

IN THE CIRCUIT/COUNTY COURT OF THE SEVENTH JUDICIAL CIRCUIT,
IN AND FOR FLAGLER COUNTY, FLORIDA

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Jeani Duarte

Case # 2024 CA 000505

Plaintiff

Judge CHRISTOPHER A FRANCE

Vs

City Of Palm Coast, Mayor, Council, Manager, Attorney, and Associates

Defendants

Certification of Emergency / Request ExParte / We will Be Harmed!

Violations Of Laws, Deceptive Practices to Trick Voters

URGENT/ MOTION FOR INJUNCTIVE RELIEF

Violations include but not limited to;

Misleading Language on Ballot, Attempts to change the form of our Local Government, Acts Against Palm Coast Charter, Acts Against Sun Shine Law, Acts Against Florida Statues, Acts Against Ordinances, Unauthorized Distribution of Funds, Acts Against Constitutional Rights, Misuse of Power, Failure to Notify, Engaging in Unauthorized Agreements, Refusing Forensic Audit, Attempts to block issues from the public. Willful Misconduct.

Remedies Sought:

Immediate Emergency Injunctive Relief, Mandatory Protection Necessary to Restore and Maintain Order of the Status Quo, Balance of Equity / Forensic Audit.

Descriptions of Violations are as follows;

Referendum / Deceptive Language

The Council members of the City of Palm Coast are taking steps to change the form of our local government, by willful deception on the new ballot referendum to the electors for the scheduled upcoming election. Expressly prohibited by law. Title VII Chapter 166.021—Powers. The deceptive language proposes to remove Charter Provision (3)(e). Our current Charter laws protects the voice and vote of the citizens of Palm Coast and sets limits on the city's ability to enter into public private partnerships, sets a \$15,000,000.00 cap on spending and sets a 36 month repayment deadline. By removing this provision and or changing the language, the residents of Palm Coast will suffer Irreparable Damages.

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Original Charter, Provision (3)(e) Language:

“ Unless authorized by the electors of the city at a duly held referendum election, the Council shall not enter into lease purchase contracts or any other unfunded multiyear contracts, the repayment of which: extends in excess of 36 months; or exceeds \$15,000,000,00.”

Language for the ballot to remove Provision (3)(e)

Shall Article VI of the Charter be amended by removing provision (3)(e) related to fiscal Contracting Authority that limit the City’s ability to enter into public private partnerships, have the ability to address growth by having future residents contribute to infrastructure costs, respond to emergencies and use available financial instruments including, but not limited to, bonds.

Descriptions of further Concerns of Violations;

Mayors Misuse Of Voting Privileges - Chapter 260.030 (6)

The Mayors vote counts toward breaking ties of the council, not to create a tie.

Misleading Presence of Council Members for Voting Purposes

Violation of Sun Shine law, that a requisite # of members must be physically present to create a quorum for voting purposes. On Sept.03,2024, only 2 council members and the Mayor were physically present to vote on the referendum to be removed from the ballot. Both present council members, Mr. Danko and Ms. Pontieri voted yes to have it removed. Mayor Alfin voted No, along with Councilman Klufas who was not physical present in his attendance.

Misused Vote Of an “Absent” Council Member

Council member Klufas or someone acting on his behalf was on a voice call. Both Mayor and Absent Councilman voted against removing the referendum. Creating a tie to keep the intended referendum and its deceptive language on the ballot.

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Changing the Form Of Government / Violation of Our Constitutional Rights

By removing Charter Provision (3)(e). The citizens of Palm Coast will lose our rights to vote. The referendum of electors which is currently the voting people of Palm Coast will then be replaced by the electors of Council which eliminates the rights, voice and votes from the residents of Palm Coast. Council woman Pontieri tried to ensure our trust of replacing our right as electors with their **“Super Vote”**. Ms. Pontieri has 2 more years on her seat and she has lost our trust.

Available Financial Instruments

Referendum language on the ballot lacks specificity but states that they shall **“use available financial instruments, including, but not limited to, bonds.”** This will give the Council of the City unlimited access and power over all available stocks, Bonds, Real Estate, Deposits, Contract, Loans, Cd’s, Mutual funds, etc. Without limit, size, quantity or accountability for a proposed **\$90,000,000.00 Westward Expansion** which will Bankrupt Palm Coast and Mortgage our future generations. With concerns for possible Eminent Do- mains.

Unauthorized Distributions of Funds

No transparency or accountability for at least **\$105,000,000.00. (Yes, 105 Million)** already Spent? With No consideration for the \$15,000,000,00 Cap! With No consideration for the 36 month repayment **deadline!** Who signed the checks? Who engaged and agreed to these unauthorized expenses? Please See, Palm Coast City Councils Youtube video Sept.03,2024, 4 hours and 15 minutes into the video for Council Woman Pontieri’s live testimony.

Vacant Seat

A seat on the Council was resigned on August 19,2024, effective on August 23,2024. Council and Mayor are seeking to **appoint** this seat when law clearly states the vote belongs to the electors of Palm Coast which are currently the People. It is now 2 months before the next scheduled election, plenty of time to add candidates for this seat to the ballot. Charter law states that Council can only appoint if the seat becomes empty more than 6 months of a scheduled election and gives them 90 days to do so. Anything within 6 months of a scheduled election belongs to the vote of the electors of Palm Coast. If Necessary, with time constraints, this would call for a special election to fill that seat. Title XII Chapter 166 Part 1.

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Descriptions of further Concerns of Violations ;

Violation of City Elections / Charter Sec. 8 1 & 2, ELECTIONS;

Knowingly print deceptive language on a ballot for vote. And Ballot issues.

City Elective Offices shall be conducted on a nonpartisan basis without designation of Party.

Mayors Aggressive and Willful Interception of the Referendum Topic at Public Meetings

Mayor Alfin, aggressively attempted to block Councilman Danko from going public with the misleading language of the referendum. Council Woman Pontieri was unable to read the language of the referendum out loud without adding further confusion. She admitted to her involvement in writing the language.

Bonds

"Unlimited" Bonds will Bankrupt and Mortgage the future of the citizens of Palm Coast.

Attorneys Failure to Advise

Seated and present, Advisory Attorney Marcus Duffy repeatedly failed to advise the Council of their unlawful misconduct.

Once our votes are taken, we wont get them back ! Once we are bankrupt, we won't recover! There is No Accountability!

City Manager Failure To Account.

Lacking reasonable effort and accountability for transparency of relative, unauthorized spent funds.

State Appropriations paid for by the Tax payers in the sum of **\$105,000,000,00. (YES, 105 Million)**

Descriptions of further Concerns of Violations ;

Teresa Pontieri is quotes as saying ;

" And it falls on the backs of the tax payers".

" I don't expect a \$105,000,000,00. Check to the ^{State} residents of Florida but I do expect quite a bit of infrastructure improvements."

See, Live testimonies on Youtube, Sept.3,2024., 4 hours and 15 minutes into a public meeting.

Comp Plan (2050 DRI/MPD) New Development Orders

Westward Expansion / Developer Rayonier / Westward Development / Sports Complex

Sudden plans for change, suggests intentions of moving forward. Council has engaged in agreements prohibited by the existing current Charter. With a Proposed Spending Budget of \$90,000,000,00. But has already cost \$105,000,000,00. in Unauthorized Use of Funds! **A forensic Audit is in order!**

Land Use and Boundaries of 20 Thousand Acres

Effects On Areas Which includes land?

Ballots are already printed

Rushed to print Ballots with challenged, misleading Referendum Language included.

Failure to Include Referendum Topics on Public Meeting Agendas

Violation of Sun Shine Law Chapter 286.011 Public Inspection. Failure to inform or be transparent to the Public on the Topic or Topics of the Referendum which proposes to remove Provision (3)(e) which will eliminate the rights of the residents of Palm Coast to vote, removes the \$15,000,000,00. spending cap and eliminates the 36 month repayment deadline. Recently Exposed and observed at Public Meetings, **August 27,2024 / Sept.03,2024 / Sept.05,2024.**

Council Flip Flop

Council Woman Teresa Pontieri and Councilman Ed Danko openly admitted to writing the language together. Then retracted, stating they had help from council, etc. "then", they revised the referendum "together" and approved it for the ballot. Ms. Pontieri stated August 27, 2024 that from the time she took the seat, she has pushed for commercial growth for Westward Expansion, then flipped the following week to suddenly say she cares about local infrastructure "like roads" while still supporting the referendum after she voted to drop it. Sept. 03, 2024, 4 hours and 15 minutes into the public meeting Council Woman Pontieri revealed the Comp Plan 2050 (DRI / MPD) New Development Orders. With the disturbing news of the **\$105,000,000.00.** that the Developer was supposed to have paid for but somehow has been placed on the "backs of the tax payers" In her timely performance, Ms. Pontieri also stated she **"doesn't expect a check back to the state of Florida but expects quite a bit in infrastructure."** The spending cap and repayment deadlines has been disregarded. Councilman Danko has also flipped as well, going from exposing the referendum after being voted out of office during the primary to suddenly supporting an "after the fact" Resolution Proposed by Ms. Pontieri of language that is identical but replaces some words with the word "Unlimited".

Burden Of Proof / Live testimonies / Local, State and Federal Laws

Live Testimonies on Youtube Videos Palm Coast City Council Meetings

Aug. 27, 2024 @42 minutes @1:15 minutes & By Jeani Duarte Parts 1 & 2

Sept. 03, 2024 @45 minutes /@1 Hour & 18 minutes/ @1 Hour & 35 Minutes /@4 Hours & 15Minutes

Sept. 05, 2024 @ Minutes

Sun Shine Laws 166, Palm Coast Current Charter, Florida Statues

Please see attached documents.

*Please See Attachments
Jeani Duarte
Sept. 25, 2024*

I Swear Under Penalty of Perjury that this statement and its content
are true and correct to the best of My knowledge,

So Help Me God !

Jeani Duarte

Signed
Date

Jeani Duarte

Samantha Gail Carver

SAMANTHA GAIL CARVER



Our Mayor and Council are

Engaging in Unethical Practices

To Change our Charter Law.

By Knowingly and Willfully

Placing Deceptive Language on a Ballot for Vote

For the Upcoming Election.

By REFERENDUM Vote

it will REMOVE or CHANGE Charter Provision (3)(e)

Which will

Eliminate citizens right to vote,

Eliminate need for referendum,

Eliminate the Spending Cap,

Eliminate the Repayment Deadline,

Eliminate the need for Public Council Meetings,

Eliminate Restrictions to the City from entering into lease purchase contracts,

Eliminate Restrictions to the City from entering into unfunded multiyear contracts.

Eliminates the Public's Voice concerning issues in our community.

It will Allow the City Unlimited Access to Available and Future Funds

It will Allow the City to enter into Lease Purchase Contracts without limits.

It will Allow the City to enter into Unfunded Multiyear Contracts without limits.

It will Allow the City to be Controlled by Developers with No Limits.

Provide No Accountability for damages already done

Provide No Accountability for damages that which may occur in the future.

Thus, harming the Citizens of Palm Coast and its Future Generations.

Local Limitation: Palm Coast Charter, Art. VI., Sec. 3(e):

- (e) Limitations to Council's Contracting Authority. Unless authorized by the electors of the City at a duly held referendum election, the Council shall not enter into lease-purchase contracts or any other unfunded multiyear contracts, the repayment of which: extends in excess of 36 months; or exceeds \$15,000,000.00.

The City of Palm Coast must obtain referendum approval to enter into lease-purchase contracts or any other unfunded multiyear contracts which are (i) greater than 36 months in length or (ii) more than \$15M.

Terms expressly prohibit lease purchase contracts of more than 36 months or in excess of \$15M

Terms also prohibit "any other unfunded multiyear contract" of more than 36 months or in excess of \$15M



Mayor and Council are trying to Remove this

Original Charter, provision (3)(e) language:

“ Unless authorized by the electors of the city at a duly held referendum election, the Council shall not enter into lease purchase contracts or any other unfunded multiyear contracts, the repayment of which: extends in excess of 36 months; or exceeds \$15,000,000,00.”

Proposed language going on the ballot:

Shall Article VI of the Charter be amended by removing provision (3)(e) related to fiscal Contracting Authority that limit the City’s ability to enter into public private partnerships, have the ability to address growth by having future residents contribute to infrastructure costs, respond to emergencies and use available financial instruments including, but not limited to, bonds.

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Proposed language for the ballot

Shall **When**

Article VI **the binding terms**

of the Charter **of the Sovereign Power**

be amended **gets changed**

by **in way of**

Removing provision (3) (e) **Eliminating provision (3) (e)**

related to **having to do with**

Fiscal **government revenue, taxes, monetary and fiscal policy.**

Contracting Authority **Pertaining to unfunded projects / requires a subsequent appropriation or offset to pay for**

that limit **which Set boundaries**

the City's **for the Council**

Ability **To be able to Access or have the power to**

to enter into **agree to**

public private partnerships, **any long term arrangements between a government and private sector,**

The Council will then,,,,, (MISSING!!!)

Have **possess**

the ability **the power**

to address **to decide**

growth **expansions**

By **in way of**

having future residents **forcefully mortgaging the future of Palm Coast**

Contribute **to pay for**

to infrastructure costs, **charges imposed on new buildings, development and maintenance of public infrastruc-
ture, such as roads, water supply networks and sewage treatment facilities,**

Respond **react** to emergencies **????????????????????????????????**

and **as well as** Use **Consume**

Available **Accessible**

financial instruments, **stocks, Bonds, Real Estate, Bank Deposits, Contracts, loans, CDs Mutual Funds, etc,**

including, **which include(s)**

but not limited to, **without limit, size or quantity,**

bonds. **ALFIN BONDS !!!**

Palm Coast Website



Website

"Shared Costs Across Generations"

SHARED COSTS ACROSS GENERATIONS

Ensures future residents who benefit from projects also help pay for them, promoting fairness.

We will NEVER Recover!!!

Cons of the Charter Amendment if approved:

• **Potential for Increased Debt:** Expanding funding options could lead to higher debt levels if not managed carefully.

• **Risk of Mismanagement:** New funding methods, like public-private partnerships, may carry risks if not properly overseen.

• **Reduced Direct Control:** Public input may be diluted. The financial decisions would move from direct public input (referendum vote) to indirect representation (vote of the city council).

• Removes Public's right to vote

• Removes Referenda

• Replaces Us with Them

Shared Costs Across Generations:

Will Bankrupt Palm Coast for Generations

Faster Project Completion:

Will allow for too much too fast!

Listed as Pros

But clearly are NOT!!!

↓ Charter Amendment Ordinance

↓ Municipal Financing



General Obligation (GO):

- Secured by ad valorem taxing power
- Gives lenders the ability to compel unlimited increases in annual property tax levies as necessary to repay debt

General obligation debt can be *limited*

- Secured by ad valorem taxing power but limited with respect to millage rate
- Gives lenders the ability to compel an increase in annual property tax up to the specified millage rate limit

Under Florida law, general obligation debt requires referendum approval

Removing Provision 3(e) or rewording

Vote of the city Council



Article VII, Section 12 Fla. Const.:

SECTION 12. Local bonds.—Counties, school districts, municipalities, special districts, and local governmental bodies with taxing powers may issue bonds, certificates of indebtedness, or any form of tax anticipation certificates, payable from ad valorem taxation and maturing more than twelve months after issuance only:

- to finance or refinance capital projects authorized by law and only when approved by a vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or
- to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

Sec. 2.05 VACANCIES ON THE COUNCIL

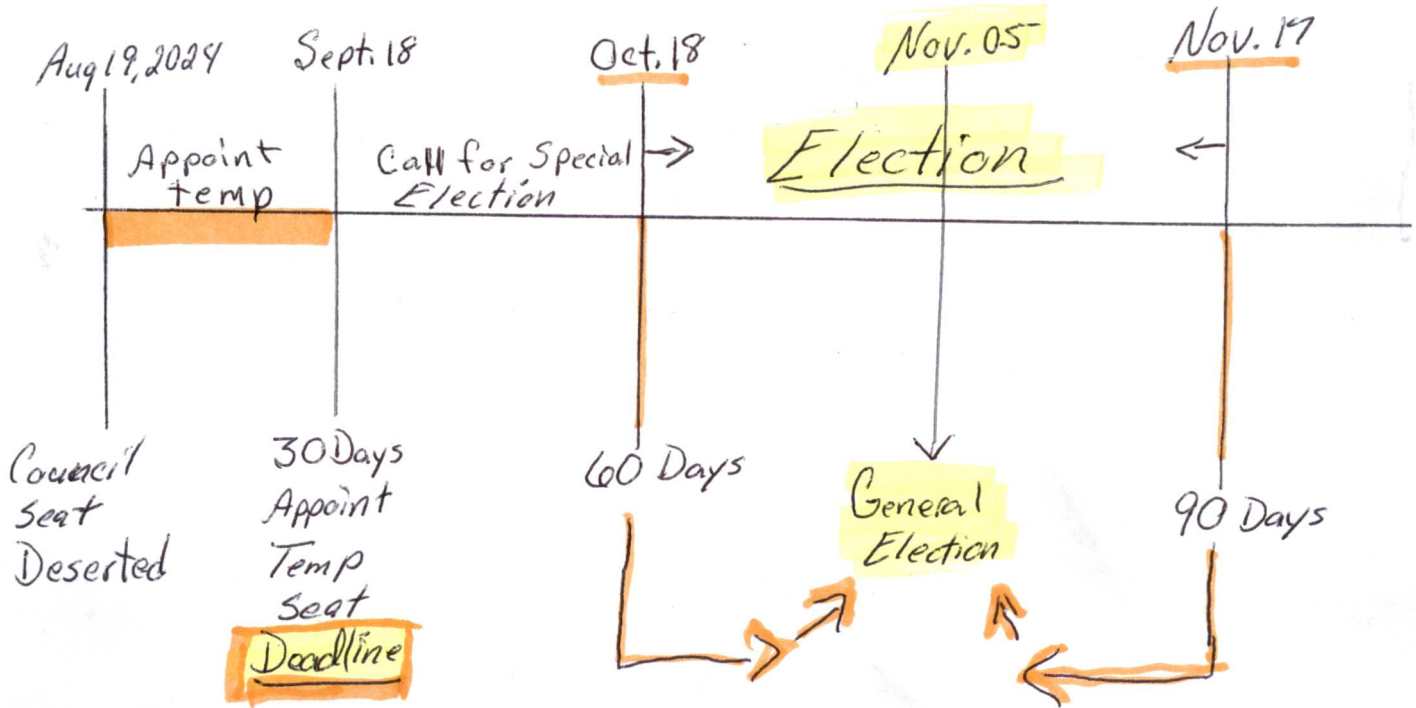
A vacancy shall occur upon the death, resignation, removal from office (other than by recall) as authorized by law, or forfeiture of office of a Council member. A vacancy of the council shall be filled in one (1) of the following ways:

(1) If there are less than six (6) months remaining in the unexpired term or if there are less than six (6) months before the next regular Town election, the council, by a majority vote of the remaining members, shall choose a successor to serve until a newly elected council member is qualified. Notwithstanding any quorum requirements established herein, if at any time the membership of the council is reduced to less than a quorum, the remaining members may, by majority vote, appoint additional members under either [subsections] (1) or (2) [herein]. If one (1) year remains in the term of the vacated seat, at the time of the next regular election, that seat shall be filled by election for the remaining one (1) year;

(2) If there are more than six (6) months remaining in the unexpired term and no regular Town election is scheduled within six (6) months, the council shall fill the vacancy on an interim basis as provided in [subsection] (1), and shall schedule a special election to be held no sooner than sixty (60) days, nor more than ninety (90) days following the occurrence of the vacancy for the remainder of the initial term.

In the event the office of Mayor is vacated, the Vice-Mayor assumes the position until a special election for the office of Mayor can be scheduled which election shall be held no sooner than sixty (60) days, nor more than ninety (90) days following the vacancy. During the period of time that the Vice Mayor is acting as Mayor, the Council will appoint a council member to fill the office of Councilman held by the Vice-Mayor. Once the position of Mayor is filled pursuant to the Special Election provided for herein, the Vice Mayor will reassume his duties as Vice Mayor and Councilman for the duration of his term of election.

If the Council shall fail to fill a vacancy on the Council within thirty (30) days after it occurs, or whenever two (2) or more vacancies shall occur at the same time, the Mayor shall immediately call a special election to fill the vacancy or vacancies. Those elected at the special election will serve a term equal in time to what would have otherwise been the time remaining in the term of the Councilor-at-Large whose office has become vacant. Among the successful candidates those receiving the largest number of votes shall be declared elected for the longest terms.



Local Newsletter Palm Coast, FL

[Change location](#)

Monday, September 23rd, 2024

71°F / 88°F Sunny

[See full forecast here](#), powered by AccuWeather®

NJ [Daytona Beach News-Journal](#)

10 candidates apply for open seat to represent District 4 on Palm Coast City Council

By Colleen Michele Jones, Daytona Beach News-Journal, 2 days ago

Palm Coast has a government in transition.

Four of five members of the City Council will be new when they take office in November, with Theresa Carli Pontieri as the only remaining council member.

But before then, the existing council is vetting candidates to fill the last council vacancy in District 4 created by the August resignation of former council member Cathy Heighter.

Final decision by Oct. 1

On Tuesday, 10 applicants were interviewed at City Hall, with each providing a short introductory statement and answering questions from the panel, including what their political leanings were (prompted by Ed Danko), where they stood on the bond issue on the November ballot, and how they felt about commercial growth and potential tax increases.

The City Council will announce a final decision at its next regular meeting on Oct. 1. The appointed individual will serve through November 2026.



Jeani Duarte <jeani3d@gmail.com>

Urgent Help needed in Palm Coast.

1 message

Jeani Duarte <jeani3d@gmail.com>

Fri, Sep 20, 2024 at 10:25 AM

To Whom this may concern,

Our Mayor and Council have placed a Referendum with Deceptive language on a ballot for vote at the upcoming November election.

A Motion to remove the language from the ballot was made and 2nded.

There were only 2 Council members physically present that day as well as the Mayor.

Both Council members voted to have the language removed.

The Mayor and someone on voice call representing or was the absent Council member Nick Klufas voted to keep it on the ballot.

Claiming a 50/50 vote leaves it on the ballot.

Our Mayor and 2 Council Members were voted out in our recent primary.

All of our Charter Gate Keepers have been "REPLACED".

07/18/2023 City Clerk was "REPLACED".

03/19/2024 City Manager "terminated without cause" and
"REPLACED."

04/??/2024 City Attorney was REPLACED

08/19/2024 Our District 4 seat was Deserted.

The Mayor and Council are currently attempting to appoint the vacant seat and refuse the public's repeated request for a special election.

Jeani Duarte
(760)553-5998

Published in 2004 by Order of the City Council

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Effective: January 18, 2005

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P.O. Box 2235 Tallahassee, FL 32316

CURRENT OFFICIALS

of the

CITY OF

PALM COAST, FLORIDA

David Alfin

Mayor

Ed Danko—District 1

Teresa Pontieri → John M. Fanelli III—District 2

Nick Klufas—District 3

Cathy Neighter → Eddie Branquinho—District 4

City Council Members

*Printed
09/16/2024*

Denise Bevan - Terminated 03/19/2024

City Manager -

Replaced with
Acting City Manager
Lauren Johnston
03/ /2024

Replaced 04/ /2024 →
by Marcus Duffy

Neysa Borkert

City Attorney

Replaced By
Kaley Cook
July 18, 2023



Virginia A. Smith, MMC, CP

City Clerk

Printed
09/16/2024

PREFACE

This Code constitutes a complete codification of the general and permanent ordinances of the City of Palm Coast, Florida.

Source materials used in the preparation of the Code were the ordinances adopted by the city council. The source of each section is included in the history note appearing in parentheses at the end thereof. The absence of such a note indicates that the section is new and was adopted for the first time with the adoption of the Code. By use of the comparative tables appearing in the back of this Code, the reader can locate any section of any ordinance included herein.

The chapters of the Code have been conveniently arranged in alphabetical order, and the various sections within each chapter have been catchlined to facilitate usage. Notes which tie related sections of the Code together and which refer to relevant state law have been included. A table listing the state law citations and setting forth their location within the Code is included at the back of this Code.

Chapter and Section Numbering System

The chapter and section numbering system used in this Code is the same system used in many state and local government codes. Each section number consists of two parts separated by a dash. The figure before the dash refers to the chapter number, and the figure after the dash refers to the position of the section within the chapter. Thus, the second section of chapter 1 is numbered 1-2, and the first section of chapter 6 is 6-1. Under this system, each section is identified with its chapter, and at the same time new sections can be inserted in their proper place by using the decimal system for amendments. For example, if new material consisting of one section that would logically come between sections 6-1 and 6-2 is desired to be added, such new section would be numbered 6-1.5. New articles and new divisions may be included in the same way or, in the case of articles, may be placed at the end of the chapter embracing the subject, and, in the

announce the results. A roll call shall be taken upon request of any member.

(6) Mayor – Voting Powers. The mayor shall preside at all meetings of the council. The mayor shall have a vote in the case of a tie of the present council members. In the absence of the mayor the council may appoint a mayor pro tempore. In the absence of the clerk, the mayor or mayor pro tempore shall appoint one of the council members as clerk pro tempore.

[Ord. 792, 2018]

2.60.040 Council meeting agenda.

(1) The town clerk, under the direction of the town administrator or mayor, shall arrange a list of proposed matters according to the order of business and prepare an agenda for the council. After the proposed agenda has been approved by the presiding officer, a copy of the agenda and supporting materials

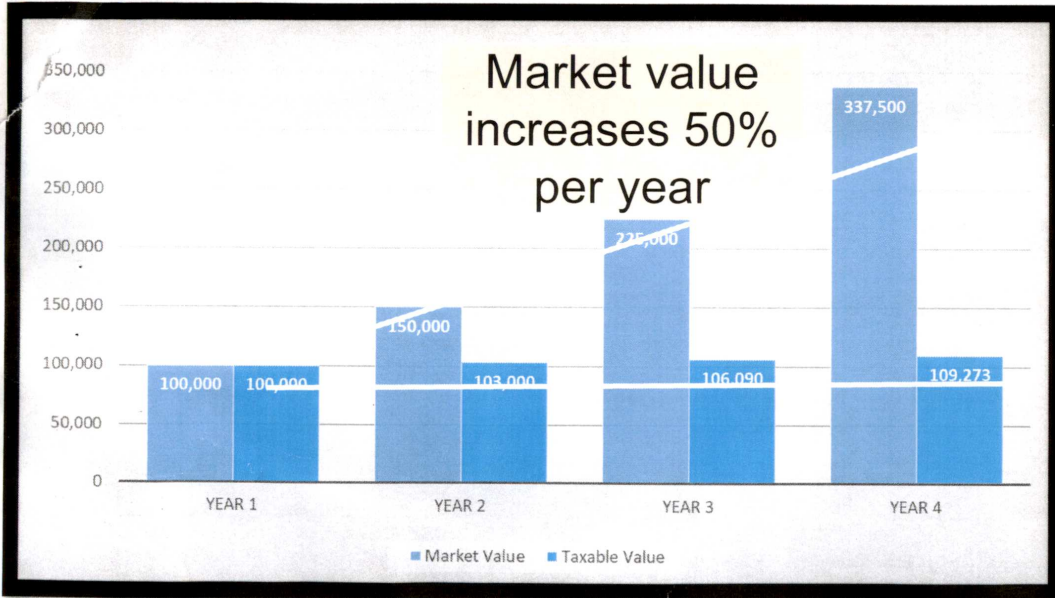
Sunshine Law
Section 206.011 FS. in pertinent part

Even if they could count Klufas, it still doesn't create a tie.

Klufas was NOT Physically present

"Where a quorum is required, Council members must be physically present to vote."

Hypothetical Example – Save Our Homes



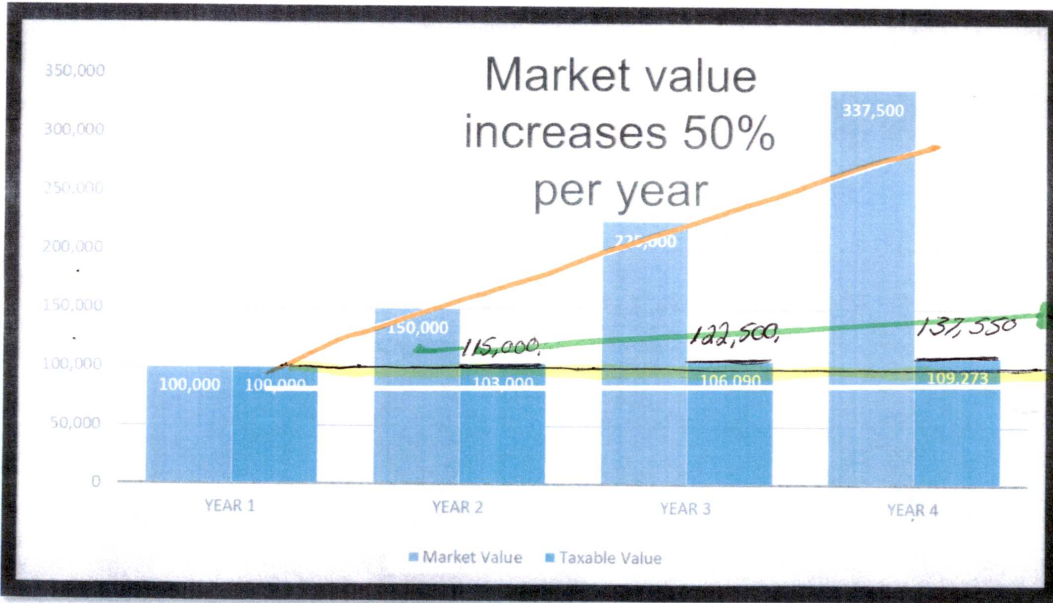
Taxable value on Homestead Property can only increase 3% per year or CPI (lesser of the two)

Taxable value on Non-Homestead Property can only increase 10% per year



*Why is the 10% not shown on the chart?
Looks Deceptive!*

Hypothetical Example – Save Our Homes



Taxable value on Homestead Property can only increase 3% per year or CPI (lesser of the two)

Taxable value on Non-Homestead Property can only increase 10% per year



They failed to add what that 10% looks like on the chart.



General Obligation (GO):

- Secured by ad valorem taxing power
- Gives lenders the ability to compel unlimited increases in annual property tax levies as necessary to repay debt

General obligation debt can be *limited*

- Secured by ad valorem taxing power but limited with respect to millage rate
- Gives lenders the ability to compel an increase in annual property tax up to the specified millage rate limit

Under Florida law, general obligation debt requires referendum approval

New
Vote of the city Council

Article VII, Section 12 Fla. Const.:

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- to finance or refinance capital projects authorized by law and only when approved by a vote of the electors who are owners of freeholds therein not wholly exempt from taxation; or
- to refund outstanding bonds and interest and redemption premium thereon at a lower net average interest cost rate.

Complaint About Mayor David Alfin's Conduct at The Post Office.

Misuse of Power.

I, Jeani Duarte, saw Mayor Alfin at the Palm Coast Post Office 3:20pm Sept.12,2024. He attempted to intercept mail from an address he does not reside at. He stood there for a while asserting himself with Cashier Kecia.

I heard Mr. Alfin tell Cashier Kecia,

" Well, I Control The City Of Palm Coast!".

Kecia's reply was,

"Well, Your gonna have to bring proof that you are who you say you are and evidence like a death certificate."

It was nice to see he doesn't control everyone.

It's my understanding that The Unethical Use of Power like this is expressly prohibited by Law. And, to intercept mail at an address you do not reside at without going through proper channels, documentation and rightful cause could be considered a federal offense.

I swear under penalty of perjury that this statement made here is true and correct to the best of my knowledge so help me God !

Jeani Duarte
Jeani Duarte *Sept. 16, 2024*

Title X
PUBLIC OFFICERS, EMPLOY-
EES, AND RECORDS

Chapter 112
PUBLIC OFFICERS AND EM-
PLOYEES: GENERAL PROVI-
SIONS

View Entire Chapter

112.311 Legislative intent and declaration of policy—(1) It is essential to the proper conduct and operation of government that public officials be independent and impartial and that public office not be used for private gain other than the remuneration provided by law. The public interest, therefore, requires that the law protect against any conflict of interest and establish standards for the conduct of elected officials and government employees in situations where conflicts may exist. (2) It is also essential that government attract those citizens best qualified to serve. Thus, the law against conflict of interest must be so designed as not to impede unreasonably or unnecessarily the recruitment and retention by government of those best qualified to serve. Public officials should not be denied the opportunity, available to all other citizens, to acquire and retain private economic interests except when conflicts with the responsibility of such officials to the public cannot be avoided. (3) It is likewise essential that the people be free to seek redress of their grievances and express their opinions to all government officials on current issues and past or pending legislative and executive actions at every level of government. In order to preserve and maintain the integrity of the governmental process, it is necessary that the identity, expenditures, and activities of those persons who regularly engage in efforts to persuade public officials to take specific actions, either by direct communication with such officials or by solicitation of others to engage in such efforts, be regularly disclosed to the people. (4) It is the intent of this act to implement these objectives of protecting the integrity of government and of facilitating the recruitment and retention of qualified personnel by prescribing restrictions against conflicts of interest without creating unnecessary barriers to public service. (5) It is hereby declared to be the policy of the state that no officer or employee of a state agency or of a county, city, or other political subdivision of the state, and no member of the Legislature or legislative employee, shall have any interest, financial or otherwise, direct or indirect; engage in any business transaction or professional activity; or incur any obligation of any nature which is in substantial conflict with the proper discharge of his or her duties in the public interest. To implement this policy and strengthen the faith and confidence of the people of the state in their government, there is enacted a code of ethics setting forth standards of conduct required of state, county, and city officers and employees, and of officers and employees of other political subdivisions of the state, in the performance of their official duties. It is the intent of the Legislature that this code shall serve not only as a guide for the official conduct of public servants in this state, but also as a basis for discipline of those who violate the provisions of this part. (6) It is declared to be the policy of the state that public officers and employees, state and local, are agents of the people and hold their positions for the benefit of the public. They are bound to uphold the Constitution of the United States and the State Constitution and to perform efficiently and faithfully their duties under the laws of the federal, state, and local governments. Such officers and employees are bound to observe, in their official acts, the highest standards of ethics consistent with this code and the advisory opinions rendered with respect hereto regardless of personal considerations, recognizing that promoting the public interest and maintaining the respect of the people in their government must be of foremost concern. **History.**—s. 1, ch. 67-469; s. 1, ch. 69-335; s. 1, ch. 74-177; s. 2, ch. 75-208; s. 698, ch. 95-147.

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Founding Partners

The inaugural Board of Directors is still forming, but the following are considered the founding partners:

- John Walsh, chair
- Michael Chiumento, vice chain
- Joe Wright
- Mark Langelo
- Jeff Douglas
- Garry Lubi
- David Ayres
- David Alfin
- Jason Barrett

While at the state chamber, Greg Blose focused on the long term — 2030 and beyond — rather than only the short term. He hopes to bring that focus to Palm Coast as well.

By 2030, the state chamber projected Flagler County will grow by 30,000 to 40,000 residents. That means 5,000 new jobs need to be created.

"That's without the loss," he said, referring to more than 4,500 jobs that have been lost in the past year, mainly due to the pandemic. "There's quite a bit of work to be done, that's the No. 1 reason we're moving so fast."

preparedness and recovery project manager. He is a former executive officer of the Volusia Home Builders Association and was appointed in 2018 by then-Gov. Rick Scott to the Florida State Emergency Response Commission.

The first volunteer chairman of the chamber will be John Walsh, publisher of the Palm Coast Observer.

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- Jason Barrett

Palm Coast Observer. "It's just not acceptable."

The new chamber will have a new focus and will operate on a staff of just one — Blose himself — likely for the first 12 months.

"You'll see our chamber focus on a lot of governmental relations issues," he said. "This is less about ribbon cuttings and more about major policy issues, and more about how do we take the community to the next level."

Previously, vice president of Flagler County, was most recently the director of the Board of Governors for the Florida Chamber of Commerce in Tallahassee; he also served as the state chamber's disaster

"Businesses today face so many new challenges," he said, mentioning COVID-19 and hurricane season. "The opportunity of having Mr. Greg Blose come lead us to face those mounting challenges, from his experience at the state level, accelerated our decision to bring it to life today."

Walsh hopes the business community embraces the chamber's new emphasis on government affairs and lifting the entire community.

"We're changing our focus," he said. "Successful chambers today don't focus on what's in it for me as an individual business but focus on what's in it for we, the entire business community."

The nonprofit was formed July 15 by Michael Chiumento, Walsh and Donald O'Brien. A website is in development. New memberships are accepted; email pcrchamber@gmail.com for details.

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State FL
Status ACTIVE
Last Event LC STMT OF RA/RO CHG
Event Date Filed 08/02/2021
Event Effective Date NONE

Principal Address

145 CITY PLACE
 #301
 PALM COAST, FL 32164

Changed: 03/04/2024

Mailing Address

180 BROOKHAVEN COURT S
 PALM COAST, FL 32164

Changed: 03/01/2022

Registered Agent Name & Address

CHIUMENTO, MICHAEL D. III
 145 CITY PLACE
 #301
 PALM COAST, FL 32164

Name Changed: 08/02/2021

Authorized Person(s) Detail

Name & Address

Title MGR

G.L.N. REALTY, INC.
 968 LAKE BALDWIN BLVD
 ORLANDO, FL 32814

Title MGR

DOUGLAS PROPERTY & DEVELOPMENT, INC.
 145 CITY PLACE #300
 PALM COAST, FL 32164

Joy A. Cook

MON AT 7:35 PM

Send

DOUGLAS — LAW FIRM —

City Attorneys

The City of Palm Coast contracts with Douglas Law Firm for its legal services.

The Douglas Law Firm provides legal services to the city, effective April 3, 2024.

→ *Replaced Nexsa Borkert*

Marcus Duffy serves as the attorney, but other attorneys from the firm also provide legal services to the city as needed.



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