

Resolution No. 2712

A Resolution of the City of Sanford, Florida, amending the City's annual operating budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018; providing for implementing administrative actions; providing for a savings provision; providing for conflicts; providing for severability and providing for an effective date.

Whereas, the Commission of the City of Sanford, Florida has adopted an annual operating budget for the fiscal year beginning October 1, 2017 and terminating on September 30, 2018 specifying certain projected revenues and expenditures for the operations of Sanford municipal government; and

Whereas, the City's budget presumes that each department generally will, to the best of their ability, maintain its expenditures within its allocated budgeted level and exercise prudence in expending funds during the course of the City's fiscal year; and

Whereas, from time-to-time circumstances and events may require that the original City budget may need revision; and

Whereas, the City Commission, in its judgment and discretion, has the authority to adjust the budget to more closely coincide with actual and expected events.

Now, therefore, be it adopted and resolved by the City Commission of the City of Sanford, Florida as follows:

Section 1. Adoption of Budget Amendment.

The annual operating budget of the City of Sanford for the fiscal year beginning October 1, 2016 and terminating on September 30, 2018 is hereby revised and amended by Attachment "A". The Attachment is hereby incorporated into this Resolution as if fully set forth herein verbatim. Except as amended herein, the annual operating budget for the City of Sanford for fiscal year beginning October 1, 2016 and

terminating on September 30, 2018 shall remain in full force and effect.

Section 2. Implementing administrative actions.

The City Manager, or designee, is hereby authorized and directed to implement the provisions of this Resolution by means of such administrative actions as may be deemed necessary and appropriate.

Section 3. Savings.

The prior actions of the City of Sanford relating to the adoption of the City budget and related activities are hereby ratified and affirmed.

Section 4. Conflicts.

All resolutions or parts of resolutions in conflict with this Resolution are hereby repealed.

Section 5. Severability.

If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

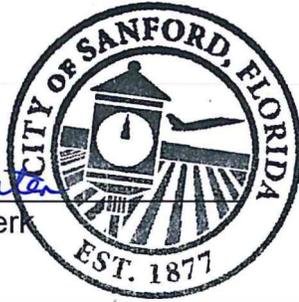
Section 6. Effective Date.

This Resolution shall become effective immediately upon enactment.

Passed and adopted this 26th day of February, 2018.

Attest:

Cynthia Porter
Cynthia Porter, City Clerk



City Commission of the City of
Sanford

Velma Williams
~~Jeff Triplett, Mayor~~
Velma Williams, Vice Mayor

For use and reliance of the Sanford
City Commission only.
Approved as to form and legality.

William L. Colbert
William L. Colbert, City Attorney

Attachment "A" REQUEST FOR BUDGET AMENDMENT

Fiscal Year 2018

Department: Public Works

Division: Parks and Grounds

Date: 2/15/2018

CHANGES IN REVENUES

REVENUE ACCOUNT NUMBER						Revenue Account Title	Current Budget	Current Unrealized (Budget)	Amount of Change	Adjusted Unrealized
Fund	Revenue	Act Cd	Ele	Project #						
132	0000	389	98	00	Use of Reserves	11,500	11,500	67,500	79,000	
TOTAL CHANGES IN REVENUES									\$ 67,500	

CHANGES IN EXPENDITURES

EXPENDITURE ACCOUNT NUMBER						Expenditure Account Title	Current Budget	Current Balance	Amount of Change	Remaining Balance
Fund	Dpt/Div	Activity	Obj	Ele	Project #					
132	4048	572	49	00	Other Charges and Obligations	-	-	67,500	67,500	
TOTAL CHANGES IN EXPENDITURES									\$ 67,500	

REASON FOR AMENDMENT: To refund RTP grant T12B22 for the Coastline Park project

DIRECTOR APPROVAL: *John Richard APWD* DATE: _____

FINANCE APPROVAL: *Cynthia M. Lindsey* DATE: 2/15/18

CITY MANAGER APPROVAL: _____ DATE: 2.20.18

CITY COMMISSION AGENDA DATE: 2-26-18 APPROVED? Yes

FOR FINANCE USE

Entry Date: _____ Batch Number: _____ Document #: _____



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

February 5, 2018

VIA EMAIL

Robert Beall, Operations Manager
City of Sanford
300 N. Park Avenue
Sanford, Florida 32771

RE: City of Sanford, Land and Recreation Grants for Coastline Park

Dear Robert:

It was a pleasure meeting with you and the City of Sanford (City) team regarding the land and recreation grants for Coastline Park, specifically the Land and Water Conservation Fund grant (LWCF LW610), the Recreational Trails Program grant (RTP T12B22), and the Florida Recreational Development Assistance Program grant (FRDAP A7002). As discussed, the Department of Environmental Protection (Department) would like to solidify our discussions and provide guidance for the City in remedying non-compliance with these grants.

RTP (T12B22)

As you know, after significant questions arose concerning the applications for and administration of these grants, the Department sought the advice of the Office of the Inspector General (OIG). The OIG audited two of the grants and produced a report recommending that the City reimburse the Department for \$67,500 paid under the RTP program.

Upon further review of the project file for RTP T12B22, the City failed to meet the requirements of the Project Agreement and Chapter 62S-2, Florida Administrative Code, in the following ways:

- The City failed to submit the required commencement documentation before beginning construction on the project.
- The City failed to meet the Federal NEPA requirements or receive approval from the FHWA before beginning construction on the project.
- The City failed to submit the required commencement documentation within one year of the date of the agreement, without providing (either at that time or now) any "good cause" reason for this failure.
- The City failed to submit the required status reports during the project.

- The City either changed the route of the trail without requesting approval from the Department or an amendment to the agreement or failed to construct the trail as depicted on various site plans.
- The City paid large sums for items not requested as part of the application or approved as part of the work plan. The City did not request an amendment to add these items.
- The City requested an extension of the ultimate construction deadline but failed to execute and return the document before the grant agreement expired.
- The City supplied both commencement and completion documentation after the grant expired.
- The City failed to segregate the funds for each program and project as required by both rule and by the agreement (commingling).
- The City is still unable to account for their expenditure of grant funds in an acceptable manner.
- In addition, the City submitted duplicate projects under more than one grant program during concurrent grant cycles.

Having analyzed the City's grant performance and their self-audit, it is the finding of the Department that the City violated the rules governing the RTP grant process by commingling the funds from all three grants, failing to build the trail as proposed, using the funds for unapproved elements not included in the work plan, and multiple failures of adequate grant management. The Department agrees with the OIG recommendation that the City must refund the amount of \$67,500 paid out as partial satisfaction of RTP T12B22.

Please provide a written compliance plan by February 19, 2017, on behalf of the City outlining whether the City will be reimbursing in lump sum or payments and when payment will be tendered. The Department suggests that payment be made within 90 days; however, if the City is unable to meet this suggested deadline, please provide written request to extend this deadline.

LWCF (LW610) and FRDAP (A7002)

The table below depicts the elements requested by the City in each of the respective grants.

RTP	LWCF	FRDAP
1,500 LF, 10-ft wide asphalt Hiking Trail – develop new	Hiking Trail – develop new	Hiking Trail – develop new
4 Benches – install new	Water Observation Platform – develop new	Picnic Pavilion Facility – develop new
1 drinking fountain – install new	Basketball Court – renovate existing	Landscaping – install new
2 trash receptacles – install new	Playground – develop new	Parking – develop new
4 trail signs – install new	Landscaping – install new	Basketball Court – renovate existing
	Restroom – renovate existing	Tennis Court – renovate existing
	Design costs	Playground Facility – renovate existing

As discussed during our meeting, the “as built” site plan submitted by the City on May 27, 2016, clearly indicates that 2016 FRDAP dollars were being allocated to the same hiking trail previously funded under LW610. Additionally, the basketball court and playground are slated for renovation under both FRDAP and LWCF. Lastly, the water observation platform is simply a bench sitting on a concrete pad and does not meet the

requirement. Please forward correspondence requesting this element be deleted from the LWCF grant.

Although the City violated the rules governing the LWCF program by seeking a duplicate element through a RTP grant in a concurrent funding cycle, if the City reimburses the Department for the RTP grant funds, the City may claim expenses for the trail under LWCF if those expenses can be adequately documented.

The City has developed a beautiful park and since the LWCF agreement has expired, the Department is agreeable to amending the FRDAP agreement to allow for reimbursement of any costs that can be paid pursuant to program rules and the FRDAP application submitted. Please contact Angie Bright in our office to discuss which elements the City will seek reimbursement for under FRDAP. As with LWCF, the FRDAP expenses must be adequately documented and cannot be duplicative.

In addition to the grants above, the City also has two other grants currently active with the Department, RTP T14010 (Terwilliger Trail) and FCT 16-010-UA17 (School Board Property). In the spirit of good faith, the Department has granted the extension requested for Terwilliger Trail, however, the final bid summary and in-house schedules must be provided by the City before Notice to Proceed will be given. Additionally, the Department will forward the FCT grant agreement for execution upon receipt of a compliance plan for Coastline Park.

The Department is committed to building and maintaining our relationships with local communities such as the City of Sanford, as these partnerships are vital to the continued success of local recreational parks and programs. We are here to help! Please do not hesitate to contact us at any time for technical assistance and guidance.

Sincerely,



Rebecca S. Wood
Program Coordinator