

City of Quincy

City Hall

404 West Jefferson Street

Quincy, FL 32351

www.myquincy.net



Meeting Agenda

Monday, November 10, 2014

6:00 PM

City Hall Commission Chambers

City Commission

Derrick Elias, Mayor (Commissioner District Three)

Micah Brown, Mayor Pro-Tem (Commissioner District Two)

Keith Dowdell (Commissioner District One)

Andy Gay (Commissioner District Four)

Daniel McMillan (Commissioner District Five)

**AGENDA FOR THE REGULAR MEETING OF
THE CITY COMMISSION OF
QUINCY, FLORIDA
Monday
November 10, 2014
6:00 PM
CITY HALL CHAMBERS**

Call to Order

Invocation

Pledge of Allegiance

Roll Call

Special Presentations by Mayor or Commission

Approval of the Minutes of the previous meetings

1. Approval of Minutes of the 10/28/2014 Regular Meeting
(Sylvia Hicks, City Clerk)

Proclamations

Public Hearings as scheduled or agended

Public Opportunity to speak on Commission propositions – (Pursuant to Sec. 286.0114, Fla. Stat. and subject to the limitations of Sec. 286.0114(3)(a), Fla. Stat.)

Ordinances

Resolutions

Resolution No. 1319-2014

Resolution No. 1320-2014

Reports by Boards and Committees

Reports, requests and communications by the City Manager

2. Attorney Selection
(Mike Wade, Interim City Manager)

3. Report on Recruitment Guidelines for Selecting a City Manager
(Mike Wade, Interim City Manager; Bessie Evans, Human Resources and Risk Management)

Other items requested to be agendaed by Commission Member(s), the City Manager and other City Officials

Comments

- a) City Manager
- b) City Clerk
- c) City Attorney
- d) Commission Members

Comments from the audience

Adjournment

*Item(s) Not in Agenda Packet

CITY COMMISSION
CITY HALL
QUINCY, FLORIDA

REGULAR MEETING
OCTOBER 28, 2014
6:00 P.M.

The Quincy City Commission met in regular session Tuesday, October 28, 2014, with Mayor Commissioner Derrick D. Elias presiding and the following present:

Commissioner Micah Brown
Commissioner Daniel McMillan
Commissioner Gerald A. Gay, III
Commissioner Keith A. Dowdell

Also Present:

Interim City Manager Mike Wade
Interim City Attorney John Grant
City Clerk Sylvia Hicks
Assistant Police Chief Glenn Sapp
Planning Director Bernard Piawah
Account Specialist Catherine Robinson
Fire Chief Scott Haire
CRA Manager Regina Davis
Parks and Recreation Director Gregory Taylor
Interim Public Works Director Reginald Bell
Human Resources Director Bessie Evans
Sergeant At Arms Captain Troy Gilyard

Call to Order:

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

Special Presentations by Mayor or Commission

Approval of Agenda:

Commissioner McMillan made a motion to approve the agenda. Commissioner Brown seconded the motion with the following changes: Interlocal Agreement with the Board of County Commission for Unpaved/Paved Road Maintenance for FY2014-2015 and Selection of Attorney were withdrawn from the agenda. The ayes were unanimous.

Approval of the Minutes of the previous meeting:

Approval of Minutes of the October 14, 2014 regular meeting

Commissioner Brown made a motion to approve the minutes of the October 14, 2014 regular meeting with any corrections as necessary. Commissioner McMillan seconded the motion. The ayes were unanimous. The vote was five to 0.

Proclamations

Public Hearing as scheduled or agended:

Public Opportunity to speak on Commission propositions – (Pursuant to Sec. 286.0114, Fla. Stat. and subject to the limitations of Sec. 286.0114(3)(3), Fla. Stat.)

Emanuel Sapp of 821 2nd Street came before the Commission with the following concern: requested that the Commission consider adding over \$125,000 back into the Police Department budget for training and necessary equipment he stated we have the highest turnover rate in the state. We have lost over 22 police officers in the past 18 months we need camcorders in the vehicles and special equipment for the officers and the public.

Freida Bass Prieto of 329 East King Street came before the Commission with the following concerns: 90 day arrears utility accounts and to see a Commissioner's name on the list that had not paid his utility bill. She stated she also requested six months of accounts that was cut off and had to pay \$39.20 to get their utilities restored. She asked the Governing body to take action to ensure payment to the City is made. She stated she was appalled to see a Commissioners name on the list and he been in the arrears for almost two years. She asked Commissioner Dowdell to pay his utility bill. Commissioner Dowdell asked what address is the utility bill at; he stated "in fact the City owes him money. He asked her to check her records he lives at 408 Williams and not at 414 that is his brother's bill. I have told them for the past two years to cut it off. He stated the City owes him for NetQuincy bill. Commissioner Dowdell stated he is tired of the false allegations against him and asked to stop telling lies.

Ordinance No. 1066-2014 Retirement Health Insurance

At a public hearing Commissioner Brown made a motion to read Ordinance 1066-2014 by title only. Commissioner McMillan seconded the motion. Upon roll call by the Clerk the ayes were Commissioners Brown, McMillan, Gay, Dowdell, and Elias. Nays were none. The Clerk read the title as follows:

AN ORDINANCE OF THE CITY OF QUINCY, FLORIDA RELATING TO RETIREMENT HEALTH BENEFITS; PROVIDING FOR ESTABLISHMENT OF CHAPTER 54, ARTICLE V: RETIREMENT HEALTH INSURANCE; PROVIDING FOR DEFINITIONS; PROVIDING FOR HEALTH INSURANCE BENEFITS FOR RETIRED EMPLOYEES OF THE CITY; PROVIDING FOR ELIGIBILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

There were no comments from the audience.

Commissioner Gay made a motion to approve Ordinance No. 1066-2014 on second and final reading. Commissioner Brown seconded the motion. Upon roll call by the Clerk the ayes were Commissioners Brown, McMillan, Gay, Dowdell, and Elias. Nays were none.

Resolutions

Mayor Elias acknowledged a Resolution on the passing of a former employee Public Safety Chief Rod Vause and extended condolences to the family.

Reports by Boards and Committees

Reports, request and Communications by the City Manager

Finance Director Confirmation

Interim City Manager Mike Wade introduced Mr. Ted Beason to the Commission for confirmation as the City's new Finance Director. Mr. Wade stated that Mr. Beason has over 30 years of municipal experience with Temple Terrace, FL, Friendswood TX and several other municipalities in Texas. Mayor Elias welcomed Mr. Beason to the City of Quincy. Mayor Elias asked Mr. Beason to tell the commission about himself. Mr. Beason stated that he has over 30 years governmental experience, seven with Temple Terrace where he was Assistant Finance Director and the City of Sequin he has extensive experience with utility billing. Commissioner Dowdell asked Mr. Beason if he possess a CPA. He replied no. Commissioner Dowdell asked Mr. Beason if he has ever used the software ADG. He replied no but has had considerable experience with other software. Commissioner Dowdell asked if he had any experience with Customer Service. He replied yes with Temple Terrace they had utility billing. Commissioner McMillan asked if he had any connections with any of the current or past employees. He replied no. Commissioner McMillan asked how he learned about the position. He stated on the GFOA website. Mayor Elias asked if we had done the background check, credit check, and reference check and employment verification. Ms. Evans stated that we are in the process of completing the items. Commissioner McMillan made a motion to approve the confirmation of Ted Beason as the Finance Director. Commissioner Brown seconded the motion. Upon roll call by the Clerk the ayes were Commissioners Brown, McMillan, Dowdell, Gay, and Elias. The ayes were unanimous. Mayor Elias asked Mr. Beason what date could be began here at the City. He replied approximately Dec. 1, 2014.

Executive Search

Bessie Evans Human Resources Director reported the Commission that to hire an external recruitment firm will cost approximately \$25,000 and that is a low estimate. She presented the following agencies: Bob Murray & Associates, Colin Baeniziger & Associates and Affion Public. She stated the firm would develop the following: develop candidate profile, develop advertising campaign and brochures, screen candidates, setup personal interviews, perform public record search, assist with interviews and assist

administration, provide copies of all applications and provide background checks. Ms. Evan also advised the Commission that we can hire internal/Go in house use City staff to coordinate and identify local talent within the surrounding Cities or counties by providing the following: engage staff to create an RFP to the City Manager position, advertise for City Manager approximate cost \$5,000, recruit and screen candidates, provide recommendations, and hire current Interim City Manager. Staff recommends option 2 to approve staff to develop and RFP and advertise for the City Manager's Position. Commissioner Gay stated that he don't have a problem with the RFP but advised staff to continue with the executive search. Commissioner Dowdell asked what would be the cost of posting the advertising in house. Ms. Evans stated posting with the Florida League of Cities is free but it would cost approximately \$5,000. Commissioner Brown stated that we should do the RFP and continue with the executive search. Commissioner McMillan stated that we should do an RFP we don't have the money for an executive search. Commissioner Gay stated we should do the RFP and if it doesn't give us the result we want we will do an executive search. Commissioner Brown made a motion to approve option 2 to approve staff to develop an RFP and advertise for the City Manager's position. Commissioner Gay seconded the motion. The ayes were unanimous.

Manager's Agreement

Interim City Attorney presented to the Commission the Manager's Employment Agreement. Commissioner Dowdell asked by signing the agreement does that make Mr. Wade a contract employee or a regular employee. The Attorney stated that he would be a regular employee. Commissioner Gay made a motion to approve the Manager Agreement. Commissioner McMillan seconded the motion. Upon roll call by the Clerk the ayes were Commissioners Brown, McMillan, Gay, and Elias. Nay was Commissioner Dowdell. The vote was four to one. The motion carried.

Request for Foreclosure Proceedings on Non-Compliant Code Cases

Interim City Attorney stated that it would cost approximately \$3,000 for court cost for the foreclosures. Commissioner Gay made a motion to approve the request for foreclosure on non-compliant code cases. Commissioner Brown seconded the motion. The ayes were unanimous.

Agreement between the State of Florida, Department of State and the City of Quincy Police Department

Commissioner Gay asked for a time line of when we can get started. Do we have to hire a construction Manager and or Architect? Regina Davis CRA Manager stated that the grant allows for an architect but we can request to have that as in-kind she stated that the grant amount is \$350,000 for the RD Edwards building with the roof being the most important followed by sealing the brick, and removing the dirt out of the basement and the mold and mildew. Commissioner Dowdell asked since this is a cost reimburse grant where would those funds come from. Contribution tax funds could be used. Commissioner Dowdell asked if we begin the project and find that we can't complete it would we have to reimburse everything. Ms. Davis stated that this is a cost

reimbursement contract. Commissioner Dowdell asked if we don't make the deadline. She stated we can ask for an extension. Ms. Davis stated she had requested an advance and at the CRA workshop she would asked if the CRA could possible provide the funds as needed for reimbursement. Commissioner Gay made a motion to approve the Agreement between the Department of State and the Quincy Police Department. Commissioner McMillan seconded the motion. Mayor Elias asked who would be administering the grant. Ms. Davis stated that CRA would work in conjunction with the Police Department. Commissioner Dowdell asked Ms. Davis if she could handle Tanyard Creek and the Police Department. Ms. Davis replied she had been speaking with a company that can do the work that would not cost as much but would keep them informed. The Attorney stated we agreed to a ten year maintenance standard. Commissioner Brown asked since CRA is providing the funds would we be able to get the money back. Ms. Davis stated yes. Commissioner McMillan stated that we need to get someone that has extensive knowledge of historic restoration. The grant application stated that the building can be used as a police substation and made available to the public. The ayes were unanimous

Interlocal Agreement with the Board of County Commission for Unpaved/Paved Road Maintenance for FY2014-2015 – Withdrawn from agenda

City Wide Clean-Up

Reginald Bell Public Works Interim Director reported that the City will begin a citywide cleanup and will be accepting anything. He stated the pickup will begin on the south side of U.S. 90 November 10-14, 2014 and on the north side of U.S. 90 on November 17-21, 2014. Commissioner McMillan asked if we could put that information on the utility bill. Ms. Robinson Account Control Specialist replied yes. Commissioner Dowdell asked if there were any criteria or limit and add a disclaimer. Commissioner Brown asked if the apartment complexes had a specific pick-up. Mr. Bell Interim Public Works Director stated we pick up in front of Gadsden Arms and in front of Arbor Crest. Mr. Bell stated no just make sure that the limbs are six feet in length and are placed in front of your home. Commissioner Gay stated we need to make sure that we get notification to the citizens.

Quincy Police Department Monthly Report – No comments

P-Card Statement

Commissioner Dowdell asked that the names be redacted from the report it may. Mayor Elias stated that the card number is not available. Commissioner Dowdell asked if the City pay for performance of service with the P-card. The Manager stated we pay vendors such as ring power. Commissioner McMillan stated that the account receivable list is alarming and has too many peoples names on it we are in direct violation of our bond covenants that allows 60 days a direct result as how customer service was run. We need a policy in place on cut off and would like to see that at the next meeting. Commissioner Gay asked what the current policy is. Cut off 6 days after the due date. Commissioner Gay is requesting that this item is discussed at the

financial workshop. McMillan stated that Customer Service has done a poor job on collecting our money. The Mayor stated he agrees that we should take a hard look at our policy and be cognizant of hardship case. Commissioner Gay stated he has worked with four City Managers he had called to tell the Manager to work with the customer. Commissioner Dowdell stated that if you read the entire bill it reads in care of, he stated cut it off at 414 and he has been telling them to cut it off for the past two years he stated that this is not his bill. Commissioner McMillan stated that we will never collect any of the funds. He stated that there is a Commissioner's name on this list he stated that everyone should be treated the same. Commissioner Gay stated that we need to continue to work with the citizens that have a hardship. Commissioner Dowdell stated everyone is talking about my name is on the list he stated if you read the entire bill you will see it reads in care of, Commissioner Dowdell stated the bill does not belong to him and over two years he had asked them to cut the utilities off. Mayor Elias asked the Attorney who is responsible for the bill if it says in care of. The Attorney stated that it depends on who signed the initial agreement and second common law person that is actually in the house.

Recall Petition

Mayor Elias stated Commissioner Brown seat is up for recall and stated the Statutes are very clear but our Charter is not so clear. He asked the Attorney at what point the City can step in or do we have the authority or who has the authority. The Attorney stated that the Clerk has a role and it is a ministerial function, the City does not have the authority to do anything it would have to be a Circuit Judge. Mayor Elias asked how it gets to the Circuit Judge. The Attorney stated that one of the parties can take it to the Judge. Mayor Elias asked what the Attorney's role is. The Attorney stated to support the Clerk. Attorney M. B. Adleson addressed the Commission and stated the initial petition has lack of merit, form and content and the Clerk should find the petition inadequate. He stated the statute is very clear that the petition should not exceed 200 words, the language speaks of malfeasance but no description of as to what the allegation is. He stated that a large number of people has in writing requested their names be withdrawn thus leaving the petition with less than required by statute. The Mayor stated we have a difference in opinions. The Mayor asked the Clerk what she has found. She stated that in speaking with the Attorney we found several significant inconsistencies with the petition for example it had more than 200 words, absent of oath. The Mayor asked the Attorney to take another look to see who has the authority. Commissioner McMillan asked if we need to hire an outside Attorney to give us an independent opinion. Mayor Elias stated the Board should not be hiring someone to give us an opinion. Commissioner Gay stated he is not comfortable discussing this issue it is an electoral issue. Commissioner Gay asked what state agency has jurisdiction. Attorney Grant stated the Elections but mostly they get resolved in Circuit Court. Commissioner Gay stated that each Commissioner may have to research the issue themselves.

Commissioner Gay made a motion to move our regular meeting scheduled for Tuesday, November 11, 2014 be move to Monday November 10, 2014 due to the observance of Veterans Day. Commissioner Dowdell seconded the motion. The ayes were unanimous.

Comments

City Manager – None

City Clerk – None

City Attorney

Attorney Grant reported that he is requesting an Executive Session to discuss a demand settlement agreement in the David Hall case. The Commission agreed to hold the meeting Monday, November 10, 2014 at 5:30 p.m.

Attorney Grant stated he looked into the effect of the revised meeting of September 30th where we passed a resolution to authorize spending until we adopt a budget. He stated a notice was posted before noon, the required 24 hours notice was in an ordinance passed in 2013 but does have an exception of an emergency meeting in which this met the requirement of an emergency meeting. He stated in compliance with the Sunshine Laws there is always a cure the item can be re-agended and voted on again and asked for public comment. Attorney Grant stated in his opinion the meeting was proper and valid. Commissioner Dowdell asked how is sending an email proper notice according to the ordinance it must be delivered in person at the place of business or work, he stated he did not receive an email and even if an email was sent it did not meet the requirement of ordinance. Commissioner Dowdell stated that neither the notice nor did the minutes have emergency. He also asked the Attorney if he would risk his license from the bar.

Commission

Commissioner Dowdell asked the Interim City Manager what he knew about a handbook at Customer Service. The Manager stated he didn't know what he talking about Commissioner Dowdell was called an employee in Customer Service about a log book that was on the table. Commissioner Dowdell stated that citizens on fixed income did not have to pay a 5% penalty for paying late the books were removed from the table. Mayor Elias asked if there was a policy or practice to waive the late fees as is relates to the penalty. The Manager stated we do work with all

Commissioner Dowdell stated again they need to cut 414 Williams Street if they don't pay the bill cut it off.

Commissioner Gay asked if we had anything in place for Halloween on Friday night. Chief Sapp stated there are no special plans or events to close the street but we will have the reserves Officers on duty.

Commissioner Gay stated he appreciates the quick response on the constituent issues and requests.

Commissioner Gay asked if the street sweeper was down. The Manager stated it is down for repairs. Commissioner Gay stated that lawn care people are blowing debris in the gutters we need to educate as not to blow debris in the streets. Do we have an ordinance on blowing debris in our gutters.

Commissioner Gay stated apparently citizens don't know that we have a leash law there is no such thing as free roaming dogs. He stated he has an issue in his district.

Commissioner Brown – none

Commissioner McMillan thanked staff and employees for promptly taking care of the animal control issue.

Commissioner McMillan stated that Code Enforcement is doing a good job.

Commissioner McMillan announced that he would have a District V meeting November 4, 2014 at 6:00 p.m. at City Hall.

Commissioner McMillan stated that we need make our streets safe for our children on Halloween and made a motion to close King Street from Key to 11th Street from 6:00 p.m. to 8:00 p.m. Commissioner Gay seconded the motion. The ayes were unanimous.

Minister Alphonso Figgers of 215 North Chalk Street came before the Commission regarding the following: reconsider the bus shutter service, thanked everyone for their part they played in making a success of Shaw's Quarter Day, asked the Commission to consider filling our interim position with our own employees they deserves a chance.

Workshop date will be held November 17, 2014 at 6:00 p.m. that would include the final budget, Auditors present, smart-grid, accounts receivables & accounts payables.

Mayor Elias asked when would the restriping of the streets District III began and traffic calming devices.

Mayor Elias asked the time frame for the Police Department to move and Customer Service. The Manager stated that approximately mid November Customer Service would be moving back to City Hall and probably in January the Police Department would moving.

Mayor Elias stated that he had received calls from Netquincy customers regarding changing carriers. The Manger stated he would have to get back with him because Mr. Rittman has to get letters out to the customers.

Mayor Elias asked the status of the Quincy by-pass and the exiting out of Circle Drive. The Manger stated that DOT has assured him that the citizens would be able to go in either direction onto US 90.

Mayor Elias stated the he would like to know who is responsible for the bill that was discussed earlier in regards to Commissioner Dowdell. The Manager stated he and the Attorney would research the matter.

Commissioner Brown made a motion to adjourn the meeting. Commissioner McMillan seconded the motion. There being no further business to discuss the meeting was adjourned.

APPROVED:

Derrick D. Elias, Mayor and
Presiding Officer of the City Commission
City of Quincy, Florida

ATTEST:

Sylvia Hicks
Clerk of the City of Quincy, Florida
Clerk of the City Commission thereof

CITY OF QUINCY

RESOLUTION NO.: 1319-2014

A RESOLUTION OF THE CITY COMMISSION OF QUINCY, FLORIDA, AUTHORIZING THE QCRA MANAGER TO SUBMIT A COMMUNITY CONTRIBUTION TAX CREDIT APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY DIVISION OF STRATEGIC BUSINESS DEVELOPMENT TO SOLICIT FUNDS FOR QUINCY REDEVELOPMENT AGENCY (“QCRA”) REVITALIZATION PROGRAM AND CERTIFYING THAT THE PROPOSED PROGRAM IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS, INCLUDING THE CITY OF QUINCY COMPREHENSIVE PLAN.

SECTION 1.01. Authority. This Resolution, after due notice of public meeting was given, is adopted pursuant to the City of QUINCY Charter, as amended and supplemented, the same being the Charter of the City of QUINCY, Florida, Chapter 166, Florida Statutes and other applicable provisions of law.

SECTION 2.01 Findings. IT IS HEREBY FOUND AND DETERMINED that certain of the City of Quincy’s commercial resources and facilities and public resources and facilities located in the designated Community Redevelopment District are in need of revitalization; IT IS FURTHER FOUND AND DETERMINED that the City of QUINCY, by and through its Community Redevelopment Agency (hereinafter QCRA), desires to help its commercial property owners and public entities and departments to revitalize its facilities and premises within the Quincy Redevelopment District through a project entitled “QCRA Revitalization Program”; IT IS FURTHER DETERMINED that the QCRA Revitalization Program is consistent with local plans and regulations, including without limiting, local zoning plans and comprehensive plans; IT IS FURTHER DETERMINED that the QCRA Revitalization Program is eligible for Community Contribution Tax Credits upon approval of its application by the Florida Department of Economic Opportunity Division of Strategic Business Development and thereby authorized to solicit tax deductible donations to support commercial businesses and public entities and departments, including commercial property owners and public entities in the City of Quincy’s Community Redevelopment District, to provide, construct, improve or substantially revitalize their commercial facilities and public facilities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF QUINCY, FLORIDA AS FOLLOWS:

SECTION 3.01 Findings Incorporated. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 3.02 Directions to QCRA Manager. The QCRA Manager is hereby directed to submit an application to the Florida Department of Economic Opportunity Division of Strategic Business Development to obtain funds to implement the QCRA Revitalization Program as soon as practicable and prior to the application deadline, if any.

Motion for approval of this resolution was made by Commissioner _____.

Motion seconding approval of this resolution was made by Commissioner _____.

DONE AND ORDERED this ____ day of _____, 2014, in _____ session of the City Commission of QUINCY, Florida.

Date: _____

Attest: _____
Sylvia Hicks, City Clerk

Derrick D. Elias, Mayor

(SEAL)

Approved as to form and sufficiency:

Hubert R. Brown, Esq.
QCRA Attorney

ATTEST:

City Clerk, Sylvia Hicks

CITY OF QUINCY

RESOLUTION NO.: 1320-2014

A RESOLUTION OF THE CITY COMMISSION OF QUINCY, FLORIDA, AUTHORIZING THE QCRA MANAGER TO SUBMIT A COMMUNITY CONTRIBUTION TAX CREDIT APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY DIVISION OF STRATEGIC BUSINESS DEVELOPMENT TO SOLICIT FUNDS FOR THE QUINCY REDEVELOPMENT AGENCY (“QCRA”) AFFORDABLE HOUSING PROGRAM AND CERTIFYING THAT THE PROGRAM IS CONSISTENT WITH LOCAL PLANS AND REGULATIONS, INCLUDING THE CITY OF QUINCY COMPREHENSIVE PLAN.

SECTION 1.01. Authority. This Resolution, after due notice of public meeting was given, is adopted pursuant to the City of QUINCY Charter, as amended and supplemented, the same being the Charter of the City of QUINCY, Florida, Chapter 166, Florida Statutes and other applicable provisions of law.

SECTION 2.01 Findings. IT IS HEREBY FOUND AND DETERMINED that certain of the City of Quincy’s citizens’ homes located in the designated Community Redevelopment District are in need of rehabilitation; IT IS FURTHER FOUND AND DETERMINED that the City of QUINCY, by and through its Community Redevelopment Agency (hereinafter QCRA), desires to help its citizens to rehabilitate their homes through a project entitled “QCRA Affordable Housing Program”; IT IS FURTHER DETERMINED that the QCRA Affordable Housing Program is consistent with local plans and regulations, including without limiting, local zoning plans and comprehensive plans; IT IS FURTHER DETERMINED that the QCRA Affordable Housing Program is eligible for Community Contribution Tax Credits upon approval by the Florida Department of Economic Opportunity Division of Strategic Business Development thereby obtaining authority to solicit tax deductible donations to assist City of Quincy residents in the Community Redevelopment District, to provide, construct, improve or substantially rehabilitate their homes.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF QUINCY, FLORIDA AS FOLLOWS:

SECTION 3.01 Findings Incorporated. The foregoing findings are incorporated herein by reference and made a part hereof.

SECTION 3.02 Directions to QCRA Manager. The QCRA Manager is hereby directed to submit an application to the Florida Department of Economic Opportunity Division of Strategic Business Development to obtain funds to implement the QCRA Affordable Housing Program as soon as practicable and prior to the application deadline, if any.

Motion for approval of this resolution was made by Commissioner_____.

Motion seconding approval of this resolution was made by Commissioner_____.

DONE AND ORDERED this ____ day of _____, 2014, in _____ session of the City Commission of QUINCY, Florida.

Date: _____

Attest: _____
Sylvia Hicks , City Clerk

Derrick D. Elias, Mayor

(SEAL)

Approved as to form and sufficiency:

Hubert R. Brown, Esq.
QCRA Attorney

ATTEST:

City Clerk, Sylvia Hicks

**CITY OF QUINCY
CITY COMMISSION
AGENDA REQUEST**

Date of Meeting: November 10, 2014
Date Submitted: November 7, 2014
To: Honorable Mayor and Members of the Commission
From: Mike Wade, Interim City Manager
Subject: Attorney Selection

Issue

The City received responses to a Request for Qualifications for City Attorney Services in May 2014 and needs to make a selection for a firm to provide Attorney Services.

Analysis/Discussion

In May 2014 the City issued an RFQ for attorney services and received two responses. The responses were from Grant & Rumph, P.A. and from Ard, Shirley, & Rudolph, P.A. During the June 24, 2014 regularly scheduled meeting Mr. John Grant and Mr. Scott Shirley came before the Commission to meet and interview with the Commissioners. The Commission did not appoint a permanent attorney at that time. As a note of disclosure, since the RFQ responses were initially submitted Mr. Jerry Rumph has left the firm of Grant & Rumph and Mr. Grant is operating as The Law Office of John A. Grant, P.A. The firms that responded to the RFQ were asked to come before the Commission for additional discussion. The following options are provided for the Commissions consideration.

Options

Option 1: Hire John Grant

Option 2: Hire Scott Shirley

Option 3: Re-advertise the position

Attachments:

1. Copy of June 24, 2014 Agenda item

CITY OF QUINCY
CITY COMMISSION AGENDA REQUEST

MEETING DATE: June 24, 2014
DATE OF REQUEST: June 18, 2014
TO: Honorable Mayor and Members of the City Commission
FROM: Mike Wade, Interim City Manager
SUBJECT: RFQ & Evaluation Sheets for City Attorney Services

Statement of Issue:

The information provided herein concerns the supply of contracted Attorney/Firm to provide legal direction and support for the City of Quincy in the future.

Statutory Basis for the Appointment of a City Attorney:

ARTICLE IX. CITY ATTORNEY

Sec. 9.01. Appointment and qualifications.

Sec. 9.02. Duties.

Sec. 9.01. Appointment and qualifications.

The city commission shall appoint a **city attorney**.

Editor's note—

Provisions in section 9.01 dealing with the qualifications of the **city attorney** which appear after the language shown above were either repealed by the Municipal Home Rule Powers Act (F.S. ch. 166) or converted into an ordinance by such act which has not been readopted.

Sec. 9.02. Duties.

Editor's note—

The provisions of section 9.02 have assumed ordinance status by virtue of the Municipal Home Rule Powers Act (F.S. ch. 166) and their inclusion in the Code. See Code, § 2-141
Rule Powers Act (F.S. ch. 166) and their inclusion in the Code. See Code, § 2-141

Sec. 2-141. Duties.

The city attorney shall prepare or approve as to form and legality all contracts, bonds and other instruments in writing in which the city is concerned. When required to do so by resolution of the city commission, he shall prosecute and defend for and in behalf of the city all complaints, suits and controversies in which the city is a party. He shall upon request furnish the city commission, the city manager, the head of any city department or any city officer or board not included in any department his opinion on any question of law relating to their respective powers and duties. In addition, he shall perform such other professional duties as may be required of him by ordinance or resolution of the city commission or as are prescribed for city attorneys under the general laws of the state which are not inconsistent with the charter and with any ordinance or resolution which may be passed by the city commission.

(Laws of Fla. ch. 63-1840, § 9.02)

Secs. 2-142—2-160. Reserved.

Background of City Attorney Search:

This is the second advertisement of the above mentioned RFQ with the first coming due on April 30th, 2014. Grant & Rumph, P.A. was the only response to the first RFQ who is currently acting as our Interim City Attorney. The current RFQ was advertised via the web and with the Florida League of Cities on April 16th, 2014 and the due date for applicants was May 30th, 2014 at 4:00 pm in the Human Resources Office. Received on this date were two proposals, one from Grant & Rumph, PA and from Ard, Shirley, & Rudolph, PA.

Staff Recommendation:

Enclosed in your agenda packet are the RFQ as advertised, checklist for services requested within said RFQ, an evaluation sheet for each of you to use to record your review along with a copy of each of the RFQ's received from each of the firms. During the next two weeks you can perform your critique of the firms and be prepared to discuss during the next meeting, come to a decision on the ranking of each of the firms. And at that time, direct staff to begin negotiations, first with Firm 1, then with Firm 2 if needed or schedule a workshop for the Commission to begin their own negotiations.

Options:

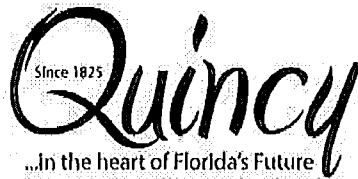
1. Vote to accept submitted firms for further evaluation.

2. Give further direction to staff how to proceed during the next two weeks.

Recommended Option

Option 1

REQUEST FOR QUALIFICATIONS



PROFESSIONAL LEGAL SERVICES

The City of Quincy Commissioners:

Mayor Derrick Elias

Micali Brown Mayor Pro-Tem

Commissioner Andy Gay

Commissioner Keith Dowdell

Commissioner Daniel McMillan

Keith Dowdell, Mayor
The City of Quincy
404 W. Jefferson St.
Quincy Florida 32351

DATE ISSUED: May 16, 2014

CLOSING DATE: May 30, 2014

**CITY OF QUINCY
QUINCY, FLORIDA**

REQUEST FOR PROPOSALS

RFP NUMBER: CQ-042014

The City of Quincy is requesting the submittal of Letters of Interest/Applications from qualified firms or individuals to provide legal services to the City of Quincy to serve as the City Attorney. The City of Quincy is a municipality located in Gadsden County, Florida. The City operates under a Mayor-Commissioner-Manager form of government.

Five (5) sealed letters of Interest/Applications, one (1) paper original and one (1) copy on CD must be received by the Purchasing Officer at 404 W. Jefferson St., Quincy, Florida no later than **4:00 P.M. on May 30, 2014**, at which time the Applications will be opened in privacy of staff at 4:01 P.M. on April 30, 2014, for:

ATTORNEY SERVICES

Late Applications shall not be considered and shall be returned unopened. The City of Quincy reserves the right to accept or reject any or all Applications and to waive any deficiency or irregularity in the Applications.

The Request for Qualifications documents will be available on **May 16, 2014** and may be obtained during regular business hours at Quincy City Hall; City Manager's Office, 404 W. Jefferson St. Quincy, Florida (850-627-1019, ext. 6671) or downloaded from the City of Quincy website at www.myquincy.net.

SECTION 2 – BACKGROUND INFORMATION

2.0 Scope of Services/Nature of Application

A. The City of Quincy requests qualified law firms or individuals (“Applicant”) to submit a Letter of Interest and statements of qualifications and experience to provide legal services to the City of Quincy as the City Attorney on a contractual basis.

B. The legal services (“Services”) to be provided as the City Attorney are for general counsel, including but not limited to, local government issues, land use, code enforcement, bidding and purchasing, finance, municipal litigation, insurance, sunshine law, voting conflicts and public records.

2.1 Minimum Qualifications.

An Applicant must meet all of the following requirements in order to be considered qualified:

- A. Attorney(s) must be licensed to practice law in the State of Florida and in good standing with the Florida Bar.
- B. Primary attorney must have at a minimum at least 5 years experience in municipal law.
- C. Applicant, firm or individual must have experience in representing municipal governments in all facets of daily government operations.
- D. For any individual providing litigation services, must be licensed to practice in the State of Florida, and applicable federal courts.

2.2 Information to be Provided.

An Applicant shall submit a response in the form of a Letter of Interest (“Application”) which shall include as attachments all of the following information:

- A. A listing and individual or firm profile of all attorneys with the firm or if an individual, a profile of the individual, who have experience as municipal counsel. The response to this section should also include information as to the length of time that each firm, attorney or individual has provided such services in the public sector.
- B. The resumes of partners and associates who will or could be assigned to the City account, which information should include an indication of the experience that each attorney possesses relative to municipal government representation, specialties, and, if applicable, any courts that they are admitted to practice in.

- C. The individual partner(s) that will have primary responsibility for the City account and be present at City Commissioner's meetings and whether that attorney(s) represent other municipalities.
- D. A description of the general capabilities of the firm, including total size, staffing and research capability.
- E. A list of 5 references and contact information for any municipal, county and/or state governments in Florida for which your firm or the individual currently provides, or has previously provided, municipal services within the last 5 years.
- F. A statement that all of the firm's attorneys to be assigned to the City are members in good standing and members of the Florida Bar.
- G. A statement whether an office will be maintained in Gadsden or Leon County.
- H. Unless confidential, a statement disclosing any complaints filed against the individual or firm or any current member of the firm and the disciplinary procedures taken by the Florida Bar.

2.3 Supplementary Information.

A. A firm or individual may provide a description of any other relevant legal work which the firm or individual has done which further qualifies it to provide legal services as the City Attorney.

2.4 Conflicts of Interest.

A. In regard to the potential for conflicts of interest under the Florida Bar Rules, Article 2, Conflict of Interest and Code of Ethics provide the following:

1. A list of all known conflicts of interest the individual or firm may currently have in the event it was selected to serve as the City Attorney.
2. Provide confirmation that the individual or firm is prepared to take whatever steps the City Commissioners determines are necessary for your firm to take in order to resolve any actual conflicts of interest.

2.5 Criteria for Selection and Evaluation.

Applications will be evaluated using the criteria listed below.

A. City Staff Evaluation of Applicants.

1. All Applications will be reviewed by the Staff to determine that the firm or individual meets the minimum qualifications of paragraph 2.1.
2. Staff will evaluate the qualified Applicants based upon the information submitted with the Application.
3. As part of the evaluation process the Staff may choose to meet with one or more qualified Applicants.
4. As part of the evaluation process staff may check references of qualified Applicants.
5. Staff may consider the following criteria in evaluating the Qualified Applicants:
 - a. Experience in the field in handling municipal related types of matters;
 - b. Depth and specialties of legal talent;
 - c. Availability of resources;
 - d. The existence of any potential conflicts of interest;
 - e. Ability to meet the City's demands in a timely and efficient manner.

B. Nomination and City Commissioners confirmation of nomination.

1. The City Manager, shall nominate, an individual attorney or law firm to act as the City Attorney.
2. The nomination of the firm or individual attorney shall be subject to approval by a majority of the City Commissioners.

C. Negotiation of Agreement.

1. The Manager shall negotiate with the selected firm or individual attorney approved by the City Commissioners, an agreement based upon the terms, conditions and compensation for the City Attorney, as may be established by the City Commissioners, one of which will be the degree that a retainer is used to compensate for City Attorney responsibility.

SECTION 3 – GENERAL CONDITIONS

3.1 RFQ Documents

These RFQ documents constitute the complete RFQ package. All forms and documents must be executed, and submitted as provided in Section 4 of this RFQ.

3.2 Interpretations and Inquiries

All Applicants shall carefully examine the RFQ documents. Any ambiguities or inconsistencies shall be brought to the attention of the Purchasing Agent in writing prior to the submittal deadline.

Any questions concerning the intent, meaning and interpretation of the RFQ documents shall be requested in writing, and received by the Purchasing Officer no later than 5:00 PM, local time, on May 27, 2014. Written inquiries shall be addressed to:

City of Quincy
404 West Jefferson St.
Quincy, Florida 32351
Fax: (866) 702-2731

No person is authorized to give oral interpretations of, or make oral changes to, the RFQ documents. Therefore, oral statements shall not be binding and should not be relied upon. Any interpretation of, or changes to, the RFQ documents shall be made in the form of a written addendum to the RFQ document and shall be furnished by the City of Quincy to all Applicants who pick up a set of RFQ documents from the City. Only those interpretations of, or changes to, the RFQ documents that are made in writing and furnished to the Applicant by the City may be relied upon.

3.3 Verbal Agreements

No verbal agreement or conversation with any officer, agent, or employee of the City, either before or after submittal, shall affect or modify any of the terms or obligations contained in the Request for Qualifications. Any such verbal agreement or conversation shall be considered as unofficial information and in no way binding upon the City or the Applicant.

3.4 No Contingent Fees

Applicant by submitting an Application warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Applicant, to solicit or secure the services as the City Attorney, and that it has not paid or agreed to pay any person, company, corporation, individual or firm, other than a bona fide employee working solely for the Applicant, any fee, commission, percentage, gift or other consideration contingent upon or resulting from the award of these services.

3.5 Independence

On the form provided in Section 5 of this RFQ, the Applicant shall list, and describe any relationships – professional, financial or otherwise – that it may have with the City, its elected or appointed officials, its employees or agents or any of its agencies or component units for the past five (5) years, together with a statement explaining why such relationships do not constitute a conflict of interest relative to performing the services sought in this RFQ.

3.6 Disqualification

More than one submittal from an individual, firm, partnership, corporation or association under the same or different names will not be considered. Reasonable grounds for believing that an Applicant is involved in more than one submittal for the services in this RFQ will be cause for disqualification of all Applications in which such Applicants are believed to be involved.

3.7 Assignment; Non-transferability of Applications

Applications shall not be assigned or transferred. An Applicant who is, or may be, purchased by or merged with any other corporate entity during any stage of the process, through to and including awarding of and execution of an agreement, is subject to having its submittal disqualified as a result of such transaction. Staff shall determine whether an Applicant is to be disqualified in such instances.

3.8 Legal Requirements

Applicants are required to comply with all provisions of federal, state, county and local laws, ordinances, rules and regulations that are applicable to the Services being offered in this RFQ. Lack of knowledge of the Applicant shall in no way be a cause for relief from responsibility, or constitute a cognizable defense against the legal effects thereof.

3.9 Familiarity with Laws and Ordinances

The submission of an Application requested herein shall be considered as a representation that the Applicant is familiar with all federal, state and local laws, ordinances, rules and regulations which affect those engaged or employed in the provision of such Services.

3.10 Execute Agreement

The successful Applicant shall execute an agreement with the City which shall set forth the terms, conditions and compensation of the firm or individual's services to the City.

3.11 Facilities

The Staff reserves the right to inspect each Applicant's facilities at any reasonable time, during normal working hours, without prior notice to determine that the Applicant has a bona fide place of business.

3.12 Withdrawal of Submittal Prior to and After Opening

An Applicant may withdraw an Application after it has been deposited with the City prior to the opening date. An Applicant may not modify an Application after the opening date.

3.13 Reservation of Rights

Staff reserves the right to:

1. Waive any deficiency or irregularity in the selection process;
2. Accept or reject any or all Applicants in part or in whole;
3. Request additional information as appropriate; or
4. Reject any or all Applications if found by Staff not to be in the best interest of the City.

3.14 Addenda

Staff reserves the right to issue addenda. Each Applicant shall acknowledge receipt of such addenda on the form provided herein. In the event any Applicant fails to acknowledge receipt of such addenda, his/her Application shall nevertheless be construed as though the addenda had been received and acknowledged and the submission of his/her Application shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her. It is the responsibility of each prospective Applicant to verify that he/she has received all addenda issued before depositing the Application with the City.

3.15 Review of the RFQ Documents

By the submission of an Application, the Applicant certifies that a careful review of the RFQ documents has taken place and that the Applicant is fully informed and understands the requirements of the RFQ documents and the quality and quantity of Services to be performed.

3.16 Adjustment/Changes/Deviations

No adjustments, changes or deviations to the RFQ will be accepted unless the conditions or specifications of the RFQ expressly so provide.

3.17 Public Records

Any materials submitted in an Application in response to this RFQ will become a "public record" and shall be subject to public disclosure consistent with Chapter 119, Florida Statutes (Public Record Law). Applicants must claim the applicable exemptions to disclosure provided by law in their response to the RFQ by identifying materials to be protected, and must state the reasons why such exclusion from public disclosure is necessary and legal. The City reserves the right to make all final determination(s) of the applicability of the Florida Public Records Law.

3.18 Public Entities Crime

A person or affiliate as defined in Section 287.133, Florida Statutes, who or which has been placed on the convicted vendor list maintained by the Florida Department of Management Services following a conviction for a public entity crime, may not submit an Application to provide any services to the City and may not transact business with the City in an amount set forth in Section 287.017, Florida Statutes, for Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list.

By submitting a response to this RFQ, Applicant certifies that it is qualified under Section 287.133, Florida Statutes, to provide the services set forth in this RFQ.

3.19 Non-Collusion Affidavit

The Applicant shall include the Non-Collusion Affidavit as set forth in the form provided in Section 5 of this RFQ and as described in Section 4 of the RFQ. Applicant's failure to include the affidavit shall result in disqualification.

3.20 Insurance Requirements

The successful Applicant agrees that it shall maintain at its sole cost and expense at all times, in addition to any other insurance the City may reasonably require, professional liability insurance, employer's liability insurance, comprehensive general liability insurance and automotive liability insurance with minimum policy limits for each coverage in the amount of One Million Dollars (\$1,000,000.00) per occurrence, single limit for property damage and bodily injury, including death. Each policy shall also state that it is not subject to cancellation, modification, or reduction in coverage without thirty (30) days written notice to the City prior to the effective date of cancellation, modification, or reduction in coverage. City Attorney shall obtain all insurance coverage as specified herein.

A. The liability insurance shall protect the City Attorney and City, from claims set forth below that may arise out of or result from the City Attorney's Services and for which the City Attorney may be legally liable, whether such operations be by the City Attorney or by anybody performing work for the City Attorney under the Agreement or by anyone directly or indirectly employed by any of them, or by anyone for whose acts any of them may be liable:

1. Claims under workers' compensation, disability benefit and other similar employee benefit acts that are applicable to the services to be performed;
2. Claims for damages because of bodily injury, occupational sickness or disease, or death of the City Attorney's employees;
3. Claims for damages because of bodily injury, sickness or disease, or death of any person other than the City Attorney's employees;
4. Claims for damages insured by usual personal injury liability coverage that are sustained (1) by a person as a result of an offense directly or indirectly related to employment of such person by the City Attorney, or (2) by another person;

5. Claims for damages because of bodily injury, death of a person or property damage arising out of ownership, maintenance or use of a motor vehicle; and

6. Claims involving contractual liability insurance applicable to the City Attorney's obligation.

B. The insurance required for the City Attorney's Services shall be written for not less than limits of liability specified in this RFQ or required by law, whichever coverage is greater. Coverage's, whether written on an occurrence or claims-made basis, shall be maintained without interruption from date of commencement of the Services until date of final payment and termination of any coverage required to be maintained after final payment.

C. Certificates of Insurance acceptable to the City shall be filed with the City prior to commencement of the Services. City shall be named as an additional insured on all required insurance coverage.

D. Coverage's Required Minimum Limits

1. Worker's Compensation Statutory Limits – State of Florida

2. Employers' Liability \$500,000 accident

3. General Liability, \$1,000,000 general

Contractual Liability, aggregate, \$500,000 each Personal Injury Liability occurrence

4. Automobile liability \$1,000,000 BI & PD, each accident

5. Owned, hired, no owned \$1,000,000 BI & PD, each Accident.

6. Professional Liability \$1,000,000

SECTION 4 – APPLICATION PROCESS

4.1 Preparation of Applications

4.1.1 Number of Applications

Five (5) sealed Letters of Interest/Applications, one (1) paper original and one (1) copy on CD, must be received by the City Manager's Office at 404 West Jefferson St., Quincy, Florida no later than 4:00 P.M. on April 30, 2014. Each copy should contain all mandatory and optional information submitted by the Applicant. Additional copies may be requested by the City at its discretion.

4.1.2 Application Packaging

Each Application shall be submitted in a separate plain sealed parcel, box or other secure packaging. The outside of the sealed package shall clearly indicate "Application for City Attorney Services," Applicant's name, address and the name and telephone number of the Applicant's specific contact person.

4.1.3 Signatures

All required signatures should be manual, in blue ink of an authorized representative who has the legal authority to bind the Applicant in contractual obligations. The Application shall be typed or legibly printed in ink. Use of erasable ink is not permitted. All blank spaces shall be filled in and noted, in ink or typed. All corrections made by Applicant's to any part of the Application document shall be initialed in ink. Failure to manually sign the appropriate Application forms will disqualify the Applicant and the Application will not be considered. Applications by corporations shall be executed in the corporate name by the President or Vice-President (or other corporate officer if accompanied by evidence of authority to sign) and the corporate seal shall be affixed and attested by the Corporate Secretary or an Assistant Secretary. The corporate address and state of incorporation shall be shown below the signature.

Applications by partnerships shall be executed in the partnership name and signed by a partner. His/her title shall appear under his/her signature and the official address of the partnership shall be shown below the signature.

4.1.4 Format

The Application shall be typewritten on 8-½x 11 inch white paper. Staple, cerlox binding or similar closures shall secure pages. All pages are to be consecutively numbered. If a form is provided and there is insufficient space for a response on a form, the response may be continued on a blank page immediately following the form. The additional pages are to be numbered the same as the form with the addition of the letter "a" "b" "c" or 1, 2, 3 etc. If a form is provided and additional forms are needed, the form may be copied. The copied pages are to be numbered the same as the form with the addition of the letter "a" "b" "c" or 1, 2, 3 etc.

Responses shall be complete and unequivocal. In instances where a response is not required, or is not applicable or material to the Application, a response such as "no response is required" or "not applicable" is acceptable.

4.2 Submittal and Receipt of Applications

All Applications shall be submitted on or before **4:00 PM, local time, on May 30, 2014**, to:

City of Quincy
404 West Jefferson St.
Quincy, Fla 32351

All Applicants are reminded that it is the sole responsibility of the Applicant to ensure that their Application is time stamped in the Office of the Manager prior to **4:00 PM, local time, on May 30, 2014**. Failure of an Applicant to submit their Application and ensure that their Application is time stamped prior to the time stated above shall render an Applicant to be deemed non-responsive and the Application shall not be considered.

Applications submitted and time stamped on or before **4:00 PM, local time, on May 30, 2014** shall be opened publicly in accordance with Section 4.4.

4.3 Evaluation and Selection

The evaluation process is specified in Section 2.5.

4.4 Opening of Applications

The Applications will be opened by staff in privacy at 404 West Jefferson St, Quincy, Florida 32351, at **4:01 PM, local time, May 30, 2014**. Applicants shall provide the following information in the Application:

4.4.1 Letter of Intent

A Letter of Intent, which will include all of the information requested in Section 2 of the RFQ. The Letter of Intent is to be signed by an officer of the company authorized to bind the Applicant to its provisions. The Letter of Intent is to contain a statement indicating the period during which the Application will remain valid. A period of not less than 90 calendar days is required.

4.4.2 Applicant's Statement of Organization

Applicants shall complete Form 1. Applicants are permitted to supply additional information that will assist the City in understanding the Applicant's organization.

4.4.3 Personnel

Applicants shall provide, preferably in the format requested, all of the information requested in Form 2, which shall include the information requested in Section 2 of the RFQ.

4.4.4 Firm Qualifications and Experience\References

Applicant shall meet the minimum requirements of Section 2 of this RFQ. Applicants shall provide references using Form 3 provided in Section 5.

4.4.5 Transition Plan

Ensuring a smooth, seamless transition is of critical importance to the City. An Applicant shall provide a detailed description of how services will be transitioned from the City's existing counsel to the potentially new Applicant.

4.4.6 Insurance Requirement

Applicant shall provide proof in the form of a certificate of insurance complying with the requirements specified in this RFQ or evidence of insurability in the form of a letter from its insurance carrier indicating that Applicant is able to obtain the required insurance.

4.4.7 Applicant's Non-Collusion Certification

Any Applicant submitting an Application to this RFQ shall complete and execute the Non-Collusion Affidavit of Applicant (Form 4) included in Section 5 of these RFQ documents.

4.4.8 Drug-Free Workplace

Applicant shall certify that it has implemented a drug-free workplace program in accordance with Section 287.087, Florida Statutes. In order to receive consideration, a signed certification of compliance (Form 5), shall be submitted with the RFQ response.

4.4.9 Addenda

The Applicant shall complete and sign the Acknowledgment of Addenda Form 6 in Section 5 and include it in the Application in order to have the Application considered. In the event any Applicant fails to acknowledge receipt of such addenda, his/her Application shall nevertheless be construed as though the addenda had been received and acknowledged and the submission of his/her Application shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her.

4.4.10 Independence Affidavit

Applicants shall list and describe their relationships with the City in accordance with Section 3.5 of the RFQ (Form 7).

4.4.11 Certification to Accuracy of Application

Applicant shall certify and attest, by executing Form 8 of Section 5 of these RFQ documents, that all Forms, Affidavits and documents related thereto that it has enclosed in the Application in support of its Application are true and accurate. Failure by the Applicant to attest to the truth and accuracy of such Forms, Affidavits and documents shall result in the Application being deemed non-responsive and such Application will not be considered.

4.4.12 Background Checks

The Applicant agrees that if selected, the Applicant shall be responsible for maintaining current background checks on all employees assigned to provide Services to the City in accordance with the City's Background Check Policy. Background checks for each individual must be performed prior to providing any Services to the City. Written verification of any background checks must be provided to the City if requested by the City Manager.

4.4.13 Compliance with Code of Ethics

The Applicant agrees that if selected, the Applicant and its employees will abide by the Code of Ethics for Public Officers and Employees, Chapter 112, Florida Statutes.

4.4.14 Audits

The Applicant agrees that if selected, the Applicant shall allow the City Manager or his designee, during the term of any Agreement and for a period of three (3) years from the date of termination or expiration of any Agreement, access to and the right to examine and audit any Records of the Applicant involving transactions related to the Services.

4.5 Cone of Silence

CONE OF SILENCE

I. Notwithstanding any other provision in the specifications. The "Cone of Silence" prohibits the following activities:

- A. Any communication regarding this RFQ, RFP or Bid between a potential vendor, service provider, bidder, lobbyist or Applicant and the City's professional staff, including, but not limited to, the City Manager and his or her staff;
- B. Any communication regarding this RFQ, RFP or Bid between the City Commissioners and any member of the City's professional staff, including but not limited to, the City Manager and his or her staff;
- C. Any communication regarding this RFQ, RFP or Bid between potential vendor, service provider, bidder, lobbyist or Applicant and any member of a selection committee;
- D. Any communication regarding this RFQ, RFP or Bid between the City Commissioners and any member of a selection committee therefore;
- E. Any communication regarding a particular RFQ, RFP or bid between any member of the City's professional staff and any member of a selection committee; and
- F. Any communication regarding a particular RFQ, RFP or bid between a potential vendor, service provider, bidder, lobbyist or Applicant and the Mayor or City Commissioners.

II. These prohibitions do not apply to communications with the City Attorney and his or her staff.

III. The "Cone of Silence" is imposed upon this RFQ, RFP or Bid after advertisement of said RFQ, RFP or Bid. The "Cone of Silence" shall terminate at the time that staff makes his or her recommendation to the City Commissioners, unless the Commissioners refers the Mayor's recommendation back to the Mayor for further review.

IV. The "Cone of Silence" shall NOT apply to:

- A. Oral communications at pre-bid conferences;
- B. Oral presentations before publicly noticed selection committee meetings;

Contract negotiations during any duly noticed public meeting; Duly noticed site visits to determine the competency of bidders regarding a particular bid during the time period between the opening of bids and the time the Mayor makes his or her written recommendation;
Emergency procurement of goods or services;

Communications regarding a particular RFQ, RFP or bid between any person and the City's procurement agent or contracting officer responsible for administering the procurement process for such RFQ, RFP or bid, provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document; or

Communications regarding a particular RFQ, RFP or bid between the City's procurement agent or contracting officer responsible for administering the procurement process for such RFQ, RFP or bid and a member of the selection committee provided the communication is limited strictly to matters of process or procedure already contained in the corresponding solicitation document. Communications in writing at any time with any City employee, official or member of the City Council unless specifically prohibited by the RFQ, RFP or Bid.

V. Any questions, explanations or other requests desired by an Applicant regarding this RFQ must be requested in writing to the City Clerk, 404 W. Jefferson Street, Quincy, Florida 32351 or via facsimile at 850-875-7313. Applicants must file copies of all written communications with the City Clerk's Office.

VI. Please contact the City Attorney with any questions concerning the "Cone of Silence" compliance.

VII. Upon imposition of the Cone of Silence for a particular RFQ, RFP or Bid, the Manager shall:

A. Issue a written notice to affected City departments;

B. File a copy of the Notice required by subsection (1) with the City Clerk with a copy to the Mayor and City Commissioners; and

C. Include in the public solicitation for goods and services a statement disclosing the requirements of the Cone of Silence as follows:

4.6 Estimated Schedule

The Staff anticipates that RFQ activities will take place in the order listed below.

Request for Applications Legal Advertisement

RFQ Release

Last Date for Submittal of Written Questions Prior to

Application Due Date

Applications Due

Review and Evaluation

Recommendation to City Commission

City Commissioner Award

Negotiation of Agreement

Commence Services

[THIS SPACE INTENTIONALLY LEFT BLANK]

SECTION 5 – QUALIFICATION FORMS

The forms located in this section of the RFQ shall be included in the Sealed Application. Forms not completed in full may result in disqualification.

[THIS SPACE INTENTIONALLY LEFT BLANK]

FORM 1
APPLICANT'S STATEMENT OF ORGANIZATION

1. Full Name of Business Concern (APPLICANT):

Principal Business Address:

2. Principal Contact Person(s):

3. Form of Business Concern (Corporation, Partnership, Joint Venture, Other):

4. Provide names of partners or officers as appropriate and indicate if the individual has the authority to sign in name of Applicant. Provide proof of the ability of the individuals so named to legally bind the Applicant.

Name Address Title

If a corporation, in what state incorporated:

Date Incorporated:

Month Day Year

If a Joint Venture or Partnership, date of Agreement:

5. List all firms participating in this project (including subcontractors, etc.):

Name Address Title

1. _____

2. _____

3. _____

4. _____

**FORM 1
APPLICANT'S STATEMENT OF ORGANIZATION
(CONTINUED)**

6. Outline specific areas of responsibility for each firm listed in Question 5.

- 1. _____
- 2. _____
- 3. _____
- 4. _____

7. Licenses:

a. County or Municipal Occupational License No.

(Attach Copy)

b. Occupational License Classification:

c. Occupational License Expiration Date:

d. Social Security or Federal I.D. No:

[THIS SPACE INTENTIONALLY LEFT BLANK]

**FORM 2
PERSONNEL**

For each person providing services sought in the RFQ, provide a detailed resume indicating that individual's areas of expertise and experience. It is preferred that resumes be provided in the following format, but not required. Additional information may be provided at the option of the APPLICANT.

A. Name & Title

B. Years Experience with:

This Firm:

With Other Similar Firms:

C. Education:

Degree(s)

Year/Specialization

D. Other Relevant Experience and Qualifications

E. Attach documentation showing Applicant is an active member of the Florida Bar eligible to practice law in the State of Florida.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**FORM 3
REFERENCES**

The Applicant shall provide a minimum of five references of public agencies presently, or previously being served by the Applicant with similar services to those being proposed in this Application.

1. Name of Public Agency:
Address:

Phone Number:

Principal Contact Person(s):

Year Contract Initiated: _____

2. Name of Public Agency:
Address:

Phone Number:

Principal Contact Person(s):

Year Contract Initiated: _____

3. Name of Public Agency:
Address:

Phone Number:

Principal Contact Person(s):

Year Contract Initiated: _____

4. Name of Public Agency:
Address:

Phone Number:

Principal Contact Person(s):

Year Contract Initiated: _____

**FORM 3
REFERENCES
(CONTINUED)**

5. Name of Public Agency:
Address:

Phone Number:

Principal Contact Person(s):

Year Contract Initiated: _____

[THIS SPACE INTENTIONALLY LEFT BLANK]

**FORM 4
NON-COLLUSION AFFIDAVIT**

The undersigned individual, being duly sworn, deposes and says that:

1. He/She is _____ of _____, the Applicant that has submitted the attached Application;

2. He/She is fully informed respecting the preparation and contents of the attached Application and of all pertinent circumstances respecting such Application;

3. Such Application is genuine and is not a collusive or sham Application;

4. Neither said Applicant nor any of its officers, partners, owners, agents, representatives, employees, or parties in interest, including this affiant, has in any way colluded, connived, or agreed, directly or indirectly, with any other Applicant, firm or person to submit a collusive or sham Application in connection with the Agreement for which the attached Application has been submitted or to refrain from proposing in connection with such Agreement, or has in any manner, directly or indirectly, sought by agreement of collusion or communication of conference with any other Applicant, firm, or person to fix the price or prices in the attached RFQ, or of any other Applicant, or to fix any overhead, profit or cost element of the Application or the response of any other Applicant, or to secure through any collusion, connivance, or unlawful agreement any advantage against the City of Quincy, Florida, or any person interested in the proposed Agreement; and

[THIS SPACE INTENTIONALLY LEFT BLANK]

**FORM 4
NON-COLLUSION AFFIDAVIT
(CONTINUED)**

5. The response to the attached RFQ is fair and proper and is not tainted by any collusion, conspiracy, connivance, or unlawful agreement on the part of the Applicant or any of its agents, representatives, owners, employees, or parties in interest, including this affiant.

Signature (Blue ink only)

Print Name

Title

Date

Witness my hand and official notary seal/stamp at _____ the day
and year written above STATE OF FLORIDA)

) SS:

COUNTY OF _____)

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments,
personally appeared _____ as

_____, of _____, an
organization authorized to do business in the State of Florida, and acknowledged executing the
foregoing Affidavit as the proper official of _____ for the use and
purposes mentioned in the Affidavit and affixed the official seal of the corporation, and that the
instrument is the act and deed of that corporation. He/She is personally known to me or has
produced _____ as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and
County aforesaid on this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

FORM 5
DRUG-FREE WORKPLACE

The undersigned Applicant in accordance with Chapter 287.087, Florida Statutes, hereby certifies that _____ does:
(Name of Company)

1. Publish a statement notifying employees that the unlawful manufacturing, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying the actions that will be taken against employees for violations of such prohibition.
2. Inform employees about the dangers of drug abuse in the work place, the business's policy of maintaining a drug-free workplace, any available drug counseling, rehabilitation, and employee assistance programs, and the penalties that may be imposed upon employees for drug abuse violations.
3. Give each employee engaged in providing the contractual services that are under consideration a copy of the statement specified in subsection (1).
4. In the statement specified in subsection (1), notify the employee that, as a condition of working on the contractual services that are under consideration, the employee will abide by the terms of the statement and will notify the employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States or any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Impose a sanction on, or require the satisfactory participation in a drug abuse assistance or rehabilitation program if such is available in the employee's community, by any employee who is so convicted.

[THIS SPACE INTENTIONALLY LEFT BLANK]

**FORM 5
DRUG-FREE WORKPLACE
(CONTINUED)**

6. Make a good faith effort to continue to maintain a drug-free workplace through implementation of this section.

As the person authorized to sign the statement, I certify that this firm complies fully with the above requirements.

Signature (Blue ink only)

Print Name

Title

Date

Witness my hand and official notary seal/stamp at _____ the day
and year written above STATE OF FLORIDA)

) SS:

COUNTY OF _____)

BEFORE ME, an officer duly authorized by law to administer oaths and take acknowledgments, personally appeared _____ as _____, of _____, an organization authorized to do business in the State of Florida, and acknowledged executing the foregoing Form as the proper official of _____ for the use and purposes mentioned in the Form and affixed the official seal of the corporation, and that the instrument is the act and deed of that corporation. He/She is personally known to me or has produced _____ as identification.

IN WITNESS OF THE FOREGOING, I have set my hand and official seal at in the State and County aforesaid on this _____ day of _____, 20__.

NOTARY PUBLIC

My Commission Expires:

FORM 6
ACKNOWLEDGMENT OF ADDENDA

The Applicant hereby acknowledges the receipt of the following addenda issued by the City and incorporated into and made part of this RFQ. In the event the Applicant fails to include any such addenda in the table below, submission of this form shall constitute acknowledgment of receipt of all addenda, whether or not received by him/her.

ADDENDUM NUMBER	DATE RECEIVED	PRINT NAME	TITLE	SIGNATURE (BLUE INK ONLY)

Request for Qualifications - Attorney Services
RFQ Deadline - May 30, 2014 at 4:00 pm

Firm	1	2	3	3	4	5	6
Minimum Qualifications							
A							
B							
C							
D							
Information Provided							
A							
B							
C							
D							
E							
F							
G							
H							
Supplementary Information							
Conflict of Interest							
1							
2							
Form 1							
Form 2							
Form 3							
Form 4							
Form 5							
Form 6							
Firm 1							
Firm 2							
Firm 3							
Firm 4							
Firm 5							
Firm 6							

City of Quincy
Evaluation Sheet for City Attorney RFQ

Firm Name	Location of Firm 10 Pts	Related Experience 30 Pts	Expertise 25 Pts	References 20 Pts	Reputation 15 Pts	Total
Grant & Rumph, PA						
Ard, Shirley, & Rudolph, PA						

City of Quincy
City Commission
Agenda Request

Date of Meeting: November 10, 2014

Date Submitted: November 7, 2014

To: Honorable Mayor and Members of the Commission

From: Michael B. Wade, Interim City Manager
Bessie Evans, Director, Human Resources and Risk Management

Subject: Report on Recruitment Guidelines for Selecting a City Manager

Issue:

On October 28, 2014, the Commission approved staff to execute a search for a City Manager. The framework to conduct the search for City Manager is in progress. Although staff has been diligently working on this task, the commission will need to develop the criteria for a City Manager.

Analysis:

The Commission has decided to execute a search for a City Manager. There are some guidelines that must be in place for this search to occur. The commissioners had three major choices for conducting the recruitment. The choices included using In-House staff, Executive Search Agent, and or combined efforts from both parties.

In conducting this search, Staff would like the commission to develop a City Manager's profile and design an effective selection process. In this profile the commission should include criteria for the City Manager. The profile will encompass qualities, characteristics, experience, and the areas of expertise that will be found in an ideal candidate.

Wherein now, City Staff is requesting the City Commissioners give clarification on the above, to do so, a workshop is being suggested.