



Freeport City Council
October 11, 2016
Regular Council Meeting
Package



City of Freeport
REGULAR COUNCIL MEETING
9:00 a.m./Council Chambers/Freeport City Hall
October 11, 2016 Agenda

- I. Meeting Called to Order**
- II. Invocation and Pledge of Allegiance**
- III. Recognition of Guests**
- IV. Approval of Past Minutes**
 - September 13, 2016 Regular Council Meeting Minutes (Attachment) **Tab 1**
 - September 20, 2016 Final Budget Hearing Minutes (Attachment) **Tab 2**
 - September 20, 2016 Special Council Meeting Minutes (Attachment) **Tab 3**
 - September 22, 2016 Regular Council Meeting Minutes (Attachment) **Tab 4**
- V. Consideration of Additions/Deletions to Agenda**
- VI. Approval of Agenda with Additions/Deletions**
- VII. Staff Reports**
 - A. City Clerk Matters
 - B. Staff Accountant
 1. Pay all bills in order
 - C. Planning & Zoning Dept. (Attachment) **Tab 5**
 1. American Fidelity SSA 1st Reading
 2. American Fidelity RZ 1st Reading
 - D. Legal Matters
 1. Ordinance Amending Land Development Code – Freeport Recreation Committee
 - E. Engineering
 1. Engineering Updates (Attachment) **Tab 6**
 - F. Water Dept.
 1. Meter Upgrade Project Approval (Attachment) **Tab 7**
 - G. Sewer Dept.
 1. Councilwoman McLean
 - H. Parks Dept.
 1. Old City Hall - Fee Based Programs (Attachment) **Tab 8**
 2. Update on Freeport Regional Sports Complex fields
 3. Replace Water fountain at Casey Park
 4. Quotes for Complex Light fuses
 5. Quotes for Score Boards
 6. Walton Outdoors Oct 15th – Dana and Chris (Information Only)
 7. New ADA compliant Swing at playground – Sherriff's Department (Information Only)
- VIII. Old Business**

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October 11, 2016 Agenda

- IX. New Business**
 - A. Mayor Russ Barley
 - 1. Schedule Special Meeting to conduct interviews for City Bookkeeper Position
 - B. Councilwoman Brannon
 - 1. Legislative Matters
 - C. Councilwoman Cuchens
 - 1. FRDAP Grant Update
 - D. Councilwoman McLean
 - E. Councilman Farris
 - 1. Traffic Table on South Jackson (Attachment) **Tab 9**
 - F. Councilwoman Laird
- X. Public Comment**
- XI. Adjournment**

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Tab 1

City of Freeport
REGULAR COUNCIL MEETING
9:00 a.m./Council Chambers/Freeport City Hall
September 13, 2016 Minutes

I. Meeting Opened

The September 13th 2016 Regular Council Meeting was called to order at 9:00 AM by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council members present: Councilman Eddie Farris, Councilwoman Kasey Cuchens, Councilwoman Janice McLean, Mayor Russ Barley, Councilwoman Elizabeth Brannon and Councilwoman Jennifer Laird.

Staff present: City Clerk Rebecca Podraza, City Attorney Clay Adkinson, City Planner Latilda Hughes-Neel, Staff Accountant Deborah Wimer-Zills, City Engineer Anna Hudson, Parks Director Dana Weiler, Water Supervisor Larry Tuggle, Sewer Supervisor Robert Fawcett, Billing Supervisor Jennifer Douglas.

II. Invocation and Pledge of Allegiance

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

III. Recognition of Guests: None

IV. Approval of Past Minutes

- August 25, 2016 Regular Council Meeting Minutes

Council Action: Councilwoman Cuchens made a motion to approve the August 25, 2016 Regular Council Meeting Minutes as presented. Councilwoman McLean seconded the motion. All ayes; motion carried.

V. Consideration of Additions/Deletions to Agenda

1. **Deletions**

Eddie Farris - ~~Speed limit and stop signs in Hammock Bay~~

VI. Approval of Agenda with Additions/Deletions

Council Action: Councilwoman Cuchens made a motion to approve the Agenda with specified Additions and Deletions as presented. Councilwoman McLean seconded the motion. All ayes; motion carried.

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September 13, 2016 Minutes

VII. Staff Reports

A. City Clerk Matters

1. Purchasing Policy
 - City Clerk Podraza reviewed the draft Purchasing Policy with the Council. The policy was tabled to a later date.
2. RFQ for Legal Services
 - Clerk Podraza reviewed the draft copy of the RFQ for Legal Services. City Attorney Adkinson advised on additional information and changes that will need to be made. Clerk Podraza will update the RFQ with these changes and present at the September 22, 2016 Council Meeting.
3. Request Approval to Advertise for City Accountant
 - Council discussed the job description, salary and advertisement.

Council Action: Councilwoman McLean made a motion to approve advertisement for an Accounting Position with changes to the advertisement adding government experience and seven years' accounting experience preferred. Councilman Farris seconded the motion. All ayes; motion carried.

4. Request Approval of Employee Promotional Advancements

Council Action: Councilwoman Cuchens made a motion to approve Jurgen Kallenbach to be promoted from his current position of Water Distribution Operator at \$14.92 per hour to the new budgeted position of Lead Water Distribution Operator at \$17.50 per hour beginning October 1, 2016. Councilwoman Laird seconded the motion. All ayes; motion carried.

Council Action: Councilman Farris made a motion to approve Adison Parker to be promoted from his current position of Sewer Maintenance Worker at \$11.33 per hour to the new budgeted position of Sewer Maintenance Crew Leader at \$16.50 per hour beginning October 1, 2016. Councilwoman Laird seconded the motion. All ayes; motion carried.

Council Action: Councilwoman Cuchens made a motion to approve Johnny McCormick from his current position of Water Maintenance Worker at \$14.04 per hour, to the new budgeted position of Water/Wastewater Utility Locator at \$16.00 per hour, for which he is certified as a licensed Back Flow Tester, beginning October 1, 2016. Councilwoman Brannon seconded the motion. All ayes; motion carried.

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- B. Staff Accountant: None
- C. Planning & Zoning Dept.: None
- D. Legal Matters
 - 1. Amendment to the Traffic Signal Maintenance and Compensation Agreement

Council Action: Councilman Farris made a motion to approve the Amendment to the Traffic Signal Maintenance and Compensation Agreement for Department of Transportation. Councilwoman Brannon seconded the motion. All ayes; motion carried.

- E. Engineering
 - 1. Engineering Updates
 - City Engineer Anna Hudson reviewed the Engineering Updates Report.
 - 2. Sludge Drying Beds Award Recommendation
 - City Engineer Anna Hudson reviewed the Bid Award Recommendation.

Council Action: Councilwoman McLean made a motion to approve RBM Contracting Services, LLC for award of the contract for the Sludge Drying Beds Project in the amount of \$310,774.17. Councilman Farris seconded the motion. All ayes; motion carried.

F. Water Dept.: None

G. Sewer Dept.

- 1. Councilwoman McLean
 - Advance Pay and Release from work the two employees who are retiring
No action taken
 - Bids for Waste Water Treatment Plant Office
The three bids for a modular office to be located at the Sewer Treatment Plant site were discussed. After Council discussion it was decided that Councilwoman McLean would bring back prices for a slab to the next Council Meeting to be included with the bids.
No action taken
 - New Price Sheets for Water and Sewer
Councilwoman McLean presented the new format for the Water and Sewer Installation Price sheet that was prepared by the Sewer Plant Lead Operator Bridget Hilgenberg. The new price sheet is much easier to read than the previous format. Prices were not changed, only the format of the information sheet changed.

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9:00 a.m./Council Chambers/Freeport City Hall
September 13, 2016 Minutes

H. Parks Dept.

1. Approve Freeport Youth Sports Organization Waiver of Fees Agreement

Council Action: Councilwoman Cuchens made a motion to approve the Freeport Youth Sports Organization Waiver of Fees Agreement as presented. Councilwoman Laird seconded the motion. All ayes; motion carried.

2. Approve the Freeport Area Youth Football Team Waiver of Fees Agreement

Council Action: Councilwoman Cuchens made a motion to approve the Freeport Area Youth Football Team Waiver of Fees Agreement as presented. Councilwoman Laird seconded the motion. All ayes; motion carried.

3. Freeport Recreation Committee Resolution

- City Attorney Adkinson advised the Council that the Recreation Committee Resolution was approved by the City Attorney's office as to form and reformation of the Board may proceed. Council discussed the Freeport Recreation Committee Resolution.

Council Action: Councilwoman Cuchens made a motion to approve the updated Freeport Recreation Committee Resolution Number 2016-09 as presented. Councilwoman Laird seconded the motion. Four Ayes (McLean, Cuchens, Laird, Farris); one nay (Brannon); motion carried.

VIII. Old Business: None

IX. New Business

A. Mayor Russ Barley

1. Publix will open on Wednesday, September 14th.
 - Ribbon Cutting at 7:45 and doors open at 8:00 am
2. Mayor Barley and Mayor Gene Wright of Malone will be traveling to Gonzales, Louisiana with all the donations that were collected for the flood victims. They will be traveling over on Wednesday afternoon September 14th and returning Thursday the 15th.

B. Councilwoman Brannon: None

C. Councilwoman Cuchens

1. Councilwoman Cuchens announced that she will be attending the Rural Economic Summit September 18th through the 20th.

D. Councilman Farris

1. Street Light for Robin Wood drive & Andy Lane
2. Street Light for Robin Wood Drive & Eckie Drive

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Councilman Farris made a motion to approve installation of streetlights by Chelco Electric at Robin Wood Drive and Andy Lane as well as Robin Wood Drive and Eckie Drive. Councilwoman Cuchens seconded the motion. All ayes; motion carried.

- 3. ~~Speed limit and stop signs in Hammock Bay~~
- 4. Fire Department Building Maintenance

Council Action: Councilman Farris made a motion to allow the County Fire Department to renovate the City owned Fire Department building. Councilwoman McLean seconded the motion. All ayes; motion carried.

E. Councilwoman Laird: None

X. Public Comment

- City Planner Latilda Hughes-Neel thanked the Council for their work on continued efforts for the City to provide medical benefits for the employees. Thank you to Councilwoman McLean for her research and efforts to research in bringing savings as well as quality insurance to the City employees.

XI. Adjournment

Mayor Russ Barley called for a motion to adjourn. Councilwoman McLean motioned to adjourn. The Mayor gaveled and the meeting adjourned at 10:37 a.m.

FREEPORT CITY COUNCIL

 Mayor

 Council President

ATTEST:

 City Clerk

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Tab 2

City of Freeport
FINAL BUDGET HEARING
6:00 p.m./Council Chambers/Freeport City Hall a
September 20, 2016 Minutes

I. Meeting Opened

The September 20th 2016 Final Budget Hearing was called to order at 6:00 PM by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council members present: Councilman Eddie Farris, Councilwoman Janice McLean, Councilwoman Elizabeth Brannon, and Councilwoman Jennifer Laird.

Council members absent: Councilwoman Cuchens

Staff present: City Clerk Rebecca Podraza, City Attorney Clayton Adkinson, City Engineer Anna Hudson, City Engineer Cliff Knauer, Billing Supervisor Jennifer Douglas and Sewer Supervisor Robert Fawcett

II. Invocation and Pledge of Allegiance

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

III. Final Budget & Millage

Mayor Russ Barley opened the meeting and turned the proceedings over to City Clerk Podraza. Clerk Podraza informed the Council and those present that on September 8, 2016 the tentative budget was approved in the amount of \$4,646,200.00. The tentative millage rate for 4.7302 was approved as well. Clerk Podraza then turned the meeting over to City Attorney Adkinson.

Attorney Adkinson informed the Council that this is the final budget hearing which has been properly advertised. He advised that the millage rate of 4.7302 is greater than the roll back rate of 4.6401 milled by 1.94%. The proposed budget is \$4,646,200.00 and proposed millage is 4.7302.

Attorney Adkinson read the proposed resolution to adopt the 2016/2017 millage rate of 4.7302:

Council Action: Councilwoman McLean made a motion to set the final millage rate of 4.7302 and adopt Resolution No. 2016-10 for the 2016/2017 budget year. Councilwoman Laird seconded the motion. Four ayes (McLean, Cuchens, Farris, Laird), one nay (Brannon); motion carried.

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City of Freeport
FINAL BUDGET HEARING
6:00 p.m./Council Chambers/Freeport City Hall a
September 20, 2016 Minutes

Attorney Adkinson read the proposed resolution to adopt the final 2016/2017 budget in the amount of \$4,646,200.00:

Council Action: Councilman Farris made a motion to accept the final 2016/2017 budget in the amount of \$4,646,200.00 and adopt Resolution No. 2016-11. Councilwoman Laird seconded the motion.

Council Discussion: Councilwoman Brannon read a statement that will be provided as copy of record with the minutes as to why she will be voting no on the 2016/2017 budget.

Four ayes (McLean, Cuchens, Farris, Laird), one nay (Brannon); motion carried.

Adjournment

Mayor Russ Barley called for a motion to adjourn. Councilwoman McLean motioned to adjourn. The meeting adjourned at 6:15 pm.

FREEPORT CITY COUNCIL

Mayor

Council President

ATTEST:

City Clerk

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Tab 3

**City of Freeport
SPECIAL MEETING**

6:15 p.m./Council Chambers/Freeport City Hall a
September 20, 2016 Minutes

I. Meeting Opened

The September 20, 2016 Special Council Meeting was called to order at 6:15 PM by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council members present: Councilman Eddie Farris, and Councilwoman Elizabeth Brannon.

Council members absent: Councilwoman Janice McLean, Councilwoman Kasey Cuchens and Councilwoman Jennifer Laird.

Staff present: City Clerk Rebecca Podraza, City Attorney Clayton Adkinson

II. Invocation and Pledge of Allegiance

The invocation was given at the Final Budget Hearing previously at 6:00 pm. Attorney Adkinson advised that another was not necessary.

III. Repeal Resolution Numbers 2005-13 & 2016-09

Meeting was adjourned due to a lack of quorum.

Adjournment

Mayor Russ Barley called for a motion to adjourn. Councilwoman McLean motioned to adjourn. The meeting adjourned at 6:17 p.m.

FREEPORT CITY COUNCIL

Mayor

Council President

ATTEST:

City Clerk

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Tab 4

City of Freeport
REGULAR COUNCIL MEETING
6:00 p.m./Council Chambers/Freeport City Hall
September 22, 2016 Agenda

I. Meeting Opened

The September 22nd 2016 Regular Council Meeting was called to order at 6:00 PM by Mayor Russ Barley. The meeting was held in City Council Chambers of Freeport City Hall.

Council members present: Councilman Eddie Farris, Councilwoman Kasey Cuchens, Councilwoman Janice McLean, Mayor Russ Barley, Councilwoman Elizabeth Brannon and Councilwoman Jennifer Laird.

Staff present: City Clerk Rebecca Podraza, City Attorney Clay Adkinson, City Planner Latilda Hughes-Neel, City Engineer Anna Hudson, Parks Director Dana Weiler, Water Supervisor Larry Tuggle, Billing Supervisor Jennifer Douglas.

II. Invocation and Pledge of Allegiance

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

I. Recognition of Guests: None

II. Approval of Past Minutes

- September 8, 2016 Tentative Budget Hearing Minutes

Council Action: Councilwoman Cuchens made a motion to approve the September 8, 2016 Tentative Budget Hearing Minutes as presented. Councilman Farris seconded the motion. All ayes; motion carried.

- September 8, 2016 Council Workshop Minutes

Council Action: Councilman Farris made a motion to approve the September 8, 2016 Council Workshop Minutes as presented. Councilwoman Cuchens seconded the motion. All ayes; motion carried.

III. Consideration of Additions/Deletions to Agenda

1. Additions

- Legal – Proposed Resolution for Freeport Sports Complex Committee
- Planning – Request for Workshop
- Clerk – Retiree Life plan

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City of Freeport
REGULAR COUNCIL MEETING
6:00 p.m./Council Chambers/Freeport City Hall
September 22, 2016 Agenda

- Councilwoman Cuchens – Multi-government Workshop

IV. Approval of Agenda with Additions/Deletions

Council Action: Councilwoman Cuchens made a motion to approve the Agenda with specified Additions and Deletions as presented. Councilwoman McLean seconded the motion. All ayes; motion carried.

V. Staff Reports

A. City Planner

1. 2016 FAPA Planning Conference Update
 - City Planner Latilda Hughes-Neel briefed the Council on her recent participation at the FAPA Planning Conference held in Tampa Florida.
2. Request for EDA Workshop

Council Action: Councilwoman Cuchens made a motion to schedule an EDA Workshop for October 24, 2016 at 6:00 PM. Councilwoman Brannon seconded the motion. All ayes; motion carried.

B. City Clerk Matters

1. Retiree Life plan
 - Clerk Podraza presented the Florida Retirement System, Retiree Life Benefits and cost prepared by Brown & Brown PRIA. The premium would be billed to the City and the City would be required to collect the premium from the retirees.

Council Action: Councilman Farris made a motion to accept the Florida Retirement System Life Benefits for Retirees to be administered by the City of Freeport and paid by the retiree a year in advance each year. Councilwoman McLean seconded the motion. All ayes; motion carried.

2. RFQ for Legal Services
 - Clerk Podraza suggested hiring a third party for legal services to assist with reviewing and assisting with the RFQ process.

Council Action: Councilwoman Cuchens made a motion to authorize Mayor Barley to obtain a third party for legal assistance in administering the process of an RFQ for Legal Services. Councilwoman McLean seconded the motion. Two ayes, (Cuchens/McLean); three nays

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6:00 p.m./Council Chambers/Freeport City Hall
September 22, 2016 Agenda

(Farris/Brannon/Laird). Motion failed.

- Councilman Farris advised the Council that although he voted for the RFQ for Legal Services, he believes that the City should reconsider doing an RFQ. Councilman Farris suggested that the RFQ be taken off the table. Council members would be invited to schedule individual meetings with the City Attorney's Office to see if any of the concerns with the current Legal Firm could be rectified.
- Councilwoman Cuchens inquired if these meetings would be free of charge to the City. City Attorney Clay Adkinson assured Councilwoman Cuchens that there would be no charge for the meetings with Council Members to the City of Freeport.

Council Action: Councilman Farris made a motion that the Request for Qualifications (RFQ) for Legal Services be pulled from the table under Parliamentary Rule and that the City Attorney will meet with Council Members at no charge to the City of Freeport. Councilwoman Brannon seconded the motion. Three ayes, (Brannon/Farris/Laird); two nays, (Cuchens/McLean). Motion carried.

3. Recommendations for Fiscal Services Job Description and Salary
- Clerk Podraza informed the Council that the advertisement for the accounting position has ran for one week in the Defuniak Herald with the title of *City Accountant*. Podraza requested that the Council discuss the job description, title, and paygrade for the position. Council discussed and decided on a salary of \$36,000.00 base rate and a cap of \$48,000.00. The title will be City Bookkeeper. The job description will be corrected to coincide with the salary and title. No action was taken.

C. Staff Accountant: None

D. Legal Matters

1. Proposed Resolution for Freeport Sports Complex Committee
- City Attorney Adkinson presented a proposed Resolution to repeal Resolution Numbers 2005-13 & 2016-09. These resolutions do not meet the requirements set forth in the deed for the Freeport Sports Complex, which is set according to the Land Development Code (LDC) Section 2.03.03 Citizens Boards.
 - Council discussed the proposed Resolution and the recommendations of the City Attorney. It was decided that the Resolution would be adopted and the process to add verbiage to the Land Development Code would be conducted. In this way the Council would appoint a board without the stipulations of required monthly meetings as currently outlined in the

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LDC. The Recreation Committee would not oversee day to day operations of the park and would only convene for special projects, upgrades or grants.

Council Action: Councilman Farris made a motion to adopt Resolution 2016-12 to repeal Resolution numbers 2005-13 & 2016-09 which were improperly adopted according to the deed which states that the Freeport Regional Sports Complex Committee would be set according to the Land Development Code section 2.03.03- Citizens Boards. Councilwoman Laird seconded the motion. All ayes; motion carried.

Council Action: Councilwoman Cuchens made a motion to amend the Land Development Code, to provide verbiage for the Freeport Regional Sports Complex Recreation Committee in which each Councilmember will appoint a member and the Committee shall meet twice a year. Councilwoman Laird seconded the motion. Four ayes, (Cuchens/McLean/Farris/Laird); one nay (Brannon). Motion carried.

2. Termination of Expired Contracts

- City Attorney Adkinson presented and reviewed the proposed Resolution for expired/terminated contractual and interlocal agreements along with Exhibit A listing the agreements.

Council Action: Councilwoman Brannon made a motion to adopt Resolution 2016-13 which will recognize that the expired/terminated contractual and interlocal agreements listed in Exhibit A are no longer in effect. Councilman Farris seconded the motion. All ayes; motion carried.

E. Engineering: None

F. Water Dept.: None

G. Sewer Dept.

1. Councilwoman McLean

- Update on Sewer Administration Office

Council Action: Councilman Farris made a motion to purchase an Olympia 32X80, 2254sqft trailer for the Sewer Plant Administrative Office in the amount of \$74,500.00 as presented in the bid tab provided at the September 13, 2016 Regular Council Meeting. Councilwoman McLean seconded the motion. All ayes; motion carried.

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City of Freeport
REGULAR COUNCIL MEETING
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H. Parks Dept.

1. Waiver agreements for signature by council
 - Parks Director Weiler informed the Council that both the Football and Little League Organizations have reviewed the waiver agreements with the City. An addendum will be provided to the Council from each league, stipulating in more detail what their responsibilities will be to the City. City Attorney Adkinson requested that they be sent to the City Attorney's office in advance of the Council Meeting so that they can review as to form.
3. Old City Hall
 - Parks Director Weiler reviewed a draft copy of a contract that she prepared for Fee Based Programs, to be managed by the Parks and Recreation Department, for organizations interested in renting the Old City Hall Building. Council discussed the draft contract which will be sent to the City Attorney for review. The contract will be presented at the next Council Meeting.
- 3 Parks Director Weiler announced that the City Pool is closed for the season.

VI. **Old Business:** None

VII. **New Business**

A. Mayor Russ Barley

1. The Publix Opening and Ribbon Cutting went well.
2. Collection for Flood Victims in Gonzalez Louisiana went well and the City has received a thank you letter from the Mayor of Gonzalez.
 - Councilwoman McLean gave a special thank you to Barbara Moore for her help in organizing the items. She did a great job.
3. Great Clips will open October 10, 2016. First month haircuts are \$3.99.
4. The Mayor's Ball is October 22, 2016 and proceeds go to less fortunate children in the area for Christmas gifts.
5. Bayfest is being held November 12, 2016
6. Carr Riggs & Ingram Engagement Letter for 2016 Audit
 - Mayor Russ Barley presented the letter of engagement to the Council.

Council Action: Councilwoman McLean made a motion to approve the letter of engagement from Carr Riggs & Ingram as presented. Councilwoman Cuchens seconded the motion. All ayes; motion carried.

B. Councilwoman Brannon

1. Legislative Matters
 - Councilwoman Brannon announced that the next Florida League of Cities meeting will be

The City of Freeport may take action on any matter during this meeting, including items that are not set forth within this agenda.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at 850-835-2822 by 5:00 p.m. on the day prior to the meeting.

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Florida Statutes).



City of Freeport
REGULAR COUNCIL MEETING
6:00 p.m./Council Chambers/Freeport City Hall
September 22, 2016 Agenda

- held in Chattahoochee Florida. There have been discrepancies on the date and it will be on either October 13th or 14th. Councilwoman Brannon is waiting for confirmation.
2. Councilwoman Brannon thanked Larry Tuggle and the Water Department for rehabbing the *Welcome to Freeport* city limit signs. They look much better and their work is very appreciated.
- C. Councilwoman Cuchens
1. Councilwoman Cuchens briefed the Council on her attendance at the Rural Economic Summit. Senators who are instrumental in the Triumph Funding and how it will be distributed to communities mentioned the City of Freeport in their opening remarks. It was an incredible experience to hear the City of Freeport mentioned out of all the rural areas in the state of Florida.
 2. Multi-government Workshop
 - Councilwoman Cuchens explained that after conversations with Mayor Bob Campbell of Defuniak and Mr. Billy Williams, EDA Interim Director, it is time to bring the governments of Freeport, Defuniak and the Walton County Board of Commissioners together and begin prioritizing responsibilities for the financial support of water and sewer needs. A Workshop is being requested and will be facilitated by Billy Williams which will include DEO, legal counsel and Rural Development. The County Commission Board Room will be requested to hold the Workshop sometime in November. Councilwoman Cuchens requested Council discuss dates for the Workshop. Councilwoman Cuchens stated that Freeport needs to be the City to lead this conversation because it is our water and sewer. November 10th or 14th were suggested and Councilwoman Cuchens will coordinate with Billy Williams to schedule the meeting. Attorney Adkinson advised that this should be a Special Meeting rather than a Workshop.
- D. Councilwoman McLean
1. Health Insurance for City Council Members & Mayor
Council discussed the health insurance currently available to the Councilmembers by the City of Freeport. The recommendation of Councilwoman McLean is to discontinue the City paying for the benefits at the next election year. It can be obtained and paid for by the Councilmembers if they choose to have it.

Council Action: Councilwoman McLean made a motion that as of July 2017 the health insurance would no longer be provided to Councilmembers at the cost to the City. Health benefits may be obtained at the cost of the Councilmembers if they choose to have it. Councilwoman Cuchens seconded the motion. Three ayes, (Brannon/Cuchens/McLean); two nays, (Farris/Laird). Motion carried.

The City of Freeport may take action on any matter during this meeting, including items that are not set forth within this agenda.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at 850-835-2822 by 5:00 p.m. on the day prior to the meeting.

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City of Freeport
REGULAR COUNCIL MEETING
6:00 p.m./Council Chambers/Freeport City Hall
September 22, 2016 Agenda

- E. Councilman Farris: None
- F. Councilwoman Laird: None

VIII. Public Comment: None

IX. Adjournment

Mayor Russ Barley called for a motion to adjourn. Councilwoman McLean motioned to adjourn. The Mayor gaveled and the meeting adjourned at 8:04 p.m.

FREEPORT CITY COUNCIL

Mayor

Council President

ATTEST:

City Clerk

The City of Freeport may take action on any matter during this meeting, including items that are not set forth within this agenda.

In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk's office at 850-835-2822 by 5:00 p.m. on the day prior to the meeting.

No verbatim record by a certified court reporter is made of these proceedings. Accordingly, any person who may seek to appeal any decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at these proceedings upon which any appeal is to be based (see Section 286.0105, Florida Statutes).

Tab 5

**PLANNING DEPARTMENT
SMALL SCALE AMENDMENT & ZONING CHANGE REVIEW
Small Scale Amendment SSA-2016-01
Zoning Assignment Z-2016-3**

DATA & ANALYSIS	
Review Date: 7/19/16	Pre-Application Date:
Parcel Number: 23-1S-19-23000-001-0041	
Owner: American Fidelity Life Ins. Co.	
Owner's Agent: Jamie Eubanks/Jenkins Engineering Inc.	
Parcel Location: NE corner of US 331 S and N Old Jolly Bay Road intersection	
Purpose of Request: Commercial development. Type and intensity to be determined.	
Current FLUM designation: RD (Rural Development) per Resolution 08-07 for annexed properties ; property was ER (Estate Residential) when outside the City	Proposed FLUM designation: UD (Urban Development)
Current Zoning category: RR (Rural Residential) per Resolution 08-07 for annexed properties ; property was ER (Estate Residential) when outside the City	Proposed Zoning category: C-1(General Commercial)
SSA-2016-01 DISCUSSION	
<p>This small scale amendment to the Comprehensive Plan reflects the owner's request regarding Parcel # 23-1S-19-23000-001-0041, a 13.38-acre parcel and changes the City's Future Land Use category on the subject parcel from RD (Rural Development) to UD (Urban Development). Per Resolution 08-07, annexed properties are assigned the future land use category which most closely matches the county's land use designation at the time of annexation; however, property owners are not precluded from making application to the City for alternative categories through the land use amendment process. The purpose of the amendment is to provide for the development of commercial uses on the parcel, which is located across from the new Publix grocery store on the NE corner of US 331 South and N Old Jolly Bay Road.</p>	
Z-2016-03 DISCUSSION	
<p>This amendment to the Zoning Map contained in the Land Development Code reflects the owner's request to assign a zoning category to Parcel 23-1S-19-23000-001-0041 which is a 13.38-acre parcel located across from the new Publix grocery store on the NE corner of US 331 South and N Old Jolly Bay Road. Per Resolution 08-07, annexed properties are assigned the zoning category which most closely matches the county's land use designation at the time of annexation; however, property owners are not precluded from making application to the City for alternative categories through the zoning amendment process. The request zoning change for this annexed property is from RR (Rural Residential) to C-1(General Commercial).</p>	

FUTURE LAND USE MAP DESIGNATION

Section 2 of this document contains a reproduction of the specific Future Land Use Map and containing the subject parcel. The maps show the subject parcel with the current City RD (Rural Development) Future Land Use category and RR (Rural Residential) Zoning category and a second depiction of the applicant's proposal with the City's UD (Urban Development) Future Land Use category and C-1 (General Commercial) Zoning category. The land abutting the subject property on all sides is within the following Future Land Use category(ies):

North side: UD (Urban Development)	South side: County ER (Estate Residential)
East side: County ER (Estate Residential)	West side: MU (Mixed Use)

The land abutting the subject property on all sides is within the following Zoning category(ies):

North side: UD (Urban Development)	South side: none/Walton County does not utilize zoning
East side: none/Walton County does not utilize zoning	West side: MU (Mixed Use)

EXISTING LAND USE/PRE-DEVELOPMENT CONDITIONS

The subject property currently contains 13.38 acres. The parcel to the north is vacant. The parcel to the south is vacant. The parcel to the east is vacant. The parcel to the west is vacant. Lands in the vicinity contain a mixture of commercial and residential uses.

PROPOSED DEVELOPMENT

The subject parcel is to be developed as commercial. Direct access to the site will be from US 331 South, a primary transportation corridor for the area and as a primary roadway with the City.

INFRASTRUCTURE IMPACTS

	Existing FLU/Zoning Uses	Proposed FLU /Zoning Uses
Sanitary Sewer	+/- 27,000 GPD	+/- 43,700 GPD
Solid Waste Disposal	+/- 3,985 lbs per day	+/- 4,788 lbs per day
Stormwater Management	Must retain 1 st 1" pre-development run-off	Must retain first 1" pre-development run-off
Potable Water	+/- 27,000 GPD	+/- 43,700 GPD
Recreation & Open Space	No recreational requirement for non-residential. 70% open space requirement.	No recreational requirement for non-residential. 30% open space requirement.
Traffic	+/- 260 PM Peak Hour Trips Per Day	+/- PM Peak Hour Trips Per Day

ANALYSIS NOTES:

Sanitary Sewer and Potable Water: Service currently available with the City of Freeport. The need does not pose any concern for future development.

Solid Waste Disposal: Service currently available in the City of Freeport. Capacity available through Waste Management/Walton County Landfill.

Stormwater Management: All standards for stormwater retention will be met in conjunction with an application for development of this site.

Recreation and Open Space: Recreational requirements N/A for non-residential development. Open space requirements will be met in conjunction with an application for development of this site.

Traffic: Although a change of use will have the potential to increase traffic, the final site design and uses will determine the exact traffic impacts.

CONSISTENCY WITH CHAPTER 163 FLORIDA STATUTES

This request has been reviewed for consistency with Chapter 163 of the Florida Statutes and accepted planning principles. The application meets the criteria for a small scale amendment in that the requested land use is adjacent to areas with identical future land use/zoning designations.

COMPATIBILITY & SUITABILITY

Compatibility : This property abuts US 331 South, a commercial corridor as designated on the City's Urban Service Area Boundary Map, which is part of the map series for the Comprehensive Plan. It provides opportunities for commercial development along US 331 S, which will increase economic development.

Topography: Average elevation is 140 '. Site slopes from east to west.

Soils: Blanton soils

Wetlands/Natural Resources: Property is located in flood zone "X". There are no wetlands present on this property. No water bodies are present on this site. The property is currently wooded. There are no known listed species.

Historical and Archeological Resources: No known HAZMAT locations. No known historical or archaeological sites.

SUMMARY

CONSISTENCY WITH COMPREHENSIVE PLAN: The amendment is generally consistent with and furthers the adopted Comprehensive Plan. The proposed land use and rezoning revisions will comply with Policy I.A.3 of the Comprehensive Plan. In addition, the predominance of general commercial development should be located primarily along roadways and corridors that lend themselves to higher intensity uses and allow easy access to such uses without impacts to residential neighborhoods.

CONSISTENCY WITH LAND DEVELOPMENT CODE PROVISIONS: The proposal as stated would provide compliance with the Land Development Code during the development order application process which will assure provision of infrastructure and compliance with all site development standards contained in the Land Development Code.

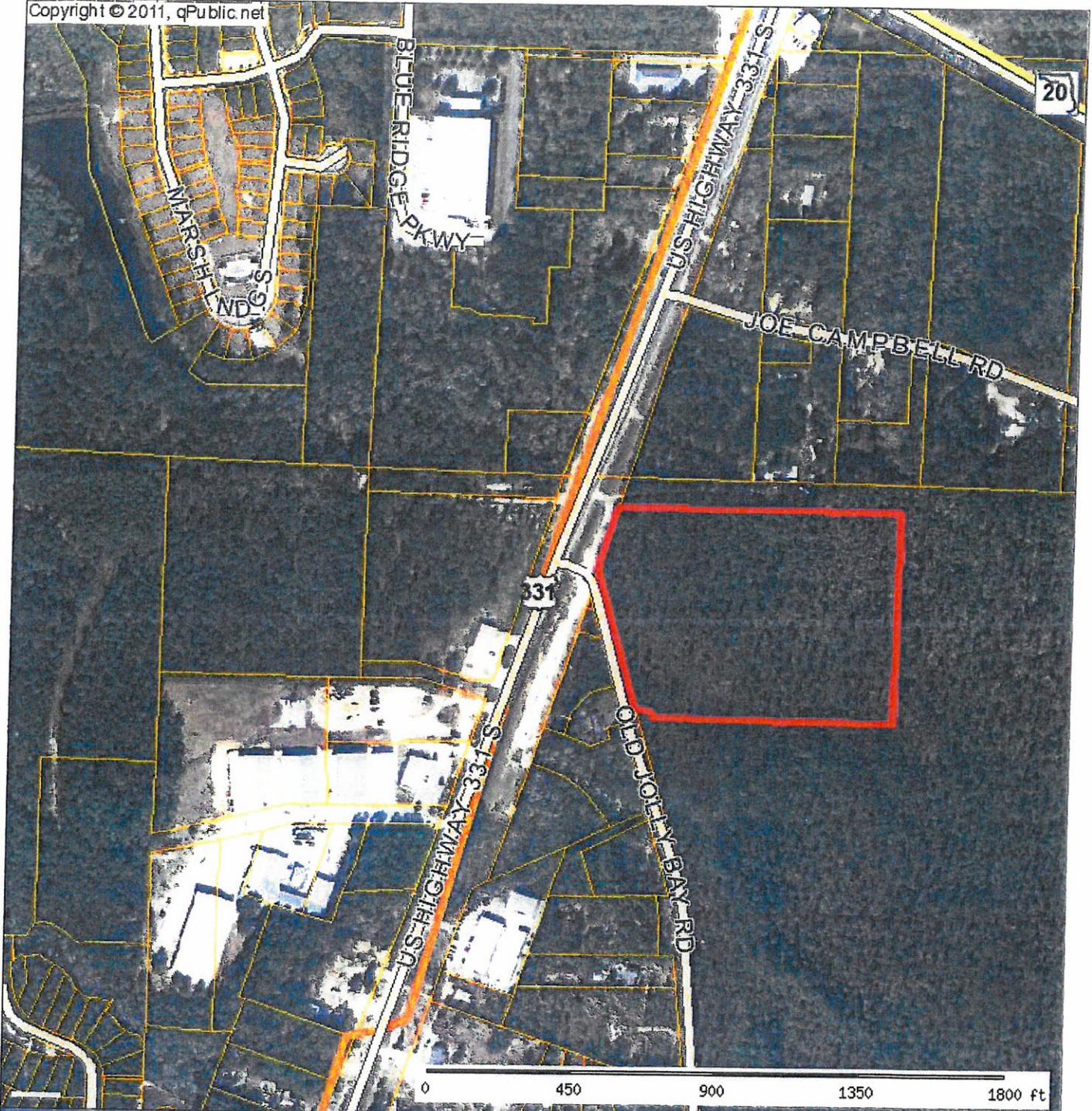
COMPATIBILITY WITH SURROUNDING USES: The predominance land use along US 331 South is commercial with a small amount of residential.

CHANGED CONDITIONS: US 331 South has been realigned and is in the process of being 4-laned, improving accessibility and trip distribution.

EFFECTS ON NATURAL RESOURCES: Development of this site is not expected to negatively impact any wetlands, floodplains or other critically sensitive natural resources or habitats.

DEVELOPMENT PATTERNS: The development of this parcel as commercial is consistent with the development pattern planned for US 331 South.

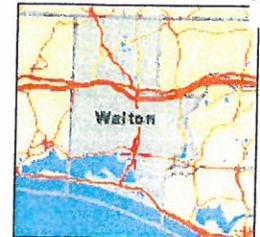
CONCLUSIONS: The amendment would not cause adverse impacts to any infrastructure system. There will not be adverse impacts to any protected environmental resource. The amendment furthers several important provisions of the adopted Comprehensive Plan. The amendment is in the best interest of the City and its citizens.



Walton County Appraiser

Parcel: 23-1S-19-23000-001-0041 Acres: 13.38

Name:	AMERICAN FIDELITY LIFE INS CO	Land Value:	
Site:		Building Value:	
Sale:		Misc Value:	
Mail:	500 S PALAFOX ST SUITE 200 PENSACOLA, FL 32502	Just Value:	
		Assessed Value	
		Exempt Value	
		Taxable Value	



Walton County makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assessment information is from the last certified taxroll. All data is subject to change before the next certified taxroll.

Date printed: 06/28/16 : 12:50:21



FULL SCOPE SURVEYING, LLC
 PROFESSIONAL LAND SURVEYING SERVICES
 18049 U.S. HIGHWAY 331 SOUTH
 FREEPORT, FLORIDA 32439
 Phone: (850) 880-6215
 Fax: (850) 880-6339

MAP OF BOUNDARY SURVEY

Certificate of Authorization No. LB 7641

LEGAL DESCRIPTION: (AS FURNISHED)

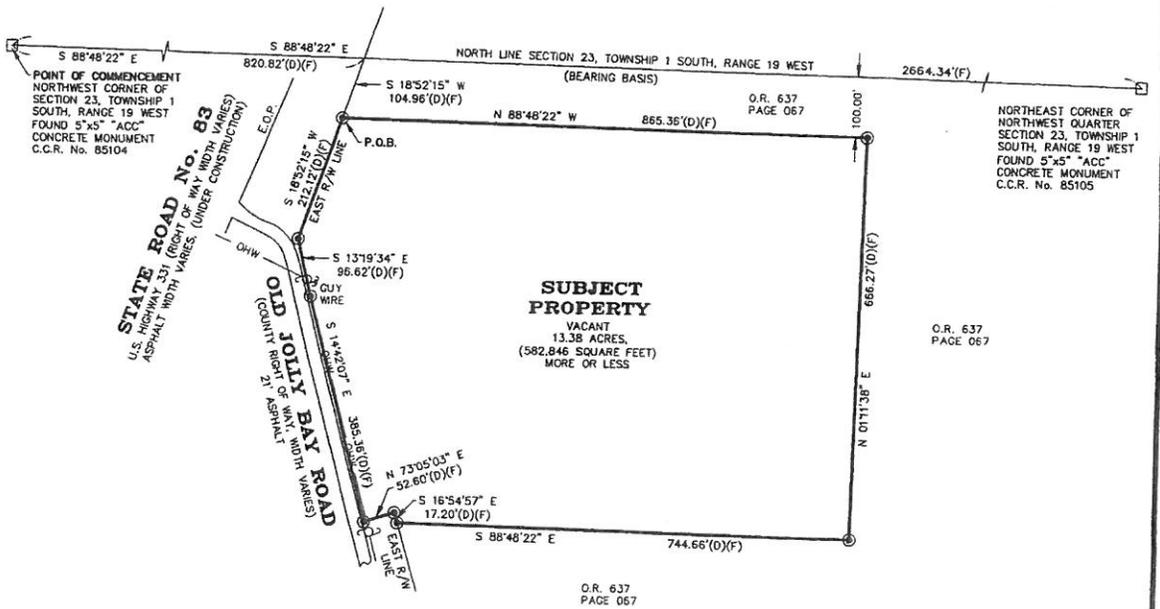
A PARCEL OF LAND SITUATED IN SECTION 23, TOWNSHIP 1 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA, BEING A PORTION OF "PARCEL 1" AS DESCRIBED IN OFFICIAL RECORDS BOOK 637, PAGE 68 OF THE PUBLIC RECORDS OF WALTON COUNTY, FLORIDA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 19 WEST, WALTON COUNTY, FLORIDA; THENCE PROCEED S88°48'22"E ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 820.82 FEET TO THE EAST RIGHT-OF-WAY LINE OF STATE ROAD No. 83 (U.S. HWY 331, R/W WIDTH VARIES); THENCE DEPARTING SAID NORTH SECTION LINE PROCEED S18°52'15"W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 104.96 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S18°52'15"W ALONG SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 212.12 FEET TO THE EAST RIGHT-OF-WAY LINE OF OLD JOLLY BAY ROAD (COUNTY R/W, WIDTH VARIES); THENCE DEPARTING THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF STATE ROAD No. 83 PROCEED ALONG THE SAID EAST RIGHT-OF-WAY LINE OF OLD JOLLY BAY ROAD FOR THE FOLLOWING FOUR (4) COURSES: (1) S13°19'34"E A DISTANCE OF 96.62 FEET; (2) S14°42'07"E A DISTANCE OF 385.36 FEET; (3) N73°05'03"E A DISTANCE OF 52.60 FEET; (4) S16°54'57"E A DISTANCE OF 17.20 FEET; THENCE DEPARTING SAID EAST RIGHT-OF-WAY LINE OF OLD JOLLY BAY ROAD PROCEED S88°48'22"E PARALLEL TO THE SAID NORTH SECTION LINE A DISTANCE OF 744.66 FEET; THENCE PROCEED N01°11'38"E A DISTANCE OF 666.27 FEET TO A POINT THAT IS 100.00 SOUTH OF THE SAID NORTH SECTION LINE; THENCE PROCEED N88°48'22"W A DISTANCE OF 865.36 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL OF LAND CONTAINS 13.38 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

- 1.) THIS SURVEY NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 2.) THE LANDS SHOWN HEREON ARE SUBJECT TO ALL DEDICATIONS, RESTRICTIONS, RESERVATIONS, LIMITATIONS AND EASEMENTS OF RECORD.
- 3.) THIS SURVEY WAS PREPARED WITHOUT AN ABSTRACT OF TITLE OR TITLE OPINION AND DOES NOT DETERMINE OWNERSHIP.
- 4.) UNDERGROUND IMPROVEMENTS, FOUNDATIONS OR UTILITIES, IF ANY, NOT LOCATED, EXCEPT AS SHOWN.
- 5.) BOUNDARY DETERMINED FROM EXISTING AND LOCALLY ACCEPTED MONUMENTATION.
- 6.) THE ACCURACY OF SURVEY CONTROL DATA EXCEEDS THE REQUIRED ACCURACY PER STATE STANDARDS AND WAS OBTAINED USING CONVENTIONAL EQUIPMENT AND TECHNIQUES.
- 7.) BEARINGS ARE REFERENCED TO THE NORTH LINE OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 19 WEST, BEING S 88°48'22" E, GRID NORTH, AS SHOWN ON FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP OF STATE ROAD No. 83, PROJECT No. 2206791.
- 8.) JURISDICTIONAL WETLAND AREAS THAT MAY EXIST ON SUBJECT PROPERTY HAVE NOT BEEN LOCATED, DELINEATED OR SHOWN HEREON.
- 9.) SUBJECT PROPERTY APPEARS TO LIE WITH FLOOD ZONE "X" AND FLOOD ZONE "A" (NO BASE FLOOD ELEVATION ESTABLISHED), AS DETERMINED BY OBSERVATION OF FLOOD INSURANCE RATE MAP NUMBER: 12131C05766, WALTON COUNTY, FLORIDA, EFFECTIVE DATE: SEPTEMBER 29, 2010.



LEGEND

- (D) DENOTES LEGAL DESCRIPTION DATA
- (F) DENOTES FIELD MEASURED DATA
- C.C.R. DENOTES CERTIFIED CORNER RECORD
- E.O.P. DENOTES EDGE OF ASPHALT PAVEMENT
- L.S. DENOTES LAND SURVEYING BUSINESS
- L.S. DENOTES LAND SURVEYOR
- P.O.B. DENOTES POINT OF BEGINNING
- O.R. DENOTES OFFICIAL RECORDS BOOK
- P.S.M. DENOTES PROFESSIONAL SURVEYOR AND MAPPER
- DHW DENOTES OVERHEAD WIRE(S)
- R/W DENOTES RIGHT-OF-WAY
- NOTE: SYMBOLS ARE NOT TO SCALE
- ⊙ DENOTES SET 5/8" IRON ROD LB 7641
- ⊠ DENOTES FOUND CONCRETE MONUMENT AS NOTED
- ⊡ DENOTES UTILITY POLE
- DENOTES LINWORK NOT TO SCALE

THIS SURVEY IS CERTIFIED TO:

INDIAN CREEK ROAD, LLC
 MCGILL ESCROW & TITLE
 AMERICAN FIDELITY LIFE INSURANCE COMPANY
 FIDELITY NATIONAL TITLE INSURANCE COMPANY

SURVEYOR'S CERTIFICATE

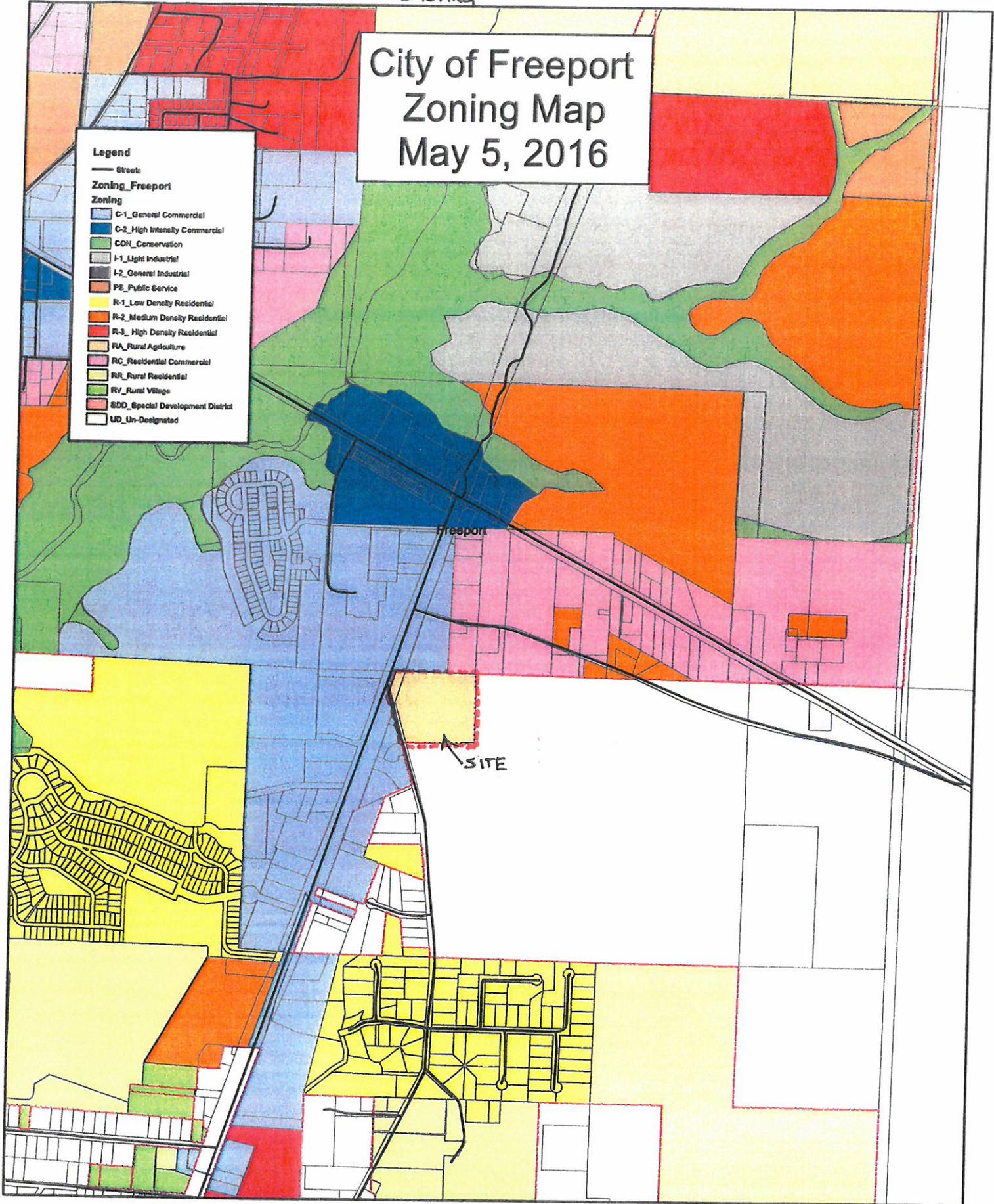
I, THE UNDERSIGNED, BEING A LICENSED SURVEYOR AND MAPPER IN THE STATE OF FLORIDA, DO HEREBY CERTIFY THAT THE SURVEY AS SHOWN HEREON TO BE TRUE AND CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND IN MY PROFESSIONAL OPINION MEETS THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS OF THE STATE OF FLORIDA AS STATED IN CHAPTER 5J-27, FLORIDA ADMINISTRATIVE CODE PURSUANT TO CHAPTER 472, FLORIDA STATUTES.

[Signature]
 WELLS D. MEAKER, P.S.M. No. 5512
 DATE: 8/10/15

EXISTING

City of Freeport Zoning Map May 5, 2016

- Legend**
- Street
 - Zoning_Freeport**
 - Zoning**
 - C-1_General Commercial
 - C-2_High Intensity Commercial
 - CON_Conservation
 - I-1_Light Industrial
 - I-2_General Industrial
 - PS_Public Service
 - R-1_Low Density Residential
 - R-2_Medium Density Residential
 - R-3_High Density Residential
 - RA_Rural Agriculture
 - RC_Residential Commercial
 - RR_Rural Residential
 - RV_Rural Village
 - SDD_Special Development District
 - UD_Un-Designated



Produced by the Planning Department of the City of Freeport.
 This map is for general reference only.
 Date layers that appear on this map
 may or may not be accurate, current, or otherwise reliable.
**THIS MAP IS NOT A SURVEY AND
 IS NOT TO BE USED FOR NAVIGATION.**

00.0325065 0.13 Miles



PROPOSED

City of Freeport Zoning Map May 5, 2016

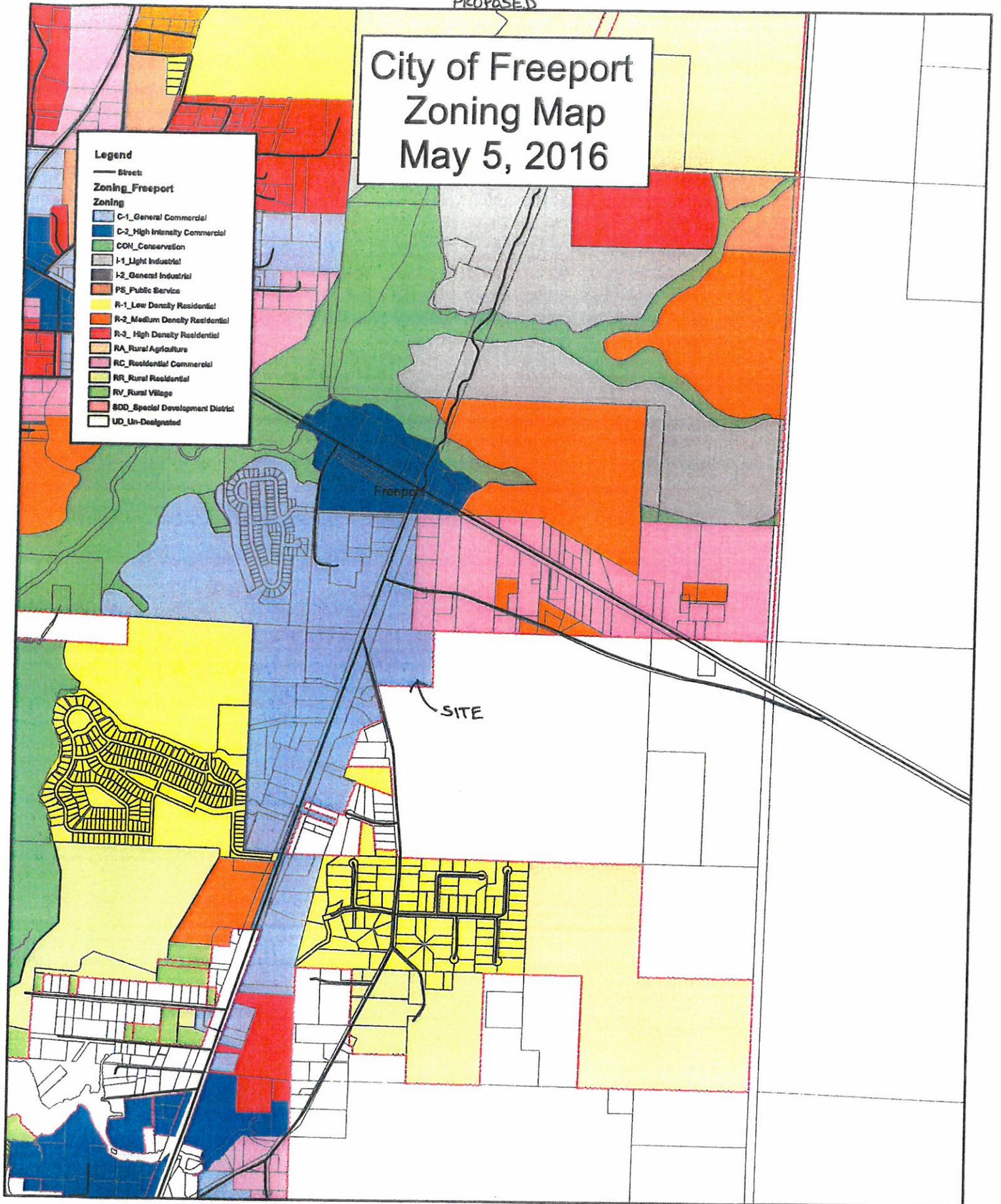
Legend

— Streets

Zoning_Freeport

Zoning

- C-1_General Commercial
- C-2_High Intensity Commercial
- CON_Conservation
- I-1_Light Industrial
- I-2_General Industrial
- PS_Public Service
- R-1_Low Density Residential
- R-2_Medium Density Residential
- R-3_High Density Residential
- RA_Rural Agriculture
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- RR_Rural Residential
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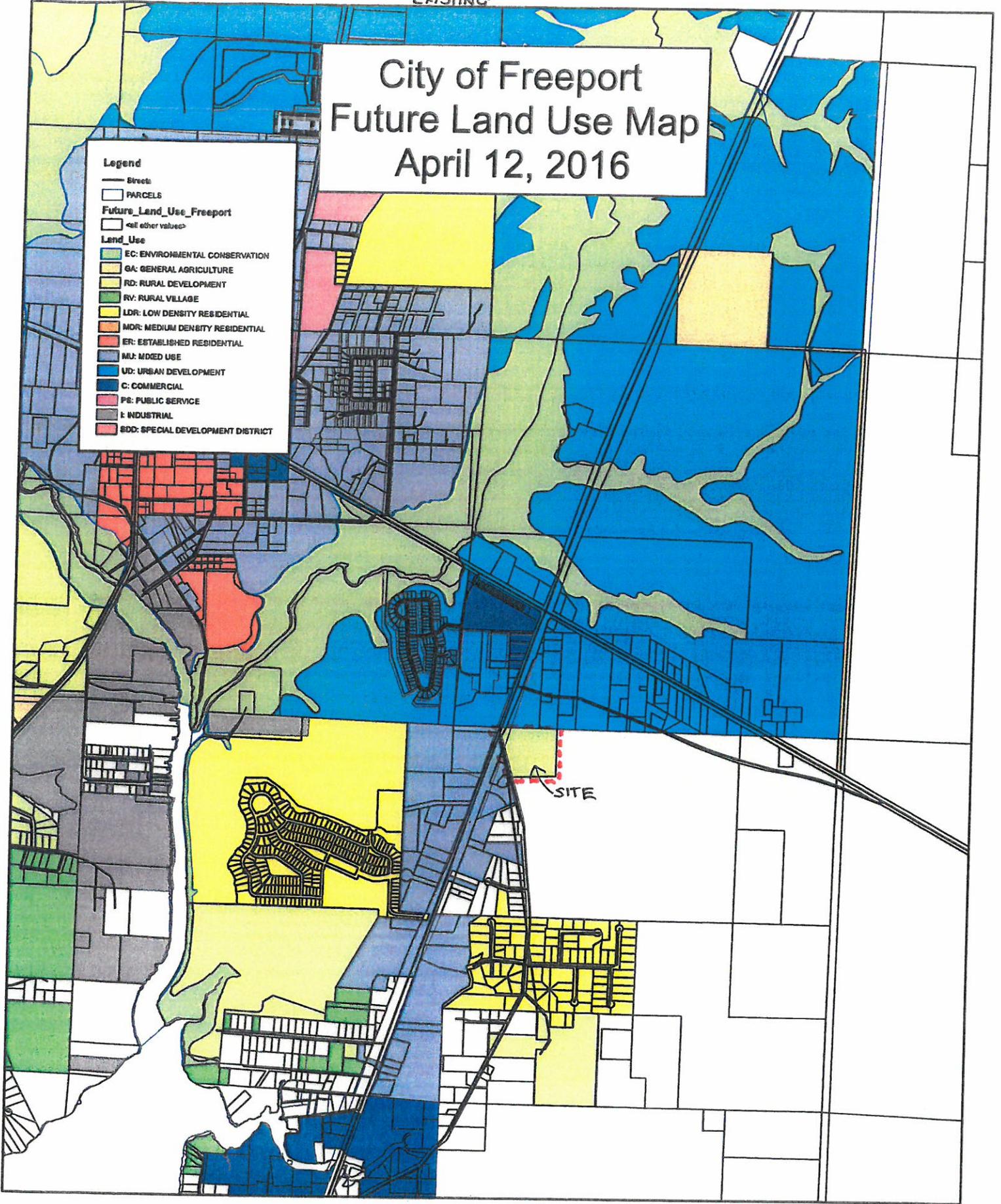
00.0425085 0.17 Miles



EXISTING

City of Freeport Future Land Use Map April 12, 2016

- Legend**
- Streets
 - PARCELS
 - Future_Land_Use_Freeport
 - <cell either value>
 - Land_Use
 - EC: ENVIRONMENTAL CONSERVATION
 - GA: GENERAL AGRICULTURE
 - RD: RURAL DEVELOPMENT
 - RV: RURAL VILLAGE
 - LDR: LOW DENSITY RESIDENTIAL
 - MOR: MEDIUM DENSITY RESIDENTIAL
 - ER: ESTABLISHED RESIDENTIAL
 - MU: MIXED USE
 - UD: URBAN DEVELOPMENT
 - C: COMMERCIAL
 - PS: PUBLIC SERVICE
 - I: INDUSTRIAL
 - SDD: SPECIAL DEVELOPMENT DISTRICT



Produced by the Planning Department of the City of Freeport.
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**THIS MAP IS NOT A SURVEY AND
 IS NOT TO BE USED FOR NAVIGATION.**

0.082665 0.13 Miles



PROPOSED

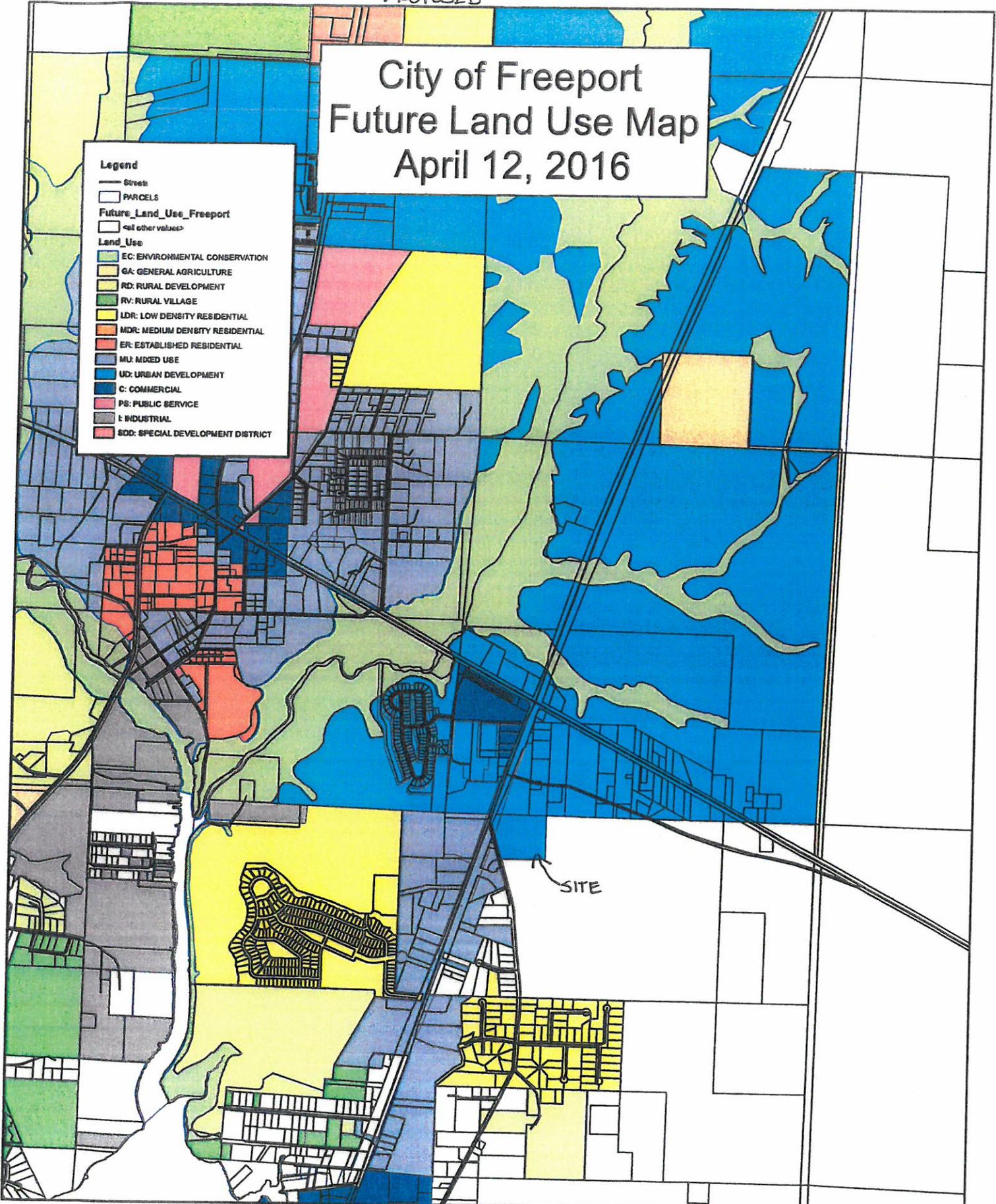
City of Freeport Future Land Use Map April 12, 2016

Legend

- Streets
- PARCELS
- Future_Land_Use_Freeport
- (all other values)

Land Use

- EC: ENVIRONMENTAL CONSERVATION
- GA: GENERAL AGRICULTURE
- RD: RURAL DEVELOPMENT
- RV: RURAL VILLAGE
- LDR: LOW DENSITY RESIDENTIAL
- MDR: MEDIUM DENSITY RESIDENTIAL
- ER: ESTABLISHED RESIDENTIAL
- MU: MIXED USE
- UD: URBAN DEVELOPMENT
- C: COMMERCIAL
- PS: PUBLIC SERVICE
- I: INDUSTRIAL
- SDD: SPECIAL DEVELOPMENT DISTRICT



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**THIS MAP IS NOT A SURVEY AND
 IS NOT TO BE USED FOR NAVIGATION.**

0.00007 0.14 Miles



**CITY OF FREEPORT
CITY COUNCIL MEETING**

ENGINEERING UPDATES

October 11, 2016

Table 6

1. BUSINESS 331 SEWER UPGRADES

- L&K Contractors is currently addressing a few remaining items.
- We anticipate closeout by the week of October 17th.

2. FREEPORT LEGISLATIVE APPROPRIATION WATER PROJECTS

A. Freeport Water Upgrades Project

- North Florida Construction has completed the water main upgrades along Four Mile Creek Road and East Bay Loop.
- They are currently working on bores located along SR 20.

B. US 331 Water System Tie-in to DeFuniak Springs System

- We are waiting to finalize design based on permitting comments from FDEP & FDOT. Currently we are coordinating with those agencies.

3. IMPACT FEE STUDY

- Latilda and I met with legal on Thursday Sept. 29th to discuss existing committed capacity concerns needed to move forward with the report.
- We are working with the City Planner to update the Master Project List. Latilda is identifying abandoned projects.
- Once the Master Project List is updated to include current buildouts we will have an updated committed capacity. Then we will likely need to coordinate with legal again.

4. PLANNING TASKS

- North Shore Mini-Storage- Applicant has resubmitted. It is currently under review.
- Shoppes of Freeport- (Buildings 2 & 3) Performed site inspection with City Staff; submitted punch list items to applicant; waiting on applicant to address outstanding issues.

- The Meadows (Hammock Bay Pod 16 Final) - Performed final site inspection.

5. SLUDGE DRYING BEDS AT WWTF

- Notice of award has been issued.
- Awaiting signed agreement & other documents from Contractor. Pre-construction meeting will be held once those documents are provided.

6. ADDITIONAL TASKS

- US 331 Corridor Utilities Plan-
 - Continuing weekly meetings with Bill Williams & other municipalities.
 - Met with County staff, Bill Williams & others on Wed. Oct. 5th to discuss Pot 3 funds for septic tank removal around the Choctawhatchee Bay (4 Areas).
 - Submitted SRF Request for Inclusion (RFI). We are continuing to coordinate with SRF on info needed and clarifications. The SRF has a program meeting in Nov. in which they will present the applications and review grant/loan percentages for projects.
- City's Welcome Signs- We have submitted to FDOT documents for the concept phase of their review. We are awaiting FDOT's comments regarding the concept phase.
- No Wake Zone- Draft Ordinance submitted to legal for review. Awaiting any comments.

Memo

To: City of Freeport Council
From: Larry Tuggle, Water Supervisor
cc: Becky Podraza, City Clerk
Date: October 11, 2016
Re: Meter Upgrade Project

TAB 7 includes:

1. **HD Supply Waterworks Bid #148543 (7a)**
 - Sole Source Provider
 - Total for Each Meter with Transmitter = \$260.50
 - Requesting 1500 Meters & Transmitters
 - $\$260.50 * 1500 = \$39,075.00$

2. **AUS Company Statement of Work (7b)**
 - Recommended by HD Supply Waterworks

With these meters the City will be able to eventually upgrade to the latest technology in meter reading without changing meters.

This project will eliminate trying to read two different types of meters that require two different software systems.



Bid Proposal for Freeport Meters to replace Neptune

Tab 7a

All Bidders

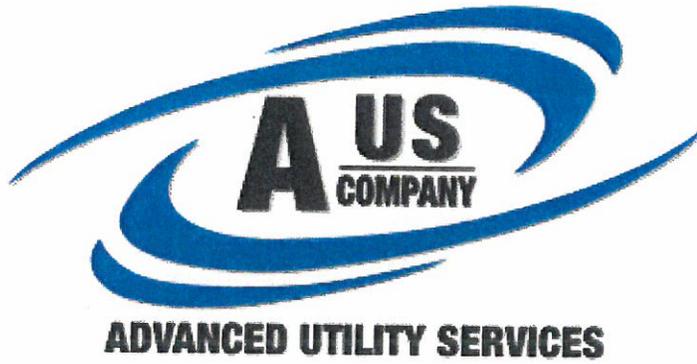
Job Location: Freeport, FL
Bid Date: 08/17/2016
HD Supply Bid #: 148543

HD Supply Waterworks
 8782 Paul Starr Dr
 Pensacola, FL 32514
Phone: 850-478-6372
Fax: 850-478-4323

Seq#	Qty	Description	Units	Price	Ext Price
10	1100	3/4S IPERL MTR 10G NO CABLE 7.5"LL	EA	118.50	130,350.00
20	1100	520M PIT HOURLY READ/LEAK DET FLEXNET-NO EXT BAT/MIGRATEABLE SINGLE PORT - TOUCH COUPLED 53963-537-52201MI	EA	142.00	156,200.00
30	1	UPGRADE 5501 TO FL6501GB HH	EA	5,800.00	5,800.00
40	3	UPGRADE 5501 TO FL6501-GB HH	EA	N/C	N/C
50	2	AR6590 BLUETOOTH AUTOGUN	EA	N/C	N/C
60	2	AR6590 BLUETOOTH AUTOGUN	EA	465.00	930.00
70	4	AUTOGUN EXT W/SWIVEL AR4090EXT SENSUS # 5390733749001	EA	N/C	N/C
80	1	SENSUS COMMAND LINK	EA	482.86	482.86
				Sub Total	293,762.86
				Tax	0.00
				Total	293,762.86

TERMS AND CONDITIONS OF SALE ("Terms")

1. All references in this document to "Seller" shall include HD Supply, Inc. and / or any parent, subsidiary or affiliate of HD Supply, Inc. (including any division of the foregoing) whether or not performing any or all of the scope hereunder or specifically identified herein. All references to "Buyer" shall include all parent(s), subsidiaries and affiliates of the entity placing the order. Buyer and Seller may be referred to individually as a "Party" and collectively as "Parties".
2. All sales to Buyer are subject to these Terms, which shall prevail over any inconsistent terms of Buyer's purchase order or other documents. Additional or different terms and conditions in any way altering or modifying these Terms are expressly objected to and shall not be binding upon Seller unless specifically accepted in writing by Seller's authorized representative. No modification or alteration of these Terms shall result by Seller's shipment of goods following receipt of Buyer's purchase order, or other documents containing additional, conflicting or inconsistent terms. There are no terms, conditions, understandings, or agreements other than those stated herein, and all prior proposals and negotiations are merged herein. These Terms are binding on the Parties, their successors, and permitted assigns.
3. Prices on Seller website, catalogs or in Seller quotes are subject to change without notice, and all such prices expire and become invalid if not accepted within 10 calendar days from the date of issue, unless otherwise noted by Seller in writing. Price extensions if made are for Buyer's convenience only, and they, as well as any mathematical, stenographic or clerical errors, are not binding on Seller. Prices shown do not include any sales, excise, or other governmental tax or charge payable by Seller to any federal, state or local authority. Any taxes now or hereafter imposed upon sales or shipments will be added to the purchase price, and Buyer shall reimburse Seller for any such tax or provide Seller with an acceptable tax exemption certificate. All prices and other terms provided to Buyer shall be kept confidential except to the extent a Party is required by law to disclose the same.
4. Seller shall not be liable for delay or default in delivery resulting from any cause beyond Seller's reasonable control, including, but not limited to, governmental action, strikes or other labor troubles, fire, damage or destruction of goods, wars (declared or undecleared), acts of terrorism, manufacturers' shortages, availability or timeliness of transportation, materials, fuels, or supplies, and acts of God (each a "Force Majeure Event"). Upon the occurrence of a Force Majeure Event: (a) the time for Seller's performance shall be extended reasonably and the Parties shall adjust all affected dates accordingly; (b) the purchase price shall be adjusted for any increased costs to Seller resulting from such Force Majeure Event; and (c) Buyer shall not be entitled to any other remedy.
5. Seller is a reseller of goods only, and as such does not provide any warranty for the goods it supplies hereunder. Notwithstanding this As-Is limitation, Seller shall pass through to Buyer any transferable manufacturer's standard warranties with respect to goods purchased hereunder. BUYER AND PERSONS CLAIMING THROUGH BUYER SHALL SEEK RECOURSE EXCLUSIVELY FROM MANUFACTURERS IN CONNECTION WITH ANY DEFECTS IN OR FAILURES OF GOODS, AND THIS SHALL BE THE EXCLUSIVE RECOURSE OF BUYER AND PERSONS CLAIMING THROUGH BUYER FOR DEFECTIVE GOODS, WHETHER THE CLAIM OF BUYER OR THE PERSON CLAIMING THROUGH BUYER SHALL SOUND IN CONTRACT, TORT, STRICT LIABILITY, PURSUANT TO STATUTE, OR FOR NEGLIGENCE. BUYER SHALL PASS THESE TERMS TO SUBSEQUENT BUYERS AND USERS OF GOODS. SELLER EXCLUDES AND DISCLAIMS ALL OTHER EXPRESS AND IMPLIED WARRANTIES, INCLUDING, BUT NOT LIMITED TO, ALL IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. SELLER ASSUMES NO RESPONSIBILITY WHATSOEVER FOR SELLER'S INTERPRETATION OF PLANS OR SPECIFICATIONS PROVIDED BY BUYER, AND BUYER'S ACCEPTANCE AND USE OF GOODS SUPPLIED HEREUNDER SHALL BE PREMISED ON FINAL APPROVAL BY BUYER OR BY BUYER'S RELIANCE ON ARCHITECTS, ENGINEERS, OR OTHER THIRD PARTIES RATHER THAN ON SELLER'S INTERPRETATION. TO THE EXTENT NOT PROHIBITED BY APPLICABLE LAW, IN NO EVENT, WHETHER IN CONTRACT, WARRANTY, INDEMNITY, TORT (INCLUDING, BUT NOT LIMITED TO, NEGLIGENCE), STRICT LIABILITY OR OTHERWISE, ARISING DIRECTLY OR INDIRECTLY OUT OF THE PERFORMANCE OR BREACH OF THESE TERMS, SHALL SELLER BE LIABLE FOR (a) ANY INCIDENTAL, INDIRECT, PUNITIVE, SPECIAL, CONSEQUENTIAL OR SIMILAR DAMAGES SUCH AS LOSS OF USE, LOST PROFITS, ATTORNEYS' FEES OR DELAY DAMAGES, EVEN IF SUCH DAMAGES WERE FORESEEABLE OR CAUSED BY SELLER'S BREACH OF THIS AGREEMENT, (b) ANY CLAIM THAT PROPERLY IS A CLAIM AGAINST THE MANUFACTURER, OR (c) ANY AMOUNT EXCEEDING THE AMOUNT PAID TO SELLER FOR GOODS FURNISHED TO BUYER WHICH ARE THE SUBJECT OF SUCH CLAIM(S). ALL CLAIMS MUST BE BROUGHT WITHIN ONE YEAR OF ACCRUAL OF A CAUSE OF ACTION.
6. Buyer shall indemnify, defend, and hold Seller its officers, directors, employees and agents harmless from any and all costs (including attorneys' and accountants' fees and expenses), liabilities and damages resulting from or related to any third party (including Buyer's employees) claim, complaint and/or judgment arising from Buyer's use of any goods furnished hereunder, as well as any negligent, intentional, or tortious act or omission of Buyer or any material breach by Buyer of these Terms.
7. When goods are delivered to Buyer in Seller's own vehicles, the F.O.B. point shall be Buyer's designated delivery site. In all other cases the F.O.B. point shall be Seller's store or warehouse and all responsibility and costs of shipping and delivery beyond the applicable F.O.B. point shall be borne by Buyer. Title and risk of loss shall pass to Buyer at the applicable F.O.B. point, which for goods not delivered in Seller's own vehicles shall be when Seller delivers the goods to the common carrier. All claims for shortage of goods or for loss or damage to goods as to which Seller has the risk of loss shall be waived unless Buyer, within 10 calendar days after receipt of the short or damaged shipment, gives Seller written notice fully describing the alleged shortage or damage. Partial shipments are permitted at Seller's discretion.
8. Any change in product specifications, quantities, destinations, shipping schedules, or any other aspect of the scope of goods must be agreed to in writing by Seller, and may result in a price and delivery adjustment by Seller. No credit for goods returned by Buyer shall be given without Seller's written authorization. All returns are subject to a restocking charge.
9. Unless otherwise agreed in writing, payment terms are net 30 days from delivery, payable in United States of America ("U.S.") dollars. Notwithstanding the foregoing, all orders are subject to Seller's continuing approval of Buyer's credit. If Buyer's credit is not approved or becomes unsatisfactory to Seller then Seller, in its sole discretion, may suspend or cancel performance, or require different payment terms, including but not limited to cash on delivery or in advance of shipment. In addition, Seller may in its discretion require an advance deposit of up to 100% of Seller's selling price for any specially manufactured goods ordered by Buyer hereunder. Payments due hereunder shall be made in the form of cash, check, or money order, or other tender approved in writing by Seller. Seller may, in its sole discretion, apply Buyer's payment against any open charges. Past due accounts bear interest at the lesser of 1.5% per month or the maximum rate permitted by applicable law, continuing after Seller obtains judgment against Buyer. Seller may exercise setoff or recoupment to apply to or satisfy Buyer's outstanding debt. Buyer shall have no right of setoff hereunder, the same being expressly waived hereby.
10. Buyer shall not export or re-export, directly or indirectly, all or any part of the goods or related technology obtained from Seller under these Terms except in accordance with applicable export laws and regulations of the U.S. Further, a Buyer that is a non-U.S. company or citizen shall similarly limit any export or re-export activity to that which would be deemed compliant with U.S. export laws and regulations if performed by a U.S. company or citizen.
11. Buyer shall pay Seller all costs and expenses of collection, suit, or other legal action brought as a result of the commercial relationship between them, including, but not limited to, all actual attorneys' and paralegals' fees, and collection costs, incurred pre-suit, through trial, on appeal, and in any administrative or bankruptcy proceedings. Any cause of action that Seller has against Buyer may be assigned without Buyer's consent to HD Supply, Inc. or to any affiliate, parent or subsidiary of HD Supply, Inc.
12. This Agreement, Buyer's account, and the business relationship between Buyer and Seller shall be governed by and construed in accordance with the laws of Georgia without regard to conflicts of laws rules, and specifically excluding the UN Convention on Contracts for the International Sale of Goods. The Parties agree that any legal action arising under or related to this Agreement shall be brought in Cobb County, Georgia, and any right to object to such venue or to assert the inconvenience of such forum is hereby waived.
13. If Buyer fails to comply with these Terms, Seller may terminate or restrict any order immediately upon notice to Buyer. Buyer certifies that it is solvent and that it will advise Seller immediately if it becomes insolvent. Buyer agrees to send Seller written notice of any changes in the form of ownership of Buyer's business within 5 days of such changes. Buyer and Seller are the only intended beneficiaries of this document, and there are no third party beneficiaries.
14. The invalidity or unenforceability of all or part of these Terms will not affect the validity or enforceability of the other terms. The parties agree to replace any void or unenforceable term with a new term that achieves substantially the same practical and economic effect and is valid and enforceable.
15. The following provisions shall survive termination, cancellation and completed performance of this Agreement as long as necessary to allow the aggrieved party to fully enforce such clauses: 5, 6, 9, 10, 11 and 12.



Tab 7 b

Advanced Utility Services
Statement of Work

Presented by:
Mike Smith
President AUS

6100 Getty Drive
Suite #X
North Little Rock, AR
72117
501-773-8116
msmith@ausmetering.com

Executive Summary

Thank you for requesting our services. Clear procedures, shared timelines, and strong communication are highly valued by Advanced Utility Services, and essential to ensuring a successful project. This Statement of Work will define the project's scope and each party's responsibilities as they pertain to the services being provided.

Client name	HD Supply Water Works
Project name	Freeport, FL Meter Installation
Engagement duration	1 Month
Begin date	_____ 2016

Work Requirements

Advanced Utility Services will dedicate resources for the proposed project upon mutual agreement of terms defined within this Statement of Work.

Advanced Utility Services Responsibilities

- Removal of existing Sensus iPERL Water Meters and installation of like for like of 1100 Sensus iPERL Water Meters and transmitters as required for the completion of the Freeport, FL Water system.
- AUS will provide meter replacement work orders OR upload files to the City, and the City will update the City's Utility Billing System on a mutually agreed upon basis.
- Document and deliver data to the utility as mutually agreed upon before project commences.
- Deliver all removed meters associated with project to Freeport, FL

Freeport, FL Responsibilities

- The City will provide a route listing that includes the service address and meter ID number to AUS 15 days in advance of the anticipated installation start date.
 - Provides disposal of any materials associated with pre-authorized ancillary work performed by AUS.
 - The City will provide a field representative to assist AUS in coordination of the installation of the Replacement Meters.
-

Schedule of Rates

Advanced Utility Services will create and send reports of installation progress on a weekly basis. For each completed install Advanced Utility Services will charge according to the rates outlined in the chart below, billed on a bi-monthly basis.

Description	Quantity	Unit Price
Replace ¾" and 1" Meter and Reprogram MXU including data collection.	1100	\$ 36.00
Ancillary Services (ONLY to performed if pre authorized by City of Freeport, FL.)		
RAISE Meter Box	(as needed)	\$ 12.00
DIG UP/Reposition Meter Box	(as needed)	\$ 25.00
REPLACE Meter Box	(as needed)	\$ 30.00
REPLACE CURBSTOP	(as needed)	\$ 55.00
REPIPE	(as needed)	\$ 35.00
INSTALL Meter Riser	(as needed)	\$ 30.00
CUT Hole in Plastic Lid	(as needed)	\$ 1.00
PLASMA Cut Existing Meter Lid	(as needed)	\$ 5.00
REPLACE METER LID	(as needed)	\$ 1.00
<p>Prices above are labor only and are offered as an available option at the time of initial discovery, any additional work requested after completion of book/route will be subject to additional trip charge. All material to be provided by The City of Freeport, FL. Other pricing available upon request. Ancillary pricing is stated for convenience only, all agreements on these services will be in writing between AUS and The City of Freeport, FL before service is performed. Ancillary services are at the discretion of the City Manager, Assistant City Manager or their designee.</p> <p><u>Needed Exception to cities discretion is the below listed event.</u></p> <p>In the event the pipe lay length changes once preexisting meter is removed; Whether caused by pipe expansion, change in alignment or offset to the point that a new meter cannot be installed without bending or damage to existing pipe or new meter, a re-piping charge will need to be applied.</p>		

Change Management Process

In providing this Statement of Work, responsibilities have been assumed in regard to the scope and requirements of our proposed services; the above pricing is predicated on those assumptions. We do our best to anticipate all potential project requirements. Should any additions or changes be requested that are beyond the Scope and Requirements outlined above, they must be submitted in writing to Mike Smith and a new Statement of Work must be drafted and approved by all parties.

Terms and Conditions

The services outlined above will be provided on a contractual basis for the stated price, following mutual agreement and signing of this Statement of Work. Advanced Utility Services will require payment of invoices within 30 day terms with the option to bill twice a month. Any services required beyond the scope of this Statement of Work must be negotiated through the Change Management Process.

All invoices issued by Advanced Utility Services shall be paid by Client within Thirty (30) days of the date of the invoice unless otherwise agreed by in writing by Advanced Utility Services. In the event of late payment, Advanced Utility Services may charge interest on the amount outstanding at the rate of 1.5 percent in force from the due date until date of payment per month.

If any amount of the invoice is disputed, then the client shall inform Advanced Utility Services of the grounds for such dispute within seven days of the invoice and shall pay Advanced Utility Services the balance of the invoice less the disputed amount in accordance with these payments terms. Once settlement dispute has been agreed upon, any sum then outstanding shall be payable immediately if past due or in accordance with these payment terms.

Assumptions

Scope of Work, General

1. AUS assumes project will be substantially completed within 2 weeks or less of receiving notice to proceed.
2. AUS assumes all meters are located outside and are readily accessible.
3. AUS assumes that all meters are located in close proximity unless otherwise disclosed and will be released in route and read order.
4. AUS assumes that the utility will provide initial customer communications.
5. AUS assumes that all printed communication materials, such as notification letters and door hangers will be provided by the utility.
6. AUS assumes utility will provide keys for the removal and replacement of locking devices.
7. AUS assumes that utility will provide a black-out schedule prior to the project start date. AUS agrees to not disrupt water service to any residence in the project scope area before 7:00 a.m. or after 7:00 p.m. unless arrangements have been made by AUS with the customer for such disruption of service. AUS agrees to coordinate commercial installations with the City of Freeport, FL in order to reduce disruption to the business' operations. All work expected to be conducted from 8:00 AM to 4:00 PM, Monday through Saturday
8. AUS assumes that utility will provide address and meter location data prior to the project start date.
9. AUS would like to reserve the right to negotiate with the utility to work Saturdays as necessary.

Scope of Work, Meter Installation

1. AUS assumes that all installation material and other necessary supplies (other than new meter gaskets, AUS will provide) will be provided to AUS and will be present at the time of need. The City of Freeport, FL. Will provide all installation materials to AUS for pre-authorized ancillary work as requested by the City.
2. AUS assumes it will return all removed material including water meter, excess dirt/sand to a single location for sorting and removal by the utility.
3. AUS shall not be responsible for preexisting conditions of the Freeport Water System. Conditions that cause AUS to submit a return to utility "RTU" will be documented and passed back to the utility. AUS will not be responsible for installation of that meter location after utility has corrected said condition without prior agreement. Any additional revisit without prior agreement will be subject to additional trip charge.

Service Offering

1. Replacement of existing water meters and connection of existing MXU
2. Electronic and hard copy data collection
3. Experienced installation staff
5. Experienced Project management staff
6. Inventory receipt and control
7. Vehicles with appropriate signage
8. Uniforms, personal protective equipment and identification badges
9. Employment screening: background checks, drug testing, etc.

INSURANCE REQUIREMENTS

- 10A. The successful proposer shall not commence any work in connection with this Contract until it has obtained all of the following types of insurance and the City has approved such insurance. Nor shall the successful proposer allow any subcontractor to commence work on its subcontract until all similar insurance required of the subcontractor has been so obtained and approved.
- 10B. Proof of the following insurance will be furnished by the successful proposer by Certificate of Insurance, which names the proposer, its officers, board members, employees and agents as additional insured on General Liability and Automobile Liability insurance policies. Such certificate must contain a provision for notification of the City 30 days in advance of any material change or cancellation. The City by and through its Risk Manager, reserves the right to review, modify, reject or accept any required policies of insurance, including limits coverages or endorsements, herein from time to time throughout the term of this contract. All insurance carriers must have an A.M. Best Rating of at least A: VII or better. When a self-insured retention or deductible exceeds \$5,000, the City reserves the right, but not the obligation, to review and request a copy of proposer's most recent annual report or audited financial statement.
- 10C. All contractors including any independent contractors and subcontractors utilized must comply with the following insurance requirements:
1. **Commercial General Liability:** The Contractor/Lessee/Service Provider shall, during the life of this Contract take out and maintain broad form Commercial General Liability Insurance, including Contractual Liability, to cover the Indemnification & Hold Harmless agreement set forth herein, with limits of not less than:

Ø Each Occurrence	\$1,000,000
Ø Personal/Advertising Injury	\$1,000,000
Ø Products/Completed Operations Aggregate	\$2,000,000
Ø General Aggregate	\$2,000,000
Ø Fire Damage	\$100,000 Any 1 Fire
Ø Medical Expense	\$10,000 Any 1 Person
 2. An Additional Insured endorsement MUST be attached to the Certificate of Insurance and MUST include coverage for Completed Operations (should be ISO CG20101185 or CG20371001 & CG20100704) under the General Liability policy. Products and Completed Operations Coverage to be provided for a minimum of 10 years from the date of possession by owner or completion of contract. Coverage is to be written on an occurrence form basis and shall apply as primary. A per project aggregate limit endorsement should be attached. Defense costs are to be in addition to the limit of liability. A waiver of subrogation is to be provided. XCU coverage is to be included. Coverage is to include a Cross Liability or Severability of Interests Provision.

3. Umbrella Liability: The Contractor/Lessee/Service Provider shall take out and maintain during the life of this Contract, Umbrella Liability Insurance with limits of not less than \$5,000,000 per occurrence covering all work performed under this contract.
4. Business Automobile: The Contractor/Lessee/Service Provider shall during the life of this Contract take out and maintain Business Automobile Liability Insurance for any auto (all owned, hired, and non-owned autos) with limits of not less than \$1,000,000 per accident. In the event proposer does not own any automobiles, the City will accept proof of hired and non-owned auto liability only. Certificate holder must be listed as additional insured. A waiver of subrogation must be provided. Coverage should apply on a primary basis.
5. Worker's Compensation Insurance: The Contractor/Lessee/Service Provider shall take out and maintain during the life of this Contract, Worker's Compensation Insurance with limits equal to Florida Statutory requirements. Employers liability must include limits of at least \$100,000 each accident, \$100,000 each disease/employee, \$500,000 each disease/maximum. A waiver of subrogation must be provided. Coverage should apply on a primary basis. Should scope of work performed by contractor qualify its employee for benefits under Federal Workers Compensation Statute, proof of appropriate Federal Act Coverage must be provided.
6. Loss Deductible Clause: The City shall be exempt from, and in no way liable for, any sums of money which may represent a deductible in any insurance policy. The payment of such deductible shall be the sole responsibility of the Contractor and/or subcontractor providing such insurance.
7. Certificates of Insurance: The Contractor upon **notice of award** will furnish Certificate of Insurance Form. These shall be completed by the authorized Resident Agent and returned to the Office of the Purchasing Manager. This certificate shall be dated and show:
 - a. The name of the insured contractor, the specified job by name and job number, the name of insurer, the number of the policy, its effective date, and its termination date.
 - b. Statement that the Insurer will mail notice to the City at least thirty (30) days prior to any material changes in provisions or cancellation of the policy.
 - c. City shall be listed as additional Insured on Commercial General Liability Insurance, Automobile Liability Insurance.

Inventory Management

The installation technicians will sign for the inventory they receive. At the end of their shift, the installation technicians will count uninstalled inventory. The inventory recorded will be reconciled against the completed work order file on a daily basis. Inventory reports will be made available on a periodic basis or upon request.

AUS will be responsible for all meter inventory and reconciliation processes until such time as the City executes final acceptance at project close-out.

LIABILITY

Freeport, FL has purchased approximately 1100 iPERL water meters from HD Supply Water Works ("the Meters").

HD Supply Water Works has contracted with a third-party (AUS) to install the Water Meters. AUS shall receive payment from HD Supply Water Works. It is anticipated the AUS will begin installation on, or before _____ 2016 and complete the installations on, or before _____ 2016.

IN WITNESS WHEREOF, the parties hereto each acting with proper authority have executed this Statement of Work.

Advanced Utility Services, LLC.

Signature _____

Mike Smith _____

Date _____

President _____

HD Supply Water Works Inc.

Signature _____

Print Name _____

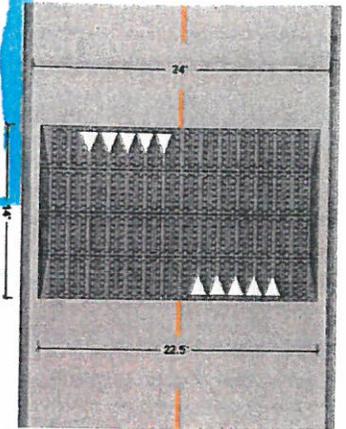
Date _____

Title _____

14' Speed Table

Recommended for 25 MPH speed zones

This is one of our most popular traffic calming devices. Our 14' speed table is 3" high and has a 7' flat-topped table in the center. It is designed to slow vehicles to around 25 MPH, a common speed limit on many residential roadways. This speed table encourages motorists to slow down while allowing drivers to continue on their way without having to stop.

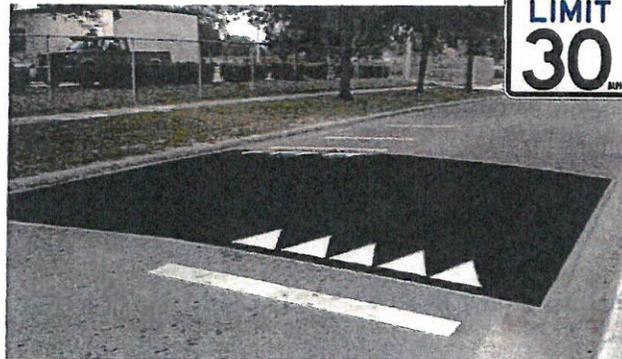


14' Speed Table 1485-00058 \$5695⁰⁰

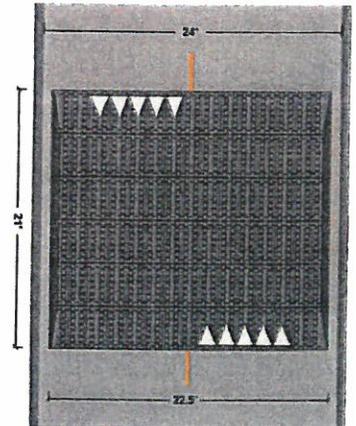
21' Speed Table

Recommended for 30 MPH speed zones

This solution provides the smoothest ride of all our traffic calming devices. With a 14' long table in the center of the device, this speed table is often used on roads where vehicle speed and volume are higher than on smaller residential streets.



Tab 9

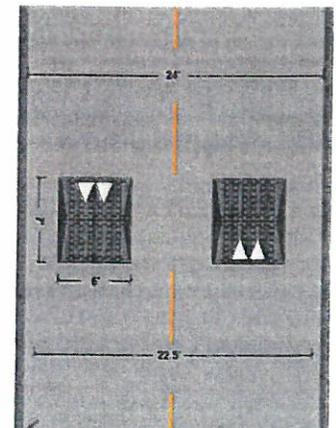


21' Speed Table 1485-00060 \$7995⁰⁰

Speed Cushions

Recommended for 25 MPH speed zones

This unique solution was designed to slow down residential motorists while allowing emergency-vehicles to pass with ease. They are placed only in the lane of traffic with gaps in between for emergency-response vehicles to straddle. Residential vehicles have a narrower wheelbase forcing them to drive over the device. Includes lag bolts 7" L x 6" W x 3" H, 402 lbs.



Speed Cushion per section 1485-00062 \$975⁰⁰