



# City of Palm Coast Agenda COUNCIL MEETING

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoastgov.com](http://www.palmcoastgov.com)

*Acting Mayor Eddie Branquinho*  
*Council Member Victor Barbosa*  
*Council Member Ed Danko*  
*Council Member Nick Klufas*

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**Tuesday, July 6, 2021**

**6:00 PM**

**COMMUNITY WING**

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## **City Staff**

**Denise Bevan, Interim City Manager**

**William Reischmann, City Attorney**

**Virginia A. Smith, City Clerk**

- > Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- > Other matters of concern may be discussed as determined by City Council.
- > If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- > In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- > City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- > All pagers and cell phones are to remain OFF while City Council is in session.

## **CALL TO ORDER**

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

## **ROLL CALL**

## **PUBLIC PARTICIPATION**

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.
- (3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
  - (a) direct all comments to the Mayor;
  - (b) make their comments concise and to the point;
  - (c) not speak more than once on the same subject;
  - (d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City

Council;

(e) obey the orders of the Mayor or the City Council; and

(f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.

(4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

## **MINUTES**

### **1 MINUTES OF THE CITY COUNCIL: JUNE 22, 2021 BUSINESS MEETING**

## **PROCLAMATIONS**

### **2 PROCLAMATION - JULY AS PARKS AND RECREATION MONTH**

## **ORDINANCES SECOND READ**

### **3 ORDINANCE 2021-XX SLOW WAY ROAD CLOSURE**

### **4 ORDINANCE 2021-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 52+/- ACRES OF PROPERTY FROM INDUSTRIAL AND GREENBELT TO RESIDENTIAL AND AMENDING POLICY TO LIMIT DEVELOPMENT ON THE ENTIRE 146+/-PARCEL TO 450 RESIDENTIAL UNITS**

### **5 ORDINANCE 2021-XX AMENDING THE ZONING MAP DESIGNATION FOR A 146+/- ACRE PARCEL FROM MASTER PLANNED DEVELOPMENT (MPD) AND SUBURBAN ESTATE (EST-1) TO SINGLE-FAMILY RESIDENTIAL-1, SINGLE-FAMILY RESIDENTIAL-2, AND PRESERVATION**

## **ORDINANCES FIRST READ**

### **6 ORDINANCE 2021-XX RENAMING THE ROAD SEGMENT OF CITATION PARKWAY CURRENTLY BETWEEN SESAME BOULEVARD & SEMINOLE WOODS BOULEVARD TO SESAME BOULEVARD**

## **RESOLUTIONS**

### **7 RESOLUTION 2021-XX TERMINATING THE PALM COAST 145 (PC145) MASTER PLANNED**

## **DEVELOPMENT (MPD) AGREEMENT**

- 8 RESOLUTION 2021-XX TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN RELATING TO THE OPIOID EPIDEMIC**
- 9 RESOLUTION 2021-XX APPROVING AN AGREEMENT FOR THE PURCHASE OF WETLAND MITIGATION CREDITS AND THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE CONSERVATION EASEMENT**

## **CONSENT**

- 10 RESOLUTION 2021-XX APPROVING CONTRACTS WITH DANELLA CONSTRUCTION CORPORATION OF FLORIDA, INC., AND DRAFTPROS, LLC DBA DRAFTPROS, INC., FOR FIBER OPTIC MAINTENANCE AND INSTALLATION SERVICES**

## **PUBLIC PARTICIPATION**

Remainder of Public Comments is limited to three (3) minutes each.

## **DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

## **DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

## **DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

## **ADJOURNMENT**

- 11 WORKSHEET**

## City of Palm Coast, Florida Agenda Item

Agenda Date : July 6, 2021

<b>Department Item Key</b>	<b>Amount Account #</b>
<b>Subject</b> MINUTES OF THE CITY COUNCIL: JUNE 22,2021 BUSINESS MEETING	
<b>Presenter : CITY CLERK</b>	
<b>Background :</b> June 22, 2021 Business Meeting	
<b>Recommended Action : APPROVE JUNE 22, 2021 BUSINESS MEETING MINUTES</b>	





## City of Palm Coast Minutes COUNCIL MEETING

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoastgov.com](http://www.palmcoastgov.com)

**Acting Mayor Eddie Branquinho**  
**Council Member Victor Barbosa**  
**Council Member Ed Danko**  
**Council Member Nick Klufas**

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**Tuesday, June 22, 2021**

**9:00 AM**

**COMMUNITY WING AT CITY HALL**

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### **City Staff**

**Denise Bevan, Interim City Manager**

**William Reischmann, City Attorney**

**Virginia A. Smith, City Clerk**

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### **A. CALL TO ORDER**

*Mayor Branquinho called the meeting to order at 9:00 am.*

### **B. PLEDGE OF ALLEGIANCE TO THE FLAG**

### **C. ROLL CALL**

*City Clerk Virginia Smith called the roll. All members were present.*

### **D. PUBLIC PARTICIPATION**

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Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

*Robert Macdonald spoke of security concerns at City Hall and requested information on handicap accessibility at City Hall. Mr. MacDonald stated that there is now a metal detector in the Community Wing but no supervision upon entry.*

*Samantha Mendez described having to cross the street with children to reach a bus stop in the area of Cimmaron Drive and spoke of the dangers in the area. Ms. Mendez thanked Council for their efforts thus far.*

*Pete Minervini spoke of dangers for those biking in the area of Cimmaron Drive. Mr. Minervini shared ideas for additional space for those walking and biking on Cimmaron Drive.*

*Carrie Purdy, head swimming coach at Matanzas High School, spoke to Council on the need for a Community Center with an aquatic complex.*

*Jill Reynolds asked council to consider commemorating Shirley Chisholm of Palm Coast. Ms. Reynolds provided details of Ms. Chisholm's accomplishments and details of the commemorative plaque.*

*Mike spoke of the burden of a tax increase to those on a fixed income or those stationary to the community and shared concern for the proposed ½ cent sales tax on the agenda.*

*Authelia Minervini thanked Council for their consideration for safety improvements on Cimmaron Drive.*

*Sonji Jackson opposed the closure of Slow Way and asked Council to provide data to support the closure.*

*Alan Lowe shared support for the efforts of Cimmaron drive and comments on the ½ cent sales tax. Mr. Lowe also addressed the pay out to former City Manager Matthew Morton and asked Council to consider future contracts to avoid a large sum payout for an individual who quits their position with the City.*

*Michael Arnold spoke of a FOIA email that he sent to Council to which he stated having not received a response. Mr. Arnold informed Council on the contents of the email and consideration of filing a formal grievance with the Florida State Bar.*

*Debra Frame asked Council to consider the money for improvements on Slow Way which would not be utilized if the road is to be closed. Additionally, Ms. Frame informed Council that closing the road will result in the need to drive 6 miles to access her mailbox.*

*Brian Butka opposed the closure of Slow Way and spoke of monies already spent to create and maintain the road. Mr. Butka stated that no data has been provided to support the decision.*

*Theresa Butka opposed the closure of Slow Way. Ms. Butka spoke of the inconveniences the closure of Slow Way poses to residents in the area and asked Council to consider voting on behalf of all residents in the area.*

*Mayor Branquinho responded to comments regarding the Closure of Slow Way. Mayor Branquinho spoke of his observations and research and shared opposition for the closure.*

*Mayor Branquinho responded to comments regarding Cimmaron Drive to assure residents that staff is working on this and will continue to do so.*

*Mayor Branquinho asked Ms. Reynolds to meet with himself and the Interim City Manager, Denise Bevan, to receive more information about the requested plaque.*

*Mayor Branquinho responded to Ms. Purdy's comment regarding a request for an aquatic center and asked Ms. Purdy to discuss the request with Interim City Manager Denise Bevan.*

#### **E. MINUTES**

- 1. MINUTES OF THE CITY COUNCIL  
JUNE 1, 2021 BUSINESS MEETING  
JUNE 8, 2021 SPECIAL MEETING  
JUNE 8, 2021 WORKSHOP MEETING**

**Pass**

**Motion made to approve by Council Member Klufas and seconded by  
Council Member Danko**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor  
Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

#### **F. PROCLAMATIONS AND PRESENTATIONS**

- 2. PROCLAMATION-NATIONAL MOSQUITO CONTROL AWARENESS WEEK**

*Council Member Barbosa presented this Proclamation to representatives of the  
East Flagler Mosquito Control District.*

- 3. PROCLAMATION - PATRIOTIC PALM COAST WEEKS**

*Council Member Danko presented this Proclamation to a representative of the  
American Flag Project.*

- 4. PRESENTATION FLAGLER COUNTY SOCIAL SERVICES**

*Flagler County representatives presented to Council on this item.*

*Mayor Branquinho requested Flagler County Social Services contact information be placed on the City website.*

## **G. RESOLUTIONS**

### **5. RESOLUTION 2021-XX APPROVING A LETTER OF SUPPORT FOR FLAGLER COUNTY PUBLIC SAFETY HALF CENT SALES TAX**

*Chief Forte, Interim Assistant City Manager and Chief Strobbridge of Flagler County Sheriff's Office presented to Council on this item.*

*Mr. Jorge Salinas respectfully requested Council's support for the 1/2 cent sales tax.*

*Motion by Council Member Klufas to approve this item.*

*Motion failed for a lack of a second.*

*Council Member Klufas requested discussion on the motion. Council Member Danko provided his opinion.*

### **6. RESOLUTION 2021-88 APPROVING THE PROPOSED REFINANCE OF THE SERIES 2013 UTILITY SYSTEM IMPROVEMENT BONDS**

*Ms. Helena Alves presented to Council on this item.*

*Public Comments:  
There were none.*

**Pass**

**Motion made to approve by Council Member Klufas and seconded by Council Member Barbosa**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

### **7. RESOLUTION 2021-89 APPROVING THE SUPPLEMENTAL RESOLUTION FOR THE BOND REFINANCING**

*Ms. Alves gave Council a brief overview to this item.*

*Public Comments:  
There were none.*

**Pass**

**Motion made to approve by Council Member Barbosa and seconded by Council Member Klufas**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

**8. RESOLUTION 2021-90 APPROVING A PRE-ANNEXATION AGREEMENT WITH JTL GRAND LANDINGS DEVELOPMENT LLC AND SE CLINE CONSTRUCTION INC.**

*Mr. Jose Papa presented a brief overview and a location map for Council.*

*Public Comments:  
There were none.*

**Pass**

**Motion made to approve by Council Member Klufas and seconded by Council Member Barbosa**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

**H. ORDINANCES SECOND READ**

**9. ORDINANCE 2021-10 VOLUNTARY ANNEXATION OF 40.7 ACRE AREA 3,500' WEST OF SEMINOLE WOODS BLVD. ON THE NORTHSIDE OF THE IROQUOIS WATERWAY AKA JTL GRAND LANDINGS**

*Attorney Reischmann read the title into the record.*

*There were no public comments.*

**Pass**

**Motion made to Adopted on second reading by Council Member Klufas and seconded by Council Member Barbosa**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

**10. ORDINANCE 2021-11 AMENDING THE ZONING MAP DESIGNATION FROM LIGHT INDUSTRIAL (IND-1) TO HIGH INTENSITY COMMERCIAL (COM-3) FOR A 10+/- ACRE PARCEL LOCATED 1800' NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1 (THE ALAMO BUSINESS CENTER)**

*Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council that this is a quasi-judicial matter and called for any ex-parte communications. There were no ex-parte communications received.*

*Public Comments:  
There were none.*

**Pass**

**Motion made to Adopted on second reading by Council Member Barbosa and seconded by Council Member Klufas**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

**I. OTHER BUSINESS**

**11. APPOINT ONE COUNCIL MEMBER TO THE OVERSIGHT COMMITTEE**

*Ms. Virginia Smith and Mr. Jose Papa provided an overview to this appointment.*

*Motion by Council Member Klufas, seconded by Council Member Danko, to appoint Council Member Barbosa to the Oversight Committee. Motion passed unanimously.*

**J. CONSENT**

*There were no no public comments.*

**12. RESOLUTION 2021-91 APPROVING MASTER SERVICE AGREEMENTS WITH MULTIPLE FIRMS FOR FRESHWATER CANAL SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SYSTEM ENGINEERING SERVICES**

**13. RESOLUTION 2021-92 APPROVING THE PURCHASE OF ESO SOFTWARE**

**14. RESOLUTION 2021-93 APPROVING THE 2021 FIND GRANT FOR THE WATERWAY CLEANUP**

**Pass**

**Motion made to Adopt on consent by Council Member Klufas and seconded by Council Member Danko.**

**Approved - 4 - Acting Mayor Eddie Branquinho, Council Member Victor Barbosa, Council Member Ed Danko, Council Member Nick Klufas**

**K. PUBLIC PARTICIPATION**

Remainder of Public Comments is limited to three (3) minutes each.

*Janie Holley spoke of dangers and threats she has received for requesting the closure of Slow Way. Ms. Holley explained that some speaking out on this matter are not within City limits and their opinions should not apply to this discussion.*

*Steve Carr asked Council what determines the criteria for quality of life for residents of Palm Coast?*

*Carol Brassfield spoke of the hardship that increased taxes imposes on those on a fixed income. Ms. Brassfield shared support for improvements to public service but asked Council and Flagler County to tighten the belts on their budgets.*

*Mayor Branquinho responded to the public comment regarding Slow Way and asked residents to be amicable and to contact the Sheriff's Office for any safety concerns.*

**L. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*Motion by Council Member Barbosa, seconded by Council Member Danko to change the Council Meeting schedule to include 2 night meetings.*

*Attorney Reischmann provided the guidelines to amending an Ordinance.*

*Amended motion to prepare an Ordinance to amend 2-36 to make all business meetings at night.*

*Discussion held on the motion. Opened for public comments.*

*Alan Lowe shared having received many complaints as well regarding day meetings and asked Council to consider changing the meetings to evening meetings.*

*Motion fails 2 to 2.*

*Aye—Council Member Danko and Council Member Barbosa  
Nay—Council Member Klufas and Mayor Branquinho*

*Mayor Branquinho thanked the Fire Department and the FCSO for saving a 17 year old last weekend.*

*Council Member Danko thanked Mayor Branquinho for doing a great job as acting mayor. Additionally, Mr. Danko spoke of the severance pay received by Matt Morton. Mr. Danko asked Council to take a better look at future contracts to avoid wasteful spending.*

**M. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*Nothing at this time.*

**N. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*Ms. Bevan stated that the list of Emergency and Sole Source purchases is attached in the agenda.*

*Ms. Bevan spoke of a downed stop sign in the area of Slow Way to inform Council that staff has fixed this immediately.*

*Additionally, Ms. Bevan spoke of July 4<sup>th</sup> celebrations to come and City office closures.*

*Mayor Branquinho requested Mr. Flanagan, Utility Director provide an overview to a comment received regarding running out of water in Palm Coast.*

*Mr. Flanagan provided a response to explain that Palm Coast tries to manage its' water very well and the 5 year capital plan is always being adjusted as we grow. Mr. Flanagan explained the resources that are currently utilized and the plans for water access with continued growth.*

**15. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR MAY 2021**

**O. ADJOURNMENT**

*The meeting was adjourned at 11:48 a.m.  
Respectfully submitted by: Virginia A. Smith, MMC  
City Clerk*

**16. AGENDA WORKSHEET**



## City of Palm Coast, Florida Agenda Item

Agenda Date: July 6, 2021

<b>Department</b>	Parks & Recreation	<b>Amount</b>
<b>Item Key</b>	11104	<b>Account</b>
		<b>#</b>
<b>Subject</b>	PROCLAMATION - JULY AS PARKS AND RECREATION MONTH	
<b>Presenter:</b>	Lauren Johnston	
<b>Background:</b>	<p>Since 1985, America has recognized July as Park and Recreation Month. A celebration hosted by the National Recreation and Park Association (NRPA), the goal is to raise awareness of the vital impact that parks, recreation, and conservation have on communities across the U.S. This July, Palm Coast Parks and Recreation and the National Recreation and Park Association are celebrating Your Parks and Recreation Story. Everyone has their own unique story that contributes to the impact that Parks &amp; Recreation has on our community. What is the Power of Parks &amp; Recreation? It's stimulating economic growth, increasing property values, cutting annual health care costs, stimulating direct spending, and providing opportunities for people of all ages to Explore, Connect, and Play in our beautiful city.</p> <p>During Park and Recreation Month, Palm Coast Parks &amp; Recreation is challenging everyone to get out and enjoy our parks, trails, and amenities. Whether it's summer camp, an adult sports league, exploring a trail, Zumba class, meeting friends on the playground, playing cards in the park, or discovering nature – we want you to keep writing your Parks &amp; Recreation story.</p> <p>Numerous research studies confirm that community parks and recreation, green space, and time outdoors are critical for creating healthy, active, and sustainable communities. You can experience these benefits by visiting your community parks and recreation any time of the year, especially during Park and Recreation Month.</p>	
<b>Recommended Action:</b>	PROCLAIM JULY AS PARKS AND RECREATION MONTH	



## PROCLAMATION

**Whereas**, parks and recreation systems are dedicated to enhancing the quality of life for millions of residents in communities around the world through recreation programming and conservation efforts; and

**Whereas**, parks, trails, and recreation activities provide opportunities for both young and older members of the community alike to create continuous life experiences; and

**Whereas**, parks, trails, and recreation activities generate opportunities for people to come together and experience a sense of community; and,

**Whereas**, parks, trails, and recreation activities pay dividends to communities by attracting businesses, jobs and increasing house values; and

**Whereas**, the City of Palm Coast recognizes the vital contributions of employees and volunteers in parks and recreation facilities; and

**Whereas**, these dedicated supporters keep parks clean and safe for visitors, organize activities for all ages, and advocate for additional amenities.

**Whereas**, Parks & Recreation staff are innovative and creative ensuring Palm Coast residents have opportunities to explore, connect, and play in our city.

**Now, Therefore, Be It Resolved**, by the Mayor and City Council of the City of Palm Coast, does hereby proclaim the month of July 2021 as:

## PARKS & RECREATION MONTH

**BE IT FURTHER RESOLVED THAT WE HEREBY** request that during Parks and Recreation Month that all citizens Explore Connect and Play Palm Coast by taking part in their favorite sports, visiting the outdoors, and spending time with family and friends.

**ADOPTED** this 6th day of July 2021.

CITY OF PALM COAST, FLORIDA

Witnessed by:

\_\_\_\_\_  
Eddie Branquinho, Mayor

\_\_\_\_\_  
Virginia A. Smith, City Clerk

# City of Palm Coast, Florida

## Agenda Item

Agenda Date: July 6, 2021

<b>Department</b>	STORMWATER	<b>Amount</b>
<b>Item Key</b>	9744	<b>Account</b>
<b>Subject</b> ORDINANCE 2021-XX SLOW WAY ROAD CLOSURE		
<b>Presenter:</b> Carl Cote		
<p><b>BACKGROUND:</b>  <b><u>UPDATE TO THE JUNE 8, 2021 WORKSHOP.</u></b>  This item was heard by City Council at their June 8, 2021 workshop. There were no changes requested to this item.</p> <p><b><u>UPDATE TO THE APRIL 20, 2021 BUSINESS MEETING:</u></b>  This item was heard by the City Council at the April 20, 2021 Business Meeting. City Council continued this item. City Council requested staff provide additional information to address the concerns raised at the meeting. Staff was asked to coordinate with Flagler County administration on the closure of Slow Way, necessary signage and an alternative to closure including truck routes. City staff and County administration met on-site on May 9<sup>th</sup>.</p> <p>County administration was not opposed to the closure of Slow Way. County staff will install the signs if the City provides a plan and the signs. Truck turn around areas are not generally provided on County roadways including both termini of CR 330 near Slow Way.</p> <p>Palm Coast Code of Ordinances Sec. 44-304 established heavy truck routes on City thoroughfares including Seminole Woods Boulevard. All heavy trucks traveling in the City shall travel on a designated heavy truck route and may deviate from the heavy truck route only as allowed in section 44-303 which includes making a delivery, providing services, or to reach a personal residence with other limitations. Signage and enforcement of the heavy truck route is an option on City roadways. Flagler County has not established a heavy truck route and as such signage and enforcement will be an issue.</p> <p><b><u>UPDATE TO THE MARCH 2, 2021 BUSINESS MEETING:</u></b>  This item was heard by the City Council at the March 16, 2021 Business Meeting. City Council tabled this item. City Council requested staff provide additional information to address the concerns raised at the meeting.</p> <p><b><u>UPDATE TO THE FEBRUARY 16, 2021 BUSINESS MEETING:</u></b>  This item was heard by the City Council at the February 16, 2020 Business Meeting. There were no changes suggested to this item.</p> <p><b><u>UPDATE TO THE FEBRUARY 9, 2021 WORKSHOP MEETING:</u></b>  This item was heard by the City Council at the February 9, 2020 Workshop. There were no changes suggested to this item.</p> <p><b><u>ORIGINAL BACKGROUND FROM THE FEBRUARY 9, 2021 WORKSHOP MEETING:</u></b>  On October 12, 2020, City officials met with residents in the neighborhood of Slow Way. The</p>		

purpose of the discussion was a neighborhood demand to close the road, Slow Way. At the time of the request, an emergency closure of Seminole Woods Parkway was in effect. The assigned detour did not include Slow Way, but local traffic, including a large percentage of commercial trucks, used this route to a great extent.

Slow Way has been a known concern as a roadway that brought aggressive long distance traffic through the surrounding neighborhoods. Evidence of the aggressive driving included ruts in the northeast quadrant of Slow Way at Slow Drift Turn. Drivers left behind ruts from leaving the roadway making a right hand turn. In the previous 15 months, the City had replaced a knocked down stop sign and post in that quadrant four times. The residents stated they have made this same appeal to the City, approximately every two years, for the last 15 years.

Slow Way connects to an unpaved county roadway at the edge of the City of Palm Coast boundary. A review of the City network indicates that Slow Way does not provide critical arterial flow through the City. It is an inappropriate route to be seeing commercial vehicle traffic.

This presentation is a design to close Slow Way. The intent is a permanent closure with emergency response access via a Know Box lock (ER standard lock). The proposed Ordinance is attached to this agenda item to close Slow Way and will be presented to City Council at the next business meeting for consideration.

**Recommended Action :**  
**ADOPT ORDINANCE 2021-XX SLOW WAY ROAD CLOSURE**

**ORDINANCE 2021-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, FOR ROAD CLOSURE OF SLOW WAY, A ROADWAY WITHIN THE CITY OF PALM COAST, AS RECORDED IN PLAT BOOK 17, PAGE 48; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Palm Coast, Florida, finds that it is in the best interest of the City and its residents to close the road way known as Slow Way as shown on Exhibit A, but the Council will not be vacating the road; and

**WHEREAS**, the City Council finds that Slow Way is not needed by the public at large for vehicular use at present; and

**WHEREAS**, this road closure will not occur until after a public hearing before the City Council.

**NOW THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.** The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

**SECTION 2. ROAD CLOSURE.** That the road known as Slow Way between Slowdrift Turn and County Road 325, as recorded in Plat Book 17, Page 48, and as shown on Exhibit A, be permanently closed to through traffic, but may be used on an emergency basis. The Council is not vacating the road at this time.

**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**SECTION 4. CONFLICTS.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this 16th day of February 2021.

Adopted on second reading after due public notice and hearing this 6<sup>th</sup> day of July, 2021.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
EDDIE BRANQUINHO, MAYOR

\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK

APPROVED AS TO FORM AND LEGALITY

\_\_\_\_\_  
WILLIAM E. REISCHMANN, JR., ESQ.  
CITY ATTORNEY



# Slow Way Solution Options

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# Council Follow Up Items

1<sup>st</sup> reading February 16, 2021

Coordinate with Flagler County

Signage

Truck turn around

Research truck route



# Coordinate with County Official

Denise Bevan and Jason DeLorenzo met on site with Flagler County administration on May 09, 2021.

## Summary of Meeting

- County will work with City on signing solution

  - City provides signing solution & incorporates County input

  - City to provide the printed sign faces & County installs

- County staff has no objection to closure of Slow Way

  - A truck turn around is not required due to closure

  - County Roads are not typically designed to end with a truck turn around

# County End Road Design



# Proposed Signage



# Truck Route / No Thru Trucks

City truck route ordinance includes Seminole Woods Blvd.

City road signage and enforcement possible

County does not have a truck route ordinance

County road signage and enforcement will be an issue

Conflicting enforcement will be confusing to drivers and difficult to enforcement



# Truck Route / No Thru Trucks

## Damage from large trucks

Sign has been replaced at least 4 times  
New stormwater pipe installed in April  
already shows traffic damage  
Recent swale damage

Photo taken 5/9/21



# Proposed Council Options

- A. Make no changes to Slow Way
- B. Install signage and gate to close Slow Way to cut-thru traffic
- C. Install truck route signage on Seminole Woods Blvd. and GVWR limit signage on Slow Way

2<sup>nd</sup> Reading scheduled for July 6th

# City of Palm Coast, Florida

## Agenda Item

Agenda Date : July 6, 2021

<b>Department</b>	PLANNING	<b>Amount</b>
<b>Item Key</b>	10627	<b>Account</b>
		<b>#</b>
<b>Subject</b>	ORDINANCE 2021-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 52+/- ACRES OF PROPERTY FROM INDUSTRIAL AND GREENBELT TO RESIDENTIAL AND AMENDING POLICY TO LIMIT DEVELOPMENT ON THE ENTIRE 146+/-PARCEL TO 450 RESIDENTIAL UNITS	
<b>Presenter : Jose Papa</b>		
<b>Background:</b> <b><u>UPDATE FROM THE MAY 18, 2021 BUSINESS MEETING</u></b> This item was heard by City Council at their May 18, 2021 Business Meeting. There were no changes suggested to this item. This FLUM was sent to the applicable state agencies and there were no comments.		
<b><u>ORIGINAL BACKGROUND FROM THE MAY 18, 2021 BUSINESS MEETING</u></b> The areas subject to the FLUM amendment are part of a larger parcel more commonly known as Palm Coast 145 (PC 145). In year 2016/17, PC 145 was the subject of a FLUM amendment and Rezoning. The 2016/17 FLUM amendment designated the approximately 145 acre subject property as: 82 acres –Residential, 52 acres –Industrial, and 13 /acres –Conservation. Additionally, the FLUM amendment limited development on the subject property to 348 residential dwelling units, and 350,000 sq. ft. of commercial development.  The current application is a proposed FLUM amendment to change the approximately 52 acre Industrial area and ½ acre of Greenbelt designated land to Residential (the ½ acre Greenbelt area was acquired by the property owner subsequent to the 2016/17 amendment). In addition to the land use designation change, the amendment will limit the entire 145 acre parcel to 450 dwelling units, with the 350,000 sq. ft. of commercial development deleted as a potential use. There is a companion rezoning application to rezone the entire parcel from Master Planned Development (MPD) to Single-family Residential 1&2 (SFR-1, SFR-2) and Preservation (PRS).  The proposed amendment was reviewed for the following: <ul style="list-style-type: none"><li>• <b>Analysis of the proposed amendment’s impacts on public facilities and infrastructure.</b> With the proposed deletion of 350,000 sq. ft. of potential commercial development and the addition of 102 additional residential dwelling units, the amendment will have a net reduction in traffic, water, and sewer impacts, while having an increase in school facility, parks, and solid waste facility demand.</li><li>• <b>Impacts on the environmental/cultural resources.</b> There are no additional environmental impacts on the subject parcel since the amendment will not increase the potential developable area of the site.</li><li>• <b>Compatibility with surrounding land uses.</b> The proposed FLUM designations are generally consistent with the surrounding properties.</li></ul>		

Finally the proposed amendment is consistent with comprehensive plan policies regarding:

- Directing development where existing infrastructure is available.

#### **Public Process**

##### **Neighborhood Meeting**

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on April 7, 2021. Approximately 50 residents from the surrounding communities attended the meeting. The applicant provided a summary of the proposed FLUM and Zoning Map amendment. The residents questioned the applicants on the number of units they intend to develop, the typical lot size expected in the development, when development may begin. Additionally, residents asked if there is going to be a buffer between existing lots and the proposed new lots.

##### **Planning and Land Development Regulation Board Hearing**

As required, the Planning and Land Development Regulation Board held a public hearing on April 21, 2021 to discuss and hear public comments regarding the application. After discussion, the PLDRB voted to recommend approval of the amendment.

**Recommended Action:** The Planning and Land Development Regulation Board (PLDRB) recommends that City Council find Application #4702 consistent with the Comprehensive Plan and Approve for transmittal to the State Land Planning Agency (DEO), a FLUM amendment from Industrial and Greenbelt to Residential, along with a site specific policy to limit development on the subject property to 450 dwelling units.



**ORDINANCE 2021-\_\_\_\_\_**  
**PALM COAST 145, LLC COMPREHENSIVE PLAN AMENDMENT**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO SECTION 163, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR 145+/- ACRES OF CERTAIN REAL PROPERTY FROM INDUSTRIAL AND GREENBELT TO RESIDENTIAL AS DESCRIBED IN MORE DETAIL IN THE LEGAL DESCRIPTION WHICH IS AN EXHIBIT TO THIS ORDINANCE; AND AMENDING A NOTE ON THE FUTURE LAND USE MAP TO DELETE 350,000 SQ. FT. OF NON-RESIDENTIAL USE AND PERMIT A MAXIMUM OF 450 DWELLING UNITS FOR THE SUBJECT PARCEL; PROVIDING FOR CONFLICTS, RATIFICATION OF PRIOR ACTS, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

**WHEREAS**, Section 163.3161 et seq., Florida Statutes established the Community Planning Act; and

**WHEREAS**, Section 163.3184, Florida Statutes, establishes a process for adoption of comprehensive plans or plan amendments amending the future land use designation of property; and

**WHEREAS**, the City of Palm Coast is desirous of amending the future land use designation of property located within the City from Industrial, and Greenbelt to Residential; and

**WHEREAS**, the current future land use map includes a note to limit residential development within the subject property to 348 dwelling units and 350,000 sq. ft. of non-residential; and

**WHEREAS**, the proposed future land use map amendment will amend the note on the Future Land Use Map to limit development on the subject property to 450 dwelling units (non-residential development will not be permitted); and

**WHEREAS**, the City of Palm Coast Planning and Land Development Regulation Board (PLDRB) acting as the City’s Local Planning Agency, considered the proposed map amendments at a public hearing on April 21, 2021 and voted to recommend approval of the proposed Comprehensive Plan Amendment; and

**WHEREAS**, on May 18, 2021 and July 6, 2021 the City of Palm Coast City Council held public hearings on this Comprehensive Plan amendment after due public notice and upon thorough and complete consideration and deliberation, adopted the proposed Comprehensive Plan amendment; and

**WHEREAS**, the Comprehensive Plan amendments adopted by this Ordinance complies with the requirements of the Community Planning Act, the State Comprehensive Plan as set forth in Chapter 187, Florida Statutes, as well as other applicable law, and is consistent with the goals, objectives, and policies and the overall land use plan of the City’s *Comprehensive Plan*; and

**WHEREAS**, the City Council of the City of Palm Coast hereby reaffirms its commitment to the goal of enacting and implementing sound growth management practices within the City; and

**WHEREAS**, the City Council of the City of Palm Coast finds that this Ordinance is in the best interests of the health, safety, and welfare of the citizens of Palm Coast.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.**

The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

**SECTION 2. FUTURE LAND USE MAP AMENDED.**

The 145+/- acres subject area, generally located south of Belle Terre Blvd. and east of US-1, as depicted and legally described in “Exhibit A”, attached hereto, is hereby amended from Industrial, and Greenbelt to Residential including a note on the FLUM limiting the subject property to 450 dwelling units as depicted on “Exhibit B”.

**SECTION 3. CONFLICTS.**

All ordinances or parts of ordinances in conflict herewith are hereby repealed.

#### **SECTION 4. CODIFICATION.**

It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinance of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, "Ordinance" may be changed to Section," "Article," or other appropriate word.

#### **SECTION 5. SEVERABILITY.**

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such unconstitutionality or invalidity shall not be construed as to render unconstitutional or invalid the remaining provision of the Ordinance.

#### **SECTION 6. EFFECTIVE DATE.**

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

**APPROVED** on first reading after due public notice and hearing the 18th day of May, 2021.

**ADOPTED** on second reading after due public notice and hearing the 6th day of July 2021.

*ATTEST:*

**CITY OF PALM COAST, FLORIDA**

\_\_\_\_\_  
Virginia Smith, City Clerk

\_\_\_\_\_  
Eddie Branquinho, Acting Mayor

## LEGAL DESCRIPTION

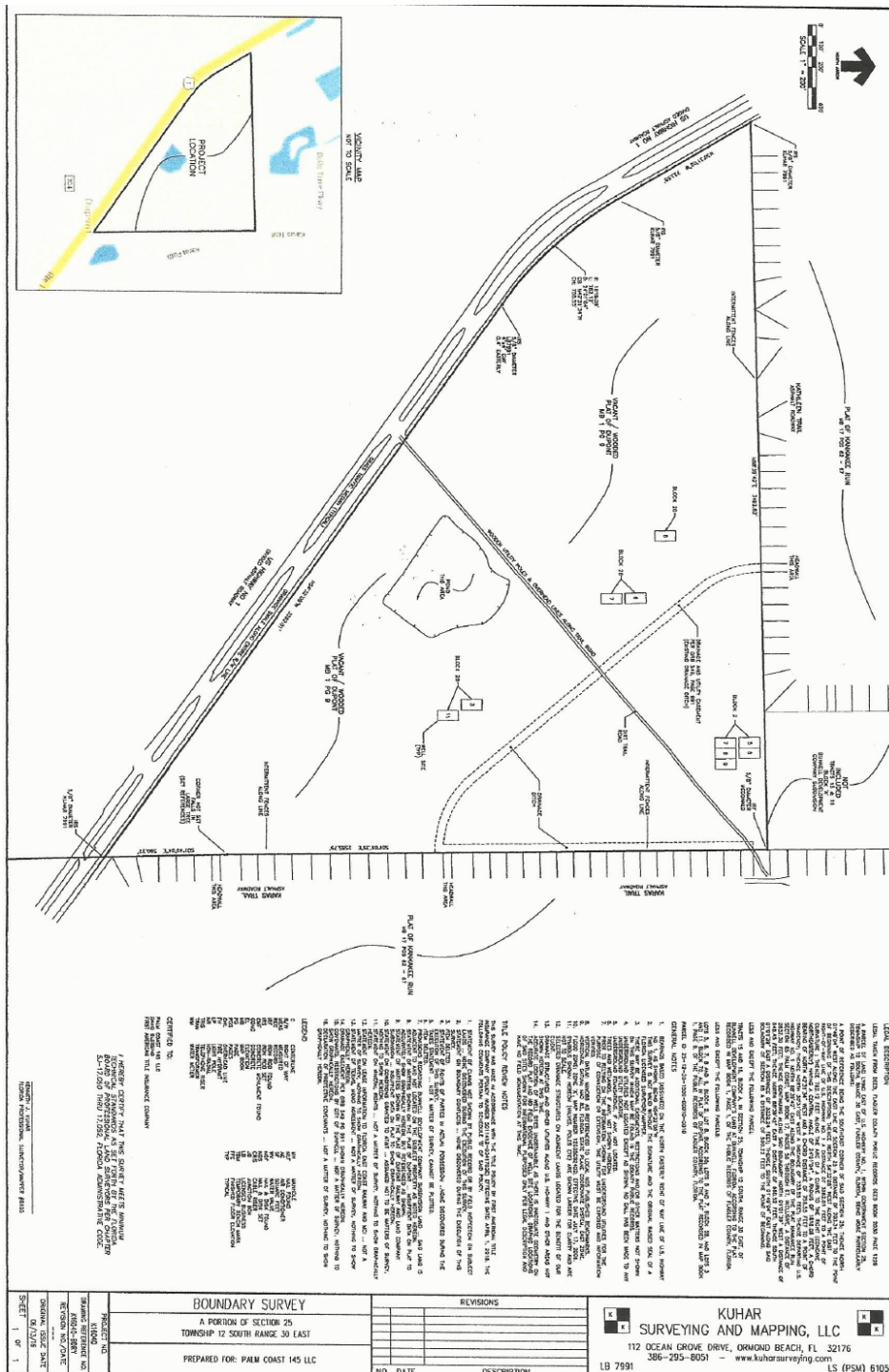


Exhibit A – Legal Description – Continued

LEGAL DESCRIPTION

LEGAL TAKEN FROM DEED, FLAGLER COUNTY PUBLIC RECORDS DEED BOOK 2030 PAGE 1229

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1, WITHIN GOVERNMENT SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 01°49'04" WEST ALONG THE EAST LINE OF SECTION 25 A DISTANCE OF 703.34 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 54°32'08" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 3282.01 FEET TO A POINT OF CURVATURE; THENCE 782.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY) HAVING A CENTRAL ANGLE OF 24°01'04", A RADIUS OF 1818.08 FEET, A CHORD BEARING OF NORTH 42°31'34" WEST AND A CHORD DISTANCE OF 758.55 FEET TO A POINT OF TANGENCY; THENCE NORTH 30°31'02" WEST A DISTANCE OF 733.55 FEET; THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 88°39'42" EAST ALONG THE BOUNDARY OF THE PLAT KANKAKEE RUN SECTION 65 PALM COAST, MAP BOOK 17, PAGES 58 THROUGH 67, INCLUSIVE, A DISTANCE OF 2832.30 FEET; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 01°01'39" WEST A DISTANCE OF 848.45 FEET; THENCE NORTH 88°39'42" EAST A DISTANCE OF 880.52 FEET; THENCE SOUTH 01°01'39" EAST A DISTANCE OF 3232.24 FEET; THENCE SOUTH 01°49'04" EAST ALONG SAID BOUNDARY OF SECTION 65 A DISTANCE OF 590.22 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PARCEL:

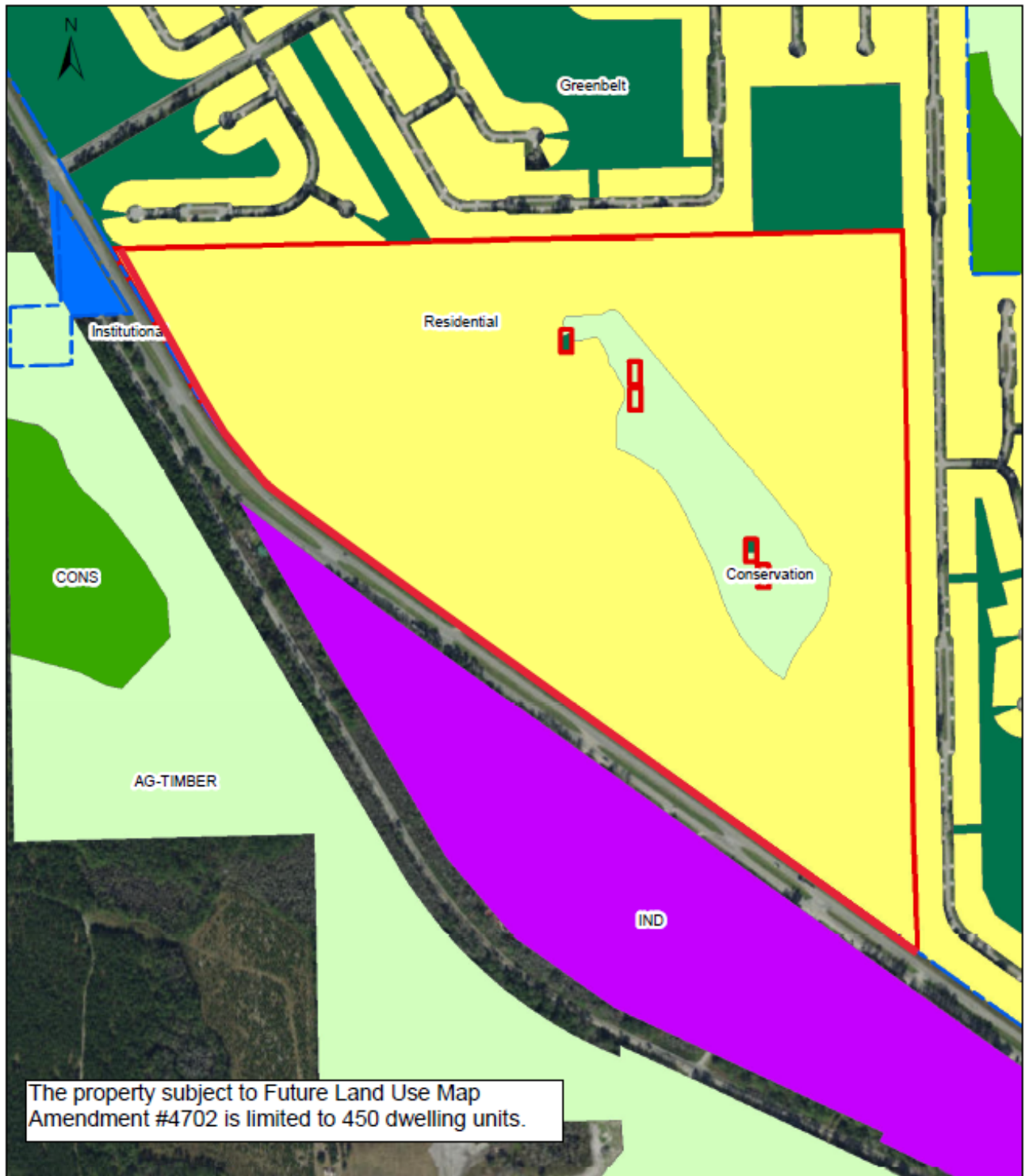
TRACTS 15 AND 16, BLOCK A, IN SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, OF BUNNELL DEVELOPMENT COMPANY'S LAND AT BUNNELL, FLORIDA, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCELS:

~~LOTS 6, 7, 8 AND 9, BLOCK 20~~ LOT 8, BLOCK 20; LOTS 6 AND 7, BLOCK 28, AND LOTS 3 AND 11, BLOCK 70, ALL IN PLAT OF DUPONT, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 1, PAGE 9, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 25-12-30-1500-00010-0010

**EXHIBIT B**  
**AMENDED FUTURE LAND USE MAP**







**COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT  
April 5, 2021**

**OVERVIEW**

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**Case Number:** 4702

**Applicant:** Beebe & Associates Inc. for Palm Coast 145, LLC

**Size of subject property:** Approximately 145+/- acres

**Property Description/Location:** An approximately 145 acre parcel located east of US-1 approximately 500' south of Belle Terre Blvd. The property has approximately one (1) mile of frontage along US-1.

**Property Owner:** Palm Coast 145, LLC

**Real Estate ID #:** 25-12-30-1500-00010-0010

**Current FLUM Designation:** Residential (81.6+/- acres), Industrial (51.7 +/- acres), Greenbelt (+/- ½ acre), and Conservation (+/- 13 acres)

**Current Zoning Designation:** Master Planned Development

**Current Use:** Vacant, the property includes a City drainage easement that runs across the property.

**Requested Action:** Large-scale Future Land Use Map (FLUM) amendment that will mainly change 51.7+/- acres of Industrial, and approximately ½ acre of Greenbelt to Residential. Additionally, the applicant proposes to include a note on future land use map to limit development on the properties to 450 dwelling units. Current limits on the subject property is 348 dwelling units and 350,000 sq. ft. of non-residential use.

There is a companion zoning map amendment that will change the zoning on the designated parcels to be consistent with the proposed FLUM designations of the subject property.

**Recommendation:** The Planning and Land Development Regulation Board (PLDRB) recommends that City Council approve the transmittal of the FLUM amendment to the State Land Planning Agency.

**Project Planner:** José Papa, AICP, Senior Planner

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## ANALYSIS

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### BACKGROUND

The application is for a large-scale Future Land Use Map (FLUM) amendment for a 145 +/- acre subject area located east of US-1 and south of Belle Terre Blvd.

In Nov. 2017, City Council approved on second a reading, a FLUM amendment for the subject parcel to designate it as approximately 81.6 acres of Residential, 51.7 acres of Industrial, and 13 acres of Conservation. The amendment included a footnote on the FLUM to limit development on the 145 acre subject parcel to 348 dwelling units and 350,000 sq. ft. of non-residential uses.

In addition to the FLUM amendment, there was a companion zoning map amendment to designate the entire subject parcel as Master Planned Development (MPD) with development entitlements of 134 single-family units, 214 multi-family units, and 350, 000 sq. ft. of commercial use. Other conditions included a 25' perimeter buffer to the existing single-family lots to the north and east and a maximum height limit of 38'.

After approval for the FLUM amendment and MPD amendment in 2017, the property owner acquired an additional .5 (1/2) +/-acres from the State of Florida. This half acre parcel consisting of 5 lots is part of the Dupont Plat, a plat from the early part of Flagler County's history. There remains an additional 5 lots within the subject area that are independent of the subject property owner's control. These lots are not part of this application. Additionally, there is a 40' drainage easement that traverses the property (this easement will remain in place).

### Planning and Land Development Regulation Board Public Hearing

The Planning and Land Development Regulation Board held a public hearing on April 21, 2021 to discuss and hear public comment on the proposed amendment. No public comments were provided on the application and PLDRB voted 7-0 to recommend approval of the proposed amendment.

### Neighborhood Meeting

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on April 7, 2021. Approximately 50 residents from the surrounding communities attended the meeting. The applicant provided a summary of the proposed FLUM and Zoning Map amendment. The residents questioned the applicants on the number of units they intend to develop, the typical lot size expected in the development, and when development may begin. Additionally, residents asked if there is going to be a buffer between existing lots and the proposed new lots.

### DENSITY/INTENSITY AND POPULATION

**Note: The analysis for comprehensive plan map amendments takes into consideration the maximum development potential under the current and proposed Future Land Use Map (FLUM) categories and represent the theoretical maximum development potential within the land use category.**

The 145+/- acre subject area currently has a FLUM designation of Residential (81+/- acres), Industrial (51.7+/-acres), Greenbelt (+/- ½ acre) and Conservation (13+/- acres). The subject property is also subject to a Comprehensive Plan policy that limits residential development to 348 dwelling units and non-residential development to 350,000 sq. ft. The proposed amendment will result in having land use configuration of Residential (133+/- acres) and Conservation (13+/- acres). Additionally, the subject property will be subject to a policy to limit development to a maximum of 450 dwelling units.



The net result of the FLUM amendment (due to the policy limitations imposed on the property) is an additional 102 dwelling units along with a net decrease of 350,000 sq. ft. of non-residential use. As shown on Table 1 below an additional 102 dwelling units has the potential to increase population by 245 persons based on a rate of 2.4 persons/dwelling unit.

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (RESIDENTIAL USE)				
	# of Acres	Maximum Density <sup>(1)</sup>	Maximum # of units <sup>(1), (2)</sup>	Population (2.4 persons/dwelling unit)
Proposed FLUM: Residential	133	450 Units	450	1,080
Current FLUM: Residential	82	348 Units	348	835
<b>NET CHANGE</b>	<b>51</b>		<b>102</b>	<b>245</b>
Footnotes:				
<sup>(1)</sup> Maximum densities are established by Comprehensive Plan Policy.				

As shown in Table 2 below, the proposed amendment will have a net reduction of 350,000 sq. ft. in non-residential use. This reduction is based on the elimination of the Industrial land use and the elimination of a text policy to limit development on the subject parcel to 350,000 sq. ft. of non-residential use.

TABLE 2 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (NON-RESIDENTIAL USE)			
	# of Acres	Maximum FAR <sup>(1)</sup>	Maximum Sq. Ft. <sup>(1), (2)</sup>
Proposed FLUM: Residential	133	0.00	0
Current FLUM: Industrial	51.69	0.50	350000
<b>NET CHANGE</b>			<b>-350000</b>
Footnotes:			
<sup>(1)</sup> Current designation limits non-residential development to 350,000 sq. ft.			
<sup>(2)</sup> Proposed amendment will eliminate non-residential uses.			

#### **PUBLIC FACILITIES AVAILABILITY /IMPACT ANALYSIS (BASED ON THEORETICAL YIELD OF MAXIMUM DEVELOPMENT POTENTIAL)**

##### ***Objective 1.1.3-Evaluation of Amendments to the FLUM***

*Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.*

*Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:*

- A. *Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City or the County 5-year Capital Improvement Program shall be considered.*

- B. Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials*
- C. Existing and future availability and capacity of central utility systems.*
- D. Availability and capacity of receiving watercourses and drainage systems to convey design storm events.*

## **PUBLIC FACILITIES CAPACITY/IMPACT ANALYSIS**

As previously stated the analysis for comprehensive plan map amendments takes into consideration the maximum development potential under the current and proposed land use category and represents the theoretical maximum development potential within the existing and proposed land use categories. Based on an analysis of the development potential under the existing and proposed FLUM with consideration of the proposed policy to limit development on the subject parcel to 450 dwelling units and eliminate 350,000 sq. ft. of non-residential use, the proposed amendment will mainly result in a decrease in the impact on public facilities with the exception of solid waste, recreation and schools. The increase in impacts to these facilities are accounted for by the higher maximum number of residential units.

The results of the net impact analysis are shown on Table 3, and are summarized below:

### **Transportation**

The proposed FLUM amendment will have a maximum potential net decrease of 1,284 peak hour trips. A more in-depth traffic study will be required as part of the site plan/plat review process.

### **Potable Water**

The proposed FLUM amendment will have a maximum potential net decrease in demand for potable water of .03 MGD. As part of the site plan/plat review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of water line, pump stations, etc.) for potable water service.

### **Wastewater**

The proposed FLUM amendment will have a maximum potential net decrease in demand for sanitary sewer treatment of .015 MGD. As part of the site plan/plat review process, the property owner and/or developer will need to coordinate with the City of Palm Coast Utility Department to determine the appropriate engineering requirements (size of sewer line, lift stations, etc.) for wastewater service.

### **Solid Waste**

The proposed FLUM amendment will have a maximum potential net increase of 2,108 lbs. of solid waste/day. The City currently has an interlocal agreement with Volusia County for solid waste disposal. There is adequate capacity at the Volusia County landfill to accommodate the additional demand.

### **Public Recreation and Open Space**

The proposed FLUM amendment will have a maximum potential net increase in demand of 2.0 acres of park facilities. The City currently has adequate capacity to accommodate the additional demand.

### **Public Schools**

The proposed FLUM amendment will have a potential net increase in demand for 25 student stations. At the time of site plan review/plat process, the property owner and/or developer will need to coordinate with the School district to determine the current availability of student stations.

### **Stormwater**

N/A. Stormwater treatment facilities are reviewed for consistency with LOS during site plan review.

**Table 3 Public Facilities Impact Analysis**

\*Proposed FLUM amendment includes site specific policy to limit development to 450 dwelling units.

Density <sup>(1)</sup>	# of units or square feet of development	Transportation (PHT) <sup>(2)</sup>	Potable Water (GPD) <sup>(3)</sup>	Sanitary Sewer (GPD) <sup>(4)</sup>	Solid Waste (lbs./capita/day) <sup>(5)</sup>	Recreation and Parks (8 acres/ 1000 pop.) <sup>(6)</sup>	Public Education (students) <sup>(7)</sup>	Stormwater Drainage <sup>(8)</sup>
<b>Proposed FLUM designation*</b>								
Residential (133.3 ac.) 12 du/acre	450	450	135,000	88,560	9,299	8.6	110	N/A
Conservation (13 ac.) No development.								
	<b>Total</b>	450	135000	88560	9299	9	110	N/A
<b>Current FLUM designation* Current FLUM policy limits development on subject parcel to 348 dwelling units and 350,000 sq. ft. of non-residential.</b>								
Residential (81.7 ac.) 12 du/acre	348	348	104,400	68,486	7,191	6.7	85	N/A
Industrial (52 ac.)-shopping center	350,000	1,386	59,500	35,000	0	0.0	0	N/A
Greenbelt (1/2 acre) - 1 du/acre								
Conservation (13 ac.) No development.								
	<b>Total</b>	1734	163900	103486	7191	7	85	
<b>Net Change</b>		<b>-1,284.0</b>	<b>-28,900</b>	<b>-14,926</b>	<b>2,108</b>	<b>2.0</b>	<b>25</b>	<b>N/A</b>

**Footnotes:**

<sup>(1)</sup> Calculation of Density: Lot Size (acre)\*# of units/acre

<sup>(2)</sup> Transportation: Residential PM Peak Hour Trips (PHT), Residential Development: = # of units\*1.0 PM-PHT (Average Rate), ITE Trip Generation Manual, 9th Edition

<sup>(2)</sup> Transportation: Non-residential PM Peak Hour Trips (PHT), Industrial Use = ITE Code 820: Shopping Center = 3.96/1000 sq. ft. based on equation in ITE Manual, 9th Edition

<sup>(3)</sup> Potable Water: Residential = # of units\*2.4\*125 gallons/capita/day

<sup>(3)</sup> Potable Water: Commercial = 17 gpd/100 sq. ft.

<sup>(4)</sup> Wastewater: Residential = # of units\*2.4\*82 gallons/capita/day

<sup>(4)</sup> Wastewater: Commercial = 10 gpd/100 sq. ft.

<sup>(5)</sup> Solid Waste: Residential Demand = # of units\*2.40\*8.61 lbs/capita/day

<sup>(5)</sup> Solid Waste: No Level of Service Requirement for Non-residential

<sup>(6)</sup> Recreation and Parks: Residential Demand = # of units \* 2.40 \*8 acres/1000 persons

<sup>(6)</sup> Recreation and Parks = No LOS Requirement for Non-residential

<sup>(7)</sup> Public Education Residential: = Based on multiplier provided by Flagler County School District. See Table 3.

<sup>(7)</sup> Public Education Non-Residential = No LOS Requirement for Non-residential

<sup>(8)</sup> Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.

## ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS

### Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

**Policy 1.1.3.1-** At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

- A. Topography and soil conditions including the presence of hydric soils.
- B. Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.
- C. Location and extent of wetlands, certain vegetative communities, and protected wildlife species.
- D. Location and extent of other environmentally sensitive features.
- E. Proximity to wellfields and aquifer recharge areas.
- F. Impacts to potable water supply.

### LAND USE CHANGE REVIEW:

Application 4702 proposes a Large Scale FLUM Amendment for the subject parcel which is approximately 145 acres. Of the 145 acres, approximately 52 acres is designated Industrial and ½ acre is designated as Greenbelt, these two areas are the subject of an amendment to the Future Land Use Map to change these areas to Residential. The result of the FLUM amendment,

if approved would result in 133 acres of Residential designated lands and 13 acres of Conservation. Additionally, there is policy applicable to the entire 146 acre site which will limit development to a maximum of 450 single-family dwelling units and accessory uses.

In respect to the considerations provided herein, this review is focused on the existing Land Use designation(s) and evaluating the suitability of the proposed changes. Staff recognizes that no changes to the existing Conservation land use acreage or delineation is proposed. During the previous amendment for the site, additional field studies were conducted that influenced the configuration and designation delineation of the Conservation areas. The findings along with other environmental matters provided for the previous amendment in 2017 (an Environmental Assessment report conducted by Atlantic Ecological Services (AES) are reiterated in this staff report as appropriate to the current amendment request (this report remains on file in the City archives).

The following sections discuss site conditions and original application materials. Staff has evaluated this information and established the following findings.

#### **A. TOPOGRAPHY AND SOIL CONDITIONS**

The analysis area is vacant and naturally vegetated. The site is bounded by US1 to the south and single-family residential along the remaining extents. According to the May 2016 AES assessment, the land use proposal area does contain St. Johns River Water Management District (SJRWMD) and U.S. Army Corps of Engineers (USACE) jurisdictional wetlands; the total analysis area contains 87.15 acres of uplands and 50.03 acres of jurisdictional wetlands and surface waters (7.68 acres). The wetlands detailed on AES "Wetland Map" Figure reflect the delineation boundaries were GPS'd in the field and aerial interpreted for coverage pursuant to state and federal guidelines (Chapter 62-340 F.A.C. and the 1987 Corps of Engineers Wetlands Delineation Manual. Further description of these features may be found in the Section D, Vegetative Communities.

As detailed within the AES report, the *Soil Survey of Flagler County, Florida* (U.S.D.A., Soil Conservation Service, 1997) indicates five (5) soil types within the property. Please see the table sampled from the referenced AES report.

*Hicoria, Riviera, and Gator Soils, Depressional (8)* – This is a very deep, nearly level, poorly drained soil found in depressions in the flatwoods. Individual areas are circular to irregular in shape and range from 3 to 1,500 acres. The undrained areas of this map unit are ponded, as much as 24 inches of water is above the surface for 6 months or more except during extended dry periods. This soil on the subject property does not pond as described above due to the drainage features found onsite.

*EauGallie fine sand (9)* – This is a very deep, nearly level, poorly drained soil on broad flatwoods. Areas in this soil range from 3 to 500 acres. The seasonal high water table is at a depth of 6 to 18 inches for 2 to 4 months of the year. It is at a depth of more than 40 inches during extended dry periods.

*Myakka fine sand (11)* – This is a very deep, nearly level, very poorly drained soil that is in broad flatwood areas. The areas range from 5 to 500 acres. The seasonal high water table is at a depth of 6 to 18 inches for 1 to 4 months of the year. It is at a depth of 10 to 40 inches for more than 6 months of the year.

*Placid, Basinger, St. Johns soils (12)* – This is a very poorly drained, nearly level soil in depressions in flatwoods. Areas in this soil are irregular in shape and range from 3 to 400 acres. The undrained areas of this map unit are ponded, as much as 24 inches of water is above the surface for 6 months or more except during extended dry periods. This soil on the subject property does not pond as described above due to the drainage features found onsite.

*Valkaria fine sand (19)* – This is a very deep, nearly level, poorly drained soil on low broad flats and in sloughs connecting depressions. Areas in this soil are irregular and range from 5 to 100 acres. The seasonal high water table is at a depth of 0 to 6 inches for 2 to 6 months of the year. It is at a depth of 10 to 40 inches during extended dry periods.

**Analysis:** It is not anticipated that the proposed FLUM change from Industrial and Greenbelt to Residential will negatively impact the local topography or prevent the proposed development permissible within the FLUM designation.

#### **C. Floodplains**

Federal Emergency Management Agency's (FEMA), Flood Insurance Rate Map (FIRM) source indicates that the subject property lies outside a Special Flood Hazard Area (SFHA) and has a designation of a "X" Zone.

**Analysis:** The Subject Property is not located within a SFHA.

**FINDING:** It is not anticipated that the proposed FLUM change will negatively impact the function of a SFHA.

#### **D. Vegetative Communities**

According to the AES report, the assessment area is comprised of the following vegetative community types and features.

1. Pine Plantation (441): 87.13 acres
2. Cypress, Pine, Cabbage Palm (624): 49.10 acres
3. Freshwater Marsh (641): 0.94 acre
4. Canal/Ditch (513): 1.72 acres
5. Borrow Pit (513): 5.97 acres

**FINDING:** There is no anticipated additional impact from the proposed amendment. The proposed amendment does not propose to expand the development area on the subject property.

## E. PROTECTED SPECIES DISTRIBUTION/ WILDLIFE UTILIZATION

The submitted AES report documents that eight (8) species of listed or management status have high or moderate likelihood of occurrence with the site area; however, no direct impacts to each of the referenced species is likely.

Two of noted species, American alligator and Florida black bear, were recommended for management in a post-development environment.

1. American alligator (*Alligator mississippiensis*): “American alligators are anticipated to utilize the surface water pond and canals on the subject property. Best Management Practices (FMP’s) should be followed in the case of any individual alligator entering the project site during construction will be provided ample space to allow the animal to exit the construction zone. Though this management technique, the project is not likely to adversely affect the species.”
2. Florida black bear (*Ursus americanus floridanus*): “Florida black bear have been observed in the vicinity of the subject property west of US Highway 1. No signs of Florida black bears were identified on the subject property. Any proposed project for development should adhere to Florida Bear Smart Communities program. If the development criteria are adhered to then the project is not anticipated to adversely affect the Florida black bear.”

**Analysis:** The subject property is suitable for foraging and mobility; however, the site is fragmented from larger corridors via US Highway 1 and directly influenced by neighboring residential land uses. Wildlife utilization may change over time due to various factors. To ensure that the referenced species and any potentially occurring species in the future, the Unified Land Development Code (Section 10.04.03.A, LDC) requires that a listed species study is performed by a Qualified Environmental Professional (QEP) at site plan or preliminary plat. Further, a study is valid for one year for the property that was investigate to capture any changes in wildlife utilization.

**FINDING:** As concluded with the previous amendment in 2017, the proposed land use change is not anticipated to impact listed species. There is no expansion to the footprint of development area.

## F. Groundwater Resource Protection

According to City maintained data, the nearest production well is within 500 feet of the site; a total of five production wells fall within 1,500 feet of the site. The site is located within the Secondary Protection Zone and possibly the Primary Protection Zone as defined by Section 10.03.02.B, LDC.

**Analysis:** The amendment is not within an aquifer recharge area but is within wellhead protection zone(s). The LDC applies applicable protection measures and restrictions for properties and buildings within these zones. All facilities shall comply with the Florida Department of Environmental Protection wellhead protection standards in accordance with the Florida Administrative Code and the City’s Groundwater Protection Preventative Measures and comply with Best Management Practices to prevent adverse impacts to the ground water resources pursuant to Section 10.03.05, LDC. These regulations were crafted from numerous Comprehensive Plan Policies found in **Objective 5.4.3** that ensure that groundwater and surface water sources remain suitable for public supply relating to

quality and quantity. The importance of open space and protecting environmentally sensitive waterways and wetlands along with encouraging ecological enhancements is a critical strategy to this overall goal. With this said, future development proposals shall give focused consideration to minimizing impervious surface, enhancing onsite wetlands and optimizing open space.

**FINDING:** Due to the rigorous regulations of the State and City of Palm Coast, the proposed land use change is not anticipated to impact potable water supply. Future planning of the project area should optimize the use of open space and minimize impervious surface(s).

## **G. Historical Resources**

According to the AES assessment, one archaeological site and one resource group were identified as on or adjacent to the subject property.

- FL00298 (Florida East Coast Railway): This references the existing railway which is active but not considered a significant cultural resource.
- FL00282 (Angel's - 20<sup>th</sup> century naval store): In 2005, test digs were completed by archaeologists and several glass bottles and bricks were categorized and removed from the site and taken to a repository in Gainesville, Florida according to the AES report. All artifacts were removed and no further work was recommended by the State Historic Preservation Officer (SHPO). No further surveys were recommended.

**Analysis:** According to the information provided by AES, impacts to historical or archaeological resources are not anticipated. Due to removal of artifacts from the site and the status of no further surveys recommended by SHPO, the proposed project is not anticipated to impact significant cultural resources.

**FINDING:** The proposed land use change is not anticipated to impact cultural and historical resources.

## **LAND USE COMPATIBILITY ANALYSIS**

*Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.*

- This policy shall not be construed to mean that different categories of uses are inherently incompatible; rather, it is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.*
- Buffers are encouraged as an effective means of transition between areas where there is a greater degree of disparity in terms of densities and intensities.*
- Impacts to the health, safety, and welfare of surrounding residents shall be considered.*

### Surrounding Future Land Use Map Designation:

North: Residential, Greenbelt

South: Industrial (Flagler County)

East: Residential

West: Industrial, Agriculture & Timberlands (Flagler County)

### Surrounding Zoning Designation:

North: Single Family Residential (SFR)

South: Industrial (Flagler County)

East: Single Family Residential (SFR) & Duplex (DPX)

West: Industrial & Agriculture (Flagler County)

Surrounding Property Existing Uses:

North: Single Family Residential

South: US-1, Gas Station, Warehouse, Vehicle Storage

East: Predominantly Single Family Residential

West: US-1, Open/Bulk Storage, Warehouse, Vehicle Storage

The proposed FLUM amendment is consistent with the land use designations in the proximate area. The proposed conversion of Industrial designated lands to Residential remains consistent with the uses found abutting the parent parcel. The proposed amendment includes an amendment to an existing policy which will limit development on the subject parcel to 450 dwelling units with the elimination of non-residential development.

### **CONSISTENCY WITH COMPREHENSIVE PLAN**

In addition to being consistent with Objective 1.1.3 and Policy 1.1.3.3 which establishes the criteria for review of Future Land Use Map Amendments as provided in the previous section. The proposed amendment is consistent with the following policies in the Comprehensive Plan:

*Policy 1.1.4.5 – Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.*

**Analysis: The proposed amendment is consistent with Policy 1.1.4.5, the expansion of residential use along a major arterial is appropriate. Additionally, water and wastewater mains will be extended to the site by the developer.**

*Policy 1.3.1.1 - The City shall ensure that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in the LDC such as development phasing, programming, and appropriate sizing of public facilities.*

**Analysis: The proposed amendment is consistent with Policy 1.3.1.1, the public facilities impacts can be accommodated by the existing infrastructure capacity. The need to extend water or wastewater mains to the facility will be the responsibility of the developer/property owner.**

*Policy 5.1.3.2 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for potable water facilities and wastewater facilities where connection is available consistent with Policies 1.1.1.2 and 1.1.3.2. For the purposes of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.*

**Analysis: The proposed amendment to Residential is consistent with Comprehensive Plan policy to create urban densities or intensities in areas that have sufficient existing or planned capacity for potable water and wastewater facilities.**

*Policy 5.2.2.3 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for sanitary sewer facilities and where connection is available as set forth in State law and City regulations. The City shall minimize the use of septic tanks in accordance with the provisions of Objective 5.2.3 and policies implementing that objective. For the purpose of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.*



**Analysis: The proposed amendment to Residential land use designation is consistent with Comprehensive Plan policy above to designate urban densities or intensities in areas that have sufficient existing or planned capacity for sanitary sewer facilities.**

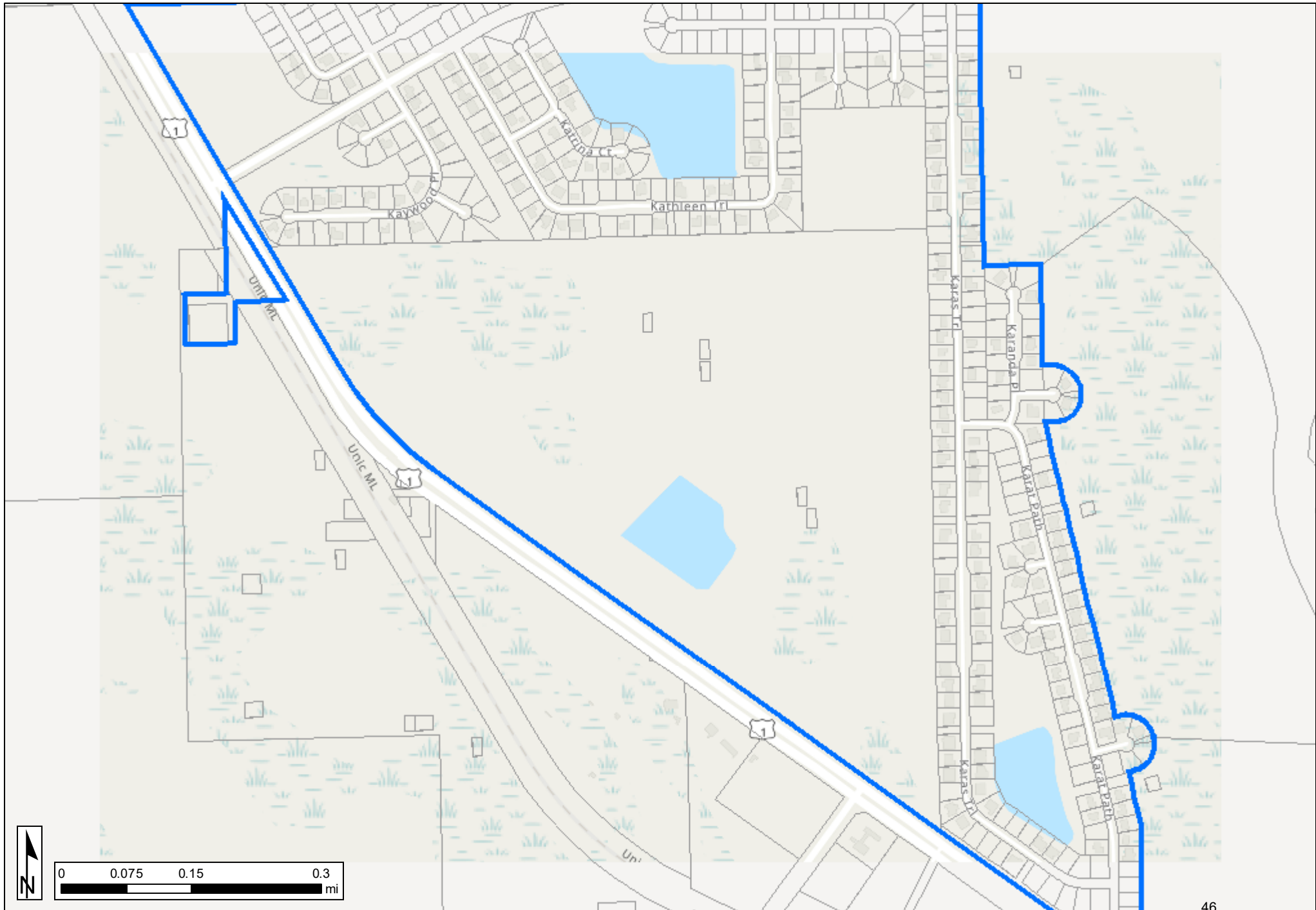
### **RECOMMENDATION**

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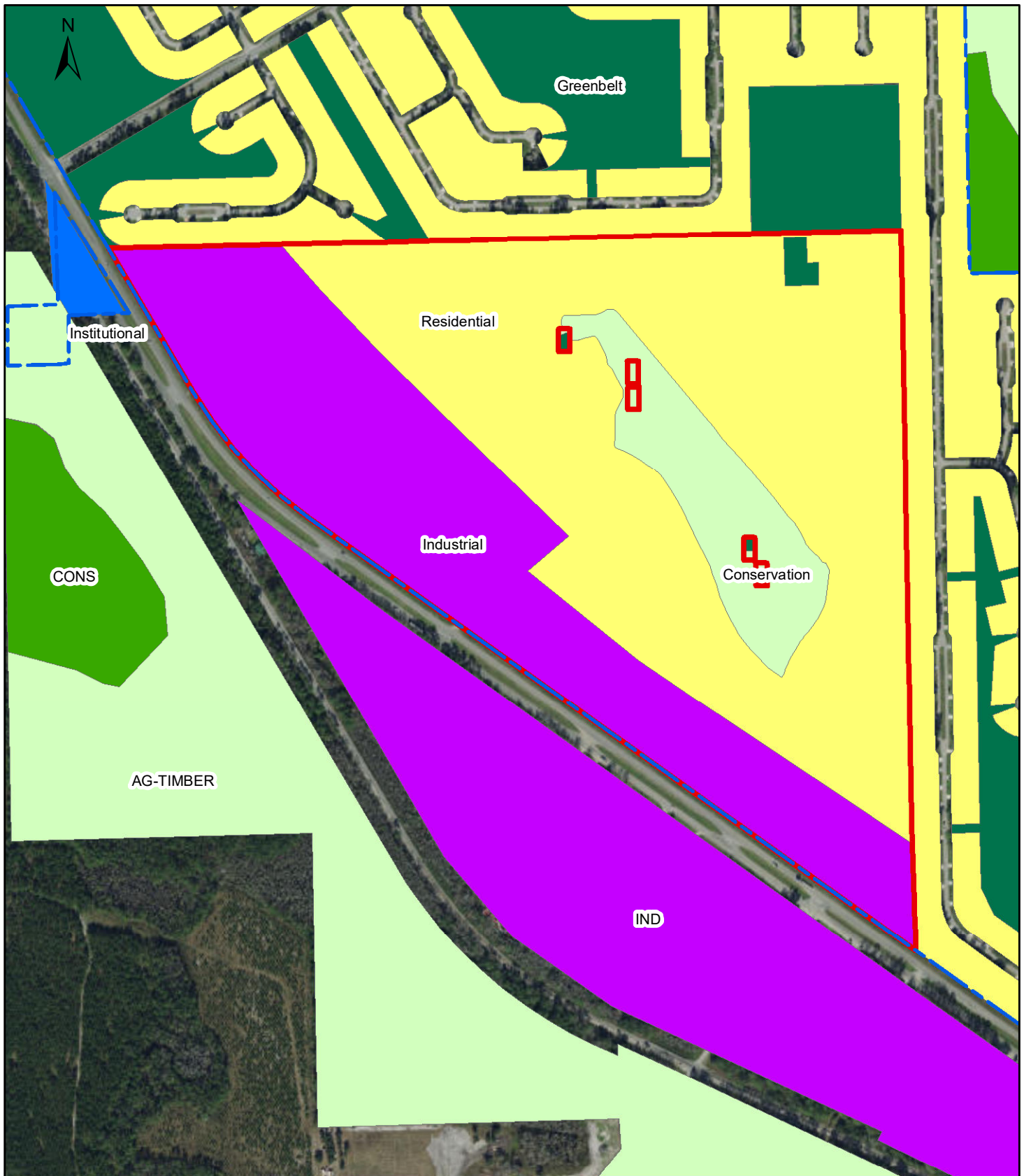
The Planning and Land Development Regulation Board (PLDRB) recommends that the City Council approve and transmit the proposed Comprehensive Plan amendment to the State Land Planning Agency.

# location map

Wed, March 31, 2021 10:55:06 AM



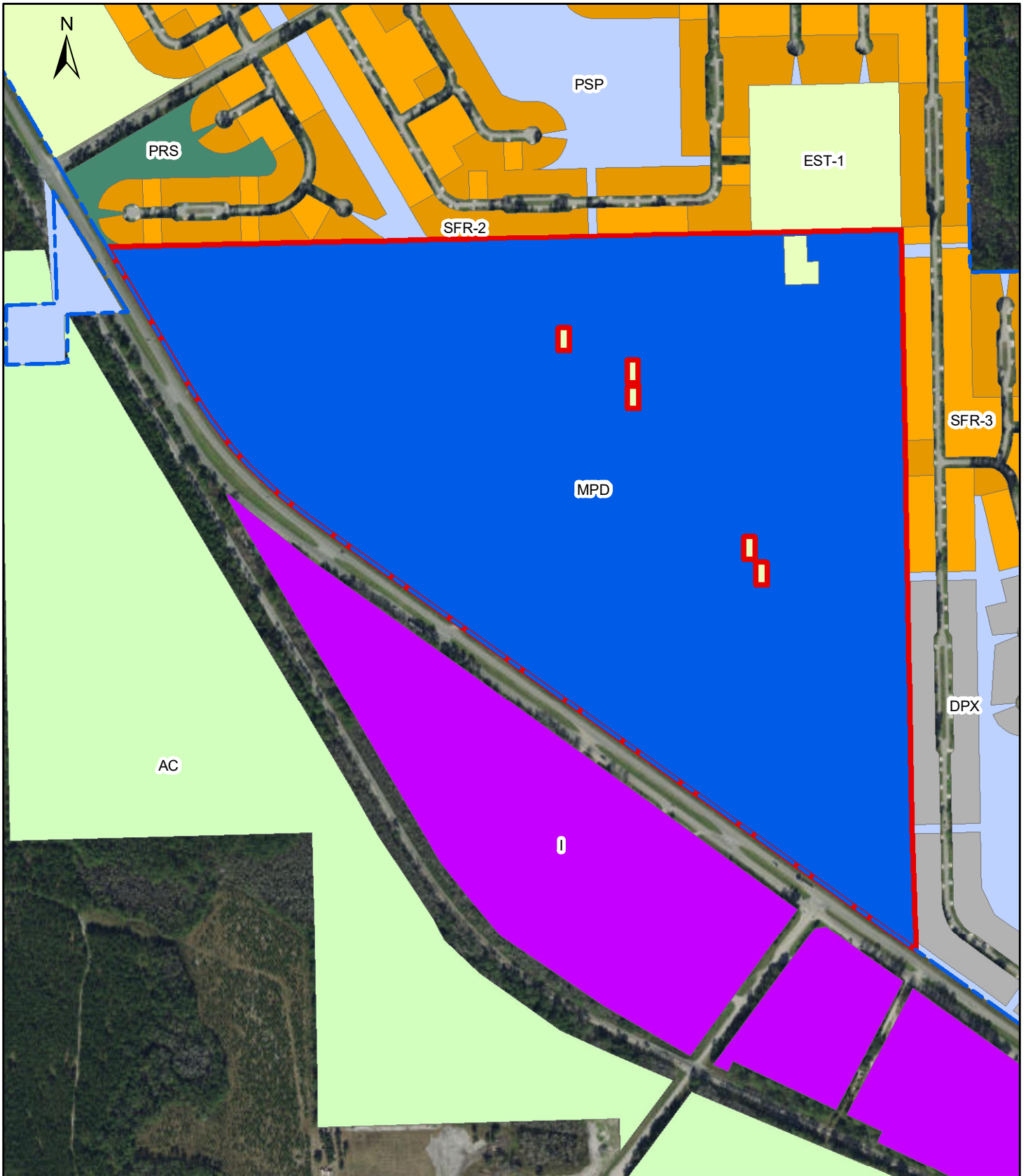
# Palm Coast 145



## Legend

	Palm Coast City Limits		COMMERCIAL: LOW INTENSITY		RECREATION & OPEN SPACE		AGRICULTURE & TIMBERLANDS		DRI-Mixed Use		Institutional
	Palm Coast 145		CONSERVATION		RESIDENTIAL: HIGH DENSITY		COMMERCIAL: LOW INTENSITY		DRI-Residential Area		MIXED USE: HIGH INTENSITY
<b>Flagler FLUM</b>			EDUCATIONAL USES		RESIDENTIAL: LOW DENSITY / RURAL ESTATE		CONSERVATION		DRI-Urban Core		Mixed Use
	AGRICULTURE		INDUSTRIAL		RESIDENTIAL: LOW DENSITY/SINGLE FAMILY		CONSERVATION		Greenbelt		RECREATION & OPEN SPACE
	AGRICULTURE & TIMBERLANDS		MIXED USE: LOW INTENSITY		RESIDENTIAL: MEDIUM DENSITY		Canals		Coastal High Hazard Area		RESIDENTIAL: LOW DENSITY / RURAL ESTATE
	COMMERCIAL: HIGH INTENSITY		MIXED USE: HIGH INTENSITY	<b>Palm Coast FLUM</b>			Conservation		Conservation		Residential

# Palm Coast 145



## Legend

	Palm Coast City Limits		C-2		DPX		IND-2		OFC-2		SFR-2		AC-2		MH-1		PUD
	Palm Coast 145		CN		EST-1		MFR-1		P&G		SFR-3		C-1		MH-2		R-1
	AC		COM-1		EST-2		MFR-2		PRS		SFR-4		C-2		MH-3		R-1B
	AGR		COM-2		I		MPD		PSP		SFR-5		CN		MUH-PUD		R-1D
			COM-3		IND-1		OFC-1		SFR-1				I		NRC-PUD		RC
													I-PUD		O-1		

## Flagler Zoning

	AC
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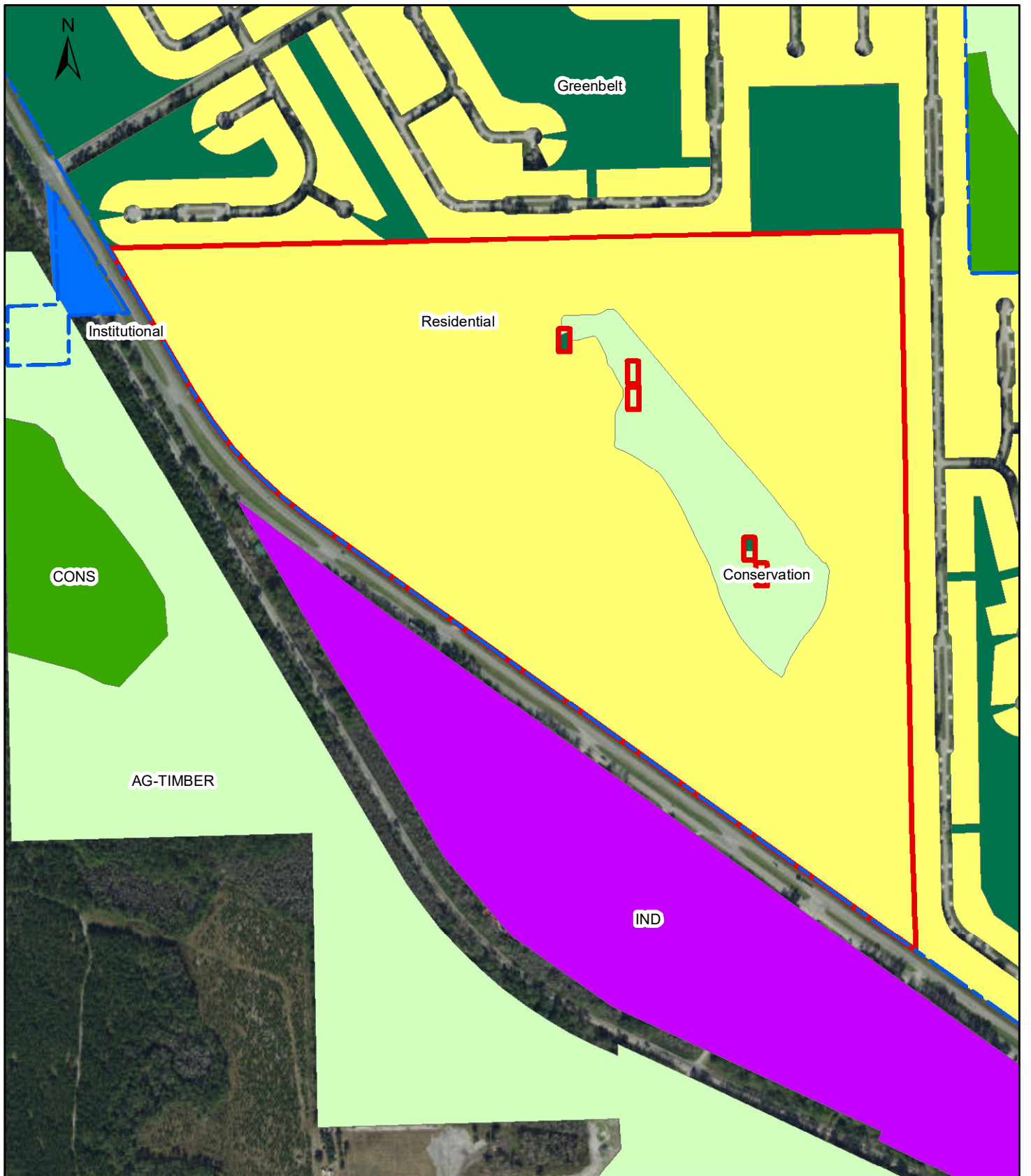
0 250 500 1,000 Feet



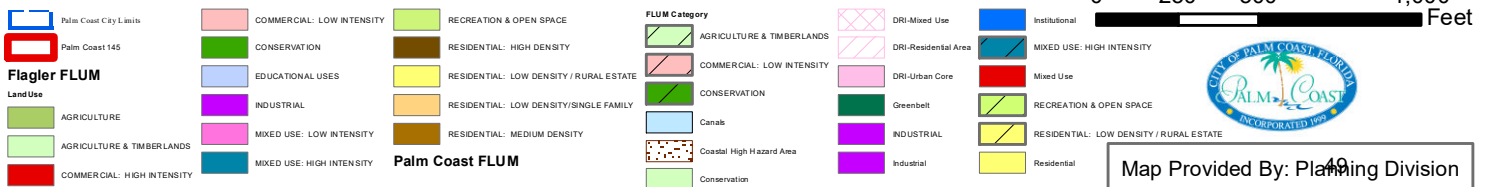
Map Provided By: Planning Division



# Palm Coast 145



## Legend



0 250 500 1,000 Feet



Map Provided By: Planning Division

# City of Palm Coast, Florida

## Agenda Item

Agenda Date : July 6, 2021

<b>Department</b>	PLANNING	<b>Amount</b>
<b>Item Key</b>	10628	<b>Account</b>
		<b>#</b>
<b>Subject</b>	ORDINANCE 2021-XX AMENDING THE ZONING MAP DESIGNATION FOR A 146+/- ACRE PARCEL FROM MASTER PLANNED DEVELOPMENT (MPD) AND SUBURBAN ESTATE (EST-1) TO SINGLE-FAMILY RESIDENTIAL-1, SINGLE-FAMILY RESIDENTIAL-2, AND PRESERVATION	
<b>Presenter : Jose Papa, Senior Planner</b>		
<b>Background:</b> <b><u>UPDATE FROM THE MAY 18, 2021 BUSINESS MEETING</u></b> This item was heard by City Council at their May 18, 2021 Business Meeting. There were no changes suggested to this item.		
<b><u>ORIGINAL BACKGROUND FROM THE MAY 18, 2021 BUSINESS MEETING</u></b>		
<p>The subject property of the proposed rezoning is generally located on US-1 between Belle Terre Blvd. and Karas Trail. The subject property is more commonly known as Palm Coast 145 (PC 145). In year 2016/17, PC 145 was the subject of a FLUM amendment and Rezoning. The 2016/17 zoning map amendment rezoned the entire parcel as Master Planned Development (MPD) with entitlements of 134 single-family units, 214 multi-family units, and 350,000 sq. ft. of non-residential development. Other conditions of the MPD-Development Agreement include a 38’ height limit, and a 25’ landscape buffer adjacent to the existing single-family neighborhood.</p> <p>The current application is a proposed rezoning to change the approximately 146 acre site from a zoning designation of Master Planned Development and Suburban Residential Estate-1 to 85 acres of Single-Family Residential-1 (SFR-1), 47 Acres of Single-Family Residential-2 (SFR-2), and 13 acres of Preservation (PRS). As a result of the proposed rezoning to SFR-1, SFR-2, and PRS, the potential for multi-family residential development, and non-residential development will be eliminated.</p> <p>The proposed SFR-1 and SFR-2 zoning mainly permits Single-family residential dwelling units. SFR-1 requires a 50’ minimum lot width with a minimum lot size of 6,000 sq. ft., while SFR-2 zoning requires a 60’ minimum lot width with a minimum lot size of 7,500 sq. ft. Other development standards such as maximum height (35’), minimum sq. ft. of dwelling area (1,200 sq.ft.), and front setbacks are similar. There are varying requirements for the side and rear setbacks.</p> <p>Staff analyzed the proposed rezoning based on the criteria in the City of Palm Coast Land Development Code. In summary, staff makes the following findings:</p> <ul style="list-style-type: none"><li>- the proposed rezoning is consistent with the Comprehensive Plan, (the zoning amendment intensifies development in an area served by existing public facilities);</li><li>- the proposed rezoning does not negatively impact the existing public facilities (the</li></ul>		

zoning amendment will reduce impacts on traffic, water, and sewer demand due to the elimination of the non-residential uses, however, the amendment will increase demand on school facilities and solid waste facilities);

- the proposed rezoning is consistent with the surrounding land uses and does not cause a nuisance or threat to the general welfare and safety of the public. The proposed SFR-2 zoning located adjacent to the existing neighborhood to the north and east is consistent with the zoning designation for the majority of the lots in the adjoining neighborhood and provides a transition to the proposed SFR-1 zoning; and
- the proposed Preservation (PRS) zoning will provide a designation that protects the environmentally significant areas on the subject property. The SFR-1 will be located on the remainder of the property.

### **Public Process**

#### **Neighborhood Meeting**

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on April 7, 2021. Approximately 50 residents from the surrounding communities attended the meeting. The applicant provided a summary of the proposed FLUM and Zoning Map amendment. The residents questioned the applicants on the number of units they intend to develop, the typical lot size expected in the development, when development may begin. Additionally, residents asked if there is going to be a buffer between existing lots and the proposed new lots.

#### **Planning and Land Development Regulation Board Public Hearing**

As required, the Planning and Land Development Regulation Board held a public hearing on April 21, 2021 to discuss and hear public comments regarding the application. After discussion, the PLDRB voted to recommend approval of the amendment.

**Recommended Action:** The Planning and Land Development Regulation Board (PLDRB) recommends that the City Council find Application # 4703 to rezone 146+/- acres from Master Planned Development and Suburban Estate-1 to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS) consistent with the Comprehensive Plan and vote to approve the zoning map amendment.

**ORDINANCE 2021 - \_\_\_\_\_**  
**PALM COAST 145, LLC ZONING MAP AMENDMENT**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE ZONING DESIGNATION FOR APPROXIMATELY 145 ACRES, FROM MASTER PLANNED DEVELOPMENT (MPD) WITH A DEVELOPMENT AGREEMENT AND SUBURBAN ESTATE (EST-1) TO SINGLE FAMILY RESIDENTIAL-1 (SFR-1) AND SINGLE FAMILY RESIDENTIAL-2 (SFR-2) AND PRESERVATION; SUBJECT PROPERTY IS MORE PARTICULARLY DESCRIBED IN EXHIBIT “A” AND GRAPHICALLY DEPICTED IN EXHIBIT “B”; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR NON-CODIFICATION AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Coast, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

**WHEREAS**, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

**WHEREAS**, the City Council of the City of Palm Coast has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB); and

**WHEREAS**, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;



3. The rezoning will result in a logical, timely and orderly development pattern;
4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

**WHEREAS**, the City now intends to change the zoning of the subject property from Master Planned Development (MPD), Suburban Estate Residential (EST-1) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS).

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. Recitals.** The foregoing recitals are true and correct and are fully incorporated herein by this reference.

**SECTION 2. Rezoning of Subject Property.** The zoning designations for the subject parcel is hereby changed from Suburban Estate Residential (EST-1) and Master Planned Development (MPD) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS).

**SECTION 3. Conflicts.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 5. Effective Date.** This Ordinance shall become effective immediately upon the effective date of Ordinance No. 2021-\_\_\_\_ as adopted by the City Council of the City of Palm Coast, Florida, and pursuant to the City Charter. If Ordinance No. 2021-\_\_\_\_ does not become effective, then this Ordinance shall become null and void.

**APPROVED** on first reading the 18th day of May 2021, at a public hearing.

**ADOPTED** on the second reading the 6th day of July 2021, at a public hearing.

**CITY OF PALM COAST, FLORIDA**

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Eddie Branquinho, Acting Mayor

**ATTEST:**

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Virginia A. Smith, City Clerk

Approved as to form and legality

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William E. Reischmann, Jr.  
City Attorney

## LEGAL DESCRIPTION

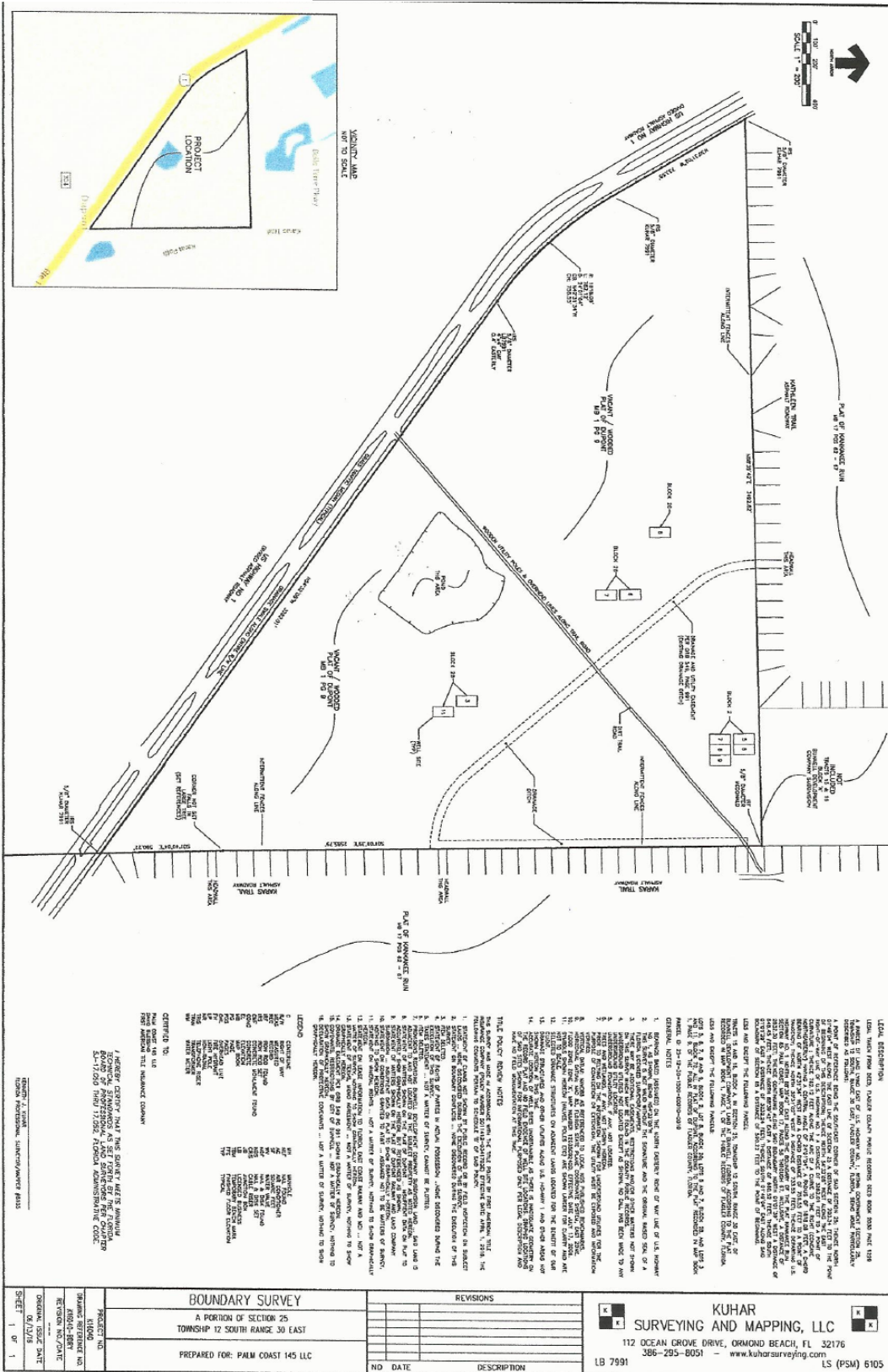


EXHIBIT A – LEGAL DESCRIPTION CONTINUED

**LEGAL DESCRIPTION**

LEGAL TAKEN FROM DEED, FLAGLER COUNTY PUBLIC RECORDS DEED BOOK 2030 PAGE 1229

A PARCEL OF LAND LYING EAST OF U.S. HIGHWAY NO. 1, WITHIN GOVERNMENT SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A POINT OF REFERENCE BEING THE SOUTHEAST CORNER OF SAID SECTION 25; THENCE NORTH 01°49'04" WEST ALONG THE EAST LINE OF SECTION 25 A DISTANCE OF 703.34 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 54°32'08" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 A DISTANCE OF 3282.01 FEET TO A POINT OF CURVATURE ; THENCE 782.12 FEET ALONG THE ARC OF A CURVE TO THE RIGHT (CONCAVE NORTHEASTERLY) HAVING A CENTRAL ANGLE OF 24°01'04", A RADIUS OF 1818.08 FEET, A CHORD BEARING OF NORTH 42°31'34" WEST AND A CHORD DISTANCE OF 758.55 FEET TO A POINT OF TANGENCY; THENCE NORTH 30°31'02" WEST A DISTANCE OF 733.55 FEET; THENCE DEPARTING U.S. HIGHWAY NO. 1 NORTH 88°39'42" EAST ALONG THE BOUNDARY OF THE PLAT KANKAKEE RUN SECTION 65 PALM COAST, MAP BOOK 17, PAGES 58 THROUGH 67, INCLUSIVE, A DISTANCE OF 2832.30 FEET; THENCE CONTINUING ALONG SAID BOUNDARY NORTH 01°01'39" WEST A DISTANCE OF 848.45 FEET; THENCE NORTH 88°39'42" EAST A DISTANCE OF 880.52 FEET; THENCE SOUTH 01°01'39" EAST A DISTANCE OF 3232.24 FEET; THENCE SOUTH 01°49'04" EAST ALONG SAID BOUNDARY OF SECTION 65 A DISTANCE OF 590.22 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING PARCEL:

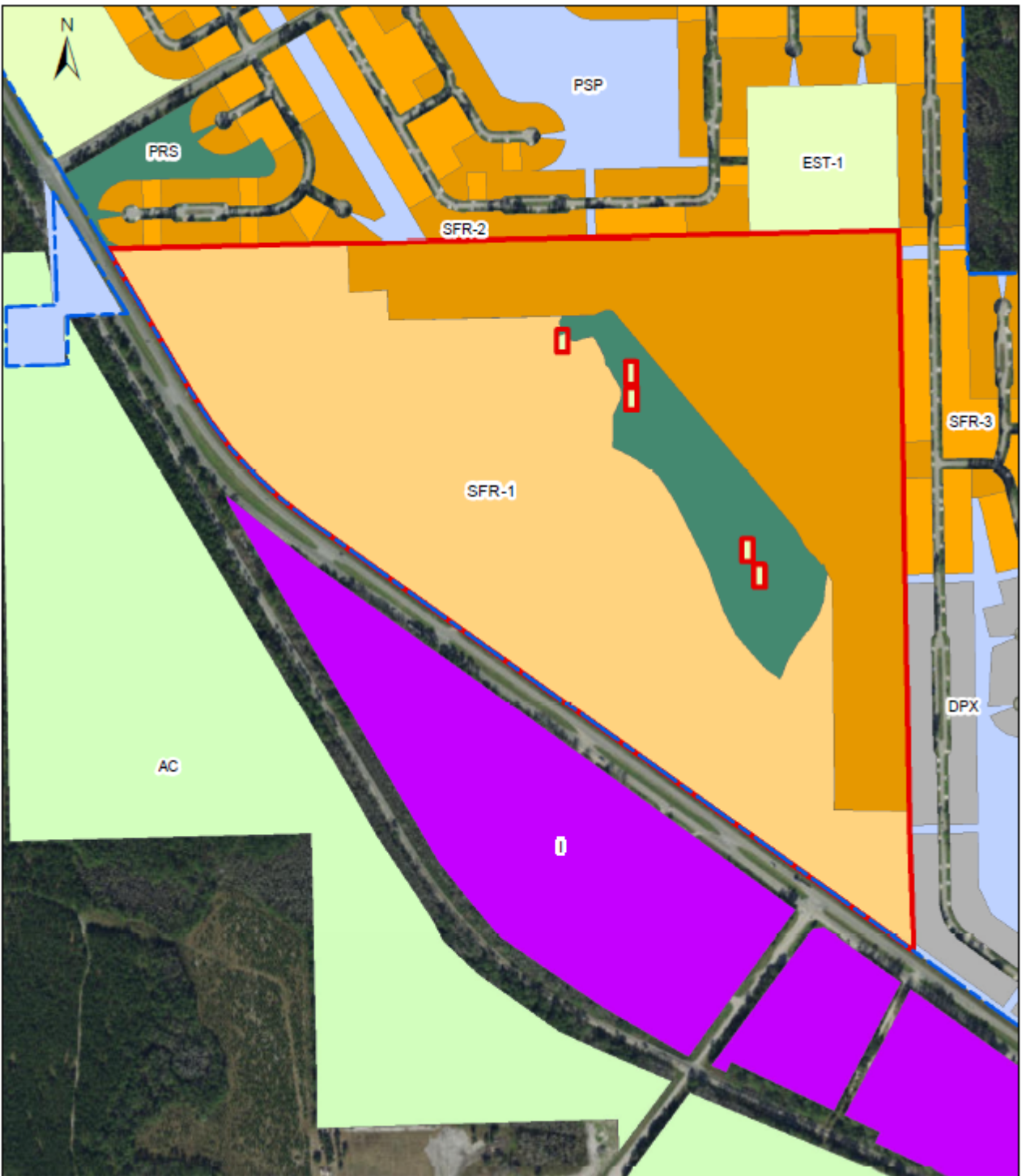
TRACTS 15 AND 16, BLOCK A, IN SECTION 25, TOWNSHIP 12 SOUTH, RANGE 30 EAST, OF BUNNELL DEVELOPMENT COMPANY'S LAND AT BUNNELL, FLORIDA, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 1, PAGE 1, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCELS:

~~LOTS 6, 7, 8, 9, 10 AND 11, BLOCK 2,~~ LOT 8, BLOCK 20; LOTS 6 AND 7, BLOCK 28, AND LOTS 3 AND 11, BLOCK 70, ALL IN PLAT OF DUPONT, ACCORDING TO THE PLAT RECORDED IN MAP BOOK 1, PAGE 9, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

PARCEL ID: 25-12-30-1500-00010-0010

**EXHIBIT B**  
**PROPOSED ZONING MAP AMENDMENT**







**COMMUNITY DEVELOPMENT DEPARTMENT**  
**Zoning Map Amendment Staff Report**  
**April 30, 2021**

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**OVERVIEW**

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<b>Case Number:</b>	4703
<b>Applicant:</b>	Beebe & Associates for Palm Coast 145, LLC
<b>Property Description:</b>	145+/- acres generally located east of US-1 and south of Belle Terre Blvd.
<b>Property Owner:</b>	Palm Coast 145, LLC
<b>Real Estate ID #:</b>	25-12-30-1500-00010-0010
<b>Current FLUM designation:</b>	Residential, Industrial, Greenbelt, and Conservation
<b>Current Zoning designation:</b>	Master Planned Development
<b>Current Use:</b>	Vacant
<b>Requested Action:</b>	Rezoning from Master Planned Development (MPD), Suburban Residential Estate (EST-1) to Single Family Residential-1(SFR-1), Single Family Residential-2 (SFR-2), and Preservation
<b>Recommendation:</b>	The Planning and Land Development Regulation Board recommends that City Council APPROVE Application #4703 a proposed zoning map amendment from Master Planned Development (MPD) and Suburban Estate Residential (EST-1) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS)

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**ANALYSIS**

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**REQUESTED ACTION**

Beebe & Associates on behalf of the property owner, Palm Coast 145, LLC, is requesting to rezone a 146+/- acre parcel from Master Planned Development (MPD) and Suburban Estate Residential (EST-1) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation.

**BACKGROUND/SITE HISTORY**

This zoning amendment request is a companion application to a proposed Comprehensive Plan Amendment to change the Industrial and Greenbelt designation on the property to Residential. The proposed amendment if approved would eliminate the potential for non-residential development on the property but increase the potential for residential development from 348 dwelling units to 450 dwelling units (a net increase of 102 units).

The current MPD zoning and Development Agreement was approved in Nov. 2017. The Suburban Estate-1 lots are part of an antiquated plat (DuPont Plat) which was acquired by the property owner/applicant subsequent to the Nov. 2017 rezoning approval to MPD. The MPD-DA establishes a limit of 348 dwelling units (134 single-family homes, and 214 multi-family units) and 350,000 sq. ft. of non-residential uses on the subject property. Other conditions of the MPD-DA include a 38' height limit, and a 25' landscape buffer adjacent to the existing single-family neighborhood.

### **Planning and Land Development Regulation Board Public Hearing**

The Planning and Land Development Regulation Board held a public hearing on April 21, 2021 to discuss and hear public comment on the proposed amendment. Public comment was provided regarding the desire to have larger lot sizes for the proposed single family development. After review, the PLDRB voted 7-0 to recommend approval of the proposed amendment.

### **Neighborhood Meeting**

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on April 7, 2021. Approximately 50 residents from the surrounding communities attended the meeting. The applicant provided a summary of the proposed FLUM and Zoning Map amendment. The residents questioned the applicants on the number of units they intend to develop, the typical lot size expected in the development, and when development may begin. Additionally, residents asked if there is going to be a buffer between existing lots and the proposed new lots.

## **LAND USE AND ZONING INFORMATION**

### **SURROUNDING LAND USES:**

North: Residential, Greenbelt  
 South: Industrial (Flagler County)  
 East: Residential  
 West: Industrial, Agriculture & Timberlands (Flagler County)

### **SURROUNDING ZONING:**

North: Single Family Residential (SFR)  
 South: Industrial (Flagler County)  
 East: Single Family Residential (SFR) & Duplex (DPX)  
 West: Industrial & Agriculture (Flagler County)

The proposed rezoning is consistent with the existing development to the northern and eastern perimeter of the subject parcel. The parcels to the south and west are mainly industrial uses but are separated from the subject parcel by a 4-lane divided highway US-1.

### **COMPARISON SITE DEVELOPMENT REQUIREMENTS:**

A site development requirements comparison between the existing zoning and proposed zoning is provided in the following tables.

#### **Non-Residential Comparison**

The proposed rezoning of the property will eliminate the potential development of up to 350,000sq. ft. of non-residential uses on the property. The proposed zoning categories of SFR-1, SFR-2, and Preservation limits non-residential development on the subject property.

#### **Residential Comparison**

The proposed rezoning of the property will eliminate the potential development of 214 multi-family units. The proposed zoning categories of SFR-1, SFR-2, and Preservation does not permit multi-family units. It is unknown at this time how many single-family units may be platted on the subject property (this information will become available after creation of a subdivision master plan or preliminary plat). However, the subject property will be limited to a maximum of 450 single-family lots due to the Comprehensive Plan policy that is part of the companion amendment to this application.

The proposed rezoning will maintain the development standards for the single-family lots which abut the existing single-family neighborhood to the north and east. The proposed zoning of SFR-2 is consistent with the previous standards established to ensure compatibility between the subject property and the existing neighborhood.

### **Residential Comparison**

<b><u>Criteria</u></b>	<b><u>Existing Permitted Use</u></b>		<b><u>Proposed Permitted Use</u></b>	
	<b><u>MPD Multi-family Residential Area</u></b>	<b><u>MPD Single-family Residential Area (same as SFR-2)</u></b>	<b><u>Single Family Residential-1 (SFR-1)</u></b>	<b><u>Single Family Residential-2 (SFR-2)</u></b>
<b>Max. Density (units/acre)</b>	*	*	7.0**	5.0**
<b>Min. Lot Size</b>	2,500 sq. ft.	7,500 sq. ft.	6,000 sq. ft.	7,500 sq. ft.
<b>Min. Lot Width</b>	100'	60'	50'	60'
<b>Max. Bldg. Height</b>	38'	35'	35'	35'
<b>Max. Impervious Area</b>	.70	.75	.75	.75
<b>Min. Front Setback</b>	20'	20'	20'	20'
<b>Min. Rear Setback</b>	15'	6.5'	10'	6.5'
<b>Min. Interior Side Setback</b>	0'	7.5'	5'	7.5'
<b>Min. Street Side Setback</b>	15'	15'	15'	15'
<b>Living Area Minimum</b>	750 sq. ft.	1,200 sq. ft.	1,200 sq. ft.	1,200 sq. ft.

\*The subject parcel is limited to 348 dwelling units (134 Single-family units and 214 multi-family units) which is equivalent to 4.3 dwelling units/acre.

\*\*The subject parcel will be limited to 450 dwelling units due to Comprehensive Plan policy. This is a gross density of 3.4 dwelling units/acre.

### **Consistency of Proposed Zoning Designation with Surrounding Properties**

The proposed rezoning will eliminate the potential for commercial use and multi-family use on the subject property. The proposed SFR-2 and SFR-1 zoning (which mainly permit single-family residential use) is consistent with the existing residential uses to the north and east of the subject property.

If the proposed change is approved, the permitted uses along US-1 will be residential. The introduction of residential uses along US-1 will necessitate the design/creation of a buffer that will mitigate the noise and impacts from US-1 as well as the industrial uses to the west. Minimum buffer standards are established in the Land Development Code.



Finally, the proposed change from MPD to SFR-2 will not affect conditions for the existing residential neighborhood to the north and east. The current MPD permits single-family development using the SFR-2 standards adjacent to the single-family neighborhood to the north and east, therefore a change of zoning to SFR-2 does not change the development standards for the portion of the subject property which is adjacent to the existing single-family neighborhood.

**ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE CHAPTER 2 SECTION 2.05.05 AND SECTION 2.06.03**

**The Unified Land Development Code states:** *When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:*

*A. The proposed development must not be in conflict with or contrary to the public interest;*

**Staff Finding:** The proposed development is not in conflict with, or contrary to, the public interest. The proposed rezoning will be consistent with the existing development patterns to the north and east. Established standards for buffers will protect the residential uses adjacent to US-1 and the industrial uses to the west and south.

*B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC;*

**Staff Finding:** The proposed rezoning of the property is consistent with the following Comprehensive Plan Policies:

*-Policy 1.1.4.5 - Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.*

Consistent with Policy 1.1.4.5, the subject parcel is contiguous to the developing areas of the City and does not promote urban sprawl. Utility lines are available within proximity of the site and finally, the proposed development on the parcel will appropriately occur on a parcel with direct access to a major arterial (US-1) and therefore, will minimize significant impacts on the local roads.

*C. The proposed development must not impose a significant financial liability or hardship for the City;*

**Staff Findings:** The rezoning of the site does not impose a significant financial liability or hardship for the City. The proximity of existing infrastructure provides an opportunity to extend water or wastewater lines to the subject property. The need to extend utility lines will be the responsibility of the owner/developer of the property.

*D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;*

**Staff Finding:** The rezoning will generally not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants. The proposed change will increase the number of residential units while eliminating commercial uses, the change in potential uses on the property does not create threat to the existing residents.

*E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes;*

**Staff Finding:** The rezoning request would not affect any requirements imposed by Federal, State or local government. Any proposed project on the subject properties would still be subject to review by the

appropriate Federal, State, or local agencies and compliance with all applicable federal, state or local government laws, rules, statutes, ordinances, regulations or codes. Additionally, the companion Future Land Use Map (FLUM) amendment for the subject properties will be transmitted to the state land planning agency for review and comment by the appropriate state agencies.

**ULDC Chapter 2, Part II, Section 2.06.03 specifically states: “*The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a rezoning application*”:**

A. *Whether it is consistent with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan;*

**Staff Finding:** As noted previously in the analysis prepared for ULDC Chapter 2, Part II, Section 2.05.05 of this staff report, the proposed rezoning is generally in conformance with the Comprehensive Plan.

B. *Its impact upon the environment and natural resources;*

**Staff Finding:** Any proposed use on the subject properties will be subject to environmental review at the time that an application for a development order or plat is submitted.

C. *Its impact on the economy of any affected area;*

**Staff Finding:** The proposed rezoning of the property does not negatively impact the economy of the surrounding area. The proposed zoning to residential continues to provide job opportunities during the construction phase of the project.

D. *Its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation;*

**Staff Finding:** The subject property is currently within the existing service area of the City of Palm Coast. As any proposed development moves forward, the applicant for development would be required to provide additional traffic studies to identify impacts on the roadway network as well as any transportation improvement that may be necessary to accommodate the proposed development. Additionally, any proposed development will need to coordinate with utility providers (City of Palm Coast), as well as the Flagler County School District to ensure adequate capacity to accommodate development.

E. *Any changes in circumstances or conditions affecting the area;*

**Staff Finding:** None.

F. *Compatibility with proximate uses and development patterns, including impacts to the health, safety, and welfare of surrounding residents;*

**Staff Finding:** As previously stated the proposed zoning change will be compatible with proximate uses and development patterns of surrounding areas. If the proposed change is approved, the permitted uses along US-1 will be residential. The introduction of residential uses along US-1 will necessitate the design/creation of a buffer that will mitigate the noise and impacts from US-1 as well as the industrial uses to the west. Minimum buffer standards are established in the Land Development Code.

Finally, the proposed change from MPD to SFR-2 will not affect conditions for the existing residential neighborhood to the north and east. The current MPD permits single-family development using the SFR-2 standards adjacent to the single-family neighborhood to the north and east, therefore a change of zoning to SFR-2 does not change the development standards for the portion of the subject property which is adjacent to the existing single-family neighborhood.

G. *Whether it accomplishes a legitimate public purpose:*

**Staff Finding:** Yes, the rezoning furthers a legitimate public purpose by providing for a more consistent pattern of development with the surrounding residential areas (mainly single-family and duplexes).

#### **PUBLIC PARTICIPATION**

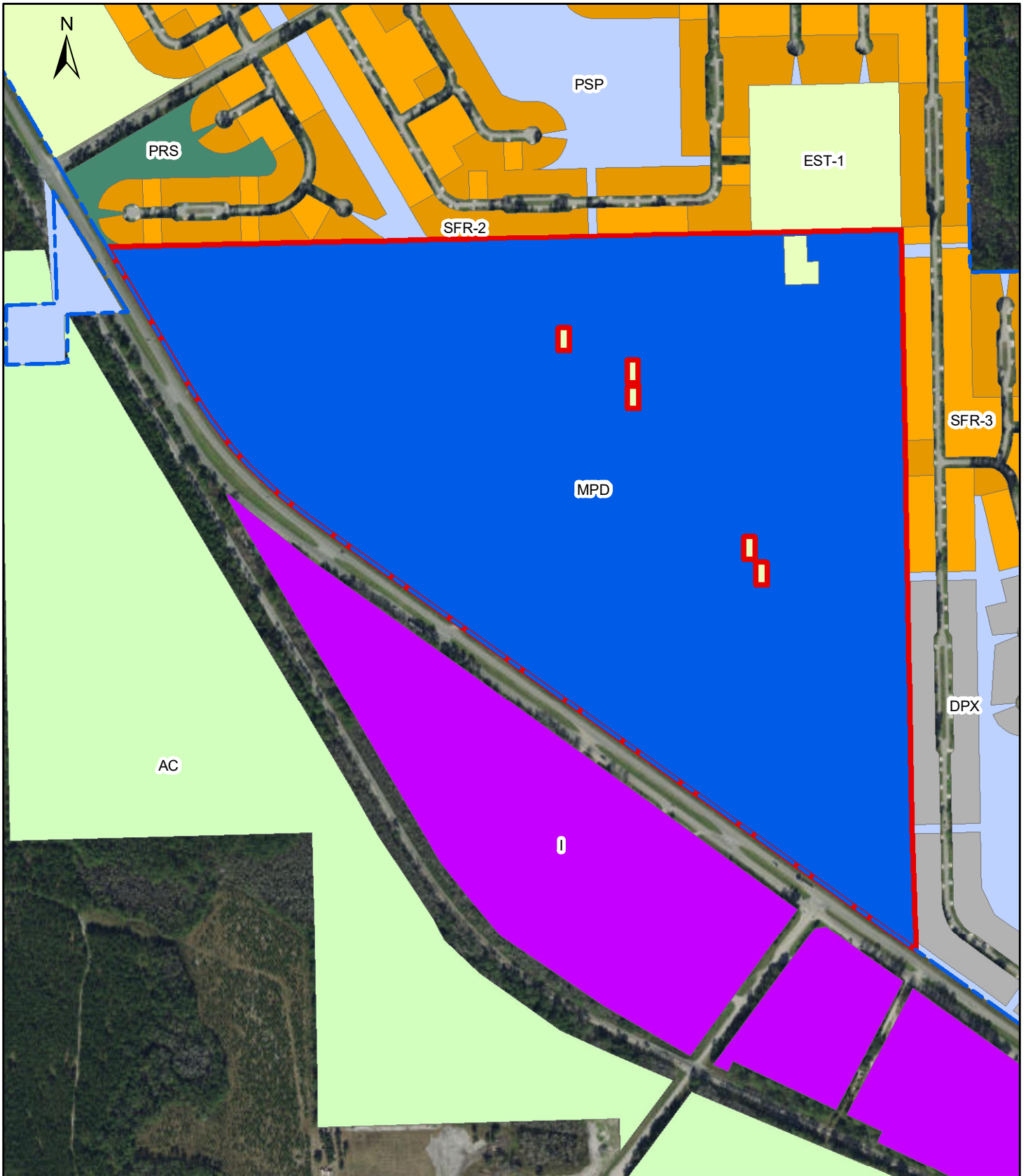
Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers (defined as property owners or persons who are improving property within the City) to notify owners within 300' and hold a neighborhood meeting for Zoning Map Amendments. The applicant hosted a neighborhood meeting on April 7, 2021

Approximately 50 residents from the surrounding communities attended the meeting. The applicant provided a summary of the proposed FLUM and Zoning Map amendment. The residents questioned the applicants on the number of units they intend to develop, the typical lot size expected in the development, when development may begin. Additionally, residents asked if there is going to be a buffer between existing lots and the proposed new lots.

#### **RECOMMENDATION**

The Planning and Land Development Regulation Board recommends that City Council APPROVE Application #4703 a proposed zoning map amendment from Master Planned Development (MPD) and Suburban Estate Residential (EST-1) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS).

# Palm Coast 145



## Legend

	Palm Coast City Limits		C-2		DPX		IND-2		OFC-2		SFR-2		AC-2		MH-1		PUD
	Palm Coast 145		CN		EST-1		MFR-1		P&G		SFR-3		AC-1		MH-2		R-1
	AC		COM-1		EST-2		MFR-2		PRs		SFR-4		C-2		MH-3		R-1B
	AGR		COM-2		I		MPD		PSP		SFR-5		CN		MUH-PUD		R-1D
			COM-3		IND-1		OFC-1		SFR-1				I		NRC-PUD		RC
													I-PUD		O-1		

## Flagler Zoning

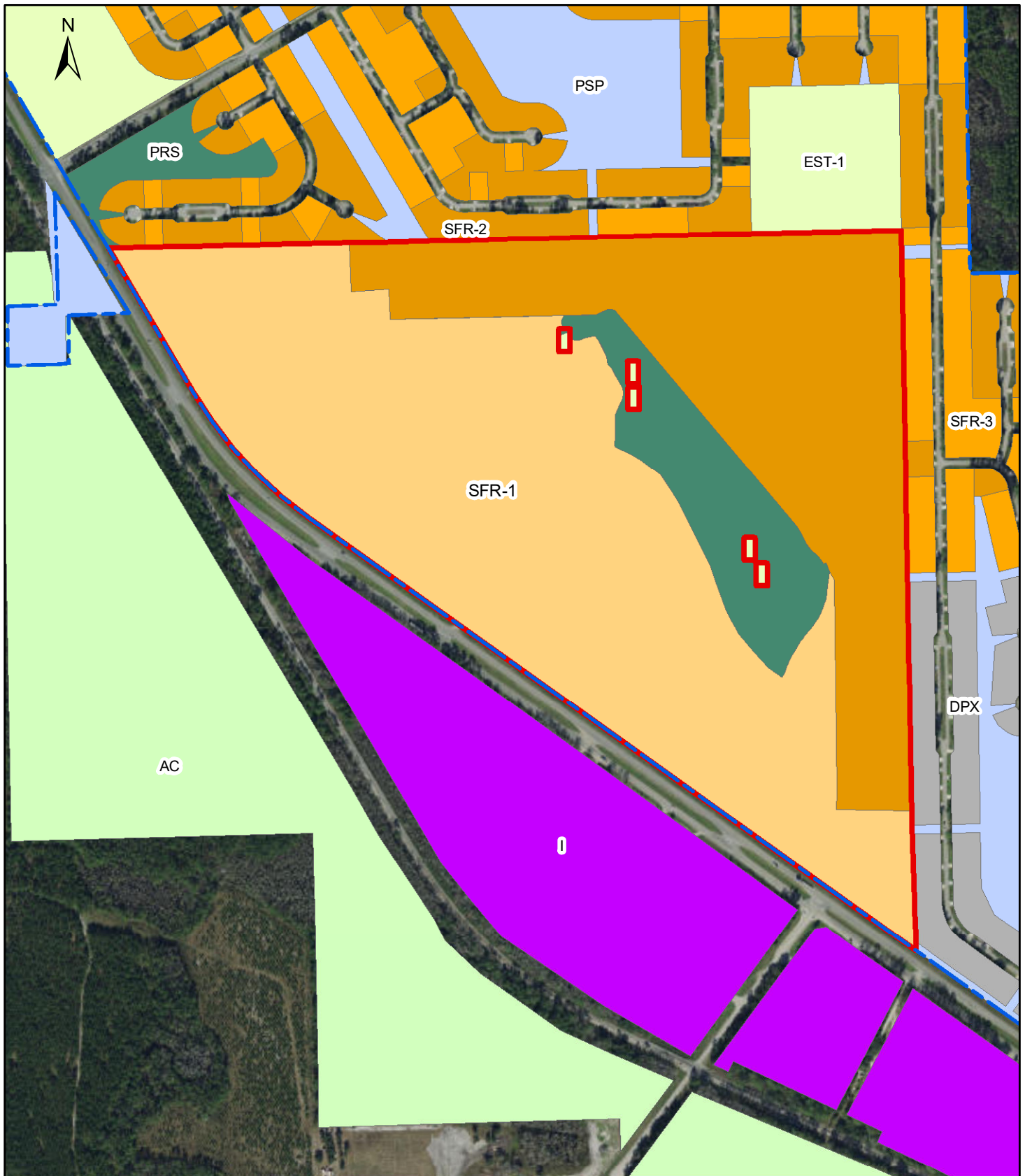
	AC
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0 250 500 1,000 Feet




















































Map Provided By: Planning Division

# Palm Coast 145



### Legend

- | Zone   |   | Flagler Zoning  |   |   |   |  |   |  |  |  |  |
|--|---|---|---|---|---|--|---|--|--|--|--|
|  Palm Coast City limits |   |  COM-2 |  IND-D-1 |  OFC-2 |  SFR-3 |  AC-2 |  MH-1    |  PUD  |  |  |  |
|  Palm Coast 145         |  AC    |  COM-3 |  IND-D-2 |  PRG   |  SFR-4 |  C-1  |  MH-2    |  R-1  |  |  |  |
| <b>Name</b>  |  AG-R  |  DFX   |  MFR-1   |  RKS   |  SFR-5 |  C-2  |  MH-3    |  R-1B |  |  |  |
|  PRS                    |  C-2   |  EST-1 |  MFR-2   |  PSP   | <b>Flagler Zoning</b><br><b>ZONECODE</b>  |  |   |  |  |  |  |
|  SFR-1                  |  CN    |  EST-2 |  MPD     |  SFR-1 |   |  |   |  |  |  |  |
|  SFR-2                  |  COM-1 |  I     |  OFC-1   |  SFR-2 |  AC    |  CN   |  MUH-PUD |  R-1D |  |  |  |
| <b>Palm Coast Zoning</b>   |   |   |   |   |   |  I    |  NRC-PUD |  RUC  |  |  |  |
|  |   |   |   |   |   |  LPUD |  O-1     |  |  |  |  |

## Flagler Zoning

ZONECODE

 AC CN






MUH-PUD

NRC-PUD

0.1

10

R-1D

R/C

10

10

Map

10



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o Provided E

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FORATED

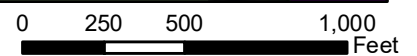
By: Planning 65

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Page 10

Division

114



Map Provided By: Planning Division



## TRIP GENERATION ANALYSIS Rezoning Change for Palm Coast 145

A land use and rezoning change application is being submitted to the City of Palm Coast for Palm Coast 145. This will eliminate the commercial component of the development and change the multi-family units to single family. The entire buildable area will then be single family residences totaling 450 units. The trip generation of the currently approved development and the proposed development with rezoning is summarized in **Table 1**. The trip generation sheets are attached. The table shows that the project's trip generation will be reduced from 10,525 new net daily trips to 4,149 new net daily trips. The P.M. peak hour trip generation will be reduced from 995 new net trips to 431 new net trips. Consequently, the traffic impacts of the proposed change will be less than the currently approved development.

**Table 1  
Trip Generation Summary  
Palm Coast 145**

ITE Code	Land Use	Size	Daily		P.M. Peak Hour			
			Rate*	Trips	Rate*	Enter	Exit	Total
Approved Development								
210	Single Family Residential	134 DUs	10.31	1,361	1.01	85	50	135
220	Multi-Family Residential	214 DUs	7.37	1,577	0.54	73	43	116
820	Shopping Center	350 KSF	40.26	14,092	2.04	659	714	1,373
Total			---	17,030	---	817	807	1,624
Internal Capture Percentage (14%)			---	2,384	---	114	113	227
External Trips			---	14,646	---	703	694	1,397
Shopping Center Pass-by (34%)			---	4,121	---	193	209	402
New Net Trips			---	10,525	---	510	485	995
Proposed Development								
210	Single Family Residential	450 DUs	9.22	4,149	0.96	272	159	431
New Net Trips			---	4,149	---	272	159	431

\*ITE equations were used where the R-squared correlation coefficient was greater than 0.75

**TPD No. 5020  
April 5, 2021**

**Traffic Planning and Design, Inc.**

535 Versailles Drive, Maitland, Florida 32751 ■ Phone (407) 628-9955 ■ Fax (407) 628-8850 ■ [www.tpdtraffic.com](http://www.tpdtraffic.com)

## Multifamily Housing (Low-Rise) (220)

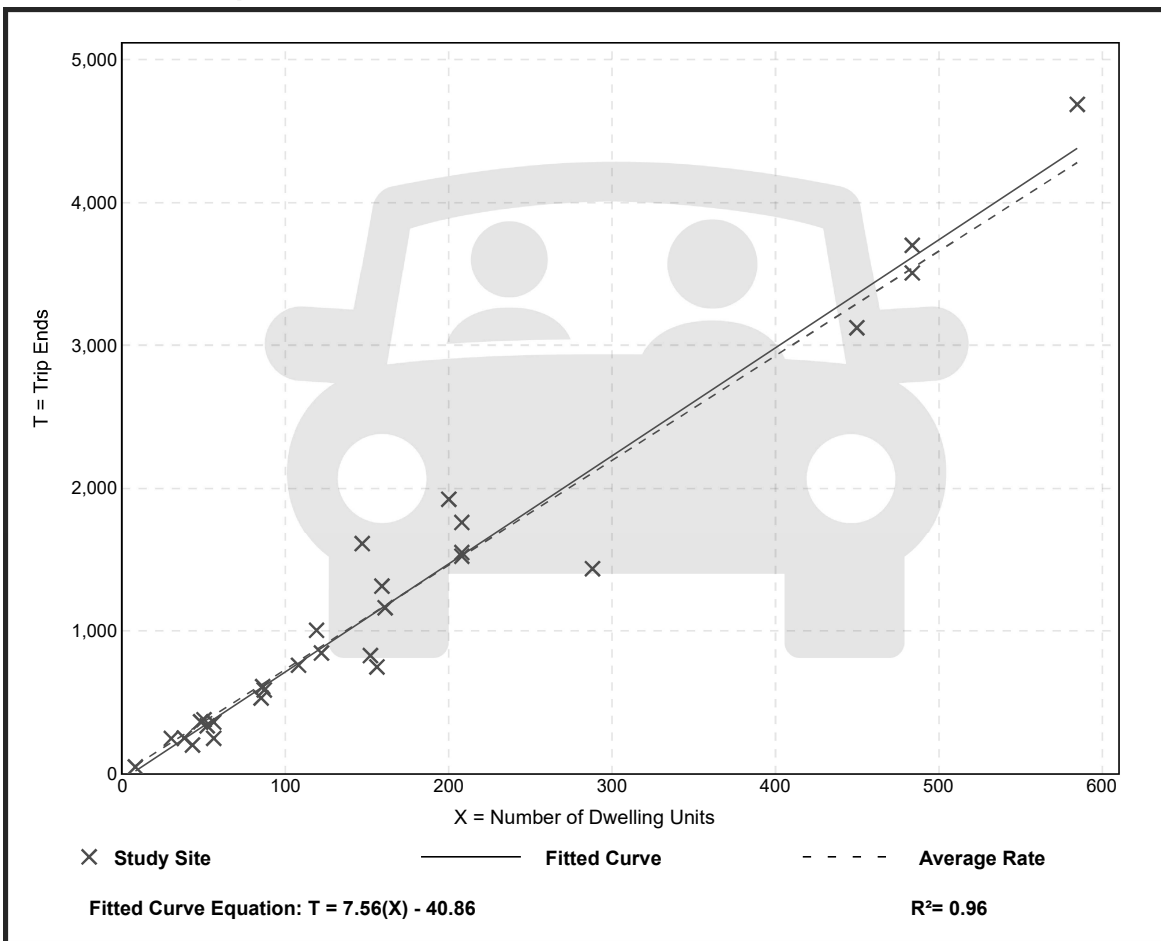
Vehicle Trip Ends vs: Dwelling Units  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 29  
Avg. Num. of Dwelling Units: 168  
Directional Distribution: 50% entering, 50% exiting

### Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
7.32	4.45 - 10.97	1.31

### Data Plot and Equation



Trip Gen Manual, 10th Edition • Institute of Transportation Engineers

# Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 159

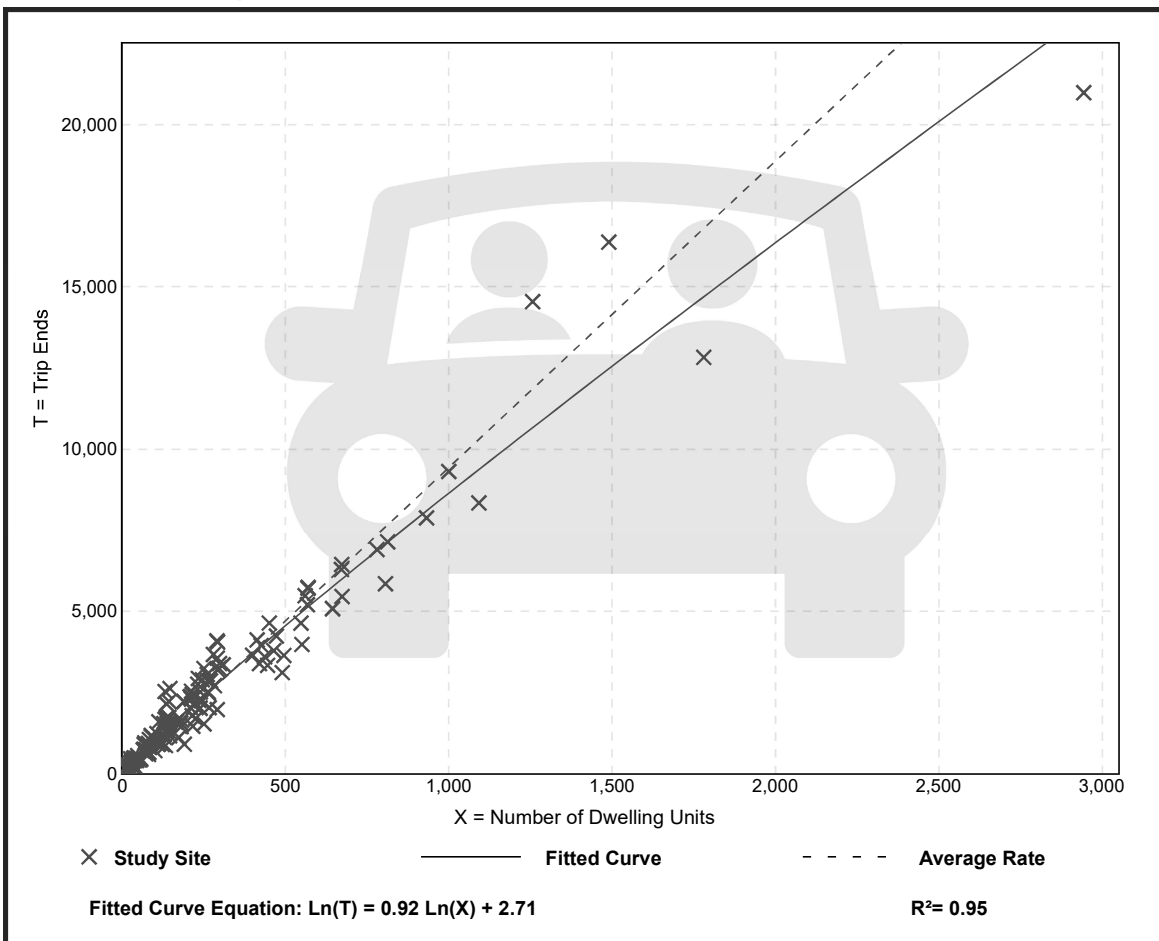
Avg. Num. of Dwelling Units: 264

Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.44	4.81 - 19.39	2.10

## Data Plot and Equation



Trip Gen Manual, 10th Edition • Institute of Transportation Engineers



# Shopping Center (820)

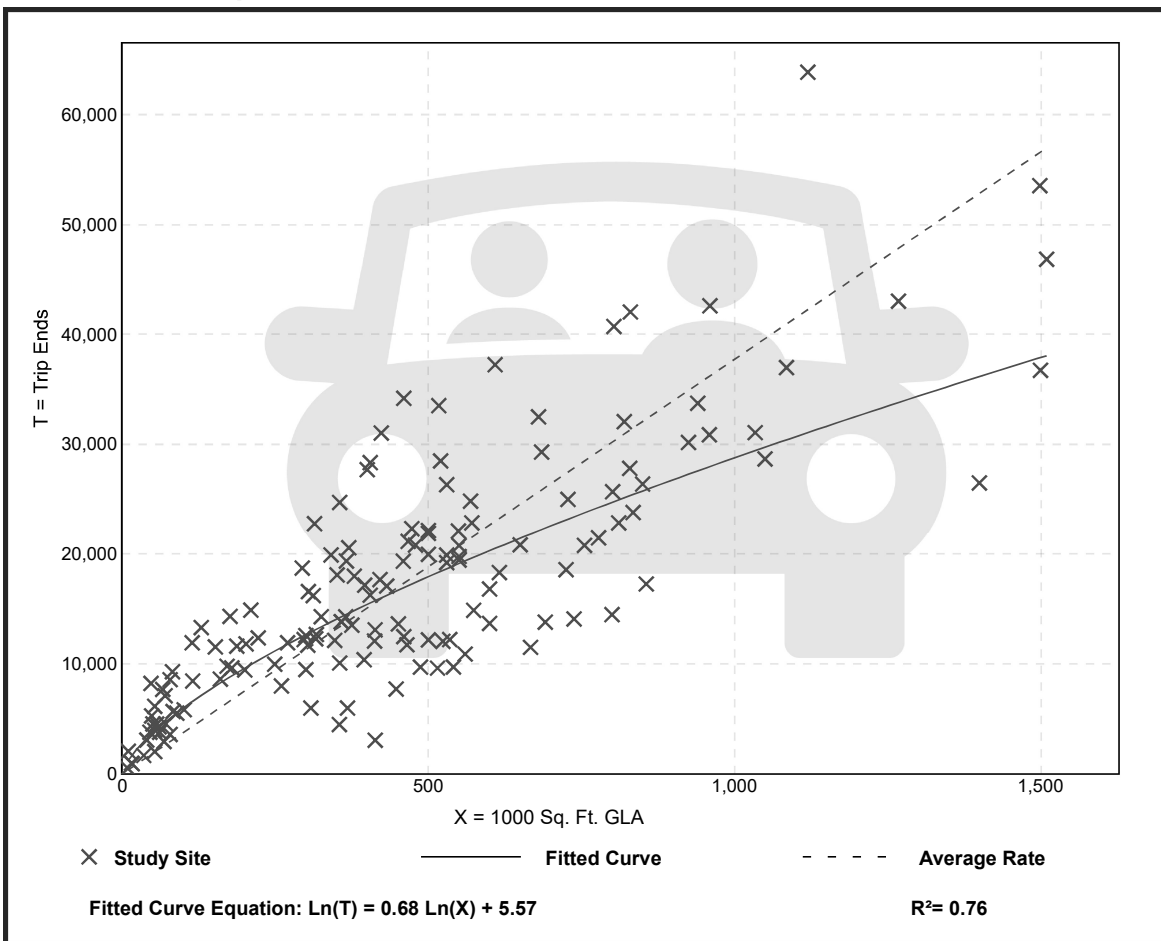
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA  
On a: Weekday

Setting/Location: General Urban/Suburban  
Number of Studies: 147  
Avg. 1000 Sq. Ft. GLA: 453  
Directional Distribution: 50% entering, 50% exiting

## Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
37.75	7.42 - 207.98	16.41

## Data Plot and Equation



NCHRP 684 Internal Trip Capture Estimation Tool					
Project Name:	Palm Coast 145			Organization:	TPD
Project Location:	Palm Coast			Performed By:	TPD
Scenario Description:	Full Buildout			Date:	4/5/2021
Analysis Year:	Projected			Checked By:	TPD
Analysis Period:	P.M. Street Peak Hour			Date:	4/5/2021

Table 1-P: Base Vehicle-Trip Generation Estimates (Single-Use Site Estimate)						
Land Use	Development Data (For Information Only)			Estimated Vehicle-Trips <sup>3</sup>		
	ITE LUCs <sup>1</sup>	Quantity	Units	Total	Entering	Exiting
Office						
Retail	820	350	KSF	1,373	659	714
Restaurant						
Cinema/Entertainment						
Residential	210 & 220	348	DU	251	158	93
Hotel						
All Other Land Uses <sup>2</sup>						
				1,624	817	807

Table 2-P: Mode Split and Vehicle Occupancy Estimates						
Land Use	Entering Trips			Exiting Trips		
	Veh. Occ. <sup>4</sup>	% Transit	% Non-Motorized	Veh. Occ. <sup>4</sup>	% Transit	% Non-Motorized
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						
All Other Land Uses <sup>2</sup>						

Table 3-P: Average Land Use Interchange Distances (Feet Walking Distance)						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office						
Retail						
Restaurant						
Cinema/Entertainment						
Residential						
Hotel						

Table 4-P: Internal Person-Trip Origin-Destination Matrix*						
Origin (From)	Destination (To)					
	Office	Retail	Restaurant	Cinema/Entertainment	Residential	Hotel
Office		0	0	0	0	0
Retail	0		0	0	73	0
Restaurant	0	0		0	0	0
Cinema/Entertainment	0	0	0		0	0
Residential	0	39	0	0		0
Hotel	0	0	0	0	0	

Table 5-P: Computations Summary			
	Total	Entering	Exiting
All Person-Trips	1,624	817	807
Internal Capture Percentage	14%	14%	14%
External Vehicle-Trips <sup>5</sup>	1,400	705	695
External Transit-Trips <sup>6</sup>	0	0	0
External Non-Motorized Trips <sup>6</sup>	0	0	0

Table 6-P: Internal Trip Capture Percentages by Land Use		
Land Use	Entering Trips	Exiting Trips
Office	N/A	N/A
Retail	6%	10%
Restaurant	N/A	N/A
Cinema/Entertainment	N/A	N/A
Residential	46%	42%
Hotel	N/A	N/A

<sup>1</sup> Land Use Codes (LUCs) from <i>Trip Generation Manual</i> , published by the Institute of Transportation Engineers.
<sup>2</sup> Total estimate for all other land uses at mixed-use development site is not subject to internal trip capture computations in this estimator.
<sup>3</sup> Enter trips assuming no transit or non-motorized trips (as assumed in ITE <i>Trip Generation Manual</i> ).
<sup>4</sup> Enter vehicle occupancy assumed in Table 1-P vehicle trips. If vehicle occupancy changes for proposed mixed-use project, manual adjustments must be
<sup>5</sup> Vehicle-trips computed using the mode split and vehicle occupancy values provided in Table 2-P.
<sup>6</sup> Person-Trips
*Indicates computation that has been rounded to the nearest whole number.
Estimation Tool Developed by the Texas A&M Transportation Institute - Version 2013.1

# Palm Coast 145, LLC

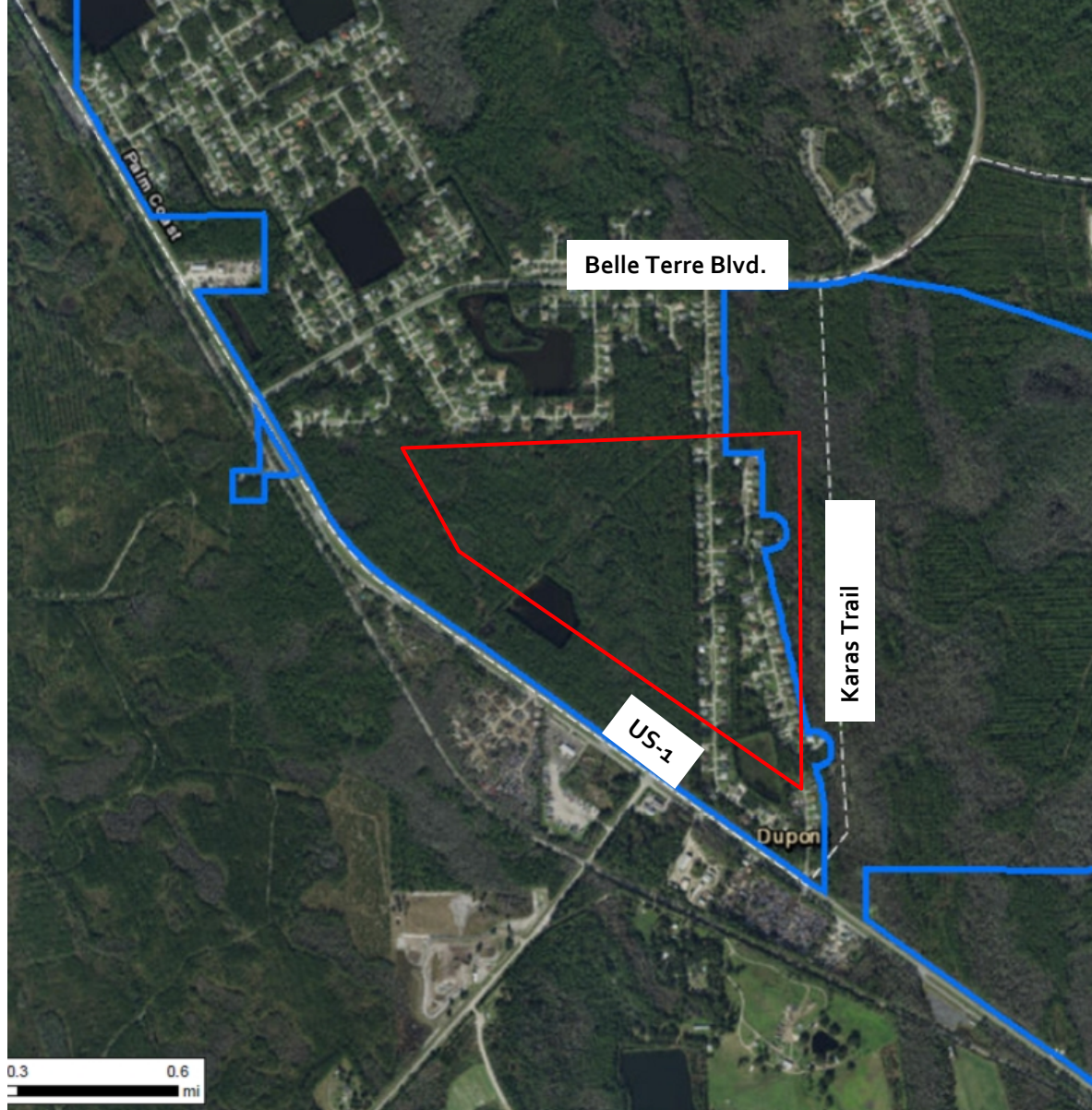
## Future Land Use Map Amendment & Zoning Map Amendment

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City Council  
Transmittal Public Hearing

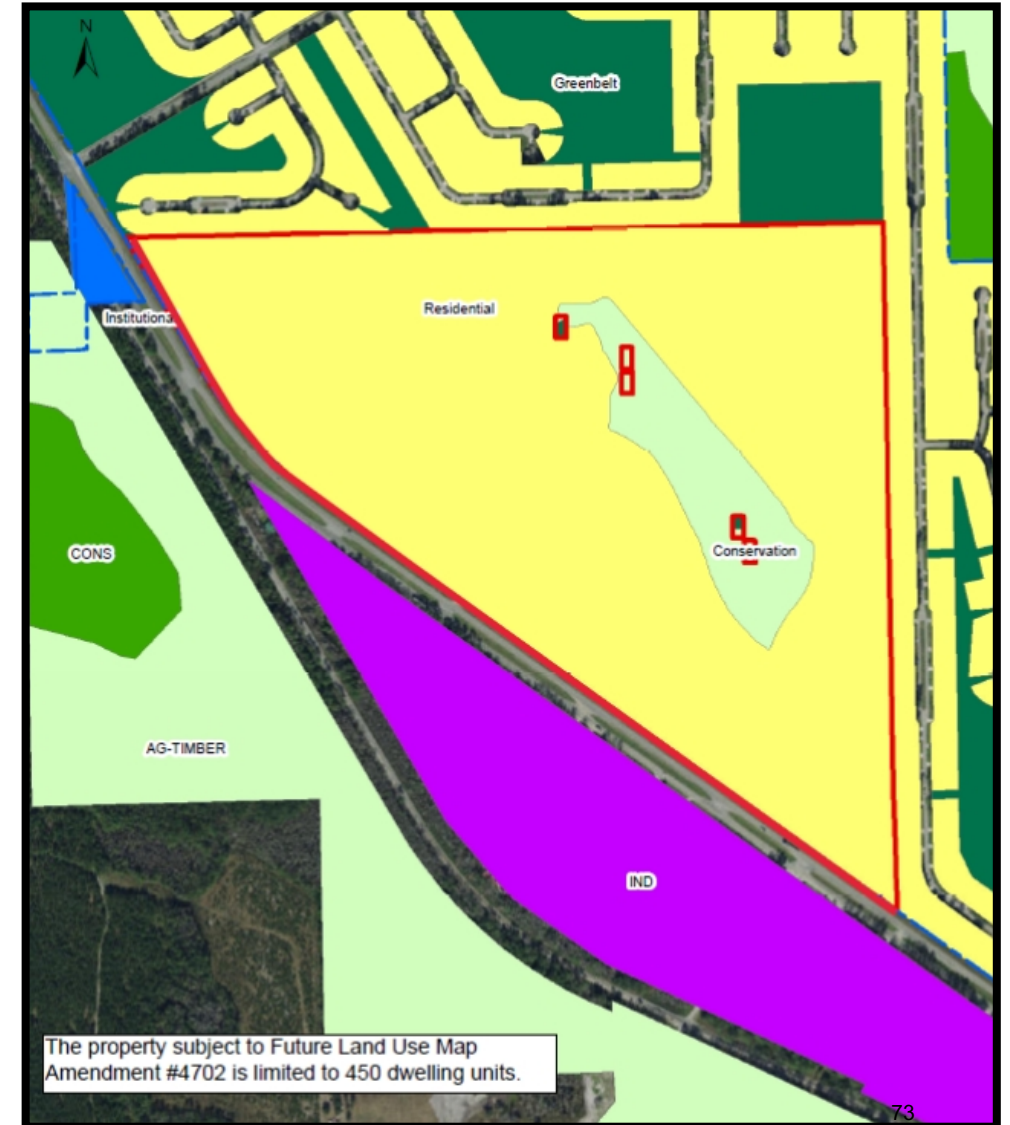


# Palm Coast 145 LLC – BACKGROUND



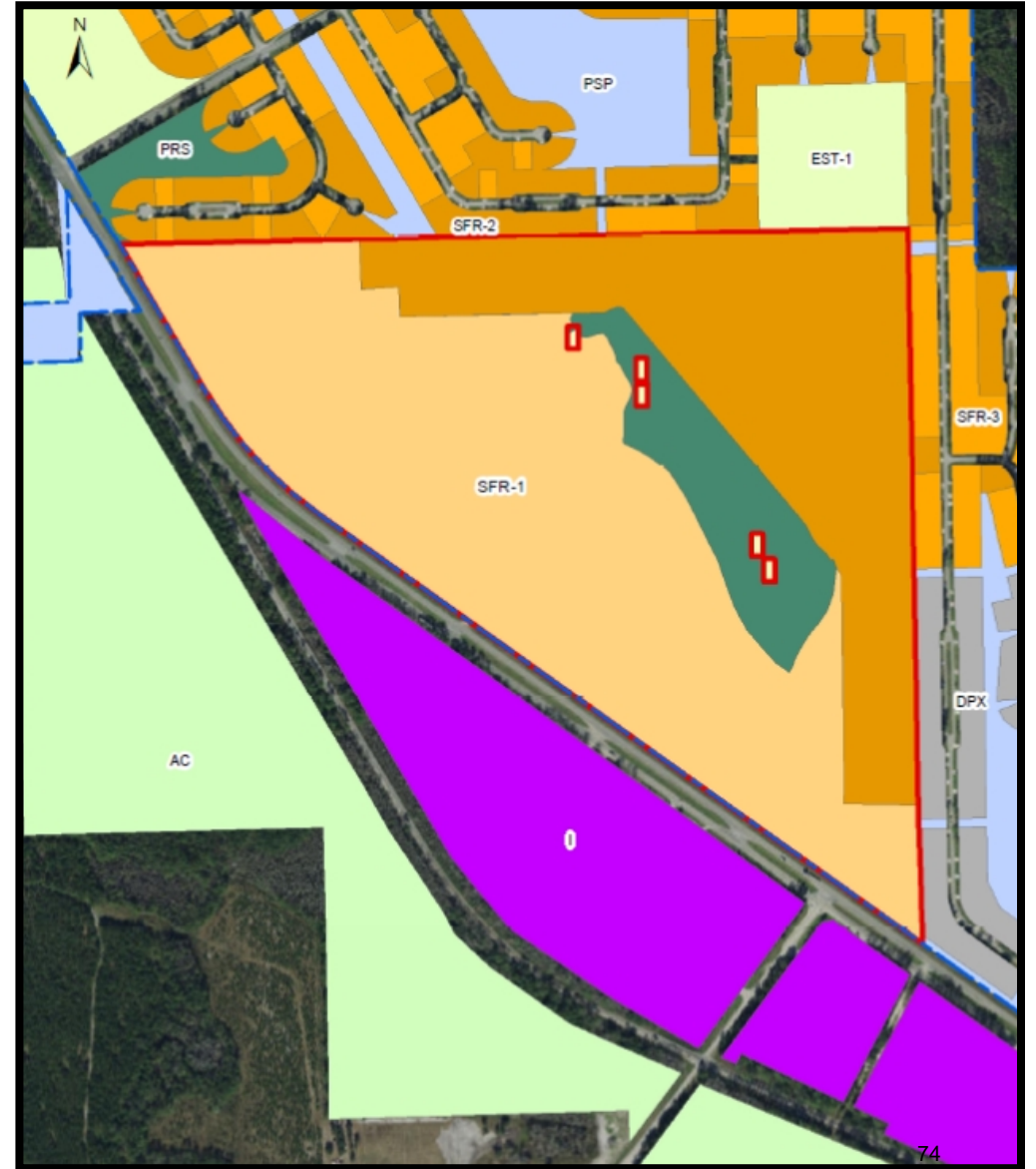
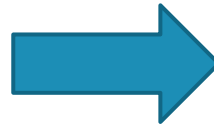
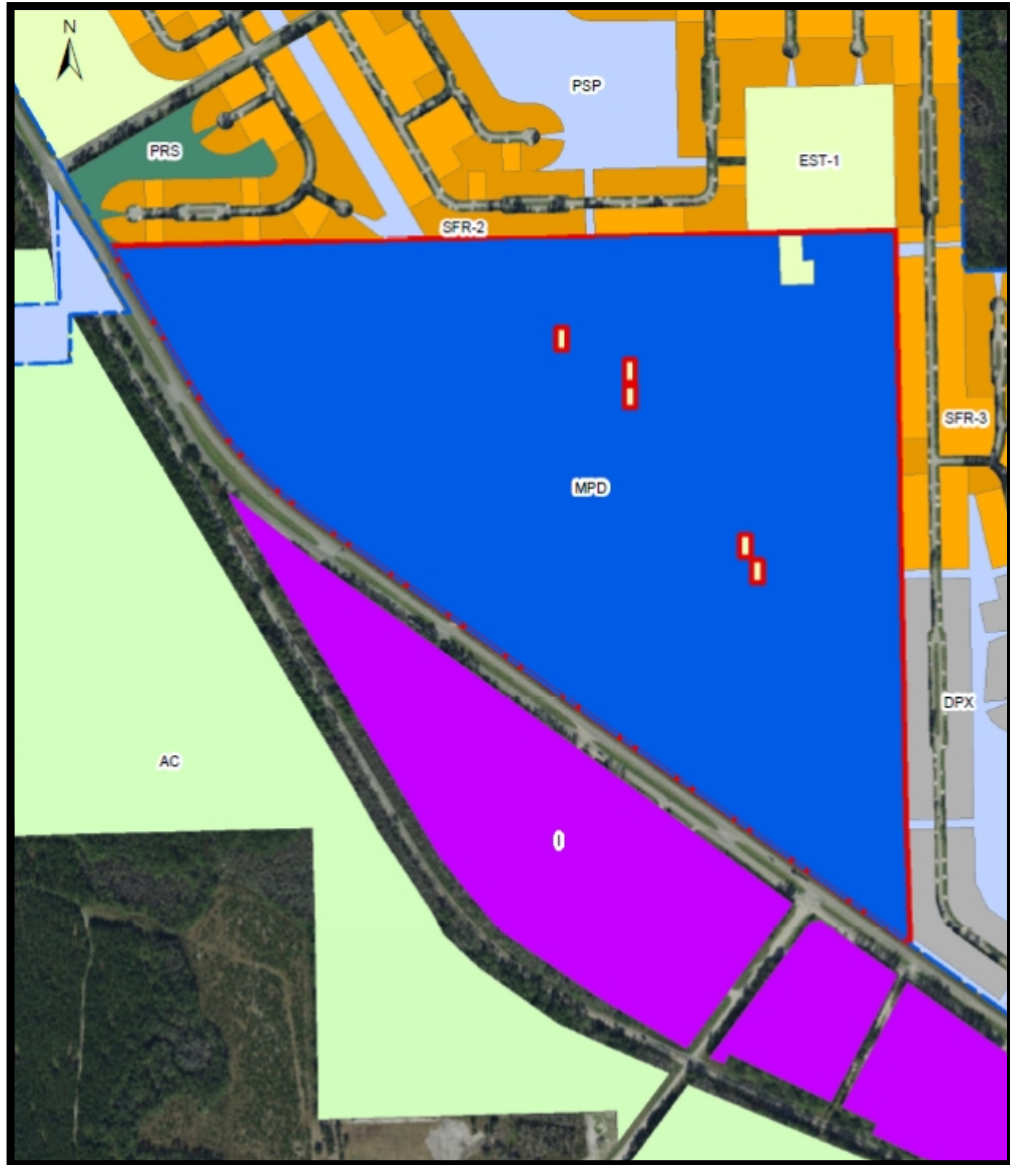
- 146+/- acres
- Vacant

# Palm Coast 145 – Future Land Use Map Amendment





# Palm Coast 145– Zoning Map Amendment



# Palm Coast 145– Future Land Use Map Amendment

## Public Facilities Impact Analysis

Density <sup>(1)</sup>	# of units or square feet of development	Transportation (PHT) <sup>(2)</sup>	Potable Water (GPD) <sup>(3)</sup>	Sanitary Sewer (GPD) <sup>(4)</sup>	Solid Waste (lbs./capita/day) <sup>(5)</sup>	and Parks (8 acres/ 1000 pop.) <sup>(6)</sup>	Public Education (students) <sup>(7)</sup>	Stormwater Drainage <sup>(8)</sup>
<b>Proposed FLUM designation*</b>								
Residential (133.3 ac.) 12 du/acre	450	450	135,000	88,560	9,299	8.6	110	N/A
Conservation (13 ac.) No development.								
	<b>Total</b>	450	135000	88560	9299	9	110	N/A
<b>Current FLUM designation* Current FLUM policy limits development on subject parcel to 348 dwelling units and 350,000 sq. ft. of non-residential.</b>								
Residential (81.7 ac.) 12 du/acre	348	348	104,400	68,486	7,191	6.7	85	N/A
Industrial (52 ac.)-shopping center	350,000	1,386	59,500	35,000	0	0.0	0	N/A
Greenbelt (1/2 acre) - 1 du/acre								
Conservation (13 ac.) No development.								
	<b>Total</b>	1734	163900	103486	7191	7	85	
<b>Net Change</b>		<b>-1,284.0</b>	<b>-28,900</b>	<b>-14,926</b>	<b>2,108</b>	<b>2.0</b>	<b>25</b>	<b>N/A</b>

- The proposed FLUM designation will have less demand on Transportation, Water, and Sewer facilities, while having a higher demand on Solid Waste, Parks, and School facilities.

# Palm Coast 145– Future Land Use Map Amendment

## Environmental Impact Analysis

- The proposed amendment will not have additional impact on the environmental features found on the subject property since the amendment does not expand the developable area.
- Additionally, the existing Conservation area will not be altered.



# Palm Coast 145– Future Land Use Map Amendment

## Consistency with Surrounding Land Uses

- The proposed FLUM designation of Residential is consistent with the existing neighborhood to the north and east.
- Development plans will need to take into account the existing Industrial uses to the west of the property.

# Palm Coast 145– Future Land Use Map Amendment

## Consistency with Comprehensive Plan Policies

- *Various Policies promoting urban densities and intensities where utilities (transportation, water, and sewer) are available*

### Analysis:

- The site is adjacent to a major arterial and existing water and sewer service.

# Palm Coast 145– Future Land Use Map Amendment

## Findings

- No significant impact on Level of Service for public infrastructure
- No significant impact on environmental conditions
- Generally consistent with surrounding land uses
- Consistent with Comprehensive Plan

# Palm Coast 145– Future Land Use Map Amendment

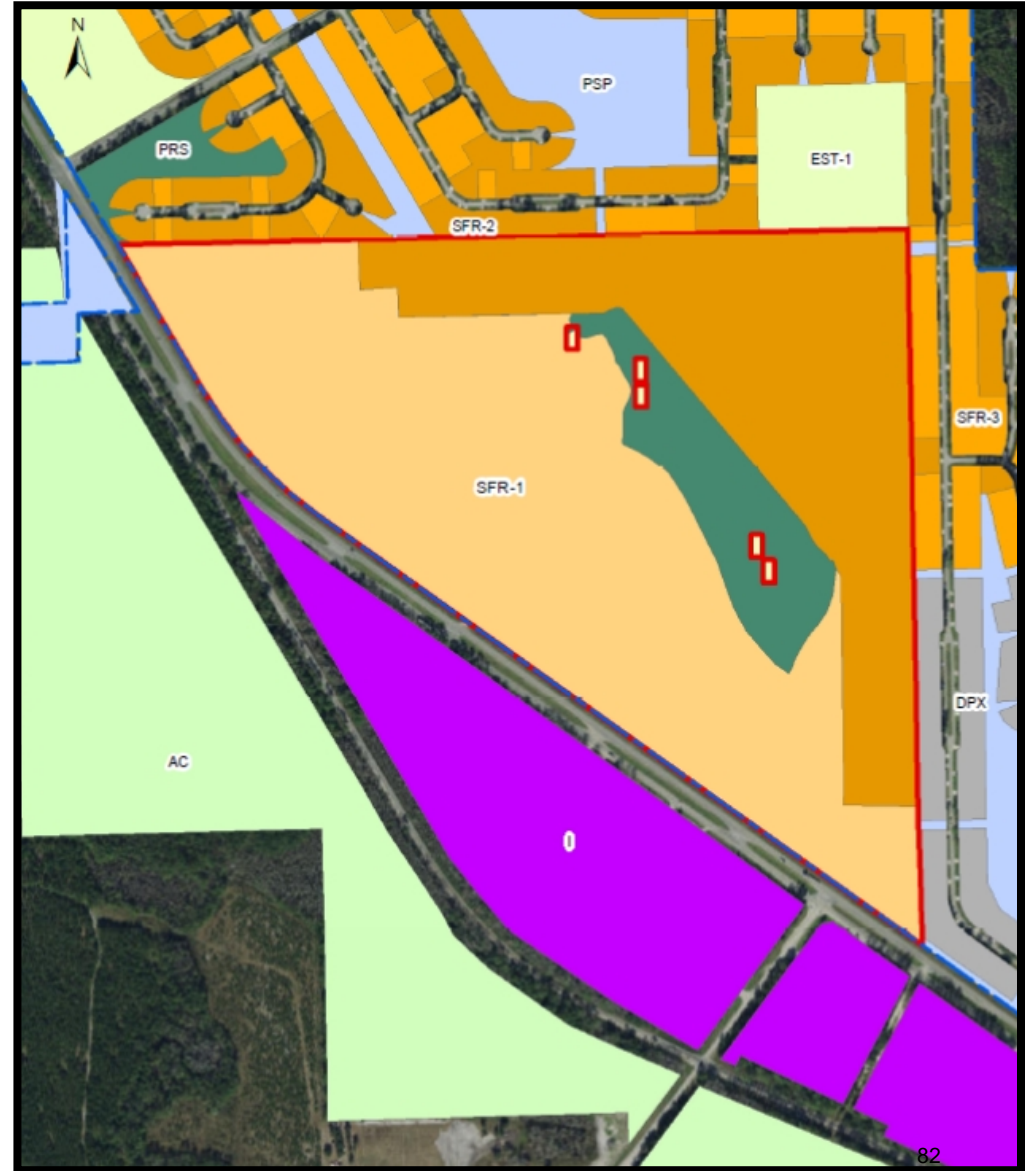
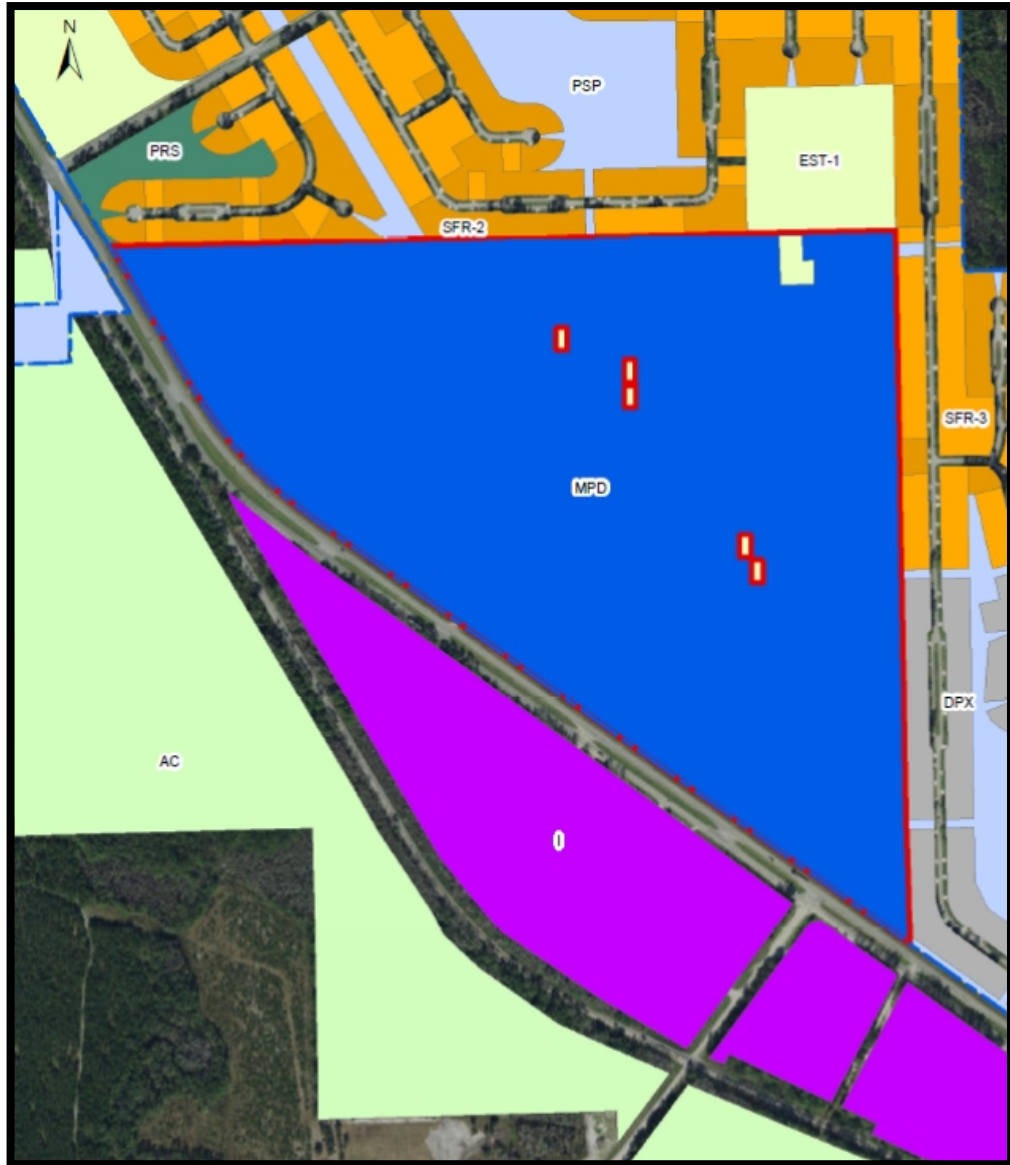
## Recommendation

- The Planning and Land Development Regulation Board recommends that City Council approve for Transmittal to the State Land Planning Agency (DEO) Application #4702. A FLUM amendment from Industrial, & Greenbelt to Residential. Along with an amendment to limit development on the subject parcel to 450 dwelling units.

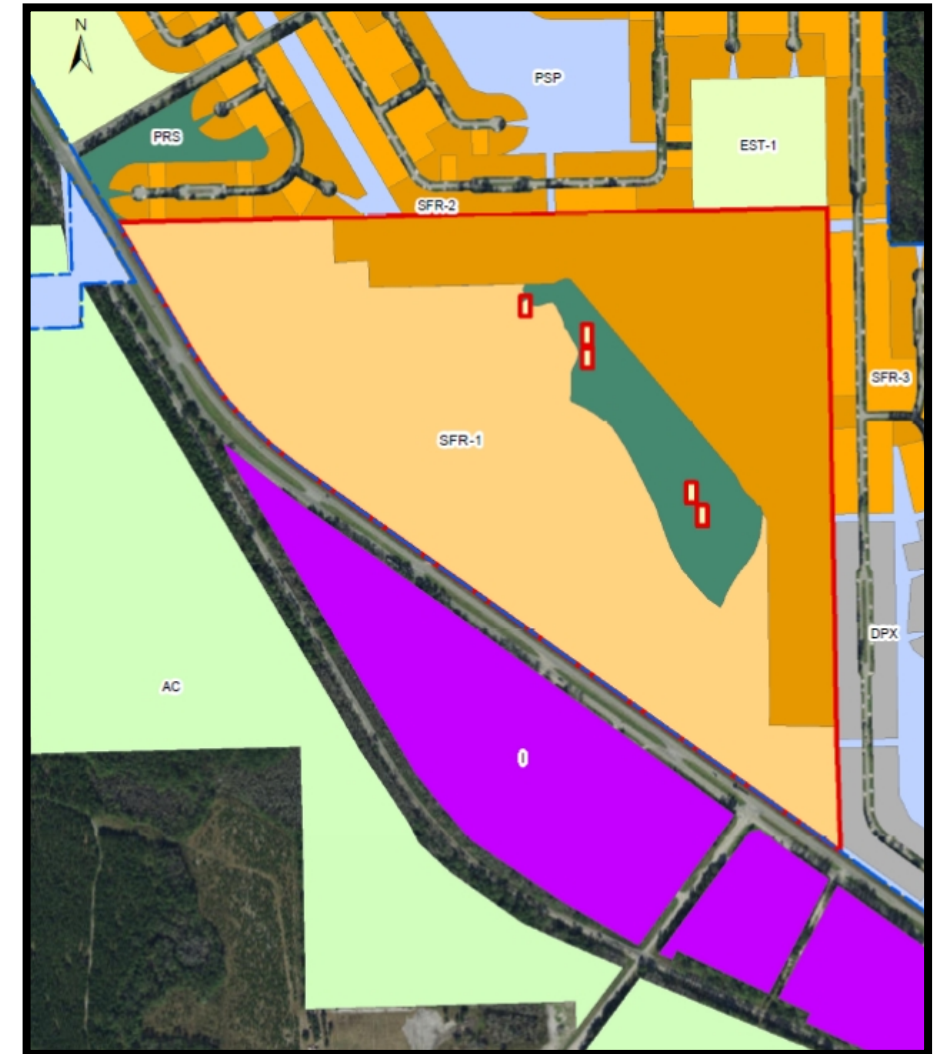
# Zoning Map Amendment

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# Palm Coast 145– Zoning Map Amendment



# Palm Coast 145- Zoning Map Amendment



# Palm Coast 145– Zoning Map Amendment

## Findings

- *Criteria – Consistency with Comprehensive Plan*
  - *Consistent with policies for infrastructure availability & expanding urban uses only in infrastructure*
- *Criteria – Impact on natural environment*
  - *No additional impact*
- *Criteria – Impact on Public Facilities*
  - *Less impact on transportation, water, and sewer, with more impact on schools, parks, and solid waste*



# Palm Coast 145 – Zoning Map Amendment

## Findings

- *Criteria – Impact on Economy*
  - *No negative impact on economy. Job opportunities remain during construction phase.*
- *Criteria – Changes in circumstances or conditions*
  - *No changes. Proposed change will reflect market demand for more residential development*

# Palm Coast 145 – Zoning Map Amendment

## Findings

- *Criteria – Compatibility with proximate uses and development patterns*
  - *Compatible with residential development to the north and east. The introduction of single-family residential adjacent to US-1 will require consideration during platting process.*
- *Criteria – Accomplishes legitimate public purpose*
  - *Provides more consistent zoning designation with adjacent single-family neighborhood.*

# Palm Coast 145 – Zoning Map Amendment

## Recommendation

- The Planning and Land Development Regulation Board recommends that City Council approve Application #4703. A Zoning Map amendment from Master Planned Development (MPD) & Suburban Estate-1 (EST-1) to Single Family Residential-1 (SFR-1), Single Family Residential-2 (SFR-2), and Preservation (PRS)

# Palm Coast 145 - Applications

## Next Steps

- Transmittal of FLUM amendment to various State Agencies
- 2<sup>nd</sup> reading City Council after 30 day comment period

# Palm Coast 145 - Applications

- Applicant is present to answer questions

Questions?

## City of Palm Coast, Florida Agenda Item

Agenda Date : JULY 6, 2021

<b>Department Item Key</b>	11167	<b>Amount Account #</b>
<b>Subject</b>	ORDINANCE 2021-XX RENAMING THE ROAD SEGMENT OF CITATION PARKWAY CURRENTLY BETWEEN SESAME BOULEVARD & SEMINOLE WOODS BOULEVARD TO SESAME BOULEVARD	
<b>Presenter : CARL COTE</b>		
<b>Background :</b> Citation Parkway is the north-south connector, between Seminole Woods Parkway & Sesame Boulevard. This segment of road is currently under construction to change the roadway from a 4-lane roadway with a stop sign controlled intersection at Sesame Blvd. into a 2-lane roadway with a continuous curve at Sesame Boulevard.  The proposed ordinance will rename the road segment currently between Sesame Boulevard & Seminole Woods Parkway. This proposed ordinance will have the effect of providing a consistent name for the new roadway that is being constructed. This proposed name change will affect the existing intersection of Citation Parkway at Seminole Woods Parkway, as well as the existing intersection of Citation Parkway at Universal Trail.		
<b>Recommended Action :</b> <b>ADOPT ORDINANCE 2021-XX RENAMING THE ROAD SEGMENT OF CITATION PARKWAY CURRENTLY BETWEEN SESAME BOULEVARD &amp; SEMINOLE WOODS BOULEVARD TO SESAME BOULEVARD</b>		

**ORDINANCE 2021-\_\_\_\_\_**  
**RENAMING CERTAIN STREET SEGMENT OF CITATION PARKWAY**  
**FROM CITATION PARKWAY TO SESAME BOULEVARD**

**AN ORDINANCE OF THE CITY OF PALM COAST, FLORIDA, OFFICIALLY RENAMING OR REDESIGNATING CERTAIN STREET SEGMENTS; RENAMING A SEGMENT OF CITATION PARKWAY BETWEEN SESAME BOULEVARD AND SEMINOLE WOODS BOULEVARD IS RENAMED SESAME BOULEVARD; GRAPHICALLY DEPICTED IN EXHIBIT A; PROVIDING FOR UPDATING AND DISTRIBUTION OF THE CITY MAP; PROVIDING FOR REPLACEMENT OF THE AFFECTED STREET SIGNS; PROVIDING FOR CONFLICTS; SEVERABILITY; AND AN EFFECTIVE DATE**

**WHEREAS**, the City of Palm Coast (the “City”) is a municipal corporation lawfully established and organized under the laws of Florida; and

**WHEREAS**, the City Council is granted the authority under Section 2(b), Article VIII of the Florida Constitution to exercise any power for municipal purposes except when expressly prohibited by law; and

**WHEREAS**, pursuant to Section 335.01, Florida Statutes, all roads which are open and available for use by the public and dedicated for public use are established as public roads; and

**WHEREAS**, pursuant to Section 334.03, Florida Statutes, all local roads within a municipality and all collector roads within a municipality that are not in the county road system are part of the City street system;

**WHEREAS**, the Flagler County Emergency Services is responsible for addressing in Flagler County; and

**WHEREAS**, the Flagler County Emergency Services is responsible for dispatching emergency response through 911 calls in Flagler County; and

**WHEREAS**, the Flagler County Emergency Services has requested that the City consider the proposed changes included in this Ordinance in the interest of public safety; and



**WHEREAS**, the City desires to rename a segment of Citation Parkway as Sesame Boulevard, as depicted in Exhibit A; and

**WHEREAS**, the City Council of the City of Palm Coast hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. Recitals.** The foregoing recitals are true and correct and are fully incorporated herein by this reference.

**SECTION 2. FINDING.** The City Council of the City of Palm Coast has determined that it is in the interest of the public health, safety and general welfare to rename/name the street segment identified in this Ordinance. In future, the segment of Citation Parkway from Sesame Blvd. to Seminole Woods Blvd. is renamed Sesame Blvd., as depicted in “Exhibit A.”

**SECTION 3. DIRECTION FOR DISTRIBUTION.** The City Clerk is hereby directed to update the official map of the City to show the new street name and to furnish a copy of this Ordinance to all appropriate governmental agencies, including, but not limited to, the U.S. Postal Service, the Clerk of the Court for Flagler County, and all fire, law enforcement and emergency medical service agencies.

**SECTION 4. CITY TO REPLACE STREET SIGNS.** The City shall appropriate funding for and perform the replacement of the affected street signs.

**SECTION 5. CONFLICT.** Any prior Ordinance or policy of the City which is inconsistent with the provisions of this Ordinance is hereby repealed to the extent of such inconsistency.

**SECTION 6. SEVERABILITY.** If any section, subsection, sentence, clause, phrase, word or provision of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then said holding shall not be so construed as to render invalid or unconstitutional the remaining provisions of this ordinance.

**SECTION 7. EFFECTIVE DATE.** This ordinance shall become effective immediately upon execution.

Approved on first reading this 6th day of July 2021.

Approved on second reading this 20th day of July 2021.

CITY OF PALM COAST, FLORIDA

\_\_\_\_\_  
Eddie Branquinho, Acting Mayor

ATTEST:

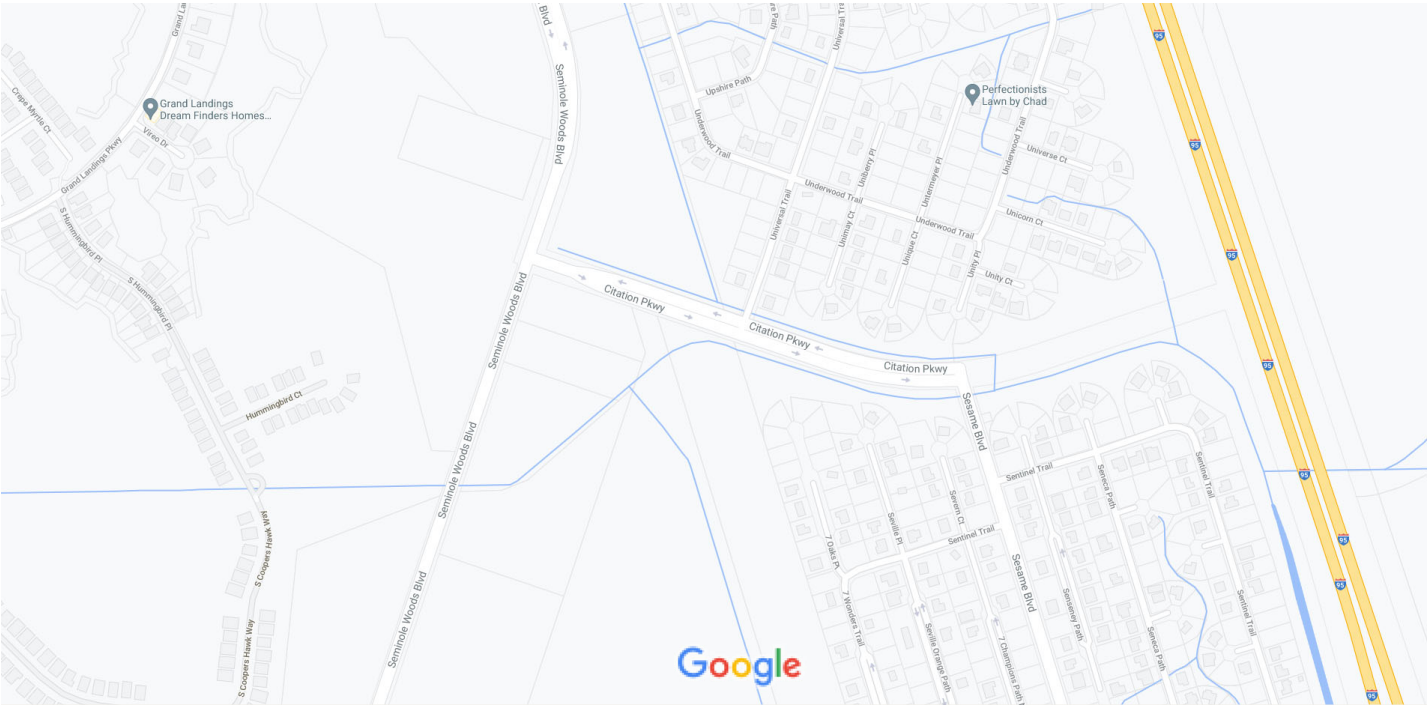
\_\_\_\_\_  
Virginia A. Smith, City Clerk

Approved as to form and legality:

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.

Attachment:

Exhibit A - Graphic of Proposed Street Name



Map data ©2021 Google 200 ft

## City of Palm Coast, Florida Agenda Item

Agenda Date : July 6, 2021

<b>Department Item Key</b>	11139	<b>Amount Account #</b>
<b>Subject</b>	RESOLUTION 2021-XX TERMINATING THE PALM COAST 145 (PC145) MASTER PLANNED DEVELOPMENT (MPD) AGREEMENT	
<b>Presenter : Jose Papa</b>		
<b>Background:</b>  The subject property is a 146+/- acre parcel located on the eastside of US-1 north of Karas Trail and south of Belle Terre Blvd. In November of 2017, City Council approved Ordinance #2017-24 which rezoned the subject parcel to Master Planned Development (MPD) zoning district as well the approval of the Palm Coast 145 Development Agreement for the subject parcel.  The property owner of the subject parcel Palm Coast 145 LLC is proposing to rezone the subject parcel from Master Planned Development (MPD) zoning district to the Single-Family Residential -1 (SFR-1), Single Family Residential (SFR-2) and Preservation (PRS) Zoning Districts. With the approval of rezoning the subject parcel, the MPD Agreement that affects the subject property will no longer be valid.  The proposed resolution will allow City Council to take action to formally terminate the Palm Coast 145 MPD Agreement.		
<b>Recommended Action:</b> APPROVE RESOLUTION 2021-XX TERMINATING THE PALM COAST 145 (PC145) MASTER PLANNED DEVELOPMENT (MPD) AGREEMENT		

**RESOLUTION 2021 - \_\_\_\_**  
**TERMINATION OF THE PC 145 MPD**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA TERMINATING THE 2017 PALM COAST 145 MASTER PLANNED DEVELOPMENT AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Coast and Palm Coast 145 LLC (hereinafter “Owner”) entered into that certain Master Planned Development (MPD) Agreement as approved and adopted on November 21, 2017 by Ordinance # 2017-24; and

**WHEREAS**, the City and Owner wish to terminate the MPD Agreement and wish to release the Owner from the terms and conditions of said MPD Agreement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. TERMINATION OF MPD.** The City Council hereby approves the termination of the MPD Agreement and releases the Owner from the terms and conditions of said MPD Agreement.

**SECTION 2. RECORDING.** This Resolution shall be recorded upon the Public Records of Flagler County, Florida, at the Owner’s expense.

**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The Mayor, or designee is, is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida  
this 6<sup>th</sup> day of July, 2021.

ATTEST:

CITY OF PALM COAST, FLORIDA

\_\_\_\_\_  
Virginia A. Smith, City Clerk

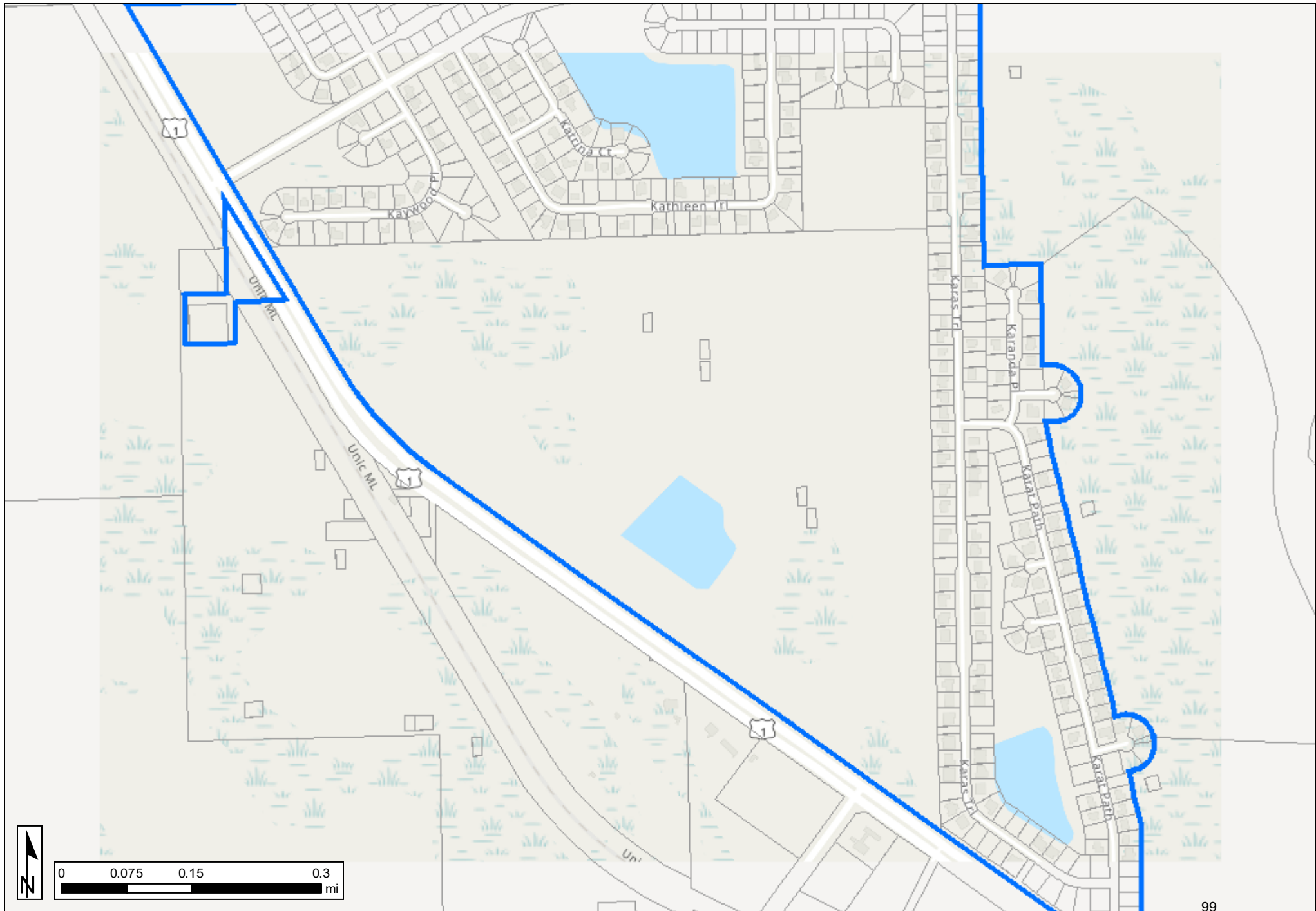
\_\_\_\_\_  
Eddie Branquinho, Acting Mayor

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esquire  
City Attorney

# location map

Wed, March 31, 2021 10:55:06 AM



# City of Palm Coast, Florida

## Agenda Item

Agenda Date : JULY 6, 2021

<b>Department Item Key</b>	11148	<b>Amount Account #</b>
<b>Subject</b>	RESOLUTION 2021-XX TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAND RELATING TO THE OPIOID EPIDEMIC	
<b>Presenter :</b>		
<b>Background :</b> The State of Florida and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation.  The Florida Memorandum of Understanding (the "Florida Plan") sets forth a framework of a unified plan for the proposed allocation and use of opioid settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date.  Participation in the Florida Plan by a large majority of Florida cities and counties will materially increase the amount of funds to Florida and should improve Florida's relative bargaining position during additional settlement negotiations.  Failure to participate in the Florida Plan will reduce funds available to the State, the City of Palm Coast, and every other Florida city and county. The City of Palm Coast finds that participation in the Florida Plan would be in the best interest of the City and its citizens in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every city and county receives funds for the harm that it has suffered. The City hereby expresses through adoption of this resolution, its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan.		
<b>Recommended Action :</b> ADOPT RESOLUTION 2021-XX TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAND RELATING TO THE OPIOID EPIDEMIC		



**RESOLUTION 2021-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Palm Coast has suffered harm from the opioid epidemic; and

**WHEREAS**, the City of Palm Coast recognizes that the entire State of Florida has suffered harm as result from the opioid epidemic; and

**WHEREAS**, the State of Florida has filed an action pending in Pasco County, Florida, and a number of Florida Cities and Counties have also filed an action *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation") and the City of Palm Coast is not a litigating participant in that action; and

**WHEREAS**, the State of Florida and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation; and

**WHEREAS**, the Florida Memorandum of Understanding (the "Florida Plan") sets forth a framework of a unified plan for the proposed allocation and use of opioid settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date; and

**WHEREAS**, participation in the Florida Plan by a large majority of Florida cities and counties will materially increase the amount of funds to Florida and should improve Florida's relative bargaining position during additional settlement negotiations; and

**WHEREAS**, failure to participate in the Florida Plan will reduce funds available to the State, the City of Palm Coast, and every other Florida city and county.

**NOW THEREFORE, IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1.** That the City of Palm Coast (hereinafter referred to as "Governmental Unit") finds that participation in the Florida Plan would be in the best interest of the Governmental Unit and its citizens in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every city and county receives funds for the harm that it has suffered.

**SECTION 2:** That this Governmental Unit hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan, attached hereto as Exhibit "A."

**SECTION 3:** That the Mayor is hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit "A".

**SECTION 4:** That the Mayor is hereby authorized to execute the any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that is not substantially inconsistent with the Florida Plan and this Resolution.

**SECTION 5:** That the City Clerk be and hereby is instructed to record this Resolution in the appropriate record book upon its adoption.

**SECTION 6:** The City Clerk is hereby directed to furnish a certified copy of the Resolution:

Florida League of Cities  
P.O. Box 1757  
Tallahassee, FL 32302

Attorney General Ashley Moody  
c/o John M. Guard  
The Capitol, PL-01  
Tallahassee, FL 32399-1050.

**SECTION 7.** That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

**SECTION 8.** That this Resolution shall take effect immediately upon its adoption by the City Council of the City of Palm Coast, Florida.

## **CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
Eddie Branquinho, Acting Mayor

\_\_\_\_\_  
Virginia A. Smith, City Clerk

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esquire  
City Attorney

**PROPOSAL**  
**MEMORANDUM OF UNDERSTANDING**

Whereas, the people of the State of Florida and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Pharmaceutical Supply Chain;

Whereas, the State of Florida, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance;

Whereas, the State of Florida and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Florida;

Whereas, it is the intent of the State of Florida and its Local Governments to use the proceeds from Settlements with Pharmaceutical Supply Chain Participants to increase the amount of funding presently spent on opioid and substance abuse education, treatment and other related programs and services, such as those identified in Exhibits A and B, and to ensure that the funds are expended in compliance with evolving evidence-based “best practices”;

Whereas, the State of Florida and its Local Governments, subject to the completion of formal documents that will effectuate the Parties’ agreements, enter into this Memorandum of Understanding (“MOU”) relating to the allocation and use of the proceeds of Settlements described herein; and

Whereas, this MOU is a preliminary non-binding agreement between the Parties, is not legally enforceable, and only provides a basis to draft formal documents which will effectuate the Parties’ agreements.

**A. Definitions**

As used in this MOU:

1. “Approved Purpose(s)” shall mean forward-looking strategies, programming and services used to expand the availability of treatment for individuals impacted by substance use disorders, to: (a) develop, promote, and provide evidence-based substance use prevention strategies; (b) provide substance use avoidance and awareness education; (c) decrease the oversupply of licit and illicit opioids; and (d) support recovery from addiction. Approved Purposes shall include, but are not limited to, the opioid abatement strategies listed on Exhibits A and B which are incorporated herein by reference.

2. “Local Governments” shall mean all counties, cities, towns and villages located within the geographic boundaries of the State.

3. “Managing Entities” shall mean the corporations selected by and under contract with the Florida Department of Children and Families or its successor (“DCF”) to manage the

daily operational delivery of behavioral health services through a coordinated system of care. The singular “Managing Entity” shall refer to a singular of the Managing Entities.

4. “County” shall mean a political subdivision of the state established pursuant to s. 1, Art. VIII of the State Constitution.

5. “Municipalities” shall mean cities, towns, or villages of a County within the State with a Population greater than 10,000 individuals and shall also include cities, towns or villages within the State with a Population equal to or less than 10,000 individuals which filed a Complaint in this litigation against Pharmaceutical Supply Chain Participants. The singular “Municipality” shall refer to a singular of the Municipalities.

6. “Negotiating Committee” shall mean a three-member group comprised by representatives of the following: (1) the State; and (2) two representatives of Local Governments of which one representative will be from a Municipality and one shall be from a County (collectively, “Members”) within the State. The State shall be represented by the Attorney General or her designee.

7. “Negotiation Class Metrics” shall mean those county and city settlement allocations which come from the official website of the Negotiation Class of counties and cities certified on September 11, 2019 by the U.S. District for the Northern District of Ohio in *In re National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio). The website is located at <https://allocationmap.iclaimsonline.com>.

8. “Opioid Funds” shall mean monetary amounts obtained through a Settlement as defined in this MOU.

9. “Opioid Related” shall have the same meaning and breadth as in the agreed Opioid Abatement Strategies attached hereto as Exhibits A or B.

10. “Parties” shall mean the State and Local Governments. The singular word “Party” shall mean either the State or Local Governments.

11. “PEC” shall mean the Plaintiffs’ Executive Committee of the National Prescription Opiate Multidistrict Litigation pending in the United States District Court for the Northern District of Ohio.

12. “Pharmaceutical Supply Chain” shall mean the process and channels through which Controlled Substances are manufactured, marketed, promoted, distributed or dispensed.

13. “Pharmaceutical Supply Chain Participant” shall mean any entity that engages in, or has engaged in the manufacture, marketing, promotion, distribution or dispensing of an opioid analgesic.

14. “Population” shall refer to published U.S. Census Bureau population estimates as of July 1, 2019, released March 2020, and shall remain unchanged during the term of this MOU. These estimates can currently be found at <https://www.census.gov>

15. “Qualified County” shall mean a charter or non-chartered county within the State that: has a Population of at least 300,000 individuals and (a) has an opioid taskforce of which it is a member or operates in connection with its municipalities or others on a local or regional basis; (b) has an abatement plan that has been either adopted or is being utilized to respond to the opioid epidemic; (c) is currently either providing or is contracting with others to provide substance abuse prevention, recovery, and treatment services to its citizens; and (d) has or enters into an agreement with a majority of Municipalities (Majority is more than 50% of the Municipalities’ total population) related to the expenditure of Opioid Funds. The Opioid Funds to be paid to a Qualified County will only include Opioid Funds for Municipalities whose claims are released by the Municipality or Opioid Funds for Municipalities whose claims are otherwise barred.

16. “SAMHSA” shall mean the U.S. Department of Health & Human Services, Substance Abuse and Mental Health Services Administration.

17. “Settlement” shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant when that resolution has been jointly entered into by the State and Local Governments or a settlement class as described in (B)(1) below.

18. “State” shall mean the State of Florida.

## **B. Terms**

1. **Only Abatement** - Other than funds used for the Administrative Costs and Expense Fund as hereinafter described in paragraph 6 and paragraph 9, respectively), all Opioid Funds shall be utilized for Approved Purposes. To accomplish this purpose, the State will either file a new action with Local Governments as Parties or add Local Governments to its existing action, sever settling defendants, and seek entry of a consent order or other order binding both the State, Local Governments, and Pharmaceutical Supply Chain Participant(s) (“Order”). The Order may be part of a class action settlement or similar device. The Order shall provide for continuing jurisdiction of a state court to address non-performance by any party under the Order. Any Local Government that objects to or refuses to be included under the Order or entry of documents necessary to effectuate a Settlement shall not be entitled to any Opioid Funds and its portion of Opioid Funds shall be distributed to, and for the benefit of, the other Local Governments.

2. **Avoid Claw Back and Recoupment** - Both the State and Local Governments wish to maximize any Settlement and Opioid Funds. In addition to committing to only using funds for the Expense Funds, Administrative Costs and Approved Purposes, both Parties will agree to utilize a percentage of funds for the core strategies highlighted in Exhibit A. Exhibit A contains the programs and strategies prioritized by the U.S. Department of Justice and/or the U.S. Department of Health & Human Services (“Core Strategies”). The State is trying to obtain the United States’ agreement to limit or reduce the United States’ ability to recover or recoup monies from the State and Local Government in exchange for prioritization of funds to certain projects. If no agreement is reached with the United States, then there will be no requirement that a percentage be utilized for Core Strategies.

3. **Distribution Scheme** - All Opioid Funds will initially go to the State, and then be distributed according to the following distribution scheme. The Opioid Funds will be divided into three funds after deducting costs of the Expense Fund detailed in paragraph 9 below:

- (a) City/County Fund- The city/county fund will receive 15% of all Opioid Funds to directly benefit all Counties and Municipalities. The amounts to be distributed to each County and Municipality shall be determined by the Negotiation Class Metrics or other metrics agreed upon, in writing, by a County and a Municipality. For Local Governments that are not within the definition of County or Municipality, those Local Governments may receive that government's share of the City/County Fund under the Negotiation Class Metrics, if that government executes a release as part of a Settlement. Any Local Government that is not within the definition of County or Municipality and that does not execute a release as part of a Settlement shall have its share of the City/County Fund go to the County in which it is located.
- (b) Regional Fund- The regional fund will be subdivided into two parts.
  - (i) The State will annually calculate the share of each County within the State of the regional fund utilizing the sliding scale in section 4 of the allocation contained in the Negotiation Class Metrics or other metrics that the Parties agree upon.
  - (ii) For Qualified Counties, the Qualified County's share will be paid to the Qualified County and expended on Approved Purposes, including the Core Strategies identified in Exhibit A, if applicable.
  - (iii) For all other Counties, the regional share for each County will be paid to the Managing Entities providing service for that County. The Managing Entities will be required to expend the monies on Approved Purposes, including the Core Strategies. The Managing Entities shall endeavor to the greatest extent possible to expend these monies on counties within the State that are non-Qualified Counties and to ensure that there are services in every County.
- (c) State Fund - The remainder of Opioid Funds after deducting the costs of the Expense Fund detailed in paragraph 9, the City/County Fund and the Regional Fund will be expended by the State on Approved Purposes, including the provisions related to Core Strategies, if applicable.
- (d) To the extent that Opioid Funds are not appropriated and expended in a year by the State, the State shall identify the investments where settlement funds will be deposited. Any gains, profits, or interest accrued from the deposit of the Opioid Funds to the extent that any funds are not appropriated and expended within a calendar year, shall be the sole property of the Party that was entitled to the initial deposit.

4. Regional Fund Sliding Scale- The Regional Fund shall be calculated by utilizing the following sliding scale of the Opioid Funds available in any year:

- A. Years 1-6: 40%
- B. Years 7-9: 35%
- C. Years 10-12: 34%
- D. Years 13-15: 33%
- E. Years 16-18: 30%

5. Opioid Abatement Taskforce or Council - The State will create an Opioid Abatement Taskforce or Council (sometimes hereinafter “Taskforce” or “Council”) to advise the Governor, the Legislature, Florida’s Department of Children and Families (“DCF”), and Local Governments on the priorities that should be addressed as part of the opioid epidemic and to review how monies have been spent and the results that have been achieved with Opioid Funds.

- (a) Size - The Taskforce or Council shall have ten Members equally balanced between the State and the Local Governments.
- (b) Appointments Local Governments - Two Municipality representatives will be appointed by or through Florida League of Cities. Two county representatives, one from a Qualified County and one from a county within the State that is not a Qualified County, will be appointed by or through the Florida Association of Counties. The final representative will alternate every two years between being a county representative (appointed by or through Florida Association of Counties) or a Municipality representative (appointed by or through the Florida League of Cities). One Municipality representative must be from a city of less than 50,000 people. One county representative must be from a county less than 200,000 people and the other county representative must be from a county whose population exceeds 200,000 people.
- (c) Appointments State -
  - (i) The Governor shall appoint two Members.
  - (ii) The Speaker of the House shall appoint one Member.
  - (iii) The Senate President shall appoint one Member.
  - (iv) The Attorney General or her designee shall be a Member.
- (d) Chair - The Attorney General or designee shall be the chair of the Taskforce or Council.
- (e) Term - Members will be appointed to serve a two-year term.

- (f) Support - DCF shall support the Taskforce or Council and the Taskforce or Council shall be administratively housed in DCF.
- (g) Meetings - The Taskforce or Council shall meet quarterly in person or virtually using communications media technology as defined in section 120.54(5)(b)(2), Florida Statutes.
- (h) Reporting - The Taskforce or Council shall provide and publish a report annually no later than November 30th or the first business day after November 30th, if November 30th falls on a weekend or is otherwise not a business day. The report shall contain information on how monies were spent the previous fiscal year by the State, each of the Qualified Counties, each of the Managing Entities, and each of the Local Governments. It shall also contain recommendations to the Governor, the Legislature, and Local Governments for priorities among the Approved Purposes for how monies should be spent the coming fiscal year to respond to the opioid epidemic.
- (i) Accountability - Prior to July 1st of each year, the State and each of the Local Governments shall provide information to DCF about how they intend to expend Opioid Funds in the upcoming fiscal year. The State and each of the Local Government shall report its expenditures to DCF no later than August 31st for the previous fiscal year. The Taskforce or Council will set other data sets that need to be reported to DCF to demonstrate the effectiveness of Approved Purposes. All programs and expenditures shall be audited annually in a similar fashion to SAMHSA programs. Local Governments shall respond and provide documents to any reasonable requests from the State for data or information about programs receiving Opioid Funds.
- (j) Conflict of Interest - All Members shall adhere to the rules, regulations and laws of Florida including, but not limited to, Florida Statute §112.311, concerning the disclosure of conflicts of interest and recusal from discussions or votes on conflicted matters.

6. **Administrative Costs**- The State may take no more than a 5% administrative fee from the State Fund (“Administrative Costs”) and any Regional Fund that it administers for counties that are not Qualified Counties. Each Qualified County may take no more than a 5% administrative fee from its share of the Regional Funds.

7. **Negotiation of Non-Multistate Settlements** - If the State begins negotiations with a Pharmaceutical Supply Chain Participant that is separate and apart from a multi-state negotiation, the State shall include Local Governments that are a part of the Negotiating Committee in such negotiations. No Settlement shall be recommended or accepted without the affirmative votes of both the State and Local Government representatives of the Negotiating Committee.

8. **Negotiation of Multistate or Local Government Settlements** - To the extent practicable and allowed by other parties to a negotiation, both Parties agree to communicate with



members of the Negotiation Committee regarding the terms of any other Pharmaceutical Supply Chain Participant Settlement.

9. **Expense Fund** - The Parties agree that in any negotiation every effort shall be made to cause Pharmaceutical Supply Chain Participants to pay costs of litigation, including attorneys' fees, in addition to any agreed to Opioid Funds in the Settlement. To the extent that a fund sufficient to pay the entirety of all contingency fee contracts for Local Governments in the State of Florida is not created as part of a Settlement by a Pharmaceutical Supply Chain Participant, the Parties agree that an additional expense fund for attorneys who represent Local Governments (herein "Expense Fund") shall be created out of the City/County fund for the purpose of paying the hard costs of a litigating Local Government and then paying attorneys' fees.

- (a) The Source of Funds for the Expense Fund- Money for the Expense Fund shall be sourced exclusively from the City/County Fund.
- (b) The Amount of the Expense Fund- The State recognizes the value litigating Local Governments bring to the State of Florida in connection with the Settlement because their participation increases the amount Incentive Payments due from each Pharmaceutical Supply Chain Participant. In recognition of that value, the amount of funds that shall be deposited into the Expense fund shall be contingent upon on the percentage of litigating Local Government participation in the Settlement, according to the following table:

Litigating Local Government Participation in the Settlement (by percentage of the population)	Amount that shall be paid into the Expense Fund from (and as a percentage of) the City/County fund
96 to 100%	10%
91 to 95%	7.5%
86 to 90%	5%
85%	2.5%
Less than 85%	0%

If fewer than 85% percent of the litigating Local Governments (by population) participate, then the Expense Fund shall not be funded, and this Section of the MOU shall be null and void.

- (c) The Timing of Payments into the Expense Fund- Although the amount of the Expense Fund shall be calculated based on the entirety of payments due to the City/County fund over a ten to eighteen year period, the Expense Fund shall be funded entirely from payments made by Pharmaceutical Supply Chain Participants during the first two years of the Settlement. Accordingly, to offset the amounts being paid from the City/County to the Expense Fund in the first two years, Counties or Municipalities may borrow from the Regional Fund during the first two years and pay the borrowed amounts back to the Regional Fund during years three, four, and five.

For the avoidance of doubt, the following provides an illustrative example regarding the calculation of payments and amounts that may be borrowed under the terms of this MOU, consistent with the provisions of this Section:

Opioid Funds due to State of Florida and Local Governments (over 10 to 18 years):	\$1,000
Litigating Local Government Participation:	100%
City/County Fund (over 10 to 18 years):	\$150
Expense Fund (paid over 2 years):	\$15
Amount Paid to Expense Fund in 1st year:	\$7.5
Amount Paid to Expense Fund in 2nd year:	\$7.5
Amount that may be borrowed from Regional Fund in 1st year:	\$7.5
Amount that may be borrowed from Regional Fund in 2nd year:	\$7.5
Amount that must be paid back to Regional Fund in 3rd year:	\$5
Amount that must be paid back to Regional Fund in 4th year:	\$5
Amount that must be paid back to Regional Fund in 5th year:	\$5

- (d) Creation of and Jurisdiction over the Expense Fund- The Expense Fund shall be established, consistent with the provisions of this Section of the MOU, by order of the Circuit Court of the Sixth Judicial Circuit in and for Pasco County, West Pasco Division New Port Richey, Florida, in the matter of *The State of Florida, Office of the Attorney General, Department of Legal Affairs v. Purdue Pharma L.P., et al.*, Case No. 2018-CA-001438 (the “Court”). The Court shall have jurisdiction over the Expense Fund, including authority to allocate and disburse amounts from the Expense Fund and to resolve any disputes concerning the Expense Fund.
- (e) Allocation of Payments to Counsel from the Expense Fund- As part of the order establishing the Expense Fund, counsel for the litigating Local Governments shall seek to have the Court appoint a third-neutral to serve as a special master for purposes of allocating the Expense Fund. Within 30 days of entry of the order appointing a special master for the Expense Fund, any counsel who intend to seek an award from the Expense Fund shall provide the copies of their contingency fee contracts to the special master. The special master shall then build a mathematical model, which shall be based on each litigating Local Government’s share under the Negotiation Class Metrics and the rate set forth in their contingency contracts, to calculate a proposed award for each litigating Local Government who timely provided a copy of its contingency contract.

10. **Dispute resolution**- Any one or more of the Local Governments or the State may object to an allocation or expenditure of Opioid Funds solely on the basis that the allocation or expenditure at issue (a) is inconsistent with the Approved Purposes; (b) is inconsistent with the distribution scheme as provided in paragraph 3, or (c) violates the limitations set forth herein with respect to administrative costs or the Expense Fund. There shall be no other basis for bringing an objection to the approval of an allocation or expenditure of Opioid Funds.

## Schedule A

### Core Strategies

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“**Core Strategies**”)[, such that a minimum of \_\_% of the [aggregate] state-level abatement distributions shall be spent on [one or more of] them annually].<sup>1</sup>

#### A. Naloxone or other FDA-approved drug to reverse opioid overdoses

1. Expand training for first responders, schools, community support groups and families; and
2. Increase distribution to individuals who are uninsured or whose insurance does not cover the needed service.

#### B. Medication-Assisted Treatment (“MAT”) Distribution and other opioid-related treatment

1. Increase distribution of MAT to non-Medicaid eligible or uninsured individuals;
2. Provide education to school-based and youth-focused programs that discourage or prevent misuse;
3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
4. Treatment and Recovery Support Services such as residential and inpatient treatment, intensive outpatient treatment, outpatient therapy or counseling, and recovery housing that allow or integrate medication with other support services.

#### C. Pregnant & Postpartum Women

1. Expand Screening, Brief Intervention, and Referral to Treatment (“SBIRT”) services to non-Medicaid eligible or uninsured pregnant women;
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“OUD”) and other Substance Use Disorder (“SUD”)/Mental Health disorders for uninsured individuals for up to 12 months postpartum; and
3. Provide comprehensive wrap-around services to individuals with Opioid Use Disorder (OUD) including housing, transportation, job placement/training, and childcare.

#### D. Expanding Treatment for Neonatal Abstinence Syndrome

1. Expand comprehensive evidence-based and recovery support for NAS babies;
2. Expand services for better continuum of care with infant-need dyad; and
3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

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<sup>1</sup> As used in this Schedule A, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the Term Sheet.

#### E. Expansion of Warm Hand-off Programs and Recovery Services

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or mental health conditions. ;
4. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers or other behavioral health workers to facilitate expansions above.

#### F. Treatment for Incarcerated Population

1. Provide evidence-based treatment and recovery support including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails to provide treatment to inmates with OUD.

#### G. Prevention Programs

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for evidence-based prevention programs in schools.;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding and training for first responders to participate in pre-arrest diversion programs, post-overdose response teams, or similar strategies that connect at-risk individuals to behavioral health services and supports.

#### H. Expanding Syringe Service Programs

1. Provide comprehensive syringe services programs with more wrap-around services including linkage to OUD treatment, access to sterile syringes, and linkage to care and treatment of infectious diseases.

#### I. Evidence-based data collection and research analyzing the effectiveness of the abatement strategies within the State.

## **Schedule B**

### **Approved Uses**

#### **PART ONE: TREATMENT**

##### **A. TREAT OPIOID USE DISORDER (OUD)**

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:<sup>2</sup>

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Treatment of trauma for individuals with OUD (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support evidence-based withdrawal management services for people with OUD and any co-occurring mental health conditions.
8. Training on MAT for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Scholarships and supports for behavioral health practitioners or workers involved in addressing OUD and any co-occurring SUD or mental health conditions, including but not limited to training,

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<sup>2</sup> As used in this Schedule B, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs. Priorities will be established through the mechanisms described in the Term Sheet.

scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.

12. [Intentionally Blank – to be cleaned up later for numbering]

13. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OUD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.

14. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.

15. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

## **B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY**

Support people in treatment for or recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.

9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.
11. Training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

### **C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED (CONNECTIONS TO CARE)**

Provide connections to care for people who have – or at risk of developing – OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments.
6. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically-appropriate follow-up care through a bridge clinic or similar approach.

8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

#### **D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS**

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
  - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
  - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
  - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
  - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
  - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or



f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise

2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

## **E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME**

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome (NAS), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based or evidence-informed treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to families affected by Neonatal Abstinence Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for uninsured women with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for NAS babies; expand services for better continuum of care with infant-need dyad; expand long-term treatment and services for medical monitoring of NAS babies and their families.

5. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
6. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
7. Enhanced family supports and child care services for parents with OUD and any co-occurring SUD/MH conditions.
8. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
9. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
10. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

## **PART TWO: PREVENTION**

### **F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS**

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund medical provider education and outreach regarding best prescribing practices for opioids consistent with Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
  - a. Increase the number of prescribers using PDMPs;
  - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or

- c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation's Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

## **G. PREVENT MISUSE OF OPIOIDS**

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Fund media campaigns to prevent opioid misuse.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Fund community anti-drug coalitions that engage in drug prevention efforts.
6. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
7. Engage non-profits and faith-based communities as systems to support prevention.
8. Fund evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create of support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health workers or other school staff, to address

mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

## **H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)**

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, individuals at high risk of overdose, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities provide free naloxone to anyone in the community
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Provide training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Support screening for fentanyl in routine clinical toxicology testing.

## **PART THREE: OTHER STRATEGIES**

### **I. FIRST RESPONDERS**

In addition to items in sections C, D, and H relating to first responders, support the following:

1. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
2. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

### **J. LEADERSHIP, PLANNING AND COORDINATION**

Support efforts to provide leadership, planning, coordination, facilitation, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local, or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services; to support training and technical assistance; or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to share reports, recommendations, or plans to spend opioid settlement funds; to show how opioid settlement funds have been spent; to report program or strategy outcomes; or to track, share, or visualize key opioid-related or health-related indicators and supports as identified through collaborative statewide, regional, local, or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

### **K. TRAINING**

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

### **L. RESEARCH**

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection, and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
7. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

RESOLUTION NO. [INSERT]

A Resolution authorizing [City/County] (herein referred to as this "Governmental Unit") to join with the State of Florida and other local governmental units as a participant in the Florida Memorandum of Understanding and Formal Agreements implementing a Unified Plan.

WHEREAS, the [City/County] has suffered harm from the opioid epidemic;

WHEREAS, the [City/County] recognizes that the entire State of Florida has suffered harm as a result from the opioid epidemic;

WHEREAS, the State of Florida has filed an action pending in Pasco County, Florida, and a number of Florida Cities and Counties have also filed an action *In re: National Prescription Opiate Litigation*, MDL No. 2804 (N.D. Ohio) (the "Opioid Litigation") and [City/County] [is/is not] a litigating participant in that action;

WHEREAS, the State of Florida and lawyers representing certain various local governments involved in the Opioid Litigation have proposed a unified plan for the allocation and use of prospective settlement dollars from opioid related litigation;

WHEREAS, the Florida Memorandum of Understanding (the "Florida Plan") sets forth sets forth a framework of a unified plan for the proposed allocation and use of opioid settlement proceeds and it is anticipated that formal agreements implementing the Florida Plan will be entered into at a future date; and,

WHEREAS, participation in the Florida Plan by a large majority of Florida cities and counties will materially increase the amount of funds to Florida and should improve Florida's relative bargaining position during additional settlement negotiations;

WHEREAS, failure to participate in the Florida Plan will reduce funds available to the State, [City/County], and every other Florida city and county;

NOW, THEREFORE, BE IT RESOLVED BY THIS GOVERNMENTAL UNIT:

SECTION 1. That this Governmental Unit finds that participation in the Florida Plan would be in the best interest of the Governmental Unit and its citizens in that such a plan ensures that almost all of the settlement funds go to abate and resolve the opioid epidemic and each and every city and county receives funds for the harm that it has suffered.

SECTION 2. That this Governmental Unit hereby expresses its support of a unified plan for the allocation and use of opioid settlement proceeds as generally described in the Florida Plan, attached hereto as Exhibit "A."

SECTION 3. That [official name] is hereby expressly authorized to execute the Florida Plan in substantially the form contained in Exhibit "A."

SECTION 4. That [official name] is hereby authorized to execute the any formal agreements implementing a unified plan for the allocation and use of opioid settlement proceeds that is not substantially inconsistent with the Florida Plan and this Resolution.

SECTION 5. That the Clerk be and hereby is instructed to record this Resolution in the appropriate record book upon its adoption.

SECTION 6. The clerk of this Governmental Unit is hereby directed to furnish a certified copy of this Ordinance/Resolution to the Florida

[Florida League of Cities/Florida Association of Counties]

Attorney General Ashley Moody  
c/o John M. Guard  
The Capitol,  
PL-01  
Tallahassee, FL 32399-1050

SECTION 7. This Resolution shall take effect immediately upon its adoption.

Adopted this day of , \_\_\_\_\_, 2021.

(Mayor/Commissioner/etc.)

ATTEST: \_\_\_\_\_



City/County Fund	15%
Regional Fund	35%
Scenario 1	\$ 130,000,000.00
City/County Fund Scenario 1	\$ 19,500,000.00
Regional Fund Scenario 1	\$ 45,500,000.00
Scenario 2	\$ 100,000,000.00
City/County Fund Scenario 2	\$ 15,000,000.00
Regional Fund Scenario 2	\$ 35,000,000.00
Scenario 3	\$ 70,000,000.00
City/County Fund Scenario 3	\$ 10,500,000.00
Regional Fund Scenario 3	\$ 24,500,000.00

County	Allocated Subdivisions	Overall Total %	Allocated % by entity	Scenario 1 City/County Fund	Scenario 1 Regional Fund	Scenario 2 City/County Fund	Scenario 2 Regional Fund	Scenario 3 City/County Fund	Scenario 3 Regional Fund
Alachua		1.241060164449%			\$ 564,682.37		\$ 434,371.06		\$ 304,059.74
	Alachua County		0.821689546303%	\$ 160,229.46		\$ 123,253.43		\$ 86,277.40	
	Alachua		0.013113332457%	\$ 2,557.10		\$ 1,967.00		\$ 1,376.90	
	Archer		0.000219705515%	\$ 42.84		\$ 32.96		\$ 23.07	
	Gainesville		0.381597611347%	\$ 74,411.53		\$ 57,239.64		\$ 40,067.75	
	Hawthorne		0.000270546460%	\$ 52.76		\$ 40.58		\$ 28.41	
	High Springs		0.011987568663%	\$ 2,337.58		\$ 1,798.14		\$ 1,258.69	
	La Crosse		0.000975056706%	\$ 190.14		\$ 146.26		\$ 102.38	
	Micanopy		0.002113530737%	\$ 412.14		\$ 317.03		\$ 221.92	
	Newberry		0.006102729215%	\$ 1,190.03		\$ 915.41		\$ 640.79	
	Waldo		0.002988721299%	\$ 582.80		\$ 448.31		\$ 313.82	
Baker		0.193173804130%			\$ 87,894.08		\$ 67,610.83		\$ 47,327.58
	Baker County		0.169449240037%	\$ 33,042.60		\$ 25,417.39		\$ 17,792.17	
	Glen St. Mary		0.000096234647%	\$ 18.77		\$ 14.44		\$ 10.10	
	Macclenny		0.023628329446%	\$ 4,607.52		\$ 3,544.25		\$ 2,480.97	
Bay		0.839656373312%			\$ 382,043.65		\$ 293,879.73		\$ 205,715.81
	Bay County		0.508772605155%	\$ 99,210.66		\$ 76,315.89		\$ 53,421.12	
	Callaway		0.024953825527%	\$ 4,866.00		\$ 3,743.07		\$ 2,620.15	
	Lynn Haven		0.039205632015%	\$ 7,645.10		\$ 5,880.84		\$ 4,116.59	
	Mexico Beach		0.005614292988%	\$ 1,094.79		\$ 842.14		\$ 589.50	
	Panama City		0.155153855596%	\$ 30,255.00		\$ 23,273.08		\$ 16,291.15	
	Panama City Beach		0.080897023117%	\$ 15,774.92		\$ 12,134.55		\$ 8,494.19	
	Parker		0.008704696178%	\$ 1,697.42		\$ 1,305.70		\$ 913.99	
	Springfield		0.016354442736%	\$ 3,189.12		\$ 2,453.17		\$ 1,717.22	
Bradford		0.189484204081%			\$ 86,215.31		\$ 66,319.47		\$ 46,423.63
	Bradford County		0.151424309090%	\$ 29,527.74		\$ 22,713.65		\$ 15,899.55	
	Brooker		0.000424885045%	\$ 82.85		\$ 63.73		\$ 44.61	
	Hampton		0.002839829959%	\$ 553.77		\$ 425.97		\$ 298.18	
	Lawtey		0.003400896108%	\$ 663.17		\$ 510.13		\$ 357.09	
	Starke		0.031392468132%	\$ 6,121.53		\$ 4,708.87		\$ 3,296.21	
Brevard		3.878799180444%			\$ 1,764,853.63		\$ 1,357,579.71		\$ 950,305.80
	Brevard County		2.323022668525%	\$ 452,989.42		\$ 348,453.40		\$ 243,917.38	
	Cape Canaveral		0.045560750209%	\$ 8,884.35		\$ 6,834.11		\$ 4,783.88	
	Cocoa		0.149245411423%	\$ 29,102.86		\$ 22,386.81		\$ 15,670.77	
	Cocoa Beach		0.084363286155%	\$ 16,450.84		\$ 12,654.49		\$ 8,858.15	
	Grant-Valkaria		0.000321387406%	\$ 62.67		\$ 48.21		\$ 33.75	
	Indianalantic		0.024136738902%	\$ 4,706.66		\$ 3,620.51		\$ 2,534.36	
	Indian Harbour Beach		0.021089913665%	\$ 4,112.53		\$ 3,163.49		\$ 2,214.44	
	Malabar		0.002505732317%	\$ 488.62		\$ 375.86		\$ 263.10	
	Melbourne		0.383104682233%	\$ 74,705.41		\$ 57,465.70		\$ 40,225.99	
	Melbourne Beach		0.012091066302%	\$ 2,357.76		\$ 1,813.66		\$ 1,269.56	
	Melbourne Village		0.003782203200%	\$ 737.53		\$ 567.33		\$ 397.13	
	Palm Bay		0.404817397481%	\$ 78,939.39		\$ 60,722.61		\$ 42,505.83	
	Palm Shores		0.000127102364%	\$ 24.78		\$ 19.07		\$ 13.35	
	Rockledge		0.096603243798%	\$ 18,837.63		\$ 14,490.49		\$ 10,143.34	
	Satellite Beach		0.035975416224%	\$ 7,015.21		\$ 5,396.31		\$ 3,777.42	
	Titusville		0.240056418924%	\$ 46,811.00		\$ 36,008.46		\$ 25,205.92	
	West Melbourne		0.051997577066%	\$ 10,139.53		\$ 7,799.64		\$ 5,459.75	
Broward		9.057962672578%			\$ 4,121,373.02		\$ 3,170,286.94		\$ 2,219,200.85
	Broward County		3.966403576878%	\$ 773,448.70		\$ 594,960.54		\$ 416,472.38	
	Coconut Creek		0.101131719448%	\$ 19,720.69		\$ 15,169.76		\$ 10,618.83	
	Cooper City		0.073935445073%	\$ 14,417.41		\$ 11,090.32		\$ 7,763.22	
	Coral Springs		0.323406517664%	\$ 63,064.27		\$ 48,510.98		\$ 33,957.68	
	Dania Beach		0.017807041180%	\$ 3,472.37		\$ 2,671.06		\$ 1,869.74	
	Davie		0.266922227153%	\$ 52,049.83		\$ 40,038.33		\$ 28,026.83	
	Deerfield Beach		0.202423224725%	\$ 39,472.53		\$ 30,363.48		\$ 21,254.44	
	Fort Lauderdale		0.830581264531%	\$ 161,963.35		\$ 124,587.19		\$ 87,211.03	
	Hallandale Beach		0.154950491814%	\$ 30,215.35		\$ 23,242.57		\$ 16,269.80	
	Hillsboro Beach		0.012407006463%	\$ 2,419.37		\$ 1,861.05		\$ 1,302.74	
	Hollywood		0.520164608456%	\$ 101,432.10		\$ 78,024.69		\$ 54,617.28	
	Lauderdale-By-The-Sea		0.022807611325%	\$ 4,447.48		\$ 3,421.14		\$ 2,394.80	

	Lauderdale Lakes		0.062625150435%	\$	12,211.90	\$	9,393.77	\$	6,575.64
	Lauderhill		0.144382838130%	\$	28,154.65	\$	21,657.43	\$	15,160.20
	Lazy Lake		0.000021788977%	\$	4.25	\$	3.27	\$	2.29
	Lighthouse Point		0.029131861803%	\$	5,680.71	\$	4,369.78	\$	3,058.85
	Margate		0.143683775129%	\$	28,018.34	\$	21,552.57	\$	15,086.80
	Miramar		0.279280208419%	\$	54,459.64	\$	41,892.03	\$	29,324.42
	North Lauderdale		0.066069624496%	\$	12,883.58	\$	9,910.44	\$	6,937.31
	Oakland Park		0.100430840699%	\$	19,584.01	\$	15,064.63	\$	10,545.24
	Ocean Breeze		0.005381877237%	\$	1,049.47	\$	807.28	\$	565.10
	Parkland		0.045804060448%	\$	8,931.79	\$	6,870.61	\$	4,809.43
	Pembroke Park		0.024597938908%	\$	4,796.60	\$	3,689.69	\$	2,582.78
	Pembroke Pines		0.462832363603%	\$	90,252.31	\$	69,424.85	\$	48,597.40
	Plantation		0.213918725664%	\$	41,714.15	\$	32,087.81	\$	22,461.47
	Pompano Beach		0.335472163493%	\$	65,417.07	\$	50,320.82	\$	35,224.58
	Sea Ranch Lakes		0.005024174870%	\$	979.71	\$	753.63	\$	527.54
	Southwest Ranches		0.025979723178%	\$	5,066.05	\$	3,896.96	\$	2,727.87
	Sunrise		0.286071106146%	\$	55,783.87	\$	42,910.67	\$	30,037.47
	Tamarac		0.134492458472%	\$	26,226.03	\$	20,173.87	\$	14,121.71
	Weston		0.138637811283%	\$	27,034.37	\$	20,795.67	\$	14,556.97
	West Park		0.029553115352%	\$	5,762.86	\$	4,432.97	\$	3,103.08
	Wilton Manors		0.031630331127%	\$	6,167.91	\$	4,744.55	\$	3,321.18
Calhoun		0.047127740781%		\$	21,443.12	\$	16,494.71	\$	11,546.30
	Calhoun County		0.038866087128%	\$	7,578.89	\$	5,829.91	\$	4,080.94
	Altha		0.000366781107%	\$	71.52	\$	55.02	\$	38.51
	Blountstown		0.007896688293%	\$	1,539.85	\$	1,184.50	\$	829.15
Charlotte		0.737346233376%		\$	335,492.54	\$	258,071.18	\$	180,649.83
	Charlotte County		0.690225755587%	\$	134,594.02	\$	103,533.86	\$	72,473.70
	Punta Gorda		0.047120477789%	\$	9,188.49	\$	7,068.07	\$	4,947.65
Citrus		0.969645776606%		\$	441,188.83	\$	339,376.02	\$	237,563.22
	Citrus County		0.92971566117%	\$	181,294.55	\$	139,457.35	\$	97,620.14
	Crystal River		0.021928789266%	\$	4,276.11	\$	3,289.32	\$	2,302.52
	Inverness		0.018001326222%	\$	3,510.26	\$	2,700.20	\$	1,890.14
Clay		1.193429461456%		\$	543,010.40	\$	417,700.31	\$	292,390.22
	Clay County		1.055764891131%	\$	205,874.15	\$	158,364.73	\$	110,855.31
	Green Cove Springs		0.057762577142%	\$	11,263.70	\$	8,664.39	\$	6,065.07
	Keystone Heights		0.000753535443%	\$	146.94	\$	113.03	\$	79.12
	Orange Park		0.078589207339%	\$	15,324.90	\$	11,788.38	\$	8,251.87
	Penney Farms		0.000561066149%	\$	109.41	\$	84.16	\$	58.91
Collier		1.551333376427%		\$	705,856.69	\$	542,966.68	\$	380,076.68
	Collier County		1.354673336030%	\$	264,161.30	\$	203,201.00	\$	142,240.70
	Everglades		0.000148891341%	\$	29.03	\$	22.33	\$	15.63
	Marco Island		0.062094952003%	\$	12,108.52	\$	9,314.24	\$	6,519.97
	Naples		0.134416197054%	\$	26,211.16	\$	20,162.43	\$	14,113.70
Columbia		0.446781150792%		\$	203,285.42	\$	156,373.40	\$	109,461.38
	Columbia County		0.341887201373%	\$	66,668.00	\$	51,283.08	\$	35,898.16
	Fort White		0.000236047247%	\$	46.03	\$	35.41	\$	24.78
	Lake City		0.104659717920%	\$	20,408.64	\$	15,698.96	\$	10,989.27
DeSoto		0.113640407802%		\$	51,706.39	\$	39,774.14	\$	27,841.90
	DeSoto County		0.096884684746%	\$	18,892.51	\$	14,532.70	\$	10,172.89
	Arcadia		0.016755723056%	\$	3,267.37	\$	2,513.36	\$	1,759.35
Dixie		0.103744580900%		\$	47,203.78	\$	36,310.60	\$	25,417.42
	Dixie County		0.098822087921%	\$	19,270.31	\$	14,823.31	\$	10,376.32
	Cross City		0.004639236282%	\$	904.65	\$	695.89	\$	487.12
	Horseshoe Beach		0.000281440949%	\$	54.88	\$	42.22	\$	29.55
Duval		5.434975156935%		\$	2,472,913.70	\$	1,902,241.30	\$	1,331,568.91
	Jacksonville		5.270570064997%	\$	1,027,761.16	\$	790,585.51	\$	553,409.86
	Atlantic Beach		0.038891507601%	\$	7,583.84	\$	5,833.73	\$	4,083.61
	Baldwin		0.002251527589%	\$	439.05	\$	337.73	\$	236.41
	Jacksonville Beach		0.100447182431%	\$	19,587.20	\$	15,067.08	\$	10,546.95
	Neptune Beach		0.022814874318%	\$	4,448.90	\$	3,422.23	\$	2,395.56
Escambia		1.341634449244%		\$	610,443.67	\$	469,572.06	\$	328,700.44
	Escambia County		1.005860871574%	\$	196,142.87	\$	150,879.13	\$	105,615.39
	Century		0.005136751249%	\$	1,001.67	\$	770.51	\$	539.36
	Pensacola		0.330636826421%	\$	64,474.18	\$	49,595.52	\$	34,716.87
Flagler		0.389864712244%		\$	177,388.44	\$	136,452.65	\$	95,516.85
	Flagler County		0.279755934409%	\$	54,552.41	\$	41,963.39	\$	29,374.37
	Beverly Beach		0.000154338585%	\$	30.10	\$	23.15	\$	16.21
	Bunnell		0.009501809575%	\$	1,852.85	\$	1,425.27	\$	997.69
	Flagler Beach		0.015482883669%	\$	3,019.16	\$	2,322.43	\$	1,625.70
	Marineland		0.000114392127%	\$	22.31	\$	17.16	\$	12.01
	Palm Coast		0.084857169626%	\$	16,547.15	\$	12,728.58	\$	8,910.00
Franklin		0.049911282550%		\$	22,709.63	\$	17,468.95	\$	12,228.26
	Franklin County		0.046254365966%	\$	9,019.60	\$	6,938.15	\$	4,856.71
	Apalachicola		0.001768538606%	\$	344.87	\$	265.28	\$	185.70
	Carabelle		0.001888377978%	\$	368.23	\$	283.26	\$	198.28
Gadsden		0.123656074077%		\$	56,263.51	\$	43,279.63	\$	30,295.74
	Gadsden County		0.090211810642%	\$	17,591.30	\$	13,531.77	\$	9,472.24

	Chattahoochee		0.004181667722%	\$	815.43		\$	627.25		\$	439.08		
	Greensboro		0.000492067723%	\$	95.95		\$	73.81		\$	51.67		
	Gretna		0.00224063101%	\$	436.92		\$	336.09		\$	235.27		
	Havana		0.005459954403%	\$	1,064.69		\$	818.99		\$	573.30		
	Midway		0.001202025213%	\$	234.39		\$	180.30		\$	126.21		
	Quincy		0.019867915223%	\$	3,874.24		\$	2,980.19		\$	2,086.13		
Gilchrist		0.064333769355%				\$	29,271.87		\$	22,516.82		\$	15,761.77
	Gilchrist County		0.061274233881%	\$	11,948.48		\$	9,191.14		\$	6,433.79		
	Bell		0.000099866143%	\$	19.47		\$	14.98		\$	10.49		
	Fanning Springs		0.000388570084%	\$	75.77		\$	58.29		\$	40.80		
	Trenton		0.002571099247%	\$	501.36		\$	385.66		\$	269.97		
Glades		0.040612836758%				\$	18,478.84		\$	14,214.49		\$	9,950.15
	Glades County		0.040420367464%	\$	7,881.97		\$	6,063.06		\$	4,244.14		
	Moore Haven		0.000192469294%	\$	37.53		\$	28.87		\$	20.21		
Gulf		0.059914238588%				\$	27,260.98		\$	20,969.98		\$	14,678.99
	Gulf County		0.054715751905%	\$	10,669.57		\$	8,207.36		\$	5,745.15		
	Port St. Joe		0.004817179591%	\$	939.35		\$	722.58		\$	505.80		
	Wewahitchka		0.000381307092%	\$	74.35		\$	57.20		\$	40.04		
Hamilton		0.047941195910%				\$	21,813.24		\$	16,779.42		\$	11,745.59
	Hamilton County		0.038817061931%	\$	7,569.33		\$	5,822.56		\$	4,075.79		
	Jasper		0.004869836285%	\$	949.62		\$	730.48		\$	511.33		
	Jennings		0.002623755940%	\$	511.63		\$	393.56		\$	275.49		
	White Springs		0.001630541754%	\$	317.96		\$	244.58		\$	171.21		
Hardee		0.067110048132%				\$	30,535.07		\$	23,488.52		\$	16,441.96
	Hardee County		0.058100306280%	\$	11,329.56		\$	8,715.05		\$	6,100.53		
	Bowling Green		0.001797590575%	\$	350.53		\$	269.64		\$	188.75		
	Wauchula		0.006667426860%	\$	1,300.15		\$	1,000.11		\$	700.08		
	Zolfo Springs		0.000544724417%	\$	106.22		\$	81.71		\$	57.20		
Hendry		0.144460915297%				\$	65,729.72		\$	50,561.32		\$	35,392.92
	Hendry County		0.122147187443%	\$	23,818.70		\$	18,322.08		\$	12,825.45		
	Clewiston		0.017589151414%	\$	3,429.88		\$	2,638.37		\$	1,846.86		
	LaBelle		0.004724576440%	\$	921.29		\$	708.69		\$	496.08		
Hernando		1.510075949110%				\$	687,084.56		\$	528,526.58		\$	369,968.61
	Hernando County		1.447521612849%	\$	282,266.71		\$	217,128.24		\$	151,989.77		
	Brooksville		0.061319627583%	\$	11,957.33		\$	9,197.94		\$	6,438.56		
	Weeki Wachee		0.001234708678%	\$	240.77		\$	185.21		\$	129.64		
Highlands		0.357188510237%				\$	162,520.77		\$	125,015.98		\$	87,511.19
	Highlands County		0.287621754986%	\$	56,086.24		\$	43,143.26		\$	30,200.28		
	Avon Park		0.025829016090%	\$	5,036.66		\$	3,874.35		\$	2,712.05		
	Lake Placid		0.005565267790%	\$	1,085.23		\$	834.79		\$	584.35		
	Sebring		0.038172471371%	\$	7,443.63		\$	5,725.87		\$	4,008.11		
Hillsborough		8.710984113657%				\$	3,963,497.77		\$	3,048,844.44		\$	2,134,191.11
	Hillsborough County		6.523111204400%	\$	1,272,006.68		\$	978,466.68		\$	684,926.68		
	Plant City		0.104218491142%	\$	20,322.61		\$	15,632.77		\$	10,942.94		
	Tampa		1.975671881253%	\$	385,256.02		\$	296,350.78		\$	207,445.55		
	Temple Terrace		0.107980721113%	\$	21,056.24		\$	16,197.11		\$	11,337.98		
Holmes		0.081612427851%				\$	37,133.65		\$	28,564.35		\$	19,995.04
	Holmes County		0.066805002459%	\$	13,026.98		\$	10,020.75		\$	7,014.53		
	Bonifay		0.006898026863%	\$	1,345.12		\$	1,034.70		\$	724.29		
	Esto		0.006269778036%	\$	1,222.61		\$	940.47		\$	658.33		
	Noma		0.001278286631%	\$	249.27		\$	191.74		\$	134.22		
	Ponce de Leon		0.000179759057%	\$	35.05		\$	26.96		\$	18.87		
	Westville		0.000179759057%	\$	35.05		\$	26.96		\$	18.87		
Indian River		0.753076058781%				\$	342,649.61		\$	263,576.62		\$	184,503.63
	Indian River County		0.623571460217%	\$	121,596.43		\$	93,535.72		\$	65,475.00		
	Fellsmere		0.004917045734%	\$	958.82		\$	737.56		\$	516.29		
	Indian River shores		0.025322422382%	\$	4,937.87		\$	3,798.36		\$	2,658.85		
	Orchid		0.000306861421%	\$	59.84		\$	46.03		\$	32.22		
	Sebastian		0.038315915467%	\$	7,471.60		\$	5,747.39		\$	4,023.17		
	Vero Beach		0.060642353558%	\$	11,825.26		\$	9,096.35		\$	6,367.45		
Jackson		0.158936058795%				\$	72,315.91		\$	55,627.62		\$	38,939.33
	Jackson County		0.075213731704%	\$	14,666.68		\$	11,282.06		\$	7,897.44		
	Alford		0.000303229925%	\$	59.13		\$	45.48		\$	31.84		
	Bascom		0.000061735434%	\$	12.04		\$	9.26		\$	6.48		
	Campbellton		0.001648699234%	\$	321.50		\$	247.30		\$	173.11		
	Cottondale		0.001093080329%	\$	213.15		\$	163.96		\$	114.77		
	Graceville		0.002794436257%	\$	544.92		\$	419.17		\$	293.42		
	Grandridge		0.000030867717%	\$	6.02		\$	4.63		\$	3.24		
	Greenwood		0.001292812616%	\$	252.10		\$	193.92		\$	135.75		
	Jacob City		0.000481173235%	\$	93.83		\$	72.18		\$	50.52		
	Malone		0.000092603151%	\$	18.06		\$	13.89		\$	9.72		
	Marianna		0.073519638768%	\$	14,336.33		\$	11,027.95		\$	7,719.56		
	Sneads		0.002404050426%	\$	468.79		\$	360.61		\$	252.43		
Jefferson		0.040821647784%				\$	18,573.85		\$	14,287.58		\$	10,001.30
	Jefferson County		0.037584169001%	\$	7,328.91		\$	5,637.63		\$	3,946.34		
	Monticello		0.003237478783%	\$	631.31		\$	485.62		\$	339.94		
Lafayette		0.031911772076%				\$	14,519.86		\$	11,169.12		\$	7,818.38

	Lafayette County		0.03155885457%	\$	6,153.40		\$	4,733.38		\$	3,313.37		
	Mayo		0.000355886619%	\$	69.40		\$	53.38		\$	37.37		
Lake		1.139211224519%				\$	518,341.11		\$	398,723.93		\$	279,106.75
	Lake County		0.757453827343%	\$	147,703.50		\$	113,618.07		\$	79,532.65		
	Astatula		0.002727253579%	\$	531.81		\$	409.09		\$	286.36		
	Clermont		0.075909163209%	\$	14,802.29		\$	11,386.37		\$	7,970.46		
	Eustis		0.041929254098%	\$	8,176.20		\$	6,289.39		\$	4,402.57		
	Fruitland Park		0.008381493024%	\$	1,634.39		\$	1,257.22		\$	880.06		
	Groveland		0.026154034992%	\$	5,100.04		\$	3,923.11		\$	2,746.17		
	Howey-In-The-Hills		0.002981458307%	\$	581.38		\$	447.22		\$	313.05		
	Lady Lake		0.025048244426%	\$	4,884.41		\$	3,757.24		\$	2,630.07		
	Leesburg		0.091339390185%	\$	17,811.18		\$	13,700.91		\$	9,590.64		
	Mascotte		0.011415608025%	\$	2,226.04		\$	1,712.34		\$	1,198.64		
	Minneola		0.016058475803%	\$	3,131.40		\$	2,408.77		\$	1,686.14		
	Montverde		0.001347285057%	\$	262.72		\$	202.09		\$	141.46		
	Mount Dora		0.041021380070%	\$	7,999.17		\$	6,153.21		\$	4,307.24		
	Tavares		0.031820984673%	\$	6,205.09		\$	4,773.15		\$	3,341.20		
	Umatilla		0.005623371728%	\$	1,096.56		\$	843.51		\$	590.45		
Lee		3.325371883359%				\$	1,513,044.21		\$	1,163,880.16		\$	814,716.11
	Lee County		2.115268407509%	\$	412,477.34		\$	317,290.26		\$	222,103.18		
	Bonita Springs		0.017374893143%	\$	3,388.10		\$	2,606.23		\$	1,824.36		
	Cape Coral		0.714429677167%	\$	139,313.79		\$	107,164.45		\$	75,015.12		
	Estero		0.012080171813%	\$	2,355.63		\$	1,812.03		\$	1,268.42		
	Fort Myers		0.431100350585%	\$	84,064.57		\$	64,665.05		\$	45,265.54		
	Fort Myers Beach		0.000522935440%	\$	101.97		\$	78.44		\$	54.91		
	Sanibel		0.034595447702%	\$	6,746.11		\$	5,189.32		\$	3,632.52		
Leon		0.897199244939%				\$	408,225.66		\$	314,019.74		\$	219,813.82
	Leon County		0.471201146391%	\$	91,884.22		\$	70,680.17		\$	49,476.12		
	Tallahassee		0.425998098549%	\$	83,069.63		\$	63,899.71		\$	44,729.80		
Levy		0.251192401748%				\$	114,292.54		\$	87,917.34		\$	61,542.14
	Levy County		0.200131750679%	\$	39,025.69		\$	30,019.76		\$	21,013.83		
	Bronson		0.005701448894%	\$	1,111.78		\$	855.22		\$	598.65		
	Cedar Key		0.005180329202%	\$	1,010.16		\$	777.05		\$	543.93		
	Chiefland		0.015326729337%	\$	2,988.71		\$	2,299.01		\$	1,609.31		
	Fanning Springs		0.000808007885%	\$	157.56		\$	121.20		\$	84.84		
	Inglis		0.004976965420%	\$	970.51		\$	746.54		\$	522.58		
	Otter Creek		0.000408543312%	\$	79.67		\$	61.28		\$	42.90		
	Williston		0.017774357715%	\$	3,466.00		\$	2,666.15		\$	1,866.31		
	Yankeetown		0.000884269303%	\$	172.43		\$	132.64		\$	92.85		
Liberty		0.019399452225%				\$	8,826.75		\$	6,789.81		\$	4,752.87
	Liberty County		0.019303217578%	\$	3,764.13		\$	2,895.48		\$	2,026.84		
	Bristol		0.000096234647%	\$	18.77		\$	14.44		\$	10.10		
Madison		0.063540287455%				\$	28,910.83		\$	22,239.10		\$	15,567.37
	Madison County		0.053145129837%	\$	10,363.30		\$	7,971.77		\$	5,580.24		
	Greenville		0.000110760631%	\$	21.60		\$	16.61		\$	11.63		
	Lee		0.000019973229%	\$	3.89		\$	3.00		\$	2.10		
	Madison		0.010264423758%	\$	2,001.56		\$	1,539.66		\$	1,077.76		
Manatee		2.721323346235%				\$	1,238,202.12		\$	952,463.17		\$	666,724.22
	Manatee County		2.201647174006%	\$	429,321.20		\$	330,247.08		\$	231,172.95		
	Anna Maria		0.009930326116%	\$	1,936.41		\$	1,489.55		\$	1,042.68		
	Bradenton		0.379930754632%	\$	74,086.50		\$	56,989.61		\$	39,892.73		
	Bradenton Beach		0.014012127744%	\$	2,732.36		\$	2,101.82		\$	1,471.27		
	Holmes Beach		0.028038781473%	\$	5,467.56		\$	4,205.82		\$	2,944.07		
	Longboat Key		0.034895046131%	\$	6,804.53		\$	5,234.26		\$	3,663.98		
	Palmetto		0.052869136132%	\$	10,309.48		\$	7,930.37		\$	5,551.26		
Marion		1.701176168960%				\$	774,035.16		\$	595,411.66		\$	416,788.16
	Marion County		1.303728892837%	\$	254,227.13		\$	195,559.33		\$	136,891.53		
	Belleview		0.009799592256%	\$	1,910.92		\$	1,469.94		\$	1,028.96		
	Dunnellon		0.018400790795%	\$	3,588.15		\$	2,760.12		\$	1,932.08		
	McIntosh		0.000145259844%	\$	28.33		\$	21.79		\$	15.25		
	Ocala		0.368994504094%	\$	71,953.93		\$	55,349.18		\$	38,744.42		
	Reddick		0.000107129135%	\$	20.89		\$	16.07		\$	11.25		
Martin		0.869487298116%				\$	395,616.72		\$	304,320.55		\$	213,024.39
	Martin County		0.750762795758%	\$	146,398.75		\$	112,614.42		\$	78,830.09		
	Jupiter Island		0.020873839646%	\$	4,070.40		\$	3,131.08		\$	2,191.75		
	Ocean Breeze Park		0.008270732393%	\$	1,612.79		\$	1,240.61		\$	868.43		
	Sewall's Point		0.008356072551%	\$	1,629.43		\$	1,253.41		\$	877.39		
	Stuart		0.081223857767%	\$	15,838.65		\$	12,183.58		\$	8,528.51		
Miami-Dade		5.232119784173%				\$	2,380,614.50		\$	1,831,241.92		\$	1,281,869.35
	Miami-Dade County		4.282797675552%	\$	835,145.55		\$	642,419.65		\$	449,693.76		
	Aventura		0.024619727885%	\$	4,800.85		\$	3,692.96		\$	2,585.07		
	Bal Harbour		0.010041086747%	\$	1,958.01		\$	1,506.16		\$	1,054.31		
	Bay Harbor Islands		0.004272455175%	\$	833.13		\$	640.87		\$	448.61		
	Biscayne Park		0.001134842535%	\$	221.29		\$	170.23		\$	119.16		
	Coral Gables		0.071780152131%	\$	13,997.13		\$	10,767.02		\$	7,536.92		
	Cutler Bay		0.009414653668%	\$	1,835.86		\$	1,412.20		\$	988.54		
	Doral		0.013977628531%	\$	2,725.64		\$	2,096.64		\$	1,467.65		

	El Portal		0.000924215760%	\$	180.22	\$	138.63	\$	97.04
	Florida City		0.003929278792%	\$	766.21	\$	589.39	\$	412.57
	Golden Beach		0.002847092951%	\$	555.18	\$	427.06	\$	298.94
	Hialeah		0.098015895785%	\$	19,113.10	\$	14,702.38	\$	10,291.67
	Hialeah Gardens		0.005452691411%	\$	1,063.27	\$	817.90	\$	572.53
	Homestead		0.024935668046%	\$	4,862.46	\$	3,740.35	\$	2,618.25
	Indian Creek		0.002543863026%	\$	496.05	\$	381.58	\$	267.11
	Key Biscayne		0.013683477346%	\$	2,668.28	\$	2,052.52	\$	1,436.77
	Medley		0.008748274131%	\$	1,705.91	\$	1,312.24	\$	918.57
	Miami		0.292793005448%	\$	57,094.64	\$	43,918.95	\$	30,743.27
	Miami Beach		0.181409572478%	\$	35,374.87	\$	27,211.44	\$	19,048.01
	Miami Gardens		0.040683650932%	\$	7,933.31	\$	6,102.55	\$	4,271.78
	Miami Lakes		0.007836768608%	\$	1,528.17	\$	1,175.52	\$	822.86
	Miami Shores		0.006287935516%	\$	1,226.15	\$	943.19	\$	660.23
	Miami Springs		0.006169911893%	\$	1,203.13	\$	925.49	\$	647.84
	North Bay Village		0.005160355974%	\$	1,006.27	\$	774.05	\$	541.84
	North Miami		0.030379280717%	\$	5,923.96	\$	4,556.89	\$	3,189.82
	North Miami Beach		0.030391990953%	\$	5,926.44	\$	4,558.80	\$	3,191.16
	Opa-locka		0.007847663096%	\$	1,530.29	\$	1,177.15	\$	824.00
	Palmetto Bay		0.007404620570%	\$	1,443.90	\$	1,110.69	\$	777.49
	Pinecrest		0.008296152866%	\$	1,617.75	\$	1,244.42	\$	871.10
	South Miami		0.007833137111%	\$	1,527.46	\$	1,174.97	\$	822.48
	Sunny Isles Beach		0.007693324511%	\$	1,500.20	\$	1,154.00	\$	807.80
	Surfside		0.004869836285%	\$	949.62	\$	730.48	\$	511.33
	Sweetwater		0.004116300842%	\$	802.68	\$	617.45	\$	432.21
	Virginia Gardens		0.001172973244%	\$	228.73	\$	175.95	\$	123.16
	West Miami		0.002654623657%	\$	517.65	\$	398.19	\$	278.74
Monroe		0.476388738585%				\$	216,756.88	\$	166,736.06
	Monroe County		0.330124785469%	\$	64,374.33	\$	49,518.72	\$	34,663.10
	Islamorada		0.022357305808%	\$	4,359.67	\$	3,353.60	\$	2,347.52
	Key Colony Beach		0.004751812661%	\$	926.60	\$	712.77	\$	498.94
	Key West		0.088087385417%	\$	17,177.04	\$	13,213.11	\$	9,249.18
	Layton		0.000150707089%	\$	29.39	\$	22.61	\$	15.82
	Marathon		0.030916742141%	\$	6,028.76	\$	4,637.51	\$	3,246.26
Nassau		0.476933463002%				\$	217,004.73	\$	166,926.71
	Nassau County		0.392706357951%	\$	76,577.74	\$	58,905.95	\$	41,234.17
	Callahan		0.000225152759%	\$	43.90	\$	33.77	\$	23.64
	Fernandina Beach		0.083159445195%	\$	16,216.09	\$	12,473.92	\$	8,731.74
	Hillard		0.000842507098%	\$	164.29	\$	126.38	\$	88.46
Okaloosa		0.819212865955%				\$	372,741.85	\$	286,724.50
	Okaloosa County		0.612059617545%	\$	119,351.63	\$	91,808.94	\$	64,266.26
	Cinco Bayou		0.000733562214%	\$	143.04	\$	110.03	\$	77.02
	Crestview		0.070440130066%	\$	13,735.83	\$	10,566.02	\$	7,396.21
	Destin		0.014678507281%	\$	2,862.31	\$	2,201.78	\$	1,541.24
	Fort Walton Beach		0.077837487644%	\$	15,178.31	\$	11,675.62	\$	8,172.94
	Laurel Hill		0.000079892914%	\$	15.58	\$	11.98	\$	8.39
	Mary Esther		0.009356549730%	\$	1,824.53	\$	1,403.48	\$	982.44
	Niceville		0.021745398713%	\$	4,240.35	\$	3,261.81	\$	2,283.27
	Shalimar		0.001824826796%	\$	355.84	\$	273.72	\$	191.61
	Valparaiso		0.010456893052%	\$	2,039.09	\$	1,568.53	\$	1,097.97
Okeechobee		0.353495278692%				\$	160,840.35	\$	123,723.35
	Okeechobee County		0.314543851405%	\$	61,336.05	\$	47,181.58	\$	33,027.10
	Okeechobee		0.038951427287%	\$	7,595.53	\$	5,842.71	\$	4,089.90
Orange		4.671028214546%				\$	2,125,317.84	\$	1,634,859.88
	Orange County		3.063330386979%	\$	597,349.43	\$	459,499.56	\$	321,649.69
	Apopka		0.097215150892%	\$	18,956.95	\$	14,582.27	\$	10,207.59
	Bay Lake		0.023566594013%	\$	4,595.49	\$	3,534.99	\$	2,474.49
	Belle Isle		0.010798253686%	\$	2,105.66	\$	1,619.74	\$	1,133.82
	Eatonville		0.008325204835%	\$	1,623.41	\$	1,248.78	\$	874.15
	Edgewood		0.009716067845%	\$	1,894.63	\$	1,457.41	\$	1,020.19
	Lake Buena Vista		0.010355211161%	\$	2,019.27	\$	1,553.28	\$	1,087.30
	Maitland		0.046728276209%	\$	9,112.01	\$	7,009.24	\$	4,906.47
	Oakland		0.005429086686%	\$	1,058.67	\$	814.36	\$	570.05
	Ocoee		0.066599822928%	\$	12,986.97	\$	9,989.97	\$	6,992.98
	Orlando		1.160248481490%	\$	226,248.45	\$	174,037.27	\$	121,826.09
	Windermere		0.007548064667%	\$	1,471.87	\$	1,132.21	\$	792.55
	Winter Garden		0.056264584996%	\$	10,971.59	\$	8,439.69	\$	5,907.78
	Winter Park		0.104903028159%	\$	20,456.09	\$	15,735.45	\$	11,014.82
Osceola		1.073452092940%				\$	488,420.70	\$	375,708.23
	Osceola County		0.837248691390%	\$	163,263.49	\$	125,587.30	\$	87,911.11
	Kissimmee		0.162366006872%	\$	31,661.37	\$	24,354.90	\$	17,048.43
	St. Cloud		0.073837394678%	\$	14,398.29	\$	11,075.61	\$	7,752.93
Palm Beach		8.601594372053%				\$	3,913,725.44	\$	3,010,558.03
	Palm Beach County		5.552548475026%	\$	1,082,746.95	\$	832,882.27	\$	583,017.59
	Atlantis		0.018751230169%	\$	3,656.49	\$	2,812.68	\$	1,968.88
	Belle Glade		0.020828445945%	\$	4,061.55	\$	3,124.27	\$	2,186.99
	Boca Raton		0.472069073961%	\$	92,053.47	\$	70,810.36	\$	49,567.25

	Boynton Beach		0.306498271771%	\$	59,767.16	\$	45,974.74	\$	32,182.32
	Briny Breezes		0.003257452012%	\$	635.20	\$	488.62	\$	342.03
	Cloud Lake		0.000188837798%	\$	36.82	\$	28.33	\$	19.83
	Delray Beach		0.351846579457%	\$	68,610.08	\$	52,776.99	\$	36,943.89
	Glen Ridge		0.000052656694%	\$	10.27	\$	7.90	\$	5.53
	Golf		0.004283349663%	\$	835.25	\$	642.50	\$	449.75
	Greenacres		0.076424835657%	\$	14,902.84	\$	11,463.73	\$	8,024.61
	Gulf Stream		0.010671151322%	\$	2,080.87	\$	1,600.67	\$	1,120.47
	Haverhill		0.001084001589%	\$	211.38	\$	162.60	\$	113.82
	Highland Beach		0.032510968934%	\$	6,339.64	\$	4,876.65	\$	3,413.65
	Hypoluxo		0.005153092982%	\$	1,004.85	\$	772.96	\$	541.07
	Juno Beach		0.016757538804%	\$	3,267.72	\$	2,513.63	\$	1,759.54
	Jupiter Island		0.125466374888%	\$	24,465.94	\$	18,819.96	\$	13,173.97
	Jupiter Inlet Colony		0.005276563849%	\$	1,028.93	\$	791.48	\$	554.04
	Lake Clarke Shores		0.007560774903%	\$	1,474.35	\$	1,134.12	\$	793.88
	Lake Park		0.029433275980%	\$	5,739.49	\$	4,414.99	\$	3,090.49
	Lake Worth		0.117146617298%	\$	22,843.59	\$	17,571.99	\$	12,300.39
	Lantana		0.024507151505%	\$	4,778.89	\$	3,676.07	\$	2,573.25
	Loxahatchee Groves		0.002531152789%	\$	493.57	\$	379.67	\$	265.77
	Manalapan		0.021632822333%	\$	4,218.40	\$	3,244.92	\$	2,271.45
	Mangonia Park		0.010696571795%	\$	2,085.83	\$	1,604.49	\$	1,123.14
	North Palm Beach		0.044349646256%	\$	8,648.18	\$	6,652.45	\$	4,656.71
	Ocean Ridge		0.012786497807%	\$	2,493.37	\$	1,917.97	\$	1,342.58
	Pahokee		0.004018250447%	\$	783.56	\$	602.74	\$	421.92
	Palm Beach		0.185476848123%	\$	36,167.99	\$	27,821.53	\$	19,475.07
	Palm Beach Gardens		0.233675880257%	\$	45,566.80	\$	35,051.38	\$	24,535.97
	Palm Beach Shores		0.014135598612%	\$	2,756.44	\$	2,120.34	\$	1,484.24
	Palm Springs		0.038021764282%	\$	7,414.24	\$	5,703.26	\$	3,992.29
	Riviera Beach		0.163617057282%	\$	31,905.33	\$	24,542.56	\$	17,179.79
	Royal Palm Beach		0.049295743959%	\$	9,612.67	\$	7,394.36	\$	5,176.05
	South Bay		0.001830274040%	\$	356.90	\$	274.54	\$	192.18
	South Palm Beach		0.005866681967%	\$	1,144.00	\$	880.00	\$	616.00
	Tequesta		0.031893614595%	\$	6,219.25	\$	4,784.04	\$	3,348.83
	Wellington		0.050183644758%	\$	9,785.81	\$	7,527.55	\$	5,269.28
	West Palm Beach		0.549265602541%	\$	107,106.79	\$	82,389.84	\$	57,672.89
Pasco		4.692087260494%		\$	2,134,899.70	\$	1,642,230.54	\$	1,149,561.38
	Pasco County		4.319205239813%	\$	842,245.02	\$	647,880.79	\$	453,516.55
	Dade City		0.055819726723%	\$	10,884.85	\$	8,372.96	\$	5,861.07
	New Port Richey		0.149879107494%	\$	29,226.43	\$	22,481.87	\$	15,737.31
	Port Richey		0.049529975458%	\$	9,658.35	\$	7,429.50	\$	5,200.65
	San Antonio		0.002189792155%	\$	427.01	\$	328.47	\$	229.93
	St. Leo		0.002790804761%	\$	544.21	\$	418.62	\$	293.03
	Zephyrhills		0.112672614089%	\$	21,971.16	\$	16,900.89	\$	11,830.62
Pinellas		7.934889816777%		\$	3,610,374.87	\$	2,777,211.44	\$	1,944,048.01
	Pinellas County		4.546593184553%	\$	886,585.67	\$	681,988.98	\$	477,392.28
	Belleair		0.018095745121%	\$	3,528.67	\$	2,714.36	\$	1,900.05
	Belleair Beach		0.004261560686%	\$	831.00	\$	639.23	\$	447.46
	Belleair Bluffs		0.007502670965%	\$	1,463.02	\$	1,125.40	\$	787.78
	Belleair Shore		0.000439411029%	\$	85.69	\$	65.91	\$	46.14
	Clearwater		0.633863120196%	\$	123,603.31	\$	95,079.47	\$	66,555.63
	Dunedin		0.102440873796%	\$	19,975.97	\$	15,366.13	\$	10,756.29
	Gulfport		0.047893986460%	\$	9,339.33	\$	7,184.10	\$	5,028.87
	Indian Rocks Beach		0.008953453662%	\$	1,745.92	\$	1,343.02	\$	940.11
	Indian Shores		0.011323004874%	\$	2,207.99	\$	1,698.45	\$	1,188.92
	Kenneth City		0.017454786058%	\$	3,403.68	\$	2,618.22	\$	1,832.75
	Largo		0.374192990777%	\$	72,967.63	\$	56,128.95	\$	39,290.26
	Madeira Beach		0.022616957779%	\$	4,410.31	\$	3,392.54	\$	2,374.78
	North Reddington Beach		0.003820333909%	\$	744.97	\$	573.05	\$	401.14
	Oldsmar		0.039421706033%	\$	7,687.23	\$	5,913.26	\$	4,139.28
	Pinellas Park		0.251666311991%	\$	49,074.93	\$	37,749.95	\$	26,424.96
	Redington Beach		0.003611522882%	\$	704.25	\$	541.73	\$	379.21
	Redington Shores		0.006451352841%	\$	1,258.01	\$	967.70	\$	677.39
	Safety Harbor		0.038061710740%	\$	7,422.03	\$	5,709.26	\$	3,996.48
	Seminole		0.095248695748%	\$	18,573.50	\$	14,287.30	\$	10,001.11
	South Pasadena		0.029968921656%	\$	5,843.94	\$	4,495.34	\$	3,146.74
	St. Pete Beach		0.071791046619%	\$	13,999.25	\$	10,768.66	\$	7,538.06
	St. Petersburg		1.456593090134%	\$	284,035.65	\$	218,488.96	\$	152,942.27
	Tarpon Springs		0.101970595050%	\$	19,884.27	\$	15,295.59	\$	10,706.91
	Treasure Island		0.040652783215%	\$	7,927.29	\$	6,097.92	\$	4,268.54
Polk		2.150483025298%		\$	978,469.78	\$	752,669.06	\$	526,868.34
	Polk County		1.558049828484%	\$	303,819.72	\$	233,707.47	\$	163,595.23
	Auburndale		0.028636162584%	\$	5,584.05	\$	4,295.42	\$	3,006.80
	Bartow		0.043971970660%	\$	8,574.53	\$	6,595.80	\$	4,617.06
	Davenport		0.005305615818%	\$	1,034.60	\$	795.84	\$	557.09
	Dundee		0.005597951255%	\$	1,091.60	\$	839.69	\$	587.78
	Eagle Lake		0.002580177987%	\$	503.13	\$	387.03	\$	270.92
	Fort Meade		0.007702403251%	\$	1,501.97	\$	1,155.36	\$	808.75

	Frostproof		0.005857603227%	\$	1,142.23	\$	878.64	\$	615.05
	Haines City		0.047984773863%	\$	9,357.03	\$	7,197.72	\$	5,038.40
	Highland Park		0.000063551182%	\$	12.39	\$	9.53	\$	6.67
	Hillcrest Heights		0.000005447244%	\$	1.06	\$	0.82	\$	0.57
	Lake Alfred		0.007489960729%	\$	1,460.54	\$	1,123.49	\$	786.45
	Lake Hamilton		0.002540231530%	\$	495.35	\$	381.03	\$	266.72
	Lakeland		0.294875668468%	\$	57,500.76	\$	44,231.35	\$	30,961.95
	Lake Wales		0.036293172134%	\$	7,077.17	\$	5,443.98	\$	3,810.78
	Mulberry		0.005414560702%	\$	1,055.84	\$	812.18	\$	568.53
	Polk City		0.001080370093%	\$	210.67	\$	162.06	\$	113.44
	Winter Haven		0.097033576087%	\$	18,921.55	\$	14,555.04	\$	10,188.53
Putnam		0.384893194068%		\$	175,126.40	\$	134,712.62	\$	94,298.83
	Putnam County		0.329225990182%	\$	64,199.07	\$	49,383.90	\$	34,568.73
	Crescent City		0.005561636294%	\$	1,084.52	\$	834.25	\$	583.97
	Interlachen		0.001877483489%	\$	366.11	\$	281.62	\$	197.14
	Palatka		0.046955244716%	\$	9,156.27	\$	7,043.29	\$	4,930.30
	Pomona Park		0.000379491344%	\$	74.00	\$	56.92	\$	39.85
	Welaka		0.000893348043%	\$	174.20	\$	134.00	\$	93.80
Santa Rosa		0.701267319513%		\$	319,076.63	\$	245,443.56	\$	171,810.49
	Santa Rosa County		0.592523984216%	\$	115,542.18	\$	88,878.60	\$	62,215.02
	Gulf Breeze		0.061951507906%	\$	12,080.54	\$	9,292.73	\$	6,504.91
	Jay		0.000159785829%	\$	31.16	\$	23.97	\$	16.78
	Milton		0.046632041562%	\$	9,093.25	\$	6,994.81	\$	4,896.36
Sarasota		2.805043857579%		\$	1,276,294.96	\$	981,765.35	\$	687,235.75
	Sarasota County		1.924315263251%	\$	375,241.48	\$	288,647.29	\$	202,053.10
	Longboat Key		0.044489458856%	\$	8,675.44	\$	6,673.42	\$	4,671.39
	North Port		0.209611771277%	\$	40,874.30	\$	31,441.77	\$	22,009.24
	Sarasota		0.484279979635%	\$	94,434.60	\$	72,642.00	\$	50,849.40
	Venice		0.142347384560%	\$	27,757.74	\$	21,352.11	\$	14,946.48
Seminole		2.141148264544%		\$	974,222.46	\$	749,401.89	\$	524,581.32
	Seminole County		1.508694164839%	\$	294,195.36	\$	226,304.12	\$	158,412.89
	Altamonte Springs		0.081305566430%	\$	15,854.59	\$	12,195.83	\$	8,537.08
	Casselberry		0.080034542791%	\$	15,606.74	\$	12,005.18	\$	8,403.63
	Lake Mary		0.079767627827%	\$	15,554.69	\$	11,965.14	\$	8,375.60
	Longwood		0.061710013415%	\$	12,033.45	\$	9,256.50	\$	6,479.55
	Oviedo		0.103130858057%	\$	20,110.52	\$	15,469.63	\$	10,828.74
	Sanford		0.164243490362%	\$	32,027.48	\$	24,636.52	\$	17,245.57
	Winter Springs		0.062262000824%	\$	12,141.09	\$	9,339.30	\$	6,537.51
St. Johns		0.710333349554%		\$	323,201.67	\$	248,616.67	\$	174,031.67
	St. Johns County		0.656334818131%	\$	127,985.29	\$	98,450.22	\$	68,915.16
	Hastings		0.000010894488%	\$	2.12	\$	1.63	\$	1.14
	Marineland		0.000000000000%	\$	-	\$	-	\$	-
	St. Augustine		0.046510386442%	\$	9,069.53	\$	6,976.56	\$	4,883.59
	St. Augustine Beach		0.007477250493%	\$	1,458.06	\$	1,121.59	\$	785.11
St. Lucie		1.506627843552%		\$	685,515.67	\$	527,319.75	\$	369,123.82
	St. Lucie County		0.956156584302%	\$	186,450.53	\$	143,423.49	\$	100,396.44
	Fort Pierce		0.159535255654%	\$	31,109.37	\$	23,930.29	\$	16,751.20
	Port St. Lucie		0.390803453989%	\$	76,206.67	\$	58,620.52	\$	41,034.36
	St. Lucie Village		0.000132549608%	\$	25.85	\$	19.88	\$	13.92
Sumter		0.326398870459%		\$	148,511.49	\$	114,239.60	\$	79,967.72
	Sumter County		0.302273026046%	\$	58,943.24	\$	45,340.95	\$	31,738.67
	Bushnell		0.006607507174%	\$	1,288.46	\$	991.13	\$	693.79
	Center Hill		0.001312785844%	\$	255.99	\$	196.92	\$	137.84
	Coleman		0.000748088199%	\$	145.88	\$	112.21	\$	78.55
	Webster		0.001423546476%	\$	277.59	\$	213.53	\$	149.47
	Wildwood		0.014033916721%	\$	2,736.61	\$	2,105.09	\$	1,473.56
Suwannee		0.191014879692%		\$	86,911.77	\$	66,855.21	\$	46,798.65
	Suwannee County		0.161027800555%	\$	31,400.42	\$	24,154.17	\$	16,907.92
	Brantford		0.000929663004%	\$	181.28	\$	139.45	\$	97.61
	Live Oak		0.029057416132%	\$	5,666.20	\$	4,358.61	\$	3,051.03
Taylor		0.092181897282%		\$	41,942.76	\$	32,263.66	\$	22,584.56
	Taylor County		0.069969851319%	\$	13,644.12	\$	10,495.48	\$	7,346.83
	Perry		0.022212045963%	\$	4,331.35	\$	3,331.81	\$	2,332.26
Union		0.065156303224%		\$	29,646.12	\$	22,804.71	\$	15,963.29
	Union County		0.063629259109%	\$	12,407.71	\$	9,544.39	\$	6,681.07
	Lake Butler		0.001398126003%	\$	272.63	\$	209.72	\$	146.80
	Raiford		0.000012710236%	\$	2.48	\$	1.91	\$	1.33
	Worthington Springs		0.000116207876%	\$	22.66	\$	17.43	\$	12.20
Volusia		3.130329674480%		\$	1,424,300.00	\$	1,095,615.39	\$	766,930.77
	Volusia County		1.708575342287%	\$	333,172.19	\$	256,286.30	\$	179,400.41
	Daytona Beach		0.447556475212%	\$	87,273.51	\$	67,133.47	\$	46,993.43
	Daytona Beach Shores		0.039743093439%	\$	7,749.90	\$	5,961.46	\$	4,173.02
	DeBary		0.035283616215%	\$	6,880.31	\$	5,292.54	\$	3,704.78
	DeLand		0.098983689498%	\$	19,301.82	\$	14,847.55	\$	10,393.29
	Deltona		0.199329190038%	\$	38,869.19	\$	29,899.38	\$	20,929.56
	Edgewater		0.058042202343%	\$	11,318.23	\$	8,706.33	\$	6,094.43
	Flagler Beach		0.000223337011%	\$	43.55	\$	33.50	\$	23.45



	Holly Hill		0.031615805143%	\$	6,165.08		\$	4,742.37		\$	3,319.66				
	Lake Helen		0.004918861482%	\$	959.18		\$	737.83		\$	516.48				
	New Smyrna Beach		0.104065968306%	\$	20,292.86		\$	15,609.90		\$	10,926.93				
	Oak Hill		0.004820811087%	\$	940.06		\$	723.12		\$	506.19				
	Orange City		0.033562287058%	\$	6,544.65		\$	5,034.34		\$	3,524.04				
	Ormond Beach		0.114644516477%	\$	22,355.68		\$	17,196.68		\$	12,037.67				
	Pierson		0.00233236251%	\$	454.98		\$	349.99		\$	244.99				
	Ponce Inlet		0.023813535748%	\$	4,643.64		\$	3,572.03		\$	2,500.42				
	Port Orange		0.177596501562%	\$	34,631.32		\$	26,639.48		\$	18,647.63				
	South Daytona		0.045221205323%	\$	8,818.14		\$	6,783.18		\$	4,748.23				
Wakulla		0.115129321208%				\$	52,383.84		\$	40,295.26		\$	28,206.68		
	Wakulla County		0.114953193647%	\$	22,415.87		\$	17,242.98		\$	12,070.09				
	Sopchoppy		0.000107129135%	\$	20.89		\$	16.07		\$	11.25				
	St. Marks		0.000068998426%	\$	13.45		\$	10.35		\$	7.24				
Walton		0.268558216151%				\$	122,193.99		\$	93,995.38		\$	65,796.76		
	Walton County		0.224268489581%	\$	43,732.36		\$	33,640.27		\$	23,548.19				
	DeFuniak Springs		0.017057137234%	\$	3,326.14		\$	2,558.57		\$	1,791.00				
	Freeport		0.003290135477%	\$	641.58		\$	493.52		\$	345.46				
	Paxton		0.023942453860%	\$	4,668.78		\$	3,591.37		\$	2,513.96				
Washington		0.120124444109%				\$	54,656.62		\$	42,043.56		\$	29,430.49		
	Washington County		0.104908475404%	\$	20,457.15		\$	15,736.27		\$	11,015.39				
	Caryville		0.001401757499%	\$	273.34		\$	210.26		\$	147.18				
	Chipley		0.012550450560%	\$	2,447.34		\$	1,882.57		\$	1,317.80				
	Ebro		0.000221521263%	\$	43.20		\$	33.23		\$	23.26				
	Vernon		0.000361333863%	\$	70.46		\$	54.20		\$	37.94				
	Wausau		0.000680905521%	\$	132.78		\$	102.14		\$	71.50				
		100.00%	100.00%	\$	19,500,000.00	\$	45,500,000.00	\$	15,000,000.00	\$	35,000,000.00	\$	10,500,000.00	\$	24,500,000.00



## ABATEMENT PLAN TERM SHEET

### SUMMARY OF TERMS AND CONDITIONS

**THIS TERM SHEET DOES NOT CONSTITUTE (NOR SHALL IT BE CONSTRUED AS) AN OFFER, AGREEMENT OR COMMITMENT<sup>1</sup>**

Issue	Description
<b>1. APPLICABILITY OF AGREEMENT</b>	These terms (once agreed) shall apply to the allocation of value received under, and shall be incorporated into, any plan of reorganization (the “ <b>Chapter 11 Plan</b> ”) in the chapter 11 cases of Purdue Pharma L.P. and its affiliates (collectively, “ <b>Purdue</b> ”) pending in the U.S. Bankruptcy Court for the Southern District of New York (the “ <b>Bankruptcy Court</b> ”) between the states, territories and the District of Columbia (each a “ <b>State</b> ”) on the one hand, each county, city, town, parish, village, municipality that functions as a political subdivision under State law, or a governmental entity that has the authority to bring Drug Dealer Liability Act (“ <b>DDLA Claims</b> ”) under State law (collectively, the “ <b>Local Governments</b> ”), and each federally recognized Native American, Native Alaskan or American Indian Tribe (each a “ <b>Tribe</b> ”) on the other.
<b>2. PURPOSE</b>	Virtually all creditors and the Court itself in the Purdue bankruptcy recognize the need and value in developing a comprehensive abatement strategy to address the opioid crisis as the most effective use of the funds that can be derived from the Purdue estate (including without limitation insurance proceeds and, if included in the Chapter 11 Plan, payments by third-parties seeking releases). Because of the unique impact the crisis has had throughout all regions of the country, and as repeatedly recognized by Judge Drain, division of a substantial portion of the bankruptcy estate should occur through an established governmental structure, with the use of such funds strictly limited to abatement purposes as provided herein. <sup>2</sup>

<sup>1</sup> As a condition to participating in this abatement structure, the settlements that the states of Kentucky and Oklahoma separately entered into with Purdue must be taken into account in any allocation to them or flowing through them. Potential adjustments may include a different Government Participation Mechanism structure for the disbursement of funds to benefit Local Governments in those states or some redirection of funds, which would still be used solely for abatement purposes.

<sup>2</sup> See, e.g., Hr'g. Tr at 149:22-150:5 (Oct. 11, 2019) (“I would hope that those public health steps, once the difficult allocation issues that the parties have addressed here, can be largely left up to the states and municipalities so that they can use their own unique knowledge about their own citizens and how to address them. It may be that some states think it’s more of a law enforcement issue, i.e. interdicting illegal opioids at this point. Others may think education is more important. Others may think treatment is more important.”); *id.* At 175:24-176:6 (“I also think, and again, I didn’t say this lightly, that my hope in the allocation process is that there would be an understanding between the states and the municipalities and localities throughout the whole process that[,] subject to general guidelines on how the money should be used, specific ways to use it would be left up to the states and the municipalities, with guidance from the states primarily.”); Hr’g Tr. At 165:3-165:14 (Nov. 19, 2019) (“I continue to believe that the states play a major role in [the allocation] process. The role I’m envisioning for them is not one where they say we get everything.

Issue	Description
	<p>This approach recognizes that funding abatement efforts – which would benefit most creditors and the public by reducing future effects of the crisis through treatment and other programs – is a much more efficient use of limited funds than dividing thin slices among all creditors with no obligation to use it to abate the opioid crisis. Because maximizing abatement of the opioid crisis requires coordination of efforts by all levels of government, particularly when the abatement needs far exceed the available funds, this structure requires a collaborative process between each State and its Local Governments. This Term Sheet is intended to establish the mechanisms for distribution and allocation of funds to States, Local Governments and Tribes (the “<b>Abatement Funds</b>”) to be incorporated into the Chapter 11 Plan and any order approving the Chapter 11 Plan (<b>Abatement Funds</b> net of the portion thereof allocated to a Tribal Abatement Fund under Section 5 hereof are referred to herein as “<b>Public Funds</b>”). The parties agree that 100% of the Public Funds distributed under the Chapter 11 Plan shall be used to abate the opioid crisis. Specifically, (i) no less than ninety five percent (95%) of the Public Funds distributed under the Chapter 11 Plan shall be used for abatement of the opioid crisis by funding opioid or substance use disorder related projects or programs that fall within the list of uses in <u>Schedule B</u> (the “<b>Approved Opioid Abatement Uses</b>”); (ii) priority shall be given to the core abatement strategies (“<b>Core Strategies</b>”) as identified on <u>Schedule A</u>; and (iii) no more than five percent (5%) of the Public Funds may be used to fund expenses incurred in administering the distributions for the Approved Opioid Abatement Uses, including the process of selecting programs to receive distributions of <b>Public Funds</b> for implementing those programs and in connection with the Government Participation Mechanism<sup>3</sup> (“<b>Allowed Administrative Expenses</b>,” and together with the <b>Approved Opioid Abatement Uses</b>, “<b>Approved Uses</b>”).<sup>4</sup> Notwithstanding anything in this term sheet that might imply to the contrary, projects or programs that constitute <b>Approved Opioid Abatement Uses</b> may be provided by States, State agencies, Local Governments, Local Government agencies or nongovernmental parties and funded from Public Funds.</p>
<b>3. GENERAL NOTES</b>	<p>The governmental entities maintain that the most beneficial and efficient use of limited bankruptcy funds is to dedicate as large a portion as possible to abatement programs addressing the opioid crisis. If this</p>

I think that should be clear and I think it is clear to them. But, rather, where they act – in the best principles of federalism, for their state, the coordinator for the victims in their state.”); Hr’g Tr. at 75:19-76:1 (Jan. 24, 2020) (“Even if there ultimately is an allocation here – and there’s not a deal now, obviously, at this point on a plan. But if there is an allocation that leaves a substantial amount of the Debtors’ value to the states and territories, one of the primary benefits of a bankruptcy case is that the plan can lock in, perhaps only in general ways, but perhaps more in specific ways, how the states use that money . . .”).

<sup>3</sup> Capitalized terms not defined where first used shall have the meanings later ascribed to them in this Term Sheet.

<sup>4</sup> Nothing in this term sheet is intended to, nor does it, limit or permit the ability of funds from the Purdue estate (other than Public Funds) to be used to pay for legal fees and expenses incurred in anticipation of or during Purdue’s chapter 11 case, or once confirmed, in implementing the Chapter 11 Plan.

Issue	Description
	<p>approach is taken, the governmental entities involved in the mediation – states, territories, tribes, counties, cities and others – would commit the Public Funds allocated to them to such future abatement, in lieu of direct payment for their claims.</p> <ul style="list-style-type: none"> <li>a. Resolution of States’ and Local Governments’ claims under this model presumes signoff by and support of the federal government, including an agreement that the federal government will also forego its past damages claims. Continued coordination with the federal government therefore is necessary as this model is finalized.</li> <li>b. This outline addresses the allocation of Abatement Funds among governmental entities to provide abatement programs to the public for the benefit of not only the governmental entities and their constituents, but also a substantial number of other creditors. The States and Local Governments welcome other, private-side creditor groups to enter discussions concerning how such creditors may participate in, contribute to and/or benefit from the government-funded abatement programs contemplated herein in lieu of direct payment on their claims for past damages.</li> <li>c. In addition to providing abatement services, it is understood that, if their claims are to be released in a reorganization plan, a portion of the Purdue estate will also need to be dedicated to personal injury claimants. A proposal regarding such claims is being developed separately.</li> <li>d. All <b>Public Funds</b> distributed from the Purdue bankruptcy estate as part of this abatement structure shall be used only for such <b>Approved Uses</b>. Compliance with these requirements shall be verified through reporting, as set out in Section 8. This outline and the terms herein are intended to apply solely to the use and allocation of Public Funds in the Purdue Chapter 11 Plan, and do not apply to the use or allocation of funds made available as the result of judgments against or settlements with any party other than those released as part of the Chapter 11 Plan.</li> </ul>
<p><b>4. DISBURSEMENT OF FUNDS</b></p>	<p><b>Disbursement of Abatement Funds</b></p> <p>The Bankruptcy Court shall appoint [a third-party administrator (“<b>Administrator</b>”)] [Trustee(s)] who will perform the ministerial task of overseeing distribution of all Abatement Funds, which will consist of all assets transferred to such fund by way of the confirmed Chapter 11 Plan, and any, growth, earnings, or revenues from such assets, as well as proceeds from any future sale of such assets. The [Administrator] [Trustees] shall distribute the Abatement Fund consistent with the Chapter 11 Plan and shall provide to the Bankruptcy Court an annual report on such distributions.</p> <p>[Points to be addressed regarding disbursements:</p>

Issue	Description
	<ul style="list-style-type: none"> <li>• Trigger and timing for disbursements.</li> <li>• Insert details to show how these funds shall be distributed for abatement uses and that the funds will not flow into the state general revenue accounts (unless constitutionally required and, in that event, the funds shall still be disbursed for abatement uses as required by the terms of the document), including possible distribution to state points of contact and block grant recipients.</li> <li>• Possible creation of template document for Abatement Funds distribution requests.</li> <li>• If trust mechanism is employed, trust location and governing law.]</li> </ul>
<b>5. ATTORNEYS' FEES AND COSTS FUND</b>	<p>A separate fund will be established for attorneys' fees and litigation costs in the final bankruptcy plan. Agreement by the parties to this Abatement Plan Term Sheet is contingent upon the establishment of this fund and the details of the fund, which are subject to further negotiation, including without limitation the participants, amount, jurisdiction, oversight, and administration. Participation in an abatement program, receipt of abatement services or benefits will not affect, and specific percentages in the abatement structure received by various parties will not determine, the amount of fees and costs that may be recovered.</p>
<b>6. TRIBAL ABATEMENT FUNDING</b>	<ol style="list-style-type: none"> <li>a. [X%] of the <b>Abatement Funds</b> will be allocated to a Tribal Abatement Fund and these funds will not be a part of the structure involving abatement programs funded by state and local governments.</li> <li>b. The Tribes are working on their proposal for allocation among Tribes, which would be included as part of the overall abatement plan.</li> <li>c. The Tribes will use the tribal allocation of Abatement Funds for programs on the approved list of abatement strategies (see <b><u>Schedule B</u></b>) and also for culturally appropriate activities, practices, teachings or ceremonies that are, in the judgment of a tribe or tribal health organization, aimed at or supportive of remediation and abatement of the opioid crisis within a tribal community.<sup>5</sup> The Tribes will have a list of representative examples of such culturally appropriate abatement strategies, practices and programs which is attached as <b><u>Schedule [ ]</u></b>. The separate allocation of abatement funding and illustrative list of culturally appropriate abatement strategies recognizes that American Indian and Alaska Native Tribes and the communities they serve possess unique cultural histories, practices, wisdom, and needs that are highly relevant to the health and well-being of American Indian and Alaska Native</li> </ol>

<sup>5</sup> [NTD: Discuss how private claimants will be treated under Tribal Allocation, if at all.]

Issue	Description
	people and that may play an important role in both individual and public health efforts and responses in Native communities.
<b>7. DIVISION OF PUBLIC FUNDS</b>	<p><b>Public Funds</b> are allocated among the States, the District of Columbia and Territories in the percentages set forth on <b><u>Schedule C</u></b>.</p> <p>Except as set forth below in section 7(C) for the District of Columbia and Territories, each State’s Schedule C share shall then be allocated within the State in accordance with the following:</p> <ol style="list-style-type: none"> <li>1. <b>Statewide Agreement.</b> Each State and its Local Governments will have until [the later of 60 days from entry of an order confirming the Chapter 11 Plan or the Effective Date of the Chapter 11 Plan]<sup>6</sup> (the “<b>Agreement Date</b>”) to file with the Bankruptcy Court an agreed-upon allocation or method for allocating the Public Funds for that State dedicated only to Approved Uses (each a “<b>Statewide Abatement Agreement</b>” or “<b>SAA</b>”). Any State and its Local Governments that have reached agreement before the Effective Date of the Chapter 11 Plan that satisfies the metric for approval as described in the immediately following paragraph shall file a notice with the Bankruptcy Court that it has adopted a binding SAA and either include the SAA with its filing or indicate where the SAA is publicly available for the SAA to be effective for the Purdue Bankruptcy. Any dispute regarding allocation within a State will be resolved as provided by the Statewide Abatement Agreement.</li> </ol> <p>A <b>Statewide Abatement Agreement</b> shall be agreed when it has been approved by the State and either (a) representatives<sup>7</sup> of its Local Governments whose aggregate Population Percentages, determined as set forth below, total more than Sixty Percent (60%), or (b) representatives of its Local Governments whose aggregate Population Percentages total more than fifty percent (50%) provided that these Local Governments also represent 15% or more of the State’s counties or parishes (or, in the case of States whose counties and parishes that do not function as Local Governments, 15% of or more of the State’s incorporated cities or towns), by number.<sup>8</sup></p>

<sup>6</sup> Should there be provision for extension of the date for filing Statewide Abatement Agreement?

<sup>7</sup> An authorized “representative” of local, or even State, government can differ in this Term Sheet depending on the context.

<sup>8</sup> All references to population in this Term Sheet shall refer to published U. S. Census Bureau population estimates as of July 1, 2019, released March 2020, and shall remain unchanged during the term of this agreement. These estimates can currently be found at <https://www.census.gov/data/datasets/time-series/demo/popest/2010s-counties-total.html>

Issue	Description
	<p>Population Percentages shall be determined as follows:</p> <p>For States with counties or parishes that function as Local Governments,<sup>9</sup> the Population Percentage of each county or parish shall be deemed to be equal to (a) (1) 200% of the population of such county or parish, minus (2) the aggregate population of all Primary Incorporated Municipalities located in such county or parish,<sup>10</sup> divided by (b) 200% of the State's population. A "<b>Primary Incorporated Municipality</b>" means a city, town, village or other municipality incorporated under applicable state law with a population of at least 25,000 that is not located within another incorporated municipality. The Population Percentage of each primary incorporated municipality shall be equal to its population (including the population of any incorporated or unincorporated municipality located therein) divided by 200% of the State's population; provided that the Population Percentage of a primary incorporated municipality that is not located within a county shall be equal to 200% of its population (including the population of any incorporated or unincorporated municipality located therein) divided by 200% of the State's population. For all States that do not have counties or parishes that function as Local Governments, the Population Percentage of each incorporated municipality (including any incorporated or unincorporated municipality located therein), shall be equal to its population divided by the State's population.</p> <p>The Statewide Abatement Agreement will become effective within fourteen (14) days of filing, unless otherwise ordered by the Bankruptcy Court.</p> <p>A State and its Local Governments may revise, supplement, or refine a Statewide Abatement Agreement by filing an amended Statewide Abatement Agreement that has been approved by the State and sufficient Local Governments to satisfy the approval standards set forth above with the Bankruptcy Court, which shall become effective within fourteen (14) days of filing, unless otherwise ordered by the Bankruptcy Court.</p> <p>2. <b>Default Allocation Mechanism (excluding Territories and DC addressed below).</b> The <b>Public Funds</b> allocable to a State that is not party to a <b>Statewide Abatement Agreement</b> as defined in 7(1) above (each a "<b>Non-SAA State</b>") shall be allocated as between the State and its Local Governments to be</p>

<sup>9</sup> The following states do not have counties or parishes that function as Local Governments: Alaska, Connecticut, Massachusetts, Rhode Island, and Vermont [INSERT OTHERS]. All other States have counties or parishes that function as Local Governments.

<sup>10</sup> Discuss how to deal with cities and towns that straddle counties.

Issue	Description
	<p>used only for <b>Approved Uses</b>, in accordance with this Section (B) (the “<b>Default Allocation Mechanism</b>”).</p> <p>a. <b>Regions.</b> Except as provided in the final sentence of this paragraph, each <b>Non-SAA State</b> shall be divided into “<b>Regions</b>” as follows: (a) each <b>Qualifying Block Grantee</b> (as defined below) shall constitute a <b>Region</b>; and (b) the balance of the State shall be divided into <b>Regions</b> (such <b>Regions</b> to be designated by the State agency with primary responsibility for substance abuse disorder services employing to the maximum extent practical, existing regions established in that State for opioid abuse treatment or similar public health purposes); such non-<b>Qualifying Block Grantee Regions</b> are referred to herein as “<b>Standard Regions</b>”). The <b>Non-SAA States</b> which have populations under 4 million and do not have existing regions described in the foregoing clause (b) shall not be required to establish <b>Regions</b>;<sup>11</sup> such a State that does not establish <b>Regions</b> but which does contain one or more <b>Qualifying Block Grantees</b> shall be deemed to consist of one <b>Region</b> for each <b>Qualifying Block Grantee</b> and one <b>Standard Region</b> for the balance of the State.</p> <p>b. <b>Regional Apportionment.</b> <b>Public Funds</b> shall be allocated to each <b>Non-SAA State</b>, as defined in 7(1) above, as (a) a <b>Regional Apportionment</b> or (b) a <b>Non-Regional Apportionment</b> based on the amount of Public Funds dispersed under a confirmed Chapter 11 Plan as follows:</p> <ul style="list-style-type: none"> <li>i. <b>First \$1 billion</b> – 70% Regional Apportionment/30% Non-Regional Apportionment</li> <li>ii. <b>\$1-\$2.5 billion</b> – 64% Regional Apportionment /36% Non-Regional Apportionment</li> <li>iii. <b>\$2.5-\$3.5 billion</b> – 60% Regional Apportionment /40% Non-Regional Apportionment</li> <li>iv. <b>Above \$3.5 billion</b> – 50% Regional Apportionment /50% Non-Regional Apportionment</li> </ul>

<sup>11</sup> To the extent they are not parties to a Statewide Abatement Agreement, the following States will qualify as a Non-SAA State that does not have to establish Regions: Connecticut, Delaware, Hawai’i, Iowa, Maine, Nevada, New Hampshire, New Mexico, Rhode Island, Vermont [INSERT OTHERS].

Issue	Description
	<p>c. <b>Qualifying Block Grantee.</b> A “<b>Qualifying Local Government</b>” means a county or parish (or in the cases of States that do not have counties or parishes that function as political subdivision, a city), that (a) either (i) has a population of 400,000 or more or (ii) in the case of California has a population of 750,000 or more and (b) has funded or otherwise manages an established, health care and/or treatment infrastructure (<i>e.g.</i>, health department or similar agency) to evaluate, award, manage and administer a Local Government Block Grant.<sup>12</sup> A <b>Qualifying Local Government</b> that elects to receive <b>Public Funds</b> through Local Government Block Grants is referred to herein as a <b>Qualifying Block Grantee</b>.<sup>13</sup></p> <p>d. <b>Proportionate Shares of Regional Apportionment.</b> As used herein, the “<b>Proportionate Share</b>” of each <b>Region</b> in each <b>Non-SAA State</b> shall be (a) for States in which counties or parishes function as Local Governments, the aggregate shares of the counties or parishes located in such <b>Region</b> under the allocation model employed in connection with the Purdue Bankruptcy (the “<b>Allocation Model</b>”),<sup>14</sup> divided by the aggregate shares for all counties or parishes in the State under the <b>Allocation Model</b>; and (b) for all other States, the aggregate shares of the cities and towns in that <b>Region</b> under the <b>Allocation Model</b>’s intra-county allocation formula, divided by the aggregate shares for all cities and towns<sup>15</sup> in the State under the <b>Allocation Model</b>.</p> <p>e. <b>Expenditure or Disbursement of Regional Apportionment.</b> Subject to 7(2)(i) below regarding <b>Allowed Administrative Expenses</b>, all <b>Regional Apportionments</b> shall be disbursed or expended in the form of <b>Local Government Block Grants</b> or otherwise for <b>Approved Opioids Abatement Uses</b> in the <b>Standard Regions</b> of each <b>Non-SAA State</b>.</p>

<sup>12</sup> As noted in footnote 8, the population for each State shall refer to published U. S. Census Bureau population estimates as of July 1, 2019, released March 2020, and shall remain unchanged during the term of this agreement. These estimates can currently be found at <https://www.census.gov/data/datasets/time-series/demo/popest/2010s-counties-total.html>

<sup>13</sup> [NTD: Perhaps provide for a Qualifying Political Subdivision to expand to include neighboring areas that are part of its metro area?]

<sup>14</sup> Need to address whether to use the Negotiation Class Allocation Model or other metric to determine Proportionate Share.

<sup>15</sup> Should this be all cities and towns or only primary incorporated municipalities?



Issue	Description
	<p>f. <b>Qualifying Block Grantees.</b> Each <b>Qualifying Block Grantee</b> shall receive its <b>Regional Apportionment</b> as a block grant (a “<b>Local Government Block Grant</b>”).</p> <p><b>Local Government Block Grants</b> shall be used only for <b>Approved Opioid Abatement Uses</b> by the <b>Qualifying Block Grantee</b> or for grants to organizations within its jurisdiction for <b>Approved Opioid Abatement Uses</b> and for <b>Allowed Administrative Expenses</b> in accordance with 7(2)(i) below. Where a municipality located wholly within a <b>Qualifying Block Grantee</b> would independently qualify as a block grant recipient (“<b>Independently Qualifying Municipality</b>”), the <b>Qualifying Block Grantee</b> and <b>Independently Qualifying Municipality</b> must make a substantial and good faith effort to reach agreement on use of Abatement Funds as between the qualifying jurisdictions. If the <b>Independently Qualifying Municipality</b> and the <b>Qualifying Block Grantee</b> cannot reach such an agreement on or before the <b>Agreement Date [or some later specified date]</b>, the <b>Qualifying Block Grantee</b> will receive the <b>Local Government Block Grant</b> for its full <b>Proportionate Share</b> and commit programming expenditures to the benefit of the <b>Independently Qualifying Municipality</b> in general proportion to <b>Proportionate Shares</b> (determined as provided in 7(2)(d) above) of the municipalities within the <b>Qualifying Block Grantee</b>. Notwithstanding the allocation of the Proportionate Share of each Regional Apportionment to the Qualifying Block Grantee, a Qualifying Block Grantee may choose to contribute a portion of its Proportionate Share towards a Statewide program.</p> <p>g. <b>Standard Regions.</b> The portions of each <b>Regional Apportionment</b> not disbursed in the form of <b>Local Government Block Grants</b> shall be expended throughout the <b>Standard Regions</b> of each <b>Non-SAA State</b> in accordance with 95%-105% of the respective <b>Proportionate Shares</b> of such <b>Standard Regions</b>. Such expenditures will be in a manner that will best address Opioid abatement within the State as determined by the State with the input, advice and recommendations of the <b>Government Participation Mechanism</b> described in Section 8 below. This regional spending requirement may be met by delivering <b>Approved Opioid Abatement Use</b> services or programs to a <b>Standard Region</b> or its residents. Delivery of such services or programs can be</p>

Issue	Description
	<p>accomplished directly or indirectly through many different infrastructures and approaches, including without limitation the following:</p> <ul style="list-style-type: none"> <li>i. State agencies, including local offices;</li> <li>ii. Local governments, including local government health departments;</li> <li>iii. State public hospital or health systems;</li> <li>iv. Health care delivery districts;</li> <li>v. Contracting with abatement service providers, including nonprofit and commercial entities; or</li> <li>vi. Awarding grants to local programs.</li> </ul> <p>h. <b>Expenditure or Disbursement of Public Funds Other Than Regional Apportionment.</b> All <b>Public Funds</b> allocable to a <b>Non-SAA State</b> that are not included in the State's <b>Regional Apportionment</b> shall be expended only on <b>Approved Uses</b>. The expenditure of such funds shall be at the direction of the State's lead agency (or other point of contact designated by the State) and may be expended on a statewide and/or localized manner, including in the manners described in herein. <b>Qualifying Block Grantees</b> will be eligible to participate in or receive the benefits of any such expenditures on the same basis as other <b>Regions</b>.</p> <p>i. <b>Allowed Administrative Expenses. Qualifying Block Grantees</b> States may use up to 5% of their Non-Regional Apportionments plus 5% of the Regional Apportionment not used to fund <b>Local Government Block Grants</b>, for <b>Allowed Administrative Expenses</b>. <b>Qualifying Block Grantees</b> may use up to 5% of their <b>Local Government Block Grants</b> to fund their <b>Allowed Administrative Expenses</b>.</p> <p>3. <b>Records.</b> The State shall maintain records of abatement expenditures and its required reporting will include data on regional expenditures so it can be verified that the Regional Distribution mechanism guarantees are being met.<sup>16</sup> <b>Qualifying Block Grantees</b> shall maintain records of abatement expenditures and shall provide those records periodically to their State for inclusion in the State's required periodic reporting, and shall be subject to audit consistent with State law applicable to the granting of State funds.</p>

<sup>16</sup> Additional records and reporting requirements?

Issue	Description
	<p><b>(C) Allocation for Territories and the District of Columbia Only</b> The allocation of Public Funds within a Territory or the District of Columbia will be determined by its local legislative body [within one year of the Agreement Date ], unless that legislative body is not in session, in which case, the allocation of Public Funds shall be distributed pursuant to the direction of the Territory’s or District of Columbia’s executive, in consultation – to the extent applicable – with its Government Participation Mechanism [within ninety (90) days of the Agreement Date ].<sup>17</sup></p>
<p><b>8. GOVERNMENT PARTICIPATION MECHANISM</b></p>	<p>In each <b>Non-SAA State</b>, as defined in 7(1) above, there shall be a process, preferably pre-existing, whereby the State shall allocate funds under the Regional Distribution mechanism only after meaningfully consulting with its respective Local Governments. Each such State shall identify its mechanism (whether be it a council, board, committee, commission, taskforce, or other efficient and transparent structure) for consulting with its respective Local Governments (the “<b>Government Participation Mechanism</b>” or “<b>GPM</b>”) in a notice filed with the Bankruptcy Court identifying what GPM has been formed and describing the participation of its Local Governments in connection therewith. States may combine these notices into one or more notices for filing with the Bankruptcy Court. These notices are reviewable by the Bankruptcy Court upon the motion of any Local Government in that State asserting that no GPM has been formed.</p> <p>Government Participation Mechanisms shall conform to the following:</p> <p>(A) <b>Composition</b>. For each State,</p> <ol style="list-style-type: none"> <li>a. the State, on the one hand, and State’s Local Governments, on the other hand, shall have equal representation on a GPM;</li> <li>b. Local Government representation on a GPM shall be weighted in favor of the Standard Regions but can include representation from the State’s Qualifying Block Grantees;</li> <li>c. the GPM will be chaired by a non-voting Chairperson appointed by the State;</li> <li>d. Groups formed by the States’ executive or legislature may be used as a GPM, provided that the group has equal representation by the State and the State’s Local Governments.<sup>18</sup></li> </ol> <p>Appointees should possess experience, expertise and education with respect to public health, substance abuse, and other related</p>

<sup>17</sup> Territory and DC provisions to be discussed

<sup>18</sup> Additional potential terms: mechanism for state and local appointment; duration of term, reimbursement of expenses.

Issue	Description
	<p>topics as is necessary to assure the effective functioning of the GPM.</p> <p>(B) <b>Consensus.</b> Members of the GPMs should attempt to reach consensus with respect to <b>GPM Recommendations</b> and other actions of the GPM. Consensus is defined in this process as a general agreement achieved by the members that reflects, from as many members as possible, their active support, support with reservations, or willingness to abide by the decision of the other members. Consensus does not require unanimity or other set threshold and may include objectors. In all events, however, actions of a GPM shall be effective if supported by at least a majority of its Members. <b>GPM Recommendations</b> and other action shall note the existence and summarize the substance of objections where requested by the objector(s).</p> <p>(C) <b>Proceedings.</b> Each GPM shall hold no fewer than four public meetings annually, to be publicized and located in a manner reasonably designed to facilitate attendance by residents throughout the State. Each GPM shall function in a manner consistent with its State’s open meeting, open government or similar laws, and with the Americans with Disabilities Act. GPM members shall be subject to State conflict of interest and similar ethics in government laws.</p> <p>(D) <b>Consultation and Discretion.</b> The GPM shall be a mechanism by which the State consults with community stakeholders, including Local Governments (including those not a part of the GPM), state and local public health officials and public health advocates, in connection with opioid abatement priorities and expenditure decisions for the use of Public Funds on Approved Opioid Abatement Uses.<sup>19</sup></p> <p>(E) <b>Recommendations.</b> A GPM shall make recommendations regarding specific opioid abatement priorities and expenditures for the use of Public Funds on Approved Opioid Abatement Uses to the State or the agency designated by a State for this purpose (“<b>GPM Recommendations</b>”). In carrying out its obligations to provide <b>GPM Recommendations</b>, a GPM may consider local, state and federal initiatives and activities related to education, prevention, treatment and services for individuals and families experiencing and affected by opioid use disorder; recommend priorities to address the State’s opioid epidemic, which recommendations may be Statewide or specific to <b>Regions</b>; recommend Statewide or <b>Regional</b> funding with respect to specific programs or initiatives; recommend measurable outcomes to determine the effectiveness of funds expended for</p>

<sup>19</sup> Address form of consultation with non-GPM members, public hearings, etc.

Issue	Description
	<p><b>Approved Opioid Abatement Uses</b>; monitor the level of <b>Allowed Administrative Expenses</b> expended from <b>Public Funds</b>.</p> <p>The goal is for a process that produces <b>GPM Recommendations</b> that are recognized as being an efficient, evidence-based approach to abatement that addresses the State’s greatest needs while also including programs reflecting particularized needs in local communities. It is anticipated that such a process, particularly given the active participation of state representatives, will inform and assist the state in making decisions about the spending of the <b>Public Funds</b>. To the extent a State chooses not to follow a <b>GPM Recommendation</b>, it will make publicly available within 14 days after the decision is made a written explanation of the reasons for its decision, and allow 7 days for the GPM to respond.</p> <p>(F) <b>Review</b>. Local Governments and States may object to an allocation or expenditure of <b>Public Funds</b> (whether a <b>Regional Apportionment</b> or <b>Non-Regional Apportionment</b>) solely on the basis that the allocation or expenditure at issue (i) is inconsistent with the provisions of Section 7(B)2 hereof with respect to the levels of <b>Regional Apportionments</b> and <b>Non-Regional Apportionments</b>; (ii) is inconsistent with the provisions of Section 7(B)(5) hereof with respect to the amounts of <b>Local Government Block Grants</b> or <b>Regional Apportionment</b> expenditures; (iii) is not for an <b>Approved Use</b>, or (iv) violates the limitations set forth herein with respect to <b>Allowed Administrative Fees</b>. The objector shall have the right to bring that objection to either (a) a court with jurisdiction within the applicable State (“<b>State Court</b>”) or (b) the Bankruptcy Court if the Purdue chapter 11 case has not been closed; provided that nothing herein is intended to expand the scope of the Bankruptcy Court’s post-confirmation jurisdiction or be deemed to be a consent to any expanded post-confirmation jurisdiction by the Bankruptcy Court (each an “<b>Objection</b>”). If an Objection is filed within fourteen (14) days of approval of an Allocation, then no funds shall be distributed on account of the aspect of the Allocation that is the subject of the Objection until the Objection is resolved or decided by the Bankruptcy Court or State Court, as applicable. There shall be no other basis for bringing an Objection to the approval of an Allocation.</p>
<b>8. COMPLIANCE, REPORTING, AUDIT AND ACCOUNTABILITY</b>	<p>At least annually, each State shall publish on the lead State Agency’s website or on its Attorney General’s website a report detailing for the preceding time period, respectively (i) the amount of Public Funds received, (ii) the allocation awards approved (indicating the recipient, the</p>

Issue	Description
	<p>amount of the allocation, the program to be funded and disbursement terms), and (iii) the amounts disbursed on approved allocations, to Qualifying Local Governments for Local Government Block Grants and Allowed Administrative Fees.</p> <p>At least annually, each <b>Qualifying Block Grantee</b> which has elected to take a Local Government Block Grant shall publish on its lead Agency's or Local Government's website a report detailing for the preceding time period, respectively (i) the amount of <b>Local Government Block Grants</b> received, (ii) the allocation awards approved (indicating the recipient, the amount of the grant, the program to be funded and disbursement terms), and (iii) the amounts disbursed on approved allocations.</p> <p>As applicable, each State or Local Government shall impose reporting requirements on each recipient to ensure that <b>Public Funds</b> are only being used for <b>Approved Uses</b>, in accordance with the terms of the allocation, and that the efficacy of the expenditure of such <b>Public Funds</b> with respect to opioids abatement can be publicly monitored and evaluated.</p> <p>The expenditure and disbursement of <b>Public Funds</b> shall be subject to audit by States as follows: [details of audit scope, process, output, etc.]</p> <p>(a) A court with jurisdiction within the applicable State ("<b>State Court</b>") or (b) the Bankruptcy Court if the Purdue chapter 11 case has not been closed shall have jurisdiction to enforce the terms of this agreement, and as applicable, a Statewide Abatement Agreement or Default Mechanism; provided that nothing herein is intended to expand the scope of the Bankruptcy Court's post-confirmation jurisdiction.</p>

**Schedule A**  
**Core Strategies**

States and Qualifying Block Grantees shall choose from among the abatement strategies listed in Schedule B. However, priority shall be given to the following core abatement strategies (“**Core Strategies**”)[, such that a minimum of \_\_\_% of the [aggregate] state-level abatement distributions shall be spent on [one or more of] them annually].

- A. Naloxone/Narcan
  - 1. Expand training for first responders, EMTs, law enforcement, schools, community support groups and families; and
  - 2. Increase distribution to non-Medicaid eligible or uninsured individuals.
- B. Medication Assisted Treatment (“MAT”) Distribution and other opioid-related treatment
  - 1. Increase distribution of MAT to non-Medicaid eligible or uninsured individuals;
  - 2. Provide MAT services to youth and education to school-based and youth-focused programs that discourage or prevent misuse;
  - 3. Provide MAT education and awareness training to healthcare providers, EMTs, law enforcement, and other first responders; and
  - 4. Non-MAT treatment, including addition and expansion of services for managing withdrawal and related systems such as detox, residential, hospitalization, intensive outpatient, outpatient, recovery housing, and treatment facilities.
- C. Pregnant & Postpartum Women
  - 1. Expand Screening, Brief Intervention, and Referral to Treatment (“SBIRT”) services to non-Medicaid eligible or uninsured pregnant women;
  - 2. Expand comprehensive evidence-based treatment and recovery services, including MAT, for women with co-occurring Opioid Use Disorder (“OUD”) and other Substance Use Disorder (“SUD”)/Mental Health disorders from 60 days postpartum to 12 months (post-Medicaid coverage); and
  - 3. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare.
- D. Expanding Treatment for Neonatal Abstinence Syndrome
  - 1. Expand comprehensive evidence-based and recovery support for NAS babies;
  - 2. Expand services for better continuum of care with infant-need dyad; and
  - 3. Expand long-term treatment and services for medical monitoring of NAS babies and their families.

E. Expansion of Warm Hand-off Programs and Recovery Services

1. Expand services such as navigators and on-call teams to begin MAT in hospital emergency departments;
2. Expand warm hand-off services to transition to recovery services;
3. Broaden scope of recovery services to include co-occurring SUD or other polysubstance abuse problems;
4. Provide comprehensive wrap-around services to individuals in recovery including housing, transportation, job placement/training, and childcare; and
5. Hire additional social workers to facilitate expansions above.

F. Treatment for Incarcerated Population

1. Provide evidence-based treatment and recovery support including MAT for persons with OUD and co-occurring SUD/MH disorders within and transitioning out of the criminal justice system; and
2. Increase funding for jails that currently have or had detox units to treat inmates with OUD.

G. Prevention Programs

1. Funding for media campaigns to prevent opioid use (similar to the FDA's "Real Cost" campaign to prevent youth from misusing tobacco);
2. Funding for school-based prevention programs, beyond education about MAT mentioned above, including evidence-based school-wide programs;
3. Funding for medical provider education and outreach regarding best prescribing practices for opioids consistent with the 2016 CDC guidelines, including providers at hospitals (academic detailing);
4. Funding for community drug disposal programs; and
5. Funding for additional city police officers/county sheriffs to specifically address OUD and opioid-related ODs.

H. Expanding Syringe Service Programs

1. Provide comprehensive syringe exchange services programs with more wrap-around services including treatment information.

I. Evidence based data collection and research analyzing the effectiveness of the abatement strategies within the State.



**Schedule B**  
**Approved Uses<sup>20</sup>**

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

PART ONE: TREATMENT

**A. TREAT OPIOID USE DISORDER (OUD)**

Support treatment of Opioid Use Disorder (OUD) and any co-occurring Substance Use Disorder or Mental Health (SUD/MH) conditions through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication-Assisted Treatment (MAT) approved by the U.S. Food and Drug Administration.
2. Support and reimburse services that include the full American Society of Addiction Medicine (ASAM) continuum of care for OUD and any co-occurring SUD/MH conditions, including but not limited to:
  - a. Medication-Assisted Treatment (MAT);
  - b. Abstinence-based treatment;
  - c. Treatment, recovery, or other services provided by states, subdivisions, community health centers; non-for-profit providers; or for-profit providers;
  - d. Treatment by providers that focus on OUD treatment as well as treatment by providers that offer OUD treatment along with treatment for other SUD/MH conditions; or
  - e. Evidence-informed residential services programs, as noted below.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including MAT, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (OTPs) to assure evidence-based, evidence-informed, or promising practices such as adequate methadone dosing and low threshold approaches to treatment.
5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with

<sup>20</sup> [NTD: Discuss expanded list of Approved Uses to be included. Discuss “self-executing” function based on additional information received from NCSG.]

OD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.

6. Treatment of mental health trauma resulting from the traumatic experiences of the opioid user (e.g., violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (e.g., surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support detoxification (detox) and withdrawal management services for persons with OD and any co-occurring SUD/MH conditions, including medical detox, referral to treatment, or connections to other services or supports.
8. Training on MAT for health care providers, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OD and any co-occurring SUD/MH conditions.
10. Fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Scholarships and supports for certified addiction counselors and other mental and behavioral health providers involved in addressing OD any co-occurring SUD/MH conditions, including but not limited to training, scholarships, fellowships, loan repayment programs, or other incentives for providers to work in rural or underserved areas.
12. Scholarships for persons to become certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, and licensed mental health counselors practicing in the SUD field, and scholarships for certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, and licensed mental health counselors practicing in the SUD field for continuing education and licensing fees.
13. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (DATA 2000) to prescribe MAT for OD, and provide technical assistance and professional support to clinicians who have obtained a DATA 2000 waiver.
14. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service-Opioids web-based training curriculum and motivational interviewing.
15. Development and dissemination of new curricula, such as the American Academy of Addiction Psychiatry's Provider Clinical Support Service for Medication-Assisted Treatment.

## **B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY**

Support people in treatment for and recovery from OUD and any co-occurring SUD/MH conditions through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Provide the full continuum of care of recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, residential treatment, medical detox services, peer support services and counseling, community navigators, case management, and connections to community-based services.
2. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
3. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, or training for housing providers.
4. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
5. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
6. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
8. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
9. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to manage the opioid user in the family.
10. Training and development of procedures for government staff to appropriately interact and provide social and other services to current and recovering opioid users, including reducing stigma.
11. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
12. Create or support culturally-appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including new Americans.

13. Create and/or support recovery high schools.

**C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED  
(CONNECTIONS TO CARE)**

Provide connections to care for people who have – or at risk of developing – OUD and any co-occurring SUD/MH conditions through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (SBIRT) programs to reduce the transition from use to disorders.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MAT, recovery case management or support services.
6. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into community treatment or recovery services through a bridge clinic or similar approach.
7. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
8. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
9. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
10. Provide funding for peer navigators, recovery coaches, care coordinators, or care managers that offer assistance to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced on opioid overdose.

11. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
12. Develop and support best practices on addressing OUD in the workplace.
13. Support assistance programs for health care providers with OUD.
14. Engage non-profits and the faith community as a system to support outreach for treatment.
15. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.
16. Create or support intake and call centers to facilitate education and access to treatment, prevention, and recovery services for persons with OUD and any co-occurring SUD/MH conditions.
17. Develop or support a National Treatment Availability Clearinghouse – a multistate/nationally accessible database whereby health care providers can list locations for currently available in-patient and out-patient OUD treatment services that are accessible on a real-time basis by persons who seek treatment.

#### **D. ADDRESS THE NEEDS OF CRIMINAL-JUSTICE-INVOLVED PERSONS**

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved – or are at risk of becoming involved – in the criminal justice system through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
  - a. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (PAARI);
  - b. Active outreach strategies such as the Drug Abuse Response Team (DART) model;
  - c. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
  - d. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (LEAD) model;
  - e. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or

- f. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise and to reduce perceived barriers associated with law enforcement 911 responses.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MAT, and related services.
3. Support treatment and recovery courts for persons with OUD and any co-occurring SUD/MH conditions, but only if these courts provide referrals to evidence-informed treatment, including MAT.
4. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
5. Provide evidence-informed treatment, including MAT, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
6. Support critical time interventions (CTI), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
7. Provide training on best practices for addressing the needs of criminal-justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

**E. ADDRESS THE NEEDS OF PREGNANT OR PARENTING WOMEN AND THEIR FAMILIES, INCLUDING BABIES WITH NEONATAL ABSTINENCE SYNDROME**

Address the needs of pregnant or parenting women with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with neonatal abstinence syndrome, through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Support evidence-based, evidence-informed, or promising treatment, including MAT, recovery services and supports, and prevention services for pregnant women – or women who could become pregnant – who have OUD and any co-occurring SUD/MH conditions, and other measures educate and provide support to families affected by Neonatal Abstinence Syndrome.

2. Training for obstetricians or other healthcare personnel that work with pregnant women and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
3. Provide training to health care providers who work with pregnant or parenting women on best practices for compliance with federal requirements that children born with Neonatal Abstinence Syndrome get referred to appropriate services and receive a plan of safe care.
4. Child and family supports for parenting women with OUD and any co-occurring SUD/MH conditions.
5. Enhanced family supports and child care services for parents with OUD and any co-occurring SUD/MH conditions.
6. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
7. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including but not limited to parent skills training.
8. Support for Children's Services – Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

**F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS**

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
2. Academic counter-detailing to educate prescribers on appropriate opioid prescribing.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.

5. Support enhancements or improvements to Prescription Drug Monitoring Programs (PDMPs), including but not limited to improvements that:
  - a. Increase the number of prescribers using PDMPs;
  - b. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
  - c. Enable states to use PDMP data in support of surveillance or intervention strategies, including MAT referrals and follow-up for individuals identified within PDMP data as likely to experience OUD.
6. Development and implementation of a national PDMP – Fund development of a multistate/national PDMP that permits information sharing while providing appropriate safeguards on sharing of private health information, including but not limited to:
  - a. Integration of PDMP data with electronic health records, overdose episodes, and decision support tools for health care providers relating to OUD.
  - b. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation’s Emergency Medical Technician overdose database.
7. Increase electronic prescribing to prevent diversion or forgery.
8. Educate Dispensers on appropriate opioid dispensing.

#### **G. PREVENT MISUSE OF OPIOIDS**

Support efforts to discourage or prevent misuse of opioids through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Corrective advertising or affirmative public education campaigns based on evidence.
2. Public education relating to drug disposal.
3. Drug take-back disposal or destruction programs.
4. Fund community anti-drug coalitions that engage in drug prevention efforts.
5. Support community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction – including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA).
6. Engage non-profits and faith-based communities as systems to support prevention.



7. Support evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
8. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
9. Create of support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
10. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
11. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or other drug misuse.

#### **H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)**

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based, evidence-informed, or promising programs or strategies that may include, but are not limited to, the following:

1. Increase availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, opioid users, families and friends of opioid users, schools, community navigators and outreach workers, drug offenders upon release from jail/prison, or other members of the general public.
2. Public health entities provide free naloxone to anyone in the community, including but not limited to provision of intra-nasal naloxone in settings where other options are not available or allowed.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, and other members of the general public.
4. Enable school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expand, improve, or develop data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.

8. Educate first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expand access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Support mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.
12. Provide training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Support screening for fentanyl in routine clinical toxicology testing.

### PART THREE: OTHER STRATEGIES

#### **I. FIRST RESPONDERS**

In addition to items C8, D1 through D7, H1, H3, and H8, support the following:

1. Law enforcement expenditures relating to the opioid epidemic.
2. Educate law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
3. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

#### **J. LEADERSHIP, PLANNING AND COORDINATION**

Support efforts to provide leadership, planning, and coordination to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Community regional planning to identify goals for reducing harms related to the opioid epidemic, to identify areas and populations with the greatest needs for treatment

intervention services, or to support other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

2. A government dashboard to track key opioid-related indicators and supports as identified through collaborative community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
4. Provide resources to staff government oversight and management of opioid abatement programs.

#### **K. TRAINING**

In addition to the training referred to in items A7, A8, A9, A12, A13, A14, A15, B7, B10, C3, C5, D7, E2, E4, F1, F3, F8, G5, H3, H12, and I-2, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (e.g., health care, primary care, pharmacies, PDMPs, etc.).

#### **L. RESEARCH**

Support opioid abatement research that may include, but is not limited to, the following:

- a. Monitoring, surveillance, and evaluation of programs and strategies described in this opioid abatement strategy list.
- b. Research non-opioid treatment of chronic pain.
- c. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
- d. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.

- e. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
- f. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (e.g. Hawaii HOPE and Dakota 24/7).
- g. Research on expanded modalities such as prescription methadone that can expand access to MAT.
- h. Epidemiological surveillance of OUD-related behaviors in critical populations including individuals entering the criminal justice system, including but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (ADAM) system.
- i. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
- j. Geospatial analysis of access barriers to MAT and their association with treatment engagement and treatment outcomes.

**Schedule C**  
**State Allocation Percentages**

[TO BE INSERTED]

63779069 v1

# City of Palm Coast, Florida

## Agenda Item

Agenda Date: July 6, 2021

<b>Department</b>	Stormwater & Engineering	<b>Amount</b>	\$143,000
<b>Item Key</b>	11145	<b>Account</b>	#21066015-063000-61010
<b>Subject</b>	RESOLUTION 2021-XX APPROVING AN AGREEMENT FOR THE PURCHASE OF WETLAND MITIGATION CREDITS AND THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE CONSERVATION EASEMENT		
<b>Presenter : Carl Cote</b>			
<b>Background:</b> The City currently has a project to serve the citizens of Palm Coast for a new trailhead at the intersection of Royal Palms Parkway and Belle Terre Parkway which will provide a connection to the existing Lehigh Trail and consists of the construction of a parking lot, restroom building, shade coverings, a dog park and community gardens.  On October 30, 2018 City Staff requested the approval of a work order with CPH for the Lehigh Trailhead Project. This proposed project was for the design of additional parking areas to replace the ad hoc parking. The original design was to include a parking lot, signing, pavement markings, sidewalks, drainage improvements, wet retention pond, water fountain, bike rack, restrooms and basic landscaping. City Council directed staff to include additional design services for a dog park & community gardens, those changes were made and approved during the November 6, 2018 Council Meeting.  On November 6, 2018 City Council approved a Florida Department of Transportation (FDOT) Local Agency Program (LAP) Agreement, for FDOT grant funding in the amount of \$90,000.00 to assist in the funding of the design services for the project.  On April 7, 2020 City Council approved a sublease agreement to utilize a portion of the State owned lands. This sublease agreement was necessary due to the limitations on vertical development, it was necessary to locate the restroom building on property owned by the State of Florida. The State has delegated Flagler County the authority to control the property including granting easements and leases on behalf of the State.  On July 14, 2020 City Council approved a right-of-way consent agreement with Florida Power & Light (FPL) for the Lehigh Trailhead Project. City staff requested the use of land, by approval of a Right-of-Way Consent Agreement, for the sole purpose of Lehigh Trailhead additional parking, lighting, gardens and a dog park.  On April 20, 2021 City Council approved a FDOT LAP Agreement (#436473-1-58/68-07) for grant funding in the amount of \$1,583,738.00 for the construction phase of this project. This amount is to cover the FDOT eligible items (trailhead) based off of the engineers cost estimate.  On June 23, 2021 FDOT provided the City with an executed copy of the Agreement and issued a Notice-to-Proceed for the advertisement for the construction of the project. The projects is planned to be advertised for construction bids in July.			

During the design phase of the Lehigh Trailhead Project it was determined that the city had previously recorded a conservation easement (CE) on the property. On April 3, 2007, City Council gave approval for the City of Palm Coast to record a CE on the "upland buffer" area to satisfy the permit requirements of the Fire Station #25 and Tennis Center projects being developed at the time. These projects are part of the area included as part of the Master Stormwater Permit for the Town Center Area that required a certain number of acres to be under a CE to satisfy the required mitigation on the City property.

City staff and design team determined that a portion of the CE was placed over an FPL Easement. During the FPL approval process for the development of the Lehigh Trailhead project to obtain FPL approval to construct improvements within the FPL easement the City made contact with FPL; Meier Wise, Corporate Real Estate Manager. FPL does not allow conservation easements to be placed over FPL easement areas as it would interfere with the Grantee's (FPL) full enjoyment and use thereof as it would unreasonably interfere with Grantee's access, installation, operation and maintenance as this area is currently maintained and utilized by FPL. The City and Consulted coordinated with St. John's River Water Management District (SJRWMD) to review options to resolve this conflict of easements. The solution is to have SJRWMD release a portion of the conservation easement and for the City to purchase wetland credits from a mitigation bank.

During this same time period the developer of Town Center had approached SJRWMD to release a portion of a conservation easement on their property as well as City property to provide a connection to the site and Lehigh Trail. SJRWMD was adamant that they wanted to review the release of a portion of both of these conservation easements concurrently at their Board Meeting as they are part of the same Master Stormwater Permit. Due to the fact that mitigation credits can only be purchased from mitigation banks that service the basin that this projects falls within the City did not follow the City Purchasing Policy with an advertisement open to the public and instead obtained a cost per credit from all of the mitigation banks that service this basin. Two of the mitigation banks provided the same cost; Lake Swamp Mitigation Bank is located within Flagler County, therefore consistent with City local bid preference the City requested an Agreement from them.

1. Lake Swamp Mitigation Bank: \$130,000/SJRWMD & USACE
2. Farmton Mitigation Bank: \$130,000/SJRWMD & USACE
3. Port Orange Mitigation Bank - \$187,00/SJRWMD & USACE

The City's estimated credit needs are 1.086 and the developer's needs is 0.01 credits. Mitigation banks sell to the 1/10 of a credit so rounding up to 1.1 credits needed. The estimated cost is \$143,000 with the developer providing payment to the City in the amount of \$1,300 for their portion of the credit purchase.

This item is to seek approval for the City Manager to negotiate and enter in Agreement for the purchase of wetland mitigation credits in an amount Not-to-Exceed \$143,000.00. In addition, authorizing the City Manager to execute any necessary documents including but not limited to a vacating easements or recording new easements associated with releasing of a portion of or all of conservation easement(s), recording of new conservation easement(s) and an access easement with adjacent property owner.

SOURCE OF FUNDS WORKSHEET FY 21

Recreation Impact Fee/ Lehigh Trail	\$1,675,000.00
Total Expended/Encumbered to Date.....	\$ 31,243.75
Pending Work Orders/Contracts.....	\$ 0
Current (WO/Contract).....	\$ 143,000.00
Balance.....	\$ 1,500,756.25

**Recommended Action :**

ADOPT RESOLUTION 2021-XX APPROVING AN AGREEMENT FOR THE PURCHASE OF WETLAND MITIGATION CREDITS AND THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE CONSERVATION EASEMENT



**RESOLUTION 2021-\_\_\_\_\_**  
**WETLAND MITIGATION CREDITS**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA APPROVING AN AGREEMENT FOR THE PURCHASE OF WETLAND MITIGATION CREDITS AND THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE RELEASE OF CONSERVATION EASEMENTS, RECORDING OF CONSERVATION EASEMENTS AND AN ACCESS EASEMENT ASSOCIATED WITH 1250 BELLE TERRE PARKWAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Palm Coast desires to enter into an agreement for the purchase of wetland mitigation credits associated with the release of conservation easement; and

**WHEREAS**, the City Council of the City of Palm Coast desires to approve the purchase of wetland mitigation credits and the execution of any necessary documents associated with the release of conservation easements, recording of conservation easements and an access easement associated with City owned property at 1250 Belle Terre Parkway.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF THE AGREEMENT** The City Council hereby approves an agreement for the purchase of wetland mitigation credits in an amount not-to-exceed \$143,000, as attached hereto and incorporated herein by reference as Exhibit “A.”

**SECTION 2. AUTHORIZATION TO NEGOTIATE, FINALIZE AND EXECUTE.**  
The City Manager, or designee, is hereby authorized to finalize and execute the Agreement for the purchase of wetland mitigation credits, in an amount Not-to-Exceed \$143,000.00. In addition, the City Manager is hereby authorized to execute any necessary documents, including but not limited to, vacating easements and execute any documents associated with releasing of a portion of or all of the conservation easement(s), and is hereby authorized to execute new conservation easement(s) and an access easement with adjacent property owner.

**SECTION 3. SEVERABILITY.** If any section or portion of a section of this Resolution 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 Resolution.

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 6<sup>th</sup> day of July 2021.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
EDDIE BRANQUINHO, ACTING MAYOR

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Wetland Mitigation Agreement

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.

## City of Palm Coast, Florida Agenda Item

Agenda Date : July 6, 2021

<b>Department</b>	Information Technology	<b>Amount</b>	
<b>Item Key</b>		<b>Account #</b>	54702525-034000 54702525-046000
<b>Subject</b>	RESOLUTION 2021-XX APPROVING CONTRACTS WITH DANELLA CONSTRUCTION CORPORATION OF FLORIDA, INC., AND DRAFTPROS, LLC DBA DRAFTPROS, INC., FOR FIBER OPTIC MAINTENANCE AND INSTALLATION SERVICES		
<b>Presenter : Doug Akins</b>			
<b>Background :</b> The Information Technology Department is responsible for maintaining and operating the City's fiber optic network. On an as needed basis, City staff require outside contractors to provide maintenance and installation services.  In accordance with the City's Purchasing Policy, City staff advertised and solicited responses for fiber optic maintenance and installation services on an as needed basis. The City received two (2) responses which were responsive and responsible. The project bid overview and notice of intent to award are attached.  Staff recommends City Council approve master services contracts with Danella Construction Corporation of Florida, Inc. and draft Pros, LLC DBA draftPros, Inc. Since these are master service agreements on an as-needed basis, City staff will purchase items and services on an as-needed basis using budgeted funds appropriated by City Council.			
<b>Recommended Action :</b> ADOPT RESOLUTION 2021-XX APPROVING CONTRACTS WITH DANELLA CONSTRUCTION CORPORATION OF FLORIDA, INC., AND DRAFTPROS, LLC DBA DRAFTPROS, INC., FOR FIBER OPTIC MAINTENANCE AND INSTALLATION SERVICES			

**RESOLUTION 2021 - \_\_\_\_**  
**CITY'S FIBER OPTIC NETWORK**  
**DANELLA CONSTRUCTION AND DRAFTPROS, LLC**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF CONTRACTS WITH DANELLA CONSTRUCTION CORPORATION OF FLORIDA, INC., AND DRAFTPROS, LLC DBA DRAFTPROS, INC.; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Palm Coast operates a fiber optic network that provides connections to City facilities and FiberNET customers and requires outside contractors to provide maintenance and installation services; and

**WHEREAS**, the City Council of the City of Palm Coast desires to contract with Danella Construction Corporation of Florida, Inc., and draftPros, LLC DBA draftPros, Inc., for the above referenced services.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF CONTRACTS.** The City Council of the City of Palm Coast hereby approves the terms and conditions of the contracts with Danella Construction Corporation of Florida, Inc., and draftPros, LLC DBA draftPros, Inc, as attached hereto and incorporated herein by reference as Exhibit "A."

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the contract as depicted in Exhibit "A."

**SECTION 3. SEVERABILITY.** If any section or portion of a section of this Resolution 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 Resolution.

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 6<sup>th</sup> day of July 2021.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
EDDIE BRANQUINHO, ACTING MAYOR

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Contracts

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney



Finance Department  
Budget & Procurement Office

160 Lake Avenue  
Palm Coast, FL 32164  
386-986-3730

## NOTICE OF INTENT TO AWARD

**Project:** FIBERNET OSP OPERATIONS AND MAINTENANCE - RFP-IT-21-31

**Date:** 6/18/2021

**Appeal Deadline:** Appeals must be Filed by 5:00 PM on 6/23/2021

Firm	Points
Danella Construction Corporation of Florida, Inc. Melbourne, FL	87.00
draftPros, LLC DBA draftPros, Inc. Miami Lakes, FL	76.00
Precision Contracting Services, Inc. Jupiter, FL	64.00
Southeast Utilities of Georgia, LLC Jacksonville, FL	Non-Responsive Failed to submit Signed and Dated Addenda as Required

The intent of the City of Palm Coast is to award FIBERNET OSP OPERATIONS AND MAINTENANCE to **Danella Construction Corporation of Florida, Inc.** and **draftPros, LLC DBA draftPros, Inc.**

**Cc: Contract Coordinator, Project Manager, BPO Manager, Financial Services Director, Department Director**

*For questions regarding the NOIT please contact Procurement Coordinator [jkscott@palmcoastgov.com](mailto:jkscott@palmcoastgov.com).*

*Bid protests arising under City Bidding Documents or Procedures shall be resolved under the City of Palm Coast Budget and Procurement Office Bid Protest procedures.*

*A proposer may protest matters involving the award of this Bid within three (3) business days from the posting of this recommendation to award. Failure to protest to the City's Financial Services Director, Helena Alves ([HAlves@palmcoastgov.com](mailto:HAlves@palmcoastgov.com)) shall constitute a waiver of the protest proceedings.*



# RFP-IT-21-31 - FIBERNET OSP OPERATIONS AND MAINTENANCE

## Project Overview

Project Details	
Reference ID	RFP-IT-21-31
Project Name	FIBERNET OSP OPERATIONS AND MAINTENANCE
Project Owner	Jesse Scott
Project Type	RFP
Department	Procurement
Budget	\$0.00 - \$0.00
Project Description	This Request for Proposals is issued for the purpose of securing proposals from qualified vendors to perform the construction and maintenance of the outside fiber optic cable that is installed for Fiber NET. The proposer will install conduit, pull cable, splice and terminate cable.
Open Date	May 05, 2021 8:00 AM EDT
Intent to Bid Due	Jun 09, 2021 2:00 PM EDT
Close Date	Jun 10, 2021 2:00 PM EDT

Awarded Suppliers	Reason	Score
DRAFTPROS, LLC dba DRAFTPROS, INC		76 pts



<b>Danella Construction Corp of Florida</b>		<b>87 pts</b>
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## Seal status

<b>Requested Information</b>	<b>Unsealed on</b>	<b>Unsealed by</b>
RFP Proposal	Jun 10, 2021 2:00 PM EDT	Jesse Scott
Price Schedule Summary Form	Jun 10, 2021 2:00 PM EDT	Jesse Scott
Price Schedule Detail Spreadsheet	Jun 10, 2021 2:00 PM EDT	Jesse Scott
References	Jun 10, 2021 2:00 PM EDT	Jesse Scott
Forms 1 - 6	Jun 10, 2021 2:00 PM EDT	Jesse Scott
Underground Utility License	Jun 10, 2021 2:00 PM EDT	Jesse Scott

## Conflict of Interest

# Declaration of Conflict of Interest, You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee. ## Code of Conduct All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members. ## Conflict of Interest No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family: \* has direct or indirect financial interest in the award of the contract to any proponent; \* is currently employed by, or is a consultant to or under contract to a proponent; \* is negotiating or has an arrangement concerning future employment or contracting with any proponent; or, \* has an ownership interest in, or is an officer or director of, any proponent. Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict. I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.





Name	Date Signed	Has a Conflict of Interest?
Bill Eldredge	Jun 10, 2021 2:05 PM EDT	No
Jesse Scott	Jun 10, 2021 2:01 PM EDT	No
Doug Akins	Jun 10, 2021 2:19 PM EDT	No
Rory Lochert	Jun 10, 2021 2:30 PM EDT	No



## Public Notices

### Project Details Have Changed - Addendum 1 added

*Jesse Scott, Jun 07, 2021 10:59 AM EDT*

- Project Public Files changed - Addendum 1 added.

### Notice of Intent to Award

*Jesse Scott, Jun 18, 2021 12:03 PM EDT*

The Notice of Intent to Award has now been posted to the Procurement Portal.



## Project Criteria

Criteria	Points	Description
Admin Review	Pass/Fail	Documents submitted and completed as requested.
Technical Review - Experience with Similar Projects, Technical Capability and Qualifications	35 pts	Below Average 7 Points Average 14 Points Above Average 21 Points Well Above Average 28 Points Outstanding 35 Points Provide a listing of similar projects, maximum of three, by a team member who is specifically part of the team proposed in the response. Identify specific project details, including but not limited to, location, description of the funding entity, project budget, project description, length, and outcomes. Provide the contact information for the entities where work has been done for reference purposes.
Technical Review - Proposal Cost Sheet and Rates	40 pts	Below Average 8 Points Average 16 Points Above Average 24 Points Well Above Average 32 Points Outstanding 40 Points This section shall include the proposed costs to provide the required services. Include any other cost and price information, plus a not-to-exceed amount, that would be contained in a potential agreement with the City. The hourly rates may be used for pricing the cost of additional services outlined in the Scope of Work. Proposed budget for the evaluation project, broken down by hours and rates for each task. Costs for travel and incidentals should be included in the proposal. Include a total not-to-exceed price for the entire project. Include any pass through costs such as taxes, fees, etc. The fee information is relevant to a determination of whether the fee is fair and reasonable in light of the services to be provided.



Technical Review - Reputation	15 pts	Below Average 3 Points Average 6 Points Above Average 9 Points Well Above Average 12 Points Outstanding 15 Points Review references and complete reference checks for each submission.
Technical Review - Location	10 pts	Outside of the state of Florida 2 Points Within the state of Florida 4 Points Within Flagler County 6 Points Within Palm Coast FL 10 Points
<b>Total</b>	<b>100 pts</b>	



## Scoring Summary

### Active Submissions

	Total	Admin Review	Technical Review - Experience with Similar Projects, Technical Capability and Qualifications	Technical Review - Proposal Cost Sheet and Rates	Technical Review - Reputation
Supplier	/ 100 pts	Pass/Fail	/ 35 pts	/ 40 pts	/ 15 pts
Danella Construction Corp of Florida	87 pts	Pass	33.33 pts	36 pts	13.67 pts
DRAFTPROS, LLC dba DRAFTPROS, INC	76 pts	Pass	26.33 pts	35 pts	10.67 pts
Southeast Utilities of Georgia	69.67 pts	Fail	26.67 pts	26.33 pts	12.67 pts



	Total	Admin Review	Technical Review - Experience with Similar Projects, Technical Capability and Qualifications	Technical Review - Proposal Cost Sheet and Rates	Technical Review - Reputation
Supplier	/ 100 pts	Pass/Fail	/ 35 pts	/ 40 pts	/ 15 pts
Precision Contracting Services	64 pts	Pass	25.33 pts	22 pts	12.67 pts

	Technical Review - Location
Supplier	/ 10 pts
Danella Construction Corp of Florida	4 pts
DRAFTPROS, LLC dba DRAFTPROS, INC	4 pts



	Technical Review - Location
Supplier	/ 10 pts
Southeast Utilities of Georgia	4 pts
Precision Contracting Services	4 pts

## City of Palm Coast, Florida Agenda Item

Agenda Date : July 6, 2021

<b>Department Item Key</b>	<b>Amount Account #</b>
<b>Subject</b> WORKSHEET	
<b>Presenter :</b>	
<b>Background :</b>	
<b>Recommended Action :</b>	



			<b>July 13, 2021 WORKSHOP MEETING</b>	
1		Presentation	General Fund Budget & TRIM Rate	Alves/Ragsdale
2		Presentation	SAP #3 Council Priority Update	Bevan
3		Presenttion	Code Enforcement Process	City Attorney
4		Presentation	Code Survey Results	DeLorenzo
5		Resolution	Initial Nuisance Abatement	Grossman
6		Resolution	Park n Rec Fees	Johnston
7		Resolution	CDBG Amendment 2020 Action Plan	Papa
8		Resolution	CDBG 2021 Action Plan	Papa
9		Resolution	CDBG Rules for 1st time home buyers	Papa
10		Presentation	FCSO LE Services- Proposal	Reynolds / FCSO Liaison
			<b>July 20, 2021 BUSINESS MEETING</b>	
1		Resolution	Proposed Millage Rate	Alves
2		Resolution	Building Fees/St. Water Fees	DeLorenzo
3		Resolution	Initial Nuisance Abatement	Grossman
4		Resoloution	Park & Rec Fee Schedule	Johnston
5		Resolution	CDBG Amendment 2020 Action Plan	Papa
6		Resolution	CDBG 2021 Action Plan	Papa
7		Resolution	CDBG Rules for 1st time home buyers	Papa
			<b>July 27, 2021 WORKSHOP MEETING-SPECIAL</b>	
1		Presentation	Proposed Utility Stormwater IT and Bldg Fund Budget	Alves
			<b>August 3, 2021 BUSINESS MEETING</b>	
1		Resolution	2021 Sanitary Sewer Lines	Blake
2		Oath	Oath of Office Mayor	Smith
			<b>August 10, 2021 WORKSHOP MEETING</b>	
1		Presentation	Proposed Budget for All remaining funds	Alves/Ragsdale
2		Resolution	OKR Special Assessment	Alves
3		Ordinance	Purchasing	Alves
4		Presentation	5 YR CIP	Cote
5		Resolution	Interlocal Agreement Flagler County Marineland Acres	Flanagan
6		Resolution	Final Nuisance Abatement	Grossman
7		Presentation	Bike Ped Reviewal (Cimmaron Dr. )	Papa
8		Presentation	Park Master Plan	Papa
			<b>August 17, 2021 BUSINESS MEETING</b>	
1		Ordinance	Purchasing	Alves
2		Resolution	OKR Special Assessment	Alves
3		Resolution	Interlocal Agreement Flagler County Marineland Acres	Flanagan

4		Resolution	Final Nuisance Abatement	Grossman
			<b>August 24, 2021 WORKSHOP MEETING-SPECIAL</b>	
1		Presentation	Proposed Final Budget	Alves/Ragsdale
2		Resolution	Fleet Purchases	Lachance/Mancill
			<b>Future</b>	
1		Resolution	Lease amendment colo facility	Akins
2		Presentation	Security Assessment Review	Akins
3		Resolution	Tentative Millage & Budget (9/8/2021 SPECIAL MEETING-5:30 PM)	Alves/Ragsdale
4		Resolution	Final Millage & Budget (9/22/2021 SPECIAL MEETING-5:30 PM)	Alves/Ragsdale
5		Presentation	LDC Signs Chapter 9	CDD
6		Resolution	Advent Health Design Svc. Agreement OKR Ext.	Cote
7		Resolution	P1 Control Structure Rehab	Cote
8		Ordinance	Memorial Markers	Cote/Grunewald
9		Resolution	WTP 1 High Service Water Pump	Cote/Kronenburg
10		Resolution	Easement Hardin Agreement	DeLorenzo
11		Resolution	Property exchange -Golf/Marina	DeLorenzo
12		Resolution	Repair and Rehab Andritz Centrifuge at WWTP 1	Flanagan/Ashburn
13		Resolution	MSA with Service Electric Company for Pole Repair	Flanagan/Roussell
14		Ordinance 1st	Animal Control amendment	Grossman
15		Ordinance	LDC Architectural Chapter 13	Hoover/Dawson
16		Ordinance 1st	MPD PH Golf (first read)	Hoover
17		Ordinance 1st	MPD PH Marina (first read)	Hoover
18		Ordinance	Tribute Rezoning	Hoover
19		Presentation	Innovation District Initiatives	Johnston/DeLorenzo
20		Presentation	Community Center Parking	Johnston
21		Resolution	Advent Health Impact Fee Agreement	Papa
22		Resolution	Grant Compliance Assistance Services	Papa