

#10

ORDINANCE NO. 2015-06

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING THE BORROWING OF MONEY IN AN AMOUNT NOT TO EXCEED TWO MILLION FOUR HUNDRED THOUSAND DOLLARS FOR THE PURPOSE OF REFUNDING ITS STORMWATER REVENUE NOTE, SERIES 2009 AND REFUNDING THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY COMMUNITY REDEVELOPMENT REVENUE NOTE, SERIES 2009; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission (the "Commission") of the City of Flagler Beach, Florida, (the "City") has determined that it is necessary and desirable to borrow funds to refund its Stormwater Revenue Note, Series 2009 (the "Stormwater Note") and to refund the City of Flagler Beach Community Redevelopment Agency Community Redevelopment Revenue Note, Series 2009 (the "CRA Note" and together with the Stormwater Note, the "Notes");

WHEREAS, the City wishes to borrow funds from a financial institution (the "Loan") in an aggregate principal amount not to exceed \$2,400,000 for the purpose of refunding the Notes and paying the related fees and costs of entering into the Loan;

WHEREAS, it is in the City's best interest and a valid and proper municipal purpose to enter into the Loan to refund the Notes;

WHEREAS, the City's repayment obligations under the Loan shall be evidenced by a promissory note which shall be payable solely from a covenant to budget and appropriate from legally available non-ad valorem revenues of the City (the "Non-Ad Valorem Revenues");

WHEREAS, the City issued a request for proposals for the Loan on May 20, 2015 and subsequently six bank proposals were received on or before the bid closing date of June 5, 2015;

WHEREAS, the proposals received were evaluated by the City's financial advisor, Public Financial Management, Inc., and City staff, and based on their evaluation, both the financial advisor and staff recommend that the Commission agree to the terms of the proposal submitted by Ameris Bank (the "Commitment");

WHEREAS, the Loan shall bear a fixed rate of interest not to exceed 2.53% per annum and have a final maturity no later than October 1, 2029;

WHEREAS, the City Commission now wishes to accept the Commitment and authorize the Loan;

WHEREAS, Section 2.10(b)(6) of the City Charter requires the City Commission to authorize the borrowing of money by ordinance; and

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA:

SECTION 1. The above stated recitals are hereby incorporated as part of this Ordinance.

SECTION 2. The Commitment from Ameris Bank dated June 4, 2015 provides the terms most favorable to the City.

SECTION 3. The City Commission is hereby authorized to borrow funds in an amount not to exceed two million four hundred thousand dollars (\$2,400,000) for the purpose of financing the costs of refunding the Notes and paying the related fees and costs of entering into the Loan.

SECTION 4. The Mayor, the City Manager and other authorized officers and employees of the City are hereby authorized to accept the Commitment on behalf of the City and to take any and all necessary actions in connection with the Loan and to negotiate the terms and provisions of a loan agreement, in a form consistent with the terms hereof and to submit such loan agreement to the City Commission for approval by supplemental resolution; provided, the Loan bears a fixed rate of interest not to exceed 2.53% per annum and has a final maturity no later than October 1, 2029. THE LOAN AUTHORIZED UNDER THIS ORDINANCE AND THE OBLIGATION EVIDENCED THEREBY SHALL NOT CONSTITUTE A LIEN UPON ANY PROPERTY OF THE CITY, OR ANY PART THEREOF, BUT SHALL BE PAYABLE ONLY FROM THE NON-AD VALOREM REVENUES. NOTHING AUTHORIZED UNDER THIS ORDINANCE SHALL BE CONSTRUED AS OBLIGATING THE CITY TO REPAY THE LOAN OR THE INTEREST THEREON EXCEPT FROM THE NON-AD VALOREM REVENUES, OR AS PLEDGING THE FAITH AND CREDIT OF THE CITY, FLAGLER COUNTY, FLORIDA OR THE STATE OF FLORIDA OR ANY OTHER POLITICAL SUBDIVISION THEREOF, OR AS OBLIGATING THE CITY, FLAGLER COUNTY, FLORIDA OR THE STATE OF FLORIDA OR ANY OTHER POLITICAL SUBDIVISION, DIRECTLY OR INDIRECTLY OR CONTINGENTLY, TO LEVY OR TO PLEDGE ANY FORM OF TAXATION WHATEVER THEREFOR.

SECTION 5. All ordinances, resolutions, charter provisions or parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 6. If any section, subsection, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion thereto.

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SECTION 7. This Ordinance shall become effective immediately upon its enactment.

PASSED ON FIRST READING THIS ____TH DAY OF JUNE, 2015.

PASSED AND ENACTED THIS _____TH DAY OF JULY, 2015.

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

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

SOURCES AND USES OF FUNDS

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS

Lender: Ameris Bank

Sources:	Revenue Note, Series 2015 (Stormwater)	Revenue Note, Series 2015 (CRA)	Total
Bond Proceeds:			
Par Amount	1,448,000.00	873,000.00	2,321,000.00
Other Sources of Funds:			
Contribution -- Accrued Interest	14,463.08	11,337.12	25,800.20
	1,462,463.08	884,337.12	2,346,800.20
Uses:	Revenue Note, Series 2015 (Stormwater)	Revenue Note, Series 2015 (CRA)	Total
Project Fund Deposits:			
Stormwater Loan Payoff	1,438,563.08		1,438,563.08
CRA Loan Payoff		869,837.12	869,837.12
	1,438,563.08	869,837.12	2,308,400.20
Delivery Date Expenses:			
Cost of Issuance	23,900.00	14,500.00	38,400.00
	1,462,463.08	884,337.12	2,346,800.20

BOND SUMMARY STATISTICS

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS
Lender: Ameris Bank

Dated Date	07/10/2015
Delivery Date	07/10/2015
Last Maturity	10/01/2029
Arbitrage Yield	2.530282%
True Interest Cost (TIC)	2.530282%
Net Interest Cost (NIC)	2.530000%
All-In TIC	2.771888%
Average Coupon	2.530000%
Average Life (years)	7.889
Duration of Issue (years)	7.017
Par Amount	2,321,000.00
Bond Proceeds	2,321,000.00
Total Interest	463,248.69
Net Interest	463,248.69
Total Debt Service	2,784,248.69
Maximum Annual Debt Service	193,992.80
Average Annual Debt Service	195,729.26
Underwriter's Fees (per \$1000)	
Average Takedown	
Other Fee	
Total Underwriter's Discount	
Bid Price	100.000000

Bond Component	Par Value	Price	Average Coupon	Average Life	PV of 1 bp change
Maturities	2,321,000.00	100.000	2.530%	7.889	1,616.67
	2,321,000.00			7.889	1,616.67

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,321,000.00	2,321,000.00	2,321,000.00
+ Accrued Interest			
+ Premium (Discount)			
- Underwriter's Discount			
- Cost of Issuance Expense		-38,400.00	
- Other Amounts			
Target Value	2,321,000.00	2,282,600.00	2,321,000.00
Target Date	07/10/2015	07/10/2015	07/10/2015
Yield	2.530282%	2.771888%	2.530282%

BOND PRICING

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS
Lender: Ameris Bank

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Maturities:					
	10/01/2015	70,000	2.530%	2.530%	100.000
	10/01/2016	136,000	2.530%	2.530%	100.000
	10/01/2017	139,000	2.530%	2.530%	100.000
	10/01/2018	144,000	2.530%	2.530%	100.000
	10/01/2019	147,000	2.530%	2.530%	100.000
	10/01/2020	150,000	2.530%	2.530%	100.000
	10/01/2021	154,000	2.530%	2.530%	100.000
	10/01/2022	158,000	2.530%	2.530%	100.000
	10/01/2023	162,000	2.530%	2.530%	100.000
	10/01/2024	166,000	2.530%	2.530%	100.000
	10/01/2025	170,000	2.530%	2.530%	100.000
	10/01/2026	175,000	2.530%	2.530%	100.000
	10/01/2027	179,000	2.530%	2.530%	100.000
	10/01/2028	183,000	2.530%	2.530%	100.000
	10/01/2029	188,000	2.530%	2.530%	100.000
		2,321,000			

Dated Date	07/10/2015	
Delivery Date	07/10/2015	
First Coupon	10/01/2015	
Par Amount	2,321,000.00	
Original Issue Discount		
Production	2,321,000.00	100.000000%
Underwriter's Discount		
Purchase Price	2,321,000.00	100.000000%
Accrued Interest		
Net Proceeds	2,321,000.00	

BOND DEBT SERVICE

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS

Lender: Ameris Bank

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2015	70,000	2.530%	13,212.29	83,212.29	83,212.29
04/01/2016			28,475.15	28,475.15	
10/01/2016	136,000	2.530%	28,475.15	164,475.15	192,950.30
04/01/2017			26,754.75	26,754.75	
10/01/2017	139,000	2.530%	26,754.75	165,754.75	192,509.50
04/01/2018			24,996.40	24,996.40	
10/01/2018	144,000	2.530%	24,996.40	168,996.40	193,992.80
04/01/2019			23,174.80	23,174.80	
10/01/2019	147,000	2.530%	23,174.80	170,174.80	193,349.60
04/01/2020			21,315.25	21,315.25	
10/01/2020	150,000	2.530%	21,315.25	171,315.25	192,630.50
04/01/2021			19,417.75	19,417.75	
10/01/2021	154,000	2.530%	19,417.75	173,417.75	192,835.50
04/01/2022			17,469.65	17,469.65	
10/01/2022	158,000	2.530%	17,469.65	175,469.65	192,939.30
04/01/2023			15,470.95	15,470.95	
10/01/2023	162,000	2.530%	15,470.95	177,470.95	192,941.90
04/01/2024			13,421.65	13,421.65	
10/01/2024	166,000	2.530%	13,421.65	179,421.65	192,843.30
04/01/2025			11,321.75	11,321.75	
10/01/2025	170,000	2.530%	11,321.75	181,321.75	192,643.50
04/01/2026			9,171.25	9,171.25	
10/01/2026	175,000	2.530%	9,171.25	184,171.25	193,342.50
04/01/2027			6,957.50	6,957.50	
10/01/2027	179,000	2.530%	6,957.50	185,957.50	192,915.00
04/01/2028			4,693.15	4,693.15	
10/01/2028	183,000	2.530%	4,693.15	187,693.15	192,386.30
04/01/2029			2,378.20	2,378.20	
10/01/2029	188,000	2.530%	2,378.20	190,378.20	192,756.40
	2,321,000		463,248.69	2,784,248.69	2,784,248.69

BOND DEBT SERVICE

City of Flagler Beach, Florida
Revenue Note, Series 2015 (Stormwater)

2009 Stormwater Note Payoff

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2015	70,000	2.530%	8,242.74	78,242.74	78,242.74
04/01/2016			17,431.70	17,431.70	
10/01/2016	83,000	2.530%	17,431.70	100,431.70	117,863.40
04/01/2017			16,381.75	16,381.75	
10/01/2017	85,000	2.530%	16,381.75	101,381.75	117,763.50
04/01/2018			15,306.50	15,306.50	
10/01/2018	88,000	2.530%	15,306.50	103,306.50	118,613.00
04/01/2019			14,193.30	14,193.30	
10/01/2019	90,000	2.530%	14,193.30	104,193.30	118,386.60
04/01/2020			13,054.80	13,054.80	
10/01/2020	92,000	2.530%	13,054.80	105,054.80	118,109.60
04/01/2021			11,891.00	11,891.00	
10/01/2021	94,000	2.530%	11,891.00	105,891.00	117,782.00
04/01/2022			10,701.90	10,701.90	
10/01/2022	97,000	2.530%	10,701.90	107,701.90	118,403.80
04/01/2023			9,474.85	9,474.85	
10/01/2023	99,000	2.530%	9,474.85	108,474.85	117,949.70
04/01/2024			8,222.50	8,222.50	
10/01/2024	102,000	2.530%	8,222.50	110,222.50	118,445.00
04/01/2025			6,932.20	6,932.20	
10/01/2025	104,000	2.530%	6,932.20	110,932.20	117,864.40
04/01/2026			5,616.60	5,616.60	
10/01/2026	107,000	2.530%	5,616.60	112,616.60	118,233.20
04/01/2027			4,263.05	4,263.05	
10/01/2027	110,000	2.530%	4,263.05	114,263.05	118,526.10
04/01/2028			2,871.55	2,871.55	
10/01/2028	112,000	2.530%	2,871.55	114,871.55	117,743.10
04/01/2029			1,454.75	1,454.75	
10/01/2029	115,000	2.530%	1,454.75	116,454.75	117,909.50
	1,448,000		283,835.64	1,731,835.64	1,731,835.64

BOND DEBT SERVICE

City of Flagler Beach, Florida
Revenue Note, Series 2015 (CRA)

2009 CRA Note Payoff

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
10/01/2015			4,969.55	4,969.55	4,969.55
04/01/2016			11,043.45	11,043.45	
10/01/2016	53,000	2.530%	11,043.45	64,043.45	75,086.90
04/01/2017			10,373.00	10,373.00	
10/01/2017	54,000	2.530%	10,373.00	64,373.00	74,746.00
04/01/2018			9,689.90	9,689.90	
10/01/2018	56,000	2.530%	9,689.90	65,689.90	75,379.80
04/01/2019			8,981.50	8,981.50	
10/01/2019	57,000	2.530%	8,981.50	65,981.50	74,963.00
04/01/2020			8,260.45	8,260.45	
10/01/2020	58,000	2.530%	8,260.45	66,260.45	74,520.90
04/01/2021			7,526.75	7,526.75	
10/01/2021	60,000	2.530%	7,526.75	67,526.75	75,053.50
04/01/2022			6,767.75	6,767.75	
10/01/2022	61,000	2.530%	6,767.75	67,767.75	74,535.50
04/01/2023			5,996.10	5,996.10	
10/01/2023	63,000	2.530%	5,996.10	68,996.10	74,992.20
04/01/2024			5,199.15	5,199.15	
10/01/2024	64,000	2.530%	5,199.15	69,199.15	74,398.30
04/01/2025			4,389.55	4,389.55	
10/01/2025	66,000	2.530%	4,389.55	70,389.55	74,779.10
04/01/2026			3,554.65	3,554.65	
10/01/2026	68,000	2.530%	3,554.65	71,554.65	75,109.30
04/01/2027			2,694.45	2,694.45	
10/01/2027	69,000	2.530%	2,694.45	71,694.45	74,388.90
04/01/2028			1,821.60	1,821.60	
10/01/2028	71,000	2.530%	1,821.60	72,821.60	74,643.20
04/01/2029			923.45	923.45	
10/01/2029	73,000	2.530%	923.45	73,923.45	74,846.90
	873,000		179,413.05	1,052,413.05	1,052,413.05

COST OF ISSUANCE

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS
Lender: Ameris Bank

Cost of Issuance	\$/1000	Amount
Bond Counsel Fee	7.53985	17,500.00
Financial Advisor Fee	5.38561	12,500.00
Bank Counsel Fee	2.15424	5,000.00
Miscellaneous	1.46489	3,400.00
	16.54459	38,400.00

FORM 8038 STATISTICS

City of Flagler Beach, Florida
Refunding Revenue Note, Series 2015

FINAL NUMBERS

Lender: Ameris Bank

Dated Date 07/10/2015
Delivery Date 07/10/2015

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Maturities:						
	10/01/2015	70,000.00	2.530%	100.000	70,000.00	70,000.00
	10/01/2016	136,000.00	2.530%	100.000	136,000.00	136,000.00
	10/01/2017	139,000.00	2.530%	100.000	139,000.00	139,000.00
	10/01/2018	144,000.00	2.530%	100.000	144,000.00	144,000.00
	10/01/2019	147,000.00	2.530%	100.000	147,000.00	147,000.00
	10/01/2020	150,000.00	2.530%	100.000	150,000.00	150,000.00
	10/01/2021	154,000.00	2.530%	100.000	154,000.00	154,000.00
	10/01/2022	158,000.00	2.530%	100.000	158,000.00	158,000.00
	10/01/2023	162,000.00	2.530%	100.000	162,000.00	162,000.00
	10/01/2024	166,000.00	2.530%	100.000	166,000.00	166,000.00
	10/01/2025	170,000.00	2.530%	100.000	170,000.00	170,000.00
	10/01/2026	175,000.00	2.530%	100.000	175,000.00	175,000.00
	10/01/2027	179,000.00	2.530%	100.000	179,000.00	179,000.00
	10/01/2028	183,000.00	2.530%	100.000	183,000.00	183,000.00
	10/01/2029	188,000.00	2.530%	100.000	188,000.00	188,000.00
		2,321,000.00			2,321,000.00	2,321,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	10/01/2029	2.530%	188,000.00	188,000.00		
Entire Issue			2,321,000.00	2,321,000.00	7.8889	2.5303%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	38,400.00
Proceeds used for credit enhancement	0.00
Proceeds allocated to reasonably required reserve or replacement fund	0.00

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, AUTHORIZING A LOAN IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,400,000 FOR THE PURPOSE OF REFUNDING ITS STORMWATER REVENUE NOTE, SERIES 2009 AND REFUNDING THE CITY OF FLAGLER BEACH COMMUNITY REDEVELOPMENT AGENCY COMMUNITY REDEVELOPMENT REVENUE NOTE, SERIES 2009; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF A NOTE TO EVIDENCE THE CITY'S OBLIGATION UNDER THE LOAN AGREEMENT, SUCH NOTE TO BE A LIMITED OBLIGATION OF THE CITY, PAYABLE FROM NON-AD VALOREM REVENUES BUDGETED AND APPROPRIATED AS PROVIDED HEREIN; PROVIDING FOR THE RIGHTS AND SECURITY OF THE OWNER OF THE NOTE; DESIGNATING THE NOTE AS A BANK QUALIFIED TAX-EXEMPT OBLIGATION WITHIN THE MEANING OF THE INTERNAL REVENUE CODE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Flagler Beach, Florida (the "City") has previously issued its \$1,800,000 Stormwater Revenue Note, Series 2009 (the "Stormwater Note") to acquire and construct certain capital improvements to the City's stormwater system as described in the City's Stormwater Master Plan; and

WHEREAS, the City of Flagler Beach Community Redevelopment Agency previously issued its \$1,100,000 Community Redevelopment Revenue Note, Series 2009 for the purpose of financing a portion of the costs implementing the City's Community Redevelopment Plan which included improvements for stormwater, undergrounding utilities, ADA accessibility, streetscaping, irrigation and lighting (the "CRA Note" and together with the Stormwater Note, the "Prior Notes");

WHEREAS, the City Commission of the City (the "City Commission") has determined that it is currently without sufficient funds to refund the Prior Notes; and

WHEREAS, the City has determined that it is a municipal public purpose, and necessary and desirable for the best interest of the City and its inhabitants that other funds be made available to cover the costs of refunding the Prior Notes; and

WHEREAS, the City received and accepted the commitment of Ameris Bank (the "Bank") pursuant to Ordinance No. 2015- 06 enacted by the City Commission on July 9, 2015 (the "Ordinance") to provide a loan to the City in an aggregate principal amount of not to exceed \$2,400,000 for the purpose of financing Project costs (the "Loan"); and

WHEREAS, to provide for the terms, provisions and security of the Loan and to express the contract between the City and the Bank, the City and the Bank will enter into a loan agreement (the "Loan Agreement"); and

WHEREAS, the Loan will be evidenced by the City of Flagler Beach, Florida Refunding Revenue Note, Series 2015 (the "Note") delivered by the City to the Bank, which will be secured solely by the City's covenant to budget and appropriate all legally available non-ad valorem revenues of the City (the "Non-Ad Valorem Revenues") deposited to the credit of the Sinking Fund established in the Loan Agreement; and

WHEREAS, it is in the best interest of City and the inhabitants thereof that the City budget and appropriate from legally available Non-Ad Valorem Revenues funds sufficient to refund and prepay the Prior Notes in the manner and to the extent provided herein and in the Loan Agreement in order to secure the obligations of the City to repay the principal of and interest on the Note when due; and

WHEREAS, the obligation of the City to repay the principal of and interest on the Note will not constitute a general obligation or indebtedness of the City as a "bond" within the meaning of any provision of the Constitution or laws of the State, but shall be and is hereby declared to be a special, limited obligation of the City, secured solely by and payable from the Non-Ad Valorem Revenues in the manner provided herein and in the Loan Agreement; and

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA:

SECTION 1. AUTHORITY FOR THIS RESOLUTION. This Resolution is adopted pursuant to Article VIII, Section 2, of the Constitution of the State of Florida, Chapter 166, Part II, Florida Statutes, as amended, the Charter of the City, and other provisions of law.

SECTION 2. RECITALS. It is hereby found, ascertained, determined and declared that:

A. The City is a duly constituted and validly existing municipality within the State of Florida with requisite home rule powers derived from the Constitution and Laws of the State of Florida.

B. It is in the public interest and a valid and proper municipal purpose to enter into the Loan Agreement, issue the Note and refund the Prior Notes.

C. The City solicited proposals for the Loan and received six responses.

D. Pursuant to the Ordinance, the City Commission authorized the acceptance of the Bank's commitment upon the recommendation of Public Financial Management, Inc., the City's Financial Advisor and City staff.

E. In consideration of the purchase and acceptance of the Note authorized to be issued hereunder, this Resolution shall constitute a contract between the City and the Bank.

F. Undefined capitalized terms used herein shall have the meanings ascribed in the Ordinance and the Loan Agreement.

SECTION 3. AUTHORIZATION OF LOAN AGREEMENT. To provide for the terms and provisions of the Loan and the security of the Note, and to express the contract between the City and the owners thereof, the City does hereby authorize the execution and delivery on behalf of the City by the Mayor under the seal of the City, attested by the City Clerk, of the Loan Agreement by and between the City and the Bank. The Loan Agreement shall be in substantially the form attached hereto and marked Exhibit C and is hereby approved, with such changes therein as shall be approved by any of the authorized officers executing the same, with such execution to constitute conclusive evidence of such officer's approval and the City's approval of any changes therein from the form of the Loan Agreement attached hereto. Subject and pursuant to the provisions of this Resolution and the terms and provisions of the Loan Agreement, there is hereby authorized to be issued a promissory note to evidence the City's obligations under the Loan Agreement. The Note is authorized to be issued in the aggregate principal amount of not to exceed \$2,400,000.

SECTION 4. AUTHORIZATION OF THE NOTE. Amounts outstanding under the Loan Agreement will be repaid and bear interest as provided in the Loan Agreement. The Note issued pursuant to the Loan Agreement shall be dated the date of delivery. The Note shall be substantially in the form attached to the Loan Agreement, with such non-material changes as shall be approved by the Mayor, such approval to be conclusively evidenced by the execution thereof by the Mayor. The Note shall be executed on behalf of the City with the manual signature of the Mayor and the City Clerk and the official seal of the City. In case any one or more of the officers who shall have signed or sealed the Note shall cease to be such officer of the City before the Note so signed and sealed has been actually sold and delivered, such Note may nevertheless be sold and delivered as herein provided and may be issued as if the person who signed or sealed such Note had not ceased to hold such office. The Note may be signed and sealed on behalf of the City by such person who at the actual time of the execution of such Note shall hold the proper office of the City, although, at the date of such Note, such person may not have held such office or may not have been so authorized.

Prior to delivering the Note to the Bank, the City shall receive from the Bank a fully-completed and executed Purchaser's Certificate and Disclosure Letter, substantially in the forms attached hereto as Exhibit A and Exhibit B, respectively.

SECTION 5. USE OF PROCEEDS. The proceeds of the Note shall be used to (i) refund and prepay in full the Prior Notes and (ii) the costs and expenses related to the issuance of the Note.

SECTION 6. GENERAL AUTHORIZATION. The Mayor, the City Manager, the City Clerk, the Finance Director, and the officers and agents of the City are hereby authorized and directed to do all acts and things required by them by the provisions of the Note, the Loan Agreement and this Resolution to the end that full compliance with the terms thereof shall be effected.

SECTION 7. PAYMENT OF PRINCIPAL AND INTEREST; LIMITED OBLIGATION. The City promises that it will promptly pay the principal of and interest on the Note and all other amounts due under the Loan Agreement at the place, on the dates and in the manner provided in the Loan Agreement according to the true intent and meaning hereof and thereof. Amounts due under the Loan Agreement shall not be or constitute a general obligation or indebtedness of the City as a "bond" within the meaning of Article VII, Section 12 of the Constitution of Florida, but shall be payable solely from the Non-Ad Valorem Revenues in accordance with the terms hereof and of the Loan Agreement. Neither the full faith and credit nor taxing power of the City, the State or any political subdivision thereof will be pledged to the payment of the Loan. No holder of the Note issued hereunder shall ever have the right to compel the exercise of any ad valorem taxing power to pay such Note, or be entitled to payment of such Note from any funds of the City except from legally available Non-Ad Valorem Revenues as described herein and in the Loan Agreement.

SECTION 8. BANK QUALIFIED. The City hereby designates the Note as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code"). The City and any subordinate entities of the City and any issuer of "tax-exempt" debt that issues "on behalf of" the City do not reasonably expect during the calendar year 2015 to issue more than \$10,000,000 of "tax-exempt" obligations including the Note, exclusive of any private activity bonds as defined in Section 141(a) of the Code (other than qualified 501(c)(3) bonds as defined in Section 145 of the Code).

SECTION 9. PREREQUISITES PERFORMED. The City has performed all acts, conditions, and things relating to the passage of this Resolution as are required by the Constitution and Laws of the State of Florida, and the Charter of City.

SECTION 10. SEVERABILITY. If any provision of this Resolution shall be held or deemed to be or shall, in fact, be illegal, inoperative or unenforceable in any context, the same shall not affect any other provision herein or render any other provision (or such provision in any other context) invalid, inoperative or unenforceable to any extent whatever.

SECTION 11. APPLICABLE PROVISIONS OF LAW. This Resolution shall be governed by and construed in accordance with the laws of the State of Florida.

SECTION 12. RULES OF INTERPRETATION. Unless expressly indicated otherwise, references to sections or articles are to be construed as references to sections or articles of this instrument as originally executed. Use of the words "herein," "hereby," "hereunder," "hereof," "hereinbefore," "hereinafter" and other equivalent words refer to this Resolution and not solely to the particular portion in which any such word is used.

SECTION 13. CAPTIONS. The captions and headings in this Resolution are for convenience only and in no way define, limit or describe the scope or intent of any provisions or sections of this Resolution.

SECTION 14. MEMBERS OF THE CITY COMMISSION EXEMPT FROM PERSONAL LIABILITY. No recourse under or upon any obligation, covenant or agreement of this Resolution, the Loan Agreement or the Note or for any claim based thereon or otherwise in respect thereof, shall be had against any member of the City Commission, as such, of the City,

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past, present or future, either directly or through the City it being expressly understood (a) that no personal liability whatsoever shall attach to, or is or shall be incurred by, the members of the City Commission, as such, under or by reason of the obligations, covenants or agreements contained in this Resolution or implied therefrom, and (b) that any and all such personal liability, either at common law or in equity or by constitution or statute, of, and any and all such rights and claims against, every such member of the City Commission, as such, are waived and released as a condition of, and as a consideration for, the execution of this Resolution and the Loan Agreement and the issuance of the Note, on the part of the City.

SECTION 15. REPEALER. All resolutions and ordinances or parts thereof in conflict herewith, if any, are hereby repealed.

SECTION 16. NO THIRD PARTY BENEFICIARIES. Except such other persons as may be expressly described in this Resolution, nothing in this Resolution, expressed or implied, is intended or shall be construed to confer upon any person, other than the City and the holder of the Note, any right, remedy or claim, legal or equitable, under and by reason of this Resolution, or any provision thereof, all provisions thereof being intended to be and being for the sole and exclusive benefit of the City and the persons who shall from time to time be the holders of the Note.

SECTION 17. EFFECTIVE DATE. This Resolution shall become effective immediately upon its adoption.

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

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

Adopted this the 9th day of July, 2015

EXHIBIT A
FORM OF PURCHASER'S CERTIFICATE

This is to certify that Ameris Bank (the "Purchaser") has not required the City of Flagler Beach, Florida (the "City") to deliver any offering document and has conducted its own investigation, to the extent it deems satisfactory or sufficient, into matters relating to business affairs or conditions (either financial or otherwise) of the City in connection with the issuance of its City of Flagler Beach, Florida Refunding Revenue Note, Series 2015 (the "Note") securing amounts due under the Loan Agreement dated as of July 10, 2015 by and between the City and the Purchaser (the "Loan Agreement"), in an amount of \$[_____], and no inference should be drawn that the Purchaser, in the acceptance of said Note, is relying on Bryant Miller Olive P.A. ("Note Counsel"), Shepard, Smith & Cassady, P.A. ("City Attorney") or Public Financial Management, Inc. (the "Financial Advisor") as to any such matters other than the legal opinions rendered by Note Counsel and by the City Attorney. Any capitalized undefined terms used herein not otherwise defined shall have the meaning set forth in the Loan Agreement.

We acknowledge and understand that Resolution No. 2015-20 adopted by the City Commission of the City on July 9, 2015, is not being qualified under the Trust Indenture Act of 1939, as amended (the "1939 Act"), and is not being registered in reliance upon the exemption from registration under Section 3(a)(2) of the Securities Act of 1933, Section 517.051(1), Florida Statutes, and/or Section 517.061(7), Florida Statutes, and that neither the City, Note Counsel, the City Attorney nor the Financial Advisor shall have any obligation to effect any such registration or qualification.

We are not acting as a broker or other intermediary, and are purchasing the Note as an investment for our own account and not with a present view to a resale or other distribution to the public. We understand that the Note may not be transferred except to a bank, savings association, insurance company or other "accredited investor" as described below in accordance with the restrictions set forth in the Note.

We are a bank as contemplated by Section 517.061(7), Florida Statutes. We are not purchasing the Note for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of Chapter 517, Florida Statutes.

We acknowledge that as holder of the Note, we may not have a prior claim on the Non-Ad Valorem Revenues (as defined in the Loan Agreement) as opposed to claims of general creditors until said Non-Ad Valorem Revenues are budgeted and appropriated by the City and deposited in the Sinking Fund (as defined in the Loan Agreement).

DATED this 10th day of July, 2015.

AMERIS BANK

By: _____
Name: Garry R. Lubi
Title: Senior Vice President

EXHIBIT B
FORM OF DISCLOSURE LETTER

The undersigned, as purchaser, proposes to negotiate with the City of Flagler Beach, Florida (the "City") for the private purchase of the City of Flagler Beach, Florida Refunding Revenue Note, Series 2015 (the "Note") securing amounts due under a Loan Agreement, dated as of July 10, 2015, by and between Ameris Bank (the "Bank") and the City (the "Loan Agreement") in an amount of \$[_____]. Prior to the award of the Note, the following information is hereby furnished to the City:

1. Set forth is an itemized list of the nature and estimated amounts of expenses to be incurred for services rendered to the Bank in connection with the issuance of the Note:

Bank's Counsel -- \$[_____]

2. (a) No fee, bonus or other compensation is estimated to be paid by the Bank in connection with the issuance of the Note to any person not regularly employed or retained by the Bank (including any "finder" as defined in Section 218.386(1)(a), Florida Statutes).

(b) No person has entered into an understanding with the Bank, or to the knowledge of the Bank, with the City, for any paid or promised compensation or valuable consideration, directly or indirectly, expressly or implied, to act solely as an intermediary between the City and the Bank or to exercise or attempt to exercise any influence to effect any transaction in the purchase of the Note.

3. The amount of the underwriting spread expected to be realized by the Bank is \$0.

4. The management fee to be charged by the Bank is \$0.

5. Truth-in-Bonding Statement:

The Note is being issued primarily to refund the City' Stormwater Revenue Note, Series 2009 and the City of Flagler Beach, Florida Community Redevelopment Agency, Community Redevelopment Note, Series 2009 and to pay the costs of issuance related thereto.

Unless earlier redeemed, the Note is expected to be repaid by October 1, 2029. At a fixed rate of interest equal to 2.53%, total interest paid over the life of the Note is estimated to equal \$_____.

The Note will be payable solely from a covenant to budget and appropriate from legally available non-ad valorem revenues of the City, as described in the Loan Agreement. Issuance of the Note is estimated to result in a maximum of approximately \$_____ of revenues of the City not being available to finance the services of the City in any one year during the life of the Note.

1. The name and address of the Bank is as follows:

Ameris Bank
181 Cypress Point Parkway
Palm Coast, Florida 32164

IN WITNESS WHEREOF, the undersigned has executed this Disclosure Statement on behalf of the Bank this 10th day of July, 2015.

AMERIS BANK

By: _____

Name: Garry R. Lubi

Title: Senior Vice President

EXHIBIT C
FORM OF LOAN AGREEMENT

#12

ORDINANCE NO.: 2015-07

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA
RELATING TO FARMER'S MARKETS; PROVIDING A DEFINITION
FOR FARMER'S MARKETS AND PROVIDING THAT FARMER'S
MARKETS ARE A SPECIAL EXCEPTION USE IN THE GENERAL
COMMERCIAL, TOURIST COMMERCIAL AND HIGHWAY
COMMERCIAL ZONING DISTRICTS; PROVIDING REGULATIONS
RELATED TO FARMERS' MARKETS; PROVIDING FOR
CODIFICATION; PROVIDING FOR CONFLICTS AND ESTABLISHING
AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of Flagler Beach recognizes the
importance of private Farmer's Markets as an important cultural opportunity for residents and
visitors to the City of Flagler Beach; and

WHEREAS, the City Commission of the City of Flagler Beach also recognizes the
importance of private Farmer's Markets as important venue for local farmer's and specialty
product vendors to exhibit their products and wares; and

WHEREAS, the City Commission of the City of Flagler Beach desires to encourage
private Farmer's Markets in those zoning districts within the City of Flagler Beach in which such
Farmer's Markets will harmoniously benefit surrounding businesses and development; and

WHEREAS, the City Commission desires to ensure that Farmer's Markets are located in
areas in which such Farmer's Markets can be safely conducted in a manner harmonious with
surrounding development; and

WHEREAS, the City Commission of the City of Flagler Beach finds that it is in the best
interest of the residents, visitors and businesses of the City of Flagler Beach to recognize
Farmer's Markets as a special exception use within certain areas of the General Commercial
zoning district and within the Tourist Commercial and Highway Commercial zoning districts and
provide for a limitation of the types of products sold at such Farmer's Markets to those
traditionally associated with Farmer's Markets.

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

SECTION 1. Appendix A, "Land Development Regulations," Article II, "Zoning," of
the City of Flagler Beach Code of Ordinances is hereby amended as follows (note: strikethrough
text indicates deletions, underline text indicates additions, ellipses (***) identify text that
remains unchanged and that is not reprinted herein):

* * *

Sec. 2.02.00. – Definitions.

* * *

Farmer's Market: An outdoor, open air market held on private property with the owner's permission at which vendors sell or promote agricultural products, seafood, licensed products permitted by the Florida Department of Agriculture, cottage food products as defined by the Florida Department of Agriculture, eggs, plants, health food products, arts and crafts, nonprofit organizations and animal rescue adoptions.

* * *

Sec. 2.04.02.8. Zoning Schedule One Land Use Controls

SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS CITY OF FLAGLER BEACH			
CATEGORY OF USE	USES PERMITTED		
	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
TC - TOURIST COMMERCIAL The provisions of this district are to provide for uses to serve tourist needs in the community. The primary uses are intended for commercial uses for lodging, dining establishment(s), and minor retail establishments which primarily serve tourist(s) and other visitors to the city. NOTE: Section 2.06.05 provides for special requirements of Tourist Commercial in several areas of the city.	1. Motels and hotels. 2. Bed and breakfast inns. 3. Restaurants. 4. Gift shops. 5. Convenience commercial uses such as: a. Beauty or barber shops. b. Laundromat, laundry and dry cleaning pick-up stations. c. Newsstands or bookstores. 6. Off-street parking and loading. 7. Commercial recreational entertainment facilities. 8. Boat and marine supply	1. Automobile parking structures. 2. Cocktail lounges and bars which are accessory to and within a motel, hotel or restaurant. 3. Monopole communication towers and communication antennas which do not exceed the established height limitations.	1. Temporary structures including carnivals, circuses and other temporary commercial amusement activities and religious gatherings for special events of a temporary nature with the city commission establishing the period for which such events shall begin and end. 2. All principal uses permitted in MDR District. 3. Professional Offices. 4. Combined use buildings outside of the defined boundary excluding properties adjacent to A-1-A. 5. Convenience commercial uses such as: food, grocery, drug, or convenience stores. 6. Marinas allowing liveaboard vessels for residential uses

	sales. 9. Marinas. 10. Private clubs. 11. Resort dwellings. 12. Resort condominiums.	<u>7. Farmer's Markets.</u> NOTE: All special exception uses are subject to Section 2.03.00, Section <u>2.06.01</u> and additional specific requirements as noted. (Ord. No. 2005-02, § 2, 3-24-05; Ord. No. 2005-24, § 2, 9-22-05; Ord. No. 2007-30, § 2, 9-27-07; Ord. No. 2009-17, § 4, 10-8-09)
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SCHEDULE ONE
ZONING SCHEDULE OF USE CONTROLS
CITY OF FLAGLER BEACH

CATEGORY OF USE	USES PERMITTED		
	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
GC - GENERAL COMMERCIAL The provisions of this district are intended to serve the general commercial needs of the city, wherein a large variety of retail, commercial, governmental, financial, professional office services and other general commercial are permitted. The activities permitted are intended to be compatible with a pedestrian-oriented area, and uses not compatible with such an environment are discouraged. These include activities which require substantial parking requirements and generate traffic volumes which would be	1. Off-street parking facilities or structures. 2. Business and financial services. 3. Professional offices. 4. Funeral homes. 5. Automotive service stations. 6. Retail building supplies. 7. Restaurants. 8. Retail sales of food, hardware and other household items normally required to serve the residents of the community.	1. Automobile parking structures. 2. Cocktail lounges and bars which are accessory to and within a motel, hotel or restaurant. 3. Customary uses and structures clearly incidental to one (1) or more permitted uses or structures. 4. Residential uses accessory to a principal use, the maximum requirements of which are the same as in the MDR	1. Temporary structures as provided in the TC District. 2. All principal uses permitted in TC District. 3. Day care centers. 4. Commercial recreational facilities. 5. Zero lot line setbacks. 6a. Conversion of existing buildings lying within the defined boundary to combined use buildings. 6b. Combined use

in conflict with the pedestrian character of the area.	9. Medical services and facilities. 10. Public administrative facilities. 11. Essential public services and facilities. 12. Park and recreational facilities. 13. Private clubs. 14. Veterinary hospitals with no kennels. There shall be no overnight stays of animals, except for emergency care. 15. All principal uses permitted in the MDR District. 16. Mini-warehouses. 17. Combined use buildings within the defined boundary. 18. Resort dwellings. 19. Resort condominiums. 20. Boutique Winery.	District. 5. Monopole communication towers and communication antennas which do not exceed the established height limitations.	buildings outside of the defined boundary excluding properties adjacent to A-1-A. 7. Adult Arcades, as permitted in Chapter 4 of the Code of Ordinances. 7. Farmers' Markets (Provided, however, that no Farmers' Market shall be permitted on that portion of Palm Drive zoned General Commercial) (Ord. No. 2005-02, § 2, 3-24-05; Ord. No. 2005-15, § 1, 7-14-05; Ord. No. 2007-33, § 2, 10-25-07) NOTE: All special exception uses are subject to Section 2.03.00, Section 2.06.01 and additional specific requirements as noted.
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SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS CITY OF FLAGLER BEACH	
CATEGORY OF USE	USES PERMITTED

	UNRESTRICTED USES		SPECIAL EXCEPTION USES
	PRINCIPAL	ACCESSORY	
<p>HC - HIGHWAY COMMERCIAL</p> <p>a. The provisions of this district are intended to complement the Commercial designation of the Future Land Use Map by providing a variety of commercial uses indigenous with the category. The activities permitted are oriented to the need of vehicular uses. These include activities that generate traffic volumes and require high demand parking considerations.</p> <p>b. Each parcel shall be developed so that pedestrian and vehicular circulation is coordinated with the circulation patterns of adjacent properties. To minimize vehicular, pedestrian and bicycle conflict, cross access drives and internal oriented ingress, egress to individual parcels shall be employed, where applicable.</p> <p>NOTE: All commercial uses in existence at the time of the adoption date of Ordinance 2006-13, which are not in conformance with Schedule Two, Lot, Yard, and Bulk Regulations, shall hereby be deemed conforming uses (Ord. No. 2006-13, § 2, 4-3-06)</p>	<ol style="list-style-type: none"> 1. Automotive retail parts store. 2. Automotive service stations without major mechanical repairs. 3. Automotive repair centers, tire sales and service without major mechanical repairs. 4. Car wash to include self wash and/or drive-thru. 5. Bars, Cocktail lounges, taverns and nightclubs within a principal building or as an accessory to hotels and motels. 6. Financial institutions without drive-thru windows. 7. Health clubs. 8. Outdoor eating facilities and service associated with, and on the same property of an enclosed restaurant. There shall be no outdoor music or entertainment. 9. Personal services. 10. Personal storage facilities conducted within a totally enclosed structure. 11. Professional and business services including but not limited to: <ol style="list-style-type: none"> a. Medical services and facilities without overnight care of patients. 	<ol style="list-style-type: none"> 1. Automobile parking structures. 2. Customary uses and structures clearly incidental to one (1) or more permitted uses or structures. 3. Monopole communication towers and communication antennas which do not exceed the established height limitations. 	<ol style="list-style-type: none"> 1. Commercial recreational facilities (e.g. bowling alley, billiard parlor). 2. Hotel, motels and inns. 3. Automotive service stations, automotive repair centers, and lube shops if abutting any residential zoning district. 4. Bars, cocktail lounges, taverns and the like with outdoor entertainment. 5. Restaurants with drive-thru window service. 6. Financial institutions with drive-thru windows. 7. Private, social, recreational or fraternal clubs or organizations. 8. Churches, synagogues or other houses of worship. 9. Medical Marijuana Dispensaries 10. <u>Farmer's Markets</u> <p>NOTE: All Special Exception uses are subject to <u>Section 2.03.00</u> Establishment of Districts, and <u>Section 2.06.01</u>, Special Exception uses.</p>
	b. Veterinary offices. There		

	<p>shall be no overnight stays of animals, except for emergency care.</p> <p>c. Veterinary hospitals or clinics wholly within a noise-attenuated structure with no overnight stays of animals, except for emergency care.</p> <p>12. Retail building supplies.</p> <p>13. Retail sales and services.</p> <p>14. Restaurants.</p> <p>15. Shopping centers providing retail sales of food, hardware and other household items normally required to serve the residents of the community.</p> <p>16. Sexually oriented businesses as defined in Chapter 4, Article II; City Code subject to the following:</p> <p>a. All such sexually oriented businesses, as defined in Ordinance 2006-15, shall maintain a minimum 200 foot setback from the following:</p> <p>1. An area zoned within the county, municipality or adjoining municipality for residential use,</p>		
	<p>2. Areas designated as a category that permits residential uses on the Future Land Use Map of the city/, adjoining city or county.</p> <p>3. Preexisting residence.</p> <p>4. Preexisting religious institution.</p> <p>5. Preexisting park.</p> <p>6. Preexisting education facility.</p> <p>b. The distance from a proposed sexually oriented business to the aforementioned residential areas and other uses shall be measured by drawing a straight line between the closest property line of said residential areas or other uses and the closest exterior wall of any building in which the sexually oriented business is licensed to operate.</p>		

	17. Adult Arcades, as permitted in Chapter 4 of the Code of Ordinances.		
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Sec. 2.06.03 Retail Uses

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Sec 2.06.03.3 Farmer's Markets

(1) A City of Flagler Beach local business tax receipt is required for vendors provided, however, that vendors who already possess a City of Flagler Beach business tax receipt for a business selling merchandise or wares at a different location within the city may sell the same type of merchandise or wares sold at said location at a City licensed farmer's market without obtaining an additional business license tax receipt from the city.

(2) Farmers' Markets shall only be allowed on lots of at least ten thousand square feet.

(3) Products and services promoted or offered for sale at a Farmer's Market shall be limited to those classes of products described in the definition of Farmer's Market in Section 2.02.00.

(4) Products promoted or offered for sale at a Farmer's Market shall only be promoted or offered for sale from portable stands or tables. Products shall not be promoted or offered for sale from food trucks.

(5) No tables or stands used in the promotion or selling of products at a Farmer's Market shall be allowed to remain on the property overnight.

(6) A Farmer's Market may not be operated on the same property more than three days in any calendar week. For purposes of this section a calendar week shall be defined as a seven day period beginning on Monday and ending on Sunday.

SECTION 2. RECOGNITION OF EXISTING USES. Any Farmers' Market in existence and operation as of the effective date of this Ordinance shall be deemed a lawfully conforming use and shall not be required to obtain a Special Exception to continue such use. All other provisions of this Ordinance shall be applicable to existing Farmers' Markets.

SECTION 3. CODIFICATION. It is the intent of the City Commission of the City of Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is granted broad and liberal authority in codifying the provision of this Ordinance.

SECTION 4. SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

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

PASSED AND ORDAINED this __ day of ____ 2015, by the City Commission of the City of Flagler Beach, Florida.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2015.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2015.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

Item

13

Staff

Reports

Weekly Report

Building Department

Date:6/25-7/1

Number of New permits issued	26	
Total Number of Inspections Performed	42	3 Fire 1 Bob
New SFR permits submitted	3	1400 S Daytona, 716 N Daytona, 608 Shearwood
Number of Fence permits issued	0	
Number of Driveway permits issued	0	
Number of Wayfinder blades paid for waiting to be ordered (must have 8 to order)	0	
Number of new Code cases	0	
Number of Code cases closed	0	
Number of Code courtesy notices	4	2 RV in Yard, 1 POD, 1 Yard Debris
Number of commercial projects started	0	
Number of new LBTR's issued	1	Serendipity Eclectic Boutique

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

Three New Home applications submitted this week. Our Customer Service Rep, Candice Seymour, Went to a workshop in Naples for Code Enforcement Secretaries last Thursday. Six new potential Business Owners met with the Business Ambassador Group last Thursday and 2 New this Thursday. Rick and Marlene of the Building Department gathered with other members of the city to meet with representatives from the City of Beverly Beach to begin planning for Flagler Beach handling Beverly Beach's Building permits. Renewals for STRs and LBTRs are still underway with nearly 200 invoices already generated.

06/25/2015

Mr. Campbell,

I recently read an article titled The Making of a Hero written by Retired Chief Tim Sendelbach. Mr. Sendelbach felt compelled to deliver a message to the new generation of line firefighters working within the fire service today. He was quoted as saying "You are not a hero. You are a humble public servant. Your actions at times will be described by those you serve as heroic, but your humility will ultimately be what speaks volumes about you as a firefighter, for heroes never self-proclaim." I found this to be a powerful statement and shared it with staff. Over the week department members have been involved with conducting a station tour, maintenance, and wrapping up a four-part training series. Many of the week's activities are listed as followed;

1. B shift's crew started the week by conducting a station tour for the children of Palm Coast United Methodist Summer Camp. This was a group of 35 including the children and counselors. The kids were given a tour of the station, trucks, and many of the tools utilized by a firefighter. The medical equipment stored within the rescue unit was also demonstrated for our guests. Finally the children experienced hose operations by being placed at the nozzle of a smaller booster line and flowing water. Before departing each child received a plastic fire helmet and station pencils. Though it was hot, I believe the kids had a great time and a request was made by the group's leader to return in the future.
2. As you know the Department has taken delivery of the new jet-ski a few weeks ago. According to the manufacturer's recommendation there is a procedure to be followed when initially operating the ski. The unit should be operated between half and full power for the first 20 hours of operation. Several department members have spent time on their days off operating the ski, gaining proficiency hours and attempting completion of the implementation procedure. Over half of the initial hours have been completed, but to conserve overtime I have made the request that Tom Gillin complete the remaining time through his water rescue responsibilities. The new ski-11 will be utilized in addition to the normal water rescue response on the 4th of July and at the Surf Lifesaving Championship.
3. Unfortunately the department has experienced many maintenance issues over the last few weeks. Those issues are listed as followed;
 - A new drive belt tensioner and fan clutch were installed on Engine 11
 - A brake job was completed and a new fire pump installed on Brush Attack 11
 - A new battery and surge protector were installed on the Command truck
 - While in the shop, all of these vehicles also received routine maintenance

As of this week all of the equipment mentioned within the report has been returned to service.

4. FF/EMT Forehand has prepared another PSA this week that is also to be delivered on Surf 97.3. The latest announcement covers Fireworks Safety and will begin to air a couple days before the 4th. The following statement is contained within the PSA; Fireworks are often used to mark special events and holidays. However, they are not safe in the hands of consumers. Fireworks cause thousands of burns and eye injuries each year. The following is the list of fireworks facts and safety tips to be delivered;
- In 2011, almost 1800 fires were caused by fireworks
 - Sparklers cause 16% of fireworks injuries
 - Be safe, If you want to see fireworks , go to a public show put on by the experts
 - Do not use consumer fireworks
 - Keep a close eye on children at events where fireworks are used

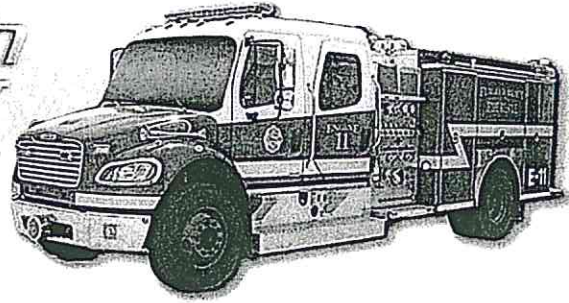
Lieutenant Kennedy will once again present the information tentatively on July 1st.

5. At this morning's Chief's breakfast there were two objectives to be accomplished. The first as always was to get caught on the week's events and share a meal. The second objective was to debrief on the recent MCI (Mass Casualty Incident) which every agency in the county attended. The drill was viewed as a success overall, but there were a few discrepancies brought up and reviewed. The major issues included premature response, proper operations/command, and communications. Firefighters train to constantly improve their knowledge base and I'm sure the next drill will reflect these improvements. The next MCI is in discussion is to take place sometime in the winter. The plan is to have a night drill with the training taking place at 2AM.
6. Department members once again incorporated both their Fire and EMS training for the week by completing module 4 of the 4 part training series Emergency Response to Terrorism. To maximize retention of the course material, all four modules must be completed within 365 days of starting the course to receive a certificate of completion. Department members accomplished this in a month. To accomplish this final module department members were required to successfully complete 4 written exams covering the following material;
- Explain the need for an Incident Command System (ICS)
 - List the steps or process traditionally associated with responding to an emergency
 - Describe the additional considerations emergency responders must address when an incident involves hazardous materials
 - Describe the issues and the processes required to work with contaminated victims

I have mentioned this in past reports, but I believe every firefighter enjoys a substantial amount of gratification in working with children. I take pride in observing staff while conducting tours and setting a worthy example for the kids, especially when some express interest in the fire service. I feel confident speaking for all members when I say we look forward to the next tour.

Thanks,

Bobby



Flagler Beach Fire Department

Weekly Run Report from 6/18/2015 –6/25/2015

CALLS BY INCIDENT TYPE

EMS

24

FIRE

1

Hazardous Condition (No Fire)

1

Service Call

4

Good Intent Call

1

False Alarm & False Call

3

Total

34



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

Captains Weekly Report

From: Friday		6/19/2015	To: Thursday		6/25/2015
Calls For Service	63	Felony Arrest	1	Reports Written	20
Self-Initiated	35	Misd. Arrest	3	Comm. Policing	45
Traffic Stops	29	City Ordinance	18	Security Checks	363
				Citations Issued	36
				Warnings (Written/Verbal)	16

Captains Weekly Summary

Friday: 6/19/15 @ 9:00 p.m. / Ocean Rescue / 100 Block of South Oceanshore Boulevard (on beach): Officers were dispatched in reference to a female found face down in the surf. Upon Officers arrival the female had already been pulled from the water by a citizen and she was coughing up water. Medical Units arrived and transported the female to Florida Hospital Flagler as a precaution. Officers followed up with Station 11 Staff and were advised that the female was doing well.

Saturday: 6/20/15 @ 4:09 pm / Trespassing (Arrest) / 408 South Oceanshore Boulevard (7-11): While patrolling the Boardwalk area on one (1) of our Police bicycles, an Officer observed a juvenile enter the 7-11 store. The female juvenile had been trespassed previously from the store. The juvenile subject was detained, transported to the Police Department and released to her father. Trespassing charges have been forwarded to the State Attorney's Office.

Saturday: 6/21/15 @ 6:37 am / Burglary Commercial / 2201 North Ocean Shore Boulevard (Java Joint): Officers were dispatched in reference to an employee finding that the business burglarized. Video of the burglary shows the suspect approaching the front door at approximately 11:50 p.m. A pry bar type of tool was used to gain entry and the cash register was removed. On Monday, 6/22/15 an "Attempt to Identify" flyer was released to the media with pictures of the suspect.

Sunday: 6/21/15 @ 9:24 p.m. / Residential Burglary / 900 Block of North Central Avenue: The victim returned home after being away for eight (8) days and found that his residence had been burglarized. The point of entry was through a rear window that was left unlocked. Multiple items were stolen to include TV's, an Xbox, computers, jewelry and cash were taken. The victim is a business owner and advised that most of his clients knew he was out of town, as well as know where he lives. The neighborhood was canvased and all neighbors advised they had not seen or heard anything unusual around the residence. The scene was processed and several prints were lifted. The "House Watch" program was discussed with the victim for future times when he's going to be away from home.

Sunday: 6/21/15 @ 8:42 p.m. / Animal Bite / 100 Block of 4th Street South: A family was walking west of 4th Street from the beach to their vehicle when a dog being walked by a juvenile became aggressive. The juvenile could not control the dog and the dog charged the family, biting a male subject on the leg. The male sustained minor injuries and he was checked by Medical Units on the scene. Upon making contact with dog owner he provided vaccination records for the dog. Animal Control and Health Department were notified. Animal Control advised they would follow up with dog owner later this week.

Monday: 6/22/15 @ 10:43 p.m. / Possession of Alcohol Under 21 / 215 North Oceanshore Boulevard (Pier): Officers responded to a report of juvenile males drinking on the Pier. Upon arrival, Officers made contact with several juvenile males about midway out on the Pier, but none had any alcohol in their possession. Officers located a cooler full of beer where the males were standing. One (1) male subject advised that the cooler was his and he was subsequently arrested, given a Notice to Appear in Court and released to his father. The male was additionally trespassed from the Pier.

Tuesday: 6/23/15 @ 12:38 a.m. / Unsecured Building / 2100 Block of North Oceanshore Boulevard: While an Officer was conducting a security check, the rear door of a business was found unsecured. The building was cleared and the emergency contact person was notified. The emergency contact responded due to Officers not being able to re-secure the rear door and it appeared the door was left unlocked by mistake.

Tuesday: Captain Doughney patrolled the City on one (1) of our Police motorcycles from 9:00 a.m. to 3:00 p.m.

Wednesday: Laminated "Visitor Welcome Letters" were hand delivered to all Hotel, Motel and Bed & Breakfasts in our City. Each establishment has agreed to place a copy in each of their rooms. The "Visitor Welcome Letters" include important information for our visitors in reference to parking, animals on the beach, alcohol, littering and bonfires. A PDF formatted copy of the "Visitor Welcome Letter" is posted on the Police Departments website at <http://www.fbpd.org/hotel-motel-welcome-letter-2/>

Wednesday: 6/24/15 @ 10:33 a.m. / Burglary Attempt / 2201 North Oceanshore Boulevard: The reporting party called to report a delayed Burglary attempt. It is believed that the attempt occurred the same evening as the Java Joint case. An unknown person(s) pried the exterior door open that leads to the front door of the business, however entry was not made to the business. Prints were lifted from the exterior door.

Wednesday: 06/24/15 @ 10:38 p.m. / Narcotics Arrest / 1300 Block of North Oceanshore Boulevard: A Patrol Officer conducted a traffic stop for a minor equipment violation. Upon making contact with the driver, the Officer smelled cannabis within the vehicle. The investigation revealed that the driver was in possession of a small amount of cannabis. A Notice to Appear in Court was issued to the driver.

Thursday: Captain Doughney patrolled the City on one (1) of our Police bicycles from 9:00 a.m. to 1:00 p.m. The residential streets of the Barrier Island as well as SRA1A were patrolled from the north City limits to the south City limits. The ride was cut short due to inclement weather.

Thursday: 6/25/15 @ 9:08 p.m. / Warrant Arrest / 300 Block of South Oceanshore Boulevard: Officers received information that a subject with an active felony warrant was enroute to a business. Officers observed the subject exiting a vehicle behind the business and he was taken into custody without incident. The Flagler County warrant was for Sale of Hydromorphone.

Officers monitored sea dune parking as well as activity on the beach during the week. The following enforcement actions were taken; three (3) warnings issued for sea dune parking and one (1) citation issued for a dog on the beach without a leash.



City of Flagler Beach

Water Treatment Plant



To: Bob Smith, City Engineer and City Commissioners
From: Jim Ramer, Water Plant Superintendent
Subject: Monthly Report for June 2015

July 1, 2015

In June we produced 17,723,000 gallons of drinking water. This amount was greater than the amount we treated in May (963,000 gallons greater). Rainfall for the month of June was 5.80 inches. We used 6,900 Gallons at the plant and used 9,870 Gallons on irrigation. We flushed the north end of town due to low chlorine residual and we used 341,350 gallons. We seem to think that we are getting feedback from the pressure regulator on the north end of town on the main going to Beverly Beach. The fire department used 1,300 gallons.

We have routine duties that are performed every day on each of the shifts. Samples taken every hour to make sure we keep the chemistry of the water within the parameters for DEP. We regularly perform over 200 tests on the City water and raw water daily between the three shifts. We do routine plant maintenance. We mow the plant grounds. We take well samples and draw downs for St. Johns River Water Management, also keeping daily records for the monthly reports that are required to be turned into the Department of Environmental Protection Agency every month. We also do quarterly reports for DEP on disinfection byproducts. We have the mid night shift flush the trains with high pH permeate water. We do yearly TTHM and HAA5 tests.

DEP requires us to take 5 bacteriological samples from the distribution system monthly, according to our population. All samples passed on June 9th.

I have Dennis Walker perform weekly vehicle checks. He checks all the fluids such as Brake fluid, windshield wiper fluid, transmission fluid, and all the lights.

We cleaned out both Degasifiers.

CCI on site to repairs on well 11, they poured concrete. CCI on site to repairs on well 11, they are running pumping tests. CCI on site to repairs on well 11, they are running pumping tests and chlorinated the well. We did bacteriological test on the well and they passed and it is now back in service.

We changed our train 4 pH meter and probe. We changed our train 1 pH meter and probe and conductivity meter.

We installed new fuel cell on new F-250.

We fueled up plant, Million Gallon Booster Station and well generators.

We had a main break at 1526 N. Daytona Ave. We had to go to a boil water notice and we won't know the results of the bacteriological test till Friday afternoon. We lost an estimated 250,000 gallons.

We had Genset Services on site to perform Preventative Maintenance on all of our generators.

We replace 2" vent pipe and painted on fuel cell at the Million Gallon Booster Station.

We are having a sand problem from the drought and we are flushing the cartridge cans every hour and a half when we are running two trains. We need rain.

We did our biyearly EN-50s for St Johns River Water Management District.

We did our quarterly disinfection report for DEP.