



**TOWN OF MELBOURNE BEACH**  
**REGULAR TOWN COMMISSION MEETING**

**DECEMBER 20, 2023**

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# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING December 20, 2023 at 6:00 p.m. COMMUNITY CENTER – 509 OCEAN AVENUE

### PUBLIC NOTICE AGENDA

**The Town Commission will conduct a Regular Town Commission Meeting on Wednesday, December 20, 2023, in the Community Center to address the items below**

**Commission Members:**

Mayor Alison Dennington  
Commissioner Sherri Quarrie  
Commissioner Corey Runte  
Commissioner Marivi Walker  
Commissioner Adam Meyer

**Staff Members:**

Town Manager Elizabeth Mascaro  
Town Clerk Amber Brown

Notice: Commission discussion and possible action may occur during any Commissioner Meeting. The following sections of the Agenda are always subject to such discussion and possible action without further motion by the Commission: Changes to the Agenda, Public Hearings, Unfinished Business, and New Business.

The public is advised that members of the Town Commission may be in attendance and participate in proceedings of the board. Attorney General Opinions (AGO) AGO 91-95, AGO 98-14, AGO 2000-68.

PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, THE TOWN HEREBY ADVISES THE PUBLIC THAT: In order to appeal any decision made at this meeting, you will need a verbatim transcript of the proceedings. It will be your responsibility to ensure such a record is made. Such person must provide a method for recording the proceedings verbatim as the Town does not do so.

In accordance with the Americans with Disability Act and Section 286.26, Florida Statutes, persons needing special accommodations for this meeting shall, at least 5 days prior to the meeting, contact the Office of the Town Clerk at (321) 724-5860 or Florida Relay System at 711.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance and Moment of Silence**
4. **Meeting Agenda – Additions/Deletions/Changes**
5. **Consent Agenda**
  - A. Approval of the Regular Town Commission Meeting Minutes November 15, 2023
  - B. Reappointment of Board Members
    1. Reappointment of Haley Conrad to the Parks Board
    2. Reappointment of Danika Warren to the Parks Board
  - C. Appointment of Board Members
    1. Appointment of Sabrina Cornelius to the Parks Board
    2. Appointment of Judy Lukeman to the Ryckman House Historical Preservation and Awareness Board
  - D. Appointment of Non-Voting Members to Town Boards
    1. Appointment of Rebecca Stevens to the Parks Board
    2. Appointment of Julianne Samuel to the Parks Board
6. **Proclamations/Presentations/Awards – Reception to Follow**
  - A. Presentation of a proclamation commemorating 37 years of dedicated volunteer service to the Town of Melbourne Beach provided by Retired Fire Chief David Micka
7. **Finance/Budget Report**
8. **Department and Board/Committee Reports**
  - A. Public Works Department
  - B. Building Department
  - C. Code Enforcement
  - D. Fire Department
  - E. Police Department
  - F. Town Clerk
9. **Public Comment (Non-Agenda Items)**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.
10. **Public Hearings/Special Orders**
11. **Unfinished Business**
  - A. Consideration of the proposals for audio-visual equipment in the community center
  - B. Appointment of the Vice Mayor
  - C. Reappointment of Board Member James Simmons to the Board of Adjustment



**12. New Business**

- A. Appointment of the Voting Delegate and Alternate Voting Delegate for the Space Coast League of Cities
- B. Consideration of a temporary hold on permitting for 2<sup>nd</sup> kitchens
- C. Consideration of proposals for Legal Services from RFP
- D. Consideration to repeal Ordinance 2023-02-Second Kitchens
- E. Consideration of hiring a Deputy Town Clerk
- F. Consideration to repeal Exemption for Owner-Occupied Vacation Rentals
- G. Discussion on short-term rentals and state pre-emption
- H. Discussion on stop signs

**13. Administrative Reports**

- A. Town Manager

**14. Commission Reports****15. Task List****16. Public Comment****17. Adjournment**

# Town of Melbourne Beach

## REGULAR TOWN COMMISSION MEETING November 15, 2023 at 6:00 p.m. COMMUNITY CENTER - 509 OCEAN AVENUE

### MINUTES

#### Commission Members:

Mayor Wyatt Hoover  
Vice Mayor Joyce Barton  
Commissioner Sherri Quarrie  
Commissioner Corey Runte  
Commissioner Marivi Walker

#### Staff Members:

Town Manager Elizabeth Mascaro  
Town Attorney Cliff Repperger  
Town Clerk Amber Brown

#### 1. Call to Order

Mayor Wyatt Hoover called the meeting to order at 6:00 p.m.

#### 2. Roll Call

Town Clerk Amber Brown conducted a roll call

#### Commission Members Present

Mayor Wyatt Hoover  
Vice Mayor Joyce Barton  
Commissioner Sherri Quarrie  
Commissioner Corey Runte

#### Commission Members Absent

Commissioner Marivi Walker

#### Staff Members Present

Town Manager Elizabeth Mascaro  
Town Attorney Clifford Repperger  
Finance Manager Jennifer Kerr  
Building Official Robert Bitgood  
Fire Chief Gavin Brown  
Public Works Director Tom Davis  
Police Chief Melanie Griswold  
Town Clerk Amber Brown

### 3. Pledge of Allegiance and Moment of Silence

Mayor Wyatt Hoover led the Pledge of Allegiance.

### 4. Administration of the Oath of Office – Reception to Follow

#### A. Alison Dennington – Mayor

Town Clerk Amber Brown administered the Oath of Office for Mayor Alison Dennington.

#### B. Adam Meyer – Commissioner

Town Clerk Amber Brown administered the Oath of Office for Commissioner Adam Meyer.

Brief Reception

#### Roll Call

Town Clerk Amber Brown conducted a roll call

#### Commission Members Present

Mayor Alison Dennington  
Commissioner Sherri Quarrie  
Commissioner Corey Runte  
Commissioner Adam Meyer

#### Commission Members Absent

Commissioner Marivi Walker

#### Staff Members Present

Town Manager Elizabeth Mascaro  
Town Attorney Clifford Repperger  
Finance Manager Jennifer Kerr  
Building Official Robert Bitgood  
Fire Chief Gavin Brown  
Public Works Director Tom Davis  
Police Chief Melanie Griswold  
Town Clerk Amber Brown

### 5. Meeting Agenda – Additions/Deletions/Changes

Town Manager Elizabeth Mascaro spoke about removing new business item D – consideration of purchasing 500 First Ave due to the lack of value.

**Commissioner Sherri Quarrie made a motion to approve the agenda with the changes; Commissioner Corey Runte seconded; Motion carried 4-0.**

### 6. Consent Agenda

- A. Approval of the Regular Town Commission Meeting Minutes October 18, 2023
- B. Reappointment of Board Members
  - 1. Reappointment of James Simmons to the Board of Adjustment

**Commissioner Sherri Quarrie moved to approve the Consent Agenda; Commissioner Corey Runte seconded;**

***Celena Cobb – 306 Fourth Ave***

*Celena Cobb asked for a brief explanation of what they are giving consent to.*

Mayor Alison Dennington spoke about the minutes and reappointment of a Board Member. The minutes from the prior meeting were too condensed.

***Ted Funkhouser – 509 Banyan Way***

*Ted Funkhouser asked if this is about Airbnb's, if so he has some things to say.*

Mayor Alison Dennington spoke about wanting to remove the reappointment of James Simmons to the Board of Adjustment in order to discuss it.

Town Attorney Clifford Repperger spoke about needing a motion to pull something off of the consent agenda.

**Commissioner Adam Meyer made a motion to remove item B.1. from the consent agenda in order to have a discussion about it; Mayor Alison Dennington seconded; Motion failed 2-2 with Commissioner Sherri Quarrie and Commissioner Corey Runte dissenting.**

Commissioner Adam Meyer spoke about James Simmons being qualified, but he would like to have a discussion on the item.

***Kate Wilborn – 502 Second Ave***

*Kate Wilborn spoke about being concerned and about the loss of trust, so things need to be slowed down.*

***Stan Budesza – 503 Magnolia Ave***

*Stan Budesza spoke about the motion failed, so let's move on.*

Mayor Alison Dennington spoke about the importance of the Board, and since there are three positions open on the Board try to fill all of them at once. She is uncomfortable reappointing Jim Simmons since he has an email distribution list and uses his personal email. She spoke about the Board of Adjustment needing a Town email.

Commissioner Corey Runte spoke about there currently being three positions open on the Board and Jim Simmons was the only one that applied, he is more than qualified so he doesn't see any reason to table it.

Mayor Alison Dennington spoke about there being a lack of communication, the open positions were not in the newsletter, give it a month and allow other people to apply.

**Heather Barlow – 210 Elm Ave**

*Heather Barlow spoke about being at the Board of Adjustment meeting and Mr. Simmons read an email he received from Commissioner Runte. She thinks there is a relationship between Mr. Simmons and Commissioner Runte.*

**Mike Krajic – 2103 Neptune Dr**

*Mike Krajic spoke about how he might be interested in the position, but he is not sure what it is about. Open it up and see where it goes. He thinks a prayer is appropriate not a moment of silence. December 3<sup>rd</sup> Santa will be at the Ryckman House.*

**Frank Thomas – 606 Atlantic St**

*Frank Thomas congratulated Commissioner Meyer and Mayor Dennington. He spoke about moving here in 1962, registering to vote, and being involved in the Town.*

**Ted Funkhouser – 509 Banyan Way**

*Ted Funkhouser asked if this Committee or Commission is how ordinances are created.*

Mayor Alison Dennington spoke about the Board of Adjustment being responsible for appeals and variances.

**Stan Budesa – 503 Magnolia Ave**

*Stan Budesa asked if that Board just makes recommendations to the Commission. A lot of good has been done for the Planning and Zoning Board.*

Town Attorney Clifford Repperger spoke about the Board of Adjustment rulings being final. They are an independent quasi-judicial body.

**Tim Flint – 1706 Atlantic St Unit 3A**

*Tim Flint spoke about things that have passed that were against what the community wanted such as the second kitchens. This should be tabled so it can be discussed.*

Commissioner Corey Runte spoke about the Planning and Zoning voted 3-2 in favor of the second kitchen ordinance.

Town Attorney Clifford Repperger spoke about the discussion being off track. There is a motion and a second, and procedurally nothing else is relevant.

**Mark Mc Bride – 310 Second Ave**

*Mark McBride spoke about how Jim is probably a good candidate, but there are a lot of people here and you are hearing what they want.*

***Jeanne Lewis – 506 Hibiscus Trail***

*Jeanne Lewis spoke about it being the pot calling the kettle black. She has watched Commissioner Runte yell at people who have come up to talk or clap because they feel they are being heard for the first time in a long time in the meetings.*

***Joanie Shepherd – 201 Third***

*Joanie Shepherd spoke about working with many Planning and Zoning Boards and she has never heard of someone changing zoning before.*

Town Manager Elizabeth Mascaro spoke about how there were no zoning changes.

Mayor Alison Dennington spoke about people not being aware of important things. People feel the bare minimum amount of communication is being done. We owe them more.

Commissioner Sherri Quarrie spoke about the Board of Adjustment being responsible for decisions where residents request things that are against the Town Code. The members have to know all of the ordinances. They do not change zoning.

***Frank La Grassa – 412 First Ave***

*Frank La Grassa spoke about the Planning and Zoning Board advised against the second kitchen ordinance. He did not say they voted against it. Residents want a fair chance to oppose things.*

***Tina Coppock– 505 Avenue B***

*Tina Coppock asked who picks or appoints the board members. It looks like there is a vendetta. Jim was already on the board and there are still 2 other open positions. Jim is 1 person, and there are still 2 other spots that the Commission can fill.*

Mayor Alison Dennington spoke about people applying for the positions and then it goes in front of the Commission for a vote. People want to be involved but don't understand so let's teach them.

***Jay Gurecki– 406 Sixth Ave***

*Jay Gurecki spoke about something being approved by the Board of Adjustment sets a precedence. If someone has been on the board before see what precedence they have set.*

***Stan Budesa – 503 Magnolia Ave***

*Stan Budesa asked what the outcome was of last night's Board of Adjustment meeting.*

Town Manager Elizabeth Mascaro spoke about the Special Exception for 315 Ocean Ave was approved 5-0.

Commissioner Corey Runte asked if Commissioner Sherri Quarrie would be willing to amend her motion to approve the consent agenda with the removal of item B being tabled to next month.

**Commissioner Sherri Quarrie amended her motion to approve the consent agenda with item B being tabled to next month; Commissioner Corey Runte seconded; Motion carried 4-0.**

## **7. Proclamations/Presentations/Awards**

## **8. Finance/Budget Report**

Mayor Alison Dennington asked if the \$100,000 from the parking fund that was created is on there. What is that for and where is it?

Finance Manager Jennifer Kerr spoke about parking funds 172 and 175. Last year the Ryckman Park parking funds were in department 75 under the general fund. Fund 175 was created for better tracking of the Ryckman Park parking funds.

**Commissioner Runte made a motion to approve the finance/budget report as presented; Commissioner Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.**

## **9. Department and Board/Committee Reports**

### **A. Public Works Department**

Public Works Director Tom Davis spoke about projects going on in his department. If there is anything the residents notice around Town please call into the Town Hall.

### **B. Building Department**

Mayor Alison Dennington asked if there is a repayment agreement for the costs of the Building Officials' certifications if he leaves.

Town Manager Elizabeth Mascaro spoke about the Building Official's employment is not conditional on repayment for any certifications. To have him as a Building Official he has to retain certifications that are required by law. You didn't see the certifications in the past because the Town contracted out the services. It is more beneficial for the Town to employ a Building Official. He has turned that department around. It was in the hole as much as \$50,000 two years ago.

Mayor Alison Dennington spoke about any certifications that are not required by law it would be nice if he left within twelve months then he would repay the Town. The Town has had a hard time keeping Building Officials, so what would keep him from leaving after six months?

Commissioner Corey Runte spoke about that not being standard practice in this situation. The building department is in the best shape it has ever been. We are fully digital, have a Building Official 5 days a week, and finally making a profit or breaking even. He would not advise the Building Official to stop getting certifications that will help the Town.

Building Official Robert Bitgood spoke already about having all of the certifications that he would need. The training he is going to is required by the State. The schooling that he is going to will save the residents a lot on insurance. The building department operates as an enterprise fund, so the costs for his certifications and schooling come from permit fees not from the general fund, so the taxpayers as a whole are not footing the bill.

C. Code Enforcement

Mayor Alison Dennington asked for more details about the short-term rental violations.

D. Fire Department

Fire Chief Gavin Brown spoke about notable incidents and events.

Commissioner Corey Runte spoke about the importance of the fire department's marine unit and that it is not funded by tax dollars.

E. Police Department

No additions

F. Town Clerk

No additions

**10. Public Comment (Non-Agenda Items)**

After being acknowledged by the Mayor, members of the public should state their name and address for the record. The Commission encourages citizens to prepare their comments in advance. Each individual will have three (3) minutes to address the Commission on any topic(s) related to Town business, not on the Agenda.

***Ted Funkhouser – 509 Banyan Way***

*Ted Funkhouser spoke about being disappointed regarding the amount of support he has received related to Airbnb's. Found out that back in 2009/2010 the elected officials could have prevented Airbnb's, but failed to do anything. The second kitchen business is going to turn this Town into Miami Beach.*

***Nancy Funkhouser – 509 Banyan Way***

*Nancy Funkhouser asked who on the Commission owns a short-term rental in the Town. Is there a code about trash cans being left out forever? The short-term rental near them is a nightmare.*

Commissioner Corey Runte spoke about how to file a code enforcement complaint.



**Mark Mc Bride - 310 Second Ave**

*Mark Mc Bride spoke about an email he sent the Commissioner regarding Cocoa Beach changing their ordinance and provided several recommendations. What is the Town doing about them?*

**Joanie Shepherd – 201 Third**

*Joanie Shepherd asked what costs are associated with changing zoning and where can she get that information. The realtors, owners, and managers that are responsible for Airbnb's need to be held responsible. Get together and figure out a plan.*

Town Manager Elizabeth Mascaro spoke about there not being any zoning changes.

**Mike Krajic – 2103 Neptune Drive**

*Mike Krajic spoke about a road issue and a vacant lot on Neptune that is not being maintained. His wife suggested that the Town collect resident email addresses and send out mass emails about things.*

Commissioner Corey Runte spoke about the fix being temporary because the road is coming up on the road repaving list.

Police Chief Melanie Griswold spoke about how residents can sign up for Nixle on the Town's website. The Town has had Nixle for several years to send out alerts to residents.

**Tina Coppock – 505 Avenue B**

*Tina Coppock spoke about the second kitchen ordinance states the second kitchen needs to be removed within a year if they lose their homestead exemption.*

Town Attorney Clifford Repperger spoke about the second kitchen ordinance requires the owner to maintain their homestead exemption.

Commissioner Corey Runte spoke about how the Building Department can track second kitchens, but there haven't been any yet. If an owner violates the ordinance then it would become a code enforcement violation.

Mayor Alison Dennington spoke about setting up a series of workshops to discuss hot topics.

**Jennifer Ottomanelli – 510 Avenue A**

*Jennifer Ottomanelli asked why the Parks Board is not consulted regarding changes to the parks. Everyone is entitled to their opinion and deserves to be heard by their elected officials.*

***Stan Budesa – 503 Magnolia Ave***

*Stan Budesa spoke about his understanding that an ordinance can be rescinded at any time. Would like some clarification on the letter that he received about the Town Manager and the Town Attorney that was sent to every attorney in the state.*

Town Attorney Clifford Repperger spoke about it not being that easy to rescind an ordinance because you would have to pass another ordinance to amend the language.

Town Manager Elizabeth Mascaro spoke about the email being sent to attorneys in the state because she asked the Town Attorney what position the Town would be in having someone serve as Mayor who currently has lawsuits against the Town. The request was not to unseat the Mayor or reverse the decision. It was merely for guidance to see if there was something we should know or if there was any precedence or knowledge about a Mayor having lawsuits against the Town. There was nothing nefarious. The letter itself was accurate, but the post with it had someone's twist on it which was not true.

Town Attorney Clifford Repperger spoke about the letter being about how to address conflicts that may come up.

***Kari Ross – 206 Flamingo Lane***

*Kari Ross spoke about attending the last meeting and this potential conflict was brought up and Ali herself stated it was a valid question. It seems like a prudent measure for the Town Attorney to not waste taxpayers' dollars to look into it before the election.*

Mayor Alison Dennington spoke about the Town Attorney using a private email from a law firm in Melbourne to conduct Town business.

Commissioner Corey Runte spoke about a lot of comments tonight stemming from the election. Let's move forward in the best interest of the residents.

***Kate Wilborn – 502 Second Ave***

*Kate Wilborn spoke about the Town Attorney has put in his notice. She hopes the next Town Attorney's role will be to protect the Town.*

***Bryan Troy – 509 Hibiscus Trail***

*Bryan Troy spoke about Commissioner Corey Runte and some others who were helpful in assisting with an Airbnb. Back in 2009 or 2010, the Town really could have nipped Airbnb's. The Town is doing everything they can currently do. Best Town in Brevard County hands down.*

***Gail Gowdy - 205 Ash Ave***

*Gail Gowdy spoke about what is being said regarding the 2009 Commission is not correct. Check with Attorney Gougelman there was an ordinance that was put in place.*

Commissioner Sherri Quarrie spoke about the ordinance did not apply to 1-RS, 2-RS, or 3-RS.

Town Attorney Clifford Repperger spoke about already speaking with Attorney Paul Gougelman regarding the 2011 preemption and the Town did not pass an ordinance related to vacation rentals at the time despite his advice and counsel that the preemption was coming in 2011. At the time short-term rentals were not a problem like they are today. The Town does have a regulatory ordinance that can be tweaked.

***Heather Barlow – 210 Elm Ave***

*Heather Barlow spoke about how our zoning is on American Legal. Other counties have a searchable document or in the front have the history of changes.*

Mayor Alison Dennington spoke about there currently being a search function.

***Frank La Grassa – 412 First Ave***

*Frank La Grassa spoke about the second kitchen ordinance is not enforceable. A referendum on this would clear up the debate.*

**11. Public Hearings/Special Orders**

**12. Unfinished Business**

**13. New Business**

A. Appointment of Vice Mayor

**Mayor Alison Dennington made a motion to nominate Commissioner Adam Meyer as Vice Mayor; Motion failed for lack of a second**

**Commissioner Corey Runte made a motion to table the appointment of Vice Mayor until we have a full commission next month; Commissioner Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting.**

B. Appointment of Voting Delegate for the South Beaches Coalition

Mayor Alison Dennington spoke about what the South Beaches Coalition is.

**Commissioner Corey Runte made a motion to nominate Mayor Alison Dennington for the delegate for the South Beaches Coalition; Commissioner Sherri Quarrie seconded; Motion carried 3-0 with Mayor Alison Dennington abstaining.**

Town Attorney Clifford Repperger spoke about Mayor Alison Dennington abstaining due to any potential conflict and the Town Clerk will provide a Form 8b for each abstained vote.

- C. Consideration of changing the Parks Board’s monthly meeting day to the first Thursday of each month.

***Julie Samuels - 2320 S. River Rd***

*Julie Samuels spoke about it being difficult for the Parks Board to meet on the first Wednesday so the Board decided that the first Thursday would be better.*

***Kate Wilborn – 502 Second Ave***

*Kate Wilborn spoke about the Parks Board doing a great job and would like them to have a vote and input on decisions.*

**Commissioner Corey Runte made a motion to approve item c under new business consideration of changing the Parks Board’s monthly meeting day to the first Thursday of each month; Commissioner Sherri Quarrie seconded; Motion carried 4-0.**

~~D. Consideration of purchasing 500 First Avenue~~

This item was removed from the agenda

- E. Consideration of Resolution 2023-08 – Fiscal Year 2023 Budget Amendment

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR 2022-2023; AMENDING RESOLUTION NO 2023-07; AMENDING EXPENDITURES FOR ALL FUNDS INCLUDING THE TOWN’S GENERAL FUND; TRANSFER FUNDS FROM ONE FUND TO ANOTHER FUND; ESTABLISHING AUTHORITY FOR THE TOWN MANAGER TO IMPLEMENT THE BUDGET; AND PROVIDING FOR ADOPTION**

Finance Manager Jennifer Kerr spoke about this resolution closes the fiscal year 2023 budget. This is required by the state and the auditors.

Mayor Alison Dennington asked about the transfer related to the increase in banking and auditor costs.

Finance Manager Jennifer Kerr spoke about that being due to an increase in cost for the auditors. This is not changing the bottom line it is just moving funds from one area in the general fund to this line item.

**Commissioner Corey Runte made a motion to approve item D consideration of Resolution 2023-08 for the fiscal year 2023 as presented; Commissioner Sherri Quarrie seconded; Motion carried 4-0.**

F. Consideration of Resolution 2023-09 – Fiscal Year 2024 Budget Amendment

**A RESOLUTION OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING THE BUDGET FOR THE FISCAL YEAR (FY) 2023-2024; AMENDING RESOLUTION NO 2023-04 RELATED TO THE USE OF ALL CARRYFORWARDS AND TRANSFERS FOR ALL FUNDS INCLUDING THE GENERAL FUND; ESTABLISHING AUTHORITY FOR THE TOWN MANAGER TO IMPLEMENT THE BUDGET; AND PROVIDING FOR ADOPTION.**

Finance Manager Jennifer Kerr spoke about this being for carryforwards from fiscal year 2023 into fiscal year 2024.

**Commissioner Corey Runte made a motion to approve item F consideration of Resolution 2023-09 for fiscal year 2024 Budget Amendment; Commissioner Sherri Quarrie seconded; Motion carried 4-0.**

G. Discussion regarding notice of termination of legal services agreement

Town Attorney Clifford Repperger spoke about the current legal services agreement expires on November 30, 2023. His firm has made the decision not to renew the agreement so the Town will be going out for a request for proposal (RFP). Pursuant to the agreement, a thirty-day notice has been provided. If approved his last day of service would be December 8, 2023. Otherwise, the agreement expires on November 30, 2023.

Mayor Alison Dennington asked about including the contract and all of the modifications.

Town Attorney Clifford Repperger spoke about there not being any modifications done to the contract other than doing a memorandum of understanding to extend the contract and notices of law firm change.

Mayor Alison Dennington asked what the timeframe was for turning over all of the town's public records.

Town Attorney Clifford Repperger spoke about how he would work with the town staff to coordinate that.

Town Manager Elizabeth Mascaro spoke about having an RFP that will go out tomorrow.

Mayor Alison Dennington spoke about wanting to review the RFP before it goes out.

***Stan Budesa – 503 Magnolia***

*Stan Budesa spoke about any RFP should go to the Mayor and the Commission for approval.*

Town Attorney Clifford Repperger spoke about the RFP process is a very uniform and routine practice that every municipality does. It is very simple. It would be in the best interest of the Town to have the Town Manager proceed with sending out the RFP.

***Tina Coppock – 505 Avenue B***

*Tina Coppock spoke about having 30 years of government contracting experience. Some RFPs can be simple and some are very complex. To think the part-time Town Commission would have time to review everything the Town Manager does is ridiculous.*

Mayor Alison Dennington spoke about reviewing the RFP before sending it out, a special meeting can be scheduled, and letting the contract expire early.

Commissioner Corey Runte spoke about how not sending the RFP out right away would mean not having a Town Attorney for over a month. He would entertain a motion to approve the extension through December 8<sup>th</sup>. Allow the RFP to go out as soon as possible contingent on the Mayor approving it.

Commissioner Adam Meyer asked how the billing works. Is there a daily bill that would occur between December 1<sup>st</sup> and December 8<sup>th</sup>?

Town Attorney Clifford Repperger spoke about the billing being done hourly based on the work performed.

***Heather Barlow – 210 Elm Ave***

*Heather Barlow asked what the Town gets for the extra 8 days. His work for the Town is done.*

***Kate Wilborn – 502 Second Ave***

*Kate Wilborn spoke about how his work here is done. The protection of the Town Attorney is to protect the Commission, but it should be to protect the Town. The extra 8 days of the Town Attorney protection is not needed.*

***Jason Judge – 206 Flamingo***

*Jason Judge spoke about if the Town Attorney is currently working on things it would be better to have him finish out the projects rather than turning them over to another attorney who would bill to get up to date on the projects. In the case of saving money that seems to be the best case. The attorney cares about the Town, has done a good job, and is cheaper than anyone else. Allow him to finish up as much as he can.*

***Steve Walters – 416 Sixth Ave***

*Steve Walters spoke about the Town having a great attorney who will take over at any point, Paul Gougelman. He was an excellent town attorney for Melbourne Beach for years. If someone spoke with him he would be more than happy to take over.*

Mayor Alison Dennington spoke about there being 18 law firms that applied during the last RFP process. If something happens during the 8 days then hire a special attorney.

Town Attorney Clifford Repperger spoke about already speaking with Attorney Paul Gougelman about coming in temporarily and he might offer to do that at an increased rate, but at this time his law firm is not prepared to allow him to do that. At this time his law firm is not interested in applying.

***Stan Budesa - 503 Magnolia***

*Stan Budesa spoke about not knowing about the swapping of the parking lot for Djon's and not knowing about what's going on.*

***Ted Funkhouser – 509 Banyan Way***

*Ted Funkhouser spoke about the contract says 30 days' notice so give him the 30 days.*

**Commissioner Corey Runte made a motion to approve the notice of termination and extension to December 8<sup>th</sup> as presented; Commissioner Sherri Quarrie seconded; Motion carried 3-1 with Mayor Alison Dennington dissenting**

Mayor Alison Dennington spoke about her voting against the motion because of the extension not because of the termination.

Town Attorney Clifford Repperger spoke about being the counsel of record on the outstanding litigation cases. He would like to stay counsel on those cases. One has already had a hearing on it. The other two are still pending. The cases involve the Mayor, so it would be recommended the Mayor abstain from voting. He is requesting to be retained or stay as appointed outside counsel on those litigation cases at least until such time the Town has new counsel so he can discuss the cases with new counsel. There is a hearing scheduled for January 30<sup>th</sup> on the mandamus claim.

Commissioner Adam Meyer spoke about that being fine as long as it transitions to the new counsel so the Town does not have two legal counsels.

Town Attorney Clifford Repperger spoke about how it is not uncommon to have appointed outside counsel when an attorney has done a lot of work on a case.

Mayor Alison Dennington spoke about the Town Attorney wants to stay as counsel on the election case in which he is a defendant, but he wants the Mayor to recuse voting on it. She thinks there is a conflict.

Town Attorney Clifford Repperger spoke about there not being a reason he cannot self-represent in that case as the Town Attorney.

**Commissioner Adam Meyer made a motion to keep Attorney Repperger on for those active litigations until the point we get a new lawyer; Commissioner Corey Runte seconded; Motion carried 3-0 with Mayor Alison Dennington abstaining.**

Mayor Alison Dennington spoke about abstaining from the vote due to a conflict.

Town Clerk Amber Brown spoke in response to residents stating they were not aware of things that came in front of the Commission, to read the Beach Comber. There is a whole section that lists every motion that the Commission has made.

#### 14. Administrative Reports

##### A. Town Attorney

Town Attorney Clifford Repperger spoke about how he became the Town Attorney 9 years ago. He has been practicing for 27 years, and he has always been involved in local government. There have been a lot of comments about darkness and shade in this community and that is not what he sees. He sees light and transparency and hard work from all of the staff. His practice has a lot going on and this job has taken on a lot more of a role in his practice than expected. He wished everyone the best.

##### B. Town Manager

Town Manager Elizabeth Mascaro spoke about meeting with Indialantic tomorrow regarding the repaving of Riverside. At a manager's meeting, they discussed the lifeguard contracts. Melbourne Beach's contract has not changed. There is a meeting with the County in December about lifeguards. Board of Adjustment met last night they passed the Special Exception for 315 Ocean Ave 5/0. It will be a café style restaurant. Thanked the Parks Board for putting on the Veterans Day event.

Mayor Alison Dennington asked if there is a plan for the Veterans Parks and where.

Town Manager Elizabeth Mascaro spoke about looking at putting it in Circle Park.

Mayor Alison Dennington spoke about putting ideas on the website for the residents to see and comment on.

Town Manager Elizabeth Mascaro spoke about the process starting with the Commission because if the Commission is not interested in looking into a specific item then it would be a waste of time to research and put something together. After the Commission requests proceeding with an item then the research, review, and discussions start.

##### ***Julie Samuels – 2320 S. River Rd***

*Julie Samuels spoke about having a few new Parks Board members, so they have more capacity to get involved in more things related to the parks.*

#### 15. Commission Reports

#### 16. Task List

Updated:



**Options and Costs for Live Streaming** – Next month

Mayor Alison Dennington spoke about not needing to livestream the meetings.

Town Clerk Amber Brown spoke about still working on getting a couple of the quotes amended so they match.

**S.E.A Project** – Closed

Town Manager Elizabeth Mascaro spoke about how this was originally to have a plan set for what we would like the streetscape to look like for FDOT to copy when they redo their road. There were drawings done that we are not moving forward on.

Commissioner Corey Runte spoke about tabling the item for the foreseeable future since FDOT has pushed the project back.

Commissioner Sherri Quarrie spoke about no one liking the drawings that were presented and concerns from the Police and Fire Chief that were valid.

**Commissioner Corey Runte made a motion to close the S.E.A Project action item for the foreseeable future; Commissioner Sherri Quarrie seconded; Motion carried 4-0.**

Sixth Ave Boat Ramp Improvements – February Workshop

**17. Public Comment**

***Kate Wilborn – 502 Second***

*Kate Wilborn asked if there are any records associated with the stop signs on Riverside because no one she knows likes them, and she does not remember seeing it on an agenda. She would like it to be added to a future agenda.*

Town Manager Elizabeth Mascaro spoke about the signs were discussed with the Police Chief to approve them.

***Jennifer Ottomanelli – 510 Avenue A***

*Jennifer Ottomanelli asked if the meeting with Indialantic will include discussing a sidewalk on the west side of Riverside. Were the Bocce courts removed as step 1 of adding a median in the road? If the Veterans Memorial is in Circle Park it would not be visited as much as if it were in Ryckman Park or some place that is more trafficked.*

Town Manager Elizabeth Mascaro spoke about a sidewalk on the west side has not been discussed by the Commission, so that will not be part of the meeting with Indialantic. The Bocce courts were removed because they were dilapidated. The idea is to add a ramp to the front of the Community Center and add parking, but that has not gone to the Commission for approval.

***Lauren Hardman – 320 Sixth Ave***

*Lauren Hardman thanked everyone for their hard work and spoke about the audio-visual equipment being a very important addition. It would be a bonus for those who cannot make a meeting. There is so much to cherish in this Town.*

**18. Adjournment**

**Commissioner Sherri Quarrie moved to adjourn; Commissioner Corey Runte seconded, Motion carried 4-0.**

Meeting adjourned at 10:15 p.m.

**ATTEST:**

\_\_\_\_\_  
**Alison Dennington, Mayor**

\_\_\_\_\_  
**Amber Brown, Town Clerk**

**TOWN BOARD VOLUNTEER APPLICATION**  
**Town of Melbourne Beach**  
**507 Ocean Avenue**  
**Melbourne Beach, Florida 32951**  
**Phone: (321) 724-5860 Fax: (321) 984-8994**

1. Name: Haley A. Conrad Home Phone: NA
2. Home Address: 2011 Oak St. Melb. Bch, FL 32951
3. Mobile Phone: (504) 702-5356 E-mail address: haley.panton@gmail.com
4. Business Name: Water Technology, Inc. Business Phone: 920-210-0031
5. Resume or Education & Experience: Professional Engr - Specializing in Pool/Water  
 (Use additional sheets if necessary or submit resume) design & Engineering 20  
yea
6. Date of birth: 5/6/1981 (to verify voter registration)  
 (optional)
7. Are you a qualified elector of the town?  YES  NO
8. Are you a resident of the town?  YES  NO
9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO
10. Do you hold a public office?  YES  NO
11. Do you currently serve on a Town board?  YES  NO  
 If yes, which board? Parks Board

12. Please check the board(s) you are interested in serving on:
 

<input type="checkbox"/> Audit Committee	<input type="checkbox"/> Police Pension Fund Board of Trustees
<input type="checkbox"/> Board of Adjustment	
<input type="checkbox"/> Civil Service Board	
<input type="checkbox"/> Code Enforcement Board	
<input type="checkbox"/> Environmental Advisory Board	
<input type="checkbox"/> History Center Board	
<input type="checkbox"/> History Preservation and Awareness	
<input checked="" type="checkbox"/> Parks Board	
<input type="checkbox"/> Planning and Zoning Board	

13. Why do you think you are qualified to serve on this board? In my professional career I have worked with many Town/City Councils, Park Departments as they navigate selecting proper amenities for their community.

MORE Pg. 2

As a member of the Melb. Bch. Parks Board for the last several years, I have brought my safety first, conservative approach to help

realise several successful events, including Garden Party, Spring Fcst, and many →

14. Would you consider serving on another board other than the one(s) you have selected above?

YES  NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: 

Date: 12/13/2023

→ well attended weekly programs.



# TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

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Name: \_\_\_\_\_ Home Phone: \_\_\_\_\_

Home Address: \_\_\_\_\_

Mobile Phone: \_\_\_\_\_ E-mail address: \_\_\_\_\_

Business Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Resume or Education & Experience (attach additional pages if necessary):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Use additional sheets if necessary or submit resume)

Date of birth: \_\_\_\_\_ (to verify voter registration)  
(optional)

Are you a qualified elector of the town?     YES     NO

Are you a resident of the town?     YES     NO

Do you reside in the town for at least ten (10) months of each calendar year?     YES     NO

Do you hold a public office?     YES     NO

Do you currently serve on a Town board?     YES     NO

If yes, which board? \_\_\_\_\_

Please check the board(s) on which you are interested in serving:    \*\* no financial disclosure required

Board of Adjustment

History Center Board \*\*

Code Enforcement Board

History Preservation and Awareness \*\*

Planning and Zoning Board

Parks Board

Police Pension Fund Board of Trustees

Library Board

Environmental Advisory Board \*\*

Why do you think you are qualified to serve on this board? \_\_\_\_\_

Would you consider serving on another board other than the one(s) you have selected above?     YES     NO

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

406 Coral Avenue  
 Melbourne BEach, FL 32951  
 (321) 543-1143 / danikafwarren@gmail.com

## Danika F. Warren

---

### WORK EXPERIENCE

**Club Esteem, Melbourne, FL** — *Development Coordinator. Grant Writer, Community Outreach, Donor Engagement, Major Giving*

June 2021 - current

**Coastal Community School, Satellite Beach, FL** — *Administration, Public Relations, Community Liaison, Enrichment Coordinator, Grant Writer, Teacher*

June 2015 - March 2020

- Attend chamber of commerce meetings and pursue grant opportunities.
- Administration, family interviews, community communication (in person, on phone and email/text, activities and fundraising).

**Various media publications** — *Freelance Writer*

October 2008 - June 2015

- Everything Brevard magazine
- Space Coast Living magazine (part of Florida Today newspaper)
- Rodan & Fields, Level V Consultant, Direct Sales. 2010 - 2014
- Space Coast Crossfit: Owner, Yoga Instructor. 2013 - 2015

**The Nature Conservancy, Melbourne FL and Altamonte Springs, FL** — *Donor Relations, Philanthropy, Land Acquisition*

September 2004 - March 2007

**The American Cancer Society, Miami, FL** — *Event Coordinator. Started the first Relay For Life event in Miami Beach. Also successfully coordinated Relay For Life and Cattleman's Ball fundraising events in Miami.*

September 2002 - September 2004

## EDUCATION and TRAINING

**University of Florida, Gainesville FL** — *Bachelors of Science in Photojournalism*

June 1989 - June 1994

**Real Estate License** - October 2023

**Institute for Excellence in Writing (IEW)** - online Teacher Training August 2020

*And More*

2021 - present: Parks Board, Town of Melbourne Beach, FL - helped to coordinate successful town events including Veteran's Day celebration, Spring Fest - a Children's Entrepreneur event, Garden Party, Touch-A-Truck, Easter Egg Hunt, Star Gazing, Movie In the Park and more.

2015-2016 - Board President of Coastal Community School board

2016 - 2020: Board Member at Coastal Community School





# TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

- 1. Name: Sabrina CORNELIUS Home Phone: 720-299-7909
- 2. Home Address: 1706 DRANGE ST. MELBCH 32951
- 3. Mobile Phone: 720-299-7909 E-mail address: scorincusa@gmail.com
- 4. Business Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_
- 5. Resume or Education & Experience: \_\_\_\_\_  
(Use additional sheets if necessary or submit resume)
- 6. Date of birth: 04/03/71 (to verify voter registration)  
(optional)
- 7. Are you a qualified elector of the town?  YES  NO
- 8. Are you a resident of the town?  YES  NO
- 9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO
- 10. Do you hold a public office?  YES  NO
- 11. Do you currently serve on a Town board?  YES  NO  
If yes, which board? \_\_\_\_\_

12. Please check the board(s) you are interested in serving on:
- Audit Committee #3  History Center Board
  - Board of Adjustment #2  History Preservation and Awareness
  - Civil Service Board #1  Parks Board
  - Code Enforcement Board  Planning and Zoning Board
  - Environmental Advisory Board  Police Pension Fund Board of Trustees

13. Why do you think you are qualified to serve on this board? I'VE BEEN IN THE COMMUNITY SINCE 2013. I THINK I KNOW WHAT THE COMMUNITY WOULD LIKE TO SEE, ETC.

14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

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Signature: [Handwritten Signature] Date: NOV 30, 23





**TOWN BOARD VOLUNTEER APPLICATION**  
**Town of Melbourne Beach**  
**507 Ocean Avenue**  
**Melbourne Beach, Florida 32951**  
**Phone: (321) 724-5860 Fax: (321) 984-8994**

1. Name: Judy Lukeman AKA - Judith Rieger-Hanley Home Phone: 631-624-5126  
 2. Home Address: 510 Riverside DR, Mel Beach 32951  
 3. Mobile Phone: 631-624-5126 E-mail address: judy.piano.lady.88  
 4. Business Name: \_\_\_\_\_ Business Phone: @gmail.com  
 5. Resume or Education & Experience: College Graduate  
 (Use additional sheets if necessary or submit resume)

6. Date of birth: 8/18 (optional) (to verify voter registration)

7. Are you a qualified elector of the town?  YES  NO  
 8. Are you a resident of the town?  YES  NO  
 9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO  
 10. Do you hold a public office?  YES  NO  
 11. Do you currently serve on a Town board?  YES  NO  
 If yes, which board? \_\_\_\_\_

12. Please check the board(s) you are interested in serving on: Rykman House
- |   |  |
|---|--|
| <input type="checkbox"/> Audit Committee              | <input type="checkbox"/> History Center Board                  |
| <input type="checkbox"/> Board of Adjustment          | <input type="checkbox"/> History Preservation and Awareness    |
| <input type="checkbox"/> Civil Service Board          | <input type="checkbox"/> Parks Board                           |
| <input type="checkbox"/> Code Enforcement Board       | <input type="checkbox"/> Planning and Zoning Board             |
| <input type="checkbox"/> Environmental Advisory Board | <input type="checkbox"/> Police Pension Fund Board of Trustees |

13. Why do you think you are qualified to serve on this board? Interest in Melbourne Beach

14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

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Signature: Judy Lukeman Date: 12-5-23




**TOWN BOARD VOLUNTEER APPLICATION**  
**Town of Melbourne Beach**  
**507 Ocean Avenue**  
**Melbourne Beach, Florida 32951**  
**Phone: (321) 724-5860 Fax: (321) 984-8994**

1. Name: Rebecca Stevens Home Phone: 301-693-4080
2. Home Address: 610 Atlantic Street, Melbourne Beach, FL 32951
3. Mobile Phone: 301-693-4080 E-mail address: becca7713@aol.com
4. Business Name: \_\_\_\_\_ Business Phone: \_\_\_\_\_
5. Resume or Education & Experience: See attached  
 (Use additional sheets if necessary or submit resume)
6. Date of birth: \_\_\_\_\_ (to verify voter registration)  
 (optional)
7. Are you a qualified elector of the town?  YES  NO
8. Are you a resident of the town?  YES  NO
9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO
10. Do you hold a public office?  YES  NO
11. Do you currently serve on a Town board?  YES  NO  
 If yes, which board? \_\_\_\_\_
12. Please check the board(s) you are interested in serving on:
 

<input checked="" type="checkbox"/> Audit Committee	<input type="checkbox"/> History Center Board
<input checked="" type="checkbox"/> Board of Adjustment	<input type="checkbox"/> History Preservation and Awareness
<input type="checkbox"/> Civil Service Board	<input checked="" type="checkbox"/> Parks Board
<input type="checkbox"/> Code Enforcement Board	<input type="checkbox"/> Planning and Zoning Board
<input type="checkbox"/> Environmental Advisory Board	<input type="checkbox"/> Police Pension Fund Board of Trustees
13. Why do you think you are qualified to serve on this board? \_\_\_\_\_  
See attached
14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

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Signature:  Date: 11/16/23

**Rebecca Stevens, CDFM, PMP, MBA**  
 (301) 693-4080 • [becca7713@aol.com](mailto:becca7713@aol.com)

### **Summary**

A confident and effective financial leader in all aspects of government contract accounting in healthcare, transportation, aerospace and defense industries. Proven oversight of budgeting, accounting, and auditing functions for large-scale organizations seeking to control liabilities or gain revenue. An outstanding strategist distinguished for proven leadership and excellent auditing and resolution abilities. Extensive experience in the Department of Defense (DoD) healthcare sector of the federal government, overseeing financial management, budget projections, information technology (IT) acquisitions, process improvement, audit readiness, internal controls, grants management, and compliance with related statutes and regulations. Proven ability to form strategic partnerships with senior management and stakeholders has led to the successful implementation of complex projects, some with multi-million dollar budgets. Deft handling of resources in multiple appropriations and ability to build partnerships has yielded groundbreaking programs with a legacy of lasting institutional change. Exceptional performance reviews on a consistent basis. “Big Four” firm experience and active TS clearance.

### **Areas of Expertise**

Financial Analysis/Reporting • Auditing • Program Design • Certified Defense Financial Manager (CDFM)  
 Program Implementation • Process Improvement • Project Management Professional (PMP) • Cost Allowability  
 Healthcare • Federal Government • IT Acquisition • Contracts • Appropriations • Budgeting & Forecasting  
 Financial Databases • Risk Management • Aerospace and Defense • Trusted Advisor • Contracts • Consulting  
 Internal Controls • Compliance • Change Management • Incurred Costs • Contractor Business Systems

### **Professional Experience**

**Senior Director Government Accounting & Compliance – Saab, Inc.**

2023 - present

**Director Internal Audit, Government Compliance**

**L3Harris**

2018 – 2023

- Responsible for leading a department that ensures compliance with government contracting rules and regulations (Defense Federal Acquisition Regulation Supplement (DFARS) for a top Aerospace and Defense contractor including the execution of business system (Accounting, Estimating, Material Management (MMAS), Purchasing, Property, Earned Value Management (EVMS)), timecard (Mandatory Annual Audit Requirement (MAAR) 6) and Cost Accounting Standards (CAS) audits across ~60 CAS 410 entities.
- Perform an annual risk assessment to develop a portfolio of audits mitigating compliance risks and delivering value.
- Successfully execute an audit plan of government compliance audits, year-over-year.
- Collaborate with business unit leadership and functional teams to identify remediation plans addressing audit observations and promoting best practices across the company.
- Prepare quarterly updates to the Audit Committee of the Board of Directors regarding results of the performed audits/reviews and audit plan execution/changes.
- Upskill talent and support organic growth of resources by maturing staff into a high performing team focusing on individual strengths, providing training, aligning skillsets and employee recognition leading to increased audit performance efficiencies and transition opportunities to the business.
- Key advisor for the Timecard Manager’s Dashboard and corporate time and labor harmonization initiatives.
- Implemented a digital automation tool and established an insider threat continuous evaluation program for monitoring suspended and debarred government exclusions.
- Pivoted from an onsite work model to a fully remote model while maintaining employee engagement and effective audit execution.
- Adopted an innovative audit approach designed to focus on a single source topic, reporting on best practices, areas for improvement and trends.

## **Manager Government Compliance and Accounting**

**CSX**

2014 – 2016

- Led a department that ensures compliance with government billing rules and regulations (Federal Acquisition Regulation (FAR), Code of Federal Regulations (CFR), CAS) including the development and implementation of compliance controls (Buy America), calculation and submission of indirect cost rates, OMB A-133, uniform guidance and state single audit reports, review audit of findings and development of corrective action plans, and fostering relationships with internal customers and external government agencies.
- Managed and developed mid-level management team of professionals.
- Developed processes to improve electronic invoicing and prompt payments.
- Established and led cross-functional initiatives aimed at improving company compliance (timekeeping).
- Implemented system enhancements including the automation of indirect cost rate calculations.

## **Regional Manager Internal Controls**

**Deloitte & Touché**

2007 – 2014

- Developed, implemented, and supported an ongoing Financial Improvement and Audit Readiness (FIAR) program for the Department of Navy, Bureau of Medicine and Surgery, to include assisting with the definition and development of a corporate communication strategy and execution plan for business process improvement.
- Advocated for the region within the organization, including subordinate commands.
- Successfully oversaw the analysis, testing, correction, and implementation of internal controls for business processes with a material impact on the financial statements.

## **Deputy Director Programs and Budget**

**Federal Government (GS-14)**

2006 – 2007

- Managed financial operations for the Program Executive Office (PEO), Joint Medical Information Systems Office (JMISO), responsible for large-scale IT projects totaling \$780 million (M). Advised on executive control, direction, oversight, and creation of policy in financial planning, programming, budget formulation and execution, contract financial administration, and cost estimating.
- Made key fiscal recommendations and effectively oversaw seven program offices in accordance with the defense acquisition process and the Defense Planning Programming Budgeting Execution System (PPBE).
- Coordinated development and implementation of comprehensive studies, including data collection and organization, preparation of final reports, and recommendations.
- Developed long range, intermediate, and short range budget plans, coordinated resources, and provided a reporting and evaluation system to determine maximum fiscal efficiencies.

## **Senior Budget Analyst**

**Irving Burton Associates**

2000 – 2006

- Provided analysis and support for DoD TRICARE Central Information Management/Information Technology budget in excess of \$700M annually.
- Provided IT financial management, including review of contract setup, financial oversight, transferring funds, compliance with federal and contractual regulations, forecasting, and plan inputs.
- Modified the accounting system and control procedures to enhance efficiency and reduce data retrieval time.
- Enhanced intra-organizational communication resulting in harmonized financial practices.
- Allocated annual IT project budgets and reconciled accounts.
- Audited and reconciled financial databases to ensure integrity and accuracy of data.

## **Education & Professional Credentials**

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**Master of Business Administration (MBA), Financial Management, 2005**

George Mason University

**Bachelor of Science in Business Administration (BSBA), Economics, 1999**

University of Florida

Certified Defense Financial Manager (CDFM)

Project Management Professional (PMP)



# TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

**PLEASE NOTE: Members of the Board of Adjustment, Code Enforcement Board, Police Pension Board and the Planning & Zoning Board have the authority to commit Town funds and resources and/or to make decisions/recommendations that affect zoning, building and land use applications and legal standing. To ensure that members of these Boards provide the most informed and consistent information and resultant recommendations to the Commission, the Commission would like to meet with potential candidates at a Town Commission Workshop prior to appointment.**

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Name: Julianne Samuel Home Phone: 954-873-0744

Home Address: 2320 S. River Rd.

Mobile Phone: 954-873-0744 E-mail address: JULLIEROYE@GMAIL.COM

Business Name: POP FIZZ DESIGNS Business Phone: \_\_\_\_\_

Resume or Education & Experience (attach additional pages if necessary):

- owner of Pop Fizz Designs + Melby Toys.
- Girl Scout leader + school volunteer
- Have served on Parks board for 2+ yrs.

(Use additional sheets if necessary or submit resume)

Date of birth: 6/12/86 (to verify voter registration)  
(optional)

Are you a qualified elector of the town?  YES  NO

Are you a resident of the town?  YES  NO

Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO

Do you hold a public office?  YES  NO

Do you currently serve on a Town board?  YES  NO

If yes, which board? Parks Board

Please check the board(s) on which you are interested in serving: \*\* no financial disclosure required

- |  |  |
|--|--|
| <input type="checkbox"/> Board of Adjustment                   | <input type="checkbox"/> History Center Board **               |
| <input type="checkbox"/> Code Enforcement Board                | <input type="checkbox"/> History Preservation and Awareness ** |
| <input type="checkbox"/> Planning and Zoning Board             | <input checked="" type="checkbox"/> Parks Board                |
| <input type="checkbox"/> Police Pension Fund Board of Trustees | <input type="checkbox"/> Library Board                         |
| <input type="checkbox"/> Environmental Advisory Board **       |  |

Why do you think you are qualified to serve on this board? Have successfully helped run Spring Fest, Veterans Day and other park events.

Would you consider serving on another board other than the one(s) you have selected above?  YES  NO

Signature: [Handwritten Signature]

Date: 12/12/23

<b>Attachments:</b>	Proclamation
<b>Date Prepared:</b>	12-15-2023
<b>Prepared By:</b>	Fire Chief Gavin Brown
<b>Meeting Date:</b>	December 20, 2023

**Agenda Category:**

<input checked="" type="checkbox"/>	<b>Proclamations &amp; Awards</b>	<input type="checkbox"/>	<b>Public Hearings</b>
<input type="checkbox"/>	<b>Presentations</b>	<input type="checkbox"/>	<b>Old Business</b>
<input type="checkbox"/>	<b>Boards &amp; Committees</b>	<input type="checkbox"/>	<b>New Business</b>
<input type="checkbox"/>	<b>Consent</b>	<input type="checkbox"/>	<b>Other:</b>

<b>Subject:</b>	A proclamation commemorating 37 years of dedicated volunteer service to the Town of Melbourne Beach provided by Ret. Fire Chief David Micka
<b>Recommended Action:</b>	
<b>Background Information:</b>	<ol style="list-style-type: none"> <li>1. After 37 years of service to the Melbourne Beach Vol. Fire Department, Chief David Micka is finally retiring from active duty. Chief Micka joined the Fire Department in 1986, and quickly moved up through the ranks within the Department, serving in many capacities along the way including as a State Certified Volunteer Firefighter, Lieutenant, Safety Officer, Deputy Chief, Fire Marshal, and multiple times as the Town's Fire Chief. In addition to responding to emergency calls for service, over the course of his volunteer career, Chief Micka has written multiple successful grants for the Town of Melbourne Beach, securing hundreds of thousands of dollars, and providing a tremendous cost savings to our small community. His contributions and dedicated service ultimately shaped the Fire Department that exists today.</li> </ol>



**COMMEMORATING 37 YEARS OF DEDICATED VOLUNTEER SERVICE TO THE TOWN OF  
MELBOURNE BEACH PROVIDED BY RET. FIRE CHIEF DAVID MICKA**

**WHEREAS**, Chief David Micka joined the Melbourne Beach Volunteer Fire Department in 1986, and has faithfully served his community as a volunteer firefighter for the past 37 years; and

**WHEREAS**, Chief Micka was a founding member of the Department's Water Rescue Team, which was established in 1995 as one of the first in Brevard County; and

**WHEREAS**, Chief Micka was also actively involved in fighting the monumental 1998 wildfires in Florida, choosing to take vacation time from his paying job to help support the firefighting effort, ultimately contributing to saving many lives and property during the 3 month disaster; and

**WHEREAS**, over the course of his volunteer career, Chief Micka has served the Department in many capacities, including as a State Certified Volunteer Firefighter, Lieutenant, Safety Officer, Deputy Chief, Fire Marshal, and multiple times as the Town's Fire Chief; and

**WHEREAS**, in addition to responding to emergency calls for service, Chief Micka has written multiple successful grants for the Town of Melbourne Beach, securing hundreds of thousands of dollars in equipment, and providing a tremendous cost savings to our small community; and

**WHEREAS**, today, even after his retirement from active duty, Chief Micka, as a State Certified Fire Instructor, continues to give back and pass on his vast experience and knowledge to the Department's new firefighters; and

**WHEREAS**, Chief Micka's individual accomplishments and contributions to the Town of Melbourne Beach over the past 37 years are far too many to name individually, but recognizing that his dedicated service ultimately shaped the Fire Department that exists today;

**NOW, THEREFORE**, be it resolved that I, Mayor Alison Dennington, and the members of the Town of Melbourne Beach Commission, on behalf of a grateful community, do hereby recognize all that Chief David Micka has accomplished to support the Melbourne Beach Volunteer Fire Department, and formally extend our thanks for his above and beyond service in keeping our community safe for the past 37 years. Thank you Chief Micka for all you have done for the Town of Melbourne Beach and congratulations on your well-earned retirement after a lifetime of service!



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# Memo

To: Mayor, Vice Mayor and Commissioners  
From: Jennifer Kerr, Finance Manager  
Date: December 8, 2023  
Re: November Fiscal Year 2024

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We are in the second month of our fiscal year 2024. The target expenditure rate for November is 16.67%. All departments are in the process of purchasing all budget approved capital items. Some budget lines are fully expended early in the budget year while other lines like salaries and health insurance are paid on a monthly basis. The total General Fund expenditure rate, year to date is 11.56%. The Departmental expenditure rate breakdown is as follows:

Legislative:	11.92%
Executive:	14.20%
Finance:	13.24%
Legal:	09.37%
Comp & Plan:	00.36%
General Services:	11.42%
Law Enforcement:	12.04%
Fire:	09.78%
Code:	11.51%
Public Works:	12.30%
Grounds Keeping:	07.74%
Parks:	5.66%

**Discussion Items:**

The Town received Parking Revenue for November FY2024 in the amount of \$7,755.39. Parking revenue for November FY2023 was \$8,835.42.

- A Fiscal Year (FY) parking comparison is attached.

I attended the Florida Recovery Obligation Calculation (F-ROC) class. This is a new initiative, sponsored by the Florida Division of Emergency Management (FDEM) that standardizes, streamlines, and simplifies the Public Assistance process. This aids in quicker recovery of state and federal funds and reduces risks for applicants.



**Parking Revenue FY Comparison**

<b>FY23</b>	<b>Oct-23</b>	<b>Nov-23</b>	<b>Dec-23</b>	<b>Jan-23</b>	<b>Feb-23</b>	<b>Mar-23</b>	<b>Apr-23</b>	<b>May-23</b>	<b>Jun-23</b>	<b>Jul-23</b>	<b>TOTAL</b>
<b>Ocean</b>	4,921.04	3,785.42	3,456.88	4,996.04	8,137.70	13,056.24	9,875.00	10,732.69	10,164.36	13,312.63	97,708.60
<b>Ryckman</b>	6,354.35	5,050.00	6,359.91	6,415.41	8,745.55	10,817.72	9,235.16	9,540.80	7,688.74	9,178.92	92,286.10
<b>Total</b>	11,275.39	8,835.42	9,816.79	11,411.45	16,883.25	23,873.96	19,110.16	20,273.49	17,853.10	22,491.55	<b>189,994.70</b>

<b>FY24</b>	<b>Oct-23</b>	<b>Nov-23</b>	<b>Dec-24</b>	<b>Jan-24</b>	<b>Feb-24</b>	<b>Mar-24</b>	<b>Apr-24</b>	<b>May-24</b>	<b>Jun-24</b>	<b>Jul-24</b>	<b>TOTAL</b>
<b>Ocean</b>	4,323.54	3,669.99									7,993.53
<b>Ryckman</b>	5,616.47	4,085.40									9,701.87
<b>Total</b>	9,940.01	7,755.39	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	<b>17,695.40</b>

## REVENUE AND EXPENDITURE FOR TOWN OF MELBOURNE BEACH

1

Balance As Of 11/30/2023

## Fund: 001 GENERAL FUND

Account Category: Revenues	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-00-311.00.00	AD VALOREM TAXES	2,685,662.00	0.00	2,118,859.78	21.10
001-00-312.41.00	LOCAL OPTION COUNTY GAS TAX	125,000.00	0.00	125,000.00	0.00
001-00-314.10.00	UTILITY SERVICES TAX FPL	276,000.00	0.00	240,075.66	13.02
001-00-314.30.00	UTILITY SERVICES TAX WATER	54,000.00	0.00	48,866.89	9.51
001-00-314.40.00	UTILITY SERVICES TAX GAS	0.00	0.00	(249.45)	100.00
001-00-314.40.10	UTILTIY GAS TAX AMERIGAS	8,500.00	0.00	7,835.29	7.82
001-00-314.40.20	UTILITY GAS TAX SUBURBAN	1,300.00	0.00	1,300.00	0.00
001-00-314.40.30	UTILTIY GAS TAX FERRELL	2,500.00	0.00	2,169.94	13.20
001-00-314.40.40	UTILITY GAS TAX SAM'S GAS	100.00	0.00	100.00	0.00
001-00-315.00.00	COMMUNICATIONS SERVICE TAX	145,000.00	0.00	145,000.00	0.00
001-00-316.00.00	OCCP. LIC	15,000.00	0.00	4,567.74	69.55
001-00-323.10.00	FRANCHISE FEES FPL	215,000.00	0.00	215,000.00	0.00
001-00-323.70.00	FRANCHISE FEES SOLID WASTE	44,000.00	0.00	40,142.97	8.77
001-00-323.70.10	SOLID WASTE COMMERCIAL	15,000.00	0.00	12,238.94	18.41
001-00-329.20.00	BONFIRE PERMIT	350.00	0.00	50.00	85.71
001-00-329.50.00	LOW SPEED VEHICLE REGISTRATIC	500.00	0.00	0.00	100.00
001-00-329.50.10	LOW SPEED VEHICLE PERMIT FEE	600.00	0.00	350.00	41.67
001-00-331.12.00	FEMA	0.00	0.00	(10,718.74)	100.00
001-00-334.10.00	FEMA STATE GRANT	0.00	0.00	(1,786.46)	100.00
001-00-334.40.00	FMIT SAFETY GRANT	7,000.00	0.00	7,000.00	0.00
001-00-335.12.00	STATE REVENUE SHARING PROCEI	112,000.00	0.00	94,318.09	15.79
001-00-335.15.00	ALCOHOLIC BEVERAGE LICENSES	4,300.00	0.00	4,300.00	0.00
001-00-335.18.00	HALF CENT SALES TAX LOCAL GOV	225,000.00	0.00	225,000.00	0.00
001-00-342.20.00	SAFETY INSPECT FEE VAC RENTAL	1,200.00	0.00	600.00	50.00
001-00-342.20.10	SAFETY RENEWAL-VAC RENTALS	1,600.00	0.00	850.00	46.88
001-00-345.10.00	VAC RENTAL APP FEE-INITIAL	4,000.00	0.00	2,000.00	50.00
001-00-345.10.10	VAC RENEWAL FEE - RENTALS	4,725.00	0.00	2,975.00	37.04
001-00-361.10.00	INTEREST ON INVESTMENTS	12,000.00	0.00	9,501.47	20.82
001-00-369.00.00	MISCELLANEOUS REVENUE	2,500.00	0.00	559.30	77.63

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-00-369.00.49	INSURANCE RECOVERY	100.00	0.00	100.00	0.00
001-00-381.00.00	TRANSFERS IN	194,000.00	0.00	194,000.00	0.00
					16.04
Department: 21 LAW ENFORCEMENT					
001-21-312.52.00	INSURANCE PREMIUM TAX	45,500.00	0.00	45,500.00	0.00
001-21-337.20.00	SCHOOL RESOURCE OFFICER	68,500.00	0.00	51,375.00	25.00
001-21-337.90.01	OTHER GRANTS	6,000.00	0.00	6,000.00	0.00
001-21-351.00.00	FINES - LAW ENFORCEMENT	5,000.00	0.00	4,270.18	14.60
001-21-351.13.00	PARKING TICKETS	500.00	0.00	500.00	0.00
001-21-351.13.10	ACCIDENT REPORT	200.00	0.00	150.00	25.00
001-21-364.10.00	DISPOSAL OF ASSETS - VEHICLES	200.00	0.00	200.00	0.00
001-21-369.00.00	MISCELLANEOUS REVENUE	100.00	0.00	100.00	0.00
					14.21
Department: 22 FIRE CONTROL					
001-22-322.30.00	FIRE PROTECTIVE SERVICES	2,000.00	0.00	(135.00)	106.75
001-22-364.20.00	DISPOSAL OF ASSETS - OTHER	100.00	0.00	100.00	0.00
001-22-369.55.10	SHARED TRAINING	500.00	0.00	500.00	0.00
					82.12
Department: 29 CODE ENFORCEMENT					
001-29-359.00.00	OTHER FINES AND FORFEITURES	1,000.00	0.00	1,000.00	0.00
					0.00
Department: 41 PUBLIC WORKS					
001-41-364.10.00	DISPOSAL OF ASSETS - VEHICLES	500.00	0.00	500.00	0.00
					0.00
Department: 72 PARKS & RECREATION					
001-72-347.41.00	FOUNDER'S DAY	7,000.00	0.00	7,000.00	0.00
001-72-347.50.00	FACILITY RENTALS	6,000.00	0.00	5,055.00	15.75
001-72-366.19.00	TH DONATIONS - KIDS BUSINESS F	5,000.00	0.00	5,000.00	0.00
					5.25
<b>Overall Revenue Rate:</b>					15.98

Account Category: Expenditures	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
Department: 11 LEGISLATIVE					
001-11-500.11.00	EXECUTIVE SALARIES	16,200.00	0.00	13,816.69	14.71
001-11-500.12.00	REGULAR SALARIES	60,113.00	0.00	52,176.73	13.20
001-11-500.21.00	FICA TAXES - EMPLOYER PORTION	5,838.00	0.00	5,075.38	13.06
001-11-500.22.20	RETIREMENT TOWN EMPLOYEES	8,157.00	0.00	7,080.05	13.20
001-11-500.23.01	HEALTH INSURANCE	6,534.00	0.00	5,021.25	23.15
001-11-500.23.02	LIFE INSURANCE	71.00	0.00	54.11	23.79
001-11-500.25.00	UNEMPLOYMENT COMPENSATIOI	244.00	0.00	232.09	4.88
001-11-510.31.00	PROFESSIONAL SERVICES	250.00	0.00	250.00	0.00
001-11-510.40.00	TRAVEL & MEETINGS	4,465.00	0.00	4,040.38	9.51
001-11-510.40.10	TRAVEL & MEETINGS - STAFF	2,100.00	0.00	1,795.87	14.48
001-11-510.47.00	PRINTING	12,593.00	0.00	12,593.00	0.00
001-11-510.48.00	PROMOTIONAL ACTIVITIES	800.00	0.00	800.00	0.00
001-11-510.48.40	LEGAL NOTICES	10,000.00	0.00	10,000.00	0.00
001-11-510.49.50	ELECTION EXPENSE	11,000.00	0.00	11,000.00	0.00
001-11-510.54.00	DUES & SUBSCRIPTIONS	720.00	0.00	220.00	69.44
001-11-510.54.10	TRAINING & SCHOOLS	3,560.00	0.00	3,060.00	14.04
001-11-510.64.01	CAPITAL OUTLAY	85,700.00	4,740.00	71,800.00	16.22
001-11-543.00.00	LICENSES & FEES	34,267.00	0.00	27,550.36	19.60
					11.92
Department: 12 EXECUTIVE					
001-12-500.12.00	REGULAR SALARIES	147,720.00	0.00	128,142.90	13.25
001-12-500.21.00	FICA TAXES - EMPLOYER PORTION	11,301.00	0.00	9,599.18	15.06
001-12-500.22.01	RETIREMENT - ICMA	15,247.00	0.00	13,241.76	13.15
001-12-500.22.20	RETIREMENT TOWN EMPLOYEES	4,937.00	0.00	4,285.64	13.19
001-12-500.23.01	HEALTH INSURANCE	28,117.00	0.00	22,349.98	20.51
001-12-500.23.02	LIFE INSURANCE	828.00	0.00	635.23	23.28
001-12-500.25.00	UNEMPLOYMENT COMPENSATIOI	212.00	0.00	182.04	14.13
001-12-510.40.00	TRAVEL & MEETINGS	1,820.00	0.00	1,785.00	1.92
001-12-510.49.99	MISCELLANEOUS	300.00	0.00	300.00	0.00
001-12-510.52.50	GAS & OIL	2,400.00	0.00	2,000.00	16.67
001-12-510.54.00	DUES & SUBSCRIPTIONS	3,511.00	0.00	2,909.00	17.15

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-12-510.54.10	TRAINING & SCHOOLS	1,680.00	0.00	1,680.00	0.00
					14.20
Department: 13 FINANCE					
001-13-500.12.00	REGULAR SALARIES	112,950.00	0.00	98,037.87	13.20
001-13-500.21.00	FICA TAXES - EMPLOYER PORTION	8,641.00	0.00	7,504.85	13.15
001-13-500.22.20	RETIREMENT TOWN EMPLOYEES	15,327.00	0.00	13,303.41	13.20
001-13-500.23.01	HEALTH INSURANCE	39,000.00	0.00	33,206.58	14.85
001-13-500.23.02	LIFE INSURANCE	297.00	0.00	263.22	11.37
001-13-500.25.00	UNEMPLOYMENT COMPENSATIOI	158.00	0.00	135.65	14.15
001-13-510.32.00	AUDITING SERVICES	32,600.00	0.00	27,850.00	14.57
001-13-510.32.90	BANKING FEES	12,916.00	0.00	10,882.67	15.74
001-13-510.40.00	TRAVEL & MEETINGS	1,221.00	0.00	1,191.25	2.44
001-13-510.47.00	PRINTING	216.00	0.00	216.00	0.00
001-13-510.54.00	DUES & SUBSCRIPTIONS	60.00	0.00	60.00	0.00
001-13-510.54.10	TRAINING & SCHOOLS	1,000.00	0.00	1,000.00	0.00
001-13-543.00.00	LICENSES & FEES	7,785.00	0.00	7,785.00	0.00
					13.24
Department: 14 LEGAL COUNSEL					
001-14-510.31.00	PROFESSIONAL SERVICES	97,000.00	0.00	86,975.00	10.34
001-14-510.31.01	CODE ENFORCEMENT ATTORNEY	10,000.00	0.00	10,000.00	0.00
					9.37
Department: 15 COMPREHENSIVE PL/					
001-15-510.31.00	PROFESSIONAL SERVICES	26,000.00	0.00	25,906.25	0.36
					0.36
Department: 16 FEMA - HURRICANE D					
001-16-520.52.05	PROTECTIVE GEAR	0.00	0.00	67.76	100.00
				67.76	100.00

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
Department: 19 GENERAL SERVICES					
001-19-500.24.00	WORKERS COMPENSATION	3,687.00	0.00	3,687.00	0.00
001-19-510.31.00	PROFESSIONAL SERVICES	4,620.00	0.00	3,967.50	14.12
001-19-510.31.11	SECURITY	1,000.00	0.00	1,000.00	0.00
001-19-510.34.10	JANITORIAL SERVICES	17,000.00	0.00	14,482.00	14.81
001-19-510.35.00	PRE-EMPLOYMENT EXP	400.00	0.00	400.00	0.00
001-19-510.41.00	TELEPHONE	25,080.00	0.00	22,621.76	9.80
001-19-510.41.10	COMMUNICATION SERVICES	45,372.00	0.00	35,633.84	21.46
001-19-510.43.00	STREET LIGHTS	50,400.00	0.00	46,151.10	8.43
001-19-510.43.10	ELECTRICITY	33,600.00	0.00	30,516.89	9.18
001-19-510.43.20	WATER & SEWER	3,650.00	0.00	3,382.19	7.34
001-19-510.43.50	WASTE TAX SERVICE	2,500.00	0.00	70.45	97.18
001-19-510.45.00	GENERAL LIABILITY INSURANCE	94,000.00	0.00	72,845.50	22.50
001-19-510.45.01	FLOOD INSURANCE	5,690.00	0.00	5,690.00	0.00
001-19-510.45.02	PROPERTY INSURANCE	128,000.00	0.00	103,449.75	19.18
001-19-510.45.03	AUTO INSURANCE	9,000.00	0.00	6,578.00	26.91
001-19-510.46.10	OFFICE EQUIPMENT MAINTENANC	4,832.00	0.00	4,136.42	14.40
001-19-510.46.15	EQUIPMENT MAINTENANCE	31,500.00	0.00	31,370.00	0.41
001-19-510.46.36	PEST CONTROL	3,120.00	0.00	2,500.00	19.87
001-19-510.47.00	PRINTING	900.00	0.00	900.00	0.00
001-19-510.49.90	ADOPT AN AREA	1,000.00	0.00	1,000.00	0.00
001-19-510.49.98	CONTINGENCY	25,000.00	0.00	25,000.00	0.00
001-19-510.49.99	MISCELLANEOUS	300.00	0.00	147.13	50.96
001-19-510.51.00	OFFICE SUPPLIES	11,000.00	0.00	9,354.72	14.96
001-19-510.51.10	POSTAGE	1,500.00	0.00	1,207.25	19.52
001-19-510.52.10	JANITORIAL SUPPLIES	5,400.00	0.00	4,325.07	19.91
001-19-510.54.00	DUES & SUBSCRIPTIONS	435.00	0.00	435.00	0.00
001-19-510.64.01	CAPITAL OUTLAY	148,000.00	0.00	141,005.00	4.73
001-19-543.00.00	LICENSES & FEES	20,585.00	0.00	19,552.81	5.01
001-19-581.00.00	TRANSFER OUT	77,000.00	0.00	77,000.00	0.00
					11.42

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
Department: 21 LAW ENFORCEMENT					
001-21-500.12.00	REGULAR SALARIES	721,855.00	0.00	640,946.71	11.21
001-21-500.12.50	HOLIDAY PAY	23,000.00	0.00	21,746.69	5.45
001-21-500.14.00	SALARIES OVERTIME	15,000.00	0.00	12,399.68	17.34
001-21-500.14.16	HURRICANE PAY	18,000.00	0.00	18,000.00	0.00
001-21-500.15.00	EDUCATION INCENTIVE PAY	7,634.00	0.00	6,665.43	12.69
001-21-500.15.01	FIRST RESPONDER	6,000.00	0.00	5,146.43	14.23
001-21-500.21.00	FICA TAXES - EMPLOYER PORTION	54,888.00	0.00	48,417.41	11.79
001-21-500.22.02	POLICE PENSION	142,500.00	0.00	143,089.57	(0.41)
001-21-500.22.20	RETIREMENT TOWN EMPLOYEES	5,217.00	0.00	4,566.02	12.48
001-21-500.23.01	HEALTH INSURANCE	105,440.00	0.00	84,601.60	19.76
001-21-500.23.02	LIFE INSURANCE	2,900.00	0.00	2,303.72	20.56
001-21-500.23.10	STATUTORY AD&D	1,000.00	0.00	(162.50)	116.25
001-21-500.24.00	WORKERS COMPENSATION	8,848.00	0.00	8,848.00	0.00
001-21-500.25.00	UNEMPLOYMENT COMPENSATIOI	2,296.00	0.00	2,165.42	5.69
001-21-520.31.00	PROFESSIONAL SERVICES	725.00	0.00	675.00	6.90
001-21-520.34.40	DISPATCHING SERVICES	18,319.00	0.00	(549.11)	103.00
001-21-520.35.00	PRE-EMPLOYMENT EXPENSE	1,000.00	0.00	695.00	30.50
001-21-520.40.00	TRAVEL & MEETINGS	3,184.00	0.00	3,184.00	0.00
001-21-520.41.10	COMMUNICATION SERVICES	6,000.00	0.00	4,167.02	30.55
001-21-520.46.10	OFFICE EQUIPMENT MAINTENANC	7,000.00	0.00	7,000.00	0.00
001-21-520.46.15	EQUIPMENT MAINTENANCE	2,500.00	0.00	250.00	90.00
001-21-520.46.16	RADAR CALIBRATION	250.00	0.00	132.00	47.20
001-21-520.46.20	VEHICLE MAINTENANCE	17,000.00	0.00	14,517.80	14.60
001-21-520.48.00	PROMOTIONAL ACTIVITIES	1,500.00	0.00	1,500.00	0.00
001-21-520.48.50	CRIME PREVENTION	1,500.00	0.00	1,469.26	2.05
001-21-520.49.99	MISCELLANEOUS	100.00	0.00	100.00	0.00
001-21-520.51.10	POSTAGE	125.00	0.00	125.00	0.00
001-21-520.52.00	UNIFORMS	8,500.00	0.00	8,379.09	1.42
001-21-520.52.05	PROTECTIVE GEAR	3,500.00	0.00	3,500.00	0.00
001-21-520.52.50	GAS & OIL	25,000.00	0.00	21,587.36	13.65
001-21-520.52.70	MEDICAL	800.00	0.00	800.00	0.00

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-21-520.52.90	OPERATING SUPPLIES	3,000.00	0.00	2,932.03	2.27
001-21-520.54.00	DUES & SUBSCRIPTIONS	1,175.00	0.00	680.00	42.13
001-21-520.54.10	TRAINING & SCHOOLS	6,400.00	0.00	6,400.00	0.00
001-21-520.64.01	Capital Outlay	8,400.00	0.00	8,400.00	0.00
001-21-543.00.00	LICENSES & FEES	14,646.00	0.00	8,843.90	39.62
001-21-581.00.00	TRANSFER OUT	15,000.00	0.00	15,000.00	0.00
					12.04
Department: 22 FIRE CONTROL					
001-22-500.12.00	REGULAR SALARIES	96,226.00	0.00	83,672.43	13.05
001-22-500.14.16	HURRICANE PAY	1,890.00	0.00	1,890.00	0.00
001-22-500.14.50	STIPEND PAYROLL	44,000.00	0.00	44,000.00	0.00
001-22-500.21.00	FICA TAXES - EMPLOYER PORTION	10,727.00	0.00	9,740.32	9.20
001-22-500.22.01	RETIREMENT - ICMA	9,248.00	0.00	8,027.12	13.20
001-22-500.22.20	RETIREMENT TOWN EMPLOYEES	3,591.00	0.00	3,108.37	13.44
001-22-500.23.01	HEALTH INSURANCE	28,200.00	0.00	21,606.03	23.38
001-22-500.23.02	LIFE INSURANCE	148.00	0.00	114.22	22.82
001-22-500.23.10	STATUTORY AD&D	207.00	0.00	(162.50)	178.50
001-22-500.24.00	WORKERS COMPENSATION	16,222.00	0.00	7,810.00	51.86
001-22-500.25.00	UNEMPLOYMENT COMPENSATIOI	241.00	0.00	222.21	7.80
001-22-520.34.40	DISPATCHING SERVICES	5,400.00	0.00	5,400.00	0.00
001-22-520.35.00	PRE-EMPLOYMENT EXPENSE	2,060.00	0.00	2,060.00	0.00
001-22-520.36.00	ANNUAL PHYSICALS	4,375.00	0.00	4,375.00	0.00
001-22-520.40.00	TRAVEL & MEETINGS	750.00	0.00	606.00	19.20
001-22-520.41.10	COMMUNICATION SERVICES	1,944.00	0.00	1,458.00	25.00
001-22-520.46.15	EQUIPMENT MAINTENANCE	10,000.00	0.00	8,992.99	10.07
001-22-520.46.20	VEHICLE MAINTENANCE	32,000.00	0.00	31,669.03	1.03
001-22-520.46.30	BUILDING MAINTENANCE	1,000.00	0.00	969.42	3.06
001-22-520.48.55	FIRE PREVENTION	0.00	0.00	(630.36)	100.00
001-22-520.51.00	OFFICE SUPPLIES	800.00	0.00	800.00	0.00
001-22-520.52.00	UNIFORMS	12,650.00	0.00	12,650.00	0.00
001-22-520.52.02	S.C.B.A.	2,550.00	0.00	129.44	94.92
001-22-520.52.05	PROTECTIVE GEAR	2,925.00	0.00	2,925.00	0.00



	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-22-520.52.10	JANITORIAL SUPPLIES	1,000.00	0.00	936.53	6.35
001-22-520.52.20	TOOLS & HARDWARE	10,500.00	0.00	10,500.00	0.00
001-22-520.52.50	GAS & OIL	5,000.00	0.00	4,777.83	4.44
001-22-520.52.70	MEDICAL	1,400.00	0.00	1,400.00	0.00
001-22-520.54.00	DUES & SUBSCRIPTIONS	610.00	0.00	235.00	61.48
001-22-520.54.10	TRAINING & SCHOOLS	5,525.00	0.00	5,263.00	4.74
001-22-520.54.12	TRAINING MATERIALS	3,200.00	0.00	2,971.61	7.14
001-22-520.64.01	Capital Outlay	82,369.00	0.00	82,369.00	0.00
001-22-543.00.00	LICENSES & FEES	13,473.00	0.00	6,633.00	50.77
001-22-581.00.00	TRANSFER OUT	36,500.00	0.00	36,500.00	0.00

9.78

## Department: 29 CODE ENFORCEMENT

001-29-500.12.00	REGULAR SALARIES	15,792.00	0.00	13,870.14	12.17
001-29-500.21.00	FICA TAXES - EMPLOYER PORTION	1,208.00	0.00	1,039.00	13.99
001-29-500.22.20	RETIREMENT TOWN EMPLOYEES	2,143.00	0.00	1,843.19	13.99
001-29-500.23.10	STATUTORY AD&D	21.00	0.00	0.00	100.00
001-29-500.24.00	WORKERS COMPENSATION	738.00	0.00	738.00	0.00
001-29-500.25.00	UNEMPLOYMENT COMPENSATIOI	51.00	0.00	47.70	6.47
001-29-520.40.00	TRAVEL & MEETINGS	50.00	0.00	50.00	0.00
001-29-520.46.12	MAINTENANCE SUPPLIES	100.00	0.00	100.00	0.00
001-29-520.46.20	VEHICLE MAINTENANCE	150.00	0.00	150.00	0.00
001-29-520.48.55	FIRE PREVENTION	4,600.00	0.00	3,850.00	16.30
001-29-520.51.00	OFFICE SUPPLIES	125.00	0.00	125.00	0.00
001-29-520.51.10	POSTAGE	350.00	0.00	350.00	0.00
001-29-520.51.20	RECORDING COSTS	120.00	0.00	120.00	0.00
001-29-520.52.00	UNIFORMS	300.00	0.00	300.00	0.00
001-29-520.54.00	DUES & SUBSCRIPTIONS	150.00	0.00	150.00	0.00
001-29-520.54.10	TRAINING & SCHOOLS	600.00	0.00	600.00	0.00
001-29-543.00.00	LICENSES & FEES	1,000.00	0.00	1,000.00	0.00

11.51

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
Department: 41 PUBLIC WORKS					
001-41-500.12.00	REGULAR SALARIES	253,947.00	0.00	221,994.22	12.58
001-41-500.14.00	SALARIES OVERTIME	4,000.00	0.00	4,000.00	0.00
001-41-500.21.00	FICA TAXES - EMPLOYER PORTION	19,427.00	0.00	16,950.51	12.75
001-41-500.22.20	RETIREMENT TOWN EMPLOYEES	34,461.00	0.00	30,125.04	12.58
001-41-500.23.01	HEALTH INSURANCE	46,000.00	0.00	36,825.21	19.95
001-41-500.23.02	LIFE INSURANCE	294.00	0.00	214.90	26.90
001-41-500.23.10	STATUTORY AD&D	83.00	0.00	0.00	100.00
001-41-500.24.00	WORKERS COMPENSATION	4,424.00	0.00	4,424.00	0.00
001-41-500.25.00	UNEMPLOYMENT COMPENSATIOI	813.00	0.00	764.18	6.00
001-41-530.40.00	TRAVEL & MEETINGS	150.00	0.00	150.00	0.00
001-41-530.43.15	ELECTRICAL WORK	5,000.00	0.00	4,800.00	4.00
001-41-530.43.50	DUMP SERVICE	2,000.00	0.00	2,000.00	0.00
001-41-530.46.12	MAINTENANCE SUPPLIES	6,500.00	0.00	6,450.63	0.76
001-41-530.46.15	EQUIPMENT MAINTENANCE	5,000.00	0.00	4,856.72	2.87
001-41-530.46.20	VEHICLE MAINTENANCE	9,500.00	0.00	9,230.91	2.83
001-41-530.46.30	BUILDING MAINTENANCE	9,000.00	0.00	8,789.90	2.33
001-41-530.46.31	MAINTENANCE OLD TOWN HALL	600.00	0.00	600.00	0.00
001-41-530.46.32	RYCKMAN HOUSE	1,000.00	0.00	(700.00)	170.00
001-41-530.46.33	OLD POST OFFICE REPAIRS	2,000.00	0.00	1,869.69	6.52
001-41-530.46.35	PIER MAINTENANCE	1,000.00	0.00	1,000.00	0.00
001-41-530.46.40	GROUNDS MAINTENANCE	10,000.00	0.00	8,533.34	14.67
001-41-530.52.00	UNIFORMS	3,750.00	0.00	2,960.54	21.05
001-41-530.52.05	PROTECTIVE GEAR	2,500.00	0.00	2,260.60	9.58
001-41-530.52.20	TOOLS & HARDWARE	5,000.00	0.00	4,861.70	2.77
001-41-530.52.25	TOOL RENTALS	1,500.00	0.00	645.85	56.94
001-41-530.52.50	GAS & OIL	7,000.00	0.00	5,656.23	19.20
001-41-530.53.10	STREET REPAIR	7,500.00	0.00	5,863.86	21.82
001-41-530.53.20	STREET SIGNS	8,000.00	0.00	7,983.87	0.20
001-41-530.54.10	TRAINING & SCHOOLS	1,500.00	0.00	1,500.00	0.00
001-41-530.57.25	WELDING	200.00	0.00	200.00	0.00
001-41-530.64.01	CAPITAL OUTLAY	4,000.00	0.00	4,000.00	0.00

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
001-41-581.00.00	TRANSFER OUT	10,000.00	0.00	10,000.00	0.00
					12.30
Department: 42 GROUNDS KEEPING					
001-42-530.34.91	LANDSCAPING	22,300.00	0.00	18,239.20	18.21
001-42-530.46.15	EQUIPMENT MAINTENANCE	2,500.00	0.00	2,286.08	8.56
001-42-530.46.40	GROUNDS MAINTENANCE	26,000.00	0.00	25,569.41	1.66
001-42-530.46.43	TREE EXPENSE	3,000.00	0.00	3,000.00	0.00
001-42-530.52.00	UNIFORMS	3,125.00	0.00	3,125.00	0.00
001-42-530.52.05	PROTECTIVE GEAR	575.00	0.00	575.00	0.00
001-42-530.52.20	TOOLS & HARDWARE	500.00	0.00	424.02	15.20
001-42-530.52.50	GAS & OIL	1,000.00	0.00	858.17	14.18
001-42-530.54.10	TRAINING & SCHOOLS	375.00	0.00	375.00	0.00
001-42-530.64.01	CAPITAL OUTLAY	4,250.00	0.00	4,250.00	0.00
					7.74
Department: 72 PARKS & RECREATION					
001-72-570.48.10	FOUNDER'S DAY	8,000.00	0.00	8,000.00	0.00
001-72-570.48.50	MOVIES IN THE PARK	1,800.00	0.00	1,800.00	0.00
001-72-570.48.52	FOURTH OF JULY	1,000.00	0.00	1,000.00	0.00
001-72-570.48.53	CHRISTMAS DECORATIONS PARK	4,000.00	0.00	1,900.00	52.50
001-72-570.48.60	EASTER EGG HUNT	400.00	0.00	400.00	0.00
001-72-570.48.90	RECREATION PROGRAMS	5,000.00	0.00	4,597.81	8.04
001-72-570.48.91	CHILDREN'S BUSINESS FAIR	5,000.00	0.00	5,000.00	0.00
001-72-570.63.01	TENNIS COURT EXPEDITURES	700.00	0.00	700.00	0.00
001-72-570.63.02	BBALL & VBALL COURTS	700.00	0.00	0.00	100.00
001-72-570.64.01	CAPITAL OUTLAY	30,000.00	0.00	30,000.00	0.00
					5.66
<b>Overall Expenditure Rate:</b>					<b>11.56</b>

**Fund: 125 BUILDING DEPT**

<b>Account Category: Revenues</b>	<b>Description</b>	<b>ORIGINAL BUDGET</b>	<b>Encumbrance</b>	<b>Available</b>	<b>% Used</b>
Department: 24 PROTECTIVE INSPECT					
125-24-322.00.00	BUILDING PERMITS	240,000.00	0.00	215,619.09	10.16
125-24-322.10.00	ZONING PLAN REVIEW	2,500.00	0.00	2,500.00	0.00
125-24-322.10.10	SITE PLAN REVIEW P&Z	6,000.00	0.00	6,000.00	0.00
125-24-322.20.00	BUILDING PLAN REVIEW	5,500.00	0.00	5,500.00	0.00
125-24-322.31.00	BOA ADVERTISING COSTS	100.00	0.00	100.00	0.00
125-24-322.31.20	P&Z ADVERTISING	200.00	0.00	200.00	0.00
125-24-329.00.00	OTHER LICENSES, FEES & PERMITS	13,000.00	0.00	11,475.00	11.73
125-24-329.00.10	BOA VARIANCE FEES	1,000.00	0.00	420.00	58.00
125-24-354.00.00	LOCAL ORDINANCE VIOLATION	6,000.00	0.00	4,456.20	25.73
					<b>10.22</b>
<b>Account Category: Expenditures</b>					
125-24-500.12.00	REGULAR SALARIES	154,096.00	0.00	133,740.88	13.21
125-24-500.14.00	SALARIES OVERTIME	1,000.00	0.00	1,000.00	0.00
125-24-500.21.00	FICA TAXES - EMPLOYER PORTION	11,788.34	0.00	10,321.76	12.44
125-24-500.22.20	RETIREMENT TOWN EMPLOYEES	20,910.83	0.00	18,148.62	13.21
125-24-500.23.01	HEALTH INSURANCE	17,000.00	0.00	12,956.12	23.79
125-24-500.23.02	LIFE INSURANCE	136.00	0.00	108.13	20.49
125-24-500.23.10	STATUTORY AD&D	42.00	0.00	0.00	100.00
125-24-500.24.00	WORKERS COMPENSATION	1,475.00	0.00	1,475.00	0.00
125-24-500.25.00	UNEMPLOYMENT COMPENSATIOI	493.11	0.00	462.58	6.19
125-24-520.40.00	TRAVEL & MEETINGS	700.00	0.00	108.00	84.57
125-24-520.46.20	VEHICLE MAINTENANCE	800.00	0.00	585.49	26.81
125-24-520.51.00	OFFICE SUPPLIES	430.00	0.00	430.00	0.00
125-24-520.51.10	POSTAGE	75.00	0.00	75.00	0.00
125-24-520.52.00	UNIFORMS	560.00	0.00	560.00	0.00
125-24-520.52.20	TOOLS & HARDWARE	100.00	0.00	100.00	0.00
125-24-520.52.50	GAS & OIL	700.00	0.00	655.71	6.33
125-24-520.54.00	DUES & SUBSCRIPTIONS	1,500.00	0.00	1,475.00	1.67
125-24-520.54.10	TRAINING & SCHOOLS	400.00	0.00	50.00	87.50
125-24-543.00.00	LICENSES & FEES	3,490.00	0.00	3,490.00	0.00

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
125-24-581.00.00	TRANSFER OUT	20,000.00	0.00	20,000.00	0.00
					12.71
<b>Fund: 145 AMERICAN RESCUE PLAN</b>					
<b>Account Category: Revenues</b>					
Department: 00					
145-00-271.00.99	CARRY FORWARD	759,385.36	0.00	759,385.36	0.00
					0.00
<b>Account Category: Expenditures</b>					
Department: 41 PUBLIC WORKS					
145-41-530.64.01	CAPITAL OUTLAY	758,533.87	0.00	758,533.87	0.00
					0.00
<b>Fund: 172 OCEAN PARK PARKING FUI</b>					
<b>Account Category: Revenues</b>					
Department: 00					
172-00-271.00.99	CARRY FORWARD	51,144.00	0.00	51,144.00	0.00
					0.00
Department: 75 TOWN PARKS					
172-75-342.10.00	PARKING TICKET REVENUE	12,000.00	0.00	10,150.00	15.42
172-75-344.50.00	PARKING METER REVENUE	95,000.00	0.00	87,006.47	8.41
					9.20
<b>Account Category: Expenditures</b>					
172-75-575.31.02	LIFEGUARD CONTRACT	73,000.00	0.00	73,000.00	0.00
172-75-575.32.90	BANKING FEES	5,500.00	0.00	4,766.28	13.34
172-75-575.34.10	JANITORIAL CLEANING	1,800.00	0.00	1,500.00	16.67
172-75-575.34.91	LANDSCAPING	1,500.00	0.00	1,500.00	0.00
172-75-575.41.10	IPS COMMUNICATIONS FEE	5,000.00	0.00	4,782.85	4.34
172-75-575.43.10	ELECTRICITY	3,000.00	0.00	2,773.80	7.54
172-75-575.43.20	WATER & SEWER	1,200.00	0.00	1,112.64	7.28
172-75-575.43.50	DUMP SERVICE	250.00	0.00	250.00	0.00

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
172-75-575.46.12	MAINTENANCE SUPPLIES	3,000.00	0.00	2,961.74	1.28
172-75-575.46.31	BUILDING MAINT RESTROOMS	400.00	0.00	(119.19)	129.80
172-75-575.46.40	GROUNDS MAINTENANCE	1,200.00	0.00	1,073.52	10.54
172-75-575.52.10	JANITORIAL SUPPLIES	350.00	0.00	350.00	0.00
172-75-575.52.25	TOOL RENTAL	3,000.00	0.00	3,000.00	0.00
172-75-575.53.15	PARKING LOT REPAIRS	1,500.00	0.00	1,500.00	0.00
172-75-575.53.20	SIGNS	800.00	0.00	800.00	0.00
172-75-575.63.03	VOLLEYBALL COURT	2,000.00	0.00	2,000.00	0.00
172-75-575.64.01	CAPITAL OUTLAY	6,000.00	0.00	5,750.15	4.16
172-75-581.00.00	TRANSFER OUT	1,400.00	0.00	1,400.00	0.00
					2.25

**Fund: 175 RYCKMAN CROSSOVER PA**

**Account Category: Revenues**

Department: 00

175-00-271.00.99	CARRY FORWARD	120,556.74	0.00	120,556.74	0.00
					0.00

Department: 75 TOWN PARKS

175-75-342.10.00	PARKING TICKET REVENUE	3,500.00	0.00	2,300.00	34.29
175-75-344.50.00	PARKING METER REVENUE	89,000.00	0.00	79,298.13	10.90
175-75-344.50.10	PARK PASS REVENUE	2,500.00	0.00	2,400.00	4.00
					11.58

**Account Category: Expenditures**

175-75-575.31.00	PROFESSIONAL SERVICES	0.00	0.00	(3,000.00)	100.00
175-75-575.32.90	BANKING FEES	3,400.00	0.00	2,910.85	14.39
175-75-575.41.15	IPS COMMUNICATION FEE	2,800.00	0.00	2,655.24	5.17
175-75-575.47.00	PRINTING	0.00	0.00	(954.97)	100.00
175-75-575.48.52	FALL FESTIVAL	4,000.00	0.00	2,750.00	31.25
175-75-575.48.53	WINTER FESTIVAL	4,000.00	0.00	4,000.00	0.00
175-75-575.50.00	RECREATION PROGRAMS	10,500.00	0.00	9,600.00	8.57
175-75-575.64.01	CAPITAL OUTLAY	50,000.00	0.00	50,000.00	0.00
175-75-575.73.00	CULTURAL SERVICES	3,500.00	0.00	3,052.08	12.80

	Description	ORIGINAL BUDGET	Encumbrance	Available	% Used
175-75-581.00.00	TRANSFER OUT	31,500.00	0.00	31,500.00	0.00
					6.55
<b>Fund: 351 LAND &amp; ROAD IMPROVEMENTS</b>					
<b>Account Category: Revenues</b>					
Department: 00					
351-00-271.00.99	CARRY FORWARD	27,397.17	0.00	27,397.17	0.00
351-00-381.00.00	TRANSFERS IN	90,000.00	0.00	90,000.00	0.00
					0.00
<b>Account Category: Expenditures</b>					
Department: 41 PUBLIC WORKS					
351-41-570.31.00	PROFESSIONAL SERVICES	5,000.00	0.00	5,000.00	0.00
351-41-570.31.21	ENGINEERING SERVICES	20,000.00	0.00	20,000.00	0.00
351-41-570.34.91	LANDSCAPING	10,000.00	0.00	8,896.00	11.04
351-41-570.46.40	GROUNDS MAINTENANCE	0.00	0.00	(1,183.10)	100.00
351-41-570.46.43	TREE EXPENSE	9,000.00	0.00	9,000.00	0.00
351-41-570.52.25	TOOL RENTALS	3,000.00	0.00	3,000.00	0.00
351-41-570.53.20	STREET SIGNS	20,000.00	0.00	8,246.90	58.77
351-41-570.64.01	CAPITAL OUTLAY	50,000.00	0.00	50,000.00	0.00
					12.00

## Public Works Activities

November 2023

Installing Christmas Holiday decorations/prep for tree lighting – please note that a significant amount of time was consumed by this annual event.

Construction of bocce ball courts at Ocean Park – consumed large amount of labor and time

Set up and participation in the Fall Festival

Replaced all lights on Ryckman Park pavilions

Corrected location of a traffic control sign on Sunset

Repaired a door handle of one of our trucks

Installed new lights women's restroom Ocean Park

Replaced snaps on flag pole Ocean Park turnaround

Large amounts of fallen palm branches – winds

Began review and got estimate for roof on Old Town Hall

Replaced vandalized soap dispensers Ryckman Park restrooms

Replaced irrigation timer

Replaced safety switch on ac unit PW

Daily routine required for parks and common areas of Town - 1 – 2 hrs.





# TOWN OF MELBOURNE BEACH

BREVARD COUNTY'S OLDEST BEACH COMMUNITY ESTABLISHED 1883

## Building Department Report

NOVEMBER 2023

- permits issued 35
- Construction value of the \$581,236.26 permits totaled \$11,028.64
- Total permit fees \$11,028.64
- Inspections completed 92
- Plans reviewed 35
- Site plan review for P&Z 0
- Vacation rental inspections 4
- New home 0
- Stop work order 0

# Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PM23-0065	Mechanical	300 FIRST AVE	Ralph W Durham	11/09/202	05/07/202	\$173.28
PTR23-0007	Tree	419 1ST AVE	Ron L's Trees Inc	11/07/202	05/26/202	\$0.00
PRB23-0045	Res Building	209 FIRST AVE	KERR, HOWARD, DIANE	11/09/202	05/26/202	\$79.00
PRR23-0079	Reroof	506 SECOND AVE	Florida Native Roofing Inc	11/09/202	05/07/202	\$466.38
PRB23-0046	Res Building	231 FIFTH AVE	TRUE CONSTRUCTION AND RESTORATION	11/15/202	05/15/202	\$79.00
PWS23-0107	Window, Door, and Shutter Permit	222 SIXTH AVE	Antonio Vasile	11/30/202	05/28/202	\$307.50
PRR23-0082	Reroof	318 SIXTH AVE	G&G ROOFING CONSTRUCTION INC CHEYANNE@CFLROOFING.COM	11/28/202	05/26/202	\$360.39
PCD23-0035	Paver, Concrete, & Deck	412 ANCHOR KY	Surfside Pavers Inc.	11/21/202	05/19/202	\$377.51
PWS23-0103	Window, Door, and Shutter Permit	400 ANCHOR KY	PRECISION DOOR SERVICES OF BREVARD	11/14/202	05/12/202	\$141.61
PM23-0063	Mechanical	400 ANDREWS DR	Jerry Lawson	11/02/202	05/11/202	\$301.35
PWS23-0104	Window, Door, and Shutter Permit	401 ANDREWS DR	GROUNDNED BUILDS BREVARD, LLC	11/14/202	05/27/202	\$358.75
PCD23-0029	Paver, Concrete, & Deck	700 ATLANTIC ST	ELITE PAVERS & PRICE RITE PAINTING INC	11/16/202	05/14/202	\$666.25
PM23-0064	Mechanical	805 ATLANTIC ST	WHITLOCK, GARY	11/01/202	05/06/202	\$122.83
PE23-0062	Electrical	1710 ATLANTIC ST 5A	ERASMO TORRES	11/30/202	05/28/202	\$325.04
PWS23-0102	Window, Door, and Shutter Permit	2005 ATLANTIC ST 424	ALL GUARD STORM SHUTTERS	11/09/202	05/07/202	\$79.00
PP23-0014	Plumbing	300 AVENUE A	Velyakov, Georgi	11/28/202	05/26/202	\$154.25
PM23-0061	Mechanical	406 AVENUE A	Gene B Reynolds	11/02/202	04/30/202	\$212.74
PE23-0061	Electrical	305 AVENUE B	ERASMO TORRES	11/30/202	05/28/202	\$252.28
PRR23-0081	Reroof	406 AVENUE B	CENTRAL FLORIDA EQUITY BUILDERS	11/28/202	05/26/202	\$400.64
PM23-0066	Mechanical	315 AVENUE B	Granger, Brandon	11/09/202	05/18/202	\$238.32
PRR23-0078	Reroof	412 BANYAN WAY	G&G ROOFING CONSTRUCTION INC CHEYANNE@CFLROOFING.COM	11/07/202	05/05/202	\$664.30
PCD23-0031	Paver, Concrete, & Deck	603 CITRUS CT	MONGOLD, JARED V	11/08/202		\$199.93
PRR23-0077	Reroof	403 DRIFTWOOD AVE	JPARKER ROOFING LLC	11/08/202	05/06/202	\$439.59
PP23-0016	Plumbing	325 HIBISCUS TRL	McHugh, Daniel	11/17/202	05/28/202	\$353.79
PWS23-0105	Window, Door, and Shutter Permit	410 HIBISCUS TRL	PATAS, THOMAS	11/29/202	05/28/202	\$408.75
PRO23-0008	Propane	2002 NEPTUNE DR	ERIC THE GAS MAN	11/16/202	05/20/202	\$142.83
PRO23-0007	Propane	504 POINSETTIA RD	THOMPSON GAS LLC	11/02/202	04/30/202	\$79.00
PPR23-0011	Pool Resurface	439 RIVER VW	BREVARD POOLS, INC	11/06/202	05/04/202	\$246.00
PF23-0040	Fence	449 RIVER VW	FENCE OUTLET INC	11/28/202	05/26/202	\$79.00
PRR23-0076	Reroof	393 RIVER VIEW LN	DC ROOFING	11/03/202	05/01/202	\$414.10
PRR23-0080	Reroof	801 RIVERSIDE DR	Mike Willis Roofing & Construction, LLC	11/29/202	05/28/202	\$709.82

# Permit List

Permit	Type	Address	Applicant	Issued	Expired	Paid
PM23-0067	Mechanical	307 SUNSET BLVD	Durham, Ralph	11/29/202	05/27/202	\$309.79
PRB23-0044	Res Building	417 SUNSET BLVD	SCHELLHORN CONSTRUCTION AND CONTRACTING, LLC JAMES WALSH	11/16/202	05/14/202	\$1486.25
PP23-0017	Plumbing	517 SUNSET BLVD	AQUAFI HOLDINGS LLC	11/20/202	05/19/202	\$320.37
PCD23-0033	Paver, Concrete, & Deck	406 SURF RD	SOUCY, RAYMOND & MICHELLE	11/15/202	05/13/202	\$79.00

**Total Permits: 35**

**Total Paid: \$11028.64**

# Monthly Permit List

12/01/2023

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## Electrical

Permit #	Applicant	Address	Fee Total	Const. Value
PE23-0062	ERASMO TORRES	1710 ATLANTIC ST 5A	\$325.04	\$11710.71
Work Description: Install 150 amp meter main combo - FPL disconnect - reconnect				
PE23-0061	ERASMO TORRES	305 AVENUE B	\$252.28	\$8204.20
Work Description: emergency: replace 200 amp meter main combo FPL dosc/reconc				

**Total Permits For Type: 2**  
**Total Fees For Type: \$577.32**  
**Total Const. Value For Type: \$19914.91**

## Fence

Permit #	Applicant	Address	Fee Total	Const. Value
PF23-0040	FENCE OUTLET INC	449 RIVER VW	\$79.00	\$2142.00
Work Description: Install 17' of 4' h Aluminum Fence with 1 4' with gate and 110' w double gate				

**Total Permits For Type: 1**  
**Total Fees For Type: \$79.00**  
**Total Const. Value For Type: \$2142.00**

## Mechanical

Permit #	Applicant	Address	Fee Total	Const. Value
PM23-0065	Ralph W Durham	300 FIRST AVE	\$173.28	\$5625.00
Work Description: Replace 2.5 ton Air Handler, 5kw, same for same				
PM23-0063	Jerry Lawson	400 ANDREWS DR	\$301.35	\$9800.00
Work Description: HVAC Replacement				
PM23-0064	WHITLOCK, GARY	805 ATLANTIC ST	\$122.83	\$3961.00
Work Description: change out 2 ton Carrier condenser				
PM23-0061	Gene B Reynolds	406 AVENUE A	\$212.74	\$6918.40
Work Description: HVAC change out no duct work				
PM23-0066	Granger, Brandon	315 AVENUE B	\$238.32	\$7750.00
Work Description: HVAC CHANGE OUT				
PM23-0067	Durham, Ralph	307 SUNSET BLVD	\$309.79	\$10224.00
Work Description: Exact replacement 2 ton AC system w/5kw electric heat. No duct work				

**Total Permits For Type: 6**  
**Total Fees For Type: \$1358.31**  
**Total Const. Value For Type: \$44278.40**

## Paver, Concrete, & Deck

Permit #	Applicant	Address	Fee Total	Const. Value
PCD23-0035	Surfside Pavers Inc.	412 ANCHOR KY	\$377.51	\$16831.00
	<b>Work Description:</b> replace concrete driveway with pavers no changed to existing footprint			
PCD23-0029	ELITE PAVERS & PRICE RITE PAINTING INC	700 ATLANTIC ST	\$666.25	\$45000.00
	<b>Work Description:</b> Install paver travertine pool deck			
PCD23-0031	MONGOLD, JARED V	603 CITRUS CT	\$199.93	\$6500.00
	<b>Work Description:</b> tear out /replace existing driveway & driveway addition			
PCD23-0033	SOUCY, RAYMOND & MICHELLE	406 SURF RD	\$79.00	\$2300.00
	<b>Work Description:</b> PAVER WALKWAY OVER EXISTING CONCRETE			

<b>Total Permits For Type:</b>	<b>4</b>
<b>Total Fees For Type:</b>	<b>\$1322.69</b>
<b>Total Const. Value For Type:</b>	<b>\$70631.00</b>

## Plumbing

Permit #	Applicant	Address	Fee Total	Const. Value
PP23-0014	Velyakov, Georgi	300 AVENUE A	\$154.25	\$5000.00
	<b>Work Description:</b> main drain line replacement			
PP23-0016	McHugh, Daniel	325 HIBISCUS TRL	\$353.79	\$14516.00
	<b>Work Description:</b> water repipe			
PP23-0017	AQUAFI HOLDINGS LLC	517 SUNSET BLVD	\$320.37	\$11255.00
	<b>Work Description:</b> whole house repipe of hot and cold water lines			

<b>Total Permits For Type:</b>	<b>3</b>
<b>Total Fees For Type:</b>	<b>\$828.41</b>
<b>Total Const. Value For Type:</b>	<b>\$30771.00</b>

## Pool Resurface

Permit #	Applicant	Address	Fee Total	Const. Value
PPR23-0011	BREVARD POOLS, INC	439 RIVER VW	\$246.00	\$8000.00
	<b>Work Description:</b> Pool resurface			

<b>Total Permits For Type:</b>	<b>1</b>
<b>Total Fees For Type:</b>	<b>\$246.00</b>
<b>Total Const. Value For Type:</b>	<b>\$8000.00</b>

## Propane

Permit #	Applicant	Address	Fee Total	Const. Value
PRO23-0008	ERIC THE GAS MAN	2002 NEPTUNE DR	\$142.83	\$4625.00
	<b>Work Description:</b> Install 142' 3/4" poly gas line to generator, grill and fire pit. Sam's Gas install propane tank			
PRO23-0007	THOMPSON GAS LLC	504 POINSETTIA RD	\$79.00	\$2425.00
	<b>Work Description:</b> set 2 above ground propane tanks and run lines to pool heater			

**Total Permits For Type: 2**  
**Total Fees For Type: \$221.83**  
**Total Const. Value For Type: \$7050.00**

## Reroof

Permit #	Applicant	Address	Fee Total	Const. Value
PRR23-0079	Florida Native Roofing Inc	506 SECOND AVE	\$466.38	\$25500.00
	<b>Work Description:</b> 26g Standing Seam reroof 34q 4/14			
PRR23-0082	G&G ROOFING CONSTRUCTION INC CHEYANNE@CFLROOFING.COM	318 SIXTH AVE	\$360.39	\$15160.00
	<b>Work Description:</b> shingle re-roof 19sq, P&S, SWR, Flat 7 sq cap sheet			
PRR23-0081	CENTRAL FLORIDA EQUITY BUILDERS	406 AVENUE B	\$400.64	\$19086.94
	<b>Work Description:</b> remove and replace roof			
PRR23-0078	G&G ROOFING CONSTRUCTION INC CHEYANNE@CFLROOFING.COM	412 BANYAN WAY	\$664.30	\$44810.00
	<b>Work Description:</b> 32sq-032" Aluminum standing seam, synthetic underlayment and ridge vents flat 4sq cap sheet			
PRR23-0077	JPARKER ROOFING LLC	403 DRIFTWOOD AVE	\$439.59	\$22887.00
	<b>Work Description:</b> Re-Roof shingle area			
PRR23-0076	DC ROOFING	393 RIVER VIEW LN	\$414.10	\$20400.00
	<b>Work Description:</b> shingle re-roof			
PRR23-0080	Mike Willis Roofing & Construction, LLC	801 RIVERSIDE DR	\$709.82	\$49250.00
	<b>Work Description:</b> Roof Replacement			

**Total Permits For Type: 7**  
**Total Fees For Type: \$3455.22**  
**Total Const. Value For Type: \$197093.94**

## Res Building

Permit #	Applicant	Address	Fee Total	Const. Value
PRB23-0045	KERR, HOWARD, DIANE	209 FIRST AVE	\$79.00	\$2450.00
	<b>Work Description:</b> Pergola			
PRB23-0046	TRUE CONSTRUCTION AND RESTORATION	231 FIFTH AVE	\$79.00	\$2250.00
	<b>Work Description:</b> drywall repair in kitchen			
PRB23-0044	SHELLHORN CONSTRUCTION AND CONTRACTING, LLC JAMES WALSH	417 SUNSET BLVD	\$1486.25	\$150000.00
	<b>Work Description:</b> 200 sf addition, renovation of main bathroom, renovation of existing laundry room, add generator			

**Total Permits For Type: 3**  
**Total Fees For Type: \$1644.25**

**Total Const. Value For Type: \$154700.00**

**Tree**

Permit #	Applicant	Address	Fee Total	Const. Value
PTR23-0007	Ron L's Trees Inc	419 1ST AVE	\$0.00	\$0.01
<b>Work Description:</b> Remove one large Oak that is 9' from house and over hanging the house - Unacceptable risk				

**Total Permits For Type: 1**  
**Total Fees For Type: \$0.00**  
**Total Const. Value For Type: \$0.01**

**Window, Door, and Shutter Permit**

Permit #	Applicant	Address	Fee Total	Const. Value
PWS23-0107	Antonio Vasile	222 SIXTH AVE	\$307.50	\$10000.00
<b>Work Description:</b> replace 9 windows				
PWS23-0103	PRECISION DOOR SERVICES OF BREVARD	400 ANCHOR KY	\$141.61	\$4585.00
<b>Work Description:</b> replacing current garage door (s) with hurricane impact rated garage door				
PWS23-0104	GROUNDDED BUILDS BREVARD, LLC	401 ANDREWS DR	\$358.75	\$15000.00
<b>Work Description:</b> Garage remodel, reinstall drywall and electrical for lights				
PWS23-0102	ALL GUARD STORM SHUTTERS	2005 ATLANTIC ST 424	\$79.00	\$2070.00
<b>Work Description:</b> Installation of Hurricane Shutter; FL16893				
PWS23-0105	PATAS, THOMAS	410 HIBISCUS TRL	\$408.75	\$15000.00
<b>Work Description:</b> window replacement				

**Total Permits For Type: 5**  
**Total Fees For Type: \$1295.61**  
**Total Const. Value For Type: \$46655.00**

**Grand Total Fees: \$11,028.64**  
**Grand Total Permits: 35.00**  
**Grand Total Const. Value: \$581236.26**

# Inspection Totals

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<b>BTR FIRE</b>	<b>3</b>
<b>Column &amp; Tie Beam</b>	<b>1</b>
<b>Dry wall Screw</b>	<b>1</b>
<b>Dry-In</b>	<b>4</b>
<b>Final</b>	<b>10</b>
<b>Final Building</b>	<b>2</b>
<b>Final Electrical</b>	<b>1</b>
<b>Final Fence</b>	<b>2</b>
<b>Final Mechanical</b>	<b>8</b>
<b>Final Miscellaneous</b>	<b>1</b>
<b>Final Paver, Concrete, &amp; Deck</b>	<b>1</b>
<b>Final Plumbing</b>	<b>5</b>
<b>Final Pool</b>	<b>1</b>
<b>Final Propane</b>	<b>1</b>
<b>Final Tree</b>	<b>1</b>
<b>Final window, Door, &amp; Shutter</b>	<b>13</b>
<b>Fire Inspection</b>	<b>4</b>
<b>Footer</b>	<b>1</b>
<b>Framing</b>	<b>2</b>
<b>In Progress</b>	<b>1</b>



## Inspection Totals

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In Progress Electrical	2
In-Progress	4
Pressure Test	1
Pressure Test	1
Rough Electric	1
Rough Electrical	2
Rough Mechanical	2
Rough Miscellaneous	1
Rough Plumbing	4
Rough Plumbing	1
Screw	2
Slab	3
Stem Wall Block	2
Tie Beam	1
Underground Plumbing	1
Window, Doors - Final	1

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**Total # of Inspections: 92**

# Enforcement List

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE22-0150	213 ASH AVE	Trailers, Boats, and Recreational Vehicles	Open - Court Magistrate	Staff	12/06/22	
ECE23-0179	204 CHERRY DR	Short Term Rental Violations	Open - First Letter Sent	Staff	07/31/23	
ECE23-0188	1350 ATLANTIC ST	Short Term Rental Violations	Open - First Letter Sent	Staff	09/12/23	
ECE23-0191	325 AVENUE A	Multiple Violations	Open - Second Letter Certified Mail	Staff	09/19/23	
ECE23-0192	323 AVENUE A	Attractive Nuisance	Open - Second Letter Certified Mail	Staff	09/21/23	
ECE23-0193	409 THIRD AVE	Attractive Nuisance	Open - First Letter Sent	Staff	09/21/23	
ECE23-0200	401 AVENUE B	Trailers, Boats, and Recreational Vehicles	Open - First Letter Sent	Public - Email	11/14/23	
ECE23-0201	302 ORANGE ST	Building Permit Violation	Open - Court Magistrate	Staff	11/14/23	

**Total # of Enforcements: 8**

## Enforcement List

Enforcement #	Address	Category	Status	Origin	Filed	Closed
ECE23-0183	507 HIBISCUS TRL	Multiple violations	Closed - Complied	Public - walk In	08/15/23	09/18/23
ECE23-0186	800 PINE ST	Lawns - Overgrowth	Closed - Complied	Staff	08/31/23	09/12/23
ECE23-0187	1700 ATLANTIC ST	Multiple violations	Closed - Complied	Public - Phone	09/07/23	09/12/23

**Total # of Enforcements: 3**



# Town of Melbourne Beach



## *Fire Department*

### **MONTHLY REPORT – November 2023**

#### **Incident Response**

For the month of November 2023, the Melbourne Beach Volunteer Fire Department responded to 19 calls for service. The average number of responding volunteer personnel per paged out call for the month was unknown at the time of this report due to a reporting system error.

#### ***Breakdown:***

- 13 Fire/Rescue 911 Calls (Paged out)
- 1 EMS Assist (First Responder EMS)
- 2 Public Service Assists
- 2 New Fire Alarm System Inspections
- 1 False Call (Dispatch Error)

#### **Department Membership**

- 1 Fire Chief (*Full-Time*)
- 1 Maintenance Technician (*Part-Time*)
- 20 Certified Volunteer Firefighters
- 7 Support Services Volunteers
- 5 Probationary Members
- 1 Administrative Volunteer
- 1 Volunteer Fire Chaplain

## Notable Incidents

- 11/07/2023 – Single vehicle motorcycle accident at intersection of Ocean Ave and Oak Street in Melbourne Beach. E-58, E-258, & MB-Fire1 responded. Single patient in stable condition transported to local area hospital by ambulance. Roadway cleared and re-opened.
- 11/30/2023 – Single vehicle vs power pole accident in 200 blk of Ocean Avenue. No injuries. Power pole knocked over and live line hanging low over roadway and on sidewalk. Eastbound lane shut down as precaution until FPL could disconnect line. No further hazard and roadway / sidewalk reopened.

## Notable Events

The Fire Department completed its annual fire hydrant inspections & flushing, as required by Florida Statute 633.312. In an effort to minimize community disruption, the inspections & flushing procedures took place on various late nights/early mornings between midnight and 4:00am throughout the months of October & November. The flushing process is an important preventative maintenance measure to assist in removing accumulated sediment and iron/manganese mineral deposits from the water lines, thus helping to maintain a good water supply for both firefighting and domestic purposes.

The Fire Department, along with other Town Departments, hosted the Gemini 2<sup>nd</sup> grade classes as part of their field trip to learn about local government. The students participated in interactive discussions regarding fire safety and got a chance tour the Fire Department and see some of the fire and marine rescue equipment.

In partnership with the Melbourne Beach Volunteer Firefighter's Association, Fire Department began planning for the upcoming holiday events hosted by the MBVFA including the 59<sup>th</sup> Annual Children's Christmas Parade / Pancake Breakfast, and the Christmas Eve Santa Run.

The Fire Department's Membership Committee selected 7 applicants to participate in a 30 day orientation program. From there, the candidates were re-evaluated and 5 were offered volunteer positions with the Fire Department. All 5 candidates accepted the positions and are now probationary members. They will now continue their education and training for the next 60-90 days to complete all the skills required to become Fire Service Support Services personnel.

Chief Brown attended multiple meetings & training sessions including a Space Coast Fire Chiefs meeting.



# Melbourne Beach Police Department

## Monthly Report

### November 2023



#### Operations:

In November 2023, The Department responded to 1163 calls for service and 40 house checks.

#### Activity:

- 16 Citations / 14 Written Warnings
- 90 Traffic Stops
- 128 Traffic Enforcement
- 3 Traffic Complaint
- 32 Parking Citations

Our radar trailer continues to be placed in various locations throughout the Town.

#### PD News

- The Police Department has lost and found miscellaneous items that have been brought into the department, for example, keys, sunglasses, and children's toys. These items were found at our beach accesses and Rychman Park. If you believe you may have lost things, come to the Police Department during business hours Monday – Friday, 8 am to 5 pm.
- Our “Movie in the Park” was well attended after the Fall Festival.
- SRO Sullivan had an SRO Student for the day. Assisted with a fire drill and reported back what was observed during the drill. Finished the day by turning on the blinking lights for the school zone and then assuring students cross the street.
- Administrative Assistant Vivian has been working on her certification for School Crossing Guard. You will begin seeing her at the corner of Ocean Avenue and Pine Street at the beginning of December.
- Thank you to everyone that dropped off non-perishable foods at the Police Department. We are still collecting Toys for Tots till December 15<sup>th</sup>

Please see the attachments:

- Speed Trailer report
- Sergeant's monthly reports

Stay Safe, Chief Melanie Griswold



# Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Total Calls for Service	1578	1188	1366	1370	1571	1480	1383	1306	1202	1199	1203			14846
Total Felonies	0	5	1	1	3	0	0	2	0	1	0			13
Total Misdemeanors	5	2	4	12	4	8	0	3	1	3	1			43
Total Capias Requests	0	0	0	2	0	2	1	0	0	2	0			7
Total Traffic Arrests	1	0	0	3	0	2	1	0	0	2	0			9
Total Other Arrests	3	0	0	0	0	0	0	0	0	0	0			3
911 Investigation	27	42	32	39	40	35	37	10	13	9	15			299
Alarm Business	5	7	4	1	2	1	4	4	5	10	6			49
Alarm Residence	1	1	5	9	4	2	2	5	3	2	11			45
Alarm Vehicle	0	1	0	0	0	0	0	0	0	0	0			1
Assault	0	0	0	1	0	0	0	0	0	0	0			1
Animal Complaint	7	4	6	3	5	4	3	3	6	2	3			46
AOA Fire/Medical	6	5	1	2	6		0	2	0	0	0			22
AOA LEO	13	11	6	1	1	6	8	4	8	9	6			73
Assist Citizen	7	11	12	8	14	9	8	6	7	16	8			106
Assist DCF	1	2	0	1	1	2	1	0	0	0	2			10
Assist Motorist	1	0	1	1	0	1	4	5	1	2	0			16
Attempt To Contact	4	7	4	2	4	3	3	11	5	8	4			55
Baker Act	0	3	0	0	2	1	1	0	0	0	0			7
Battery	0	1	0	0	0	1	0	0	1	1	0			4
Battery-Domestic	1	0	0	2	0	0	0	0	0	0	0			3
Burglary - Residential	0	1	0	0	0	0	0	0	0	2	0			3
Burglary - Vehicle	1	3	0	0	0	0	0	1	0	0	1			6
Civil Matter	1	4	2	3	5	2	0	1	4	0	2			24
Crash	6	1	6	7	5	4	7	6	11	7	5			65
Criminal Mischief	0	3	5	4	2	1	0	1	0	1	1			18
Deceased Person	0	0	3	0	0	0	1	1	0	0	0			5
Disturbance	3	2	6	0	7	10	5	5	4	6	4			52
Disturbance Domestic	1	1	2	0	1	0	1	2	3	0	2			13
Disturbance Noise	2	3	0	1	7	1	4	2	4	2	0			26
Fraud/Forgery	1	2	1	0	3	1	0	1	1	1	0			11
House Checks	161	70	127	89	382	267	265	229	148	115	40			1893
Illegal Dumping	0	0	0	0	0	2	0	0	0	1	0			3
Illegal Parking	21	27	52	46	43	66	33	41	32	56	38			455
Indecent/Lewd Act	1	0	0	0	0	0	0	0	0	0	0			1
Information	8	6	17	11	11	14	8	16	7	9	9			116
Injured/Ill Person	20	17	15	24	12	16	19	23	8	23	20			197



# Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Intoxicated Driver	0	0	0	0	0	0	1	0	0	0	0			1
Intoxicated Person	1	0	0	1	1	0	0	0	0	1	0			4
Investigation	1	0	1	3	4	5	1	4	1	2	4			26
Low Speed Vehicle Insp/Decal	0	0	0	1	1	0	0	0	0	2	0			4
Missing Person	0	0	1	2	1	1	0	0	0	0	0			5
Narcotics	0	0	1	0	0	0	0	0	0	1	1			3
Open Door	3	0	3	1	1	1	1	1	0	2	3			16
Ordinance Violation/Code Enf	1	0	0	0	0	1	0	0	0	0	0			2
Overdose	0	1	0	0	0	0	0	0	0	0	0			1
Parking Citations	21	24	81	35	44	51	38	48	34	47	32			455
Patrol Area	87	70	147	124	229	186	165	157	103	125	93			1486
Patrol Area Business	185	160	201	225	233	272	240	214	197	212	204			2343
Patrol Area Residential	522	453	454	453	563	508	451	382	386	303	415			4890
Patrol Area School	22	20	32	52	59	34	37	38	36	43	38			411
Phone Call - Threatening	1	0	0	0	0	2	1	0	1	0	1			6
Property Confiscated	0	0	0	1	0	0	0	0	0	0	0			1
Property Found	3	5	4	2	3	4	1	2	3	1	1			29
Property Lost	0	1	3	3	1	1	3	3	1	0	1			17
Reckless Driving	5	4	4	6	7	5	6	5	3	8	6			59
Retail Theft	0	0	0	1	0	1	0	0	0	0	0			2
School Zone	23	30	22	46	36	2	0	23	27	37	32			278
Shooting in the Area	1	0	1	0	0	0	0	0	0	0	0			2
Soliciting	1	1	0	0	1	0	0	0	0	0	0			3
Special Detail	0	0	3	0	3	1	1	0	0	1	2			11
Special Response ATV	0	0	0	0	0	0	0	0	0	0	1			1
Special Response Drone	0	0	0	0	0	0	0	0	0	0	0			0
Standby-Keep the Peace	1	1	2	0	0	2	1	0	2	1	1			11
Suicide	0	1	0	0	0	0	0	0	0	0	0			1
Suicide - Attempt/Threat	0	1	0	0	0	1	1	0	1	0	1			5
Suspicious Incident	19	9	8	18	10	16	12	18	4	15	7			136
Suspicious Person	11	6	6	14	16	8	9	4	9	12	9			104
Suspicious Vehicle	14	21	14	13	12	14	6	16	14	12	11			147
Theft	1	1	0	2	3	2	0	1	0	2	3			15
Traffic Citations	47	19	24	30	22	25	26	48	32	20	16			309
Traffic Complaint	3	2	1	3	10	3	1	5	6	1	3			38
Traffic Enforcement	327	127	135	104	79	113	110	98	116	123	128			1460
Traffic Stop	205	101	126	121	114	93	169	183	167	118	90			1487
Traffic Obstruction	0	0	2	2	2	0	0	0	2	1	1			10
Trespass	0	3	4	3	4	3	2	1	0	2	0			22





# Melbourne Beach Police Department



	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Vehicle Abandoned	1	0	0	0	0	0	0	1	0	0	2			4
Vehicle Inspection	4	5	3	1	2	2	0	1	0	4	0			22
Vehicle Repo/Tow	0	0	0	0	1	1	0	0	0	0	0			2
Wanted Person	0	0	0	0	1	1	0	0	1	0	1			4
Written Warnings	26	5	5	33	35	34	53	42	46	23	14			316

Vehicle Mileage	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec		YTD
Car 300	1000	1246	1605	1163	921	1414	1637	1333	1114	1295	1045			13773
Car 301	-	-	-	-	-	-	-	1298	617	750	902			3567
Car 302	-	-	-	-	-	-	-	1468	928	990	979			4365
Car 360	425	1209	1051	979	954	737	1073	210	98	99	77			6912
Car 361	1066	748	562	517	1296	1122	0	-	-	-	-	-		5311
Car 363	118	141	132	387	182	260	1073	75	64	58	112			2602
Car 364	74	74	74	86	72	1	0	-	-	-	-	-		381
Car 366	548	484	1052	1000	839	431	632	512	364	499	785			7146
Car 367	625	506	563	494	460	727	466	726	445	651	390			6053
ATV 1	0	23	28	13	55	31	14	0	0	0	0			164
ATV 2	0	1	14	0	8	23	53	40	0	0	9			148



**MELBOURNE BEACH POLICE DEPARTMENT**  
**Jason Hinchman**  
**Sergeant**

**507 Ocean Ave, Melbourne Beach, FL 32951**  
**Phone: (321) 723-4343 Fax: (321)725-3253**



### **Monthly Report November 2023**

---

House Checks: 13

- 11/06- Lost property in the 500 block of Ocean Avenue. The male subject reported he went on a road trip and lost his license plate at an unknown location. The male subject was given a case report number. Case Closed.
- 11/07- Traffic crash at Ocean Avenue and Oak Street with (1) vehicle involved. The male driver lost control of the vehicle and fell off the vehicle, causing injuries to himself. The driver was transported to the hospital, and his friend removed the vehicle.
- 11/09- Theft occurred at Sixth Avenue and Atlantic Street. The male victim reported his bicycle being stolen from the beach access. The victim refused to pursue charges, and the case was closed.
- 11/15- Suspicious incident in the 500 block of Avenue B. The male reported that his belt and wallet were missing from his residence. It is unclear if the items were lost or stolen.
- 11/16- Theft occurred at the 300 block of Ocean Avenue. The male subject reported a theft of equipment. This case is still open for further investigation.
- 11/24- Suspicious Incident in the 100 block of Ocean Avenue. The female subject said she was walking on the beach by the water and dropped her cell phone. The female subject said she did not know if she lost her phone or if it was stolen.
- 11/26- Domestic verbal in the 100 block of Riverside Drive. The female reporting person had a disagreement with her parents. Nothing physical took place, and parties were separated.
- 11/30- Traffic crash in the 200 block of Ocean Avenue. A large box truck struck a wooden pole, causing damage. No injuries were reported, and the driver removed the vehicle.

**MELBOURNE BEACH POLICE DEPARTMENT****Jason Sadler****Sergeant****507 Ocean Ave, Melbourne Beach, FL 32951****Phone: (321) 723-4343****Fax: (321)725-3253**Sgt. Sadler Monthly Report November 2023

---

**11/05-** Traffic crash in the area of Oak Street and Magnolia Avenue. Minor injuries no major damage.

**11/10-** Traffic stop in the area of Magnolia Avenue and Oak Street. Driver arrested for DUI alcohol and resisting without violence.

**11/11-** Criminal mischief in the 300 blk of Beau Jean Avenue. Eggs were thrown at a house by unknown suspects. Case open pending investigation.

**11/12-** Domestic disturbance in the 500 blk of Ocean Avenue. Verbal argument between male and female. Male was issued a trespass warning.

**11/12-** Vehicle burglary in the 400 blk of Third Avenue. Case pending investigation.

**11/18-** Dog bite in the 200 blk of Fourth Avenue. Case forwarded to BCSO Animal Control.

**11/21-** Traffic crash hit and run in the 500 blk of Third Avenue. Vehicle rear ended a mailbox then drove off. No injuries or major damage.

- Total House Checks - 27



**MELBOURNE BEACH POLICE DEPARTMENT  
OFC. L. TEJEDA**

507 Ocean Ave, Melbourne Beach, FL 32951  
Phone: (321) 723-4343 Fax: (321)725-3253



MEMORANDUM

TO: Chief Griswold

FROM: OFC. Tejada #329

RE: Patrol Vehicles

DATE: 12/3/2023

**VEHICLE REPORT FOR: November 2023**

---

Car 300 Ford Explorer 2022  
Starting mileage # 14,893  
Ending mileage # 15,938  
Total mileage # 1,045  
Total maintenance bill for the month \$0.00  
Next oil change due at: 16,310

---

Car 363 Dodge Charger 2016  
Starting mileage # 68,142  
Ending mileage # 68,254  
Total mileage # 112  
Total maintenance bill for the month \$0.00  
Next oil change due at: 71,316

---

Car 360 Dodge Charger 2019  
Starting mileage # 44,449  
Ending mileage # 44,526  
Total mileage # 77  
Total maintenance bill for the month \$0.00  
Next oil change due at: 45,299

---

Car 301 Ford Explorer 2022  
Starting mileage # 2,665  
Ending mileage # 3,567  
Total mileage # 902  
Total maintenance bill for the month \$0.00  
Next oil change due at: 5,000

Car 302 Ford Explorer 2022  
Starting mileage # 3,386  
Ending mileage # 4,365  
Total mileage # 979  
Total maintenance bill for the month \$0.00  
Next oil change due at: 5,000

Car 366 Dodge Charger 2019  
Starting mileage # 38,324  
Ending mileage # 39,109  
Total mileage # 785  
Total maintenance bill for the month \$0.00  
Next oil change due at: 37,693

---

Car 367 Dodge Charger 2021  
Starting mileage # 25,544  
Ending mileage # 25,934  
Total mileage # 390  
Total maintenance bill for the month \$0.00  
Next oil change due at: 27,500

---

Atv #1 Honda TRX 420 2021  
Starting Miles # 464  
Ending Miles # 464  
Total Miles #0  
Total Maintenance bill for the month \$0.00  
Next service due at: 586

---

Atv #2 Honda TRX 420 2021  
Starting Miles # 375  
Ending Miles # 384  
Total Miles #9  
Total maintenance bill for the month \$0.00  
Next service due at: 592

---

**SPEED TRAILER MAINTENANCE**

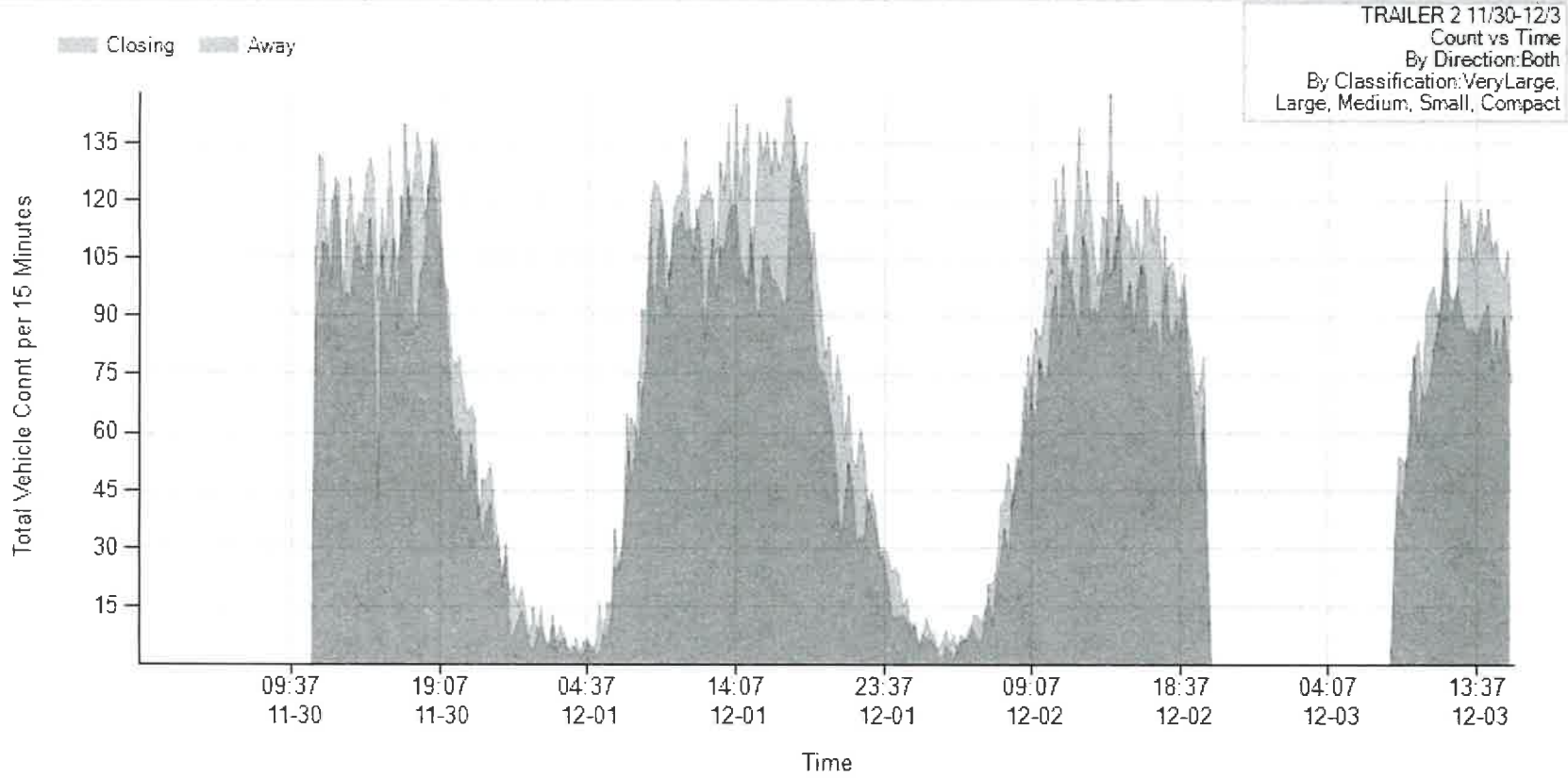
**TRAILER 2**

**\$0.00**

Total fleet maintenance cost for November 2023: \$0.00

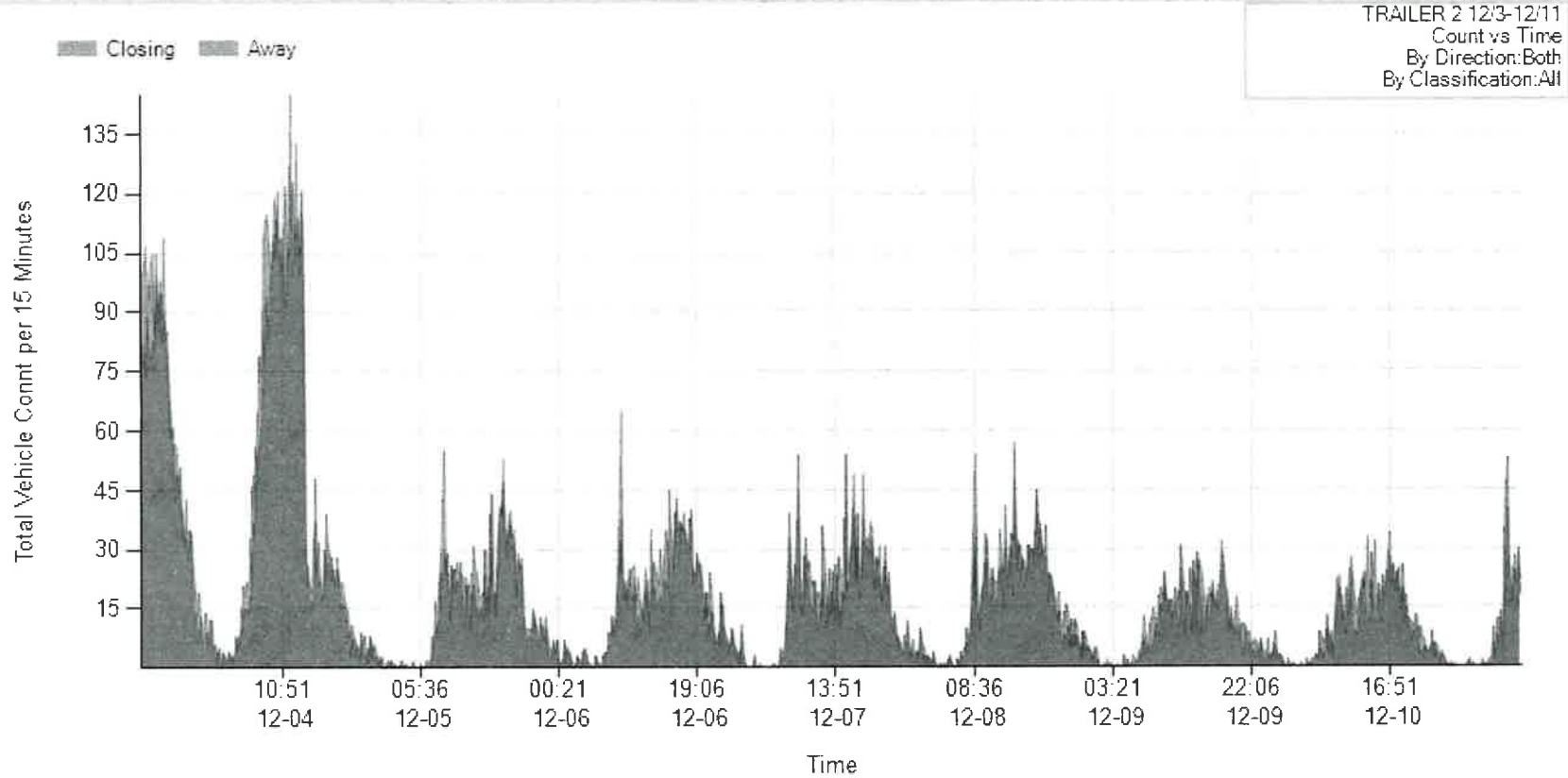
Total mileage for November 2023: 4,299

Survey Name	TRAILER 2 11/30-12/3	Location	500 block Colony ,Melbourne ...	Speed Unit	Miles/Hour
Start	2023-11-30 00:07	Traffic Direction	Undefined	Speed Limit	40
Stop	2023-12-03 23:05	Zone	Normal	Min Speed Threshold	10
Operator		Min Following Time	0.0	Max Speed Threshold	120
Survey Direction	Both	Time Resolution	1	Speed Resolution	1



Total Vehicle Count	38092	100%	Average Speed	36.5	MPH	In Pace Count	30201	79%
Under Limit Count	33003	86%	Minimum Speed	8	MPH	10 mph Pace	32 - 41	MPH
Over Limit Count	5089	14%	Maximum Speed	86	MPH	Standard Deviation	4	MPH
10 Over Limit Count	99	0%	85Speed Percentile	40	MPH	Average Speed Over Limit	42.9	MPH

Survey Name	TRAILER 2 12/3-12/11	Location	2000 OAK street, Melbourne B...	Speed Unit	Miles/Hour
Start	2023-12-03 16:06	Traffic Direction	Undefined	Speed Limit	35
Stop	2023-12-11 10:46	Zone	Normal	Min Speed Threshold	10
Operator		Min Following Time	0.0	Max Speed Threshold	120
Survey Direction	Both	Time Resolution	1	Speed Resolution	1



Total Vehicle Count	27517	100%	Average Speed	31	MPH	In Pace Count	14011	50%
Under Limit Count	19668	71%	Minimum Speed	7	MPH	10 mph Pace	27 - 36	MPH
Over Limit Count	7849	29%	Maximum Speed	96	MPH	Standard Deviation	7	MPH
10 Over Limit Count	357	1%	85Speed Percentile	38	MPH	Average Speed Over Limit	39.1	MPH



## Regular Town Commission Meeting Agenda

**Section:** Old Business  
**Meeting Date:** December 20, 2023  
**Subject:** Consideration of Audio-Visual Equipment Proposals  
**Submitted By:** Amber Brown, Town Clerk

### Background Information

The current audio system in the community center does not meet the town's needs. The sound does not project sufficiently for all residents to hear. Currently, staff has to share microphones and the system will not support additional microphones. The microphones are corded and the inputs are in the floor in two locations, so the cords must be run around the room to be plugged in. The current system does not record audio, so there is an external recorder with microphone discs to record the audio. The external recording discs are corded, so they only cover part of the area which causes issues with hearing audio that is not close to the discs.

The Commission requested quotes to replace the audio system and add a visual component to livestream the meetings.

During the October Regular Town Commission Meeting the Commission narrowed it down to two quotes and requested an updated BIS Digital quote that would replace all of the equipment and a side-by-side breakdown of the equipment with a cost comparison.

AVI-SPL proposal - replaces all equipment

Audio System \$13,922.34

Visual System \$30,857.33

Misc. Equipment \$2,867.77

Integration Services, Administrative, Maintenance, and Licenses \$36,802.72

**Total \$84,450.16**

BIS Digital proposal – replaces some equipment and reuses some current equipment

Audio System \$56,339.15

Visual System \$14,591.09

**Total \$70,930.24**

### Recommendation:

Discuss and approve a proposal to replace the audio-visual equipment in the Community Center

### Attachments:

Side-by-side breakdown of the equipment with costs

Proposal from AVI-SPL

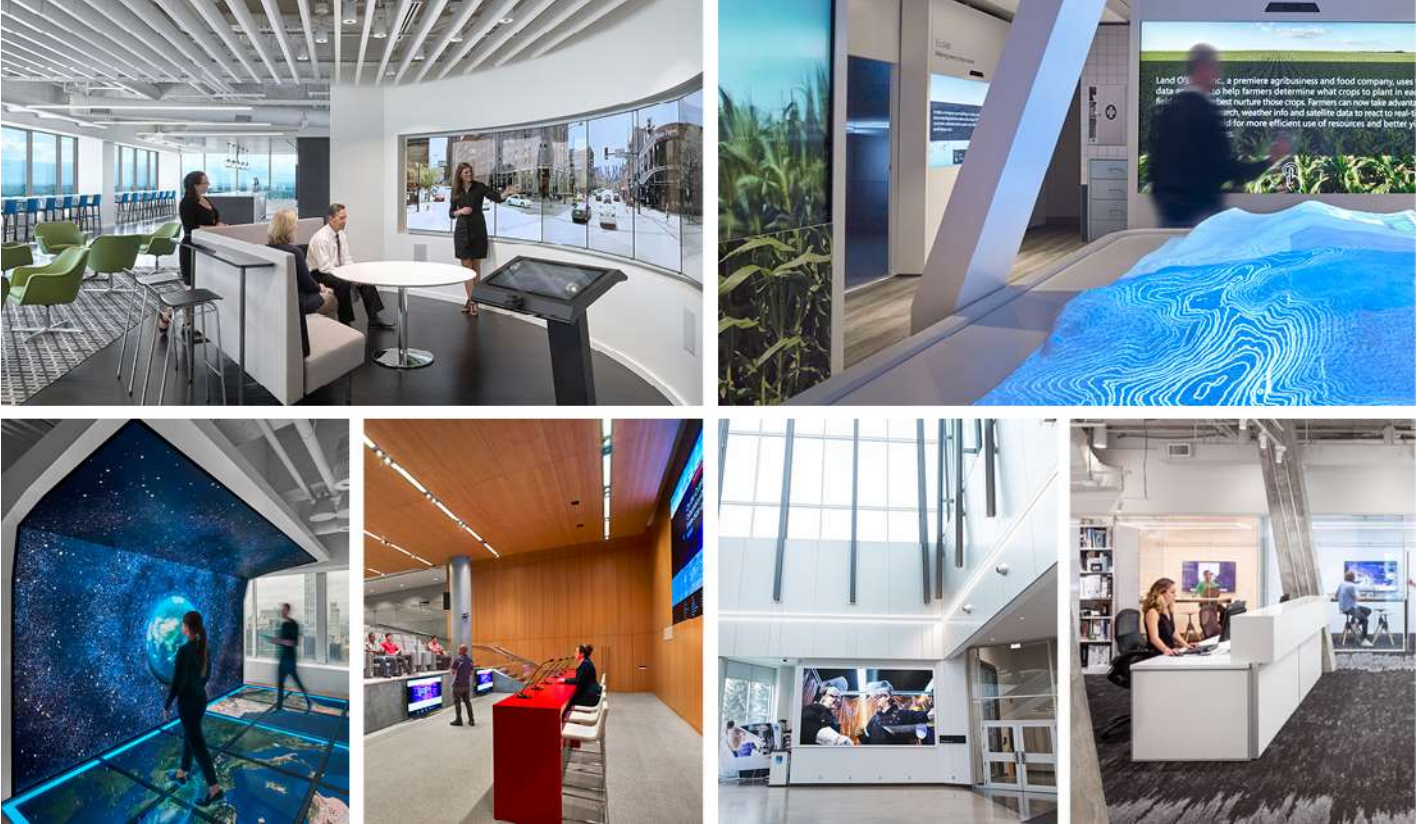
Proposal from BIS Digital

	AVI-SPL	BIS Digital
<b>Audio System</b>		
Processor System	\$2,971.76	\$3,330.00
Switch	\$899.75	\$841.50
Touch Panel In-Call Controller with Mount	\$2,570.58	
Access Point	\$5,961.52	\$4,495.50
Charging Station	\$4,660.59	\$1,525.50
Microphone Base	\$7,119.42	\$17,010.00
Gooseneck - AVI=10" - BIS=16"	\$2,753.94	\$4,158.00
Battery Pack		\$3,150.00
Speakers	\$3,210.36	\$1,782.00
Amplifier	\$709.41	\$990.00
<b>Total for the Audio System</b>	<b>\$30,857.33</b>	<b>\$37,282.50</b>
<b>Video System</b>		
Cameras - 2	\$7,828.24	\$6,750.00
Dual Recording	\$4,752.94	
HDMI Transmitter	\$670.58	
DTP HDMI 4K 230 Receiver	\$670.58	
Video Capture Device		\$540.00
Video Decoder		\$787.50
<b>Total for the Video System</b>	<b>\$13,922.34</b>	<b>\$8,077.50</b>
<b>Miscellaneous Equipment</b>		
Rack	\$713.65	\$481.50
Power Supply	\$254.12	\$899.10
Cables and Connectors	\$1,900.00	\$1,901.15
USB		\$40.50
Assisted Listening Device		\$922.50
Sound Card		\$134.10
<b>Total Miscellaneous Equipment</b>	<b>\$2,867.77</b>	<b>\$4,378.85</b>
<b>Licenses</b>	<b>\$559.20</b>	<b>\$1,530.00</b>
<b>Installation and Training</b>	<b>\$30,320.00</b>	<b>\$8,910.00</b>
<b>Shipping</b>	<b>\$1,665.39</b>	<b>\$3,422.29</b>
<b>Annual Support and Maintenance</b>	<b>\$4,258.13</b>	<b>\$7,326.86</b>
<b>Total</b>	<b>\$84,450.16</b>	<b>\$70,930.24</b>

Proposal Prepared For

# Town of Melbourne Beach

## Melbourne Beach - Sound and Streaming Upgrade



337 Northlake Blvd  
 Suite 1004  
 Altamonte Springs, FL 32701  
 (407) 786-5000  
 Fax: (407) 786-5033  
[www.avispl.com](http://www.avispl.com)

**Prepared by:** Rahsaan Wood  
[Rahsaan.Wood@avispl.com](mailto:Rahsaan.Wood@avispl.com)  
**Proposal no:** 428755-1

# Thank you for the opportunity to provide this proposal.

## We're excited to work with you.

At AVI-SPL, our goal is to empower meaningful communication and collaboration. By understanding your needs and applying our expertise, we help you improve the user experience of your collaboration systems – anywhere in the world.

## Here's how we do it.

Like you, we take a holistic approach. No matter where you are on your journey to plan, deploy, and operate your optimal collaboration environment, we can guide and support you. Together, we'll achieve a new state of working together and manage the full lifecycle of the technology powering it.

## And here's why.

As a digital enablement solutions provider, we transform how people and technology connect to elevate experiences, create new value, and enable organizations such as yours to thrive and grow. Our vision – to help your teams work smarter and live better.



At AVI-SPL, our goal is to empower meaningful communication and collaboration.

## We take your investment in collaborative solutions as seriously as you do.

That's why we're with you every step of the way, making sure you have the support to keep your business running smoothly and that you get the return on investment you expect.

The hallmark of AVI-SPL's client success is our ability to keep pace with the technology trends that drive the way organizations operate, and to innovate and improve upon them so that we can offer customers a standard of quality that no other company can match.



## When you partner with us as your trusted guide, you will experience:



### Commitment

A partner **committed** to your success and making a positive impact on your organization and our world



### Expertise

**Expertise** you can trust to guide your digital transformation and realize your business objectives



### Proven Record

A **proven** track record of supporting deployment and managed services in-country, wherever needed



### Global Reach

Optimized **global deployment** teams with in-country support teams to deliver localized solutions and service – anywhere in the world



### Customer Experience

World-class **customer experience** with a continual improvement mindset informed by the ITIL methodology



### Analytics

Focus on **actionable** business intelligence with routine reporting on key success metrics and usage analytics powered by our patented Symphony application



# Our Integration Process



World-class approach to defining client needs and delivering with consistent approach to execution.  
Detailed Operations Playbook = Consistent, High Quality Project Outcomes

- **Each step defined and documented:** based on AVI-SPL best practices & globally recognized standards
- **Standardized documents, forms & instructions:** a cadence for reporting & communications methods
- **Companywide adoption & training:** measurable deliverables
- **Full range of engagement types:** small & simple to large & complex
- **Continuous improvement:** CSAT/NPS focus w/ root cause analysis & action-oriented outcomes

AVI-SPL provides innovative solutions seamlessly integrated with simple but effective user experiences. To that end, AVI-SPL utilizes a five-step process to provide you with consistent communication and flawless execution from project conception to completion.

## Phase I **Initiate**

- The initiate phase is critical to the success of both the solution implementation and post deployment services to ensure acclimation, adoption and continued use of the technology.
- During this phase, your project team is selected based on the size, scope and complexity of the solutions to be implemented. All details and information are successfully transitioned to the internal project team via a comprehensive kick-off meeting.
- External kick-off discussions are organized and conducted with your key stakeholders to formally discuss project parameters of scope, schedule and communication strategy along with any other key topics to ensure proper alignment. The output of these discussions initiates engineering finalization, equipment procurement & programming services.

# Our Integration Process

## Phase II Plan

- The planning phase begins with development of the project schedule including detailed work breakdown tasks identifying key deliverables, dependencies and both internal and external milestones required to successfully execute the project.
- Detailed communication plans are developed to provide your key stakeholders with project progress reporting to indicate status against the project schedule along with any identified risks.
- Acceptance test plan procedures are developed and communicated to ensure agreed upon scope and functionality requirements are achieved.

## Phase III Execute

- During the execution phase, all engineering, programming, fabrication and on-site installation activities are completed in accordance with the agreed upon project scope and schedule.
- Daily progress reports are completed, sent back to our Project Management staff and consolidated into weekly progress reports that you will receive.
- Upon completion of on-site installation activities, test and commissioning takes place in accordance with the agreed upon test plan procedures to ensure fully functional solutions.
- Final inspection and walk-through of the project is conducted in coordination with your key stakeholders to administer acceptance of the deployed solutions.



# Our Integration Process

## Phase IV Monitor

- The monitor phase is ongoing throughout the entire project lifecycle.
- All project work activities are consistently reviewed to ensure alignment with the approved schedule and milestones, adjusting resource planning as required. All changes to scope, schedule and budget are closely controlled to eliminate or minimize change management.
- Quality assurance is adhered to through checks and balances along with consistent testing at specified intervals in the project lifecycle. Risk management plans are constantly reviewed, and risk mitigation strategies deployed to ensure scope and schedule remain on track.
- External reporting is critical to this phase to align your key stakeholders to both internal and on-site status of our progress.

## Phase V Close

- The final phase is focused on completion of all contractual and operational activities to obtain sign-off for the completed project. This includes demonstration and training on use of the installed solutions.
- All final project documentation for future warranty and service work is gathered and submitted to your key stakeholders as well as to our internal service team for onboarding purposes.
- Automated Customer Satisfaction Score (CSAT) and Net Promoter Score (NPS) surveys are deployed to obtain your feedback regarding our performance and leveraged as part of our continuous improvement practice.







## Room Summary - Council Chambers Audio Upgrade

### Equipment List

Mfg	Model	Description	Qty	Unit Price	Extended Price
		<b>WIRELESS MICROPHONES</b>			
SHURE	SHUMXWAPT8Z10	TRANSCIEVER, 8-CH ACCESS POINT Omnia Partners Contract #2019.001535 List \$5,334.00 Discount: 25%	2	\$2,980.76	\$5,961.52
SHURE	SHUMXWNCS8	CHARGING STATION, 8CH NETWORKED Omnia Partners Contract #2019.001535 List \$2,780.00 Discount: 25%	3	\$1,553.53	\$4,660.59
SHURE	SHUMXW8Z10	TRANSMITTER, DESKTOP BASE Omnia Partners Contract #2019.001535 List \$910.00 Discount: 25%	14	\$508.53	\$7,119.42
SHURE	SHUMX410LPC	10" SHOCK-MOUNTED GOOSENECK, CARDIOID, LESS PREAMPLIFIER Omnia Partners Contract #2019.001535 List \$352.00 Discount: 25%	14	\$196.71	\$2,753.94
		<b>DIGITAL AUDIO PROCESSOR</b>			
QSC	QSCCORE110FV2	SYSTEM, UNIFIED SERIES CORE W/ 24 LOCAL I/O CHANNELS, 1RU Omnia Partners Contract #2019.001535 List \$4,210.00 Discount: 20%	1	\$2,971.76	\$2,971.76
NETGEAR	NETGSM4212PX100NAS	SWITCH, M4250 10G2XF POE+ Omnia Partners Contract #2019.001535 List \$951.54 Discount: 5%	1	\$899.75	\$899.75
QSC	QSCTSC101G3	CONTROLER, 10.1" TOUCH PANEL FOR IN-WALL MOUNT, BLACK Omnia Partners Contract #2019.001535 List \$3,170.00 Discount: 20%	1	\$2,237.65	\$2,237.65
QSC	QSCTSC710TG3	TABLE TOP MOUNTING ACCESSORY FOR TSC-70- G3 / TSC-101W-G3	1	\$332.93	\$332.93

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Mfg	Model	Description	Qty	Unit Price	Extended Price
		Omnia Partners Contract #2019.001535 List \$455.00 Discount: 20%			
QSC	QSCSLQSE110P	SOFTWARE LICENSE, Q-SYS CORE 110 SCRIPTING ENGINE, PERPETUAL Omnia Partners Contract #2019.001535 List \$465.00 Discount: 20%	1	\$372.00	\$372.00
QSC	QSCSLQUD110P	SOFTWARE LICENSE, Q-SYS CORE 110 UCI DEPLOYMENT, PERPETUAL Omnia Partners Contract #2019.001535 List \$234.00 Discount: 20%	1	\$187.20	\$187.20
		<b><u>SPEAKERS AND AMPLIFIER</u></b>			
QSC	QSCADP6TBK	SPEAKER, 6.5" TWO-WAY PENDANT, 70/100V, BLACK Omnia Partners Contract #2019.001535 List \$379.00 Discount: 20%	12	\$267.53	\$3,210.36
QSC	QSCSPA460	AMPLIFIER, 4 CHANNEL 1/2 RU, ENERGY STAR Omnia Partners Contract #2019.001535 List \$1,005.00 Discount: 20%	1	\$709.41	\$709.41
		<b><u>CAMERA</u></b>			
QSC	QSCNC20X60	CAMERA, 20X OPTICAL ZOOM PTX, POE W/WALL MNT BRACKET Omnia Partners Contract #2019.001535 List \$5,545.00 Discount: 20%	2	\$3,914.12	\$7,828.24
EXTRON ELECTRONICS	EXT60163401	DUAL RECORDING SMP 352 80GB SSD Omnia Partners Contract #2019.001535 List \$8080 Discount: 40%	1	\$4,752.94	\$4,752.94
EXTRON ELECTRONICS	EXT60127112	EXTENDER, HDMI TWISTED PAIR TRANSMITTER Omnia Partners Contract #2019.001535 List \$570.00 Discount: 40%	2	\$335.29	\$670.58
EXTRON ELECTRONICS	EXT60127113	EXTENDER, DTP HDMI 4K 230 - RECEIVER Omnia Partners Contract #2019.001535	2	\$335.29	\$670.58

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Mfg	Model	Description	Qty	Unit Price	Extended Price
		List \$570.00 Discount: 40%			
		<b>EQUIPMENT RACK</b>			
MIDDLE ATLANTIC	MIDMFR1627GC	RACK, 16 SPACE 27" DEEP MOBILE F, GC Omnia Partners Contract #2019.001535 List \$1,348.00 Discount: 25%	1	\$713.65	\$713.65
MIDDLE ATLANTIC	MIDPD915RC20	POWER STRIP, 9 OUTLET, 15A SURGE/SPIKE PROTECTED Omnia Partners Contract #2019.001535 List \$240.00 Discount: 25%	2	\$127.06	\$254.12
		<b>LABOR</b>			
		OMNIA RATES Contract #2019.001535 Project Engineer: \$115 per hour Design Engineer: \$115 per hour Sr. Project Manager: \$115 per hour Project Manager: \$110 per hour Programmer: \$115 per hour CAD: \$70 per hour Shop Installation Tech: \$95 per hour Production Installation Tech: 105 per hour Clerical: \$68.33 per hour  (Labor Total in Professional Services area)	0	\$0.00	\$0.00
				<b>Subtotal</b>	<b>\$46,306.64</b>

## Room Support and Maintenance

Elite Maintenance Services - Room; 12-months

**\$4,258.13**

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## Investment Summary

Prepared For:	<b>Amber Brown</b>	Prepared By:	<b>Rahsaan Wood</b>
	<b>Town of Melbourne Beach</b>	Date Prepared:	<b>07/18/2023</b>
	<b>507 Ocean Avenue</b>	Proposal #:	<b>428755-1</b>
	<b>Melbourne Beach, FL 32951-2523</b>	Valid Until:	<b>08/18/2023</b>

### **Total Equipment Cost** **\$48,206.64**

Includes cable, connectors, hardware, switches, relays, terminal blocks, panels, etc., to ensure complete and operational system

### **Professional Integration Services** **\$30,320.00**

Includes engineering, project management, CAD, on-site installation and wiring, coordination and supervision, testing, checkout, owner training, etc. performed on the Owner's premises. Also includes all fabrication, modification, assembly, rack wiring, programming, warranties, etc., some performed at AVI-SPL

### **Direct Costs** **\$0.00**

Includes non equipment or labor costs, such as travel expenses, per diem, lift and vehicle rentals

### **General & Administrative** **\$1,665.39**

Includes all G & A expenses: vehicle mileage, shipping and insurance, as applicable

### **Services - Room Support and Maintenance** **\$4,258.13**

Includes post-installation support and maintenance options selected for installed rooms

<b>Subtotal</b>	<b>\$84,450.16</b>
<b>Tax</b>	<b>Exempt (*)</b>
<b>Total</b>	<b>\$84,450.16</b>

\* Exemption from sales tax will be recognized only after a valid sales tax exemption certificate or other appropriate documentation of exemption has been provided to and approved by AVI-SPL; otherwise all applicable sales taxes will apply.

### **Purchase orders should be addressed to AVI-SPL LLC**

Due to global semiconductor ("chip") shortages and supply chain disruptions pricing quoted in this proposal may change. Installation schedules are subject to current (daily) product availability and may be delayed or postponed.

This Entire Document and all information (including drawings, specifications and designs) presented by AVI-SPL LLC are the property of AVI-SPL LLC or its affiliate. Proprietary information provided to potential customers, clients or agents is for the sole purpose of demonstrating solutions delivery capabilities and shall be held in confidence. These Materials may not be copied, distributed or disclosed in any way without the sole written permission of an authorized representative of AVI-SPL. © Copyright AVI-SPL LLC. All Rights Reserved



## Terms and Conditions

This Proposal together with AVI-SPL's General Terms and Conditions and the applicable Addendum(a) located here and incorporated herein by this reference (collectively the "Agreement") constitutes the entire agreement between AVI-SPL LLC ("Seller", "AVI-SPL", "we", "us", "our") and the buyer/customer identified in the Proposal ("Buyer", "Customer", "Client", "you", "your") with respect to its subject matter and supersedes all prior and contemporaneous agreements, representations and understandings of the Parties, written or oral. By signing below, issuing a valid purchase order for the Services and/or Products specified herein or receiving the Products and/or Services specified herein, whichever occurs first, Buyer acknowledges it has read and agrees to the terms of this Agreement. This Agreement shall not be binding upon Seller until accepted by Buyer as set forth in this Agreement and the earlier of Seller's confirmation in writing of Buyer's order and Seller's performance under the applicable Proposal. Any terms and conditions contained in Buyer's purchase order or any other Buyer-provided documents related to this transaction shall have no effect and are hereby rejected. Notwithstanding anything herein to the contrary, if a master services agreement signed by both Parties is in effect covering the sale of the Services and/or Products that are the subject of this Proposal, the terms and conditions of said agreement shall prevail to the extent they conflict or are inconsistent with this Agreement.

## Billing and Payment Terms

Unless otherwise agreed in writing by Buyer and Seller in the Proposal, the total Proposal price, excluding the price for Stand-alone Services (as defined in this section), shall be billed as follows, subject to continuing credit approval: 50% down payment at time of order, 40% upon delivery at Seller; 10% upon project completion and Buyer sign-off or first beneficial use, whichever occurs first, payable net 30 from Buyer's receipt of invoice. For purposes of this Agreement, "Stand-alone Services" means any Services not attached to an installation project. Billing and payment terms for Stand-alone Services are set forth in the applicable Service Addendum(a). Unless otherwise specified in the Proposal, Products are sold F.O.B. origin-Buyer to pay all shipping charges. If this Proposal covers Products or Services for more than one system, room, suite, or location, for purposes of payment in accordance with payment terms stated on the face hereof each room, suite, or location shall be treated as if the subject of a separate sale and payment made accordingly. Unless otherwise specified in the Proposal, all pricing and amounts are in US Dollars and all billing and payment shall be made in US Dollars.

Link to AVI-SPL Terms and Conditions: <https://avispl.com/terms-of-use/>

## Buyer Acceptance

\_\_\_\_\_  
Buyer Legal Entity

\_\_\_\_\_  
Buyer Authorized Signature

\_\_\_\_\_  
Buyer Authorized Signatory Title

\_\_\_\_\_  
Buyer Authorized Signatory Name

\_\_\_\_\_  
Date

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## Addendum to General Terms and Conditions – Equipment Ordering

Due to global supply chain constraints, Seller is experiencing longer than normal lead times on equipment. As a result, Seller cannot guarantee lead times on equipment and will not be liable for any delays in equipment delivery to the extent caused by such constraints. However, as the supply chain continues to improve, we will not be ordering equipment for jobs that start more than 120 days from when the contracted site is ready unless lead times are greater than 90 days.

In order for Seller to appropriately plan and coordinate its resources, Buyer must commit to a **site readiness for installation date**, (subject to timely delivery of equipment) on or about \_\_\_\_\_, 20\_\_.

AVI-SPL LLC Initials

Should Buyer elect to purchase equipment immediately upon placement of order or greater than 120 days prior to the above readiness date, to mitigate delays, Buyer agrees to receive the equipment at their designated location and Seller will immediately bill Buyer upon placement of such order. Buyer shall pay for such equipment within the payment terms (e.g. net 30) specified herein, regardless of any other agreed upon billing terms or billing terms specified herein. Warranty on such equipment shall commence upon delivery of the equipment to Buyer’s designated location, notwithstanding any other agreed upon warranty terms or warranty terms specified herein.

By initialing next to this sentence, Buyer elects to purchase equipment immediately upon placement of order in accordance with the terms of this Addendum.

Buyer Initials

### Buyer Acceptance

Signed Name

Company Name

Printed Name, Title

Date

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## Estimated Project Schedule

The below schedule is included to demonstrate the activities, equipment lead times, and client deliverables necessary to complete the scope of work outlined in this proposal. This schedule is subject to change based on site conditions, equipment lead times, supply chain disruptions, and the clients ability to execute their responsibilities as listed in the scope of work in a timely manner.

Task Name	Duration	Start	Finish
Signed Proposal / PO / Job Setup	1d	07/19/23	07/19/23
Internal Kickoff	1d	07/25/23	07/25/23
+ External Kickoff/Post Sales Engineering	19d	07/28/23	08/23/23
+ Procurement (Duration subject to change due to final equipment design and equipment lead times/supply chain issues).	91d	08/10/23	12/14/23
+ Programming	9d	09/04/23	09/14/23
+ Shop Fabrication	3d	12/15/23	12/19/23
+ Onsite Installation (Rooms are clean and ready prior to installation of equipment (Final paint, flooring, HVAC, network in place and operational, furniture in place, rooms secure, OFE gear onsite and provisioned).	11d	12/21/23	01/04/24
+ Closeout	8d	01/04/24	01/16/24

# Global Support and Maintenance

AVI-SPL's Global Support and Maintenance services relieve you of the day-to-day burden of maintaining your collaboration technology estate, keeping your teams connected, and concentrated on delivering business value.

## Elite Support

Our Elite services give you an extra level of onsite responsiveness and support with:

- **Unlimited onsite support M-F, 8am-5pm\***
- **Unlimited remote help desk support – available globally 24x7x365**
- Facilitation of manufacturer repair or replacement programs – **let us navigate your warranty terms**
- **Software and firmware updates** managed remotely for covered assets



## Global Support Operations Centers

- AVI-SPL's Global Support Operations Centers (GSOCs) deliver live help desk support 24x7x365.
- Offering quick and efficient email, phone, and portal communications options.
- The GSOCs will diagnose a problem, implement a repair remotely, or escalate to a specialist.

**Repair/Replacement Facilitation** – Some equipment may be repairable or replaced at no charge under the manufacturer's warranty. The help desk will assist in arranging the return of the defective equipment to the manufacturer for service/replacement as applicable.

**Software Updates and Upgrades** – access to the help desk for software updates and upgrades remotely available per manufacturer recommendation. Updates are provided on an as needed basis. Once an issue is reported, the remote help desk coordinates with you and the manufacturer to determine the best course of action. If a programmer is required, additional charges may apply at the applicable rate for those services.

**Unlimited Onsite Support** – available Monday through Friday, 8 a.m. - 5 p.m.\*, excluding holidays, with travel included. Where applicable, AVI-SPL will provide a two-business day onsite response following the help desk's determination that an onsite dispatch is needed.

\*Local standard time excluding AVI-SPL holidays.

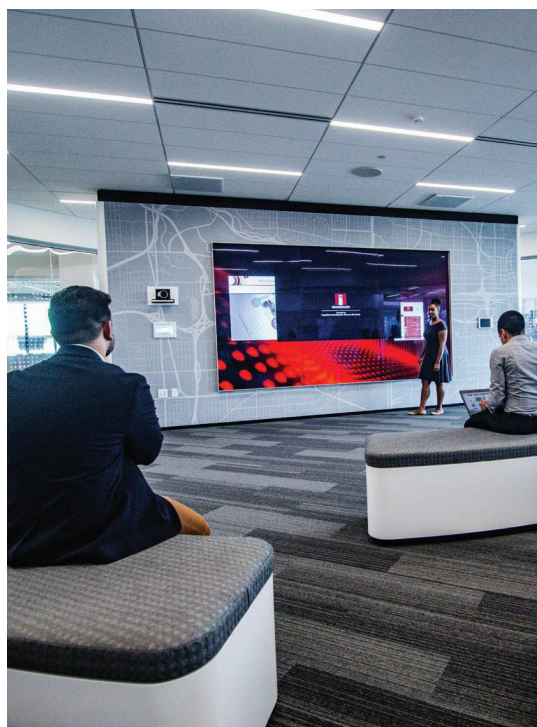


# Integration Inclusions and Exclusions

## Inclusions

The following items are **included** in this proposal unless **specifically noted otherwise** within this proposal document or scope of work statement:

- All equipment, wire, and accessories required for a fully functional audio/visual system per the agreed upon scope of work.
- Non-union labor associated with audio/visual system engineering, installation, programming, and testing.
- Documentation package including complete as-built AV system diagrams, and manufacturer's operation manuals.
- Coordination and cooperation with the construction team in regard to installing the system.
- User demonstration of full AV system operation for final sign-off.



Any additional trips, labor, or materials due to failure of the other workforces to have the audiovisual system rough-in work completed as anticipated and previously confirmed, will be added to the project billing as required.

Unless otherwise agreed in writing by AVI-SPL, all work performed by AVI-SPL will take place between the hours of 8:00 a.m. and 6:00 p.m. local time, Monday through Friday, excluding public and bank holidays. If AVI-SPL is required to perform work outside of these hours, customer will be charged AVI-SPL's standard overtime rates. Any changes in the hours or days of performance must be agreed to in writing by AVI-SPL.

Where applicable, the owner's architect will provide AVI-SPL's engineering department with all required architectural floor, reflected ceiling, building elevation, and section plans in AutoCAD® format at no charge to AVI-SPL.

## Exclusions

The following items are **excluded** from this proposal **unless specifically identified otherwise** within this proposal document or scope of work statement.

- All conduits, high voltage wiring panels, breakers, relays, boxes, receptacles, etc. Any related electrical work including, but not limited to, 110VAC, conduit, core drilling, raceway, and boxes.
- Voice/data cabling, IE analogue phone lines, ISDN lines, network ports, etc.
- Network connectivity, routing, switching, and port configuration necessary to support audiovisual equipment.
- Concrete saw cutting and/or core drilling.
- Fire wall, ceiling, roof and floor penetration, patching, removal, or fire stopping.
- Necessary sheet rock replacement, ceiling tile, T-bar replacement, and/or wall/ceiling repair.
- Any and all millwork (moldings, trim, etc.). All millwork or modifications to project millwork/furniture to accommodate the AV equipment is to be provided by others.
- Painting, patching, or finishing, of architectural surfaces.
- Permits (unless specifically provided for elsewhere in this proposal document or scope of work statement).
- Engineered (P.E.) seals and/or stamped structural/system details.
- HVAC and plumbing relocation.
- Rough-in, bracing, framing. or finish trim carpentry for installation.
- Cutting, structural welding, or reinforcement of structural steel members required for support of assemblies, if required.
- Owner furnished equipment or equipment furnished by others that is integrated into the systems (as described above) is assumed to be current, industry acceptable, and in good working order. If it is determined that this equipment is faulty upon installation, additional project charges may be incurred.
- Additional or specific manufacturer's "User Adoption" training.
- Additional costs for union labor.



## Town of Melbourne Beach (FL)

### Proposal

### Town of Melbourne Beach AV Upgrade Proposal Revised

10-19-2023

---

Amber Brown  
Street Address: 507 Ocean Ave.  
City: Melbourne Beach  
State: Florida  
Zip Code: 32951  
Phone: (321) 724-5860  
Email: [TownClerk@melbournebeachfl.org](mailto:TownClerk@melbournebeachfl.org)



1350 NE 56th Street, Suite 300  
Ft. Lauderdale, FL 33334



Sales: (800) 834-7674  
Support: (800) 715-1234



Email: [info@bisdigital.com](mailto:info@bisdigital.com)  
Web: [www.bisdigital.com](http://www.bisdigital.com)



## Proposal Information

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**Title of Proposal:**

Town of Melbourne Beach AV Upgrade Proposal Revised

**Proposal Total:**

\$70,930.24

**Proposal Due Date:****Intended Recipient Name (Attention To):**

Amber Brown

**Delivery Address:**

507 Ocean Ave.  
Melbourne Beach, Florida, 32951

**BIS Digital Proposal Reference ID:**

P-2300555

**Drop-off Location (Building Name):**

Community Center

**Contract Number:**

TIPS Contract 220704 - Audio Visual Equipment,  
Supplies, and Services

## Submitting Organization Information

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**Name:**

Business Information Systems, Inc. DBA: BIS Digital

**Address:**

1350 NE 56th Street, Suite 300  
Fort Lauderdale, FL 33334

**Email:**

sales@bisdigital.com

**Website:**

www.bisdigital.com

**Account Manager:**

Josh Stephens

**Phone:**

(800) 834-7674  
(954) 493-7377

**Account Manager Phone:**

(800) 834-7674 x. 4040

**Fax:**

(877) 858-5611

**Date:**

October 19, 2023



October 19, 2023

Amber Brown

507 Ocean Ave.  
Melbourne Beach, Florida, 32951

TownClerk@melbournebeachfl.org

Dear Amber Brown,

Thank you for considering BIS Digital for your audio and video needs. We are pleased to submit our proposal in response to your request.

Attached to this proposal, you will find detailed information about our products and services, as well as pricing and terms. We believe that our proposal represents the best value for Town of Melbourne Beach (FL), and we look forward to the opportunity to work with you.

If you have any questions or would like to discuss this proposal further, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink that reads 'Josh Stephens' in a cursive script.

Josh Stephens  
Account Manager  
josh.stephens@bisdigital.com



## Proposal Summary

Quote Number	Brief Description	Quote Amount
Q-8023601	Wireless Televic Mics + Speakers/Rack Gear	\$56,339.15
Q-8023604	2 PTZ Cameras	\$14,591.09
TOTAL		\$70,930.24



## Company Overview

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BIS Digital has been in the audio and video industry since 1982 and possesses a wealth of experience in providing integrated solutions for entities of all sizes. Headquartered in Ft. Lauderdale, Florida, the company has over 90 employees with direct sales and service representatives throughout the US.

Our primary business is the sale, service, and support of multi-channel digital audio/video recording software for the judicial and courtroom systems; city/county governments; public safety and interview rooms; and private enterprises. Other areas of expertise include software-based enterprise room control, AV electronic hardware and software integration, video presentation technology and tv broadcast systems, and digital sound/audio reinforcement.

In addition to our comprehensive AV solutions, we provide a range of video conferencing options for remote video arraignment and other court conferencing needs, in either hosted or non-hosted formats. We also offer remote language translation connectivity and digital dictation, as well as meeting agenda automation, live streaming, web hosting, and on-demand systems. From concept to completion, we have provided these technologies to over 6,000 customers.

The strategic direction for BIS Digital has been to develop solutions that operate in an open architecture environment, are user-friendly, and can be accessed on PCs, tablets, and smartphones. We work with award-winning manufacturers to design fully integrated AV capabilities for optimal workflow and efficiency. All our solutions are developed to work seamlessly with our core DCR audio and video recording software and any current case management software being utilized in the courts and other spaces today.

As such, our team has a deep understanding of the unique requirements in these settings and the importance of reliable and effective AV systems. Our priority is to work closely with our clients to ascertain their specific needs and design a system that meets them. With that said, to us, technology integration and support is more than a project. It's a partnership. It's why we also offer ongoing maintenance and support for our AV systems, as well as providing training and technical assistance to users. We strive to build long-lasting relationships with our clients and exceed their expectations at every opportunity.





## Corporate Data

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### Years in Business

42

### Number of Employees

90

### Geographic Reach

US + 6 Countries

### Financial Information

BIS Digital is a privately held corporation. Submission of confidential financial information can be delivered upon request.

### Certifications

BIS Digital is a Certified Reseller and Authorized Support Agency for the following manufacturers (including but not limited to):

- ASC
- Ashly
- Atlona
- Audio-Technica
- Axis
- Biamp
- Dante
- Extron
- Philips
- QSC
- Shure
- Sony
- Televic
- Williams Sound
- WolfVision

### Owner / CEO

Steve Coldren

### Vice President

Kirk Ambrose

### CFO

Isabel Valle

### Manager of Operations

Gary Jones

### Sales Director

Jade Coldren

### Account Manager

Josh Stephens

### System Engineer

Matt Chetcuti

### Project Manager

Rosie Socolovitch



## Installation (I) - BIS-3000680

### Town of Melbourne Beach (FL)

Josh Stephens  
josh.stephens@bisdigital.com

Council Chambers

**Will this Scope of Work apply to multiple rooms?**

No -- This scope does NOT consider multiple rooms.

**Is the client planning to record with DCR?**

No -- DCR recording is not required in this system.

**Network Approval Process?**

Unknown

**Will an IT Administrator or someone with knowledge of the network be available at the time of installation?**

N/A -- Network infrastructure is not needed for the scope of this system.

**Were the end-to-end workflows of the room, the existing system, and how the new system will be installed to satisfy workflow needs documented for client review and approval?**

Yes -- A full description has been documented below.

**Will system training be required?**

No -- This scope does NOT require system training.

**Installation (I) Description / Notes:**

Client is looking to replace existing wired microphones with wireless goosenecks. (5) at the Dais, (8) at the staff tables, and (1) at the podium. Would like to utilize the recording capabilities of the WAP so that they no longer have to bring out a separate recording unit with its own microphones for every meeting that needs to be recorded.

\*\*Revision 11.3.23--Client would like to quote include replacing of (4) speakers, rack, amplifier, network switch, power conditioner, and assisted listening\*\*



## General Scope of Work Description for Installations

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BIS Digital is committed to delivering high-quality AV systems that meet the needs of our clients; our Scope of Work process is an integral part of this commitment. Please note that this document is intended as a preliminary assessment only and may be subject to a final technical assessment of your requirements. Its use is limited to the purpose of allowing you to verify, via signature, whether the listed equipment, software, and installation needs were accurately recorded. The final implementation of equipment and functionality may vary due to factors including but not limited to: budget, infrastructure, and manufacturer constraints. This document does not provide any implied or express warranties, and BIS Digital accepts no liability for any reliance on the information contained within it beyond its intended purpose as an initial work assessment. Unless otherwise specified, the following section lists BIS Digital and client responsibilities for a standard installation.

### **BIS Digital will be responsible for the following:**

- Provision of all necessary labor, supervision, tools, equipment, materials, services, testing, and other expenses for the successful installation and delivery of a complete and operable A/V solution.
- Performance of all work as described in the scope of work, including installation and testing of specified equipment and final circuit terminations in the head-end equipment racks.
- Project management, personnel, supervision, staff, labor, installation planning, scheduling, documentation, installation quality, and testing devices as required to complete the work.
- Furnishing of specified equipment, with the caveat that BIS Digital reserves the right to bill for equipment as stored materials when delivery or installation is not possible.
- Recommendation for the installation of dedicated electrical power at the head-end, end-user equipment, or at the location of final control(s).
- Production of deliverables and any substitutions on a schedule established under a purchase agreement.

### **The client will be responsible for the following:**

- Preparation of the installation site, including but not limited to carpentry, network connection installation, and electrical work.
- Provision of scaffolds, ladders, or high-reach equipment for installation work in ceilings over 14 feet. BIS Digital will quote rental equipment as needed or upon request.
- Responsibility for any external noise or factors creating noise within the systems not exposed by installed electronic equipment.
- Ensuring that installation structures will support the weight of equipment, including but not limited to wall-mounted displays, hanging loudspeakers, and equipment racks.
- If required, customer-provided contractors will be responsible for the provision, hanging, and installation of all rigid electrical junction boxes, AC power, relay switches, conduits, and any structural reinforcement means as required for the proposed systems.

By signing below, I certify that I am an authorized signer for Town of Melbourne Beach (FL) and have reviewed and approve the Scope of Work provided by BIS Digital. I understand that this Scope of Work defines the equipment requirements for the project, and certify this document accurately captures the needs of my organization. I also acknowledge that any changes to the Scope of Work must be approved in writing by all parties involved.

Client Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



## Shipping and Handling Terms and Disclaimer

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### Shipping Information and Terms

By engaging in our shipping services, customers are obligated to provide precise shipping contact information. This includes the name, phone number, and email address of the individual designated to oversee shipping logistics. These details are paramount for the efficient coordination of shipping-related matters.

### Shipping Location and Dock Requirements

Customers must explicitly state whether their location possesses a designated dock for receiving shipments. This information is crucial for our meticulous planning to ensure the most efficient delivery method, guaranteeing the pristine condition and timely arrival of your equipment.

### Direct Shipments from Manufacturers

BIS Digital reserves the exclusive right to dispatch particular items, such as monitors and specific components, directly from the manufacturer. While this approach may result in separate arrivals from bundled systems, it is essential to secure timely deliveries and the uncompromised condition of individual components. Rest assured, we expertly manage this process to minimize any potential disruption to your project.

### Shipping Costs

The expenses associated with shipping and handling will be precisely determined according to project-specific requirements. Customers will receive a set price for these costs included in a Bill of Materials prior to proceeding with any shipment. Our objective is to maintain cost-efficiency while upholding the highest standards of care for your equipment.

### Shipping Schedule and Tracking

BIS Digital collaborates closely with customers to establish a shipping schedule that aligns with project timelines. Timely delivery is a paramount commitment, and customers will be kept informed of the shipping status through proactive communication. Additionally, when applicable, customers will be granted access to tracking services and notifications, affording them the means to monitor the status of their shipments, thereby facilitating appropriate preparation for the arrival of their AV equipment.

### Disclaimer and Contact Information

This Shipping and Handling Disclaimer serves as a general guideline for our shipping and handling procedures. BIS Digital is firmly committed to addressing specific inquiries or concerns regarding shipping in a prompt and efficient manner, all with the overarching goal of ensuring a seamless and expedient shipping experience for your AV equipment. Should you require further clarifications, have concerns, or need additional assistance, we encourage you to reach out to our dedicated support team.

#### Does the delivery site include lockable storage?

N/A – Lockable storage not needed for this scope.

#### Is the delivery site equipped with a loading dock?

N/A – Loading dock not needed for this scope.

By signing below, I certify that I am an authorized signer for Town of Melbourne Beach (FL) and have reviewed and approved BIS Digital's Shipping and Handling Disclaimer. I understand that this disclaimer provides a general overview of shipping expectations and agree to hold BIS Digital harmless from liability arising from third-party carrier errors, damages, or delays. Furthermore, I acknowledge that if specific shipping instructions, such as address details, carry-in delivery, or attention-to information, are required, I will promptly forward these instructions to the designated account manager for implementation. I also recognize that any delays in providing accurate shipping information may result in project delays, and I accept responsibility for mitigating such delays by promptly addressing any shipping-related requirements.

Client Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



## Client Site Preparation Checklist

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As part of delivering a seamless experience, there are a few things clients can do ahead of time that greatly impact the speed and efficacy of an on-site or remote installation. In either instance, BIS Digital highly recommends reviewing the client checklist provided below and completing all applicable items within the timeframes listed should you choose us as your technology partner. If you have any questions about the items on this list, please don't hesitate to contact your account manager or call us directly at (800) 834-7674. Thank you!

### At least 30 Days Prior to Installation Date:

- Identify the location where the AV equipment will be installed and ensure that it meets the necessary specifications, including proper power and electrical outlets, HVAC, lighting, and structural support.
- Provide BIS Digital with a comprehensive list of all existing AV equipment and systems that will be integrated with the new equipment, including make and model numbers.
- Ensure that all necessary software and firmware updates have been performed on existing equipment.
- Ensure that all required permits and licenses have been obtained, including those related to construction or renovation work as applicable.
- Ensure that any necessary network infrastructure is in place, including existing routers, switches, and firewalls.
- Provide BIS Digital with any applicable IP addresses to ensure that the AV equipment is properly configured to integrate with the network.
- Ensure that the appropriate personnel are present during the installation, including facilities personnel, IT personnel, and any other key stakeholders.
- Establish a clear communication plan with BIS Digital to ensure that any issues or concerns that arise on-site are promptly addressed.
- Coordinate with BIS Digital to schedule any necessary training sessions for end-users to ensure that they are familiar with the AV equipment and its functionality.

### If Archiving Recordings to a Network Path:

- Create a dedicated folder on the network for recording files.
- Ensure the Universal Naming Convention (UNC) path is available for that folder.
- Ensure each recording PC will have network access to this path.
- Ensure user logging into a recording computer will have read/write access to this path.

### Day Before Installation:

- Provide BIS Digital with any necessary access codes or keys to the installation site.
- Ensure any pre-shipped equipment is accounted for and accessible to the technicians on site.
- Ensure any existing computers will be in proper working order, free of viruses, have internet access, and be in the place where they will be used.
- Provide BIS Digital with any necessary user credentials and network access information to ensure that the AV equipment is properly integrated with the network. If this cannot be provided, please ensure someone with administrator rights will be available during the installation.

### Note on Recording Storage:

The DCR recording software can write files to multiple locations simultaneously. BIS Digital will create a C:\DCR Recordings folder on the local recording computer as the primary storage method. A mirror copy can be written to a network, external HD, flash drive, SD card, or CD/DVD. Mirroring to a network location is the preferred method. When mirroring to a network path, any user that intends to record audio/video will also need read/write/modify access to this network path so that the files can mirror successfully. When considering storage methods, BIS Digital recommends revisiting state or local government requirements for long-term storage.

### If Archiving Recordings to a CD/DVD:

- Ensure any existing CD/DVD burners meet BIS Digital specifications, function properly, and be installed at each recording computer.
- Ensure any applicable CD/DVD writing software is installed unless purchasing from BIS Digital.
- Provide a sample of writable media for testing/training and going live with the system. CD-R and DVD +R are the supported disk types.



## Optimal Specifications for BIS Digital Recording PC Systems (v8.5)

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### PC Requirements:

#### 2/4 Channel Audio Only

- 8GB RAM (For Windows 7-11 @ 64-bit)
- 500 GB Hard Drive / 8 MB Cache / 7200 RPM
- Intel Core i3 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- Microsoft Windows 7-11 Professional

#### 4/8 Channel Audio w/ 4 Video Channel Max

- 8GB RAM (For Windows 7-11 @ 64-bit)
- 1TB Hard Drive / 8 MB Cache / 10,000 RPM
- Intel Core i5 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- PCIe Slot (For Non-IP Video Solutions Only)
- Microsoft Windows 7-11 Professional

#### 8/16 Channel Audio w/ 8 Video Channels

- 16GB RAM (For Windows 7-11 @ 64-bit)
- 2TB Hard Drive / 8 MB Cache / 10,000 RPM
- Intel Core i7 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- PCIe Slot (For Non-IP Video Solutions Only)
- Microsoft Windows 7-11 Professional

## Audio Sources

	Location	Status	Placement	Type	Make/Model	DCR Channel	Function
A1	Dais	Provide 5 New	Desk-sitting	15-16" Gooseneck (Wireless)			
A2	Staff Table 1	Provide 4 New	Desk-sitting	15-16" Gooseneck (Wireless)			
A3	Staff Table 2	Provide 4 New	Desk-sitting	15-16" Gooseneck (Wireless)			
A4	Podium 1	Provide 1 New	Desk-sitting	15-16" Gooseneck (Wireless)			

## Speakers

	Location	Status	Type	Zone	Make/Model
S1	Ceiling	Provide 4 New	Ceiling-mounted Speaker	2	

## Room Control Panels

	RC1	RC2	RC3	RC4	RC5
Microphones (Levels/Mute)	✓				



## Equipment

	Location	Status	Make / Model	Ports Available
<b>Amplifier</b>	Rack Room	Provide 1 New		
<b>Assisted Listening System</b>	Rack Room	Provide 1 New		
<b>Desktop/Laptop</b>				
<b>DSP/Mixer</b>	Rack Room	Provide 1 New		
<b>NAS Drive</b>				
<b>Network Switch</b>	Rack Room	Provide 1 New		
<b>Power Conditioner</b>	Rack Room	Provide 1 New		
<b>Presentation System</b>				
<b>Video Distribution Amplifier</b>				
<b>Video Input Switcher</b>				
<b>Other (see notes)</b>				

## Rack(s)

	Location	Status	Type	Access	Conduit	Units Available
<b>Rack 1</b>	Rack Room	Provide 1 New	Wall-Mounted	Indirect (adjacent room)	Existing	

## Infrastructure

---

### On-site lockable storage?

N/A -- Lockable storage not needed for this scope.

### Loading dock?

N/A -- Loading dock not needed for this scope.

### Known asbestos?

Unknown -- Client is not aware of any asbestos at time of scope, but knows that remediation will be necessary if discovered.

### Conduit available?

No -- Conduit is not available or does not exist.

### Access above ceiling?

Yes -- BIS Digital can access areas above ceilings on-site as needed.

### Any ceiling height on-site greater than 12 feet?

No -- Ceiling heights at all locations are below 12 feet.

### Cables ran in-wall?

No -- The building is historic or materials don't support in-wall runs.

### Cables ran on floor with coverings?

N/A -- Cables will not be ran across the floor for this scope.

### Equipment mounted on walls, ceilings, or floors as needed?

Yes -- Existing infrastructure will support mounted equipment.

### At time of walk, client confirmed that installation structures will support installed equipment as applicable?

No -- Client did NOT confirm.

### At time of walk, client confirmed relocating rack or equipment may require new cable runs for existing equipment as applicable?

No -- Client did NOT confirm.

### Room Construction:

	Measurement (feet)	Material	Adjacent Area	Prominent Feature
Ceiling		Wood	Attic	
Wall A	60		Rack Room	
Wall B	120		Exterior	Window
Wall C	60		Exterior	Window
Wall D	120		Exterior	Window
Floor		Wood	Exterior	

Dais

16" Gooseneck Mic on  
Wireless Discussion Unit  
FLX/G4 (X5)

Staff Table 1

16" Gooseneck Mic on  
Wireless Discussion Unit  
FLX/G4 (X4)

Staff Table 2

16" Gooseneck Mic on  
Wireless Discussion Unit  
FLX/G4 (X4)

Podium

16" Gooseneck Mic on  
Wireless Discussion Unit  
FLX/G4

Council Chambers Wall A

Wireless Access Point  
FLX/G4

CAT6  
Port 9 Dante

CAT6  
Port 1

Client's LAN/ WAN/  
Internet

Clerk's desk

Existing Laptop  
w/Confero software  
w/Dante VSC  
w/USB NIC

CAT6  
Port 3 Data  
Port 8 Dante

10U Desk Rack

CAT6  
Port 2 Control  
Port 7 Dante

Professional Digital 4ch PA  
Mixer Dante Capable w/  
8ch USBout, POTS & VoIP

Out 3  
OUT 1-2

9-port network Switch

Output ch.  
1&3 @ 70V

Multi-Channel Amplifier  
(4ch/70V/ 60W)

Assisted Listening  
Device (FM) | Series 3

Council Chambers Wall/Ceiling

8" Indoor/  
Outdoor Wall  
Mount Single  
Speaker (Black)  
(x4)

- Wiring Legend:
- Audio:
  - HDMI:
  - VGA:
  - Composite:
  - Network:
  - USB:
  - HDBaseT:

\*Client's Existing Equipment\*

Signature:

Date:

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		<p>AUDIO / VIDEO LINE DRAWING</p>	
<p>AUTHOR: M.M./NJR</p>	<p>DATE: 11/3/2023</p>	<p>DWG NO 1</p>	<p>REV C</p>
<p>SHEET 1 of 1</p>		<p>SHEET 1 of 1</p>	

## Installation (I) - BIS-3000681

### Town of Melbourne Beach (FL)

Josh Stephens  
josh.stephens@bisdigital.com

Council Chambers

**Will this Scope of Work apply to multiple rooms?**

No -- This scope does NOT consider multiple rooms.

**Is the client planning to record with DCR?**

No -- DCR recording is not required in this system.

**Network Approval Process?**

Unknown

**Will an IT Administrator or someone with knowledge of the network be available at the time of installation?**

No -- Client did NOT confirm.

**Were the end-to-end workflows of the room, the existing system, and how the new system will be installed to satisfy workflow needs documented for client review and approval?**

Yes -- A full description has been documented below.

**Will system training be required?**

No -- This scope does NOT require system training.

**Installation (I) Description / Notes:**

Client is looking into installing (2) PTZ cameras mounted in the ceiling that will be sent into a decoder/multi-viewer to hook into the town clerk laptop for streaming to YouTube. In this setup the video output will be a split screen of the two cameras, it won't be capable of switching between cameras.

**System Live Streaming:**

YouTube



## General Scope of Work Description for Installations

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BIS Digital is committed to delivering high-quality AV systems that meet the needs of our clients; our Scope of Work process is an integral part of this commitment. Please note that this document is intended as a preliminary assessment only and may be subject to a final technical assessment of your requirements. Its use is limited to the purpose of allowing you to verify, via signature, whether the listed equipment, software, and installation needs were accurately recorded. The final implementation of equipment and functionality may vary due to factors including but not limited to: budget, infrastructure, and manufacturer constraints. This document does not provide any implied or express warranties, and BIS Digital accepts no liability for any reliance on the information contained within it beyond its intended purpose as an initial work assessment. Unless otherwise specified, the following section lists BIS Digital and client responsibilities for a standard installation.

### **BIS Digital will be responsible for the following:**

- Provision of all necessary labor, supervision, tools, equipment, materials, services, testing, and other expenses for the successful installation and delivery of a complete and operable A/V solution.
- Performance of all work as described in the scope of work, including installation and testing of specified equipment and final circuit terminations in the head-end equipment racks.
- Project management, personnel, supervision, staff, labor, installation planning, scheduling, documentation, installation quality, and testing devices as required to complete the work.
- Furnishing of specified equipment, with the caveat that BIS Digital reserves the right to bill for equipment as stored materials when delivery or installation is not possible.
- Recommendation for the installation of dedicated electrical power at the head-end, end-user equipment, or at the location of final control(s).
- Production of deliverables and any substitutions on a schedule established under a purchase agreement.

### **The client will be responsible for the following:**

- Preparation of the installation site, including but not limited to carpentry, network connection installation, and electrical work.
- Provision of scaffolds, ladders, or high-reach equipment for installation work in ceilings over 14 feet. BIS Digital will quote rental equipment as needed or upon request.
- Responsibility for any external noise or factors creating noise within the systems not exposed by installed electronic equipment.
- Ensuring that installation structures will support the weight of equipment, including but not limited to wall-mounted displays, hanging loudspeakers, and equipment racks.
- If required, customer-provided contractors will be responsible for the provision, hanging, and installation of all rigid electrical junction boxes, AC power, relay switches, conduits, and any structural reinforcement means as required for the proposed systems.

By signing below, I certify that I am an authorized signer for Town of Melbourne Beach (FL) and have reviewed and approve the Scope of Work provided by BIS Digital. I understand that this Scope of Work defines the equipment requirements for the project, and certify this document accurately captures the needs of my organization. I also acknowledge that any changes to the Scope of Work must be approved in writing by all parties involved.

Client Name \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_



## Client Site Preparation Checklist

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As part of delivering a seamless experience, there are a few things clients can do ahead of time that greatly impact the speed and efficacy of an on-site or remote installation. In either instance, BIS Digital highly recommends reviewing the client checklist provided below and completing all applicable items within the timeframes listed should you choose us as your technology partner. If you have any questions about the items on this list, please don't hesitate to contact your account manager or call us directly at (800) 834-7674. Thank you!

### At least 30 Days Prior to Installation Date:

- Identify the location where the AV equipment will be installed and ensure that it meets the necessary specifications, including proper power and electrical outlets, HVAC, lighting, and structural support.
- Provide BIS Digital with a comprehensive list of all existing AV equipment and systems that will be integrated with the new equipment, including make and model numbers.
- Ensure that all necessary software and firmware updates have been performed on existing equipment.
- Ensure that all required permits and licenses have been obtained, including those related to construction or renovation work as applicable.
- Ensure that any necessary network infrastructure is in place, including existing routers, switches, and firewalls.
- Provide BIS Digital with any applicable IP addresses to ensure that the AV equipment is properly configured to integrate with the network.
- Ensure that the appropriate personnel are present during the installation, including facilities personnel, IT personnel, and any other key stakeholders.
- Establish a clear communication plan with BIS Digital to ensure that any issues or concerns that arise on-site are promptly addressed.
- Coordinate with BIS Digital to schedule any necessary training sessions for end-users to ensure that they are familiar with the AV equipment and its functionality.

### If Archiving Recordings to a Network Path:

- Create a dedicated folder on the network for recording files.
- Ensure the Universal Naming Convention (UNC) path is available for that folder.
- Ensure each recording PC will have network access to this path.
- Ensure user logging into a recording computer will have read/write access to this path.

### Day Before Installation:

- Provide BIS Digital with any necessary access codes or keys to the installation site.
- Ensure any pre-shipped equipment is accounted for and accessible to the technicians on site.
- Ensure any existing computers will be in proper working order, free of viruses, have internet access, and be in the place where they will be used.
- Provide BIS Digital with any necessary user credentials and network access information to ensure that the AV equipment is properly integrated with the network. If this cannot be provided, please ensure someone with administrator rights will be available during the installation.

### Note on Recording Storage:

The DCR recording software can write files to multiple locations simultaneously. BIS Digital will create a C:\DCR Recordings folder on the local recording computer as the primary storage method. A mirror copy can be written to a network, external HD, flash drive, SD card, or CD/DVD. Mirroring to a network location is the preferred method. When mirroring to a network path, any user that intends to record audio/video will also need read/write/modify access to this network path so that the files can mirror successfully. When considering storage methods, BIS Digital recommends revisiting state or local government requirements for long-term storage.

### If Archiving Recordings to a CD/DVD:

- Ensure any existing CD/DVD burners meet BIS Digital specifications, function properly, and be installed at each recording computer.
- Ensure any applicable CD/DVD writing software is installed unless purchasing from BIS Digital.
- Provide a sample of writable media for testing/training and going live with the system. CD-R and DVD +R are the supported disk types.



## Optimal Specifications for BIS Digital Recording PC Systems (v8.5)

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### PC Requirements:

#### 2/4 Channel Audio Only

- 8GB RAM (For Windows 7-11 @ 64-bit)
- 500 GB Hard Drive / 8 MB Cache / 7200 RPM
- Intel Core i3 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- Microsoft Windows 7-11 Professional

#### 4/8 Channel Audio w/ 4 Video Channel Max

- 8GB RAM (For Windows 7-11 @ 64-bit)
- 1TB Hard Drive / 8 MB Cache / 10,000 RPM
- Intel Core i5 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- PCIe Slot (For Non-IP Video Solutions Only)
- Microsoft Windows 7-11 Professional

#### 8/16 Channel Audio w/ 8 Video Channels

- 16GB RAM (For Windows 7-11 @ 64-bit)
- 2TB Hard Drive / 8 MB Cache / 10,000 RPM
- Intel Core i7 Processor
- Ethernet RJ-45 Network Interface 100/1000
- USB 3.0 Ports
- PCIe Slot (For Non-IP Video Solutions Only)
- Microsoft Windows 7-11 Professional

## Audio Sources

	Location	Status	Placement	Type	Make/Model	DCR Channel	Function
A1	Dais	Use 5 Client- Provided	Desk-sitting	15-16" Gooseneck			
A2	Staff Table 1	Use 4 Client- Provided	Desk-sitting	15-16" Gooseneck			
A3	Staff Table 2	Use 4 Client- Provided	Desk-sitting	15-16" Gooseneck			
A4	Podium 1	Use 1 Client- Provided	Desk-sitting	15-16" Gooseneck			



## Speakers

	Location	Status	Type	Zone	Make/Model
S1	Ceiling	Use 4 Client-Provided	Ceiling-mounted Speaker	2	QSC



## Video Sources

	Location	Status	Placement	Type	Make/Model	Shot	Dist. to Target	Target	DCR Channel	Function
V1	Ceiling	Provide 2 New	Ceiling-mounted	PTZ HDMI Camera		Wide	40'	Dais		Stream Online

## Room Control Panels

RC1

RC2

RC3

RC4

RC5

## Equipment

	Location	Status	Make / Model	Ports Available
Amplifier	Rack Room	Use 1 Client-Provided	QSC	
Assisted Listening System	Rack Room	Use 1 Client-Provided	Listen	
Desktop/Laptop	Staff Table 1	Use 1 Client-Provided		
DSP/Mixer	Rack Room	Use 1 Client-Provided	Tesira Forte AVB AI	
NAS Drive				
Network Switch				
Power Conditioner	Rack Room	Use 1 Client-Provided	Furman	
Presentation System				
Video Distribution Amplifier				
Video Input Switcher				
Other (see notes)				

## Rack(s)

	Location	Status	Type	Access	Conduit	Units Available
Rack 1	Rack Room	Use 1 Client-Provided	Wall-Mounted	Indirect (adjacent room)	Existing	

## Infrastructure

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### On-site lockable storage?

N/A – Lockable storage not needed for this scope.

### Loading dock?

N/A – Loading dock not needed for this scope.

### Known asbestos?

Unknown – Client is not aware of any asbestos at time of scope, but knows that remediation will be necessary if discovered.

### Conduit available?

No – Conduit is not available or does not exist.

### Access above ceiling?

Yes – BIS Digital can access areas above ceilings on-site as needed.

### Any ceiling height on-site greater than 12 feet?

No – Ceiling heights at all locations are below 12 feet.

### Cables ran in-wall?

Yes – Existing infrastructure will support running cables in-wall.

### Cables ran on floor with coverings?

N/A – Cables will not be ran across the floor for this scope.

### Equipment mounted on walls, ceilings, or floors as needed?

Yes – Existing infrastructure will support mounted equipment.

### At time of walk, client confirmed that installation structures will support installed equipment as applicable?

Yes – Client confirmed structure WILL support installed devices.

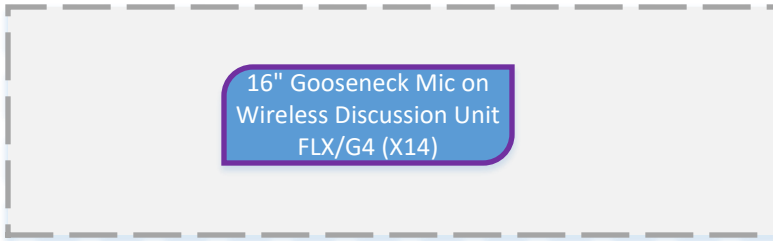
### At time of walk, client confirmed relocating rack or equipment may require new cable runs for existing equipment as applicable?

No – Client did NOT confirm.

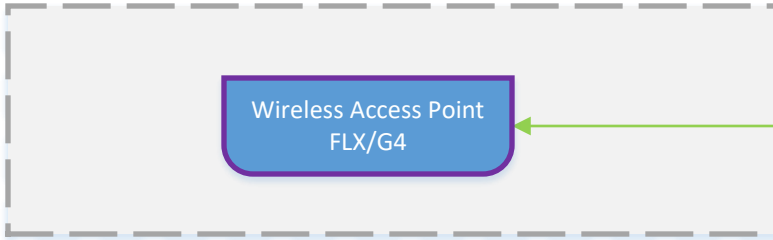
### Room Construction:

	Measurement (feet)	Material	Adjacent Area	Prominent Feature
Ceiling	10	Wood	Attic	
Wall A	60	Wood	Rack Room	
Wall B	120	Wood	Exterior	Door
Wall C	60	Wood	Exterior	Window
Wall D	120	Wood	Exterior	Window
Floor		Wood	Exterior	

### Council Chambers Dais and Tables



### Council Chambers Wall A



**Note:**  
The functionality of this system is contingent on the equipment to be installed per Q-8023601

- On Q-8023601
- \*Client's Existing Equipment\*

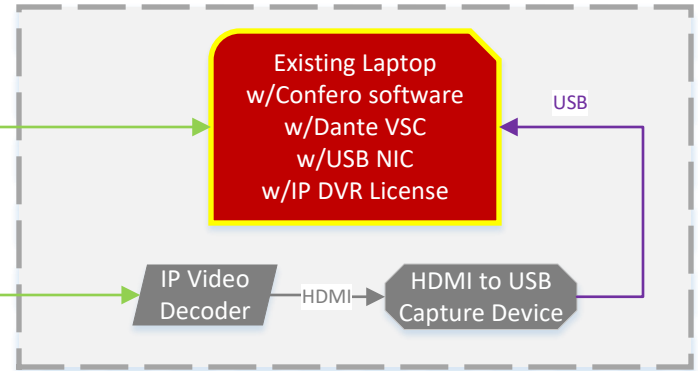
**Wiring Legend:**

- Audio:
- HDMI:
- VGA:
- Composite:
- Network:
- USB:
- HDBaseT:

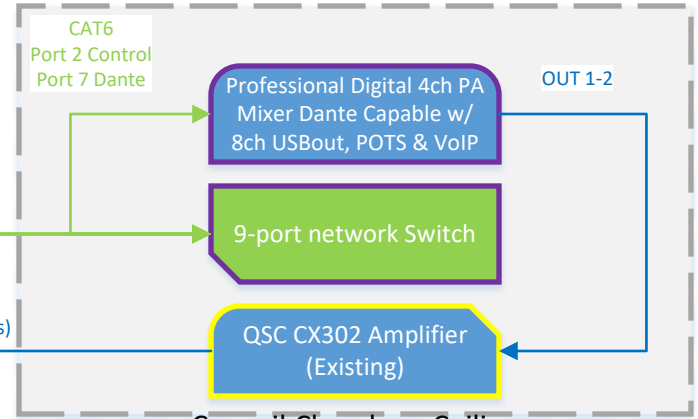
Signature:

Date:

### Clerk's desk



### Existing Rack in Rack Room



### Council Chambers Ceiling



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		<b>AUDIO / VIDEO LINE DRAWING</b>	
135 0 NE 56th STREET, SUITE 300 FORT LAUDERDALE, FL 33334 PHONE: <b>800.715.1234</b> WEBSITE: <a href="http://www.bisdigital.com">www.bisdigital.com</a>	AUTHOR: <b>M.M.</b>	DWG NO: <b>1</b>	REV: <b>C</b>
DATE: <b>7/7/2023</b>	SHEET: <b>1 of 1</b>		

## Key System Technology

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### Digital Signal Processor

Digital Signal Processors (DSPs) are specialized computers that are used to process and manipulate signals in real time. This is achieved through algorithms that can analyze and manipulate audio in a variety of ways. For example, a DSP might be used to adjust the volume of an audio signal, remove background noise, or cancel out echoes. They are an essential component of many BIS Digital provided audio systems and are used in a wide range of applications including but not limited to courtrooms, council chambers, police stations, and conference rooms.

BIS Digital provides DSPs that offer advanced processing capabilities and a range of connectivity options, particularly where clear, intelligible audio is critical. Specifically, most of our DSPs will handle up to 64 channels of audio and support a range of audio signal types, including analog, digital, and networked audio, such as voice over internet protocols (VOIP) or Dante.

In a typical council chamber environment, we'll use a DSP to amplify the voices of elected officials so that they can be heard by the audience and vice versa. Similarly, we'll ensure that audio from presentations and other audio sources is of the highest quality, particularly for networked destinations, such as live streaming. As to the specific functionality for this project, BIS Digital will prioritize the documented requests outlined in the scope of work but will adjust on site, as needed, based on the installation environment and client needs. This allows us to ensure that the final product meets your expectations and functions effectively within any known or unknown constraints.

### Assisted Listening System

An assisted listening system is designed to help people with hearing loss or other auditory impairments to better hear and understand speech and other sounds in their environment. In a large room, these systems typically consist of one or more receivers worn by the listener(s), which wirelessly receive a signal from a transmitter connected to the in-room microphones. The receiver amplifies the sound and delivers it directly to the listener's ear. Some assisted listening systems also have additional features, such as noise reduction and speech enhancement, to improve the listening experience. They are often used in settings such as classrooms, meetings, courtrooms, council rooms, and places of worship to help people with hearing loss to more easily participate in these events. BIS Digital special orders assisted listening equipment per the requirements outlined in the scope of work.

### Televic

Televic is a provider of professional audio and video conferencing solutions that are designed to help businesses and organizations communicate and collaborate more effectively. The company offers a range of products and services that are suitable for a variety of applications, including meetings, presentations, and remote collaboration.

One of the key features that sets Televic apart from other conferencing solutions is the range of audio and video conferencing products it offers. These products include conference phones, speakerphones, and software applications that allow users to participate in meetings and presentations over the phone or through a computer. Televic also offers a range of video conferencing products, including cameras, monitors, and software applications that allow users to join video conferences from any device. But where they excel is in conferencing microphones. BIS Digital recommends Televic because its solutions are designed to be scalable, allowing them to be easily customized and expanded to meet the needs of any organization.

## Installation Overview

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BIS Digital is committed to delivering high-quality AV systems that meet the needs of our clients; our installation process is an integral part of this commitment. The following section is a general overview of the steps we take to ensure a seamless experience. Note: The final schedule is determined with the client after a proposal is accepted and a purchase order is received.

Our installation process begins with careful planning and design to ensure that the AV system meets the needs of the end users and is properly integrated into the space. This includes conducting site surveys to assess the physical space and infrastructure, as well as working with clients to understand their specific needs and requirements. In circumstances where we are not able to conduct a technical walkthrough pre-quotation or believe the project would benefit from an additional review, we will coordinate a site survey at the client's earliest convenience. This allows us to properly assess the physical space and infrastructure, and solidify whether any site preparations need to be made in advance, such as providing lockable storage or installing power outlets as needed to support the AV system. Product orders will commence immediately following this final site review meeting and can take 2-3 weeks, depending on manufacturing and shipping times.

Once the site is prepared, BIS Digital will connect and configure all hardware and software components of the AV system. All work will be performed by BIS Digital Technicians only, with no subcontractors. This may include installing and configuring audio processors, amplifiers, and control systems, as well as integrating the AV system with other building systems as applicable. Installation times can range from two days to two weeks per room depending upon the complexity of the system and environment. Custom programming and support will be provided by BIS Digital programmers, who will be available throughout the installation period and for routine performance upgrades and maintenance through remote service. BIS Digital follows all local building codes and regulations when performing work and ensures that all components are installed safely and securely.

After all elements are installed and tested, our technicians will provide user training to ensure that all end users are comfortable operating the AV system. The scope of training will vary depending on the complexity of the project and the number of users who need to be trained. This may include hands-on training sessions, demonstrations, and the creation of user manuals or other documentation as needed. Ongoing training can also be provided through an on-site service or remote service agreement if desired. Our goal is to ensure that all end users have the knowledge and skills they need to effectively use and maintain the AV system.





## Support and Service Overview

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At BIS Digital, we are committed to meeting our customers' service and support requirements and honoring all product warranties. We also offer comprehensive maintenance programs that include on-site and remote support, service, and training in addition to warranty fulfillment. Complete details are available upon request.

We have a 24/7 toll-free service hotline staffed by experienced technical service representatives, as well as options for placing service calls directly on our website or by phone. In most cases, we can resolve issues over the phone or in a video conference, but there may be times when an on-site visit is necessary. We use hosted customer relationship management (CRM) software to track the performance of our supported systems and our customers' services. Our technicians receive service calls through our internal service coordinator, and the cost of service coverage depends on the customer's service agreement. When a service call is completed, an automated email is sent to the customer with the results.

To ensure that we're responding quickly and efficiently to our customer requests and service issues, we've also implemented a Service Level Management Escalation Policy that outlines how we handle different levels of severity and how we communicate with our customers. Sometimes, we may need to escalate issues for technical or managerial reasons. Technical escalations involve bringing in additional expertise to resolve technical problems as quickly as possible, while managerial escalations involve higher levels of decision-making authority to address procedural or behavioral obstacles that may be holding up the resolution of a situation.

To optimize these systems, we ask every customer to contact the Technical Support Center first:

(800) 715-1234  
Support@BISDigital.com

In the event a BIS Digital technical support representative does not respond in a prompt manner (within 8 business hours), customers can escalate their service issue to the contacts below.

Account Manager – Josh Stephens  
(800) 834-7674 x. 4040

Technical Services Manager – Gary Jones  
(800) 834-7674 x. 4513

President – Steve Coldren  
(800) 834-7674 x. 4504



## Bill of Materials

### Account Name:

Town of Melbourne Beach (FL)

### Quote Name:

I - JUN 2023 - WRLESS MICS - Council Chambers - Community Center - Town of Melbourne Beach (FL)

### Quote Number:

Q-8023601

### Quote Amount:

\$56,339.15

### Date:

11/6/23

### Quote Expiration Date:

5/4/24

### Account Rep:

Josh Stephens

### Account Rep Email:

josh.stephens@bisdigital.com

### Account Rep Phone:

(800) 834-7674 x4040

Item	Product Code	Qty	List Price	TIPS Price	Total Price
Wireless Discussion Unit   GO FLX/G4 Series	BIS-TLVC-FLX-G4-GO-WDU	14.00	1350.00	\$1,215.00	\$17,010.00
Battery Pack for Wireless Discussion Unit   FLX/G4 Series	BIS-TLVC-FLX-G4-BP	14.00	250.00	\$225.00	\$3,150.00
16" Gooseneck Microphone w/ LED Ring   FLX/G4 Series	BIS-TLVC-FLX-G4-16GN-LED	14.00	330.00	\$297.00	\$4,158.00
Wireless Access Point w/ Dante   FLX/G4 Series	BIS-TLVC-FLX-G4-WAP-DAN	1.00	4995.00	\$4,495.50	\$4,495.50
Rack Mountable Charging Tray for 10x Battery Packs   FLX/G4 Series	BIS-TLVC-FLX-G4-BP-RMCT-10	1.00	1695.00	\$1,525.50	\$1,525.50
Standalone Meeting Control and Room Configurator License   TLVC	BIS-TLVC-C-360-GO	1.00	1400.00	\$1,260.00	\$1,260.00
9-port Network Switch   9x 1GB   8x PoE+ (110w)	BIS-NS-M4250-GSM4210PD	1.00	935.00	\$841.50	\$841.50
8" Indoor/Outdoor Wall Mount Single Speaker (Black)	BIS-SP-WMB8	4.00	495.00	\$445.50	\$1,782.00
Desk Rack (10U)	BIS-RCK-DR10	1.00	535.00	\$481.50	\$481.50
Multi-Channel Amplifier (4ch 60W)	BIS-AMP-MC-460	1.00	1100.00	\$990.00	\$990.00
Assisted Listening Device (FM)   Series 3	BIS-ALS-FMS3	1.00	1025.00	\$922.50	\$922.50
1U IP Power Conditioner with OvrC   8 Controllable Outlets	BIS-PWR-IPVM8-1U	1.00	999.00	\$899.10	\$899.10
DANTE Virtual Sound Card (up to 64ch)	BIS-DANTE-V64	1.00	149.00	\$134.10	\$134.10
USB Gigabit NIC (10/100/1000)	BIS-NIC-GB	1.00	45.00	\$40.50	\$40.50



Item	Product Code	Qty	List Price	TIPS Price	Total Price
Speaker Wire 16AWG (Plenum) - 1,000ft Roll	BIS-W-SPKR-16AWG	1.00	405.00	\$364.50	\$364.50
25' Shielded CAT6 Patch Cable   Plenum	BIS-CAT6-SPC-25-P	1.00	146.00	\$131.40	\$131.40
Professional Digital 4ch PA Mixer DANTE Capable w/8ch USB out and POTS/VoIP Interface	BIS-MX-DAN-USB8PV4	1.00	3700.00	\$3,330.00	\$3,330.00
Installation Supplies	BIS-INST-SUP	1.00	659.76	\$593.78	\$593.78
Shipping/Handling	S/H	1.00	3120.60	\$2,808.54	\$2,808.54
On-site Setup, Installation and Training	SIT	1.00	5940.00	\$5,346.00	\$5,346.00
Annual ON-SITE SUPPORT (Includes Hardware Replacement) - Contract to be Issued Upon Installation	NMNT-OS-HRDW	1.00	6749.70	\$6,074.73	\$6,074.73
TIPS Contract 220704 - Audio Visual Equipment, Supplies, and Services	BIS-X-TIPS				

**Total (Before Tax): \$56,339.15**



## Bill of Materials

---

**Account Name:**

Town of Melbourne Beach (FL)

**Quote Name:**

A - JUN 2023 - Q-8023601- CAM - Council Chambers - Community Center - Town of Melbourne Beach (FL)

**Quote Number:**

Q-8023604

**Quote Amount:**

\$14,591.09

**Date:**

11/6/23

**Quote Expiration Date:**

4/18/24

**Account Rep:**

Josh Stephens

**Account Rep Email:**

josh.stephens@bisdigital.com

**Account Rep Phone:**

(800) 834-7674 x4040

Item	Product Code	Qty	List Price	TIPS Price	Total Price
HD IP PTZ Camera (Series 2)	BIS-IP-HD-PTZ-S2	2.00	3750.00	\$3,375.00	\$6,750.00
4K/60 HDMI to USB Video Capture Device with HDMI Loop-through and Audio Embedder	BIS-USB-VCD-A-S1	1.00	600.00	\$540.00	\$540.00
Video Management Software IP Core License (Series 2)	BIS-IP-DVR-CS2	2.00	150.00	\$135.00	\$270.00
IP Video Decoder w/Multiview (Series 2)	BIS-VC-IP-VDMV-S2	1.00	875.00	\$787.50	\$787.50
CAT6 Cable   Shielded   Black   500'	BIS-W-CAT6-SHB-500	1.00	750.00	\$675.00	\$675.00
HDMI Cable Series 2 (3ft.)	BIS-HDMI-3FT-S2	1.00	17.00	\$15.30	\$15.30
Installation Supplies	BIS-INST-SUP	1.00	134.63	\$121.17	\$121.17
Shipping/Handling	S/H	1.00	681.94	\$613.75	\$613.75
On-site Setup, Installation and Training	SIT	1.00	3960.00	\$3,564.00	\$3,564.00
Annual ON-SITE SUPPORT (Includes Hardware Replacement) - Contract to be Issued Upon Installation	NMNT-OS-HRDW	1.00	1391.25	\$1,252.13	\$1,252.13
TIPS Contract 220704 - Audio Visual Equipment, Supplies, and Services	BIS-X-TIPS				

**Total (Before Tax): \$14,591.09**



## Proposal Terms and Conditions

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<b>Proposal ID</b>	P-2300555
<b>Effective Period</b>	This proposal is valid through 04-16-2024.
<b>Tax Status</b>	Sales tax will be added to an invoice unless a Tax-Exempt Form is on file with the BIS Digital corporate office.
<b>Deposit</b>	All orders above \$5,000 require a 50% deposit. Once the deposit for an order is received by BIS Digital, installation scheduling and shipment of goods will occur.
<b>Payment Terms</b>	Payment for the delivery of goods is due upon the transfer of possession of the goods to the buyer or its agent. Payment of services is due when all services have been fully performed in accordance with the terms of the agreement. The buyer shall promptly inspect the goods or services upon receipt and shall notify BIS Digital of any defects or non-conformities. An ACH number will be provided for payment.
<b>Cancellation</b>	<p>In the event a customer cancels or postpones an order after a deposit has been received, BIS Digital reserves the right to invoice for hardware, software, shipping costs, and any other materials procured for the order.</p> <p>Restocking Fee: A 20% restocking fee will be charged for all canceled orders.</p>
<b>Limited Warranty</b>	New software supplied by BIS Digital are covered for 90 days from the date of installation. New hardware supplied by BIS Digital are covered for 90 days from the date of delivery. Manufacturer Warranties do not cover On-Site Technical Support, Shipping costs, or Software upgrades.
<b>Software Assurance</b>	Annual Software Assurance entitles users to software upgrades at a fixed fee assessed at time of purchase.
<b>Substitutions</b>	Unforeseen supply chain disruptions or component shortages may impact the availability of goods. As a result, some items may require substitution and may be subject to price and/or delivery time variances. In these instances, BIS Digital will consult with the customer about options and alternatives



## Proposal P-2300555 Accepted By

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Full Name (Print):

Title:

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Signature:

Date:

---



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**PLEASE NOTE:**

By signing above and or providing a purchase order number below, your organization is agreeing to the above scope of work, pricing, terms, and conditions, and is authorizing BIS Digital, Inc. to order, install, and bill for ALL materials and applicable services listed in this proposal: P-2300555.

## Accounts Payable Information

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Full Name (Print):

Phone Number:

---



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Email Address:

Fax Number:

---



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Purchase Order Required for Purchasing?

Purchase Order Number:

YES

NO

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## Town Commission Meeting

**Section:** Old Business  
**Meeting Date:** December 20, 2023  
**From:** Amber Brown, Town Clerk  
**Subject:** Appointment of the Vice Mayor

### **Background Information:**

When the Commission is seated for the first time after an election and/or for the new Fiscal Year, the Commission will vote for one Commissioner to be designated as Vice Mayor.

This was agenda item was tabled during the November Commission meeting until December.

### **Recommendation:**

Vote for a Vice Mayor

## Town Commission Meeting

**Section:** Old Business  
**Meeting Date:** December 20, 2023  
**From:** Amber Brown, Town Clerk  
**Subject:** Reappointment of Board Member James Simmons to the Board of Adjustment

### Background Information:

During the November Regular Town Commission Meeting the Commission voted to table this agenda item until the December meeting to allow for discussion.

### Recommendation:

Discuss and approve the reappointment of Board Member James Simmons to the Board of Adjustment.

### Attachments:

Town Board Volunteer Application for James D. Simmons





## TOWN BOARD VOLUNTEER APPLICATION

Town of Melbourne Beach

507 Ocean Avenue

Melbourne Beach, Florida 32951

Phone: (321) 724-5860 Fax: (321) 984-8994

1. Name: James D. Simmons Home Phone: 321-984-8357
2. Home Address: 409 Avenue B, Melbourne Beach, FL 32951
3. Mobile Phone: \_\_\_\_\_ E-mail address: jdsimm@aol.com
4. Business Name: N/A Business Phone: N/A
5. Resume or Education & Experience: Bach of Arts (Univ of FL 1976), Mel Bch Mayor (2013-2020)  
(Use additional sheets if necessary or submit resume)
6. Date of birth: 07/14/1955 (to verify voter registration)  
(optional)
7. Are you a qualified elector of the town?  YES  NO
8. Are you a resident of the town?  YES  NO
9. Do you reside in the town for at least ten (10) months of each calendar year?  YES  NO
10. Do you hold a public office?  YES  NO
11. Do you currently serve on a Town board?  YES  NO  
If yes, which board? Board of Adjustment
12. Please check the board(s) you are interested in serving on:
 

<input type="checkbox"/> Audit Committee	<input type="checkbox"/> History Center Board
<input checked="" type="checkbox"/> Board of Adjustment	<input type="checkbox"/> History Preservation and Awareness
<input type="checkbox"/> Civil Service Board	<input type="checkbox"/> Parks Board
<input type="checkbox"/> Code Enforcement Board	<input type="checkbox"/> Planning and Zoning Board
<input type="checkbox"/> Environmental Advisory Board	<input type="checkbox"/> Police Pension Fund Board of Trustees
13. Why do you think you are qualified to serve on this board? Current and past Board member, Bach of Arts (Univ of FL 1976), Mel Bch Mayor (2013-2020)
14. Would you consider serving on another board other than the one(s) you have selected above?  
 YES  NO

Note: Persons appointed to certain town boards must file a financial disclosure form with the Brevard County Supervisor of Elections and Florida Commission on Ethics. If you have any questions, please call the Town Clerk's office at 724-5860.

Signature: *James D. Simmons*

Date: 9/29/23

## Town Commission Meeting

**Section:** New Business

**Meeting Date:** December 20, 2023

**From:** Amber Brown, Town Clerk

**Subject:** Appointment of the Voting Delegate and Alternate Voting Delegate for the Space Coast League of Cities

### **Background Information:**

Every year the Town Commission votes for one Voting Delegate and one Alternate Voting Delegate for the Space Coast League of Cities.

### **Recommendation:**

Vote for the 2024 Voting Delegate for the Space Coast League of Cities

Vote for the 2024 Alternate Voting Delegate for the Space Coast League of Cities

### **Attachments:**

2024 Appointment of League Voting Delegate/Director Form



# SPACE COAST LEAGUE OF CITIES, INC.

A Florida Not-for Profit Corporation

CAPE CANAVERAL	INDIALANTIC	MELBOURNE BEACH	ROCKLEDGE
COCOA	INDIAN HARBOUR BEACH	MELBOURNE VILLAGE	SATELLITE BEACH
COCOA BEACH	MALABAR	PALM BAY	TITUSVILLE
GRANT-VALKARIA	MELBOURNE	PALM SHORES	WEST MELBOURNE

*“CITIES OF BREVARD WORKING TOGETHER”*

## 2024 Appointment of League Voting Delegate/Director

The Bylaws of the Space Coast League of Cities require the following:

- Every December, the governing body of each member municipality must appoint a Voting Delegate/Director and Alternate to the League.
  - Eligibility:** Only the member municipality’s elected officials, manager, attorney, clerk, and department heads are eligible to be a Voting Delegate/Director and Alternate. Any Voting Delegate/Director or Alternate who ceases to hold such a position ceases at the same time to be a Voting Delegate/Director or Alternate.
  - Functions:** The person appointed as Voting Delegate serves as both the member municipality’s Voting Delegate at membership meetings and its representative to the Board of Directors. The Voting Delegate and the Director is the same person. The sole function of the Alternate for the Voting Delegate/Director is to vote in the absence of the Voting Delegate/Director.
- Following the appointment, the names of the Voting Delegate/Director and the Alternate must be promptly certified in writing to the Executive Director.
- Because dues for member municipalities are based on population, each member municipality must also certify its current population figures when it certifies its Voting Delegation/Director and Alternate.

Accordingly, please provide and certify the information requested below and return this form promptly to the League Executive Director at the email address: [execsec@scloc.org](mailto:execsec@scloc.org).

**Municipality:** [Click here to enter text.](#) **Current Population:** [Click here to enter text.](#)

**Voting Delegate/Director:** [Click here to enter text.](#)

**Email address:** [Click here to enter text.](#) **Telephone Number:** [Click here to enter text.](#)

**Alternate Voting Delegate/Director:** [Click here to enter text.](#)

**Email address:** [Click here to enter text.](#) **Telephone Number:** [Click here to enter text.](#)

I hereby certify that the above named persons were duly appointed by our governing body and the foregoing information is correct: **Municipality Clerk’s signature:** [Click here to enter text.](#) **Date:** [Click here to enter text.](#)

Town Commission Meeting

Section: New Business

Meeting Date: Dec 14, 2023

From: Commissioner Sherri Quarrie

RE: 2<sup>nd</sup> Kitchens Temporary hold on permitting.

Background Information: The second kitchen ordinance has received resident concerns that I feel should be addressed and if changes are necessary for the community, workshops need to be scheduled.

Until the workshops are done and the differences are resolved, I believe the Building Department should not issue permits for any type of secondary kitchen areas in building plans.

Attached is Brevard County ordinance. Melbourne Beach Ordinance.

Recommendation: Request Planning & Zoning Schedule 2<sup>nd</sup> Kitchen workshops to recommend changes or additions if needed after resident input to Commission. After receiving recommendations, I would like the Ordinance discussed at a Commission workshop

Attachments: Brevard County Ordinance; DIVISION 2. - PROPERTY TAX REDUCTION FOR CONSTRUCTION/RECONSTRUCTION OF HOMESTEAD PROPERTY TO HOUSE ELDERLY PARENT(S) OR GRANDPARENT(S)

Melbourne Beach 2<sup>nd</sup> Kitchen Ordinance 7A-72

DIVISION 2. - PROPERTY TAX REDUCTION FOR CONSTRUCTION/RECONSTRUCTION OF HOMESTEAD PROPERTY  
 HOUSE ELDERLY PARENT(S) OR GRANDPARENT(S)

*Footnotes:*

--- (2) ---

**Editor's note**— Ord. No. 03-41, §§ 1—9, adopted August 12, 2003, did not specify manner of inclusion; hence, inclusion as chapter 102, article 1, division 2, §§ 102-16—102-24 is at the discretion of the editor.

Sec. 102-16. - Definitions.

- (a) As used in this article, the term "construction" means all types of construction governed by the Florida Building Code.
- (b) As used in this article, the term "reconstruction" means all types of reconstruction governed by the Florida Building Code.
- (c) As used in this article, the term "primary place of residence" shall have the same meaning as "permanent residency" for establishing homestead exemption pursuant to F.S. § 196.031. The property appraiser may rely upon the factors listed in F.S. § 196.015 in determining whether the property is the primary place of residence for the applicant's parent or grandparent.

(Ord. No. 03-41, § 1, 8-12-03)

Sec. 102-17. - Generally.

There is hereby granted to the owner of homestead property, a reduction in the assessed value of the property equal to any increase in the assessed value of the property which results from the construction or reconstruction of the property for the purpose of providing living quarters for one or more parents or grandparents of the owner of the property, or the owner's spouse, if at least one of the parents or grandparents for whom the living quarters are provided is at least 62 years of age.

(Ord. No. 03-41, § 2, 8-12-03)

Sec. 102-18. - Qualifications for reduction.

The assessment reduction applies under the following circumstances:

- (1) The construction or reconstruction is substantially complete in the year prior to the January 1 in which the qualifying parent(s) or grandparent(s) first occupies the constructed or reconstructed living quarters.
- (2)

At least one qualifying parent or grandparent maintains his or her primary place of residence in the constructed or reconstructed living quarters during the taxable year for which the reduction is claimed.

(3) The assessment reduction shall be applied to the assessed value of the homestead property as calculated pursuant to Article VII, Section 4(c), Florida Constitution.

(4) The construction or reconstruction is consistent with the local land development regulations.

(Ord. No. 03-41, § 3, 8-12-03)

**Editor's note**—Ord. No. 03-41, § 3, adopted August 12, 2003, enacted provisions intended for use as subsections (a)—(d). To preserve the style of this Code, and at the discretion of the editor, said provisions have been redesignated as subsections (1)—(4).

#### Sec. 102-19. - Amount of reduction.

The amount of the reduction shall not exceed the lesser of the following:

- (1) The increase in assessed value resulting from construction or reconstruction of the property;  
or
- (2) Twenty percent of the total assessed value of the property as improved.

(Ord. No. 03-41, § 4, 8-12-03)

**Editor's note**—Ord. No. 03-41, § 4, adopted August 12, 2003, enacted provisions intended for use as subsections (a) and (b). To preserve the style of this Code, and at the discretion of the editor, said provisions have been redesignated as subsections (1) and (2).

#### Sec. 102-20. - Process for claiming reduction.

A reduction in assessment may be granted only upon an application filed annually with the county property appraiser. An applicant is required to complete forms required by the property appraiser, including any affidavit regarding the age of the qualifying parent's or grandparent's primary place of residence for the year in which the reduction is sought. The application must be made before March 1 of the year for which the reduction is to be granted.

(Ord. No. 03-41, § 5, 8-12-03)

#### Sec. 102-21. - Property held jointly with right of survivorship.

If title to the homestead property is held jointly with the right of survivorship, the person residing on the property and otherwise qualifying may receive the entire amount of the reduction in assessed value.

(Ord. No. 03-41, § 6, 8-12-03)

Sec. 102-22. - Penalties.

Penalties for violation of this ordinance shall be in accordance with general law.

(Ord. No. 03-41, § 7, 8-12-03)

Sec. 102-23. - Disqualification.

When the property owner no longer qualifies for the reduction in assessed value for living quarters or parents or grandparents, the previously excluded just value of such improvements as of the first January 1 after the improvements were substantially completed shall be added back to the assessed value of the property.

(Ord. No. 03-41, § 8, 8-12-03)

Sec. 102-24. - Delivery to property appraiser.

The clerk of this board shall file a copy of the ordinance from which this division derives in the appropriate books and records, and within 30 days of the adoption of the ordinance from which this division derives shall deliver a copy thereof to the county property appraiser.

(Ord. No. 03-41, § 9, 8-12-03)

Sec. 102-25. - Reserved.

## **§ 7A-72. SINGLE-FAMILY RESIDENTIAL SECOND KITCHEN FACILITY.**

A second kitchen facility may be incorporated into a single-family residence located in the 1-RS, 2-RS, and 3-RS zoning districts, provided the second kitchen facility meets the following conditions:

(1) The second kitchen facility and the area or quarters it serves shall be integrated architecturally into the principal single-family dwelling unit or may be located within separate quarters connected to the principal single-family dwelling unit by a common wall or common roof. For purposes of this section, a breezeway connection between the principal single-family dwelling unit structure and the separate quarters served by the second kitchen may constitute a common roof. Access to the second kitchen shall be as required by the Florida Building Code.

(2) A permit for construction must be obtained, and a floor plan of the entire single-family residence, including the additional kitchen facility, demonstrating compliance with the conditions set forth in this section, shall be submitted to the Building Official for plan review and approval prior to construction of any second kitchen. The approved floor plan shall be binding upon all future construction plans in regard to the single-family residence and the second kitchen facility.

(3) No portion of the single-family dwelling unit shall be utilized for rental purposes, and the single-family dwelling unit shall be served by only one electrical and water meter.

(4) The single-family dwelling unit shall continue to be utilized by no more than one family.

(5) The property upon which the second kitchen is planned to be installed must have a valid Brevard County property tax homestead exemption at the time of permit application. A second kitchen facility must be removed within one year of the loss or removal of the homestead exemption maintained on the property.

(Ord. 2023-02, adopted 3-15-23)



## Town Commission Meeting

**Section:** New Business

**Meeting Date:** December 20, 2023

**From:** Town Manager, Elizabeth Mascaro

**Re:** Consideration of Proposals for Legal Services from RFP

### Background Information:

Upon the expiration of our contract for legal services with Cliff Repperger of WhiteBird Law an RFP for Legal Services was issued and subsequently closed on Monday, December 11<sup>th</sup>.

Three law firms have submitted proposals:

**Shepard, Smith, Kohlmyer & Hand, P.A.** from Maitland, Florida.

Public sector legal work experience of @87years. General Counsel to 11 Florida municipalities, Special Counsel to a number of cities, towns, municipal boards and redevelopment agencies.

Representative matters: Ordinance drafting, agreement and legal instrument drafting, bond issues, community redevelopment, police matters, collective bargaining, sunshine law and public records, personnel matters, utilities, public works, construction, Charter review, land use, litigation (prosecution and defense) and appeal, intergovernmental disputes, negotiations, annexations and election related matters.

Ryan Knight would serve as Town Attorney. Drew Smith would serve as a primary assistant Town Attorney.

Fee Proposal:

\$225.00 per hour for shareholders and partners

\$200.00 per hour for all associates

\$100.00 per hour for paralegals

\$300.00 per hour for shareholders and partners for developers/applicants (BOA for example), \$250.00 per hour for associates, \$125.00 for paralegals.

No charge for travel time or mileage within Brevard County.

**Fishback Dominick. LLP** from Winter Park, Florida.

Public sector legal work experience since 1935. City Attorney for 6 Central Florida municipalities, Special Counsel to several other Special Districts and municipalities.

Representative matters: Civil litigation, appellate matters, administrative proceedings, Code Enforcement, eminent domain, inverse condemnation, comprehensive plan, land use and procurement law, contract, Interlocal agreements, Government in the Sunshine, public records law, ethics law, election law, real estate acquisition, oversight of special counsel and contract negotiations.

Andrew W. Mai would serve as Town Attorney. J. Griffin Chumley would serve as assistant Town Attorney.

Fee Proposal:

\$275.00 per hour for attorneys

\$140.00 for paralegals and law clerks

\$85.00 for legal assistants

1/3% (33%) higher per hour for matters with developers/applicants

Town will reimburse for postage, printing, reproducing documents (\$.20 per copy), court filing fees, court reporter fees, process server fees (Please see Fee Schedule Tab 3 for complete breakdown)

**Stokes Law** from Palm Bay, Florida.

Public sector legal work for more than 28 years. City Attorney for 7 Florida municipalities, Special Counsel to several cities, Special Magistrate to several municipalities.

Representative matters: litigation, transactional, administrative, continuing education, among others.

James Stokes would serve as Town Attorney.

Fee Proposal:

\$275.00 per hour

**Recommendation:**

Please review the attached proposals for consideration of setting an interview date and time.

Choose a date and time to interview selected applicant(s)

**Attachments:**

3 Proposals for Legal Services



**TOWN OF MELBOURNE BEACH**  
**REQUEST FOR PROPOSALS/INVITATION TO BID**  
**Legal Services**

**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**

Submitted by: Ryan G. Knight

2300 Maitland Center Pkwy, Suite 100

Maitland, Florida 32751

(407) 622-1772 ext. 105

[rknight@shepardfirm.com](mailto:rknight@shepardfirm.com)

Submitted on: December 11, 2023, *via* email

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December 11, 2023

***RE: Town of Melbourne Beach  
Request for Proposals/Invitation to Bid  
Legal Services***

Dear Mayor and Commission Members:

I am pleased to respond to the Request for Proposals/Invitation to Bid for Legal Services for the Town of Melbourne Beach on behalf of our firm.

Shepard, Smith, Kohlmyer & Hand, P.A. devotes the bulk of its legal practice to local government law. All of the firm's shareholders in the local government practice group have earned Board Certification in City, County and Local Government Law from The Florida Bar and our attorneys have collective public sector legal experience of approximately eight-seven (87) years of practice. Over the years, we have worked diligently to associate ourselves with lawyers possessing the right knowledge, skills, intellectual curiosity, and demeanor to best assist our governmental clients in the ever-evolving landscape of local government law.

All of our attorneys operate out of our office located in Maitland, Florida. Currently, we serve as general counsel to eleven central Florida municipalities, one housing authority, a hospital board, and as special counsel to a number of other cities, towns, counties, municipal boards, and community redevelopment agencies. In addition, our firm serves as general counsel to the Florida Redevelopment Association and has served as special counsel to the League of Cities. As you are no doubt aware, a practice in local government law is broad and varied. Representative matters we assist our clients with include: ordinance drafting, agreement and legal instrument drafting, representing municipalities in bond issues, community redevelopment matters, police matters, collective bargaining negotiation, sunshine law and public records education and compliance, personnel matters, utilities matters, public works, construction, charter review, code enforcement, land use, litigation (prosecution and defense) and appeal, intergovernmental disputes and negotiations, annexations, and election related matters.

We understand how critical it is for a law firm to provide prompt and effective legal advice to a municipal policy makers. We pride ourselves on our ability to communicate in a way that gives our clients confidence. Our first step is to listen. One has to understand the values, goals, and objectives of the communities one serves. Every city we represent is unique. Every elected and appointed official is unique. Every city staffer, every business owner, and every resident is unique. We do our best work when we listen to those unique voices and help our clients recognize, explore, and strengthen the points of commonality. That said, our role is never to insinuate ourselves into policy. We advise policy makers on the law, the legal implications of potential decisions, and the possible paths toward achieving the jurisdiction's goals; we do not attempt to thrust our policy judgments upon those who have been elected by their communities to make those determinations. By doing these two things, listening and remembering our role, while always striving to provide the best legal counsel we can, we have established long relationships with many of the local governments we have served. As a case in point, the very first local government client represented by shareholders Mr. Shepard and Mr. Smith was the City of Maitland. That representation began over twenty years ago, and Maitland is still our client today.

We focus on the field of local government because we truly have a passion for the communities we represent and all the people that dedicate their time, attention, and energy to making their communities better. There are many long days and late nights in this practice. At the end of each day, though, it is the people who are there with us and the things we accomplish together as a team that make this field of practice so rewarding. We all consider ourselves lucky to do something we love.

We appreciate this opportunity to introduce ourselves to you and your team. It is important for a city to select a firm that will fit with that city's needs and culture. We are selective in the requests we respond to and only do so when we believe we will be a great fit. Accordingly, we have submitted this material because we think we can have a long and mutually fulfilling relationship with the Town of Melbourne Beach. The ultimate decision, of course, is yours and, for that reason, our primary goal here is to present a clear and honest picture of our firm, our lawyers, and our background. We want to let you get to know us so that you can decide whether we will be the right fit for your community. Thank you for your time and consideration and all that you do.

Very truly yours,



Ryan G. Knight  
Shepard, Smith, Kohlmyer & Hand, P.A.

## **Expertise of the Law Firm**

Shepard, Smith, Kohlmyer & Hand, P.A. is a full-service commercial law firm with a specialty in local government law. The firm currently represents the Cities of Maitland, Apopka, Mount Dora, Dunnellon, Edgewood, Flagler Beach, Mascotte, Dade City, the Towns of Ponce Inlet and Eatonville, and the Village of Highland Park as general counsel in all matters in which legal services are required. The firm also serves as counsel to the CRAs of Jacksonville Beach, Bunnell, Fort Myers, Lakeland, Panama City, and Satellite Beach, and represents special districts and other agencies on specific matters, such as land use and public records litigation. The firm currently serves as counsel to the Winter Park Housing Authority, and Messrs. Hand, Brackins, Smith, and Shepard serve as local hearing officers. Counties, municipalities, and agencies routinely hire our firm as special counsel for limited-duration assignments, including litigation, and the firm also has a long history of representing community associations and private clients in commercial litigation, real property, and transactional services.

Having served many years with many local governments, special districts, and agencies, we have handled a great diversity of matters. As set forth in the resumes, biographies, and organization sections herein, our firm has demonstrated an ability to effectively represent publicly elected boards, including recalls or filling vacancies and to provide training regarding Sunshine and Public Records compliance; timely respond to legal inquiries from government officials and legislative committees such as the land planning agency; prepare documents and provide legal advice concerning right of way acquisition or sale, easements, eminent domain, annexation, and de-annexation; properly advise boards and officials, and prepare appropriate responses to Bert J. Harris Act and takings claims; provide efficient advice and document preparation as to all aspects of land use and planning, including comprehensive plan amendments and representing local



governments before the Department of Economic Opportunity, environmental regulation, including coordination with water management districts and applicable federal agencies handle multi-million contracts for public facilities, including litigation surrounding such facilities; address complex utility matters; provide specialized expertise regarding redevelopment matters; and handle all aspects of law pertaining to local governments competently, efficiently, and in a timely manner. Serving such a breadth of communities allows us to offer all of our clients the information and lessons we learn in our broad scope of representation.

While we have practiced in this field for many years and seen many things, it would be foolish to say we have seen it all. The field is always evolving. That statement is perhaps more true today than any time in the last twenty years as the State legislature continues to redefine the meaning of “Home Rule.” Accordingly, in order to excel in this practice area, one must be committed to continuing growth and education. One must want to never stop learning. For that reason, one of the core principles in our firm is that all our local government attorneys are expected to become Board Certified in City, County, and Local Government Law by the Florida Bar when they become eligible. To put that in context, approximately 7% of all eligible lawyers in the Florida Bar are Board Certified in their field. Board Certification is only achieved and maintained through heightened requirements of continuing education, exhaustive vetting of one’s background and qualifications, peer review by other Board-Certified lawyers in the field, and examination. Messrs., Hand, Brackins, Smith, and Shepard are Board Certified in City, County, and Local Government Law.

## **Description of the Firm's Approach to Providing Legal Services to the Town of Melbourne Beach**

### **Our firm's lawyers are dedicated to being the very best in their professions.**

The lawyers of Shepard, Smith, Kohlmyer & Hand, P.A. are committed to being the absolute best in their professions. That is why our firm emphasizes the advanced professional development of all its lawyers, including pursuit of Board Certification from The Florida Bar, authorship of scholarly articles, and the assumption of leadership positions in the community. The firm holds the coveted AV rating, the highest attainable rating for legal services, as established in the Martindale-Hubbell Law Directory, and has been recognized as one of Best Lawyers: Best Law Firms by U.S. News.

Shepard, Smith, Kohlmyer & Hand, P.A. is particularly proud of the longstanding relationships we have built with our local government clients. Central to these relationships is our commitment to work collaboratively with our clients to understand their objectives and needs and propose strategies to best achieve their goals in the most effective and efficient way possible.

When clients choose our firm, they know they are receiving the benefit of knowledgeable and experienced attorneys to service their legal needs. Our attorneys are committed to providing prompt, efficient and exemplary legal service driven by meeting each client's specific needs today, tomorrow and in the years to come. We build relationships that last.

### **Our primary objective is to empower each of our clients to make good decisions.**

Each lawyer with our firm strongly believes that the role of the Town Attorney is to provide the highest level possible of advice and legal service to the Town, its elected officials, management team, staff, and volunteer boards without injecting our own voices into the policy decisions of the Town. Put simply, the public does not vote for the Town Attorney and each lawyer at our firm

works diligently to advise our clients on the law while staying neutral within the policy debates that arise. We believe that by focusing our energies on proactively ensuring that the decision makers have the highest quality information and legal advice we can provide, including straightforward and frank explanations of potential costs, benefits, and risks of any proposed course of action, we can minimize claims and litigation expenses. While the risk of litigation in highly controversial matters can never be eliminated, we strive to ensure that all options are explored with our clients so that there are as few surprises as possible.

**We believe that communication is key to provision of proactive legal services.**

This approach to effective client communication extends to the more day-to-day tasks in which the Town Attorney is involved. We work closely with the management teams of our local government clients to keep them informed about the status of ongoing projects and projected budgetary needs. By speaking frankly about the complexity of legal matters on the horizon we are best able to assist our clients in prioritizing tasks. Further, by encouraging such communication we can address potential legal budget shortfalls early so that all practical and efficient alternatives can be considered. When matters become more complex than may have been considered during the budgeting process, the appropriate time for discussing such budgetary constraints with the client is as soon as the budget challenge is recognized, not after the budget is exhausted.

The Town Attorney position is one of many essential pieces in the machinery of a smoothly running local government. We believe in treating all elected officials, volunteer board members, staff members and members of the public with courtesy, respect, and professionalism. Effective communication cannot occur if people dread working with the Town Attorney or distrust the motives behind the advice given.

**The attorneys of Shepard, Smith, Kohlmyer and Hand, P.A., are committed to delivering cutting-edge, first-rate legal services to our governmental clients at home in Central Florida and statewide.**

We recognize that the world can change in the blink of an eye – now, more so than ever before. Therefore, we believe in a “high-tech” approach to the practice of law every step of the way, from the professionals we employ to our methods and the tools we utilize to deliver our services. From day one, our firm invests in providing new team members with a state-of-the-art environment to build and hone their expertise. Through cultivation of an innovative mindset, emphasis on obtaining top-rate industry experience, collaboration with veteran team members and peers, and access to the latest technological tools and methodology, the sky is the limit for what our legal professionals can achieve for our clientele.

**When taking on a new governmental client, we will plan for and execute a smooth transition.**

During the transition period, the attorneys for the firm will meet in person or by phone with any members of Town staff and the Town’s current law firm, as requested by the Town Manager or Town Commission, to discuss those matters being handled by the current law firm. The firm will conduct these meetings without charge to the Town. During these meetings, we will identify all information required from the Town to perform all necessary tasks, and determine the most cost-efficient manner of obtaining any information not readily accessible by the Town. Our attorneys will coordinate their legal strategy with the Town Manager and ensure that each project is prioritized appropriately to strive for maximum efficiency.

**We have the highest commitment to ethical practice and are highly experienced in providing advice regarding the Florida Code of Ethics for Public Officers and Employees.**

Our firm has extensive experience providing ethical advice to the public officers and employees of its client with the understanding that ultimately our representation is for the entity itself as opposed to individuals. In order to educate our clients' members and help prevent inadvertent ethical violations, our firm provides training to our local government clients annually and on an as-needed basis. Additionally, we provide ethics education available to all local governments and their constituents via the Florida League of Cities. Upon receiving authorization, our attorneys frequently consult with the Florida Commission on Ethics when advisable and often request informal and formal ethics opinions to ensure that our clients are best protected.

Shepard, Smith, Kohlmyer & Hand, P.A. holds its members to the very highest ethical standards. Further, our commitment to our clients is mirrored through our commitment to our community. The attorneys of our firm believe that client-oriented legal services and civic responsibility create a partnership that benefits everyone in the community. The firm's lawyers and staff actively participate in numerous charitable and civic organizations and events in the communities we serve. Through sponsorships of community service projects, charitable organizations, individual board participation, and pro bono assistance, we share our experience and our time for community betterment.

**The Town of Melbourne Beach would receive the highest level of service and priority consistent with our commitment to our clients.**

The firm has been engaged as city attorneys for many of its clients for a decade or more while simultaneously responding to time-sensitive litigation engagements as special counsel. In

the scope of our representation, we recognize that many matters arise that are extremely time-sensitive. Because all of our lawyers are actively engaged in representing our local government clients, we are able to effectively manage workloads and assignments to ensure that long-term projects continue to move forward while simultaneously focusing on time-sensitive matters as they arise. Through its dedication to the practice area and its policy of requiring each of its attorneys to become Board Certified in City, County, and Local Government Law when eligible, the firm is able to devote the resources necessary to deliver projects efficiently and on time.

### **How Would the Firm Structure the Working Relationship Between the Town Attorney, the Town Commission, and Town Manager's Office?**

Per the Charter of the Town of Melbourne Beach, the Town Manager serves as the chief administrative officer of the Town and is "responsible to the Commission for all Town affairs placed in his or her charge by this Charter or by ordinance or resolution." Accordingly, the Town Attorney should coordinate all efforts regarding legal representation with the Town Manager as directed by Town Commission. Specifically, the Town Attorney will perform legal services and tasks as assigned directly by Town Commission as well as from the Town Manager via Commission direction and/or his/her authority per the Town Charter. While the Town Attorney takes direction from Town Commission as a collective board, the Town Attorney will be available for one-on-one counsel with all Commission members. The Town Attorney will keep the Town Manager updated regarding legal projects on a day-to-day basis and will provide updates and pertinent information to Town Commission at public meetings, when directed to do so by the Town Manager and when otherwise appropriate and/or necessary. Under no circumstances should the Town Attorney become involved in the daily operations of the Town government.

### **Use of Special Outside Counsel.**

As a full-service law firm, it is rare that a need arises that requires the use of outside special counsel. As demonstrated by our submission materials, our attorneys frequently serve as special counsel to a number of governmental entities, particularly regarding matters related to land use, community redevelopment, Sunshine Law, and public records. Accordingly, we understand the importance of teamwork and cooperation when it comes to interacting with special counsel, should the need arise to hire same.

That said, in the area of local government practice, it is standard practice for local government to retain special employment counsel, bond counsel (distinguishable from issuer's bond counsel, a service we provide), and on rare occasions - counsel for investigational matters. Should Melbourne Beach need to engage special counsel, our firm will cooperate and coordinate with the Town's special counsel to help ensure seamless legal representation.

### **Primary Attorneys for the Town of Melbourne Beach**

Ryan Knight would be named Town Attorney and will have the primary responsibility for managing the relationship with the Town. Drew Smith would also serve as a primary assistant city attorney. While we encourage all of our municipal clients to let us know if a board or committee develops a preference for a certain lawyer with the firm, we strive to have the primary attorneys be the main faces that the Commission, boards, and community see at meetings. Since Mr. Knight and Mr. Smith will serve as primary attorneys for the Town and in the interest of allowing you to “meet” the people whose faces you would most frequently see, a full biographical sketch for Mr. Knight and Mr. Smith is included. Cliff Shepard, Andrew Hand, Patrick Brackins, and Holli New will also provide legal services to the Town.



## **RYAN G. KNIGHT**

Ryan Knight was born and raised in New Smyrna Beach, Florida. He received his Bachelor's Degree from the University of North Florida in 2007 and graduated from Florida Coastal School of Law in 2011. After graduating law school, he served as an Assistant Public Defender for the 7<sup>th</sup> Judicial Circuit where he served as lead trial attorney for numerous cases and gained valuable courtroom experience.

He subsequently began practicing primarily in insurance defense where his practice focused on complex construction defect litigation since 2013. His representation included clients with exposure in excess of four million dollars and cases in excess of twenty million dollars as lead attorney.

Ryan joined Shepard, Smith, Kohlmyer & Hand, P.A. in June 2023 and currently assists in the representation of all the firm's municipal clients and representation of the firm's clients in commercial and complex litigation. He currently serves as attorney for the Fort Myers Community Redevelopment Agency Advisory Council and represents the city of New Smyrna Beach in special litigation matters. Due to his background in complex litigation, Ryan is heavily involved in all the firm's litigation and appellate matters for private and public clients.

Ryan is member of the Florida Bar Association and the Florida Municipal Attorneys Association. He and his wife, Ashley, live in Winter Garden along with their four children – Finn, Sailor, Navy, and Crew.

### **D. ANDREW (DREW) SMITH, III**

Drew Smith received his Bachelor's Degree from Mercer University in 1999 and graduated from Washington and Lee University School of Law in 2002. After graduating law school, He was hired by Cliff Shepard of Shepard Law Offices, P.A. and began practicing in the areas of local government law, commercial litigation, insurance defense, and community association law.

Drew currently serves as the City Attorney to the Cities of Edgewood and Flagler Beach. He has been the primary attorney for both of those jurisdictions since 2008. He also currently serves as an Assistant City Attorney to all of the firm's municipal clients and, due to the length of time he has worked with all of them, often serves as a depository of institutional knowledge for the younger attorneys. He also currently serves as the Code Enforcement Special Magistrate for the City of St. Cloud and as Code Enforcement prosecuting attorney for Maitland and Ponce Inlet. He has served as special litigation counsel to the City of Eustis, special counsel to the City of DeBary in two forfeiture of office proceedings and an internal investigation regarding use of governmental funds, special counsel to the City of Winter Springs for complex code enforcement prosecutions, and special counsel to the City of Winter Garden for complex code enforcement prosecutions and charter review.

Drew is Board Certified in City, County and Local Government Law and has been a speaker at several continuing legal education seminars on topics such as special districts, Sunshine Law, land use, municipal law, and liability defense. He is a member of the Florida Bar Association and the Florida Municipal Attorneys Association. He achieved the highest Martindale-Hubbell peer review rating of AV in 2013 and maintains that rating today. He and his wife, Kathryn, live in Winter Springs.



**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

# RYAN G. KNIGHT

**ATTORNEY AT LAW** Fla. Bar No. 91503

## EXPERIENCE

### SENIOR ASSOCIATE

Shepard, Smith, Kohlmyer & Hand, P.A.

*(June 2023 - Present)*

Assist in the representation of all the firm's municipal clients and representation of clients in commercial and complex litigation.

### PARTNER

Boyd & Jenerette, P.A.

*(August 2021-January 2022)*

### SENIOR ASSOCIATE

*(August 2018 – August 2021)*

Perform all aspects of complex construction defect litigation as lead attorney representing contractors in both public and private construction arenas for projects including condominiums, multi-family and single-family housing, and commercial construction projects. Advised clients on risk management and legal compliance issues. Representation includes clients with exposure in excess of four million dollars and cases in excess of twenty million dollars as lead attorney.

### ASSOCIATE

Law Offices of Jack D. Evans

*(September 2013 – August 2018)*

Litigated insurance defense cases as lead counsel including premises liability, automobile liability, and construction defect litigation.

### ASSISTANT PUBLIC DEFENDER – FELONY DIVISION

Office of Public Defender, 7th Judicial Circuit

*(2012 - 2013)*

Trial experience includes ten jury selections, six jury trials and three bench trials as first-chair attorney and additional four jury trials as second-chair attorney. Responsible for all aspects of misdemeanor and felony trial including: direct/cross

## CONTACT

✉ [rknight@shepardfirm.com](mailto:rknight@shepardfirm.com)

📞 (407) 622-1772 ext. 105

🌐 [Shepardfirm.com](http://Shepardfirm.com)

## EDUCATION

🎓 **FLORIDA COASTAL SCHOOL OF LAW**

Juris Doctor  
2011

🎓 **UNIVERSITY OF NORTH FLORIDA**

B.A. Business  
Administration in Finance

## EXPERIENCE (CONT.)

examination, opening/closing arguments, introduction of evidence, admissibility of evidence, impeachment and trial objections. Managed caseload of over 150 cases before the Honorable David H. Foxman and Honorable Michael Hutchinson.

## BAR MEMBERSHIPS

Florida

## PERSONAL

Ryan resides in Winter Garden, Orange County, with his wife, Ashley, and their 4 children – Finn, Sailor, Navy, and Crew.



**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

## CONTACT

@ dsmith@shepardfirm.com

📞 (407) 622-1772 ext. 102

🌐 Shepardfirm.com

## EDUCATION

🎓 **WASHINGTON AND LEE  
UNIVERSITY SCHOOL OF  
LAW**

Juris Doctor  
2002

🎓 **MERCER UNIVERSITY**  
B.A. English Literature

# D. ANDREW SMITH III

**ATTORNEY AT LAW** Fla. Bar No. 0583650

**BOARD CERTIFIED IN CITY, COUNTY & LOCAL GOVERNMENT LAW**

## EXPERIENCE

### SHAREHOLDER

Shepard, Smith, Kohlmyer & Hand, P.A.

*(2008 - Present)*

Currently serves as City Attorney for the Cities of Flagler Beach and Edgewood, as Assistant City Attorney and Code Enforcement Prosecuting Attorney for the City of Maitland, as Assistant Town Attorney and Code Enforcement Prosecuting Attorney for the Town of Ponce Inlet, as Code Enforcement Hearing Officer for the City of St. Cloud, as Code; has served as Assistant City Attorney to the City of Mount Dora; Special Counsel to the City of DeBary; Special Counsel to the City of Winter Springs; Special Litigation Counsel to the City of Eustis; and as Special Counsel and Charter Review Facilitator to the City of Winter Garden.

### SHAREHOLDER

Langston, Hess, Bolton, Shepard & Augustine, P.A.

*(2007 - 2008)*

Served as Assistant City Attorney to the Cities of Maitland and Mount Dora, Edgewood and as Assistant Town Attorney to the Town of Ponce Inlet and as Special Counsel to the City of Winter Garden.

### ASSOCIATE

Langston, Hess, Bolton, Shepard & Augustine, P.A.

*(2004 - 2007)*

Served as Assistant City Attorney to the Cities of Maitland and Mount Dora and the Town of Ponce Inlet.

### ASSOCIATE

Shepard Law Offices, P.A.

*(2002 - 2004)*

Served as Assistant City Attorney to the Cities of Maitland and the Town of Windermere.

## ACTIVITIES + HONORS

- Florida Bar Board Certified in City County & Local Government Law
- Florida Super Lawyers Rising Star – Law & Politics Magazine: 2012 - 2016
- AV Rated – Martindale-Hubbell Legal Directory: 2012 - Present
- Member – Orange County Bar Association; City, County and Local Government Law Section of the Florida Bar; Environmental and Land Use Law Section of the Florida Bar; Florida Municipal Attorneys' Association
- Case Review Author – Washington and Lee University School of Law Environmental Law Journal: 2001 - 2002

## SEMINARS GIVEN

- City of Flagler Beach Citizens Academy – "The Role of City Attorney," 2015, 2016, 2017, 2018, 2019, 2020
- Central Florida Code Enforcement Officers Association – "Constitutional Search and Seizure Protections and Best Practices," October 2019
- FLC University – "Building a Culture of Ethics," November 2011
- Lorman Education Services – "Special Districts in Florida," September 2006
- National Business Institute – "Comprehensive Planning," November 2005

## BAR MEMBERSHIPS

- Florida
- United States District Court, Middle District of Florida

## PERSONAL

- Married to Kathryn Frahm and has two rescue dogs, Oscar and Gilly
- Actively involved with the That Others May Live Foundation, a private charity organized to provide scholarships, support, and aid to families of fallen and gravely injured United States Air Force Rescue Personnel



**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

## CONTACT

@ ahand@shepardfirm.com

📞 (407) 622-1772 ext. 104

🌐 Shepardfirm.com

## EDUCATION

🎓 **UNIVERSITY OF FLORIDA,  
LEVIN COLLEGE OF LAW**  
LL.M., Environmental and  
Land Use  
2009

🎓 Juris Doctor (cum laude)  
2006

# ANDREW J. HAND

**ATTORNEY AT LAW** Fla. Bar No. 35859

**BOARD CERTIFIED IN CITY, COUNTY & LOCAL GOVERNMENT LAW**

## EXPERIENCE

### SHAREHOLDER

Shepard, Smith, Kohlmyer & Hand, P.A.  
(2008 - Present)

Representation regarding local government matters, land use, real property, CRAs, business, and litigation. Advised clients in all areas of law related to municipal government, drafted development documents, drafted municipal ordinances, provided extensive advice to local governments regarding Florida growth management law, provided advice to local governments regarding utilities, environmental issues, and provided advice regarding general municipal issues. Assisted clients in all aspects of business representation and complex commercial litigation. Assisted clients in commercial real estate closings, advised clients regarding "green" development issues.

- City Attorney – City of Dunnellon, Florida
- City Attorney – City of Mascotte, Florida
- Village Attorney – Village of Highland Park
- Florida Redevelopment Association – Asst. General Counsel
- Hearing Officer – Orange County, Florida

### ADJUNCT PROFESSOR OF FLORIDA LAND USE LAW

University of Florida, Frederic G. Levin College of Law  
(2009)

Designed and taught upper-level law course. Florida Land Use Law (LAW6930, Section 5457) is a "practitioner oriented" course addressing land use law specific to the State of Florida. The course curriculum focuses on the necessity, history, and implementation of growth management controls in Florida and addresses county and municipal authority to regulate, requirements mandated by Florida's Growth Management Act, comprehensive planning in Florida, zoning ordinances, creative land use controls, CRAs, CDDs, Florida takings law, and litigation relating to land use disputes.

## EXPERIENCE (CONT.)

### ASSOCIATE

Langston, Hess, Bolton, Shepard & Augustine, P.A.

*(2007 - 2008)*

Representation regarding local government matters, land use, real property, CRAs, business, and litigation.

## EDUCATION

### UNIVERSITY OF FLORIDA, FREDERIC G. LEVIN COLLEGE OF LAW

L.L.M. Environmental and land use law, *May 2009*

Juris Doctor (cum laude), *December 2006*

### UNIVERSITY OF FLORIDA, WARRINGTON COLLEGE OF BUSINESS

Master of Science in Real State, *May 2006*

B.S. Business Administration (cum laude), *May 2002*

## ACTIVITIES + HONORS

- Orlando's Attorneys of the Year – Orlando Style Magazine: 2023
- Florida Super Lawyers Rising Star – Law & Politics Magazine: 2020
- Florida Bar Board Certified in City, County and Local Government Law
- LEED® AP (Leadership in Energy and Environmental Design Accredited Professional)
- Planning Award for Town of Marineland Unified Land Development Code – Awarded by American Planning Association, Florida Chapter

## SEMINARS GIVEN

- Florida Redevelopment Association - "CRA: What you Need to Know" (October 2016)
- University of Florida, Levin College of Law, Marine and Coastal Law - "Dark Sky Legislation by Local Governments" (March 2010)
- Florida Brownfields Association - "Brownfields & Green Development" (November 2009) Moderator
- University of Florida, Levin College of Law Conservation Clinic - "A Normative Analysis of Transferable Development Rights in Florida and their Role in Takings Analysis" (April 2009)





**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

## CONTACT

@ pbrackins@shepardfirm.com

📞 (407) 622-1772 ext. 106

🌐 Shepardfirm.com

## EDUCATION

🎓 **ST. THOMAS UNIVERSITY,  
MIAMI GARDENS**  
Juris Doctor  
2006

🎓 **UNIVERSITY OF FLORIDA**  
B.A., Political Science

# PATRICK BRACKINS

**ATTORNEY AT LAW** Fla. Bar No. 027520

**BOARD CERTIFIED IN CITY, COUNTY & LOCAL GOVERNMENT LAW**

## EXPERIENCE

### PARTNER

Shepard, Smith, Kohlmyer & Hand, P.A.

*SENIOR ASSOCIATE (2016-2022)/PARTNER (2023-PRESENT)*

Counsels and represents private and public clients as general counsel and as special counsel in all aspects of local government law and litigation through appeal. Regularly prepares and reviews ordinances, resolutions, policies, contracts, leases, briefs, and other legal documents.

Experience includes serving as:

- City Attorney for the City of Dade City
- Special Counsel to the Orange County Code Enforcement Board (2021 – present)
- Special Counsel to the City of Clermont Code Enforcement Board (January 2023 – present)
- Counsel for the Winter Park Housing Authority (2018 – present)
- Local Hearing Officer for the City of Orlando (2017 – present)
- Assistant City Attorney for the cities of Dunnellon, Edgewood, Flagler Beach, Maitland, and Mascotte; Assistant Town Attorney for the Town of Ponce Inlet and Eatonville; and Assistant Village Attorney for the Village of Highland Park
- Assistant General Counsel to the 2020 Orange County Charter Review Commission
- Litigation, appellate and/or special counsel for multiple public and private entities, including the Cities of Jacksonville Beach, New Smyrna Beach, and Satellite Beach

### CAREER LAW CLERK, U.S. MAGISTRATE JUDGE

*(2008 - 2016)*

Drafted all orders and report and recommendations in even numbered civil cases; drafted substantive criminal orders; managed civil docket; and managed term law clerks.

## EXPERIENCE (CONT.)

### **STAFF ATTORNEY, FLA. NINTH JUDICIAL CIRCUIT**

*(2006 - 2008)*

Drafted proposed orders and opinions on appeals and first-tier writs; drafted proposed legislation.

## ACTIVITIES + PERSONAL

- Florida Bar Board Certified in City, County and Local Government Law (2021)
- Federal Bar Association Orlando Chapter: President (2021 - 2022); President-Elect (2020 - 2021); Secretary (2019 - 2020); Director at large (2018 - 2019); National Delegate (2022 - 2023)
- Middle District of Florida's Bench Bar Fund Committee (2018 - 2021)
- Former board member of Christian Service Center of Central Florida (2014 - 2018)
- Eagle Scout



**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

# CLIFFORD B. SHEPARD

**ATTORNEY AT LAW** Fla. Bar No. 508799

**BOARD CERTIFIED IN CITY, COUNTY & LOCAL GOVERNMENT LAW**

## EXPERIENCE

### SHAREHOLDER & FOUNDER

Shepard, Smith, Kohlmyer & Hand, P.A.

(2008 - Present)

Counsels and represents private and public clients as general counsel and on specialized matters relating to local government law, real property, and civil litigation. Regularly prepares and reviews contracts, briefs, and other legal documents. Experience includes currently serving as:

- City Attorney for the Cities of Maitland and Apopka, and Town Attorney for the Towns of Ponce Inlet and Eatonville to regularly provides formal and informal answers to legal questions, drafts ordinances, resolutions and interlocal agreements, prepares policies and formal communications, and provides briefings on legal developments and matters of concern
- Land use counsel for multiple public entities including defense against land use-related litigation such as takings claims, *Bert J. Harris* claims, declaratory judgment actions and writs of certiorari
- Litigation counsel for multiple public and private entities on matters ranging from complex commercial litigation, to real property related suits, to bad faith claims, from inception through appeal
- General Counsel for Florida Redevelopment Association including addressing nonprofit governance issues and drafting rubric policies and legal memoranda to be distributed to Community Redevelopment Agencies across the state
- General Counsel for multiple Community Redevelopment Agencies including drafting Redevelopment Plans and Amendments, and consulting on responses to state audits
- Special Magistrate for the City of Kissimmee

## CONTACT

✉ cshepard@shepardfirm.com

☎ (407) 622-1772 ext. 101

🌐 Shepardfirm.com

## EDUCATION

🎓 **UNIVERSITY OF FLORIDA**  
**COLLEGE OF LAW**  
Juris Doctor, 1985

🎓 **UNIVERSITY OF FLORIDA**  
**COLLEGE OF JOURNALISM**  
B.S., Newswriting &  
Editing, 1981

## ACTIVITIES + HONORS

- Florida Bar Board Certified in City County & Local Government Law
- Best Lawyers in America<sup>®</sup> – since 2018
- Florida Super Lawyer – *Law & Politics Magazine*, since 06
- Florida Legal Elite – *Florida Trend Magazine*, 2005 – 09; 2011 – 13; 2016; 2019-present
- Martindale-Hubbell *Bar Register of Preeminent Lawyers*<sup>®</sup>
- Executive of the Year (2019) – Volusia League of Cities
- Certified Circuit Court and Appellate Mediator
- AV Rated – Martindale-Hubbell
- *Florida Bar Journal/News* Editorial Board - Chairman ('93-'94)
- Florida Academy of Professional Mediators
- Chairman – *Kids Beating Cancer*, (1998 – 2005)
- Member - Land Planning Agency, City of Oviedo (1988-1990)

## SEMINARS GIVEN

- "Charter Amendment Processes" – Sponsored by Florida Municipal Attorneys' Association
- "Florida Sunshine Law: The Law in Plain English" – Available on DVD
- "Sunshine and Social Media: Pitfalls for the Unwary" – Sponsored by The Florida Bar
- "It's a Mad, Mad, Ad World: Advertising Challenges for City Clerks" – Sponsored by the Florida Association for City Clerks
- "Ethics for Municipal Officials" – Sponsored by Florida League of Cities
- "CRA Basics" - Sponsored by Florida Municipal Attorneys' Association
- "*Strand v. Escambia County*: What now?" – Sponsored by the Florida Redevelopment Association
- "Special Districts in Florida" – Sponsored by Lorman
- "Spoliation of Evidence: An Ounce of Prevention" - Sponsored by LHBZH
- "Writing that Makes a Difference" - Sponsored by the Florida Bar

## BAR MEMBERSHIPS

- Florida
- Tennessee
- District of Columbia Court of Appeals
- United States Supreme Court
- United States Court of Appeals – Eleventh Circuit
- United States District Court – Southern, Middle, and Northern Districts of Florida
- United States Tax Court



**SHEPARD, SMITH, KOHLMYER & HAND, P.A.**  
ATTORNEYS & COUNSELORS AT LAW

## CONTACT

✉ [hnew@shepardfirm.com](mailto:hnew@shepardfirm.com)

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🌐 [Shepardfirm.com](http://Shepardfirm.com)

## EDUCATION

🎓 **FLORIDA INTERNATIONAL  
UNIVERSITY COLLEGE OF  
LAW, MIAMI GARDENS**  
Juris Doctor  
2022

🎓 **UNIVERSITY OF CENTRAL  
FLORIDA**  
B.A., LEGAL STUDIES  
2017

# HOLLI NEW

**ATTORNEY AT LAW** Fla. Bar No. 1047287

## EXPERIENCE ASSOCIATE

Shepard, Smith, Kohlmyer & Hand, P.A.

*(August 2023 - Present)*

Assists in the presentation of municipal clients. Regularly prepares and reviews ordinances, resolutions, policies, contracts, leases, and other legal documents.

## LAW CLERK, GOVERNMENT RELATIONS AND LOBBYING FIRM

Gazitua Letelier, PA

*(February 2022 – December 2022)*

Performed legal research on municipal resolutions and ordinances. Analyzed public policy, including proposed legislation and administrative rules, to determine the potential impact on clients. Supported clients in navigating the local procurement process.

## LAW CLERK,

Folds & Walker, LLC

*(May 2021 – August 2021)*

Drafted ordinances, resolutions, and city and departmental policies. Performed legal and factual research for impending litigation. Supported attorneys in preparing for quasi-judicial and judicial proceedings.

## BAR MEMBERSHIP

Florida

## PERSONAL

Holli was born and raised in North Central Florida, and now, she and her Samoyed, Alba, happily call Orange County home.

## **Specific Experience**

### **Ethics and Public Records**

All attorneys are knowledgeable regarding Florida Ethics, Sunshine Law, and Public Records Law, and provide annual training to all of our government clients. The firm has successfully defended the City of New Smyrna Beach and Satellite Beach officials in separate lawsuits through appeal alleging Sunshine Law violations since 2020. Cliff Shepard gave the original “Ethics for Municipal Officials” for the Florida League of Cities, and it is still utilized for training today. The link for same is on the Florida League of Cities YouTube Channel: <https://www.youtube.com/watch?v=4urPoMkEW3U>

### **General Municipal Law**

Drew Smith, Andrew Hand, and Patrick Brackins are Board Certified by the Florida Bar in City, County, and Local Government Law, and they serve as City or Village Attorneys, respectively, for the Cities of Dade City, Dunnellon, Edgewood, Flagler Beach, and Mascotte, and the Village of Highland Park. Our firm also serves as city or town attorney for the Cities of Apopka and Maitland, and the Towns of Eatonville and Ponce Inlet.

### **Workers’ Compensation**

Our firm does not practice workers’ compensation litigation as workers’ compensation counsel is provided by local government insurers. However, we routinely advise our clients about the requirements of workers’ compensation law as well as the Family Medical Leave Act and others applicable laws on a case-by-case basis.

## **Land Use, Including Zoning, Environmental Questions, Annexation, Growth Issues, and Permitting**

Land use is the firm's bread and butter. Our attorneys work closely with all the firm's municipal clients on site-specific comprehensive plan amendments, land development regulations, planned development agreements (statutory and non-statutory), as well as comprehensive plan text amendments and updates to land development regulations. In addition, we are a full-service law firm and defend our clients through appeal, including administrative appeals, concerning land use matters such as takings and Bert J. Harris litigation. We recently successfully defended a Bert J. Harris claim at the trial court level at the motion to dismiss stage against the City of Maitland, and the *Pacetta v. Town of Ponce Inlet* case, which spanned a decade and sixteen different proceedings at the state, federal and administrative levels, is illustrative of our firm's experience and results. In addition, our firm members are frequently sought-after speakers and commentators regarding the practice area. Andrew Hand created and taught the Florida Land Use course at the University of Florida, Levin College of Law as an Adjunct Professor of Law.

## **Code Enforcement**

All shareholders and partners are magistrates for local jurisdictions and have experience prosecuting code enforcement cases. We also serve as special counsel to the code enforcement boards for Orange County and the City of Clermont.

## **Utilities**

The firm has provided extensive advice to municipal clients regarding franchising, operations, and provided counsel to a client divesting its utility and liquidating assets in the amount of \$12.5 million.

### **Labor, Including Police Officers' Bill of Rights**

The firm has defended an officer involved in a shooting in a federal civil rights case and won summary judgment on every count, which was affirmed by the 11<sup>th</sup> Circuit. Recently, although the matter is currently on appeal in the Fifth District Court of Appeal, Patrick Brackins and co-counsel successfully defended an unfair labor practices claim brought by union members against the Town of Ponce Inlet before a hearing officer for the Public Employees Relations Commission and on review before the Commission itself.

### **Forfeiture**

The firm has assisted municipal clients in taking a truck and house used in drug cases, as well as negotiating the release of confiscated items and vehicles.

### **Municipal Bonds**

The firm serves as issuer's bond counsel regularly. Total bonds issued are in excess of \$250 million, with no claims made against issuance.



## **List of Current Governmental Clients**

### **General Counsel**

City of Apopka - Susan Bone, City Clerk, (407) 703-1704

City of Dade City - Angie Guy, City Clerk, (352) 523-5052

City of Dunnellon - Mandy Odom, City Clerk, (352) 465-8500

City of Edgewood - Sandy Riffle, City Clerk, (407) 851-2920

City of Flagler Beach - Penny Overstreet, City Clerk, (386) 517-2000

City of Maitland - Lori Hollingsworth, City Clerk, (407) 539-6219

City of Mascotte - Stephanie Abrams, City Clerk, (352) 429-3341

City of Mount Dora – Jeanann Hand, City Clerk (352) 735-7126

Florida Redevelopment Association– Jeffrey Blomeley, Executive Director Florida League of Cities, Inc., (850)701-3614

Town of Eatonville - Veronica King, Town Clerk, (407) 623-8910

Town of Ponce Inlet - Kim Cherbano, Town Clerk, (386) 236-2150

Village of Highland Park - Maggie Taylor, Village Clerk, (863) 455-6518

### **Special Counsel**

Citrus County Hospital Board - Sunshine and Public Records Attorney, Other Special Projects

City of Atlantic Beach - Charter Review

City of Bunnell – Special CRA counsel

City of Clermont - Code Enforcement Board Attorney

City of Fort Myers – Special CRA counsel

City of Jacksonville Beach - Charter Review, Referendum matters, litigation

City of Lakeland – Special CRA counsel

City of New Port Richey - Special CRA counsel

City of New Smyrna Beach - Special Land Use Counsel and Special Litigation Counsel

City of Ocala - Land Use Matters

City of Panama City – Special CRA counsel

City of Satellite Beach - CRA and Special Litigation Counsel

City of Winter Garden - Charter Review Facilitator

City of Winter Park Housing Authority - Litigation Counsel

Orange County Code Enforcement Board - Counsel to the Board

**Special Magistrate/Hearing Officer**

Orange County

City of Kissimmee

City of Orlando

City of St. Cloud

## **Fee Proposal**

The firm proposes an hourly rate of \$225.00 per hour for all shareholders and partners, \$200.00 per hour for all associates, and \$100.00 per hour for paralegals on matters that are not passed through or charged back to developers/applicants. On matters that are passed through or charged back to developers/applicants, the firm proposes a discounted hourly rate of \$300.00 per hour for all shareholders and partners, \$250.00 per hour for all associates, and \$125.00 per hour for paralegals. The exception to the hourly rate structure would be if serving as issuer's counsel in bond transactions, in which case the fee would be a fixed 0.005% of the issue.

The firm does not charge for routine costs such as copying and postage. The firm reserves the right to impose reasonable fees for extraordinary costs. The firm will not charge or bill for travel time or mileage within Brevard County.

# **FISHBACK ♦ DOMINICK**

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**ATTORNEYS AND COUNSELORS AT LAW**



## **Response to Request for Proposals/Invitation to Bid Legal Services**

**Prepared for:**  
**Town of Melbourne Beach**  
507 Ocean Avenue  
Melbourne Beach, Florida 32951

**Fishback Dominick, LLP**  
Attn: Andrew W. Mai, Esquire  
[andrewmai@fishbacklaw.com](mailto:andrewmai@fishbacklaw.com)  
1947 Lee Road  
Winter Park, FL 32789  
Phone: (407) 262-8400  
Fax: (407) 262-8402

**Table of Contents**

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ATTORNEYS AND COUNSELORS AT LAW

**Letter of Transmittal and Executive Summary - Tab 1**

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**FISHBACK ♦ DOMINICK**  
**ATTORNEYS AND COUNSELORS AT LAW**

**1947 LEE ROAD**  
**WINTER PARK, FLORIDA 32789-1834**

G. BEN FISHBACK (1893 - 1983)  
 JULIAN K. DOMINICK (1924-2003)

MARK F. AHLERS  
 \*A. KURT ARDAMAN  
 JOHN F. BENNETT  
 \*J. GIFFIN CHUMLEY  
 \*RICHARD S. GELLER  
 ERIC B. JONTZ  
 JEFFRY R. JONTZ  
 \*DANIEL W. LANGLEY  
 CHARLES R. S. TEPTER, JR.  
 MICHAEL D. TEMPKINS

TEL (407) 262-8400  
 FAX (407) 262-8402  
 WWW.FISHBACKLAW.COM

\*FLORIDA BAR BOARD CERTIFIED IN CITY, COUNTY  
 AND LOCAL GOVERNMENT LAW

Writer's Email: [andrewmai@fishbacklaw.com](mailto:andrewmai@fishbacklaw.com)

December 7, 2023

**VIA E-MAIL**

Town of Melbourne Beach  
 Attn: Elizabeth Mascaro, Town Manager  
 507 Ocean Avenue  
 Melbourne Beach, Florida 32951

**RE: Response to Request for Proposals/Invitation to Bid  
 Legal Services – Town of Melbourne Beach**

Dear Town Commission:

Fishback Dominick, LLP is pleased to submit this letter of interest, statement of qualifications and information package in response to the Town of Melbourne Beach's invitation to negotiate qualified candidates for the position of Town Attorney. Fishback Dominick would be honored to serve as the general counsel for the Town.

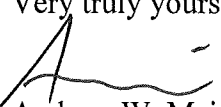
Since 1935, Fishback Dominick has vigorously and competently represented clients throughout the State of Florida in the areas of local government law, eminent domain, real estate, civil litigation, and other legal matters. The firm holds a peer review rating of "AV-Preeminent" from *Martindale-Hubbell*, which is the highest rating in competency and ethical standards. Fishback Dominick currently serves as City Attorney for six Central Florida municipalities – Winter Garden, Winter Park, DeBary, Longwood, Ocoee and Belle Isle. In addition, Fishback Dominick has served as special counsel to several other Special Districts and municipalities on various matters at the request of other municipal attorneys. With a significant portion of our firm's practice focused on local government law, we have an extensive team of capable and experienced attorneys to assist with the legal services for the Town.

Andrew W. Mai, former County Attorney for Osceola County for nearly a decade, would serve as the Town Attorney. J. Giffin Chumley would serve as assistant general counsel, and other Fishback Dominick attorneys will assist as needed to meet the legal needs of the Town. Mr. Mai's contact information is included above. Mr. Mai will be responsible for contract negotiations and is authorized to sign any agreements between the firm and the Town. Mr. Mai is currently District Counsel for three special districts: Waterset North Community Development District, Bahai Community Development District, and Country Place Maintenance District.

Mr. Mai and Mr. Chumley represent both municipalities and private clients in local government legal issues. They have extensive experience representing municipalities in civil litigation, appellate matters, administrative proceedings, code enforcement, eminent domain, inverse condemnation, comprehensive planning, subdivisions/platting, land use and development, impact fees, special assessments, administrative law, forfeiture, public procurement law, contracts, interlocal agreements, Government in the Sunshine law, public records law, ethics law, election law, real estate acquisition, oversight of special counsel, and contract negotiation matters. They attend various municipal board meetings as legal counsel, including City Councils/Commissions, Code Enforcement Boards, Planning & Zoning Boards, Development Review Committees, Charter Review Committees, Districting Commissions, and Canvassing Board, and advise board members and staff on all pertinent legal issues. Kurt Ardaman and Daniel Langley have extensive experience representing municipalities and would assist as necessary including in matters related to eminent domain, inverse condemnation, and other matters.

Fishback Dominick proposes to charge legal services at the rate of \$275.00/hour for attorneys, \$140.00/hour for paralegals and law clerks, and \$85.00/hour for legal assistants. Additionally, the Town would reimburse the firm for expenses reasonably incurred in the course of rendering such legal services. Legal services will be provided at the pleasure of the Town Commission. There will be no penalty or severance compensation for termination of legal services by the Town Commission or by Fishback Dominick. We have conducted a conflict search and found no conflicts.

If chosen to represent the Town of Melbourne Beach, the Town Attorney would schedule regular individual meetings with the Town Commission and the Town Manager to establish an open line of communication. Bond counsel, intellectual property counsel, and tax counsel would be hired as special counsel when necessary.

Very truly yours,  
  
Andrew W. Mai

Enclosure: Response to Request for Proposal



# **FISHBACK ♦ DOMINICK**

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ATTORNEYS AND COUNSELORS AT LAW

## **Proposal - Tab 2**

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Fishback Dominick (“Firm”) proposes the following Attorneys to perform legal services for the Town of Melbourne Beach (“Town”), although other Firm attorneys may assist from time to time:

Andrew Mai – Designated Town Attorney  
J. Giffin Chumley - Deputy Counsel

Andrew Mai served as County Attorney for Osceola County for nearly a decade. Giffin Chumley is board certified by the Florida Bar in City, County, and Local Government Law.

### **Board Meeting Attendance:**

Andrew Mai will serve as the Town Attorney and will attend the Town meetings, and special meetings. J. Giffin Chumley and other experienced firm attorneys will attend other Board meetings and meetings of special committees as requested by Town.

### **Fee Proposal:**

The fee proposal on the following pages includes an hourly rate structure for services.

### **Office Location/Accessibility:**

The Firm has one office location at 1947 Lee Road, Winter Park, Florida. Our attorneys are accessible to the Town. We return telephone calls and respond to email correspondence promptly. We are open to scheduling meetings with Town staff and Board of Directors at Town as needed.

### **Malpractice Insurance:**

The Firm carries malpractice insurance coverage in the amount of \$7,000,000.

### **Conflicts of Interest:**

We have conducted a conflict search and found no conflicts.

# **FISHBACK ♦ DOMINICK**

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ATTORNEYS AND COUNSELORS AT LAW

## **Fee Schedule - Tab 3**

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**Fee Structure:** Fishback Dominick proposes the following fee structure:

### **A. Hourly Rates**

For all matters and services including travel to and from meetings requiring in person attendance shall be billed on an hourly basis (in increments of quarter of an hour) at the following rates:

Andrew Mai	\$275.00 per hour
Board Certified Attorneys and Partners	\$275.00 per hour
Associates	\$275.00 per hour
Paralegals & Law Clerks	\$140.00 per hour
Legal Assistants	\$85.00 per hour

## Fee Schedule - Tab 3

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### **C. Expenses**

The Town shall reimburse the Town Attorney for expenses reasonably incurred in the course of rendering legal services, including but not limited to court filing fees, court reporter's fees, process server fees, long distance telephone calls, facsimile charges, electronic research (e.g. Lexis-Nexis and Westlaw), real estate closing costs, express delivery charges, postage, printing, costs of reproducing documents (in firm copies billed at \$0.20 per copy), and necessary travel expenses at IRS standard mileage rates (not to include mileage back and forth to Town buildings).

### **D. Other Arrangements**

The Town Attorney will perform the real estate closing services for all of the Town's real estate transactions and charge on a hourly basis for work performed. Title insurance premiums shall be paid at promulgated rates.

For legal services provided by the Firm in which third parties reimburse the Town (such as development pass through matters reimbursed by applicants/developers), the Firm's hourly attorney rates will be one-third higher than the hourly rates provided to the Town.

### **E. Other Arrangements for the bond fee.**

For legal services involving the Town Attorney's opinion letter concerning the legality of the Town's issuance of general obligation bonds, revenue bonds, or other types of bonds or notes, the Town Attorney shall receive a lump sum fee for such services to compensate the Town Attorney not only for the time incurred in reviewing and revising the bond documents and the drafting of an legal opinion letter, but also to compensate the Town Attorney for the risks associated with issuing the opinion letter based on the following:

.005 of bond amount for bonds up to \$5,000,000 (minimum \$7,500);  
Over \$5,000,000 – Charge the above up \$5,000,000 plus .0015 of amounts over \$5,000,000.

### **F. Invoices.**

Invoices are sent on a monthly basis, usually within a few weeks after the month being billed.

# **FISHBACK ♦ DOMINICK**

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ATTORNEYS AND COUNSELORS AT LAW

## **Experience of Firm - Tab 4**

### **Firm Experience**

We have served as City Attorneys for Winter Garden for 24 years (1992-2000 and 2006-present), DeBary for 22 years (2000-present), Longwood for 12 years (2010-present) and Winter Park for 7 years (2015-present). We also serve as City Attorneys for Belle Isle (1972-2013 and 2017-present). John F. Bennett, of counsel to our firm, served as Belle Isle's City Attorney for approximately 40 years, and before that our firm founder, Ben Fishback, held the same position for many years.

Fishback Dominick and eight of our attorneys hold a peer review rating of AV-Preeminent from *Martindale-Hubbell*, the highest in competency and ethical standards. The Bar Register of Preeminent Lawyers lists several of the Firm's attorneys in the practice areas of Municipal and Zoning, Civil Trial Practice, Commercial Litigation, Eminent Domain, General Practice and Real Estate. Four of the Firm's partners are Florida Bar Board Certified as specialists in City, County, and Local Government Law, including Giffin Chumley.

Several years ago, the Florida Supreme Court awarded Fishback Dominick the Chief Justice's Law Firm Commendation for *Pro Bono* Service for the Firm's outstanding services to the underprivileged.

### **Experience Representing Local Governments**

As Attorneys for municipalities that have experienced rapid growth as well as redevelopment, we have dealt with a tremendous spectrum of legal issues.

We counsel Special Districts, City Councils, City Commissions, Planning and Zoning Boards, Code Enforcement Boards, Development Review Committees, Community Redevelopment Agencies, Redistricting Commissions, Charter Review Committees, City Managers, Department Heads, Mayors, Council members, and Commissioners.

We counsel commission members on Sunshine Law issues, quasi-judicial proceedings, legislative matters, home rule authority, public records law requirements, voting conflicts, ethical requirements, new legislation, and many other local government law topics. We have advised Commissions during executive sessions and in open meetings to best protect and advance the interests of the public and our municipal clients.

We have handled extremely complex multi-party agreements, administrative and judicial proceedings involving large and sensitive matters, trials, appeals, negotiations, and other proceedings involving municipalities.

# **FISHBACK ♦ DOMINICK**

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ATTORNEYS AND COUNSELORS AT LAW

## **Experience of Firm - Tab 4**

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We have dealt with a multitude of real estate and land use issues for municipalities and Special Districts, including comprehensive plan amendments, land development regulations, rezonings, variances, special exceptions, proceedings under the Florida Land Use and Environmental Dispute Resolution Act, property takings, inverse condemnation, and Bert J. Harris Private Property Rights Act claims. We have created MSTUs and MSBU taxing districts for lake maintenance.

We have assisted in contracting and procurement issues as well as bid protests.

We have crafted and advised on matters affecting overlay districts and funding transportation and other projects.

We have crafted numerous ordinances and resolutions to protect, advance and serve the best interest of our municipalities and Special Districts and their citizens on a broad variety of topics.

We have helped cities acquire needed land and easements for public projects without having to file formal eminent domain proceedings. When necessary, we have brought eminent domain proceedings for our municipal clients.

We have defeated lawsuits seeking to invalidate election districts at both the State and Federal level.

We have assisted our clients with budgetary, ad valorem tax, special assessment, impact fee, and utility rate matters.

We have successfully defended our clients in administrative proceedings challenging comprehensive plan amendments and land development regulations.

We have successfully defended our clients in constitutional challenges to ordinances.

We have successfully defended our clients in challenges to quasi-judicial decisions, including code enforcement orders, variances, special exceptions, and rezonings.

We have successfully defended our clients in disputes with contractors and in construction litigation.

We have substantial experience working with counties and other municipalities and Special Districts to achieve mutually beneficial projects.

Unless litigation is truly necessary, we endeavor to find ways to protect our municipal clients and advance the public interest without suit or administrative proceedings.

**ANDREW W. MAI**  
**(Designated Town Attorney)**



**Areas Of Practice**

Local Government Law  
Land Use and Development  
Real Property

**Education**

Georgetown Law Center  
Heidelberg University  
Mitchell Hamline School of Law, Juris Doctor 2001  
University of Minnesota, Bachelor of Arts, 1995

**Professional Activities**

City of Sebastian, March 2023—present  
Interim City Attorney and Special Counsel

Osceola County, June 2011—February 2021  
County Attorney

Bahia Community Development District, June 15, 2022—present  
Attorney

Waterset North Community Development District, June 2021—present  
Attorney

Longboat Key, February 2021—March 2022  
Assistant Town Attorney

Sioux City, Iowa, February 2008—July 2011  
City Attorney

International Municipal Attorneys Association  
Past Florida Co-Chair  
Former County Attorney Chair

Florida Association of County Attorneys  
Board of Directors

Florida Bar Association

**ANDREW W. MAI** *(continued)*

*County Attorney, Osceola County, Florida, 2001-2021; City Attorney, City of Sioux City, Iowa, 2008-2011; Special Counsel to Monroe County and has represented other local governments and special districts and special counsel.*

Mr. Mai has thirteen years experience as a City or County Attorney. Mr. Mai has over 20 years of experience representing local governments, businesses, homeowners, developers and landowners in administrative proceedings, special master hearings, appeals, land development, government financing, bid/procurement, process and challenges, government in the sunshine and public Records Law, real estate acquisition and sale, contract negotiations, simple and complex multi-party and multi-governmental contracts and projects, personnel and other matters.

Mr. Mai has served as counsel to municipal boards, including Councils/Commissions, Planning & Zoning Boards, Development Review Committees, Code Enforcement Boards, Community Redevelopment Agencies, Charter Review Commissions, Districting Commissions, city and county managers, department heads, and others.

He counsels on all pertinent legal issues, including requirements of state law, municipal codes, quasi-judicial procedures, compliance with Florida's Sunshine Act, Public Records Law, and Code of Ethics for Public Officers. While City Attorney for Sioux City, Iowa, Mr. Mai worked on a seventy million dollar wastewater improvement project while also advising on various other water issues. In addition Mr. Mai has as County and City Attorney worked to issue bonds, resolve labor disputes, and negotiate labor contracts.

Mr. Mai is a requested speaker on bonding law, land development, and other local government related topics. He has presented to the International Government Association of Officials, the International Association of Municipal Attorneys, Florida Association of County Attorneys, and a number of conferences on Bonding, and state and national organizations.

**J. GIFFIN CHUMLEY**  
**(Partner)**



**Areas of Practice**

City, County and Local Government

Public Procurement

Americans with Disabilities Act

State Taxation (Ad Valorem and Tangible Property Taxes and Special Assessments)

**Education**

Stetson University College of Law, Juris Doctor, *Cum Laude*, 2006

University of Central Florida, Legal Studies, B.A., 2003

University of Florida, English, B.A., 2000

**Courts of Practice**

All State of Florida Courts (Admitted in 2006)

United States, Florida Middle and Northern Districts (Bankruptcy Included)

**Certifications**

Board Certified by the Florida Bar in City, County and Local Government Law (since 2012)



**J. Giffin Chumley** *(continued)***Professional Activities**

General Counsel to Volusia County Tax Collector Will Roberts, 2021 – present

Attorney to the City of Palm Coast Code Enforcement Board, 2021 - present

Assistant City Attorney, City of DeBary, 2006 – 2011; 2020 – present

Assistant County Attorney, County of Volusia, Florida, 2011 – 2020

Assistant City Attorney, City of Winter Garden, 2006 – 2011; 2020 – present

Assistant City Attorney, City of Longwood, 2010 – 2011; 2020 - present

Assistant City Attorney, City of Belle Isle, 2020 - present

Assistant City Attorney, City of Winter Park, 2020 – present

Judicial Intern to United States Chief Bankruptcy Judge Paul M. Glenn, 2006

Judicial Intern to United States District Court Judge Mary S. Scriven, 2005

**Professional Associations**

Florida Bar Association

Orange County Bar Association

**Community Associations**

Sergeant at Arms, Seminole County South Rotary Club

**J. Giffin Chumley** *(continued)*

After serving as an Assistant County Attorney for eight years in Volusia County, in 2020 Giffin Chumley returned as a partner to Fishback Dominick, where he first started his legal career in 2006.

Board certified by the Florida Bar in City, County, and Local Government Law, Mr. Chumley has extensive experience in Florida's Sunshine and public records laws, municipal code enforcement, the Americans with Disabilities Act, state and local taxation, public procurement, public transportation, fire and emergency services, ethics, and contracts, risk management, and land use and zoning. Mr. Chumley regularly attends meetings of and advises county and municipal boards and commissions.

Mr. Chumley served as Volusia County's principal attorney handling the Americans with Disabilities Act (ADA). He developed a program to train county employees about their duties and obligations under the ADA, and provided counsel on the county's ADA cases in litigation. Mr. Chumley gained extensive knowledge facing these challenges and navigating the ADA.

Mr. Chumley also has extensive experience in matters involving state and local taxation, and currently serves as general counsel for Volusia County Tax Collector, Will Roberts.

Mr. Chumley has worked regularly with Volusia County's and municipal procurement departments to draft, review, and negotiate contract terms and conditions. He has extensive knowledge of the requirements and inner workings of local government solicitation processes involving invitations to bid, requests for proposal, or requests for qualifications.

Mr. Chumley also represents creditors before the United States Bankruptcy Courts. While in law school, he interned with the late United States Chief Bankruptcy Judge, Paul M. Glenn, and also served as a judicial intern to United States District Judge Mary S. Scriven of the Middle District of Florida.

# **FISHBACK ♦ DOMINICK**

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ATTORNEYS AND COUNSELORS AT LAW

## **References - Tab 5**

The following are references for Fishback Dominick concerning City Attorney and Special District legal services provided within the last five years:

- 1) Bob Shillinger, County Attorney  
Monroe County Attorney's Office  
1111 12th Street, Suite 408  
Key West, Florida 33040  
Telephone: 305-292-3470
- 2) Paul Anderson, Chair  
Wataset North Community Development District  
9428 Camden Field Parkway  
Riverview, Florida 33578  
Telephone: 813-533-2950
- 3) Paul Carlisle, Former City Manager  
City of Sebastian  
Telephone: 561-718-8333



PROPOSAL FOR LEGAL SERVICES

# TOWN ATTORNEY

Town of Melbourne Beach



December 11, 2023

Honorable Alison Dennington, Mayor  
Honorable Sherri Quarrie, Commissioner  
Honorable Corey Runte, Commissioner  
Honorable Marivi Walker, Commissioner  
Honorable Adam Meyer, Commissioner

Attn: | Ms. Elizabeth Mascaro  
| Town Manager  
| Town of Melbourne Beach  
| 507 Ocean Avenue  
| Melbourne Beach, Florida 32951

*e: townmanager@melbournebeachfl.org*

Re: | Proposal to Provide Legal Services; Town Attorney

Dear Mayor and Members of the Town Commission:

Please accept this letter and the attached resume in response to your Invitation to Bid to serve as Town Attorney for the Town of Melbourne Beach. As you can see from my resume, I have been engaged in the practice of local government law spanning a period of over twenty-eight years. I am Board Certified as a Specialist by the Florida Bar in two distinct and relevant practice areas, one of which is City, County & Local Government Law. I have held this Certification since 2008, which was most recently renewed this year.

My professional career began in law enforcement and, after 12 years serving as a sworn police officer and deputy sheriff, I chose to pursue my law degree. Since that time, I have nearly exclusively represented local government, first in Southern California, and for the past 25 years, in Florida. This experience has not only included significant transactional experience, but has involved litigation in federal court, state court, and a variety of administrative forums. I have served as chief counsel (city attorney) in a variety of local government jurisdictions, which are reflected on my resume. In addition, I have been a resident and property owner in Brevard County for over seventeen (17) years with strong ties to the area.

In addition to a long history of providing continuing education to local government attorneys through the City, County & Local Government Section of The Florida Bar, I have recently been named as a Regional Vice President for the International Municipal Lawyers Association ([www.imla.org](http://www.imla.org)). In this capacity, I serve as a conduit between IMLA's Board of Directors and the local government attorneys serving in Florida, Georgia and Alabama (the geographic area encompassed by the Eleventh Federal Circuit Court of Appeals). My role is not only to advocate on behalf of local government attorneys and the cities they serve, but to ensure IMLA knows of the issues being faced by the local government attorneys within our Circuit. This information can then be a catalyst for lobbying efforts or amicus briefs by IMLA on issues which are important to local government.

Ms. Elizabeth Mascaro, Town Manager  
Re: Proposal to Provide Legal Services; Town Attorney  
December 11, 2023  
Page 2 of 2

I have spent the vast majority of my adult life working for local government and it is a profession for which I have a sincere passion. I would love to meet with the Town Commission to more fully discuss how I can be an asset to the Town, its residents, business owners, and visitors. I would be proud to serve as your Town Attorney.

I thank you very much for your consideration and I look forward to meeting with you in the near future.

Respectfully Submitted,



**JAMES D. STOKES, P.A.**  
ATTORNEY AT LAW

**BOARD CERTIFIED SPECIALIST:**

- *City, County & Local Government Law (2008)*
- *Labor & Employment Law (2004)*

**Proposed Billing:** While I would be open to negotiation on this point, I would propose an hourly rate of \$275.00 per hour for all matters, both transactional and litigation.



### PROFESSIONAL EXPERIENCE

#### **James D. Stokes, P.A. (Stokes Law)**

Special Counsel; Special Magistrate; Arbitrator (2011 - present)

#### **City Attorney Experience:**

- **City of Naples** (Interim City Attorney, 2023 - present)
- **City of Port St. Lucie** (City Attorney, 2018 - 2023)
- **City of Sebastian** (City Attorney, 2017 - 2020)
- **City of Greenacres** (City Attorney, 2015 - 2018)
- **City of Palm Bay** (City Attorney, 2006 - 2011)
- **City of West Melbourne** (Interim City Attorney, 2006 - 2008)
- **City of Pompano Beach** (Assistant City Attorney, 2002 - 2006)

#### **Muller Mintz, P.A. (Miami, Florida)**

(1998 - 2002) Associate Attorney, Senior Associate (1998 - 2002)

#### **Franscell, Strickland, Roberts & Lawrence, P.C. (Pasadena, California)**

(1995 - 1998) Associate/Graduate Attorney (1995 - 1998)

#### **Office of the City Attorney | City of Los Angeles**

Certified Legal Intern (1995)



#### **Riverside County Sheriff's Department (California)**

Deputy Sheriff (1988 - 1992)

#### **China Lake Police Department (California)**

Police Officer, Corporal, Detective Sergeant (1983 - 1988)

#### **Ridgecrest Police Department (California)**

Reserve Police Officer (1982 - 1986)

### CERTIFICATIONS

- **Board Certified Specialist** | Labor & Employment Law, Florida Bar (2004 - present)
- **Board Certified Specialist** | City, County & Local Government Law, Florida Bar (2008 - present)

### LEGAL MEMBERSHIPS

- **The Florida Bar** (admitted to State & Federal Courts)
- **State Bar of California** (admitted to State & Federal Courts)
- **Florida Municipal Attorneys Association**
- **International Municipal Lawyers Association**
  - ✓ Regional Vice President: Eleventh Federal Circuit (2023 - present)



### COLLEGE TEACHING POSITIONS

Adjunct Professor | Labor Law & Employee Standards (Aviation Management Program)  
**Florida Institute of Technology**, College of Aeronautics (2012 - 2020)

Academy Instructor | Law Topics for Law Enforcement Officers  
**Broward College**, Institute of Public Safety (2003 - 2007)

Reserve Academy Instructor | Firearms, Impact Weapons & Use of Force  
**Cerro Coso Community College**, Ridgecrest (1986 - 1988)



## APPOINTMENTS & POSITIONS

### **Permanent Arbitration Panels:**

- Arbitration Panel Member; Federal Aviation Administration *(since 2020)*
- Arbitration Panel Member; State of Florida & PBA *(since 2020)*
- Arbitration Panel Member; Miami-Dade County & IAFF *(since 2019)*
- Arbitration Panel Member; Broward County & IAFF *(since 2019)*
- National Mediation Board; Railroad & Airline Labor Panels *(since 2016)*
- American Arbitration Association; Commercial and Large Complex Panels *(since 2014)*
- Federal Mediation & Conciliation Service; Labor Panel *(since 2013)*
- American Arbitration Association; Labor Panel *(since 2012)*

### **Special Counsel:**

- City of Palm Bay; Code Enforcement Board Attorney *(2015 - 2020)*
- City of Palm Bay; Planning & Zoning Board Attorney *(2014 - 2020)*
- Town of Palm Shores; Ethics Matter
- Town of Melbourne Beach; Misconduct Matter
- Miami Beach Housing Authority; Ethics Matter

### **Special Magistrate Appointments:**

- Florida Public Employees Relations Commission (PERC); Impasse Resolution *(2013 - present)*
- City of Boynton Beach; Red Light Camera Adjudication *(2013 - present)*
- City of Edgewater; Code Compliance *(2017 - 2020)*
- Town of Grant-Valkaria; Code Compliance *(2015 - 2020)*
- City of Indian Harbour Beach; Code Compliance *(2014 - 2020)*
- Town of Palm Shores; Code Compliance *(2013 - 2020)*
- Town of Golden Beach; Code Compliance *(2003 - 2010)*
- City of Hollywood; Vehicle Impoundment and Code Compliance *(2003 - 2006)*

## COMMUNITY VOLUNTEER POSITIONS

### **U.S. Naval Sea Cadet Corps**

- Regional Director, Region 067 (Florida's Space Coast & Treasure Coast) *(2022 - present)*
- Regional Director, Region 065 (Florida's Southeast Region) *(2021 - 2022)*
- Regional Public Affairs Officer, Region 061 (Florida's Gulf Coast) *(2020 - 2021)*
- Public Affairs Officer/Commanding Officer, David McCampbell Battalion *(2016 - 2020)*
- Instructor/Coordinator, JAG Legal Academy *(2016 - present)*

### **U.S. Coast Guard Auxiliary**

- Civil Rights Coordinator, Seventh District *(2017 - present)*
- Assistant District Legal Officer, Seventh District *(2015 - present)*

### **Diocese of Orlando, Ordained Deacon *(2008 - present)***

- Saint John the Evangelist Catholic Church *(2010-2014)*
- Saint Joseph Catholic Church *(2008-2010; 2014-2023)*

## EDUCATION

**Southwestern University School of Law** (1995) | Juris Doctorate  
Los Angeles, California

- American Jurisprudence Book Award *(Contracts)*
- American Jurisprudence Book Award *(Remedies)*
- Dean's Merit Award

**University of Notre Dame** (2014) | M.A., Theology  
South Bend, Indiana

**University of Redlands** (1993) | B.S., Business & Management  
Redlands, California



## INSTRUCTIONAL & SPEAKING ENGAGEMENTS

### *Land Use, Technology & Government*

Environmental and Land Use Law Section, Florida Bar  
October, 2020 | Webinar

### *Preemption in Land Use Regulations*

2018 Land Use Seminar, The Florida Bar  
May, 2018 | Orlando, Florida

### *Mediation in the Public Sector (2 sessions)*

Florida Dispute Resolution Center, 25th Annual Conference  
August, 2017 | Orlando, Florida

### *How To Prepare For Arbitration: An Arbitrator's Perspective*

Florida Public Employers Labor Relations Association  
February, 2017 | Orlando, Florida

### *The Public Employees Relations Act*

17th Labor & Employment Law Annual Update and Certification Review  
January, 2016 | Orlando, Florida

### *So They Say You Can't Do That In Mediation? The Local Government Perspective.*

35th Annual Local Government Law in Florida, The Florida Bar  
May, 2012 | Saint Augustine, Florida

### *Diversity Issues & Tolerance for the Law Enforcement Officer (8 sessions)*

Winter Park Police Department  
January, 2012 | Winter Park, Florida

### *Social Media in the Public Sector Workplace*

Space Coast Public Personnel & Risk Management Association  
February, 2010 | Viera, Florida

### *501(c)(3) Corporations in the Public Sector, A Good Tool or A Risky Business?*

Annual Conference, International Municipal Lawyers Association  
October, 2009 | Miami, Florida

### *Attendance Issues: Aren't Employees Supposed To Attend And Ask To Leave?*

Annual Conference, National Public Employers Labor Relations Association  
April, 2008 | Clearwater, Florida

### *Privileges, Exemptions and Ex Parte Communications.*

33rd Annual Public Employment Labor Relations Forum, The Florida Bar  
October, 2007 | Orlando, Florida

### *Conducting Workplace Investigations: Weingarten, Bill of Rights, and Other Issues.*

31st Annual Public Employment Labor Relations Forum, The Florida Bar  
October, 2005 | Orlando, Florida

## PROFESSIONAL REFERENCES

**Honorable Rachel Sadoff**  
Clerk of Court & Comptroller  
**Brevard County**  
e: rachel.sadoff@brevardclerk.us  
ph: 321.302.5651

**Honorable Stephanie Morgan**  
Council Member  
**City of Port St. Lucie**  
e: stephanie.morgan@cityofpsl.com  
ph: 772.528.9199

**Honorable Gertrude Walker**  
Supervisor of Elections  
**St. Lucie County**  
e: gertrude@slcelections.com  
ph: 772.462.1500

**Ms. Andrea McCue**  
City Manager  
**City of Greenacres**  
e: amccue@greenacresfl.gov  
ph: 561.365.4785

**Town Commission Meeting**

**Section:**

**Meeting Date:** 12/20/2023

**From:** Mayor A. Dennington

**Re:** Discussion of Repeal of Ord. 2023-02 (aka 2nd Kitchen)

**Background Information:**

The Mayor would like to discuss and vote on whether it is advisable to Repeal the 2nd Kitchen ordinance for several potential legal, practical and other reasons.

**Recommendation:**

Discussion of the above  
Vote on Repealing Ordinance  
ie vote to take immediate steps to start process to repeal and pass resolution on the same discuss the reasons

**Attachments:**

See 2023-02

**ORDINANCE NO. 2023-02**

**AN ORDINANCE OF THE TOWN OF MELBOURNE BEACH, BREVARD COUNTY, FLORIDA, AMENDING; APPENDIX “A” OF THE TOWN CODE OF ORDINANCES OF MELBOURNE BEACH, THE LAND DEVELOPMENT CODE; AMENDING SECTION 1A-3 TO ADD THE DEFINITION FOR KITCHEN OR KITCHEN FACILITY; AMENDING CHAPTER 7A REGARDING SECOND KITCHENS; SPECIFICALLY AMENDING SECTION 7A-31, SECTION 7A-32, AND SECTION 7A-33 TO PERMIT SECOND KITCHENS IN 1-RS, 2-RS, AND 3-RS ZONING DISTRICTS; CREATING SECTION 7A-72 TO PROVIDE SUPPLEMENTARY DISTRICT REGULATIONS FOR SECOND KITCHENS IN SINGLE FAMILY RESIDENTIAL DISTRICTS; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING AN ADOPTION SCHEDULE.**

**WHEREAS**, the Town of Melbourne Beach desires to amend the Land Development Code of the Town of Melbourne Beach regarding second kitchens in residential zoning districts in the Town of Melbourne Beach within the Town of Melbourne Beach; and

**WHEREAS**, the Town Commission of the Town of Melbourne Beach, after duly noticed public hearings, has determined that amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Comprehensive Plan, are in the best interests of its citizens of the Town of Melbourne Beach, and promote the general health, safety, and welfare of the residents of the Town of Melbourne Beach; and

**WHEREAS**, on February 7, 2023 and March 7, 2023 the Planning and Zoning Board/Local Planning Agency (collectively the “LPA”) at a duly noticed public hearing, reviewed and considered the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code and took public comment regarding the same; and

**WHEREAS**, the LPA has determined that the proposed amendments to Sections 7A-31, Section 7A-32, and Section 7A-33 of the Land Development Code to permit second kitchens in 1-RS, 2-RS, and 3-RS zoning districts and the creation of standards for second kitchens in a new Section 7A-72 of the Land Development Code are consistent with the Town’s Comprehensive

Plan and are in the best interest of the Town of Melbourne and has recommended that the Town Commission approve of the same.

**WHEREAS**, the Town Commission and LPA have determined that an amendment to Section 1A-3 of the Land Development Code to add the definition of the terms “kitchen” or “kitchen facility” is necessary to allow for the desired regulatory changes and that such definition shall specifically exclude outdoor barbeque areas without a stove or range.

**NOW, THEREFORE, BE IT ENACTED BY THE TOWN OF MELBOURNE BEACH, FLORIDA:**

**SECTION 1.** That Article I, Chapter 1A, Section 1A-3, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby created to read as follows:

**§1A-3. DEFINITIONS.**

\* \* \*

**KITCHEN OR KITCHEN FACILITY.** A room or area within a room whose primary purpose is to store, prepare and cook food. A kitchen will have a refrigerator to store food, counter space and a sink to prepare food, and a stove and/or range to cook food. An outdoor or external barbeque area with no stove or range shall not constitute a kitchen or kitchen facility.

\* \* \*

**SECTION 2.** That Section 7A-31 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

**§7A-31. 1-RS SINGLE FAMILY RESIDENTIAL DISTRICT.**

\* \* \*

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

**SECTION 3.** That Section 7A-32 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

**§7A-32. 2-RS SINGLE FAMILY RESIDENTIAL DISTRICT.**

\* \* \*

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

**SECTION 4.** That Section 7A-33 of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby amended to read as follows:

**§7A-33. 3-RS SINGLE FAMILY RESIDENTIAL DISTRICT.**

\* \* \*

(g) Supplementary regulations: As provided in §§ 7A-50 through 7A-6972, and Chapter 9A.

**SECTION 5.** That Article IV, Chapter 7A, Section 7A-72, of Appendix “A,” of the Town Code of the Town of Melbourne Beach, Florida, Land Development Code, is hereby created to read as follows:

**§7A-72. SINGLE-FAMILY RESIDENTIAL SECOND KITCHEN FACILITY.**

A second kitchen facility may be incorporated into a single-family residence located in the 1-RS, 2-RS, and 3-RS zoning districts, provided the second kitchen facility meets the following conditions:

(1) The second kitchen facility and the area or quarters it serves shall be integrated architecturally into the principal single-family dwelling unit or may be located within separate quarters connected to the principal single-family dwelling unit by a common wall or common roof. For purposes of this Section, a breezeway connection between the principal single-family dwelling unit structure and the separate quarters served by the second kitchen may constitute a common roof. Access to the second kitchen shall be as required by the Florida Building Code.

(2) A permit for construction must be obtained, and a floor plan of the entire single-family residence, including the additional kitchen facility, demonstrating compliance with the conditions set forth in this section, shall be submitted to the Building Official for plan review and approval prior to construction of any second kitchen. The approved floor plan shall be binding upon all future construction plans in regard to the single-family residence and the second kitchen facility.

(3) No portion of the single-family dwelling unit shall be utilized for rental purposes, and the single-family dwelling unit shall be served by only one electrical and water meter.

(4) The single-family dwelling unit shall continue to be utilized by no more than one family.

(5) The property upon which the second kitchen is planned to be installed must have a valid Brevard County property tax homestead exemption at the time of permit application. A second kitchen facility must be removed within one year of the loss or removal of the homestead exemption maintained on the property.

**SECTION 6. Severability/Interpretation Clause.**

(a) In the event that any term, provision, clause, sentence or section of this Ordinance shall be held by a court of competent jurisdiction to be partially or wholly unenforceable or invalid for any reason whatsoever, any such invalidity, illegality, or unenforceability shall not affect any of the other or remaining terms, provisions, clauses, sentences, or sections of this Ordinance, and this Ordinance shall be read and/or applied as if the invalid, illegal, or unenforceable term, provision, clause, sentence, or section did not exist.

(b) In interpreting the provisions of this Ordinance, the following rules and symbols shall apply:

(1) Words underlined are additions to existing text.

(2) Words ~~stricken through~~ are deletions from existing text.

(3) Asterisks (\* \* \*) indicates a deletion from the Ordinance of text existing in the Code of Ordinances. It is intended that the text in the Code of Ordinance denoted by the asterisks and not set forth in this Ordinance shall remain unchanged from the language existing prior to adoption of this Ordinance.

**SECTION 7. Codification.** The provisions of this Ordinance shall be codified as, and become and be made a part of, the Town of Melbourne Beach Code of Ordinances. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention.

**SECTION 8. Ordinances and Resolutions in Conflict.** All ordinances or resolutions or parts thereof that may be determined to be in conflict herewith are hereby repealed.

**SECTION 9. Effective Date.** This Ordinance shall become effective upon adoption.

**SECTION 10. Adoption Schedule.**

PASSED by the Town Commission of the Town of Melbourne Beach on first reading on

the 15<sup>th</sup> day of February, 2023, and ADOPTED by the Town Commission of the Town of Melbourne Beach, Florida, on final reading on the 15<sup>th</sup> day of March, 2023.

TOWN OF MELBOURNE BEACH, FLORIDA

By: Joyce D. Barton  
JOYCE D. BARTON, Vice Mayor

(TOWN SEAL)

ATTEST:

Amber Brown  
Amber Brown,  
Town Clerk





**Town Commission Meeting****Section:**

New Business

**Meeting Date:**

12/20/2024

**From:**

Mayor A. Dennington

**Re:**

Hire Deputy Town Clerk

**Background Information:**

We have always had one  
except only the last 5/6 yrs +/-  
Our Clerk is great but she is bogged  
down & we must give her help to catch  
up. I feel this is an emergency issue.

**Recommendation:**

~~The~~ Vote to seek Deputy ASAP

**Attachments:**

None



Town Commission Meeting

Section:

Meeting Date:

12/

From:

Mayor A. Dennington

Re:

Short term Rental Registration for owner occupied <sup>exempt</sup>

Background Information:

Discussion & vote on whether to take steps immediately to repeal (to start process to repeal) owner-occupied short-term rental Town registration exemption.

Recommendation:

Mayor Dennington would like to Remove/Repeal this exemption from registration Town

Attachments:

please Pull All Short term Rental Docs - Instructions, Forms, Aff etc & Any ord. that allows exemption for owner-occupied

**Town Commission Meeting**

**Section:**

**Meeting Date:**

12/20/2023

**From:**

Mayor A. Dennington

**Re:**

Short term Rentals / state pre-emption

**Background Information:**

What Can We do  
Ideas

Discussion of above topic

**Recommendation:**

**Attachments:**

None

Town Commission Meeting

Section:

Meeting Date: 12/20/2023

From: Mayor A. Dennington

Re: Inquiry into Stop Signs, & Discussion thereof

Background Information:

Inquiry into Charter & Provision regarding authority & proper procedures as to stop signs (installation)

Recommendation:

Q & A re topic to TM & PW

process re the same, & whether it was followed & discussion re the same

Attachments:

None  
But relates to numerous charter & code provisions potentially applicable & internal procedures

& discussion of whether to revise those procedures & discussion of Removal of Riverside stop sign & Alternatives to slowing traffic ie speed limit.



## Town Manager Report for December 2023

1. The Fall Festival held on November 18<sup>th</sup> was a huge success. Town staff has received a lot of feedback asking for this event to return next year. All of Town Hall staff volunteered their time to participate in the event. As always, Police and Fire were also on hand to support the event. The Police Department had lots of family stay for the movie. All Town employees, including the Fire Department volunteers are the most cohesive, dedicated and professional group of individuals I have had the pleasure to work with since I began working for the Town in 2014.
2. The annual Tree Lighting continues to be a successful family event with an estimated crowd of over 300 people. This year's snowfall had a hint of pine and hint of peppermint. The children seemed to have a great time with the snow. A huge thank you to Public Works for the setting up the decorations and manning the snow guns again this year.
3. Finance Manager Kerr and I did a meet and greet with the new Superintendent of Schools, Dr. Mark Rendell and the COO Rachad T. Wilson. Dr. Rendell wanted to make sure we know he was available to the Town should be need anything or have any concerns about the schools the Town's children attend.
4. Building Official Bitgood and I met with Kelly Hyvonen of Land Development Strategies to discuss parking and outdoor seating.
5. Code Enforcement has scheduled the Magistrate to hear two cases on January 3<sup>rd</sup>.
6. Universal Engineering is taking bore samples from Riverside Drive to determine how deep to mil the roadway.
7. Received notification from Florida Wildflower of \$568.00 payment to Town for Viva Florida grant.
8. Lt. Smith is now the representative to the Vision Zero Board replacing the Town Manager for 2024. The intersection of Ocean Avenue and Orange Street was 1 of 10 crosswalk to be monitored for traffic by Bike Walk of Central Florida under the Best Foot Forward Crosswalks in Brevard County. The monitoring will take place February 6-16<sup>th</sup>. An online steering committee will review all of the baseline data at the end of February.

## DECEMBER 2023 TASK LIST

ITEM	OPENED	DUE DATE	CLOSED	REQUESTER	ASSIGNED TO
S.E.A. PROJECT	2/17/2021	11/15/2023	11/15/2023	Mayor Hoover	Town Manager
<b>Date</b>	<b>Directions/Notes</b>				
11/15/2023	Town Manager – This item was originally to have a streetscape plan set for when FDOT redoes Ocean Ave. Drawings were done that the Town is not moving forward with.				
8/16/2023	At the workshop next week				
7/19/2023	Town Manager – Received drawings from Bowman next step is scheduling a workshop				
3/15/2023	Put on the Town Commission Workshop				
1/18/2023	Town Manager – Waiting on the concept drawings from Bowman.				
11/16/2022	TM – Next step is the concept drawings and sidewalks Corey Runte – Get a quote from the Town’s secondary civil engineering company				
9/21/2022	Waiting to hear back from BSE				
7/20/2022	TM – The workshop is scheduled for August 24 <sup>th</sup> at 6:30 pm.				
6/15/2022	Town Manager – Spoke with Neal, 2 proposed dates in August, bring final date next month				
5/18/2022	Town Manager – additional parking spots are done, planting in Bicentennial Park was done, new poles along Ocean Ave are in the works. The next big-ticket item is underground retention for stormwater Mayor Hoover – FDOT will be doing their portion of A1A fiscal year 2026. Schedule a public workshop in July.				
04/20/2022	Town will have a tent during Founders Day to discuss the S.E.A. Vision and get feedback from the residents. Waiting on estimates for new Town signs from Fast Signs. Flowers planted at the very north end of Bi-Centennial. Flowers also planted around Ryckman House. Established 4 more spaces for golf cart parking.				
2/16/2022	Town Manager Mascaro has met with the resident volunteer and they are currently working on the plan – she will provide another update again in March. Mayor Hoover suggested researching FDOT funding for Bicentennial Park and making it an entrance to the Town with a more impressive sign.				
1/17/2022	Vision statement was approved. An update will be given at February RTCM.				
12/15/2021	Update at January RTCM with Dix Height information.				
10/20/2021	Discussed during meeting in depth. Update at Nov. RTCM				
9/15/21	Currently working on RFP for gardening services and will present it at next RTCM as an agenda item. TM has not been able to make contact with Susan Hall				
8/18/2021	Added landscaping of Parks to Action item – and discussed RFP for landscaping services				
7/21/2021	Check in with Susan (include VM Barton) and update at August RTCM				



## DECEMBER 2023 TASK LIST

6/16/2021	Commission will no longer pursue FDOT grant but will continue research of other funding and grants.				
4/21/2021	Commission approved increasing payment. Grant will be awarded in June. Update July RTCM				
3/17/2021	VM Barton researched FDOT landscape grant. Commission approved \$5,000 to begin landscape design process with an architectural designer. Discuss at April TCW and April RTCM.				
2/17/2021	Explore grants, etc. Discuss at TCW on March 3, 2021				
12/2/2020	<i>Mayor Hoover suggested they do the necessary research and reach out to landlords and business owners, starting with the area east of the traffic light on both sides of the road north and south – and then meet again to discuss in February. Plan for workshops with business owners and PNZ involvement</i>				
12/16/2020	<i>Commissioner Walters requested the Town research a better microphone system, including the option of wireless microphones. He feels the sound quality of the current microphones is very poor. Dual timers were also requested by the Commission (we have one and need one more).</i>				
<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTER</b>	<b>ASSIGNED TO</b>
<b>Options and costs for live streaming</b>	<b>9/21/2022</b>	<b>12/20/2023</b>		<b>Joyce Barton</b>	<b>Town Clerk</b>
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
9/21/2023	Town Clerk – Received 4 quotes and have a second meeting with another company				
7/19/2023	Town Clerk – Received 2 quotes still waiting on 3 others				
5/17/2023	Town Clerk – Working with a company that assists with RFPs and finding companies that do the work.				
3/15/2023	Town Clerk – Spoke with an individual who is familiar with audio/visual equipment and wanted to get a feel for the price range prior to spending time looking into products. Commission decided to send this out for RFP.				
1/18/2023	Town Clerk – Contacted several companies who advised not interested, cannot get the products, or didn't respond. Will start contacting individuals that use audio visual equipment rather than companies.				
11/16/2022	Town Clerk - contacted other municipalities to see how they stream and what they use and also reaching out to private companies. This item ties into the upgrades to the audio system that was approved, but not done yet to make sure the systems are compatible.				
9/21/2022	Added to Action Items				
<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>

## DECEMBER 2023 TASK LIST

<b>Sixth Ave boat ramp improvements</b>	<b>8/17/2022</b>	<b>2/7/2024</b>		Commissioner Runte	Town Manager/ PW Director
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
8/16/2023	At the workshop next week.				
7/19/2023	Mayor – Neighboring property put in a taller dock that is getting destroyed, so if the Town put in a small dock it would not last long				
6/28/2023	Look into grant opportunities				
3/15/2023	Put on the Town Commission Workshop				
2/15/2023	Tom Davis- met with Bowman Engineering at Sixth Ave boat ramp to get them to draw something up				
1/18/2023	Tom Davis – installed the geogrid and painted the wall, considering installing a kayak rack Commissioner Corey Runte – come up with future vision plans and get concept drawings/proposals to beautify it and address parking				
11/16/2022	Joyce Barton – Spoke about possible grant options Corey Runte – Research funding options Mayor Hoover – Start with fixing the seawall				
9/21/2022	Discussed under new business agenda item D.				
8/17/2022	Research what the exact issue is with parking that prevents the Town from getting grant money				
<b>ITEM</b>	<b>OPENED</b>	<b>DUE DATE</b>	<b>CLOSED</b>	<b>REQUESTOR</b>	<b>ASSIGNED TO</b>
<b>Lifeguard coverage</b>	<b>3/15/2023</b>	<b>3/20/2024</b>		Wyatt Hoover	
<b>DATE</b>	<b>DIRECTION/NOTES</b>				
9/21/2023	Fire Chief – Presented the different options and costs. Continue with BCOR for the next fiscal year then reassess.				
7/12/2023	Create a staffing plan, budget, equipment list, and all other details to bring a lifeguard program in-house. What would Ocean Park parking fees need to increase to in order to cover the cost.				
6/28/2023	Town Manager – Met with County Manager, waiting on the County Commission.  Corey Runte – Asked to look into the cost of having our own lifeguard program.				

## DECEMBER 2023 TASK LIST

5/17/2023	Town Manager – Fire Chief Gavin Brown is the liaison for this. Right now the Brevard County Commission is looking into it
3/15/2023	Added to Action Items – Fact finding related to funding from other municipalities, open a dialogue with Indialantic, reach out to US Lifesaving Association and Florida Beach Patrol to see what other heavy-traffic beaches are doing, make sure flag signs are up to date, options and costs to get a lifeguard at our beach year round.