

AGENDA
REGULAR COUNCIL MEETING
February 12, 2009 ♦ 6:00 PM

SILENT PRAYER / PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

MAYOR IOVIENO
MAYOR PRO-TEM CHUBB
COUNCILMAN BRATTON

COUNCILMAN GAILEY
COUNCILMAN FARLEY
COUNCILMAN KOCH

REGULAR BUSINESS:

1. Council Approval of Agenda
2. Council Approval of Consent Agenda: Minutes: Regular Council Meeting Minutes of January 8, 2009, and Budget Status as of January 31, 2009.

Action Items:

1. Council Approval of extension of PAWS Special Event Display wrought iron fence with decorative art panels. The approval of a one year display time has expired.

Discussion Items:

1. CRA / CDBG - see manager's report.

Reports:

1. Town Manager' Report
2. Engineer's Report
3. Attorney's Report
4. Community Officer's Report

Public Request / Comments:

Council Members Comments / Request:

Mayor's Comments / Announcements –

Dates to remember:

Monday Feb 16 – Presidents Day – Town Hall Closed

Adjourn

MANAGER'S REPORT – FEB 2009

UNFINISHED BUSINESS:

CRA/CDBG Grant – Please see the Monthly Report received from Jason Shepler of Mittauer & Associates. The hard copies are in your boxes. A meeting is scheduled for Tuesday, February 10th at 10:00 with DOT, Jason Shepler, Attorney McInnis and me to review the DOT permitting process and to walk the Eglin corridor.

LOCAL COMMUNICATIONS SERVICES TAX: We received a letter from FDR stating that the monthly payments will not start until March.

COUNCIL SEATS OPEN: Only one person qualified for the up coming March election. Councilman Farley will keep her seat as she was unopposed. The council will need to appoint two new members at the April Council meeting. Councilman Bratton and Councilman Gailey's seats will end March 31st.

NEW BUSINESS:

PAWS DECORATIVE FENCE: PAWS has requested an extension of the time limit on the Decorative Fence Display on the Irwin Avenue side of the PAWS building as a permanent fixture. The one year time frame has expired. Please see the letter and newspaper article received in your packets at Town Hall.

DATES FOR YOUR CALENDAR:

Monday Feb 16th – Presidents Day – Town Hall Closed

Town of Cinco Bayou Profit & Loss Budget vs. Actual

October 2008 through January 2009

	Oct '08 - Jan 09	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
001 REVENUE ACCOUNTS				
300.000 - CASH FORWARD	0.00	45,000.00	-45,000.00	0.0%
TAXES				
311.000 - ADVALOREM TAXES	44,183.32	127,368.00	-83,182.68	34.7%
312.410 - FIRST LOCAL OPTION FUEL TAX	4,706.48	24,967.00	-20,260.52	18.9%
Total TAXES	48,889.80	162,335.00	-103,443.20	32.1%
FRANCHISE FEES				
313.100 - FRANCHISE FEE - GULF POWER	8,818.38	50,000.00	-41,181.62	17.6%
313.400 - FRANCHISE FEE - OKALOOSA GAS	1,240.68	4,500.00	-3,259.34	27.5%
Total FRANCHISE FEES	10,059.04	54,500.00	-44,440.98	18.5%
UTILITY SERVICES TAXES				
314.100 - UTIL TAX - GULF POWER	4,561.62	31,000.00	-26,438.38	14.7%
314.300 - UTIL TAX - WATER FWR	1,548.63	6,000.00	-4,451.37	25.8%
314.400 - UTIL TAX - NAT GAS OKALOOSA CO	882.60	3,500.00	-2,617.20	24.7%
318.000 - UTIL TAX - LOCAL COM. SERVICES	3,503.38	28,813.00	-26,309.64	11.8%
318.100 - LOC CST REFUND	24,184.38			
Total UTILITY SERVICES TAXES	34,660.79	70,313.00	-35,652.21	49.3%
LICENSES AND PERMITS				
321.100 - OCCUPATIONAL LICENSES	6,390.00	6,200.00	-810.00	88.8%
322.000 - PERMITS - TOWN	110.00	400.00	-290.00	27.5%
Total LICENSES AND PERMITS	6,500.00	6,600.00	-1,100.00	83.3%
STATE GRANTS CDBG				
334.900 - ADMIN CDBG FUNDS	5,805.00	48,000.00	-42,195.00	12.1%
334.901 - ENGINEERING CDBG FUNDS	24,000.00	66,000.00	-42,000.00	36.4%
334.902 - CDBG RELOCATION OF UTILITIES	0.00	300,000.00	-300,000.00	0.0%
334.903 - TIF RELOCATION OF UTILITIES	0.00	65,000.00	-65,000.00	0.0%
334.904 - CDBG FUNDS SIDEWALK/SPED MALLS	0.00	171,000.00	-171,000.00	0.0%
Total STATE GRANTS CDBG	29,805.00	850,000.00	-820,195.00	4.6%
STATE SHARED REVENUES				
GENERAL GOVERNMENT				
335.120 - STATE REVENUE SHARING PROCEEDS	10,832.18	24,800.00	-13,967.84	44.4%
335.180 - ALCOHOLIC BEVERAGE LICENSES	86.63	300.00	-201.37	32.9%
335.180 - LOCAL GOVT HALF-CENT SALES TAX	3,443.34	27,365.00	-23,921.66	12.6%
Total GENERAL GOVERNMENT	14,474.13	62,265.00	-47,790.87	27.7%
Total STATE SHARED REVENUES	14,474.13	62,265.00	-47,790.87	27.7%
SHARED REV OTHER LOCAL UNITS				
338.100 - OCCUPATIONAL LIC OKALOOSA CO	357.80	500.00	-142.10	71.6%
Total SHARED REV OTHER LOCAL UNITS	357.80	500.00	-142.10	71.6%
PHYSICAL ENVIRONMENT				
343.400 - GARBAGE/SOLID WASTE	7,266.91	30,500.00	-23,233.09	23.8%
Total PHYSICAL ENVIRONMENT	7,266.91	30,500.00	-23,233.09	23.8%
CULTURE/RECREATION				
347.500 - BOAT LAUNCH FEES	2,762.50	15,000.00	-12,237.50	18.4%
Total CULTURE/RECREATION	2,762.50	15,000.00	-12,237.50	18.4%
FINES AND FORFEITS				
381.100 - COURT FINES - COUNTY	73.65	600.00	-526.45	12.3%
Total FINES AND FORFEITS	73.65	600.00	-526.45	12.3%
INTEREST AND OTHER EARNINGS				
361.140 - VANGUARD BANK CHECKING	18.77	500.00	-481.23	3.8%
361.182 - INTEREST EARNINGS - TAX COLL	28.31	1,000.00	-971.69	2.8%
361.183 - BEACH COMMUNITY BANK CD #3188	0.00	3,000.00	-3,000.00	0.0%
361.184 - BEACH COMMUNITY BANK SAVINGS	63.43	500.00	-436.57	18.7%
361.185 - BEACH COMMUNITY BANK CD #5649	912.18	3,000.00	-2,087.82	30.4%
361.188 - BEACH COMMUNITY BANK CD #5650	912.18	3,000.00	-2,087.82	30.4%
Total INTEREST AND OTHER EARNINGS	1,854.87	11,000.00	-9,145.13	17.8%
RENTS AND ROYALTIES				
382.000 - SEAWAY STREET	0.00	500.00	-500.00	0.0%
382.100 - FACILITY RENTAL-TOWN HALL	1,150.00	1,500.00	-350.00	78.7%
382.200 - CELL TOWER LEASE	8,621.43	23,000.00	-13,378.57	41.8%
382.300 - SEAWAY RIGHT OF WAY WHATABURGER	0.00	100.00	-100.00	0.0%
Total RENTS AND ROYALTIES	10,771.43	25,100.00	-14,328.57	42.9%
OTHER MISCELLANEOUS REVENUES				
389.000 - OTHER MISC REV	1,651.00	100.00	1,451.00	1,651.0%
389.100 - OTHER MISC REV - SR 65 MAINT	0.00	1,189.00	-1,189.00	0.0%
389.200 - OTHER MISC REV - TRAFFIC SIGNAL	0.00	1,200.00	-1,200.00	0.0%
389.201 - ST HIGHWAY SYSTEM LIGHTING	0.00	1,087.00	-1,087.00	0.0%
Total OTHER MISCELLANEOUS REVENUES	1,651.00	3,576.00	-2,025.00	43.4%
Total 001 REVENUE ACCOUNTS	168,128.82	1,117,287.00	-949,160.08	15.0%
Total Income	168,128.82	1,117,287.00	-949,160.08	15.0%
Expense				
88900 - Reconciliation Discrepancies	2.88			
001-EXPENDITURE/EXPENSE ACCTS.				
PAYROLL EXPENSE				
513.120 - SALARIES & WAGES	35,789.88	100,323.00	-64,533.02	35.7%
513.210 - EMPLOYEE FICA/MEDICARE	2,737.94	7,876.00	-4,537.06	35.7%
513.230 - EMPLOYEE LIFE & HEALTH INS	5,678.76	12,300.00	-6,721.26	45.3%
513.240 - EMPLOYEE WORKMANS COMP	-1,209.50	3,500.00	-4,709.50	-34.6%
513.260 - EMPLOYEE UNEMPLOYMENT COMP	35.23			
PAYROLL EXPENSE - Other	0.00			
Total PAYROLL EXPENSE	42,930.40	123,788.00	-80,867.60	34.7%
EMPLOYEE RETIREMENT PLAN				
518.360 - RETIREMENT BENEFITS - EMPLOYEE	1,381.82	3,913.00	-2,531.38	35.3%
Total EMPLOYEE RETIREMENT PLAN	1,381.82	3,913.00	-2,531.38	35.3%
OPERATING EXPENDITURE/EXPENSE				
513.320 - ACCOUNTING AND AUDITING	12,922.00	11,000.00	1,922.00	117.5%

Town of Cinco Bayou Profit & Loss Budget vs. Actual

October 2008 through January 2009

	Oct '08 - Jan 09	Budget	\$ Over Budget	% of Budget
PROFESSIONAL SERVICES LEGAL				
514.310 • PROFESSIONAL SERVICES-LEGAL	3,212.00	8,000.00	-4,788.00	40.2%
Total PROFESSIONAL SERVICES LEGAL	3,212.00	8,000.00	-4,788.00	40.2%
COMPREHENSIVE PLAN				
518.310 • COMPREHENSIVE PLANNING	3,000.00	20,000.00	-17,000.00	15.0%
Total COMPREHENSIVE PLAN	3,000.00	20,000.00	-17,000.00	15.0%
PROFESSIONAL SERVICES ENGINEER				
519.310 • PROFESSIONAL SERVICES-ENGINEER	1,570.00	2,500.00	-930.00	62.8%
Total PROFESSIONAL SERVICES ENGINEER	1,570.00	2,500.00	-930.00	62.8%
519.400 • TRAVEL AND PER DIEM COMMUNICATIONS	1,440.00	10,500.00	-9,060.00	13.7%
519.410 • COMMUNICATIONS-PHONE	855.13	3,400.00	-2,544.87	25.2%
519.411 • COMMUNICATIONS-POSTAGE	111.72	300.00	-188.28	37.2%
519.412 • COMMUNICATIONS-INTERNET	666.00	1,700.00	-1,044.00	38.6%
Total COMMUNICATIONS	1,622.85	5,400.00	-3,777.15	30.1%
519.430 • UTILITIES-TOWN HALL	1,486.89	7,000.00	-5,513.11	21.0%
519.440 • RENTALS AND LEASES	725.00	2,000.00	-1,275.00	36.3%
519.450 • INS PROP/LIB/AUTO	3,445.60	20,000.00	-16,554.40	17.2%
519.460 • REPAIR & MAINTENANCE -TOWN HALL	787.87	3,000.00	-2,212.13	26.3%
519.461 • REPAIR & MAINTENANCE - OTHER	0.00	300.00	-300.00	0.0%
519.470 • PRINTING/BINDING	0.00	1,000.00	-1,000.00	0.0%
LEGAL ADVERTISING				
519.480 • LEGAL ADVERTISING	1,455.30	2,200.00	-744.70	66.2%
Total LEGAL ADVERTISING	1,455.30	2,200.00	-744.70	66.2%
519.490 • OTHER CURRENT CHG & OBLIGATIONS	523.38	2,500.00	-1,976.62	20.9%
519.491 • ELECTION EXPENSE	0.00	700.00	-700.00	0.0%
519.510 • OFFICE SUPPLIES	480.78	2,000.00	-1,519.22	23.0%
519.520 • OPERATING SUPPLIES	293.67	800.00	-506.33	36.7%
519.540 • BOOKS,PUB,SUB & MEMBERSHIPS	2,478.46	2,600.00	-121.54	95.4%
519.520 • CAPITOL IMPROVEMENTS - TOWN HAL	0.00	700.00	-700.00	0.0%
519.530 • IMPROVEMENTS OTHER THAN BLDGS.	0.00	500.00	-500.00	0.0%
519.540 • MACHINERY & EQUIPMENT	0.00	1,000.00	-1,000.00	0.0%
519.520 • AID TO PRIVATE ORGANIZATIONS	250.00	500.00	-250.00	50.0%
Total OPERATING EXPENDITURE/EXPENSE	35,656.68	104,200.00	-68,543.32	34.2%
PUBLIC SAFETY				
521.340 • LAW ENFORCEMENT	28,903.75	69,369.00	-40,465.25	41.7%
Total PUBLIC SAFETY	28,903.75	69,369.00	-40,465.25	41.7%
EMERGENCY AND DISASTER RELIEF S				
525.490 • OTHER CHG & OBLIGATIONS	0.00	1,000.00	-1,000.00	0.0%
Total EMERGENCY AND DISASTER RELIEF S	0.00	1,000.00	-1,000.00	0.0%
PHYSICAL ENVIRONMENT				
530.520 • EQUIPMENT & TOOLS	0.00	500.00	-500.00	0.0%
534.430 • GARBAGE/SOLID WASTE-WASTE MGMT	6,930.00	28,000.00	-21,070.00	24.8%
537.430 • DRAIN,DCH,YACHT CL REP & MAINT	0.00	500.00	-500.00	0.0%
538.630 • STORMWATER MANAGEMENT	0.00	10,000.00	-10,000.00	0.0%
Total PHYSICAL ENVIRONMENT	6,930.00	39,000.00	-32,070.00	17.8%
TRANSPORTATION				
541.430 • UTILITY SERVICES - STREETS	3,696.48	12,000.00	-8,303.52	30.0%
541.460 • REPAIR & MAINTENANCE SERVICES	78.85	2,200.00	-2,121.15	3.6%
541.520 • OPERATING SUPPLIES FUEL & OIL	217.99	1,500.00	-1,282.01	14.6%
541.530 • OPERATING SUPPLIES - STREETS	0.00	250.00	-250.00	0.0%
541.630 • IMPROVEMENTS - STREETS	0.00	500.00	-500.00	0.0%
Total TRANSPORTATION	3,993.30	16,450.00	-12,456.70	23.7%
STATE GRANTS - CDBG				
550.331 • CDBG ENGINEERING	24,000.00	69,000.00	-45,000.00	34.8%
550.340 • CDBG GRANT ADMINISTRATION	5,895.00	47,640.00	-41,745.00	12.2%
550.530 • CDBG RELOCATION OF UTILITIES	0.00	300,000.00	-300,000.00	0.0%
550.631 • TIF RELOCATION OF UTILITIES	0.00	65,000.00	-65,000.00	0.0%
550.632 • CDBG FUNDS SIDEWALKS/PED MALLS	0.00	171,000.00	-171,000.00	0.0%
Total STATE GRANTS - CDBG	29,895.00	649,640.00	-619,745.00	4.6%
ANIMAL CONTROL SERVICES				
562.340 • ANIMAL CONTROL SERVICES - PAWS	914.00	1,743.00	-829.00	52.4%
Total ANIMAL CONTROL SERVICES	914.00	1,743.00	-829.00	52.4%
PARKS AND RECREATION				
572.340 • OTHER CONTRACTUAL SERVICES	4,806.84	24,720.00	-19,913.16	19.4%
572.430 • UTILITIES - PARKS	557.28	500.00	57.28	111.5%
572.460 • REPAIR AND MAINTENANCE PARKS	523.50	5,000.00	-4,476.50	10.5%
572.520 • OPERATING SUPPLIES - PARKS	0.00	300.00	-300.00	0.0%
572.630 • CAPITAL IMPROVEMENTS PARKS	0.00	1,500.00	-1,500.00	0.0%
Total PARKS AND RECREATION	5,887.42	32,020.00	-26,132.58	18.4%
SPECIAL EVENTS				
574.490 • SPECIAL EVENTS/PICNIC DINNERS	2,965.89	6,000.00	-3,034.11	49.4%
Total SPECIAL EVENTS	2,965.89	6,000.00	-3,034.11	49.4%
SPECIAL RECREATION FACILITIES				
572.521 • OPERATING SUPPLIES-BOAT LAUNCH	0.00	900.00	-900.00	0.0%
575.460 • SEA WAY BOAT LAUNCH REP & MAINT	268.63	2,600.00	-2,331.37	10.7%
Total SPECIAL RECREATION FACILITIES	268.63	3,400.00	-3,131.37	7.9%
OTHER CULTURE/RECREATION				
579.630 • TREE/BAUTIFICATION	0.00	500.00	-500.00	0.0%
Total OTHER CULTURE/RECREATION	0.00	500.00	-500.00	0.0%

10:43 AM

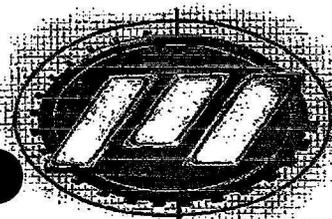
02/03/09

Accrual Basis

Town of Cinco Bayou Profit & Loss Budget vs. Actual

October 2008 through January 2009

	Oct '08 - Jan 09	Budget	\$ Over Budget	% of Budget
OTHER USES				
580.890 - CONTINGENCY FUND	0.00	38,979.00	-38,979.00	0.0%
681.910 - CRA TAX INCREMENTS TWIN PORTION	29,274.55	29,276.00	-0.45	100.0%
Total OTHER USES	29,274.55	68,254.00	-38,979.45	44.2%
Total 001-EXPENDITURE/EXPENSE ACCTS.	188,811.14	1,117,287.00	-928,475.86	16.9%
Total Expense	188,813.62	1,117,287.00	-928,473.18	16.9%
Net Ordinary Income	-20,686.90	0.00	-20,686.90	100.0%
Net Income	-20,686.90	0.00	-20,686.90	100.0%



MITTAUER
& ASSOCIATES, INC.
CONSULTING ENGINEERS

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ORANGE PARK, FL 32073
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WWW.MITTAUER.COM

February 9, 2009

Ms. Nell Dykes, Town Manager
Town of Cinco Bayou
10 Yacht Club Drive
Cinco Bayou, FL 32548

RE: Monthly Update
CDBG Commercial Revitalization Project
CDBG Grant No. 07DB-3R-01-56-02-C02
Town of Cinco Bayou, Florida
Mittauer & Associates, Inc. Project No. 0108-01-1

Dear Nell:

We are providing this monthly update to detail items which have occurred since our last progress update. The Florida Department of Transportation (FDOT) Utility Permit Applications were submitted in December and we have received comments. Through our coordination with FDOT during the month of December and our lighting suppliers, we submitted our formal response to FDOT last week. We have scheduled a meeting with FDOT to occur on February 10, 2009 to discuss the most significant issues remaining for the permit approval. Those items include the existing driveway locations and geometry as well as FDOT's lighting requirements within the Eglin Parkway right of way. As we discussed previously, the existing driveway locations do not currently meet the state standards for one or more of the following items: (1) location in relation to street intersections (*FDOT has minimum requirements for driveway locations away from intersections*), (2) driveway "throat width" (*business category may indicate the existing driveway width at the right of way is either too small or too large*), and/or (3) number of driveways within a given parcel. The lighting requirements have been reviewed in detail last month and the main issue we are working through is the relatively low-mounting height for the lights in comparison to the typical high-mounting heights for highways. The mounting height for the Town's project is skewing some of the metrics FDOT utilize to determine if the lighting is acceptable. The mounting height for the Town's project is relatively constrained to keep the proper visual balance through the corridor. These issues will be discussed during the meeting with FDOT tomorrow and were formally discussed in our written response to FDOT.

Outside of the FDOT Utility Permit timing, we are providing the following items to recap other issues which need to be addressed by the Town prior to bidding:

- Easements: The remaining issues include: (1) receiving approval from the various utilities on the Utility Easement agreement language (Cox Communication and Southern Light are only outstanding entities); (2)

Ms. Nell Dykes
February 9, 2009
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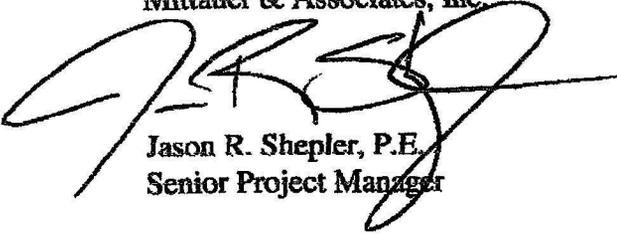
approaching the various parcel owners for acceptance of the Utility Easement; and (3) obtaining executed Utility Easements and recording them in the public record.

- **Maintenance:** FDOT has not requested a DRAFT maintenance agreement to date, but it will be a requirement for the Town to accept maintenance of the proposed paver sidewalks and decorative lighting. A DRAFT agreement was provided to the Town and should be finalized for FDOT consideration.
- **Driveways:** Our design drawings have maintained the existing ingress/egress locations to minimize construction costs, permitting time, and coordination issues with each parcel owner. See aforementioned comments related to FDOT review comments regarding this issue.
- **Costs:** As we discussed in December, Mittauer & Associates will format the bid package so the Town has various options, in the form of additive alternates, to review regarding project construction approach from Hughes Avenue to the Yacht Club Drive bridge abutment. A DRAFT bid package will be forwarded to the Town for review and comment after the FDOT permitting is complete.

The grant extension through DCA was approved, but it is critical that we begin the easement acquisition process as soon as possible. As we have mentioned before, please note that the easement acquisition and FDOT permitting process can take some time pending the entities involved and the details they require for approval.

If you should happen to have any question with the current status or outstanding issues, please do not hesitate to contact me via telephone at 904.644.0644 or e-mail at jshepler@mittauer.com.

Sincerely,
Mittauer & Associates, Inc.



Jason R. Shepler, P.E.
Senior Project Manager

JRS

cc: Tim Martin (Connelly & Wicker)

Kathy Baker (Jordan & Associates)