REGULAR CITY COUNCIL MEETING

7:00 PM – COUNCIL CHAMBERS – CITY HALL

DECEMBER 6, 2016

AGENDA

ALL CITIZENS DESIRING TO ADDRESS THE PORT ORANGE CITY COUNCIL DURING CITIZEN PARTICIPATION SHOULD COMPLETE A SPECIAL APPLICATION FORM WHICH IS LOCATED ON THE STANDS OUTSIDE THE COUNCIL CHAMBERS. AFTER COMPLETING THE FORM, PRESENT IT TO THE CITY CLERK.

A. OPENING

1. Pledge of Allegiance
2. Invocation - Father Tim Daly - Basilica of Saint Paul
3. Swearing-In Ceremony
4. Roll Call
5. Rules of Procedure
6. Election of Vice Mayor
7. Appointments to Council Committees for 2017

B. AGENDA APPROVAL

C. SPECIAL AWARDS, REPORTS, RECOGNITION AND PROCLAMATIONS

8. Report from KemperSports on Cypress Head Golf Course

D. BOARD APPOINTMENTS, INTERVIEWS, REPORTS

9. Library Advisory Board Update
10. Town Center Community Redevelopment Agency Appointment

E. CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

F. COUNCIL COMMENTS

G. CONSENT AGENDA

11. Approval of Minutes
    a. November 15, 2016 - Regular City Council Meeting
12. Council Meeting Schedule for 2017
13. Donation Report of FY16
14. Memorandum of Understanding (MOU) with the Police Benevolent Association Lieutenants (PBA-LTs)
15. Acceptance of the FY 2017 CDBG grant funding
16. Resolution No. 16-79 - Ratifying Election Results for the General Election held November 8, 2016
17. Subordination of SHIP down Payment Assistance Second Mortgage

H. COMMENTS

18. City Attorney Comments
19. City Manager Comments

I. COUNCIL COMMITTEE REPORTS

20. City Council Committee Reports
    a. General Employees' Pension Plan
    b. YMCA
    c. River to Sea TPO

J. ADJOURNMENT

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE BY THE CITY COUNCIL WILL NEED A RECORD OF THE PROCEEDINGS, AND FOR SUCH PURPOSE HE OR SHE MAY NEED TO ENSURE AT HIS OR HER OWN EXPENSE FOR THE TAKING AND PREPARATION OF A VERBATIM RECORD OF ALL TESTIMONY AND EVIDENCE OF THE PROCEEDINGS UPON WHICH THE APPEAL IS TO BE BASED.

NOTE: IF YOU ARE A PERSON WITH A DISABILITY WHO NEEDS ANY ACCOMMODATION IN ORDER TO PARTICIPATE IN THIS PROCEEDING, YOU ARE ENTITLED, AT NO COST TO YOU, TO THE PROVISION OF CERTAIN ASSISTANCE. PLEASE CONTACT THE CITY CLERK FOR THE CITY OF PORT ORANGE, 1000 CITY CENTER CIRCLE, PORT ORANGE, FLORIDA 32129, TELEPHONE NUMBER 386-506-5563, WITHIN 2 WORKING DAYS OF YOUR RECEIPT OF THIS NOTICE OR 5 DAYS PRIOR TO THE MEETING DATE; IF YOU ARE HEARING OR VOICE IMPAIRED, CONTACT THE RELAY OPERATOR AT 1-800-955-8771.

ANY INVOCATION THAT IS OFFERED BEFORE THE OFFICIAL START OF THE CITY COUNCIL MEETING SHALL BE THE VOLUNTARY OFFERING OF A PRIVATE PERSON, TO AND FOR THE BENEFIT OF THE CITY COUNCIL. THE VIEWS OR BELIEFS EXPRESSED BY THE INVOCATION SPEAKER HAVE NOT BEEN PREVIOUSLY REVIEWED OR APPROVED BY THE CITY COUNCIL OR

THE CITY STAFF, AND THE CITY IS NOT ALLOWED BY LAW TO ENDORSE THE RELIGIOUS BELIEFS OR VIEWS OF THIS, OR ANY OTHER SPEAKER. PERSONS IN ATTENDANCE AT THE CITY COUNCIL MEETING ARE INVITED TO STAND DURING THE OPENING INVOCATION AND PLEDGE OF ALLEGIANCE. HOWEVER, SUCH INVITATION SHALL NOT BE CONSTRUED AS A DEMAND, ORDER, OR ANY OTHER TYPE OF COMMAND. NO PERSON IN ATTENDANCE AT THE MEETING SHALL BE REQUIRED TO PARTICIPATE IN ANY OPENING INVOCATION THAT IS OFFERED. A PERSON MAY EXIT THE CITY COUNCIL CHAMBERS AND RETURN UPON COMPLETION OF THE OPENING INVOCATION IF A PERSON DOES NOT WISH TO PARTICIPATE IN OR WITNESS THE OPENING INVOCATION.

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Election of Vice Mayor

DEPARTMENT: City Clerk

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to elect a Vice Mayor for 2017 and authorize the City Clerk to amend related contact information as necessary.

SUMMARY: In accordance with Article III, Section 3.03 of the City Charter: "The vice mayor shall be elected at the first meeting of the newly elected council after the regular city elections; and, in nonelection years, at the first regular council meeting in January and commencing in 2007 at the first regular council meeting in December. The vice mayor shall act as mayor during the absence or disability of the mayor. In case of death, resignation, or removal of the mayor, the vice mayor shall serve as mayor for the remaining unexpired term of such office. The council vacancy left by the vice mayor shall be filled as provided in section 3.05(c). A vice mayor shall be elected by the council from its members either before or after the filling of the council vacancy as provided in the preceding sentence. In all instances, the vice mayor shall be elected by the affirmative vote of the majority of the council."

Project No.:	Funding Account No.:

ATTACHMENTS:

Robin Fenwick Created/Initiated - 10/21/2016

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Appointments to Council Committees for 2017

DEPARTMENT: City Clerk

GOAL:

OBJECTIVE:

RECOMMENDED MOTION:

SUMMARY: Below is a listing of committees and the current Council Member assigned to each committee:

ArtHaus –Councilman Burnette
City Investment Committee – Councilman Stiltner
General Employees Retirement Trust Fund – Councilman Stiltner
Library Advisory Board – Councilman Bastian
River to Sea Transportation Planning Organization – Councilman Ford
Municipal Firefighters Pension Board – Councilman Ford
Municipal Police Officers Retirement Trust – Vice Mayor Bastian
Port Orange-South Daytona Chamber of Commerce – Councilman Burnette
Volusia League of Cities – Mayor Green
YMCA – Councilman Bastian

Appointments will need to be made for service on these committees for 2017.

Project No.:	Funding Account No.:

ATTACHMENTS:

Robin Fenwick Created/Initiated - 10/21/2016

The Golf Club at Cypress Head
Course Cash Flow Report
October 31, 2016

	October	YTD
EBITDA	($26,082.23)	($26,082.23)
Management Fee Expense	(5,712.85)	(5,712.85)
Depreciation & Amortization	(153.61)	(153.61)
Net Income	(31,948.69)	(31,948.69)
Working Capital Changes		
Inventory	(2,092.81)	(2,092.81)
Receivables	88,275.80	88,275.80
Payables	(33,492.93)	(33,492.93)
Due to from the City	111.46	111.46
Prepaids	(1,862.32)	(1,862.32)
Accrued Liabilities	(25,854.67)	(25,854.67)
Other Liabilities	(52,261.86)	(52,261.86)
Depreciation & Amortization	153.61	153.61
Operating Cash Flow	(58,972.41)	(58,972.41)
Investing Cash Flows		
Financing Cash Flow		
Net Cash Flows	(58,972.41)	(58,972.41)
Beginning Cash	177,710.10	177,710.10
Net Cash Flows	(58,972.41)	(58,972.41)
Ending Cash	118,737.69	118,737.69

The Golf Club at Cypress Head
Comparative Income Statement
For the Month Ending October 31, 2016

	MTD Prior Year	YTD Prior Year	Audited Prior Year	Percent of Total	MTD Actual	YTD Actual	Annual Budget	Percent of Total
REVENUES								
Green Fees & Cart Fees	5,027	5,027	1,077,267	0%	74,130	74,130	1,116,089	7%
Merchandise	532	532	54,457	1%	4,030	4,030	57,514	7%
Other Pro Shop	20	20	14,505	0%	390	390	11,540	3%
Range	152	152	34,150	0%	2,525	2,525	34,679	7%
Membership Initiation Fees	250	250	0		0	0	0	
Other Operating Revenues	196	196	37,806	1%	2,732	2,732	39,852	7%
TOTAL REVENUE	6,177	6,177	1,218,185	1%	83,807	83,807	1,259,674	7%
COST OF SALES								
Merchandise	315	315	36,189	1%	2,434	2,434	40,260	6%
TOTAL COGS	315	315	36,189	1%	2,434	2,434	40,260	6%
COGS - Merchandise %	59.1%	59.1%	66.5%	88.9%	60.4%	60.4%	70.0%	86.3%
PAYROLL								
Course and Grounds	34,056	34,056	338,850	10%	29,764	29,764	351,366	8%
Carts, Range, Starters, Etc.	1,565	1,565	81,091	2%	6,548	6,548	92,546	7%
Pro Shop	3,703	3,703	53,209	7%	4,175	4,175	55,398	8%
General and Administrative	10,423	10,423	127,363	8%	10,973	10,973	129,158	8%
Marketing	4,369	4,369	48,834	9%	4,081	4,081	49,603	8%
TOTAL PAYROLL	54,116	54,116	649,346	8%	55,541	55,541	678,071	8%
OPERATING EXPENSES								
Course and Grounds	23,336	23,336	247,630	9%	21,553	21,553	212,591	10%
Carts, Range, Starters, Etc.	7,824	7,824	80,708	10%	6,423	6,423	85,302	8%
Pro Shop	0	0	10,374		(43)	(43)	9,015	0%
Food and Beverage	185	185	322	57%	0	0	0	
General and Administrative	12,576	12,576	197,955	6%	21,540	21,540	205,607	10%
Marketing	6,701	6,701	34,250	20%	2,442	2,442	33,063	7%
TOTAL OPERATING EXPENSES	50,621	50,621	571,239	9%	51,915	51,915	545,578	10%
TOTAL EXPENSES	105,052	105,052	1,256,775	8%	109,890	109,890	1,263,909	9%
OTHER INCOME (EXPENSE)								
MANAGEMENT FEES	(7,370)	(7,370)	(70,211)	10%	(5,713)	(5,713)	(69,924)	8%
Depreciation & Amortization	(381)	(381)	(11,147)	3%	(154)	(154)	(4,572)	3%
TOTAL OTHER INCOME (EXPENSE)	(7,751)	(7,751)	(81,358)	10%	(5,866)	(5,866)	(74,496)	8%
NET INCOME	(106,625)	(106,625)	(119,948)	89%	(31,949)	(31,949)	(78,731)	41%
Paid Rounds	247	247	34,878	1%	2,501	2,501	38,696	6%
Annual Pass Rounds	22	22	8,657	0%	649	649	5,051	13%
Other Rounds	1	1	2,437	0%	189	189	2,812	7%
Total Rounds	270	270	45,972	1%	3,339	3,339	46,559	7%
Revenue/Paid Rounds	25	25	35	72%	34	34	33	103%
Revenue/Total Rounds	23	23	26	86%	25	25	27	93%

The Golf Club at Cypress Head

For the Month Ending October 31, 2016

	10/31/16	09/30/16	10/31/15
ASSETS			
CURRENT ASSETS:			
Cash			
Cash - Operating	0	0	169,013
Cash - Depository	117,388	176,360	0
Cash - Manual Checks	850	850	850
Cash - Housebank & Other	500	500	(545)
Total Cash	118,738	177,710	169,318
Accounts Receivable			
A/R Member	4,318	92,593	27,901
Total Accounts Recievable	4,318	92,593	27,901
Other Current Assets			
Inventory - Merchandise	18,326	16,234	20,531
Prepaid Insurance	6,390	10,248	14,312
Prepaid Exp - Other	12,759	7,038	14,934
Total Other Current Assets	37,475	33,520	49,777
TOTAL CURRENT ASSETS	160,531	303,824	246,996
PROPERTY, PLANT AND EQUIPMENT:			
Land	30,598	30,598	54,143
Furniture and Fixtures	0	0	9,045
Machinery & Equipment	5,550	5,550	16,000
Property Plant and Equipment	36,148	36,148	79,187
Accumulated Depreciation	(24,390)	(24,236)	(56,510)
TOTAL PROPERTY, PLANT AND EQUIPMENT	11,758	11,911	22,677
OTHER ASSETS:			
Deposits (in ST section of chart)	0	0	5,000
TOTAL OTHER ASSETS	0	0	5,000
TOTAL ASSETS	172,288	315,735	274,673

The Golf Club at Cypress Head

For the Month Ending October 31, 2016

	10/31/16	09/30/16	10/31/15
LIABILITIES AND STOCKHOLDERS' EQUITY			
CURRENT LIABILITIES:			
Accts Pay - Trade	41,619	75,111	51,931
Accts Pay - Other	10,379	10,268	18,238
Accrued Expenses	8,995	7,783	0
Accrued Payroll	7,887	25,945	29,586
Accrued Taxes	10,232	13,903	13,665
Accrued Interest	0	5,337	1,364
Deferred Revenue	245,074	297,336	266,515
TOTAL CURRENT LIBILITIES	324,185	435,683	381,298
TOTAL LIABILITIES	324,185	435,683	381,298
STOCKHOLDER'S EQUITY			
Retained Earnings	(151,897)	(119,948)	(106,625)
Net Retained Earnings	(151,897)	(119,948)	(106,625)
Stockholders Equity	(151,897)	(119,948)	(106,625)
TOTAL STOCKHOLDER'S EQUITY	(151,897)	(119,948)	(106,625)
TOTAL LIABILITIES AND STOCKHOLDER'S EQUITY	172,288	315,735	274,673

The Golf Club at Cypress Head
Course Cash Flow Report
For the Year Ended September 30, 2017

	OCT Actual	NOV Actual	DEC Actual	JAN Actual	FEB Actual	MAR Actual	APR Actual	MAY Actual	JUN Actual	JUL Actual	AUG Actual	SEP Actual	TOTAL
EBITDA	(26,082)	20,894	0	0	0	0	0	0	0	0	0	0	(5,188)
Management Fee Expense	(5,713)	0	0	0	0	0	0	0	0	0	0	0	(5,713)
Depreciation & Amortization	(154)	0	0	0	0	0	0	0	0	0	0	0	(154)
Net Income	(31,949)	20,894	0	0	0	0	0	0	0	0	0	0	(11,055)
Working Capital Changes													
Inventory	(2,093)	(5,761)	0	0	0	0	0	0	0	0	0	0	(7,854)
Receivables	88,276	(5,050)	0	0	0	0	0	0	0	0	0	0	83,226
Prepaid Expenses	(1,862)	(8,041)	0	0	0	0	0	0	0	0	0	0	(9,903)
Payables	(33,493)	21,559	0	0	0	0	0	0	0	0	0	0	(11,934)
Due to from the City	111	0	0	0	0	0	0	0	0	0	0	0	111
Accrued Expenses	(25,855)	(19,415)	0	0	0	0	0	0	0	0	0	0	(45,270)
Deferred Revenues	(52,262)	240	0	0	0	0	0	0	0	0	0	0	(52,022)
Depreciation & Amortization	154	0	0	0	0	0	0	0	0	0	0	0	154
Operating Cash Flow	(58,972)	4,426	0	0	0	0	0	0	0	0	0	0	(54,547)
Investing Activities													
Financing Activites													
Net Cash Flows	(58,972)	4,426	0	0	0	0	0	0	0	0	0	0	(54,547)
Beginning Cash	177,710	118,738	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	1,528,080
Net Cash Flows	(58,972)	4,426	0	0	0	0	0	0	0	0	0	0	(54,547)
Ending Cash	118,738	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	123,163	1,473,533

The Golf Club at Cypress Head
Summary of All Units
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
43,024	45,477	95%	3,626	1187%	Green Fees	43,024	45,477	95%	3,626	1187%	646,060	655,959
31,106	34,812	89%	1,401	2220%	Cart Fee	31,106	34,812	89%	1,401	2220%	470,029	490,412
0	0	0%	250	0%	Initiation Fees	0	0	0%	250	0%	0	(250)
20	20	100%	20	100%	Handicap Fee	20	20	100%	20	100%	4,567	4,889
200	250	80%	0	0%	Lessons	200	250	80%	0	0%	3,931	7,135
0	0	0%	0	0%	Other Pro Shop Revenue	0	0	0%	0	0%	0	74
170	200	85%	0	0%	Rental Clubs	170	200	85%	0	0%	3,042	2,777
4,030	4,032	100%	532	757%	Retail	4,030	4,032	100%	532	757%	57,514	57,954
2,525	2,452	103%	152	1663%	Range	2,525	2,452	103%	152	1663%	34,679	36,523
2,732	3,196	85%	196	1391%	City Surcharge R & R	2,732	3,196	85%	196	1391%	39,852	40,342
83,807	90,439	93%	6,177	1357%	Total Revenues	83,807	90,439	93%	6,177	1357%	1,259,674	1,295,815
					COST OF GOODS SOLD							
2,434	2,823	86%	315	774%	COGS - Merchandise	2,434	2,823	86%	315	774%	40,260	38,309
2,434	2,823	86%	315	774%	Total COGS	2,434	2,823	86%	315	774%	40,260	38,309
81,373	87,616	93%	5,863	1388%	GROSS MARGIN	81,373	87,616	93%	5,863	1388%	1,219,414	1,257,506
60.39%	70.01%	86.26%	59.10%	102.20%	COGS - Merchandise %	60.39%	70.01%	86.26%	59.10%	102.20%	70.00%	781.60%
					PAYROLL							
20,911	19,078	110%	18,718	112%	Gross Payroll - Salaried	20,911	19,078	110%	18,718	112%	228,936	233,859
24,825	27,382	91%	25,672	97%	Gross Payroll - Hourly	24,825	27,382	91%	25,672	97%	318,603	300,973
45,737	46,460	98%	44,390	103%	S/T Wages	45,737	46,460	98%	44,390	103%	547,539	534,831
3,427	3,555	96%	3,336	103%	Payroll Tax - FICA	3,427	3,555	96%	3,336	103%	41,893	40,133
350	244	144%	284	123%	Payroll Tax - UC	350	244	144%	284	123%	4,953	5,807
1,220	966	126%	799	153%	Payroll Tax - WC	1,220	966	126%	799	153%	11,719	11,684
4,807	5,818	83%	5,306	91%	Benefits	4,807	5,818	83%	5,306	91%	71,967	58,315
9,804	10,583	93%	9,726	101%	S/T Adders	9,804	10,583	93%	9,726	101%	130,532	115,939
55,541	57,043	97%	54,116	103%	TOTAL PAYROLL	55,541	57,043	97%	54,116	103%	678,071	650,771
					OPERATING EXPENSES							
104	0	0%	308	34%	Cart Supplies	104	0	0%	308	34%	0	1,153
0	1,297	0%	597	0%	Course Accessories	0	1,297	0%	597	0%	3,886	1,622
2,203	3,000	73%	3,041	72%	Fertilizer	2,203	3,000	73%	3,041	72%	25,094	37,977
0	174	0%	74	0%	Flowers/Decor	0	174	0%	74	0%	399	1,531
57	1,125	5%	1,125	5%	Fuel	57	1,125	5%	1,125	5%	13,026	10,268
1,071	806	133%	306	351%	Fungicides	1,071	806	133%	306	351%	4,045	5,989
2,583	3,030	85%	2,530	102%	Herbicides	2,583	3,030	85%	2,530	102%	15,068	20,573
2,040	1,630	125%	930	219%	Insecticides	2,040	1,630	125%	930	219%	15,077	16,059
51	325	16%	125	41%	Janitorial Supplies	51	325	16%	125	41%	4,136	4,003
0	100	0%	0	0%	Laundry/Uniforms	0	100	0%	0	0%	1,038	142
104	385	27%	335	31%	Office Supplies	104	385	27%	335	31%	4,366	4,470
0	1,730	0%	1,530	0%	Range Balls	0	1,730	0%	1,530	0%	3,330	1,020
207	102	203%	22	924%	Range Equipment	207	102	203%	22	924%	1,284	1,442
0	10	0%	10	0%	Range Expenses	0	10	0%	10	0%	460	13
0	1,000	0%	1,846	0%	Sand/Topdress	0	1,000	0%	1,846	0%	9,011	9,235
4,400	4,069	108%	3,469	127%	Seeds/Trees	4,400	4,069	108%	3,469	127%	4,069	4,400
365	0	0%	0	0%	Small Tools	365	0	0%	0	0%	407	888
0	400	0%	0	0%	Staff/Volunteer Uniforms	0	400	0%	0	0%	833	41
0	358	0%	0	0%	Supplies	0	358	0%	0	0%	4,322	2,583
(43)	0	0%	0	0%	Tournament Expense	(43)	0	0%	0	0%	1,174	904
411	91	452%	91	454%	Alarm System	411	91	452%	91	454%	1,425	2,739
0	0	0%	0	0%	Carpet Cleaning	0	0	0%	0	0%	890	0
0	100	0%	0	0%	Cart Repairs	0	100	0%	0	0%	1,855	1,325
191	110	173%	110	173%	Computer Service	191	110	173%	110	173%	6,912	3,213
0	130	0%	130	0%	Contract Cleaning	0	130	0%	130	0%	130	0
0	0	0%	0	0%	Guest Relations	0	0	0%	0	0%	0	135
0	0	0%	0	0%	Handicap Expense	0	0	0%	0	0%	4,475	4,924
0	0	0%	0	0%	Indoor Plant Maint	0	0	0%	0	0%	100	0
0	1,477	0%	477	0%	Irrigation	0	1,477	0%	477	0%	6,392	4,708
0	75	0%	0	0%	Lesson Expense	0	75	0%	0	0%	965	1,151
0	0	0%	0	0%	Pest Control	0	0	0%	0	0%	230	0
4,175	2,110	198%	2,439	171%	Repair & Maint - Equipment	4,175	2,110	198%	2,439	171%	22,585	33,145
0	654	0%	154	0%	Repair & Maint - Building	0	654	0%	154	0%	3,208	3,199
5,356	5,356	100%	5,356	100%	Cart Lease	5,356	5,356	100%	5,356	100%	64,272	64,267
4,886	4,886	100%	4,512	108%	Equipment Lease	4,886	4,886	100%	4,512	108%	58,632	54,514
168	168	100%	168	100%	Off-Site Storage	168	168	100%	168	100%	1,974	2,053
994	878	113%	878	113%	Utilities - Electric	994	878	113%	878	113%	13,383	12,590
3,431	2,004	171%	2,004	171%	Utilities - Other	3,431	2,004	171%	2,004	171%	41,871	50,891
372	242	154%	242	154%	Utilities - Telephone/Fax	372	242	154%	242	154%	2,449	2,835
236	323	73%	323	73%	Utilities - Water	236	323	73%	323	73%	2,897	3,091
2,442	(1,700)	-144%	(1,750)	-140%	Advertising & Promotion	2,442	(1,700)	-144%	(1,750)	-140%	16,247	23,423

The Golf Club at Cypress Head
Summary of All Units
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
473	165	287%	165	288%	Bank Charges	473	165	287%	165	288%	1,382	3,579
197	0	0%	(53)	-368%	Cash Short/(Over)	197	0	0%	(53)	-368%	0	563
300	275	109%	275	109%	Cell Phone	300	275	109%	275	109%	2,475	2,200
2,732	3,196	85%	196	1391%	City Surcharge R & R	2,732	3,196	85%	196	1391%	39,852	40,342
60	0	0%	0	0%	Copier/Photocopies	60	0	0%	0	0%	671	822
3,206	2,381	135%	1,381	232%	Credit Card Discounts	3,206	2,381	135%	1,381	232%	27,744	25,327
0	0	0%	0	0%	Donations	0	0	0%	0	0%	0	97
0	150	0%	150	0%	Dues & Subscriptions	0	150	0%	150	0%	1,109	459
0	0	0%	0	0%	Education & Training	0	0	0%	0	0%	200	0
322	113	285%	513	63%	Employee Relations	322	113	285%	513	63%	2,122	2,155
0	102	0%	102	0%	Employee Testing	0	102	0%	102	0%	244	449
3,858	3,796	102%	3,796	102%	Insurance Expense	3,858	3,796	102%	3,796	102%	46,377	45,773
38	131	29%	131	29%	Member Relations	38	131	29%	131	29%	649	38
91	83	109%	83	109%	Messenger Service - Fedex	91	83	109%	83	109%	403	439
0	2,125	0%	9,124	0%	Miscellaneous	0	2,125	0%	9,124	0%	13,291	4,167
3,000	1,600	188%	1,600	188%	O/S - Accounting	3,000	1,600	188%	1,600	188%	12,000	13,400
0	0	0%	0	0%	O/S - Legal	0	0	0%	0	0%	80	0
0	0	0%	325	0%	O/S - Other	0	0	0%	325	0%	9,218	16,913
841	228	369%	228	369%	Payroll Processing Fee	841	228	369%	228	369%	3,535	7,300
55	39	141%	39	140%	Postage/Shipping	55	39	141%	39	140%	634	151
(30)	0	0%	0	0%	Tax/Licenses/Fees	(30)	0	0%	0	0%	(100)	(285)
0	0	0%	106	0%	Theft Loss	0	0	0%	106	0%	0	0
40	29	138%	29	139%	Travel - Meals	40	29	138%	29	139%	683	1,901
929	1,252	74%	1,052	88%	Travel - Other	929	1,252	74%	1,052	88%	16,423	11,202
0	0	0%	0	0%	Website Expenses	0	0	0%	0	0%	4,000	3,000
0	0	0%	0	0%	Employee Meals	0	0	0%	0	0%	669	25
51,915	52,110	100%	50,621	103%	TOTAL OPERATING EXPENSES	51,915	52,110	100%	50,621	103%	545,578	572,533
(26,082)	(21,537)	121%	(98,875)	26%	EBITDA	(26,082)	(21,537)	121%	(98,875)	26%	(4,235)	34,202
5,713	5,827	98%	7,370	78%	Management Fee	5,713	5,827	98%	7,370	78%	69,924	68,554
5,713	5,827	98%	7,370	78%	Management Fees	5,713	5,827	98%	7,370	78%	69,924	68,554
37	98	38%	98	38%	Deprec - Mach & Equip	37	98	38%	98	38%	1,176	1,866
117	283	41%	283	41%	Deprec - Buildings	117	283	41%	283	41%	3,396	9,053
154	381	40%	381	40%	S/T DEPR. & AMORT	154	381	40%	381	40%	4,572	10,920
(31,949)	(27,745)	115%	(106,625)	30%	NET INCOME	(31,949)	(27,745)	115%	(106,625)	30%	(78,731)	(45,272)

The Golf Club at Cypress Head
Course & Grounds
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
43,024	45,477	95%	3,626	1187%	Green Fees	43,024	45,477	95%	3,626	1187%	646,060	655,959
2,732	3,196	85%	196	1391%	City Surcharge R & R	2,732	3,196	85%	196	1391%	39,852	40,342
45,756	48,673	94%	3,822	1197%	Total Revenues	45,756	48,673	94%	3,822	1197%	685,912	696,301
45,756	48,673	94%	3,822	1197%	GROSS MARGIN	45,756	48,673	94%	3,822	1197%	685,912	696,301
					PAYROLL							
9,209	7,802	118%	7,126	129%	Gross Payroll - Salaried	9,209	7,802	118%	7,126	129%	93,624	96,751
15,270	15,738	97%	20,891	73%	Gross Payroll - Hourly	15,270	15,738	97%	20,891	73%	186,129	176,207
24,479	23,540	104%	28,016	87%	S/T Wages	24,479	23,540	104%	28,016	87%	279,753	272,959
1,728	1,801	96%	2,016	86%	Payroll Tax - FICA	1,728	1,801	96%	2,016	86%	21,402	19,370
220	48	459%	228	97%	Payroll Tax - UC	220	48	459%	228	97%	2,040	2,781
575	490	117%	505	114%	Payroll Tax - WC	575	490	117%	505	114%	5,990	5,688
2,762	3,409	81%	3,291	84%	Benefits	2,762	3,409	81%	3,291	84%	42,181	33,760
5,285	5,748	92%	6,040	87%	S/T Adders	5,285	5,748	92%	6,040	87%	71,613	61,599
29,764	29,288	102%	34,056	87%	TOTAL PAYROLL	29,764	29,288	102%	34,056	87%	351,366	334,557
					OPERATING EXPENSES							
0	1,297	0%	597	0%	Course Accessories	0	1,297	0%	597	0%	3,886	1,622
2,203	3,000	73%	3,041	72%	Fertilizer	2,203	3,000	73%	3,041	72%	25,094	37,977
0	174	0%	74	0%	Flowers/Decor	0	174	0%	74	0%	399	1,531
57	1,125	5%	1,125	5%	Fuel	57	1,125	5%	1,125	5%	13,026	10,268
1,071	806	133%	306	351%	Fungicides	1,071	806	133%	306	351%	4,045	5,989
2,583	3,030	85%	2,530	102%	Herbicides	2,583	3,030	85%	2,530	102%	15,068	20,573
2,040	1,630	125%	930	219%	Insecticides	2,040	1,630	125%	930	219%	15,077	16,059
0	1,000	0%	1,846	0%	Sand/Topdress	0	1,000	0%	1,846	0%	9,011	9,235
4,400	4,069	108%	3,469	127%	Seeds/Trees	4,400	4,069	108%	3,469	127%	4,069	4,400
365	0	0%	0	0%	Small Tools	365	0	0%	0	0%	407	888
0	400	0%	0	0%	Staff/Volunteer Uniforms	0	400	0%	0	0%	833	41
0	1,477	0%	477	0%	Irrigation	0	1,477	0%	477	0%	6,392	4,708
2,248	1,926	117%	2,251	100%	Repair & Maint - Equipment	2,248	1,926	117%	2,251	100%	20,663	29,063
0	500	0%	0	0%	Repair & Maint - Building	0	500	0%	0	0%	1,207	270
4,886	4,886	100%	4,512	108%	Equipment Lease	4,886	4,886	100%	4,512	108%	58,632	54,514
238	281	85%	281	85%	Utilities - Electric	238	281	85%	281	85%	2,703	2,504
1,126	1,057	107%	1,057	107%	Utilities - Other	1,126	1,057	107%	1,057	107%	16,748	22,194
99	92	108%	92	108%	Utilities - Telephone/Fax	99	92	108%	92	108%	1,072	1,217
236	323	73%	323	73%	Utilities - Water	236	323	73%	323	73%	2,897	3,091
0	0	0%	0	0%	Employee Relations	0	0	0%	0	0%	200	542
0	102	0%	102	0%	Employee Testing	0	102	0%	102	0%	244	449
0	0	0%	325	0%	O/S - Other	0	0	0%	325	0%	9,218	16,913
0	100	0%	0	0%	Travel - Other	0	100	0%	0	0%	1,700	1,800
21,553	27,275	79%	23,336	92%	TOTAL OPERATING EXPENSES	21,553	27,275	79%	23,336	92%	212,591	245,846
(5,560)	(7,890)	70%	(53,570)	10%	EBITDA	(5,560)	(7,890)	70%	(53,570)	10%	121,955	115,898
(5,560)	(7,890)	70%	(53,570)	10%	NET INCOME	(5,560)	(7,890)	70%	(53,570)	10%	121,955	115,898

The Golf Club at Cypress Head
Carts
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
31,106	34,812	89%	1,401	2220%	Cart Fee	31,106	34,812	89%	1,401	2220%	470,029	490,412
31,106	34,812	89%	1,401	2220%	Total Revenues	31,106	34,812	89%	1,401	2220%	470,029	490,412
31,106	34,812	89%	1,401	2220%	GROSS MARGIN	31,106	34,812	89%	1,401	2220%	470,029	490,412
					PAYROLL							
5,796	7,415	78%	1,410	411%	Gross Payroll - Hourly	5,796	7,415	78%	1,410	411%	82,679	76,527
5,796	7,415	78%	1,410	411%	S/T Wages	5,796	7,415	78%	1,410	411%	82,679	76,527
470	567	83%	110	428%	Payroll Tax - FICA	470	567	83%	110	428%	6,323	6,022
101	154	65%	24	412%	Payroll Tax - UC	101	154	65%	24	412%	1,688	1,800
180	154	117%	15	1185%	Payroll Tax - WC	180	154	117%	15	1185%	1,767	1,619
1	8	16%	6	21%	Benefits	1	8	16%	6	21%	89	107
752	883	85%	156	483%	S/T Adders	752	883	85%	156	483%	9,867	9,547
6,548	8,298	79%	1,565	418%	TOTAL PAYROLL	6,548	8,298	79%	1,565	418%	92,546	86,074
					OPERATING EXPENSES							
104	0	0%	308	34%	Cart Supplies	104	0	0%	308	34%	0	1,153
0	208	0%	0	0%	Supplies	0	208	0%	0	0%	2,521	0
0	100	0%	0	0%	Cart Repairs	0	100	0%	0	0%	1,855	1,325
5,356	5,356	100%	5,356	100%	Cart Lease	5,356	5,356	100%	5,356	100%	64,272	64,267
756	597	127%	597	127%	Utilities - Electric	756	597	127%	597	127%	10,680	10,087
6,216	6,261	99%	6,261	99%	TOTAL OPERATING EXPENSES	6,216	6,261	99%	6,261	99%	79,328	76,832
18,342	20,253	91%	(6,426)	-285%	EBITDA	18,342	20,253	91%	(6,426)	-285%	298,155	327,506
18,342	20,253	91%	(6,426)	-285%	NET INCOME	18,342	20,253	91%	(6,426)	-285%	298,155	327,506

The Golf Club at Cypress Head
Range
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
2,525	2,452	103%	152	1663%	Range	2,525	2,452	103%	152	1663%	34,679	36,523
2,525	2,452	103%	152	1663%	Total Revenues	2,525	2,452	103%	152	1663%	34,679	36,523
2,525	2,452	103%	152	1663%	GROSS MARGIN	2,525	2,452	103%	152	1663%	34,679	36,523
					OPERATING EXPENSES							
0	1,730	0%	1,530	0%	Range Balls	0	1,730	0%	1,530	0%	3,330	1,020
207	102	203%	22	924%	Range Equipment	207	102	203%	22	924%	1,284	1,442
0	10	0%	10	0%	Range Expenses	0	10	0%	10	0%	460	13
0	75	0%	0	0%	Repair & Maint - Equipment	0	75	0%	0	0%	900	0
207	1,917	11%	1,562	13%	TOTAL OPERATING EXPENSES	207	1,917	11%	1,562	13%	5,974	2,475
2,318	535	433%	(1,410)	-164%	EBITDA	2,318	535	433%	(1,410)	-164%	28,705	34,048
2,318	535	433%	(1,410)	-164%	NET INCOME	2,318	535	433%	(1,410)	-164%	28,705	34,048

The Golf Club at Cypress Head
F & B Cafe
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					OPERATING EXPENSES							
0	0	0%	79	0%	Repair & Maint - Equipment	0	0	0%	79	0%	0	0
0	0	0%	0	0%	Cash Short/(Over)	0	0	0%	0	0%	0	137
0	0	0%	106	0%	Theft Loss	0	0	0%	106	0%	0	0
0	0	0%	185	0%	TOTAL OPERATING EXPENSES	0	0	0%	185	0%	0	137
0	0	0%	(185)	0%	EBITDA	0	0	0%	(185)	0%	0	(137)
0	0	0%	(185)	0%	NET INCOME	0	0	0%	(185)	0%	0	(137)

The Golf Club at Cypress Head
Golf Shop
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
20	20	100%	20	100%	Handicap Fee	20	20	100%	20	100%	4,567	4,889
200	250	80%	0	0%	Lessons	200	250	80%	0	0%	3,931	7,135
0	0	0%	0	0%	Other Pro Shop Revenue	0	0	0%	0	0%	0	74
170	200	85%	0	0%	Rental Clubs	170	200	85%	0	0%	3,042	2,777
4,030	4,032	100%	532	757%	Retail	4,030	4,032	100%	532	757%	57,514	57,954
4,420	4,502	98%	552	800%	Total Revenues	4,420	4,502	98%	552	800%	69,054	72,829
					COST OF GOODS SOLD							
2,434	2,823	86%	315	774%	COGS - Merchandise	2,434	2,823	86%	315	774%	40,260	38,309
2,434	2,823	86%	315	774%	Total COGS	2,434	2,823	86%	315	774%	40,260	38,309
1,986	1,679	118%	238	835%	GROSS MARGIN	1,986	1,679	118%	238	835%	28,794	34,520
60.39%	70.01%	86.26%	59.10%	102.20%	COGS - Merchandise %	60.39%	70.01%	86.26%	59.10%	102.20%	70.00%	781.60%
					PAYROLL							
3,759	4,229	89%	3,372	111%	Gross Payroll - Hourly	3,759	4,229	89%	3,372	111%	49,795	48,239
3,759	4,229	89%	3,372	111%	S/T Wages	3,759	4,229	89%	3,372	111%	49,795	48,239
298	324	92%	264	113%	Payroll Tax - FICA	298	324	92%	264	113%	3,812	3,733
29	37	79%	32	92%	Payroll Tax - UC	29	37	79%	32	92%	728	720
88	88	100%	36	242%	Payroll Tax - WC	88	88	100%	36	242%	1,063	989
416	449	93%	332	125%	S/T Adders	416	449	93%	332	125%	5,603	5,441
4,175	4,678	89%	3,703	113%	TOTAL PAYROLL	4,175	4,678	89%	3,703	113%	55,398	53,680
					OPERATING EXPENSES							
0	50	0%	0	0%	Office Supplies	0	50	0%	0	0%	600	739
0	150	0%	0	0%	Supplies	0	150	0%	0	0%	1,801	2,583
(43)	0	0%	0	0%	Tournament Expense	(43)	0	0%	0	0%	1,174	904
0	0	0%	0	0%	Handicap Expense	0	0	0%	0	0%	4,475	4,924
0	75	0%	0	0%	Lesson Expense	0	75	0%	0	0%	965	1,151
0	0	0%	0	0%	Repair & Maint - Building	0	0	0%	0	0%	0	31
(43)	275	-16%	0	0%	TOTAL OPERATING EXPENSES	(43)	275	-16%	0	0%	9,015	10,332
(2,146)	(3,274)	66%	(3,466)	62%	EBITDA	(2,146)	(3,274)	66%	(3,466)	62%	(35,619)	(29,492)
(2,146)	(3,274)	66%	(3,466)	62%	NET INCOME	(2,146)	(3,274)	66%	(3,466)	62%	(35,619)	(29,492)

The Golf Club at Cypress Head
G & A
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
0	0	0%	250	0%	Initiation Fees	0	0	0%	250	0%	0	(250)
0	0	0%	250	0%	Total Revenues	0	0	0%	250	0%	0	(250)
0	0	0%	250	0%	GROSS MARGIN	0	0	0%	250	0%	0	(250)
					PAYROLL							
8,349	7,905	106%	7,961	105%	Gross Payroll - Salaried	8,349	7,905	106%	7,961	105%	94,860	96,990
8,349	7,905	106%	7,961	105%	S/T Wages	8,349	7,905	106%	7,961	105%	94,860	96,990
690	605	114%	680	101%	Payroll Tax - FICA	690	605	114%	680	101%	7,260	8,133
0	0	0%	0	0%	Payroll Tax - UC	0	0	0%	0	0%	291	344
300	164	183%	184	163%	Payroll Tax - WC	300	164	183%	184	163%	2,031	2,575
1,634	1,993	82%	1,598	102%	Benefits	1,634	1,993	82%	1,598	102%	24,716	19,871
2,624	2,762	95%	2,462	107%	S/T Adders	2,624	2,762	95%	2,462	107%	34,298	30,924
10,973	10,667	103%	10,423	105%	TOTAL PAYROLL	10,973	10,667	103%	10,423	105%	129,158	127,913
					OPERATING EXPENSES							
51	325	16%	125	41%	Janitorial Supplies	51	325	16%	125	41%	4,136	4,003
0	100	0%	0	0%	Laundry/Uniforms	0	100	0%	0	0%	1,038	142
104	335	31%	335	31%	Office Supplies	104	335	31%	335	31%	3,766	3,730
411	91	452%	91	454%	Alarm System	411	91	452%	91	454%	1,425	2,739
0	0	0%	0	0%	Carpet Cleaning	0	0	0%	0	0%	890	0
191	110	173%	110	173%	Computer Service	191	110	173%	110	173%	6,912	3,213
0	130	0%	130	0%	Contract Cleaning	0	130	0%	130	0%	130	0
0	0	0%	0	0%	Guest Relations	0	0	0%	0	0%	0	135
0	0	0%	0	0%	Indoor Plant Maint	0	0	0%	0	0%	100	0
0	0	0%	0	0%	Pest Control	0	0	0%	0	0%	230	0
1,927	109	1768%	109	1760%	Repair & Maint - Equipment	1,927	109	1768%	109	1760%	1,022	4,083
0	154	0%	154	0%	Repair & Maint - Building	0	154	0%	154	0%	2,001	2,898
168	168	100%	168	100%	Off-Site Storage	168	168	100%	168	100%	1,974	2,053
2,305	947	243%	947	243%	Utilities - Other	2,305	947	243%	947	243%	25,123	28,698
272	150	182%	150	182%	Utilities - Telephone/Fax	272	150	182%	150	182%	1,377	1,617
473	165	287%	165	288%	Bank Charges	473	165	287%	165	288%	1,382	3,579
197	0	0%	(53)	-368%	Cash Short/(Over)	197	0	0%	(53)	-368%	0	426
300	275	109%	275	109%	Cell Phone	300	275	109%	275	109%	2,475	2,200
2,732	3,196	85%	196	1391%	City Surcharge R & R	2,732	3,196	85%	196	1391%	39,852	40,342
60	0	0%	0	0%	Copier/Photocopies	60	0	0%	0	0%	671	822
3,206	2,381	135%	1,381	232%	Credit Card Discounts	3,206	2,381	135%	1,381	232%	27,744	25,327
0	0	0%	0	0%	Donations	0	0	0%	0	0%	0	97
0	150	0%	150	0%	Dues & Subscriptions	0	150	0%	150	0%	1,109	459
0	0	0%	0	0%	Education & Training	0	0	0%	0	0%	200	0
322	113	285%	513	63%	Employee Relations	322	113	285%	513	63%	1,922	1,614
3,858	3,796	102%	3,796	102%	Insurance Expense	3,858	3,796	102%	3,796	102%	46,377	45,773
38	131	29%	131	29%	Member Relations	38	131	29%	131	29%	649	38
91	83	109%	83	109%	Messenger Service - Fedex	91	83	109%	83	109%	403	439
0	674	0%	674	0%	Miscellaneous	0	674	0%	674	0%	1,675	1,001
3,000	1,600	188%	1,600	188%	O/S - Accounting	3,000	1,600	188%	1,600	188%	12,000	13,400
0	0	0%	0	0%	O/S - Legal	0	0	0%	0	0%	80	0
841	228	369%	228	369%	Payroll Processing Fee	841	228	369%	228	369%	3,535	7,300
55	39	141%	39	140%	Postage/Shipping	55	39	141%	39	140%	634	151
(30)	0	0%	0	0%	Tax/Licenses/Fees	(30)	0	0%	0	0%	(100)	(285)
40	29	138%	29	139%	Travel - Meals	40	29	138%	29	139%	683	1,901
929	1,052	88%	1,052	88%	Travel - Other	929	1,052	88%	1,052	88%	13,523	8,999
0	0	0%	0	0%	Employee Meals	0	0	0%	0	0%	669	25
21,540	16,531	130%	12,576	171%	TOTAL OPERATING EXPENSES	21,540	16,531	130%	12,576	171%	205,607	206,920
(32,514)	(27,198)	120%	(22,748)	143%	EBITDA	(32,514)	(27,198)	120%	(22,748)	143%	(334,765)	(335,083)
5,713	5,827	98%	7,370	78%	Management Fee	5,713	5,827	98%	7,370	78%	69,924	68,554
5,713	5,827	98%	7,370	78%	Management Fees	5,713	5,827	98%	7,370	78%	69,924	68,554
37	98	38%	98	38%	Deprec - Mach & Equip	37	98	38%	98	38%	1,176	1,866
117	283	41%	283	41%	Deprec - Buildings	117	283	41%	283	41%	3,396	9,053
154	381	40%	381	40%	S/T DEPR. & AMORT	154	381	40%	381	40%	4,572	10,920
(38,380)	(33,406)	115%	(30,499)	126%	NET INCOME	(38,380)	(33,406)	115%	(30,499)	126%	(409,261)	(414,557)

The Golf Club at Cypress Head
Marketing
For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					PAYROLL							
3,353	3,371	99%	3,632	92%	Gross Payroll - Salaried	3,353	3,371	99%	3,632	92%	40,452	40,118
3,353	3,371	99%	3,632	92%	S/T Wages	3,353	3,371	99%	3,632	92%	40,452	40,118
240	258	93%	266	90%	Payroll Tax - FICA	240	258	93%	266	90%	3,096	2,875
0	5	0%	0	0%	Payroll Tax - UC	0	5	0%	0	0%	206	163
78	70	111%	59	132%	Payroll Tax - WC	78	70	111%	59	132%	868	813
409	408	100%	412	99%	Benefits	409	408	100%	412	99%	4,981	4,577
727	741	98%	737	99%	S/T Adders	727	741	98%	737	99%	9,151	8,428
4,081	4,112	99%	4,369	93%	TOTAL PAYROLL	4,081	4,112	99%	4,369	93%	49,603	48,546
					OPERATING EXPENSES							
2,442	(1,700)	-144%	(1,750)	-140%	Advertising & Promotion	2,442	(1,700)	-144%	(1,750)	-140%	16,247	23,423
0	1,451	0%	8,451	0%	Miscellaneous	0	1,451	0%	8,451	0%	11,616	3,165
0	100	0%	0	0%	Travel - Other	0	100	0%	0	0%	1,200	402
0	0	0%	0	0%	Website Expenses	0	0	0%	0	0%	4,000	3,000
2,442	(149)	-1639%	6,701	36%	TOTAL OPERATING EXPENSES	2,442	(149)	-1639%	6,701	36%	33,063	29,991
(6,523)	(3,963)	165%	(11,069)	59%	EBITDA	(6,523)	(3,963)	165%	(11,069)	59%	(82,666)	(78,537)
(6,523)	(3,963)	165%	(11,069)	59%	NET INCOME	(6,523)	(3,963)	165%	(11,069)	59%	(82,666)	(78,537)

The Golf Club at Cypress Head

For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
					REVENUES							
74,130	80,289	92%	5,027	1475%	Green Fees & Cart Fees	74,130	80,289	92%	5,027	1475%	1,116,089	1,146,371
4,030	4,032	100%	532	757%	Merchandise	4,030	4,032	100%	532	757%	57,514	57,954
390	470	83%	20	1950%	Other Pro Shop	390	470	83%	20	1950%	11,540	14,875
2,525	2,452	103%	152	1663%	Range	2,525	2,452	103%	152	1663%	34,679	36,523
0	0	0%	250	0%	Membership Initiation Fees	0	0	0%	250	0%	0	(250)
2,732	3,196	85%	196	1391%	Other Operating Revenues	2,732	3,196	85%	196	1391%	39,852	40,342
83,807	90,439	93%	6,177	1357%	TOTAL REVENUE	83,807	90,439	93%	6,177	1357%	1,259,674	1,295,815
					COST OF SALES							
2,434	2,823	86%	315	774%	Merchandise	2,434	2,823	86%	315	774%	40,260	38,309
2,434	2,823	86%	315	774%	TOTAL COGS	2,434	2,823	86%	315	774%	40,260	38,309
60.4%	70.0%	86.3%	59.1%	102.2%	COGS - Merchandise %	60.4%	70.0%	86.3%	59.1%	102.2%	70.0%	781.6%
					PAYROLL							
29,764	29,288	102%	34,056	87%	Course and Grounds	29,764	29,288	102%	34,056	87%	351,366	334,557
6,548	8,298	79%	1,565	418%	Carts, Range, Starters, Etc.	6,548	8,298	79%	1,565	418%	92,546	86,074
4,175	4,678	89%	3,703	113%	Pro Shop	4,175	4,678	89%	3,703	113%	55,398	53,680
10,973	10,667	103%	10,423	105%	General and Administrative	10,973	10,667	103%	10,423	105%	129,158	127,913
4,081	4,112	99%	4,369	93%	Marketing	4,081	4,112	99%	4,369	93%	49,603	48,546
55,541	57,043	97%	54,116	103%	TOTAL PAYROLL	55,541	57,043	97%	54,116	103%	678,071	650,771
					OPERATING EXPENSES							
21,553	27,275	79%	23,336	92%	Course and Grounds	21,553	27,275	79%	23,336	92%	212,591	245,846
6,423	8,178	79%	7,824	82%	Carts, Range, Starters, Etc.	6,423	8,178	79%	7,824	82%	85,302	79,308
(43)	275	-16%	0	0%	Pro Shop	(43)	275	-16%	0	0%	9,015	10,332
0	0	0%	185	0%	Food and Beverage	0	0	0%	185	0%	0	137
21,540	16,531	130%	12,576	171%	General and Administrative	21,540	16,531	130%	12,576	171%	205,607	206,920
2,442	(149)	-1639%	6,701	36%	Marketing	2,442	(149)	-1639%	6,701	36%	33,063	29,991
51,915	52,110	100%	50,621	103%	TOTAL OPERATING EXPENSES	51,915	52,110	100%	50,621	103%	545,578	572,533
109,890	111,976	98%	105,052	105%	TOTAL EXPENSES	109,890	111,976	98%	105,052	105%	1,263,909	1,261,613
(26,082)	(21,537)	121%	(98,875)	26%	EBITDA	(26,082)	(21,537)	121%	(98,875)	26%	(4,235)	34,202

The Golf Club at Cypress Head

For the Month Ending October 31, 2016

MTD Actual	MTD Budget	% of Budget	MTD Prior Year	% of PY		YTD Actual	YTD Budget	% of Budget	YTD Prior Year	% of PY	Annual Budget	
(26,082)	(21,537)	121%	(98,875)	26%	EBITDA	(26,082)	(21,537)	121%	(98,875)	26%	(4,235)	34,202
(5,713)	(5,827)	98%	(7,370)	78%	MANAGEMENT FEES	(5,713)	(5,827)	98%	(7,370)	78%	(69,924)	(68,554)
					OTHER INCOME (EXPENSE)							
(154)	(381)	40%	(381)	40%	Depreciation & Amortization	(154)	(381)	40%	(381)	40%	(4,572)	(10,920)
(154)	(381)	40%	(381)	40%	TOTAL OTHER INCOME (EXPENSE)	(154)	(381)	40%	(381)	40%	(4,572)	(10,920)
(31,949)	(27,745)	115%	(106,625)	30%	NET INCOME	(31,949)	(27,745)	115%	(106,625)	30%	(78,731)	(45,272)
2,501	2,647	94%	247	1013%	Paid Rounds	2,501	2,647	94%	247	1013%	38,696	37,132
649	422	154%	22	2950%	Annual Pass Rounds	649	422	154%	22	2950%	5,051	9,284
189	181	104%	1	18900%	Other Rounds	189	181	104%	1	18900%	2,812	2,625
3,339	3,250	103%	270	1237%	Total Rounds	3,339	3,250	103%	270	1237%	46,559	49,041
34	34	98%	25	134%	Revenue/Paid Rounds	34	34	98%	25	134%	33	417
25	28	90%	23	110%	Revenue/Total Rounds	25	28	90%	23	110%	27	315

TRIAL BALANCE SUMMARY FOR 2016

The Golf Club at Cypress Head

General Ledger

Ranges: From: To:
Date: 10/1/2016 10/31/2016
Account: First Last

Sorted By: Account
Include: Posting, Unit
Print Currency In: Functional (Z-US$)

Inactive	Account	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
	10020-5950-900	Cash - Course Depository NEW	$176,360.10	$130,074.28	$189,046.69	($58,972.41)	$117,387.69
	10100-5950-900	Cash - Course Other	$850.00	$0.00	$0.00	$0.00	$850.00
	10120-5950-900	Cash - New Payroll	$0.00	$64,784.76	$64,784.76	$0.00	$0.00
	10180-5950-900	Cash - Pro Shop Bank	$500.00	$0.00	$0.00	$0.00	$500.00
	11160-5950-900	A/R Member	$92,593.46	$16,346.17	$104,621.97	($88,275.80)	$4,317.66
	12000-5950-900	Inventory - Merchandise	$16,233.50	$4,526.76	$2,433.95	$2,092.81	$18,326.31
	13020-5950-900	Prepaid Insurance	$10,248.49	$0.00	$3,858.39	($3,858.39)	$6,390.10
	13040-5950-900	Prepaid Exp - Other	$7,038.03	$7,305.10	$1,584.39	$5,720.71	$12,758.74
	20100-5950-900	Machinery & Equipment	$5,550.40	$0.00	$0.00	$0.00	$5,550.40
	20160-5950-900	Land	$30,597.54	$0.00	$0.00	$0.00	$30,597.54
	22040-5950-900	Accum. Deprec - Mach & Equip	($3,052.22)	$0.00	$36.87	($36.87)	($3,089.09)
	22080-5950-900	Accum. Deprec - Buildings	($21,184.23)	$0.00	$116.74	($116.74)	($21,300.97)
	30000-5950-900	Accts Pay - Trade	($75,111.46)	$161,230.64	$127,737.71	$33,492.93	($41,618.53)
	30040-5950-900	Accts Pay - Other	($10,267.73)	$10,267.73	$10,379.19	($111.46)	($10,379.19)
	31000-5950-900	Accrued Expenses	($7,783.25)	$16,942.66	$18,154.33	($1,211.67)	($8,994.92)
	31020-5950-900	Accrued Payroll	($25,708.11)	$19,553.53	$1,693.45	$17,860.08	($7,848.03)
	31080-5950-900	Accrued Tips Payable	($237.00)	$493.50	$295.50	$198.00	($39.00)
	31220-5950-900	Accrued Sales Tax	($13,902.51)	$15,895.38	$9,492.27	$6,403.11	($7,499.40)
	31240-5950-900	Accrued Annual Sales Tax	($5,337.26)	$5,414.09	$76.83	$5,337.26	$0.00
	31400-5950-900	Accrued City Surcharge	$0.00	$0.00	$2,732.11	($2,732.11)	($2,732.11)
	32000-5950-900	Deferred Rev - Rainchecks	($2,952.28)	$617.49	$119.31	$498.18	($2,454.10)
	32020-5950-900	Deferred Rev - Outing Deposits	($2,039.05)	$1,200.00	$0.00	$1,200.00	($839.05)
	32040-5950-900	Deferred Rev - Legacy GF Passes	($68,102.38)	$15,860.34	$0.00	$15,860.34	($52,242.04)
	32050-5950-900	Deferred Revenue - Cypress GF Passes	($70,272.00)	$20,405.83	$1,799.00	$18,606.83	($51,665.17)
	32060-5950-900	Deferred Rev - Gift Certificates	($4,639.14)	$0.00	$0.00	$0.00	($4,639.14)
	32070-5950-900	Deferred Rev - Gift Cards	($18,162.22)	$475.06	$330.09	$144.97	($18,017.25)
	32100-5950-900	Deferred Rev - Credit Books	($15,185.26)	$539.53	$443.59	$95.94	($15,089.32)
	32120-5950-900	Deferred Rev - Trail Fee Pass	($114,801.86)	$18,458.34	$2,701.22	$15,757.12	($99,044.74)
	32220-5950-900	Deferred Rev - Founders Pass	($1,181.79)	$98.48	$0.00	$98.48	($1,083.31)
	49020-5950-900	Retained Earnings - Current	$119,948.23	$0.00	$0.00	$0.00	$119,948.23
	50000-5950-100	Green Fees - Annual Pass	$0.00	$0.00	$9,544.59	($9,544.59)	($9,544.59)
	50040-5950-100	Green Fees - Member	$0.00	$0.00	$30,747.24	($30,747.24)	($30,747.24)
	50070-5950-100	Green Fees - (surcharge)	$0.00	$2,732.11	$5,464.22	($2,732.11)	($2,732.11)
	50500-5950-200	Cart Fee 18	$0.00	$0.00	$22,102.36	($22,102.36)	($22,102.36)
	50520-5950-200	Cart Fee - Annual Trail	$0.00	$0.00	$9,004.07	($9,004.07)	($9,004.07)
	52090-5950-600	Handicap Fee	$0.00	$0.00	$20.00	($20.00)	($20.00)
	52150-5950-600	Lessons	$0.00	$0.00	$200.00	($200.00)	($200.00)
	52280-5950-600	Rental Clubs	$0.00	$0.00	$170.00	($170.00)	($170.00)
	52310-5950-600	Retail	$0.00	$0.00	$4,030.11	($4,030.11)	($4,030.11)
	53050-5950-220	Range Pass Revenue	$0.00	$0.00	$2,524.84	($2,524.84)	($2,524.84)
	56120-5950-100	City Surcharge R & R	$0.00	$0.00	$2,732.11	($2,732.11)	($2,732.11)
	60000-5950-600	COGS - Merchandise - Accessories	$0.00	$2,433.95	$0.00	$2,433.95	$2,433.95
	70000-5950-100	Gross Payroll - Salaried	$0.00	$12,722.04	$3,512.97	$9,209.07	$9,209.07
	70000-5950-900	Gross Payroll - Salaried	$0.00	$14,061.21	$5,712.26	$8,348.95	$8,348.95
	70000-5950-950	Gross Payroll - Salaried	$0.00	$4,564.02	$1,210.56	$3,353.46	$3,353.46
	70010-5950-100	Gross Payroll - Hourly	$0.00	$21,310.23	$6,040.25	$15,269.98	$15,269.98
	70010-5950-200	Gross Payroll - Hourly	$0.00	$8,018.68	$2,222.53	$5,796.15	$5,796.15
	70010-5950-600	Gross Payroll - Hourly	$0.00	$5,184.01	$1,424.69	$3,759.32	$3,759.32
	70010-5950-900	Gross Payroll - Hourly	$0.00	$142.50	$142.50	$0.00	$0.00
	71000-5950-100	Payroll Tax - FICA	$0.00	$2,406.16	$678.03	$1,728.13	$1,728.13
	71000-5950-200	Payroll Tax - FICA	$0.00	$639.79	$169.69	$470.10	$470.10
	71000-5950-600	Payroll Tax - FICA	$0.00	$407.46	$108.99	$298.47	$298.47
	71000-5950-900	Payroll Tax - FICA	$0.00	$951.08	$261.13	$689.95	$689.95
	71000-5950-950	Payroll Tax - FICA	$0.00	$326.41	$86.26	$240.15	$240.15
	71010-5950-100	Payroll Tax - UC	$0.00	$220.31	$0.00	$220.31	$220.31
	71010-5950-200	Payroll Tax - UC	$0.00	$100.72	$0.00	$100.72	$100.72
	71010-5950-600	Payroll Tax - UC	$0.00	$29.14	$0.00	$29.14	$29.14

TRIAL BALANCE SUMMARY FOR 2016

The Golf Club at Cypress Head

Inactive	Account	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance
	71020-5950-100	Payroll Tax - WC	$0.00	$574.73	$0.00	$574.73	$574.73
	71020-5950-200	Payroll Tax - WC	$0.00	$179.62	$0.00	$179.62	$179.62
	71020-5950-600	Payroll Tax - WC	$0.00	$88.16	$0.00	$88.16	$88.16
	71020-5950-900	Payroll Tax - WC	$0.00	$299.90	$0.00	$299.90	$299.90
	71020-5950-950	Payroll Tax - WC	$0.00	$77.65	$0.00	$77.65	$77.65
	71030-5950-100	Benefits	$0.00	$10,516.77	$7,755.07	$2,761.70	$2,761.70
	71030-5950-200	Benefits	$0.00	$168.60	$167.29	$1.31	$1.31
	71030-5950-900	Benefits	$0.00	$6,682.65	$5,048.38	$1,634.27	$1,634.27
	71030-5950-950	Benefits	$0.00	$1,274.03	$864.68	$409.35	$409.35
	80110-5950-200	Cart Supplies	$0.00	$104.23	$0.00	$104.23	$104.23
	80230-5950-100	Fertilizer	$0.00	$2,258.50	$56.00	$2,202.50	$2,202.50
	80270-5950-100	Fuel	$0.00	$56.69	$0.00	$56.69	$56.69
	80280-5950-100	Fungicides	$0.00	$1,071.00	$0.00	$1,071.00	$1,071.00
	80320-5950-100	Herbicides	$0.00	$3,845.52	$1,262.37	$2,583.15	$2,583.15
	80370-5950-100	Insecticides	$0.00	$2,040.36	$0.00	$2,040.36	$2,040.36
	80380-5950-900	Janitorial Supplies	$0.00	$51.46	$0.00	$51.46	$51.46
	80520-5950-900	Office Supplies	$0.00	$104.41	$0.00	$104.41	$104.41
	80620-5950-220	Range Equipment	$0.00	$206.59	$0.00	$206.59	$206.59
	80710-5950-100	Seeds/Trees	$0.00	$8,800.00	$4,400.00	$4,400.00	$4,400.00
	80730-5950-100	Small Tools	$0.00	$364.73	$0.00	$364.73	$364.73
	80810-5950-600	Tournament Expense	$0.00	$4,005.73	$4,048.40	($42.67)	($42.67)
	81010-5950-900	Alarm System	$0.00	$411.25	$0.00	$411.25	$411.25
	81130-5950-900	Computer Service	$0.00	$190.50	$0.00	$190.50	$190.50
	81350-5950-100	Repair & Maint - Equipment	$0.00	$2,248.45	$0.00	$2,248.45	$2,248.45
	81350-5950-900	Repair & Maint - Equipment	$0.00	$1,926.68	$0.00	$1,926.68	$1,926.68
	82000-5950-200	Cart Lease	$0.00	$5,356.00	$0.33	$5,355.67	$5,355.67
	82020-5950-100	Equipment Lease	$0.00	$4,886.25	$0.00	$4,886.25	$4,886.25
	82060-5950-900	Off-Site Storage	$0.00	$168.00	$0.00	$168.00	$168.00
	83000-5950-100	Utlities - Electric	$0.00	$238.06	$0.00	$238.06	$238.06
	83000-5950-200	Utilities - Electric	$0.00	$756.41	$0.00	$756.41	$756.41
	83020-5950-100	Utlities - Other	$0.00	$1,126.08	$0.00	$1,126.08	$1,126.08
	83020-5950-900	Utilities - Other	$0.00	$2,305.24	$0.00	$2,305.24	$2,305.24
	83030-5950-100	Utlities - Telephone/Fax	$0.00	$99.35	$0.00	$99.35	$99.35
	83030-5950-900	Utilities - Telephone/Fax	$0.00	$272.27	$0.00	$272.27	$272.27
	83050-5950-100	Utlities - Water	$0.00	$235.89	$0.00	$235.89	$235.89
	84030-5950-950	Adv/Promo - Local/Regional Print	$0.00	$700.00	$0.00	$700.00	$700.00
	84040-5950-950	Adv/Promo - Mktg/Bus Dev	$0.00	$1,741.92	$0.00	$1,741.92	$1,741.92
	85020-5950-900	Bank Charges	$0.00	$1,716.10	$1,243.04	$473.06	$473.06
	85050-5950-900	Cash Short/(Over)	$0.00	$492.79	$296.05	$196.74	$196.74
	85060-5950-900	Cell Phone	$0.00	$300.00	$0.00	$300.00	$300.00
	85070-5950-900	City Surcharge R & R	$0.00	$2,732.11	$0.00	$2,732.11	$2,732.11
	85110-5950-900	Copier/Photocopies	$0.00	$59.94	$0.00	$59.94	$59.94
	85120-5950-900	Credit Card Discounts	$0.00	$3,206.04	$0.00	$3,206.04	$3,206.04
	85190-5950-900	Employee Relations	$0.00	$477.35	$155.23	$322.12	$322.12
	85280-5950-900	Insurance Expense	$0.00	$3,858.39	$0.00	$3,858.39	$3,858.39
	85320-5950-900	Member Relations	$0.00	$37.50	$0.00	$37.50	$37.50
	85330-5950-900	Messenger Service - Fedex	$0.00	$90.63	$0.00	$90.63	$90.63
	85390-5950-900	O/S - Accounting	$0.00	$3,000.00	$0.00	$3,000.00	$3,000.00
	85480-5950-900	Payroll Processing Fee	$0.00	$2,435.51	$1,595.00	$840.51	$840.51
	85490-5950-900	Postage/Shipping	$0.00	$54.93	$0.00	$54.93	$54.93
	85610-5950-900	Tax/Licenses/Fees	$0.00	$0.00	$30.00	($30.00)	($30.00)
	85710-5950-900	Travel - Meals	$0.00	$39.96	$0.00	$39.96	$39.96
	85720-5950-900	Travel - Other	$0.00	$928.72	$0.00	$928.72	$928.72
	90000-5950-900	Management Fee	$0.00	$5,712.85	$0.00	$5,712.85	$5,712.85
	98020-5950-900	Deprec - Mach & Equip	$0.00	$36.87	$0.00	$36.87	$36.87
	98040-5950-900	Deprec - Buildings	$0.00	$116.74	$0.00	$116.74	$116.74
	RCMWD-5950-100	Rounds - Complimentary - Weekday	10,166.00	109.00	0.00	109.00	10,275.00
	REMWD-5950-100	Rounds - Employee - Weekday	16,540.00	80.00	0.00	80.00	16,620.00
	RMBWD-5950-100	Rounds - Member - Weekday	56,704.00	649.00	0.00	649.00	57,353.00
	RPKWD-5950-100	Rounds - Peak - Weekday	302,141.00	2,501.00	0.00	2,501.00	304,642.00
	RPKWE-5950-100	Rounds - Peak - Weekend	5,071.00	0.00	0.00	0.00	5,071.00

TRIAL BALANCE SUMMARY FOR 2016

The Golf Club at Cypress Head

Inactive	Account	Description	Beginning Balance	Debit	Credit	Net Change	Ending Balance

	Accounts	Beginning Balance	Debit	Credit	Net Change	Ending Balance
Grand Totals:	118	$0.00	$677,469.60	$677,469.60	$0.00	$0.00

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November 20th, 2016

Robin Fenwick
City of Port Orange
100 City Center Circle
Port Orange, FL 32129

Dear Ms. Fenwick,

The following is the financial and operational summary report for October 2016 at Cypress Head Golf Club.

FINANCIAL SUMMARY FOR MONTH ENDING October 2016									
	Current				Year to Date				
Revenue	Actual	Budget	Variance vs. Budget		Actual	Budget	Prior Year	Variance vs. Budget	
Green Fees	$ 43,024	$ 45,477	$ (2,453)		$ 43,024	$ 45,477	$ 3,626	$ (2,453)	
Cart Fees	$ 31,106	$ 34,812	$ (3,706)		$ 31,106	$ 34,812	$ 1,401	$ (3,706)	
Range	$ 2,525	$ 2,452	$ 73		$ 2,525	$ 2,452	$ 152	$ 73	
Pro- Shop Revenues	$ 4,420	$ 4,502	$ (82)		$ 4,420	$ 4,502	$ 682	$ (82)	
City Surcharge R/R	$ 2,732	$ 3,196	$ (464)		$ 2,732	$ 3,196	$ 196	$ (464)	
Total Revenue	**$ 83,807**	**$ 90,439**	**$ (6,632)**		**$ 83,807**	**$ 90,439**	**$ 6,057**	**$ (6,632)**	
Cost of Sales	$ 2,434	$ 2,823	$ (389)		$ 2,434	$ 2,823	$ 315	$ (389)	
Merchandise	$ 2,434	$ 2,823	$ (389)	60%	$ 2,434	$ 2,823	$ 315	$ (389)	60%
Gross Margin	**$ 81,373**	**$ 87,616**	**$ (6,243)**		**$ 81,373**	**$ 87,616**	**$ 5,742**	**$ (6,243)**	
Total Payroll	$ 55,541	$ 57,043	$ (1,502)		$ 55,541	$ 57,043	$ 54,116	$ (1,502)	
Total Operating Expenses	$ 51,915	$ 52,110	$ (195)		$ 51,915	$ 52,110	$ 50,621	$ (195)	
Net Operating Income	**$ (26,083)**	**$ (21,537)**	$ (4,546)		**$ (26,083)**	**$ (21,537)**	**$ (98,995)**	$ (4,546)	
Other Expenses	**$ 5,867**	**$ 6,208**	**$ (341)**		**$ 5,867**	**$ 6,208**	**$ 7,751**	**$ (341)**	
Management Fee	$ 5,713	$ 5,827	$ (114)		$ 5,713	$ 5,827	$ 7,370	$ (114)	
Interest Expense	$ -		$ -					$ -	
Depreciation	$ 154	$ 381	$ 545		$ 154	$ 381	$ 381	$ (227)	
Net Cash From Ops	**$ (31,950)**	**$ (27,745)**	**$ (4,205)**		**$ (31,950)**	**$ (27,745)**	**$ (106,746)**	**$ (4,205)**	
Rounds									
Total Rounds	**3,339**	**3,250**	**89**		**3,339**	**3,250**	**30,651**	**89**	
Avg. Green Fee/Cart Fee	**$22.20**	**$24.70**	**$ (2.50)**		**$22.20**	**$24.70**	**$0.16**	**$ (2.50)**	
Avg. Merchandise/round	**$1.32**	**$1.39**	**$ (0.06)**		**$1.32**	**$1.39**	**$0.02**	**$ (0.06)**	

Overview:

- October is the beginning of the new fiscal year 2016-2017 and we started the month with a major category 3 Hurricane which affected the entire coast of Florida. Hurricane Matthew brought winds in excess of 100 MPH and dropped over 6 inches of rain in our area. There was extensive damage involving hundreds of trees on the property and luckily we did not sustain any major damage to the clubhouse facility.

- Overall revenues for October finished at $83,807 versus a budgeted amount of $90,439 for a loss of $6,632. The loss of revenue was directly attributable to Hurricane Matthew which forced a closure of the golf course for 5 complete days. The range revenue was equaled to the budgeted amount for the month. The pro shop and merchandise sales were consistent with budget as well.

- Total payroll for the month was under budget by $881.00 which was commendable due to the extra hours required to re-open the golf course and do clean-up for the debris left behind from the hurricane. The entire team worked well together to remove downed trees and tons of branches and debris.

- Our operating expenses were under budget by $4,309 due to careful monitoring of the maintenance operations. The facility did incur some expenditure that was not budgeted.

  They are as follows:

  Repairs and Maintenance of equipment was over $2,062 due to age of equipment.

  Utilities for the buildings were over $1,303 due to issues with the Air conditioning system which has been addressed by the city of Port Orange.

  Outside services for accounting was over by $1,400 due to an audit required by the city.

Recognition and Awards:

- We received a plaque of appreciation from the Atlantic High School golf teams for the support given to them by the Cypress Head staff during the past season.

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R&R Projects pending:

- There were no R & R projects outlined for the month of October.

Tee Sheet Activity:

- We had 3,339 total rounds for the month with 2,501 paid rounds as well as 649 Annual and Cypress Pass member rounds. The total rounds for the month included 2,558 eighteen hole rounds and 697nine hole rounds.

- The Golf staff continues to monitor daily tee sheet activity and they are trained to recognize underutilization of the tee sheet and offer promotional prices through the website to increase the number of potential players.

October 2016 and YTD rounds mix:

Type	Actual	Budget	Month- P.Y.	Y.T.D	P.Y-Y.T.D
Paid	**2501**	**2647**	**247**	**2501**	**247**
Annual	649	422	22	649	22
Other rounds	189	181	1	189	1
Total Rounds	**3339**	**3250**	**270**	**3339**	**270**

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Departmental Summaries:

Course & Grounds/Range

- Our entire team of maintenance and golf staff pulled together to help clean up the damage sustained by Hurricane Matthew. We lost many large trees that were uprooted as well as hundreds of tree limbs that had to be removed for safety as well as for the health of the trees. During the month, we hosted several days where volunteers assisted the staff at Cypress Head in collecting leftover debris, raking areas and cleaning the parking lots. It was a great turnout and much appreciated by all of us here at the golf course.

- Our superintendent continues to monitor all areas of the agronomic plan and has outlined a schedule for golf course maintenance for the upcoming season. Training for all the new staff members continues on a daily basis.

- The range continues to be a benefit to all players improving their skills and with the end of daylight savings time we will be illuminating the range on Friday and Saturday evenings to allow for more extended usage of the facility. This will enhance the overall experience for all golfers using the practice area.

Golf Shop/Carts

- We are receiving new merchandise on a regular basis in preparation for the upcoming season which will enhance the professional nature of the golf shop and help promote merchandise sales. Vendors include Footjoy, Titleist, Callaway, Bridgestone, Page & Tuttle, Nancy Lopez, Bermuda Sands, Ahead headwear and St Andrews products. We continue to hold weekly specials promoting different manufacturers to compete with the large box stores locally. We had over $395.00 in gift card sales for the month as well as over $4,420.00 in pro-shop sales.

- We continue to follow all regular maintenance procedures regarding the cart fleet which includes registering monthly totals for battery amperage and mileage as well as proper watering of all batteries to protect all warranties associated with the new fleet. In addition to the monthly process our carts are inspected daily for any damage which may have occurred during normal play. We continue to be committed to providing quality carts for the enjoyment of all our players.

- The staff at Cypress Head Golf Course continues to offer lesson packages for beginners as well as advanced players. Group clinics as well as the reintroduction of the GLF program for the Port Orange schools is being offered to continue bringing new players to Cypress Head golf course which helps to serve the community and allow them to experience all that the club has to offer.

- Our Men's and Ladies organizations continue to play on a weekly basis and the number of players will be increasing as more of our northern friends return to their homes here in Port Orange and Volusia County. These groups have been well attended and they continue to enjoy the camaraderie of playing here at Cypress Head.

Marketing and Sales:

- Our Sales & Marketing director, Ms. Reggie Hunter, has been very busy responding to all guest inquiries. Her focus at this time has been to contact all previous groups, charities and tournaments from the previous years to secure return bookings for 2017.

- During the month of October we hosted several tournaments including the Crandall-Can tournament benefitting a former Spruce Creek High School student. We also hosted for the first time, the Florida Engineering Society here at Cypress Head. These events helped to increase the awareness that Cypress Head is the location where all groups should host their tournaments and charity fundraisers.

- We are continuing our involvement with Daytona CVB, Golf Pac, and Tee-Times USA along with other National wholesaler and Golf Now to maximize utilization of our tee sheet.

- We continue to maintain our database of emails with over 9700 unique e-mail addresses. The golf staff continues to register player profiles including residency, phone numbers and proper classifications of all players. This process will allow us an opportunity to offer promotions to our database to experience all that Cypress Head has to offer.

- Ms. Hunter continues to cultivate her relationships in the community by her continued involvement in the POSD Chamber, POSD Ambassadors program, Daytona Beach Chamber, SEV Chamber and the POSD Rotary club.

- The Cypress Passes were offered during the month for sale and this is a pass that allows the player unlimited greens fees throughout the season. The pass holder is still responsible for applicable cart fees and surcharge. We had a total of 23 passes purchased in October and we expect more sales during the coming months as more of our northern friends return to their homes in Port Orange.

Mindshare Reviews and Comments:

Report run: 11/24/2016 9:12 AM MST
Data current as of: 11/24/2016 9:12 AM MST

KemperSports | TrueReview

REPORT CRITERIA	
Date of Survey	10/1/16 - 10/31/16
Select level:	Cypress Head

Number of Surveys: 28

	#	Zip Code	Date Golfed	Date of Survey	Tee Time	Overall Rating	Service Rating	Course Rating	Food Rating	Recommend Rating	NPS	Overall Rating w/o F&B	Comments	
Totals						8.8	9.0	8.3	8.0	9.0	67.9	8.8		
Cypress Head						8.8	9.0	8.3	8.0	9.0	67.9	8.8		
Golf						8.8	9.0	8.3	8.0	9.0	67.9	8.8		

- There were over 400 questionnaires mailed out to players during the month with an overall rating for the golf course receiving an 8.8. We also received a recommended rating of 9.0 and our service rating is at 9.0.

- We continue to assist all players by helping them to enjoy their experience here at Cypress Head. There were some reviews that had constructive ideas to help us improve in some areas which we will evaluate as a team. The comments returned by the players in this avenue are useful tools in helping our maintenance and golf staff team improve. We also review all negative comments and they are discussed by our team and if required we will contact the individual to help us better understand their concerns. Players also have access to a suggestion box which is located at the clubhouse near the Men's and Ladies bulletin boards.

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Corporate Support:

- Kemper Sports Center for Excellence – Ongoing resource.

Summary:

- Despite the weather challenges that brought a major hurricane to the Port Orange area, we were able to exceed our budgeted total rounds even with 5 days of complete closure of the golf course.

- We continue to expand our community outreach by offering lessons, clinics, junior camps and GLF golf programs in the local schools.

- The Cypress Passes will continue to be offered for sale during November and throughout the holidays. There will also be multiple marketing promotions offered during the upcoming months designed to increase merchandise sales during Black Friday, Cyber Monday and the Christmas season.

- Our entire team from golf staff, outside services and maintenance are preparing for the upcoming winter season. We are excited about the 2016-2017 season as we continue to offer the best in class customer service and course conditions.

Respectfully Submitted,

Bob Duquette, PGA

General Manager
The Golf Club at Cypress Head.

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Town Center Community Redevelopment Agency Appointment

DEPARTMENT: City Clerk

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to appoint Raymond Donadio to the Town Center CRA.

SUMMARY: There is one (1) vacancy on the Town Center Community Redevelopment Agency. The City Clerk has received an application from Raymond Donadio, Jr. No other applications were received.

Project No.:	Funding Account No.:

ATTACHMENTS:

1.	Donadio Application	Donadio application.pdf

Robin Fenwick	Created/Initiated - 11/16/2016
M. Jake Johansson	Final Approval - 11/16/2016

CITY OF PORT ORANGE ADVISORY BOARDS AND COMMISSIONS

VOLUNTEER APPLICATIONS

Thank you for your interest in serving the City of Port Orange. Your completion of this application is necessary so that the members of the City Council can thoroughly review each application as part of their consideration for your appointment.

Please choose the Board(s)/Commission(s) for which you wish to apply. If applying for more than one Board/Commission, please number in the order of preference.

___	Environmental Advisory Board	___	Library Advisory Board
___	Construction Regulation Board*	___	Parks and Recreation Board
___	Code Enforcement Board*	___	Planning Commission*
___	Charter Review Board	___	City Manager Selection Committee
___	Civil Service Board	___	Audit & Budget Advisory Board
___	Districting Commission	___	Youth Advisory Board

CRA Boards

___ Eastport Community Redevelopment Agency*
_X_ Town Center Community Redevelopment Agency*

Pension Boards

___ General Employees*
___ Police*
___ Fire*

ALL OF THE ABOVE ARE SUBJECT TO THE "SUNSHINE LAW"

MEMBERS OF THE BOARDS/COMMISSIONS WITH AN ASTERIK ARE REQUIRED TO FILE FINANCIAL DISCLOSURES WITHIN 30 DAYS OF DATE OF APPOINTMENT.

1. **PERSONAL**

Name RAYMOND M. DONADIO JR. Date of Birth 11-10-1955

Address 301 DUNLAWTON AVENUE PORT ORANGE FL. 32127

CELL ~~Home~~ Telephone 937-409-8159

E-Mail Address RAY@DONADIOLAW.COM

Business Telephone 386-763-5083

Are you a registered voter in Port Orange? _X_ Yes ___ No

City Council District 3

How long have you been a resident of Port Orange? 6 YEARS 8 MONTHS

Are you currently serving on a City Board? NO

Have you ever served on a City Board? YES

If yes, when and which Board? CITY MANAGER SELECTION COMMITTEE 2015

2. **REFERENCES** – Please list three references (business and/or personal)

WILLIAM THOMPSON C/O THOMPSON PUMP P.O, FLORIDA 386-767-7310(O) 386-527-8097(H)
Name, address, and telephone number

JIM KOTAS RET. ENGINEER DAYTONA BEACH, FL KOTASGOFISH@GMAIL.COM
Name, address, and telephone number

WILLIAM McCABE STATE FARM INSURANCE 900 W. SWALLOWTAIL DRIVE SUITE 101 P.O, FL. 32129 (386) 761-4101
Name, address, and telephone number

3. **EDUCATION**

High School NILES McKINLEY H.S. NILES, OHIO Date Graduated JUNE, 1973

College OHIO NORTHERN UNIVERSITY PETIT COLLEGE OF LAW AT ONU Date Graduated MAY 1977 MAY 1980 Degree B.A. BUS. ADMIN JD

4. **WORK EXPERIENCE** PRACTICING ATTORNEY 30 YEARS OHIO

PRACTICING ATTORNEY 6 YEARS FLORIDA

5. **INTERESTS/ACTIVITIES** READING, PLAYING MUSIC, GOLF

TRAVEL

6. **COMMUNITY INVOLVEMENT** PAST PRESIDENT POSD CHAMBER OF COMMERCE

POSD ROTARY CLUB PAST SECRETARY

7. **WHY DO YOU DESIRE TO SERVE ON THIS/THESE BOARDS?**

I OWN A BUSINESS AND A BUILDING AT 301 DUNLAWTON AND WOULD LIKE TO BE INVOLVED IN THE REVITALIZATION OF THE CRA IN TOWN CENTER

8. **A resume or separate sheet with additional information should be included.**

I understand the responsibilities associated with being a board member, and I have adequate time to serve if appointed.

Signature 11-3-16
Signature **Date**

Note: If you have questions concerning the duties and responsibilities of any of the above Boards/Commissions, please contact the City Clerk's Office at 506-5563.

Return this form to: **Robin Fenwick, CMC, City Clerk,**
1000 City Center Circle
Port Orange, Florida 32129

DONADIO LAW OFFICE , LLC
301 Dunlawton Avenue
Port Orange, FL 32127
Telephone: (386) 763-5083
Fax: (386) 763-5085
Raymond M. Donadio, Jr.
E-mail: ray@donadiolaw.com

RAYMOND M. DONADIO, JR.
BIOGRAPHY

Personal:

Ray was born November 10, 1955 in Niles, Ohio. He graduated from Ohio Northern University in 1977 and Ohio Northern University Law School in 1980. He has lived in Greenville, Ohio for the last 26 years and moved to Port Orange on April 5, 2010. He is married to the former Deborah Ann Replogle of Greenville, Ohio and the couple has five grown children between them. Ray loves the beach and loves to read. His other hobbies include playing music (keyboard and bass guitar), singing and traveling.

Rotary:

Ray has been an active Rotarian in the Greenville, Ohio club since 1984. He began under the classification of Attorney- Insurance Defense. He later was classified as a Senior Active. Ray is a Paul Harris Fellow and has served the club as President in 1990-91 and again in 2007-08. He was a member of the Board of Trustees for three years and has enjoyed making up attendance at meetings at various clubs in North Carolina, Florida and Toronto, Canada.

Professional:

Upon graduation from Ohio Northern University School of Law, Ray practiced law with a firm in Mansfield, Ohio for two years, followed by a two year stint as head of the pension trust department of a bank in Youngstown, Ohio which later became a part of National City Bank. He moved his family to Greenville, Ohio to practice law with a local firm in 1984. In 1990 he opened Donadio Law Office with one secretary, and over the next twenty years the firm, now known as Donadio, Wagner & Fliehman, Ltd. grew to three attorneys and six staff persons. In 2008 Ray sat for the Florida Bar Exam and was licensed to practice law in Florida in December, 2008. He and Janet Strickland formed a law partnership in April, 2010 where he currently practices. Ray concentrates his practice in the areas of Estate Planning including Wills and Trusts, Probate, Real estate and Business/Corporate Law. He is also licensed in all state and federal courts in Ohio, as well as the United States Supreme Court. Ray is a member of the Ohio State Bar Association, the Florida Bar, and the Volusia County Bar Association, and a former member of the Darke County, Ohio Bar Association where he served as President. He is a current member of the Port Orange/South Daytona Rotary club where he has served as Secretary, and is a member of the Port Orange/South Daytona Chamber of Commerce where he is legal counsel and is a Past President. In addition, Ray has served on numerous civic and community boards.

We enjoy working with clients to achieve a desired result, whether it is purchasing a new home or starting a new business. We also enjoy working with clients to achieve their estate planning goals. It is our goal to practice law in an expeditious and thorough manner for our clients.

We love people and we offer the ability to translate legal processes and "legalese" into concepts and language which are understandable to the non-lawyer. It is our aim to provide a friendly understandable environment to those who require legal help, so as to make their contact with the legal profession a positive, enjoyable experience.

Donadio Law Office, LLC
301 Dunlawton Avenue
Port Orange, FL 32127

Donadio Law Office, LLC

Raymond M. Donadio, Jr.
ray@donadiolaw.com

Charles T. Moore
Of Counsel

301 Dunlawton Avenue
Port Orange, Florida 32127

(386) 763-5083 phone

(386) 763-5085 fax

www.donadiolaw.com

Raymond M. Donadio, Jr.

- Ohio Northern University (B.A., 1977)
- Ohio Northern University (J.D., 1980)
- Ohio Bar (1980)
- Florida Bar (2008)
- U.S. Supreme Court (2004)
- U.S. District Court, Northern District of Ohio (1980)
- U.S. District Court, Southern District of Ohio (1984)
- U.S. Court of Appeals Seventh Circuit (1981)
- U.S. Tax Court (1982)
- U.S. Court of Appeals Sixth Circuit (2001)

AREAS OF CONCENTRATION

Estate Planning:

Complete estate planning services, ranging from preparation of simple wills for modest estates through providing tax planning services for larger estates.

Probate:

Represent fiduciaries and personal representatives in probate matters. Filing of probate cases and assistance to personal representatives with the estate.

Trust Administration:

Represent trustees and personal representatives in trust matters. Filing of probate cases and assistance to personal representatives with the estate.

Elder Law:

Legal services and advice regarding Medicaid planning, income trusts, power of attorney forms, and other elder law matters.

Real Estate:

Real estate and loan closing transactions involving the purchase, sale, and leasing of commercial and residential properties. Approved attorneys for Attorneys Title Insurance Fund.

Corporate & Business:

A wide range of legal services and advice to businesses. Support business clients in attaining their goals by helping each business identify its special needs, and then making available to it the legal support required, including preparation of shareholder agreements and employment agreements, the sale of business assets, forming new business entities and many other business transactions.

REGULAR CITY COUNCIL MEETING MINUTES
COUNCIL CHAMBERS – CITY HALL
1000 CITY CENTER CIRCLE
NOVEMBER 15, 2016

THE REGULAR CITY COUNCIL MEETING of the City of Port Orange was called to order by Mayor Allen Green at 6:30 p.m.

Pledge of Allegiance

Invocation given by Pastor Scott Kirschner of Christ the King Community Church

Roll Call:	Present:	Councilman Bob Ford Councilman Donald Burnette Councilman Scott Stiltner Vice Mayor Drew Bastian Mayor Allen Green
	Also Present:	Jake Johansson, City Manager Margaret T. Roberts, City Attorney Robin Fenwick, City Clerk Chase Tramont, Councilman-Elect

Portions of the Rules of Procedure as approved by City Council on May 3, 2016 were read by Robin Fenwick, City Clerk.

AGENDA APPROVAL

Item #14 was deleted as it is a duplicate item to Item C and will be considered during the Special Meeting of Golf Club at Cypress Head, Inc., Item C.

Motion to approve agenda as amended was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by voice vote.

SPECIAL MEETING OF GOLF CLUB AT CYPRESS HEAD, INC.

Council recessed to hold the Special Meeting of the Golf Club at Cypress Head, Inc., minutes of which are under separate cover.

PUBLIC HEARING

5. Second Reading - Ordinance No. 2016-20 – Pinnacle PUD Small-Scale Comprehensive Plan Amendment; Case No. 16-20000001

Mayor Green read Ordinance No. 2016-20.

ORDINANCE NO. 2016-20

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FROM RURAL TRANSITION (0-2 UNITS/ACRES) TO SUBURBAN RESIDENTIAL (2-4 UNITS/ACRE); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-20 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried 4-0-1 by roll call vote with Mayor Green abstaining due to a conflict.

6. Second Reading - Ordinance No. 2016-21 – First Amendment to the Pinnacle Master Development Agreement and Conceptual Development Plan; Case No. 16-40000004

Mayor Green read Ordinance No. 2016-21.

ORDINANCE NO. 2016-21

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE PINNACLE MASTER DEVELOPMENT AGREEMENT (MDA) AND THE CONCEPTUAL DEVELOPMENT PLAN (CDP); PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-21 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried 4-0-1 by roll call vote with Mayor Green abstaining due to a conflict.

7. First Reading - Ordinance No. 2016-24 – Cracker Creek PUD Small-Scale Comprehensive Plan Amendment, Case No. 16-20000002

Mayor Green read Ordinance No. 2016-24.

ORDINANCE NO. 2016-24

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RELATING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN; AMENDING THE FUTURE LAND USE DESIGNATION FROM PUBLIC/INSTITUTIONAL TO OFFICE/RESIDENTIAL TRANSITION (+/- 7.5 ACRES); PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-24 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Penelope Cruz, Planner, asked Council to open Item 7 & 8 together to discuss both Ordinances. Council agreed and Mayor Green read Ordinance No. 2016-25.

8. First Reading - Ordinance No. 2016-25 – First Amendment to the Cracker Creek PUD Master Development Agreement and Conceptual Development Plan, Case No. 16-40000005

ORDINANCE NO. 2016-25

AN ORDINANCE OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROVING THE FIRST AMENDMENT TO THE CRACKER CREEK PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT AGREEMENT AND CONCEPTUAL DEVELOPMENT PLAN FOR APPROXIMATELY 56 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF TAYLOR ROAD AND NORTH OF SPRUCE CREEK; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, AND AN EFFECTIVE DATE.

Motion to approve Ordinance No. 2016-25 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Ms. Cruz provided details of both proposed ordinances. Staff recommends approval of both. She discussed the traffic study regarding number of trips.

Michael Woods, Cobb Cole Law Firm, provided details regarding the requests. There will be no more trips with any development than another because there is a cap of just over 1800. The ALF will be less trips than what is approved currently for that area. He has reviewed the concerns from the Planning Commissioners and are working to remove the variance request regarding parking prior to the second reading of the ordinances.

Glen Storch, Attorney for Cracker Creek, advised that the owners of Cracker Creek will be the neighbors to this ALF and they fully support the project.

Shawn Goephart, resident, supports the project. He lives close to the area and believes it is truly needed in Port Orange.

Jill Williams, resident, business owner, and neighbor of the proposed project. She supports this project.

Motion to approve Ordinance No. 2016-24 carried unanimously by roll call vote.

Motion to amend Motion to approve Ordinance No. 2016-25 subject to the MDA and CDP being amended prior to the second reading to reflect the parking requirements in the LDC was made by Councilman Stiltner, and Seconded by Vice Mayor Bastian. Motion to amend carried unanimously by roll call vote.

Motion to approve Ordinance No. 2016-25 as amended carried unanimously by roll call vote.

<u>BOARD APPOINTMENTS, INTERVIEWS, REPORTS</u>

9. Citizen Advisory Committee for TPO

Bobby Ball was unable to attend this meeting but will provide the written summary to the City Clerk for distribution.

<u>CITIZEN PARTICIPATION (Agenda)</u>

10. Lakeside Community Center Fee Waiver Request - Sarah Good

Sarah Good addressed Council regarding her request for a fee waiver of $639 to use Lakeside Community Center for the Ryan P. Bassett scholarship fundraiser, as well as the insurance requirements. She explained the need for the fundraiser and how the funds will be used. The family awards a $1,000 scholarship in honor of Ryan Bassett to a Spruce Creek High School senior every year. With the fee and insurance waiver, 100% of the fundraiser will go to the foundation.

Councilman Stiltner has concerns because there are so many organizations wanting to use the facility. He suggested finding a sponsor to pay the fees.

Vice Mayor Bastian had some of the same concerns and donated $100 to the scholarship fund.

Councilman Burnette is sympathetic and wants to help as well.

Councilman Ford wants a policy to address these requests.

Donations can be made to the Ryan P. Bassett Memorial Scholarship Fund through Spruce Creek High School, ATTN: Accounting Department.

CITIZEN PARTICIPATION (Non-Agenda – 15 minutes)

Shawn Goephart, resident and Port Orange/South Daytona Chamber of Commerce representative, invited Council to the Business After Hours on Thursday. He thanked Mayor Green for his service and congratulated Councilman Burnette and Councilman-Elect Chase Tramont.

COUNCIL COMMENTS

11. Comments/Concerns from Council Members

Councilman Burnette thanked Mayor Green for his service to the community.

Vice Mayor Bastian also thanked Mayor Green for his service. He thanked the Fire Department for their volunteer hours after the hurricane in helping others tarp their roofs.

Councilman Stiltner thanked Mayor Green for his time given to the community on Council and out in the community. He also thanked Amy LaBosco Hall for her efforts with the Thanksgiving Basket Brigade.

Mayor Green thanked John Mica for his service to the State of Florida.

CONSENT AGENDA

12. Approval of Minutes
    a. November 1, 2016 - Regular City Council Meeting
13. U.S. Department of Justice Bulletproof Vest Partnership (BVP)
~~14. Update Corporate Information for the Golf Club at Cypress Head, Inc.~~
15. Application for FEMA AFG Grant for Purchase of P25 Compliant Radios and diesel particulate removal systems.

Motion to approve the Consent Agenda as amended was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

REGULAR AGENDA

16. Resolution No. 16-76 - FY16 Budget Execution Review

Mayor Green read Resolution No. 16-76.

RESOLUTION NO. 16-76

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROPRIATING OPERATING AND CAPITAL FUNDS FOR VARIOUS CITY OPERATIONS; SETTING FORTH REVENUES AND EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-76 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Tracey Riehm, Finance Director, provided details relating to the resolution. She discussed the amounts being moved and the reason behind each.

Motion carried unanimously by roll call vote.

17. Resolution No. 16-77 - FY17 Budget Encumbrance and Project Carryover Appropriation

Mayor Green read Resolution No. 16-77.

RESOLUTION NO. 16-77

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROPRIATING ADDITIONAL PROJECT CARRY OVER FUNDS FROM FISCAL YEAR 2016 TO FISCAL YEAR 2017 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-77 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Ms. Riehm discussed the details of the carry over funds for projects.

Motion carried unanimously by roll call vote.

18. Resolution No. 16-78 - FY17 Budget Appropriation - Budget Additional Carryover

Mayor Green read Resolution No. 16-78.

RESOLUTION NO. 16-78

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, APPROPRIATING ADDITIONAL PROJECT CARRY OVER FUNDS FROM FISCAL YEAR 2016 TO FISCAL YEAR 2017 BUDGET; SETTING FORTH REVENUES AND EXPENDITURES; AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-78 was made by Vice Mayor Bastian, and Seconded by Councilman Burnette.

Ms. Riehm explained the unusual item of a vehicle transfer, which wouldn't normally be included but it was out of production by the time our order was placed.

Motion carried unanimously by roll call vote.

19. Port Orange Stallions Agreement

Motion to approve the agreement as presented was made by Vice Mayor Bastian, and Seconded by Councilman Burnette. Motion carried unanimously by roll call vote.

20. Performance Measurement Annual Report for FY 2016

Alan Rosen, Assistant City Manager, provided an update of the annual performance measurement report for FY 2016.

COMMENTS

21. City Attorney Comments

Matthew Jones, Deputy City Attorney/Police Advisor, on behalf of the City Attorney's Office, thanked Mayor Green for his service.

22. City Manager Comments
    a. Town of Ponce Inlet Water Impact Fee Discussion

Mr. Johansson discussed the impact fee charged to the Ponce Inlet resident who owns 119 Beach Street. The fee appears to have been charged but shouldn't have been and the resident is requesting a refund. Mr. Johansson feels that, absent proof otherwise, the assumption is the impact fees were paid by the previous resident of the home that was previously demolished and that the current homeowner should not have paid the new impact fees. Council agreed with the request as presented.

b. <u>Resolution No. 16-75</u> - Ratifying FEMA Request Letter and Indemnification

Mr. Jones read Resolution No. 16-75.

<u>RESOLUTION NO. 16-75</u>

A RESOLUTION OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RATIFYING THE CITY'S REQUEST LETTER TO FEMA RELATING TO REMOVAL OF STORM DEBRIS GENERATED BY HURRICANE MATTHEW LOCATED ON PRIVATE RIGHT OF WAYS, AND PROVIDING FOR INDEMNIFICATION AS REQUIRED BY FEMA REGULATIONS TO AUTHORIZE AND FUND DEBRIS REMOVAL ON SUCH ROADS, AND PROVIDING AN EFFECTIVE DATE.

Motion to approve Resolution No. 16-75 was made by Vice Mayor Bastian, and Seconded by Councilman Ford. Motion carried unanimously by roll call vote.

<u>COUNCIL COMMITTEE REPORTS</u>

23. City Council Committee Reports
    a. Arthaus – Councilman Burnette reported on the recent and upcoming events.
    b. Port Orange/South Daytona Chamber of Commerce - Councilman Burnette reported on the recent and upcoming events.
    c. Roundtable of Elected Officials – Mayor Green was unable to attend.

<u>ADJOURNMENT:</u> 8:04 p.m.

Mayor Allen Green

Attest:

Robin Fenwick, CMC
City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME GREEN, ALLEN	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PORT ORANGE CITY COUNCIL
MAILING ADDRESS P.O. DRAWER 290126	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☑ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY PORT ORANGE — COUNTY VOLUSIA	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED NOVEMBER 15, 2016	MY POSITION IS: ☑ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * * * * * * * * * * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * * * * * * * * * * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, ALLEN GREEN, hereby disclose that on NOVEMBER 15, 20 16 :

(a) A measure came or will come before my agency which (check one or more)

___ inured to my special private gain or loss;

___ inured to the special gain or loss of my business associate, ________ ;

X inured to the special gain or loss of my relative, LANCE GREEN ;

___ inured to the special gain or loss of ________, by whom I am retained; or

___ inured to the special gain or loss of ________, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Second Reading - Ordinance No. 2016-20 – Pinnacle PUD Small-Scale Comprehensive Plan Amendment; Case No. 16-20000001
AND
Second Reading - Ordinance No. 2016-21 – First Amendment to the Pinnacle Master Development Agreement and Conceptual Development Plan; Case No. 16-40000004

My son, Lance Green, works for the builder, Paytas Homes, of the above referenced project.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

11-18-16
Date Filed

Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED $10,000.

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/06/2016

Consent item: Yes

SUBJECT: Council Meeting Schedule for 2017

DEPARTMENT: City Clerk

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to approve the proposed 2017 meeting schedule as presented.

SUMMARY: The Port Orange City Council has agreed to meet twice (2x) per month beginning in January 2015, the first and third Tuesdays, except for November and December when Council will meet the first and second Tuesdays.

The proposed schedule for 2017 Regular City Council meetings is as follows:

January 10, 17	July 18
February 7, 21	August 1, 15
March 7, 21	September 5, 19
April 4, 18	October 3, 17
May 2, 16	November 7, 14
June 6, 20	December 5, 12

In addition, Council has designated the fourth Tuesday of each month for Council workshops.

This schedule does not contemplate the budget workshops that typically occur over the summer months. Those workshops will be scheduled as needed and approved by Council.

Project No.:	Funding Account No.:

ATTACHMENTS:

Robin Fenwick	Created/Initiated - 10/21/2016
M. Jake Johansson	Final Approval - 12/01/2016

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/06/2016

Consent item: Yes

SUBJECT: Donation Report of FY16

DEPARTMENT: Parks & Recreation

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to accept the FY 16 Donation and exchange report.

SUMMARY: Resolution 11-5 requires the department o provide an annual report of the donation and exchanges conducting by the department during the previous fiscal year. For your review and acceptance is the FY 16 report. The department received donations or exchanges of service valuing $95,480.50.

Project No.: Funding Account No.:

ATTACHMENTS:

1.	Donation Report	2016report.pdf
2.	Donation Memo	fy16report.docx

Susan Lovallo	Created/Initiated - 11/15/2016
Susan Lovallo	Approved - 11/16/2016
Tracey Riehm	Approved - 11/21/2016
Margaret Roberts	Approved - 11/28/2016
M. Jake Johansson	Approved - 11/29/2016
Robin Fenwick	Final Approval - 11/30/2016

Exchange/Donation Log 2016

Donor	Amount	Type	Item
Edmonds Photo	$500.00	Donation	Sponsor Plaques
Woodcarvers Club	$2,000.00	Exchange	Wooden Community Library
Frito Lay	$250.00	Exchange	Assorted chips
Jumpin Beans Party Rentals	$299.00	Exchange	Bounce house and obstacle course
Travis Barnaba-Flowers Foods	$30.00	Exchange	Hot dog buns
Brandon Lester-Sweet Frog	$100.00	Exchange	Ice cream toppings
Edmonds Photo	$625.00	Donation	Sponsor Plaques
Hometown News	$697.50	Exchange	Full color ad
Edmonds Photo	$250.00	Donation	Vollyball Sponsor Plaques
Edmonds Photo	$460.00	Donation	Spring Baseball Sponsor Plaques
Port Orange Soccer club	$3,504.00	Exchange	Two Soccer goals at Airport Road
Edmonds Photo	$500.00	Donation	Basketball Sponsor Plaques
Edmonds Photo	$480.00	Donation	Soccer Sponsor Plaques
Edmonds Photo	$640.00	Donation	Fall Baseball/Softball Sponsor Plaques
Edmonds Photo	$625.00	Donation	Sponsor Plaques
Gerard Ruffino	$100.00	Donation	Baseball Equipment
*Port Orange Pop Warner Football & Cheer Assoc.	$50,000.00	Exchange	Co-sponsor/usage of Coraci Field
*Port Orange Baseball Club	$5,000.00	Exchange	Co-sponsor/usage of L. Gale Lemerand Field
Mayor's Tournament	$8,920.00	Donation	Golf Sponsors
Banner sponsors/renewal	$16,500.00	Exchange	Sponsor Banners and Jerseys
Daytona Beach Sports Academy	$4,000.00	Exchange	Co-Sponsor/use of gym for volleyball
TOTAL	$95,480.50		

*Multi year agreement did not receive donation exchange until FY16

Memorandum

To: Michael Johansson, City Manger

From: Susan L. Lovallo, Parks & Recreation Director

Subj.: FY16 Donation Report

Date: November 11, 2016

The Parks and Recreation Department received $95,480.50 in donated or exchanged items. Attached is a complete list of donations/exchanges. One of the highlights during the FY16 year was the Pop Warner grant for the grandstands totaling $50,000. We continue to have great community partners Edmonds photos and our Competitive sports programs which donate cash and materials to the department each year. The banner program for the fields continues to be a great program totaling $16,500.00.

Please let me know if you have questions. Thank you.

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE 12/06/2016

Consent item: Yes

SUBJECT: Memorandum of Understanding (MOU) with the Police Benevolent Association Lieutenants (PBA-LTs)

DEPARTMENT: Administrative Services

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to ratify the Memorandum of Understanding between the City of Port Orange and the Coastal Florida Police Benevolent Association Lieutenants pertaining to Article 17 and the payment of additional compensation during a declared emergency in accordance with Policy 1-37

SUMMARY: The City of Port Orange and the Costal Florida Police Benevolent Association Lieutenants (PBA-LTs), PERC Certification # 5561 are currently in a contract from October 1, 2014 through September 30, 2017. Under Article 17, Hours of Work, the PBA LT's are provided additional compensation in the event of a state of emergency, martial law, or other form of declared emergency. The memorandum of understanding, as attached, permits additional compensation to be provided to the Lieutenants prior to reimbursement being received from a state, federal, or county government in the event that other salary exempt employees within the City are afforded those payment under General Administrative Policy 1-37, Overtime Payment During a Declared Emergency Operation. This MOU is an effort to achieve consistency among employees for compensation related to an emergency,

Project No.: Funding Account No.:

ATTACHMENTS:

1.	PBA Lt. MOU	SKM_C754e16111815590.pdf
2.	General Administrative Policy 1-37	General Administrative Policy 1-37.pdf

Jamie Miller	Created/Initiated - 11/17/2016
Jamie Miller	Approved - 11/17/2016
Thomas Grimaldi	Approved - 11/22/2016
Tracey Riehm	Approved - 11/22/2016
Margaret Roberts	Approved - 12/01/2016
M. Jake Johansson	Approved - 12/01/2016
Robin Fenwick	Final Approval - 12/01/2016

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
CITY OF PORT ORANGE
AND THE
COASTAL FLORIDA POLICE BENEVOLENT ASSOCIATION LIEUTENANTS (PBA-LTS)
PERC CERTIFICATION #5561

Separate and apart from contract negotiations, the PBA-LTS PERC Certification #5561 ("Union") and the City of Port Orange ("City") hereby agree to modify the following provision of the 2014-2017 collective bargaining agreement ("Agreement").

Prior to the negotiation of a successor Agreement, this Memorandum of Understanding (MOU) between the City and the Union shall serve to recognize dedication, and in an effort to be consistent, provide supplementary language related to additional compensation in the event of a declared emergency contained within Article 17, Hours of Work. Upon execution by both parties, this MOU shall amend Article 17 of the Agreement as delineated below. For purposes of this MOU, words with underlined (<u>underlined</u>) type shall constitute additions to the original text of the Agreement and words with strikethrough (~~strikethrough~~) type shall constitute deletions from the original text of the Agreement.

By executing this MOU, it is understood and agreed by both parties that the following language will be added to Article 17 of the Agreement, as follows:

17.3 In the event that a state of emergency, martial law, or other form of emergency status is declared by any state, federal, or local government authority, which necessitates any employee working more than their regularly scheduled hours, each employee shall, in addition to their regular pay, be paid compensation for each additional hour worked in excess of their regularly scheduled hours. The obligation of the employer to pay compensation under this paragraph is contingent upon the employer first being compensated by either the state government, federal government, or county government for the additional hours worked at the rate per hour reimbursed. If the employer is never compensated for the additional hours worked, then the employer has no obligation to pay the employees for the additional hours worked. To the extent that the employer is compensated by either the state government, federal government, or county government for the additional hours worked, the employer is obligated to pay for the additional hours worked. <u>If additional payments are afforded to all other salaried exempt City employees under General Administration Policy 1-37, Overtime Payment During a Declared Emergency Operation, prior to reimbursement being received from a state government, federal government, or county government, the employees covered under this Collective Bargaining Agreement will be compensated by the City in accordance with Administration Policy 1-37.</u>

This MOU shall become effective upon ratification by the Union members, approval by the City, and execution by both parties.

COASTAL FLORIDA POLICE BENEVOLENT ASSOCIATION, PERC CERTIFICATION #5561, PBA LTS, FLA:

______________________________ Date: 11/16/16

Lt. Eric Fisher, Unit Representative

CITY OF PORT ORANGE, FLORIDA

_______________________________ Date: 11-18-2016

Michael H. Johansson, City Manager

Attest:

____

Robin Fenwick, City Clerk

Overtime Payment During a Declared Emergency Operation

The purpose of this policy statement is to establish the procedures for overtime payment of employees during a declared emergency.

Statement of Policy

Applicability

This policy, once adopted by the Port Orange City Council, will establish an overtime payment policy for all City personnel, both exempt and non-exempt, during a declared emergency.

In General

Under the following conditions, personnel will be eligible for overtime payments during an emergency.

Non-Exempt Employees - The Federal Labor Standards Act and the adopted Federal Rules and Regulations establish the procedures for non-exempt employees working for the City of Port Orange. Personnel who are covered under the provisions of the Federal Labor Standards Act are entitled to overtime payments equal to 1.5 times their hourly rate of pay when they meet the overtime criteria established under FLSA or under agreements with the City's collective bargaining units.

Exempt Employees - The Federal Labor Standards Act establishes procedures to exempt certain classifications of employees from the overtime provisions. Under normal operations, these employees do not receive overtime compensation. Elected officials, the City Manager, and the City Attorney are not eligible for overtime compensation during a declared State of Emergency. The City Council may provide additional compensation to the City Manager and City Attorney for work performed during a declared State of Emergency.

The purpose of this section is to provide the conditions for which overtime will be paid to exempt employees. If all the following conditions are met, then exempt personnel will be eligible for overtime compensation:

1. The President of the United States or the Governor of the State of Florida has declared a State of Emergency that includes Volusia County.

2. The Mayor of the City of Port Orange has signed a declaration declaring a State of Emergency exists in the City of Port Orange.
3. The City has suspended normal City operations and is operating under General Administrative Policy 1-14.
4. The City has activated its Emergency Operations Center and the Emergency Management Director (or designee) has signed an administrative directive implementing the City's Emergency Management Plan.

For the first 72 hours of a declared emergency, for all hours worked over 40 hours, exempted employees will be eligible to receive compensation computed at 1.5 times their regular hourly rate of pay. After the first 72 hours, all hours over 40 for which the employee is assigned to the Emergency Management Operations will be computed at straight time.

Since exempted employees are salaried and do not have an hourly rate of pay, the weekly or bi-weekly amount must be converted to an hourly rate for purposes of computing overtime compensation. To determine an hourly rate of pay, those who are paid on a weekly basis will have their hours divided by 40 hours to determine an hourly rate of pay. For those who are paid on a bi-weekly pay cycle, the bi-weekly amount will be divided by 80 hours to determine an hourly rate of pay. After the first 72 hours, exempted employees will be eligible for overtime compensation at the computed regular hourly rate of pay. Overtime is defined as the period of time an employee works above the normal scheduled work period during a declared emergency. For purposes of this policy, overtime compensation will be computed based upon 40 hours as a normal work period.

In order to qualify for overtime, an exempt employee must be assigned to Emergency Management duties.

Duration of Overtime Compensation

After the first 72 hours, the City Manager must authorize specific overtime for all exempted employees.

It is acknowledged that Departments and functions will have different durations for overtime compensation payments. The City Manager will determine each week and report to the City Council which Departments are still working overtime and which exempt employees will be compensated for hours worked beyond a normal work period. It is acknowledged that payments to exempt employees may continue through the response and recovery period.

The City Manager will submit a report to the City Council on a weekly basis with an estimated time frame for return to normal city operations for each operating Department. Normal City operations means when a City Department returns to their normal operating times and schedules. At the time a Department returns to normal work and operating schedules, overtime for exempt employees will cease.

What Constitutes Work?

For purposes of this policy, work is defined as actually being scheduled to work in Emergency Management duties. It does not include rest periods or time off. Individuals who are not scheduled to work are not allowed to be in a work area or perform job functions.

The City of Port Orange provides shelter space for employees during a disaster. It is clearly understood that personnel who are availing themselves of a City provided shelter will not be compensated for the time spent in the shelter and not working. Those assigned to staff City operated shelters will be compensated only for the time they are scheduled to work at the shelter. If an employee is required to work during a rest period, then the employee is eligible for compensation for all hours worked.

Employees are expected to report at the beginning of their shifts during an emergency. Failure to report at the beginning of each shift will constitute being absent without authorization and is subject to disciplinary action as provided for in the City's Rules and Regulations.

Kenneth W. Parker

Kenneth W. Parker, City Manager

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Acceptance of the FY 2017 CDBG grant funding

DEPARTMENT: City Manager

GOAL: 4 - Fiscal Sustainability

OBJECTIVE: Objective - N/A

RECOMMENDED MOTION: Move to approve acceptance of the FY 2017 CDBG Funding.

SUMMARY: Each year the city develops and the Federal Government approves a Community Development Block Grant (CDBG) Action Plan to utilize CDBG funding to improve our community's low- and moderate-income areas. The City Council approved the CDBG 5-Year Consolidated plan on August 2, 2016. Based on a formula, the city's funding allocation for FY 2017 is $268,806. Attached is the approval information provided by Housing and Urban Development (HUD). Included in the approved plan for this year as approved by both Council and the Federal Government are:

- $165,045 for Virginia and Monroe Drainage Improvements
- $53,761 for Planning and Administration
- $50,000 for Audible Pedestrian Crossing Signals at the Intersection of Spruce Creek and Nova Roads

The CDBG grant funding includes special conditions (Attached), which are similar to the prior year's special conditions and do not preclude the City from using the funds for the intended purposes included in our FY 2017 plan.

Project No.: Funding Account No.:

ATTACHMENTS:

1.	2017 CDBG Approval Letter	FY 2017 Grant Approval Letter.pdf
2.	2017 CDBG Approval Agreement	FY 2017 Funding Approval Agreement.pdf
3.	2017 CDBG Special Conditions	FY 2017 CDBG Special Conditions.pdf

Alan Rosen — Created/Initiated - 11/16/2016
Tracey Riehm — Approved - 11/21/2016

M. Jake Johansson	Approved - 11/21/2016
Robin Fenwick	Final Approval - 11/23/2016

U. S. Department of Housing and Urban Development
Jacksonville Field Office
Charles Bennett Federal Building
400 West Bay Street
Suite 1015
Jacksonville, Florida 32202-4410

September 23, 2016

Honorable Allen Green
Mayor
City of Port Orange
1000 City Center Circle
Port Orange, Florida 32129

SUBJECT: Fiscal Year 2016 Action Plan and Grant Approvals
Port Orange, Florida

Dear Mayor Green:

The Fiscal Year 2016 Action Plan submitted by the City of Port Orange has been reviewed by HUD and approved. Based on this approval, I am pleased to transmit to you the Fiscal Year 2016 grant agreement for the following program contained in your Plan:

Community Development Block Grant (CDBG) - $268,806

The program year for the above grants is October 1, 2016 through September 30, 2017. Enclosed are the grant agreements, to be **signed and dated** by the City of Port Orange, for the program contained in your Action Plan. After signing, please **return one original** grant agreement to this Office and **retain the second** for your records.

Please note the indirect cost rate requirements for this program year have changed. If Funding Assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E - Cost Principles, you must attach a schedule in the format set forth on the grant agreement or attached special conditions. The schedule shall identify each department/agency that will carry out activities with the Funding Assistance, the indirect cost rate applicable to each department/agency (including if the de minimis rate is charged per 2 CFR §200.414), and the direct cost base to which the rate will be applied. Do not include indirect cost rates for subrecipients. If a rate is not provided on the schedule, indirect costs may not be charged to the program.

The CDBG program continues to improve neighborhoods, provide decent housing, and create new economic opportunities, with special focus on serving low-and moderate-income persons. The program's success is the result of strong partnerships among elected officials at all levels of government, neighborhood based nonprofit organizations, private sector, and HUD. We thank you for your continued service and cooperation to ensure that the CDBG program thrives far into the future.

As a part of the mandate from Congress to administer the CDBG program, HUD determines annually whether each CDBG Entitlement Community is carrying out its activities "in a timely manner". We are pleased to announce that your community met this standard. This is a significant accomplishment and we thank you for all of your hard work and dedication.

We congratulate you and the staff on the preparation of your Action Plan and look forward to working with you over the coming year to accomplish the goals set forth for your community and to further refine and improve your Consolidated Plan. If you have any questions or require further information or assistance, please contact, Larry Lopez, Senior Community Planning and Development Specialist at (904) 208-6008 or by email at Larry.M.Lopez@hud.gov.

Very sincerely yours,

For Gary A. Causey, Director,
Community Planning and Development Division, 4HD

Enclosure: Grant Agreements

Funding Approval/Agreement
Title I of the Housing and Community Development Act (Public Law 930383)
HI-00515R of 20515R

U.S. Department of Housing and Urban Development
Office of Community Planning and Development
Community Development Block Grant Program

OMB Approval No. 2506-0193 (exp 5/31/2018)

1. Name of Grantee (as shown in item 5 of Standard Form 424) Port Orange	3a. Grantee's 9-digit Tax ID Number 596000412	3b. Grantee's 9-digit DUNS Number 080827082
2. Grantee's Complete Address (as shown in item 5 of Standard Form 424) 1000 City Center Cir Port Orange, FL 32129-4144	4. Date use of funds may begin (mm/dd/yyyy) 10/01/2016	
	5a. Project/Grant No. 1 B-16-MC-12-0053	6a. Amount Approved $268,806.00
	5b. Project/Grant No. 2	6b. Amount Approved

Grant Agreement: This Grant Agreement between the Department of Housing and Urban Development (HUD) and the above named Grantee is made pursuant to the authority of Title I of the Housing and Community Development Act of 1974, as amended, (42 USC 5301 et seq.). The Grantee's submissions for Title I assistance, the HUD regulations at 24 CFR Part 570 (as now in effect and as may be amended from time to time), and this Funding Approval, including any special conditions, constitute part of the Agreement. Subject to the provisions of this Grant Agreement, HUD will make the funding assistance specified here available to the Grantee upon execution of the Agreement by the parties. The funding assistance specified in the Funding Approval may be used to pay costs incurred after the date specified in item 4 above provided the activities to which such costs are related are carried out in compliance with all applicable requirements. Pre-agreement costs may not be paid with funding assistance specified here unless they are authorized in HUD regulations or approved by waiver and listed in the special conditions to the Funding Approval. The Grantee agrees to assume all of the responsibilities for environmental review, decision making, and actions, as specified and required in regulations issued by the Secretary pursuant to Section 104(g) of Title I and published in 24 CFR Part 58. The Grantee further acknowledges its responsibility for adherence to the Agreement by sub-recipient entities to which it makes funding assistance hereunder available.

U.S. Department of Housing and Urban Development (By Name) FOR Gary Causey		Grantee Name Port Orange	
Title HUD Community Planning and Development Director		Title Grantee	
Signature	Date (mm/dd/yyyy) 11/03/2016	Signature	Date (mm/dd/yyyy)

7. Category of Title I Assistance for this Funding Action (check only one)
- ☒ a. Entitlement, Sec 106(b)
- ☐ b. State-Administered, Sec 106(d)(1)
- ☐ c. HUD-Administered Small Cities, Sec 106(d)(2)(B)
- ☐ d. Indian CDBG Programs, Sec 106(a)(1)
- ☐ e. Surplus Urban Renewal Funds, Sec 112(b)
- ☐ f. Special Purpose Grants, Sec 107
- ☐ g. Loan Guarantee, Sec 108

8. Special Conditions (check one)
- ☐ None
- ☒ Attached

9a. Date HUD Received Submission (mm/dd/yyyy) 10/17/2016
9b. Date Grantee Notified (mm/dd/yyyy) 10/18/2016
9c. Date of Start of Program Year (mm/dd/yyyy) 10/01/2016

10. check one
- ☒ a. Orig. Funding Approval
- ☐ b. Amendment
Amendment Number

11. Amount of Community Development Block Grant	FY (2016)	FY ()	FY ( )
a. Funds Reserved for this Grantee	$268,806.00		
b. Funds now being Approved	$268,806.00		
c. Reservation to be Cancelled (11a minus 11b)			

12a. Amount of Loan Guarantee Commitment now being Approved
N/A

Loan Guarantee Acceptance Provisions for Designated Agencies:
The public agency hereby accepts the Grant Agreement executed by the Department of Housing and Urban Development on the above date with respect to the above grant number(s) as Grantee designated to receive loan guarantee assistance, and agrees to comply with the terms and conditions of the Agreement, applicable regulations, and other requirements of HUD now or hereafter in effect, pertaining to the assistance provided it.

12b. Name and complete Address of Public Agency
Port Orange
1000 City Center Cir
Port Orange, FL 32129-4144

12c. Name of Authorized Official for Designated Public Agency

Title

Signature

HUD Accounting use Only

Batch	TAC	Program	Y	A	Reg	Area	Document No.	Project Number	Category	Amount	Effective Date (mm/dd/yyyy)	F
	153											
	176											

	Y	Project Number	Amount
	Y	Project Number	Amount

Date Entered PAS (mm/dd/yyyy)	Date Entered LOCCS (mm/dd/yyyy)	Batch Number	Transaction Code	Entered By	Verified By

8. CDBG Special Conditions.

(a) The period of performance for the funding assistance specified in the Funding Approval (“Funding Assistance”) shall begin on the date specified in item 4 and shall end on September 1, 2023. The Grantee shall not incur any obligations to be paid with such assistance after September 1, 2023.

(b) If Funding Assistance will be used for payment of indirect costs pursuant to 2 CFR 200, Subpart E - Cost Principles, attach a schedule in the format set forth below to the executed Grant Agreement that is returned to HUD. The schedule shall identify each department/agency that will carry out activities with the Funding Assistance, the indirect cost rate applicable to each department/agency (including if the de minimis rate is charged per 2 CFR §200.414), and the direct cost base to which the rate will be applied. Do not include indirect cost rates for subrecipients.

Administering Department/Agency	Indirect cost rate	Direct Cost Base*
__________________	______%	__________
__________________	______%	__________
__________________	______%	__________

*Specify the type of cost base utilized - e.g., Modified Total Direct Costs (MTDC). Do not include amounts.

(c) In addition to the conditions contained on form HUD 7082, the grantee shall comply with requirements established by the Office of Management and Budget (OMB) concerning the Dun and Bradstreet Data Universal Numbering System (DUNS), the System for Award Management (SAM.gov), and the Federal Funding Accountability and Transparency Act as provided in 2 CFR part 25, Universal Identifier and System for Award Management, and 2 CFR part 170, Reporting Subaward and Executive Compensation Information.

(d) The grantee shall ensure that no CDBG funds are used to support any Federal, State, or local projects that seek to use the power of eminent domain, unless eminent domain is employed only for a public use. For the purposes of this requirement, public use shall not be construed to include economic development that primarily benefits private entities. Any use of funds for mass transit, railroad, airport, seaport or highway projects as well as utility projects which benefit or serve the general public (including energy-related, communication-related, water- related and wastewater-related infrastructure), other structures designated for use by the general public or which have other common-carrier or public-utility functions that serve the general public and are subject to regulation and oversight by the government, and projects for the removal of an immediate threat to public health and safety or brownsfield as defined in the Small Business Liability Relief and Brownsfield Revitalization Act (Public Law 107–118) shall be considered a public use for purposes of eminent domain.

(e) The Grantee or unit of general local government that that indirectly receives CDBG funds may not sell, trade, or otherwise transfer all or any such portion of such funds to another such entity in exchange for any other funds, credits or non-Federal considerations, but must use such funds for activities eligible under title I of the Act.

(f) E.O. 12372-Special Contract Condition - Notwithstanding any other provision of this agreement, no funds provided under this agreement may be obligated or expended for the planning or construction of water or sewer facilities until receipt of written notification from HUD of the release of funds on completion of the review procedures required under Executive Order (E.O.) 12372, Intergovernmental Review of Federal Programs, and HUD's implementing regulations at 24 CFR Part 52. The recipient shall also complete the review procedures required under E.O. 12372 and 24 CFR Part 52 and receive written notification from HUD of the release of funds before obligating or expending any funds provided under this agreement for any new or revised activity for the planning or construction of water or sewer facilities not previously reviewed under E.O. 12372 and implementing regulations.

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Resolution No. 16-79 - Ratifying Election Results for the General Election held November 8, 2016

DEPARTMENT: City Clerk

GOAL:

OBJECTIVE:

RECOMMENDED MOTION: Move to adopt Resolution No. 16-79.

SUMMARY: The attached Resolution ratifies the election results for City of Port Orange Mayor for the 2016 General Election held November 8, 2016 for the City of Port Orange.

Project No.: Funding Account No.:

ATTACHMENTS:

1.	Reso. No. 16-79	Reso. No. 16-79.pdf
2.	Election Results	11-8-16 GE Non Partisan Official Results.pdf

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Robin Fenwick	Created/Initiated - 11/28/2016
Alan Rosen	Approved - 11/29/2016
Margaret Roberts	Approved - 12/01/2016
M. Jake Johansson	Approved - 12/01/2016
Robin Fenwick	Final Approval - 12/01/2016

RESOLUTION NO. 16-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, RATIFYING THE RESULTS OF THE GENERAL ELECTION FOR CITY COUNCIL MAYOR HELD ON NOVEMBER 8, 2016; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, a general election for City Council Mayor was held in the City of Port Orange, Volusia County, Florida, on November 8, 2016, pursuant to the provisions of the City Charter and Resolution No. 16-65 calling said election; and

WHEREAS, it appears that said election has been duly and properly held in accordance with the Charter of the City of Port Orange and applicable state law, and that the votes cast thereat have been returned, delivered and canvassed by the Volusia County Canvassing Board, which has certified the results thereof.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, FOUND, DECLARED AND HEREBY RATIFIED BY THE CITY COUNCIL OF THE CITY OF PORT ORANGE, VOLUSIA COUNTY, FLORIDA, at a public meeting of said City Council, duly held, at which the official results of the election have been duly accepted and ratified according to the Charter of the City of Port Orange, Florida and applicable state law:

Section 1. The legal votes cast for each candidate and totals are as follows:

CANDIDATE	VOTES
MAYOR	
Don Burnette	16,348
Ted Noftall	11,780
TOTAL	**28,128**

Section 2. Don Burnette is deemed the winner of Mayor pursuant to the votes cast as listed in Section 1 above.

Section 3. The election is found to have been in all respects conducted in accordance with law, and all steps in connection with and preceding such election has been duly, regularly and lawfully taken.

Section 4. This resolution shall be deemed effective immediately upon adoption.

MAYOR DONALD O. BURNETTE

ATTEST:

Robin L. Fenwick, CMC, City Clerk

Adopted on the day of December, 2016.

Reviewed and Approved:
Margaret T. Roberts, City Attorney

*** **Official** ***

CERTIFICATE OF COUNTY CANVASSING BOARD
VOLUSIA COUNTY

We, the undersigned, CHRISTOPHER KELLY, County Court Judge/Chair of Canvassing Board, PAT PATTERSON, Vice Chair of Volusia County, LISA LEWIS, Supervisor of Elections, constituting the Board of County Canvassers in and for said County, do hereby certify that we met on the Eighteenth day of November, 2016 A.D., and proceeded publicly to canvass the votes given for the several offices and persons herein specified at the **Nonpartisan** held on the Eighth day of November, 2016 A.D., as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

Retention of Justice Charles T. Canady of the Supreme Court

Yes	146,293 votes
No	69,564 votes

Retention of Justice Jorge Labarga of the Supreme Court

Yes	136,563 votes
No	78,045 votes

Retention of Justice Ricky L. Polston of the Supreme Court

Yes	143,966 votes
No	70,182 votes

Retention of Judge Jay Cohen of the Fifth District Court of Appeal

Yes	144,268 votes
No	68,254 votes

Retention of Judge James A Edwards of the Fifth District Court of Appeal

Yes	146,332 votes
No	64,299 votes

Retention of Judge Brian Lambert of the Fifth District Court of Appeal

Yes	145,053 votes
No	65,379 votes

Retention of Judge Vincent G. Torpy, Jr. of the Fifth District Court of Appeal

Yes	141,344 votes
No	68,078 votes

***** Official *****
CERTIFICATE OF COUNTY CANVASSING BOARD
VOLUSIA COUNTY

For County Court Judge, Group 3, the whole number of votes cast was 210,100 of which

Heather Caeners	received	102,425 votes
Shirley A Green	received	107,675 votes

For Property Appraiser , the whole number of votes cast was 211,851 of which

Larry Bartlett	received	119,388 votes
H. Alan Burton	received	92,463 votes

For County Council Chair , the whole number of votes cast was 209,700 of which

Jason P Davis	received	79,854 votes
Ed Kelley	received	129,846 votes

For County Council, District 2, the whole number of votes cast was 41,269 of which

Willie J. Kimmons	received	18,405 votes
Billie A. Wheeler	received	22,864 votes

For County Council, District 4, the whole number of votes cast was 45,951 of which

Heather Post	received	25,026 votes
Al Smith	received	20,925 votes

For Daytona Beach Zone 2, the whole number of votes cast was 3,818 of which

Aaron Delgado	received	2,129 votes
Mary Weegie Kuendig	received	1,689 votes

For Daytona Beach Zone 5, the whole number of votes cast was 4,359 of which

Dannette M. Henry	received	2,645 votes
Myke Tairu	received	1,714 votes

For Daytona Beach Shores Seat 2, the whole number of votes cast was 2,833 of which

Richard Bryan	received	1,509 votes
Jennie Celona	received	1,324 votes

***** Official *****
CERTIFICATE OF COUNTY CANVASSING BOARD
VOLUSIA COUNTY

For DeBary Seat 1, the whole number of votes cast was 9,697 of which

Stephen J. Bacon	received	5,575 votes
Phyllis Butlien	received	4,122 votes

For DeBary Seat 2, the whole number of votes cast was 9,958 of which

Erika Benfield	received	6,031 votes
Nick Koval	received	3,927 votes

For DeLand Seat 2, the whole number of votes cast was 11,980 of which

Jeff Hunter	received	6,872 votes
Kevin Reid	received	5,108 votes

For Deltona District 2, the whole number of votes cast was 6,282 of which

Anita Bradford	received	4,047 votes
Tom Stauffenberg	received	2,235 votes

For Deltona District 4, the whole number of votes cast was 5,959 of which

Chris M. Alcantara	received	3,339 votes
Nancy Schleicher	received	2,620 votes

For Edgewater District 2, the whole number of votes cast was 9,022 of which

Alexander Penalta	received	3,913 votes
Amy Vogt	received	5,109 votes

For Edgewater District 4, the whole number of votes cast was 9,379 of which

Bob Andrejkovics	received	4,571 votes
Gary T. Conroy	received	4,808 votes

For Lake Helen Zone 4, the whole number of votes cast was 1,406 of which

Jim Connell	received	748 votes
Daisy Raisler	received	658 votes

***** Official *****

CERTIFICATE OF COUNTY CANVASSING BOARD

VOLUSIA COUNTY

For New Smyrna Beach Zone 4, the whole number of votes cast was 12,918 of which

Charles (Randy) Hartman	received	6,915 votes
Kirk Jones	received	6,003 votes

For Oak Hill Seat 2, the whole number of votes cast was 1,055 of which

Bill Lindlau	received	630 votes
Kenneth Robinson	received	425 votes

For Oak Hill Seat 4, the whole number of votes cast was 1,099 of which

Jeffrey E. Bracy	received	665 votes
Lyn Seaward	received	434 votes

For Orange City Mayor, the whole number of votes cast was 4,615 of which

Gary A. Blair	received	2,597 votes
Michael G. Wright	received	2,018 votes

For Orange City Seat 2, the whole number of votes cast was 742 of which

Jeff H. Allebach	received	432 votes
Ronald Saylor	received	310 votes

For Ormond Beach Zone 1, the whole number of votes cast was 5,560 of which

Jonathan H. Kaplan	received	2,073 votes
Dwight Selby	received	3,487 votes

For Ormond Beach Zone 4, the whole number of votes cast was 4,810 of which

Harold Briley	received	2,292 votes
Rob Littleton	received	2,518 votes

For Port Orange Mayor, the whole number of votes cast was 28,128 of which

Don Burnette	received	16,348 votes
Ted Noftall	received	11,780 votes

***** Official *****

CERTIFICATE OF COUNTY CANVASSING BOARD
VOLUSIA COUNTY

For Volusia Soil and Water Conservation District, Group 2, the whole number of votes cast was 200,060 of which

Kellee Jo Ferrari	received	119,909 votes
Derrick Orberg	received	80,151 votes

For West Volusia Hospital Authority, Group A Seat 3, the whole number of votes cast was 81,397 of which

Judy Craig	received	49,879 votes
Dolores Guzman	received	31,518 votes

We Certify that pursuant to Section 102.112, Florida Statutes, the canvassing board has compared the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

COUNTY COURT JUDGE/CHAIR OF CANVASSING BOARD

Pat Patterson
VICE CHAIR OF VOLUSIA COUNTY

Lisa Lewis
SUPERVISOR OF ELECTIONS

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: Subordination of SHIP down Payment Assistance Second Mortgage

DEPARTMENT: City Attorney

GOAL: N/A

OBJECTIVE: N/A

RECOMMENDED MOTION: Move to approve the attached Subordination Agreement authorizing the Mayor and City Clerk to execute the Subordination Agreement for the City's SHIP second mortgage loan ($60,000.00) in favor of a new first mortgage not to exceed $69,000.00.

SUMMARY: The purpose of the subordination request is to reduce the monthly principal and interest payments on the home located at 5309 Cordgrass Bend Lane, Port Orange, FL. (Applicant: Milad H. Ibrahim and Marim Sawers).

On April 20, 2009, the owners executed a first mortgage in the amount of $78,299 and the City of Port Orange issued a second mortgage and note in the amount of $60,000.00 with Milad H. Ibrahim and Marim Sawers to assist in the purchase of a home located at 5309 Cordgrass Bend Lane.

The City of Port Orange's down payment assistance is a deferred loan and encumbers the homeowner's property as a second mortgage. Bank of America issued the first mortgage in April 2009.

On January 23, 2013 the original lender Bank of America recorded an assignment of mortgage to Nationstar Mortgage, LLC.

Milad H. Ibrahim and Marim Sawers has requested that the City subordinate its second mortgage in favor of a new first mortgage provided by TD Bank. This proposed new mortgage lowers the current interest rate on the first mortgage from 5.5% to 2.785%. This decrease in interest rate provides a monthly savings in the amount of the mortgage payment.

Project No.:	Funding Account No.:

ATTACHMENTS:

1.	Subordination Agreement	Subordination Agreement.pdf

Tracy London	Created/Initiated - 11/16/2016
Margaret Roberts	Approved - 12/01/2016
M. Jake Johansson	Approved - 12/01/2016
Robin Fenwick	Final Approval - 12/01/2016

This instrument Prepared by:
Margaret T. Roberts, City Attorney
City of Port Orange
1000 City Center Circle
Port Orange, FL 32129

SUBORDINATION OF MORTGAGE AGREEMENT

This subordination agreement is made this _____ day of ___________________, 2016, between **TD Bank, N.A.**, its successors and/or assigns ("Lender"), and the **City of Port Orange**, a chartered municipal corporation located at 1000 City Center Circle, Port Orange, Florida 32129 ("Mortgagee").

Mortgagee is present legal holder and owner of that certain second mortgage, dated April 14, 2009 in the amount of Sixty Thousand and 00/100 dollars ($60,000.00), executed by Milad H. Ibrahim and Marim Sawers, husband and wife ("Owner"), in favor of the Mortgagee, recorded on April 20, 2009, in Official Record Book 6344, Page 1641 of the Public Records of Volusia County, Florida, concerning the real property located in the County of Volusia, State of Florida described below:

Legal Description

> **Lot 52, COQUINA COVE - PHASE I, according to the plat thereof as recorded in Map Book 53, Pages 123 through 127, of the Public Records of Volusia County, Florida.**

Parcel ID: 6214-02-00-0520
Street Address: 5309 Cordgrass Bend Lane, Port Orange, Florida 32128

Owner desires to refinance that certain mortgage and note held by Bank of America N.A., dated April 14, 2009 and assigned to Nationstar Mortgage, LLC, as recorded on January 23, 2013 in Official Record Book 6089, Page 20, executed by Owner, in favor of Bank of America, recorded on April 20, 2009, in Official Record Book 6344, Page 1630 of the Public Records of Volusia County, Florida. Owner intends to refinance with TD Bank, N.A. to secure the principal payment in the amount of Sixty Nine Thousand and 00/100 dollars ($69,000.00), by a new mortgage and note in favor of Lender on or before December 31, 2016 with interest from the date thereof on unpaid principal at the rate of 2.875% per annum, payable in monthly installments and continuing for a period of thirty years.

Mortgagee recognizes that Lender will not close on its mortgage loan and disburse the proceeds thereof unless the existing second mortgage is subordinated in priority to the Lender mortgage.

This Subordination Agreement shall inure to the benefit of Lender, its successors and assigns, and shall be binding upon the undersigned and the undersigned's successors and assigns.

Lender, in consideration of Mortgagee's subordination of its interest, makes the following representations:

a. The interest rate of the loan is lower than the interest rate on the current loan on the subject property;
b. An overall savings to the Owner results, taking closing costs and principal and interest payments into consideration;
c. The Owner has the funds to pay for closing costs not included in the refinancing, such as those paid outside of closing or not permitted to be included in the refinance by the Mortgagee;
d. No cash out or check payable to the Owner was paid at closing;
e. The Owner refinanced only the payoff of the existing mortgage and applicable closing costs.

Mortgagee hereby consents that the lien of the second mortgage first above described be taken as second and inferior to the mortgage last above described, under the aforesaid representations and in reliance thereon.

[THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK.]

Witness Signature

Pamela Langelier

Pamela Langelier
Printed Name

Melissa Melanson
Printed Name

TD BANK, N.A.

By: Donna White

Its: Donna White, VP
Print Name and Title

STATE OF Maine
COUNTY OF Androscoggin

The foregoing instrument was acknowledged before me this 21st day of November, 2016 by Donna White, the VP of TD Bank Mortgage Operations, on behalf of said company. He/she is personally known to me or has produced Known to me (type of identification) as identification.

Lisa M. Palmer
Notary Public, State of Maine
Printed, typed or stamped name, commission and expiration:

LISA M PALMER
NOTARY PUBLIC-MAINE
My Commission Expires
08/17/2022

Witnesses: **CITY OF PORT ORANGE**

__________________________________ By:______________________________
Printed Name:__________________________ Donald O. Burnette, Mayor

__________________________________ Date:____________________________
Printed Name:__________________________

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of ___________, 2016, by Donald O. Burnette, as Mayor of the City of Port Orange, a Florida municipal corporation, on behalf of the city, and who is personally known to me.

____
Notary Public, State of Florida
Printed, typed or stamped name, commission and expiration:

Witnesses: **ATTEST:**

__________________________________ By:______________________________
Printed Name:__________________________ Robin L. Fenwick, CMC, City Clerk

__________________________________ Date:____________________________
Printed Name:__________________________

STATE OF FLORIDA
COUNTY OF VOLUSIA

The foregoing instrument was acknowledged before me this _____ day of ___________, 2016, by Robin L. Fenwick, as City Clerk of the City of Port Orange, a Florida municipal corporation, on behalf of the city, and who is personally known to me.

____
Notary Public, State of Florida
Printed, typed or stamped name, commission and expiration:

CITY COUNCIL AGENDA ITEM

REQUESTED COUNCIL MEETING DATE **12/06/2016**

Consent item: No

SUBJECT: City Manager Comments

DEPARTMENT: City Manager

GOAL:

OBJECTIVE:

RECOMMENDED MOTION:

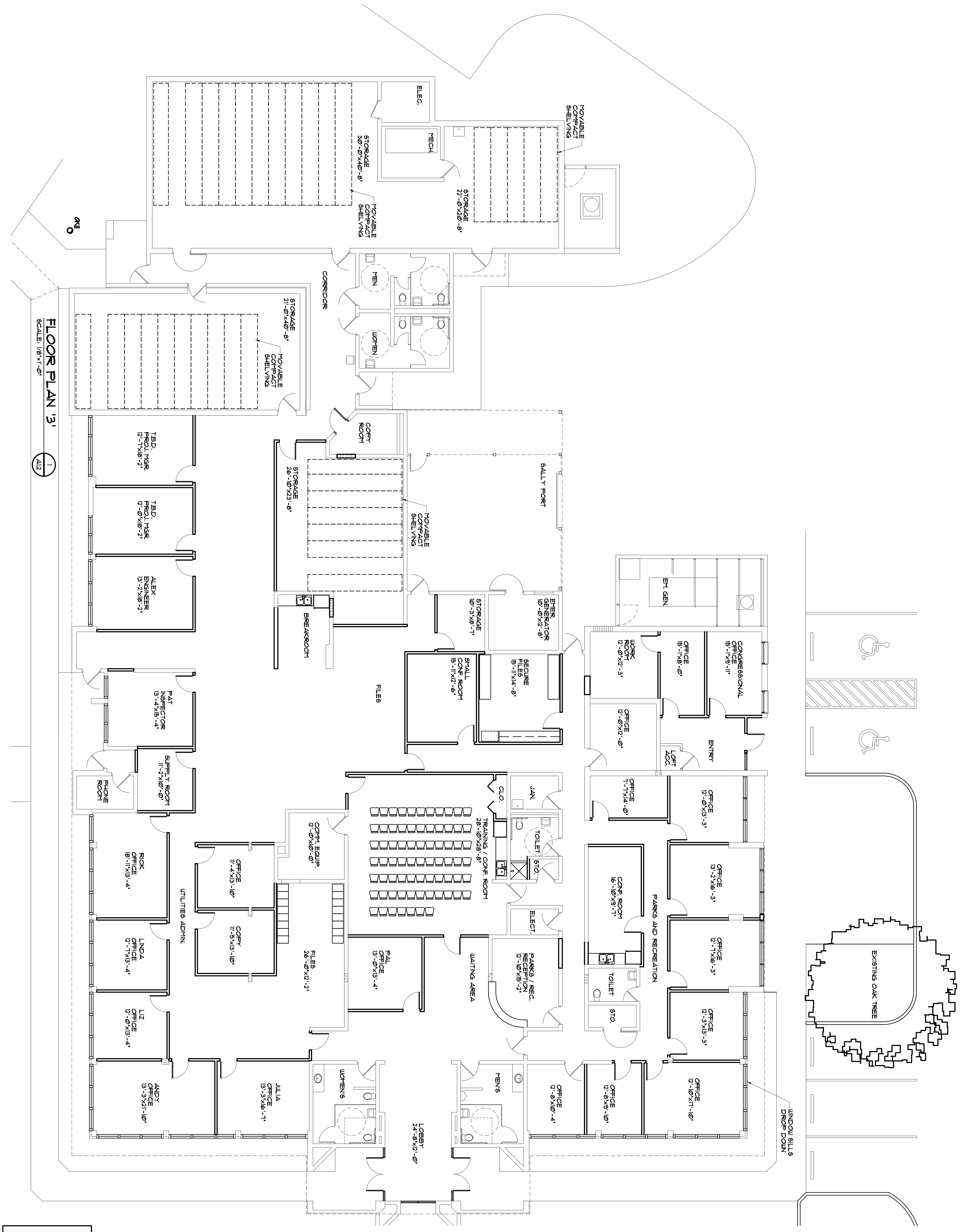
SUMMARY: The City Manager will update Council on the design and plan for the Old Police Department. The attachment is the current design plan that will provide working space for Public Utilities and Parks and Recreation Administration. The current design shown has an office for Rep. DeSantis staff but we worked with his staff and determined the current space as adequate.
The Old PD will also house our Public Records which are growing exponentially. This growth further emphasizes the need to continue the move toward paperless records. The Public Utilities move will allow Community Development and Finance to better utilize space in City Hall.

Project No.:	Funding Account No.:

ATTACHMENTS:

1.	Old PD Floor Plan	A1.2 NEW FLOOR PLAN-24 x 36.pdf
2.	Draft #1 - POCC Rules of Procedure	2017 POCC Rules of Procedure - Revised.pdf

Robin Fenwick — Created/Initiated - 11/21/2016
M. Jake Johansson — Approved - 12/01/2016
Robin Fenwick — Final Approval - 12/01/2016



DANA M. SMITH
ARCHITECT
AR0009483

SHEET
A1.2

PJT#: 02345
DATE: 10/20/2015
DRN BY: JMW
DGN BY: DMS
REV BY: DMS
SCALE: 1/8"=1'-0"

REMODELING OF PORT ORANGE PUBLIC SAFETY BUILDING

DUNLAWTON AVE.
PORT ORANGE FL. 32128

REV#	REVISIONS	DATE
1		
2		
3		
4		
5		
6		
7		
8		

913 NORTH NOVA RD.
HOLLY HILL, FL. 32117
AA 26000567
PHONE (386) 255-6987
FAX (386) 255-6988
DESIGN, INC.

CITY OF PORT ORANGE

CITY CLERK'S OFFICE
1000 CITY CENTER CIRCLE
PORT ORANGE, FLORIDA 32129
TELEPHONE (386) 506-5563
FAX (386) 756-5290

PORT ORANGE CITY COUNCIL RULES OF PROCEDURE

I. GENERAL PARLIAMENTARY RULES.

The general parliamentary procedure to be followed by the City Council of the City of Port Orange, Florida, except as otherwise modified by the City Council or as modified or amended herein, shall be in accordance with the most current edition of Robert's Rules of Order, Newly Revised.

II. PRESIDING OFFICER AND DUTIES.

A. The Mayor, if present, shall preside at all meetings of the Council. In the absence of the Mayor, the Vice Mayor shall preside.
B. The meetings of the Council shall be called to order, recessed and adjourned by the presiding officer.
C. The presiding officer shall preserve order and enforce the rules of decorum and conduct set forth herein.
D. The presiding officer shall determine all points of order, subject to the right of any Councilmember to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the presiding officer be sustained?" A majority of the Council sitting and eligible to vote is required to reverse the ruling of the presiding officer.
E. The presiding officer may call another Councilmember to temporarily chair the meeting in order to make a motion, or to cover a temporary absence, such substitution is not to continue beyond adjournment.

III. LOCAL RULES.

A. The following Local Rules of Procedure shall be applicable to the organization and conduct of business, as well as preparation and publication of agendas, of the City Council of the City of Port Orange, Florida. To the extent these Local Rules shall modify or conflict with the standard "Robert's Rules of Order" as adopted above, these Local Rules shall prevail to the extent of their conflict or inconsistency with "Robert's Rules of Order". The approval of these Rules shall take place at the first meeting held in January of each year, or as soon as possible thereafter.

   1. Regular meetings of the City Council shall be held on the first and third Tuesdays of each month, with the exception of the months of July, November, and December and any Port Orange municipal election dates, at 6:30 p.m., in City Hall. During the

months of November and December only, the regular City Council meetings shall occur on the first and second Tuesdays at 6:30 p.m. at City Hall. These meeting dates and times are subject to change as determined necessary by the City Council or to comply with the City's Charter. There shall be no regular City Council meeting on the date of a Port Orange municipal election. A meeting that would otherwise have been scheduled for such date shall be held on the Wednesday immediately following the election at 6:30 p.m. at City Hall. Members of the City Council duly elected at regular elections shall assume office on the first Tuesday in December at 7:00 p.m. in accordance with Section 3.06(a) of the City Charter. The July meeting schedule may be amended at the direction of the Port Orange City Council in consideration of the Fourth of July Holiday.

2. Workshop meetings of the City Council shall be held on the fourth Tuesday of each month at 6:30 p.m., as needed. Workshops shall be avoided in the months of November and December, if possible. Workshops may also be scheduled at other times as determined necessary by the City Council.

3. All regular City Council meetings shall be held in the City Council Chambers at City Hall, unless otherwise designated by the City Council. All workshop City Council meetings will typically be held in the Second Floor Conference Room, Lakeside Activity Center, the Adult Activity Center, or the Council Chambers at City Hall, as determined by the City Manager. All meetings of the City Council shall end by 11:00 p.m. unless extended beyond 11:00 p.m. by a motion of the City Council pursuant to Section 3.06(b) of the City's Charter. Thereafter, the meeting shall end upon the conclusion of each hour (12:00, 1:00, etc.), unless extended by a motion of the City Council pursuant to Section 3.06(b) of the City's Charter for each hour. Any unfinished business shall be considered at a time and place set by the City Council.

4. There may also be special meetings or workshop meetings at such other times as so designated in advance by the City Council for the purposes of holding joint meetings with City boards, commissions, etc., to include receiving annual reports and presentations from the City's boards, committees, agencies and authorities, or for such other purposes as may be deemed necessary or desirable by the City Council.

5. Special meetings shall be called at the request of the Mayor or any two Councilmembers in accordance with the provisions of the City Charter and the Code of Ordinances.

6. Ex Parte Communication and Quasi-judicial Proceedings shall be governed by City Council Resolution No. 00-65. At a minimum, all parties to a Quasi-judicial Proceeding shall be entitled to the following:

   a. An opportunity to call and examine witnesses, who shall be sworn;

   b. An opportunity to introduce evidence;

   c. An opportunity to cross examine witnesses; and

   d. An opportunity to rebut evidence.

7. To the extent compatible with the conduct of business, all workshop meetings shall be held on an informal basis. The applicability of the City's general rules shall not be

strictly applied. Presentations made at workshop meetings shall be limited to twenty (20) minutes, unless the Council, by consensus, agrees to extend the time.

8. The City Manager shall be responsible for organization and placement of items on the City Council Agenda; however, the Agenda and Agenda packets shall be prepared by the City Clerk. If the Council or any of its members wish to place an item on an agenda, any such request or inquiry shall be directed to the City Manager's office for disposition as opposed to any Councilmember contacting any City officer or employee who is subject to the direction and supervision of the City Manager.

9. With regard to the agenda for regular City Council meetings, the following shall apply:

    a. To the extent possible, the City Administration shall group all matters by subject area, and shall place as many as possible on the consent portion of the agenda. Those items of a controversial nature or those that need explanation will not be placed on the Consent Agenda.

    ~~b. The agenda format shall be generally as follows: A call to order, pledge of allegiance, invocation, roll call, reading of civility rules, agenda approval, public hearings, presentations, if any, public comment, City Council Comments, the consent agenda to include formal approval of minutes, the regular agenda, to include first readings of ordinances, comments from the City Manager and the City Attorney, and Council Committee reports. The agenda format is subject to change at the discretion of the City Manager or upon consensus of Council.~~

    b. The agenda format shall generally be as follows: Call to Order; Pledge of Allegiance; Invocation; Roll Call; Rules; Agenda Approval; Consent Agenda Approval (only items not pulled); Public Participation (Non-agenda); Special Awards, Reports, Recognition and Proclamations; Board Appointments, Interviews, and Reports; Public Participation (Agenda); Council Comments; Tabled Items; Public Hearings; Consent Agenda (to include formal approval of minutes); Regular Agenda, (to include first readings of ordinances); Comments from the City Attorney and the City Manager; and Council Committee reports. The agenda format is subject to change at the discretion of the City Manager or upon consensus of Council.

    c. Any items received during the ~~public comment~~ public participation (non-agenda) portion of the ~~regular~~ agenda may, at the discretion of the Council, be discussed by the City Council at the time of such presentation, may be directed by the Council to the City Manager for action or resolution, or may be added to a subsequent meeting or workshop agenda if a member of the City Council so specifically requests.

    d. Votes taken on ordinances and resolutions shall be by roll call and shall be recorded by the City Clerk. ~~The~~ All roll call votes shall be by District with District 1 voting first, District 2 voting second, etc. with the Vice Mayor always voting fourth and the Mayor voting last.

    e. Once a motion has been made, seconded, and voted upon, it is final, except that the Council may reconsider that matter at the same meeting at which the motion was voted upon or the immediate subsequent meeting. If reconsideration is requested for an immediate subsequent meeting, the Councilmember requesting reconsideration shall notify the City Clerk in advance of the meeting at which the reconsideration will take place and

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Formatted: List Paragraph, Left, Right: 0", No bullets or numbering, Tab stops: Not at 1.32" provide the reasons for requesting reconsideration in order to allow the City Clerk to include the request as part of the meeting agenda and properly notice the item to be reconsidered. The City Clerk may consult with the City Attorney's Office to determine sufficiency of notice to interested parties. In order to reconsider a final vote of the City Council, a motion to reconsider shall be made by a member of the Council that voted on the prevailing side. The City Council shall establish for the public record the reasons that a reconsideration of the final vote was warranted.

10. The City Council of the City of Port Orange is committed to maintaining civility in public and political discourse and ~~expects~~ encourages the public to do the same. In order to promote civil discourse and avoid a confrontational atmosphere, a~~A~~ll comments by members of the Council, advisory board members, and/or the public ~~shall~~ should:

    a. Respect the right of all citizens in our community to hold different opinions;

    b. Avoid rhetoric intended to humiliate or question the wisdom of those whose opinions are different from ours;

    c. Strive to understand differing perspectives;

    d. Be truthful, not accusatory and avoid distortion; and

    e. Avoid violence, prejudice and incivility -towards citizens, employees, and officials of the City of Port Orange.

11. Cell phone ringers shall be disabled while a meeting or workshop is in progress.

IV. **PUBLIC PARTICIPATION**.

A. The City of Port Orange recognizes the statutorily created right of the public to be heard on propositions in front of City Council as set forth in Section 286.0114, Florida Statutes, and is committed to democratic, participatory local government. The following rules, guidelines and procedures are intended to promote orderly conduct and defined methods for participation. The presiding officer shall have the authority to enforce these rules and may request the removal of any individual who has been warned of and persists with prohibited conduct.

1. General Rule

    a. Members of the public shall be given a reasonable opportunity to be heard on a proposition before City Council, subject to the rules, guidelines and procedures set forth herein. The opportunity to be heard need not occur at the same meeting at which City Council takes official action on the proposition if the opportunity occurs at a meeting that is during the decision-making process and is within reasonable proximity in time before the meeting at which City Council takes the official action.

    b. Public participation is not required under the following circumstances:
        i. An official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, and public participation would cause an unreasonable delay in the ability of the City Council to act;
        ii. An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
        iii. A meeting that is exempt from s. 286.011, Florida Statutes; or
        iv. A meeting during which the board or commission is acting in a quasi-judicial capacity, unless otherwise provided by law.

2. Meeting Decorum and Conduct

    a. Individuals may only make comments from the podium, or such other reasonable accommodation, after being recognized by the presiding officer.

b. Prior to commenting, individuals are required to clearly state their name and address for the record in order to preserve an accurate public record reflected in the meeting minutes for future reference.

c. All comments shall be directed to the presiding officer and shall not contain profane, aggressive or threatening language, or personal verbal attacks.

d. Repetitive, redundant, or immaterial presentations or requests may be limited, and shall not resume unless authorized by a majority vote of the City Council.

e. Comments shall be limited to the allotted times set forth herein, but additional comments may be submitted in writing in order to supplement and fully address any issue. The presiding officer shall have the discretion to provide additional time for a representative who can produce supporting documentation or evidence that he or she is authorized to speak on behalf of a group or faction comprised of five or more members of the public.

f. Individuals attending a City Council meeting may choose to either hold a sign or place a sign along the rear wall of Council Chambers. Signs shall not be placed or held in any manner which obstructs the view of other audience members or obstructs the access to or from Council Chambers. Signs shall not be waived or lighted in any manner that causes distraction to the Councilmembers or members of the audience during a City Council meeting or workshop. Signs shall not be affixed to the walls or other surfaces within Council Chambers.

3. Procedures and Guidelines for Public Participation
   a. Public Participation – Non-Agenda
      i. The City Council allocates 15 minutes at the beginning of each City Council Meeting for members of the public who wish to appear before the City Council to make a request, voice a complaint or concern, express an opinion, or give recognition.
      ii. Members of the public who wish to be heard shall complete a public participation form and provide the completed form to the City Clerk prior to the beginning of the meeting. Public participation forms shall be made available outside Council Chambers one hour prior to the meeting and in the City Clerk's Office during regular business hours. The City Clerk shall present all completed forms to the presiding officer prior to the beginning of the meeting.
      iii. The presiding officer shall divide the time allocated equally between all who have signed-up to speak. Each individual shall be afforded no more than three minutes to speak, unless such time is extended by a majority vote of city council.

   b. Public Participation – Agenda
      i. The City Council shall reserve a section of the agenda dedicated to hearing Public Participation items requiring more than three minutes to fully address.
      ii. Members of the public who wish to have their discussion item placed on the agenda shall file the request with the City Clerk at least two weeks in

advance of the Council Meeting at which the item is to be heard. The request shall include the nature of the discussion and any supporting information to be considered.

iii. The City Clerk shall forward a copy of the request and supporting information to the City Council and the appropriate City Department(s) so that research may be conducted and information may be provided by staff as part of the agenda item in order to assist City Council in making a decision.

~~iii.~~iv. Requests shall be forwarded to the appropriate City Advisory Board or Commission for recommendations to the City Council prior to placement on an agenda, when applicable.

~~iv.~~v. Public Participation Agenda Items shall be considered in the following format:

1. Presentation by requestor
2. Questions of the requestor by City Council
3. Presentation by City staff, if necessary
4. Questions of City staff by City Council
5. Public comments
6. Take action, if necessary

~~v.~~vi. The requestor and City staff shall be given the time necessary to fully address the agenda item. Members of the public who wish to participate after the presentation by voicing support, opposition or neutrality to the request shall be afforded no more than three minutes each to speak.

c. Public Hearings, ~~and~~ Regular Agenda, and Consent Agenda -Items

i. Members of the public shall be given an opportunity to be heard on public hearing items and regular agenda items once the applicant has completed his or her presentation, the City Staff has competed its presentation on the issue, and interested parties, if any have completed their presentation; and before a decision has been made by City Council.

ii. Members of the public who wish to be heard on a particular item may choose to complete a public participation form and turn-in the completed form to the City Clerk in advance of the meeting, or raise a hand and wait to be called-on when the presiding officer opens the floor to comments from the public.

iii. Members of the public who wish to be heard on a consent agenda item shall complete a public participation form and turn-in the completed form to the City Clerk in advance of the meeting. Upon request by a member of the public, an item on consent shall be removed from the consent agenda in order to provide an opportunity for the requestor and others to be heard prior to a decision by City Council.

d. Submission of Petitions

i. Petitions may be presented by Council during public participation at a meeting or by mailing or hand-delivering to the City Clerk.

ii. If the petition is presented at a meeting, the presenter shall present the petition to the presiding officer along with a brief overview of the reason for the petition. The presentation shall be limited to three minutes.

iii. If the petition is sent by mail or hand-delivered to the City Clerk, the petition shall provide the reason for the petition. Upon receipt of the petition, the City Clerk shall place the item on the agenda with a copy of the petition for the next available meeting for discussion.

V. OPENING INVOCATION

A. It shall be the policy of the City Council that the procedures stated in this rule concerning opening invocation shall govern all official meetings of the City Council and that the members of the City Council and City staff shall adhere to these rules. These policies and procedures are not intended, shall not be implemented, and shall not be construed in any way to affiliate the City Council or the City with, nor express a preference for or against any faith, belief, opinion, religion, or denomination. Rather, these policies and procedures are intended to acknowledge and express the City Council respect for the diversity of religious denominations and faiths represented and practiced among the citizens of the City.

1. After the Call to Order of all official meetings of the City Council an Opening Invocation as described herein shall occur. The opening invocation will occur and be completed during the opening, ceremonial portion of the City Council meeting and shall in no event occur, or be construed to occur, during the policymaking or legislative portions of the City Council meeting. If the selected speaker is absent or a selection cannot be made for any reason, the invocation will consist of a brief moment of silence.

2. The opening invocation will be performed by a local volunteer selected in accordance with these rules. The local volunteer selected for leading the opening invocation shall be selected from a wide pool of local clergy as specified below, and he/she shall in no event receive compensation from the City for his/her participation or services. To ensure that such person is selected from among a wide pool of local clergy, on a rotating basis, the invocation speaker shall be selected according to the following procedure:

   a. The City Clerk or his/her designee shall compile and maintain a database of the religious congregations with an established presence within the jurisdictional limits of the City of Port Orange and Volusia County.

   b. The Congregation List shall be compiled by referencing the listings for "churches," "congregations," or other similar religious assemblies located within the jurisdictional limits of the City and Volusia County in the annual Yellow Pages telephone book(s) published for the City and Volusia County, research from the Internet, and consultation with local chambers of commerce. All religious congregations with an established presence within the jurisdictional limits of the City and Volusia County are eligible to be, and shall be, included in the Congregation List. Any such congregation, entity, organization, or individual within the jurisdictional limits of the City and Volusia County not otherwise identified for participating may request inclusion on the Congregation List by written communication directed to the City Clerk that references the opening invocation. This policy is intended to be and shall be applied in a way that is all-inclusive of every diverse religious congregation within the jurisdictional limits of the City and Volusia County. The Congregation List is compiled and used for purposes of logistics, efficiency, and equal opportunity for all religious leaders within the jurisdictional limits of the City and Volusia County to choose whether to respond to the City Council's Invitation and participate. The City Clerk or his/her designee may not inquire into the faith, denomination, or other religious belief of the congregation before adding it to the Congregation List.

c. The Congregation List shall also include the name and contact information of any religious congregation located outside the City and Volusia County, if such religious congregation is attended by a resident or residents of the City or Volusia County, and such resident requests the inclusion of said religious congregation by specific written communication to the City Clerk.

d. The Congregation List shall also include the name and contact information of any chaplain who may serve one or more of the fire departments or law enforcement agencies of the City and Volusia County.

e. The Congregations List shall be updated, by reasonable efforts of the City Clerk or his/her designee, on or about the month of July of each calendar year.

3. Within thirty (30) days of the effective date of this policy, and on or about May 1 of each calendar year thereafter, the City Clerk or his/her designee shall mail an invitation addressed to the religious leader, chaplain, minister, rabbi or similar, or other contact person of each congregation listed on the Congregations List. The invitation will comport with substantially the following form:

Dear Sir or Madam:

The City of Port Orange City Council makes it a policy to invite members of the clergy and other religious leaders having an established presence within the jurisdictional limits of the City of Port Orange and Volusia County to voluntarily offer an invocation before the beginning of its meetings for the benefit and blessing of the City Council. As the leader of one of the religious congregations with an established presence within the jurisdictional limits of the City and Volusia County, you are invited to offer this important service at an upcoming meeting of the City Council.

If you are willing to assist the City Council in this regard, please send a written reply at your earliest convenience to the City Clerk at the address included on this letterhead. Invocation speakers are scheduled on a first-come, first-serve basis. The dates of the City Council's scheduled meetings for the upcoming year are enclosed. If you have a preference among the date, please state that request in your written reply.

This opportunity is voluntary, and you are free to offer the invocation according to the dictates of your own conscience. The invocation should be brief and succinct. To maintain a spirit of respect and ecumenism, the City Council respectfully requests that the invocation opportunity not be exploited as an effort to convert others to the particular faith of the invocation speaker, nor to disparage any faith or belief different than that of the invocation speaker or otherwise threaten damnation or denigrate nonbelievers.

On behalf of the City Council of the City of Port Orange, I thank you in advance for considering this invitation.

Regards,
City Clerk or his/her designee

4. As the invitation letter shall state, the respondents to the invitation shall be scheduled on a first-come, first serve basis to deliver a brief and succinct invocation. All reasonable efforts shall be made to ensure that a variety of invocation speakers are scheduled for City Council meetings. Notwithstanding the preceding, no invocation speaker shall be scheduled to offer an invocation at consecutive meetings of the City Council, or at more than three (3) City Council meetings in any calendar year.

5. No member of the City Council, City employee or staff shall engage in any prior inquiry, review, or involvement in, the content of any invocation to be offered by an invocation speaker.

6. No member of the City Council, City employee or staff, or any other person in attendance at the meeting shall be required to participate in any opening invocation that is offered. An opportunity to exit the City Council Chambers and return upon completion of the opening invocation is afforded to those who do not wish to participate or witness the opening invocation. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. Such invitation constitutes a general invitation that a person in attendance may stand if he/she wishes to do so for such observances.

7. The following statement shall be placed at the bottom of City Council meeting agendas:

> *Any invocation that is offered before the official start of the City Council meeting shall be the voluntary offering of a private person, to and for the benefit of the City Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious beliefs or views of this, or any other speaker. Persons in attendance at the City Council meeting are invited to stand during the opening invocation and Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered. A person may exit the City Council Chambers and return upon completion of the opening invocation if a person does not wish to participate in or witness the opening invocation.*

VI. CITY BOARD, COMMITTEE, COUNCIL AND AGENDA APPOINTMENTS.

A. All appointments to city boards, commissions, and committees whose members are not subject to appointment by other entities, and in accordance with any applicable restrictions by State Statute, shall be made in accordance with the following procedures:

1. All vacancies subject to appointment to such city boards, commissions, and committees shall be made on a nomination basis by each of the members of the City Council. This nomination shall be construed to be a Motion to Appoint. The Council shall follow the voting requirements pursuant to Section 3.06(c) of the City's Charter. When more than one nominee has been identified for a single vacancy, voting shall be conducted by written ballot which shall include the name of the Council Member and the name of the nominee. The written ballots shall be read aloud into the record.

2. Roster lists and volunteer applications for City boards, commissions, and committees shall be established and maintained by the City Clerk's office.

3. Appointments for vacancies occurring on a board wherein the particular member has, for whatever reason, not fulfilled their entire term of membership on that particular board, commission, or committee, shall be to complete the unexpired term only, unless the unexpired term is for a period of time less than six (6) months. In that event, the appointed member shall then be allowed to serve the following full regular term without reappointment.

4. These rules, when adopted, shall supersede any other general rules or local rules which are inconsistent herewith, to the extent of such inconsistency.

VII. CITY MANAGER/CITY ATTORNEY ANNUAL REVIEW.

The City Council shall annually conduct a performance evaluation and salary review of the City Manager and City Attorney in accordance with their respective employment agreements.

Approved and adopted by the City Council of the City of Port Orange, Florida, at the Regular City Council Meeting held on the______day of_____________, 201~~6~~7.

____

~~Allen Green~~Donald O.

Burnette, Mayor

ATTEST:

____

Robin L. Fenwick, CMC
City Clerk