance with the provisions of 8 U.S.C. 1324a(a)(1) and (2).

- 1) All persons who are or will be involved in activities under this award must be made aware of the requirement for verification of employment eligibility, and associated provisions of 8 U.S.C. 1324a(a)(1) and (2) that make it unlawful in the United States to hire (or recruit for employment) certain aliens.
- 2) The recipient must provide training (to the extent necessary) to those persons required by this condition to be notified of the requirement for employment eligibility verification and the associated provisions of 8 U.S.C. 1324a(a)(1) and (2).
- 3) As part of the recordkeeping requirements of this award, the recipient must maintain records of all employment eligibility verifications pertinent to compliance with this condition and in accordance with I-9 record retention requirements, as well as pertinent records of notifications and trainings.
- 4) Monitoring of compliance with the requirements of this condition will be conducted by FDLE.
- 5) Persons who are or will be involved in activities under this award includes any and all recipient officials or other staff who are or will be involved in the hiring process with respect to an award funded position under this award.
- 6) For the purposes of satisfying this condition, the recipient may choose to participate in, and use E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient entity uses E-Verify to confirm employment eligibility for each position funded through this award.
- 7) Nothing in this condition shall be understood to authorize or require any recipient, or any person or other entity, to violate federal law, including any applicable civil rights or nondiscrimination law.

8) Nothing in this condition, including paragraph vi., shall be understood to relieve any recipient, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1) and (2).

17.0 Determination of Suitability to Interact with Minors – This condition applies if it is indicated in the application for award (at any tier) that a purpose of some or all of the activities to be carried out under the award is to benefit a set of individuals under 18 years of age.

The recipient (or subrecipient at any tier), must make determinations of suitability before certain individuals may interact with participating minors. The requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP website at <https://ojp.gov/funding/Explore/Interact-Minors.htm>.

18.0 Restrictions and Certifications Regarding Non-Disclosure Agreements and Related Matters - No recipient under this award, or entity that receives a procurement contract with funds under this award, may require an employee to sign an internal confidentiality agreement that prohibits the reporting of waste, fraud, or abuse to an investigative or law enforcement representative authorized to receive such information.

The foregoing is not intended, to contravene requirements applicable to classified information. In accepting this award, the recipient:

- 1) Has not required internal confidentiality agreements or statements from employees or contractors that currently prohibit reporting waste, fraud, or abuse;
- 2) Certifies that, if it learns that it is or has been requiring its employees or contractors to execute agreements that prohibit reporting of waste, fraud, or abuse, it will immediately stop any further obligations of award funds, will provide prompt written notification to OCJG, and will resume such obligations only if expressly authorized to do so by OCJG.
- 3) Will comply with requirements of 5 U.S.C. §§ 1501-08 and 7321-26, which limit certain political activities of state or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

19.0 Safe Policing and Law Enforcement – Recipients that are state, local, college or university law enforcement agencies must be in compliance with the safe policing certification requirement outlined in [Executive Order 13929](#). For detailed information on this certification requirement, see <https://cops.usdoj.gov/SafePolicingEO>.

20.0 For JAG: Extreme Risk Protection Programs – Recipients using funds for Extreme Risk Protection programs must include, at a minimum: pre-deprivation and post-deprivation due process rights that prevent any violation or infringement of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive or procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). Such programs must include, at the appropriate phase to prevent any violation of constitutional rights, at minimum, notice, the right to an in-person hearing, an unbiased adjudicator, the right to know opposing evidence, the right to present evidence, and the right to confront adverse witnesses; the right to be represented by counsel at no expense to the government; pre-deprivation and post-deprivation heightened evidentiary standards and proof which mean not less than the protections afforded to a similarly situated litigant in Federal court or promulgated by the State's evidentiary body, and sufficient to ensure the full protections of the Constitution of the United States, including but not limited to the Bill of Rights, and the substantive and procedural due process rights guaranteed under the Fifth and Fourteenth Amendments to the Constitution of the United States, as applied to the States, and as interpreted by State courts and United States courts (including the Supreme Court of the United States). The heightened evidentiary standards and proof under such programs must, at all appropriate phases to prevent any violation of any constitutional right, at minimum, prevent reliance upon evidence that is unsworn or unaffirmed, irrelevant, based on inadmissible hearsay, unreliable, vague, speculative, and lacking a foundation; and penalties for abuse of the program.

21.0 For RSAT: State Alcohol and Drug Abuse Agency - The recipient will coordinate the design and implementation of treatment programs with the State alcohol and drug abuse agency or any appropriate local alcohol and drug abuse agency, especially when there is an opportunity to coordinate with initiatives funded through the Justice Assistance Grant (JAG) program.

22.0 For RSAT: Drug Testing - The recipient will implement or continue to require urinalysis or other proven reliable forms of testing of individuals in correctional residential substance abuse treatment programs. Such testing shall include individuals released from residential substance abuse treatment programs who remain in the custody of the State.

21.0 For RSAT: Opioid Abuse and Reduction - The recipient understands and agrees that, to the extent that substance abuse treatment and related services are funded by this award, they will include needed treatment and services to address opioid abuse and reduction.

- 22.0 For RSAT: Data Collection** - The recipient agrees that award funds may be used to pay for data collection, analysis, and report preparation only if that activity is associated with federal reporting requirements. Other data collection, analysis, and evaluation activities are not allowable uses of award funds.
- 23.0 For PSN: Coordination with U.S. Attorney and PSN Task Forces** - The recipient agrees to coordinate the project with the U.S. Attorney and Project Safe Neighborhoods Task Force(s) for the respective U.S. Attorney Districts covered by the award. The recipient also is encouraged to coordinate with other community justice initiatives and other ongoing, local gun prosecution and law enforcement strategies.
- 24.0 For PSN: Media-related Outreach** - The recipient agrees to submit to OCJG for review and approval by DOJ, any proposal or plan for PSN media-related outreach projects.
- 25.0 For NCHIP & NARIP: Coordination and Compatibility with Systems** - In accordance with federal award conditions, recipient agrees all activities supported under this award must:
- 1) Be coordinated with Federal, State, and local activities relating to homeland security and presale firearm checks.
 - 2) Ensure criminal justice information systems designed, implemented, or upgraded with NCHIP or NARIP funds are compatible, where applicable, with the National Incident-Based Reporting System (NIBRS), the National Crime Information Center system (NCIC 2000), the National Criminal Instant Background Check System (NICS), the Integrated Automated Fingerprint Identification System (IAFIS), and applicable national, statewide or regional criminal justice information sharing standards and plans.
 - 3) Intend to establish or continue a program that enters into the National Crime Information Center (NCIC) records of: (a) Protection orders for the protection of persons from stalking or domestic violence; (b) Warrants for the arrest of persons violating protection orders intended to protect victims from stalking or domestic violence; and (c) Arrests or convictions of persons violating protection orders intended to protect victims from stalking or domestic violence.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 4

SUBJECT TITLE: Ordinance 2024-06 – An ordinance amending the Land Development Regulations, Table 8-2 Permitted and Special Uses, to allow Backyard Chickens as an accessory use in single-family zoning and to allow for a single-family residence in an existing “lot-of-record” on “RMF-3” zoning district (Community Development)

OBJECTIVE:

To consider an ordinance amending the Land Development Regulations, Table 8-2 Permitted and Special Uses, to allow backyard chickens as an accessory use in single-family zoning and to allow for a single-family residence in an existing “lot-of-record” on “RMF-3” zoning district.

SUMMARY:

On March 20, 2024, City Council directed staff to update the Land Development Regulations to allow for backyard chickens as an accessory use in residential zoning districts. Per the City Council direction, the proposed ordinance mirrors Lake County’s Chicken Code (see attached).

Furthermore, an update to allow for a single-family residence (SFR) in an existing “lot-of-record” on “RMF-3” zoning district was also included. As of now, there are existing areas in the city (mainly, but not limited to, east of Summerall Ave and south of Wells Avenue) where there are existing SFRs on “RMF-3” zoning district. As a result, existing SFRs have a status of “non-conforming”. This action will allow SFRs to be legally conforming and eligible to be constructed, extended or rebuilt in conformance with the “RMF-2” zoning development standards.

OPTIONS:

1. That the City Council moves to approve Ordinance 2024-06, an ordinance amending the Land Development Regulations, Table 8-2 Permitted and Special Uses, to allow backyard chickens as an accessory use in single-family zoning and to allow for a single-family residence in an existing “lot-of-record” on “RMF-3” zoning district.
2. That the City Council moves to deny Ordinance 2024-06.

STAFF RECOMMENDATION:

On June 16, 2024, the P&Z Board met and voted unanimously (4-0) to recommend approval of the Ordinance 2024-06, subject to acquiring a building permit for the construction of the required chicken coop.

Staff recommends that the City Council moves to approve Ordinance 2024-06, an ordinance amending the Land Development Regulations, Table 8-2 Permitted and Special Uses, to allow backyard chickens as an accessory use in single-family zoning and to allow for a single-family residence in an existing “lot-of-record” on “RMF-3” zoning district.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-06
2. Lake County Code Backyard Chickens 10.01.06
3. AD - Ordinance 2024-06

Attachments not provided are available to the public upon request to the City Clerk.

ORDINANCE 2024-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS CHAPTER 8 ZONING REGULATIONS, TABLE 8-2 PERMITTED AND SPECIAL USES; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Tavares City Council desires to amend the City's Land Development Regulations Chapter 8, Zoning Regulations, Table 8-2 Permitted and Special Uses, to permit Backyard Chickens; and

WHEREAS, the Tavares City Council desires to amend the City's Land Development Regulations, Chapter 8, Zoning Regulations, Table 8-2 Permitted and Special Uses, to permit one (1) single-family dwelling in the RMF-3 zoning district; therefore,

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Text Amendments.

That the City of Tavares Land Development Regulations be hereby amended as follows:

Table 8-2 Permitted and Special Uses (30)

LAND USE	ZONING														
	RSF-E	RSF-A	RSF-1	RSF-2	RMF-2	RMF-3	R M H - P	R M H - S	P D	M U	CD	C-1	C-2	I	PFD
AGRICULTURE															
Citrus Groves	P	P	P	P	P	P	P	P		P	P	P	P	P	
Wholesale plant production, wholesale nurseries, and greenhouses														P	
Boarding and keeping of horses and cattle	P (7)	P (7)													
Backyard Chickens	P (33)	P (33)	P (33)	P (33)	P (33)	P (33)									
RESIDENTIAL															

Single-family Dwelling	P	P	P	P	P	P (32)	P (2 8)	P (2 8)	(1)	P					
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NOTES: Table 8-2 Permitted and Special Uses

32. One (1) single-family dwelling may be permitted on an existing “lot-of-record.” Development Standards shall be as RMF-2 zoning district.

33. Chickens, other than roosters, shall be allowed for personal use as an accessory use subject to the following requirements:

- a. **A maximum of five (5) chickens may be kept.**
- b. **Slaughtering of chickens is prohibited.**
- c. **Chickens must be secured within the chicken coop or fenced enclosure at all times.**
- d. **All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container.**
- e. **No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-tight bin for storage of manure shall be utilized; the size shall be sufficient to contain all accumulations of manure. The fly-tight bin shall be kept at least twenty (20) feet away from all property.**
- f. **Composting of chicken manure shall be allowed in an enclosed bin. The composting bin shall be kept at least twenty (20) feet away from all property lines.**
- g. **Chicken coop or fenced enclosure used to house chickens shall not be located in the front or side yards; and be set back a minimum of twenty (20) feet from all property lines.**

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council in Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

Lake County Code:

https://library.municode.com/fl/lake_county/codes/code_of_ordinances?nodeId=APXALOLA_CHXACTESTUS_10.01.00REACTESTUS

10.01.06 Backyard Chickens. Chickens, other than roosters, shall be allowed for personal use as an accessory use within the Estate Residential (R-2), Medium Residential (R-3), Medium Suburban Residential (R-4), Urban Residential (R-6), Mixed Residential (R-7), and Mixed Home Residential (RM) Districts subject to the following requirements:

A. Any person keeping, harboring, raising or maintaining chickens as an accessory to an occupied dwelling unit shall be subject to the following restrictions:

1. No more than five (5) chickens may be kept;
2. Slaughtering of chickens is prohibited;
3. Chickens must be secured within the chicken coop or fenced enclosure at all times;
4. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with rodents or other pests shall be kept in a rodent and pest-proof container;
5. No manure shall be allowed to accumulate on the floor of the coop or ground. A fly-tight bin for storage of manure shall be utilized; the size shall be sufficient to contain all accumulations of manure. The fly-tight bin shall be kept at least twenty (20) feet away from all property; and
6. Composting of chicken manure shall be allowed in an enclosed bin. The composting bin shall be kept at least twenty (20) feet away from all property lines.

B. Chicken coop or fenced enclosure used to house chickens. Any chicken coop or fenced enclosure used to house chickens shall:

1. Not be located in the front or side yards; and
2. Be set back a minimum of twenty (20) feet from all property lines.

**THE CITY OF TAVARES NOTICE OF PUBLIC
HEARING**

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2024-06 & Ordinance 2024-08 titled as follows:

ORDINANCE 2024-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS CHAPTER 8 ZONING REGULATIONS, TABLE 8-2 PERMITTED AND SPECIAL USES; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY CODE OF ORDINANCES CHAPTER 11 MISCELLANEOUS OFFENSES SECTION 11-4 NOISES FROM BLOWER, OUTDOOR BLOWER VACUUM, ETC. AND AMENDING THE LAND DEVELOPMENT REGULATIONS CHAPTER 12 PERFORMANCE STANDARDS SECTION 12-2 PROHIBITION OF A PUBLIC NUISANCE NOISE AND SECTION 12-3 PRESUMPTIVE PUBLIC NUISANCE NOISE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2024-06 & Ordinance 2024-08 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on May 16, 2024, at 3 p.m.; and
2. Tavares City Council meeting on June 5, 2024 at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on June 19, 2024 at 4 p.m. (Second Reading)

All meetings will be conducted in the

Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2024-06 & Ordinance 2024-08 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on the proposed ordinances to Antonio Fabre, Community Development Director, at (352) 742-6416.
5/05/2024 6/09/2024 7629651

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 5

SUBJECT TITLE: Ordinance 2024-08 – Amending the City of Tavares Code of Ordinances Chapter 11 and the Land Development Regulations Chapter 12 to include criteria for noise levels in new residential dwelling units in a Commercial or Industrial zoned district (Live Local Projects) and to adjust the hours of nuisance noise equipment operations (Community Development)

OBJECTIVE:

To consider approval of an amendment of the Code of Ordinance Chapter 11 Miscellaneous Offenses, to adjust the hours of operation for residential blowers, outdoor vacuum or similar tool or machine and the Land Development Regulations Chapter 12 Performance Standards, to include criteria for noise levels in new residential dwelling units in a commercial or industrial zoned district and to adjust the hours of operation for the City's street cleaning equipment.

SUMMARY:

The State of Florida has enacted the Live Local Act, allowing developers the right to build or construct residential subdivisions and multifamily apartments in commercial and industrial zoned districts. The City of Tavares is seeking to ensure the residents right to quiet and peaceful enjoyment and to protect the quality of life, by amending the Land Development Regulations Chapter 12, Section 12-2 Prohibition of a Public Nuisance Noise. This amendment will include criteria for internal noise levels in new residential dwelling units, in a commercial or industrial zoned district.

Additionally, the City is also amending the Code of Ordinances Chapter 11 Section 11-4 Noises from blower, outdoor vacuum, etc. This is to adjust the hours of operation for blowers, outdoor vacuum or similar tool or machines from 7:00 AM to 7:00 PM. This also includes an amendment to the Land Development Regulations Chapter 12 Section 12-3 Presumptive Public Nuisance Noise. This amendment will adjust the City's street cleaning equipment from 5:00 AM to 7:00 PM.

OPTIONS:

1. That the City Council moves to approve Ordinance 2024-08 - Amending the City of Tavares Code of Ordinances Chapter 11 and the Land Development Regulations Chapter 12.
2. That the City Council moves to deny Ordinance 2024-08 - Amending the City of Tavares Code of Ordinances Chapter 11 and the Land Development Regulations Chapter 12.

STAFF RECOMMENDATION:

On June 16, 2024, the P&Z Board met and voted unanimously (4-0) to recommend approval of the Ordinance 2024-08, subject to amending Section 11-4 by increasing the hours of operation from the proposed 7:00 AM to 7:00 PM to 6:00 AM to 8:00 PM.

Staff recommends that the City Council moves to approve Ordinance 2024-08, an ordinance Amending the City of Tavares Code of Ordinances Chapter 11 and the Land Development Regulations Chapter

12.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Ordinance 2024-08
2. AD - Ordinance 2024-08

Attachments not provided are available to the public upon request to the City Clerk.

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY CODE OF ORDINANCES CHAPTER 11 MISCELLANEOUS OFFENSES SECTION 11-4 NOISES FROM BLOWER, OUTDOOR BLOWER VACUUM, ETC. AND AMENDING THE LAND DEVELOPMENT REGULATIONS CHAPTER 12 PERFORMANCE STANDARDS SECTION 12-2 PROHIBITION OF A PUBLIC NUISANCE NOISE AND SECTION 12-3 PRESUMPTIVE PUBLIC NUISANCE NOISE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Tavares City Council desires to amend the City's Code of Ordinances, Chapter 11, Miscellaneous Offenses, Section 11-4 Noises from blower, outdoor blower vacuum, etc, to update the prohibited hours of operation between the hours of 7:00PM and 7:00AM the following day and remove "street sweeper"; and

WHEREAS, the Tavares City Council desires to amend the City's Land Development Regulations Chapter 12, Performance Standards Section 12-2 Prohibition of a Public Nuisance Noise to add (C) Any new residential dwelling units (D.U's) in commercial or industrial zoning district shall demonstrate the performance of acceptable internal residential noise levels; and,

WHEREAS, the Tavares City Council desires to amend the City's Land Development Regulations Chapter 12, Performance Standards Section 12-3 Presumptive Public Nuisance Noise to update the prohibited hours of operation between the hours of 7:00 PM and 5:00 AM unless there is a city declared emergency; and,

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Text Amendments.

That the City of Tavares Code of Ordinances and Land Development Regulations be hereby amended as shown by underline and ~~striketrough~~:

Sec. 11-4. Noises from blower, outdoor vacuum, etc.

- (a) There is hereby established and imposed a prohibition within the city of the operation between the hours of ~~11:00~~ 7:00 p.m. and ~~5:00~~ 7:00 a.m. the following day, of any ~~street-sweeper~~, blower, outdoor vacuum or similar tool or machine.
- (b) No owner or lessee of any property shall allow the operation of a ~~street-sweeper~~, blower or outdoor vacuum in violation of this section.
- (c) Any person, corporation, partnership or any other entity violating the provisions of this section shall be punished as follows:
 - (1) First offense—\$25.00.
 - (2) Second and subsequent offenses—\$50.00.

Each day a violation is committed or permitted to continue under this section shall constitute a separate offense, and shall be punishable as such.

Notwithstanding the foregoing, this section may be enforced by the code enforcement board of the city.

Section 12-2 Prohibition of a Public Nuisance Noise

- (A) Prohibition of public nuisance noise. No person(s) shall create, continue or cause to be created, within the City limits of Tavares, any public nuisance noise.
- (B) Criteria to determine violation. The following criteria may be used to determine whether a violation of this Section exists:
 - (1) The level of the noise;
 - (2) Whether the noise is usual or unusual;
 - (3) Whether the origin of the noise is natural or unnatural;
 - (4) The level of the ambient noise;
 - (5) The proximity of the noise to sleeping facilities;
 - (6) The nature and zoning of the area from which the noise emanates and the area where it is received;
 - (7) The time of day or night the noise occurs;
 - (8) The duration of the noise;
 - (9) Whether the noise is recurrent, intermittent or constant;
 - (10) Whether the noise, measure by decibels, exceed the measured level of ambient noise. Decibel readings shall be taken in a manner consistent with procedures to be established by the City.

(C) Any new residential dwelling units (D.U.s) in a commercial or industrial zoning district shall demonstrate the performance of acceptable internal residential noise levels.

- (1) A noise study done by an acoustical engineer shall be required prior to approval of any residential construction; This noise study shall consist of existing, surrounding future uses and day/night considerations based on the most current American National Standard Institute (ANSI) Criteria for Evaluating Room Noise (ANSI S12.2, or as amended); if the calculated inside residential unit noise level exceed the recommended ANSI dB levels, then either the D.U.s or the site shall provide appropriate noise abatement;
- (2) The parking facility shall mitigate nuisance noise by providing appropriate parking space sizes, proper circulation, turning movements, landscape buffers and noise barriers in order to accommodate any commercial or industrial traffic.

Section 12-3 Presumptive Public Nuisance Noise

Any of the following noises shall be presumed to be public nuisance noises, and shall constitute prima facie violations of this section:

- (A) Sound adjacent to public and medical facilities. The making of noise adjacent to a hospital, school, library, rest home, or long term medical or mental health facility, which noise unreasonably interferes with the workings of such institutions or which disturbs or unduly annoys occupants in said institutions.
- (B) Repeated or continual sound. The emission of any continual or repeated sound, including natural sound, by any animal for a period exceeding five (5) minutes in duration, which is audible across real property boundaries, and which unreasonably interferes with or disturbs the occupants of premises other than those premises from which the noise is emanating.
- (C) Street cleaning equipment. The operation of any street sweeper, ~~blower, outdoor vacuum, or other similar tool or machine~~ between the hours of ~~11:00~~ **7:00** p.m. and ~~6:00~~ **5:00** a.m. **unless there is a city declared emergency.**
- (D) Burglar alarm. The emission of sound from an audible burglar alarm for a structure or motor vehicle for a period exceeding ten (10) minutes.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council in Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Effective Date.

This Ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2024, by the City Council of the City of Tavares, Florida.

Bob Grenier, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

Susie Novack, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Lindsay C. T. Holt, City Attorney

**THE CITY OF TAVARES NOTICE OF PUBLIC
HEARING**

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinance 2024-06 & Ordinance 2024-08 titled as follows:

ORDINANCE 2024-06

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS CHAPTER 8 ZONING REGULATIONS, TABLE 8-2 PERMITTED AND SPECIAL USES; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2024-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE CITY CODE OF ORDINANCES CHAPTER 11 MISCELLANEOUS OFFENSES SECTION 11-4 NOISES FROM BLOWER, OUTDOOR BLOWER VACUUM, ETC. AND AMENDING THE LAND DEVELOPMENT REGULATIONS CHAPTER 12 PERFORMANCE STANDARDS SECTION 12-2 PROHIBITION OF A PUBLIC NUISANCE NOISE AND SECTION 12-3 PRESUMPTIVE PUBLIC NUISANCE NOISE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinance 2024-06 & Ordinance 2024-08 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on May 16, 2024, at 3 p.m.; and
2. Tavares City Council meeting on June 5, 2024 at 4 p.m. (Introduction and First Reading by Title Only); and
3. Tavares City Council meeting on June 19, 2024 at 4 p.m. (Second Reading)

All meetings will be conducted in the

Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinance 2024-06 & Ordinance 2024-08 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on the proposed ordinances to Antonio Fabre, Community Development Director, at (352) 742-6416.
5/05/2024 6/09/2024 7629651

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 6

SUBJECT TITLE: Use of the Capital Improvement Notes 2020 A & B to Improve Soccer Field Turf at the Golden Triangle Regional Park - East Campus (Community Services)

OBJECTIVE:

To seek Council approval to redirect the funding earmarked in Capital Improvement Notes A & B to use for soccer field improvements.

SUMMARY:

At the July 15, 2020 regular City Council meeting, Council approved Resolution 2020-15 which authorized the Capital Improvement Revenue Notes 2020 A & B. The Notes provided funding for a number of projects to be completed in the City. One of those projects slated was the construction of a pickleball court at an estimated cost of \$30,000. Since that time, the City has partnered with Lake County to purchase the YMCA and build the Golden Triangle Regional Park - East Campus. Over the past year, the City has made a number of improvements to that park that have been fully funded by Lake County, including the construction of three pickleball courts, which frees up the City's \$30,000 allotment.

In addition to the City's \$30,000 funding that was previously allotted for a pickleball court, there remains another \$9,175 in project contingency money from the Capital Improvement Notes 2020 A & B that is also available. Staff is seeking approval from Council to redirect this \$30,000 budget allotment and \$9,175 in project contingencies to go towards professionally grading and new sod installation of the youth soccer field and three junior fields at the Golden Triangle Regional Park - East Campus. The current fields in place are in need of significant repair. Improving these field conditions will give a tremendous boost to our newly formed Tavares Youth Soccer League, which has already seen over 150 youth participants in just its first season. This new program gained instant popularity and the community is anxiously awaiting our next season.

OPTIONS:

1. Approve the redirecting of funds in the amount of \$30,000 from the already constructed pickleball court project from the Capital Improvement Revenue Notes A & B to improve the youth soccer fields at the Golden Triangle Regional Park - East Campus.
2. Do not approve the redirection of funds for the soccer field improvements and apply it to another project.

STAFF RECOMMENDATION:

Option 1: Approve the redirecting of funds in the amount of \$30,000 from the already constructed pickleball court project from the Capital Improvement Revenue Notes A & B to improve the youth soccer fields at the Golden Triangle Regional Park - East Campus.

FISCAL IMPACT:

No new fiscal impact. The funds have already been approved through the Capital Improvement Revenue Notes A & B.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 7

SUBJECT TITLE: Authorize Purchase Agreement with AXON Enterprises, Inc. for Body Worn Cameras, Tasers, and Electronic Media Storage for the Tavares Police Department. (Finance)

OBJECTIVE:

Authorize purchase agreement with AXON Enterprises, Inc. for Body worn Cameras, Tasers and Electronic Evidence storage of Media in various formats for the Tavares Police Department, and to authorize Reserve Appropriations from the Police Impact Fee Fund for the purchase.

SUMMARY:

The Police Department needs Body Worn Cameras and storage of generated media from the cameras, as well as electronic storage of various media.

The Police Chief, Information Technology Department Director, and the Finance Purchasing Department researched various options for the best option for product and price. The team contacted various law enforcement agencies in Florida as well as agencies nationwide to determine available options and products that could meet the specific needs of the Tavares Police Department.

After much research, it was determined that Axon provided the best option for the Tavares Police Department initiatives. Axon is the sole source provider for the equipment. Staff negotiated with Axon to reach the best price option. Although Axon is the sole source provider, the company is also a Sourcewell Co-op provider for piggy-back purchasing of their equipment. Through negotiation, staff was able to negotiate more favorable pricing (sole source) than pricing provided under the Sourcewell Co-op agreement.

The proposed Agreement with Axon Enterprises, Inc. provides a total cost of \$574,700.18 over 5 years. The agreement provides for a base five-year cost summary with two additional cost summaries to provide for true-up changes through-out the five-year contract term.

As this is a new all-inclusive body camera capital program for the Police Department, the first-year costs will be funded from Police Impact Fees, and subsequent annual costs will be funded from Impact Fees if available.

Below is a summary of the equipment purchase, cost, and payment terms:

AXON Enterprises, Inc.

		Equipment and Annual Cost for the Five-Year Term				
		2024	2025	2026	2027	2028
Equipment, Storage, etc. to be Purchased						
1	Unlimited Plus, Officer Safety Plan 10 Plus AB4 Camera Bundle; AB4 Multi Bay Dock Bundle Pro License Bundle AXON Body - PSO - Virtual Starter AXON VR-PSO-Virtual AXON Taser 10-2 Day Instructor Course-Inside Sales	\$128,009.35	\$96,533.48	\$100,394.82	\$104,410.61	\$108,587.04
2	True Up - Officer Safety Plan 10 Plus Bundle - Officer Safety Plan 10 Plus AB4 Camera Bundle	\$0.00	\$0.00	\$7,802.46	\$8,114.56	\$8,439.14
3	TRUE UP - Officer Safety Plan 10 Plus Bundle - Officer Safety Plan 10 Plus AB4 Camera Bundle	\$0.00	\$0.00	\$0.00	\$0.00	\$12,408.72
TOTAL ANNUAL COST		\$128,009.35	\$96,533.48	\$108,197.28	\$112,525.17	\$129,434.90
TOTAL COST		\$574,700.18				

OPTIONS:

1. **Move to Authorize** the City Administrator to execute a Purchase Agreement with AXON Enterprises, inc. for Police Body Cameras, Evidence & Media Storage, Officer Safety Plan, and related true-up option with a total cost of \$574,700.18 with payments scheduled over a five-year period and authorize appropriations from Police Impact Fees for the purchase for Fiscal Year 2024 in the amount of \$128,009.35.
2. **Do not authorize.**

STAFF RECOMMENDATION:

Option 1: Move to Authorize the City Administrator to execute a Purchase Agreement with AXON Enterprises, inc. for Police Body Cameras, Evidence & Media Storage, Officer Safety Plan, and related true-up option with a total cost of \$574,700.18 with payments scheduled over a five-year period and authorize appropriations from Police Impact Fees for the purchase for Fiscal Year 2024 in the amount of \$128,009.35.

FISCAL IMPACT:

FY 2024: \$128,009.35 requires reserve appropriations from Police Impact Fees.
Estimated available Reserves: \$133,299

FY 2025: \$96,533.48 to be included in the annual budget.
FY 2026: \$108,197.28 to be included in the annual budget.
FY 2027: \$112,525.17 to be included in the annual budget for

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. AXON Sole Source Document
2. AXON MasterServicePurchasingAgrmt
3. AXON ServiceBundlePrice&PymtSchedule
4. True-UpOfficerSafetyPlan 12months
5. True-UpOfficerSafetyPlan36months

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 8

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

The City Administrator will inform the City Council on city-related matters.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meetings	June 19, 2024, 4:00 p.m., Tavares City Council Chambers
Planning and Zoning Board Meeting	June 20, 2024, 3:00 p.m., Tavares City Council Chambers
Library Board Meeting	September 11, 2024, 4:00 p.m., Ingraham Center <i>(No meetings in June, July, and August)</i>
Code Enforcement Special Magistrate Hearing	June 25, 2024, 4:00 p.m., Tavares City Council Chambers

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities Meeting	June 14, 2024, 12:00 noon, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora
Lake Sumter MPO Governing Board Meeting	June 19, 2024, 2:00 p.m., Suite 175, 1300 Citizens Boulevard, Leesburg
Tavares Chamber of Commerce Business Meeting	June 26, 2024, 11:30 a.m., Tavares Civic Center

CITY EVENTS:

The current 2024 City Event calendar is attached.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Tavares_2024 EventCalendar_5.2.2024

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
6/5/2024**

AGENDA TAB NO.: 9

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related items.

SUMMARY:

The Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.