The Crossroads of South Florida,
We envision a sustainable economy, Let Us Grow Together

CITY OF SOUTH BAY

CITY COMMISSION AGENDA

CITY HALL CHAMBER

TUESDAY, SEPTEMBER 15, 2026

335 SW 2ND Avenue
South Bay, FL 33493
www.southbaycity.com
Phone: 561-996-6751 Fax: 561-996-7950

Mayor:	**Joe Kyles Sr.**
Vice Mayor:	**Taranza McKelvin**
Commissioner:	**Betty Barnard**
Commissioner:	**Barbara King**
Commissioner:	**Albert Polk**
City Manager:	**Leondrae D. Camel**

City Attorney: **Burnadette Norris-Weeks**

City Clerk: **Olivia Mejia**

RULES OF PROCEDURE

WHO MAY SPEAK

Meetings of the City Commission are open to the public. They are not; however, public forums. Any resident who wishes to address the commission on any subject within the scope of the Commission's authority may do so, providing it is accomplished in an orderly manner and in accordance with the procedures outlined below.

SPEAKING ON AGENDA ITEM

I. **Consent Agenda Item** – These are items, which the Commission does not need to discuss individually, and which are voted on as a group. Any Commissioner who wishes to discuss any individual item on the consent agenda may request the Mayor to pull such item from the consent agenda. Those items pulled will be discussed and voted upon individually.

II. **Regular Agenda Items** – These are items, which the Commission will discuss individually in the order listed on the agenda. By majority vote, the City Commission may permit any person to be heard on an item at a non-public hearing.

III. **Public Hearing Items** – This portion of the agenda is to obtain input from the public on some ordinances, resolutions and zoning applications. The chair will permit any person to be heard on the item during formal public hearings.

SPEAKING ON SUBJECTS NOT ON THE AGENDA

Any resident may address the Commission on any items pertaining to City business during the Opportunity for the Public to Address the Commission portion of the agenda. Persons wishing to speak must sign in with the City Clerk before the start of the meeting.

ADDRESSING THE COMMISSION: MANNER AND TIME

By majority vote the City Commission may invite citizen discussion on any agenda item. In every case where a citizen is recognized by the Mayor to discuss an agenda item, the citizen shall step to the podium/microphone, state his or her name and address for the benefit of the city clerk, identify any group or organization he or she represents and shall then succinctly state his or her position regarding the item before the city commission. Any question, shall be related to the business of the City and deemed appropriate by the Mayor, shall be directed to the Mayor and the Mayor shall then re-direct the question to the appropriate Commissioner or City Staff to answer the citizen question which shall be related to the business of the City.

All comments or questions of the public are to be directed to the Mayor as presiding officer only. There shall be no cross conversations or questions of any other persons. The length of time each individual may speak should be limited in the interest or order and conduct of the business at hand. Comments to the Commission by individual citizens shall be limited to three (3) minutes during the citizens request period. The City clerk shall be charged with the responsibility of notifying each citizen thirty (30) seconds before said time shall elapse and when said time limit has expired.

APPEALS

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

DECORUM

If a member of the audience becomes unruly, the Mayor has the right to require the person to leave the room. If a crowd becomes unruly, the Mayor may recess or adjourn the meeting.

PLEASE SILENCE ALL CELL PHONES AND PAGERS

CONTACT INFORMATION

If anyone has questions or comments about anything on the meeting agenda, please contact the City Manager at 561-996-6751.

AMERICANS WITH DISABILITY ACT

In accordance with the Americans with Disability Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the city clerk no later than three (3) days prior to the meeting at 561-996-6751 for assistance.

CITY OF SOUTH BAY

CITY COMMISSION WORKSHOP

CITY HALL CHAMBER

TUESDAY, SEPTEMBER 15, 2026

6:30 PM

NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **DISCUSSION**
    - **a.** Agenda Items
        - **3.a.** College for Kids, Inc.
          Zana Sledge, Student Recruitment Manager
4. **ADJOURNMENT**

CITY OF SOUTH BAY

REGULAR CITY MEETING AGENDA

CITY HALL CHAMBER

TUESDAY, SEPTEMBER 15, 2026

7:00 PM

NOTICE: If any person decides to appeal any decision of the City Commission at this meeting, he/she will need a record of the proceedings and for that purpose, he/she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based, pursuant to F.S. 286.01055. The City of South Bay does not prepare or provide such records.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodations in order to participate in this proceeding are entitled to the provision of certain assistance at no cost. Please call the City Clerk's Office at 561-996-6751 no later than 2 days prior to the hearing if this assistance is required. For hearing impaired assistance, please call the Florida Relay Service Numbers: 800-955-8771 (TDD) or 800-955-8770 (VOICE).

Any citizen of the audience wishing to appear before the City Commission to speak with reference to any agenda item must complete their "Request for Appearance and Comment" card and present completed form to the City Clerk.

1. CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE

2. DISCLOSURE OF VOTING CONFLICTS

3. PRESENTATIONS AND PROCLAMATIONS *(Up to 5 minutes)*

4. ROSENWALD ELEMENTARY SCHOOL

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION

6. CONSENT AGENDA

All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commissioner or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the Agenda.

a. Commission Meeting and Tentative Budget Minutes - September 1, 2026 and September 8, 2026

6.a. Meeting Minutes

6.a. Tentative Budget Minutes

b. Approval of Commission Agenda - September 15, 2026

7. RESOLUTIONS – (Non- Consent) and Quasi-Judicial Hearing, if applicable)

a. RESOLUTION 41-2026
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING AN UPDATED LIMITED ENGLISH PROFICIENCY (LEP) PLAN AND LANGUAGE ACCESS PLAN FOR THE CITY OF SOUTH BAY, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

b. RESOLUTION 42-2026
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, RECOGNIZING FLORIDA CITY WEEK, OCTOBER 19, 2026 THROUGH OCTOBER 23, 2026, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

c. RESOLUTION NO. 43– 2026
A RESOLUTION OF THE CITY COMMISSION OF THE SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO ESTABLISH REGULAR ADMINISTRATIVE HOURS OF MONDAY THROUGH FRIDAY, 7:30 AM TO 3:30 PM, WITH 3:30 TO 5:00 PM AVAILABLE BY APPOINTMENT ONLY; PROVIDING FOR IMPLEMENTATION,

PUBLIC NOTICE, MONITORING OF CUSTOMER SERVICE IMPACTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR EFFECTIVE DATE.

d. RESOLUTION NO. 44 – 2026
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AMENDING AND RESTATING THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT POLICIES AND PROCEDURES MANUAL BY ADOPTING SECTION 504 COMPLIANCE POLICY, SELF-EVALUATION PLAN, AND GRIEVANCE PROCEDURE AS SET FORTH IN EXHIBIT "A"; DESIGNATING A SECTION 504 COORDINATOR; AUTHORIZING ADMINISTRATIVE UPDATES REQUIRED BY LAW OR GRANT CONDITIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR EFFECTIVE DATE.

8. ORDINANCE

a. ORDINANCE NO. 07-2026
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CITY CHARTER; AMENDING CHAPTER 1, SECTION 1-7 ENTITLED "RESIGNATION, SUSPENSION, REMOVAL, DEATH, OF A CITY COMMISSIONER." TO ESTABLISH CLEAR CHARTER PROVISIONS REGARDING FORFEITURE OF OFFICE, DECLARATION OF VACANCIES AND PROCEDURES FOR FILLING VACANCIES CONSISTENT WITH FLORIDA LAW; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

8.a. First Reading

9. FINANCE REPORT

a. Accounts Payable Report

9.a. September 11, 2026 Weekly Check Register

10. CITY CLERK REPORT

a. Final Budget Hearing- Tuesday, September 22, 2026

b. Election Updates- Candidate Qualifying period will begin Monday, November 9, 2026 -Friday, November 13, 2026

11. CITY MANAGER REPORT

12. CITY ATTORNEY REPORT

13. FUTURE AGENDA ITEMS

14. COMMISSIONER COMMENTS: FOR THE GOOD OF THE ORDER

15. ADJOURNMENT

CITY OF SOUTH BAY, FL

CITY BUDGET WORKSHOP AGENDA

CITY HALL CHAMBER
TUESDAY, SEPTEMBER 1, 2026
6:30 PM

Present:
Mayor Joe Kyles
Vice-Mayor Taranza McKelvin
Commissioner Albert Polk IV
Commissioner Betty Barnard
Commissioner Barbara King

Staff
Leondrae Camel, City Manager
Chan Bryant Abney, City Attorney
Olivia Mejia, City Clerk
Cristal Chavarria, Administrative Assistant
Massih Saadatmand, Finance Director
Nepoleon Collins, Neighborhood Services Director
Edgar Kerr, Public Works Director
Rose Hyppolite, Manager of People Operations and Executive Administration

(Full recording/discussion available through the City website)

1. **CALL TO ORDER at 6:30pm**
2. **ROLL CALL**
3. **DISCUSSION**
   a. Budget Workshop
4. **ADJOURNMENT- 7:01 pm**

Moved by: Vice-Mayor McKelvin
Seconded by: Commissioner Barnard

CITY OF SOUTH BAY, FL

REGULAR CITY MEETING

CITY HALL CHAMBER
TUESDAY, SEPTEMBER 1, 2026
7:02 PM

A Regular City Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2nd Avenue, South Bay, Florida on September 1, 2026 at 7:02 p.m.

(Full recording/discussion available through the City website)

Present:
Mayor Joe Kyles
Vice-Mayor McKelvin
Commissioner Albert Polk IV
Commissioner Betty Barnard
Commissioner Barbara King

Staff:
Leondrae Camel, City Manager
Chan Bryant Abney, City Attorney
Olivia Mejia, City Clerk
Cristal Chavarria, Administrative Assistant
Massih Saadatmand, Finance Director
Nepoleon Collins, Neighborhood Services Director
Edgar Kerr, Public Works Director
Rose Hyppolite, Manager of People Operations and Executive Administration

1. **CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE**
2. **DISCLOSURE OF VOTING CONFLICTS:** *NONE*
3. **PRESENTATIONS AND PROCLAMATIONS** *(Up to 5 minutes):*
   a. Hunger Action Month Proclamation
      Feeding South Florida
      Tony Hopper, Director of Development/PBC
   b. Palm Beach County Library System
      Douglas Crane, Director
   c. McKinley Insurance Services
      Carmen Miller, Broker
4. **ROSENWALD ELEMENTARY SCHOOL**
5. **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION:** See recording
6. **CONSENT AGENDA**
   All matters listed under this item are considered routine and action will be taken by one motion. There will be no separate discussion of these items unless a Commission. or person so requests, in which the item will be removed from the general order of business and considered in its normal sequence on the agenda.

a. Regular City Workshop and City Meeting
Approval of City Minutes – August 4, 2026

Approve City Minutes
Moved by: Vice-Mayor McKelvin
Seconded by: Commissioner Barnard

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

b. Regular City Workshop and City Meeting

Approval of Meeting Agenda – September 1, 2026

Moved by: Vice-Mayor McKelvin
Seconded by: Commissioner Barnard

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

7. RESOLUTIONS (Non- Consent) and Quasi-Judicial Hearing, if applicable

a. RESOLUTION NO. 34-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE A COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT FOR FISCAL YEAR 2026-2027 BETWEEN THE CITY OF SOUTH BAY AND PALM BEACH COUNTY FOR FUNDING OF CODE ENFORCEMENT SERVICES, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

Moved by: Commissioner Barnard
Seconded by: Vice-Mayor McKelvin

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

b. RESOLUTION NO. 36-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING AN ARTIFICIAL INTELLIGENCE (A.I) POLICY GOVERNING THE USE OF GENERATIVE ARTIFICIAL INTELLIGENCE TECHNOLOGIES FOR CITY BUSINESS, ATTACHED HERETO AS EXHIBIT "A"; AUTHORIZING THE CITY MANAGER TO IMPLEMENT THE A.I. POLICY; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Moved by: Commissioner Polk
Seconded by: Commissioner Barnard

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

c. RESOLUTION NO. 37-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING WAIVER OF COMPETITIVE SOLICITATION PROCEDURES FOR THE PROVISION OF TREE REMOVAL SERVICES FROM FL G&G SERVICES, LLC, FOR AN AMOUNT NOT TO EXCEED TWENTY-THREE THOUSAND DOLLARS ($23,000.00), AS SET FORTH EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Moved by: Commissioner Barnard
Seconded by: Vice-Mayor McKelvin

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

d. RESOLUTION NO. 38-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO PIGGYBACK THE BRADFORD COUNTY SHERIFF'S CONTRACT NUMBER BCSO-22-27-1.0 FOR THE PURCHASE OF ONE (1) NEW 2027 FORD EXPLORER XLT RWD (K7H) VEHICLE FROM DUVAL FORD, LLC IN THE AMOUNT OF FIFTY-THREE THOUSAND SIX HUNDRED SIXTY-FOUR DOLLARS AND THIRTY-SIX CENTS ($53,664.36); PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN ALLOCATION OF FUNDS; PROVIDING FOR AN EFFECTIVE DATE.

Moved by: Commissioner Barnard
Seconded by: Vice-Mayor McKelvin

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	NO
Commissioner Barnard	YES
Commissioner King	NO

e. RESOLUTION NO. 39-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, PIGGYBACKING LEGACY CONSTRUCTION SERVICES GROUP INC D/B/A PRO PLAYGROUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR RENOVATION AND REPAIR OF COX PARK PLAYGROUND EQUIPMENT AND PADDING SYSTEM PURSUANT TO OSCEOLA BID# SDOC-24-B-094-ML; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

Moved by: Commissioner Barnard
Seconded by: Commissioner Polk

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	YES

8. ORDINANCE

9.FINANCE REPORT

a. Accounts Payable Report

9.a. August 27, 2026 Weekly Check Register

10. CITY CLERK REPORT

a. Tentative Budget Hearing – Tuesday, September 8, 2026, at 6:00 p.m.

b. Next Commission Meeting – Tuesday, September 15, 2026, at 7:00 p.m.

c. Final Budget Hearing – Tuesday, September 22, 2026, at 6:00 p.m.

d. PBSC Board of Trustees – October 20, 2026 Dolly Hand Cultural Arts Center

11. CITY MANAGER REPORT

a. APA Compass Program

b. Jack Brewer

c. Grapple Services

12. CITY ATTORNEY REPORT (NONE)

13. FUTURE AGENDA ITEMS (NONE)

14. COMMISSIONER COMMENTS FOR THE GOOD OF THE ORDER

14.a. Commissioner Barbara King
- **Thank you**

14.b. Commissioner Betty Barnard
- **Thank you**

14.c. Commissioner Albert Polk
- **Thank you**

14.d. Vice-Mayor Taranza McKelvin
- **Thank you**

14.d. Mayor Joe Kyles
- **Thank you**

15. ADJOURNMENT 9:02 pm

Moved by: Vice-Mayor McKelvin

____

Joe Kyles, Mayor

ATTESTED BY:

____

South Bay City Clerk

CITY OF SOUTH BAY, FL

CITY COMMISSION SPECIAL TENTATIVE BUDGET MEETING

CITY HALL CHAMBER

TUESDAY, SEPTEMBER 8, 2026

6:00 PM

A Special Tentative Budget Meeting of the City Commission of the City of South Bay, Florida was called to order by Mayor Joe Kyles in the Commission Chambers at 335 S.W. 2nd Avenue, South Bay, Florida on September 8, 2026 at 6:00 p.m.

(Full recording/discussion available through the City website)

Present:

Mayor Joe Kyles
Vice-Mayor Taranza McKelvin
Commissioner Albert Polk IV
Commissioner Betty Barnard
Commissioner Barbara King

Staff:

Leondrae Camel, City Manager
Burnadette Norris-Weeks, City Attorney (Virtual)
Olivia Mejia, City Clerk
Cristal Chavarria, Administrative Assistant
Massih Saadatmand, Finance Director

1. CALL TO ORDER, ROLL CALL; PRAYER, PLEDGE OF ALLEGIANCE

2. DISCLOSURE OF VOTING CONFLICTS: *NONE*

3. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COMMISSION: *NONE*

4. RESOLUTIONS (Non- Consent) and Quasi-Judicial Hearing, if applicable

a. RESOLUTION NO. 40-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING AND FUNDING OF THE TENTATIVE MUNICIPAL BUDGET OF THE CITY OF SOUTH BAY, FLORIDA, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2026, AND ENDING SEPTEMBER 30, 2027.

Moved by: Commissioner Barnard

Seconded by: Vice-Mayor McKelvin

COMMISSION	VOTE
Mayor Joe Kyles	YES
Vice-Mayor McKelvin	YES
Commissioner Polk	YES
Commissioner Barnard	YES
Commissioner King	NO

5. ADJOURNMENT 6:37 pm
Moved by: Vice-Mayor McKelvin

Joe Kyles, Mayor

ATTESTED BY:

South Bay City Clerk

RESOLUTION 41-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, ADOPTING AN UPDATED LIMITED ENGLISH PROFICIENCY (LEP) PLAN AND LANGUAGE ACCESS PLAN FOR THE CITY OF SOUTH BAY, ATTACHED HERETO AS EXHIBIT "A"; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, through Resolution No. 07-2015, the City Commission of the City of South Bay ("City Commission") previously adopted a Limited English Proficiency ("LEP") Plan on March 17, 2015, establishing procedures through which the City of South Bay ("City") would accommodate persons with limited English proficiency; and

WHEREAS, since adoption of the City's 2015 LEP Plan, administrative practices, community needs, language-access resources, and guidance concerning meaningful access have continued to evolve; and

WHEREAS, following a meeting with U.S.D.A., the City is required to now update its LEP Plan to ensure the City's current procedures and practices are consistent with applicable federal requirements; and

WHEREAS, the City Commission desires to update the City's LEP Plan to provide a comprehensive citywide framework governing language assistance, public notice, translation and interpretation, staff training, monitoring, public participation, contractors and subrecipients, and periodic evaluation.

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

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Resolution.

Section 2. Adoption of Updated Limited English Proficiency Plan. The City of South Bay, Florida, hereby adopts an updated Limited English Proficiency (LEP) Plan and Language Access Plan for the City of South Bay, attached hereto as Exhibit "A".

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and **ADOPTED** this 15th day of September 2026.

____
Joe Kyles, Mayor

ATTEST:

By: ___________________________________
Olivia Mejia, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: ___________________________________

Seconded by: ________________________________

VOTE:

Commissioner Barnard	______ (Yes)	______ (No)
Commissioner King	______ (Yes)	______ (No)
Commissioner Polk	______ (Yes)	______ (No)
Vice-Mayor McKelvin	______ (Yes)	______ (No)
Mayor Kyles	______ (Yes)	______ (No)

Exhibit "A"

CITY OF SOUTH BAY

CITY OF SOUTH BAY, FLORIDA
LIMITED ENGLISH PROFICIENCY (LEP) POLICY AND LANGUAGE ACCESS PLAN

Effective Date: September 15, 2026

Administered By: City Manager, in coordination with the City Clerk/LEP Coordinator

I. PURPOSE

The purpose of this Limited English Proficiency ("LEP") Policy and Language Access Plan is to establish procedures through which the City of South Bay will provide persons with limited English proficiency meaningful and timely access to City programs, activities, services, meetings, information, and benefits.

This Policy is intended to further the City's compliance with Title VI of the Civil Rights Act of 1964**,** Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, and applicable federal guidance governing recipients of federal financial assistance.

The City's original LEP Plan was adopted in March 2015 and recognized that recipients of federal financial assistance must take reasonable steps to provide meaningful access for LEP persons. This Policy updates and supersedes that plan.

II. POLICY STATEMENT

It is the policy of the City of South Bay that no otherwise eligible individual shall be denied access to, participation in, or the benefits of a City program, activity, meeting, service, or benefit because of limited English proficiency.

The City shall take reasonable steps to:

- provide meaningful access to City programs and services;
- provide reasonable oral interpretation and written translation services when necessary;
- communicate information contained in vital documents;
- notify LEP persons that language assistance is available;
- provide City-arranged language assistance without charge to the person receiving City services;
- provide opportunities for LEP residents to participate in public meetings and public engagement activities;
- train appropriate employees regarding LEP responsibilities; and
- periodically monitor and evaluate this Policy.
-

These principles are consistent with South Bay's updated policy, which provides for meaningful access, communication of vital information, free language assistance, public notice, community participation, and continuing monitoring.

III. DEFINITION

A Limited English Proficient person is an individual who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

An LEP person may be competent in English for certain types of communication while requiring language assistance for more complicated, technical, legal, financial, or governmental information.

IV. APPLICATION

This Policy applies to all City departments, offices, programs, services, activities, public meetings, and programs receiving federal or state financial assistance.
Where applicable, contractors, consultants, subrecipients, and other entities providing services on behalf of the City shall also be expected to comply with applicable Title VI and LEP requirements.

V. FOUR-FACTOR ANALYSIS

The City shall periodically evaluate its language-access needs using the established four-factor analysis:

Factor 1 – Number or Proportion of LEP Persons.
The number or proportion of LEP persons eligible to be served or likely to be encountered by City programs, services, or activities.

Factor 2 – Frequency of Contact.
The frequency with which LEP persons come into contact with City programs, services, activities, employees, facilities, websites, public meetings, or public-engagement processes.

Factor 3 – Nature and Importance of the Service.
The nature and importance of the particular program, activity, information, or service to the lives of affected persons.

Factor 4 – Resources and Costs.
The resources available to the City and the costs associated with providing language assistance.

The same four-factor framework formed the basis of South Bay's 2015 Plan.

VI. PERIODIC COMMUNITY ASSESSMENT

The City shall periodically review demographic information from the U.S. Census Bureau, American Community Survey, service-request information, community contacts, and other reasonably available sources to identify:

1. languages spoken within the community;
2. populations reporting limited English proficiency;
3. frequency of requests for language assistance;
4. City programs experiencing significant LEP contact; and
5. whether additional translated materials or services are warranted.

The demographic assessment should be reviewed at least once every two years, while the Policy itself should be reviewed annually for administrative effectiveness.

South Bay's current plan similarly uses Census and American Community Survey information to periodically assess the languages spoken by eligible LEP populations.

VII. IDENTIFICATION OF LANGUAGE NEEDS

When an employee encounters an individual who appears to require language assistance, the employee should make reasonable efforts to identify the individual's preferred language.

Available methods may include:

- asking the individual to identify their preferred language;
- multilingual language-identification cards;
- "I Speak" language identification materials;
- assistance from qualified bilingual City employees; or
- an available interpretation service.

Once the language is identified, the employee shall determine what level of language assistance is reasonably necessary for meaningful communication.

South Bay's previous plan specifically contemplated the use of language-identification flashcards at City offices and public meetings.

VIII. LANGUAGE ASSISTANCE

Depending upon the nature of the communication, the City may provide language assistance through one or more of the following:

- qualified bilingual City employees;
- telephone or remote interpretation services;
- qualified outside interpreters;
- translated written materials;
- translated notices, forms, applications, summaries, or informational materials;
- language-assistance technology where appropriate; or
- other reliable methods capable of providing meaningful access.

Machine translation tools may be used for routine or preliminary communication when appropriate, but should not be relied upon as the sole method for translating vital, technical, legal, contractual, financial, or similarly significant documents without appropriate review.

IX. NO CHARGE FOR CITY-PROVIDED LANGUAGE ASSISTANCE

Language assistance arranged by the City for the purpose of providing meaningful access to City programs and services shall be provided without charge to the LEP person**.**

An LEP person shall not be required to provide their own interpreter as a condition of receiving City services.

If an individual voluntarily requests to use a family member, friend, or personally selected interpreter, City staff may permit the arrangement when appropriate, provided the arrangement does not create concerns regarding competency, confidentiality, privacy, conflicts of interest, or the integrity of the City process.

X. VITAL DOCUMENTS

City departments shall evaluate whether documents associated with their programs constitute vital documents for purposes of meaningful access.

Depending upon the program, vital documents may include notices or materials concerning:

- eligibility for City programs or benefits;
- applications requiring a response;
- notices affecting rights or responsibilities;
- public hearings or significant public participation opportunities;
- housing or community-development programs;
- emergency or public-safety information;
- notices concerning denial, reduction, or termination of benefits;
- complaint procedures; and
- other information where failure to understand the document could have significant consequences.

The decision to translate a document shall be based upon the four-factor analysis, frequency of contact, importance of the document, available resources, and applicable federal or grant requirements.

XI. NOTICE TO LEP PERSONS

The City shall make reasonable efforts to notify the public that language assistance is available free of charge.

Notice may be provided through:

- the City website;
- public notices;
- meeting agendas and notices;
- signs at City Hall and other appropriate service locations;
- program applications and informational materials; and

- notices associated with federally funded programs.

South Bay's updated policy similarly requires written notice on its website, at points of service, and within appropriate public notices.

XII. STANDARD PUBLIC NOTICE LANGUAGE
Where appropriate, City public notices may include substantially the following:
Language Assistance: Persons with limited English proficiency who require translation or interpretation services to participate in a City meeting, program, activity, or service may request assistance from the City of South Bay. Language assistance arranged by the City will be provided free of charge. Requests should be made as early as practicable before the meeting or service.

A Spanish-language version or other appropriate translation may be provided based upon the affected population and nature of the program.

The City's 2015 Plan already provided English and Spanish notice language and stated that meeting translation services would be available without charge.

XIII. PUBLIC MEETINGS AND COMMUNITY ENGAGEMENT
The City recognizes that meaningful access includes the ability of LEP residents to participate in public decision-making.

For significant public meetings, hearings, planning initiatives, grant programs, community-development activities, or projects likely to affect LEP populations, the City should evaluate whether translated notices, translated summaries, interpreters, bilingual outreach, or other language-access measures are appropriate.

XIV. RECORDING LEP CONTACTS
Departments having regular interaction with the public should maintain reasonable records of language-assistance requests, including where practicable:

- language requested;
- type of service requested;
- department or program involved;
- type of assistance provided; and
- whether the request was successfully accommodated.

Such information shall be used for administrative and compliance purposes and to identify recurring language-access needs.

This requirement reflects South Bay's updated approach of recording LEP contacts so that the frequency and nature of requests can inform future language services.

XV. STAFF TRAINING

Employees who regularly interact with the public shall receive appropriate instruction regarding:

- the purpose of Title VI and the LEP Policy;
- how to recognize when language assistance may be required;
- how to identify a person's preferred language;
- available interpretation and translation resources;
- how to obtain language assistance;
- procedures for recording language-assistance requests; and
- the obligation to provide respectful and equitable access to City services.

South Bay's previous plan required training for employees who interact with the public.

XVI. CONTRACTORS AND SUBRECIPIENTS

When required by applicable law, regulation, grant condition, or contract, City agreements with contractors or subrecipients shall include appropriate Title VI and nondiscrimination requirements.

Departments administering federally funded programs should monitor applicable contractors and subrecipients for compliance with language-access requirements.

XVII. LEP COORDINATOR

The City Clerk, or the City Clerk's designee**,** shall serve as the City's LEP Coordinator unless otherwise designated by the City Manager.

The LEP Coordinator shall assist with:

- coordinating language-assistance resources;
- maintaining the City's LEP Policy;
- coordinating training;
- collecting departmental information;
- assisting departments with translation and interpretation needs;
- monitoring complaints or concerns involving language access; and
- coordinating periodic review of the Policy.

The City Manager may administratively reassign these duties without requiring amendment of this Policy.

XVIII. MONITORING AND REVIEW

The City shall review the implementation of this Policy at least annually.

The review should consider:

- whether language-assistance services are meeting community needs;
- frequency and type of LEP requests;
- demographic changes;
- availability of bilingual staff or language-assistance vendors;
- whether vital documents require translation;

- employee training;
- contractor or subrecipient compliance, where applicable;
- complaints concerning language access; and
- changes in applicable federal or state requirements.

South Bay's monitoring framework similarly reviews contractor compliance, effectiveness of language services, staff training, and continued availability of resources.

XIX. COMPLAINTS

A person who believes they have been denied meaningful access to a City program or service because of limited English proficiency may submit a complaint to the City Clerk/LEP Coordinator.

The City shall review such complaints promptly and take appropriate corrective action when warranted.

Nothing within this Policy is intended to limit any rights or remedies otherwise available under federal or state law.

XX. DISABILITY ACCESS

Language access under this Policy is distinct from accommodations required for persons with disabilities.
Persons who are deaf, hard of hearing, deaf-blind, or speech impaired may utilize Florida Relay 711 or request appropriate accommodations consistent with applicable law.

XXI. CONTACT INFORMATION

City of South Bay
335 SW 2nd Avenue
South Bay, Florida 33493
Telephone: 561-996-6751
Florida Relay: 711
Requests for language assistance may be directed to the City Clerk/LEP Coordinator.

XXII. ADMINISTRATIVE UPDATES

The City Manager may authorize non-substantive administrative updates to this Policy, including changes to:

- contact names;
- telephone numbers;
- email addresses;
- available language-service vendors;
- departmental responsibilities;
- forms;

- implementation procedures; and
- demographic information.

Material changes to the rights, responsibilities, or substantive requirements established by this Policy shall be presented to the City Commission for consideration.

RESOLUTION 42-2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, RECOGNIZING FLORIDA CITY WEEK, OCTOBER 19, 2026 THROUGH OCTOBER 23, 2026, AND ENCOURAGING ALL CITIZENS TO SUPPORT THE CELEBRATION AND CORRESPONDING ACTIVITIES; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, City government is the government closest to most citizens and the one with the most direct daily impact upon its residents; and

WHEREAS, municipal government provides services and programs that enhance the quality of life for residents, making their City their home; and

WHEREAS, city government is administered for and by its citizens and is dependent upon public commitment to and understanding of its many responsibilities; and

WHEREAS, city government officials and employees share the responsibility to pass along the understanding of public services and their benefits; and

WHEREAS, Florida City Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of the State of Florida that they can shape and influence this branch of government; and

WHEREAS, the Florida League of Cities and its member cities have joined together to teach citizens about municipal government through a variety of activities; and

WHEREAS, the City of South Bay ("City") desires to recognize and participate in Florida City Week, which takes place on October 19, 2026, through October 23, 2026, and encourage all residents in the City to celebrate and participate in the weeklong activities; and

WHEREAS, the City Commission of the City of South Bay deems Florida City Week an important event for the residents of the City.

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

Section 1. Adoption of Representations. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are incorporated herein by reference.

Section 2. Recognizing Florida City Week. The City Commission of the City of South Bay hereby recognizes Florida City Week as October 19, 2026 through October 23, 2026, and encourages all citizens to support the celebration and corresponding activities. The City of South Bay encourages all citizens, city government officials, and employees to participate in events that recognize and celebrate Florida City Week and encourages educational partnerships between city government and schools, as well as civic groups and other organizations. The City of South Bay supports and encourages all Florida city governments to actively promote and sponsor Florida City Week.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and **ADOPTED** this 15th day of September 2026

____
Joe Kyles, Mayor

ATTEST:

By: __________________________________
Olivia Mejia, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: ________________________________

Seconded by: ______________________________

VOTE:

Commissioner Barnard	______ (Yes)	______ (No)
Commissioner King	______ (Yes)	______ (No)
Commissioner Polk	______ (Yes)	______ (No)
Vice-Mayor McKelvin	______ (Yes)	______ (No)
Mayor Kyles	______ (Yes)	______ (No)

RESOLUTION NO. 43– 2026

A RESOLUTION OF THE CITY COMMISSION OF THE SOUTH BAY, FLORIDA, AUTHORIZING THE CITY MANAGER TO ESTABLISH REGULAR ADMINISTRATIVE HOURS OF MONDAY THROUGH FRIDAY, 7:30 AM TO 3:30 PM, WITH 3:30 TO 5:00 PM AVAILABLE BY APPOINTMENT ONLY; PROVIDING FOR IMPLEMENTATION, PUBLIC NOTICE, MONITORING OF CUSTOMER SERVICE IMPACTS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City Commission of the South Bay ("City Commission") recognizes that the modified work schedule has been successful, resulting in improved employee morale, reduced unscheduled absenteeism, and continued effective service delivery without identified adverse impacts or public complaints; and

WHEREAS, the administration recommends establishing regular administrative hours of Monday–Friday, 7:30 a.m.–3:30 p.m., with 3:30–5:00 p.m. available by appointment only; and

WHEREAS, City Hall is currently open to the public Monday through Friday from 7:30 a.m. until 5:00 p.m.; and

WHEREAS, staffing schedules shall continue to ensure customer service coverage during all City Hall operating hours, and employees would not be required to work modified schedules, but may elect flexible scheduling arrangements consistent with maintaining forty (40) work hours per week, including the use of paid time off; and

WHEREAS, the City Manager is authorized and directed to ensure that: (a) adequate staffing and customer service coverage are maintained during all operating hours; (b) Emergency and urgent matters remain accessible to the public on Friday afternoons through the Office of the City Manager; (c) Public notice and awareness of the modified schedule are appropriately communicated through signage, newsletters, social media, and other available methods; and (d) Department Heads monitor operational effectiveness and customer service impacts during the trial implementation period; and

WHEREAS, the Office of the City Manager shall continue to remain available by appointment or through the lobby phone system to address urgent matters and emergency needs; and

WHEREAS, the City's Building Inspections and Permitting functions, which experience the highest summer customer demand, already primarily serve customers during early morning and midday hours, and the implementation of the City's online Building Permit Portal will ensure continued accessibility and timely permit processing; and

WHEREAS, the City Commission finds that the proposed schedule supports the City's strategic goal of maintaining a stable and well-qualified workforce while improving operational responsiveness and public service delivery; and

WHEREAS, the City Manager and Department Heads shall monitor implementation of the modified hours to ensure that customer service objectives are achieved and that no undue hardship to the public is created; and

WHEREAS, the City of South Bay shall be required to conduct public outreach and awareness efforts, including the use of signage, newsletters, social media, and other communication channels, to ensure residents, contractors, and customers are informed of the temporary summer operating schedule.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE SOUTH BAY AS FOLLOWS:

Section 1. Adoption of Representation. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Authorization of City Manager. The City Commission of the City of South Bay, Florida hereby authorizes the City Manager to implement modified operating hours for City Hall. Also, the City Manager is to take all necessary and expedient action to carry out the intent of this Resolution.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and **ADOPTED** this 15th day of September 2026.

ATTEST:

By: ________________________________
Olivia Mejia, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Week, P.A.
City Attorney

Moved by: __________________________

Seconded by: ________________________

VOTE:

Commissioner Barnard	______ (Yes)	______ (No)
Commissioner King	______ (Yes)	______ (No)
Commissioner Polk	______ (Yes)	______ (No)
Vice-Mayor McKelvin	______ (Yes)	______ (No)
Mayor Kyles	______ (Yes)	______ (No)

RESOLUTION NO. 44 – 2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AMENDING AND RESTATING THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT POLICIES AND PROCEDURES MANUAL BY ADOPTING SECTION 504 COMPLIANCE POLICY, SELF-EVALUATION PLAN, AND GRIEVANCE PROCEDURE AS SET FORTH IN EXHIBIT "A"; DESIGNATING A SECTION 504 COORDINATOR; AUTHORIZING ADMINISTRATIVE UPDATES REQUIRED BY LAW OR GRANT CONDITIONS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR EFFECTIVE DATE.

WHEREAS, the City of South Bay ("City") receives or may receive federal financial assistance administered by the United States Department of Housing and Urban Development and FloridaCommerce, including Community Development Block Grant funds; and

WHEREAS, Section 504 of the Rehabilitation Act of 1973, as amended, Section 109 of the Housing and Community Development Act of 1974, and 24 C.F.R. Part 8 prohibit discrimination based on disability in covered programs and activities; and

WHEREAS, 24 C.F.R. Section 8.53 requires a recipient employing fifteen or more persons to designate a responsible employee and adopt procedures providing appropriate due process and prompt and equitable resolution of complaints; and

WHEREAS, the City Commission finds it necessary and in the public interest to consolidate the City's grant-required procedures and its Section 504 compliance, evaluation, and grievance requirements into one updated manual.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE SOUTH BAY AS FOLLOWS:

Section 1. Adoption of Representation. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Resolution.

Section 2. Amending and Restating the City's CDBG Procedures and Policies Manual. The City Commission of the City of South Bay, Florida hereby amends and restates the City's Community Development Block Grant Procedures and Policies Manual by adopting section 504 Compliance Policy, Self-Evaluation Plan and Grievance Procedure ss set forth in Exhibit "A." Further, designating a Section 504 Coordinator. The City Commission also authorizes the inclusion of administrative updates that are required by law or grant conditions.

Section 3. Effective Date. This Resolution shall be effective immediately upon its passage and adoption.

PASSED and **ADOPTED** this 15th day of September 2026.

ATTEST:

By: ________________________________
Olivia Mejia, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Week, P.A.
City Attorney

Moved by: __________________________

Seconded by: ________________________

VOTE:

Commissioner Barnard	______ (Yes)	______ (No)
Commissioner King	______ (Yes)	______ (No)
Commissioner Polk	______ (Yes)	______ (No)
Vice-Mayor McKelvin	______ (Yes)	______ (No)
Mayor Kyles	______ (Yes)	______ (No)

Exhibit "A"

CITY OF SOUTH BAY
COMMUNITY DEVELOPMENT BLOCK GRANT PROCEDURES AND POLICIES MANUAL

Amended and Restated 2026

CITY OF SOUTH BAY

COMMUNITY DEVELOPMENT BLOCK GRANT PROCEDURES AND POLICIES MANUAL

Amended and Restated 2026

Table of Contents

Section 1. Financial Management Policy and Procedures

Introduction

The City of South Bay (the City) will manage all financial aspects of the CDBG by ensuring that its financial systems and staff are structured in a manner that ensures optimal accountability and adheres to federal and state accounting requirements. All CDBG awards will be included in the City's budget. A staffing system will be structured that ensures, to the extent possible, segregation of duties in the financial processes.

In instances where non-CDBG funding will be used with CDBG funding, the funding sources and uses will be clearly represented as separate funding streams and expenses in the City's accounting systems. The City's accounting system or subset of the same will be structured in a manner that reports budget to actual expenditures, detailed check/expenditure registers, and cash balance reporting and expenditures by request for funds.

Responsible Party and Responsibilities

The City acknowledges that it is solely responsible for the financial management and control of CDBG funds it receives. This document is the City's accounting procedures that will be followed to comply with state and federal requirements for financial management. The City will maintain a financial management system that provides the following:

- Effective control over and accountability for all funds, property, and other assets
- Accurate, complete, and timely disclosure of the status and financial results in accordance with specified requirements
- Records that adequately identify (by activity) the source and use of funds for each CDBG–supported project, including "reasonableness, allowability, and allocability" of costs
- Procedures to comply with the timely distribution of funds

The City's CDBG financial accountability is the responsibility of the finance department. The City's finance department is responsible for reviewing and approving all transactions involving CDBG funds before the transactions are processed for payment. The finance department's responsibilities include the following:

- Approval of purchase orders (where applicable) to be paid with CDBG funds
- Receipt and approval of invoices (responsibility of the program department)
- Assurance that transactions involving CDBG funds are properly coded
- Review of and approval of requisitions for payments involving CDBG funds

The finance officer is responsible for maintaining official CDBG financial records and for posting account transactions. Official records will be maintained in either an automated or a manual format. The finance officer's responsibilities also include the following:

- Control of accounting documents once they are approved for processing by the program department

- Preparation of financial reports (based on accounting records)
- Preparation of Requests for Funds (prepared in conjunction with the program department)
- Entry of transactions into the accounting system
- Assisting the City's auditor in preparing an annual financial audit

The City will be familiar with and adhere to the applicable Federal requirements to financial management found in 2 CFR 200; and will review this regulation for more detailed and additional information when financial management questions arise, including special circumstances.

Monitoring

The City will be prepared and have the necessary documentation available for FC monitoring of its financial system and financial transactions and understands that FC staff will utilize the following (or similar) testing tools, which are based on HUD’s monitoring checklists:

- The Financial Management I Monitoring Checklist: System Review Checklist is typically utilized for the first pre-award and the initial onsite monitoring of financial management to review the City's:
- internal controls,
- separation of duties,
- the accounting system used by the City, and
- the procedures for determining allowable costs and housing escrow accounts.
- Financial Management II Monitoring Checklist: Transaction Testing Checklist is typically utilized at the second onsite monitoring visit to review the City's:
- accounting records and checks a sampling of invoices,
- contracts,
- distributions, and bank statements to ensure that the local government is complying with federal regulations and state laws.

These checklists are located on the FC website. The City will respond in a timely manner to any potential FC financial monitoring findings or concerns.

Internal Controls

Internal controls consist of policies and procedures, job responsibilities, qualified personnel, and records management that are designed to safeguard assets such as cash, property, and other assets. The City will establish a system of internal controls that meets the following minimum requirements:

- A single individual will not be allowed to exercise complete control over all phases of any significant transaction. This means, for example, that the same person cannot purchase materials, receive materials, authorize payment for the materials, and write the check to pay for materials.
- Record keeping will be kept separate from operations and handling and custody of assets.
- Monthly reconciliation and verification of cash balances with bank statements will be made by employees who do not handle or record cash or sign checks.

- Actual lines of responsibility will be clearly established, and a single person identified to assume responsibility for management oversight of the entire financial management system.
- The person who prepares payroll will not handle related paychecks. If signature stamps are used, they will not be under the control of the same individual who retains blank checks.

The City's system of internal controls will outline specific program and financial management responsibilities and will enable the City to maintain the necessary records needed for compliance with Florida law and federal requirements. Where possible, the City's accounting policies and procedures will mirror the requirements of the Florida Office of the Auditor General.

Financial System

The City will ensure that all source documentation for each transaction is adequately maintained and provided upon request with all details deemed necessary by FC, the
U.S. Department of Housing and Urban Development (HUD), Florida's Chief Financial Officer, and Auditor General. The information contained in source documents is necessary for accounting purposes and will be recorded in one of the books of original entry before being filed. The City acknowledges that a variety of source documents and records are needed to properly account for CDBG transactions.

Supporting documentation will demonstrate that costs charged against CDBG funds:

- were incurred during the effective period of the City's agreement with the state,
- were actually paid out (or properly accrued),
- were expended on allowable items, and
- had been approved by the responsible staff and official(s) for the City. These documents include the following:
- Purchase Orders (if utilized) will be prepared in the same format as other purchase orders except that appropriate CDBG program classification data will be coded on the document. Purchase orders, when utilized, will be approved by the City's Chief Financial Officer and the City Manager. After approval, one copy will be retained by the program department to verify receipt of goods, and the original will be retained by the finance officer.
- Contracts will be filed in the CDBG City's City Clerk. Each contract will identify the activity, program, or project to be charged. If multiple contracts are issued for each project or if non-contractual charges are recorded against a project, a separate record will be maintained for each contract to provide readily available information on contract balances. The City will ensure there is a separate obligation for each contract relating to the same activity to prevent overpayment of any contract. In addition, a Cash Control Register will be maintained to provide summary information for all CDBG contracts.
- Vendor Invoices to be paid with CDBG funds will first be referred to the program office, compared to the purchase order, checked for appropriateness and accuracy, approved, and coded, as necessary. Approved vendor invoices and appropriate

supporting documents will then be forwarded to the finance officer for processing, entry into the financial system and payment.

- Weekly Time-distribution Sheets for all employees paid from CDBG funds. Employees will complete time sheets that indicate the number of hours worked on CDBG projects, other grant projects, local government activities, and job duties. Time sheets will then be referred to the finance department so that charges to the correct programs and projects can be computed and properly charged. The City understands that payroll expenses can only be paid from CDBG funds based on time and attendance records.
- CDBG Financial Files that demonstrate the program's financial soundness and regulatory compliance. The City will maintain an orderly record of CDBG transactions that will withstand the scrutiny of FC monitoring and an audit. The City's financial files will be maintained in logical system. Two broad categories of files will be utilized: process files and permanent files (see below).
- Space and Utilities: Costs for space will be supported by documentation such as rental or lease agreements. Utility costs will be supported by bills from utility companies. Both types of expenses will be supported by canceled checks. If the cost of space or utilities is split between the CDBG program and other sources, a reasonable method will be in place to allocate the charges fairly among the sources.
- Supplies: Documentation for expenditures for supplies will include:
- purchase orders or requisition forms initiated by an authorized representative of the City,
- invoices from vendors that have been signed off by the City to indicate goods were received,
- canceled checks from vendors demonstrating payment was made,
- information regarding where supplies are being stored, and
- for what cost objective(s) the supplies are being used.

Process Files

Process files are working files that are used until source documents are processed and posted. They include the following:

- Open Purchase Order File: All purchase orders that have been issued but not yet filled by vendors will be filed sequentially by purchase-order number. When goods are delivered, all invoices received, and all appropriate approvals obtained, the purchase order will be removed and filed with related invoices and the receiving report in the pending payments file. This file contains encumbrances against the project budget.
- Pending Payments File: All source documents that will generate a cash disbursement will be stored in the pending payments file and will be maintained by due date. If a discount is offered for early payment, every effort will be made to make the payment early. A schedule of bills payable from approved invoices and the account to be charged will also be kept in this file.

- Pending Receipt File: This file will contain copies of outstanding bills and requests for funds submitted to the CDBG program that have not yet been recorded in the Cash Receipts Journal or posted to the CDBG Cash Control Register. Documentation will also include each completed request for funds package submitted to FC through SERA.
- Personnel Payroll File: This file will contain a record for each employee who works on CDBG activities and includes the rate at which the employee's salary can be charged to the CDBG program. Time sheets showing the amount of time each employee spends on CDBG activities will be kept on file. This file will be maintained in addition to the local government's official personnel records.

Permanent Files

The City will maintain these files for all source documents and other records once they have been processed and posted to books of original entry. Documents removed from process files will be placed in the permanent files after all processing is complete (i.e., placing bank verifications or CDBG contract payment transactions in a CDBG Receipt File).

Purchase requisitions, purchase orders, and related invoices are filed together; contracts, related invoices, payment vouchers, and check copies are filed together; and grant fund receipt documentation is filed together. Permanent files contain the documents necessary for undertaking an audit of the program. For ease of FC financial monitoring, complete request for funds packages will be included in a permanent request for funds (RFF) file.

CDBG Accounting Records

CDBG records are used to accumulate CDBG accounting information for financial reporting. The City will utilize and maintain the following required CDBG accounting records listed below.

- Cash-receipts Journal: All receipts of cash that are deposited into the CDBG account(s) will be recorded in the cash-receipts journal. Receipts may include contract payments to the City from the CDBG program, receipts from the disposition of land, program income, and any other CDBG related cash received. The general procedure for using this journal will be to record every CDBG receipt by date in the order that it was received and indicate the source of the funds received, account or activity line item to be credited, receipt number, and date. A notation regarding final disposition for all funds received will also be included in the journal.
- Cash-disbursements Journal: The City will enter all expenditures for CDBG program costs into the cash-disbursements journal. Disbursement entries will include the names of the vendors, dates paid, purchase order numbers paid against, check numbers, and references to the CDBG program activities the disbursements address.
- Property Register: The City will maintain a listing of all property acquired in part or entirely using CDBG funds. This list will be maintained to comply with state and federal standards relating to acquisition, control, and disposition of real and personal property. Examples of property that would be recorded in the register include both real property and office equipment.

- Detailed Activity Ledger: To maintain accounting control, the City will establish and utilize a detailed activity ledger that records all financial transactions, including receipts and expenditures, under a CDBG agreement. In instances when the City has several ongoing projects the City will maintain a separate project activity ledger, each relating to a particular project in this ledger. The project activity ledgers will combine to create the overall detailed activity ledger.

Cash Control Register

In addition to the above control procedures for CDBG financial reporting and control, the City will utilize a CDBG Cash Control Register. This register will be used to document and control the following:

- State of Florida funds received
- Requests for Funds (drawdowns on grant reservation)
- Balance of CDBG cash on hand
- Balance of CDBG grant funds (budget balances) available by line item
- Collections, refunds, and miscellaneous receipts
- Disbursements

This register is critical because it summarizes the status of CDBG cash on hand and line- item budget balances. The City will review the Cash Control Register on a regular basis to endure ongoing compliance with CDBG rules and regulations relating to cash on hand. The register will also serve as a cross-reference to the journal accounts such as cash receipts and disbursements and the detailed project ledger.

Accounting for Cash Receipts

Cash receipts for the CDBG program come primarily from the state as contract payments based on Requests for Funds. The City will log all CDBG project related cash receipts from all sources, including FC and other sources, in a Cash Receipts Journal, a CDBG Cash Control Register, and a detailed Project Ledger.

Accounting for Cash Disbursements

The City will establish specific days on which it will disburse CDBG funds. The frequency of these payment dates will depend on transaction volumes. To allow time for orderly processing and requisitioning of CDBG contract funds, cut-off dates for receipt of invoices to be paid in the next pay date will be established. The City will take measures to ensure that all cash disbursements are supported by source documentation that fully explains and documents the reason for the disbursement. Examples of source documentation include invoices, time sheets, and payroll vouchers.

Contractor payments will be made only after determining that the contractor is performing in accordance with contract provisions and time schedules, that deliverables have been completed, and that any problems identified by the City during compliance monitoring or inspections have been corrected. that fully explain and document the reason for the disbursement and will record all cash disbursements in the CDBG Cash Disbursements Journal, the CDBG Cash Control Register, and CDBG Detailed Activity Ledger.

For infrastructure, public facility, and some multifamily construction project disbursements, the contractor will be required to provide weekly signed certified payrolls to ensure compliance with Labor Standards (Davis-Bacon, Copeland Act, and CWHSSA). The City's staff or consultant will review the certified payroll for compliance prior to any payments being made to the contractor. Also, prior to payments being made to the contractor, the City's program staff/engineer will conduct an onsite review of the work accomplished to date, compare the accomplishments to the work reported in the contractor's invoice, and will sign off on any pay requests, certifying that the work reported by the contractor has been completed.

Prior to the final payment being made to the contractor, the City's program staff /engineer must inspect the work site(s) and provide a Certification of Completion, and the City or its consultant will confirm that all required documentation and reports from the contractor have been received and are complete and in good order.

Allowable Costs

The standards for determining reasonableness, allowability, and allocability of costs incurred as part of CDBG-DR -financed activities are found in 2 CFR 200.403. According to general guidelines contained in 2 CFR 200.403, a cost is allowable under the CDBG program as follows:

- The expenditure is necessary, reasonable, and directly related to the grant.
- The cost conforms with any limitations or exclusions established in 24 CFR 200 Subpart E (Cost Principles) or the CDBG award.
- The expenditure is consistent with policies and procedures that apply uniformly to both federally funded and other activities of the state or the City.
- The cost is accorded equal treatment. For example, a direct cost cannot be assigned if in other similar circumstances the cost was allocated as an indirect cost.
- The cost is in accordance with generally accepted accounting principles, except for states, local governments, and tribes only, as otherwise provided for in 2 CFR 200.416 and 2 CFR 200.417 (Cost Allocation Plans and Indirect Cost Proposals), and 2 CFR 200.417 (Interagency Service).
- The cost is not used to meet cost-sharing or matching requirements of any federally funded program. See 2 CFR 200.306(b) regarding cost sharing and matching.
- Costs must be adequately documented. See 2 CFR 200.300 through 2 CFR 200309 for more information.

The City will ensure that all costs under the CDBG program are allowable as outlined in 24 CFR 570 and the HUD's State Community Development Block Grant Program: Guide to National Objectives and Eligible Activities, December 2014.

Necessary Costs

Costs must be necessary expenditures of Federal funding in order to meet program objectives. Unnecessary costs are those that are not required to achieve the objectives of the CDBG agreement or not related to the CDBG program being administered.

Reasonable Costs

Reasonable costs are described in 2 CFR 200.404: "A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost."

In determining reasonableness of a given cost, consideration must be given to the following:

- Whether the cost is of a type generally recognized as ordinary and necessary for the operation of the non-federal entity or the proper and efficient performance of the federal award
- Restraints or requirements imposed by such factors as sound business practices; arm's-length bargaining; federal, state, local, tribal, and other laws and regulations; and terms and conditions of the federal award
- Market prices for comparable goods or services for the geographic area
- Whether individuals concerned acted with prudence in the circumstances considering their responsibilities to the non-federal entity, its employees, its students or membership (where applicable), the public at large, and the federal government
- Whether the non-federal entity significantly deviates from its established practices and policies regarding incurrence of costs, which may unjustifiably increase the federal award's cost.

The City will ensure that all costs under the CDBG program are reasonable.

Allocable Costs

Allocable costs are described in 2 CFR 200.405: "A cost is allocable to a particular Federal award or other cost objective if the goods or services involved are chargeable or assignable to that Federal award or cost objective in accordance with relative benefits received." This standard is met if the cost:

- Is incurred specifically for the federal award;
- Benefits both the federal award and other work of the non-federal entity and can be distributed in proportions that may be approximated using reasonable methods; and
- Is necessary to the overall operation of the non-federal entity and is assignable in part to the federal award in accordance with the principles in this subpart (2 CFR 200, Subpart E, Cost Principles).

The City will ensure that all costs under the CDBG program are allocable.

Program Income

Program income is the gross income received by a state, a unit of general local government (ULGL), or a subrecipient of a UGLG that was generated from the use of CDBG funds that exceeds $35,000 received in a single year (24 CFR 570.489(e)2). Examples of program income include the following:

- Proceeds from the sale or long-term lease of real property purchased or improved with CDBG funds
- Proceeds from disposition of equipment purchased with CDBG funds

- Gross income from use or rental of property acquired by the City or its subrecipient with CDBG funds, less the costs incidental to the generation of such income
- Gross income from use or rental of property owned by the City or other entity that was constructed or improved with CDBG funds, less any costs incidental to the generation of such income
- Payments of principal and interest on loans made using CDBG funds
- Proceeds from the sale of loans made with CDBG funds
- Proceeds from the sale of obligations secured by loans made with CDBG funds
- Interest earned on program income, pending the disposition of such program income
- Funds collected through special assessments made against nonresidential properties owned and occupied by households not of low and moderate income, where such assessments are used to recover all or part of the CDBG portion of a public improvement

Program income received by a unit of local government must be recorded in its financial records system and must be recorded in the same activity line item as generated the program income. Program income must be spent first on subsequent expenditures.

The City will report any program income generated from CDBG projects in the Quarterly Status Report. The City will return any program income generated after the closeout of the CDBG agreement to FC. The City also understands that any program income generated prior to closeout must be returned to FC, unless the program income can be used for additional units of CDBG activities that are specified in a modification to the agreement executed prior to the closeout. It is also understood that program income included in the project by modification to the agreement must be used in accordance with 2 C.F.R. part 200, 24 C.F.R. part 570.504 and the terms of the CDBG agreement.

Annual Audits

The City will maintain detailed and organized financial records and will be prepared to provide the same to its auditor for annual audits. For years that the City expends $750,000 or more in federal funds, it will submit a Single Act or Program Specific Audit to FC and the Florida Auditor General no later than June 30. For years that the City expends less than $750,000 in federal funds, it will submit a FC Audit Certification Memo to FC no later than June 30. Additionally, the City will submit an Audit Compliance Certification (an attachment to the CDBG agreement) no later than sixty calendar days following the end of its fiscal year. The City will respond in a timely manner to any potential audit findings or issues and to any potential FC Audit Management Letters.

Common Deficiencies

The City is aware that the issues listed below are the most common record-keeping deficiencies encountered during program monitoring and audits.

- Inadequate financial records
- Inadequate source documentation
- Inadequate procedures for verification of cost allowability

- Inadequate procedures for certifying operating agencies' financial systems
- Delays between drawdown and expenditure of funds
- Inadequate process to prevent overpayment of an activity budget line item
- Inadequate accounting of program income
- Inadequate or untimely financial reports

The City will take the necessary measures to be prepared and avoid these inadequacies.

CDBG Payments

Prior to transmission of contract funds, the City will complete and submit to the CDBG program a Subrecipient Enterprise Resource Application (SERA) system Access Authorization Form. The City understands that this form is used to inform FC of the names of persons permitted to sign Requests for Funds. Requests for Funds forms will be signed by one or more of the City's authorized individuals identified on the form. The Signature Authorization will identify the financial institution, its mailing address, telephone number, and the account number to which CDBG funds will be transmitted.

The City understands there can be no erasures or corrections on the SERA Access Authorization Form. The City will submit three copies, each having original signatures, to FC. In instances when it is necessary to change or update information on the Signature Authorization Form, the City will follow the same instructions.

The City will ensure that there is no comingling of funds by placing CDBG funds in a separate bank account or by demonstrating that its accounting system has sufficient capacity and internal controls to separately track the receipts and expenditures of the CDBG grant. For CDBG projects that are funded through an advance process, the City will ensure that these CDBG funds will be maintained in a separate non-interest-bearing account. Any interest paid on the account will be remitted to FC for return to the U.S. Treasury.

The City will submit requests for funds through the FC SERA system. To ensure the timely expenditure of CDBG funds the City will submit requests for funds on a regular basis and in accordance with the CDBG agreement's Scope of Work, Project Detail Budget and Activity Work Plans. These request for funds will include a signed invoice from the City as well as all contractor invoices, cancelled checks and other documentation required by FC that supports the expenditures reflected in the City's invoice.

The City will not expend or obligate more than $5,000 for administration, prior to receiving a Release of Funds from the CDBG program. The release will clearly state that environmental conditions have been removed and funds have been released for expenditure. Furthermore, the City will not draw funds for any activity that has been conditioned in the contract agreement until a Removal of Special Conditions is granted by FC. The City will review its contract award agreement for special conditions prior to obligating or requesting funds.

Record Keeping

In the simplest terms, CDBG financial transactions involve receiving cash (such as contract funds from FC's CDBG program or program income) and spending cash for eligible activities. Every CDBG financial transaction will be recorded in the accounting records as soon as possible. The City will ensure timely and accurate recording of financial transactions utilizing the appropriate source documents, files, and accounting records. The City will maintain records a minimum of 6 years from the date of the receipt of the final audit for the year in which the grant was closed out (2 CFR 200.333). The City understands that this period for records retention will be extended if any litigation, claim, negotiation, audit or other action involving the records has been started prior to the expiration of the controlling period. The City will provide access to these records and audits to FC, Florida's CFO, and the Auditor General upon request for a period of six (6) years following the final audit, unless extended by FC. The City additionally understands that such extensions will be in place until the completion of any associated actions and resolution of all associated issues have been determined.

Section 2. Grant Anti-Fraud, Waste, and Abuse Policy

Anti-Fraud, Waste, and Abuse (AFWA)

The City of South Bay is the Sub-recipient of Community Development Block Grant funds from the FloridaCommerce (FC) and the United States Department of Housing and Urban Development (HUD). As a steward of public funds, the City is actively working to combat fraud, waste, and abuse in its programs.

This policy is directed specifically to the Community Development Block Grant programs and is intended to establish procedures and processes that will aid in the detection and prevention of fraud, waste, and abuse in the CDBG programs.

This policy applies to all City employees, providers, vendors, contractors, consultants, partners, citizens, applicants, external departments, and agencies doing business with the City, as well as beneficiaries and others associated with, working for, accessing, or attempting to access benefits under the CDBG programs.

Scope

Fraud is the intentional (willful or purposeful) deception or misrepresentation made by a person with the knowledge that the deception could result in some unauthorized benefit to him/herself or some other person. There are many forms of fraud.

Waste includes over-utilizing City services, supplies or equipment, or causing unnecessary costs through carelessness or inefficiency.

Abuse includes activities that result in unnecessary costs to the City. Note that this is financial abuse, not physical or emotional abuse of a person. Physical and emotional abuse of a person should be reported to the police.

Examples of fraud include, but are not limited to, misrepresentation of:

- Income (Unreported or under-reported)
- Household composition
- Financial resources (transferred or hidden resources)
- Residency
- Citizenship status

Other types of fraud include, but are not limited to:

- Using another person's identification
- Forging signatures or documents

- Concealing access to duplicate funding
- Misrepresenting a medical condition to obtain additional benefit
- Misusing funds (diverting them for an unintended use)

Other actions constituting fraud, waste and abuse include, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriation of funds, supplies or assets
- Impropriety in handling or reporting money or financial transactions
- Profiting as a result of insider knowledge
- Unauthorized disclosure of confidential or private information
- Accepting or seeking anything of material value from contractors, vendors or any person that seeks a beneficial decision, contract, or action from the Choose an item.
- Accepting or seeking anything of material value from contractors, vendors or any person that is providing services for CDBG activities
- Unnecessary cost or expenditures
- Diversion of program resources

AFWA Complaint Process

The City's constituents, employees and contractors may report suspected fraud, waste, or abuse by contacting the appropriate FC CDBG program managers.

All suspected cases of fraud will be taken seriously, and complaints will be reported to the appropriate FC Compliance and Reporting Manager and FC's Office of the Inspector General at OIG@FC.myflorida.com. If FC's OIG determines that it is appropriate, it will coordinate its investigation with agencies such as the Florida Office of the Inspector General, the Florida Office of the Attorney General, or the Florida Department of Business and Professional Regulation.

All substantiated cases of fraud, waste, or abuse of government funds will be forwarded to the United States Department of Housing and Urban Development (HUD), Office of Inspector General (OIG) Fraud Hotline (phone: 1-800-347-3735 or email: hotline@hudoig.gov) and FC's HUD Community Planning and Development (CPD) Representative.

Fraud, Waste, and Abuse Prevention Measures

The City's governing body is responsible for ensuring that the City's CDBG programs comply with all federal and state regulations as well as recommending improvements that enhance programmatic efficiency, effectiveness, and documented results. Below are the main critical responsibilities for preventative measures:

- Ensure ongoing compliance with federal, state, and local regulations through review of the policies and procedures, project and beneficiary eligibility and award determinations, and program activity files.
- Conduct regular internal self-monitoring of the City's CDBG programs and report results to City Manager.
- Identify and assist with investigations of potential fraud, referring cases to FC's CDBG team and FC's OIG as appropriate.

- Oversee and coordinate all reporting for FC's CDBG programs, including state and federal reporting requirements, data analysis, and providing data for FC leadership.
- Provide technical assistance to program areas regarding compliance issues and questions, as well as monitoring findings.

Confidentiality

Complainants reporting fraud, waste and misuse of federal resources, or other program irregularities may remain anonymous. All information received about suspected fraud, waste and abuse will be treated confidentially. Furthermore, all investigative materials developed, and interviews conducted to substantiate the allegations of fraud, waste or abuse will be treated confidentially.

Information will only be disclosed on a need-to-know basis to appropriate law enforcement authorities. No information about the status of an investigation will be shared outside of the City's CDBG Program Manager, FC's Constituent Services Manager, FC's Policy Manager, FC's Compliance and Reporting Manager, and FC's CDBG Program Director and authorized FC staff members, except with the State or HUD OIG upon conclusion of the investigation or with law enforcement or legal counsel, in the event legal action should be needed.

Whistle-blower's Act of 1986

The City understands that confidentiality is important to avoid retaliation against reporting individuals. Florida's Whistle-blower's Act prevents agencies or independent contractors from taking retaliatory action against an employee who reports to a person or agency designated by the statute (see next paragraph below) violations of law on the part of a public employer or independent contractor [as defined in Section 112.3187(3)(d), Florida Statutes], that create a substantial and specific danger to the public's health, safety, or welfare. It also prevents agencies or independent contractors from taking retaliatory action against any person who discloses information to an appropriate agency alleging improper use of governmental office, gross waste of funds, or any other abuse or neglect of duty on the part of an agency, public officer, or employee.

Violations of this act should be reported in accordance with Section 112.3187, Florida Statutes. Any employee who has a complaint should immediately contact the FC Department head, FC Office of the Inspector General, the Governor's Office of the Chief Inspector General, the Florida Commission on Human Relations, or the state's whistle- blower's hotline at (800) 543-5353. [Section 112.3187, Florida Statutes]

Cooperation with Official Department Investigations

The City's employees are required to maintain high standards of honesty, integrity, and impartiality and to place the interests of the public ahead of personal interests. When allegations of violations of these standards are received, full and accurate information must be obtained so management may respond appropriately. Toward this end, employees of the City must cooperate with FC program staff and the duly appointed investigators from FC's Office of Inspector General to uncover the facts surrounding possible violations in an official investigation.

Failure to comply as specified above without a valid mitigating reason, such as exercising a right protected by federal or state law, will constitute a violation of this policy and subject the City to appropriate disciplinary action up to and including dismissal of employees of the City.

Section 3. Quality Assurance/Quality Control (QA/QC)

The purpose of these Quality Assurance/Quality Control (QA/QC) procedures is to assure the City of South Bay's ("City") CDBG program quality, ensure the program meets performance measures, and to ensure compliance with rules, regulations, statutes, laws, best practices and requirements identified by the federal government, the State of Florida and those incorporated in the City's contractual agreement with the FloridaCommerce(FC).

This document is the general approach for compliance of the City's CDBG program, establishing monitoring practices and oversight of all program areas including:

- Self-Evaluation
- Eligible Activities and National Objective
- Duplication of Benefits
- Procurements
- Environmental Review
- Acquisition
- Financial Systems and Financial Management

Monitoring

- Project Progress and Amendments
- Construction Related (Labor Standards Compliance/Engineer or Housing Specialist Inspection Services/Certification of Completion or Certificate of Completion or Occupancy [housing])
- Civil Rights (Fair Housing, EEO, MWBE, Section 504, and Section 3)
- Reporting
- Complaints
- Records Retention
- Public Records Requests

Self-Evaluation, Capacity and Monitoring Plan

The City will, upon receipt of notification of award OR receipt of an executed CDBG agreement, evaluate its capacity, staffing, grant management history, financial systems and fiscal history (i.e., any previous financial monitoring findings or concerns from previous grants and/or audit findings or compliance issues) and coupled with FC's Risk Assessment will put into place strategic adjustments that supplement the City's existing capacity. These adjustments may include such actions as purchasing updated accounting software, hiring additional staff or hiring consultants. In addition, to these adjustments, the City will adhere to and participate in monitoring in accordance with FC's monitoring plan.

Eligible Activities and Meeting a National Objective

The City will take the appropriate steps to ensure that only eligible activities are addressed with CDBG funds and that projects paid for with these grant funds meet a National Objective. Activities approved through the project's application and contracting with FC are assumed to meet the tests for being eligible activities and for meeting a National Objective. Any changes in the activities, beneficiaries and scope of work will require reviews by City staff and FC to determine the eligibility of activities and whether or not a project continues to meet a National Object. Projects that provide direct benefit to residents, such as housing rehabilitation will require the beneficiaries to provide substantial documentation of household income to ensure they are low-to-moderate income, or in the case of work on a multi-unit housing project documentation confirming that at least 51% of the units are occupied by person from low-to-moderate income and/or will be or remain available and affordable to persons from low-to-moderate income households.

Duplication of Benefits

The City, will take ongoing measures to ensure that there is no Duplication of Benefits (DOB) utilizing the CDBG funds. For Disaster Recovery projects the City will adhere to the requirements of the Stafford Act to avoid DOB. A DOB occurs when a person, household, business, government, or other entity receives financial assistance from multiple sources for the same purpose, and the total assistance received for that purpose is more than the total need for assistance. Within the CDBG program, all grantees are bound by Section 312 of the Stafford Act, as amended by the DRRA, and the OMB Cost Principles within 2 C.F.R. § 200 that requires all costs to be "necessary and reasonable for the performance of the Federal award."

The City will ensure that no DOB occurs by:

- Assessing Need: Determine the amount of need (total cost) to accomplish a project.
- Determining Available Assistance: Determine the amount of assistance that has or will be provided from all sources to pay for the cost of the project.
- Calculating Unmet Need: Determine the amount of assistance already provided compared to the need to determine the maximum CDBG award (unmet need)
- Documenting the analysis: Document calculation and maintain adequate documentation justifying determination of maximum award.

Procurements

The City will follow 2 CFR 200.317-326 and the City's adopted and FC approved Procurement Policy for all procurements funded by CDBG. Additionally, the City will adhere to the requirements of Section 287.055 Florida Statutes when conducting procurements for professional services such as grant administration engineering. The City will advertise its procurements for CDBG funded work and services in a regional Metropolitan Statistical Area newspaper of general circulation. Construction procurements will additionally adhere to Sections 255.05 (bonding), 255.0525 and FC requirements (advertising times). Requests for Proposals, at a minimum, must be advertised at least twelve (12) days prior to the deadline for receipt of proposals.

The City will make every effort to ensure that no conflicts of interest occur in the procurements process. City elected officials and staff will be required to divulge any potential conflicts of interest and will be required to remove themselves from the process and abstain from participation in any procurements where an actual or a perceived conflict of interest exists.

In the event of any bid protest, the City will follow the procedure as outlined in Section 127.57(3) Florida Statutes and will notify its FC contract manager immediately of any protests it receives. The City will communicate any other procurement challenges or problems to its FC contract manager immediately.

The City will ensure that it has an E-Verify Memorandum of Understanding (MOU) and will include a requirement in all contracts with contractors, subcontractors, consultants and sub recipients, funded with CDBG funds, to utilize the U.S. Department of Homeland Security's E-verify system (E-Verify) to verify employment eligibility of all new employees hired during the term of the CDBG agreement. Additionally, the City will utilize E-Verify for any new employees it hires during the Grant Period.

The City will include the Section 3 Clause in all contracts with contractors, subcontractors, consultants and subrecipients that are $100,000 or more.

Environmental Review

Prior to the expenditure any CDBG funded project, other than the allowable expenditures for administration, the City will complete a HUD required Environmental Review that meets the requirements of 24 CFR Part 58. While additional environmental reviews, studies or reports (such as a Phase I and Phase II Environmental Study typically conducted by an engineer) may be required and may also be needed for the HUD Environmental Review, the City understands that these reviews, studies and reports are not a substitute for the HUD required Environmental Review. The City understands that any expenditure of or commitment to expend CDBG funds (other than the allowable $5,000 for initial administration) prior to its receipt of FC's Authority to Use Grants Funds will not be eligible for payment or reimbursement with CDBG funds. Commitments to expend funds, include but are not limited to the actual expenditure of funds, construction bidding and/or award, and agreements to acquire property.

Acquisition and Displacement/Relocation

The City will adhere to 49 CFR Part 24, the Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs when purchasing property for a CDBG, regardless of the source of the funding. Additionally, the City will make every effort to avoid CDBG funded projects that displace people or businesses. In instances where the CDBG funded project will displace persons or businesses, the City will ensure that those displaced are accommodated as directed and required in the regulations.

Financial Managements Systems and Financial Management

The City will manage all financial aspects of the CDBG program by ensuring that its financial systems and staff are structured in a manner that ensures optimal accountability and adheres to federal and state accounting requirements. All CDBG awards will be included in the City's budget. A staffing system will be structured that ensures, to the extent possible, segregation of duties in the financial processes.

In instances where non-CDBG funding will be used with CDBG funding, the funding sources and uses will be clearly represented as separate funding streams and expenses in the City's accounting systems. The City's accounting system or subset of the same will be structured in a manner that reports budget to actual expenditures, detailed check/expenditure registers, and cash balance reporting and expenditures by request for funds.

The City will ensure that there is no comingling of funds by placing CDBG funds in a separate bank account or by demonstrating that its accounting system has sufficient capacity and internal controls to separately track the receipts and expenditures of the CDBG grant. For CDBG projects that are funded through an advance process, the City will ensure that these CDBG funds will be maintained in a separate non-interest-bearing account.

The City will report any program income generated from CDBG projects in the Quarterly Status Report. The City will return any program income generated after the closeout of the CDBG agreement to FC. The City also understands that any program income generated prior to closeout must be returned to FC unless the program income can be used for additional units of CDBG activities that are specified in a modification to the agreement executed prior to the closeout. It is also understood that program income included in the project by modification to the agreement must be used in accordance with 2 C.F.R. part 200, 24 C.F.R. part 570.504 and the terms of the CDBG agreement.

The City will submit requests for funds through the FC Subrecipient Enterprise Resource Application (SERA) system. To ensure the timely expenditure of CDBG funds the City will submit requests for funds on a regular basis and in accordance with the CDBG agreement's Scope of Work, Project Detail Budget and Activity Work Plans. These request for funds will include a signed invoice from the City as well as all contractor invoices, cancelled checks and other documentation required by FC that supports the expenditures reflected in the City's invoice.

The City will maintain detailed and organized financial records and will be prepared to provide the same for FC monitorings and annual audits. For years that the City expends $750,000 or more in federal funds, it will submit a Single Act or Program Specific Audit to FC and the Florida Auditor General no later than June 30. For years that the City expends less than $750,000 in federal funds, it will submit a FC Audit Certification Memo to FC no later than June 30. Additionally, the City will submit an Audit Compliance Certification (an attachment to the CDBG agreement) no later than sixty (60) calendar days following the end of its fiscal year. The City will respond in a timely manner to any potential FC financial monitoring findings or concerns and to any potential audit findings or issues.

Monitoring

The City, on an ongoing basis, will self-monitor to ensure:

- adherence to the requirements of the CDBG agreement, as well as state and federal requirements,
- adequate efforts are made, and actions taken to Affirmatively Further Fair Housing, that additional efforts are made toward Affirmative Action, enhancing opportunities for minority and women business enterprises (MWBE) in procurements, ensuring program access for handicap persons (Section 504), as well as staffing and

beneficiaries, and proactive approaches to providing opportunities to low to moderate income persons (Section 3).

- the project's timely progress as it relates to the agreement's Milestones/Activity Work Plans/Timeline,
- the project's timely expenditure rate,
- the maintenance and accuracy of project related accounting,
- that project work is certified complete by a Housing Rehab Specialist and Building Official for housing projects and by an engineer for infrastructure and public facilities projects,
- timely submission of required reporting,
- complete, correct and organized retention of records,
- the avoidance of conflicts of interest in procurements and beneficiaries,
- the timely and appropriate response to complaints, and
- the timely response to public records requests.

The City will prioritize preparation for, participation in and responses to FC monitoring visits and desk monitoring. The City will prepare for this monitoring by:

- completing, when available, FC monitoring checklists to organize appropriate files and copies of backup,
- utilizing FC monitoring checklists and/or FC Initial Document Request List from the FC monitoring notification letter to organize appropriate files, documents, policies, financials record, etc.,
- providing FC advanced copies of requested files, documents, policies, financial records, etc., for desk and remote monitoring,
- having appropriate City staff including program and fiscal staff as well as consultants (if applicable) available for the monitoring, whether they are desk, remote or in person monitoring,
- making sure a local elected official or City Manager is available for the entrance and exit interviews, and
- making appropriate City staff available for interim telephone conference calls, which are not actual monitoring, but serve to provide FC project updates.

The City will respond to FC monitoring questions, findings and concerns by:

- providing FC any requested additional documentation or information in a timely manner,
- taking appropriate action(s) to correct any monitoring findings and/or concerns, and
- providing FC with a timely written response to any monitoring findings and/or concerns.

The City will additionally review ongoing FC and HUD correspondence and notices as well as annual audit reports and will take necessary prescribed actions to correct or improve any items requiring corrections or improvements and will in a timely manner respond in writing to FC regarding these actions, when required.

The City is committed to requesting technical assistance from FC, as needed, to ensure project quality, compliance, and progress.

Project Progress and Amendments

The City understands that the timely completion of the CDBG project and timely expenditure of funds must be a priority as it is vital to provide the grant funded repairs, improvements, infrastructure, public facilities, housing and/or services to its residents. Additionally, the City is aware of the mandates on HUD and FC to expend the grant funds in a timely manner, and that failure to do so can potentially jeopardize additional future funding opportunities.

The City is committed to working within the parameters and requirements of the program to ensure timely completion of the CDBG project. In the event that unforeseen and unavoidable delays are imminent, the City will communicate in a reasonable timeframe with the appropriate FC staff and if necessary, will initiate a request for any necessary contract amendments to align actual timeframes with project work plans, timelines and to adjust expiration dates if necessary.

Construction Elements

The City will conduct the bidding process, taking actions to promote minority and women business enterprises and Section 3 participation and advertising for the required time frames. As required, the City will conduct a pre-bid conference/meeting, will provide bid documents at a reasonable cost, will receive sealed bids with proper bonding and required documents, will open the bids publicly, will create or obtain a bid tabulation and award recommendation from staff or the project engineer, will have the governing body vote to award the contract to the contractor pending receipt of any additional information including proof of active registration in the SAM.gov system, required bonds and proof documenting that the contractor is not on the Excluded Parties list.

Follow receipt of these documents, the City will request contractor clearance from FC and once received, will execute a contract with the contractor.

Following execution of the construction contract, the City will conduct a pre-construction meeting with the contractor and discuss requirements for Section 3, MWBE, Davis Bacon (prevailing wage requirements) including submission of weekly certified payroll reports, Contract Work Hours and Safety Standards Act (CWHSSA) requiring time and a half pay for hours worked over 40 hours per week, and Copeland Act-Anti-Kickback assuring contractors do not induce an employee to give up part of their compensation they are entitle to. This meeting will also serve to outline schedules for work, payments and other discussions deemed necessary with the contractor.

The City will then issue a Notice to Proceed to the contractor allowing the contractor to begin construction.

The contractor will be required to provide weekly signed certified payrolls to ensure compliance with Labor Standards (Davis-Bacon, Copeland Act, and CWHSSA). The City's staff or consultant will review the certified payrolls for compliance prior to any payments to the contractor. Also, prior to payments being made to the contractor, the City's engineer will conduct an onsite review of the work accomplished to date, compare the accomplishments to the work reported in the contractor’s invoice and will sign off on any pay requests certifying that the work reported by the contractor has been completed.

Prior to the final payment being made to the contractor, the City's engineer must inspect the work site(s) and provide a Certification of Completion, and the City or its consultant will confirm that all required documentation and reports from the contractor have been received and are complete and in good order.

Civil Rights Compliance

The City will adhere to contract requirements, federal regulations and state laws and rules in meeting Civil Rights requirements. To this end, the City will follow the Civil Rights Compliance attachment to the CDBG agreement, adopting required policies, ordinances and resolutions, designating various coordinators, advertising the coordinators' contact information, conducting various required activities, and establishing various complaint procedures and tracking logs.
The City will ensure compliance in regard to:

- Affirmatively Furthering Fair Housing,
- Equal Employment Opportunity (EEO),
- Section 504 and the Americans with Disabilities Act, and
- Section 3

Additionally, the City will maintain a list of minority and women business enterprises and will take measures to ensure that when requesting bids, Minority and Women Business Enterprises (MWBE) on this list are contacted and that contractors awarded CDBG funded contracts are required to take measures to hire MWBE subcontractors and make efforts to hire Section 3 residents for available work.

Reporting

The City will provide the required reports as established in the Reports attachment to the CDBG agreement. The City understands that is all reports are not submitted to FC in an acceptable manner, payments from FC may be withheld until the reports are properly completed and submitted. The following reports will be submitted to FC through the SERA system (or other FC specified means) by the required outlined dates:

- Monthly Progress Reports (for Disaster Recovery) will be submitted no later than 10 days following the end of the month.
- Quarterly Progress Reports or Quarterly Status Reports will be submitted no later than the 10th of April, July, October, and January.
- Contract and Subcontract Activity forms, HUD 2516, reporting MWBE participation as well as Section 3 participation, will be submitted no later than April 15 and October 15.
- Single or Program Specific Audit will be submitted no later than June 30, if the City expends $750,000 or more in total federal funds from all sources. If the City expends less than $750,000 in total federal funds, a FC Audit Certification Memo will be submitted no later than June 30. Submissions will be made to Audit@FC.myflorida.com or as specified by the FC staff and to the Florida Auditor General through their website at https://flaauditor.gov. Hard copies of the audits may be submitted to FC and the Audit General via the addresses outlined in the CDBG agreement.

- Audit Compliance Certification, attesting whether or not an audit submission will be required, will be annually submitted no later than 60 days following the end of the City's fiscal year.
- An Administrative Closeout Report and supporting documentation will be submitted no later than 60 days following the expiration of the CDBG agreement.
- Section 3 Report, HUD 60002, will be annually submitted no later than July 30.
- Any additional updates or reports as requested by FC will be provided in a timely manner.

Citizen's Complaints

The City will take prompt actions to address any complaints it receives and will make every effort to resolve these complaints in a timely manner.

All complaints received, including verbal (phone calls, in person) and written, will be documented in appropriate log sheets for general citizen's complaints, Fair Housing complaints, EEO complaints and Section 504/ADA complaints. The City will notify its FC grant manager immediately upon receipt of any of CDBG grant related complaints and will make efforts to address, assist, resolve and/or make referrals on complaints received, whether verbal or written. The actions, results and conclusions of these complaints will be recorded in the appropriate log sheets.

For a complaint to be formally processed, reviewed and responded to by the City in writing, the complaint must:

- Be submitted in writing,
- Include the complainant's full name,
- Include the Complainant's Contact information and preferred method of notification for communications regarding complaint (telephone; physical, postal, and Email addresses), Nature of the complaint (CDBG or Other, please specify), and
- Include a summary of the complaint and desired remedy requested.

Additionally, the complainant should include previously contacted individuals concerning the complaint and any supporting evidence.

The City will respond in writing to written complaints that meet the above criteria within fifteen (15) days and may take additional measures to address and close the complaint. The City's written response is not a guarantee of resolution to the complaint. CDBG grant related complaints that are not resolved and closed within 30 days will be referred to the City's FC contract manager.

Records Retention and Access

The City will retain all grant related and grant agreement specified records and audits for a period of five (5) years following the final audit after the grant closeout, or for six (6) state fiscal years after all reporting requirements have been satisfied and final payments have been received; whichever period is longest. The City will provide access to these records and audits to FC, Florida's CFO, and the Auditor General upon request for a period of six (6) years following the final audit, unless extended by FC. The City understands that this period for records retention and access will be extended if any litigation, claim, negotiation, audit or other action involving the records has been started prior to the expiration of the controlling periods. The City additionally understands that such extensions will be in place until the completion of any associated actions and resolution of all associated issues have been determined.

Public Records Requests

The City will directly respond to each CDBG agreement related public records request and will notify FC of such requests by email to PRRequest@FC.myflorida.com within one business day following the date of the records request. Additionally, the City, upon request from FC's custodian of public records, will provide FC records or allow inspection of these records within a reasonable time. The City understands that it may be reimbursed for the costs of preparing and providing these records as long as the costs do not exceed the allowable costs outlined in Chapter 119, Florida Statutes. Furthermore, the City understands that FC may terminate the CDBG agreement if the City fails to provide and/or allow access to public records.

Summary

Utilizing these procedures, the City will make it a priority to implement its CDBG programs in a manner that adheres to federal, state and local requirements, will ensure CDBG projects employ a quality and fiscally responsible process that provides a successful project result in a timely manner.

Section 4. Section 504 Compliance Policy, Self-Evaluation Plan, and Grievance Procedure

This Section applies to all City programs and activities receiving federal financial assistance, including Community Development Block Grant programs and projects. It is intended to provide equal access, establish an ongoing evaluation process, and provide a prompt and equitable grievance process.

4.1 General Policy

A. Applicability

No otherwise qualified individual with a disability shall, solely by reason of disability, be excluded from participation in, denied the benefits of, or subjected to discrimination under any City program or activity receiving federal financial assistance from HUD. Covered activities shall be administered in compliance with Section 504 of the Rehabilitation Act of 1973, as amended; Section 109 of the Housing and Community Development Act of 1974, as amended; 24 C.F.R. Part 8; and other applicable federal and state accessibility laws. Compliance with this policy does not by itself establish compliance with every requirement of the Architectural Barriers Act, the Americans with Disabilities Act, the Fair Housing Act, or the Florida Accessibility Code.

B. Governing Standards

Applicable accessibility standards and grant requirements are incorporated by reference. For a particular project, the City shall apply the accessibility standard required by controlling law, regulation, funding agreement, and HUD or FloridaCommerce guidance. Later-enacted controlling requirements supersede inconsistent provisions of this policy.

C. Definitions

Accessible: A facility, dwelling unit, route, program, service, or activity that can be approached, entered, used, understood, or participated in by individuals with disabilities in accordance with applicable standards.

Accessible route: A continuous, unobstructed path connecting accessible elements and spaces that complies with applicable accessibility requirements.

Auxiliary aids and services: Services or devices that provide an equal opportunity for effective communication, including qualified interpreters, captioning, readers, accessible electronic documents, Braille, large print, audio formats, and relay services.

Disability: A physical or mental impairment that substantially limits one or more major life activities; a record of such an impairment; or being regarded as having such an impairment, as provided by applicable law.

Qualified individual with a disability: An individual who meets the essential eligibility requirements for the applicable employment, program, service, or activity, with reasonable accommodation when required.

Reasonable accommodation or modification: A change to a policy, practice, procedure, work environment, or method of participation that enables equal access and does not impose an undue financial and administrative burden or fundamentally alter the program.
Undue financial and administrative burden: A significant difficulty or expense determined after considering all available resources and the nature and cost of the requested action. Any denial on this basis must be supported by a written determination of the City Manager or authorized designee after considering available alternatives.

4.2 Communications and Auxiliary Aids

The City shall provide appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and enjoy covered programs and activities. The City is not required to provide personal devices or services of a personal nature. The City shall give primary consideration to the aid or service requested unless another effective means of communication is available or the requested action would cause a fundamental alteration or undue financial and administrative burden.
Requests should be made as early as practicable to the Section 504 Coordinator. The City will accept requests in writing, by telephone, in person, or through a representative. Florida Relay may be reached by dialing 711. The City shall provide notices and program information in accessible formats and shall not impose a surcharge on a person with a disability for an auxiliary aid, service, accommodation, or modification required for equal access.

4.3 Employment

A. Nondiscrimination

No qualified individual with a disability shall, solely because of disability, be subjected to discrimination in employment under a program or activity receiving federal financial assistance from HUD.

B. Reasonable Accommodation

The City shall provide reasonable accommodation for the known physical or mental limitations of an otherwise qualified applicant or employee with a disability unless the City demonstrates that the accommodation would impose an undue hardship. Employment opportunity shall not be denied merely because an accommodation is needed.

C. Employment Criteria and Inquiries

The City shall not use an employment test or selection criterion that unlawfully screens out individuals with disabilities. Pre-employment inquiries and medical examinations shall be limited and conducted as permitted by applicable law. The City may inquire about an applicant's ability to perform job-related functions.

4.4 Program and Facility Accessibility

The City shall operate each covered program or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities. New construction and alterations shall comply with the accessibility standards applicable to the project. The City may

achieve program access through relocation, accessible service locations, assignment of aides, home visits, accessible technology or equipment, changes in policies or procedures, acquisition or construction, or alterations. Structural changes are not required where other methods provide effective access.
For historic preservation programs or properties, the City shall prioritize methods that provide physical access. If an alteration would substantially impair significant historic features or impose an undue financial and administrative burden, the City shall document the analysis and use alternative methods that provide access to the maximum extent feasible.

4.5 Enforcement, Assurances, and Responsible Employee

A. Assurances

The City shall execute and maintain the assurances required for federal financial assistance. An assurance involving real property or structures remains effective while the property or structures are used for the purpose for which assistance was extended or for another purpose involving similar services or benefits. An assurance involving personal property remains effective while the City retains ownership or possession. Other assurances remain effective during the period federal assistance is extended.

B. Section 504 Coordinator

The City Manager, or the City Manager's written designee, shall coordinate the City's compliance efforts. Contact: Section 504 Coordinator, City of South Bay, 335 SW 2nd Avenue, South Bay, Florida 33493; telephone (561) 996-6751, extension 130. The Coordinator shall receive accommodation requests and grievances, coordinate notices and training, maintain required records, monitor corrective actions, and consult the City Attorney as appropriate.

C. Notice

The City shall take appropriate initial and continuing steps to notify participants, beneficiaries, applicants, employees, unions, professional organizations, contractors, and members of the public that it does not discriminate based on disability in covered programs or activities. Notices shall identify the Section 504 Coordinator and be provided through methods reasonably calculated to reach people with hearing, vision, cognitive, and mobility disabilities, including accessible website and meeting notices where applicable.

4.6 Self-Evaluation and Corrective Action Plan

The City shall conduct and document an initial and ongoing self-evaluation of covered policies, practices, programs, communications, facilities, and projects, after consultation with interested persons, including individuals with disabilities or organizations representing them. The evaluation shall:

- identify policies or practices that do not or may not meet Section 504 requirements;
- inventory facilities and program locations and identify physical, communication, digital, or procedural barriers;
- identify corrective actions, responsible departments, funding sources, and target completion dates;

- determine whether a formal transition plan or other project-specific accessibility plan is required; and
- verify completion and effectiveness of corrective actions.

The Coordinator shall update the self-evaluation when a covered program materially changes, a facility is acquired or altered, a new federally assisted project begins, a barrier or pattern of complaints is identified, or controlling requirements change. The Coordinator shall review the evaluation at least annually while an active covered grant is open.

If the City employs fifteen or more persons, the City shall maintain for at least three years after completion of an evaluation, and make available for public inspection as required by 24 C.F.R. Section 8.51, a list of interested persons consulted, a description of areas examined and problems identified, and a description of modifications or remedial steps taken. Grant-specific or other record-retention requirements that are longer shall control.

4.7 Grievance Procedure

A. Right to File; Accessibility

Any person who believes that the City has failed to comply with Section 504, or a representative of that person, may file a grievance. No particular form is required. The City shall assist a complainant with a disability in preparing or submitting a grievance and shall provide an accessible alternative filing method upon request. Use of this procedure is not a prerequisite to pursuing any other remedy available by law.

B. Filing

A grievance should be submitted to the Section 504 Coordinator within thirty (30) calendar days after the complainant becomes aware of the alleged action. The Coordinator may extend this period for good cause or when necessary to provide equitable access. A grievance should include, to the extent known:

- the complainant's name and contact information;
- the name or department of the person or entity involved;
- a description and approximate date of the alleged action or barrier;
- the requested resolution or accommodation, if known;
- the names and contact information of witnesses, if any; and
- any supporting documents or other relevant information.

C. Informal Resolution and Investigation

Within five (5) business days after receipt, the Coordinator shall acknowledge the grievance in an accessible format and advise the complainant of the process. The Coordinator shall conduct a prompt, impartial review; may interview relevant persons; shall preserve material records; and may attempt informal resolution with the complainant's consent. The Coordinator shall consult the City Attorney when appropriate. A person who participated directly in the challenged action shall not serve as the decision-maker.

D. Written Decision

Within twenty (20) business days after receipt, or within a reasonable extended period explained in writing when additional investigation is necessary, the Coordinator shall issue an accessible written decision stating the relevant facts, conclusion, and any corrective action and completion date. Informal resolution does not prevent the City from taking corrective action needed to end discrimination or provide access.

E. Appeal

A complainant may appeal in writing to the City Manager within fifteen (15) calendar days after receiving the decision. If the City Manager served as the initial decision-maker or is directly involved in the challenged action, the appeal shall be decided by a neutral official designated by the City Commission or City Attorney. The appeal decision shall be issued in an accessible format within fifteen (15) business days after receipt and shall constitute the City's final administrative decision.

F. External Complaints

A person may also contact the United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, or another agency with jurisdiction. External filing deadlines are governed by applicable law and agency rules; the City's internal process does not pause or extend those deadlines. Current filing information should be obtained from HUD at www.hud.gov/fairhousing or 1-800-669-9777 (voice) and 1-800-877-8339 (Federal Relay Service).

G. Confidentiality, Records, and Non-Retaliation

Information shall be shared only to the extent necessary to investigate, resolve, document, or comply with law. The City shall retain grievance files in accordance with applicable federal, state, grant, litigation-hold, and City record-retention requirements. Retaliation, intimidation, coercion, interference, or discrimination against any person for requesting an accommodation, filing a grievance, assisting another person, or participating in an investigation is prohibited.

Appendix 4-A. Section 504 Facility and Program Self-Evaluation Form

Evaluation date: ___________________
Program/project/grant: ____
Facility or service location: ____
Evaluator(s): ____
Interested persons or disability organizations consulted: __________________

Area reviewed	Barrier or concern	Required action	Responsible party	Target/status
Accessible route, parking, and entrances				
Doors, circulation, service counters, restrooms				
Meeting and assembly areas				
Emergency alarms and egress				
Program eligibility and participation				
Notices, forms, websites, and digital content				
Effective communication and auxiliary aids				
Policies, practices, and reasonable modifications				
Employment practices for covered programs				
Other				

Transition or corrective action plan required? Yes ____ No ____
Basis for determination and priority of actions:
____
Coordinator approval: _____________________________ Date: _____________

Appendix 4-B. Section 504 Grievance Form

Use of this form is optional. The City will accept a grievance in another accessible format and will provide assistance upon request.

Complainant name:

____

Address:

____

Telephone / email / preferred contact method:

____

Representative, if any:

____

City department, program, project, facility, or person involved:

____

Date(s) of alleged action or barrier:

____

Description of what occurred:

____

____

Requested accommodation or resolution:

____

____

Witnesses or supporting documents:

____

Accessibility assistance needed for this grievance process:

____

Signature (optional): ____ Date: ___________________

Submit to: Section 504 Coordinator, City of South Bay, 335 SW 2nd Avenue, South Bay, FL 33493; (561) 996-6751, ext. 130.

ORDINANCE NO. 07-2026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, SUBMITTING TO REFERENDUM AN AMENDMENT TO THE CITY CHARTER; AMENDING CHAPTER 1, SECTION 1-7 ENTITLED "RESIGNATION, SUSPENSION, REMOVAL, DEATH, OF A CITY COMMISSIONER." TO ESTABLISH CLEAR CHARTER PROVISIONS REGARDING FORFEITURE OF OFFICE, DECLARATION OF VACANCIES AND PROCEDURES FOR FILLING VACANCIES CONSISTENT WITH FLORIDA LAW; PROVIDING FOR ADOPTION OF REPRESENTATIONS; PROVIDING FOR CONFLICT AND REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of South Bay ("City Commission") desires to amend, Chapter 1, Section 1-7of the City of South Bay Charter to establish clear Charter provisions regarding forfeiture of office, declaration of vacancies, and procedures for filling vacancies consistent with Florida law; and

WHEREAS, pursuant to Article VIII, Section 2 of the Florida Constitution and Chapter 166 of Florida Statutes, the City of South Bay ("City") has been granted a broad exercise of home rule powers granted by the constitution which includes the power and authority to enact regulations for valid governmental purposes that are not prohibited by general or special law; and

WHEREAS, the City Commission desires to amend Chapter 1, Section 1-7 of the City of South Bay's Charter entitled, "Resignation, suspension, removal, death, of a city commissioner." to establish clear Charter provisions regarding forfeiture of office, declaration of vacancies, and procedures for filling vacancies consistent with Florida law; and

WHEREAS, the City Commission is also desirous of codifying an amendment to the City Charter; and

WHEREAS, the City Commission has publicly reviewed, considered and directed that this Ordinance be prepared and that the appropriate Charter Referendum question be included herein and submitted to the qualified electors of the City of South Bay, Florida, at the March 09, 2027, Municipality Election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SOUTH BAY, FLORIDA, AS FOLLOWS:

Section 1. Adoption of Representations.

The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and the same are hereby made a specific part of this Ordinance.

Section 2. Submission of Proposed Charter Language.

Attached hereto and incorporated herein as Exhibit "A", is a proposed amended section of the charter of the City of South Bay. The amended charter is prepared in strike through/underscore format. All language shown as being struck through is language of the existing City of South Bay charter which will be deleted from the current charter if the amendment is approved. All language shown as underscored in the proposed charter is language which will be added to the charter if the amendment is approved.

Section 3. Approval of the Ballot Statement.

The following statement is hereby approved as the explanatory statement to be placed upon the ballot as required by Section 101.161, Florida Statutes:

Shall Section 1-7 of the City of South Bay's Charter be amended to establish clear charter provisions regarding forfeiture of office, declaration of vacancies and procedures for filling vacancies consistent with Florida law.

Section 4. Ballot Title.

The following is hereby approved as the ballot title as required by Section 101.161, Florida Statutes:

Amending Charter Section 1-7 relating to Forfeiture of Office and Filling of Vacancies.

Section 5. Ballot Summary.

Shall Section 1-7 of the City of South Bay's Charter be amended to establish clear charter provisions regarding forfeiture of office, declaration of vacancies and procedures for filling vacancies consistent with Florida law?

YES, for Approval ___________

NO, for Rejection ___________

Section 6. Submission to Qualified Electors.

The proposed amendment to the Charter of the City of South Bay (hereafter City Charter) set forth herein shall be submitted to the vote of the qualified electors of the City for approval at a referendum to be held at the City of South Bay's next Municipality Election to be held on March 09, 2027.

Section 7. Coordination.

The City Administrator and City Clerk are hereby authorized to coordinate with the office of the Supervisor of Elections in order to do those things necessary to have this proposal placed on the ballot for the City of South Bay election scheduled for the March 09, 2027, Municipality Election following passage of this Ordinance.

Section 8. Proposed Amendments.

The proposed amendments to the City Charter which have been recommended to the City Commission is set forth in Exhibit "A," attached hereto and by this reference made a part hereof. (Proposed new text is shown in <u>underline</u> and proposed deleted text shown in strike through.)

<u>Section 9.</u> <u>Conflict & Repealer.</u>

All ordinances, parts of ordinances or code provisions in conflict herewith ordinance are hereby repealed.

<u>Section 10.</u> <u>Severability</u>.

If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions of the Code or applications of this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

<u>Section 11</u>. <u>Inclusion in Code.</u>

It is the intention of the City Commission of the City of South Bay that the provisions of this Ordinance shall at some time in the future become and be made a part of the Code of Ordinances of the City of South Bay and that the sections of this Ordinance may be renumbered or re-lettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

<u>Section 12</u>. <u>Effective Date</u>.

This Ordinance shall take effect immediately upon final passage and adoption and as required by Florida law and applicable provisions of the City's Charter and Code of Ordinances. Typographical errors which do not affect the intent may be authorized by the City Attorney or designee, without need of public hearing by filing a corrected copy of the same with the City Clerk.

PASSED FIRST READING this ____ day of ____________________________ 2026.

PASSED SECOND READING this ____ day of ____________________________ 2026.

____
Joe Kyles, Mayor

ATTEST:

____
Olivia Mejia, City Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

____
Burnadette Norris-Weeks, P.A.
City Attorney

Moved by: _______________________________

Seconded by: _____________________________

VOTE:

Commissioner Barnard	_____ (Yes)	_____ (No)
Commissioner King	_____ (Yes)	_____ (No)
Commissioner Polk	_____ (Yes)	_____ (No)
Vice-Mayor McKelvin	_____ (Yes)	_____ (No)
Mayor Kyles	_____ (Yes)	_____ (No)

EXHIBIT "A"

Section 1-7. – Resignation, forfeiture ~~suspension~~, removal, death, or vacancy of a city commissioner.

~~The appointment of a city commissioner [may be made] by the remaining commissioners in the event of resignation, suspension, removal [or] death of a sitting commissioner.~~

(a) Vacancies.

A vacancy shall occur upon:

- resignation;
- death;
- forfeiture of office;
- removal from office as authorized by law;
- permanent disability;
- abandonment of office; or
- any other circumstance creating a vacancy under Florida law.

(b) Forfeiture of Office.

(1) Forfeiture by Disqualification.

A Commissioner shall automatically forfeit his or her office if, during the term of office, he or she:

(a) ceases to maintain permanent residence within the municipal boundaries of the City;

(b) ceases to be a qualified elector of the City;

(c) becomes legally disqualified from holding public office under the Constitution or laws of the State of Florida.

(d) is convicted of a felony under the laws of the United States, the State of Florida, or any other state, and such conviction renders the official ineligible to hold public office under the Constitution or laws of the State of Florida.

(e) is convicted of any offense involving fraud, bribery, perjury, official misconduct, abuse of public office, public corruption, or other crime involving dishonesty that results in the official becoming legally disqualified from holding public office under Florida law.

(f) is adjudicated guilty of any criminal offense that results in the loss of his or her status as a qualified elector of the City.

(2) Forfeiture by Attendance.
A Commissioner may be declared to have forfeited office after notice and public hearing if he or she is absent without good cause from:

- four (4) regular meetings during any calendar year; or
- four (4) consecutive regular meetings, or three (3) consecutive meetings in the case of the Mayor.

(3) Determination.
The City Commission shall be the sole judge of the qualifications of its members.
Any Commissioner whose qualifications are questioned shall:

- receive written notice;
- receive copies of all supporting documentation;
- be entitled to a public hearing;
- be entitled to obtain legal counsel;
- present evidence;
- call witnesses;
- cross-examine witnesses.

The affected Commissioner shall not be permitted to vote on any matter involving his or her own qualifications.

Any determination of forfeiture shall require adoption of a resolution by not fewer than four-fifths (4/5) of the remaining members of the Commission. Any forfeiture shall become effective upon adoption of the resolution. All official actions taken prior to forfeiture shall remain valid.

(c) Filling Vacancies.
Whenever a vacancy occurs:
(1) The appointment of a city commissioner may be made by the remaining commissioners in the event of resignation, suspension, removal or death of a sitting commissioner.

(2) If the Commission is reduced below a quorum, the remaining members may appoint a temporary Commissioners sufficient to establish a quorum until successors are elected pursuant to a Special Meeting which shall be scheduled within One Hundred and Twenty (120) days .

(3) If all Commission seats become vacant simultaneously, the Governor of Florida may appoint interim officials consistent with Florida law until successors are elected.

(d) Removal.
Nothing contained herein shall limit or impair:

- recall proceedings under Florida law;
- suspension or removal by the Governor under Article IV, Section 7 of the Florida Constitution;
- judicial removal authorized by law.

City of South Bay

South Bay City Hall
335 SW 2nd Avenue
South Bay, FL 33493
Telephone: 561-996-6751
Facsimile: 561-996-7950

www.southbaycity.com

To: Honorable Mayor and Commissioners

From: Massih Saadatmand, Finance Director

Thru: Mr. Leondrae Camel, City Manager

Date September 11, 2026

Ref. Weekly check register

Enclosed, please find the summary of check register as of September 11, 2026:

General Fund

- Utility:

Comcast	$	1,172.74
Nextiva		556.97
FPL		8,110.00
PBCWU Dept		2,955.21

• CAP Government	7,442.50
• Marathon	3,188.51
• Stony Electric	4,940.00
• Lighting By Design	6,818.50
• JHL Associates	3,480.00
• Gulf Stream Council	3,000.00
• Purchase	5,638.65
• Services	7,281.38
• Payroll deductions	4,146.07
• Other	4,790.00
Total	$ 63,520.53

Capital Project

Legacy Construction	$ 73,499.00

AP Check Register Report

City Of South Bay (CSBFND)

9/11/2026 10:50:44 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
17832	1050	GULF STREAM COUNCIL, INC.	09/11/2026	3,000.00
17833	AMAZON CAPITAL SERVI(	AMAZON CAPITAL SERVICES	09/11/2026	910.05
17834	ANDRE L. HAMILTON	ANDRE L. HAMILTON	09/11/2026	1,150.00
17835	CAP GOVERNMENT	CAP GOVERNMENT	09/11/2026	2,015.00
17836	EVERGLADES FARM EQU	EVERGLADES EQUIPMENT GROUP	09/11/2026	309.52
17837	EVERGLADES TRADING	EVERGLADES TRADING	09/11/2026	319.96
17838	FPL	FPL	09/11/2026	8,110.00
17839	HOME DEPOT CREDIT SE	HOME DEPOT CREDIT SERVICES	09/11/2026	1,221.46
17840	JLH ASSOCIATES	JLH ASSOCIATES	09/11/2026	3,480.00
17841	JORDAN CONNORS GRO(	JORDAN CONNORS GROUP, INC	09/11/2026	2,500.00
17842	LAKE HARDWARE	LAKE HARDWARE	09/11/2026	111.52
17843	ORIGINAL EQUIPMENT	ORIGINAL EQUIPMENT	09/11/2026	402.13
17844	PBC WATER UTILITIES	PALM BEACH COUNTY WATER UTILITIES	09/11/2026	2,955.21
17845	CAP GOVERNMENT	CAP GOVERNMENT	09/11/2026	1,722.50

Non-Electronic Transactions:	28,207.35
Total Transactions:	28,207.35

AP Check Register Report
City Of South Bay (CSBFND)

9/9/2026 9:11:06 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
17831	1241	AUNTIE ROSE'S SOUL FOOD RESTAURANT	09/09/2026	540.00
			Non-Electronic Transactions:	540.00
			Total Transactions:	540.00

AP Check Register Report
City Of South Bay (CSBFND)

9/4/2026 8:58:04 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
17818	1163	LIGHTING BY DESIGN OF FLORIDA LLC	09/04/2026	6,818.50
17819	1408	VECTOR DISEASE CONTROL INTERNATIONAL LLC	09/04/2026	613.04
17820	1449	TREVIPAY	09/04/2026	200.84
17821	1485	Livingstone College	09/04/2026	1,000.00
17822	1486	University Of North Florida	09/04/2026	1,000.00
17823	1487	Tallahassee State College	09/04/2026	1,500.00
17824	1488	Palm Beach State College	09/04/2026	750.00
17825	AMERICAN PUBLIC LIFE I	AMERICAN PUBLIC LIFE INSURANCE COMPANY	09/04/2026	1,404.35
17826	EVERGLADES FARM EQU	EVERGLADES EQUIPMENT GROUP	09/04/2026	972.34
17827	LAKE HARDWARE	LAKE HARDWARE	09/04/2026	294.24
17828	MARATHON/MEX BANK	WEX BANK	09/04/2026	3,188.51
17829	PYE BARKER FIRE & SAF	PYE BARKER FIRE & SAFETY, LLC	09/04/2026	1,352.00
17830	STONY ELECTRICAL LLC	STONY ELECTRICAL CONTRACTOR LLC	09/04/2026	4,940.00
			Non-Electronic Transactions:	24,033.82
			Total Transactions:	24,033.82

AP Check Register Report
City Of South Bay (CSBFND)

8/28/2026 8:07:19 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
17805	1330	ASSURITY LIFE INSURANCE COMPANY	08/28/2026	226.94
17806	1468	NEXTIVA INC.	08/28/2026	556.97
17807	CAP GOVERNMENT	CAP GOVERNMENT	08/28/2026	3,705.00
17808	COLONIAL LIFE PROCES	COLONIAL LIFE	08/28/2026	1,132.14
17809	LIBERTY NATIONAL	LIBERTY NATIONAL	08/28/2026	900.14
17810	MUTUAL OF OMAHA	MUTUAL OF OMAHA	08/28/2026	414.00
17811	ORIGINAL EQUIPMENT	ORIGINAL EQUIPMENT	08/28/2026	204.70
17812	PRIMESTAR DIGITAL NET	PRIMESTAR DIGITAL NETWORK	08/28/2026	585.00
17813	QUADIENT LEASING USA	QUADIENT LEASING USA, INC.	08/28/2026	511.38
17814	SEASON TO SEASON, LL(	SEASON TO SEASON PEST MANAGEMENT, LLC	08/28/2026	250.00
17815	TIRE SERVICE PLUS CO	TIRE SERVICE PLUS CO	08/28/2026	227.90
17816	WASHINGTON NATIONAL	WASHINGTON NATIONAL INS. CO.	08/28/2026	68.50
17817	WOLFF'S LAWN	WOLFF LAWN MACHINE INC	08/28/2026	783.95
			Non-Electronic Transactions:	9,566.62
			Total Transactions:	9,566.62

AP Check Register Report

City Of South Bay (CSBFND)

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
406	1456	LEGACY CONSTRUCTION SERVICES GROUP INC.	09/02/2026	73,499.00
			Non-Electronic Transactions:	73,499.00
			Total Transactions :	73,499.00

AP Check Register Report

City Of South Bay (CSBFND)

9/1/2026 8:49:45 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
ACH-9928-926	COMCAST	COMCAST	09/01/2026	379.85

Totals:	Electronic Transactions:	379.85
	Total Transactions:	379.85

AP Check Register Report
City Of South Bay (CSBFND)

9/8/2026 9:52:35 AM

Check Number	Vendor Number	Vendor Name	Check Date	Check Amount
ACH-1081-926	COMCAST	COMCAST	09/08/2026	400.51
ACH-9978-926	COMCAST	COMCAST	09/08/2026	392.38

Totals:		
	Electronic Transactions:	792.89
	Total Transactions:	792.89