

TOWN OF HASTINGS, FLORIDA

TOWN CODE

Chapter 2

Administration, Financial Matters.

Sec. 2.20. Impact Fees -- Opting Out. The Town of Hastings hereby opts out of imposing impact fees or the collection of impact fees adopted by St. Johns County, Florida. No impact fee adopted by St. Johns County, Florida shall be applicable or collected within the jurisdictional limits of the Town of Hastings.

Sec. 2.21. Competitive Bidding -- When required.

A. Except as hereinafter provided, any contracts entered into or to be entered into by the Town of Hastings, Florida, for the procurement or disposal of any item the cost of which shall equal or exceed \$5,000.00, shall be awarded by competitive sealed bidding. Prior to the purchase by the Town of any item, the cost of which equals or exceeds \$5,000.00, the Town Clerk shall cause invitations for bids thereon to be given a sufficient time prior to the date set forth in the invitation and notice of invitation for bids shall be published in a newspaper of general circulation in St. Johns County, Florida, not less than ten (10) days prior to the date set in the invitation for the opening of such bids. The invitation for bids shall provide that the bids shall be opened at time certain which time shall be during a regular or special meeting of the Town Council. All bids submitted pursuant to this ordinance shall be sealed. Bids shall be opened publicly at the time and place designated in the invitation for bids. Each bid, together with the name of the bidder, shall be recorded and be opened to public inspection. The contract shall be awarded with reasonable promptness by written notice to the responsive and responsible bidder whose bid is determined, within the sole discretion of a majority of the members of the Town Council then constituting a quorum, to contain the lowest bid price. Nothing contained herein shall be construed to require the Town to award the contract if, in the sole discretion of a majority of the members of the Town Council constituting a quorum present at the opening of the bids, the Council shall determine that all prices bid exceed the amount of funds which the council shall determine to be available for the procurement of any item.

B. A Contract for the procurement of any item having a cost equal to or in excess of \$5,000.00 may be awarded by competitive negotiation when it is determined that the bid prices received by competitive sealed bidding either are unreasonable as to all or part of the requirements or were not independently reached in open competition. In such cases, each responsible bidder shall be notified of the intention to negotiate and shall be given reasonable opportunity to negotiate. In such case, contract may be awarded by negotiation when the negotiated price is lower than the lowest rejected bid of any responsible bidder and when the negotiated price is the lowest negotiated price offered by any responsible bidder.

History: Ordinance 88-1 as amended by Ordinance 91-6.

Sec. 2.22. Insurance -- Amount of From and after the effective date of this Ordinance, the maximum amount of liability insurance which the Town shall carry to insure the Town against claims prosecuted for injury or loss of property, personal injury or death caused by the negligence or wrongful act or omission of any employee of the Town while acting within the scope of his office or employment, under circumstances in which the Town, if a private person, would be liable to the claimant in accordance with the general laws of this State, shall be the amount of \$50,000.00 for any one person injured and \$100,000.00 for the aggregate of all claims arising from a single incident.

History: Emergency Ordinance No. 78-1, Section 3.

Sec. 2.23. Social Security.

A. It is hereby declared to be the policy and purpose of the Town of Hastings, Florida, to extend effective as of January 1, 1974, to the employees and officials thereof, not excluded by law, not excepted herein, the benefits of the system of Old Age and Survivors Insurance as authorized by the Federal Social Security Act and amendments thereto, and by Chapter 650, Florida Statutes, as amended; and to cover by such plan all services which constitute employment as defined in Section 650.02, Florida Statutes, performed in the employ of said Town by employees and officials thereof, except (1) Service in any class or classes of elective positions. (2) Service in any class or classes of part-time positions. (3) Service in any class or classes or positions, the compensation for which is on a fee basis.

B. There is hereby excluded from this ordinance any authority to include in any agreement entered into under Section 3 hereof any service, position, employee, or official now covered by or eligible to be covered by an existing retirement system.

C. The Mayor (or other chief executive officer) is hereby authorized and directed to execute all necessary agreements and amendments thereto with the State Agency of the State of Florida, for the purpose of extending the benefits provided by said system of Old Age and Survivors Insurance to the employees and officials of this Town as provided in Section 1 and 2 hereof, which agreement shall provide for such methods of administration of the plan by said Town as are found by the State Agency to be necessary; and proper, and shall be effective with respect to services in employment covered by such agreement performed on and after the 1st day of January, A.D., 1974.

D. Withholding from salaries, wages, or other compensation of employees and officials for the purpose provided in Section 1 hereof are hereby authorized to be made, and shall be made, in the amounts and at such times as may be required by applicable State or Federal laws or regulations, and shall be paid over to the State Agency designated by said laws or regulations to receive such amounts.

E. There shall be appropriated from available funds, derived from ad valorem taxes such amounts, at such times, as may be required to pay promptly the contribution and assessments required of the Town as employer by applicable State or Federal laws or regulations, which shall be paid over to the lawfully designated State Agency at the times and in the manner provided by law and regulation.

F. The Town shall keep such records and make such reports as may be required by applicable State or Federal laws or regulations, and shall adhere to the regulations of the State Agency.

. The Town does hereby adopt the terms, conditions, requirements, reservations, benefits, privileges, and other conditions thereunto appertaining, of Title II of the Social Security Act as amended, for and on behalf of all officers and employees of its department and agencies to be covered under the agreement.

History: Ordinance No. 9A

Sec. 2.24. Special Assessments.

A. RESOLUTION. When at any time the Town Council of the Town of Hastings shall decide to pave, grade, curb, layout, open, repair, or otherwise improve any street, alley, or highway, or any part thereof, or to construct, repair or improve any sewer or drainage pipe or passage, the Town Council shall pass a resolution ordering the same to be done, and thereupon, the Commissioner of Public Works shall advertise for bids for making said improvements, which said advertisement shall contain, among other things, a description to be used, with the width of the pavement, if a street is to be paved, and shall designate with reasonable certainty the limits within which the said work is to be done and the nature thereof; and in which said advertisement the commissioner may reserve the right to reject any and all bids. In advertising the street paving, the Commissioner of Public Works may, within his discretion, advertise for separate bids for grading, paving and curbing, and the Town Council may enter into separate contracts therefore. Whenever any bid for any such improvement has been accepted and the improvement completed under the terms of the contract, and the same has been approved by the Commissioner of Public Works after duly advertising and giving the public the hearing hereinafter mentioned, the Commissioner of Public Works shall certify the entire cost of said improvements to the Town Council, and, thereupon, the Town Council shall assess against the property abutting on either side of the street, alley or highway so improve, one-third of the cost of each improvements; the other one-third, and the entire cost of such improvement at the intersection of streets, alleys or highways shall be borne by the Town; that when sewers are laid, no greater amount of the cost thereof shall be assessed against the abutting property than two-thirds of the cost of laying an eight-inch sewer.

B. ASSESSMENTS AS LIENS. The Town Council, as soon as the said assessments are made, shall issue certificates of indebtedness for the amounts so assessed against the abutting property, and separate certificates shall be issued against each tract of land so assessed, containing a description of the land and the amount of the assessment, together with the general nature of the improvement for which the assessment is made and the date thereof. The said certificate shall be a lien against the land therein described and shall be payable in one year, or in one, two, three, four and five years, in equal installments, as the council shall decide, with interest to be fixed by the Town Council at a rate not greater than eight per centum per annum, payable of the said certificates of indebtedness, with the interest therein provided, shall be guaranteed by the Town of Hastings, and in case of non-payment, of any interest or principal at maturity by the property owners, the same shall be redeemed by the Town at the option of the holders thereof, but such redemption by the Town shall not discharge the lien or assessment against the abutting property, and in case of the non-payment of any interest or any installment upon any certificate issued under the provisions of this Act, it shall be optional with the holder thereof to consider the whole of the principal sum expressed in such certificate immediately due and payable, with the interest therein provided for. The certificate when issued shall be turned over to the commissioner of Public Works, who may sell or dispose of the same, improvement for the said work or improvement, or for cash, at his discretion. All certificates of indebtedness constituting a lien upon abutting property shall be payable at the office of the depository of the Town.