

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, JULY 23, 2015 AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY HALL, 105 S. SECOND STREET, FLAGLER BEACH, FL

AGENDA

1. Call the meeting to order.
2. Pledge of Allegiance followed by a moment of silence to honor our Veterans, Members of the Armed Forces and First Responders.
3. Proclamations and Awards.
  - a. Certificates of Appreciation:
    - Rudy Andre
    - Ray Parker
    - Tavarez Richardson
4. Deletions and Changes to the Agenda.
5. Comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes.

CONSENT AGENDA

6. Approve the minutes of the Regular Meeting of June 25, 2015, July 09, 2015 and the Workshop Meeting of July 7, 2015.
7. Approve a Funding Agreement for the Fiscal Year 2015/2016 between the River to Sea Transportation Planning Organization and the City of Flagler Beach, in an amount not to exceed \$452.00.

GENERAL BUSINESS

8. Consider a request for the use of the Flagler Beach Pier to hold a monthly or weekly Sunrise Yoga Class to raise money for local charity – Jordon Ferrell, Rotary Club of Flagler Beach.
9. Consider an Interlocal Agreement with Flagler County Emergency Management for the purpose of opportunity for Flagler Beach residents to apply for Residential Construction Mitigation Grant Program – Kay McNeely, Administrative Assistant.
10. Consider a proposal to drill a test well near Well No. 12 to investigate water quality to determine the feasibility of drilling another well on the same easement. Connect Consulting, Inc. has submitted a proposal to perform the work. The Commission approved a “piggy back” contract with this vendor on June 25, 2015 under a renewed Palm Coast contract. The estimate to complete this work is \$35,600 – Robert Smith, Public Works Director.

11. Request by the Flagler Beach City Commission for clarification and additional explanation of the Real Estate Appraisal report concerning a 2.94 acre portion of the former Ocean Palm Golf Course, dated June 10, 2015 – Commissioner Settle.
12. Consider developing and submitting a State challenge to Flagler County’s anticipated adoption of Application #2972 – Future Land Use Map Amendment from Residential Low Density Single Family and Conservation to Commercial High Intensity for approximately 24.4 acres; being Parcel No. 02-12-31-0000-01010-0140 (523 acres) and Parcel No. 02-12-31-0000-01010-0150 (1,838 acres); owner Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust; Applicant: Sydney F. Amsbacher, Brunswick Corporation and Sea Ray Boats, Inc. as per the Flagler County staff report prepared for the July 14, 2015 Flagler County Planning and Development Board Meeting. Flagler County anticipates adoption by the Board of County Commissioners of Application #2972 on July 20, 2015 – Commissioner Mealy.
13. Establishment of Fiscal Year 15/16 Tentative General Fund Millage Rate for the DR420 Certification of Taxable Value and set date for the budget hearings in September. -Bruce. C. Campbell.

#### COMMISSION COMMENTS

14. Commission comments, including reports from meetings attended.

#### PUBLIC HEARINGS

15. Consider a request for a Special Exception use to locate a church facility in a Medium Density Residential District (MDR). The property is located at 208 6<sup>th</sup> Street South. A church land use if granted, is a permitted Special Exception use in the MDR District. Parcel ID 12-12-31-4500-00300-0060, aka George Moody Subdivision, Block 30, Lots 6-7-8 Official Record Book 50, Page 137, Applicant: Mr. Rod Palmer, Owner: Disabled American Veterans Chapter 86.
16. Ordinance 2015-08 an ordinance of the City of Flagler Beach, Florida, authorizing the conveyance by quitclaim deed of certain city owned property identified as parcel no. 12-12-31-45000-00020-0080, located within the George Moody subdivision; reserving an easement for utilities within said parcel; providing for conflicts and establishing an effective date – first Reading.

#### STAFF REPORTS

17. Staff Reports.
18. Adjournment.

RECORD REQUIRED TO APPEAL: In accordance with Florida Statute 286.0105 if you should decide to appeal any decision the Commission makes about any matter at this meeting, you will need a record of the proceedings. You are responsible for providing this record. You may hire a court reporter to make a verbatim transcript, or you may buy a CD of the meeting for \$3.00 at the City Clerk’s office. Copies of CDs are only made upon request. The City is not responsible for any mechanical failure of the recording equipment. In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at (386) 517-2000 ext 233 at least 72 hours prior to the meeting. The City Commission reserves the right to request that all written material be on file with the City Clerk when the agenda item is submitted.

#6

MINUTES

PRESENT: Mayor Linda Provencher, Chairman Marshall D. Shupe, Vice-Chair Jane Mealy, Commissioners Kim M. Carney, Joy McGrew and Stephen M. Settle, City Attorney D. Andrew Smith, III, City Manager Bruce C. Campbell, and City Clerk Penny Overstreet.

1. CALL THE MEETING TO ORDER: Chairman Shupe called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Provencher led the pledge to the flag.
3. PROCLAMATIONS AND AWARDS: None.
4. DELETIONS AND CHANGES TO THE AGENDA: Item #14 removed at the presenters requests. Item #15 will be tabled to the July 9, 2015 meeting.
5. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: Paul Eik spoke of a parking situation in the small beachside town of Folly Beach, S.C.

CONSENT AGENDA

(All items are to be approved by one motion, unless pulled from the Consent Agenda.)

6. APPROVE THE MINUTES OF THE REGULAR MEETINGS OF JUNE 11, 2015:
7. APPROVE THE ANNUAL CONTRACT BETWEEN DR. TOWNSEND & ASSOCIATES AND THE CITY FOR THE EMPLOYEE ASSISTANCE PROGRAM (EAP) IN AN AMOUNT NOT TO EXCEED \$2,000.
8. CONSIDER A PROPOSAL TO "PIGGY BACK" ON A NEW PALM COAST CONTRACT WITH CONNECT CONSULTING, INC. TO PERFORM THE CITY'S WELL FIELDWORK FOR REPAIRS AND WELL DRILLING.

Chairman Shupe reviewed items. Chairman Shupe opened the item to public comment. No comments were offered by the public. Motion by Commissioner Mealy, seconded by Commissioner Carney, to approve the consent agenda. The motion carried unanimously.

GENERAL BUSINESS

9. RESOLUTION 2015-17, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, DECLARING CERTAIN PROPERTY TO BE SURPLUS, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE: Attorney Smith read the title of the resolution into the record.

Chairman Shupe reviewed. Chairman Shupe opened public comments. No comments were offered by the public. Chairman Shupe closed public comments. Motion by Commissioner Carney, seconded by Commissioner McGrew, to approve Resolution 2015-17. The motion carried unanimously, after a roll call vote.

10. RESOLUTION 2015-18, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING RESOLUTION 2014-24 WHICH ADOPTED THE FY 14/15 BUDGET, TO REFLECT A BUDGET AMENDMENT FOR VARIOUS CITY ACTIVITIES, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE: Attorney Smith read the title of the resolution into the record. City Manager Campbell reviewed the necessity for the budget amendment. Chairman Shupe opened public comments. No comments were offered. Chairman Shupe closed public comments. Motion by Commissioner Mealy, seconded by Commissioner Carney, to approve Resolution 2015-18. The motion carried unanimously, after a roll call vote.

11. RESOLUTION 2015-19, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, ADOPTING A VOLUNTEER POLICY, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE: Attorney Smith read the title of the resolution into the record. Human Resources Manager Liz Mathis reviewed the history of the item. Chairman Shupe opened public comments. Paul Eik felt the policy is too strict for a volunteer position. Mrs. Mathis responded background and urinalysis are only required for safety sensitive volunteer positions, such as working around the elderly, children or driving a city vehicle. Chairman Shupe closed public comment. Motion by Commissioner McGrew, seconded by Commissioner Settle, to approve Resolution 2015-19. The motion carried unanimously, after a roll call vote.

#### COMMISSION COMMENTS

12. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The Elected Officials reported their attendance at meetings gatherings and event since the last Regular Meeting. Commissioner Carney reported she would not be in attendance at the August 27 Commission meeting.

#### PUBLIC HEARINGS

13. ORDINANCE 2015-06 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING THE BORROWING OF MONEY IN AN AMOUNT NOT TO EXCEED TWO MILLION FOUR HUNDRED THOUSAND DOLLARS FOR THE PURPOSE OF REFUNDING ITS STORMWATER REVENUE NOTE, SERIES 2009 AND REFUNDING THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY COMMUNITY REDEVELOPMENT REVENUE NOTE, SERIES 2009 AND PROVIDING AN EFFECTIVE DATE – FIRST READING. Attorney Smith read the title of the ordinance into the record. City Manager Campbell reviewed the item. Mr. Jay Glover advised the Commission the loan from Ameris Bank is pre-payable without penalty and the rate is locked for thirty years with very few terms. Mr. Campbell reported the terms of the loan will be presented to the Commission in the form of a resolution after second reading of the Ordinance. Chairman Shupe opened public comments. No comments were offered from the public. Chairman Shupe closed public comment. Motion by Commissioner McGrew, to approve Ordinance 2015-06. Commissioner Mealy seconded the motion. The motion carried unanimously, after a roll call vote.



14. CONSIDER VARIANCE REQUEST APPLICATION #15-06-01 – A REQUEST HAS BEEN SUBMITTED TO CONSTRUCT A POOL AND MORE SPECIFICALLY A SCREEN ENCLOSURE, COMMENCING 1.1 FEET FROM THE REAR PROPERTY LINE AS OPPOSED TO THE REQUIRED MINIMUM TEN (10) FEET AS PROVIDED FOR IN SECTION 2.05.05.2 ATTACHED ACCESSORY STRUCTURES IN THE SFR, LDR, AND MDR DISTRICTS OF THE CITY OF FLAGLER BEACH LAND DEVELOPMENT REGULATIONS. APPLICANT: NANCY HARRINGTON AND WORTH STRICKLAND; ADDRESS: 208 PALM CIRCLE: This item was removed from the agenda at the request of the applicant.

15. ORDINANCE 2015-07, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RELATING TO FARMER’S MARKETS; PROVIDING A DEFINITION FOR FARMER’S MARKETS AND PROVIDING THAT FARMER’S MARKETS ARE A SPECIAL EXCEPTION USE IN THE GENERAL COMMERCIAL, TOURIST COMMERCIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS; PROVIDING REGULATIONS RELATED TO FARMERS’ MARKETS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND ESTABLISHING AN EFFECTIVE DATE – FIRST READING. Attorney Smith read the tile into the record. Motion by Commissioner Carney, to continue Ordinance 2015-07 until July 9<sup>th</sup> at 6:00 p.m. Commissioner Mealy seconded the motion. The motion carried unanimously.

#### STAFF REPORTS

16. STAFF REPORTS: Mr. Campbell reported the traffic calming project should begin in approximately six months.

17. ADJOURNMENT: Motion by Commissioner McGrew to adjourn the meeting at 6:20p.m. Commissioner Carney seconded the motion. The motion carried unanimously.

Attest:

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Penny Overstreet, City Clerk

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Marshall Shupe, Chairman



#6

WORKSHOP MEETING OF THE FLAGLER BEACH CITY COMMISSION, JULY 7, 2015 AT 9:00 A.M.  
105 S. 2<sup>ND</sup> STREET, FLAGLER BEACH, FL 32136

MINUTES

PRESENT: Mayor Linda Provencher, Chairman Marshall D. Shupe, Vice-Chair Jane Mealy, Commissioners Kim M. Carney and Stephen M. Settle, City Manager Bruce C. Campbell, Finance Director Kathleen Doyle and City Clerk Penny Overstreet.

ABSENT: Commissioner Joy McGrew.

1. CALL THE MEETING TO ORDER: Chairman Shupe called the meeting to order at 9:00 a.m.
2. PLEDGE OF ALLEGIANCE: Mayor Provencher led the pledge to the flag.
3. DISCUSSION OF 2015/2016 FISCAL YEAR BUDGETS IN THE FOLLOWING ORDER:  
INTRODUCTORY PRESENTATION – CITY MANAGER: City Manager Campbell reviewed a power point presentation which included review of the guiding principles of the 2015-2016 fiscal year budget. The topics reviewed were the taxable property valuation, revenues, including Ad Valorem, State and miscellaneous fees. Highlights of all funds; General, Utility, Sanitation, Building Code Inspection, Stormwater, Pier and Community Redevelopment. Summarizing Mr. Campbell reported the 2015-2016 fiscal year proposed budget will provide the required funds to deliver City Services at the same or improved level of service. The proposed budget will provide improved wages for Staff, and creates Reserves for future capital purchases. Thirty-nine thousand six hundred thirty-one dollars will be returned to the General Fund Reserve if approved as presented. No tax increase is proposed for property owners, and the budget is presented at a true roll-back millage rate. The meeting recessed at 10:00 a.m. The meeting resumed at 10:08 a.m.

The City Manager reviewed with the Elected Officials the proposed 2015-2016 fiscal year budget as listed. Direction from the Commission and changes reached by consensus are detailed.

GENERAL FUND

Revenues: Discussion ensued regarding the funding the City receives from Flagler County for Lifeguard Services. Commissioner Settle suggested the reviewing the budget, determine which line items have increased costs, and include the items in addition to the request for lifeguard funding.

- 1) COMMISSION – PENNY OVERSTREET: No changes.
- 2) EXECUTIVE – BRUCE C. CAMPBELL: The Commission indicated the need to perform the Managers evaluation, suggesting the Mayor coordinate with the Human Resource Manager. In addition, the Human Resource Manager work with the City Attorney to draft the contract and place on a future agenda for consideration. No changes were suggested to the Executive budget.

- 3) CITY CLERK – PENNY OVERSTREET: No changes.
- 4) FINANCE – KATHLEEN DOYLE: No changes.
- 5) LEGAL – BRUCE C. CAMPBELL: No changes.
- 6) GENERAL GOVERNMENT – KATHLEEN DOYLE, LIZ MATHIS, & PENNY OVERSTREET: The Commission discussed the revenue projection for animal licenses. The Commission reached a consensus directing Staff to insert the application and information in a utility bill mailing to encourage pet registration. The Commission requested the Finance Director check the single audit line item detail in stormwater. The Commission directed Staff research state lobbyist. The Commission reached a consensus to hold Senior Saturday only once as a trial run in a cooler month, and agreed to leave the \$ 7,500 in the budget for now. The Commission reached a consensus to change the following items in the General Government budget. Change the retirement to \$660.00, remove \$350 from the line for the Employee Assistance Program, and add \$1,280 to line memberships, subscriptions and dues. The meeting recessed at 12:02 p.m. The meeting reconvened at 12:35 p.m.
- 7) BUILDING MAINTENANCE, & DUNE CROSSOVERS – ROBERT SMITH, & BILL CLEMENCE: No changes.
- 8) STREETS – ROBERT SMITH, AND ALLEN WATTS: The Commission directed Staff to review sign standards and report any necessary budget changes to the Commission. No changes.
- 9) LIBRARY – RUTH YOUNG: No changes.
- 10) MUSEUM – BRUCE C. CAMPBELL: No budget changes. The Commission requested the Finance Director add repairs and maintenance amount of \$300 into the detail.
- 11) PLANNING AND BUILDING – BRUCE C. CAMPBELL: The Commission directed the Finance Director to make corrections to the Public Works Administrative Assistant's salary percentages.
- 12) FIRE DEPARTMENT – BOBBY PACE: The Commission reached a consensus for the following changes. Increase of \$1,320 for Target Training Co., increase of \$720 to operating supplies. The Commission directed Staff to review with the City Attorney liability issues if the City retained an employee who has a health problem identified by the Life Scan program. The meeting recessed at 2:25 p.m. The meeting resumed at 2:40 p.m.
- 13) POLICE – MATT DOUGHNEY & DONNA KEARNY: City Clerk Overstreet reported the internet speed plan needs to be upgraded to a faster up load and download speed to secure successful back-ups of the servers and p.c.'s The Clerk will report the increase to the Finance Director for implementation in the budget. No other changes were recommended.
- 14) VOCA – MATT DOUGHNEY & DONNA KEARNY: Captain Doughney reported additional funding for re-certification may need to be added to the training line item. No other changes were recommended.

- 15) BEACH SERVICES & RECREATION – TOM GILLIN: The Commission reached a consensus to take \$1,000 from repairs and move it to vehicle repairs in the beach budget. No other changes to Beach Services budget.  
Recreation: The Commission directed the Finance Director to provide to them the total loaded salary of the Beach Services Director and Lifeguards so they can determine what funding amount to request from Flagler County. No other changes.

The remainder of the budget will be reviewed at the second budget workshop on August 11, 2015 at 9:00 a.m.

GENERAL FUND CAPITAL

- 16) GENERAL FUND CAPITAL PURCHASES– BRUCE C. CAMPBELL & KATHLEEN DOYLE:  
UTILITY FUND

- 17) Water T&D, Sewer Collection's – Robert Smith & Allen Watts  
18) Water Treatment – Bob Smith & Jim Ramer  
19) Wastewater Treatment – Robert Smith & Johnny Lynn  
20) Utility Fund Expenses – Robert Smith  
21) Utility Capital – Robert Smith  
22) Proposed utility rate increase – Kathleen Doyle, Robert Smith & Maria Da Silva

SANITATION FUND

- 23) Refuse Collection – Robert Smith & Bruce Garrison  
24) Sanitation Fund Expense – Robert Smith & Bruce Garrison  
25) Sanitation Capital – Robert Smith & Bruce Garrison

STORMWATER FUND EXPENSE

- 26) Storm Water Fund Expense – Robert Smith  
27) Storm Water Capital – Robert Smith  
28) Proposed stormwater rate increase – Kathleen Doyle, Robert Smith & Maria Da Silva

PIER FUND

- 29) Pier Fund – Bruce C. Campbell & Tom Gillin

BUILDING CODE INSPECTION FUND

- 30) Building Code Inspection Fund – Bruce C. Campbell

COMMUNITY REDEVELOPMENT AGENCY FUND

- 31) Community Redevelopment Agency – Bruce Campbell

4. ADJOURNMENT: Motion by Commissioner Mealy, to adjourn the meeting at 3:41 p.m. Commissioner Carney seconded the motion.

Attest:

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Penny Overstreet, City Clerk

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Marshall Shupe, Chairman



REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, JULY 09, 2015 AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY HALL, 105 S. SECOND STREET, FLAGLER BEACH, FL

MINUTES

PRESENT: Mayor Linda Provencher, Chairman Marshall D. Shupe, Vice-Chair Jane Mealy, Commissioners Kim M. Carney and Stephen M. Settle, City Attorney Andrew Hand, City Manager Bruce C. Campbell and City Clerk Penny Overstreet.

ABSENT: Commissioner Joy McGrew.

1. CALL THE MEETING TO ORDER: Chairman Shupe called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Provencher led the pledge to the flag.
3. PROCLAMATIONS AND AWARDS:
  - a. CERTIFICATE OF RECOGNITION TO THE FLORIDA HOSPITAL FOUNDATION FOR PROVIDING OUR LIFEGUARD MEDICAL SUPPLIES FOR THE 2015 SEASON: Mayor Provencher and Recreation Director Tom Gillin presented a Certificate of Appreciation to Florida Hospital Flagler for their generous donation of medical supplies to the Flagler Beach Lifeguard Program.
4. DELETIONS AND CHANGES TO THE AGENDA: None.
5. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: Mary Lou Pape suggested the City pay to resurface the private road belonging to the Ocean Palm South Homeowners Association.

GENERAL BUSINESS

6. CONSIDER OFFER TO PURCHASE PARCEL NO. 12-12-31-4500-00020-0080 FOR APPRISED PRICE AND REDUCE UTILITY EASEMENT TO 10 FEET – JOE KOVACH AND JEANNE MOMMAERTS: Mr. Kovach reported he has had the appraisal done as suggested by the Commission. He would like to purchase the property at the appraised price and have the easement reduced to 10 feet. Mr. Campbell reported he and the City Engineer have visited the site and the 10 foot easement is sufficient for any needs the City may have to access the underground pipes. Chairman Shupe opened public comment. Paul Eik feels the sale of the property will benefit the City. Chairman Shupe closed public comment. Motion by Commissioner Mealy, that we sell to Joe Kovach and Jeanne Mommaerts Parcel No. 12-12-31-45000-00020-0080 for the appraised price of eighteen thousand

dollars and reduce the utility easement to ten feet in in perpetuity. Commissioner Carney seconded the motion. The motion carried unanimously, after a roll call vote.

7. RECEIVE AND UPDATE REPORT FROM THE CHAIRMAN OF THE ALTERNATIVE USE COMMITTEE AND PROVIDE DIRECTION REGARDING: 1.) NEGOTIATING PURCHASE OF THE 2.94 PARCEL; AND 2.) FURTHER INFORMATION TO BE PROVIDED BY INTERESTED ENTITIES AS REQUESTED IN PUBLIC PRIVATE NOTICE – MICHAEL FLANK, CHAIRMAN:

Michael Flank Chairman of the Alternative Use Committee reviewed a power point presentation regarding the action the Committee has taken based upon previous direction from the Commission. The Committee recommends an offer to the current owner that is a blend of the valuation from the Property Appraiser and the Cooksey appraisal. Which are 73,500 and 235,000. Commissioner Mealy indicated she would like to receive site plan drawings from the interested parties for the 2.94-acre parcel. Discussion ensued and included deciding on a price to offer for the property, can the course operate successfully without the 2.94-acre parcel, the committee not reaching a consensus for recommendation of a purchase price, and not setting a cap on purchase price for negotiating purposes. Chairman Shupe opened public comment. Dennis Bayer spoke, indicating he is not formally representing the owner, stating his opinion that the property is zoned High Density Residential. The Commission disagreed and stated when the PUD expired the property reverted to its previous zoning designation of Recreation. Rick Belhumeur provided his opinion. Chairman Shupe read an email from Commissioner McGrew into the record, summarizing, the email indicated Commissioner McGrew's suggestion to negotiate the purchase of the 2.94 acres for no more than 250,000 and direct the Committee to schedule interview with the interested parties for operation of the golf course. Chairman Shupe closed public comment. Motion by Commissioner Mealy, that we recommend the City Manager and City Attorney start negotiations to purchase the 2.94 acres in an amount not to exceed 235,000. Commissioner Settle seconded the motion. The motion carried three to one, with Commissioner Carney voting no.

Attorney Hand reported under Item 13 Staff Reports, advising the Commission the motion may create a violation of the Sunshine Law due to the cap on the negotiation price. Attorney Hand reported Attorney General Opinion determined providing individuals with the power to negotiate and discuss contract proposals while given a cap may prevent offers above the cap from being in an official record. Therefore, he recommended the Commission withdraw the motion and offer a new motion without the monetary cap. Commissioner Mealy and Settle withdrew the motion and the second. Motion by Commissioner Carney, that we delegate to the City Manager and City Attorney the purchase negotiation of the 2.94 acres at 3600 S. Central Avenue, with the requirement we hear back from the seller in two-weeks. Commissioner Settle seconded the motion. The motion carried unanimously after a roll call vote.

8. CONSIDER APPOINTMENTS TO THE PERSONNEL ADVISORY REVIEW BOARD – CITY CLERK: City Clerk Overstreet reviewed the item, reporting Mr. Gagnon was out of town on business and is interested in the re-appointment. The Commission called Mr. Whetsell to the podium to report his interest in serving on the Board. Mr. Whetsell feels he would



be a neutral member and would bring dimension to the board. The Commission completed the scoring sheets and turned them into the City Clerk for tabulation. City Clerk Overstreet reported Eric Gagnon and Allan Whetsell would fill the two seats on the Personnel Advisory Review Board. The agenda moved to Item No. 10.

#### COMMISSION COMMENTS

9. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The Elected Officials reported their attendance at meetings, gatherings and events since the last regular meeting. Commissioner Mealy presented a letter to FDOT regarding golf carts being permitted to cross the SR 100 Bridge. The Commission reached a consensus to have staff place the letter on Official letterhead and collect signatures for mailing. The Commission reached a consensus to have the City Manager contact County Administrator Coffey regarding a joint meeting between the Flagler Beach City Commission, Flagler County Board of County Commissioners and Sea Ray to discuss the Future Land Use Map Amendment. The agenda moved to Item No. 13.

#### PUBLIC HEARINGS

10. ORDINANCE 2015-06 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING THE BORROWING OF MONEY IN AN AMOUNT NOT TO EXCEED TWO MILLION FOUR HUNDRED THOUSAND DOLLARS FOR THE PURPOSE OF REFUNDING ITS STORMWATER REVENUE NOTE, SERIES 2009 AND REFUNDING THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY COMMUNITY REDEVELOPMENT REVENUE NOTE, SERIES 2009 AND PROVIDING AN EFFECTIVE DATE – SECOND READING: Attorney Hand read the title of the ordinance into the record. Chairman Shupe opened public comment. The public offered no comments. Chairman Shupe closed public comment. Motion by Commissioner Carney, that we pass Ordinance 2015-06. Commissioner Settle seconded the motion. The motion carried unanimously, after a roll call vote.
11. RESOLUTION 2015-20 - A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING A LOAN IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,400,000 FOR THE PURPOSE OF REFUNDING ITS STORMWATER REVENUE NOTE, SERIES 2009 AND REFUNDING THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY COMMUNITY REDEVELOPMENT REVENUE NOTE, SERIES 2009; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A NOTE TO EVIDENCE THE CITY'S OBLIGATION UNDER THE LOAN AGREEMENT, SUCH NOTE TO BE A LIMITED OBLIGATION OF THE CITY, PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS AND SECURITY OF THE OWNER OF THE NOTE; DESIGNATING THE NOTE AS A BANK QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF THE INTERNAL REVENUE CODE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. Attorney Hand read the title of the resolution into the record. Mr. Jay Glover reviewed the specifics of the contract. Chairman Shupe

opened public comment. The public offered no comments. Chairman Shupe closed public comment. Motion by Commissioner Mealy, to approve Resolution 2015-20. Commissioner Settle seconded the motion. The motion carried unanimously, after a roll call vote.

12. ORDINANCE 2015-07, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RELATING TO FARMER'S MARKETS; PROVIDING A DEFINITION FOR FARMER'S MARKETS AND PROVIDING THAT FARMER'S MARKETS ARE A SPECIAL EXCEPTION USE IN THE GENERAL COMMERCIAL, TOURIST COMMERCIAL AND HIGHWAY COMMERCIAL ZONING DISTRICTS; PROVIDING REGULATIONS RELATED TO FARMERS' MARKETS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS AND ESTABLISHING AN EFFECTIVE DATE – FIRST READING CONTINUED FROM THE JUNE 25, 2015 MEETING: Attorney Hand read the title of the ordinance into record. Attorney Dennis Bayer reported his clients do not have issue with the ordinance as proposed. Chairman Shupe read the motion from the Planning Board and advised the recommendations of the Planning Board have been incorporated into the ordinance. Chairman Shupe opened public comment. The following people provided comments: Rick Belhumeur. Chairman Shupe closed public comment. Motion by Commissioner Mealy, to approve Ordinance 2015-07. Commissioner Settle seconded the motion. The motion carried unanimously, after a roll call vote. The agenda moved back to Item #9.

#### STAFF REPORTS

13. STAFF REPORTS: Mr. Campbell thanked Staff and the Elected Officials for their participation at the Fourth of July event. Attorney Hand advised the Commission regarding Item No. 7 (detail is included under Item No. 7.)
14. ADJOURNMENT: Motion by Commissioner Carney to adjourn the meeting at 7:14 p.m. Commissioner Mealy seconded the motion.

Attest:

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Penny Overstreet, City Clerk

\_\_\_\_\_  
Marshall D. Shupe, Chairman

#7

**MUNICIPALITY/  
TRANSPORTATION PLANNING ORGANIZATION  
FY 2015/2016 FUNDING AGREEMENT**

**THIS AGREEMENT**, is made and entered into this \_\_\_ day of \_\_\_\_\_ 2015, by and between the **CITY OF FLAGLER BEACH**, a municipal corporation organized and existing under the laws of the State of Florida (hereinafter "**CITY**"), and the **RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION** (hereinafter "**R2CTPO**").

**WITNESSETH**

**WHEREAS**, the River to Sea Transportation Planning Organization (R2CTPO) is the duly designated and constituted body responsible for carrying out the urban transportation planning and programming process for Volusia County and portions of Flagler County inclusive of the cities of Flagler Beach, Beverly Beach, and portions of Palm Coast and Bunnell; and

**WHEREAS**, Florida Statutes 339.175; 23 U.S.C 134; and 49 U.S.C. 5303 require that the urbanized area, as a condition to the receipt of federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area; and

**WHEREAS**, metropolitan planning organizations are the lead transportation planning agencies in urban areas throughout the United States; and

**WHEREAS**, the Moving Ahead for Progress in the 21st Century Act (MAP-21) signed in July 2012 provides metropolitan planning organizations with the authority and responsibility for transportation planning and funding; and

**WHEREAS**, the quality of life and economic vitality of our community depend on coordinating transportation issues and developing complementary plans and policies; and

**WHEREAS**, the R2CTPO has the lead role in formulating regional transportation plans and programs and coordinating transportation issues among local entities and the Florida Department of Transportation (FDOT); and

**WHEREAS**, the CITY desires to enter into this Agreement with the R2CTPO to provide it with funding to support the functions necessary to achieve the R2CTPO's desired role in planning the transportation system;

**NOW, THEREFORE,** for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the CITY and the R2CTPO agree as follows:

1. **RECITALS.** The CITY and the R2CTPO hereby declare that the recitals set forth above are true and correct and incorporated herein.
2. **FISCAL YEAR 2015/16 FUNDING.** The CITY agrees to allocate **\$452.00** to the R2CTPO. Such funds shall be paid to the R2CTPO upon receipt of an invoice from the R2CTPO to the CITY. The payment shall be used for the R2CTPO fiscal year (FY) 2015/16 budget effective July 1, 2015. The funding provided to the R2CTPO by the CITY is equal to \$.10 per capita based on the 2014 BEBR estimates of population within each local governments jurisdiction as provided by the Bureau of Economic and Business Research, University of Florida.
3. **EFFECTIVE DATE AND TERMS.** The effective date of this Agreement is upon execution. The terms of this Agreement shall commence on the effective date and terminate on June 30, 2016.
4. **INTERPRETATION.** The headings contained in this Agreement are for reference purposes only and will not in any way affect the meaning or interpretation of this Agreement.
5. **MISCELLANEOUS**
  - a. This Agreement constitutes the entire Agreement between the parties with respect to the specific matters contained herein and supersedes all previous discussions, understandings and agreements, written or oral, between the parties hereto. Any amendments to or waivers of the provisions herein shall be made by the parties in writing. No other agreement, oral or otherwise, regarding the subject matter of this agreement shall be deemed to exist or to bind either party hereto.
  - b. If any sentence, phrase, paragraph, provision or portion of this agreement is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed an independent provision and such holding shall not affect the validity of the remaining portions hereto.
  - c. The parties hereby acknowledge that they have freely and voluntarily entered into this Agreement and that each party has been given the opportunity to receive the

advice of independent legal counsel for all negotiations in connection with this Agreement.

6. **CONTROLLING LAWS**

- a. This Agreement and the provisions contained herein shall be construed, controlled and interpreted according to the laws of the State of Florida, and all duly adopted ordinances, regulations and policies of the CITY now in effect and those hereinafter adopted.
- b. The location for settlement of any and all lawsuits, claims, controversies or disputes, arising out of, or relating to, any part of this Agreement, or any breach thereof, shall be Volusia County, Florida.
- c. The parties to this Agreement agree to comply with all applicable federal, state and local laws, ordinances, rules and regulations pertaining to this Agreement.

7. **BINDING NATURE OF AGREEMENT.** This Agreement shall be binding only between the CITY and the R2CTPO, and inure to the benefit of the successors or assigns of the parties.

8. **NOTICES.** All notices, consents, approvals, waivers and deletions which any party shall be required or shall desire to make or give under this Agreement shall be in writing and shall be sufficient only when mailed by certified mail, first class postage affixed, addressed as follows:

**CITY:** City Manager/City Clerk  
City of Flagler Beach  
105 South 2nd Street  
Flagler, FL 32136

**R2CTPO:** Lois Bollenback, Executive Director  
River to Sea TPO  
2570 W. International Speedway Blvd., Suite 100  
Daytona Beach, FL 32114-8145

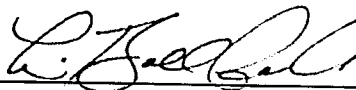
9. **AUDIT AND RECORD KEEPING PROCEDURES.** The R2CTPO shall maintain accurate public records of all services rendered in the performance of the agreement and shall provide access to such records in accordance with Florida Statutes, Section 119.07(1) (a), which states that the record can be inspected and copied by any person desiring to do so, at

any reasonable time, under reasonable conditions and under supervision by the custodian of the public records. All records shall be maintained according to the State of Florida, *General Records Schedule GS1-SL for State and Local Government Agencies*, issued by the Department of State, State Library and Archives of Florida, in accordance with the statutory provisions of Chapters 119 and 257, Florida Statutes. If any audit, litigation, claim, negotiation or other action involving the records has been started before the expiration of the retention period and disposition of the records, the records shall be retained until the completion of the action and resolution of all issues which arise from.

10. **PROVISIONS NOTWITHSTANDING.** Notwithstanding the provisions set forth above, nothing contained herein shall alter, amend or change those terms and conditions set forth in the bylaws of the River to Sea Transportation Planning Organization.

**IN WITNESS WHEREOF**, the parties have hereunto executed this Agreement as of the day and year first above written.

**RIVER TO SEA TPO**

  
\_\_\_\_\_  
Signature

Print Name: Lois Bollenback  
Title: River to Sea TPO Executive Director

**ATTEST:**

  
\_\_\_\_\_  
Signature

Print Name: Pamela Blankenship  
Title: River to Sea TPO Office Manager

(CORPORATE SEAL)

**CITY OF FLAGLER BEACH**

\_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Signature

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

(CORPORATE SEAL)

# City of Flagler Beach

#8

## Agenda Application

**INDIVIDUAL'S NAME:** Rotary Club of Flagler Beach

**BUSINESS NAME:** Jordan Farrell  
(If Applicable)

**STREET ADDRESS:** 3660 So. Central Ave Flagler Beach FL  
(If within City of Flagler Beach) 32136

**MAILING ADDRESS:** P.O. Box 873 Flagler Beach FL 32136  
(Please provide City & Zip Code)

**PHONE NUMBER:** 386-986-6744

**SUBJECT MATTER TO BE DISCUSSED WITH THE COMMISSION:**  
(This is the wording you would like on the agenda)

Use of Flagler Pier to hold a monthly or weekly Sunrise  
Yoga class to raise money for local charity.

**BACKGROUND INFORMATION REGARDING THE SUBJECT:**

I helped manage multiple events.  
Rotary

(OVER)

# City of Flagler Beach

## Agenda Application Continued

**REQUESTED ACTION SOUGHT FROM THE COMMISSION:**

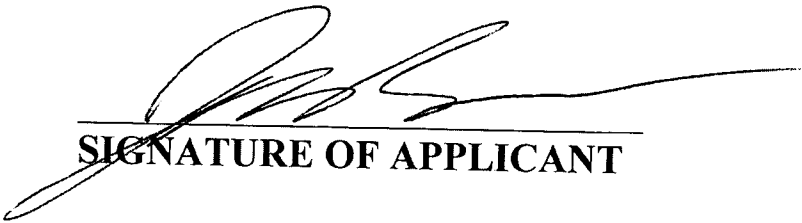
*20min before*  
Approval of a Day + the time of class "sunrise"  
We would charge a fee per student. Raise money for charity  
Raise money for pier and city.

**ATTACHMENTS:** \_\_\_\_\_

\_\_\_\_\_

**Please note the City Commission's Rules of Procedures require all supporting documents to be provided at the time the agenda application is submitted. Please refrain from handing out material at the Commission Meetings.**

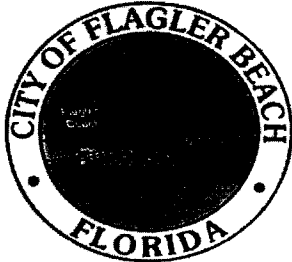
**The maximum time allowed for each request is 10 minutes.**

  
\_\_\_\_\_  
**SIGNATURE OF APPLICANT**

7-13-15  
**DATE**



**City of Flagler Beach**  
SPECIAL EVENTS APPLICATION



105 South 2nd Street,  
Post Office Box 70  
Flagler Beach, Florida 32136  
Phone (386) 517-2000 Fax (386) 517-2008

**INSTRUCTIONS:**

Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications will not be considered. All statements made on the application are subject to verification.

If you have a 5013 C exemption certificate please attach a copy to this application for the application fee waiver.

**OFFICE USE ONLY**

DATE REC'D \_\_\_\_\_

FEE REC'D \$ \_\_\_\_\_

INITIALS: \_\_\_\_\_

APPROVED

DISAPPROVED

REASONS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PX \_\_\_\_\_

BY: \_\_\_\_\_

CITY SPONSOR:  YES

NO

**Please type or print legibly**  
**Required Information**

Name of Event \_\_\_\_\_

Producer/Promoter: Rotary Club of Flagler <sup>Sunrise</sup> / Yoga On The Pier

Type of Organization:  non-profit \_\_\_\_\_ profit \_\_\_\_\_ charitable \_\_\_\_\_ government \_\_\_\_\_

Will the City be asked to sponsor or co-sponsor? \_\_\_\_\_ Yes  No *(open to suggestion)*

Contact Person: Jordan Farrell

Address: P.O. Box 873

City: Flagler Beach State: FL Zip: 32136

Work Phone: " Home Phone: "

Fax: " Mobile Phone: 386-986-6744

E-Mail Address: ocjordanfarrell@gmail.com

**Billing Information**

Is the party responsible for billing same as above? \_\_\_\_\_ Yes  No

If No, please provide the proper information below:

Attention: Rotary Club of Flagler Beach

Address: P.O. Box 2005

City Flagler Beach State FL Zip 32136

Work Phone: 386-846-5493 Fax: \_\_\_\_\_

**EVENT INFORMATION**

Event Name: Sunrise Yoga On The Pier

Date(s) Requested: Possibly Once a month or Once a week

Location: Flagler Beach Pier

Brief Description of Event: Yoga / Sunrise / Pier

Site Plan Attached?  Yes  No

If No, explain here: End of the Pier, last 60 feet

Will admission fee be charged for event?  Yes  No

Event Time: Date ASAP Start 20 min before Sunrise End 40 min after Sunrise

Date \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_

Date \_\_\_\_\_ Start \_\_\_\_\_ End \_\_\_\_\_

Set Up: Date Same Days Start 10 min before End \_\_\_\_\_

Break Down: Date Same Days Start 10-20 min After End \_\_\_\_\_

Rain Date: Date None Start \_\_\_\_\_ End \_\_\_\_\_

Total Number of Expected attendees\participants: 20 - 40 max

Age Breakdown:  1-10  11-18  19-25  26-40  Over 40

Have you held this event previously?  No  Yes

If Yes, Previous Date(s): \_\_\_\_\_

Location: \_\_\_\_\_

Does this event differ from previous years?  No  Yes

If Yes, explain how: \_\_\_\_\_

**SIGNS\BANNERS**

Will you require signs and banners at your event?  No  Yes

If Yes, list # and dimensions of each: Not at first maybe a Rotary club banner as sponsor during

Proposed locations: Pier

**ENTERTAINMENT**

Will there be entertainment?  No  Yes

If Yes, a complete detailed listing of names and times must be provided for all entertainment.

Will you be using a sound system?  No  Yes *maybe/small/personal size*

If Yes, Contractor:                 ll                 Type System                 ll                

Note: City ordinances require ....

Sound Times	Date: _____	Start _____ am/pm	End _____ am/pm
	Date: _____	Start _____ am/pm	End _____ am/pm

Will there be games or rides?  No  Yes

If Yes, list all: \_\_\_\_\_

(Including but not limited to: carnival ride, bounce house or other inflatable, rock wall, etc.)

**SPECIAL EFFECTS**

Will there be special effects used?  No  Yes

If Yes, complete the rest of this section:

Type of Effects: Fireworks  Laser light show  Other \_\_\_\_\_

*\*Note: Flagler Beach Fire Department will issue a permit contingent upon separate insurance being provided for fireworks*

Time(s) of Special Effects	Date: _____	Start _____ am/pm	End _____ am/pm
	Date: _____	Start _____ am/pm	End _____ am/pm

Location: \_\_\_\_\_

Effects Producer/Company: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

## PARADES

Parade permits for SR A1A or SR 100 are provided by FDOT. The City will apply for the permit but can not guarantee approval. A map of the route designating requested street closures must be attached.

Estimated number of parade units in each category:

_____ Bands	_____ Floats	_____ Cars	_____ Marching units	_____ Miscellaneous
Parade time	Date: _____	Start _____ am\pm	End _____ am\pm	
Set-up time	Date: _____	Start _____ am\pm	End _____ am\pm	
Break down	Date: _____	Start _____ am\pm	End _____ am\pm	
Rain date	Date: _____	Start _____ am\pm	End _____ am\pm	

## TRAFFIC

Will normal traffic patterns be altered by the event?  No

If Yes, explain: More People On The Pier Then Usual

Will public parking, streets, sidewalks, etc. be restricted or obstructed?

No  Yes (If yes, designate on site sketch)

Does your plan include on-site parking?  No  Yes (If yes, designate on site sketch)

Does your plan include off-site parking?  No  Yes (If yes, designate on site sketch)

Will shuttles be used to transport?  No  Yes

## FACILITY REQUIREMENTS

Will you utilize temporary structures at event?  No  Yes

If yes, indicate # of each:  Stages  Tents  Scaffolding  Booths  Fences  
 Concession Stands  Miscellaneous

Location of these structures on site sketch required.

*Note: Special Permits are required for tents exceeding 200 sq.ft. Special Building permits are required for temporary structures 700 or more sq.ft in area and those that are four feet above grade.*

How many tents exceeding 200 sq.ft. will be used? None List tent location and size: \_\_\_\_\_

Will you need electric?  No  Yes

If yes, type of equipment: \_\_\_\_\_ # of Amps needed: \_\_\_\_\_

Will you employ an electrician?  No  Yes

If yes, provide name & phone number: \_\_\_\_\_

## PROPOSED RETAIL SALES

**\* Note: All vendors are required to complete an Itinerant Merchants License application**

Estimated total number of vendors: 0 Estimated # of each type of vending: \_\_\_ Crafts  
\_\_\_ Clothing \_\_\_ Food/Beverage \_\_\_ Jewelry \_\_\_ Misc (Describe in detail below.)

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### Prepared Food and Alcoholic Beverages\Liquor Liability

Will food\beverage be prepared\sold at this event?  No \_\_\_ Yes (If yes, see below.)

*Note: Fire extinguishers are required and will be inspected by the Flagler Beach Fire Department, Department of Business & Professional Regulation or Department of Agriculture licenses are required and copies must be provided to the City, additional liability insurance required as set by Special Events Ordinance.*

Will alcoholic beverages be dispensed, provided or served? \_\_\_ No \_\_\_ Yes (If yes, see below.)  
*Note: Liquor Liability Coverage required.*

Name of Organization licensed to serve alcohol at this event: \_\_\_\_\_

This organization is \_\_\_\_\_ for profit \_\_\_\_\_ not for profit

### RESTROOM FACILITIES

Toilet Facilities available?\* \_\_\_ No  If Yes, how many: 1 Pier Bathrooms

Will you provide Port-o-lets?\*  No \_\_\_ If Yes, how many: \_\_\_ (Designate on site plan.)

*\*Note: ADA requires one handicapped restroom in each group of restrooms*

### AMERICANS WITH DISABILITIES ACT

*ADA requires with accessibility guidelines as adopted by the State of Florida are now in effect.*

### SANITATION

*Please review the Special Events Ordinance, and Resolution 2008-32 regarding fees for sanitary requirements.*

### POLICE SERVICES\CROWD CONTROL

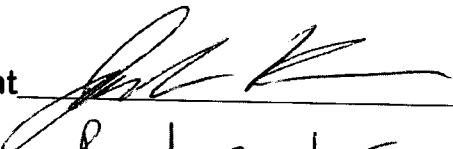
*Please review the Special Events Ordinance for Police\Security requirements.*

### LIABILITY INSURANCE WILL BE REQUIRED

*See Special Events Ordinance for insurance\indemnity requirements*

**SIGNATURE(S)**

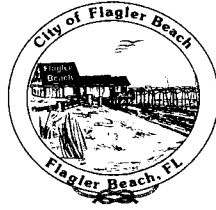
I understand this is an application only and does not obligate the City in any fashion to reserve any facility location or approve an event. I also understand that if application is approved, non-compliance with event ordinances and agreements within these pages, could impact future event terms or approvals.

Signature of Applicant  Date 7-13-15  
Title of Applicant board member  
Affiliation Rotary

**CITY OFFICIALS**

To be signed after review of application by department heads  
or at Special Event Planning Meeting, if required.

Chief of Police \_\_\_\_\_ Date \_\_\_\_\_  
Fire Chief \_\_\_\_\_ Date \_\_\_\_\_  
Sanitation \_\_\_\_\_ Date \_\_\_\_\_  
City Manager \_\_\_\_\_ Date \_\_\_\_\_  
City Commission Chair \_\_\_\_\_ Date \_\_\_\_\_



# City of Flagler Beach                      **AGENDA ITEM # 9**

## Item Summary and Recommendation

**SUBJECT:** Grant Opportunity, Residential Construction Mitigation Program

**BACKGROUND:** Flagler County Emergency Management has secured FEMA grant funds for retrofitting homes that don't meet current FBC **wind** standards. (This is not a flood protection measure.) Qualifying homes may be able to receive free of charge a new roof, windows, doors, hurricane straps, gable bracing, and other wind mitigation measures. FCEM will secure four grants: one for the county, and one for the three municipalities of Palm Coast, Bunnell, and Flagler Beach. Qualifying is based on age of home, benefit potential, and other factors, with low to moderate income (based on family size) homesteaders receiving preference (see brochure, attached).

**RECOMMENDATIONS:** Like all grants, there will be a lot of required documentation, inspections, and financial exchanges – all of which are very time consuming. However, the County is willing to take the lead to the extent the municipalities are willing to allow. FCEM is taking responsibility for writing the proposal and submitting it, for the advertising, the hiring of an inspector for determining eligibility of homes, vetting the contractors, etc. Because our City will receive the grant dollars directly, our primary responsibility will be cutting the reimbursement checks. The recommendation is to authorize the County to proceed with this endeavor by asking the mayor to sign form EXHIBIT "B" ACKNOWLEDGMENT and the INTERLOCAL AGREEMENT WITH FCEM.

**ATTACHMENTS:** Two-page brochure prepared by FCEM to advertise the program;  
Pages 1-7, Florida Division of Emergency Management RFP;  
Pages 22-28, Attachment "A" Scope of Work and Budget;  
Page 29, EXHIBIT "B" ACKNOWLEDGMENT; and INTERLOCAL AGREEMENT WITH FCEM.

**SUBMITTED BY:** Kay McNeely

DATE: July 9, 2015

## WHAT DOES IT COVER?

The intent of the program is to retrofit the entire envelope of the house: the roof and all doors, windows, soffits, and vents. Some common mitigation efforts include shutters, impact resistant windows, gable end bracing, hurricane straps, and more.



Water Barriers



Garage Doors



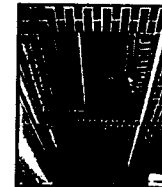
Gable Ends



Anchoring



Reroofing



Windows

It does NOT cover things like

HVAC, drywall, plumbing, electrical wiring, wood rot, or termite damage.

## RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM

### Flagler County

## RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM

### For More Information:

Flagler County  
Emergency Management  
1769 E. Moody Blvd. Bldg #3  
Bunnell, Florida 32110

Phone: 386-313-4265

E-mail: [hwilson@flaglercounty.org](mailto:hwilson@flaglercounty.org)



PROTECTING YOUR HOME  
FROM WIND DAMAGE



## WHAT IS THE RCMP?

The Residential Construction Mitigation Program (RCMP) is a grant funded program to increase the wind resistance of homes - at no cost to eligible homeowners!

## ARE THERE INCOME REQUIREMENTS?

While the program is open to any person that meets the criteria, preference is given to homeowners in the low-to-moderate income category, as defined below:

### 2015 Income Preference Guidelines

Family Size	Low	Moderate
1	\$31,000	\$46,560
2	\$35,400	\$53,160
3	\$39,850	\$59,760
4	\$44,250	\$66,360
5	\$47,800	\$71,760
6	\$51,350	\$77,040
7	\$54,900	\$82,320
8	\$58,450	\$87,600

## WHAT ARE THE CRITERIA?

- Single family home
- Built prior to 2002
- Site built home (no manufactured homes)
- No unpermitted work
- No outstanding liens or judgments
- Primary residence (must be homesteaded)
- Located within Flagler County

## HOW DOES IT WORK?

1. If you meet the initial criteria, contact Flagler County Emergency Management for an application.
2. A wind inspector will inspect your home to determine necessary mitigation measures.
3. The application and inspection together will create a project file for the selection process.
4. When selected, construction will begin.
5. After construction, there will be a post-inspection to ensure work is completed to specifications.
6. A 5-year vanishing lien will be placed on the house to discourage fast resale/flipping.

## WHY MITIGATE?

- Your home is your largest asset
- Reduce insurance premiums
- Reduce damage
- Reduce debris
- Reduce recovery time



**INTERLOCAL AGREEMENT BETWEEN  
THE CITY OF FLAGLER BEACH AND FLAGLER COUNTY  
FOR THE RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM**

This **INTERLOCAL AGREEMENT** ("Agreement") is made and entered into by and between the CITY OF FLAGLER BEACH, a Florida municipal corporation ("City"), whose address is 105 South 2<sup>nd</sup> Street, Flagler Beach, FL 32136, and FLAGLER COUNTY, a political subdivision of the State of Florida ("County"), whose address is 1769 East Moody Boulevard, Building 2, Suite 301, Flagler Beach, FL 32110.

**WITNESSETH:**

**WHEREAS**, the Parties desire to cooperate in order to provide for the housing needs of their citizens efficiently and in the most cost-effective manner; and

**WHEREAS**, the Florida Division of Emergency Management (hereinafter, "FDEM") administers mitigation programs designed to reduce or eliminate the impact of hazards, which exist within a community and are a threat to life and property, including the Residential Construction Mitigation Program (hereinafter, "RCMP"); and

**WHEREAS**, the City needs outside funding assistance for residents in need of residential wind mitigation retrofit improvements, which entail a comprehensive, wind mitigation inspection and analysis of residential structures, as well as retrofitting services based on those findings (hereinafter, "Residential Retrofits"); and

**WHEREAS**, the City anticipates being the recipient of RCMP funding from FDEM to cover the cost of the Residential Retrofits pursuant to an FDEM State-Funded Grant Agreement, (hereinafter, "RCMP Grant"); and

**WHEREAS**, the County has an established mitigation planner and qualified staff to manage and administer FDEM mitigation grants, and the City desires to utilize this expertise for its RCMP Grant; and

**WHEREAS**, the Parties desire to distribute monies available under the RCMP Grant pursuant to this Agreement and to provide for the County's administration of the RCMP Grant; and

**WHEREAS**, the Parties recognize the Residential Retrofits will provide increased wind resistance to homes, reducing damage, debris, and recovery time for residents and will benefit the communities in which they reside by mitigating against wind hazards; and

**WHEREAS**, this Agreement is authorized pursuant to the provisions of Chapters 125, 163, and 166, *Florida Statutes*, and other applicable laws.

**NOW, THEREFORE**, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

**SECTION 1. RECITALS.** The above recitals are true and correct, and form a material part of this Agreement upon which the Parties have relied.

## **SECTION 2. ADMINISTRATION OF THE RCMP.**

- a. The County shall assist the City in completing the RCMP Grant application. The City will submit the application and procure the grant. If the RCMP Grant is not awarded, this Agreement shall be null and void. If the grant is awarded, the City shall furnish the County with a copy of the executed RCMP Grant.
- b. Upon RCMP Grant award, responsible staff for the City and County shall meet and establish a protocol for administration of the grant. As part of the protocol, the Parties shall establish the responsibilities for producing the documentation that is necessary for the deliverables required by FDEM, including, but not limited to Property Information Sheets, Spreadsheets, Requests for Reimbursement, and the Final Close-Out Package.
- c. As part of the protocol, the County shall identify eligible beneficiaries for the Residential Retrofits under the RCMP Grant. The County's wind mitigation inspector shall conduct an inspection and analysis of eligible homes and identify the scope of work to be completed to achieve the objectives of the RCMP Grant. Based on this analysis, the County will provide the City, for submission to FDEM, the Property Information Sheets as required by the RCMP Grant.
- d. The County shall solicit vendors to complete the Residential Retrofits in accordance with the County's procurement policy. The County shall develop a Scope of Work for each property approved by FDEM based on the retrofit measures identified on the Property Information Sheets. The City shall engage the vendor/s selected by the County to complete the specific Residential Retrofits approved by FDEM in accordance with the RCMP Grant. The City shall be responsible for paying the vendor/s and seeking reimbursement from FDEM pursuant to the RCMP Grant.
- e. The City shall be responsible for monitoring the work of the vendor/s and issuing or obtaining all permits associated with the Residential Retrofits. The City shall ensure the Residential Retrofits are completed in accordance with the standards, regulations, laws, codes, and procedural requirements, whether federal, state or local, which are applicable to, or in any manner affect the completion of the Residential Retrofits; this includes, but is not limited to, all terms, conditions, and project requirements set forth in the RCMP Grant and the associated rules and regulations of the FDEM.
- f. In order to ensure that the RCMP Grant requirements are satisfied and that the City is reimbursed as expeditiously as possible, the City shall forward to the County all backup documentation required to implement the RCMP Grant. The County shall assist the City in producing for execution and submission to FDEM all deliverables and reporting documents required for the City to seek reimbursement of eligible funds expended by the City on the Residential Retrofits under the RCMP Grant.
- g. The City shall reimburse the County for the actual cost of administrative services described above using the Administrative Expenditures portion of the grant funding as identified in Attachment "A" of the RCMP Grant. The City shall draw down the Administrative Expenditures from the RCMP Grant whenever allowed under the Grant and shall utilize the

assistance of the County. Payment to the County is due no later than 30 days following receipt by the City of funds from FDEM for Administrative Expenditures.

**SECTION 3. MODIFICATION OF AGREEMENT.** This Agreement may only be modified by written agreement of the Parties, adopted with the same formalities as the adoption of this Agreement.

**SECTION 4. EFFECTIVE DATE AND TERMINATION OF AGREEMENT.** This Agreement shall become effective on the date this Agreement is filed with the Clerk of Courts. Neither of the Parties may unilaterally terminate this Agreement, and both Parties shall remain bound to this Agreement for the term of the RCMP Grant. Time is of the essence in the lawful performance of the duties and obligations contained in this Agreement.

**SECTION 5. INTERPRETATION.** The language of this Agreement has been agreed to by both Parties to express their mutual intent and no rule of strict construction shall be applied against either Party. The headings contained in this Agreement are for reference purposes only and do not affect in any way the meaning or interpretation of this Agreement.

**SECTION 6. LIABILITY AND INDEMNIFICATION.**

- a. To the extent permitted by Florida law and without waiving any statutory and constitutional sovereign immunity protections, the City agrees to hold harmless and shall indemnify the County and FDEM from any and all claims and all manner of action and actions, losses, demands, damages, penalties and expenses including reasonable attorney's fees, which may result from, or arise out of the intentional or negligent acts of the members, employees, appointees or agents of the City, while in the performance of this Agreement, subject to applicable law, including Section 768.28, Florida Statutes, regarding governmental agency liability.
- b. Nothing herein shall be deemed a waiver, express or implied, of either Parties' sovereign immunity or an increase in the limits of liability pursuant to Section 768.28, Florida Statutes, regardless of whether any such obligations are based in tort, contract, statute, strict liability, negligence, product liability or otherwise. Further, there are no third party beneficiaries to this Agreement or its liability and indemnification provisions except to FDEM.

**SECTION 7. NOTICES.** Whenever either Party desires to give notice unto the other, such notice must be in writing, sent by certified United States mail, return receipt requested, addressed to the Party for whom it is intended at the location specified below. The location for giving notice shall remain the same until it shall have been changed by written notice in compliance with the provision of this section. The Parties designate the following as respective locations for giving notice:

**CITY OF FLAGLER BEACH:**

City Manager  
POBox 70  
105 South 2<sup>nd</sup> Street  
Flagler Beach, FL 32136

**FLAGLER COUNTY:**

Public Safety Emergency Manager  
Flagler County Emergency Services  
1769 East Moody Blvd., Bldg. 3  
Flagler Beach, FL 32110

**SECTION 8. SEVERABILITY.** Any provision of this Agreement held by a court of competent jurisdiction to be invalid, illegal, or unenforceable shall be severable and shall not be construed to render the remainder to be invalid, illegal, or unenforceable.

**SECTION 9. RECORDATION AND EFFECTIVE DATE.** After execution, this Agreement shall be forwarded to the County Attorney's Office for recordation with the Clerk of Court in and for Flagler County, Florida.

**IN WITNESS WHEREOF,** the duly authorized officials of the Parties have made and executed this Agreement on the respective dates indicated below.

**CITY OF FLAGLER BEACH**

**CITY OF FLAGLER BEACH, FLORIDA, CITY COMMISSION**

**ATTEST:**

\_\_\_\_\_  
Penny Overstreet, City Clerk

\_\_\_\_\_  
Linda Provencher, Mayor

**APPROVED AS TO FORM:**

**DATE:**

\_\_\_\_\_  
Drew Smith, City Attorney

**FLAGLER COUNTY**

**FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS**

**ATTEST:**

\_\_\_\_\_  
Gail Wadsworth, Clerk of the Circuit Court and Comptroller

\_\_\_\_\_  
Frank J. Meeker, Chairman

**APPROVED AS TO FORM:**

**DATE:**

\_\_\_\_\_  
Al Hadeed, County Attorney

State of Florida  
Division of Emergency Management



RFP-DEM-14-15-043

**HURRICANE LOSS MITIGATION PROGRAM**  
**Residential Construction Mitigation Program (RCMP)**

Request for Proposals

**CONTACT FOR QUESTIONS:**

**Tara Walters**

**2555 Shumard Oak Blvd.**

**Tallahassee, Florida 32399-2100**

**Tara.Walters@em.myflorida.com**

**Phone #: (850) 410-1391**

**Fax #: (850) 488-7842**

## 1) BACKGROUND

In 1999, the Florida Legislature passed the Bill Williams Residential Safety and Preparedness Act. Codified as section 215.559, Florida Statutes, this legislation created the Hurricane Loss Mitigation Program ("HLMP").

In order to fund the HLMP, the Legislature appropriates at least \$10 million annually from the Florida Hurricane Catastrophe Fund to the Florida Division of Emergency Management ("Division"). Of that \$10 million, the Division can expend \$3.5 million in order to:

- a) Fund programs that "improve the wind resistance of residences and mobile homes...";
- b) Educate "persons concerning the Florida Building Code cooperative programs..."; and,
- c) Undertake "other efforts to prevent or reduce losses or reduce the cost of rebuilding after a disaster."

In accordance with section 215.559(5), Florida Statutes, funds appropriated by the Legislature to the Division for HLMP purposes "are intended to supplement, not supplant, the [D]ivision's other funding sources." Thus, HLMP projects should not duplicate existing mitigation programs administered by the Division.

As required by section 215.559(4), Florida Statutes, the Division implemented the HLMP in consultation with an advisory council. Based upon that consultation, the Division developed the Residential Construction Mitigation Program ("RCMP"). A component of the HLMP, the RCMP provides grant funding to governmental entities, nonprofit organizations, and qualified for-profit organizations as a means to improve the resiliency of residential structures within their communities. Mitigation retrofit improvements currently authorized for the RCMP include:

- a) Replacement of roof sheathing;
- b) Replacement of roof covering;
- c) Strengthening of roof deck attachment;
- d) Installation of secondary water barrier;
- e) Installation of hurricane straps;
- f) Installation of window and door opening protection;
- g) Installation of hurricane resistant windows and doors;
- h) Brace bottom chord gable end; and,
- i) Anchoring of wall or floor units to the foundation.

Ultimately, HLMP provides a mechanism for the Division to use moneys from the Hurricane Catastrophe Fund in order to protect against damage to property caused by disasters; by reducing the exposure of insured property in the State of Florida, the HLMP thereby reduces the exposure of the Hurricane Catastrophe Fund (and therefore, the exposure of Florida's taxpayers).

## 2) SOLICITATION

Through this Request for Proposals ("RFP"), the Division solicits written proposals from responsible and responsive Proposers who seek to perform mitigation retrofit improvements to residential properties. In order to qualify for an award, the proposed mitigation retrofit improvements must reduce losses or reduce the cost of rebuilding after a disaster. Additionally, Proposers must target residential properties that are not in compliance with the current edition of the Florida Building Code ("FBC").

When determining the effectiveness of a particular retrofit improvement, the Division will focus on the amount of reduction in risk exposure associated with the mitigation of a residential property, not the age of that property. Nonetheless, the Division encourages Proposers to target residential properties that fail to comply with the 2001 edition of the FBC as retrofit improvements to those properties may yield the greatest savings for the Hurricane Catastrophe Fund.

## 3) PROPOSERS

For the purpose of this document, the term "Proposer" means the prime Recipient acting on its own behalf and those individuals, partnerships, firms, or corporations comprising the Proposer's team. The term "proposal" means the complete response of the Proposer to the RFP, including properly completed forms and supporting documentation. After the award, said Proposer will be referred to as the "Recipient".

## 4) ELIGIBLE PROPOSERS

Grant funds awarded under the RCMP qualify as state financial assistance under the Florida Single Audit Act. See Section 215.971, Florida Statutes. The Catalog of State Financial Assistance number (CSFA#) for RCMP is 31.066.

Because the Legislature provides the Division with RCMP funds through the grants and aid appropriation category, eligible proposers under this RFP include governmental entities, nonprofit organizations, and qualified for-profit organizations; individual homeowners are ineligible to apply. The following statutory sections provide additional guidance:

- a) **Grants and aid.** In order to qualify for an award of a State-Funded Grant Agreement under the "grants and aid" appropriation category, a Recipient must be either a unit of government or nonstate entity. See Section 216.011(1)(r), Florida Statutes.



- b) **Nonstate entity.** As defined by section 215.97(2)(m), Florida Statutes, nonstate entity "means a local governmental entity, nonprofit organization, or for-profit organization that receives state financial assistance."
1. **Local governmental entity.** As defined by section 215.97(2)(j), Florida Statutes, local governmental entity "means a county as a whole, municipality, or special district or any other entity excluding a district school board, charter school, Florida College System institution, or public university, however styled, which independently exercises any type of governmental function within the state."
  2. **Nonprofit organization.** As defined by section 215.97(2)(l), Florida Statutes, nonprofit organization "means any corporation, trust, association, cooperative, or other organization that:
    - a. Is operated primarily for scientific, educational service, charitable, or similar purpose in the public interest.
    - b. Is not organized primarily for profit
    - c. Uses net proceeds to maintain, improve, or expand the operations of the organization.
    - d. Has no part of its income or profit distributable to its members, directors, or officers.
  3. **For-profit organization.** As defined by section 215.97(2)(g), Florida Statutes, for-profit organization "means any organization or sole proprietor that is not a governmental entity or a nonprofit organization."

5) **RESPONSIBILITY**

In order to qualify as a responsible vendor as that term is defined by section 287.012(25), Florida Statutes, a proposer must demonstrate the capability in all respects to fully perform the contract requirements and the integrity and reliability that will assure good faith performance.

6) **PROPOSALS**

Applicants may submit one (1) proposal for a maximum award amount of \$194,000. Subcontractors may appear in more than one proposal. Sections 30 through 33 of this RFP provide additional guidance on proposal requirements.

7) **RESPONSIVENESS**

- a) **Vendor.** In order to qualify as a responsive vendor as that term is defined by section 287.012(27), Florida Statutes, a Proposer must submit a proposal that conforms in all material respects to this solicitation.
- b) **Proposal.** In order to qualify as a responsive proposal as that term is defined by section 287.012(26), Florida Statutes, a proposal must conform in all material respects to this solicitation.

1. The Division shall not consider any proposal that contains a material deviation from the terms of this solicitation. However, the Division reserves the right to consider a proposal that contains a minor deviation or irregularity so long as that minor deviation or irregularity does not provide a competitive advantage over the other proposers.
2. The Division shall not permit a vendor to amend a proposal after the due date for submissions – even if to correct a deviation or irregularity.
3. Proposals shall not be considered if not received by the Division on or before the date and time specified as the due date for submission.
4. All proposals must be typed or printed in ink.
5. A proposal may fail to qualify as responsive by reasons that include, but are not limited to:
  - a. Failure to include a material form or addendum;
  - b. Failure to include material information;
  - c. Modification of the proposal specifications;
  - d. Submission of conditional proposals or incomplete proposals; and,
  - e. Submission of indefinite or ambiguous proposals.
6. Other conditions which may cause rejections of proposals include but are not limited to:
  - a. Submission of more than one proposal from the same vendor;
  - b. Evidence of collusion among proposers;
  - c. Obvious lack of experience or expertise to perform the required work;
  - d. Failure to perform or meet financial obligations on previous contracts or grant agreements; and,
  - e. Inclusion on the United States Comptroller General's List of Ineligible Contractors for Federally Financed or Assisted Projects.

**8) SELECTION CRITERIA**

The Division will analyze each proposal by utilizing the source selection criteria outlined in Section 42 of this RFP.

**9) AWARDS**

The Division intends to award State-Funded Grant Agreements to the responsive and responsible Proposers whose proposals are determined to be the most advantageous to the Division. After awards, said Proposers will be referred to as the "Recipient". Awards will be offered to the Proposer with the overall highest average score, then to the Proposer with the next highest average score, and so on, until all funds have been offered or all eligible proposals have been funded. Partial funding may be offered to Proposers in order to expend all available money.

The Notice of Intent to Award will be announced and posted on the Vendor Bid System at: [http://vbs.dms.state.fl.us/vbs/main menu](http://vbs.dms.state.fl.us/vbs/main_menu) after final evaluation and totaling of scores at the Selection Committee meeting specified in the Schedule of Events (See Introduction Section 2, Schedule of Events). If the Division is confronted with identical scoring from multiple vendors, the Division shall determine the order of award in accordance with Rule 60A-1.011 Florida Administrative Code.

**10) PERIOD OF PERFORMANCE**

The Division anticipates that the period of performance will begin on date of final execution of the Agreement by the Division and be effective through August 30, 2016.

**11) PROPERTY IDENTIFICATION**

After the execution of a State-Funded Grant Agreement, the Recipient shall conduct an inspection of residential properties and identify a group of properties eligible for mitigation retrofit improvements. The Recipient shall submit a list of those properties to the Division within four (4) weeks of the posted Notice of Intent To Award on the MyFloridaMarketPlace ("MFMP") Vendor Bid System. The Recipient shall submit property information and the estimated mitigation costs on a 2016 Property Information Spreadsheet (PIS) provided by the Division at the time of Award. Color photographs of the structures are required with the submission of the PIS. The Recipient may identify additional properties over the course of the fiscal year until all awarded funds are expended. Finally, the Division does not require Proposers to identify a group of properties prior to submission of a proposal.

**12) BENEFIT-COST ANALYSIS**

The Division will conduct a benefit-cost analysis (BCA) for each of the submitted properties to determine if the mitigation retrofits are cost-effective. The BCA results in a numerical ratio expression of the cost-effectiveness of a mitigation project and is calculated as: total project mitigation benefits divided by total project mitigation costs. A property with a BCA ratio of one (1) or greater has more benefits than costs and is therefore considered cost-effective. Some of the submitted properties may receive a BCA ratio of less than one (1). However, if the combined BCA ratio for the submitted group of properties is equal to one (1) or greater the group of properties may be approved. Specific properties may be added or withdrawn if necessary in order to achieve a combined BCA of one (1) or greater.

### 13) SCHEDULE OF EVENTS

Provided below is a list of critical dates and actions. These dates are subject to change. Notice of changes (addenda) will be posted on the MFMP Vendor Bid System at [www.myflorida.com](http://www.myflorida.com) (click on "BUSINESS", then click on "Doing Business with the State", under "Everything for Vendors and Customers", click on "Vendor Bid System (VBS)", click on "Search Advertisements") under this RFP number. It is the responsibility of all potential proposers to monitor this site for any changing information.

<u>ACTION / LOCATION</u>	<u>DATE</u>	<u>TIME</u>
ADVERTISE RFP		06/22/2015
RFP and SCORING CRITERIA To Committee Members via Email		06/22/2015
DEADLINE FOR TECHNICAL QUESTIONS: There is no deadline for administrative questions.	07/01/2015	12:00 PM EST
POSTING OF TECHNICAL QUESTIONS & ANSWERS:	07/08/2015	05:00 PM EST
PROPOSALS DUE (TECHNICAL PROPOSAL): 2555 Shumard Oak Blvd. Tallahassee, Florida 32399-2100	08/03/2015	02:00 PM EST
PUBLIC OPENING (TECHNICAL PROPOSAL): 2555 Shumard Oak Blvd. Tallahassee, Florida 32399-2100	08/03/2015	02:30 PM EST
SCORES DUE TO PROCUREMENT (SCORING TABULATION BY PROCUREMENT): 2555 Shumard Oak Blvd. Tallahassee, Florida 32399-2100	08/14/2015	10:00 AM EST
POSTING OF INTENDED AWARD:	08/20/2015	05:00 PM EST

### 14) CONTACT PROVISION

As required by section 287.057(23), Florida Statutes, the Division highlights the following provision:

Respondents to this solicitation or persons acting on their behalf may not contact, between the release of the solicitation and the end of the 72-hour period following the agency posting the notice of intended award, excluding Saturdays, Sundays, and state holidays, any employee or officer of the executive or legislative branch concerning any aspect of this solicitation, except in writing to the procurement officer or as provided in the solicitation

## ATTACHMENT "A"

### SCOPE OF WORK AND BUDGET

The Recipient will provide residential mitigation retrofit improvements as identified in RFP-DEM-14-15-043 on as many qualified, residential structures as possible during the period of performance of this Agreement and within the award amount. The Division of Emergency Management's (Division) Property Information Spreadsheet will be the controlling document that monitors expenditures for the approved mitigation properties.

All residential structures shall be located in the geographical boundaries of the State of Florida and be approved by the Division. The Recipient shall focus on a comprehensive approach that ties together all aspects of mitigation.

The Recipient shall be responsible for the implementation, management, coordination, and facilitation of all aspects related to the mitigation retrofit projects approved under this RFP.

After the execution of a State-Funded Grant Agreement, the Recipient shall conduct an inspection of residential properties and identify a group of properties eligible for mitigation retrofit improvements. The Recipient shall submit a list of those properties to the Division within four (4) weeks of the posted Notice of Intent To Award on the MyFloridaMarketPlace ("MFMP") Vendor Bid System. The Recipient shall submit property information and the estimated mitigation costs on a 2016 Property Information Spreadsheet (PIS) provided by the Division at the time of Award. Color photographs of the structures are required with the submission of the PIS. The Recipient may identify additional properties over the course of the fiscal year until all awarded funds are expended.

Authorized mitigation retrofit improvements include:

- a) Replacement of roof sheathing;
- b) Replacement of roof covering;
- c) Strengthening of roof deck attachment;
- d) Installation of secondary water barrier;
- e) Installation of hurricane straps;
- f) Installation of window and door opening protection;
- g) Installation of hurricane resistant windows and doors;
- h) Brace bottom chord gable end; and,
- i) Anchoring of wall or floor units to the foundation.

Where a systemic approach cannot be implemented, this must be clearly justified (i.e., structure has already been partially mitigated or structure does not otherwise require certain measures). All awarded funds must be directly related to mitigation improvements.

The Division will conduct a benefit-cost analysis (BCA) for each of the submitted properties to determine if the mitigation retrofits are cost-effective. The BCA results in a numerical ratio expression of the cost-effectiveness of a mitigation project and is calculated as: total project mitigation benefits divided by total project mitigation costs. A property with a BCA ratio of one (1) or greater has more benefits than costs and is therefore considered cost-effective. Some of the submitted properties may receive a BCA ratio of less than one (1). However, if the combined BCA ratio for the submitted group of properties is equal to one (1) or greater the group of properties may be approved. Specific properties may be added or withdrawn if necessary in order to achieve a combined BCA of one (1) or greater.

**No construction shall be started prior to the Division's approval of the mitigation improvements.**

**Task 1 (Identification and inspection):** The Recipient shall identify residential structures for possible mitigation improvements. Then, the Recipient shall conduct a comprehensive mitigation inspection of all identified structures. Prior to inspection, a list of mitigation features to reduce the insurance premium should be optioned from the homeowner's insurance company. The mitigation inspection shall be performed by a state certified mitigation inspector or local building inspector official. The inspector shall identify any previous mitigation improvements as well as any mitigation deficiencies. Additionally, the inspector shall opine whether the residential structure can be retrofitted to effectively improve resistance to damage.

**Task 2 (Submission of identified properties):** The Recipient shall submit to the Division a Property Information Spreadsheet (PIS) for each residential property identified for possible mitigation retrofits. The Recipient will provide all the requested information for each residential structure, to include color photographs. The electronic PIS will be provided to the Recipient by the Division and should not be altered in anyway. As part of the submission, the Recipient shall identify whether:

- a) the residence is a site built residence;
- b) any unpermitted work has occurred at the residence;
- c) the residence is the primary residence of the homeowner, and,
- d) any outstanding liens or judgments are attached to the residence or its underlying property.

**Task 3 (Scope of work development):** The Recipient shall develop a Scope of Work (SOW) for each property approved by the Division. The SOW shall be based on all the mitigation retrofit measures identified on the Property Information Spreadsheet and approved by the Division. If required by the local building official, certified drawings will be developed for mitigation improvements and approved by a State of Florida Registered Professional Engineer or Florida Registered Architect as required. The Recipient shall select a Qualified, Licensed Florida Contractor in accordance with the Recipient's procurement policy to complete the SOW for each Division approved residential structure.

**Task 4 (Construction):** Upon completion and approval of Tasks 1 through 3, the construction phase shall commence. The Recipient or its Subcontractors shall complete all mitigation retrofit

measures as approved by the Division and identified on the Property Information Sheet. The minimum level of required service includes, but is not limited to the completion of all or some of the mitigation retrofit measures identified the PIS. All construction work shall be completed by a Qualified and Licensed, Florida Contractor.

**Task 5 (Final inspection):** Upon completion of the mitigation retrofit improvements, a post inspection must be performed by the Recipient and a licensed building official/inspector to ensure that all scope of work items are properly completed in compliance with issued building permits, as well as, any and all applicable Florida Building Codes, local building codes, industry standards and Manufacturer's Specifications.

**Requests for reimbursement:** During the course of the Fiscal Year, the Recipient is required to submit, at a minimum quarterly, Request For Reimbursements (RFR). The recipient is required to submit a quarterly report on the progress of the overall project. Documentation is required to support each RFR, Examples of supporting documentation are provided below for both construction expenses and administrative expenses. In some cases, all the mitigation retrofit improvements may not be fully completed; however, a partial reimbursement request may be submitted. Additional documentation in the form of an Affidavit signed by the project manager attesting to the completion of the work identified in RFR is required.

**Construction expenses:** The Recipient will pre-audit bills, invoices, and/or charges submitted by the subcontractors and pay the subcontractors for approved bills, invoices, and/or charges. Recipient will submit Reimbursement Requests (Attachment D) to the Division with copies of Subcontractor's bills, invoices, and/or charges and Proof-of-Payment by the Recipient in the form of cancelled checks, payroll records, electronic payment verification, etc. The Recipient shall ensure that the Contractor's Invoice clearly identifies each mitigation item installed.

**Administrative expenses:** The Recipient shall provide source documentation such as payroll records, project time sheets, attendance logs, etc. Documentation shall be detailed information describing tasks performed, hours devoted to each task, and the hourly rate charged for each hour including enough information to calculate the hourly rates based on payroll records. Employee benefits must be clearly shown.

## **DELIVERABLES:**

**Deliverable 1 (Identification and inspection; submission of identified properties):** Based on the work described in Tasks 1 and 2, the Recipient shall submit, in an electronic format, the completed Initial Property Information Spreadsheet (PIS). All the requested information identified by the PIS is required and shall be provided, including multiple color photographs provided in digital format. The color photographs may be sent by email, one structure per email, or via the Division's File Transfer Protocol (FTP) site. The RCMP Project Number and property owner name must be in the subject line of an email. In the FTP method, each property shall be in a separate file. The file names need to be short but identifiable. File names such as last name and address number (jones1234), or recipient's tracking number on the PIS. Approval of individual properties will be based on a combined BCA ratio.

**Due Date:** Initial PIS is due within thirty (30) days of the final contract execution date. Recipient requested addition or deletion of properties is due by April 15, 2016.

**Reimbursement:** Provided the expenses do not exceed the amounts authorized by this Agreement, the Division will reimburse the Recipient for the Administrative expenses and Construction Expenses associated with property identification, plan development, completion, and submission of the initial Division's Property Information Spreadsheet (PIS).

**Deliverable 2 (Scope of work development):** Based on the work described in Task 3, the Recipient shall submit, in an electronic format, a spreadsheet that contains the following information:

- a) Recipient Name and RCMP Project Number;
- b) Date of Report;
- c) Property Owner's Name;
- d) Selected Contractor's Name and date of Contractor selection for each mitigation measure; and,
- e) Florida Product Approval Code for each mitigation product to be installed.

**Due Date:** Within fourteen days of Contractor selection.

**Reimbursement:** Provided the expenses do not exceed the amounts authorized by this Agreement, the Division will reimburse the Recipient for the Administrative Expenses associated with each approved Property's SOW, bidding process, or Contractor selection and creation of detailed spreadsheet.

**Deliverable 3 (Construction):** Based on the work described in Task 4, the Recipient shall provide a Request For Reimbursement (RFR) Package that includes the following information:

- a) Recipient's Invoice, to include;
  1. Start Date of Work Period (start of invoice period);
  2. End Date of Work Period (end of invoice period);
  3. Description of Work Performed; and,
  4. Payment amount requested for reimbursement.
- b) Request for Reimbursement; (Attachment D)
  1. Signed and dated Summary Page with relevant Detail Pages;
  2. Sub-Contractor's Invoice:
    - a. Sub-Contractor Name;
    - b. Property owner name and address;



- c. Date work performed;
  - d. Exact mitigation measure completed; and,
  - e. Amount requested for each mitigation measure,
3. Copies of Canceled Checks or Electronic Funds Payment Verification;
  4. Quarterly Report; and,
  5. Affidavit of Partial Competition (if applicable).

**Due Date:** Deliverable 3, is due on a regular basis, but shall be submitted at least quarterly, starting with the first quarter after the final Agreement execution date and every quarter thereafter. It shall include the quarterly report. The quarterly submission is due 10 days after the close of the quarter.

**Reimbursement:** Provided the expenses do not exceed the amounts authorized by this Agreement, the Division will reimburse the Recipient for the Administrative Expenses and Construction Expenses associated with all the mitigation retrofit improvements. The mitigation retrofit improvements may not be fully completed; however, a partial reimbursement request may be submitted. The **"Final Reimbursement Request"** must be submitted by July 15, 2016.

**Deliverable 4 (Final inspection):** Based on the work described in Task 5, the Recipient shall provide a Final Close-Out Package CD to include the following:

- a) Request For Final Inspection on agency/company letter head identifying the RCMP Project number, contract number and must include the following statements:
  1. The project is 100% complete;
  2. Scope of Work for each residential structure has been completed; and,
  3. All relevant building Codes and Standards have been satisfied.
- b) A CD or other digital media that contains electronic folders for each individual property. The folders must have PDF formatted documents for each of the following:
  1. Approved PIS;
  2. Scope of Work;
  3. Color Photographs, in digital format, documenting mitigation work (pre and post);
  4. Building Permit;
  5. Post Inspection Reports/Certificates of Completion for each Residential Structure;

6. Florida Approved Product Code, Notice of Acceptance/Product Approvals; and,
  7. Lien Waivers.
- c) An Electronic Spreadsheet to include;
1. Homeowner's Name;
  2. Homeowner's Address;
  3. Pre and Post Inspection Dates;
  4. Retrofit Measures Completed;
  5. Retrofit Cost; and,
  6. Homeowner's Insurance Company and Policy Number (When Available).

**Due Date: On or before May 15, 2016**

**Reimbursement:** Provided the expenses do not exceed the amounts authorized by this Agreement, the Division will reimburse the Recipient for the Administrative Expenses and Construction Expenses associated with Final Closeout preparation, final inspections, and any additional mitigation performed as required by final inspection. The "**Final Reimbursement Request**" must be submitted by July 15, 2016.

**Financial Consequences:** If the recipient fails to comply with any term of the award, the Division shall take one or more of the following actions, as appropriate in the circumstances:

- a) Temporarily withhold cash payments pending correction of the deficiency by the recipient;
- b) Disallow all or part of the cost of the activity or action not in compliance;
- c) Wholly or partly suspend or terminate the current award for the recipient;
- d) Withhold further awards for the program; or,
- e) Take other remedies that may be legally available.

**BUDGET:** The Budget is designed to account for RCMP Awarded Funds. Each invoice and request for reimbursement should clearly identify the amount of RCMP funds requested and provide supporting documentation.

RFP-DEM 13-14-043	
EXPENDITURE CATEGORIES	AWARD
Salary & Benefits	
Other Personnel / Contractual Services	
Administrative Expenses	
Expenses	
Totals	

**EXHIBIT "B"**  
**ACKNOWLEDGEMENT**  
**RFP-DEM-14-15-043**  
**HURRICANE LOSS MITIGATION PROGRAM**  
**Residential Construction Mitigation Program (RCMP)**

**ACKNOWLEDGEMENT:** I certify that I have read and agree to abide by all terms and conditions of this solicitation and that I am authorized to sign for the proposer. I certify that the response submitted is made in conformance with all requirements of the solicitation.

Proposer: \_\_\_\_\_ FEID #: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed / Typed: \_\_\_\_\_ Title: \_\_\_\_\_

**NOTE:** In submitting a response, the proposer acknowledges they have read and agree to the solicitation terms and conditions and their submission is made in conformance with those terms and conditions.



## City of Flagler Beach                      **AGENDA ITEM # 10** **Item Summary and Recommendation**

**SUBJECT:** Consider a proposal to drill a test well near Well No. 12 to investigate water quality to determine the feasibility of drilling another well on the same easement. Connect Consulting, Inc. has submitted a proposal to perform the work. The Commission approved a “piggy back” contract with this vendor on June 25, 2015 under a renewed Palm Coast contract. The estimate to complete this work is \$35,600.

**BACKGROUND:** Connect Consulting, Inc. has been working with the City to investigate problems with Well #11, which was recently upgraded, and Well #10, which was done in 2012. Our operators at the Water Treatment Plant discovered turbidity problems soon after Well #12 went on line and had to be abandoned. If this effort is successful we have the potential to drill another well to supply our short term needs. This will allow us to have four wells on line and blend the production from our existing wells without stressing the aquifer and allow for recharging. The original existing pump and associated equipment can be re-used at the well site. The City has been negotiating with the developer, JTL Grand Landings Development, LLC for three new well site easements and submitted a document for their review. To date, we’ve not had a response to our proposal.

**RECOMMENDATIONS:** Recommend approval.

**ATTACHMENTS:** Connect Consulting Proposal dated June 8, 2015

**SUBMITTED BY:** Robert Smith

**DATE:** July 14, 2015

### **Staff Comments:**

**City Manager:** Please note this proposal is for a test well only. If the test well proves successful (i.e. good water) we will then recommend drilling a new well at an estimated cost of \$135,000 at the location of this test well (savings of approximately \$25,000 by reusing existing motors, pump and controls).

Even though three wells will more than supply our capacity needs – “everyone is dipping their straw” into the aquifer in this site area – which is compounding our water quality issue. We therefore should strive to have four good wells on line which matches our current consumptive use permit.



Headquarters  
19505 NW 184th Terrace  
High Springs, FL 32643  
Office: 386.462.0781  
Fax: 386.462.0059  
Cell: 561.248.6778  
Email: geichler@ix.netcom.com

---

June 8, 2015

Mr. Bob Smith  
Public Works Director  
City of Flagler Beach  
P.O. Box 70  
Flagler Beach, Florida 32136

**Proposal: FB 12 Test Well Investigation**

Dear Mr. Smith:

Connect Consulting, Inc. (CCI) is pleased to submit our proposal to conduct an investigation near the abandoned Public Water Supply (PWS) well referred to as FB-12 (see **Figures 1 & 2** for location). Well FB-12 was one of four (4) PWS wells that were constructed by others in 2009. FB 12 was abandoned shortly after construction due to a casing seal failure. The well site is still owned by the City of Flagler Beach (City).

**Background**

The City operates an Upper Floridan aquifer (UFA) well field which consists of three (3) wells permitted under CUP No. 59. The CUP, issued by the SJRWMD allows for the annual average daily withdrawal of 0.912 million gallons per day (MGD) from this well field. The City intends to add a fourth well, FB-14, to their UFA well field to provide operational flexibility to the membrane water treatment plant (WTP). Currently, the City's utility consultant, Quentin L. Hampton & Associates (QLHA) is in the process of securing property to construct a new well to be known as FB 14.

Historically, the City has developed its water supply from the UFA, from a series of wells that have now been plugged and abandoned (Wells FB 1-9) in 2011. These wells began to experience water quality degradation based in part to their construction and in part due to conditions related to the local hydrogeology. These older wells had well construction issues associated with casing seal failures and or leaks due to the method of construction (cable tool with no cement seal). Further, it is now known that water quality in the UFA degrades with both depth and to the north, with a rough line of degradation starting at ~State Road (SR) 100. The best chance for good water quality in Flagler County is to:

1. Set casings into the very top of the UFA, which is marked by the occurrence of a very hard Chert stratum that occurs right above the limestone of the Ocala Formation, and;
2. Locate the wells as far south of SR 100 as possible, and;
3. Keep the well depth under 250 feet, and;
4. Maintain a pumping rate at or below 350 gallons and per minute (GPM), and;

5. Maintain a pumped water level at an elevation of + 1-foot above mean sea level, (MSL).

While the well location at FB 12 is not ideal relative to water quality degradation concerns, it may be suitable for a properly designed and constructed PWS well especially if the pumping rate can be held to +/-150 GPM.

The purpose of this project is construct a 4-inch test well, cased into the very top of the UFA and conduct an investigation to determine if this site could be used for a standby or back up well site to the existing UFA well field. For reference, **Table 1** lists the well construction details for the existing and proposed Flagler Beach wells:

**Table 1- Flagler Beach CUP-Approved and Proposed Wells**

<b>Well No.</b>	<b>DID No.</b>	<b>Rate (GPM)</b>	<b>Diameter (in)</b>	<b>Casing Depth (ft.)</b>	<b>Total Depth (ft.)</b>	<b>Status</b>
FB-10	34525	500	12/8	115/125	254	Active
FB-11	34526	500	12/8	127/137	205	Active
FB-12	34527	500	12	110	180	Abandoned
FB-13	39450	500	12	203	180	Active
FB-14	TBD	TBD	12	205	TBD	Proposed

**Notes:**

1. Wells FB-1 thru FB-9 have been abandoned
2. FB 10 & FB 11 have been modified to correct casing seal failures, by installing 8-inch sleeve/liners inside the original 12-inch casing shown as 12/8 creating a new casing depth shown as 115/125
3. TBD = To Be Determined

**Scope of Work/Approach**

FB-12 Test Well Investigation

The approach to this project has been subdivided into four (4) tasks as listed below.

**Task 1- Permitting, Site Preparation and Mobilization**

- A. Apply for and secure a Well Construction Permit from the Flagler County Health Department (FCHC).
- B. Prepare the well site by completing limited clearing and grading. **Figures 1 & 2** illustrates a vicinity map and a well site location map for FB-12.
- C. Mobilize a drill rig to well site capable of drilling to the target total depth of 200 feet using a combination of mud rotary (unconsolidated sand shell and clay formations) and reverse air rotary drilling method (open hole, limestone).

**Task 2 – Well Construction**

- A. Drill a nominal 4-inch pilot hole from land surface to the top of the limestone estimated at 110 feet-below land surface (BLS) by the direct circulation mud rotary drilling method. It is important to note that critical decisions regarding well construction will be made in the field, by the on-site Hydrogeologist, based on actual site-specific geologic and hydrogeologic conditions, particularly with regards to the casing set point and the total depth of the well.

- B. Collect geologic formation samples every 10 feet during drilling for identification by the Hydrogeologist. Store samples on-site in appropriate sample bags labeled with the date, depth & well ID.
- C. Once the top of limestone has been confined, ream the pilot hole to a diameter of 10-inches.
- D. Set and cement ~110 feet of 5-inch Sch. 40 PVC casing, w/ centralizers. The cementing will be accomplished by the Halliburton method, w/ the cement line inside the PVC casing and pressure grouted from the bottom. Grout will be neat Portland Type I/II cement w/ 4-6% bentonite.
- E. After the cement has cured for at least 8-hours, the drill rig will be converted from mud rotary to reverse air rotary drilling. Drill out the cement plug than advance a nominal 5-inch borehole to ~200 feet-BLS by reverse air rotary.
- F. Collect geologic formation and water quality samples during reverse air drilling for identification by the Hydrogeologist every 10-feet. Water quality samples will be analyzed in the field for:
  - a. Temperature
  - b. Conductivity
  - c. Total Dissolved Solids
  - d. Chlorides
  - e. Sulfate
  - f. pH
  - g. Temperature
- G. Develop the well clear.

### Task 3- Testing and Well Completion

- A. Install a test pump capable of pumping at a rate of 150 GPM.
- B. Conduct static and pumped geophysical logs/TV survey, including:
  - a. Static Gamma ray
  - b. Static caliper
  - c. Static electric(SP & long and Short normal)
  - d. Static fluid resistivity
  - e. Static fluid temperature
  - f. Static fluid velocity
  - g. Static TV Survey
  - h. Pumped fluid resistivity
  - i. Pumped fluid temperature
  - j. Pumped fluid velocity
  - k. Pumped TV Survey
- C. Conduct a three (3) step-drawdown pumping test at the following pumping rates:
  - a. Step 1- 50 GPM
  - b. Step 2- 100 GPM
  - c. Step 3- 150 GPM
- D. Collect a water sample for analysis by the City's contract environmental laboratory for Primary & Secondary Drinking Water Standards (note: the cost of analysis is not included in this proposal).
- E. Disinfect and equip the well with a 2'x2'x2" concrete pad and locking protective box.
- F. De-mobilize and clean-up the site.



#### Task 4- Reporting

- A. Provide routine updates on progress.
- B. Complete and submit a Well Completion Report to the FCHD.
- C. Prepare a final report on the drilling and testing of the test well at FB-12, including recommendations on the viability of developing a full-size PWS well at this site.

#### Team

Our proposed team consists of the following:

1. Professional Hydrogeologic Services- Connect Consulting, Inc. - Gary E. Eichler, P.G., David S. Robertson, P.G. and Thomas Freeman
2. Well Construction Services- Freeman Well Drillers, Inc. - George Freeman, Lic. No. 2737
3. Geophysical logging/TV Services- Advanced Borehole Services, Inc.

#### Schedule

The project start date will be determined depending on the issuance of a purchase order. Task 1 will include applying for a well construction permit from the FCHD. Based on this assumed schedule, the completion of the test well and report should take approximately 13 weeks, as shown in **Table 2**.

**Table 2- Schedule**

<b>Tasks</b>	<b>Duration (weeks)</b>	<b>Cumulative (weeks)</b>
1	2	2
2	4	6
3	2	8
4	3	13
<b>Total</b>		<b>13 Weeks</b>

#### Cost of Services

This project is planned as a task effort which includes subtasks as appropriate. Task 1 will consist of planning, design, permitting, site preparation and mobilization. Task 2 will include the construction and testing of a 5-inch test well at the FB 12 location and Task 3 will include testing of the well. Task 4 will include reporting and documentation for this effort. The costs associated with each of the four (4) tasks are presented in **Table 3** based on the scope of work/approach described above is **\$35,600**. CCI will hold this price for one (1) year from the date of this proposal.

**Table 3 Cost Summary**

<b>Tasks</b>	<b>Hydrogeologic Services<sup>1</sup> Fixed Fee</b>			<b>Subcontractor Services<sup>2</sup> Fixed Fee</b>	<b>Totals (\$)</b>
	<b>Hours</b>	<b>Labor Rate (\$)</b>	<b>Labor Subtotals (\$)</b>	<b>Outside Expense (\$)</b>	
Task 1- Planning, Design, Permitting, Site Preparation and Mobilization	20	120	2,400	2,000	4,400
Task 2- Construction of 5-inch Test Well	40	120	4,800	17,000	21,800
Task 3- Testing and Well Completion	20	120	2,400	4,600	7,000
Task 4- Reporting	20	120	2,400	--	2,400
<b>Grand Totals</b>	<b>100</b>	<b>--</b>	<b>12,000</b>	<b>23,600</b>	<b><u>\$35,600</u></b>

Let me know if you have any questions or concerns.

Sincerely,

**CONNECT CONSULTING, INC.**

*Gary E. Eichler*

Gary E. Eichler, P.G.  
Principal Hydrogeologist

CC: David S. Robertson  
Thomas Freeman

## Figures

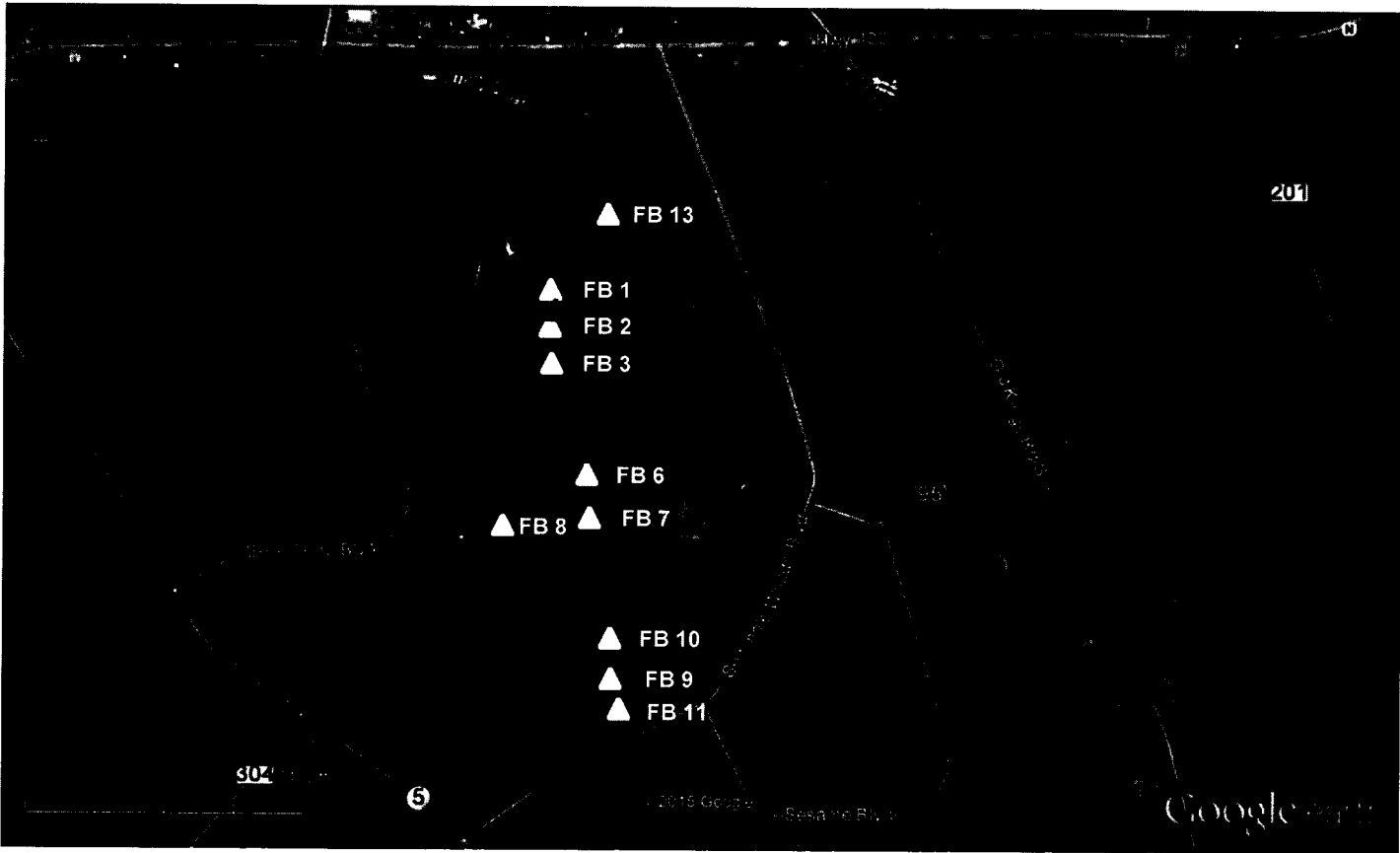


Figure 1 – Vicinity Map

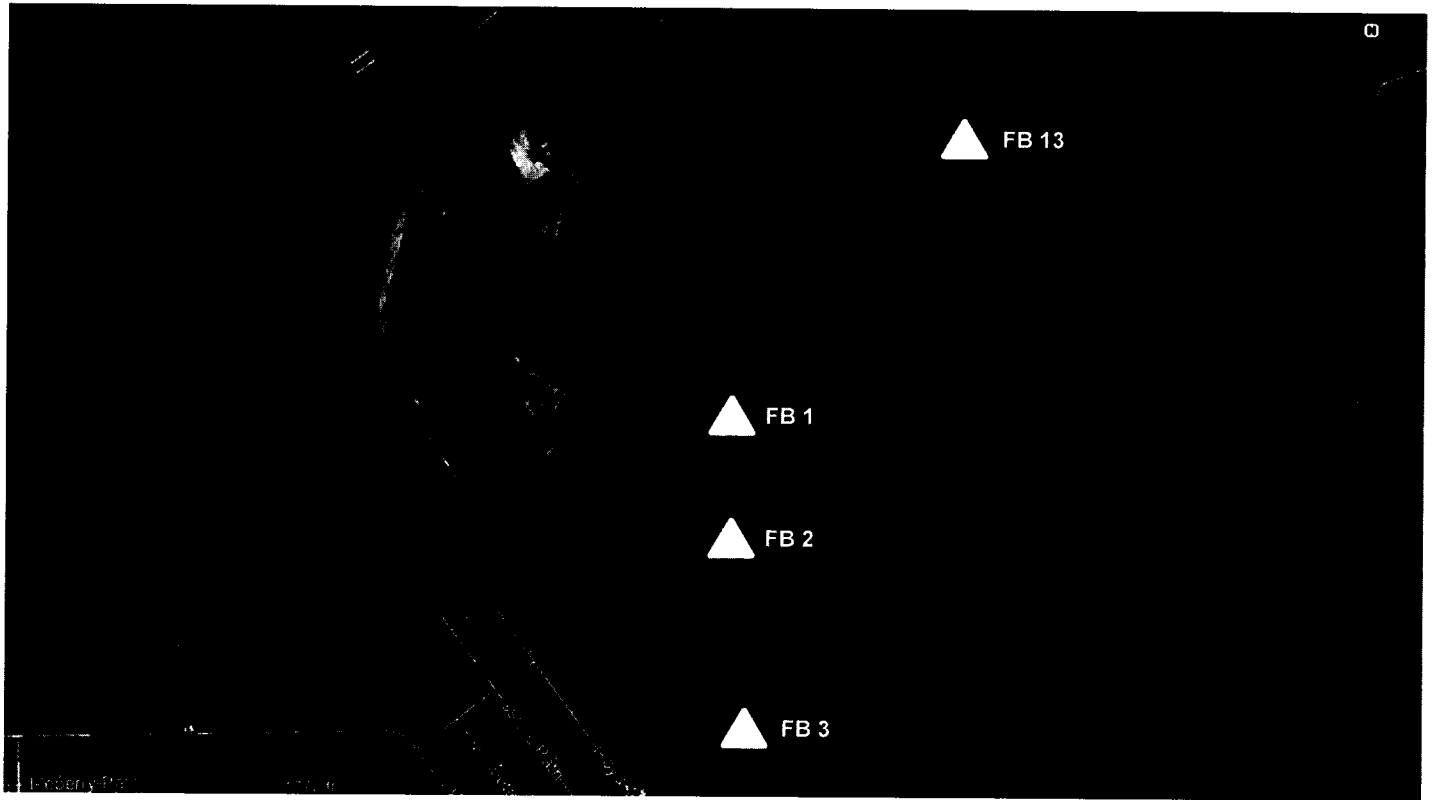


Figure 2 – Well Location Map



#11

# City of Flagler Beach

## Agenda Application

**INDIVIDUAL'S NAME:** Commissioner Steve Settle

**STREET ADDRESS:** 279 Ocean Palm Drive, Flagler Beach, Florida 32136

**PHONE NUMBER:** 386-439-6896

**SUBJECT MATTER TO BE DISCUSSED WITH THE COMMISSION:**

Request by the Flagler Beach City Commission for clarification and additional explanation of the Real Estate Appraisal report concerning a 2.94-acre portion of the former Ocean Palm Golf Course dates June 10, 2015

**BACKGROUND INFORMATION REGARDING THE SUBJECT:**

It will be asserted that this report is based upon inappropriate or incorrect assumptions and therefore, should not be permitted to stand as currently appears without modification by written documents executed by both parties, as specifically detailed in the aforementioned report section titled "limiting conditions and assumptions." To ensure the appraisal is consistent with existing conditions and based on accurate assumptions, additional clarification and explanation of methodology is requested.

**REQUESTED ACTION SOUGHT FROM THE COMMISSION:**

Specific instructions to be issued to staff to initiate the demand for written clarification and additional explanation of the aforementioned report.

Submitted Electronically  
**SIGNATURE OF APPLICANT**

July 14, 2015  
**DATE**





**From:** noreply@civicplus.com  
**Sent:** Monday, July 13, 2015 8:36 PM  
**To:** Kate Settle  
**Subject:** Online Form Submittal: Commission Agenda Item Application

## Commission Agenda Item Application

Individual's Name	Jane Mealy
Phone Number	439-4811
Business Name	<i>Field not completed.</i>
Street Address	315 Lambert Avenue
Mailing Address	<i>Field not completed.</i>
City	Flagler Beach
State	FL
Zip	32136

**Subject matter to be discussed with the commission**

Develop and submit a State challenge to Flagler County's anticipated adoption of Application #2972 - Future Land Use Map Amendment from Residential Low Density Single Family and Conservation to Commercial High Intensity for approximately 24.4 acres; being Parcel Number 02-1-31-0000-01010-0140 (523 acres and Parcel Number 02-12-31-0000-01010-0150 (1838 acres); owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust; Applicant: Sydney F. Amsbacher, Brunswick Corporation and Sea Ray Boats, Inc. As per the Flagler County staff report prepared or the July 14, 2015 Flagler County Planning and Development Board meeting, Flagler County anticipates adoption by the Board of County Commissioners of Application #2972 on July 20, 2015.

**Background information regarding the subject**

At its February 10, 2015 meeting, the Flagler County Planning and Development Board voted unanimously to recommend denial of the FLUM transmittal to the State. In spite of that recommendation, during its March 16, 2015 meeting, the FCBoCC voted in favor of the transmittal. On February 12, 2015, the City Commission of the City of Flagler Beach passed, by a 4-1 vote, a resolution opposing the FLUM amendment change. At this point, the only recourse or the COFB is to submit a formal challenge to those amendments to the State.

Requested Action sought from the commission

Direct the City Manager to require staff to develop a formal challenge with the State to the above-mentioned FLUM and comprehensive Plan amendments.

Attachments

[ToxicReleaseFacilities.pdf](#)

[flagler-beach-resolution-sea-ray.pdf](#)

[ExhibitF-HomesBoughtafter20052.pdf](#)

[DEP1.jpg](#)

Please note the City Commission's rules of procedures require all supporting documents to be provided at the time the agenda application is submitted. Please refrain from handing out material at the commission meetings.

The maximum time allowed for each request is 10 minutes.

Signature of Applicant

Jane Mealy

Date

7/13/2015

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## PROTECTING ACCESS TO ENVIRONMENTAL INFORMATION

Search all Databases by City (beta)

- Toxic Releases (TRI)
- Spills and Accidents (NRC)
- Risk Management (RMP)
- Hazardous Waste (BRS)
- Hazardous Waste - Violations and Permits (RCRIS)
- Other Databases

- [Top TRI Facilities for Total Releases](#)
- [TRI Quantities by State](#)
- [TRI Quantities by Industry](#)

- Search TRI by Name GO
- Search TRI by City, State GO
- [Advanced Search](#) | [About the Data](#)

## RELATED ARTICLES

- [E-Gov Spotlight: Informing the Public about Air Quality](#)
- [Call for Abstracts: 2014 National Training Conference on the Toxics Release Inventory \(TRI\)](#)
- [Americans Want Safer Chemical Facilities, but the Shutdown Stalled Reform Efforts](#)

TRI

## TRI Facilities in Florida (2013)

Search Criteria Used (More)

Reporting Year:  GO

Level of Detail:  GO

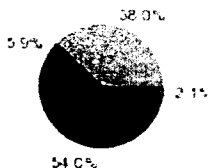
Type of Report Output:  GO

- Pollution
- Health
- Access Policies & Tools
- Science
- Emergencies
- Action Alerts
- Legislation
- Toolbox

### Summary

Reporting Year: 2013  
 Total pounds of releases: **67,093,126**  
 Total pounds of waste: **266,641,453**  
 Total number of facilities: **622**  
 Total number of TRI submissions: **1,779**  
 Total number of TRI Form A submissions: **272**  
 RSEI data were only calculated for 1988-2011, and can't be provided in this search for 2013.  
[Get list of facilities](#)  
[Get list of submissions](#)

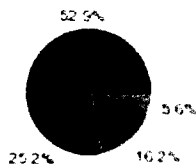
### Releases



Release medium	Pounds of releases
Air	25,491,385
Water	1,394,264
Land and underground	36,260,386
Other releases	3,947,091

Expand pie chart and table to all categories

### Waste Generated



Waste type	Pounds of waste
Recycled	43,327,598
Burned for energy recovery	14,926,263
Treated	141,031,127
Released on or off-site	67,253,252
Other waste	103,213

Expand pie chart and table to all categories

### Cities with pounds of on-site releases

CANTONMENT, FL	32,050,815
CRYSTAL RIVER, FL	3,663,342
PALATKA, FL	2,940,996
JACKSONVILLE, FL	2,623,437
MULBERRY, FL	2,103,371
PLANT CITY, FL	1,955,065
FERNANDINA BEACH, FL	1,869,982
PERRY, FL	1,788,002
PANAMA CITY, FL	1,591,073
LAKELAND, FL	1,530,660
ORLANDO, FL	1,181,879
WHITE SPRINGS, FL	1,067,170

### Parent companies with pounds of releases

ASCEND PERFORMANCE MATERIALS LLC	30,463,116
MOSAIC FERTILIZER LLC	4,799,603
DUKE ENERGY CORP	3,763,168
ROCK-TENN CO	3,199,897
JEA	3,162,701
KOCH INDUSTRIES INC	2,869,745
SEMINOLE ELECTRIC COOPERATIVE	1,929,341
SOUTHERN CO	1,655,243
INTERNATIONAL PAPER CO	1,591,963
TECO ENERGY INC	1,543,165
CITY OF LAKELAND LAKELAND ELECTRIC	1,296,315
POTASH CORP OF SASKATCHEWAN INC	1,071,765
US SUGAR CORP	966,753
ORLANDO UTILITIES CO	860,348
COGENTRIX ENERGY MANAGEMENT SERVICES	639,056
NEXTERA ENERGY INC	560,225
US DEPARTMENT OF DEFENSE	542,872
RAYONIER INC	453,606
BRUNSWICK CORP	335,150
PILGRIMS PRIDE CORP	298,638
SUGAR CANE GROWERS COOPERATIVE OF FLORIDA	281,222
OUTOKUMPU STAINLESS INC	279,157
CITY OF GAINESVILLE	207,077
NEW NGC INC	201,338
TAMINCO US INC.	197,362
PEPSICO INC	180,871
ANHEUSER-BUSCH INBEV	160,801
NAUTIQUE BOAT CO INC (FORMERLY CORRECT CRAFT INC)	154,691
INTERNATIONAL FLAVORS & FRAGRANCES INC	142,398
US HOLDING CORP	137,725
S2 YACHTS INC	129,873
OKEELANTA CORP	128,900
KEYMARK CORP	118,261
REGAL MARINE INDUSTRIES INC	107,315
E I DU PONT DE NEMOURS & CO	103,298
MAVERICK BOAT CO	102,762
SEABRING MARINE INDUSTRIES INC	102,630
GERDAU GROUP	96,975
EXTERIA BUILDING PRODUCTS LLC	88,607
CALYPSO ENERGY HOLDING LLP	73,092
VOTORANTIM CIMENTOS N.A. INC.	67,119
BALL CORP	63,254
GULF MARINE REPAIR CORP	62,880
E-STONE USA CORP	58,948
REICHHOLD INC	57,600
MARINE CONCEPTS DBA JRL VENTURES	54,486
AMERICAN ENVIRONMENTAL CONTAINER CORP	52,124
COVIDIEN	52,079
INTERNATIONAL SHIP REPAIR & MARINE SERVICES INC	49,789
DARLING INGREDIENTS INC	49,779
MOMENTIVE PERFORMANCE MATERIALS HOLDINGS LLC	48,038
TSE INDUSTRIES INC	47,149
MONTCO RESEARCH PRODUCTS INC	46,561
RJ DOUGHERTY ASSOCIATES INC DBA EVERGLADES BOATS	45,351
PREMIUM LEISURE LLC	40,736
ALLIED MOLDED PRODUCTS LLC	40,429
ARMSTRONG WORLD INDUSTRIES INC	39,459
NORTHWEST FLORIDA HOLDINGS INC.	36,952
ENVIROFOCUS TECHNOLOGIES	36,891
INTREPID POWERBOATS INC	35,828



CONATE TO THE CENTER FOR EFFECTIVE GOVERNMENT



# 31

\*

CLEWISTON , FL	966,753	CHRIS-CRAFT CORP	35,621
PENSACOLA , FL	871,436	CONTENDER BOATS INC	31,255
SOUTHPORT , FL	802,766	MARLOW-HUNTER LLC	30,340
BARTOW , FL	517,014	TWIN VEE CATAMARANS INC	27,768
APOLLO BEACH , FL	411,308	LATHAM INTERNATIONAL INC	25,646
RIVERVIEW , FL	379,002	EDISON CHOUET	25,255
FORT PIERCE , FL	373,506	EDGEWATER POWER BOATS LLC	24,633
LOXAHATCHEE , FL	325,280	WC WOLVERINE HOLDINGS INC	24,608
LIVE OAK , FL	297,638	JRL VENTURES INC	24,357
BELLE GLADE , FL	281,227	EASTERN SHIPBUILDING GROUP INC.	24,173
EDGEWATER , FL	270,360	SAFT AMERICA INC	23,948
TAMPA , FL	242,765	CITRUS WORLD INC	23,440
STARKE , FL	211,572	INTERSIL CORP	23,107
GAINESVILLE , FL	211,461	THE SHERWIN-WILLIAMS CO	22,404
GIBSONTOWN , FL	201,326	DUSKY MARINE INC	18,540
PACE , FL	197,362	AMERICAN SECURITIES LLC	18,036
BALDWIN , FL	166,429	UNITED TECHNOLOGIES CORP	17,748
SOUTH BAY , FL	128,900	INSTEEL INDUSTRIES INC	17,279
FLAGLER BEACH , FL	119,000	HPBC INC	17,104
COCOA , FL	106,611	J T WALKER INDUSTRIES INC	17,066
WILLISTON , FL	106,353	JUPITER COMPOSITES INC	17,041
EGLIN AFB , FL	104,178	CATALINA YACHTS	16,902
MIAMI , FL	93,455	PETROLEUM CONTAINMENT INC	16,514
SAINT PETERSBURG , FL	83,619	QUANTUM UTILITY GENERATION	16,089
INDIANTOWN , FL	81,195	BUCKEYE TERMINALS LLC	16,088
SEBRING , FL	72,453	JUPIITER MARINE INTERNATIONAL INC	15,800
BRADENTON , FL	67,566	GROWERS FERTILIZER CORP	15,133
HOSFORD , FL	67,430	SONOCO PRODUCTS CO	14,906
BRANFORD , FL	66,869	FABBRO MARINE GROUP	13,525
HOMESTEAD , FL	60,621	ALPHA GENERAL SERVICES INC	13,445
SARASOTA , FL	59,728	ARIZONA CHEMICAL CO LLC	13,197
PALMETTO , FL	59,174	AIRGAS INC	13,150
HOLIDAY , FL	57,000	VECTORWORKS MARINE INC	13,132
LARGO , FL	56,497	MEDTRONIC INC.	12,910
CAPE CORAL , FL	54,486	CIGARETTE RACING TEAM LLC	12,508
DE LAND , FL	50,697	EXXON MOBIL CORP	12,224
SNEADS , FL	39,188	MARATHON PETROLEUM CORP	12,142
FORT LAUDERDALE , FL	31,833	PORT CONSOLIDATED INC	11,750
ALACHUA , FL	30,340	HUBBELL INC	11,334
PALM BAY , FL	30,260	TAMPA STEEL ERECTING CO	10,911
OPA LOCKA , FL	26,395	PALL CORP	10,835
PARRISH , FL	26,393	GENERAL DYNAMICS CORP	10,235
ZEPHYRHILLS , FL	25,646	TITAN AMERICA LLC	9,839
LAKE WALES , FL	23,946	THE ALPHA CORP OF TENNESSEE	9,695
AUBURNDALE , FL	19,480	SWISHER INTERNATIONAL INC	9,397
DANIA , FL	18,540	SPA MANUFACTURE INC	8,984
OCALA , FL	17,538	MOTIVA ENTERPRISES LLC	8,714
AVON PARK AFB , FL	17,333	PINOVA HOLDINGS INC	8,237
FORT MYERS , FL	17,104	BP PRODUCTS N.A. INC	7,765
BUSHNELL , FL	17,066	SPARTON CORP	7,668
CLEARWATER , FL	15,403	NOVURANIA OF AMERICA INC	7,426
MERRITT ISLAND , FL	15,000	FAR RESEARCH INC (DBA FAR CHEMICAL INC)	7,146
LAKE ALFRED , FL	14,883	ALLIED SPECIALTY VEHICLES INC	7,065
CHATTahoochee , FL	13,892	CITGO PETROLEUM CORP	6,738
MILTON , FL	13,525	TRADEMARK NITROGEN CORP	6,617
TITUSVILLE , FL	13,132	INDUSTRIAL PLASTIC SYSTEMS INC	6,558
LEESBURG , FL	11,623	DELTA LABORATORIES INC	6,031
BOWLING GREEN , FL	11,423	NEXEO SOLUTIONS HOLDINGS LLC	5,855
HOLLISTER , FL	10,738	KITCHEN & BATH CENTER	5,782
MEDLEY , FL	10,521	BLAZER BOATS INC	5,757
FORT WALTON BEACH , FL	9,929	VALMONT INDUSTRIES INC	5,723
CRAWFORDVILLE , FL	9,928	GLASPRO INC	5,706
VERO BEACH , FL	7,440	MARATHON PETROLEUM CO LP	5,697
DAVENPORT , FL	6,300	CHEVRON CORP	5,640
FT LAUDERDALE , FL	5,364	CEMEX INC	5,431
DOVER , FL	5,000	AMERICAN COMPOSITES ENGINEERING INC	5,353
VENICE , FL	4,740	SOUTH ATLANTIC LLC	5,029
HOWEY-IN-THE-HILLS , FL	4,158	TAMPA BAY FISHERIES INC	5,000
BROOKSVILLE , FL	3,900	WHITAKER OIL CO	4,879
RIVIERA BEACH , FL	2,676	MODERN WELDING CO INC	4,495
MIRAMAR , FL	2,558	ANTENNAS FOR COMMUNICATIONS	4,427
ALTOONA , FL	2,504	TOYOTA INDUSTRIES N.A.	4,408
NEWBERRY , FL	2,452	MILLIKEN	4,384
SANFORD , FL	2,230	PANHANDLE MARBLE CO INC	4,147
WILDWOOD , FL	1,962	ROBBINS MANUFACTURING CO	4,110
COLEMAN , FL	1,900	TRIST AG GROUP INC.	4,036
SANDERSON , FL	1,900	SSI PETROLEUM LLC	4,000
KENNEDY SPACE CENTER , FL	1,874	QUAD/GRAPHICS INC	3,727
KEY WEST , FL	1,623	SAPA EXTRUSIONS N.A. INC	3,637
APOPKA , FL	1,514	JP MORGAN	3,395
TYNDALL AFB , FL	1,423	GIVAUDAN US INC	3,341
PALM COAST , FL	1,243	TRADITIONAL WATERCRAFT INC	3,250
MARIANNA , FL	995	CCP COMPOSITES US	3,199
OLDSMAR , FL	936	LEGGETT & PLATT INC	3,143
SAINT AUGUSTINE , FL	414	LINTEC USA HOLDING INC.	3,040
ROCKLEDGE , FL	250	LAYNE CHRISTENSEN CO	3,020
WAUCHULA , FL	135	MARATHON PETROLEUM CORPORATOIN	2,967
		ARGOS USA CORP	2,952

RESOLUTION 2015 – 04

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, STATING THE CITY OF FLAGLER BEACH'S OPPOSITION TO THE FLAGLER COUNTY FUTURE LAND USE MAP AMENDMENT APPLICATION #2972 AND FLAGLER COUNTY ZONING MAP AMENDMENT APPLICATION #2973 AND STRONGLY URGING THE FLAGLER COUNTY BOARD OF COUNTY COMMISSIONERS DENY THESE APPLICATIONS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Flagler County Board of County Commissioners is being asked to approve Future Land Use Map Amendment Application #2972; and

WHEREAS, the Flagler County Board of County Commissioners is being asked to approve Application #2973 Rezoning; and

WHEREAS, this FLUM amendment request is for a change of designation of 24.4 acres from Residential Low Density and Conservation to Commercial High Intensity and Conservation; and

WHEREAS, the rezoning application is a request to rezone from the existing zoning of PUD to C-2, General Commercial and Shopping Center; and

WHEREAS, the land in question abuts onto residential property within the City of Flagler Beach; and

WHEREAS, the land in question contains wetlands and a sensitive ecosystem; and

WHEREAS, should this amendment go into effect, it will allow for more intense commercial activity by a corporation that already affects the peace and the environment of its residential neighbors within Flagler Beach; and

WHEREAS, such increased commercial activity will increase the noise level which is incompatible with residential zoning; and

WHEREAS, such increased commercial activity will pave the way for an increase in the discharge of hazardous air pollutants such as styrene, which has recently been reclassified from being a suspected carcinogen to a "reasonably anticipated to be a carcinogen" as per The Report on Carcinogens, Twelfth Edition, prepared by the National Toxicology Program coordinated by the US Department of Health and Human Services, thus also being incompatible with residential zoning; and

WHEREAS, it is the duty of elected officials to protect the health and welfare of those whom they represent; and

WHEREAS, the property owners along Lambert Avenue did their due diligence prior to making their investments and knew that the land abutting theirs within Flagler County was zoned Residential Low Density and Conservation; and

WHEREAS, approval of this FLUM amendment would have a negative impact on property values and, thus, on property taxes collected by the City and the County; and

WHEREAS, the Roberts Road corridor is adjacent to the Gateway to Flagler Beach; and

WHEREAS, Flagler Beach serves as the playground of Flagler County; and

WHEREAS, tourism in Flagler Beach and Flagler County could be negatively affected by the increases in noise and hazardous air pollutants; and

WHEREAS, the Flagler County Planning and Development Board unanimously denied a request to rezone these same parcels from residential to a more intense zoning in 2013.

NOW THEREFORE BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, AS FOLLOWS:

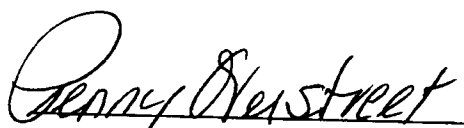
SECTION 1. The City Commission of the City of Flagler Beach strongly urges the Flagler County Board of County Commissioners to deny Future Land Use Map Amendment Application #2972 and Rezoning Application #2973 for all the above-stated reasons.


SECTION 2. This Resolution shall become effective immediately upon passage as provided by law.

PASSED AND ADOPTED THIS 12<sup>TH</sup> DAY OF FEBRUARY 2015.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

  
Penny Overstreet, City Clerk

  
Linda Provencher, Mayor

Owner Name	Address	Homedepot (Completed)	Most Recent Sale Date	Sale Amount	Sale Notes	Lot / Lot	Trail ID
THOMAS LAMBERT AVE (IN R.D.)	1 LAMBERT AVE	Y	05/2004	800,000		LAMBERT COW LOT 1	231231570-0000-0010
STONER LAMBERT LINDA	2 LAMBERT CV	Y	08/2011	\$600,000		LAMBERT COW LOT 2	02-98-380-0010-0030
CHRISTOPHER & LINDA SHAW	3 LAMBERT CV	Y	02/2011	\$700,000		LAMBERT COW LOT 3	02-98-380-0010-0030
MARIE BABIANA & ROSALEE B. THOMPSON	4 LAMBERT CV	Y	02/2010	\$700,000		LAMBERT COW LOT 4	02-98-380-0010-0030
CAROL BLANCK & LISA HAMILTON	5 LAMBERT CV	Y	01/1998	\$400,000		LAMBERT COW LOT 5	02-98-380-0010-0030
DANN FORD & WENDIE	6 LAMBERT CV	Y	11/1200	\$225,000	02/11/2004 - Owner's improvement to front porch	LAMBERT COW LOT 6	02-98-380-0010-0030
ALBINO LESIG	7 LAMBERT CV	N	07/2004	\$34,000		LAMBERT COW LOT 7	02-98-380-0010-0030
BOB & MARIE S. MELBER CHARLES & LAROLYN	8 LAMBERT CV	N	07/2003	\$120,000		LAMBERT COW LOT 8	02-98-380-0010-0030
WENDY & LARRY W. WENTZ	9 LAMBERT CV	N	01/2003	\$80,000		LAMBERT COW LOT 9	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	10 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 10	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	11 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 11	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	12 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 12	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	13 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 13	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	14 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 14	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	15 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 15	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	16 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 16	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	17 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 17	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	18 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 18	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	19 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 19	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	20 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 20	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	21 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 21	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	22 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 22	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	23 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 23	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	24 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 24	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	25 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 25	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	26 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 26	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	27 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 27	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	28 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 28	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	29 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 29	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	30 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 30	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	31 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 31	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	32 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 32	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	33 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 33	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	34 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 34	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	35 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 35	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	36 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 36	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	37 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 37	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	38 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 38	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	39 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 39	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	40 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 40	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	41 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 41	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	42 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 42	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	43 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 43	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	44 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 44	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	45 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 45	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	46 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 46	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	47 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 47	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	48 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 48	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	49 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 49	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	50 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 50	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	51 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 51	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	52 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 52	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	53 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 53	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	54 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 54	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	55 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 55	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	56 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 56	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	57 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 57	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	58 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 58	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	59 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 59	02-98-380-0010-0030
MARIE & LARRY W. WENTZ	60 LAMBERT CV	N	07/2003	\$80,000		LAMBERT COW LOT 60	02-98-380-0010-0030

Key  
 - Purchased before  
 1984  
 - Purchased after 1984

51 homes  
 bought or  
 built since  
 2005  
 while  
 parcels  
 zoned  
 low density  
 Residential  
 R.U.D.

DEAL/DONOR/LR TRUSTEE	ADDRESSEE	AGE	SEX	Date of birth (or death)	DOB	SSN	1998	2000	2002	2004	2006	2008	2010	2012	2014	2016	2018	2020	2022	2024
DEAL/DONOR/LR TRUSTEE	421 LAMBERT AVE	N		01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927	01/15/1927
RUMPHON JOHN A JR & CORNELIA C	655 LAMBERT AVE	N		10/19/1920	06/00/00	06/00/00														
CLERK FRANK & GELI DORNE	655 LAMBERT AVE	N		4/7/1916	632,000	632,000														
ODONALD C JR & ELAINE HENRI	655 LAMBERT AVE	N		5/17/1933	564,000	564,000														
MRS LIPPLES & MRS HENRI	655 LAMBERT AVE	F		6/7/1930	540,000	540,000														
MRS KANITR	655 LAMBERT AVE	F		1/12/1903	330,000	330,000														
MRS TATE	655 LAMBERT AVE	F		3/1/1922	624,000	624,000														
MRS WELSON & JOHN W W W	655 LAMBERT AVE	N		7/19/1936	341,200	341,200														
MRS WELSON & JOHN W W W	655 LAMBERT AVE	N		7/19/1936	341,200	341,200														
MRS WELSON & JOHN W W W	655 LAMBERT AVE	N		7/19/1936	341,200	341,200														
MRS WELSON & JOHN W W W	655 LAMBERT AVE	N		7/19/1936	341,200	341,200														
MRS WELSON & JOHN W W W	655 LAMBERT AVE	N		7/19/1936	341,200	341,200														
STOCK LIFE INSURANCE	655 LAMBERT AVE	F		02/22/1903	908,000	908,000														
CHONTO HENRI WELSON JOHN R GAZZARD & FRANCIS L	655 LAMBERT AVE	N		01/15/1927	575,000	575,000														
CLIFTON JOSEPH	655 LAMBERT AVE	F		04/26/1926	567,200	567,200														
CHONTO HENRI WELSON JOHN R GAZZARD & FRANCIS L	655 LAMBERT AVE	N		01/15/1927	575,000	575,000														
CLIFTON JOSEPH	655 LAMBERT AVE	F		04/26/1926	567,200	567,200														
CHONTO HENRI WELSON JOHN R GAZZARD & FRANCIS L	655 LAMBERT AVE	N		01/15/1927	575,000	575,000														
CLIFTON JOSEPH	655 LAMBERT AVE	F		04/26/1926	567,200	567,200														

Key  
 ( ) - Ownership  
 (S) - Sole  
 (J) - Joint  
 (M) - Marital  
 (T) - Trust

51 homes bought or built since 2005 while parcels zoned low density Residential P.U.D.



FRIEDLICH JIL 23RD DRIVER MUTWIGOS	470 LAMBERT AVE	5	9/11/2006	\$22,000	2/3/1997 - 1982.1st mortgage with self party	OCEAN CITY SUBD BLOCK 8 NORTH 20 1/2 OF LOT 19 & 1/2 OF 20 AND EASTERN 2 1/2 OF LOT 21	12-12-31-4531-0000-0121
LESTER MARLINE ET	460 LAMBERT AVE	5	12/17/1994	\$160,000	1988/1997 - CLYDE LAMBERT party with her share to other owner	OCEAN CITY SUBD BLOCK 8 SPTT OF LOT 19	12-12-31-4531-0000-0120
SCOLE ROGER & LACRAM NEW	440 LAMBERT AVE	N	7/1/2014	\$375,000		OCEAN CITY SUBD BLOCK 8 LOT 14	12-12-31-4531-0000-0113
MELLENZAW I B & MARY L L MELLENZAW	430 LAMBERT AVE	7	11/02/2005	\$600,000		OCEAN CITY SUBD BLOCK 8 LOT 17	12-12-31-4531-0000-0117
WANNER JACQUEL	420 LAMBERT AVE	7	12-11-2004	\$200,000	7/1/1985 - CLYDE LAMBERT record party with her share to other owner	OCEAN CITY SUBD BLOCK 8 NORTH 1/2 LOT 14	12-12-31-4531-0000-0112
PERRO MICHAEL STEPH & LYNN CHRY	400 LAMBERT AVE	N	11/11/1994	\$120,000	1980/80 - CLYDE LAMBERT share	OCEAN CITY SUBD BLOCK 8 THE NORTHWESTER 1/2 50% OF LOT 15 & 50% LOT 16	12-12-31-4531-0000-0115
LARGER EMM	400 LAMBERT AVE	5	01/23/04	\$225,000		OCEAN CITY SUBD BLOCK 8 THE NORTHWESTER 1/2 50% OF LOT 14 & 50% LOT 15	12-12-31-4531-0000-0114
HOLLY BARBON & SHAREN W NEW	390 LAMBERT AVE	7	01/5/2011	\$465,000		OCEAN CITY SUBD BLOCK 8 THE NORTHWESTER 1/2 50% OF LOT 14 & 50% LOT 15	12-12-31-4531-0000-0114
OKOPOLOO	380 LAMBERT AVE	5			Auto mortgage (1981) prepaid	OCEAN CITY SUBD BLOCK 8 N 1/2 50% OF LOT 13 & 50% OF 2 VACATED ORANGE AVENUE	12-12-31-4531-0000-0113A
TRUDY M. WOOD FA MUR JEAN	380 LAMBERT AVE	N	12/12/2012	\$300,000		OCEAN CITY SUBD BLOCK 8 LOT 12	12-12-31-4531-0000-0112
WANDER KENNETH ROSE	370 LAMBERT AVE	N	2/1/1996	\$112,000	BLDG 2045 - transferred to wife from her to self	OCEAN CITY SUBD BLOCK 8 LOT 11	12-12-31-4531-0000-0111
MARLA PALMS & SANDRA L	360 LAMBERT AVE	7	10/1/1992	\$150,000		OCEAN CITY SUBD BLOCK 8 LOT 10	12-12-31-4531-0000-0110
SPRELL MATHANK & DEBORAH J. SPRELL	350 LAMBERT AVE	N	01/12/2012	\$307,000		OCEAN CITY SUBD BLOCK 8 LOT 9	12-12-31-4531-0000-0090
LANE CHRISTINA KARA JANE C LANE	340 LAMBERT AVE	7			Auto mortgage (1981) prepaid	OCEAN CITY SUBD BLOCK 8 LOT 8	12-12-31-4531-0000-0080
CHANDLER SANDRA & GAIL NEW	340 LAMBERT AVE	5	01/1/2003	\$170,000		OCEAN CITY SUBD BLOCK 8 LOT 7	12-12-31-4531-0000-0070
KOSKELLY KATE & RICHIE NEW	330 - A BERT AVE	11	7/12/2008	\$1,500,000		OCEAN CITY SUBD BLOCK 8 LOT 6	12-12-31-4531-0000-0060
DELCE LEDER	320 LAMBERT AVE	7	1/29/1987	CHECKED	9/1/1980 - changed owner name from self to NEW	OCEAN CITY SUBD BLOCK 8 LOT 5	12-12-31-4531-0000-0050
FRANK S HALEY	320 LAMBERT AVE	N	5/27/2004	\$210,000		OCEAN CITY SUBD BLOCK 8 LOT 4	12-12-31-4531-0000-0040
MARCUS ROBERT & SANDRA I NEW	310 LAMBERT AVE	7	1/1/1983	\$50,000	1981/1982 - changed owner name from husband to NEW	OCEAN CITY SUBD BLOCK 8 LOT 3 OF LOT 1 & 2 & 3 & 4 & 5	12-12-31-4531-0000-0031
MARILYN R & RUBY MARIE FOWLE - ORS	300 LAMBERT AVE	N	1/11/1983	\$135,000	7/19/2007 - CLYDE LAMBERT partially transferred	OCEAN CITY SUBD BLOCK 8 LOT 2 & 3	12-12-31-4531-0000-0020

Key  
C - Purchased before  
1984  
\* Purchased after 1986

## SECTION 1. GENERAL INFORMATION

### Proposed Project

\* The purpose of this construction permit is to authorize the construction associated with the relocation of additional boat manufacturing operations from other Brunswick Corporation facilities to the Palm Coast facility.

\* The boat manufacturing operations to be relocated to the Palm Coast facility consist of Resin/Lamination Operations, Gel Coat Operations, Adhesive Operations, Mold Cleaning and Preparation Operations, Equipment Cleaning Operations, Material Mixing Operations, Polyurethane Painting and Finishing Operations, and Miscellaneous Operations:

- Gelcoat booths with associated application equipment
- Gelcoat application robots
- Adhesive spray booths with associated application equipment
- Paint/lacquer spray booths with associated application equipment
- Bottom paint application booth with associated application equipment
- Expanded or additional spray lamination bays with associated application equipment
- Reconfigure lamination bays with associated application equipment to accommodate various boat sizes
- Possible expansion of buildings to accommodate the safe and efficient movement of boats
- Possible expansion and/or construction of adjacent buildings to accommodate the preparation, painting (Polyurethane), and finishing of boats
- Any equipment or changes necessary to mitigate objectionable odor should it become a verifiable concern

**Polyurethane Painting Process Description:** Scouring pads, rags, and solvent are used to dewax and clean the gelcoat surface of the fiberglass boat/part to be painted. A minimal amount of fairing material (fiberglass fillers, putties), may be used to fill in gaps on the gelcoat surface. This is usually followed by sanding to create a smooth surface for painting operations.

Prior to applying the two-part polyurethane paint, two or three coats of primer are spray applied to the gelcoat surface of the boat or part. Once the boat/part is primed, the surface is sanded again and the dust wiped off with a solvent. The final step involves spray applying three coats of polyurethane topcoat paint along with any final touch-up (spot) repairs.

The primer and topcoat paint is applied inside a spray booth.

### FACILITY REGULATORY CATEGORIES

- \* • The facility is a major source of hazardous air pollutants (HAP).
- The facility does not operate units subject to the acid rain provisions of the Clean Air Act.
- \* • The facility is a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- Upon permit issuance, the facility is classified as a major stationary source in accordance with Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Sea Ray Boats, Inc.  
Palm Coast Facility

Air Permit No. 0350003-011-AC  
Air Construction Permit



# City of Flagler Beach

P.O. Box 70 Flagler Beach FL 32136

[www.cityofflaglerbeach.com](http://www.cityofflaglerbeach.com)

April 22, 2015

Mr. Adam Mengel, AICP, LEED AP BD+C  
Planning and Zoning Director, Flagler County  
1769 E. Moody Boulevard, Building 2, Suite 105  
Bunnell, Florida 32110  
Via e-mail: [amengel@flaglercounty.org](mailto:amengel@flaglercounty.org)

RE: FLAGLER COUNTY #15-1ESR – TRANSMITTAL OF PROPOSED  
COMPREHENSIVE PLAN AMENDMENT (APPLICATION #2972)

Dear Mr. Mengel:

Thank you for the opportunity to review/comment on the above referenced amendment received by the City of Flagler Beach on March 23, 2015. Kindly note that the comments attached hereto are submitted in concert with Section 163.3184(3)(c) Florida Statutes, and more particularly, the potential implications of the proposed amendment as it relates to the City's municipal plan.

## APPLICATION SUMMARY

Flagler County #2972

- a. Owner: Daryl Carter, Trustee of Carter-Flagler Roberts Road Land Trust
- b. Applicant: Brunswick Corporation and Sea Ray Boats, Inc/Sidney F. Ansbacher, Agent

## Overview :

- A. Request to amend the 2010-2035 Flagler County Future Land Use Map changing 24.4 acres, as described in the amendment package from Low Density Residential and Conservation to Commercial High Intensity.
- B. Amend the Flagler County Comprehensive Plan (Future Land Use Element) to adopt a Parcel-Specific Limiting Policy to be applied upon Parcel #02-12-31-0000-01010-0140 and contiguous Parcel #02-12-31-0000-01010-0150 each of which is positioned within Section 2, Township 12S, Range 31E; and to provide for the development of:
  - i. A surface parking lot as an ancillary use to the primary manufacturing facility and site (as to added limitations; See Ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
  - ii. A finished boat staging area as an ancillary use to the primary manufacturing facility and site (as to added limitations; See Ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
  - iii. An office building not to exceed forty thousand (40,000) square feet (added limitations; See Ordinance Policy A.1.1.12 Parcel Specific Limitations).

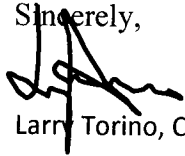
- C. Commensurate with the above, it is the intent of the Flagler County Board of County Commissioners to further invoke a parcel-specific limiting Future Land Use Element policy text concurrent with the proposed Future Land Use Map amendment to restrict the rezoning of the affected parcels to Planned Unit Development (PUD).

Background

As you are aware, prior to the required transmittal hearing conducted on March 16, 2015, the City of Flagler Beach submitted comments voicing opposition to the proposed land use amendment predicated upon identifiable inconsistency findings. That action was initiated subsequent to City leadership having raised concerns and requesting staff input as to the proposed amendment's compliance with the Flagler County Comprehensive Plan; perhaps an unorthodox action, nonetheless, deemed warranted given the urgency of concern expressed by the adjoining neighborhood and community leadership.

In closing, notwithstanding this set of circumstances, kindly accept that the City of Flagler Beach appreciates your reaching out to participate in this review process. If you have any questions, please feel free to contact me at 386-517-2000, ext. 230 or by e-mail at [ltorino@cityofflaglerbeach.com](mailto:ltorino@cityofflaglerbeach.com).

Sincerely,



Larry Torino, City Planner

cc: Lindsay Haga, Director of Planning, NEFRPC

**CITY OF FLAGLER BEACH**

**FLAGLER COUNTY TRANSMITTAL AMENDMENT 15-1ESR**

**COMMENT AUTHORIZATION: SECTION 163.3184 FLORIDA STATUTES**

Pursuant to Section 163.3184(3) (b) 1., 2.,3.(c)

**(3) EXPEDITED STATE REVIEW PROCESS FOR ADOPTION OF COMPREHENSIVE PLAN AMENDMENTS.**

(b)1. (Excerpt) The local governing body shall also transmit a copy of the amendments and supporting data and analyses to any other local government or governmental agency that has filed a written request with the governing body. NOTE: *Transmittal document voluntarily provided to the City of Flagler Beach.*

2. (Excerpt) Agencies and *local governments* must transmit their comments to the affected local government such that they are received by the local government not later than 30 days after the date on which the agency or government received the amendment or amendments.

3. Comments to the local government from a regional planning council, county, or *municipality* shall be limited as follows:

c. Municipal comments shall be in the context of the relationship and effect of the proposed plan amendments on the municipal plan.

**1. Application Overview Summary:**

A. Request to amend the 2010-2035 Flagler County Future Land Use Map changing 24.4 acres, as described in the amendment package from Low Density Residential and Conservation to Commercial High Intensity (See Attachment 1,2,3).

B. Amend the Flagler County Comprehensive Plan (Future Land Use Element) to adopt a Parcel-Specific Limiting Policy to be applied upon Parcel #02-12-31-0000-01010-0140 and contiguous Parcel #02-12-31-0000-01010-0150 each of which is positioned within Section 2, Township 12S, Range 31E; and to provide for the development of:

- i. A surface parking lot as an ancillary use to the primary manufacturing facility (See proposed ordinance Section 3, Policy A.1.1.10; Parcel Specific Limitations).
- ii. A finished boat staging area as an ancillary use to the primary manufacturing facility (See proposed ordinance Section 3, Policy A.1.1.10 Parcel Specific Limitations).
- iii. An office building not to exceed forty thousand (40,000) square feet (See Ordinance Policy A.1.1.12 Parcel Specific Limitations).

C. Commensurate with the above, it is the intent of the Flagler County Board of County Commissioners to further invoke a parcel-specific limiting Future Land Use Element policy concurrent with the proposed Future Land Use Map amendment to restrict the rezoning of the affected parcels to Planned Unit Development (PUD).

## 2. MUNICIPAL COMMENT: IMPACT OF THE PROPOSED PLAN AMENDMENT ON THE MUNICIPAL PLAN

The amendment property (24+/- acres), which is proposed to maintain a limitation as to the use of said lands to an employee parking field, boat staging area, and office building, lies due west and adjoins the City of Flagler Beach, and more specifically, borders properties zoned Single Family Residential as depicted on the City's Official Zoning Map; Low Density Residential on the current Future Land Use Map. Given the general character and disposition of the adjoining residential neighborhood, it is anticipated the area will remain stable in the long term. However, as has been documented, to the immediate north of, and contiguous to the amendment property is the Sea Ray plant manufacturing facility, the property of which totals some 39+/- acres.

The proposed transfer of employee parking to the amendment property will cause to "free" 3+/- acres currently devoted to vehicular parking on the main plant site. The fact that a significant area on the prime manufacturing site will have been "freed" promotes the opportunity to expand the current manufacturing footprint, if deemed warranted. With the possibility of plant expansion, and unless an advancement to the boat manufacturing fabrication process occurring simultaneously, such possible increased plant output may bring with it added emissions known to be toxic in nature and therein, a judicious concern to the City of Flagler Beach. And as has been previously indicated, particularly as it relates to the potential negative impact(s) as it relates to quality of life matters at the local and community level.

The City acknowledges Sea Ray's standing as it relates to adhering to Department of Environmental Protection standards. However, in concert with an increase in production is the potential to exacerbate wafts of objectionable odor(s) from a known hazardous chemical (styrene) categorized "reasonably anticipated to be a human carcinogen" and understandably elevates the level of concern alluded to above.

Therefore, to address this concern and to the extent that Sea Ray Boats and the City establish a level of understanding moving forward, should Sea Ray elect to expand plant production and/or the manufacturing footprint without such aforementioned "emission controlled" process advancement, the City of Flagler Beach request Sea Ray be required to execute a legally binding Memorandum of Understanding prior to the adoption date of the amendment which speaks to the following:

1. Odor Control Monitors:
  - i. Install odor control monitor units along property perimeters, the number of which shall be deemed reasonable to effectively monitor odor levels within on (1) year of the land use amendment adoption date, if favorably adopted (unless otherwise agreed to by the City of Flagler Beach).
  - ii. Provide periodic, on-line, emissions data findings accessible to the public (timeframe to be mutually agreed to by Sea Ray and the City of Flagler Beach).
2. Flagler County Odor Ordinance - Sea Ray agree to comply with the adopted Flagler County Odor Ordinance if emissions *fail* to meet the minimum standards set forth in the ordinance which Sea Ray participated in developing.

a. **Grandfather standing: Compliance Parameter**

- i. Based upon succeeding three (3) year emissions report (DEP Annual Operating Reports) (FADS), if averaged emissions are equal to, or fall below the 2013 reported levels, *the grandfathered status shall remain in force.*
- ii. Based upon succeeding three (3) year emissions reports (DEP Annual Operating Reports) (FADS), if averaged emissions for the year 2014, 2015, 2016 *exceed* the levels reported in the year 2013 Annual Operating Report, Sea Ray shall agree to meet the requirements of the Flagler County Odor Ordinance within twelve (12) months (unless otherwise agreed to by the City of Flagler Beach) of the date of having received the DEP Annual Operating Report findings. **(NOTE: Hazardous Air Pollutants (HAPS) emitted in the year 2013 measured 67.53 tons (See Attachment 4).**

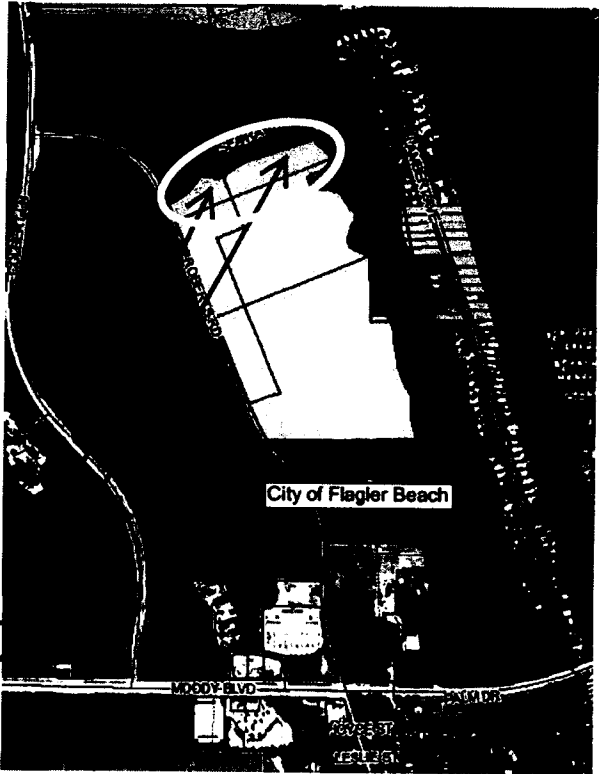
The City of Flagler Beach respectfully requests a copy of the adopted amendment, if favorably adopted.

**Attachments:**

1. Amendment Property – Flagler County *Existing* Future Land Use Map Designation
2. Amendment Property – (Extract) Flagler County *Existing* Future Land Use Map Designation
3. Amendment Property – (Extract) Flagler County *Proposed* Future Land Use Map Designation
4. 2013 - Sea Ray DEP Facility Detail Report

ATTACHMENT 1

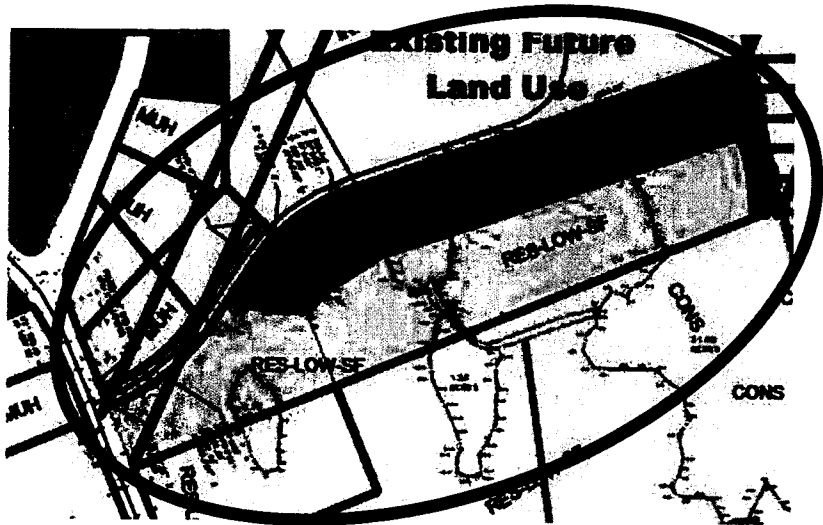
**FLAGLER COUNTY EXISTING FUTURE LAND USE MAP DESIGNATION**





ATTACHMENT 2

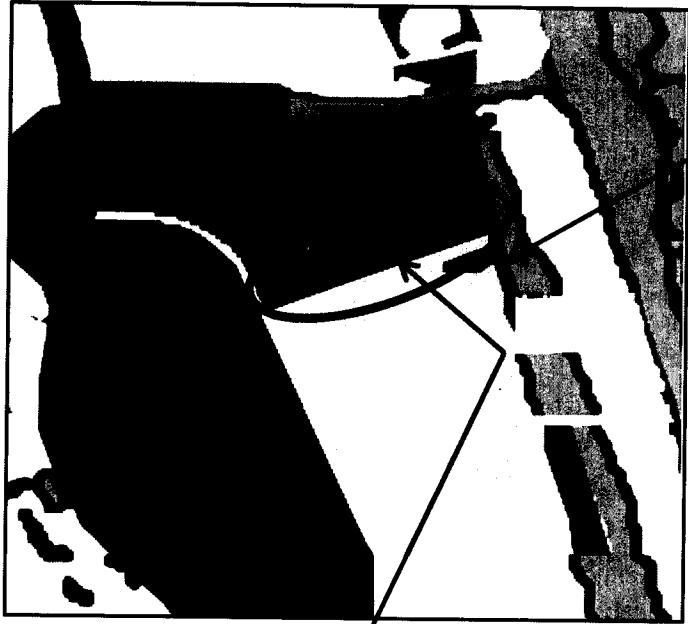
FLUM EXTRACT: AMENDMENT PROPERTY



ATTACHMENT 3

**FLAGLER COUNTY PROPOSED FUTURE LAND USE MAP DESIGNATION**

FLUM EXTRACT: AMENDMENT PROPERTY



CITY OF FLAGLER BEACH



COMMERCIAL: HIGH INTENSITY

**ATTACHMENT 4**

Main Report ▾ | 100% ▾

**Florida AOR Data Search (FADS)**

*Facility Detail Report (annual emissions, tons per year)*

[Glossary](#)

<b>Owner/Company:</b> SEA RAY BOATS, INC.	<b>Office:</b> NE: JACKSONVILLE
<b>Site Name:</b> SEA RAY BOATS, INC.	<b>County:</b> FLAGLER
<b>Address:</b> 100 Sea Ray Drive FLAGLER BEACH, FL 32136	<b>SIC Code:</b> 3732 - TRANSPORTATION EQUIPMENT, SHIP AND BOAT BUILDING AND REPAIRING, BOAT BUILDING AND REPAIRING
<b>Facility ID:</b> 0350003	

**Compliance Information for this Facility**

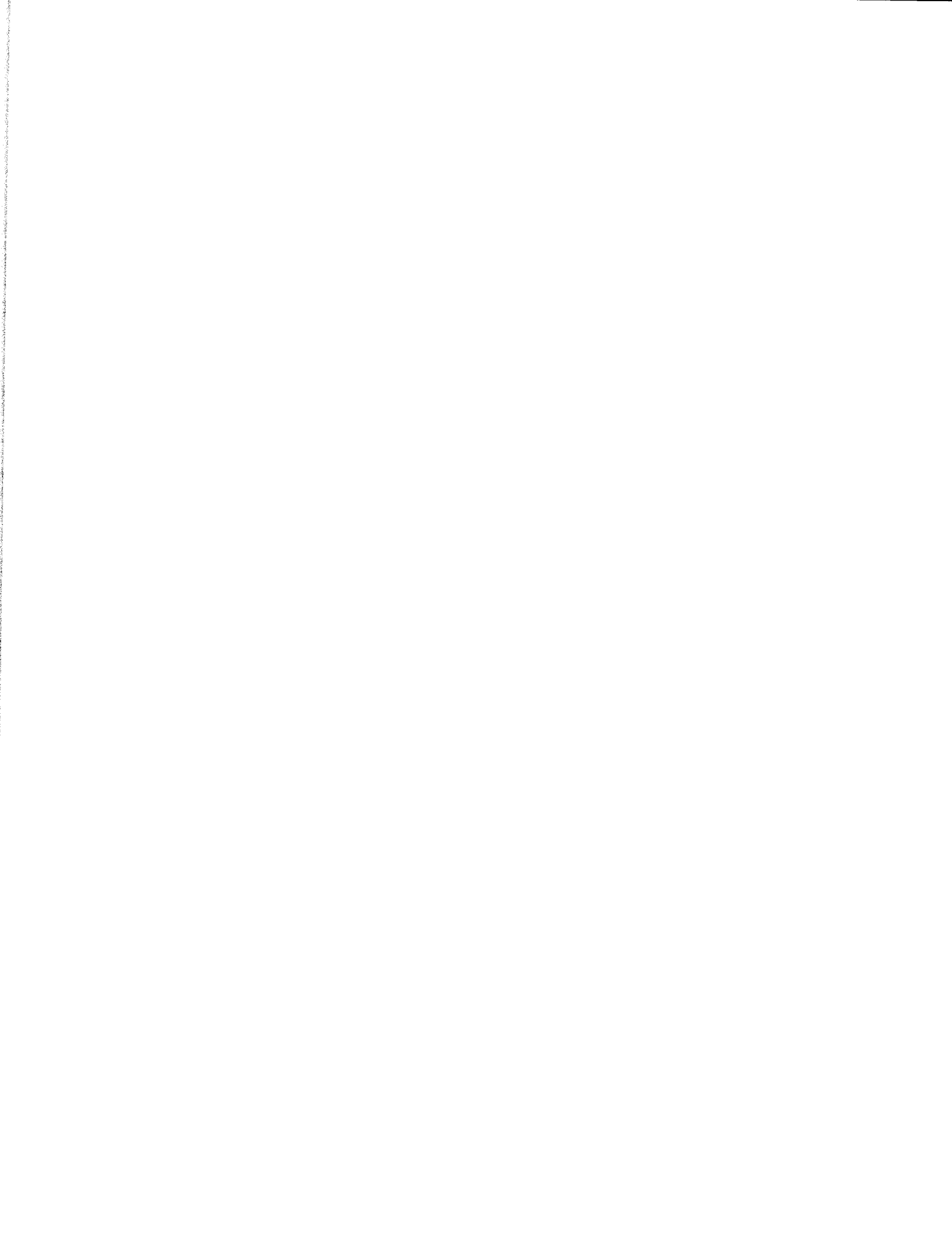
**Active Permits and Authorizations**

Pollutants	Actual (TPY) 2013	Actual (TPY) 2012	Actual (TPY) 2011	Actual (TPY) 2010	Actual (TPY) 2009
VOC	104.3600	93.1500	100.8800	92.5700	44.4500
H047	2.4300	2.3800	2.5500		
H085	0.1400	0.1000	0.0800	0.1000	0.0400
H090	0.1200	0.1200	0.1400	0.1000	0.0800
H104	1.1200	1.2400	1.7200	0.8200	0.2800
H115	0.4800	0.3200	0.3400	0.3600	0.4000
H123	0.0200	0.0200	0.0200	0.0200	0.0280
H125	9.2700	7.8400	8.4200	8.3300	3.8000
H163	50.1100	47.5800	52.5000	49.3700	22.4800
H189	2.0000	1.5800	1.8400	1.5200	0.7000
H198	1.0600	0.8200	0.3800	0.7000	0.2800
HAPS	67.5300	62.5800	68.8700	62.1100	28.4800

These reports do not provide total state wide emissions. They only include annual emissions from facilities required to submit an Annual Operating Report (AOR). They do not include emissions from mobile sources (like cars and trucks) or from some smaller facilities.

▶ N 1/1+

<http://webapps.dep.state.fl.us/DarmReports/eaor/fads/detail.do?hap=%20&other=%20&fac...> 3/14/2015





# City of Flagler Beach      **AGENDA ITEM #13**

## Item Summary and Recommendation

**SUBJECT:** Establishment of Fiscal Year 15/16 Tentative General Fund Millage Rate for the DR420 Certification of Taxable Value and set date for first budget hearing in September.

**BACKGROUND:** To be in compliance with TRIM requirements by August 4<sup>th</sup>, we need to have the form DR-420 to the Volusia County and Flagler County Property Appraisers with our tentative millage rate and the date of our first hearing in September. Commission may want to set the date for the second hearing in September as well.

**RECOMMENDATIONS:** The commission adopts a tentative millage rate of 4.9000

**SUBMITTED BY:** Bruce C. Campbell

**DATE:** July 23, 2015

### **STAFF COMMENTS:**

**City Manager:** City staff preparation of the 2015-2016 Fiscal Year Budget has progressed to the point of recommending to Commission a "Tentative Millage Rate." This milestone is reached each year in our budget setting process for compliance with the TRIM (Truth in Millage) requirements as our Finance Director stated above.

I also wish to reiterate that upon setting a tentative mill rate our Commission could possibly decide to decrease the mill rate prior to or upon final adoption of the 2015-2016 FY Budget. However, once the tentative mill rate is established there can be no further increases; only a decrease can be considered.

Based on the 2015 assessed property values for both Flagler and Volusia Counties, the total assessed property value City Wide increased by \$27,400,813 (when discounted for budget setting purposes.)

On July 7, 2015, Staff presented to Commission the "proposed" budget for 2015-2016 Fiscal Year. During that Workshop, Staff proposed a balanced budget for our General Fund and Community Redevelopment Agency at the **True Roll-Back Mil Rate of 4.7074**. At the proposed roll-back rate – combined with the 2015 assessed property values, our Taxpayers would not experience a tax increase from the City of Flagler Beach the City's Ad Valorem portion of their overall 2015 property tax bill.

Staff believes at the roll-back rate of 4.7074 our City can deliver the same services we as citizens are accustomed to, at either the same or in some cases an improved level of service. In addition, at the roll-back rate, Staff has taken the initiatives into account that were directed by Commission during our 2015-2016 FY Strategic Planning Session that was held on May 19, 2015. Thus Staff sees no reason when the formal budget setting process concludes, to recommend a tax increase by increasing the mil rate above true roll-back.

However, realizing we have our second budget Workshop on August 11, 2015, and there always exists the chance for additions to the expense side of the equation as we hold those discussions, Staff is tonight, for the purpose of recommending the establishment of a **Tentative Mil Rate only**, asking the Commission to consider adopting a tentative mil rate of **4.9000**.

The roll-back rate of 4.7074, at the 2015 property tax assessed values will allow our City to operate our General Fund and CRA Fund, while also returning \$43,998 to the General Fund Reserves and \$11,208 to the CRA Trust Fund Reserves. At the proposed tentative mil rate of 4.9000, with the same services and deliverance levels, the return to those same reserves increase to \$140,684 (General Fund) and \$13,184 (CRA).

The difference between the recommended tentative mil rate (4.9000) and the roll-back rate (4.7074) is an increase of **.19¢** per each \$1,000 of property value. A property with a taxable value (after allowable exemptions) of \$100,000 would pay **\$15.73 less** in City Ad Valorem than the property owner paid in the 2014 tax year.



*The City of Flagler Beach*

FLAGLER  
BEACH

**2015/2016 Fiscal Year  
Tentative MIL Rate  
Recommendation  
July 23, 2015**

# GUIDING PRINCIPLES OF 2015-2016 FY BUDGET

- Provide necessary expense and capital dollars to ensure continuance of public services – at an improved level of deliverance - to our taxpayers.
- Return “bare essentials” to department budgets that have been displaced or delayed since 2006 fiscal year.
- Accurately allocate costs to our budget funds – “where the work is being done.”
- Provide an incentive to our employees though providing a fair and balanced total compensation and benefits package.
- Propose a 2015 – 2016 fiscal year budget that is “expense neutral” for our taxpayer’s - return to the **roll-back MILL rate**.



# Proposed 2015-2016 Budget General Fund Information

Gain of "City-wide" Taxable Property  
Valuation from 2014/2015      (+)\$27,400,813 (+5.5%)

Since the 2006/2007  
Budget year loss of:      (-)\$426,531,996

## Flagler Beach Properties:

- Average Taxable Property Values for 2015 Tax Year –  
133,346
- 1,557 of 3,094 Residential Properties are Homestead Exempted.
- 1,505 of all 4,391 Properties are subject to the maximum 10% cap. (Only properties exempt are Agriculture per Statute.)

The Highlights of the 2015/2016 Fiscal Year Proposed Budget are as Follows:

Ad Valorem Tax Revenues/State/Misc.

- The "Certified" assessed property values for 2015 property tax purposes – City wide – increased by 9.1% (prior to adjustments.)
- When adjusted for new construction deletions, tangible personal property and 95% budgeted per TRIM – City wide values increased by \$27,400,813 or 5.5%.
- Resultant "Roll-Back MIL Rate" is 4.7074 (opposed to "projected roll-back" rate of 4.6376.)
- At "Roll-Back" Mil Rate - no property tax increase for our property owners .
- The Ad Valorem Tax Revenues collected – at roll-back – supports 52% of our General Fund expenses.

## All Fund Highlights:

- Employee Salary Schedule for all full-time positions are being proposed as Administrative Policy defines:
  - No COLA due to CPA at negative amount.
  - 5% increase to position midpoint – depending on years in position and current salary cost for the 1/3 “move to mid-point” is : (w/FICA and retirement increases)
- City wide \$144,911 \*
- General Fund \$ 70,879 \*
- Utility Fund \$ 55,576
- Sanitation Fund \$ 11,191
- Building Code Inspection Fund \$ 5,373
- Stormwater Fund \$ 1,893

\*Does not include Police bargained for positions.

- Proposing a 3% Salary increase for Police Officers and Sergeant positions. Part of current FOP negotiations. Total cost of \$20,597.
- Health Care Insurance costs are expected to increase by a minimum of 10%. Total Health Care cost to City will reach \$531,000.

All Fund Highlights continued:

- Health Care:
  - Proposing each health care insurance participant continues to contribute 4.2% of cost.
  - Workers Compensation costs expected to increase by 10%. Poor experience rate past year.
  - Proposing an Interlocal Agreement with Flagler County to provide IT Services. Savings of \$10,000 to \$15,000 with improved service level.
  - Several new Employee Programs are proposed: Service Recognition and Wellness Incentive Program. Combined cost projected at \$7,255.

## **General Fund Highlights**

- Established Computer Hardware Reserve of \$15,000 for each of next five (5) years.
- Purchase two (2) new Police cars at cost of \$54,000.
- Created a five (5) year Fire Department replacement plan for all main and support equipment:
  - \$50,000 reserve for Engine 11 replacement.
  - Proposing a \$29,617 reserve for support equipment replacement.
- New Taser lease for Police Department.
- General Fund "Contingency Reserve" is continued at \$25,000.
- Library to begin purchasing "electronic" books.
  - Assistant position continues.
- Reserve for Public Safety 800 Mhz Radio replacement of \$116,667.
- Beach Management Plan funded with \$15,000.
- Demolition and parking lot improvements proposed at cost of \$55,000.
- Sidewalk construction at North Flagler Avenue budgeted for \$8,000.
- Continue to utilize Volunteer Code Enforcement Officer arrangement, along with Customer Service Position. – Both individuals tested and certified through Florida Association of Code Enforcement (FACE).
- New Program for Flagler Beach Seniors – "Senior Saturday" – once monthly lunch and games at Senior Center - \$7,500 expected cost.

Pier Fund:

- Continues to be self-sufficient due to Pier Shop operation and Pier property lease arrangements.
- Paying all expenses and projecting over \$50,000 returned to Reserves.

Building Code Inspection Fund:

- Increased revenues for building permits.
- Includes \$7,200 for Beverly Beach Building Permit and Inspection Services.
- 100% dedication of Chief Building Official effective October 1, 2015.
- Utilize \$20,973 of Reserves (Current Reserves over \$25,000.)

Utility Fund:

- Includes \$943,000 in projected Capital Improvements.
- Reserve for T & D Infrastructure Repairs for \$50,000.
- Reserve for WTP pumps for \$25,000.
- \$465,750 in Debt Service for Water Plant SRF Note.
- Utilize \$381,339 of Reserves.
- Recommending Water Base Fees to increase by 10% and Sewer Base Fees increased by 20% - effective October 1, 2015.



Sanitation Fund:

- Fund remains solid performer.
- No increase in Sanitation Fees projected for 2016 FY.
- As budget proposed, returning \$71,812 to Fund Reserves.

Stormwater Fund:

- Recommending Stormwater Fees to increase to \$5.00 per month effective October 1, 2015.
- New Stormwater financing of Revenue Note – eliminates \$1,117,172 balloon payment in 2019 – while only saves \$11,631 to 2016 FY Fund Budget .
- Resulting in \$7,540 returned to Fund Balance.

CRA Fund:

- Continue without Director Position.
- 10% City Manager allocated as Administrative cost.
- No operating expenses beyond.
- Begin repayment of Principle and Interest of \$136,000 General Fund Loan.
- Revenue Note Refinancing - eliminates \$729,000 balloon payment in 2019 - while only saves \$2,640 to 2016 FY Fund Budget .
- Resulting in \$11,208 returned to Fund Balance



## Budget Summary:

- Provides what is required to deliver City Services at same, or improved level of service.
- Provides improved wages for the key to City's Success – our Employee's.
- Futuristic with new Reserves created.
- \$43,998 projected to be returned to General Fund Reserve – at “true roll –back” MIL tax rate.
- No tax increase proposed for our City's property owners.

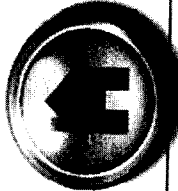
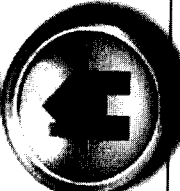
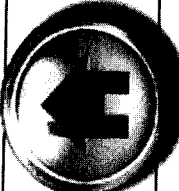
**BUDGET SUMMARY**  
**CITY OF FLAGLER BEACH - FISCAL YEAR 2015/16**  
**THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF FLAGLER BEACH ARE XXX% MORE THAN**  
**LAST YEARS TOTAL OPERATING EXPENDITURES.**

# Rollback Rate 4.7074

	GENERAL FUND	PIER FUND	BUILDING CODE INSPECTION FUND	UTILITY FUND	SANITATION FUND	STORM WATER FUND	CRA FUND	TOTAL BUDGET
<b>ESTIMATED REVENUES:</b>								
Taxes: Millage per \$1000 - 4.7074 Flagler Co.	\$2,363,120						\$132,551	\$2,495,671
Taxes: Millage per \$1000 - 4.7074 Volusia Co.								
Ad Valorem Taxes	\$621,808							\$621,808
Sales and Use Taxes	\$604,202		146,500					\$750,702
Licenses and Permits	\$615,109							\$615,109
Intergovernmental	\$48,451	\$362,292		\$2,901,304	\$923,836	\$248,138		\$4,484,021
Charges for Services	\$40,050			\$35,000	10,500	\$2,800		\$88,350
Fines and Forfeitures	\$46,600			\$272,400	\$8,350	\$400		\$327,750
Miscellaneous Revenue	\$0							\$0
Internal Service Charges	\$4,539,340	\$362,292	\$146,500	\$3,286,784	\$942,686	\$251,338	\$132,551	\$9,593,411
Transfers In	\$3,500	\$0	\$0	\$0	\$0	\$0	\$0	\$3,500
Use of Fund Balances/Reserves/Net Assets	\$45,226	\$0	\$20,973	\$381,339	\$0	\$0	\$0	\$447,538
<b>TOTAL ESTIMATED REVENUES:</b>	\$4,588,066	\$362,292	\$167,473	\$3,590,843	\$942,686	\$251,338	\$132,551	\$10,034,449
<b>TRANSFERS AND BALANCES</b>								
<b>EXPENSES:</b>								
General Government Services	\$1,257,824				\$582,426	\$75,970		\$1,916,020
Public Safety	\$2,290,310		150,056					\$2,440,366
Physical Environment	\$247,338			2,766,995	\$0	\$45,000		\$2,811,995
Transportation								\$247,338
Human Services								\$0
Culture and Recreation	\$47,219	\$09,954						\$57,173
Debt Services	\$11,776							\$11,776
Financial and Administrative	\$389,800		\$9,917	\$465,750	\$288,448	117,863	105,321	\$700,710
<b>TOTAL EXPENSES</b>	\$4,544,067	\$309,354	\$159,973	\$3,388,843	\$878,874	\$243,738	\$121,343	\$9,636,053
Transfers Out			\$7,500	\$202,000				\$209,500
Fund Balances/Reserves/Net Assets	\$43,998	\$52,338	\$0	\$0	\$71,612	\$7,540	\$11,208	\$186,696
<b>TOTAL APPROPRIATED EXPENDITURES</b>	\$4,588,066	\$362,292	\$167,473	\$3,590,843	\$942,686	\$251,338	\$132,551	\$10,034,449
<b>TRANSFERS, RESERVES AND BALANCE</b>								
The Initiative, accepted, and / or final budgets are on file in the cert's office of the City of Flagler Beach as a public record								

\*Based on a total 8% Ad Valorem for each millage

Potential Tax Changes to Individual Properties  
Rollback Rate 4.7074

	2014	2015	Change in Value	Change in Actual Tax of Tentative Mill Rate
 Assessed Value	150,473	151,677	1,204.00	
Exemption	(50,000)	(50,000)		
Taxable Value	100,473	101,677		0.80%
Mill Rate	0.0050573	0.0047074		
Tax Amount	508.12	478.63		\$ (29.49) -5.80%
 Assessed Value	181,888	215,100	33,212.00	18.26%
Exemption	(50,500)			
Taxable Value	131,388	215,100		
Mill Rate	0.0050573	0.0047074		
Tax Amount	664.47	1,012.56		\$ 348.09 52.39%
 Assessed Value	130,237	135,776	5,539.00	4.25%
Exemption				
Taxable Value	130,237	135,776		
Mill Rate	0.0050573	0.0047074		
Tax Amount	658.65	639.15		\$ (19.50) -2.96%

**BUDGET SUMMARY  
CITY OF FLAGLER BEACH - FISCAL YEAR 2015/16**

\*THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF FLAGLER BEACH ARE 333% MORE THAN  
LAST YEARS TOTAL OPERATING EXPENDITURES.

**ESTIMATED REVENUES:**

Taxes: Millage per \$1000 - 4.9000 Flagler Co.  
Taxes: Millage per \$1000 - 4.9000 Volusia Co.

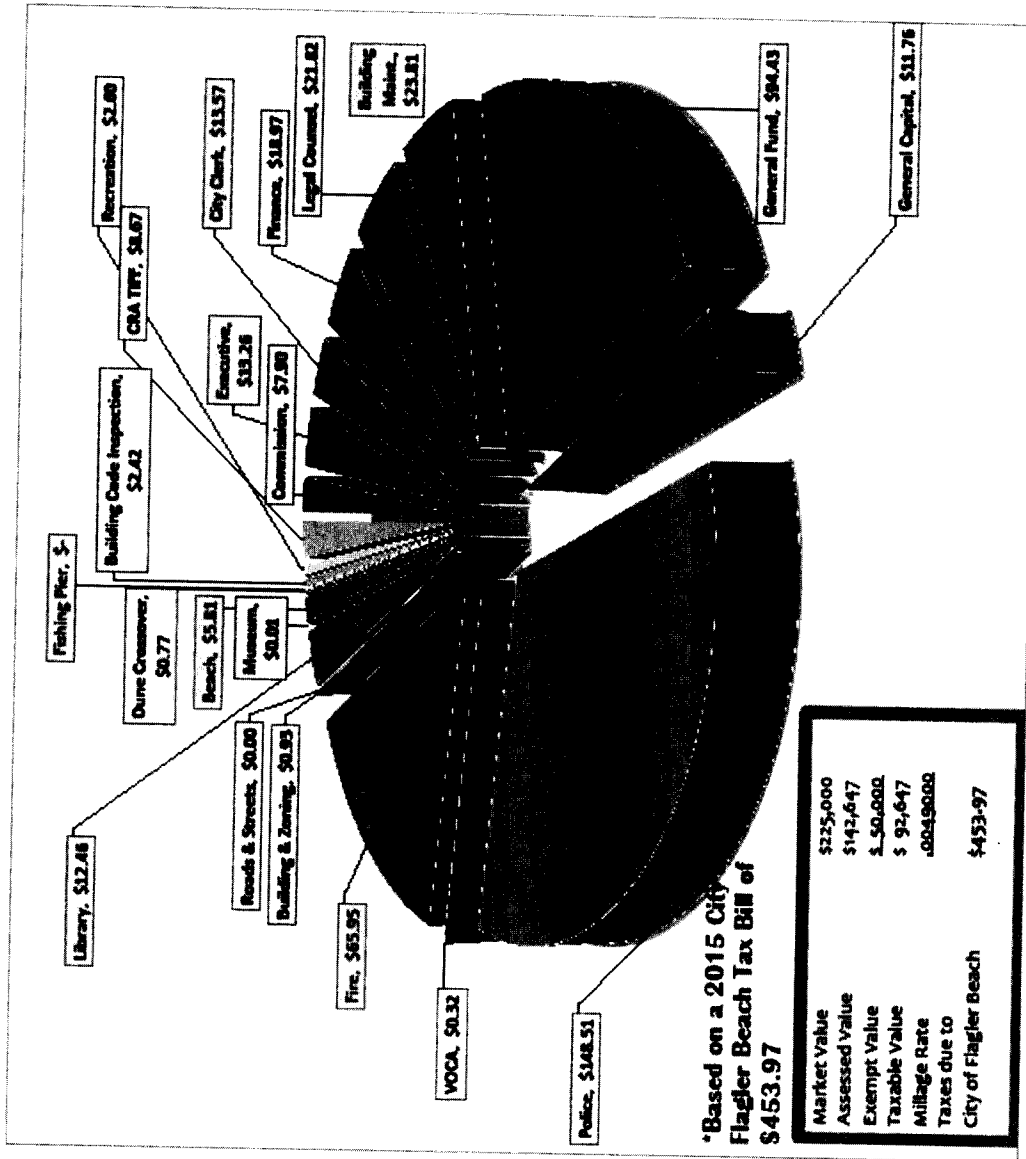
# Tentative Millage Rate 4.9000

	GENERAL FUND	PIER FUND	BUILDING CODE INSPECTION FUND	UTILITY FUND	SANITATION FUND	STORM WATER FUND	CRA FUND	TOTAL BUDGET
Ad Valorem Taxes	\$2,459,805						\$134,527	\$2,594,332
Sales and Use Taxes	\$821,808							\$821,808
Licenses and Permits	\$604,202		146,500					\$750,702
Intergovernmental	\$615,109							\$615,109
Charges for Services	\$48,451	\$362,292		\$2,901,304	\$923,836	\$248,136		\$4,484,021
Fines and Forfeitures	\$40,050			\$35,000	10,500	\$2,000		\$88,350
Miscellaneous Revenue	\$46,600			\$272,400	\$8,350	\$400		\$327,750
Internal Service Charges	\$0							\$0
<b>TOTAL SOURCES</b>	<b>\$4,536,025</b>	<b>\$362,292</b>	<b>\$146,500</b>	<b>\$3,288,704</b>	<b>\$942,686</b>	<b>\$251,338</b>	<b>\$134,527</b>	<b>\$9,682,072</b>
Transfers In	\$3,500	\$0	\$0	\$0	\$0	\$0	\$0	\$3,500
Use of Fund Balance/Reserve/Net Assets	\$45,226	\$0	\$20,973	\$391,339	\$0	\$0	\$0	\$447,538
<b>TOTAL ESTIMATED REVENUES</b>	<b>\$4,624,451</b>	<b>\$362,292</b>	<b>\$167,473</b>	<b>\$3,680,043</b>	<b>\$942,686</b>	<b>\$251,338</b>	<b>\$134,527</b>	<b>\$10,133,110</b>
<b>TRANSFERS AND BALANCES</b>								
<b>EXPENSES</b>								
General Government Services	\$1,257,624				\$562,426	\$75,970		\$1,916,020
Public Safety	\$2,290,310		150,056		\$0	\$45,000		\$2,440,366
Physical Environment	\$247,338			2,766,995	\$0	\$0		\$2,811,995
Human Services								\$247,338
Culture and Recreation	347,219	309,954						\$657,173
Debt Services	\$11,776							\$11,776
Financial and Administrative	\$309,800		\$9,917	\$155,298	\$289,448	\$4,965	105,321	\$700,710
<b>TOTAL EXPENSES</b>	<b>\$4,544,067</b>	<b>\$309,954</b>	<b>\$159,973</b>	<b>\$3,388,043</b>	<b>\$878,874</b>	<b>\$243,738</b>	<b>\$121,343</b>	<b>\$9,638,053</b>
Transfers Out	\$7,500	\$0	\$7,500	\$202,000	\$0	\$0	\$0	\$217,000
Fund Balance/Reserve/Net Assets	\$140,684	\$52,336	\$0	\$0	\$71,812	\$7,540	\$13,184	\$285,557
<b>TOTAL APPROPRIATED EXPENDITURES</b>	<b>\$4,692,251</b>	<b>\$362,292</b>	<b>\$167,473</b>	<b>\$3,590,043</b>	<b>\$942,686</b>	<b>\$251,338</b>	<b>\$134,527</b>	<b>\$10,133,110</b>
<b>TRANSFERS, RESERVES AND BALANCE</b>								

The tentative, adopted, and / or final budgets are on file in the clerk's office of the City of Flagler Beach as a public record.

\*Based on a 1.00% Ad Valorem per each millage.

# How your Ad Valorem Dollar is Spent (Tentative Millage Rate 4.9000)

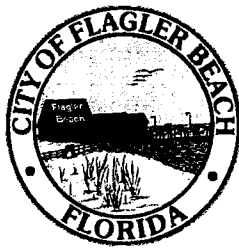


\*Based on a 2015 City of Flagler Beach Tax Bill of \$453.97

Market Value	\$225,000
Assessed Value	\$142,647
Exempt Value	\$ 50,000
Taxable Value	\$ 92,647
Millage Rate	.0049000
Taxes due to City of Flagler Beach	\$453.97



#15



# City of Flagler Beach

---

**To:** Don Deal, Chairperson, Planning and Architectural Review Board  
 Planning and Architectural Review Board Members

**FROM:** Larry Torino, City Planner

**RE:** #SE 15-07-01 – Request for Special Exception to permit a house of worship within the Medium Density Residential District located at 208 6<sup>th</sup> Street South.

**DATE:** July 15, 2015

---

**Applicant:** Mr. Rod Palmer, Pastor  
 First Coastal Church

**Property Owner:** Disabled American Veterans  
 208 6<sup>th</sup> Street South  
 Flagler Beach, FL 32136

**Property Location:** 208 6<sup>th</sup> Street South

**Parcel I.D. No. :** 12-12-31-4500-00300-0060

**Future Land Use:** Medium Density Residential

**Zoning District:** Medium Density Residential

**Applicant Submittal:** Application (See **Attachment #1**)

## Background:

The above noted location has been under ownership and has served as a local chapter of the Disabled American Veteran's (DAV) for a number of years. It appears the land was acquired by the organization in the mid 1980's. There are no clear records of precisely when the building was constructed however the facility has existed for a number of years.

Mr. Ray Parker, Commander of the local DAV chapter met with staff to ascertain what actions, if any, would be involved to transition a change of the property ownership. It was communicated that the DAV was negotiating a sale of the property to First Coastal Church. Staff was informed that the church organization has been utilizing the property for the past few years for worship services and related church activity purposes. It was conveyed to Mr. Parker that the church use, although a permitted use in the Medium Density Residential district, is classified a special exception use which can only be granted by approval of the City Commission subsequent to having received a

recommendation from the Planning and Architectural Review Board. Mr. Parker was unaware of the special exception requirement and records check showed that There is no record of a special exception having been granted for a church.

Mr. Parker was advised that in order to assure the proposed use of the property is consistent with the Land Development Regulations, avoid the potential of a future legal issues and given that staff is aware of the circumstances the first order of business is to request a special exception from the city recognizing there is no assurance the request will be granted.

In light of the above circumstances, Mr. Rodney Palmer, acting on behalf of the First Coastal Church, has submitted the enclosed application. This matter has been duly advertised and Public Noticed for a special exception church use in the Medium Density Residential district as provided for in the City of Flagler Beach Land Development Regulations, Section 2.04.02.8. Zoning Schedule One Land Use Controls; MEDIUM DENSITY RESIDENTIAL; SPECIAL EXCEPTION USES.

**Summary:**

Pursuant to the *City of Flagler Beach Code of Ordinances, Appendix A, Land Development Regulations, Section 2.06.01.*, Special Exception Uses, the applicant is requesting a permitted special exception use to establish a church facility at 208 6<sup>th</sup> South Street. The subject property is zoned Medium Density Residential. The property is improved and consists of a primary building and parking facilities.

**Analysis**

Special exception uses, as enumerated in Schedule One, Zoning Schedule of Use Controls, shall be permitted only upon authorization of the City Commission after review by the Planning and Architectural Review Board. In recommending approval or denial of the use, the reviewing boards shall provide findings and recommendations on whether the requirements of Section 2.06.01 (1. through 7.) are met as well as other comments such board feel will assist the City Commission in the determination of whether to grant the use. Please see **Attachment 2**, applicant's response to each of the prescribed criteria.

**Staff Recommendation:** *Recommend Approval with conditions.*

It is noted that the recommended conditions of approval call for eliminating a number of existing parking spaces (10). It is recognized that calling to eliminate existing parking spaces can be controversial. However, the parking spaces in question are non-conforming. More specifically, the parking spaces are:

- I. Backout parking spaces (into public right-of-way).
- II. Partially on-site/off-site and encroach significantly into the public right-of-way (See **Attachment 3, 4 & 5**).
- III. A hindrance to pedestrian traffic and impose safety and welfare concerns that can be otherwise avoided.
- IV. Non-conforming with city standards and inconsistent with City code.



The loss of these spaces does not significantly impact available proximate parking opportunities inasmuch as a number of on-street improved parking spaces are within close distance to the property along the S. Daytona Ave. and S. Central Ave. corridor. Under ordinary conditions such a situation may not be considered prudent however given the nature of the proposed use and limited use of on-site activity wherein parking demand would otherwise be problematic, is negligible. The intent is fourfold:

1. Eliminate current unsafe and illegal parking scenario.
2. Reconfigure on-site parking to conform to current standards.
3. Provide required perimeter off-street landscape buffer adjacent to public right-of-way.
4. Accomplish the above given proximate parking opportunities and pedestrian friendly access to property.

Recommended Conditions (See **Attachment 6**):

- 1) With the exception of providing one (1) handicap parking space eliminate remaining handicap spaces and convert to standard angle parking the purpose of which is to increase number of available on-site spaces adjacent to building.
- 2) Provide one (1) handicap parking space adjacent to front entrance.
- 3) Eliminate 90 degree parking spaces along southerly property line (vehicles encroach 7+/- feet into public right-of-way).
- 4) Provide a perimeter waterwise vegetative buffer a minimum of three (3) feet in width and trees (2), along southerly property line which abuts the public right-of-way.

**Enclosures:**

Attachment 1 – Special Exception Application Packet

Attachment 2 – Applicant responses to Sec 2.06.01 criteria

Attachment 3 – Pre Right-of-way Improvement Site Conditions

Attachment 4 - Post Right-of-way Improvement Site Conditions

Attachment 5 – Current Parking Pattern

Attachment 6 - Conditions of Approval: Graphic



City of Flagler Beach
PO Box 70 105 South 2nd Street
Flagler Beach, Florida 32136
Phone (386) 517-2000 Fax (386) 517-2016

Special Exception - (SPEX)

PETITION NO.: \_\_\_\_\_

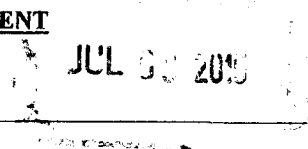
DATE: 7/8/15

Pursuant to Appendix A, Land Development Regulations, Section 2.06.01 of the Zoning Ordinance, I hereby request a Special Exception as described below:

PURPOSE FOR THE SPECIAL EXCEPTION PETITION: COASTAL FAMILY CHURCH.
PETITIONER: RODERICK J PALMER FOR COASTAL FAMILY CHURCH.
PROJECT ADDRESS: 208 S 6th St. Flagler Beach PHONE NO.: 386 439 2122
OWNER OF SUBJECT PROPERTY: DISABLE AMERICAN VETERANS CHAPTER # 86
ADDRESS: 208 S 6th St Flagler Beach PHONE NO.: 386 439 2122
PETITIONER'S RELATION TO SUBJECT PROPERTY: PURCHASER.
ADDRESS/LEGAL DESCRIPTION: 208 SOUTH 6th STREET, FLAGLER BEACH FL 32136
LOT: 678 BLOCK: 30 SUBDIVISION: MOODY'S SUBDIVISION FLAGLER BEACH. ZONING DISTRICT: FLAGLER COUNTY FLORIDA.

ATTACH JUSTIFICATION STATEMENTS ADDRESSING ALL SEVEN (7) REQUIREMENTS FOR THIS SPECIAL EXCEPTION REQUEST AS REQUIRED: (See Attachment "A" Special Exception Requirements.)

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT



ACCEPTED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

PETITION #: \_\_\_\_\_

Authorzation

Owner/Applicant

THIS IS TO CERTIFY THAT I AM THE OWNER AND/OR PETITIONER OF THE SUBJECT PROPERTY DESCRIBED IN THIS SPECIAL EXCEPTION PETITION. I HAVE READ THIS PETITION AND THE STATEMENTS CONTAINED HEREIN ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SIGNATURE OF PETITIONER: Palmer FOR COASTAL FAMILY CHURCH

SIGNATURE OF OWNER: Raymond Parker FOR OAV CHAPTER #86

DATE: 8-JULY-15

Owner- Designating Agent on his/her behalf

AS OWNER, I AUTHORIZE PASTOR RAY PALMER TO ACT AS MY AGENT IN THIS MATTER. PRINT NAME, ADDRESS AND PHONE NUMBER OF REPRESENTATIVE, IF APPLICABLE.

NAME: Raymond A. Parker

ADDRESS: 208 SOUTH SOUTH STREET, FLORIDA BEACH, FL 32136

PHONE: 386-439-2122

STATE OF FLORIDA,  
County of Flagler

Subscribed and Sworn to (or affirmed) before me by

Raymond Parker  
SIGNATURE OF OWNER

Raymond A. Parker  
OWNER'S NAME (Print/Type)

2085. 6th St. Florida Beach FL  
ADDRESS (Street, City) & Phone Number 32136

This 8 day of July, 2015. Who is personally known to me or has produced \_\_\_\_\_ as identification.

July 12, 2016  
Commission Number & Expiration

Marlene Beams  
Notary Public



# Warranty Deed

(STATUTORY FORM—SECTION 689.02 F.S.)

This instrument was prepared by:

Name Leland B. Shaw, Attorney

Address P. O. Box 296

Bunnell, Florida

This Indenture, Made this 27th day of June 19 73, Between RAYMON F. TUCKER and BLANCHE T. TUCKER, his wife

of the County of Flagler, State of Florida, grantor\*, and GEORGE G. REED, GILBERT A. KRIER, CLIFF PARR, THEODORE C. HEIN, E. LESTER STANTON, Trustees for JIM BOOE CHAPTER 86, DISABLED AMERICAN VETERANS, AND THEIR SUCCESSORS.

whose post office address is P. O. Box 575, Flagler Beach

of the County of Flagler, State of Florida, grantee\*.

Witnesseth, That said grantor, for and in consideration of the sum of (TEN \$10.00) Dollars, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Flagler County, Florida, to-wit:

Lots Six (6), Seven (7) and Eight (8), of Block Thirty (30) of MOODY'S SUBDIVISION of Flagler Beach, Flagler County, Florida, according to plat of Moody's Subdivision, on file in the office of the Clerk of the Circuit Court for Flagler County, Florida, in Plat Book 1, page 24.

SUBJECT TO 1973 TAXES.

FLAGLER COUNTY, FLORIDA No. 11467

27th day of June, 19 73 in Book 50 of P. O. Box 296 at 155

Record verified SHELDON B. BAMBER, CLERK CIRCUIT COURT

By Leland B. Shaw, D.C.

STATE OF FLORIDA  
NOTARY PUBLIC  
DEPT. OF REVENUE  
STAMP TAX  
\$ 27.00

FLORIDA  
DOCUMENTARY SURTAX  
\$ 00.90

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

\* "Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, Grantor has hereunto set grantor's hand and seal the day and year first above written. Signed, sealed and delivered in our presence:

Leland B. Shaw

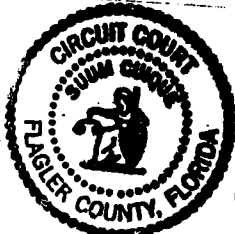
Raymon F. Tucker (Seal)

Blanche T. Tucker (Seal)

STATE OF Florida  
COUNTY OF Flagler  
I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally appeared RAYMON F. TUCKER and BLANCHE T. TUCKER, his wife to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that they executed the same. WITNESS my hand and official seal in the County and State last aforesaid this 27th day of June 19 73.

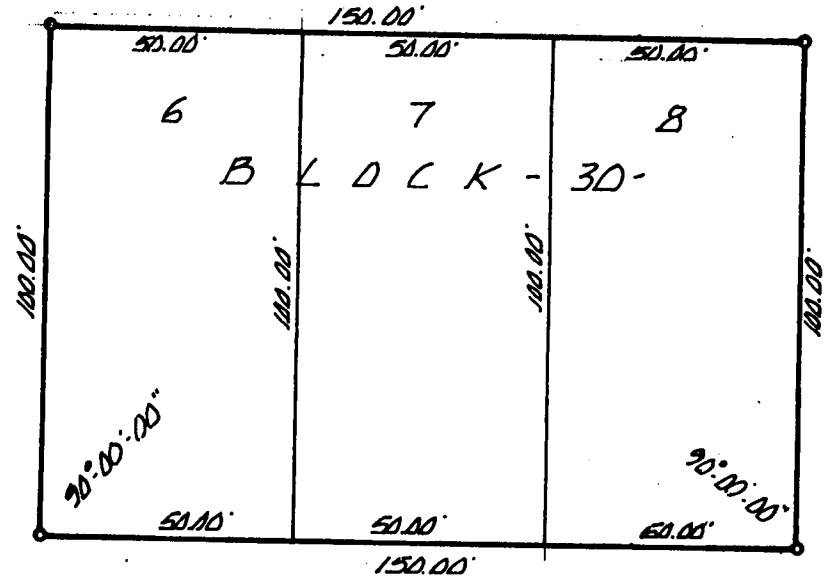
My commission expires: \_\_\_\_\_  
Leland B. Shaw Notary Public

This instrument was prepared by:  
LELAND B. SHAW, Attorney at Law  
P. O. Box 296, Bunnell, Florida



RECORDING FEE  
\$ 00.00  
CLERK OF CIRCUIT COURT  
By DC

NORTH  
SCALE 1"=30'



6TH ST. 50' R 50'

LOTS 6, 7 AND 8, BLOCK 30, MOODY'S SUBDIVISION,  
A SUBDIVISION AS RECORDED IN PLAT BOOK 1,  
PAGE 24, OF THE PUBLIC RECORDS OF FLAGLER  
COUNTY, FLORIDA.

I HEREBY CERTIFY THIS PLAT AS  
BEING A TRUE REPRESENTATION OF THE  
LAND SURVEYED.

*Dan A. Wilcox*

DAN A. WILCOX FLA. REG. LAND SURVEYOR #2238  
JULY 27 1973, BUNNELL FLA.

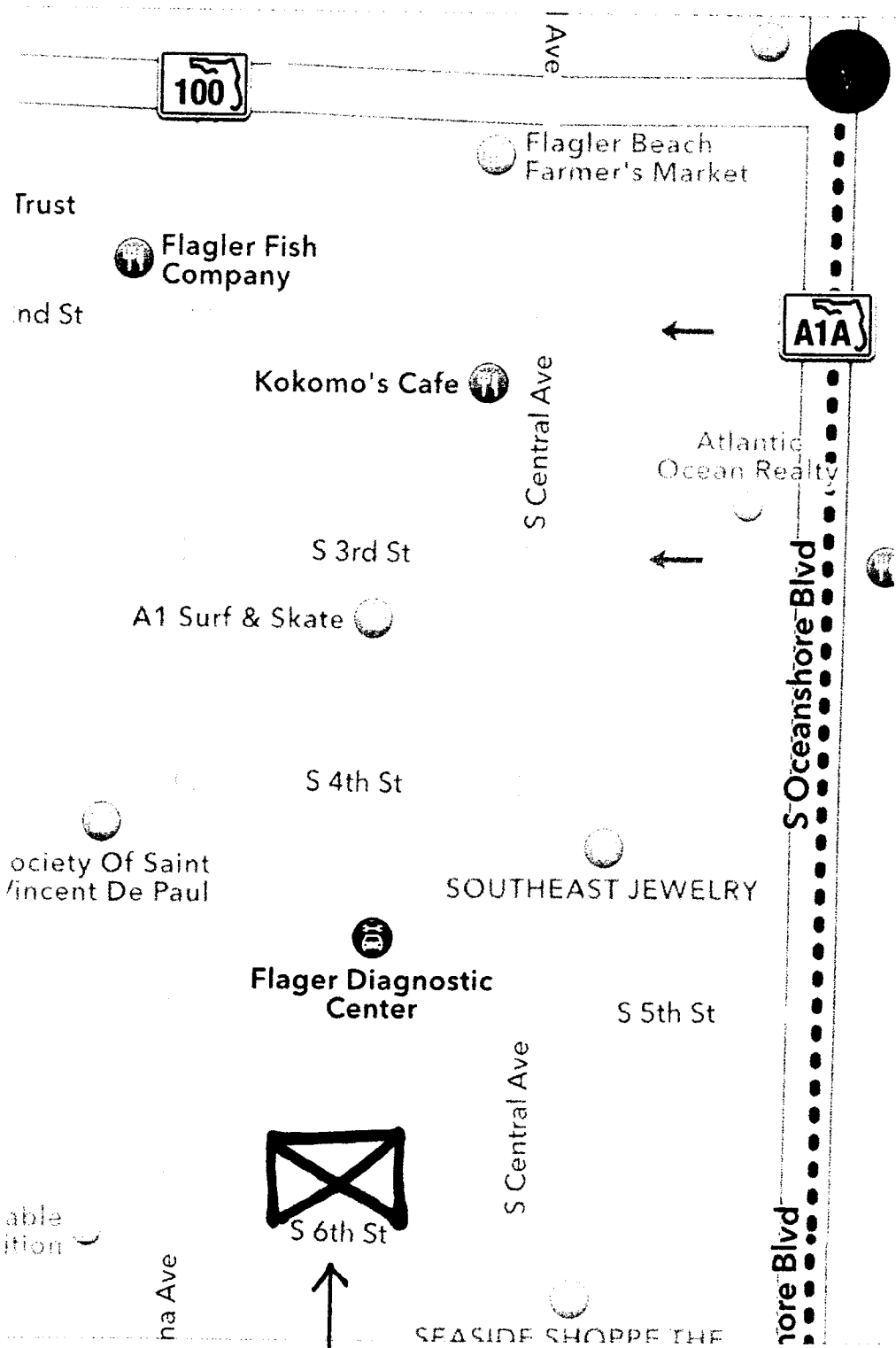


AT&T M-Cell

3:52 PM

73%

17 Old Kings Road N.



DISABLED AMERICAN VETERANS BUILDING  
 208 S 6<sup>th</sup> STREET

## The Seven Special Exception Standard Requirements

### Requirement

1. That the use is permitted Special Exception use as set forth in Schedule One hereof.

### Response

Yes

### Requirement

2. That the use is designed located and proposed to be that the public health, safety, welfare and convenience will be protected.

### Response

*The building and property will be inspected by a code enforcement officer thereby meeting the necessary codes so that the protection of public health, safety, welfare and convenience is ensured.*

### Requirement

3. That the use will not cause substantial injury to the value of the property in the neighborhood where it is to be located

*The Family Worship Center aim is to contribute and serve the neighborhood thus being a positive value to the community*

### Requirement

4. That the use will be compatible with adjoining development and proposed character of the district where it is to be located

### Response

*The building and property would be a Family Worship Center and aim is to ascetically complement the neighborhood and character of the district.*

### Requirement

5. That the adequate landscaping and screening is provided as required herein, or otherwise required

### Response

*The city code will be approached to ensure that landscaping and screening is adequate for this property.*

### Requirement

6. That the adequate off-street parking and loading is provided as required herein or otherwise required.

### Response

*The parking on site and the adjacent public parking on Daytona Ave has been calculated as adequate parking for our current membership, these numbers are only required at our Sunday morning Worship service.*

### Requirement

7. That the use conforms with all applicable regulations governing the district where located

### Response

*The additional Worship facility will operate within the parameters allowed by the five other churches in the city. That is to provide a spiritual and practical support to a growing community*

1997-2001 Government Site Contamination

Google earth





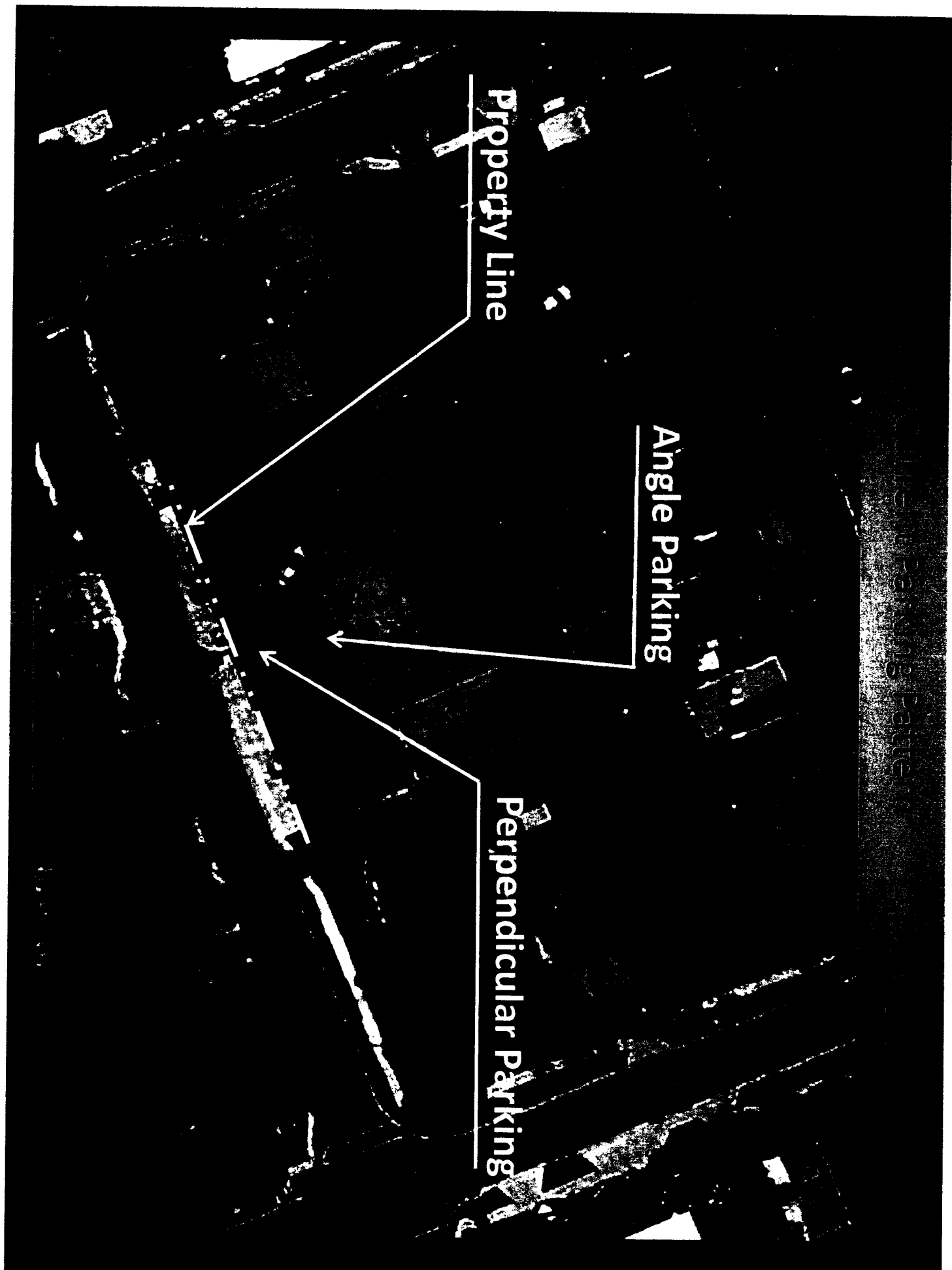


Figure 1: Aerial photograph of the Improvement Site showing the Property Line and Sidewalk.

Property Line

Angle Parking

Perpendicular Parking



Parking

- ❖ Measure existing spaces
- ❖ Stripe and install wheel stops
- ❖ Eliminate non-conforming 90 degree perimeter spaces

Landscaping

- ❖ Provide perimeter screening
- ❖ Provide interior landscaping



#15

**CITY OF FLAGLER BEACH**

**NOTICE OF SPECIAL EXCEPTION USE**

A request has been received for a Special Exception use to locate a church facility in a Medium Density Residential District. The property is located at 208 6th Street South. A church land use, if granted, is a permitted Special Exception use in the MDR District. The Parcel ID No. is 12-12-31-4500-00300-0060; aka George Moody Subdivision Block 30, Lots 6-7-8 OR50, PG137. Applicant: Mr. Rod Palmer Owner: Disabled American Veterans Chapter 86.

Public Hearings on this matter will be conducted as follows:

Planning and Architectural Review Board: July 21, 2015 at 1:00 p.m.

City Commission: Thursday, July 23, 2015 at 5:30 p.m. or as soon thereafter

The public hearings may be continued to a future date or dates. The times and dates of any continuances of a public hearing shall be announced during the public hearing without any further published notice. The hearings will be conducted in the City Commission Chambers located at 105 South Second Street, Flagler Beach, Florida.

A copy of this notice, the file relating to the proposed ordinance amendment is available for public inspection during regular business hours Monday through Friday from 8:00 a.m. to 5:00 p.m. at 105 South Second Street, Flagler Beach, Florida. The public is encouraged to participate in the processes and procedures of the City and to request copies of the proposed ordinance. For further information about the proposed ordinance, please call the Planning and Building Department at (386) 517-2000 Ext. 230.

Pursuant to Section 166.041(3)(a), F.S. all interested parties may appear and be heard with respect to the special exception request. Any person wishing to express his/her opinion may submit written comments regarding the proposed amendment to the City through the Planning and Building Department. Comments should be made as early as possible to ensure full consideration.

Pursuant to Sec. 286.0105 F.S. if a person decides to appeal any decision made with respect to any matter considered at the above referenced hearings, he/she will need a record of the proceedings. For such purposes, it may be necessary 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.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk's Office at 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.

L2146024. Jul. 11, 2015. 1t

#  
16

**ORDINANCE NO.: 2015-08**

**AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING THE CONVEYANCE BY QUITCLAIM DEED OF CERTAIN CITY OWNED PROPERTY IDENTIFIED AS PARCEL NO. 12-12-31-4500-00020-0080, LOCATED WITHIN THE GEORGE MOODY SUBDIVISION; RESERVING AN EASEMENT FOR UTILITIES WITHIN SAID PARCEL; PROVIDING FOR CONFLICTS AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Section 2.10 of the Charter of the City of Flagler Beach authorizes the City Commission to convey lands owned by the City by ordinance; and

**WHEREAS**, the City has determined that there is not a municipal use of this property and that the conveyance will be of benefit to the City; and

**WHEREAS**, the City Commission deems it advisable to convey City property to Joseph Kovach Jr. and Jeanne Mommaerts pursuant to the terms of the proposal approved by the City Commission on July 9, 2015; and

**WHEREAS**, the City Commission has elected to reserve a utility easement on the property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA THAT:**

**SECTION 1.** The recitals state above are incorporated herein by reference and are made fully a part of this ordinance.

**SECTION 2.** The property that is authorized to be conveyed by the City to Joseph Kovach Jr. and Jeanne Mommaerts is the property identified as Parcel No. 12-12-31-4500-00020-0080 and depicted in Exhibit "A" attached hereto and made a part by reference.

**SECTION 3.** A non-exclusive utility easement will be reserved by the City as shown on Exhibit "A."

**SECTION 4.** The City Clerk shall record a copy of this Ordinance in the Public Records for Flagler County, Florida.

**SECTION 5.** This Ordinance is deemed to be severable. If any section or portion of a section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other section or part of this Ordinance.

**SECTION 6. CONFLICTS.** All ordinance or parts of any ordinance in conflict herewith to the extent of such conflict are hereby repealed.

47  
48           **SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective  
49 immediately upon its passage and adoption.

50  
51           **PASSED AND ORDAINED** this \_\_ day of \_\_\_\_ 2015, by the City Commission of the  
52 City of Flagler Beach, Florida.

53  
54 PASSED ON FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

55 PASSED AND ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

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CITY OF FLAGLER BEACH, FLORIDA  
CITY COMMISSION

\_\_\_\_\_  
Linda Provencher, Mayor

ATTEST:

\_\_\_\_\_  
Penny Overstreet, City Clerk

Instrument Prepared by:

Andrew J. Hand  
Shepard, Smith & Cassidy, PA  
2300 Maitland Center Parkway  
Suite 100  
Maitland, Florida 32751

Return to:

Penny Overstreet, City Clerk  
City of Flagler Beach  
Post Office Box 70  
Flagler Beach, Florida 32136

### **QUITCLAIM DEED**

THIS QUITCLAIM DEED made effective as of the \_\_\_ day of \_\_\_\_\_, 2015 by The City of Flagler Beach, a municipal corporation in the State of Florida (“Grantor”) to Joseph Kovach Jr. and Jeanne Mommaerts, Husband and Wife, whose address is 600 N. Central Avenue, Flagler Beach, FL 32136. (“Grantees”).

WITNESSETH that Grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all its interests in real property situate in Flagler County, Florida, viz:

GEORGE MOODY SUBDIVISION, BLOCK 2, EAST 20’ OF LOT 8, DEED  
BOOK 23 PAGE 532 FLAGLER COUNTY, FLORIDA.

Parcel No. 12-12-13-4500-00020-0080

A copy of the boundary survey is attached hereto as Exhibit “A.”

The City hereby reserves a utility easement as depicted on Exhibit “A.”

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

[THE REST OF THIS PAGE LEFT INTENTIONALLY BLANK]

Signed, sealed and delivered  
in our presence:

By: CITY OF FLAGLER BEACH

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Linda Provencher, Mayor

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Witness

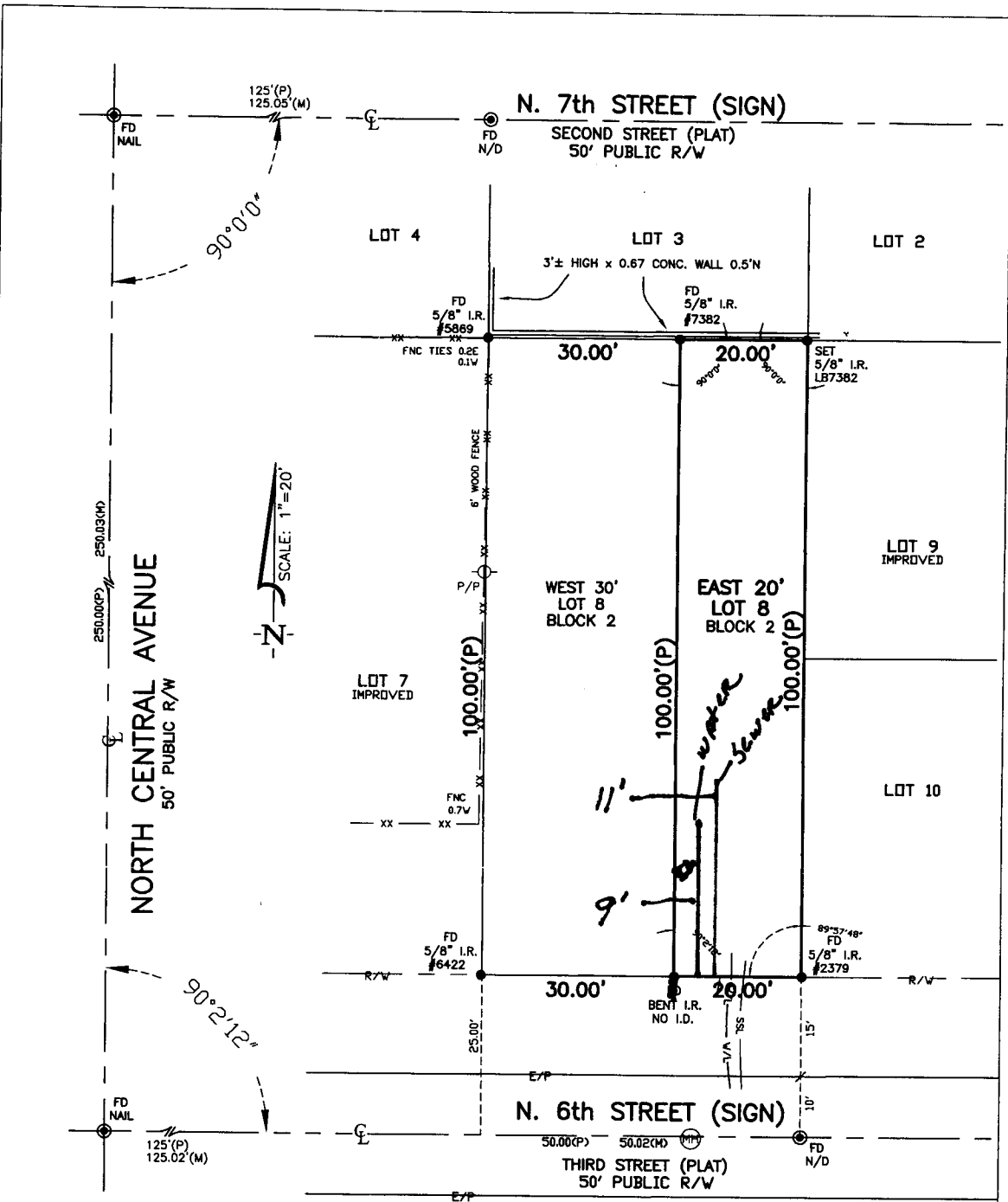
\_\_\_\_\_  
Print Name

STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2015 by  
Linda Provencher, who is personally known to me or has produced  
\_\_\_\_\_, as identification.

\_\_\_\_\_  
Notary Public





**NOTES:**

1. Description furnished by client. No title work provided.
2. Underground improvements and utilities are not located.
3. Bearings are assumed and are based on plat datum.
4. Dimension category is shown in parenthesis ( ), when they differ from record dimensions. Monuments that fall within the suburban closure of 1:5000 [as per 5J-17.051(3)15bii] are not differentiated.
5. Overhead electric not located unless shown.

**LEGEND:**

- CL Center Line
- FD Found
- N/D Nail and Disk
- IR Iron Rod
- (P) Plat Bearing & Distance
- (M) Measured Bearing & Distance
- C/S Concrete Slab
- R/W Right of Way
- E/P Edge of Pavement
- L.B. Licensed Business
- L.S. Licensed Surveyor
- PSM Professional Surveyor & Mapper
- W/L Water Line
- SSL Sewer Line
- MH Man Hole

**DESCRIPTION:**

THE EAST 20' OF LOT 8, BLOCK 2, GEORGE MOODY SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 24, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

Revised: Added Water & Sewer Lines. 06/06/14 JMM

**PREPARED FOR:**  
 --- City of Flagler Beach, FLA  
 ---  
 ---  
 ---

**EAST COAST LAND SURVEYING**  
 11 Coolidge Ave. Suite-J, Ormond Beach FL 32174  
 PHONE (386) 672-3633 or (386) 437-0123 FAX (386) 672-3635

**TYPE SURVEY:** DATE OF FIELD-OFFICE WORK ORDER#  
 Boundary 05/23/14 05/28/14 1406022 ACS

THE FOREGOING PLAT MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS PER CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, AS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*A. Sanzone* 05/28/14  
 ANTHONY SANZONE, PSM# 63090 LB #7382  
 Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper.



Item

17

Staff

Reports



**Weekly Report**

**Building Department**

**Date:7/9-7/15**

Number of New permits issued	25	
Total Number of Inspections Performed	55	2 Fire
New SFR permits submitted	1	2237 S Central Ave
Number of Fence permits issued	0	
Number of Driveway permits issued	1	
Number of Wayfinder blades paid for waiting to be ordered (must have 8 to order)	0	
Number of new Code cases	2	
Number of Code cases closed	0	
Number of Code courtesy notices	5	1 Boat/Trailer in ROW and 4 Flag Poles w/out permits.
Number of commercial projects started	0	
Number of new LBTR's issued	1	Sun State Appraisal

**DESCRIPTION**

Misc. Comments (Business Inquires, Customer Service compliments/complaints, etc...)

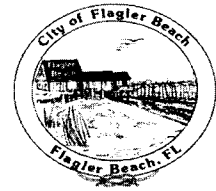
Renewal Invoices are generated and ready to send. Five Hundred and Seventy LBTR Renewals and 189 Short-Term Rental Renewals for totals of \$31418.40 and \$9450 respectively. In addition, some money will be saved by mailing out the renewals with the Monthly utility billing to take advantage of the paid postage envelopes, making sure multiple invoices going to the same address are together in one envelope (a total of 618 envelopes being mailed out for renewals), and mailing invoices to those Business and Rental Owners who requested E-invoices last year (47 to be E-mailed).



TO: Bruce Campbell, City Manager

FROM: Penny Overstreet, City Clerk

SUBJ: Monthly Report June 6 – July 15, 2015



**Administrative support for the Commission:**

- 3 Regular City Commission Meetings
- 2 Community Redevelopment Agency Meetings
- 1 Workshop Meeting
- 1 Economic Development Task Force (EDTF) Meetings (Cancelled)
- 1 Alternative Use Committee
- 1 Police Pension Hearing
- 1 Joint Fire & Police Pension Meeting
- 2 Fourth of July Staff Meeting

**Administrative support for the City Manager's Office/Other Departments:** Assisted the City Manager, provided support for general correspondence, agenda items and memos. Provided Library and Building Department Coverage.

**Assessments:** Completed forty-seven requests from title companies inquiring about balances of assessments, code enforcement, open or expired building permits, and outstanding utility bills. Collected \$1,030 in utility bad debt. Collected \$525.00 in fees for research.

**Computer Network Preventative Maintenance and Support:** I responded to and sent in twenty-six service/support tickets.

**Public records requests:** This office processes hundreds of requests for public records. These requests came from various sources, including but not limited to individuals, attorneys, other City Departments, other Agencies. This includes the many phone calls and e-mails that are received by our department requesting verbal and written information. No fees collected for this report period. All record requests were completed sending documents via email. This is an increasing request. The Statutes state if records are available electronically and requested in that format they have to be provided that way, this is an increasing request and has affected the revenue. The revenue collected and projected in the 2015-2016 budget is based upon request for Police reports, which are not reported by the Clerk.

**Special Events:** The total amount collected for the report period is \$3,431.04. Fourth of July event set up for vendors went smoothly. To date I have not received any complaints from our vendors.

**Records Retention:** Destroyed 10 cubic feet of paper records, and 2,567 MB of electronic records that had met their retention in accordance with the Department of State, State Library and Archives of Florida, General Records Schedule for State and Local Government Agencies.

**Continuing Education:** Kate Settle attended the Florida Association of City Clerks Summer Conference in Orlando. Please see the attached report.

**Website:** There have been 10,817 visits to the web-site since July 1<sup>st</sup>. The top five pages viewed are the Home page, Commission, Employment, Special Events and News Flash. Since July 1<sup>st</sup> there were 269 hits to the Video Streaming link, with three meetings streamed during this time period. Six of those hits were from me. So a break down could be: Three meetings Regular, PARB and Budget Workshop, with 87 people watching each meeting.

**TO:** Penny Overstreet  
Bruce Campbell

**FROM:** Kate Settle

**DATE:** July 2, 2015

**SUBJ:** Summer Academy

Thank you for the opportunity to attend the Summer Academy in Orlando.

**Monday, June 21, 2015**

**Legislative Update**

**Speaker Ryan Mathews, Associate Director, Legislative Affairs FLC**

The speaker ran through the bills the League is most interested in following. There were 1754 bills introduced and 231 bills have passed. Mr. Mathews covered many bills. I am covering a few that I thought might have an effect on the City.

**Pension Boards:** He covered the change in the administrative requirements for the municipal pension funds. I was interested in this because of my current spot to support the pension boards but I am truly hoping that they seek contracted administrative support soon. If not, I may need to take a class.

**Local Construction Preference Presumption:** This has to do with many municipalities using local preference. The law now says that if 50% or more of the project is funded by the state you do not have to use local preference.

**Senate 408** removes the requirement for municipalities to have waivers for skate parks.

**HR 225** makes it a requirement for every US Flag purchased by a municipality is made 100% in America. Honestly, I thought this was strange . . . flag police? It's a nice sentiment but I would imagine tough to enforce.

**Ethical Dilemmas and What to Do**

**Speakers:** Lynn Tipton, Director FLC University and  
Michael Pleus, City Manager Deland and FCCMA President

The overall theme was how to promote an ethical culture. There were many things the City already has in place in terms of written policies and/or ordinances.

The City Manager of Deland spoke how he handles what he considers to be ethical violations of his employees. I believe he said he became City Manager of Deland in 2008. At any rate, there was a problem with many of the workers taking home city equipment for their personal use or for side jobs for their personal gain. He felt strongly this was unethical. He spoke of a man that took a piece of equipment that should have been surplus but instead had been given to this individual. The individual still was bringing it to their Maintenance Department to be serviced. His policy dictates that when a person is found using equipment for personal gain: first time reprimanded by the City Manager; second time the employee goes to the Regular Meeting of the Commission/Council and apologizes to the public for using their equipment for personal gain, 3<sup>rd</sup> Strike you are asked to leave. He had an employee that tested fate and he was relieved of his position after 19 years of working with the City and just shy of being vested.

Lynn Tipton spoke more to the ethical responsibilities of the elected officials. She felt there was a strong need to report gifts and that it is not done as often as one accepts the gifts. She specifically referenced Death by Chocolate sponsored by an independent company at the Florida League of Cities Conference.

Ms. Tipton also spoke to the importance of employee orientation and newly elected official orientation. In regard to employee orientation, she felt it was more effective if is informed of policies during the first week of work but does not



sign off that he/she has read policy and understands until they have passed the probation period. She felt it was more apt to be at a better point than on the first day of work.

Elected Officials need orientation regarding what is considered to be ethical violations, record keeping, open records policies as part of their orientation.

**Tips from the Session:** Should we ever allow for texting on City phones there is a company that will store all text messages. It is an app that is put onto the phone called "Text Guard." Ms. Tipton will be moving to the Orlando area to open up FLC University and will be hosting a variety of seminars for training for staff and elected officials. Range Riders no long exist but they are now called "Senior Advisors."

### Tuesday, June 22, 2015

#### **Emergency Management for Public Information Officers**

**Speakers:** Dennis McWilliams. Retired Police Sergeant and Public Information Officer and Lori McWilliams, City Clerk, Village of Tequesta

The structure of a press release, types of questions that reporters ask, and answers to have prepared. They felt strongly that a PIO should prepare the speaker with whatever the message he is to give: talking points, etc. and not for the speaker to speak to the press without preparation.

They also reviewed how to best stage a press conference with good and bad examples. We did a mock press conference. I wrote the statement and then we had someone else speak at the podium. Nope, I'm not going to do it.

#### **Strategies for Cutting Loose the Stress of Being Overwhelmed: Getting Organized.**

**Speaker:** Dr. Ava Fluty

Needless to say, I had a lot to learn here. Dr. Fluty's motto was to treat your time better than your money. Everyone gets 525,600 minutes a year and you can always get more money but you cannot get more time. She was a pretty blunt speaker and really funny. One of the participants asked "what should I do?" . . . "Stop doing unproductive things." I laughed pretty hard. We had to work in groups with others you were sitting near. I really enjoyed the two clerks I worked with one was from Del Ray Beach and the other was a small town in the panhandle. They were both very funny and taught me "the look." Pen, you've already got this down.

Dr. Fluty also felt that organization affects opportunity. Right up there with perception is reality. She reviewed a few things that help her: outlook calendar, tickler file, lists, etc. She recommended we all read every Steve Covey book ever written. We had to work in groups again and she came to our group to watch. I was writing something up again and had someone else read the work. She suggested to me that I take a Toast Masters class. DEAR GOD.

### Wednesday, June 23, 2015

#### **Identify Theft**

**Speaker:** Wayne Ivey, Sherriff Brevard County

Identity Theft is the fastest growing crime in the United States and Florida ranks #1 in this crime. Tips to avoiding identify theft include: stay away from instant credit kiosk in stores or any type of instant credit type of account. He spoke of a crime that took place in a Walmart where an Identity thief stayed at a kiosk for over 45 minutes collecting information from the Kiosk itself. In restaurants, he suggested paying for your meal by going to the cash register. There was a Friday's where a waitress was scanning the cards from her customers while she was on the way to the register. They set up a sting of sorts, only to find how easy it is to get devices that do this over the internet and the numbers were then sold to another criminal. The numbers and personal information sell for over \$100 a pop. He suggested shredding all mail before putting it in the trash. He reviewed physically dangerous places which Capt. Doughney does on a regular basis.



07/09/2015

Mr. Campbell,

Although department members were extremely tired at the end of last weekend's activities, I believe the Fabulous 4<sup>th</sup> was a very successful event. I think I said the same thing last year, but with constant improvements implemented, this was the best 4<sup>th</sup> the department has ever taken part in. I am confident with an after action review and next year's pre-planning this event will only continue to improve. Over the week department members were also involved with servicing equipment, mitigation projects, and conducting a station tour. Many of the week's activities are listed as followed;

1. As mentioned in the opening and you are aware of the department was very busy participating in the activities that took place last weekend. Obviously the department is not only limited to fulfilling responsibilities that took place on the 4<sup>th</sup>, but also on the 3<sup>rd</sup> and 5<sup>th</sup>. On July 3<sup>rd</sup> department members began mid-day by assisting with traffic control during the arrival of vendors and moving required supplies to the Naval Band's tent. At 1<sup>st</sup> Friday there were 12 members in attendance participating in smoke detector/CPR registration, bike team, and conducting tours of Engine 11. In addition Friday evening Lt. Kennedy and I assisted with the fireworks offload at the pier. On the 4<sup>th</sup> there was a long list of duties to be covered by the department including the parade, traffic posts, truck assignments, bike team, first aid station, and debris removal from the pier at the close of the event. On Sunday the 5<sup>th</sup> five department members pitched in with the city clean up by picking up garbage on city streets throughout the venue area. There were a couple of discrepancies noted including advising law enforcement of rescue movement once that branch has moved to a traffic channel and appropriate staging times at duty posts. Captain Doughney and I will be discussing these issues during the after action review. I am very proud of department members for the performance over the weekend and I have made a point to give credit to these members this week.
2. Periodically the batteries for the Scott air packs are in need of replacement. The AA batteries are used specifically to operate the PASS warning device. Lt. Snyder's crew detected the faulty batteries with several air packs and assumed the responsibility of replacement. When this task is conducted it is done for all packs, not just the ones in question. This insures the replacement schedule is approximately the same for all equipment. Battery replacement and testing of the packs was completed by C shift's crew this week. The firefighters have been very pleased with the addition of the Scott air packs and understand the importance of equipment maintenance.
3. On Tuesday B shift's crew conducted a station tour. This tour was for the city's Jr lifeguards and is typically provided for the children every summer. There were 14 kids in attendance on Tuesday and they received a station tour, instruction on truck/equipment operation, and allowed to flow water from Engine 11's booster line. I followed the firefighters as they conducted the tour and I was surprised by some the questions from the children. There were

many questions regarding living at the fire station for 24 hours and Lt. Kennedy was sure to emphasize the importance of department meals. Before the kids departed they all received station Frisbees, stickers, and pencils.

4. Since the implementation of the city's Fire Mitigation Program there have been some ups and downs. The biggest problem is getting the projects completed in a timely manner and continual maintenance once the buffer zones are created. On the positive side, as of this week all the open cases have been completed. The final two projects were both located on S. Daytona Ave. and had been ongoing for over a month. DE C. Dixon has been assisting me with mitigation projects for a while now and he is doing an excellent job. The completed projects mark 49<sup>th</sup> and 50<sup>th</sup> projects to date.
5. In a recent conversation with Captain Doughney he informed he just completed Crowd Manager Training. I felt like this course would also benefit me greatly and I completed it this week. This 2-hour online course was written by fire safety code experts in accordance with NFPA 101 Life Safety Code, NFPA 1 Fire Code as well as the International Fire Code (IFC). Crowd manager training is required by all national fire code standards in public assemblies such as nightclubs, auditoriums, ballrooms, and arenas. Within the course there were real-world scenarios that helped to apply what was learned and considering our recent event there wasn't a better time to complete this training.
6. I was recently contacted by Jim Ramer to discuss water usage within the city. There had been some questions in the past of how much water the fire department was using and considering the increased summer-time use, he asked me to keep it minimal. I informed Mr. Ramer the department typically conducts flow tests on the city hydrants twice year, but we would not be doing this again until the fall. I have also lectured each shift on the importance of utilizing the water meter every time a hydrant is in use. This practice has now become common place and MR. Ramer received the report this week for last month's water usage. The total for last month was 1300 gals.

Lieutenant Kennedy and I spoke earlier this week and decided with how busy we have been to give the guys a break from training this week. Lt. Kennedy has been assigning more than the recommended amount each month within Target Solutions, so the firefighters are ahead. In addition with upcoming lifeguard competition crews will once again be busy next week. I have full confidence this event will be approached with the same sense of professionalism as the 4<sup>th</sup>.

Thanks,  
Bobby



# Flagler Beach Fire Department

Weekly Run Report from 6/11/15-6/18/15

## CALLS BY INCIDENT TYPE

### EMS

19

### FIRE

9

### Hazardous Condition (No Fire)

0

### Service Call

11

### Fire Alarm

2

### Motor Vehicle Accident

2

### Total Calls

43



**FLAGLER BEACH LIBRARY**

**MONTHLY REPORT**

MONTH: JUNE, 2015

CIRCULATION:

BOOKS: 1056

DVDS:38

AUDIOS: 68

MEMBERSHIPS:

NEW:9

RENEWALS: 38

BOOKS PURCHASED:

FICTION:30

NON-FICTION:10

LARGE PRINT: 18

YOUNG ADULT/CHILDREN: 12

DVDS PURCHASED: 0

AUDIOS PURCHASED: 7

CD MUSIC: 0







**FLAGLER BEACH POLICE DEPARTMENT**  
 Matthew P. Doughney, Police Captain  
 204 S. Flagler Ave  
 Flagler Beach, FL 32136  
 386.517.2023

**Captains Weekly Report**

From: Friday	7/3/2015	To: Thursday	7/9/2015				
Calls For Service	87	Felony Arrest	0	Reports Written	18	Citations Issued	148
Self-Initiated	44	Misd. Arrest	1	Comm. Policing	21	Warnings (Written/Verbal)	14
Traffic Stops	16	City Ordinance	18	Security Checks	267		

**Captains Weekly Summary**

**Friday:** The United States Navy Band performed from 5:00 p.m. to 6:30 p.m. and Beach Street a Go-Go performed until 10:0 p.m. for this month's 1<sup>st</sup> Friday. The crowd of approximately 1,000 attendees were well behaved and additional Police Officers were on hand for the well-attended event. Twelve (12) dog owners and one (1) macaw owner were contacted and informed of City Ordinance 5-20, which prohibits animals in Veteran's Park. The owners removed their pets and no citations were issued. Additionally, a few citizens were found to be in possession of alcoholic beverages in Veteran's Park. The citizens were contacted and Officers explained City Ordinance 6-73. All citizens complied and the beverages in question were disposed of properly.

**Saturday:** The "Celebration 5K" began and ended at Betty Steffick Park and kicked off this year's 4<sup>th</sup> of July festivities. Throughout the day, Officers worked traffic associated with the holiday parade, they issued 113 parking citations and worked traffic after the fireworks presentation. There were no arrests made and there were only a few minor disturbance on the beach. An After Action meeting with all Law Enforcement & Fire agencies involved with this year's events will be conducted in August. The meeting will help build on this year's success and improve on any issues/concerns for next year's events.

**Monday:** 7/7/15 @ 1:12 a.m. / Narcotics Arrest / 800 South Daytona Avenue: While making a security check of Wickline Park, an Officer located an occupied vehicle parked in the tennis court parking lot. Upon contacting the occupants, the Officer detected the odor of marijuana. The passenger admitted to having marijuana in her purse and a small amount of marijuana was discovered. The passenger was compliant and she was issued a Notice to Appear in Court for Possession of Marijuana under 20 grams and Possession of Drug Paraphernalia.

**Tuesday:** 7/7/15 @ 7:38 p.m. / Assist Other Agency / 819 North Oceanshore Boulevard (Breakawayz): Station 11 was dispatched to the business in reference to smoke in the building. Officers closed North Oceanshore Boulevard from North 7th Street to North 9th Street until Fire Department personnel cleared the roadway. The business was closed for the evening due to heavy smoke inside the building.

**Wednesday:** 7/8/15 / 9:48 a.m. / Fraud / 300 Block of Cedar Lane: The victim came into the Police Department to report that she been contacted via telephone by a person whom she believed to be her grandson. In actually the individual in question was not her grandson, but he convinced the victim that he was in the Dominican Republic and needed money wired to him due to an arrest. After wiring approximately \$4000 to the Dominican Republic, the victim learned that her grandson had been home (in the United States) the entire time. No suspects at this time.

Thursday 7/9/15 @ 10:25 a.m. / Suspicious Incident / South 6<sup>th</sup> Street & South Oceanshore Boulevard: The reporting party came to the Police Department stating that she had left three (3) surfboards valued at \$1,300.00 under the dune walk at South 6<sup>th</sup> Street after the fireworks on July 4, 2015. The reporting party stated that when her husband returned the following morning to retrieve them, they were gone. No further information at this time.

Thursday: 7/9/15 @ 10:40 p.m. / Assist Other Agency / South Oceanshore Boulevard and 13<sup>th</sup> Street South: Officers received a BOLO (Be On the Look Out) from the Volusia County Sheriff's Office (VCSSO) in reference a suicidal female. The BOLO from VCSSO advised they had information that the female was in the area of this location and Officers canvassed the area. While waiting for an update, Officers were notified that the female was located in Volusia County.