

City of Quincy

City Hall

404 West Jefferson Street

Quincy, FL 32351

www.myquincy.net



Meeting Agenda

Tuesday, April 9, 2013

6:00 PM

City Hall Commission Chambers

City Commission

Angela Sapp, Mayor (Commissioner District Two)
Keith Dowdell, Mayor Pro-Tem (Commissioner District One)
Derrick Elias (Commissioner District Three)
Andy Gay (Commissioner District Four)
Larry Edwards (Commissioner District Five)

**AGENDA FOR THE REGULAR MEETING OF
THE CITY COMMISSION OF
QUINCY, FLORIDA
Tuesday
April 9, 2013
6:00 PM
CITY HALL CHAMBERS**

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Agenda Approval

Approval of Minutes

1. Approval of Minutes of the March 26, 2013 Regular Meeting
(Sylvia Hicks, City Clerk)

Public Hearings, Ordinances, Resolutions and Proclamations

2. Ordinance No. 1052

Presentation(s)

Citizen(s) to be Heard (3 Minute Limit)

Consent Agenda

Discussion(s)

3. Ordinance 1052, First Reading, Amending Chapter 74, Section 134, to Add Language Regarding the use of Sewer
(Jack L. McLean Jr., City Manager; Bernard Piawah, Planning Director)
4. Agreement with Big Bend Transit for the In- Town Quincy Bus Shuttle
(Jack L. McLean Jr., City Manager; Bernard Piawah, Planning Director)

Report(s)/ Information

5. Instant Alert Report
(Jack L. McLean Jr. City Manager; Ann Sherman, Customer Service Director)

6. Audit Findings FY2011
(Jack L. McLean Jr., City Manager, Theresa Moore, Finance Director)

City Manager's Report(s)

City Attorney's Report(s)

Commissioners' Reports

Other

Adjournment

*Item Not in Agenda Book

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
MARCH 26, 2013
6:00 P.M.

The Quincy City Commission met in regular session Tuesday, March 26, 2013, with Mayor Commissioner Angela G. Sapp presiding and the following present:

Commissioner Keith A. Dowdell
Commissioner Larry D. Edwards (absent)
Commissioner Gerald A. Gay, III
Commissioner Derrick D. Elias

Also Present:

City Manager Jack L. McLean Jr.
City Attorney Larry K. White
City Clerk Sylvia Hicks
Police Chief Walt McNeil
Acting Fire Chief Scott Haire
Finance Director Theresa Moore
Customer Service Director Ann Sherman
Utilities Director Mike Wade
Planning Director Bernard Piawah
Account Control Analyst Catherine Robinson
Accountant III Yvette McCullough
Information Technology Director John Thomas
CRA Director Charles Hayes
Executive Assistant to the City Manager, Cynthia Shingles
Acting Human Resources Director Bessie Evans
Public Works Director Willie Earl Banks, Sr.
Parks and Recreation Director Greg Taylor
Fire Captain Curtis Bridges Sr.
Police Lt. Eric Howell
Police Officer Curtis Bridges Jr.
Police Officer Greg Horne
Police Officer Vincent Rich
Police Officer Evan Brezovsky
Sergeant At Arms Glenn Sapp

Call to Order:

Mayor Commissioner Sapp called the meeting to order, followed by invocation and the Pledge of Allegiance.

Commissioner Elias made a motion to excuse Commissioner Edwards. Commissioner Gay seconded the motion. The ayes were unanimous.

Commissioner Elias made a motion to excuse Commissioner Dowdell. Commissioner Gay seconded the motion. The ayes were unanimous.

Approval of Agenda:

Commissioner Elias made a motion to approve the agenda with the following: Commissioner Elias stated Under Discussion(s): add Traffic Calming Devices: Commissioner Gay seconded the motion. The ayes were unanimous.

Approval of Minutes:

Commissioner Gay made a motion to approve the March 12, 2013 regular meeting minutes with any corrections if necessary. Commissioner Elias seconded the motion. Commissioner Gay stated that he did not say that the City should be financially responsible on page five of the minutes. The ayes were unanimous.

Commissioner Dowdell entered the meeting.

Public Hearings, Ordinances, Resolutions and Proclamations:

Mayor Sapp read and presented the following proclamation to Mr. Anthony A. Powell one of the founders of the Gadsden County Black Heritage, Culture, and Education Organization.

Proclamation
Honoring
Gadsden County Black Heritage, Culture, and Education Organization

Whereas, during Black History Month, we celebrate the many achievements and contributions made by African Americans to our economic, cultural, spiritual, and political development; and

Whereas, in 1976, as part of the nation's bicentennial, Black History Week was expanded and became established as Black History Month; and

Whereas, the Gadsden County Black Heritage, Culture and Education Organization was established in 1982; and

Whereas, the Gadsden County Black Heritage, Culture and Education Organization parade and festival is held on the last Saturday in February; and

Whereas, the Gadsden County Black Heritage, Culture and Education Organization is a county wide affair that began with the involvement of local governments, civic organizations, and churches to keep African American History alive; and

Whereas, the said organization recognizes local heroes, both young and old and not just African Americans all are welcome; and

Whereas, the Gadsden County Black Heritage, Culture and Education Organization is an educational organization that teaches Black History, since it is not taught in local public schools, the organization purchases books for the library, sponsors brain brawls, sponsors gospel-fest; and

Therefore I, Angela G. Sapp, Mayor of the City of Quincy and City Commissioners, do hereby proclaim that the City of Quincy will support the efforts of the Gadsden County Black Heritage, Culture and Education Organization and thank the descendants of William A. "Buster" Powell, Jr. and Ella Dora Austin Powell, for their hard work in organizing the Annual event. This 26th day of March 2013.

At a public hearing, Commissioner Dowdell made a motion to read Ordinance No. 1051 (Amending Chapter 10 Animals) by title only. Commissioner Gay seconded the motion. Upon roll call by the Clerk, the ayes were Commissioners Dowdell, Elias, Gay, and Sapp. The Clerk read the title as follows:

AN ORDINANCE AMENDING CHAPTER 10 OF THE QUINCY CODE OF ORDINANCES TO ADD A NEW INTRODUCTORY LANGUAGE TO DEFINITIONS SECTION; TO NUMBER THE EXISTING DEFINITIONS 1 THROUGH 18 AND TO ADD NEW DEFINITIONS NUMBERED 19 THROUGH 24; TO ADD SECTION 10-5.5 ESTABLISHING REQUIREMENT FOR THE PROPER REMOVAL AND DISPOSAL OF ANIMAL WASTE IN THE CITY OF QUINCY; TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY; REPEALING ALL ORDINANCES IN CONFLICT HERewith; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

There were no comments from the audience. Commissioner Dowdell made a motion to approve Ordinance No. 1051 on second reading. Commissioner Gay seconded the motion. Upon roll call by the Clerk, the ayes were Commissioners Dowdell, Elias, Gay, and Sapp. The ayes were unanimous.

Presentation(s):

Chief McNeil announced that Officer Curtis Bridges Jr. was nominated and voted Police Officer of the Year by his peers.

Citizens to be Heard:

Ms. Denise P. Hannah of 714 South 9th Street came before the Commission and thanked them for taking care of the issue.

Ms. Hannah suggested that the funds we give the Community Action along with the federal dollars they receive could be earmarked to correct some deficiencies in homes found as a result of an energy audit.

Discussion(s):

Purchasing Card Policy

The Manager presented to the Commission the following addendum to the Purchasing Card Policy.

Types of Discipline

An employee/cardholder shall not make disallowable cost in any amount and when a violation occurs; the employee/cardholder will be discipline as follow:

- Misuse or Abuse less than or equal to \$40.00 – Reimbursement for the purchase of disallowed item and written reprimand for violation of City Policy. Cardholder will surrender card and no longer have privilege to use the card.
- Misuse or Abuse greater than \$40.00 – Reimbursement for purchase of disallowed item and termination.

An employee may avoid automatic termination for Misuse or Abuse greater than \$40.00 for one time only if:

- The employee self-report the violation immediately;
- The employee reports the violation report to the employee's supervisor and the Finance Department within 36 hours of the violation or within 36 hours of when the violation first becomes known to the employee; and
- The employee immediately reimburse the City at the time of the violation is self-reported.

Commissioner Gay made a motion to approve option one (1) – Approve changes to Section 7 Type of Discipline. Commissioner Dowdell seconded the motion, upon roll call by the Clerk the ayes were Commissioners Dowdell, Gay, and Sapp. Nay was Commissioner Elias. The motion carried. Mayor Sapp stated we all need to be more careful when using the card.

Biosolids Dewatering Facility Bid Award

Mike Wade Utilities Director is requesting approval and award of a bid, pending Florida Department of Environmental Protection (FDEP) approval, for a Biosolids Dewatering Facility at the Quincy Waste Water Treatment Plant. He reported that the bids were received and opened on March 6, 2013 at City Hall. Six submittals were opened with North Florida Construction, Inc from Clarksville, Florida submitting the low bid of \$498,138.00. Mr. Wade stated that funding for this project will be provided through a low interest construction loan from FDEP's state revolving loan fund. The total loan request is \$564,488.00 which includes design, construction, and services during construction cost plus contingencies at an annual interest rate of 1.25%. He stated the annual loan repayment amounts amortized over twenty years will be approximately \$36,981.00 per year. The Commission asked what is included in the contingencies. Mr. Wade stated a building was omitted and should have been added to cover the

dewatering facility, electrical work, geotechnical work, surveying, and site work. Commissioner Dowdell stated he don't want the contractor to come back with any change orders. Commissioner Gay made a motion to approve option 1: Authorize the award of bid pending FDEP approval and authorize the Manager to execute a loan agreement with FDEP in the amount of \$564,488.00 subject to review of terms by the City Attorney. Commissioner Elias seconded the motion. Upon roll call by the Clerk the ayes were: Commissioners Dowdell, Gay, Elias, and Sapp. The ayes were unanimous.

Speed Calming Devices

Commissioner Elias made a motion to install speed calming devices in Tanyard Creek Park. Commissioner Gay seconded the motion. He stated there were no signs in the park regarding speed or children at play. Upon roll call by the Clerk the ayes were Commissioners Elias and Gay. Nays were Commissioners Dowdell and Sapp. The motion did not carry.

Report(s)/Information:

Audit Report – Finance Director reported to the Commission that by April 5th all of the pre-audit items would be sent to the Auditors. Ms. Geri LaZarre of TCBA Watson Rice LLP came and informed the Manager and Commissioner that the IT audit materials she presented to the Finance Department was for discussion purposes only and was not to be for the public and requested that it be removed from the internet and the public.

Quincy Fire Department Monthly Report

Acting Fire Chief Haire reported to the Commission that an error was on the response time it should have been 2.63 for the month of February.

Financial Report/P-Card

Commissioner Gay stated he noticed the overtime line item in the Fire Department and Police Department is out of line and how the Manager is going to manage the overtime in both departments. The Manager stated it is a staffing issue in the Fire Department due to injuries, and personnel being out on sick leave. The Manager indicated that we have hired a new firefighter and that should relieve some of the overtime. He stated in the Police Department it is an operational issue due to increased activities. Commissioner Gay stated he noticed that the professional line item in the City Attorney's budget is over the budgeted amount. The Attorney stated that this cost relates to the Eaton litigation and the trial is set of early April.

City Manager's Report(s):

City Manager McLean reported to the Commission that the City is gearing up Get Going Gadsden and the cities would be competing against each other.

City Manager McLean informed the Commission of a meeting in Tallahassee regarding Historic Preservation funding and approximately twenty (20) employees and other

citizens attended. He thanked Ms. Regina Davis for writing the grant to renovate the "Old Post Office" Police Department.

City Manager McLean advised the citizens to listen to the instant alert before calling the City. He also stated there will be a form on our web page to fill out and we need to update our data base. Customer Service needs e-mail addresses, mailing addresses, and telephone numbers. Citizens will be given an option to opt out of being on the instant alert notice.

City Attorney's Report(s): None

Commissioners' Report:

Commissioner Elias asked the status of the All-Tech property. City Attorney White reported that it is in litigation.

Commissioner Elias asked if we had a policy that Waste Pro was no longer accepting cash at the landfill. The Manager stated he would have to check on that matter. Commissioner Elias asked if they were charging a \$5.00 minimum at the transfer station for one (1) bag of trash. The City Manager stated yes as a result of the budget that was passed.

Commissioner Elias asked if it would be more feasible for someone to opt in and will there an educational section with the instant alert. The Manager stated we only have about 60% of our account holders. We have had a few people to call us because they don't want us to send them an instant alert. We need 100% of the information on our account holders. He stated that point and pay is doing extremely well since we did the educational program. He asked can we target a certain neighborhood. The Manager replied yes.

Commissioner Gay asked what the next step on the code enforcement issue regarding utility hook-up. The Clerk stated it is being advertised and will have first reading at the next meeting. Commissioner Elias asked if the Code Enforcement still meet because his appointee informed him that he did not know the last time he attended a Code Enforcement Board meeting. The Manager stated they rarely meet, we use the Magistrate but we will be using them to review the code.

Commissioner Gay asked the Manager to give them a status report on the red light camera and internet cafés as to what is going on in the legislature.

Commissioner Gay reported that he received complaints from a vendor that the customer service he received from Finance was terrible when he called to ask about a payment we owe him. He stated we should treat everyone with respect. He also stated he had discussed this issue with the Manager back during the budgeting process with respect to Customer Service Department.

Commissioner Dowdell reported that there will be an old fashioned Easter egg hunt at the Complex on Sunday beginning at 3:00 p.m.

Mayor Sapp stated that it is the beginning of the month and the street sweeper should be in her district soon. The Manager stated that the sweeper takes a month to sweep the entire City.

Mayor Sapp reported that Superintendent Reginald James and the Gadsden County School will have a building dedication ceremony of the School District's Transportation Facilities in honor of Dr. Robert H. Bryant on Thursday, April 4, 2013 at 6:00 p.m. located at 720 South Stewart Street.

Commissioner Gay made a motion to adjourn the meeting. Commissioner Dowdell seconded the motion, the meeting was adjourned.

APPROVED:

Angela G. Sapp Mayor and Presiding
Officer of the City Commission and of
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

ORDINANCE NO. 1052

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF QUINCY CHAPTER 74, SECTION 134 REGARDING THE USE OF SEWER TO ADD NEW LANGUAGE TO ITEM (b) PROVIDING THAT A DWELLING CAN NOT BE LIVED IN WITHOUT RUNNING WATER; REPEALLING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

Section 74-134 is proposed to be revised to add the following items:

Sec. 74-134. - Use of public sewers required.

(a) All premises shall be provided, by the owner thereof, with at least one toilet. All toilets shall be kept clean and in a sanitary working condition.

(b) No person shall dispose of human excrement except in a toilet. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with this section. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks in order to ensure that structures are safe, sanitary and fit for human occupation and use. A dwelling must have running water in order to reside in it.

(c) It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this division.

(d) Except as provided in this division, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

(e) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city jurisdiction and abutting on any street, alley or right-of-way in which there is located or may in the future be located a public sanitary sewer of the city are hereby required at the owners' expense to install suitable toilet facilities therein.

(f) All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines and similar plumbing fixtures or appliances shall be connected to the public sewer, provided that where no sewer is available, septic tanks or other

private subsurface disposal facilities, approved by the health officer and City may be used.

(g) The customer shall be notified when a sewer is available.

(1) A sewer shall be considered available to an existing single-family dwelling when the dwelling can be connected by gravity flow to a line in any public right-of-way or easement which passes the property at any point.

(2) A sewer shall be considered available to any new single-family dwelling when the dwelling can be connected by the installation of 200 linear feet of gravity flow line from the nearest point of the property.

(h) Sewer charges shall be in effect upon notification of the availability of sewer service.

Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

INTRODUCED in open session of the City Commission of the City of Quincy, Florida on the 9th day of April, A.D. 2013.

PASSED in open session of the City Commission of the City of Quincy, Florida on the --
--- day of -----, A.D. 2013

Angela G. Sapp
Presiding Officer of the City Commission
and of the City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

Date of Meeting: April 9, 2013

Date Submitted: April 4, 2013

TO: Honorable Mayor and Members of the Commission

FROM: Jack L. McLean Jr., City Manager
Bernard O. Piawah, Director, Building and Planning

SUBJECT: Ordinance 1052, First Reading, Amending Chapter 74, Section 134, to Add Language Regarding the use of Sewer

Statement of Issue:

The is a request for First Reading of Ordinance 1052 which was presented to the Commission on March 12, 2013, regarding the occupation of structures that are not supplied with utilities. The Commission voted unanimously to direct staff to proceed with the draft ordinance as was presented in the agenda item. Attached to this memorandum is Ordinance 1052 for First Reading. Also attached is the agenda item and minutes of the March 12, 2013 meeting. The proposed Ordinance has been advertised in the newspaper.

Background:

The Commission expressed concerns that some people were occupying residential dwellings that do not have utilities, particularly, running water and sewer services. While the City's code requires the disposal of human excrement in a toilet, there is no provision in the code stating clearly that residential dwellings cannot be occupied without running water. The attached ordinance is intended to provide clarity to the code regarding the requirement for running water in residential homes. The new language is shown in underline and the main point of it is that a person shall not occupy as owner-occupant or permit another person to occupy any structure if water is not supplied to the plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly and safely.

OPTIONS:

Option 1: Vote to approve the First Reading of Ordinance Number 1052

Option 2: Do not vote to approve the First Reading of Ordinance 1052

Staff Recommendation:

Option 1

Attachment

1. Proposed Ordinance 1052
2. Agenda Item of March 12, 2013
3. Minutes of the March 12, 2013 meeting
4. Notice in the Gadsden County Times on April 4, 2013

ORDINANCE NO. 1052

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF QUINCY CHAPTER 74, SECTION 134 REGARDING THE USE OF SEWER TO ADD NEW LANGUAGE TO ITEM (b) PROVIDING THAT A DWELLING CAN NOT BE LIVED IN WITHOUT RUNNING WATER; REPEALLING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

Section 74-134 is proposed to be revised to add the following items:

Sec. 74-134. - Use of public sewers required.

(a) All premises shall be provided, by the owner thereof, with at least one toilet. All toilets shall be kept clean and in a sanitary working condition.

(b) No person shall dispose of human excrement except in a toilet. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with this section. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks in order to ensure that structures are safe, sanitary and fit for human occupation and use. A dwelling must have running water in order to reside in it.

(c) It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this division.

(d) Except as provided in this division, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

(e) The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city jurisdiction and abutting on any street, alley or right-of-way in which there is located or may in the future be located a public sanitary sewer of the city are hereby required at the owners' expense to install suitable toilet facilities therein.

(f) All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines and similar plumbing fixtures or appliances shall be connected to the public sewer, provided that where no sewer is available, septic tanks or other

private subsurface disposal facilities, approved by the health officer and City may be used.

(g) The customer shall be notified when a sewer is available.

(1) A sewer shall be considered available to an existing single-family dwelling when the dwelling can be connected by gravity flow to a line in any public right-of-way or easement which passes the property at any point.

(2) A sewer shall be considered available to any new single-family dwelling when the dwelling can be connected by the installation of 200 linear feet of gravity flow line from the nearest point of the property.

(h) Sewer charges shall be in effect upon notification of the availability of sewer service.

Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

INTRODUCED in open session of the City Commission of the City of Quincy, Florida on the 9th day of April, A.D. 2013.

PASSED in open session of the City Commission of the City of Quincy, Florida on the --
--- day of -----, A.D. 2013

Angela G. Sapp
Presiding Officer of the City Commission
and of the City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

Date of Meeting: March 12, 2013

Date Submitted: March 9, 2013

TO: Honorable Mayor and Members of the Commission

FROM: Jack L. McLean Jr., City Manager
Bernard O. Piawah, Director, Building and Planning

SUBJECT: **Draft Ordinance to Amend Chapter 14 Relating to Building Regulations and Chapter 74 Relating to Use of Public Sewers**

Statement of Issue:

The City Commission has expressed concerns regarding the occupation of structures that are not supplied with utilities. Attached to this memorandum is a draft ordinance for your discussion and consideration which is intended to provide clarity in the City's code that will facility the enforcement of situations where a structure is occupied that does not have utilities. The proposed Ordinance has not been advertised in the newspaper.

OPTIONS:

- Option 1: Direct Staff to proceed with the drafting of the Ordinance and advertising it in the newspaper accordingly.
- Option 2: Do not direct staff to proceed with the drafting of the Ordinance.

Staff Recommendation:

Option 1.

Attachment

Draft Ordinance

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF QUINCY, CHAPTER 74, SECTION 134 REGARDING THE USE OF SEWER TO ADD NEW LANGUAGE TO ITEM (b) PROVIDING THAT DWELLING CAN NOT BE LIVED IN WITHOUT RUNNING WATER; REPEALLING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

Section 74-134 is proposed to be revised to add the following items:

Sec. 74-134. - Use of public sewers required. 

(a)

All premises shall be provided, by the owner thereof, with at least one toilet. All toilets shall be kept clean and in a sanitary working condition.

(b)

No person shall dispose of human excrement except in a toilet. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with this section. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks in order to ensure that structures are safe, sanitary and fit for human occupation and use. A dwelling must have running water in order to live in.

(c)

It shall be unlawful to discharge to any natural outlet within the city or in any area under the jurisdiction of the city any wastewater or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this division.

(d)

Except as provided in this division, it shall be unlawful to construct or maintain any privy, privy vault, septic tank, cesspool or other facility intended or used for the disposal of wastewater.

(e)

The owners of all houses, buildings or properties used for human occupancy, employment, recreation or other purposes situated within the city jurisdiction and abutting on any street, alley or right-of-way in which there is located or may in the future be located a public sanitary sewer of the city are hereby required at the owners' expense to install suitable toilet facilities therein.

(f)

All sinks, dishwashing machines, lavatories, basins, shower baths, bathtubs, laundry tubs, washing machines and similar plumbing fixtures or appliances shall be connected to the public sewer, provided that where no sewer is available, septic tanks or other

private subsurface disposal facilities, approved by the health officer and city may be used.

(g)

The customer shall be notified when a sewer is available.

(1)

A sewer shall be considered available to an existing single-family dwelling when the dwelling can be connected by gravity flow to a line in any public right-of-way or easement which passes the property at any point.

(2)

A sewer shall be considered available to any new single-family dwelling when the dwelling can be connected by the installation of 200 linear feet of gravity flow line from the nearest point of the property.

(h)

Sewer charges shall be in effect upon notification of the availability of sewer service.

Effective Date: This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

INTRODUCED in open session of the City Commission of the City of Quincy, Florida on the ----- day of-----, A.D. 2013.

PASSED in open session of the City Commission of the City of Quincy, Florida on the --- day of -----, A.D. 2013

Angela G. Sapp
Presiding Officer of the City Commission
and of the City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
MARCH 12, 2013
6:00 P.M.

The Quincy City Commission met in regular session Tuesday, March 12, 2013, with Mayor Pro-Tem Commissioner Dowdell presiding and the following present:

Mayor Commissioner Angela G. Sapp (absent)
Commissioner Larry D. Edwards
Commissioner Gerald A. Gay, III
Commissioner Derrick D. Elias

Also Present:

City Manager Jack L. McLean Jr.
City Attorney Larry K. White
City Clerk Sylvia Hicks
Police Chief Walt McNeil
Acting Fire Chief Scott Haire
Finance Director Theresa Moore
Customer Service Director Ann Sherman
Utilities Director Mike Wade
Planning Director Bernard Piawah
Account Control Analyst Catherine Robinson
Information Technology Director John Thomas
CRA Director Charles Hayes
Executive Assistant to the City Manager, Cynthia Shingles
Acting Human Resources Director Bessie Evans
Public Works Director Willie Earl Banks, Sr.
Code Enforcement
Sergeant At Arms Glenn Sapp

Guest Present:

Gadsden County Board of Commissioner, Sherrie Taylor
Gadsden County Board of Commissioner, Eric Hinson

Call to Order:

Mayor Pro-Tem Commissioner Dowdell called the meeting to order, followed by invocation (Lord's Prayer) and the Pledge of Allegiance.

Commissioner Edwards made a motion to excuse Mayor Sapp. Commissioner Elias seconded the motion. The ayes were unanimous.

Approval of Agenda:

Commissioner Elias made a motion to approve the agenda with the following: Commissioner Elias stated Under Discussion(s) the item should have read Traffic Calming Devices: Commissioner Gay seconded the motion. The ayes were unanimous.

Approval of Minutes:

Commissioner Gay made a motion to approve the February 26, 2013 regular meeting minutes with any corrections if necessary. Commissioner Edwards seconded the motion. The ayes were unanimous.

Public Hearings, Ordinances, Resolutions and Proclamations:

At a public hearing, Commissioner Edwards made a motion to read Ordinance No. 1050 (Traffic Infraction) by title only. Mayor Pro-Tem Commissioner Dowdell seconded the motion. Upon roll call by the Clerk, the ayes were Commissioner Edwards and Mayor Pro-Tem Commissioner Dowdell. The motion did not pass. There were no comments from the audience.

At a public hearing, Commissioner Elias made a motion to read Ordinance No. 1051 (Amending Chapter 10 Animals) by title only. Commissioner Gay seconded the motion. Upon roll call by the Clerk, the ayes were Commissioners Elias, Gay, Edwards, and Dowdell. The Clerk read the title as follows:

AN ORDINANCE AMENDING CHAPTER 10 OF THE QUINCY CODE OF ORDINANCES TO ADD A NEW INTRODUCTORY LANGUAGE TO DEFINITIONS SECTION; TO NUMBER THE EXISTING DEFINITIONS 1 THROUGH 18 AND TO ADD NEW DEFINITIONS NUMBERED 19 THROUGH 24; TO ADD SECTION 10-5.5 ESTABLISHING REQUIREMENT FOR THE PROPER REMOVAL AND DISPOSAL OF ANIMAL WASTE IN THE CITY OF QUINCY; TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

There were no comments from the audience. Commissioner Elias made a motion to approve Ordinance No. 1051 on first reading. Commissioner Edwards seconded the motion. Commissioner Elias asked what mechanisms are in place for enforcement. City Manager McLean stated Code Enforcement and the Police Department are the enforcing agents as described in the ordinance. Upon roll call by the Clerk, the ayes were Commissioners Elias, Gay, Edwards, and Dowdell. The ayes were unanimous.

Mayor Pro-Tem Dowdell read the following Proclamation Military Family and Community Covenant Day

**CITY OF QUINCY, FLORIDA
PROCLAIMS APRIL 17, 2013 AS
MILITARY FAMILY AND COMMUNITY COVENANT DAY**

WHEREAS, for more than 230 years, individuals from all walks of life have taken up arms and sworn an oath to support and defend the principles upon which our country was founded; and

WHEREAS, whether serving at home or abroad, Florida's active duty reserve and National Guard military and civil servants, protect our homeland, respond to national disasters, assist humanitarian emergencies and protect against all threats foreign and domestic; and

WHEREAS, created in 2008, the United States Army Community Covenant program was designed to foster and sustain effective state and community partnerships with all of the armed services, improving the quality of life for service men and women and their families; and;

WHEREAS, the State of Florida has conducted a state-wide community covenant signing ceremony; and

WHEREAS, community support is essential to the readiness of the military and contributes to strengthening the resilience of U.S. military personnel; and

WHEREAS, Americans recognize that military personnel and their families make considerable sacrifices as they defend the Nation, as multiple long deployments, frequent moves, and visible/invisible wounds of war are a few of the unique stresses military families face; and

WHEREAS, today, Floridians support service members, veterans, and their families by stepping forward to help mitigate stresses associated with military life while also striving to inspire their fellow Americans to continue to recognize and support military and veteran families in their communities.

NOW, THEREFORE, BE IT RESOLVED that the City of Quincy hereby proclaims April 17, 2013 as

MILITARY FAMILY AND COMMUNITY COVENANT DAY

and hereby express their unwavering support and admiration to all current and former military personnel for their true and faithful service and further recognize the tremendous sacrifices of their families.

BE IT FURTHER RESOLVED that the City of Quincy, Florida through the Florida Military Family and Community Covenant and Operation Strong Families, accepts the call to action to support and honor all service members, veterans and their families, past and present.

DULY ADOPTED AND PROCLAIMED this 12th day of March 2013.

Mayor Pro-Tem Dowdell asked all the Veterans in the Audience to stand and introduce themselves.

Presentation(s):

Citizens to be Heard:

Bishop Sylvester Robinson of St. Mark Primitive Baptist Church came before the Commission to request that they approve the funding for the Quincy Shuttle. He conveyed to the Commission three (3) points **1) Transportation 2) Education 3) Economic Development.** He stated without some kind of transit system, there is no economic growth and no one can get around to spend any money. He also stated the churches can get involved in assisting with transportation.

Mr. Arnold Hankerson of 209 South Love Street came before the Commission to inform them that no one had contacted him to discuss his utility bill. Ms. Sherman stated that she had spoken with Mr. Jones to do an energy audit on Mr. Hankerson's house and informed him that it is urgent. She also stated that she had a wrong number of Mr. Hankerson. Ms. Sherman informed the Commission that she had removed the penalties from his bill. The Manager stated that he would meet with Mr. Hankerson at 9:00 a.m., Wednesday, March 13, 2013. Commissioner Edwards asked just what will the audit show. Ms. Sherman stated it will show the following: type of heat used, gas malfunctions, water leakage, bad meter and will show if the City needs to correct something on our side. Commissioner Gay stated the bill seems to be excessively high and asked if his old meter could be tested. Commissioner Elias stated this should not take two (2) weeks.

Ms. Vivian Howard of 805 South Virginia Street came before the Commission to discuss Traffic Infraction Detectors. The Manager apologized to Ms. Howard regarding a phone call he stated that Ms. Howard had not made to him, he stated that he checked his messages at the office phone but in reality Ms. Howard had called his cell phone, therefore he publicly apologized.

Ms. Denise Pouncey Hannah of 714 North 9th Street came before the Commission to ask if the street sweeper is working because it had not been on her street in three weeks. Ms. Hannah asked the City for a records request in January and had not received the documents. She stated she spoke with the Finance Director to make sure she understood exactly what she was looking for on a particular line item. The document she received was not what she requested. Ms. Hannah's request was that two Commissioners went on a trip. The Manager stated that Commissioner Dowdell went to Orlando for a Florida League of Cities Conference and the Mayor went to Washington, D.C. for an Inaugural Meeting and was given \$500.00 for expenses. Commissioner Elias stated that we adopted a policy that all travel must come before the Commission for approval. Commissioner Edwards stated that he thought it was for employees but we should have a policy. Mayor Pro-Tem Dowdell stated that he refuse to announce that he will be out of town because his house was broken in. The Clerk was asked to pull the minutes regarding the approval of travel.

Consent Agenda:

Discussion(s):

Rehearing of the Request to Fund the Big Bend Quincy In-Town Bus Shuttle

Ms. Sherrie Taylor of 217 West Clark Street came before the Commission to urge them to support funding for the Quincy Shuttle. Ms. Taylor thanked the Commission for giving her the opportunity to speak to them and stated this is a positive move, the County voted at their last meeting to approve the funding. Ms. Taylor also had several supporters of the Quincy Shuttle in the audience. She reported to the Commission that the Gadsden County Board of County Commission approved a motion to support the funding in the amount of \$36,000. She stated the importance of transportation and it will never be self supportive because it serves the handicap and disadvantage. Mayor Pro-Tem Dowdell stated he and the Manager met with the Director of Transportation for the Gadsden County School Board and several options were discussed: such as dedicated bus, City can purchase a bus from the School Board. Commissioner Elias asked the Manager where the funds were coming from, he replied from the repayment from CRA. Commissioner Elias stated he would support it for one more time and to make sure we come up with something that is more viable. Commissioner Edwards stated one of his constituents said that the shuttle bus is his only means of transportation to the doctor, grocery store, and etc. Commissioner Gay stated we can purchase a bus and a driver if the City and County pool the \$36,000, we need to be financially responsible. Commissioner Edwards made a motion to approve the request to fund the Quincy Shuttle for one (1) year from April 2013 until March 2014 in the amount of \$36,000. Commissioner Elias seconded the motion. The ayes were Commissioners Elias, Edwards, and Dowdell. Nays were Commissioner Gay. The motion carried.

Speed Calming Devices at Tanyard Creek Park

Commissioner Elias made a motion to approve installing speed calming devices in Tanyard Creek Park. Commissioner Gay seconded the motion. The ayes were Commissioner Elias and Gay. Nays were Commissioners Edwards and Dowdell. The motion ended in a two – two vote (died).

Amendment to the Code to require utility connection for inhabitant structures

Bernard Piawah, Director of Building and Planning presented to the Commission draft language to clarify the City's code that will facilitate the enforcement of situations where a structure is occupied that does not have utilities. The language reads as follows: A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with this section. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks and in order to ensure that structures are safe, sanitary and fit for human occupation and use. A dwelling must have running water in order to live in.

Commissioner Edwards made the motion to direct staff to advertise the proposed ordinance. Commissioner Gay seconded the motion. The ayes were unanimous.

Purchasing Card Policy Amendment - Section 7

City Manager McLean reported to the Commission that based on review of activity on the purchasing card since June 12, 2012, Staff noted that innocence/non-intentional violation of Section 7 would lead to employment termination. Section 7 allows an employee who spends \$40.00 or less on a disallowed item to reimburse the City and receive a written reprimand. If the \$40.00 limit is exceeded, the employee must be discharged even though the use of the card for the disallowed item may be inadvertent, unwittingly or unintentional. City Manager McLean stated he brought the policy back to the Commission because it was too stringent thus provided the following changes: 1st occurrence of misuse or abuse – written reprimand, 2nd occurrence of misuse or abuse – suspension without pay, and 3rd occurrence of misuse or abuse – dismissal or forfeiture of office. Commissioner Elias made a motion to leave the policy as it. Commissioner Gay seconded the motion. Commissioner Gay stated if the person self reports the incident immediately and repay the funds, he did not have a problem with the change. The ayes were Commissioners Elias. Nays were Commissioners Gay, Edwards, and Dowdell. The motion did not carry. The Manager stated he would bring the item back to the Commission.

Reports(s)/Information:

Code Compliance Case Report – Commissioner Gay stated he did not agree with the justification/narrative regarding the house without utilities.

2012 Power Outage Report – No comments

City Manager's Report(s):

City Manager McLean thanked the Citizens for participating in the following projects; Round-up and Project Help.

City Manager McLean informed the Commission that the new utility bills will be out soon.

City Manager McLean reported that Instant Alert is up and running and it is important that we update everyone's information i.e. telephone numbers, email address and mailing address.

City Attorney Report(s):

City Attorney White reported to the Commission that after researching the legality of withdrawing the RFP for Auditing Services, he found that it is against their general practices to have a RFP out with an ongoing audit. It is unethical according to case study. Commissioner Gay asked at what point we should put the bid out. The Finance

Director stated at the end of the auditing process. Commissioner Elias said make sure you all do not drop the ball on the RFP.

Commissioner Concerns:

Commissioner Elias had the following concerns;

- The back side of Sunnyvale needs to be cleaned up
- Stripping on Martin Luther King Jr. Blvd. near the complex needs to be stripped
- Commissioner Dowdell stated there are also pot holes on MLK at the complex
- G. F. & A Drive on US 90 to Love Street needs to be cleaned up
- Asked if the deposit from the concert had been deposited in the bank. The Finance Director replied, no, we have to set up a separate account.
- Commissioner Elias stated he remembered that all travel by the Commissioners must be approved. The Clerk will search the minutes and report back.

Commissioner Gay – None

Commissioner Edwards concerns:

- Asked Mr. Banks if he had taken care of the issue of the trash in the street off Santa Clara
- Commissioner Edwards made a motion to table the red light camera item until the legislature makes a decision. Commissioner Elias seconded the motion. The ayes were unanimous.

Mayor Pro-Tem Dowdell concerns:

- Advised the City Manager that he would coordinate a meeting with Mr. Owen Calloway on his utility bill and Mr. Doug Harris regarding the ditch.

Commissioner Dowdell made a motion to adjourn the meeting. Commissioner Edwards seconded the motion, the meeting was adjourned.

APPROVED:

Angela G. Sapp Mayor and Presiding
Officer of the City Commission and of
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

participate in this proceeding, you are entitled, at no cost to you, to the following certain assistance. Please contact the Office of Court Administration, Leon County Courthouse, 301 S. Monroe Street, Tallahassee, Florida 32301, Tel: (850) 577 4401 within 7 working days of your receipt of this notice; if you are hearing or voice impaired, call 1 800 955 8771.

Apr 4 & 11, 2013

File #1210938

Misc. Notices

Misc. Notices

Misc. Notices

4540-0418 GCT
PUBLIC NOTICE

NOTICE OF INTENT TO CONSIDER ENACTMENT OF ORDINANCE

Notice is hereby given to all concerned that the City Commission of the City of Quincy, Florida, intends, at a meeting in the City Hall in Quincy, Florida, at 6:00 p.m. on the 9th day of April, A.D. 2013 and 23rd day of April, A.D. 2013, to consider the enactment of the following proposed ordinance entitled:

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF QUINCY, CHAPTER 74, SECTION 134 REGARDING THE USE OF SEWER TO ADD NEW LANGUAGE TO ITEM (B) PROVIDING THAT A DWELLING CANNOT BE LIVED IN WITHOUT RUNNING WATER; REPEALING ALL ORDINANCES IN CONFLICT HERewith, PROVIDING FOR CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.

Such ordinance may be inspected by the public at the office of the City Clerk in the City Hall in such City.

Interested parties may appear in the meeting and be heard with respect to the proposed ordinance.

If a person decides to appeal any decision made by the Commission with respect to any matter considered at such meeting or hearing, he will need a record of the proceedings, and for such purpose, he may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be heard.

This 21st day of March A.D. 2013.

Sylvia Hicks, City Clerk
April 4 and 18, 2013

4542-0425 GCT
PUBLIC NOTICE

FLORIDA CRIMINAL JUSTICE STANDARDS & TRAINING COMMISSION

**City of Quincy
City Commission
Agenda Request**

Date of Meeting: April 9, 2013
Date Submitted: April 3, 2013
To: Honorable Mayor and Members of the Commission
From: Jack McLean, City Manager
Ann Sherman, Director Customer Service
Subject: Instant Alert Report

Statement of Issue:

The City has purchased and installed an Instant Alert System. Instant Alert is a Web-based notification service that delivers clear, consistent messages to any communication device – phone, cell phone, text and e-mail. The system can deliver up to 200,000 30-second phone calls and 125,000 text messages in 15 minutes, and is capable of storing pre-scripted alerts to help ensure a rapid and measured response in a crisis. In addition, the system is hosted and managed in Customer Service. It will allow the Police Chief, Fire Chief, Mayor and City Manager during emergencies, traffic accidents, street closings, law enforcement alerts and fire control alerts to communicate with residents and account holders, as well as members of the account holders home and /or business. This new system displays phone messaging which indicates that the call is coming from 850-618-0030 the City's main phone number. However, for a customer to be alerted regarding any emergency situation, contact information is required i.e., home phone, cell phone and e-mail address.

Status:

Staff has developed a schedule to help educate citizens on the Instant Alert and the benefits of the system. A component of the education process will be to accompany the Chief during his community updates on Crime and Emergency Management in each Commissioner's district. The City has 4,000 electric accounts, 3,758 water accounts and 1,909 gas accounts. The City has 60% of the phone numbers for the account and 15% of email addresses.

Citizens are asked to go online at the City's website at www.myquincy.net to add your cell phone, home phone and e-mail addresses or if you change the phone numbers and/or e-mail addresses of all residents at the address of the utility

account. You can also go into the Customer Service office to provide this information.

The Instant Alert service will officially start May 30, 2013. The instant Alert will be preceded by a roll out of the service in local neighborhood watch meetings over the next 60 days. The first education session was held on April 2, 2013 at First Baptist Church at 6:30 P.M. (Burmah Heights).

Staff is available to accommodate all Commissioners for meetings in their district. We welcome your commitment as to a time and date for your district meeting which will be added to the schedule below. We will also hold education sessions in the Customer Service Building.

Instant Alert Education Schedule

- April 02, 2013 - First Baptist Church (Community Forum) – 6:30- 7:45 P.M.
- April 08, 2013 - Customer Service Office ----- 6:30 -7:30 P.M.
- April 10, 2013 - Customer Service Office ----- 6:30- 7:30 P.M.
- April 18, 2013 - Customer Service Office ----- 6:30 7:30 P.M.

Staff will continue to enhance the Instant Alert Process by collecting additional contact information on Customers who have not responded to prior requests. If there are customers who do not wish to receive emergency messages, they may opt-out by going online at the City's website at www.myquincy.net. Again, it is important to remind our citizens that no emergency messages will be received once you have opted - out of the system.

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

MEETING DATE: April 9, 2013

DATE SUBMITTED: April 5, 2013

TO: Honorable Mayor and Members of the City Commission

FROM: Jack L. McLean Jr., Manager, City of Quincy
Bernard O. Piawah, Director, Building and Planning

SUBJECT: Agreement with Big Bend Transit for the In-Town Quincy Bus Shuttle

Statement of Issue

On March 12, 2013, the City Commission voted to approve the request to fund the In-Town-Quincy bus shuttle for one year from April 2013 to March 2014 at a cost of \$36,000.00. Subsequently, the City and County staff engaged Big Bend Transit (BBT) in discussions on a new agreement that establishes the parameters for a new relationship going forward. Please see Attachment 1 for the draft agreement that the City intends to sign with BBT.

Background

The new contract states clearly the responsibilities of BBT and makes clear that the relationship between BBT and the City and County is that of an independent contractor. Under the contract, BBT agrees to indemnify and hold the City and County harmless from any claims that might arise from BBT's operations of the shuttle. Furthermore, under the contract, BBT assumes full liability and has agreed to provide the City and County with an Endorsement Certificate and a Certificate of Liability Insurance naming the City and County as an Additional Insured with respect to liability. The agreement shall remain in effect for a period of 12 months from April 2013 to March 2014. Riders of the shuttle shall pay \$1.75 per ride along a fixed route which is being revised to help increase ridership. The cost of operating the Quincy In-Town-Bus shuttle by BBT is \$82,000.00 per year. The City and County agree to pay BBT \$72,000.00, and the fare box shall constitute the balance of the cost under the agreement (\$10, 000). Attached to this memorandum are the previous agenda items and the minutes of the Commission's meetings in which the funding of Big Bend Transit was discussed.

Options

- Option 1: Vote to approve the agreement with Big Bend Transit for the Quincy In-Town bus shuttle.
- Option 2: Do not vote to approve the agreement with Big Bend Transit for Quincy In-Town bus shuttle.

Staff Recommendation

Option 1

ATTACHMENTS

- 1) Draft Agreement with Big Bend Transit
- 2) Agenda item and minutes of March 12, 2013
- 3) Agenda item and minutes of February 26, 2013
- 4) Agenda item and minutes of January 23, 2013

ATTACHMENT 1

TRANSPORTATION AGREEMENT BETWEEN THE GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS, CITY OF QUINCY AND BIG BEND TRANSIT, INC.

THIS CONTRACTOR AGREEMENT, made this ___ day of _____ in the year 2013, by and between the Gadsden County Board of County Commissioners, City of Quincy (hereinafter referred to as "the Agency"), and Big Bend Transit, Inc, (hereinafter referred to as 'BBT') and the County agrees, that the relationship of the BBT to the Agency under this agreement continues to be that of Independent Contractor.

NOW, THEREFORE, in consideration of their mutual promises and covenants and other good and valuable considerations, the parties hereto agree that Public Bus Transportation Services shall be furnished by BBT upon the following terms and conditions.

1. BBT agrees to operate the Quincy/Gadsden County "In-Town" bus shuttle service five days per week Monday through Friday from 7:30 AM to 2:30 PM (seven hours) except on the following days: Thanksgiving, Christmas, New Years and Martin Luther King, Jr., for the purpose of providing a fixed-route mass transit service to the citizens of Quincy and the environs-Havana and Gretna- and the fixed route is described in Exhibit A. It shall be BBT's responsibility to maintain any bus used on the route in good, safe, working order, and in compliance with all laws and regulations applicable thereto. All bus drivers must be appropriately licensed, competent, responsible individuals and shall be employees of BBT and must not be considered for any purpose as employees of the Agency.
2. BBT agrees to provide one (1) bus at its expense to operate under the conditions set forth in section 1 of this agreement. BBT further agrees to maintain sufficient backup buses of the same capacity. These buses shall meet the requirements of all Federal, State, County and Municipal laws, statutes, ordinances, rules and regulations which are applicable to and enforceable in Gadsden County, Florida.
3. BBT agrees to furnish at its expense all labor, parts and other materials required for the operation of the buses, including drivers, maintenance, repairs, gasoline, oil and other motor fuel and lubricants.

- A. BBT shall keep its buses in good and safe mechanical condition at all times in accordance with standards established by statute, lawful authority and Agency.
 - B. BBT shall keep its buses in clean and sanitary condition at all times that they are being used.
- 4. BBT shall provide the Agency with BBT's Federal Tax Identification Number. All drivers and others engaged in the operation of the BBT's buses shall be employees of BBT. BBTs shall carry adequate Workmen's Compensation Insurance and cause a certificate of such insurance to be forwarded by the insurance carrier to the Agency, indicating that the policy is not subject to cancellation, non-renewal or reduction in coverage. Nothing contained herein or any document executed in connection herewith, shall be construed to create an employer-employee partnership or joint venture relationship between BBT and Agency.
 - A. All drivers shall be qualified under State law to drive a bus and drivers shall be employed or continued in employment by BBT.
 - B. BBT shall be responsible for compliance by its drivers with all state and local laws, statutes, rules and regulations. BBT shall provide bus drivers, who exercise acceptable control and respect of the riding public at all times during transportation.
 - C. Drivers shall observe the highest possible standards of safe driving at all times and strictly comply with the rules of the road and all provisions of the Florida Motor Vehicle Laws.
- 5. BBT agrees to collect, store daily ridership data and to provide the Agency with that information on a monthly basis. BBT will provide performance base information to the Agency twice a year.
 - A. BBT agrees not to deviate from the designated fixed routes without the consent of the Agency or its duly designated representatives, who may designate stops to be made and time schedule of buses. The Agency reserves the right to change bus routes after consultation with BBT. The Agency will also provide BBT with no less than one week notice (7 days) of any route changes. The Agency will provide BBT in writing any route changes which have

been previously agreed upon by Agency representatives of both the City of Quincy and Gadsden County.

6. The cost of operating the Quincy In-Town-Bus shuttle is \$82,000.00 per year. The Agency agrees to pay BBT \$72,000.00. The fare to be paid by riders is \$1.75, which may be decreased or increased, by the Agency, from time to time. The fare box shall constitute the balance of the agreement (\$10, 000). During the first 6 months of service, BBT will deduct the fares collected from the Agency monthly bill. During the next six months of the contract, any fare box amount collected in excess of \$5,000 will be returned via check to the Agency.
7. BBT will bill the Agency for services at the Gadsden County Board of County Commissioners, Post Office Box 1799, Quincy, Florida, 32353, and City of Quincy, 404 W. Jefferson Street Quincy, Florida, 32351 and payment in full will be paid within thirty (30) days and not later than forty-five (45) days of billing.
8. BBT shall procure and maintain the insurance identified below during the terms of this Agreement:
 - (a) Applicable workers' compensation insurance (or the equivalent) in accordance with the laws of the State of Florida, covering all employees who are to provide service under this Agreement. BBT's policy shall be specifically endorsed to waive any rights of subrogation against the Agency. BBT hereby indemnifies and holds the Agency harmless from any claims that might arise as a result of BBT's failure to obtain and keep, in full force and effect, adequate workers' compensation insurance.
 - (b) BBT shall provide commercial general liability occurrence coverage with limits of not less than One Million and No/100 Dollars (\$1,000,000.00) each occurrence, One Million and No/100 Dollars (\$1,000,000.00) products/completed operations aggregate, and One Million and No/100 Dollars (\$1,000,000.00) general aggregate. Any exclusions or amendments to the policy must be disclosed to the Agency. BBT shall supply the Agency with the above proof of insurance as required upon the signing of this Agreement, but the Agency's failure to demand such proof shall not waive the Agency's rights to such coverage as specified herein. BBT agrees to provide the Agency with an Endorsement Certificate and a Certificate of Liability Insurance naming the Agency as an Additional Insured in Regard to Liability as required by written contract.
 - (c) BBT shall provide commercial general automobile liability coverage for bodily injury and property damage with limits of not less than One Million and No/100 Dollars (\$1,000,000.00) combined single limit for each

accident. Any exclusions or amendments to the policy must be disclosed to the Agency. BBT shall supply the Agency with the above proof of insurance as required upon the signing of this Agreement, but the Agency's failure to demand such proof shall not waive the Agency's rights to such coverage as specified herein. BBT agrees to provide the Agency with an Endorsement Certificate and a Certificate of Liability Insurance naming the Agency as an Additional Insured in Regard to Liability as required by written contract.

9. BBT shall indemnify, defend, and hold the Agency, its affiliates, officials, boards, members, employees, agents, guests, and assigns harmless from any and all claims, demands, causes of action, losses, damages, fines, penalties, liabilities, costs, and expenses, including reasonable and actual attorneys' fees sustained or incurred by or asserted against the Agency by reason of, or arising out of, any services provided under this Agreement and any negligence or breach of duty related thereto by BBT or any of its employees. The Indemnity obligations of BBT under this Agreement shall continue in full force and effect subsequent to and notwithstanding the expiration or termination of this Agreement. Nothing in this section shall be construed or interpreted as a waiver of sovereign immunity beyond the applicable waiver provided by Florida law.
10. This agreement shall be for a term of one (1) year from April ____, 2013 to March 31, 2014. Either the Agency or BBT may terminate this agreement for any reason upon notice in writing to the other party at least thirty (30) calendar days prior to the end of its term.
11. It is specifically agreed between the parties executing this Agreement that it is not intended by any of the provisions of this Agreement to create in the public or any member thereof, third party beneficiary status in connection with the performance of the obligations herein without the written consent of the Agency and notwithstanding its concurrence in or approval of the award of any contract or subcontract or the solicitation thereof in fulfilling the obligations of the Agreement.
12. By entering into this contract, the Agency and its officials, board members commissioners do not waive sovereign immunity, do not waive any defenses and do not waive any limitations of liability as may be provided for by law. No provision of this contract modifies and / or waives any provision of the sovereign immunity statutes.
13. If any term or other provision of this Agreement is determined to be invalid, illegal or incapable of being enforced by any rule or law, or public policy, all other conditions and provisions of this Agreement shall nevertheless remain in full force and effect so long as the economic or legal substance

of the transactions contemplated hereby is not affected in any manner materially adverse to any party. Upon such determination that any term or other provision is invalid, illegal or incapable of being enforced, the parties hereto shall negotiate in good faith to modify this Agreement so as to effect the original intent of the parties as closely as possible in an acceptable manner to the end that transactions contemplated hereby are fulfilled to the extent possible.

14. This Agreement shall be governed, interpreted, construed, enforced and regulated by the laws of the State of Florida applicable to contracts made and to be performed in such State without giving effect to the principles of conflicts of law.

15. This Agreement shall be binding upon the parties. In the event of such early termination, all contract fees and charges incurred through the effective date of the termination shall be payable in accordance with the terms of this Agreement. In the event of such termination, neither party shall be liable for any damages, penalties, contract termination expenses of any nature. In the event of a conflict between this clause and any other clause of this Agreement, this clause shall control.

IN WITNESS WHEREOF THE PARTIES DO HEREUNTO SET THEIR HANDS on the date first written above:

BIG BEND TRANSIT, INC.

GADSDEN COUNTY BOARD OF COUNTY COMMISSIONERS

Dino J. Kaklamanos, General Manager

THE CITY OF QUINCY, a Florida Municipal Corporation

ATTACHMENT 2
CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST

MEETING DATE: March 12, 2013

DATE SUBMITTED: March 8, 2013

TO: Honorable Mayor and Members of the City Commission

FROM: Jack L. McLean Jr., Manager, City of Quincy
Bernard O. Piawah, Director, Building and Planning

SUBJECT: Rehearing of the Request to fund the Big Bend Quincy In-Town Bus Shuttle

Statement of Issue

This is a rehearing on the request for funding of the In-Town-Quincy bus shuttle that was presented to the City Commission on January 23, 2013. A similar rehearing took place on February 26, 2013, during which the Commissioners debated the merit of continuing the funding of the bus shuttle. However, no conclusion was reached. Subsequently, on Tuesday March 5, 2013, a similar request for funding of the shuttle was presented to the Gadsden County Board of County Commissioners and they voted to fund their own share of the cost of running the shuttle provided the City of Quincy equally votes to fund its own share of the cost. In light of the County's vote to fund the shuttle, the City's staff has decided to bring the agenda item back to the Commission for reconsideration. Attached to this memorandum is the original agenda item of January 23, requesting for funding for the In-Town-Quincy bus shuttle.

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
MARCH 12, 2013
6:00 P.M.

The Quincy City Commission met in regular session Tuesday, March 12, 2013, with Mayor Pro-Tem Commissioner Dowdell presiding and the following present:

Mayor Commissioner Angela G. Sapp (absent)
Commissioner Larry D. Edwards
Commissioner Gerald A. Gay, III
Commissioner Derrick D. Elias

Also Present:

City Manager Jack L. McLean Jr.
City Attorney Larry K. White
City Clerk Sylvia Hicks
Police Chief Walt McNeil
Acting Fire Chief Scott Haire
Finance Director Theresa Moore
Customer Service Director Ann Sherman
Utilities Director Mike Wade
Planning Director Bernard Piawah
Account Control Analyst Catherine Robinson
Information Technology Director John Thomas
CRA Director Charles Hayes
Executive Assistant to the City Manager, Cynthia Shingles
Acting Human Resources Director Bessie Evans
Public Works Director Willie Earl Banks, Sr.
Code Enforcement
Sergeant At Arms Glenn Sapp

Guest Present:

Gadsden County Board of Commissioner, Sherrie Taylor
Gadsden County Board of Commissioner, Eric Hinson

Call to Order:

Mayor Pro-Tem Commissioner Dowdell called the meeting to order, followed by invocation (Lord's Prayer) and the Pledge of Allegiance.

Commissioner Edwards made a motion to excuse Mayor Sapp. Commissioner Elias seconded the motion. The ayes were unanimous.

Approval of Agenda:

Commissioner Elias made a motion to approve the agenda with the following: Commissioner Elias stated Under Discussion(s) the item should have read Traffic Calming Devices: Commissioner Gay seconded the motion. The ayes were unanimous.

Approval of Minutes:

Commissioner Gay made a motion to approve the February 26, 2013 regular meeting minutes with any corrections if necessary. Commissioner Edwards seconded the motion. The ayes were unanimous.

Public Hearings, Ordinances, Resolutions and Proclamations:

At a public hearing, Commissioner Edwards made a motion to read Ordinance No. 1050 (Traffic Infraction) by title only. Mayor Pro-Tem Commissioner Dowdell seconded the motion. Upon roll call by the Clerk, the ayes were Commissioner Edwards and Mayor Pro-Tem Commissioner Dowdell. The motion did not pass. There were no comments from the audience.

At a public hearing, Commissioner Elias made a motion to read Ordinance No. 1051 (Amending Chapter 10 Animals) by title only. Commissioner Gay seconded the motion. Upon roll call by the Clerk, the ayes were Commissioners Elias, Gay, Edwards, and Dowdell. The Clerk read the title as follows:

AN ORDINANCE AMENDING CHAPTER 10 OF THE QUINCY CODE OF ORDINANCES TO ADD A NEW INTRODUCTORY LANGUAGE TO DEFINITIONS SECTION; TO NUMBER THE EXISTING DEFINITIONS 1 THROUGH 18 AND TO ADD NEW DEFINITIONS NUMBERED 19 THROUGH 24; TO ADD SECTION 10-5.5 ESTABLISHING REQUIREMENT FOR THE PROPER REMOVAL AND DISPOSAL OF ANIMAL WASTE IN THE CITY OF QUINCY; TO PRESCRIBE PENALTIES FOR FAILURE TO COMPLY; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR CODIFICATION AND PROVIDING AN EFFECTIVE DATE.

There were no comments from the audience. Commissioner Elias made a motion to approve Ordinance No. 1051 on first reading. Commissioner Edwards seconded the motion. Commissioner Elias asked what mechanisms are in place for enforcement. City Manager McLean stated Code Enforcement and the Police Department are the enforcing agents as described in the ordinance. Upon roll call by the Clerk, the ayes were Commissioners Elias, Gay, Edwards, and Dowdell. The ayes were unanimous.

Mayor Pro-Tem Dowdell read the following Proclamation Military Family and Community Covenant Day

**CITY OF QUINCY, FLORIDA
PROCLAIMS APRIL 17, 2013 AS
MILITARY FAMILY AND COMMUNITY COVENANT DAY**

WHEREAS, for more than 230 years, individuals from all walks of life have taken up arms and sworn an oath to support and defend the principles upon which our country was founded; and

WHEREAS, whether serving at home or abroad, Florida's active duty reserve and National Guard military and civil servants, protect our homeland, respond to national disasters, assist humanitarian emergencies and protect against all threats foreign and domestic; and

WHEREAS, created in 2008, the United States Army Community Covenant program was designed to foster and sustain effective state and community partnerships with all of the armed services, improving the quality of life for service men and women and their families; and;

WHEREAS, the State of Florida has conducted a state-wide community covenant signing ceremony; and

WHEREAS, community support is essential to the readiness of the military and contributes to strengthening the resilience of U.S. military personnel; and

WHEREAS, Americans recognize that military personnel and their families make considerable sacrifices as they defend the Nation, as multiple long deployments, frequent moves, and visible/invisible wounds of war are a few of the unique stresses military families face; and

WHEREAS, today, Floridians support service members, veterans, and their families by stepping forward to help mitigate stresses associated with military life while also striving to inspire their fellow Americans to continue to recognize and support military and veteran families in their communities.

NOW, THEREFORE, BE IT RESOLVED that the City of Quincy hereby proclaims April 17, 2013 as

MILITARY FAMILY AND COMMUNITY COVENANT DAY

and hereby express their unwavering support and admiration to all current and former military personnel for their true and faithful service and further recognize the tremendous sacrifices of their families.

BE IT FURTHER RESOLVED that the City of Quincy, Florida through the Florida Military Family and Community Covenant and Operation Strong Families, accepts the call to action to support and honor all service members, veterans and their families, past and present.

DULY ADOPTED AND PROCLAIMED this 12th day of March 2013.

Mayor Pro-Tem Dowdell asked all the Veterans in the Audience to stand and introduce themselves.

Presentation(s):

Citizens to be Heard:

Bishop Sylvester Robinson of St. Mark Primitive Baptist Church came before the Commission to request that they approve the funding for the Quincy Shuttle. He conveyed to the Commission three (3) points **1) Transportation 2) Education 3) Economic Development.** He stated without some kind of transit system, there is no economic growth and no one can get around to spend any money. He also stated the churches can get involved in assisting with transportation.

Mr. Arnold Hankerson of 209 South Love Street came before the Commission to inform them that no one had contacted him to discuss his utility bill. Ms. Sherman stated that she had spoken with Mr. Jones to do an energy audit on Mr. Hankerson's house and informed him that it is urgent. She also stated that she had a wrong number of Mr. Hankerson. Ms. Sherman informed the Commission that she had removed the penalties from his bill. The Manager stated that he would meet with Mr. Hankerson at 9:00 a.m., Wednesday, March 13, 2013. Commissioner Edwards asked just what will the audit show. Ms. Sherman stated it will show the following: type of heat used, gas malfunctions, water leakage, bad meter and will show if the City needs to correct something on our side. Commissioner Gay stated the bill seems to be excessively high and asked if his old meter could be tested. Commissioner Elias stated this should not take two (2) weeks.

Ms. Vivian Howard of 805 South Virginia Street came before the Commission to discuss Traffic Infraction Detectors. The Manager apologized to Ms. Howard regarding a phone call he stated that Ms. Howard had not made to him, he stated that he checked his messages at the office phone but in reality Ms. Howard had called his cell phone, therefore he publicly apologized.

Ms. Denise Pouncey Hannah of 714 North 9th Street came before the Commission to ask if the street sweeper is working because it had not been on her street in three weeks. Ms. Hannah asked the City for a records request in January and had not received the documents. She stated she spoke with the Finance Director to make sure she understood exactly what she was looking for on a particular line item. The document she received was not what she requested. Ms. Hannah's request was that two Commissioners went on a trip. The Manager stated that Commissioner Dowdell went to Orlando for a Florida League of Cities Conference and the Mayor went to Washington, D.C. for an Inaugural Meeting and was given \$500.00 for expenses. Commissioner Elias stated that we adopted a policy that all travel must come before the Commission for approval. Commissioner Edwards stated that he thought it was for employees but we should have a policy. Mayor Pro-Tem Dowdell stated that he refuse to announce that he will be out of town because his house was broken in. The Clerk was asked to pull the minutes regarding the approval of travel.

Consent Agenda:

Discussion(s):

Rehearing of the Request to Fund the Big Bend Quincy In-Town Bus Shuttle

Ms. Sherrie Taylor of 217 West Clark Street came before the Commission to urge them to support funding for the Quincy Shuttle. Ms. Taylor thanked the Commission for giving her the opportunity to speak to them and stated this is a positive move, the County voted at their last meeting to approve the funding. Ms. Taylor also had several supporters of the Quincy Shuttle in the audience. She reported to the Commission that the Gadsden County Board of County Commission approved a motion to support the funding in the amount of \$36,000. She stated the importance of transportation and it will never be self supportive because it serves the handicap and disadvantage. Mayor Pro-Tem Dowdell stated he and the Manager met with the Director of Transportation for the Gadsden County School Board and several options were discussed: such as dedicated bus, City can purchase a bus from the School Board. Commissioner Elias asked the Manager where the funds were coming from, he replied from the repayment from CRA. Commissioner Elias stated he would support it for one more time and to make sure we come up with something that is more viable. Commissioner Edwards stated one of his constituents said that the shuttle bus is his only means of transportation to the doctor, grocery store, and etc. Commissioner Gay stated we can purchase a bus and a driver if the City and County pool the \$36,000, we need to be financially responsible. Commissioner Edwards made a motion to approve the request to fund the Quincy Shuttle for one (1) year from April 2013 until March 2014 in the amount of \$36,000. Commissioner Elias seconded the motion. The ayes were Commissioners Elias, Edwards, and Dowdell. Nays were Commissioner Gay. The motion carried.

Speed Calming Devices at Tanyard Creek Park

Commissioner Elias made a motion to approve installing speed calming devices in Tanyard Creek Park. Commissioner Gay seconded the motion. The ayes were Commissioner Elias and Gay. Nays were Commissioners Edwards and Dowdell. The motion ended in a two – two vote (died).

Amendment to the Code to require utility connection for inhabitant structures

Bernard Piawah, Director of Building and Planning presented to the Commission draft language to clarify the City's code that will facilitate the enforcement of situations where a structure is occupied that does not have utilities. The language reads as follows: A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises that does not comply with this section. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, toilet, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely and free from defects and leaks and in order to ensure that structures are safe, sanitary and fit for human occupation and use. A dwelling must have running water in order to live in.

Commissioner Edwards made the motion to direct staff to advertise the proposed ordinance. Commissioner Gay seconded the motion. The ayes were unanimous.

Purchasing Card Policy Amendment - Section 7

City Manager McLean reported to the Commission that based on review of activity on the purchasing card since June 12, 2012, Staff noted that innocence/non-intentional violation of Section 7 would lead to employment termination. Section 7 allows an employee who spends \$40.00 or less on a disallowed item to reimburse the City and receive a written reprimand. If the \$40.00 limit is exceeded, the employee must be discharged even though the use of the card for the disallowed item may be inadvertent, unwittingly or unintentional. City Manager McLean stated he brought the policy back to the Commission because it was too stringent thus provided the following changes: 1st occurrence of misuse or abuse – written reprimand, 2nd occurrence of misuse or abuse – suspension without pay, and 3rd occurrence of misuse or abuse – dismissal or forfeiture of office. Commissioner Elias made a motion to leave the policy as it. Commissioner Gay seconded the motion. Commissioner Gay stated if the person self reports the incident immediately and repay the funds, he did not have a problem with the change. The ayes were Commissioners Elias. Nays were Commissioners Gay, Edwards, and Dowdell. The motion did not carry. The Manager stated he would bring the item back to the Commission.

Reports(s)/Information:

- a. Code Compliance Case Report – Commissioner Gay stated he did not agree with the justification/narrative regarding the house without utilities.
- b. 2012 Power Outage Report – No comments

City Manager's Report(s):

City Manager McLean thanked the Citizens for participating in the following projects; Round-up and Project Help.

City Manager McLean informed the Commission that the new utility bills will be out soon.

City Manager McLean reported that Instant Alert is up and running and it is important that we update everyone's information i.e. telephone numbers, email address and mailing address.

City Attorney Report(s):

City Attorney White reported to the Commission that after researching the legality of withdrawing the RFP for Auditing Services, he found that it is against their general practices to have a RFP out with an ongoing audit. It is unethical according to case study. Commissioner Gay asked at what point we should put the bid out. The Finance

Director stated at the end of the auditing process. Commissioner Elias said make sure you all do not drop the ball on the RFP.

Commissioner Concerns:

Commissioner Elias had the following concerns;

- The back side of Sunnyvale needs to be cleaned up
- Stripping on Martin Luther King Jr. Blvd. near the complex needs to be stripped
- Commissioner Dowdell stated there are also pot holes on MLK at the complex
- G. F. & A Drive on US 90 to Love Street needs to be cleaned up
- Asked if the deposit from the concert had been deposited in the bank. The Finance Director replied, no, we have to set up a separate account.
- Commissioner Elias stated he remembered that all travel by the Commissioners must be approved. The Clerk will search the minutes and report back.
-

Commissioner Gay – None

Commissioner Edwards concerns:

- Asked Mr. Banks if he had taken care of the issue of the trash in the street off Santa Clara
- Commissioner Edwards made a motion to table the red light camera item until the legislature makes a decision. Commissioner Elias seconded the motion. The ayes were unanimous.
-

Mayor Pro-Tem Dowdell concerns:

- Advised the City Manager that he would coordinate a meeting with Mr. Owen Calloway on his utility bill and Mr. Doug Harris regarding the ditch.

Commissioner Dowdell made a motion to adjourn the meeting. Commissioner Edwards seconded the motion, the meeting was adjourned.

APPROVED:

Angela G. Sapp Mayor and Presiding
Officer of the City Commission and of
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

**ATTACHMENT 3
CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

Date of Meeting: February 26, 2013

Date Submitted: February 22, 2013

To: Honorable Mayor and Members of the City Commission

From: Jack L. McLean Jr., City Manager
Bernard O. Piawah, Director, Building and Planning

Subject: Rehearing of the Big Bend Bus Shuttle Status Report and Request for Funding

Statement of Issue

On January 23, 2013, an agenda item was presented to the Commission requesting for additional funding to support the In-Town Big Bend Bus Shuttle in the City of Quincy. The Commissioners indicated that they needed more time to consider the issue and asked that the agenda item be rescheduled for the end of February. Attached is the agenda item of January 23, 2013 for the Commissions' consideration today.

Attachments:

1. January 23, 2013 agenda Item and minutes
2. December 11, 2012 agenda Item and minutes
3. October 15, 2012 Special Meeting minutes
4. March 13, 2012 agenda Item and minutes
5. February 28, 2012 agenda Item and minutes
6. December 13, 2011 Agenda Item and Minutes from Apalachee Regional Planning Council
7. January 23, 2007 minutes

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
FEBRUARY 26, 2013
6:00 P.M.

The Quincy City Commission met in regular session Tuesday, February 26, 2013, with Mayor Commissioner Sapp presiding and the following present:

Commissioner Keith A. Dowdell
Commissioner Larry D. Edwards
Commissioner Gerald A. Gay, III (absent)
Commissioner Derrick D. Elias

Also Present:

City Manager Jack L. McLean Jr.
City Attorney Larry K. White
City Clerk Sylvia Hicks
Police Chief Walt McNeil
Fire Chief Howard Smith
Finance Director Theresa Moore
Customer Service Director Ann Sherman
Utilities Director Mike Wade
Planning Director Bernard Piawah
Account Control Analyst Catherine Robinson
Accountant III Yvette McCollugh
CRA Director Charles Hayes
Executive Assistant to the City Manager, Cynthia Shingles
Acting Human Resources Bessie Evans
Parks and Recreation Director Greg Taylor
Public Works Director Willie Earl Banks, Sr.
Sergeant At Arms Glenn Sapp

Guest Present:

Chairman of Gadsden County Board of Commission, Doug Croley
Gadsden County Administrator Robert Presnell

Call to Order:

Mayor Commissioner Sapp called the meeting to order, followed by invocation and the Pledge of Allegiance.

Commissioner Edwards made a motion to excuse Commissioner Gay. Commissioner Dowdell seconded the motion. The ayes were unanimous.

Approval of Agenda:

Commissioner Edwards made a motion to approve the agenda with the following additions: Public Hearing, Ordinances, Resolutions and Proclamations: 5b Temporary Road Closure for Black History Parade, Presentations: 6b TCBA Watson Rice LLP, Discussions: 8b Traffic Calming Devices and City Manager's Reports: Naming of the Amphitheatre (Carolyn) G. Ford). Commissioner Dowdell seconded the motion. The ayes were unanimous.

Approval of Minutes:

Commissioner Dowdell made a motion to approve the February 12, 2013 regular meeting minutes with any corrections if necessary. Commissioner Edwards seconded the motion. The ayes were unanimous.

Public Hearings, Ordinances, Resolutions and Proclamations:*Resolution Honoring Fire Chief Howard E. Smith*

Commissioner Edwards made a motion to approve a Resolution honoring the Retirement of Howard E. Smith from the City of Quincy. Commissioner Dowdell seconded the motion. The ayes were unanimous.

Resolution Honoring Fire Chief Howard E. Smith

Gadsden County Board of County Commission Chairman Doug Croley came before the Commission and presented to Fire Chief Howard E. Smith a Resolution honoring his retirement after 32 years of service.

Resolution Naming of Fire Station #2

Commissioner Dowdell made a motion to approve Resolution No. 1296-2013 a Resolution Naming Fire Station #2 in honor of Howard E. Smith. Commissioner Edwards seconded the motion. The ayes were unanimous.

Resolution for the Bike Trail

Commissioner Edwards made a motion to approve Resolution No. 1297-2013 a Resolution supporting a bike trail from Quincy to Havana. Commissioner Dowdell seconded the motion. The ayes were unanimous. Mr. Jon Sewell of Kimerly Horn and Associates stated that the trail would promote physical fitness and connect to cities, Havana for its antiques and Quincy for its historic significance. He explained a multi-agency plan to begin a project called Florida Arts Multi-use Bike between Havana and Quincy.

Temporary Road Closure

Commissioner Edwards made a motion to approve the temporary road closure for the Black Heritage and Culture Parade on March 2, 2013. Commissioner Dowdell seconded the motion. The ayes were unanimous.

Presentation(s): None

Audit Presentation Watson Rice LLP

Ms. Geri LaZarre of TCBA Watson Rice LLP came before the Commission with a report regarding our auditing services for the fiscal year ending September 30, 2012. She stated the scope of work to be performed will be the following: Basic Financials of the City, CRA and Landfill audit. Ms. LaZarre reported that Watson Rice will make monthly reports to the Commission. She also presented to the Commission the following timing of the Audit:

- 1/18/2013: Pre-audit letter issued to management
- 3/2013: Interim review of internal controls
- 4/22/2013: Receipt of all pre-audit items
- 5/6/2013: Start of fieldwork
- 5/24/2013: Exit conference
- 5/24/2013: Basic financials to management
- 5/31/2013: Receive draft CAFR from management
- 6/7/2013: Review with management
- 6/2013: Review with Commission

Ms. Lazarre informed the Commission that a RFP can't be out while an audit is in process.

Citizens to be Heard:

Ms. Denise P. Hannah of 704 South 9th Street asked for a schedule of the street sweeper and the pickup of yard trash for her district. The Manager stated the schedule is on the web site. Mr. Banks, Public Works Director stated that Monday and Tuesday pickup on the south side of the City and Wednesday and Thursday pickup on the north side and Friday's missed streets.

Mr. Arnold Hankerson of 209 South Love Street came before the Commission to discuss his high utility bill. He stated that since the smart meter was installed his utilities keep going up and he is only at his house 12 to 15 days out of the month. He stated he had been over to Customer Service requesting an energy audit. The Mayor advised Mr. Hankerson to get with Ms. Sherman, Customer Service Director.

Ms. Vivian Howard of 805 South Virginia Street came before the Commission to discuss the lack of customer service regarding the following items: notification of barricades. She indicated that she would like to be informed of any detours in her neighborhood. Ms. Howard stated that we have two Attorneys that sits on the Board and why they did not know that we could not put out a RFP with an ongoing audit. Ms. Howard praised

the staff for its work in preventing flooding of her neighborhood, saying that the City Manager probably didn't return her call because he thought I was going to complain.

Owen Calloway came before the Commission with a complaint regarding his utility bill and that he had been away for eight months. He stated he called the Manager and came by several times to see him but did not see him. Mayor Sapp asked Commissioner Dowdell, since Mr. Calloway is his constituent, if he would set up a meeting with the Manager, he agreed.

Consent Agenda: None

Discussion(s):

Proposed Ordinance to amend Chapter 10 relating to Animals to add a Requirement Regulating Pet Waste

Commissioner Dowdell had a concern with the registration of dogs and who is the enforcement authority. The Manager stated we have an inter-local agreement with the County for animal control and in the past had sent out letters to all the veterinarians informing them of the required registration of pets. Commissioner Dowdell asked the Clerk the number of registrations that was issued this pass year. She replied four (4). Commissioner Edwards made a motion to authorize the Attorney to proceed with the advertising of the proposed ordinance regarding Pet Waste. Commissioner Elias seconded the motion. The ayes were Commissioners Edwards, Elias and Sapp. Nay was Commissioner Dowdell. The motion carried.

Rehearing of the Big Bend Bus Shuttle Status Report and Request of Funding

Commissioner Elias reported to the Commission that Big Bend Transit is only interested in operating the service, he stated it is not cost effective for the City to continue pouring money into this service and only a few is benefiting. Commissioner Elias stated that the grant was for startup and had a shelf life of three (3) years and there are no federal dollars to continue the shuttle. He stated that according to Big Bend Transit, it cost \$83,000 to operate the shuttle with the following breakdown: \$12,000 from ridership \$36,000 from both the City and County. Commissioner Dowdell stated he would hate to see the service be discontinued and suggested he meet with the Director of Transportation of the Gadsden County School Board to see could they work something out. It was also suggested that the City and County meet jointly to discuss the matter. Commissioner Mayor Sapp stated that she want the see the service continued. Elias made a motion to authorize Commissioner Dowdell to meet with the Transportation Director. Commissioner Dowdell seconded the motion. The ayes were unanimous.

Traffic Calming Devices at Tanyard Creek Park

Commissioner Elias stated we need to be proactive and add the speed calming devices in the park for the protection of children, we don't need to wait until an incident happen before we take action. Police Chief McNeil stated he has not observed any speeding in the park and therefore, conditions do not warrant the speed

humps. Mayor Sapp asked the Chief to get a price on the speed strips. Commissioner Elias made a motion to install the speed calming device in the park. Commissioner Dowdell seconded the motion. The ayes were Commissioners Elias and Sapp. Nays were Commissioner Dowdell and Edwards.

Reports/Information:

Quincy Fire Department Monthly Report

Financial Report as of January 31, 2013/P-Card Statement

Ms. Denise P. Hannah had questions as to the line item on the Commissioner Budget (other operating expenses and travel), she asked for details. She also stated that \$3,700 is a lot of money for a float. Ms. Moore, Finance Director stated that she did not have the detail and would get back with her. Ms. Hannah asked if justification for travel had to be pre-approved.

City Manager's Report:

City Manager McLean stated that instant alert is to let the citizens know what is going on in the community. He stated we had significant rainfall approximately 10" from Friday until Tuesday and thanked the Departments and staff for all the work they did during and after the rainfall. He informed the Commission that Public Works did an awesome job and we will have a supply of sand bags located at our substation on Martin Luther King. City Manager McLean informed the Commission of several places over the City that had damage due to the significant rainfall (sidewalk damage in Crawford and Key Streets) and sinkhole damage at (G.F. & A Drive and Valley Drive). The Manager stated that the wastewater treatment plant flooded and the Department of Environmental Protection was notified of the flooding. City Manager McLean reported that Police Chief McNeil was featured on PBS. City Manager McLean reported that we have planned a Dedication Ceremony for The Amphitheatre in honor of former Mayor Commissioner Carolyn G. Ford at 4:30 on February 28, 2013.

City Attorney's Report: None

Commissioners Report(s):

Commissioner Elias had the following concerns:

- Manager not returning calls.
- Thanked the Fire Department for the quick response to the fire on Love Street.
- Traffic Calming devices on Love Street.
- Concert at Tanyard Creek regarding traffic, make sure the traffic stays out of Sunset Acres.
- Traffic Calming Device item should be placed on the agenda for the next meeting.
- Cameras in the park – Manager stated the cameras are to assist Law Enforcement.

Commissioner Dowdell – None

Commissioner Edwards had the following concerns:

- Thanked Fire Chief Howard Smith for years of dedicated service to the City
- Thanked the Recreation Director
- Joe Ferolito will have a birthday party at the Ferolito Center on Sunday, March 3, 2013 from 1:00 p.m. to 4:00 p.m.

Mayor Sapp concerns:

- Thanked all the departments for keeping our streets/City clean and safe during our disaster
- The Public Works maintenance schedule is on the website
- Asked the Manager if the cleanup at Tanyard is in compliance with DEP regulations. The Manager stated we are in compliance with DEP regulations.
- Reminded everyone of the dedication ceremony on Thursday, February 28, 2013 at 4:30 at Tanyard Creek Park

Commissioner Dowdell made a motion to adjourn the meeting. Commissioner Edwards seconded the motion, the meeting was adjourned.

APPROVED:

Angela G. Sapp Mayor and Presiding
Officer of the City Commission and of
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

**ATTACHMENT 4
CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

Date of Meeting: January 23, 2013

Date Submitted: January 16, 2013

To: Honorable Mayor and Members of the City Commission

From: Jack L. McLean Jr., City Manager
Bernard O. Piawah, Director, Building and Planning

Subject: Big Bend Bus Shuttle Status Report and Request for Funding

Statement of Issue

On September 30, 2012, the contract with Bid Bend for their In-Town Quincy service ended. Subsequently, the City and County asked Big Bend to continue the service based on a new fare and schedule, and for project cost of \$72,000.00 of which \$18,000.00 will come from the City, \$18,000.00 from the County and \$36,000.00, from the fare collected. According to Big Bend, that money will only provide service up to the end of February. Giving that circumstance and reduction in trip ridership and the 5-day work-week versus 4 days, after February 28 the bus shuttle service in the City of Quincy will end unless the City and County enter into a new contract with Big Bend to continue the service for the remainder of the year. The overall cost of operating the shuttle for the year on a 5-day schedule from 8:30 a.m. to 2:30 p.m. is \$82,000.00.

Background

Big Bend Transit, Inc. provides bus shuttle service in Gadsden County. Among the services they offer is the Quincy In-Town Bus service which provides service along a fixed route within the City of Quincy. The City as well as the County contributes annually to the operation of the Quincy Shuttle. On September 30, 2012, the contract with Bid Bend for the service ended. Subsequently, the City and County asked Big Bend to continue the service based on a new fare and schedule, and for project cost of \$72,000.00 of which \$18,000.00 will come from the City, \$18,000.00 from the County and \$36,000.00, from the fare collected. Prior to November 1, 2012, the fare was \$1.00 per trip and the time of operation was from 8:30 a.m. to 6:00 p.m. and generated \$12,000.00 from fare collected. Beginning on November 1, 2012, the fare became \$2.50 per trip and the time of operation was changed: instead of running from 8:30 a.m.

to 6:00 p.m, it now runs from 8:30 a.m. to 2:30 p.m. and generated about \$12,000.00 as well.

Service Continuation and Additional Funding

Following the change in fare in November 2012, the ridership decreased; however, the total fare collected remained about the same as before the change. Nevertheless, the fare collected for the month does not cover the cost of operating the shuttle for one month. In November, for example, the operating cost was \$6,851 while the fare collected was \$1,107.00 the difference is then covered by the contribution from the City and County. Based on that rate of spending, as of today, there is only about \$10,919.00 from the County and City coffers respectively to cover the cost of operating the shuttle. By the end of February the \$36,000.00 from the City and County would finish. In order to cover the cost of operating the bus service for the rest of the year, the City and County will need to appropriate an additional \$17,000.00 respectively for the service. Thus, for the future operation of the shuttle the City Commission needs to approve the expenditure of this additional money.

Also, in order to increase ridership, the fare is proposed to be changed from \$2.50 to \$1.75 and the route to be expanded to include Gretna, and St. Johns, or Midway. The expansion of coverage to these new areas and the elimination of non-effective routes are expected to generate more ridership and greater commercial activity in Quincy without an increase in the \$82,000.00 cost of operations.

Conclusion

The Big Bend In-Town Quincy shuttle provides an essential service that addresses the transportation needs of a particular segment of the population (mostly the elderly). Users of this service have become reliant on it for grocery shopping, doctor's visit and the payment of bills. The City's staff believes that it is an important service to the community and is recommending that the service be continued.

Options

- Option 1: Vote to approve the continuation of the Big Bend In-Town bus shuttle in the City of Quincy for the remainder of the year and appropriate money to pay for it.
- Option 2: Do not vote to approve the continuation of the Big Bend In-Town bus shuttle in the City of Quincy.

Staff Recommendation

Option 1

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
JANUARY 23, 2013
6:00 P.M.

The Quincy City Commission met in regular session Wednesday, January 23, 2013, with Mayor Commissioner Sapp presiding and the following present:

Commissioner Keith A. Dowdell (Absent)
Commissioner Larry D. Edwards
Commissioner Gerald A. Gay, III
Commissioner Derrick D. Elias

Also Present:

City Manager Jack L. McLean Jr.
City Attorney Larry K. White
City Clerk Sylvia Hicks
Police Chief Walt McNeil
Fire Chief Howard Smith
Finance Director Theresa Moore
Customer Service Director Ann Sherman
Utilities Director Mike Wade
Planning Director Bernard Piawah
Account Control Analyst Catherine Robinson
CRA Director Charles Hayes
Acting Human Resources Director Bessie Evans
Accountant III Yvette McCullough
Public Works Director Willie Earl Banks, Sr.
Sergeant At Arms Assistant Chief Glenn Sapp

Call to Order:

Mayor Commissioner Sapp called the meeting to order, followed by invocation (Lord's Prayer) and the Pledge of Allegiance.

Commissioner Edwards made a motion to excuse Commissioner Dowdell. Commissioner Gay seconded the motion. The ayes were unanimous.

Approval of Agenda:

Commissioner Gay made a motion to approve the agenda. Commissioner Edwards seconded the motion. The ayes were unanimous.

Approval of Minutes:

Commissioner Gay made a motion to approve the January 8, 2013 regular meeting minutes with any necessary corrections. Commissioner Edwards seconded the motion. Commissioner Elias stated that the Commission did not approve the Public Records Request Policy and should be brought back to the Commission. The Mayor said to schedule the policy for adoption. The ayes were unanimous.

Public Hearings, Ordinances, Resolutions and Proclamations:

Presentation(s): None

Citizens to be Heard: None

Consent Agenda: None

Discussion(s):*FDOR Stipulation Agreement*

Finance Director Theresa Moore presented to the Commission a Stipulation Agreement from the Department of Revenue. She stated the stipulation agreement negotiated with the FDOR for 2006 audit of the Sales and Use Taxes included a balloon payment of \$174,208, which was further reduced to \$162,146 due to payment made while negotiating the stipulation agreement for FDOR. The balloon payment came due in August 2012. In addition, FDOR concluded its second audit of the Sales and Use Taxes for 2010. This audit resulted in an assessment of \$139,938 in tax liability. Staff requested that the assessment associated with these two audits be combined in one new stipulation agreement. She also stated as a corrective action, we have implemented to ensure that these issues have been adequately addressed. Staff has been proactive by engaging FDOR to provide their perspective when reviewing taxpayer's records. Commissioner Gay asked what the driving force behind the audit was. The Finance Director stated that the tax exemption certificates. The Attorney stated that he reviewed the agreement and suggested the following statement be removed: "I understand that by signing this agreement I am personally liable for tax, penalty and interest that will become due for the twelve months following the date of the execution of this agreement." Commissioner Edwards made a motion to approve the stipulation agreement with the modification as suggested by the Attorney. Commissioner Gay seconded the motion. The ayes were Commissioners Edwards, Gay, and Sapp. Nay was Commissioner Elias. The motion carried.

Big Bend Bus Shuttle Report and Request for Funding

Building and Planning Director Bernard Piawah stated that Big Bend Transit, Inc provides shuttle service along a fixed route within the City. The shuttle provides an essential service that addresses the transportation needs of a particular segment of the population (mostly the elderly). Users of this service have become reliant on it for grocery shopping, doctor's visit and the payment of bills. The City as well as the County

contributes annually to the operation of the Quincy Shuttle. On February 28, 2013, the bus shuttle service in the City of Quincy will end unless the City and County enters into a new contract with Big Bend to continue the service for the remainder of the year. Commissioner Elias stated that according to the documents presented to them at the last meeting regarding small vendor payments, we still owe them quite a bit of money. The Manager stated we have paid them since that report was issued. Commissioner Gay made a motion to table the item until the February 26, 2013 meeting, after Commissioner Elias meets with the Transportation Disadvantage Coordinating Board. Commissioner Elias seconded the motion. The ayes were unanimous.

Report(s)/Information:

FY2012 Audit Pre-Audit List

Finance Director Theresa Moore presented to the Commission the FY2012 Audit-Pre-Audit list and stated that the Commission will be kept informed regarding the status of the audit, including preparation of the items on the auditor's pre-audit list. Staff and the external auditor have agreed to a tentative date of May 22, 2013 as the targeted date for completion of the FY2012 audit report, with June 22, 2013 as the final date of issuance of the FY2012 audit report. She also stated that Mr. Thompkins will be here once a month to update the Commission. Commissioner Elias asked the status of the RFP for the Audit. Ms. Moore apologized for not getting the RFP out and stated she would have it out at the end of the week.

Quincy Fire Department Monthly Activity Report

The Quincy Fire Department Monthly Activity Report was presented to the Commission and there was no questions regarding the report.

Financial Report/P-Card Statement

Finance Director Theresa Moore presented to the Commission the Financial Report/P-card Statement for December 2012. Commissioner Gay asked if we are monitoring our KWH sales, the City Manager stated we are monitoring the KWH sales and is \$158,000 to the good. Finance Director Theresa Moore introduced the Accountant III, Ms. Yvette McCullough.

City Manager's Report:

Willie Earl Banks, Public Works Director came before the Commission to inform them of the annual Relay for Life breakfast to be held at the Joe Ferolito Center on Friday, February 1, 2013 from 6:00 am until 10:00 am.

Ann Sherman, Customer Service Director reported to the Commission that the total contributions received from Capital Area Community Action in 2011 were \$183,918.72 and serving 717 customers, and 2012 were \$120,535.79 serving 587 customers. She also reported the contributions from Gadsden Senior Services for 2011 were \$23,314.34 serving 69 customers and in 2012 was \$11,429.68 serving 43 customers.

Ms. Sherman reported that the roundup letters did not go out as planned because they had to clean up some addresses in the system but they will get them out as soon as possible. She reported that point and pay was very well received and the new bills will go out on February 28th. City Manager McLean thanked our customers for the collection rate.

Attorney's Report:

Attorney Larry White reported to the Commission that the Eaton trial is scheduled for April 10, 2013.

Commissioner's Reports:

Commissioner Edwards requested an update on the Historic Preservation Grant for the Police Station. Police Chief Walt McNeil stated that Ms. Regina Davis is an optimist and is continuing to collect support letters. He stated the application will probably be reviewed in March.

Commissioner Edwards requested an update on the Code Enforcement violation located at 508 Rosewood. Building and Planning Director Bernard Piawah stated the Magistrate held a meeting and the property owner was given 30 days to bring the violation into compliance. She had already corrected some of the issues in the backyard. There was no law enforcement issue at the property and she pledged to do what she had to do to be in compliance with the law.

Commissioner Elias stated that since we are having a mild winter what impact that would have on our revenues. City Manager McLean stated we are basing our estimated revenues to actual sales and reduce KWH sales to match our revenues.

Commissioner Elias stated that Mr. Scott of Senior Citizens is requesting a letter from the City regarding the funds the City donated to them during the budgeting process. The letter should state once the City releases the funds they can administer them as they deem necessary.

Commissioner Elias reported that people are bringing their dogs to the park and our children are playing and he thinks that is a safety issue. He stated that he observed a large Doberman and had seen some Pit Bulls at Tanyard Creek.

Commissioner Elias stated that we need an ordinance to band dogs in the park because they do their business and children play in the park, this is a health and safety issue. We need a poop & scoop ordinance for dogs in general whether in the park or on the streets. The Manager stated we have a Park Ranger and he would be monitoring the situation.

Commissioner Elias asked if the City had taken care of the issue on G.F. & A. Drive. The Public Works Director replied yes they had taken care of the issue.

Commissioner Elias requested a report on Smart Grid Finances. Commissioner Elias requested that the P-card statement he receives is not redacted.

Commissioner Gay asked could someone live in a house that does not have utilities. The City Manager stated to make sure, he would check the policy and get back with them.

Mayor Sapp stated that people are parking along the west side of the fence on Tanyard Creek.

Commissioner Elias asked the status of traffic calming devices in Tanyard Creek Park.

Mayor Sapp stated that the paint on the tennis court is peeling.

Adjournment:

Commissioner Edwards made a motion to adjourn the meeting. Commissioner Gay seconded the motion. The meeting was adjourned.

APPROVED:

Angela G. Sapp, Mayor and Presiding
Officer of the City Commission and of
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy and
Clerk of the City Commission thereof

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-MW-11-01	<p>During the course of the audit we noted that there was a lack of segregation of duties between the recording, authorization, custody, and reconciliation of transactions in the financial accounting and human resources functions. Current processes are subject to override due to lack of restriction of access control in the Finance Department.</p> <ul style="list-style-type: none"> Reconciliation, authorization, recording, and custody can be maintained by one individual. Finance department has access to HR Master files and possesses the ability to make changes in HR and process payroll. 	<p>A system of internal control should serve to prevent fraud and error which is a key concept of internal control. No individual should be in a position to both perpetrate and conceal irregularities. As such, functions that should be separated include custody, authorization, recording, and reconciliation.</p>	<p>Lack of segregation of duties can cause error and fraud within the City's operations and financial reporting capacities.</p>	<p>The condition is said to be caused by the lack of staff and appropriate training within the Finance Department. Additionally, not implementing operational segregations through the Information Technology department; i.e., creating separate levels of access and authority for the Human Resources and Finance Dept. properly applying systematic controls</p>	<p>We recommend that the City perform an overall risk assessment to evaluate the internal control structure currently in place and develop the proper necessary compensating controls. Segregation of duties between Finance and HR should be implemented immediately and finance staff should be required to participate in regular trainings including those specifically related to governmental accounting regulations and control and compliance standards.</p>	<p>Management does not concur. Within the next 30 days, Information Technology will set levels of access and authority to implement systematic controls for segregation of duties for both the Human Resources and Finance Dept. These will be submitted to our external auditors for review to ensure that segregation of duties issue is adequately addressed. Additionally, we will request that our external auditor submit a copy of the report of their review of the IT controls which was completed during a prior audit.</p>	<p>30 day activity related to master file has been completed.</p> <p>Compensating controls are and have been in place within ADG to address segregation issues when they occur, including the use of a system generated audit trail report which details all activity performed by user ID.</p> <p>Completion of system controls noted additional improvements which will be made to address this issue.</p>	<p>Information Technology Staff and Finance</p>	<p>Completed 1/31/2013</p>
IC-MW-11-02	<p>During the course of the audit we noted that the City does not follow a process of monitoring of account balances on a regular basis. The majority of accounts, including several with significantly material balances had not been reconciled or recorded more than nine months after</p>	<p>In accordance with the Committee of Sponsoring Organizations (COSO) framework, and effective control over financial reporting it is necessary that account balances be monitored, reconciled, and recorded on an ongoing basis</p>	<p>The ability of the City to prevent material misstatements, errors, and fraud in financial statements is compromised if the accounts are not properly monitored throughout the</p>	<p>Per discussion with management, this is due to the limited resources available in the finance department.</p>	<p>We recommend that the City implement and adhere to a process whereby all accounts are reviewed and reconciled each month. On a regular basis, not less than quarterly, interim financial statements should be provided to the City Commission in a similar presentation to the audited year-end</p>	<p>Management concurs with the reconciliation of accounts on a monthly basis and suggests the following:</p> <ul style="list-style-type: none"> Assign task for less complex reconciliations to Account Control Specialist and require completion and review by Accountant no 	<p>Management recently hired (Jan 14, 2013) additional staff (Accountant III) in the Finance department. The Accountant III is currently undergoing training and will be responsible for reconciling all utility related accounts in the</p>	<p>Finance Staff (Accountant III, Account Control Specialist and Finance Director)</p>	<p>4/5/2013</p>

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	<p>year end. Journal entry testing also revealed that several entries were not posted accurately and timely.</p>	<p>throughout the year.</p>	<p>year.</p>		<p>financial statements</p>	<p>more than 20 days after end the period being reconciled; i.e., single bank account to single general ledger account type reconciliations. These assignments have been active and in place since May.</p> <ul style="list-style-type: none"> • Identify components of complex reconciliation which can be assigned to AP/Payroll clerk and Account Control Specialist for reconciliation; these reconciliations will be combined with the more complex components of the reconciliation which will be completed by the Accountant, Finance Director will review the overall reconciliation once compiled by the Accountant. Example of these reconciliations include the operating account (pooled cash account) and the reconciliation of accounts between subsidiary ledger and general ledger. These assignments are 	<p><i>Enterprise Fund. Except for the operating and CRA bank accounts, reconciliation for all banks accounts been completed by the Account Control Specialist and are current. Both the operating and CRA account are being reconciled by the contractor; pending review and completion of reconciling adjustments, these account reconciliations will be completed and up to date by April 5, 2013.</i></p>		

City of Quincy, Florida
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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-MW-11-03	The City does not have a formal process which establishes internal controls over financial reporting to ensure proper presentation and disclosure of the financial reports.	Management is responsible for identifying and documenting the controls and control objectives that they are designed to achieve. Such documentation serves as a basis for management's assertion. Documentation of the design of controls, including changes to those controls, is evidence that controls upon which management's assertion is based are identified, capable of being communicated to those responsible for their performance.	Management relies on the auditor to inform them of requirements, rules, and standards that should have already been in place prior to the audit. The related necessary accounting procedures are not performed during the year and as a result significant delays are experienced in the audit process.	Staff has not reviewed or implemented the formal financial reporting and close process identified in the accounting policies and procedures manual.	We recommend that the City implement a formal documented process of financial reporting procedures and related internal controls over the process.	<p>partially completed and will be fully implemented by the end of the first quarter of the fiscal year.</p> <p>Management does not concur with the suggested format for reporting financial data to the City Commission. However, management does agree to continue its current reporting format to the City Commission and enhance it with specific information regarding the completion of account reconciliations.</p>	Accounting staff (Accountant III, Account Control Specialist and Finance Director) will be attending training opportunities to ensure that staff is aware of the changes in rules, standard and reporting requirement as they relate to the City. Modifications will be made to the Accounting manual as deemed necessary to address these issues.	Accountant III, Account Control Specialist, and Finance Director	03/31/2013 and ongoing

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-SD-11-04	During testing of pensions and employee benefits, we noted that there was a lack of supervisory level controls over the employee elections and contributions. An employee made changes to their election after the election period. Also, their contribution was made to one plan while the corresponding City contribution was made to a separate plan.	Employee elections should be maintained and reviewed by the Human Resources department. All employee changes and elections should be reviewed and approved by the appropriate level of authority.	City employee has the ability to participate in two plans. The plan incurs additional costs for the benefit of the individual not permitted to participate in the plan.	Error occurred due to a change that was entered after the election period but not adequately reviewed or approved by the Human Resources department prior to the effective change.	We recommend that all employee elections should only be made in accordance with the election period stated in the policy and changes are evidenced by supervisory level review of the human resource department.	Management concurs. Current procedures will be reviewed and modified as deemed necessary to ensure completeness in the process for recording employee elections pertaining to pension benefits during the eligibility period. In addition, reconciliation of the related reports will be performed by the Account Control Specialist (Finance) on a bi-weekly basis after each payroll process is completed and prior to the actual payment of the funds to ensure there are no discrepancies between the actual pension plans election and the payment. If discrepancies are noted, the Account Control Specialist (Finance) will notify Human Resources and the Finance Director immediately and provide assistance in resolving the discrepancy.	Effective November 2012, the process noted in management's response has been implemented.	Human Resource Specialist and Account Control Specialist	11/30/2012 completed and ongoing
IC-IM-10-02	During our review of accounts receivable, we noted that accounts receivable balances are not monitored throughout the year. Several reports were produced for the audit; however, the	In accordance with the Committee of Sponsoring Organizations (COSO) framework, and effective control over financial reporting it is necessary that account balances	The ability of the City to prevent misstatements in financial statements may be compromised if the accounts are not		We recommend that the City implements a more strict monitoring policy to ensure that all reports within the ADG system all agree with each other. Differences and corrective measures can be detected and	Management concurs. The Finance Department in conjunction with Customer Service will be developing a process for monitoring of accounts receivable. In addition, the Finance Department	Finance Staff (Accountant III and Finance Director) along with the Customer Service Director will develop and document a process for	Finance Staff (Accountant III and Finance Director) along with the Customer Service Director	6/30/2013

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	reports were not able to agree to the trial balance or one another.	be monitored and reconciled on an ongoing basis throughout the year.	properly monitored throughout the year		resolved in a more timely manner.	will work with our software provider to ensure that all reports are understood regarding the contents and useful purposes. If required reports are not available, Finance staff will work with them to develop the necessary reports. At the end of each quarter, the Accountant will prepare a reconciliation confirming that the balance per the subsidiary ledger is accurate and is properly reflected in the general ledger. Adjustments, if any, resulting from the reconciliation will be reviewed by the Finance Director for authorization prior to recording in financial records. Evidence of completion will be provided to the City Manager on a quarterly basis.	monitoring account receivable balances. Documentation will include a process for reconciling detail account activity to the general ledger and a process for collecting off accounts, when deemed appropriate.		
IC-IM-10-05	During our review of journal entries we noted that for (9) out of twelve (12) selections, the transactions were created and approved by the same individual due to lack of staffing in the finance department. Proper segregation of duties and effective internal controls over financial reporting	Proper segregation of duties and effective internal control over financial reporting should ensure that the functions of custody, authorization, and recording are maintained separately at all times.	The City may become susceptible to fraud and misstatement. The City's ability to prevent misstatement of financial statements may be compromised if no compensating controls are in		We recommend that the City segregate the duties involving custody, authorization, and recording to minimize the risk of fraud or material misstatement in the financial statements.	Management will be increasing staff based on the FY2011 budget and the Finance Director expects to fill this position prior to the end of FY2011. Once the staff is hired and training has been completed, a review of how duties can be further segregated will be undertaken.	In process. The Accountant III was hired (Jan 14, 2013). The Accountant is currently being trained and has started to complete the assigned tasks which will address the segregation of duties issues. Within the next 90 day, a review	Finance Staff, specifically Accountant III and Account Control Specialist	4/30/2013

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	<p>should ensure that the functions of custody, authorization, and recording are maintained separately at all times.</p>		<p>place.</p>				<p>of further segregation of duties will be performed.</p>		
<p>IC-IM-09-01</p>	<p>During our review of journal entries we noted that for (5) out of twelve (12) selections the transactions were related to the current audit period, however, the authorization date and the posting dates were after the September 30, 2009 year-end. The entries were authorized and processed on October 22, 2009, and February 11, 12, 17 and 23, 2010.</p>				<p>We recommend that the City implement procedures that will ensure timely review and reconciliation of all account balances so that necessary corrective measures can be performed in a timely manner thereby eliminating the need to post transactions up to five months after the fiscal year-end.</p>	<p>Management concurs with the finding. Management continues to monitor the periods in which journal entries are recorded to ensure that there are not significant delays in the transaction timing and the recording period. Management will develop review processes to ensure that posting are not later than 45 days beyond the end of the period. This should allow sufficient time to perform the financial analysis necessary to properly close the financial records for each period.</p>	<p>Effective November 2012, the Finance Director implemented this recommendation and instructed staff to only record journal entries in the current periods. The Finance Director confirms this as part of the review before journal entries are approved for posting.</p>	<p>Finance Staff</p>	<p>11/30/2012</p>
<p>C-M-05-01</p>	<p>Certain compliance requirements relating to the Drinking Water State Revolving Loan Fund Agreement (CFDA No. 66.468) were not met. In addition, the requirements pertaining to the 2011 Series Issuance were not met regarding the continuing disclosure and submissions of financial statements within 12 months.</p>				<p>Management should ensure that the requirements of all funding agreements are reviewed and adhered to. Failure of compliance could result in termination of the funding or other severe penalties to the City. The City should designate an individual within the City to monitor compliance with debt and grant agreements.</p>	<p>Management has worked diligently to ensure that compliance issues pertaining to both the Drinking Water Loan and the 2002 Capital Improvement Bond are complied with.</p>	<p>Management has taken steps including the hiring of staff (Accountant III), use of contract consultant along with the development and implementation of an audit schedule to ensure timely issuance of current year audit report. Timely Issuance</p>	<p>Finance Staff</p>	<p>1/31/2013</p>

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
C-M-05-02	Certain compliance requirements relating to the Sewer State Revolving Loan Fund Agreement were not met.	Similar finding relating to the submission of an annual certification, not later than January 15 each year, that (a) pledged revenue collections satisfy the 115% coverage requirements noted previously; (b) the debt repayment escrow account contains the required funds; (c) the loan repayment reserve account contains the funds required; and (d) insurance coverage, including that issued through the National Flood Insurance Program, is adequate", was noted during the current year audit.			Management should ensure that compliance requirements are adhered to and every effort should be made to meet these requirements. Failure to be compliant could lead to termination of funding. The City should designate an individual within the City to monitor compliance with debt and grant agreements.	Compliance requirements are now monitored in the Finance department, including appropriate and timely filing. The certification was filed but not received by DEP until 3 business days after due date. Additional measures (including specific assignment of duties to staff other than the Director) will be implemented to ensure report is filed timely. Filing the open position in the current budget will provide additional resources to ensure that compliance requirements are assigned to a designated person for completion. Annual certification report for FY2012 has been completed and filed timely. Although the FY2011 report was also filed, it was not filed timely. To ensure all filings are timely in the future, the Administrative Assistant will be responsible for monitoring timely completion of all tasks on the Department checklist.	Report for FY2012 was filed in September 2012.	Finance Staff	9/30/12
IC-M-05-03	The computerized payroll system is susceptible to manual override for				Management should consider out-sourcing the payroll process. This will allow for	Management acknowledges that controls will continue to be strengthened to	Management believes that the cost of outsourcing	Finance Staff	6/30/13

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	restricted information.				written documentation for any change to payroll information which would be required by the outside payroll service provider. This could also yield cost savings to the City.	address the issues related to this finding internally since it has been decided that the payroll process will not be outsourced. In addition to the controls previously implemented to address this issue, management continues to evaluate the segregation of duties issues and will work with the software provider to streamline the system access in a manner that achieves maximum internal controls without increasing costs. This includes the identification and use of system audit reports as a tool for reviewing and assessing the adequacy of internal controls. Documentation will be maintained as evidence of such review with changes made as deemed both necessary and appropriate.	these services will exceed the benefits. A review of controls will be performed in conjunction with the review of the accounting manual and modifications made as deemed necessary.		
IC-M-05-04	Transactions relating to revenue bonds were not recorded in a timely manner.					Management concurs with this finding. However, there has been a significant reduction in the number of bonds entries made in an untimely manner since this issue was initially identified. With additional staff and the appointment of a Finance Director, these entries have been recorded more timely.	Management hired the Accountant III, who will be responsible for these transactions once training has been completed. The Accountant III has been trained on the bond related entries and the	Accountant III & Finance Director	3/31/13 Completed and on-going

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-M-04-05	Monthly bank reconciliation statements were not prepared. In addition, the main operating bank account was not properly reconciled and there was no proper listing of outstanding checks.					<p>Effective immediately, responsibility for these transactions will be assigned to a designated staff and reviewed by the Finance Director. The Accountant III will be assigned this task and will be responsible for its completion. Completion of task will be linked to the Accountant III and Finance Director's performance evaluation.</p>	<p>transactions have been completed for FY2012 and for FY2013.</p>	Finance Staff	4/5/2013
						<p>Management concurs with the reconciliation of accounts on a monthly basis and suggests the following:</p> <ul style="list-style-type: none"> • Assign task for less complex reconciliations to Account Control Specialist and require completion and review by Accountant no more than 20 days after end the period being reconciled; i.e., single bank account to single general ledger account type reconciliations. These assignments have been active and in place since May. • Identify components of complex reconciliation 	<p>Management recently hired (Jan 14, 2013) additional staff (Accountant III) in the Finance department. The Accountant III is currently undergoing training and will be responsible for reconciling all utility related accounts in the Enterprise Fund. Except for the operating (pooled) and CRA bank accounts, reconciliation for all banks accounts been completed and are current. Reconciliation of the operating (pooled) has been completed by the contractor with suggested adjusting entries</p>		

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
						<p>which can be assigned to AP/Payroll clerk and Account Control Specialist for reconciliation; these reconciliations will be combined with the more complex components of the reconciliation which will be completed by the Accountant; Finance Director will review the overall reconciliation once compiled by the Accountant. Example of these reconciliations include the operating account (pooled cash account) and the reconciliation of accounts between subsidiary ledger and general ledger. These assignments are partially completed and will be fully implemented by the end of the first quarter of the fiscal year.</p> <p>Management does not concur with the suggested format for reporting financial data to the City Commission. However, management does agree to continue its current reporting format to the City Commission and</p>	<p>submitted for review. Upon completion of review, the entries deemed necessary will be recorded. With the completion of these 2 accounts, all 19 bank accounts will be reconciled and current.</p>		

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-M-04-06	Customers' deposits were not reflected in the general ledger by means of an actual pool cash account.					enhance it with specific information regarding the completion of account reconciliations.			
C-M-02-1	In our prior year's audits, we noted instances in which the City did not provide timely reports to external agencies as follow: (a) Instances of late submission of quarterly progress reports to grantors. (b) The City also failed to submit the Annual Electric Industry Financial Report (Form EIA-412) required by the U.S. Department of Energy (DOE).				Management should ensure that the requirements of all funding agreements are reviewed and adhered to. Failure of compliance could result in termination of funding or other severe penalties to the City. The City should designate an individual within the City to monitor compliance with debt and grant agreements.	Management continues to fund the account to ensure that it is adequate to support the customer's deposit liability in the ledger.	Activity noted in response continues to be implemented.	Finance Staff	Ongoing
IC-M-01-4	In the prior year's audits, we noted the following weaknesses in the City's accounting systems and procedures: a) Absence of monthly financial statements in the same format as the audited financial statements; and b) Lack of timely					Management has assigned the compliance tasks to a designated staff to ensure that all reporting and other compliance requirements are adhered to. In addition, fiscal year audits are being completed in a timely manner which will facilitate adherence to the compliance requirements.	The City rescinded the grant and is no longer required to submit these reports.	Finance Staff	9/30/2012
							Management recently hired (Jan 14, 2013) additional staff (Accountant III) in the Finance department. The Accountant III is currently undergoing training and will be responsible for reconciling all utility related accounts in the	Finance Staff	4/5/2013

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	<p>analyses and reconciliations of general ledger accounts.</p> <p>The above weaknesses resulted in the following:</p> <ul style="list-style-type: none"> • Accounts with abnormal balances; • Misclassification of certain transactions; • Several accounts with general ledger balances not reconciled with the subsidiary ledger balances, including bank reconciliations; • Inter-fund balances not in agreement; • A delayed closing of the accounting records. 						<p><i>Enterprise Fund. Except for the operating (pooled) and CRA bank accounts, reconciliation for all banks accounts been completed and are current. Reconciliation of the operating (pooled) has been completed by the contractor with suggested adjusting entries submitted for review. Upon completion of review, the entries deemed necessary will be recorded. With the completion of these 2 accounts, all 19 bank accounts will be reconciled and current.</i></p>		
IC-CD-11-05	<p>During the testing of journal entries, we noted that journal entries are not automatically numbered by the system. As such, there were several journal entry numbers manually skipped.</p>	<p>The accounting system should ensure that all recorded entries are properly accounted for.</p>	<p>Transactions recorded in the system may not be properly authorized and supported by proper documentation may go undetected if not included in journal entry population and related account were not reconciled timely.</p>	<p>The journal entry system is currently a manual process. If a staff member assigns a number to themselves for use and subsequently does not use it. The entry is skipped and the following entry is used.</p>	<p>To ensure all recorded transactions are properly accounted for, the City should implement a system whereby the journal entries are automatically numbered by the accounting software system.</p>	<p>Management will identify mitigating procedures and controls to ensure that only journal entries which have been properly authorized and supported are recorded in the accounting system. Although the current system does not allow for automatic numbering of journal entries, the Account Control Specialist will work with the software</p>	<p>Finance staff will include procedures for assigning JE numbers as part of the modifications to the accounting manual. In addition the Account Control Specialist will act as the team lead in identifying ways to minimize the number of</p>	Account Control Specialist and Finance Director	6/30/2013

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
IC-CD-11-06	<p>During our testing of controls over purchase card (P-Card) transactions, we noted the following:</p> <ul style="list-style-type: none"> • Six of thirty selections did not have support which agreed to the amount charged on the card. • Seven of the thirty selections did not contain evidence that the statement was reconciled by the cardholder prior to submission to Finance. • Twenty-five of thirty selections did not indicate the purpose of the transaction. Therefore, we were unable to determine whether it relates to official City business and the whether the accounts charged for the expenses were correct. 	<p>Purchase card transactions are only to be made in accordance with City policy.</p>	<p>The City may incur expenses for unrelated or unapproved City business. The City may become susceptible to fraud and abuse.</p>	<p>City employees were not trained on proper use and allowable expenses of the P-Card. In addition, the review and approval process was not fully adhered to.</p>	<p>We recommend the City implement and adhere to a P-Card policy whereby all transactions are fully documented and subject to accountability, review and approval, prior to recording of City expense. Any P-Card holder should be trained on proper use of the card.</p>	<p>Management concurs. The purchasing card policy has been revised to address these issues and other issues identified during a subsequent review of the policy specifically addressing appropriate expenses and documentation thereof. Training is planned for all p-card holders to address use of the p-card and associated responsibilities will be completed in the first quarter of the fiscal year by the Account Control Specialist (Finance). Changes implemented prior to the issuance of this report include the following:</p> <ul style="list-style-type: none"> • P-card holders are required to submit a reconciled statement within 15 days of receipt and submit the reconciled statement to the Account Control Specialist (Finance). Included with the reconciled statement are receipts, invoices and/or other documents supporting the 	<p><i>manual journal entries which are required.</i></p> <p><i>Completed. P-card policy has been revised to address these issues. In addition, training was provided in January 2013 to purchase card holder. Changes to the policy were approved by the Commission. The review process includes ensuring that expenses have been properly documented and supported with justification provided evidencing that this is an appropriate business expense. Documentation is maintained to provide evidence of the occurrence of these processes.</i></p>	Account Control Specialist and P-card Holders	1/31/2013

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
	<ul style="list-style-type: none"> Twenty-eight of the thirty selections did not show evidence of review of the transactions by the cardholder's supervisor or finance department. 					<ul style="list-style-type: none"> The Account Control Specialist (Finance) reviews the reconciled statement submitted by the cardholder for accuracy and reasonableness of expenditure and proper authorization from the Department Director. Evidence of the review is documented on the statement by the Account Control Specialist (Finance). Purchasing card expenses (statement and justification for expenses) are included in the monthly financial report given to the City Commission and posted on the City's website. 			
IC-CD-11-07	<p>During the testing of HR files, we noted that employees selected did not have annual evaluations.</p>	<p>The City should perform annual evaluations to identify any issues that may need to be addressed and implement policies for improvement or correction. In</p>	<p>The City may be unable to identify potential issues that need to be addressed. Also, the employees</p>	<p>The City did not perform evaluations for all employees during the year due to: - Medical issues in the</p>	<p>The City should perform annual evaluations of employees.</p>	<p>Management concurs. Performance evaluations will be completed and documented for all employees on or before September 30 of the fiscal year. No adjustment in pay will</p>	<p>Completed. All employees have been given written evaluation and these have been added to their personnel file in HR.</p>	<p>Human Resources and Management Staff</p>	<p>No later than 9/30 of each fiscal year.</p>

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
C/IC-11-08	We noted that the annual inventory of property has not been performed for the current fiscal year.	In addition, it is the City's policy that employees will be evaluated on an annual basis.	may have a documented record of performance.	HR dept, who is responsible for initiating the performance evaluation process and collecting the evaluations; and -Lack of enforcement mechanism to ensure compliance by each department		be made without completion of the evaluation. Evidence of such will be maintained in the employee's personnel file.			
	We noted that the annual inventory of property has not been performed for the current fiscal year.	Pursuant to Florida Rules 69I-73.006 Inventory of Property. And state statute 274.02 a physical inventory is required - Each governmental unit shall ensure a complete physical inventory of all property is taken annually and whenever there is a change of custodian or change of custodian's delegate.	The City is not in compliance with the requirement specified by the State Statutes. Each year, these offices provide the Committee with a list of all entities that have failed to comply with these financial reporting requirements. The Committee may choose to take action pursuant to S.11.40(2), F.S. against noncompliant entities. For counties and municipalities, the Committee may direct DFS and the Department of Revenue	New personnel in warehouse who did not follow the schedule for taking inventory and the Utilities Director's attention was directed towards implementation of the Smart Grid project.		Management concurs. Inventory will be completed as required by statute. However, we noted that this is the first time in 20 years that the inventory was not completed. It is unlikely that this will occur again in the future. The Account Control Specialist (Finance) will follow-up with the Utility Department Director in 30 days prior end of fiscal year to ensure that inventory is completed. Any adjustments related to the completion of the inventory will be recorded in a timely manner by the Accountant (Finance) to ensure that account balances are properly stated.	In process. Physical inventory of have been completed and is in the process of being reconciled to the general ledger. Reconciliation will be completed in April 2013 with adjustments recorded to the general ledger as deemed necessary.	Finance Staff	Physical inventory to occur no later than 9/30 of each fiscal year. Reconciliation of physical inventory to the general ledger will be completed no later than 90 days after physical inventory.

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
C-11-09	The City has not complied with the uniform chart of accounts required by the State of Florida. The State of Florida identifies fund number, functional codes for types of governmental expenditures, and account codes for individual expenditure types. The Uniform Chart of Accounts is updated each year. The City does not consistently use the functional codes established by the State nor are they updated or monitored to comply with the State requirements on a yearly basis. However, the City has used the correct fund numbers and individual expenditure codes.	As mandated by Section 218.33, F.S., reporting units should use the specified chart of accounts as an integral part of their accounting system so that the preparation of their annual financial reports will be consistent with other local reporting entities. This section governs the submission of financial and other information required for the preparation of the Local Government Financial Report	(DOR) to withhold any funds due to the entity that are not pledged for bond debt service satisfaction until they have complied with the law. In addition, account balances related to inventory may potentially be misstated.	The City has not adhered to the required chart of accounts due to lack of resources and knowledge in the finance department.		Management does not concur. The existing chart of accounts for the City is in the same form and detail that has been presented in the last 10 years without any previous finding from the auditor. (Please compare email of account codes to the City's accounts and note consistency.) The City has retained personnel who is a certified public accountant with 26 years of experience including 10 years of auditing experience. In addition, no specific issue was cited related to this finding.	Accountant III will be responsible for reviewing the Uniform Chart of Accounts to determine if there are modifications required to the current chart of accounts utilized by the City. Changes will be implemented as deemed necessary.	Accountant III	9/30/13

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
C/IC-11-10	The City failed to comply with requirements of the Department of Financial Services and the Auditor General which require the audit report to be submitted by June 30, 2012.	Section 218.39 F.S. requires that annual financial audit reports are required to be submitted to both the Department of Financial Services and the Auditor General each year. (1) If, by the first day in any fiscal year, a local governmental entity, district school board, charter school, or charter technical career center has not been notified that a financial audit for that fiscal year will be performed by the Auditor General, each of the following entities shall have an annual financial audit of its accounts and records completed within 9 months after the end of its fiscal year by an independent certified public accountant.	Department of Revenue (DOR) to withhold any funds due to the entity that are not pledged for bond debt service satisfaction until they have complied with the law. Each year, these offices provide the Committee with a list of all entities that have failed to comply with these financial reporting requirements. The Committee may choose to take action pursuant to S. 11.40(2), F.S., against noncompliant entities. For municipalities, the Committee may direct the DFS and the Department of Revenue (DOR) to withhold any funds due to the entity that are not pledged for bond debt service satisfaction until they have	Per discussion with management, the condition is due to a lack of staffing, training, and resources within the City.	We recommend that the City implement a reporting process to ensure that the required submissions are made to the DFS and Auditor General on a timely basis each year.	Management concurs. The prior audit was produced in May with the same staff and resources as is currently in place. During this period, Finance staff was actively involved in the DOE audit of its \$6.5M Smart Grid project which required extensive preparation for fieldwork and follow-up. There was overlap of this audit and the annual audit, with completion of the DOE audit in August. Next year we will comply with all the requirements for filing the audit. This year's budget includes appropriations to hire an Accountant in the Finance Department. The position has been advertised and is expected to be filled early in the first quarter of the new fiscal year.	Management has taken steps including the hiring of staff (Accountant III), use of contract consultant along with the development and implementation of an audit schedule to ensure timely issuance of current year audit report.	Finance Staff	6/30/13

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Finding	Condition	Criteria	Effect of Condition	Cause	Recommendation	Management's Response	Update	Responsible Party	Due Date
C/IC-11-11	The Annual Financial Report due to the Department of Financial Services was not filed timely.	Section 218.32 F.S. Annual Financial Report Deadlines states that the deadline for submitting the Annual Financial Report (AFR) to the Department of Financial Services for local government is June 30, 2012. This deadline is for all local governments whether a 2011 independent audit was produced or not.	Each year, these offices provide the Committee with a list of all entities that have failed to comply with these financial reporting requirements. The Committee may choose to take action pursuant to S. 11.40(2), F.S., against noncompliant entities. For counties and municipalities, the Committee may direct the DFS and the Department of Revenue (DOR) to withhold any funds due to the entity that are not pledged for bond debt service until they have complied with the law.	Per discussion with management, the condition is due to a lack of staffing, training, and resources within the City.	We recommend that the City implement a reporting process to ensure that the required submissions are made to the DFS and Auditor General on a timely basis each year.	Management concurs. The prior audit was produced in May with the same staff and resources as is currently in place. During this period, Finance staff was actively involved in the DOE audit of its \$6.5M Smart Grid project which required extensive preparation for fieldwork and follow-up. There was overlap of this audit and the annual audit, with completion of the DOE audit in August. Next year we will comply with all the requirements for filing the audit. This year's budget includes appropriations to hire an Accountant in the Finance Department. The position has been advertised and is expected to be filled early in the first quarter of the new fiscal year.	Management has taken steps including the hiring of staff (Accountant III), use of contract consultant along with the development and implementation of an audit schedule to ensure timely issuance of current year audit report.	Finance Staff	6/30/13
IC-IM-10-01	During our testing of cash and related compliance we noted that the City did not file the annual Qualified Public Depositor report due to the Chief Financial Officer of the State of Florida as required	The Florida Department of Financial Services requires that governmental entities to confirm annually that public deposit information as of the close of business on	If a public depositor does not comply with the requirements of governmental units on each public deposits account, the	We recommend that the City file the necessary report annually as required by the State to ensure the protection from loss as provided under the State Statutes.	Management concurs and will ensure responsibility for this task is assigned to a designated person with its completion verified by the Finance Director. In the current year, the Account Control Specialist is in	The Account Control Specialist has developed a schedule of due dates for the Finance Department which will be used to assign	Finance Staff	2/28/2013	

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C/IC-M-01-3	<p>by the Florida Department of Financial Services.</p> <p>In the prior year's audits, it was noted that the City conducted a periodic physical inventory of property and equipment both for the enterprise and general government operations. However, the results of the physical count were not reconciled to the listings maintained at the property section and to the book balances.</p> <p>In addition, the City did not prepare fixed asset schedules to support the computation of the monthly depreciation expenses recorded in the books. We also noted that in the annual physical count of property and equipment, the City did not include its land, buildings and improvements.</p>	<p>September 30 has been provided by each qualified public depository and is in agreement with public depository records. Each public depository shall submit, not later than November 30, a Public Depositor Annual Report to the Chief Financial Officer.</p>	<p>protection from loss provided in State Statute (s. 280.18) is not effective as to that public deposit account.</p>			<p>the process of preparing the confirmations for fiscal year 2012 and will ensure that the Public Depositor Annual Report is filed with the Department of Financial Services before the required deadline.</p>	<p>staff and track completion. Required reports will be filed by Finance Staff as noted on schedule. Follow-up for compliance to due dates has been assigned to the Accountant III and Finance Director.</p>		<p>No later than 9/30 of each fiscal year.</p>
						<p>Within 60 days after the completion of the fiscal year, the Procurement Department or management's designee will conduct an inventory of all the City's assets. The results of the inventory will be provided to the Accountant in Finance who will reconcile the inventory to the financial records. This will be completed with all adjustments recorded within 45 days after receipt of the inventory.</p>	<p>In process. Physical inventory of have been completed and is in the process of being reconciled to the general ledger. Reconciliation will be completed in April 2013 with adjustments recorded to the general ledger as deemed necessary. Since the City has the Fixed Assets Module in ADG, staff will obtain the proper training so that system can be used to complete inventory and record all related entries including adjustment and depreciation expense</p>	<p>Finance Staff</p>	

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I-2011-01	The invoices or application for payments from the contractor who is doing the project funded by CDBG funds is not being reviewed by the Finance Dept. Although the invoices were reviewed by the third-party engineer, we noted that these invoices were not forwarded to Finance Department for further review. Payments to the contractor were only supported by request for funds prepared by the CRA Director.	Contractor payments should not be based on request for funds only. Invoices, purchase order and for contract agreement and the certification from the third-party engineer should support the disbursement of funds for payments to contractors/vendors.	The payments to the contractor may be inaccurate or not commensurate to the amount of work done without the proper review by Finance Department.	The absence of review by the Finance Department of the invoices may be due to reliance of the review done by other parties in the City.	We strongly suggest that the Finance Director review the supporting invoices relative to contractor/vendor payments not only for disbursement of City funds but also for grant funds.	Management concurs with this recommendation.	The Finance Director has always review Invoices for payment. This instance was an oversight.	Finance Director	Ongoing
C-2011-02	There is no evidence that a report of the federally-acquired assets was prepared and submitted, as required by the Grantor.	One of the reports required in the Smart Grid Grant Agreement is the submission of the federally-acquired assets.	Non-submission of the above mentioned report may cause the Grantor disallow the expenditures due to non-compliance.	Management did not comply with grant requirements due to failure to monitor compliance requirements.	We suggest that the above mentioned report be prepared and be submitted to the Grantor even if the City may no longer continue with the project.	Following DOE's review of the audit performed by their elected auditor (KPMG), a final report of federally acquired assets will be completed and submitted.	The City rescinded the grant and is no longer required to submit these reports.	Finance Staff	9/30/2012
I-C-2011-03	The City used existing contractors to provide services for the Smart Grid Project.	Although the Contractors used to provide labor services for the Smart Grid Project are existing vendors of the City, the City should have gone through its normal procurement process so that other parties and vendors who may have the capability to serve are given equal opportunity.	Non-compliance of the federal requirement on procurement may cause the related expenditure to be disallowed.	The City did not invite the put out a notice or invite vendors to submit quote for the labor requirement relative to the Smart Grid project.	If the City will move ahead with the project, we suggest that the requirements for labor supply should go through the normal procurement process. Existing vendors may also bid or provide quote. The most responsible and competitive bid shall be awarded the supply contract.	Management does not concur. The City was not required to go through an additional procurement process to complete the work. Management contacted DOE to verify that these resources could be used on the project. When required, the City's procurement policies and procedures were followed and approximately \$1.1M	The City rescinded the grant and is no longer required to submit these reports.	Finance Staff	9/30/2012

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C-2011-04	Only one monthly Progress Report was prepared for the entire year.	As required in the Grant Agreement, Progress Reports were supposed to be submitted monthly.	Grantor may terminate the grant due to non-compliance of the requirement.	Management did not comply with grant requirements due to a failure to monitor compliance requirements.	We suggest that the City prepare the required monthly reports to comply with the Grant Agreement.	At the time the external auditors commenced their review, DOE directed the City to not submit any monthly reports.	<i>The City rescinded the grant and is no longer required to submit these reports.</i>	Finance Staff	9/30/2012