

**Agenda**  
**Town of Indialantic**  
**Regular Meeting of the Town Council**  
**Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903**  
**Wednesday, March 9, 2022 at 7:00 p.m.**

**A. Call to Order:**

Honorable Dave Berkman, Mayor  
Honorable Stu Glass, Deputy Mayor  
Honorable Simon Kemp, Councilmember  
Honorable Julie McKnight, Councilmember  
Honorable Doug Wright, Councilmember

1. Proclamation: Michael Faucher, Jr. Day
2. Proclamation: Water Conservation Month
3. Public Announcements:
  - There are openings on the following boards and committees: Board of Adjustment, Budget & Finance, Civil Service, Parks Recreation & Beautification, the General Employees' Pension Board; and Zoning and Planning
  - The Easter egg hunt will be on Saturday, April 9, at 9:00 a.m. in Orlando Park
  - Build Week for the Mikey Goodwin Playground at Nance Park will be Tuesday – Saturday, April 19 – 23. The Playground Advisory Committee is seeking volunteers to help build the playground; sign up at <https://www.nanceparkplayground.com/>
  - Personalized fence pickets in Nance Park are available for purchase (\$100 each) at <https://www.nanceparkplayground.com/>

**B. Consent Agenda:**

1. Approve Council Meeting Minutes 2-9-2022
2. Approve Running Zone agreement, road closure, and banner placement for special event Witch Way 5K on October 15, 2022
3. Approve the following Appointments/Reappointments:
  - a) Board of Adjustment – Reappoint David Justice
  - b) Heritage Committee – Reappoint Pam Dunn
  - c) Parks, Recreation & Beautification Committee – Appoint John Heilner
  - d) Zoning and Planning Board – Appoint Jeanne Allen

**C. Ordinances and Public Hearings:** None.

**D. Unfinished Business:**

1. Charter Amendment (Glass)
2. Accessory Buildings (Berkman)

**E. New Business:**

1. Coronavirus State & Local Fiscal Recovery Fund
2. Engagement Letter - James Moore & Co., P.L., for American Rescue Plan Act Reporting and Compliance Consulting

**F. Public Comments, Non-Agenda items:**

Persons wishing to address the Town Council on a matter not listed on the agenda may speak at this time. Speakers must provide their name and address, observe the 3-minute time limit, and speak only after being recognized by the Mayor.

**G. Administrative Reports:**

1. Town Attorney
2. Town Manager

**H. Council Reports:**

**I. Adjournment:**

**Notice:** Pursuant to Section 286.0105, Florida Statutes, the Town hereby advises the public that if a person decides to appeal any decision made by this board, agency, or council with respect to any matter considered at its meeting or hearing, he will need a record of the proceedings, and that for such purpose, affected persons may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the Town for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

**Americans with Disabilities Act:** Persons planning to attend the meeting who need special assistance must notify the office of the town clerk at 321-723-2242 no later than 48 hours prior to the meeting.

# *Proclamation*

**WHEREAS**, Michael Faucher Jr. loves many sports but is particularly fond of baseball; and

**WHEREAS**, Michael, the oldest of his four siblings, loves to ride his bike with friends, eat pizza, blast his music, and can ride a wheelie for a solid 100+ feet; and

**WHEREAS**, Michael's favorite positions are pitcher and short stop; and

**WHEREAS**, Michael, who recently turned 14 years old, already hit over twenty homes runs before the age of 13; and

**WHEREAS**, Michael and his team, the Evolution Elite, have made Indialantic proud by winning the Firecracker Classic AA/AAA World Series; and

**WHEREAS**, Michael and his team outscored their opponents 66-6 and were undefeated for the tournament 7-0; and

**WHEREAS**, Michael also recently won the Southeast All-State Championship with his team the Florida White; and

**WHEREAS**, Michael pitched 6 of 7 innings in the championship game; faced 19 batters, threw 58 pitches, 41 strikes, 6 strikeouts and only allowed one hit while not allowing any runs;

Now, therefore, I, Dave Berkman, do hereby proclaim this day, March 9, 2022, as

## **'Michael Faucher Jr. Day'**

in the Town of Indialantic to recognize how proud he has made our town council, the Town of Indialantic, his family, and his team.

TOWN OF INDIALANTIC

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Dave Berkman, Mayor

# *Proclamation*

## **Town of Indialantic Brevard County, Florida**

**WHEREAS**, water is a basic and essential need of every living creature; and

**WHEREAS**, The State of Florida, Water Management Districts and the Town of Indialantic are working together to increase awareness about the importance of water conservation; and

**WHEREAS**, the Town of Indialantic and the State of Florida have designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources; and

**WHEREAS**, every business, industry, school and citizen can make a difference when it comes to conserving water; and

**WHEREAS**, every business, industry, school and citizen can help by saving water and thus promote a healthy economy and community; and

**NOW, THEREFORE**, be it resolved that by virtue of the authority vested in me as Mayor of the Town of Indialantic, I do hereby proclaim the month of April as

### **"Water Conservation Month"**

and call upon each citizen and business to help protect our precious resource by practicing water saving measures and becoming more aware of the need to save water.

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Dave Berkman, Mayor

Attest:

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Rebekah Raddon, Town Clerk

**Meeting Minutes**  
**Town of Indialantic**  
**Regular Meeting of the Town Council**  
**Council Chamber, 216 Fifth Avenue, Indialantic, FL 32903**  
**Wednesday, February 9, 2022 at 7:00 p.m.**

**A. Call to Order:**

A regular meeting of the Indialantic Town Council was called to order by Mayor Berkman at 7:01 p.m., followed by the Pledge of Allegiance. The following members were present:

Honorable Dave Berkman, Mayor  
Honorable Stu Glass, Deputy Mayor  
Honorable Simon Kemp, Councilmember  
Honorable Julie McKnight, Councilmember  
Honorable Doug Wright, Councilmember

Also attending:

Michael Casey, Town Manager  
Paul Gougelman, Town Attorney  
Rebekah Raddon, Town Clerk  
Scott Holstine, Police Department

**1. Presentation, Northern Atlantic Right Whale Migration:**

Joel Cohen and Julie Albert, Program Director for the Marine Resources Council (MRC), spoke. In summary, they explained that our coastline provides habitat for right whales who give birth and nurse their calves here during the winter months. The two most frequent causes of death are by collision with boats and entanglement in fishing gear. With only 336 right whales remaining, the species is critically endangered. Residents can help protect the whales by calling 888-979-4253 to report sightings. The MRC collaborates with other state, federal, and non-profit organizations to alert boaters when whales are present, initiate disentanglement responses, and conduct research.

**2. Mayor Berkman read the following Public Announcements:**

- There are openings on the following boards and committees: Board of Adjustment, Civil Service, Parks Recreation & Beautification, the General Employees' Pension Board; and Zoning and Planning
- Town Hall will be closed Monday, Feb. 21 in observance of Presidents' Day

- T-shirts for the Mayors' Fitness Challenge are available at Town Hall, you can still register for the challenge at [www.uwbrevard.org](http://www.uwbrevard.org). Fill out our local team form at: <https://indialantic.fitness/> to get updates on events.
- Playground fence pickets are for sale at [nanceparkplayground.com](http://nanceparkplayground.com). Proceeds from the sale will be used for playground construction and maintenance.

## **B. Consent Agenda:**

1. Approve Council Meeting Minutes 12-29-2021
2. Approve Council Meeting Minutes 1-12-2022
3. Adopt Resolution 01-2022 Fiscal Year 21-22 Budget Adjustment #1
4. Approve 2022 Ocean Lifeguard Agreement
5. Authorize/designate Special Event: PineappleMan Triathlon, June 5, 2022, 6 a.m. – 10:30 a.m.
6. Authorize/designate Special Event: Turkey Trot 5K, Nov. 24, 2022, 7:30 a.m. – 9:30 a.m.
7. Approve the following Appointments/Reappointments:
  - a) Parks, Recreation, & Beautification Committee – Reappoint Stacie Miller

**Motion by Deputy Mayor Glass, seconded by Councilmember McKnight, and vote unanimous to approve the consent agenda as written. Motion carried 5-0.**

## **C. Ordinances and Public Hearings:**

1. Ordinance 2022-04 Second/Final Reading, *Adopting Rules of Procedure for Town Council Meetings*:  
AN ORDINANCE OF THE TOWN OF INDIALANTIC, BREVARD COUNTY, FLORIDA RELATING TO RULES OF PROCEDURE FOR TOWN COUNCIL MEETINGS; MAKING FINDINGS; AMENDING SECTION 2-34, TOWN OF INDIALANTIC CODE OF ORDINANCES; SETTING FORTH RULES OF PROCEDURE, DEBATE, AND PUBLIC COMMENT; PROVIDING FOR AGENDA PREPARATION; AMENDING SECTION 2-35 RELATING TO INTERRUPTION OF DELIBERATIONS AND MAINTENANCE OF ORDER AND DECORUM; REPEALING PREVIOUS RULES OF PROCEDURE; PROVIDING A SEVERABILITY/INTERPRETATION CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Town Attorney Gougelman read the ordinance title.

**Motion by Councilmember Wright, seconded by Councilmember Kemp to adopt Ord. 2022-04 on second reading.**

There were no public comments.

**Motion carried unanimously, 5-0.**

## **D. Unfinished Business: None.**

## **E. New Business:**

### **1. (Discussion) Accessory Buildings:**

Mayor Berkman asked to table this item.

### **2. (Discussion) Charter Amendment:**

Deputy Mayor Glass spoke regarding alternative methods for choosing a mayor. He cited the City of Indian Harbour Beach as an example; their councilmembers annually appoint one of their members to fulfill the role of mayor for a term of one year. This gives more people an opportunity to serve in that capacity. He further explained that with Indian Harbour Beach's current charter, if multiple incumbent councilmembers wanted to run for the mayor's seat, they would have to resign to run and ultimately would lose their current council seat if they didn't win, resulting in a loss of experienced members on the town council.

Town Attorney Gougelman spoke briefly regarding the "resign to run" process, and noted that updating the charter would require an ordinance which, if adopted, would then be placed on the ballot for voters to decide in November. The effective date would be in 2024. It was the consensus of the council to have Town Manager Casey research this topic further and share information at next month's meeting.

### **Nance Park Trees:**

Town Manager Casey asked to have discussion regarding removal of 21 cabbage palms in Nance Park, located where the future playground will be built. He noted that berries dropping from the palms will be harmful to the playground turf. In addition, it will be difficult to maneuver construction equipment around the trees. Discussion ensued; it was suggested that oak trees, which provide shade, might be a good option to plant in the future.

**Motion by Mayor Berkman, seconded by Deputy Mayor Glass, to authorize the town manager to remove up to 21 cabbage palms encircling the playground site.**

### **Public Comments:**

Brett Miller, 220 Cocoa Avenue, spoke in favor of removing the palms to protect the playground turf from potential damage. Better trees will provide a more resort-like atmosphere.

**After further discussion, the motion carried unanimously, 5-0.**

## **F. Public Comments, Non-Agenda items:**

Mel Chang, 225 Wayne Avenue, shared his opinion of Mayor Berkman.

## **G. Administrative Reports:**

### **1. Town Manager Report:**

Mr. Casey spoke regarding Build Week for the Nance Park Playground which will be Tuesday through Saturday, April 19 -23. Volunteers will be needed to help with construction; to sign up, go to the playground website [nanceparkplayground.com](http://nanceparkplayground.com). Three shifts will be available.

Tony Grande, 412 Wayne Ave., spoke regarding foliage blocking the line of sight for walkers trying to use crosswalks on Fifth Avenue. Brief discussion ensued regarding changes the FDOT will be making to Fifth Avenue to increase pedestrian safety; it was noted there will be an FDOT public information meeting at 5:30 p.m. on Feb. 22 at the Azan Shriner's Center on Eau Gallie Blvd.

2. Town Attorney Report:

Mr. Gougelman shared information regarding the recent Johnson & Johnson opioid settlement.

**Motion by Mayor Berkman, seconded by Councilmember Kemp, and vote unanimous to authorize the town manager to enter into and execute an agreement to file a claim.**

**Motion carried unanimously, 5-0.**

**H. Council Reports:**

Councilmember Wright commended the Playground Advisory Committee and the community for raising funds for the Mikey Goodwin playground.

Councilmember Kemp spoke regarding the Mayors' Fitness Challenge which began last week. There are activities scheduled for this weekend at Fitness on Fifth. It's not too late to register at [www.uwbrevard.org](http://www.uwbrevard.org).

Deputy Mayor Glass spoke regarding the Indian River Lagoon National Estuary Program annual report; if anyone would like a copy, reach out to the Town.

**I. Adjournment:**

There being no further discussion, the meeting was adjourned at 7:53 p.m.

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Dave Berkman, Mayor

Attested by:

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Rebekah Raddon, CMC, Town Clerk

**SUBJECT: Annual Witch Way 5k Event**

**Staff Report – Town of Indialantic**

**Meeting Date: March 9, 2022**

**Summary:**

Council is being requested to approve holding the Witch Way 5K event on Saturday, October 15, 2022. Also, Council is being requested to approve the event as a special event, approve the placement of a banner over Fifth Avenue, and request the Florida Department of Transportation (FDOT) to authorize closing a portion of SR-A1A during the event. The Parks, Recreation, and Beautification Committee will run the point. Any sharing arrangement of net proceeds will be presented at a later date. Approval to enter into agreement with Running Zone for race management.

**Recommendation:**

Approve the Annual WW5K event on October 15, 2022, as a special event, approve the placement of a banner over 5th Avenue, and request FDOT to authorize closing a portion of SR-A1A during the event. Authorize Town Manger to sign agreement with Running Zone Race Management

MOTION: Approve the Annual WW5K event on October 15, 2022, as a special event, approve placement of a banner over 5<sup>th</sup> Avenue, and request FDOT to authorize closing a portion of SR-A1A during event. Authorize Town Manger to sign agreement with Running Zone Race Management

Submitted by:

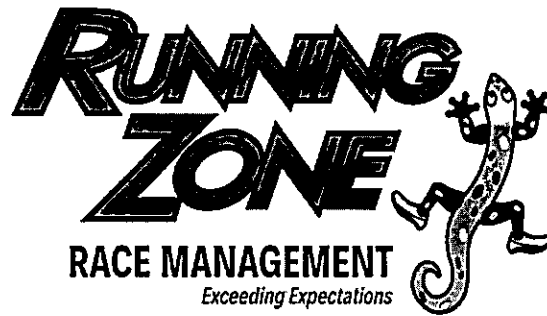


Rebekah Raddon  
Town Clerk

Approved for agenda:



Michael L. Casey  
Town Manager



## **RACE MANAGEMENT SERVICES AGREEMENT**

This form details the services available by RUNNING ZONE RACE MANAGEMENT, INC. for your upcoming event. There are several options that you can select based on your event requirements. This agreement is valid for a 5K distance or shorter.

Running Zone Race Management, Inc. uses CHRONOTRACK timing. ChronoTrack is an industry trusted provider of race management hardware and software. Chronotrack is utilized by many of the largest events in the country. It is the trusted solution for events of all participation levels.

### **Chronotrack B-Tag:**

ChronoTrack Systems™ B-Tag™ is a disposable RFID tag that is attached to the back of the race number to record a participant's time. The B-tag uniquely identifies every participant and electronically records the individual's time when crossing our sensor mats and antennas. The best part is that the B-tag does not have to be retrieved, therefore once someone finishes, the participant can take the race number and associated B-tag home as a commemorative souvenir.

These great benefits along with many others listed below make ChronoTrack Systems™ and **Running Zone Race Management, Inc.** an easy choice to use at your next event.

### **Key Benefits:**

- Fast, Accurate Results (posted at Race Site)
- Official "Gun" and "Net" time calculated
- Computerized Timing, Results & Awards
- Final Results Posted Online on Event Day
- Results Calculate Pace Per Mile for all Finishers
- Award Results Printout for Awards Presentation
- No Retrieval of B-tags (participants take them home)



## **Services Provided:**

### **Pre-Race Planning:**

- Assistance with race budgeting and costs
- Course planning, venue, facilities, parking, etc.
- Assistance with permitting requirement specifications
- Assistance with preparation of manual registration form
- Insurance requirement specifications
- Coordination of course measurement
- Suggestions on race t-shirts and race awards
- Inclusion of your event on Running Zone's Website Race Calendar
- Race Registration forms displayed at Running Zone (must be provided by Race Director)
- Gift Certificates from Running Zone for Giveaways at Event (upon request)
- Discount Coupons to Running Zone provided for Race Packets

### **Race Packet Preparation:**

- Coordination of Race Packet Preparation
- Race Numbers Provided for Event **FREE** of charge (not customized for your event)
- Race Number Assignment
- Bins Provided for Race Packets
- Safety Pins Provided
- Numeric and Alpha Lists for Packet Pickup
- Race Packet Pickup at Running Zone the day(s) before the Race (helps reduce race day congestion). (If your event is in Indian River County, packet pickup and registration will be at Runners Depot of Vero Beach.)

## **RACE DAY:**

### **Fluid / Water Stations:**

- Fluids Provided on Course & at Finish Line Area
- Water Jugs Provided
- Water, Ice & Gatorade Concentrate Provided
- Cups, Pitchers & Trash Bags Provided
- Tables Provided
- Volunteers provided by race organizers (not Running Zone)

### **Course:**

- Course Directional Markers and Cones
- Course Mile Markers
- Split Clocks for Mile Splits (volunteer needed for each split clock on course)

### **Race Site/Finish Line:**

- Finish Line Structure and Clock
- Finish Line Chute
- Chronotrack Timing Mat and antennas at Finish Line
- Chronotrack Timing Tags for your Event provided (see variable pricing below)
- Assistance with Race Day Registration & Packet Pickup

**Initials:** \_\_\_\_\_

- Age Group Results Posted at Race Site
- Overall & Age Group Award Winners Printout for Awards Presentation
- Results posted on Running Zone's Website Race Results
- PA system for music & announcements

### **Start Mat (Net Timing)**

- Participants will have a "net" time
- Helps with pacing of race
- More accurate time for all participants
- Utilized for races with over 100+ participants

### **Services Not Provided:**

Please note the following services and equipment are not provided unless specifically requested and agreed upon before race day.

- Volunteers
- Certification of course (provided as a separate service)
- Cleanup
- Awards for Top Finishers & Age Groups
- Finisher Medals (ask for a quote from our recommended vendors)
- Permitting/Police Support
- Food after race
- T-shirts
- Banners and signs to list sponsors
- Fundraising/Sponsorships and Marketing for your event (other than what is listed below in Marketing Assistance)
- Website Design
- Social Media
- Port-a-lets (please ask for our special pricing for Running Zone supported events)
- Photography (ask for a quote from our recommended photographer)
- Personality to play music, sponsor recognition, make announcements, etc.
- Insurance for your event
- Person to present awards

### **Marketing Assistance:**

Running Zone Race Management is not responsible for the marketing efforts for your event. With that said, as one of the benefits of being a Running Zone Race Management, Inc. supported event, we can assist with promotion of your event by providing the following:

- Your event will be able to participate (free of charge) in any Running Zone Race Series event's virtual race bag if your event is within 60 days after the Race Series Event. For example, if your event is in November, you will be able to participate in the Ghostly Gecko 5K (held in October) virtual race bag to promote your event.
- You will be listed on Running Zone's primary Event Calendar for maximum exposure. Our Event Calendar receives over 35,000 visits per month.

**Initials:** \_\_\_\_\_

- Ability to put your race information into other Running Zone Race Management supported races prior to your event (with the race director's permission)

### **Insurance Requirements:**

Please note that we do not provide insurance for your event as part of this agreement. You are required to provide your own insurance in order to utilize our equipment and services. Running Zone Race Management, Inc. must be listed as an additional insured on your insurance policy. **We must receive a copy of your Insurance Certificate 2 weeks prior to Race Day.**

### **Tax Exempt Certificate:**

A tax-exempt certificate **must be provided at contract signing** if your organization is tax exempt. This will allow us to establish online registration and will allow your invoice to be tax exempt from Florida Sales Tax as well as not having to charge sales tax on your registration fees.

### **Other Terms:**

Running Zone will be the exclusive specialty running & triathlon store and event management company represented for your event.

If ordering customized race numbers for your event, the custom bibs must be at least 5 inches wide by 5 inches long to ensure our timing B-tag will properly affix vertically to the back of the race bib. Additionally, Running Zone will need to proof the race bib prior to ordering to ensure the race numbers can be easily read when crossing the finish line.

Running Zone can provide online registration for your event. If you want to offer online registration (so registrants can pay by credit card), Running Zone's online registration process must be exclusively utilized.

To help alleviate race day traffic, race packet pickup is required at Running Zone the day or days before the event. If your event is in Indian River County, packet pickup and registration will be at Runners Depot of Vero Beach. This helps race day congestion and allows us to handle the registration process up to and including race day. **Volunteers from your organization need to be present in the store during race packet pickup times.**

Running Zone will be allowed to put collateral material in your race packets as part of this agreement. (upcoming events, discount coupons, etc.)

To help promote your sponsors, we can hang a **sponsor banner** from our finish line (if provided by race organization). We recommend a 3 ft. long x 6 ft. wide banner that is double sided for photo ops and for the participants to view when finishing. We need to have the banner to us before race day or first thing on race morning at the race site.

**Initials**\_\_\_\_\_

### Cancellation Policy:

If for any reason, your event is cancelled, the following guidelines below determine the cancellation fees:

Cancellation Date	Cancellation Amount
Before 90 Days of your Event Date	25% of the fixed fee will be paid
Less than 90 days before your Event Date	50% of the fixed fee will be paid

If timing tags are adhered to the race numbers and the race packets have been picked up by participants before race day, the \$2.50 per registrant charge will also apply for all registrants.

This clause is intended to reimburse Running Zone Race Management, Inc. for the work performed to assist in planning and organizing your event.

**Terms:**

Payment of the fixed portion of the contract is due 1 week prior to race day. The variable payment will be invoiced after your event. Payment of any outstanding amounts due to Running Zone Race Management, Inc. is due within 10 days after your race date.

**Other Services: Details below (not included in Standard Package pricing)**

<b>Finisher Certificates</b>	<b>\$250.00</b>
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- Electronic finisher certificates branded with your event will be available for all finishers linked from the race results.

<b>Finish Line Video</b>	<b>\$250.00</b>
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- A short video clip will be available for viewing of each participant crossing the finish line. The video will be linked from the race results post on our website.

**Announcer Mat: \$300.00**

- Announcer mat to identify finishers for Announcer. (Announcer not provided)

**Second Start or Finish Line Structure: \$250.00**

- 2 Lane wide Start or Finish Line Structure with cones to start race
- Ability to hang numerous banners on structure for sponsor exposure
- Recommended for larger races (ie. over 1,000 participants)

**Barricades for Finish Line: \$300.00**

- Barricades lining the finish line with opportunity to hang banners for additional sponsorship exposure and an even more professional finish line look.

Portable Stage:	\$300.00
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- A modular, 8 ft. x 12 ft. portable stage system great for awards and photo ops.

Initials

- Podium Award Boxes:** **\$75.00 (1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> Place)**
- A great way recognize and congratulate your award winners. Great photo op for 1<sup>st</sup>, 2<sup>nd</sup> and 3 place winners. Also speeds up the award presentation.
- Email Marketing:** **\$250.00 (per month)**
- Inclusion in a monthly email blast to Running Zone's entire database on the 15th of each month. Your event will be listed with a limited number of Featured Events for the month. Please request our E-Blast Registration Form if you are interested.
- Split Mats: (2 split mats included)** **\$250.00 plus \$125.00 above 2 mats**
- Split times provided in the overall race results.
- Personalized Receipts** **\$350.00**
- A personalized receipt will be available for all finishers displaying the participant's name, gun time, net time and any associated splits.
  - Recommend having Split Mat option above to include splits for each mile on personalized receipt as well.
- Customized Online Registration Website** **\$300.00**
- Running Zone will help design a website for your event using our online registration platform. This website can be used for all marketing and advertising efforts. Very professional look to help market your event. A one-time cost that can be used year after year.
- RaceJoy App** **\$150.00**
- Live Tracking, GPS Progress Alerts & Cheers! Ask for more details about this awesome app to increase your participants' race day experience!
- Virtual Race Option** **\$250.00**
- Add more registrations and potential fundraising to your event by offering a virtual race option in addition to your actual event. Ask for more details about this new option to increase your potential fundraising and hedge against event cancellation.
- Digital Race Bag** **\$150.00**
- Utilize a digital/electronic race bag to sell the individual areas of the content to your sponsors and partners as advertising space and thus generate new income. Save time and money by not having to stuff a race packet. Ask for more details of this additional fundraising option!
- Course Certification:** **Ask for Pricing**
- Running Zone can certify your course if requested. The certification follows the USATF certification guidelines and is submitted and approved by a regional USATF certifier.
  - The course certification, once completed, is valid for 10 years.
- Additional Race Charge:** **Ask for Pricing**
- Many race directors like to add a second race distance to help increase participation. Pricing dependent on course distance and complexity.

**Initials**\_\_\_\_\_

**Summary:**

This form must be read and signed by both parties to secure services provided by Running Zone Race Management, Inc. Please make a copy for your records.

<b>Fixed Fee</b>	<b>\$2,500.00</b>
<b>Variable Fee</b>	<b>\$2.50 per registrant</b>
<b>Total Pricing</b>	<b>\$2,500.00 plus \$2.50 per registrant</b>

**Other Optional Services:**

<input type="checkbox"/> Finisher Certificates	\$ 250.00
<input type="checkbox"/> Finish Line Video	\$ 250.00
<input type="checkbox"/> Announcer Mat	\$ 300.00
<input type="checkbox"/> Second Start or Finish Line Structure	\$ 250.00
<input type="checkbox"/> Barricades for Finish Line	\$ 300.00
<input type="checkbox"/> Portable Stage	\$ 300.00
<input type="checkbox"/> Podium Award Boxes	\$ 75.00
<input type="checkbox"/> Email Marketing per month	\$ 250.00
<input type="checkbox"/> Split Mats along Course	\$ 250.00
<input type="checkbox"/> Personalized Receipts	\$ 350.00
<input type="checkbox"/> Customized Online Registration Website	\$ 300.00
<input type="checkbox"/> RaceJoy App	\$ 150.00
<input type="checkbox"/> Virtual Race Option	\$ 250.00
<input type="checkbox"/> Digital Race Bag	\$ 150.00
<input type="checkbox"/> Course Certification	Request Pricing
<input type="checkbox"/> Additional Race Charge	Request Pricing

**Total Cost**  **plus \$2.50 per registrant**

**I, THE UNDERSIGNED, HAVE READ AND AGREE TO THE RACE MANAGEMENT SERVICES AGREEMENT TERMS AND CONDITIONS IDENTIFIED ABOVE.**

Race Organizer:

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Running Zone Officer:

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Additional Information Required:**

Event Name: \_\_\_\_\_

Event Date: \_\_\_\_\_ Starting Time: \_\_\_\_\_

Event Location: \_\_\_\_\_

Event Address: \_\_\_\_\_

Organization Hosting: \_\_\_\_\_

Billing Address \_\_\_\_\_

Race Director's Name: \_\_\_\_\_

Phone #: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

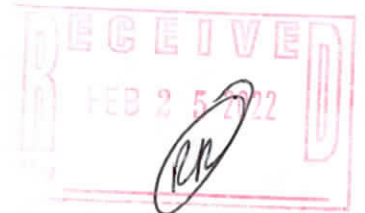
Email Address: \_\_\_\_\_

TOWN OF INDIALANTICAPPLICATION TO SERVE ON TOWN BOARDS

1. Name: John Heilner Home: \_\_\_\_\_
2. Home Address: 227 6th AVE, 32903 Cell Phone: 504 913-9457
3. Email: om+LFH@gmail.com
4. Business: NONE Business Phone: \_\_\_\_\_
5. Business Address: \_\_\_\_\_
6. Resume of Education and Experience: BA Bus. Adm., C.D.P. TRUSTEE  
(Use additional sheets or submit resume if you prefer)
7. Are you a registered voter? Yes ✓ No \_\_\_\_\_
8. Are you a resident of the Town? Yes ✓ No \_\_\_\_\_
9. Do you hold a public office? Yes \_\_\_\_\_ No ✓
10. Do you serve on a Town Board at present? Yes \_\_\_\_\_ No ✓
11. If yes, which Board/Committee? \_\_\_\_\_

12. PLEASE NUMBER THE BOARDS OR COMMITTEES OF INTEREST TO YOU, IN ORDER OF PREFERENCE:

- \_\_\_\_\_ \*BOARD OF ADJUSTMENT
- \_\_\_\_\_ \*BUDGET & FINANCE COMMITTEE
- \_\_\_\_\_ CIVIL SERVICE BOARD
- \_\_\_\_\_ \*CODE ENFORCEMENT BOARD
- \_\_\_\_\_ HERITAGE COMMITTEE
- ✓ \_\_\_\_\_ PARKS, RECREATION AND BEAUTIFICATION COMMITTEE
- \_\_\_\_\_ \*PENSION BOARD OF TRUSTEES GENERAL EMPLOYEES
- \_\_\_\_\_ \*PENSION BOARD OF TRUSTEES POLICE/FIRE
- \_\_\_\_\_ PLAYGROUND ADVISORY COMMITTEE
- \_\_\_\_\_ SUSTAINABLE COMMUNITY AND RESILIENCY COMMITTEE
- \_\_\_\_\_ \*ZONING & PLANNING BOARD



\*Florida Statute requires Financial Disclosure Form upon appointment.

How do you feel your experience has qualified you for service on this Board/Committee?

Would just like to get our little town as clean  
as our beaches

SIGNATURE: John Heilner DATE: 2/25/22

Please submit completed applications to: Town of Indialantic, 216 Fifth Avenue, Indialantic, Florida 32903 NOTE:  
If you have any questions on the above, please call the Town Clerk's office at 321-723-2242.



**JEANNE E. ALLEN, P.E.**

**101 Ocean Terrace  
Indianapolis, FL 32903  
321-863-9793**

**Career Summary**

Professional Environmental Engineer working within Brevard County's Natural Resource Management Department for seven years. Results oriented individual with over 30 years of experience in environmental issues; 5 of those years with Brevard County. Organized, responsive and ambitious with the ability to solve problems with vision and resourcefulness. Practiced in developing and implementing governmental policy, ordinances, guidelines, programs and plans. Strong organizational, planning, and communication skills, and enjoy working with others.

**Experience**

- Site Plan and building permit reviews per Brevard County Comprehensive Plan; Coastal Element and Conservation Element;
- Site Plan and building permit reviews per Brevard County Ordinances; Surface Water Protection, Wetland Protection, Landscape and Tree Protection, Floodplain, Private Lakes, Coastal Setback, and Aquifer Recharge;
- Regulatory requirements of OSHA, RCRA, CERCLA, EPCRA, SARA Title III, CAA, CWA, TSCA and other EPA, State and local environmental health and safety requirements;
- Annual personnel training: 40 CFR 264.16 standards and OSHA – HAZWOPER 8-Hour refresher;
- Title V Air Operating Permits and Non-Title V Air Permits;
- Spill Prevention Control, & Countermeasure Plans (SPCC), Preparedness and Prevention Plans, Contingency Plans and Emergency Procedures;
- FDEP, EPA, OSHA & NFPA hazardous and non-hazardous chemical storage, handling, and waste disposal management;
- Environmental assessments, tank and facility closure reports;
- Technical and regulatory reports, presentations, data entry : Word, Excel, PowerPoint, Accela;
- Sample collection and data interpretation of industrial wastewater, groundwater/surface water, air, soil and building mediums.

**Employment History**

**Brevard County Natural Resources Department (NRM), Brevard County, Melbourne, FL  
2014 to Present: Professional Environmental Engineer**

- Review subdivisions and site plans for residential, commercial, and industrial development for compliance with natural resource policies, ordinances and code.

## **1990 to 1999: Environmental Engineer and Project Manager**

### **Underground Storage Tank Program**

- Developed and managed remedial activities for petroleum contaminated groundwater and soils for several underground storage tank projects owned by Amoco, Exxon, Texaco, Vento Oil, Simms Oil, McCarley Oil, and Lynch Oil Company.
- Developed Health and Safety plans including emergency procedures for field crews.
- Prepared Remedial Actions Plans and designed remedial systems.
- Developed and implemented environmental monitoring plans. Obtained National Pollutant Discharge Elimination System (NPDES) permits.
- Prepared FDOT Tank Closure Reports.

### **Environmental Assessments:**

- Evaluated Phase I and Phase II contamination assessments for several FDOT right-of-way construction projects. Prepared reports identifying contaminated areas with potential to impact construction of roadways and subsurface utilities. Designed plans for remedial treatment of soil and groundwater within impacted areas. Developed health and safety plans for work crews.
- Prepared work plans and budgets for several Phase I Environmental Assessments ranging from 1 to 90 acres of undeveloped land for sales transaction. Implemented plans and prepared reports.
- Collected ecological data for placement and construction of power lines and aboveground piping systems for a power company. Mapped corridor layout least destructive to ecology.
- Implemented Phase I environmental assessment on 140 parcels including residential, business, commercial or industrial uses. Prepared assessment reports.

### **Water Quality:**

- Completed applications to Operate/Construct Industrial Waste Water Treatment and Disposal System for privately owned cogeneration power plants. Developed SPCC plans. Permitted onsite wells for industrial and potable use. Registered fuel oil tanks.
- Developed surface water study plans - Water Quality Based Effluent Limitation (WQBELs) program. Supervised diurnal sampling events of surface water, wastewater discharge and ecological observations. Prepared WQBEL reports. Provided client recommendations to resolve non-compliance issues. Developed and managed budgets.
- Conducted environmental audit of Consumptive Use Permit (CUP) for power plant potable wells.

### **Community Involvement**

- Judge Brevard County Science Fairs and Collegiate Scholarships offered through Brevard County 2016-2019
- Serve as Clerk/Poll Worker of Precinct 506, Indialantic, FL - Brevard County Supervisor of Elections - 2010 to present.

**SUBJECT: CHARTER AMENDMENT**

**Staff Report – Town of Indialantic**

**Meeting Date: March 9, 2022**

**Summary:**

Councilman Glass would like to discuss a possible charter amendment. Last month I was asked to get the information on the makeup and how the mayor of municipalities are chosen. Attached is a report with all the information requested.

**Recommendation:**

Discussion of possible charter amendment.

MOTION:

Submitted by:



Rebekah Raddon  
Town Clerk

Approved for agenda:



Michael L. Casey  
Town Manager

After last month's discussion I was asked to research the county to see the makeup and how the mayor of municipalities in Brevard County are Chosen. Indian Harbour Beach's Mayor is elected by the council annually for the five council members, the rest of the municipalities elect they mayor by at large elections from registered voters. Below is the makeup and methods for each municipality in Brevard County.

- Melbourne Beach-Mayor elected at large and four councilmembers elected at large.
- Indian Harbour Beach- Five councilmembers elected by seat at large. Mayor elected once a year by council from the current councilmembers.
- Satellite Beach- Mayor elected at large and four councilmembers elected at large.
- Cocoa Beach-Mayor elected at large and four councilmembers elected by seat at large.
- Cape Canaveral-Mayor elected at large and four councilmembers elected at large.
- Grant Valkaria- Mayor elected at large and six councilmembers elected by seat at large.
- Malabar-Mayor elected at large and four councilmembers elected by seat at large.
- Palm Bay-Mayor elected at large and four councilmembers elected by seat at large.
- Melbourne-Mayor elected at large and six councilmembers elected by seat by election district.
- West Melbourne-Mayor elected at large and six councilmembers elected by seat at large.
- Melbourne Village-Mayor elected at large and six councilmembers elected at large.
- Palm Shores-Mayor elected at large and four councilmembers elected at large.
- Rockledge-Mayor elected at large and six councilmembers elected at large.
- Cocoa-Mayor elected at large and four councilmembers elected by seat by election district.
- Titusville-Mayor elected at large and four councilmembers elected at large.

Agenda Item D.2

**SUBJECT: Accessory Buildings**

**Staff Report – Town of Indialantic**

**Meeting Date: March 9, 2022**

**Summary:**

Mayor Berkman has requested discussion on accessory buildings.

**Recommendation:**

Discussion on accessory buildings.

MOTION:

Submitted by:



Rebekah Raddon  
Town Clerk

Approved for agenda:



Michael L. Casey  
Town Manager

**SUBJECT: CORONAVIRUS STATE & LOCAL FISCAL RECOVERY FUND**

**Staff Report – Town of Indialantic      Meeting Date: March 9, 2022**

**Summary:**

The Coronavirus State and Local Fiscal Recovery Funds (CSLFRF), a part of the American Rescue Plan Act (ARPA), delivers \$350 billion to state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency. The program ensures that governments have the resources needed to:

- Fight the pandemic and support families and businesses struggling with its public health and economic impacts
- Maintain vital public services, even amid declines in revenue and
- Build a strong, resilient and equitable recovery by making investments that support long-term growth and opportunity.

In May 2021, the United States Treasury published the Interim Final Rule (IFR) describing eligible and ineligible uses of funds (as well as other program provisions), sought feedback from the public on these program rules, and began to distribute funds. The IFR went into effect in May, and since then, governments have used ARPA CSLFRF funds to meet their immediate pandemic response needs and begin building a strong and equitable recovery, such as through providing vaccine incentives, development of affordable housing and construction of infrastructure to deliver safe and reliable water.

Since May, the Treasury Department solicited input from communities throughout the country in development of the Final Rule published on January 6, 2022.

The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process. Among other clarifications and changes, the final rule provides the features below:

## Replacing Lost Public Sector Revenue

The final rule provides that recipients may determine their revenue loss by choosing between two options:

- A standard allowance of up to \$10 million in aggregate, not to exceed their award amount, during the program;
- Calculating their jurisdiction's specific revenue loss each year using Treasury's formula, which compares actual revenue to a counterfactual trend.

Recipients that select the standard allowance may use that amount, which in Indialantic's case will be the full award, for government services, with streamlined reporting requirements.

In October 2021, the Town received the first allocation of funds, \$728,241. The second allocation, \$724,241 should be distributed to the Town in October 2022. The total amount of funds received will be \$1,456,482.

At the September 2021 Council meeting it was approved for the Town Manager to execute the agreement with Florida Division of Emergency Management for the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) from the American Rescue Plan Act (ARPA). It further approved the ARPA CSLFRF funds to be used to improve and repair the Town of Indialantic's stormwater system.

These recommendations were based upon the Interim Final Rule published by the United States Treasury. To current date we have allocated and spent a total of \$20,727.55 on two stormwater projects as previously authorized and prior to the final rule being issued. Based upon the final rule, it is recommended that staff come back to Council with a list of priorities to allocate the money to other needs within the town to include stormwater projects. All funds would need approval from Council before being allocated and spent.

As stated earlier, recipients can use ARPA CSLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the above approach. Government services generally include any service traditionally provided by a government, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- Construction of schools and hospitals
- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff and administrative facilities
- Environmental remediation
- Provision of police, fire and other public safety services (including purchase of fire trucks and police vehicles)

Government services is the most flexible eligible use category under the ARPA CSLFRF program and funds are subject to streamlined reporting and compliance requirements. Recipients should

be mindful that certain restrictions, which are detailed further in the Restrictions on Use section of the Final Rule and apply to all uses of funds, apply to government services as well.

To simplify the use of these funds, the lost revenue may be re-directed to fund personnel services. It is noted this will trigger a one-time single audit on the use of the funds.

Following the implementation of this strategy, the funds previously allocated for personnel services can be re-directed to constructing the improvements and other projects benefiting the citizens of Indialantic.

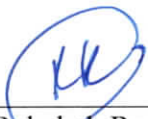
It is important to note these funds must be obligated by December 31, 2024 and all of the ARPA CSLFRF funds must be spent and all work completed by December 31, 2026.

**Recommendation:**

Staff recommends approval of the utilization of Coronavirus State & Local Fiscal Recovery Fund for Revenue Loss as authorized in the US Treasury Final Rule.

MOTION: Approve the utilization of the Coronavirus State & Local Fiscal Recovery Fund for revenue loss as authorized by the US Treasury Final Rule. Have staff come back to Council with a list of projects and improvements that are beneficial to the citizens of Indialantic.

Submitted by:



Rebekah Raddon  
Town Clerk

Approved for agenda:



Michael L. Casey  
Town Manager

**SUBJECT: ARPA REPORTING AND COMPLIANCE CONSULTING**

**Staff Report – Town of Indialantic**

**Meeting Date: March 9, 2022**

**Summary:**

The Town of Indialantic will receive a total of \$1,456,482 from the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) from the American Rescue Plan Act (ARPA). With these funds certain reporting and compliance are required by the Department of Treasury. We are requesting to engage James Moore & Co., P.L. accounting firm for:

- Preparation of all required reports through the United States Treasury's online portal for the Government's use of ARPA CSLFRF funds in accordance with the Government's plan to elect the standard allowance for revenue replacement for the use of 100% of the ARPA CSLFRF award.
- Assistance in the development of an official accounting policy or internal memo related to the Government's planned usage of the economic impact of the ARPA CSLFRF funds.
- Assembly of final audit package related to the usage of the ARPA CSLFRF funds that will be provided to our auditors for single audit purposes.

**Recommendation:**

Authorize the Town Manager to sign agreement with James Moore & Co., P.L. accounting firm for:

- Preparation of all required reports through the United States Treasury's online portal for the Government's use of ARPA CSLFRF funds in accordance with the Government's plan to elect the standard allowance for revenue replacement for the use of 100% of the ARPA CSLFRF award.
- Assistance in the development of an official accounting policy or internal memo related to the Government's planned usage of the economic impact of the ARPA CSLFRF funds.
- Assembly of final audit package related to the usage of the ARPA CSLFRF funds that will be provided to our auditors for single audit purposes.

MOTION: Authorize Town Manager to sign agreement with James Moore & Co., P.L. accounting firm for ARPA CSLFRF reporting, accounting policy or internal memo for economic impact of the ARPA CSLFRF funds and audit package for usage of the ARPA CSLFRF funds.

Submitted by:



Rebekah Raddon  
Town Clerk

Approved for agenda:



Michael L. Casey  
Town Manager



February 24, 2022

Town of Indialantic, Florida  
Attn: Michael Casey, Town Manager  
Via E-Mail: [mcasey@indialantic.com](mailto:mcasey@indialantic.com)

**RE: ARPA Reporting and Compliance Consulting Engagement Letter**

Dear Mr. Casey:

We are pleased to provide the Town of Indialantic, Florida (the Government) with reporting and compliance consulting services related to the Government's Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) from the American Rescue Plan Act (ARPA). This letter confirms our understanding of the terms and objectives of our engagement and the nature and limitations of the services we will provide as it relates to assistance with the Government's reporting of its CSLFRF funds and internal compliance and accountability. This engagement between you and our firm will be governed by the terms of this letter.

**Engagement Objectives**

You have requested that we perform ARPA CSLFRF reporting and compliance consulting services as described below:

- Preparation of all required reports through the United States Treasury's online portal for the Government's use of ARPA CSLFRF funds in accordance with the Government's plan to elect the standard allowance for revenue replacement for the use of 100% of the ARPA CSLFRF award.
- Assistance in the development of an official accounting policy or internal memo related to the Government's planned usage of the economic impact of the ARPA CSLFRF funds.
- Assembly of a final audit package related to the usage of the ARPA CSLFRF funds that can be provided to your auditors for single audit purposes.

**Your Responsibilities**

In order for us to perform the above services, we will need the following assistance:

- Assistance in establishing a member of our team as an authorized user to prepare reports through the Treasury's portal.
- Trial balance and/or general ledger reports and applicable supporting documentation, as requested.
- Final review, approval, and submittal of reports and internal policy/memo document.

The sufficiency of the consulting services we provide is solely the responsibility of the Government. Consequently, we make no representation regarding the sufficiency of the procedures to be performed. Our recommendations regarding procedures to be performed and the results of the procedures performed are dependent on the accuracy and completeness of the representations and information that we receive from your personnel. Accordingly, inaccurate or incomplete information could result in inaccurate findings or inappropriate recommendations, and critical recommendations may not be identified. Any reports we issue

to you as a result of this consulting engagement are solely intended for the use of the Government, and should not be used by anyone other than those specified parties. We will not provide any legal services.

You are responsible for ensuring compliance with all applicable ARPA and Federal guidance, and making all management decisions and responsibilities and for designating an individual, with suitable skills, knowledge, and experience to oversee any nonattest services that we provide. You are responsible for: accepting responsibility for the results of the services performed, including decisions regarding implementation of any recommendations provided by us; making all management decisions and performing all management functions; evaluating the adequacy and results of the services performed; and establishing and maintaining internal controls as well as monitor ongoing activities.

### **Our Responsibilities**

We will perform our services in accordance with the Statement on Standards for Consulting Services and the Code of Professional conduct issued by the American Institute of Certified Public Accountants. Such services are not intended to represent an audit, examination, attestation, financial forecast or projection, special report or agreed-upon procedures engagement as those services are defined in AICPA literature applicable to such engagements. Accordingly, these services will not result in the issuance of a written communication to third parties by us regarding financial data or internal controls, expressing a conclusion, or providing any form of assurance.

The engagement is limited to the professional services outlined above. James Moore & Co., P.L., in its sole professional judgement, reserves the right to refuse to take any action that may be construed as making management decisions or performing management functions on your behalf. However, we may provide advice and recommendations to assist management in performing its functions and making decisions. Our engagement does not include any procedures designed to detect errors, fraud, or theft. Therefore, our engagement cannot be relied upon to disclose such matters.

Upon completion of our procedures, we will provide a copy of any final deliverables included in this engagement, including the final accounting policy/memo language and internal audit package for single audit purposes.

### **Nonattest Services**

We will perform the following nonattest services: preparation of ARPA CSLFRF program reports to be submitted to the U.S. Treasury and related internal reporting package; preparation of an internal policy/memo related to the usage of such funds. With respect to any nonattest services we perform, we will not assume management responsibilities on behalf of the Government. However, we will provide advice and recommendations to assist management of the Government in performing its responsibilities. The Government's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual (Jennifer Small) to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the engagement are as follows. We will perform the services in accordance with applicable professional standards. This engagement is limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities. Our firm may advise the Government with regard to different matters, but the Government must make all decisions with regard to those matters.

### Engagement Timeline

We expect to perform these procedures in accordance with the following timeline:

- ***Upon Execution of Agreement: Project Kickoff and Planning***
  - o Initial setup within the Treasury's portal to ensure proper access is available to file the required reports.
  - o Submittal of client survey related to planned usage of funds, accounting policy preferences, and other key information to aid us in the development of the accounting policy/internal memo.
- ***By April 30, 2022: Filing of Initial Project and Expenditure Report***
  - o Determination of usage of funds for general government expenditures to meet the applicable compliance requirements for usage of funds earned under the standard allowance for revenue replacement; expected to equal 100% of award
  - o Submittal of report.
- ***By May 31, 2022: Completion of Internal Accounting Policy/Memo and Final Audit Package***
  - o Final edits of accounting policy/memo for use by the Government.
  - o Completion of final audit package summarizing compliance and with supporting documentation for single audit purposes.
- ***Ongoing: Subsequent Reporting Deadlines***
  - o Submittal of subsequent reports through the Treasury portal, as required, in succeeding years.

### Other Engagement Terms

Zach Chalifour is the service leader for the services specified in this letter. His responsibilities include supervising James Moore & Company's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign any reports we issue to you as part of this engagement.

Our fee for these services will be \$5,900. Our services will be billed according to the following milestone schedule:

<b>Milestones (in expected order of completion)</b>	<b>Percentage of Total Fee Due</b>
At Execution of Engagement Letter	30%
Upon Filing Treasury P&E Report Due April 30, 2022	20%
Submittal of Internal ARPA Audit Package	20%
Submittal of Internal ARPA Accounting Policy/Memo	20%
Upon Completion of Final Report Due to U.S. Treasury	10%

The above fees are based upon the Government's planned usage of the \$10 million standard allowance for revenue replacement for the full ARPA CSLFRF award amount. Should the plan for use of these funds change, or additional reporting and compliance requirements not in effect at the time of this letter by instituted by the Treasury, our fees may be subject to change. In such case, no additional work shall be performed without advance discussion and approval of any additional fees.

You may request that we perform additional services not contemplated by this engagement letter. If this occurs, we will communicate with you regarding the scope of additional services and the estimated price. We also may issue a separate engagement letter covering the additional services. In the absence of any other written communication from us documenting such additional services, our services will continue to be governed by the terms of this engagement letter. While we would be more than glad to discuss a custom service plan to best meet your needs, specific services related to this engagement that may be added on at your request are as follows:

Elective Add-on Service	Fee
Presentation to Elected Officials – In Person	\$1,000 + travel costs + travel time at \$100/hour
Presentation to Elected Officials – Remote	\$750
Project Accounting & Reporting – Accounting & Final Report	\$7,500
Project Accounting & Reporting – Interim Report	\$2,000 each

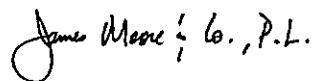
This engagement letter may be terminated by either party for noncompliance with the terms as noted in this engagement letter. The parties will provide 60 days' notice of their intention to terminate the engagement. If work has been partially completed toward an identified milestone at the time of termination, a final billing shall be made based on the amount of actual time incurred.

#### Other Engagement Terms

You agree to release, indemnify, defend, and hold us harmless from any liability or costs, including attorney's fees, resulting from management's knowing misrepresentations to us.

We appreciate the opportunity to assist you and believe this letter accurately summarizes the significant terms of our proposal. If you have any questions, please let us know. If you agree with the terms of our proposal as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,



JAMES MOORE & CO., P.L.

#### RESPONSE:

This letter correctly sets forth the understanding of the Town of Indialantic, Florida.

By: \_\_\_\_\_

Title: \_\_\_\_\_

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

# TOWN MANAGER'S REPORT

March 9, 2022

## 1. Intergovernmental Activity:

- a. **US-192/SR-500 Resurfacing:** FDOT is proposing to resurface US-192/SR-500 (aka Fifth Avenue) from the easternmost relief bridge to SR-A1A in FY-22. (04/16/18) FDOT has agreed to analyze the mid-block crossings and determine if Rectangular Rapid Flashing Beacons (RRFBs) are warranted. (06/18/18) FDOT has determined that pedestrian counts indicate that Rapid Rectangular Flashing Beacons (RRFBs) are not warranted at the Fifth Avenue mid-block pedestrian crossings. However, FDOT did recommend improving the lighting and signage at these locations which will be factored into the resurfacing project that should commence in FY-22. (04/16/19) FDOT has determined that pedestrian activated crossing signals are not warranted for mid-block crossings on Fifth Avenue at this time. (05/08/19) Resurfacing scheduled for FDOT fiscal year 2023, scheduled for 11/22 (2/3/20) FDOT notified of input meetings coming up soon. (11/4/20) FDOT sent notification of changes for crossings during repaving, adding now midblock RRFBs crossings in updated plans. Changes to crossing at Palm for school crossing (2/2/21) Had meeting with FDOT 2/24/21 was advised start date after July 2022 for the state 2023 fiscal year (3/3/21) FDOT updated information on mid block crossings and design (7/6/21) FDOT to give presentation at December Council meeting (11/2/21) FDOT hosting meeting 2/22/22 virtually and in person Eau Gallie Shriners (2/2/22) FDOT is now placing traffic light at Palm Ave. & US-192, raised crosswalks and lowering speed limit to 30 MPH, project late summer to fall time to begin (3/2/22)
- b. **Pedestrian Crossing Signals:** FDOT inspected the US-192 intersections at Riverside Drive and SR-A1A on 2/22/19 and are evaluating possible audible pedestrian signal improvements. (03/13/19) Spoke to DOT sent Jay email 8/15/19. FDOT looking at updating traffic lights and crossing conducting study to work into the resurfacing in 22/23 FDOT fiscal year (2/27/20) During meeting 2/24/21 told they are being done during resurfacing in 22/23 FDOT fiscal year (3/3/21) FDOT is now placing traffic light at Palm Ave. & US-192, raised crosswalks and lowering speed limit to 30 MPH, project late summer to fall time to begin (3/2/22)
- c. **Pedestrian Crossing SRA1A:** FDOT adding crossing just north of Watson expected spring of 2022. Also all crossing getting flashing lights in street from US192 to Pineda in future (12/6/21) Have begun from Pineda working south installing lights the end of February and in Satellite Beach this week (3/2/22)
- d. **H&H Study Grant:** DEP has grant waiting for final approval (12/6/21) Received email update from FDEP stating the grant is been selected for the resiliency and under final review (3/2/22)

## 2. Fiscal Activity:

- a. **Fifth Avenue median:** The Town is soliciting proposals from Registered Landscape Architects for consideration to develop a plan to replace the

# TOWN MANAGER'S REPORT

existing plants in the Fifth Avenue median. (06/18/18) A recommendation will be presented to Council for 8/8/18. (08/08/18) Staff is negotiating a contract with Susan Hall Landscape Architecture, Inc. (09/12/18) Workshop will be held 10-18-18 at 6:30 p.m. (10-10-18) Options will be presented to Council at the January meeting for approval. (01/09/19) Some coonties in the median are being relocated to Nance and Douglas parks and to the Fifth Avenue median east of SR-A1A to determine if the areas are suitable for relocation once the new plants are installed in the median. (02/13/19) The grant application was sent to FDOT on 3/7/19. (04/16/19) FDOT has approved the application with funding projected in FY-23. (05/08/19) FDOT contacted me and we are on schedule for FY-23 and working with Susan Hall Landscape Architecture, Inc on first past review of submission (7/29/19). Ryan from Susan Hall's sent preliminary information state approved first pass. Working with Ryan on Bid documents (8/1/19) Received initial Project Schedule, Landscape Plans, ITB and Opinion of Project Costs from Susan Halls office for initial submission to DOT for review and I submitted them to FDOT for first review 8/20/19. Heard from DOT Dawn Latchum assigned project number is **442883-2-58-01** for submission (8/21/19). Received comments from FDOT and Susan Hall Landscaping Architecture, Inc is reviewing comments (9/30/19) Spoke with Ryan and his is looking into if lighting can be used (10/28/19) Ryan responded to comments from FDOT on median plans (11/1/19). FDOT wants meeting with landscape architect and town (11/15/19). Meeting wet with FDOT and Susan Hall on 1/28/20 at 2 PM FDOT Deland (11/25/19) Attending meeting and project is still moving forward. Nothing can be done until after repaving is done. Project funded in FDOT 2023 fiscal year earliest project could happen in 8/22 (2/3/20)Ryan recently responded to comments from FDOT (8/4/20) FDOT holding virtual meetings for planning (12/3/20) Updated Susan Hall on new plans for midblock crossings RRFBs (2/2/21) Repaving now scheduled for 22/23 fiscal year (3/1/21) Spoke with Susan Hall gave update on paving project, she advised the final plans are due in June based upon schedule. She has some concerns about current availability and disease issues with vegetation chosen along with a council member question about trees. She would like to schedule speaking at the April Council meeting (3/2/22)

### 3. **Organizational Activity:**

- a. **Swale:** Public works installing swale in at 405 Orlando Blvd.(9/30/20) Environmental task force reviewing swale ordinance to make changes, native plant portion separated at going to P&Z December meeting (12/3/20) Native plant and swale ordinance separated plant ordinance before council (2/2/21) Environmental task force working on (6/3/21) Public works installed swale 400 block Melbourne Ave. (8/3/21) EATF is working on swale ordinance again. EATF still working on updating ordinance (9/30/21) EATF still

## TOWN MANAGER'S REPORT

- working on swale ordinance, public works installed swale at 211 Eighth (11/2/21) Stability Committee sample swale Orlando & Ramona (2/2/22)
- b. Riverside Pier met with town engineer about the condition of pier. Pier was built in 2001 at a cost of \$141,700. Some boards on the decking have been replaced over years to repair but majority is original. Decking is in need of replacement. Working with town engineer with options and approximate cost of these repairs. Also looking at the possibility of adding a kayak launch from pier. (10/5/21) First estimate to repair decking only \$120,000 (11/2/21)
  - c. Town Hall: Public works removed carpets from hallway & conference room damaged from leaking roof. Mold found on drywall and was removed and replaced by public works. Tile has been ordered to replace carpets. Project should take several weeks to complete (11/2/21) Finished with work and tile, removing molding drywall (12/6/21) Police department having quality of air issues along with concerns about carpeting from employees, PO issued to treat A/C unit and getting quotes on removing and replacing carpets (3/2/22)
  - d. Nance Playground Committee: Fundraising is going on and have on hand \$90,000. Committee has event planned for 1/16/22 at Village Market. Finalizing plans and should bring contract to Council soon for playground (11/2/21) Contract signed with and excess of \$190,000 raised. Pre build meeting 2/7/22 with build date of 4/19/22 (2/2/22) Fund raising goal met, public works removed trees and site preparation underway, build date 4/19 to 4/23 (3/2/22)
  - e. American Rescue Plan Act (ARPA) received first payment from FDEM. Working on stormwater project to be funded from ARPA with town engineer (11/2/21) Final rule for ARPA issued allowed to take up ten million in income loss, on council agenda to approve change do to final rule and simplification of reporting along with firm to assist (3/2/22)
  - f. Boardwalk damage from vehicle accident waiting on engineer expectation of cost. Money from insurance received from both crashes and town engineer working on getting quotes to award contract (2/2/22)

# **Indialantic Police Department**

## **Monthly Activity Report**

**January 2022**

### **OPERATIONS:**

\* The Department Responded to 1025 Incidents.

\* 23 Subpoenas were issued.

* Activity	5	Arrests
		0 Felony
		1 Misdemeanor
		4 Traffic
		0 DUI & 0 Drug
	65	Traffic Citations
	177	Traffic Stops
	123	Verbal Warnings
	2	Capias Filed

### **TRAINING:**

Indialantic Police Department  
Monthly Crime Index  
January 2022

Part I	Reported	Cleared	Prior	Total	%
Murder	0				0%
Sexual Battery	0				0%
Robbery	0				0%
Agg Assault	0				0%
Burglary	0				0%
Larceny	0				0%
Veh Theft	0				0%
Assault/Battery	0				0%
Arson	0				0%
<b>Total Part I</b>	<b>0</b>				
<b>Part II</b>					
Kidnapping	0				
Fraud/Forgery	1				
Criminal Mischief	4				
Weapons	0				
Sex Offenses	0				
Narcotics	0				
DUI	0				
Liquor Laws	0				
Disorderly	0				
Ordinance/Litter	5				
Trespass	5				
<b>Total Part II</b>	<b>15</b>				
<b>Part III &amp; IV</b>					
Patrol Area	685				
911 Investigations	68				
Citizen Contact	9				
Juvenile	0				
Warrant	0				
Misc Traffic	33				
Traffic Accidents	8				
Sick/Injured	0				
Death	1				
Mentally Ill	2				
Suicide/Attempt/Threat	0				
Animal	9				
Information	17				
Alarm/Open Door	13				
Fire	3				
Lost/Found	20				
Disturbances	7				
Susp Incidents	76				
Assists	53				
Details	6				
Missing Persons	0				
<b>Total III &amp; IV</b>	<b>1010</b>				
<b>Grand Total</b>	<b>1025</b>				

Indialantic Police Department  
YTD Information Report  
January 2022

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	YTD
Value Stolen	\$ -												\$ -
Value Recovered	\$ -												\$ -
Traffic Warnings	0												0
Equip Warnings	0												0
Verbal Warnings	123												123
Field Interrogation	0												0
Parking Violations	11												11
Parking Fines	\$ 220												\$ 220
Traffic Citations	65												65
Arrests	5												5
DUI Charges	0												0
Drug Charges	0												0
Wavecrest Activity	61												61

**Indialantic Fire Rescue  
Monthly Report for February 2022**

<b>FIRES</b>		
Structure Fires		
Brush Fires		
Vehicle Fires		
Trash Fires		
Other Fire Calls		
<b>RESCUE &amp; EMERGENCY MEDICAL</b>		
Medical		18
Well Being Check		
Water Rescue		1
Motor Vehicle/Pedestrian Accident with injuries		2
Motor Vehicle with no injuries		3
<b>HAZARDOUS CONDITIONS (No Fire)</b>		
Electrical Wiring/Equipment Problem/Gas Leak		
<b>GOOD INTENT CALL</b>		
Dispatched and Cancelled Enroute		
Dispatched and Cancelled on Scene		
<b>FALSE ALARM &amp; FALSE CALLS</b>		
False Alarm or False Call		3
Smoke Detector activation due to smoke or dust		2
<b>SPECIAL INCIDENT TYPE</b>		
Fire Inspection/Business Tax Receipt (BTR)		9
Public Service Calls		3
Assist Other Government Agency		
Special Type of Incident		
Hydrant Inspections		
<b>TOTAL CALLS</b>		41
<b>RUNNING TOTAL OF PREVIOUS MONTHS</b>		48
<b>TOTAL CALLS YEAR TO DATE</b>		89
<b>MUTUAL AIDE</b>	<b>GIVEN</b>	4
	<b>RECEIVED</b>	0

<b>AVERAGE RESPONSE TIME</b>	<b>INDIALANTIC FIRE</b>	2:25
	<b>BREVARD COUNTY</b>	12:13

<b>VOLUNTEER HOURS</b>	178
<b>SAVINGS REALIZED BY THE TOWN</b>	\$3,560

<b>VOLUNTEER F/F ACTIVITY</b>	The volunteers held their business meeting on 2/1/22 and conducted training meetings on 2/8/22, 2/15/22, & 2/22/22. Training included annual hose testing, search and rescue, and ventilation.
<b>CAREER F/F ACTIVITY</b>	The career firefighters completed 101.25 hrs of continuing training. The crews performed the annual hose testing on 5,000 feet of hose testing. During the testing 250 feet of hose failed the annual test. Crews repaired the vehicle exhaust removal system in the station. All self contained breathing apparatus (SCBA) were tested and certified as being within normal operating standards.

# TOWN OF INDIALANTIC

## BUILDING REPORT

February-22			
	<u>CURRENT</u>	<u>YTD 22</u>	<u>YTD 21</u>
NO. OF PERMITS ISSUED	27	605	155
TOTAL PERMIT FEES	\$9,620.08	\$173,141.25	\$39,770.00
TOTAL CONSTRUCTION VALUE	\$1,224,507.00	\$23,014,432.70	\$4,723,214.40
PLAN REVIEW FEES	\$2,203.00	\$29,175.50	\$5,936.00
TOTAL SIGN FEES	\$79.00	\$715.00	\$207.00
NO. OF SIGN PERMITS ISSUED	1	9	3
NEW CONVENTIONAL HOMES	1	10	4
NEW MULTI FAMILY HOMES	0	8	4
NEW COMMERCIAL BUILDINGS	0	0	0
MISC. ADDITIONS/ALTERATIONS	0	27	7
CERTIFICATE OF OCCUPANCY	0	17	3
BUILDING CODE INSPECTIONS	63	994	306

# Permit List

03/01/2022

Permit #	Address	Category	Applicant Name	Date Issued	Valuation	Amount Billed
PB22-0083	904 WAVE CREST AVE	Demolition	PAUL DAVIS RESTORATION OF TH	02/11/2022	336.00	104.00
PB22-0092	213 TWELFTH TER	Electrical Remodel	New Standrard Electric LLC	02/01/2022	2,000.00	79.00
PB22-0112	910 S MAGNOLIA DR	HVAC Replacement	AMERICAN AIR & HEAT OF BREVA	02/03/2022	8,668.00	79.00
PB22-0114	904 WAVE CREST AVE	Remodel	PAUL DAVIS RESTORATION OF TH	02/11/2022	8,500.00	114.00
PB22-0124	501 N MIRAMAR AVE	New	MADISON CAPITAL FUND LLC	02/02/2022	2,000.00	154.50
PB22-0125	315 ORMOND DR	Replacement	SPR Plumbing LLC	02/03/2022	12,000.00	129.00
PB22-0126	307 9TH TER	HVAC Replacement	EVERLY'S AIR AND HEAT LLC	02/07/2022	16,800.00	79.00
PB22-0127	1318 S MIRAMAR AVE UNIT 2	Replacement	WINDOW WORLD OF CENTRAL FL	02/15/2022	4,750.00	94.00
PB22-0128	910 S RIVERSIDE DR	Replacement	RENEWAL BY ANDERSEN OF FLOR	02/10/2022	15,744.00	149.35
PB22-0129	700 WAVE CREST AVE UNIT 3	Replacement	NEWSOUTH WINDOW	02/10/2022	27,230.00	211.15
PB22-0130	545 WATSON DR	HVAC Replacement	MERRITT ISLAND AIR & HEAT INC.	02/10/2022	25,109.00	154.50
PB22-0131	501 S RAMONA AVE	Replacement	PRECISION DOOR SERVICES	02/11/2022	3,775.00	89.00
PB22-0133	210 MELBOURNE AVE	HVAC Replacement	DAVE MASTRO AIR & HEAT INC.	02/11/2022	7,452.00	79.00
PB22-0135	225 TAMPA AVE	HVAC Replacement	HEARTH & HOME	02/23/2022	7,468.00	79.00
PB22-0136	119 TRADEWINDS TER	HVAC Replacement	ABLE AIR INC.	02/16/2022	1,000.00	79.00
PB22-0137	10 MIAMI AVE UNIT 1	Replacement	BRAD GREGORY WINDOW DOOR	02/16/2022	6,350.00	104.00
PB22-0138	333 EIGHTH AVE	Electrical Repair	SCHULTZ ELECTRIC INC.	02/17/2022	1,100.00	79.00
PB22-0139	701 S RAMONA AVE	Replacement	BREVARD WINDOW & DOORS	02/17/2022	3,051.00	89.00
PB22-0140	1001 S SHANNON AVE	Roofing	G & G ROOFING CONSTRUCTION I	02/16/2022	37,750.00	262.65
PB22-0141	419 GENESEE AVE	HVAC Replacement	Kenneth Wilder	02/17/2022	5,200.00	79.00
PB22-0142	410 N MIRAMAR AVE	Roofing	R&R ROOFING INC	02/17/2022	17,500.00	159.65

PB22-0144	212 ORMOND DR	Replacement	Ikon Windows and Doors LLC	02/23/2022	11,120.00	129.00
PB22-0147	140 6TH AVE	Remodel	C & N Services Inc	02/24/2022	12,000.00	193.13
Plan Review Fee		62.50				
PB22-0148	322 5TH AVE	Permanent	SIGNS OF SUNSHINE	02/25/2022	1,076.00	79.00
PB22-0151	400 S Riverside Dr	HVAC Replacement	FLORIDA BREEZE	02/23/2022	7,450.00	79.00
PB22-0158	141 MIAMI AVE	HVAC Replacement	ELLINGTON AC & HEAT INC.	02/24/2022	17,900.00	79.00
PB22-0160	108 MICHIGAN AVE	New	KETTERING, PAUL W; KETTERING,	02/25/2022	961,178.00	6,614.15
Plan Review Fee		2,140.50				

**Number of Permits: 27**

**Total of Plan Review Fees: \$2,203.00**

Population: All Records

Permit.DateIssued Between 2/1/2022 12:00:00 AM AND

2/28/2022 11:59:59 PM

AND

Permit.AddressDisplayString = <Prompt For Value>

**Total Construction Value: \$1,224,507.00**

**Total of Fees Paid: \$9,620.08**

# Inspection Totals

03/01/2022

63

Population: All Records

Inspection.DateTimeCompleted Between 2/1/2022 12:00:00  
AM AND 2/28/2022 11:59:59 PM

## Grand Total

63

**February 2022  
Code Report**

<u>Location:</u>	<u>Description:</u>	<u>Date:</u>	<u>Code:</u>	<u>Extra Info:</u>	<u>Status:</u>	<u>Notes</u>
	<u>Notified Date</u>	<u>CB Date</u>				
580 Watson Dr	2/2/2022	02/23/22	Sec 113-304 (1)a(4)	Over sized sign	Canceled	
406 Ormond Ave	Landscaping	11/12/21	Sec 103-286	landscaping in ROW	Canceled	
<b>Zone 1</b>	North of Fifth Avenue/Westside					
580 Watson Dr	Real Estate Sign	12/21/2021	Sec 113-304 (1)a(4)	Over sized sign	Complied	email comp received re an oversized sign, spoke to the realtor Sandra Sheibani and advised her of the code, Sheibani said her sign guy is 14 days out. MLC observed 12/22/2021, 01/19/2022 sign still on property, CS called Sandra Shiebanani to have sign removed, certified letters sent 01/19/2022. Sandra Shiebanani called MLC on 02/02/2022 and was informed again that the sign was in violation of town code. 02/02/2022 MC and CS confirmed viol still exist, notice of code board hearing sent certified, return receipt and posted at property. 02/04/2022 sign still up and the code board post was removed from the property CS. 02/07/2022 sign still up CS. MCarr spoke to property owner to make sure he was notified of the violation of the code board meeting and he advised the realtor is in charge of the property.
412 Wayne Ave	Mobile Signs	2/3/2022	Section 113-303(2)a	snipe signs	complied	town hall rec'd an email compl regarding "political signs at residence. CS & MC 02/04/2022 checked address and determined the signs were not political signs but mobile statement signs. Per CS property owner was emailed a courtesy notice of violation on 02/04/2022
330 Fifth Ave	Mobile Signs	2/8/2022	Section 113-303(2)a	flags	in process	
330 Fifth Ave	Person req'd to obtain BTR	2/8/2022	Sec 30-19	No BTR	reported	2 flags in front of business,
<b>Zone 2</b>	North of Fifth Avenue/Eastside					business operating with no BTR
101 Fifth Ave	Prohibited Signs	2/8/2022	Sec. 113-303	Snipe sign	Removed	1 snipe sign in ROW, 1 snipe sign in parking lot by business, CS removed signs and set them inside door of business
236 Fifth Ave	Person req'd to obtain BTR	2/8/2022	Sec 30-19	No BTR	reported	business operating with no BTR
150 Fifth Ave Unit A	Mobile Signs	2/8/2022	Section 113-303(2)a	Flag	complied	advertising flag in front of business, VM spoke to Alison who advised she would have the flag removed
143 Fifth Ave	Prohibited Signs	2/8/2022	Sec. 113-303	Snipe sign	Removed	in front of business
<b>Zone 3</b>	South of Fifth Avenue/Westside					
606 S Palm Ave	Landscaping	11/12/2021	Sec 103-286	dead grass	reported	JG advised h/o has dead grass through the entirety of the front yard, letter sent 11/12/2021
406 Ormond Ave	Landscaping	11/12/21	Sec 103-286	landscaping in ROW	complied	JG advised h/o has added landscaping, mulch and other lawn items in ROW without permission, letter sent 11/12/2021, follow-up second notice sent to respond to owner's letter sent 12/08/2021, owner emailed JG and will send revised plans. 01/05/2021 emailed revised plans received. 02/04/2022 CStokes hand delivered a summons to the February 23 code board meeting, certified /RR notification mailed 02/04/2022
1501 S Shannona Ave	Trash Container areas	01/26/22	Sec 103-283	accumulation of trash around dumpster	complied	trash piled outside the dumpster area, MC spoke with property manager and was assured it would be cleaned up immediately
300 Cocoa Ave	Landscaping	01/14/22	Sec 103-286	Lawn not mowed		still ok, but not mowed
250 Orlando Blvd	RV parking, storage	01/25/22	Sec 113.236(b)(3)	RV in driveway	complied	call in compl regarding RVs and boats being parked in violation of the town code, CS & MC observed an RV parked in the driveway on 01/25/2022, courtesy letter sent 01/26/2022

## February 2022 Code Report

[illegible]