

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, SEPTEMBER 28, 2017 AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY COMMISSION CHAMBERS, 105 S. SECOND STREET, FLAGLER BEACH, FLORIDA 32136

AGENDA

1. Call the meeting to order.
2. Pledge of Allegiance followed by a moment of silence to honor our Veterans, Members of the Armed Forces and First Responders.
3. Proclamations and Awards.
 - A. Presentation of Special Commendations to Flagler Beach Officers – Chief Matthew Doughney.
 - B. Proclamation recognizing September 17th through 23rd as Constitution Week.
 - C. Proclamation recognizing the Alzheimer’s Awareness Walk.
4. Deletions and Changes to the Agenda.
5. Comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes.

CONSENT AGENDA

6. Approve the Minutes of the Regular Meeting of August 10, 2017, the Workshop Meetings of August 8 and 24, 2017, and the Special Meetings of September 6 and 20, 2017.
7. Approve a contract for Lobbying Services between Anfield Consulting and the City of Flagler Beach for the years 2017/2018.
8. Approve the 2017/2018 negotiated insurance contract with Brown and Brown insurance – Liz Mathis, Human Resources Officer.
9. Approve a qualified list of various consulting service providers – Penny Overstreet, City Clerk.
10. Approve a one-year contract between the Flagler Humane Society and the City of Flagler Beach for animal control and housing services – Liz Mathis, Human Resources Officer.
11. Authorize staff to move forward with an easement release at the former mosquito control property – Penny Overstreet, City Clerk.

GENERAL BUSINESS

12. Consider Application OE 17-019-01: Crab Island Flagler. Applicant is seeking approval of an outdoor entertainment permit to allow amplified and non-amplified events consisting of music, spoken words and/or other forms of entertainment, Applicant Chris Horton – Staff assigned Penny Overstreet, City Clerk.
13. Consider a request to vacate a platted but unimproved road. Applicant John Lulgjuraj – Staff assigned Penny Overstreet, City Clerk.
14. Consider an application for appointment the Personnel Advisory Review Board – Penny Overstreet, City Clerk.
15. Consider an application for appointment to the Economic Development Task Force – Penny Overstreet, City Clerk.
16. Resolution 2017-29, a resolution by the City Commission of the City of Flagler Beach, Florida, establishing the speed limit on John Anderson Highway between State Road 100 (SR 100) and the municipal limits of the City of Flagler Beach; providing for an effective date – Larry Newsom, City Manager.
17. Discussion and direction to City Attorney regarding a proposed ordinance related to design standards, registration and adopting fees for communications facilities in public rights-of-way – Drew Smith, City Attorney.
18. Discussion and possible direction to staff regarding the Lease for the Senior Center – Commissioner Carney.

COMMISSION COMMENTS

19. Commission comments, including reports from meetings attended.

PUBLIC HEARINGS

20. A request has been received for a Special Exception to construct a Single Family Residence in the Tourist Commercial Zoning District. The property is located at Lot 9, Block 21, Fuquay Subdivision also known as 2032 South Ocean Shore Blvd., Flagler Beach. Applicant: Keystone Homes.
21. Ordinance 2017-07 an ordinance by the City of Flagler Beach, Florida relating to Boards and Committees; amending the procedures for formation and operation of Boards and Committees established by the City Commission; providing for conflicts; providing for severability; providing for an effective date- second and final reading.
22. Ordinance 2017-08 an ordinance by the City of Flagler Beach, Florida amending Section 5.00.01 of Appendix "A," Land Development Regulations to remove the incorporation of the Standard Housing; adopting the 2015 edition of the International Property Maintenance Code published by the International Code Commission, with certain

amendments thereto to conform to Florida Law and the city's existing Code of Ordinances; regulation and governing the enforcement, conditions and maintenance of all property, buildings, and structures to ensure that structures are safe, sanitary, and fit for occupancy and use; providing for legislative findings and codification; providing for severability, conflicts, and an effective date – first reading.

23. Ordinance 2017-11 An ordinance of the City of Flagler Beach, Florida, enacting temporary administrative procedures to provide for the expeditious and coordinated management of building permit applications and fees; waiving specific permits and fees issued for the removal of certain trees; establishing a method of enforcement of the Florida Building Code such that on-site permits may be issued by appropriate city staff for repair of damage caused by Hurricane Irma; providing for severability; providing for conflicting ordinances; and providing for an effective date.

STAFF REPORTS

24. Staff Reports.

25. Adjournment.

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

3b.

Proclamation

Recognizing September 17th through 23rd as Constitution Week

WHEREAS, the Constitution of the United States of America, the guardian of our liberties, embodies the principals of limited government in a Republic dedicated to rule by law; and

WHEREAS, It is a privilege and duty of the American people to commemorate the two hundred twenty-ninth anniversary of the drafting of the Constitution of the United States of America with appropriate ceremonies and activities, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week and urge all citizens to study the Constitution, and reflect on the privilege of being an American with all the rights and responsibilities which that privilege involves.

NOW, THEREFORE I, Linda Provencher, by virtue of the authority vested in me as Mayor of the City of Flagler Beach in the State of Florida do hereby proclaim the week of September 17 through 23 as

CONSTITUTION WEEK

And ask our citizens to reaffirm the ideals the framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and Seal of the City to be affixed this fourteenth day of September of the year of our Lord two thousand seventeen.

Attest:

Linda Provencher, Mayor

Penny Overstreet, City Clerk

MINUTES

PRESENT: Mayor Linda Provencher, Commission Chair Jane Mealy, Vice-Chair Rick Belhumeur, Commissioners Kim M. Carney, Joy McGrew and Marshall D. Shupe, City Manager Larry M. Newsom, Finance Director Kathleen Doyle, Human Resources Officer Liz Mathis, Police Chief Matthew Doughney, Fire Chief Robert Pace, and City Clerk Penny Overstreet.

1. **CALL THE MEETING TO ORDER:** Chair Mealy called the meeting to order at 10:05 a.m.
2. **PLEDGE OF ALLEGIANCE:** Mayor Provencher led the pledge to the flag.
3. **DISCUSSION OF 2017/2018 FISCAL YEAR BUDGETS IN THE FOLLOWING ORDER:**
INTRODUCTORY PRESENTATION – CITY MANAGER: Mr. Newsom reported to the commission a request from Mr. McManus to come before them and speak on the next agenda about a request for reimbursement related to the disruption in business they have encountered on the golf course due to the stormwater project. Discussion ensued. The commission reached consensus for the city manager to invite Mr. McManus to the August 10th meeting.

Mr. Newsom presented the draft budget to the commission and turned the floor over to Chief Doughney to present the police department budget request.

GENERAL FUND

PUBLIC SAFETY

- **LAW ENFORCEMENT:** Chief Matthew Doughney reviewed his budget request and a power point presentation. The major funding request is for three (3) additional full time police officers, two (2) are proposed to be motorcycle officers, which will increase traffic/parking monitoring and seven days per week motorcycle coverage, and one additional detective. Chief Doughney reviewed the increases in services over the last few years and spoke of the quality of life issues the department addresses on a daily basis. Discussion ensued related to the 2017/2018 department budget request.

Commissioner Belhumeur reported his interest in getting to a 5.2 mil rate rather than 5.5. Mr. Newsom suggested the commission look at the past five years of millage rates instead of two years based upon neglected issues and infrastructure he was given when first hired. Chair Mealy opened public comments. Paul Eik suggested additional justification. Lieutenant Randy Doyle, Eric Cooley, and Jamie Bourdeau spoke in support of the Police Chief's budget request.

- **VICTIMS ADVOCATE PROGRAM:** No changes were recommended.

- **FIRE DEPARTMENT:** Chief Robert Pace reviewed the 2017/2018 fire department budget request. Chief Pace reported the major budget request is for a Lieutenant position and a part time administrative assistant. Chair Mealy opened public comments. The following person commented: Paul Eik. Chair Mealy closed public comment.

The meeting recessed for lunch at 12:18 p.m.

The meeting resumed at 12:58 p.m.

LIFEGUARD SERVICES/BEACH SAFETY: After reviewing the organizational chart, which included recreation and parks, Mr. Newsom reported he will be sending out bids for a lawn maintenance contract. He will compare the bids versus having a parks crew and then consider which would have the most cost savings. He would have the bid suggest a one year contract with annual renewal options for three years. Mr. Newsom spoke of the required pre-bid meeting and how he would be adding additional responsibilities to the bid package. Discussion turned to the lifeguard budget. Discussion ensued regarding the possibility of utilizing the Tourist Development Council's (TDC) Fund 109 for operational cost. The county has previously offered funding for capital items. The commission reached a consensus to have the city manager send the county administrator the lifeguard budget and request additional funding from Fund 109 for lifeguards and equipment.

- **GROWTH MANAGEMENT/CODE ENFORCEMENT:** No changes were recommended.

REVENUES:

- **ALL GENERAL FUND REVENUES:** Finance Director Doyle reviewed the projected revenues.

ADMINISTRATION

- **COMMISSION:** Clerk Overstreet reviewed the budget request. The commission reached a consensus to increase the promotional line to \$7,500.00.
- **EXECUTIVE:** Commissioner Shupe suggested a 20% raise for the city manager. Human Resources Officer Liz Mathis reviewed the current salary administration plan with the officials. Discussion ensued and included the salary administration plan and the current salary of the manager being under the low end of the three categories. The commission reached a consensus to increase the city manager's salary to \$120,000 and suggested the proposed position of the administrative assistant's salary set at \$35,000.

The commission recessed the meeting at 3:08 p.m.

The meeting resumed at 3:26 p.m.

- CITY CLERK: Discussion ensued regarding an upgrade to the city's website, to make it user friendly for portable devices. Clerk Overstreet advised she would bring back that cost. No changes were suggested.
- HUMAN RESOURCES/RISK MANAGEMENT: No changes were recommended.
- FINANCE: No changes were recommended.
- LEGAL: No changes were recommended. It was noted an amendment may be necessary if no settlement is reached in the 110 Holly Ave litigation.
- GENERAL GOVERNMENT: No changes were recommended.

FACILITIES

- MAINTENANCE & CAPITAL OPERATIONS: No changes were recommended.

PUBLIC WORKS

- ROADS & BRIDGES: No changes were recommended.

RECREATION

- LIBRARY: No changes were recommended.
- MUSEUM: No changes were recommended.
- PARKS & RECREATION: No changes were recommended.

Comments from the officials were as follows: Commissioner Belhumeur provided suggestions to complete the repair/replacement of the fascia at the Wickline building in the next budget year and to delay the proposed improvements in the building department office until it is determined which departments will be moving to the Wickline building. Discussion ensued regarding the millage rate. Mr. Newsom advised he would bring back to the second budget workshop budget scenarios for the following millage rates: 5.21, 5.29, 5.4, and 5.52. Chair Mealy asked for the official's opinions on the police and fire department budget requests. Commissioner McGrew hoped for a compromise of two officers rather than the three requested. Commissioner McGrew suggests the fire department budget focus on the captain position and not the administrative assistant. Commissioner Belhumeur made the statement that the fire department received approval for three firefighter positions last year and the previous year they informed the commission he did not need to increase his staff, and the police department received the requested lieutenant position last year. Commissioner Belhumeur suggested no increases to the number of staff the two departments have in this coming budget year. Mayor Provencher would like to have the position added, but feels the millage rate needs to be lower than the tentative rate set. Commissioner Shupe supported the captain position in the proposed fire department budget, he has seen the positive impact it has made in the police department when they were provided the lieutenant position last year. Commissioner Shupe expressed concerns with the police department budget request; specifically the assistance we receive from the county, the fact the department was down two

officers for a good part of this budget year and still provided excellent service, the proposed salary for a new detective is too low, the request for a truck, and new cars would be needed for the proposed officers. Commissioner Shupe would like more information on how these two new officers would supplement our level of service versus the service the county provides. Commissioner Carney feels the level of service from the police department is fine, and feels both departments, if allowed, would expand themselves into extinction. Commissioner Carney added she would not vote in favor of a 5.8 millage rate. Chair Mealy agrees that a 5.8 mill rate is too high, but wants as much for the fire and police departments as possible. Chair Mealy suggested removal of the detective position. Chair Mealy does not believe they can get the millage rate down to 5.2. Commission McGrew felt 5.5 was realistic, and Commissioner Belhumeur hoped for a rate of 5.21.

Chair Mealy opened public comments. Eric Cooley provided comment. Chair Mealy closed public comments.

The remainder of the department budgets will be reviewed at the second budget workshop scheduled August 24, 2017, along with any follow up items the city manager was directed to return with, from this meeting.

CRA FUND

- REVENUES:
- CRA FUND EXPENSE:

BUILDING CODE INSPECTION FUND

- REVENUES:
- BUILDING CODE INSPECTION OPERATIONS:

PIER FUND ENTERPRISE FUND

- REVENUES:
- FISHING PIER & BAIT SHOP (OPERATIONS & CAPITAL):

UTILITY FUND

REVENUES

- Water Plant Revenue
- Waste Water Plant Revenue

WATER TREATMENT PLANT

- Water Treatment Plant (Operations & Capital)
- Field Operations (Transmission & Distribution)

WASTE WATER TREATMENT PLANT

- Waste Water Treatment Plant (Operations and Capital)
- Field Operations (Sewer Collection)

ADMINISTRATION

- Water & Waste Water Administrative Costs

SANITATION FUND

REVENUES

- Sanitation Operations Revenue

REFUSE COLLECTION

- Sanitation (Operations & Capital)

ADMINISTRATION

- Sanitation Administration Costs

STORMWATER FUND

REVENUES

- Charges for Services
- Intergovernmental (Grants)

STORMWATER

- Stormwater Operations & Capital Projects

4. **ADJOURNMENT:** Commissioner Carney motioned to adjourn the meeting at 5:28 p.m. Commissioner Belhumeur seconded the motion. The motion carried unanimously.

Attest:

Penny Overstreet, City Clerk

Jane Mealy, Commission Chair

#6

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, AUGUST 10, 2017 AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY COMMISSION CHAMBERS, 105 S. SECOND STREET, FLAGLER BEACH, FLORIDA 32136.

MINUTES

PRESENT: Mayor Linda Provencher, Commission Chair Jane Mealy, Vice-Chairman Rick Belhumeur, Commissioners Kim M. Carney, Joy McGrew and Marshall D. Shupe, City Attorney D. Andrew Smith, III, City Manager Larry M. Newsom, and City Clerk Penny Overstreet.

1. CALL THE MEETING TO ORDER: Chair Mealy called the meeting to order at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Provencher led the pledge.
3. PROCLAMATIONS AND AWARDS: None.
4. DELETIONS AND CHANGES TO THE AGENDA: Item 11 removed from the agenda.
5. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK; HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: John Noble requested the commission amend the Code of Ordinance to permit mooring of catamarans on the beach. Larry Torino, City Planner, reiterated the non-allowance of mooring of boats. Mr. Torino expressed the need for language to clarify whether or not the commission decides to move forward with the allowance. Attorney Smith advised it is a policy call whether to allow or prohibit it. Attorney Smith agreed with the Planner's recommendation to clarify the language regardless of the decision. Eric Cooley requested the Commission consider sending a letter to the State Attorney and County Attorney regarding the 1.1 million dollar budget shortfall related to the East Flagler County Mosquito Control District. Theresa Boyd spoke of properties on S. Ocean Shore Boulevard leaving bagged garbage out on non-trash pickup days. Becky Pourchot inquired about the dune walkovers replacement schedule on the south side of Ocean Shore Blvd. Mr. Newsom reported the city will be advertising the bid package the following week for five walkovers: three on the south side and two on the north side. Mr. Newsom added the walkovers will be built with the intent to not be destroyed by FDOT when they perform the road/dune stabilization repairs.

CONSENT AGENDA

6. APPROVE THE MINUTES OF THE REGULAR MEETINGS OF JULY 27, 2017:
7. APPROVE A ONE YEAR AGREEMENT BETWEEN UNITED HEALTH CARE AND THE CITY OF FLAGLER BEACH, AND AUTHORIZE THE MAYOR TO SIGN SAME – LIZ MATHIS, HUMAN RESOURCE OFFICER:

A scrivener's error was noted in the minutes of July 27, 2017. Chair Mealy opened public comment. No comments were offered. Chair Mealy closed public comment. Motion by Commissioner Carney to approve the consent agenda items six and seven. Commissioner Shupe seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

8. CONSIDER A REQUEST FOR CO-SPONSORSHIP OF THE 17TH ANNUAL TOMMY TANT MEMORIAL SURF CONTEST – PENNY OVERSTREET, CITY CLERK: The applicants were not present. Clerk Overstreet reported the applicant is not seeking financial co-sponsorship, just use of the city's logo in their advertising. Chair Mealy inquired to the clerk if the applicant was proposing vendors. Clerk Overstreet replied, no items will be for sale, the applicants will not have the dinner as in past year's events. Chair Mealy opened public comment. Billy Anderson responded to questions from the dais. Chair Mealy closed public comment. Motion by Commissioner McGrew to approve the Tommy Tant Memorial Surf Contest. Commissioner Shupe seconded the motion. The motion carried unanimously.
9. CONSIDER A REQUEST FOR A TEMPORARY WAIVER FOR A SPECIAL EVENT AS REGULATED BY CHAPTER 4, ARTICLE III, AND SECTION 4-129 (B) (4) OF THE CODE OF ORDINANCE TO PERMIT THE CONSUMPTION OF ALCOHOLIC BEVERAGES IN A PUBLIC PARK FOR A SPECIAL EVENT (WEDDING AND RECEPTION IN WICKLINE PARK) – KEVIN SUTTLE, GROOM. STAFF MEMBER ASSIGNED, PENNY OVERSTREET, CITY CLERK: Mr. Suttle was present to review his request. Motion by Commissioner Belhumeur to approve the request for a temporary waiver for the special event. Commissioner Carney seconded the motion. The motion carried unanimously.
10. RECEIVE QUARTERLY UPDATE FROM THE ECONOMIC DEVELOPMENT TASK FORCE: Joseph Pozzuoli noted the resignation of Christina Hutsell from the Task Force and noted the non-attendance of Johnny Lulgjuraj. The officials noted an ordinance on tonight's agenda that addresses committee/board attendance. Eric Cooley updated the commission on the progress the committee has made to the task assigned by the commission. Mr. Cooley advised the Bike Rental Program is not feasible. Mr. Cooley noted the committee will be looking at the mixed use ordinance, density, and the issue of parking in the next quarter, as well as updating their goals statement. Joseph Pozzuoli stated the committee feels the city should move forward with annexation of property off of John Anderson. Jay Gardener, Flagler County Property Appraiser, suggested the city adopt a pro-annexation policy. The committee is hoping to hold a workshop with the commission to discuss the issues. Chair Mealy opened public comment. Paul Eik provided comment. Chair Mealy closed public comments. The commission reached a consensus to hold a workshop with the Task Force to discuss annexation possibilities. The chair asked the committee chair to email the clerk a few dates he would be available.

The agenda moved to Item 13.

11. DISCUSSION AND POSSIBLE ACTION REGARDING THE 110 HOLLY AVENUE SETTLEMENT AGREEMENT – DREW SMITH, CITY ATTORNEY: This item was removed from the agenda.

COMMISSION COMMENTS

12. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The officials reported their attendance at meetings, gatherings, and events since the last regular meeting. Mayor Provencher inquired to the commission if they were interested in developing an ordinance for the placement of catamarans on the beach. Discussion ensued and included the city manager checking with the regulatory agencies regarding placement on the beach. The commission also wanted to know of liability issues from the city attorney. The commission additionally suggested the city manager speak with Jacksonville Beach, as they are allowed there, to see what their rules are. Discussion ensued regarding the city's need to have our Beach Management Plan officially adopted by FDEP. Vice-Chair Belhumeur reviewed the resolution he will be asked to vote on as the city's voting representative at the Florida League of Cities. Commissioner Carney reported she will be getting a team together for the Alzheimer's Walk. She asked that the police provide crossing guard service for the September event.

The agenda moved to Item 15.

PUBLIC HEARINGS

13. ORDINANCE 2017-06, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RELATING TO MEDICAL MARIJUANA; AMENDING THE CODE OF ORDINANCES, APPENDIX A, "LAND DEVELOPMENT REGULATIONS," ARTICLE II, "ZONING;" AMENDING DEFINITIONS AND TERMS TO CONFORM WITH STATE LEGISLATION; PROVIDING THAT MEDICAL MARIJUANA TREATMENT CENTER DISPENSARIES ARE PROHIBITED WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. SECOND READING: Attorney Smith read the title of the ordinance into the record. Chair Mealy queried the commission on their thoughts of taking no action on this ordinance and then have the City Attorney draft an ordinance limiting pharmacies to Highway Commercial (HC) zoning. Chair Mealy reviewed her proposal, adding, no existing business would be affected. The commission previously approved an ordinance that would permit dispensaries in the highway commercial zone. Attorney Smith advised the commission this type of ordinance would not be in conflict with the requirements the state implemented. Discussion ensued amongst the commission. The commission reached a consensus to have the city attorney draft an ordinance limiting the opening of pharmacies and dispensaries to the Highway Commercial zoning district. Chair Mealy opened public comment. The following people provided comments: Sandra Edmunds, Buzz Edmunds, Adam Dennis, Theresa Boyd, Rusty Boyd, Lauren Maultrami, Shane Kitchens, Jane Youd, Eric Cooley, Paul Eik, Becky Pourchot, Steve Lowe, and Carey Strickland. Chair Mealy closed public comments. Motion by Commissioner Carney to ask the commission to not pass Ordinance 2017-06. Commissioner Belhumeur seconded the motion. The motion carried unanimously.

The meeting recessed at 7:16p.m.
The meeting reconvened at 7:31 p.m.

14. ORDINANCE 2017-07, AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA RELATING TO BOARDS AND COMMITTEES ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE – FIRST READING: Attorney Smith read the title of the ordinance into the record. Chair Mealy summarized the purpose of the ordinance. Chair Mealy opened public comments. Paul Eik provided comments. Chair Mealy closed public comment. Motion by Commissioner Belhumeur to approve Ordinance 2017-XX (07). Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved back to Item 12.

STAFF REPORTS

15. STAFF REPORTS: City Manager Newsom reviewed the current list of projects that staff is working on. Mr. Newsom reported to the commission that staff will again be looking at the infrastructure issues with the Pebble Beach Subdivision. City Clerk Overstreet reported the city hall re-roof project will begin next week.
16. ADJOURNMENT: Commissioner Carney motioned to adjourn the meeting at 8:27 p.m. Commissioner McGrew seconded the motion. The motion carried unanimously.

Attest:

Penny Overstreet, City Clerk

Jane Mealy, Commission Chair



AGREEMENT FOR PROFESSIONAL SERVICES

This contract for professional services (hereinafter referred to as "Agreement") is by and between Anfield Consulting, Inc. a privately-owned corporation registered in the State of Florida (hereinafter referred to as "ANFIELD"), and the City of Flagler Beach, Florida (hereinafter referred to as "CLIENT"). ANFIELD and CLIENT shall collectively be referred to as the "Parties."

- (1) Services: ANFIELD shall assist CLIENT with Lobbying the Florida Legislature, the State Executive Branch, its agencies, subdivisions and St. Johns Water Management District where directed. All representations made by ANFIELD on CLIENT'S behalf shall be subject to prior approval by CLIENT'S authorized representative Larry Newsom.

- (2) Term and Compensation: The term of this Agreement will commence on September 15, 2017 and end on September 15, 2018. CLIENT will pay ANFIELD the sum total of FORTY-EIGHT THOUSAND dollars (\$48,000.00) to perform the services specified in Section (1) (the total sum may also be referred to as the "fee"). Fee payment shall be made as follows: a retainer in the amount of FOUR THOUSAND Dollars (\$4,000.00) due upon Agreement execution; eleven (11) additional payments in the amount of FOUR THOUSAND Dollars (\$4,000.00) each shall be payable monthly beginning with the following month, and upon receipt of an invoice from ANFIELD. All payments will be made by check or money order consistent with Section (3) of this Agreement. The retainer and monthly fee payable to ANFIELD covers all incidental costs or fees related to services provided by subcontractors identified by ANFIELD and authorized by CLIENT for retention such as regular U.S. mail, copies, and telephone. In addition, ANFIELD shall be responsible for those additional expenses including but not limited to business travel, lodging, state lobbying registration and fees, express mail costs, costs of preparing presentation materials needed to represent the client, and similar related costs during the term of the Agreement.

- (3) Issuance of Payments and Notice: CLIENT shall make checks payable to ANFIELD Consulting, Inc. and send payment(s) to: 201 West Park Avenue, Suite 100, Tallahassee, FL 32301. All written notices from CLIENT to ANFIELD shall also be sent to this address.

- (4) Renewal and Termination: This Agreement may be modified or extended only by a written document signed by both Parties. Conversely, either Party may terminate this Agreement prior to the date (if applicable) established in section (2) of this Agreement by providing written notice to the other Party thirty (30) days prior to the desired date of termination. CLIENT shall pay ANFIELD for any and all services and CLIENT approved expenses during the term of this Agreement up to and until the established date of termination. In the event of early termination, the final amount to be paid shall be established on a pro-rata basis based

on number of business days in a calendar year. If retainer and monthly fee exceed the pro-rata amount due, ANFIELD shall remit the difference within 30 days of termination in a check or money order payable to: City of Flagler Beach.

- (5) Governing Law: This Agreement is executed in the State of Florida and shall be construed, interpreted, and governed by the laws of such state, and by all applicable laws of the United States of America.
- (6) Confidentiality: ANFIELD acknowledges and understands that this Agreement and the services rendered to the CLIENT are confidential between the two Parties and that a violation or breach of confidentiality is cause for termination and other relief pursuant to section (5) of this Agreement. Notwithstanding, the Parties acknowledge and agree to comply with Chapter 119, Florida Statutes.
- (7) Agreement Execution: The Parties, after reviewing, reading, and understanding the contents of this document, do hereby execute this Agreement by their respective signatures. This Agreement is effective as of the date of the last signature below.

For the Anfield Consulting, Inc.:

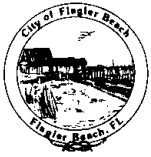
Albert Balido, Managing Partner

_____ Date Executed

For the City of Flagler Beach

Linda Provencher, Mayor

_____ Date Executed



FLAGLER BEACH CITY COMMISSION

#8

Meeting Date: 9/14/2017

Issue: Approve 2017-2018 insurance contract negotiated by Brown and Brown

From: Liz Mathis, Human Resource Officer

Organization: City of Flagler Beach

RECOMMENDATION: Approve the one year agreement for Insurance and approve Mayor to sign any necessary documents.

Recommendation Concerning

BACKGROUND:

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF:

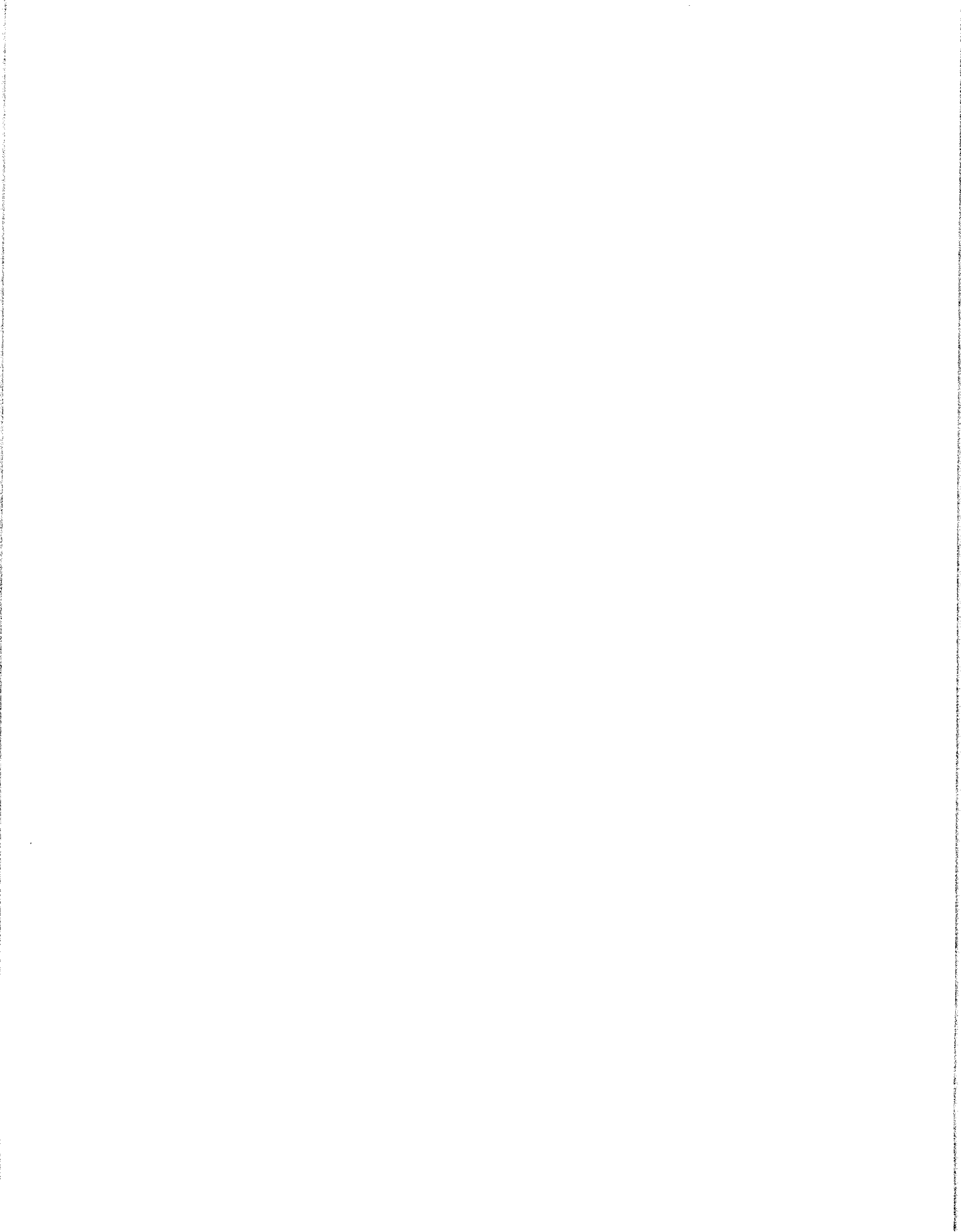
PERSONNEL:

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

Agreement is forthcoming





FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 9

Meeting Date: September 14, 2017

Issue: Approve an amended qualified list of Engineers and various Consultants

From: Larry Newsom, City Manager

Organization: City of Flagler Beach

RECOMMENDATION: Recommend the City Commission approve the amended qualified list of vendors, which includes Architect, Engineer, Surveyor, Mapping and other technical services.

BACKGROUND: The City Clerk advertised the RFQ on July 17, 2016, submittals were reviewed after August 31, 2016, and per the RFQ remains open for submissions. The purpose of the qualified list is for the City Manager to have pre-qualified list of vendors to enter into contract with when the need arises. Any contract below the threshold amount of \$19,999.99 will be reviewed by the City Attorney and signed by the Mayor. Any work/contract above the threshold will be placed on a Commission agenda for their consideration.

BUDGETARY IMPACT: The various departments have repair budget line items, as well as the contingency money in the general government budget for non-budgeted repair issues. Any cost above the budget /contingency dollars would require a budget amendment.

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: Approve the attached list of vendors.

IMPLEMENTATION/COORDINATION:

Attachments

- List of qualified vendors

Architect

- Fisher Koppenhafer
Cypress Green Drive Jacksonville, Florida 32256
Tel. 904-367-0077 Fax 904-367-0008
www.fkaid.com kope@fkaid.com
- Joseph Pozzuoli Architect
314 Moody Boulevard Flagler Beach, Florida 32136
Tel. 386-439-5650 Fax 386-439-5651
www.jpafloida.com

General Engineering Services

- Atkins North America, Inc.
2114 Airport Blvd., Ste. 1450 Pensacola, FL 32504
Tel. 850-478-9844 Fax 850-478-0620
www.atkinsglobal.com/northamerica
- Zahn Engineering, Inc.
244 South Palmetto Ave. Daytona Beach, FL 32114
Tel. 386-252-0020 Fax 386-252-6050
www.zahneng.com
- Mott MacDonald
10245 Centurion Parkway, Ste. 320 Jacksonville, FL 32256
Tel. 904-512-0383
www.mottmac.com/americas
- Quentin L. Hampton Associates, Inc.
P.O. Drawer 290247 Port Orange, FL 32129
Tel. 386-761-6810 Fax 386-761-3977
www.qlha.com
- DRMP
1900 SW 34 Street, Ste. 204 Gainesville, FL 32608
Tel. 352-371-2741
www.DRMP.com
- MetaWorld Civil Consulting, LLC
444 Seabreeze Blvd., Ste. 715 Daytona Beach, FL 32118
Tel. 386-944-9737
amalek@metaworldcivil.com
- Meskel & Associates Engineering, PLLC
8936 Western Way, Ste. 12 Jacksonville, FL 32256
Tel. 904-519-6990 Fax 904-519-6992
www.meskelengineering.com
- Royal Consulting Services, Inc.
211 West Warren Ave. Longwood, FL 32750
Tel. 407-831-3095 Fax 407-831-5095
www.royalconsulting.com

- Ellis & Associates, Inc.
7064 Davis Creek Road Jacksonville, Florida 32256
Tel. 904-880-0960 Fax 904-880-0970
www.ellisassoc.com
- Zev Cohen & Associates, Inc.
300 Interchange Blvd., Suite C Ormond Beach, FL 32174
386-677-2482 Fax 386-677-2505
www.ZevCohen.com
- Kimley-Horn & Associates, Inc.
Spring Lake Business Center
12740 Gran Bay Pkwy Suite #2350
Jacksonville, FL 32258
904-828-3900
www.kimley-horn.com
- Universal Engineering Sciences
4 Hargrove Grade,
Palm Coast, FL 32137
386-986-2122
www.universalengineering.com
- HDR Engineering Inc.
315 E. Robinson Street, Suite 400
Orlando, FL 32801
407-420-4200 Fax 407-420-4242
www.hdrinc.com
- CRA & Associates, Inc.
20 E. 10th Avenue
New Smyrna Beach, FL 32169
305-775-7451 Fax: 386-402-4679
Chuckadams37@gmail.com
- Coastal Management and Consulting
7611 Lawrence Road
Boyton Beach, FL 33436
561-441-1446
beachmaker@aol.com
- ECS Florida, LLC.
2706 S. Ridegwood Ave., Ste. 2
South Daytona, FL 32119
Tel. 386-944-9588
MMcLeer@ecslimited.com
- George F. Young, Inc.
1905 South Main Street
Gainesville, Florida 32601-8429
Tel. 352-378-1444
www.georgefyoung.com

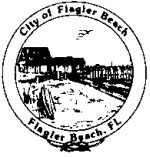
- **Soundside Consulting, LLC**
419 Timberwalk Lane
Lake Mary, Florida 32746
Tel. 407-353-0342
cmclendon@soundsideconsulting.com

Stormwater Management, Transportation and Bridge Projects

- **Ayres Associates**
5220 Shad Road, Suite 200-3 Jacksonville, FL 32257
800-678-4713
www.ayresassociates.com

Surveyor, Mapping Service

- **Southeastern Surveying and Mapping Corporation**
6500 All American Blvd. Orlando, FL 32810
407-292-8580 ext. 2215
www.southeastersurveying.com



FLAGLER BEACH CITY COMMISSION

#10

Meeting Date: 9/14/2017

Issue: Approve 1 year contract with Flagler

Humane Society

From: Liz Mathis, Human Resource Officer

Organization: City of Flagler Beach

RECOMMENDATION: Approve the one year agreement for Animal Control and Housing services with Flagler County Humane Society and approve Mayor to sign any necessary documents.

BACKGROUND: This is an annual contract with the Flagler Humane Society. There is a 3% increase to last year's annual contract. The annual sum is increasing from \$7,959.47 to \$8,198.25. This contract also includes a \$10.00 increase for the "per animal" housing fees. The housing fees are increasing from \$75.00 to \$85.00 per animal. All other fees will remain the same. There will be no changes to services provided.

BUDGETARY IMPACT: The 2017-2018 annual contract will reflect an increase of \$238.78. The total "per animal" housing fee will vary due to the number of animals. All other fees will remain the same.

LEGAL CONSIDERATIONS/SIGN-OFF:

PERSONNEL:

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

**Contract for Services Between
Flagler Humane Society**

And

City of Flagler Beach

This Services Agreement ("Agreement") made this _____ day of _____ 2017, by and between the **Flagler Humane Society** (FHS), a Florida non-profit corporation, and the City of Flagler Beach, a Florida Municipal corporation, ("City").

Whereas, in order to enforce the ordinances of the City and the laws of the State of Florida with respect to stray animals, the City desires to deliver stray animals to FHS for the humane impoundment and humane disposition of said animals: and

Whereas, FHS is organized for the purpose, among others, of preventing cruelty to animals and is interested in assuring that impounded animals are sheltered in a humane manner and those which must be destroyed, be so destroyed in a humane manner.

Now, therefore, and in consideration of the mutual covenants, conditions, and provisions herein contained, it is expressly agreed and understood as follows:

1. **Term:** This agreement will take effect at 12:00a.m, the 1st day of October 2017, and will remain in full force for a twelve (12) month period ending at 11:59 p.m. the 30th day of September 2018.

2. Animal Shelter and Services

(a) The City shall pay to FHS the annual sum of \$8,198.25, its pro-rata share to defray the costs of providing physical animal control services. Such payment shall be made in quarterly installments of \$2,049.56 commencing October 1, 2017 and services rendered shall be for the term of October 1, 2017 until September 30, 2018.

(b) FHS will maintain and operate an animal shelter ("Shelter") in a manner adequate for the confinement, remedial treatment and disposal of stray dogs or cats which may be delivered to it from all areas within the City, and will furnish at its sole expense all supervision, labor, animal food, tools, supplies and other

things necessary for the satisfactory performance of the services herein agreed to be provided. Remedial care will be provided for injured animals during operating hours when there is a staff veterinarian available, at FHS's sole expense. The Shelter will be operated at 1 Shelter Drive, Palm Coast, FL. The Shelter's normal operating hours are 8:00 am to 5:00 pm seven days a week. The Shelter is open to the public only between 10:00 am and 5:00 pm Monday through Saturday and 11:00am to 4:00pm on Sunday. The City will be notified by letter, fax, phone or email if any changes in hours or days of operation occur.

(c) FHS will provide means to accept, during the Shelter's normal operating hours, all stray dogs, cats and other animals delivered to the Shelter by the City's Police or Animal Control Officers or other designated officers appointed by the City for this purpose. FHS will accept stray animals only if it has the ability and facilities to impound and control these animals, and the decision to accept or reject these animals will be solely within the discretion of FHS.

(d) When the City delivers an animal to the Shelter for impoundment and when the animal bears an identification tag or microchip indicating the ownership of the animal, FHS will, within one (1) working day after receipt of such animal, use its best efforts to notify the owner thereof and to inform the owner of the procedure whereby the owner can recover the animal, with the exception that any animal suspected of rabies or which has bitten or otherwise exposed any person to rabies, will not be released to its owner until after a ten (10) day impoundment period and without the express approval of the Flagler County Health Department through its authorized representatives.

When a stray dog or cat is delivered to the Shelter and is not suspected of rabies or has not bitten or otherwise exposed any person to rabies, FHS will impound the animal at the City's expense for a period of five (5) business days. If the owner has not retrieved the animal within the five (5) day period, FHS will thereafter provide for the adoption or humane disposal of the animal in accordance with its routine methods and procedures. Any animal bearing identification will be held for a period of seven (7) business days to allow for an owner to come forward and reclaim the animal.

FHS will at its discretion, humanely euthanize any animal thought to be suffering because of illness or injury or any animal determined to have a contagious condition that could affect the health of other animals at the facility or any

animal that is deemed to be too dangerous to FHS staff or volunteers to be kept in the facility.

(e) Flagler Humane Society, Inc. agrees to provide animal control services in the geographical area comprised of Flagler Beach. This includes the impoundment of stray and lost animals, investigation, rescue and prosecution regarding neglected and abused animals and the issuance of citations according to the ordinances of Flagler Beach and Florida Statutes relating to animals.

(f) Animal Control Services coverage will be provided seven (7) days per week, eight (8) hours per day, except holidays.

i Emergency after hours and holiday coverage will be provided when the animal services officers are off duty. Emergencies may include but are not limited to an injured animal, an animal attack or bite and aggressive animals.

ii After hours response shall be at the discretion of the on call officer and shall be for emergencies only.

(g) Animal Control Services officers and personnel will be employed by Flagler Humane Society, Inc and shall be duly certified as animal control officers in accordance with Florida Statutes 828.27.

3. Billing and Payment:

(a) In consideration of the agreements and undertakings to be performed by FHS, the City agrees to pay FHS monthly, in arrears, for:

(i) each stray dog or cat or domesticated animal delivered to the Shelter by either the City's Police or Animal Control Officers at the rate of \$85 per animal;

(ii) each stray dog or cat or domesticated animal emanating from within the City and delivered to the Shelter by a private citizen at the rate of \$85 per animal;

(iii) each dog or cat delivered for purposes of Rabies Quarantine or Rabies testing preparation to the Shelter by either the City's Police or Animal Control Officers at the rate of \$200 per animal;

- (iv) each dog or cat emanating from within the City and delivered for purposes of Rabies Quarantine or Rabies testing preparation to the Shelter by a private citizen at the rate of \$200 per animal;
- (v) each confiscated animal delivered to the Shelter by either the City's Police or Animal Control Officers at the rate of \$85 per animal for the first five days plus an additional \$30 per day thereafter until the disposition is determined;
- (vi) each domestic dog or cat or other domesticated animal surrendered to the City by its owner, guardian or care giver and subsequently delivered by the City to the Shelter at the rate of \$85 per animal.
- (vii) FHS will capture, shelter and care for sick and injured wildlife in the City. The City will pay FHS \$15.00 per animal to defray the cost of this service. The service does not include nuisance animals.
- (viii) each stray dog or cat or domesticated animal the is dead on arrival and delivered to the Shelter by either the City's Police or Animal Control Officers or emanating from within the City and delivered to the Shelter by a private citizen at the rate of \$15 per animal;

(b) Payment must be made to FHS within thirty (30) days of the date of the invoice. An eighteen (18) percent annual interest rate will be assessed to any outstanding balance which is ten (10) days past due. If FHS chooses to waive the imposition of interest on a particular invoice, such waiver will not constitute a waiver to the imposition of interest on a future invoice. If the City has a dispute about a charge on its invoice, it must contact FHS Executive Director at 386-445-1814 extension 508, within fifteen (15) days of the date of the invoice. Failure by the City to report a disputed charge within such time period will constitute a waiver of any claim by the City with respect to such disputed charge and the City will be liable for the full amount of the disputed charge. The City is still responsible for paying disputed charge (s) within 30 days of the date of the invoice; however, FHS will subsequently credit the City's account for any charge(s) improperly assessed against it.

(c) FHS will submit to the City, with its monthly statement, all pick up addresses of stray animals charged to the City's account not impounded by a City Animal Control Officer.

4. Rabies Impoundment: FHS will provide space for the confinement, observation, and care of any stray animal suspected of rabies, or any stray animal which has bitten or otherwise exposed any person to rabies, and will accept, care for and dispose of any such animal delivered to its Shelter and will cause to have removed and make available to the Flagler County Health Department Officer for laboratory examination the head of any such animal which becomes ill or dies while under confinement for such reasons. Impoundments of stray animals requiring quarantine will be charged at a rate of \$200. All charges to be paid by the City.

5. Confiscated Animals: FHS will agree to accept confiscated animals as strays or accept said animals as "confiscated" only when the provisions of Section 828.073, Florida Statutes are satisfied (i.e. petition the Court for a hearing). Such impoundments will be charged at a rate of \$85 for the first five (5) days and \$30 per day thereafter. All charges to be paid for by the City. The appropriate paper work must be submitted by the seizing agent to FHS within five (5) business days of impoundment of the confiscated animal. Failure to comply with this requirement will convert any "confiscated" animals to "stray" status to be charged to the City at the normal stray fees. The City agrees to fully indemnify and hold harmless FHS for any and all claims that may arise as a result of the City's decision to submit the animal as "confiscated". All charges are to be paid by the City.

6 Dangerous Dog Law: Pursuant to Sections 767.12 and 767.13, Florida Statutes, it will be the sole responsibility of the City's animal control authority to determine whether a dog is dangerous and to submit to FHS the necessary paperwork described in the applicable statutes. If quarantine is necessary, the dog may be quarantined for ten (10) days at a bona fide boarding kennel or veterinarian's office of the seizing agent's or owner's choice. Otherwise, FHS will quarantine all dogs that the City's animal control authority determines to be dangerous for ten (10) days and the impoundment for such dogs will be charged at the rate of \$200. All charges to be paid by the City. If the owner of the dog is unknown by the end of the quarantine period, the City may request that euthanasia be performed by FHS when it is in the City's belief

that the dog poses a threat to public safety, the City agrees to fully indemnify and hold harmless FHS for any and all claims that may arise as a result of the City's decision to submit the animal as dangerous. All charges to be paid for by the City.

7. Owner of Animal is in Custody/Deceased/Hospitalized: All animals whose owners are in police custody, deceased or hospitalized may be placed in a bona fide boarding kennel or veterinary clinic at the owner's expense. FHS will accept any of the above stated animals and the impoundment for such animals will be charged at the rate of \$85. All charges paid for by the City.

8. Confiscated Animals Due to Owner Eviction: Animals seized by the City as a result of an owner eviction will be held at FHS for the period necessary to contact the owner by certified mail but not longer than seven (7) business days. Upon receipt of the certified mail, the owner will be afforded an additional five (5) days to reclaim his/her animal(s) and, if reclaimed, will be responsible for all charges from the date of seizure. If not reclaimed by the owner, all charges will be paid by the City at the rate of \$175.

As the impounding agency, if the City chooses not have FHS hold the animal for the certified mail period and makes that determination when the animal is first brought to the Shelter, the City may submit the animal to FHS as a "stray", in which case the animal will be held for five (5) days prior to disposition. The City agrees to indemnify and hold harmless FHS for any and all claims that may arise as a result of the City's decision to submit the animal as a "stray." All charges will be paid by the City at the rate of \$85.

9. Owner-Surrendered Animals: Animals surrendered to the City by their owners, guardians, or care givers, which are subsequently delivered by the City to the Shelter, will incur a cost of \$85. All charges to be paid for by the City.

10. Pot-Bellied Pigs: Pot-bellied pigs delivered to the Shelter for impoundment by the City will be provided housing and care at a rate of \$85. Unless directed otherwise, FHS will transfer any pot-bellied pigs to an appropriate rescue facility within the five (5) day hold period. If the City wishes FHS to hold the pot-bellied pig for the full five (5) days or longer, the City will be charged \$175.

11. Remedy in the Event of Breach: In the event the City breaches this Agreement for any reason including the failure to make timely payments to FHS, FHS, in its sole discretion, may elect to terminate this Agreement and to cease providing services to the City. If FHS exercises this option, it will provide the City

with thirty (30) days written notice of its decision to terminate the Agreement. The City will still be responsible for payment of all services rendered by FHS prior to and during the thirty (30) day notice period. Upon expiration of the thirty (30) day notice period, FHS will no longer provide any services to the City.

12. Waiver of Breach: The waiver by FHS of any breach or violation of this Agreement will not operate as or be construed to be a waiver of any subsequent breach of this Agreement.

13. Mediation: Any dispute arising from this Agreement, including, but not limited to, disputes over fees for services, will be mediated prior to a lawsuit being filed. Mediation will occur within sixty (60) days of a written request by either party to mediate unless agreed to otherwise. The written request must be delivered in accordance with the provisions of Paragraph 20, below, of this Agreement. The cost of the mediator's fee will be borne equally by the parties.

14. Attorney's Fees: With the exception of the cost of the mediator's fee as provided in Paragraph 13 of this Agreement, the City agrees to pay for all costs, expenses, losses, damages and reasonable attorney's fees incurred by FHS, regardless if litigation ensues, in the collections of any fees owed to it and not paid when due under this Agreement.

15. Venue: The parties further agree that this Agreement will be governed by the laws of the State of Florida and that the venue for any and all suits arising out of or otherwise attributable to this Agreement will lie exclusively in the courts of Flagler County Florida.

16. Severability: If any provision of this Agreement or any part of any provision of this Agreement is found to be invalid by a court of competent jurisdiction, such will not affect the validity of any other provision or part thereof of this Agreement.

17. Termination: Either party may terminate this Agreement, with or without cause, by giving no less than ninety (90) days written notice.

18. Entire Agreement: This Agreement constitutes the entire and final understanding and agreement with respect to the subject matter hereof and supersedes all prior or contemporaneous negotiations, promises, covenants, agreements or representations concerning all matters directly or indirectly collaterally related to the subject matter of this Agreement.

19. Amendments: This Agreement cannot be amended or modified except by a writing executed by both the parties hereto or their respective Board of Directors, administrators, trustees, personal representatives, and successors.

20. Notices: Any written notice required to be given under this Agreement is to be mailed by registered or certified mail, postage prepaid, to the party's business address or any other address designated for that purpose by written notice by either party to the other party,.

For purposes of this Agreement, the following will be designated as primary contacts should questions, issues or concerns arise during the duration of the Agreement.

For FHS, the primary contact is: Amy Wade-Carotenuto, Executive Director, 1 Shelter Drive, Palm Coast, FL 32137. The phone number is 386-445-1814 x 508.

For the City, the primary contact is: Liz Mathis, Human Resource Director, Project Manager, P.O. Box 70, Flagler Beach, FL 32136. The phone number is 386-517-2000 x 237.

In Witness Whereof, the parties hereto have made and executed this Agreement on the respective dates under each signature.

Flagler Humane Society

City of Flagler Beach

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 11

Meeting Date: September 14, 2017

Issue: Authorize Staff to move forward with an easement release at the former mosquito control property.

From: Penny Overstreet, City Clerk

Organization: City of Flagler Beach

RECOMMENDATION: Authorize the City Attorney to draft an ordinance releasing the easement.

BACKGROUND: The former mosquito control property has been reconfigured and the property to the South no longer needs the easement to access the property from Daytona Avenue North. The adjoining property owner has inquired about a release of the easement. Attached exhibit "A" is a survey dated 2016 that shows the easement and need for such due to the lot configuration. Attached exhibit "B" shows the reconfigured lots with the South lot having access to North Daytona Avenue.

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

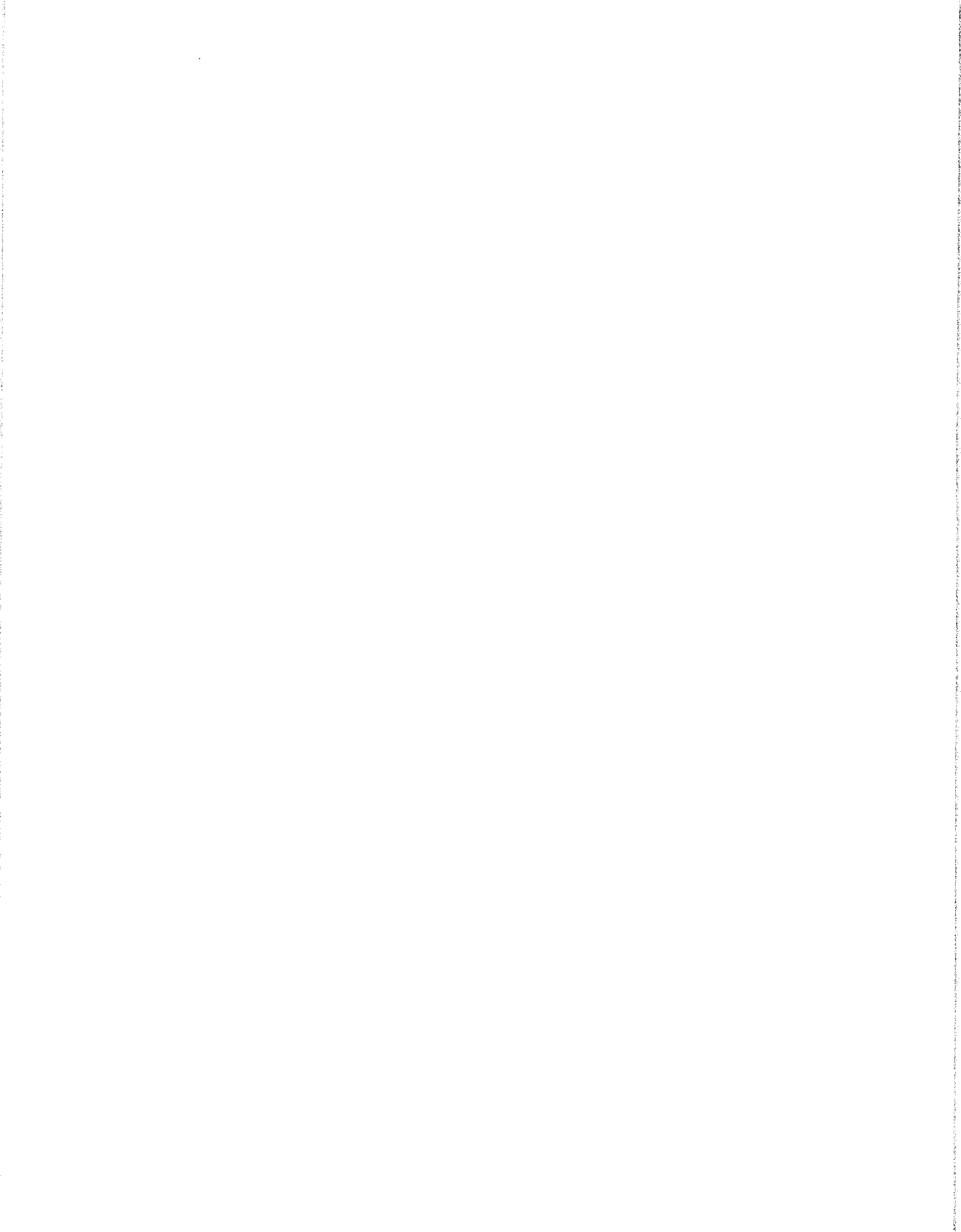
PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

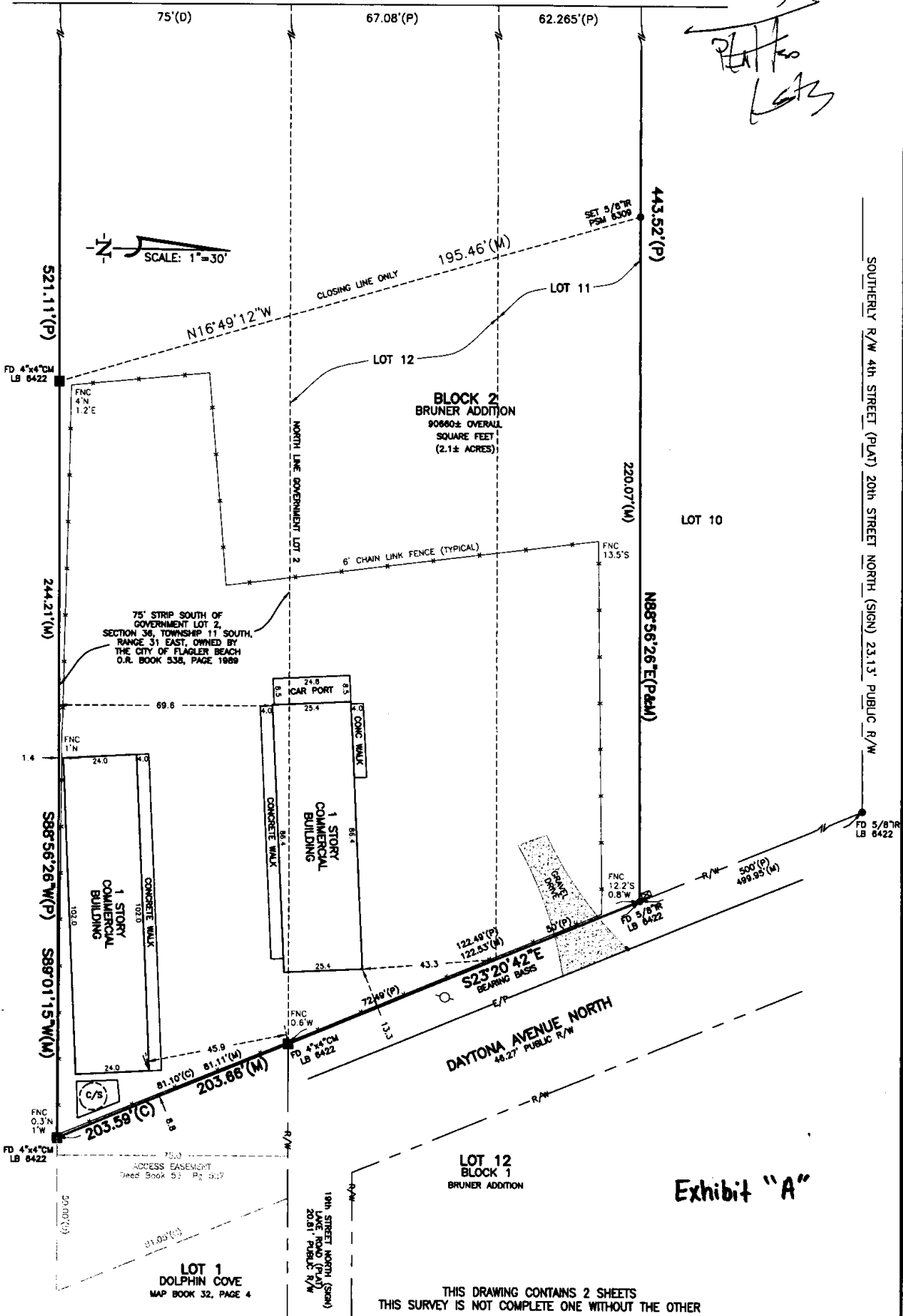
IMPLEMENTATION/COORDINATION:

Attachments

- Exhibit "a" and "b"



06/17
Plat for
Lots



THIS DRAWING CONTAINS 2 SHEETS
THIS SURVEY IS NOT COMPLETE ONE WITHOUT THE OTHER

Exhibit "A"

PREPARED FOR:	CITY OF FLAGLER BEACH
TYPE SURVEY:	DATE OF FIELD-OFFICE WORK ORDER#
Boundary	06/13/16 06/28/16 1808076 JMM

SHEET 1 OF 2
SEE SHEET 2 FOR SIGNATURE

A1A EAST COAST LAND SURVEYING, LLC
 1386 US Highway 1, Suite 602, Ormond Beach, FL 32174
 PHONE (386) 437-0123 FAX (386) 672-3635

THE FOREGOING PLAT IS CERTIFIED TO MEET THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS PER CHAPTER SJ-17.052, FLORIDA ADMINISTRATIVE CODE, AS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

A. Sanzone
 ANTHONY SANZONE, PSM# 6309 LB #8107
 Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper

06/28/16

*Current Lot
Recompensation*

DESCRIPTION:

ALL THAT PART OF A STRIP OF LAND BEING 75 FEET OFF OF AND FROM THE NORTH SIDE OF LOT 2, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 31 EAST, LYING WEST OF THE WEST LINE OF DAYTONA AVENUE AS SHOWN ON THE MAP OF BRUNER ADDITION ON RECORD IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 24, AS IF THE SAME WERE PROJECTED AND CONTINUED IN A STRAIT LINE ENTIRELY ACROSS SAID STRIP OF LAND 75 FEET WIDE ABOVE DESCRIBED OFF OF AND FROM THE NORTH SIDE OF LOT 2, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 31 EAST.

AND THE SAID PARTIES OF THE FIRST PART HAVE GRANTED, BARGAINED, SOLD AND CONVEYED, AND BY THESE PRESENTS DO GRANT, BARGAIN, SELL, CONVEY AND CONFIRM UNTO SAID PARTY OF THE SECOND PART, ITS SUCCESSORS AND ASSIGNS, A PERPETUAL EASEMENT TO PASS AND REPASS ON FOOT AND WITH ALL KINDS OF CONVEYANCES AND TRANSPORTATION OVER, ALONG AND THROUGH THE PORTION OF A STRIP OF LAND 75 FEET WIDE OFF OF AND FROM THE NORTH SIDE OF LOT 2, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 31 EAST LYING BETWEEN THE EAST AND WEST LINES OF DAYTONA AVENUE AS SHOWN ON THE MAP OF BRUNER ADDITION ON RECORD IN THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA IN PLAT BOOK 5, AT PAGE 24 AS IF SAID EAST AND WEST LINES WERE PROJECTED AND CONTINUED IN STRAIT LINES ENTIRELY ACROSS SAID STRIP OF LAND 75 FEET WIDE ABOVE DESCRIBED OFF OF AND FROM THE NORTH SIDE OF SAID LOT 2, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 31 EAST, BEING IN FLAGLER COUNTY, FLORIDA. (FROM DEED BOOK 55, PAGE 87)

ALSO:

LOT 12 LESS AND EXCEPT THE NORTHERLY 40 FEET THEREOF, BLOCK 2, ACCORDING TO THE PLAT OF BRUNER ADDITION, BEING A SUBDIVISION OF A PART OF GOVERNMENT LOT 1, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF FLAGLER COUNTY, FLORIDA, IN PLAT BOOK 5, PAGE 24.

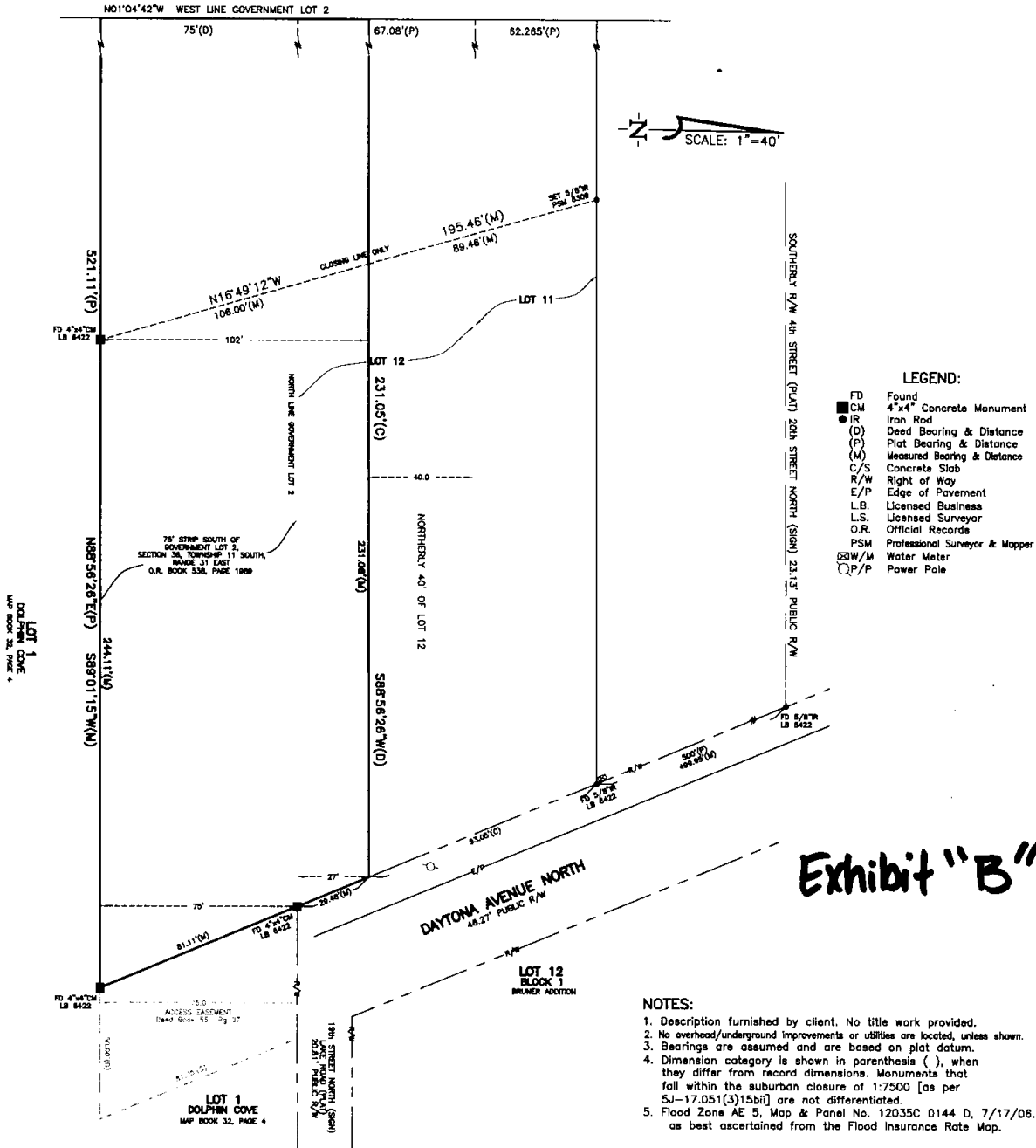


Exhibit "B"

- NOTES:**
1. Description furnished by client. No title work provided.
 2. No overhead/underground improvements or utilities are located, unless shown.
 3. Bearings are assumed and are based on plat datum.
 4. Dimension category is shown in parenthesis (), when they differ from record dimensions. Monuments that fall within the suburban closure of 1:7500 [as per SJ-17.051(3)15bi] are not differentiated.
 5. Flood Zone AE 5, Map & Panel No. 12035C 0144 D, 7/17/08, as best ascertained from the Flood Insurance Rate Map.

PREPARED FOR:
 --- CITY OF FLAGLER BEACH

TYPE SURVEY: DATE OF FIELD—OFFICE WORK ORDER#

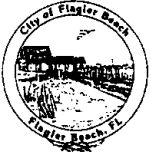
Sketch & Legal 04/14/17 1704037 JMM

REVISIONS:

A1A EAST COAST LAND SURVEYING, LLC
 1386 US Highway 1, Suite 602, Ormond Beach, FL 32174
 PHONE (386) 672-3633 or (386) 437-0123 FAX (386) 672-3635

THE FOREGOING PLAT IS CERTIFIED TO MEET THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AS PER CHAPTER 5J-17.052, FLORIDA ADMINISTRATIVE CODE, AS PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

A Sanzone 04/14/17
 ANTHONY SANZONE, PSM# 6309 LB #8107
 Not valid without the signature and the original raised seal of a Florida Licensed surveyor and mapper.



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 12

Meeting Date: September 5, 2017

Issue: Application OE-17-09-01 – 1112 S. Ocean Shore Blvd. - Outdoor Entertainment Permit, Crab Island Flagler

From: City Clerk

Organization: Crab Island Flagler

RECOMMENDATION: Recommended approval.

BACKGROUND: Applicant: Chris Horton, D.B.A. Crab Island Flagler 1112 S. Ocean Shore Blvd., Flagler Beach, Florida 32136. The subject property is zoned General Commercial G.C. The applicant is seeking approval of an Annual Outdoor Entertainment Permit to allow amplified and non-amplified events consisting of music, spoken word and/or other forms of entertainment. Section 4-167, Review of Permit Application states, the city commission, after receiving recommendation from the Planning and Architectural Review (PAR) Board, shall approve, approve with conditions, or deny a permit for outdoor entertainment activity based on any of the following grounds:

- (1) The activity would present an adverse impact to the health, safety or welfare of the applicant, participants, public employees or members of the public and/or fails to protect the city's environment.
 - (2) The activity would unreasonably inconvenience the general public.
 - (3) The proposed activity is prohibited by or inconsistent with the Flagler Beach Code of Ordinances or the Flagler Beach Comprehensive Plan.
 - (4) The applicant cannot meet, or is unwilling to meet, all of the requirements of this article.
 - (5) The activity is proposed for a site that does not have adequate parking to accommodate the activity.
 - (6) The activity is proposed for a site that is inherently hazardous to the participants or the public.
 - (7) The event would have an adverse effect, and would unreasonably infringe upon, the rights of property owners within two hundred (200) feet of the property line of the subject property.
 - (8) The event would conflict with another proximate event or interfere with construction or maintenance work.
 - (9) The information furnished in the application is not materially complete and accurate.
 - (10) The applicant has violated a provision, restriction or condition of this article or an outdoor entertainment activity permit issued to the applicant within the past and has not presented competent substantial evidence that measures to prevent future violations will be implemented at the property.
 - (11) The requirements identified by the city staff to ensure public health, safety and welfare have not been met.
 - (12) The comments and/or recommendations of the planning and architectural review board have not been addressed.
 - (13) The proposed event or activity is prohibited by federal, state, or local regulations.
 - (14) Other issues in the public interest as identified by the city commission.
- (a) In making a determination to approve a permit the city commission may limit the type and number of temporary structures and the duration of the activity including the hours and the

number of days of the activity conducted to minimize any adverse impact caused by the activity.

- (b) Upon receipt of an application for outdoor entertainment activity, the city clerk's office shall review the application within five (5) working days of receiving it to determine if it is complete, fees have been paid and if the proposed activity qualifies as an outdoor entertainment activity. If so determined, the city clerk's office shall mail via regular mail a notice to all real property owners located within two hundred (200) feet from the property line of the subject property which notice shall include: the address of the subject property, the nature of outdoor entertainment activity sought, and the date, time and location of the PAR board meeting at which the application will be heard for recommendation. In deciding its recommendation on the application, the PAR board shall consider those same grounds listed above for consideration by the city commission. The recommendation will be brought to the city commission for final decision at its next available commission meeting.

BUDGETARY IMPACT: N/A

LEGAL CONSIDERATIONS/SIGN-OFF: N/A


PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to approve.

IMPLEMENTATION/COORDINATION: Clerk's office will issue permit, update permit holders list, distribute to Police, provide to applicants (again) the regulations on Noise and Outdoor Entertainment

Attachments

- Application
- Letter sent to applicant
- Letter sent to surrounding properties informing of request and hearing dates
- Site plan showing location of outdoor entertainment for 1112 S. Ocean Shore Moody Blvd.

<p>OFFICE USE ONLY:</p> <p>DATE REC'D <u>8-1-2017</u></p> <p>FEE REC'D \$ <u>150.00</u></p> <p>INITIALS: <u>P.O.</u></p> <p>APPROVED <input type="checkbox"/></p> <p>DISAPPROVED <input type="checkbox"/></p> <p>SENT PARB <input checked="" type="checkbox"/></p> <p>PERMIT ISSUED _____</p>	<p>INSTRUCTIONS:</p> <p>Please print or type all information. The application must be filled out accurately and completely. Answer all questions. Do not leave an item blank. If an item does not apply, write N/A (not applicable). Incomplete applications may delay your request. All statements made on the application are subject to verification.</p>	<p>City of Flagler Beach</p> <p>APPLICATION FOR OUTDOOR ENTERTAINMENT</p>  <p>105 South 2nd Street, Post Office Box 70 Flagler Beach, Florida 32136 Phone (386) 517-2000 Fax (386) 517-2008</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Please type or print legibly
Required Information

Business Name: CRAB ISLAND FLAGLER

Contact Person: CHRIS HORTON

Address: 1112 S. OCEANSHORE BLVD

City: FLAGLER BEACH State: FL Zip: 32136

Work Phone: 386 693 4006 Home Phone:

Fax: Mobile Phone: 321-438-4488

E-Mail Address: CRABISLANDFLAGLER@YAHOO.COM

What type of permit are you applying for? (check one)

Annual Permit (permit fee = \$150.00)

Per event that occurs fewer than 12 times a year (permit fee = \$75.00)
(Please list dates and times for the events on the bottom of page 2)

One day event on Date _____ (permit fee = \$50.00)
Start time _____ am/pm End time _____ am/pm

Will you utilize temporary structures at your event? No Yes
(If yes, attach a sketch of the site showing the location of these structure and see note below)
(Indicate number of each)

1 Stages Scaffolding Fences Other

 Tents Do any of the tents exceed 200 square feet? No Yes

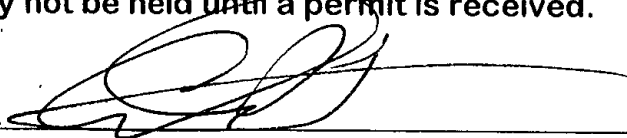
Note: Special Permits are required for tents exceeding 200 square feet. Special Building permits are required for temporary structures 700 or more square feet in area and those that are four feet above grade.

Does the establishment have adequate parking? No Yes
(Attach a sketch of the site showing the location and number of current spaces. If No how do you propose to provide parking? Attach additional statement if necessary.)

PLEASE ATTACH A SITE PLAN REGARDING THE SET UP OF THE OUTDOOR ENTERTAINMENT. PLEASE ATTACH A CURRENT COPY OF YOUR LIABILITY INSURANCE TO THIS APPLICATION.

By signing below I understand:

- This is an application only and does not obligate the City in any fashion to issuing a permit or approve an event.
- I have included my application fee and understand that my application will not be processed without the application fee.
- In no case shall the City's Noise Ordinance be violated.
- The City Commission may reasonably limit the type and number of temporary structures and the duration of the activity including the hours and the number of days of the activity conducted.
- The event(s) may not be held until a permit is received.

Signature of Applicant  Date 7/15/17

Title of Applicant OWNER

Affiliation _____

1. Date _____	Start time _____ am\pm	End time _____ am\pm
2. Date _____	Start time _____ am\pm	End time _____ am\pm
3. Date _____	Start time _____ am\pm	End time _____ am\pm
4. Date _____	Start time _____ am\pm	End time _____ am\pm
5. Date _____	Start time _____ am\pm	End time _____ am\pm
6. Date _____	Start time _____ am\pm	End time _____ am\pm
7. Date _____	Start time _____ am\pm	End time _____ am\pm
8. Date _____	Start time _____ am\pm	End time _____ am\pm
9. Date _____	Start time _____ am\pm	End time _____ am\pm
10. Date _____	Start time _____ am\pm	End time _____ am\pm
11. Date _____	Start time _____ am\pm	End time _____ am\pm
12. Date _____	Start time _____ am\pm	End time _____ am\pm

City of Flagler Beach

Agenda Application

INDIVIDUAL'S NAME: CHRIS HORTON

BUSINESS NAME: CRAB ISLANDS FLAGLER
(If Applicable)

STREET ADDRESS: 1112 S. OCEANSHORE BLVD 32136
(If within City of Flagler Beach)

MAILING ADDRESS: 1112. S. OCEANSHORE BLVD 32136
(Please provide City & Zip Code)

PHONE NUMBER: 386-693-4906

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

Apply For Annual MUSIC PERMIT

BACKGROUND INFORMATION REGARDING THE SUBJECT:

(OVER)

City of Flagler Beach

Agenda Application Continued

REQUESTED ACTION SOUGHT FROM THE COMMISSION:

TO BE APPROVED FOR LIVE MUSIC

ATTACHMENTS: _____

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

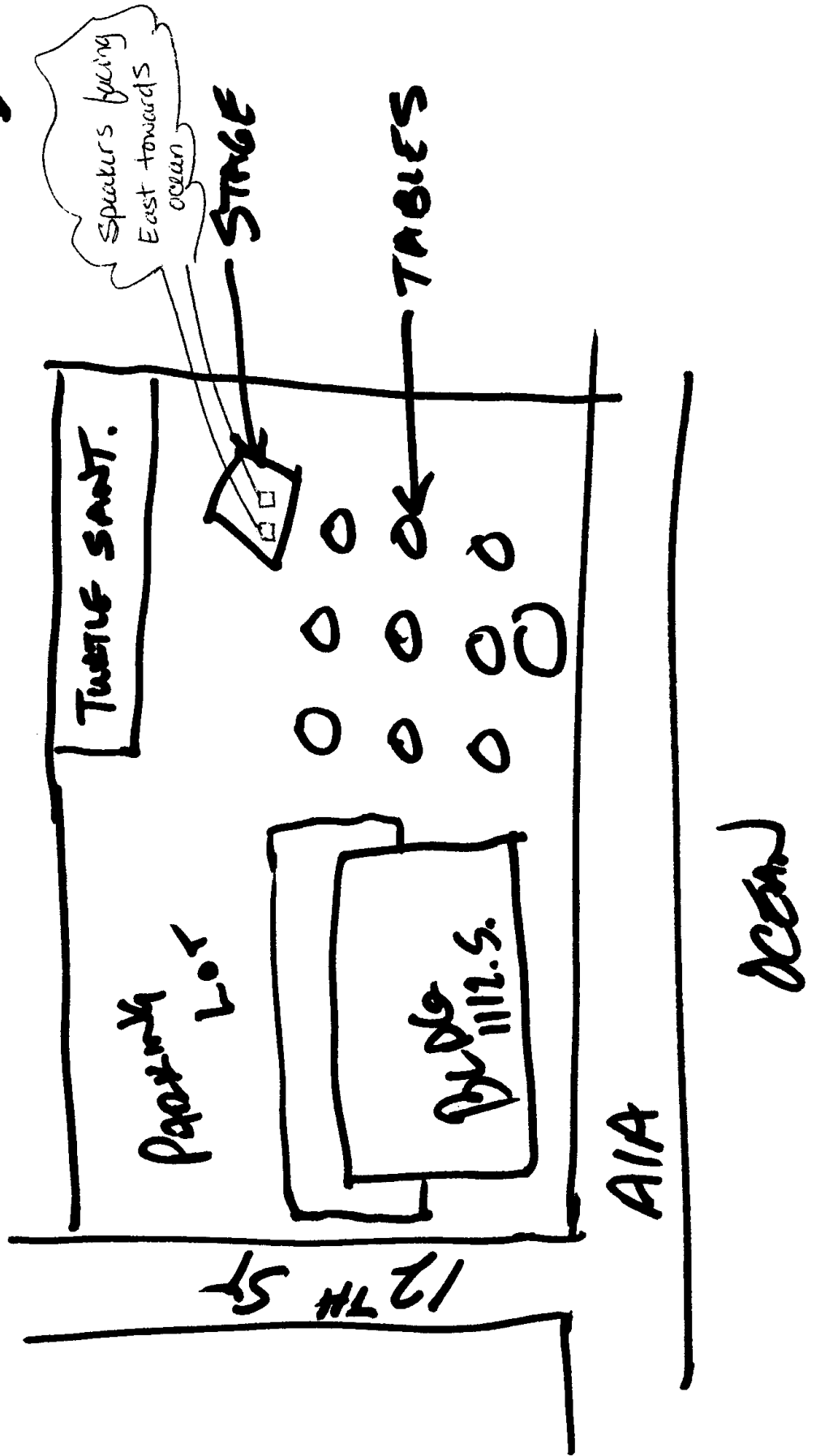
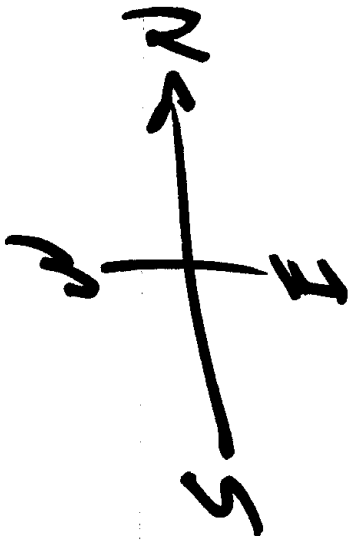
The maximum time allowed for each request is 10 minutes.

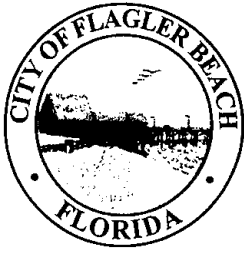


SIGNATURE OF APPLICANT

7-15-17

DATE





City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32136

Phone (386) 517-2000 • Fax (386) 517-2008

August 2, 2017

Mr. Chris Horton
1112 S. Ocean Shore Blvd.
Flagler Beach, Florida 32136

RE: Outdoor Entertainment application

Dear Mr. Horton:

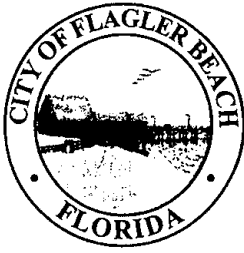
This letter is to advise you your request for an Outdoor Entertainment Permit will be heard by the Planning and Architectural Review Board on September 5, 2017 at 5:30 p.m. The Planning Board's recommendation will be heard by the City Commission and the final decision will be made at their September 14, 2017 meeting which begins at 5:30 p.m. I have enclosed a copy of the letter that has been mailed to the businesses and residents within 200 feet of your location. Should you have concerns or questions please contact me at jpagano@cityofflaglerbeach.com or 386-517-2000 ext. 235.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeanelle Pagano", with a large, stylized flourish at the end.

Jeanelle Pagano
Deputy City Clerk

Cc: Larry Torino, Planner
Planning & Architectural Review Board
Elected Officials
Larry Newsom, City Manager



City of Flagler Beach

P.O. Box 70 • 105 South 2nd Street
Flagler Beach, Florida 32136

Phone (386) 517-2000 • Fax (386) 517-2008

August 2, 2017

RE: Outdoor Entertainment Permit Application Review

Dear Sir or Madam:

The purpose of this letter is to advise you, the City is in receipt of a request from "Crab Island Flagler", located at 1112 S. Ocean Shore Blvd., requesting an Annual Outdoor Entertainment Permit. Per Ordinance 2010-02 the office of the City Clerk is required to notify property owners in a two-hundred foot radius of the subject property of the meeting dates and times the request will be reviewed by the Planning & Architectural Review Board and the date the City Commission will have final review. The request will be reviewed by the Planning & Architectural Review Board on September 5, 2017; meeting begins at 5:30 p.m. The request will be before the City Commission for consideration on September 14, 2017; meeting begins at 5:30 p.m. The intent of this notice is to provide to you the opportunity to appear at the meeting(s) to voice your concerns or approval of the requested activity. Should you have any questions please contact the Planning & Zoning Office at 386-517-2000 ext. 232 or the City Clerk's Office at 386-517-2000 ext. 235 if you wish to view the application.

Sincerely,

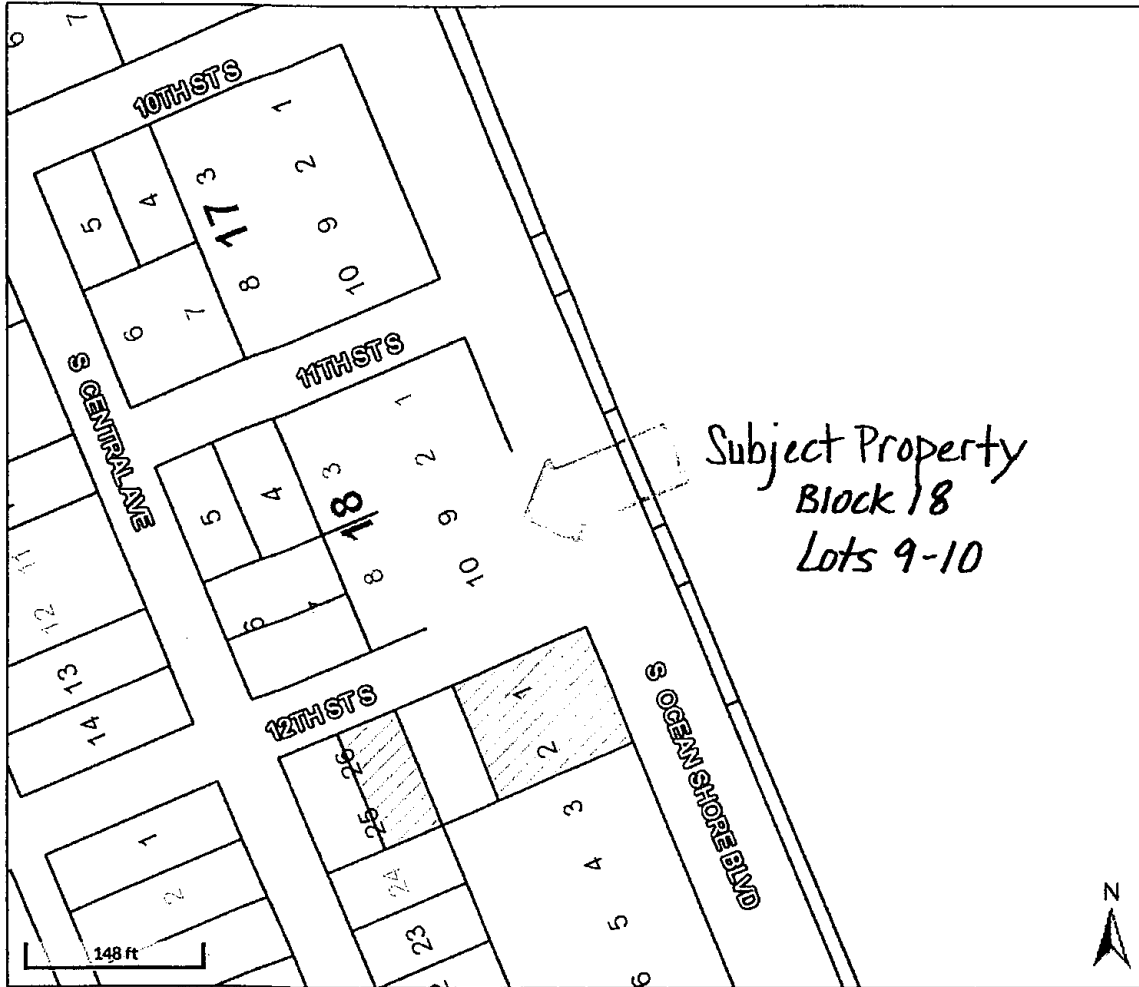
Jeanelle Pagano
Deputy City Clerk

CC: Larry Newsom, City Manager
 Larry Torino, Planner
 Chris Horton, Applicant

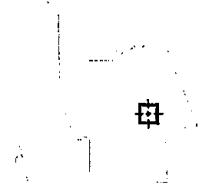
Crab Island Flagler



qPublic.net™ Flagler County, FL Property Appraisers Office



Overview



Legend

- Parcels
- Yearly Sales
 - 2015
 - 2016
 - 2017
- Streams and River

Subject Property
Block 18
Lots 9-10

Parcel ID	12-12-31-4500-00180-0090	Owner	BCC PROPERTIES LLC	Land Value	\$395,000	Last 2 Sales Date	11/10/2014	Price	\$220,000	Reason	UNQUAL/NOT EXPOSED TO OPEN-MKT	Qual	U
Class Code	RESTAURANT		PO BOX 418	Ag Land Value	\$0								
Taxing District	21 FLAGLER BEACH		FL 32136	Building Value	\$21,075		4/20/2012	\$255,000		QUAL/DEED EXAMINATION		Q	
Approx. Acreage (GIS)	0.27	Physical Address	1112 S OCEAN SHORE BLVD	Misc Value	\$2,367								
				Just Value	\$418,442					MLS			
				Assessed Value	\$327,856								
				Exempt Value	\$0								
				Taxable Value	\$327,856								

Date created: 8/2/2017
Last Data Uploaded: 8/2/2017 1:45:28 AM



HODOVANCE DEREK
112 11TH STREET
FLAGLER BEACH, FL 32136

KARBOWSKY JADWIGA & WALTER
A KARBOWSKY III TRUSTEES
240 OCEAN PALM DRIVE
FLAGLER BEACH, FL 32136

MONTGOMERY CALVIN & BRENDA K
LIFE ESTATE
P O BOX 1716
FLAGLER BEACH, FL 32136

BELK PHILLIP M
1109 S CENTRAL AVE
FLAGLER BEACH, FL 32136

HODOVANCE LLC
112 11TH STREET S
FLAGLER BEACH, FL 32136

MR & MRS H ENTERPRISES INC
1104 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

EGGERT IRIS CLAXTON
LIFE ESTATE
C/O LIZ RUBEIS 2563 SW 87TH DR STE 11
GAINESVILLE, FL 32608

MR & MRS H ENTERPRISES INC
1104 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

SKROGSTAD SCOTT E
1729 GOLDEN RD TURN
DELKALB, IL 60115

HUNTER WILLIAM &
CATHERINE H&W
3642 S CENTRAL AVE
FLAGLER BEACH, FL 32136

BCC PROPERTIES LLC
PO BOX 418
FLAGLER BEACH, FL 32136

A1A OCEANSHORE LLC
5 ST ANDREW COURT
PALM COAST, FL 32164

JAI HANUMAAN LLC
1224 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
PO BOX 70
FLAGLER BEACH, FL 32136

OCEANSIDE COTTAGES LLC
1204 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
P O BOX 70
FLAGLER BEACH, FL 32136

CITY OF FLAGLER BEACH
PO BOX 70
FLAGLER BEACH, FL 32136

ANNIS BETTY H
2826 MONDAUI DR
ROCKLEDGE, FL 32955

CITY OF FLAGLER BEACH
PO BOX 70
FLAGLER BEACH, FL 32136

OCEANSIDE COTTAGES LLC
1204 S OCEANSHORE BLVD
FLAGLER BEACH, FL 32136

BURBRINK LYNDA BAND
JOSEPH R BURBRINK JT WROS
PO BOX 695
FLAGLER BEACH, FL 32136





FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 13

Meeting Date: September 14, 2017

Issue: Consider a request to vacate a platted but unimproved road. Applicant John Lulgjuraj

From: Penny Overstreet, City Clerk

Organization: City of Flagler Beach

RECOMMENDATION: This request is at the pleasure of the Commission.

BACKGROUND: Attorney General Opinion – AGO75-171 states a municipal legislative body must hold a public hearing to vacate a street/alley etc. in the form of an ordinance. The City of Flagler Beach's policy to vacate a street or alley way has been for the applicant to make the request to the governing body. If the governing body agrees to proceed with the vacating of the street/alley. The City Clerk would place on the next regular agenda a resolution stating the intent to vacate. This resolution would then be sent to the surrounding property owners notifying them of the intent and the dates of the proposed public hearings (ordinance readings) providing them opportunity to voice any concerns. If the ordinance is approved the Clerk would then record the ordinance and send a recorded copy to those property owners and the property appraiser.

Public Works Supervisor Allen Watts has inspected the roadway to ensure there are no infrastructure lines that we would need access to.

The property is surrounded by three owners. The applicant, Florida Inland Navigational District (FIND) and the State of Florida Division of Natural Resources (State). The applicant and Find will have immediate access through the vacating. The State will lose access through this point. However, has access to the property at two other points (see attached aerial map printed from Property appraisers site.)

BUDGETARY IMPACT: The City would invoice the applicant for the recording and certified mailing fees.

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION: Clerk will work with City Attorney

Attachments

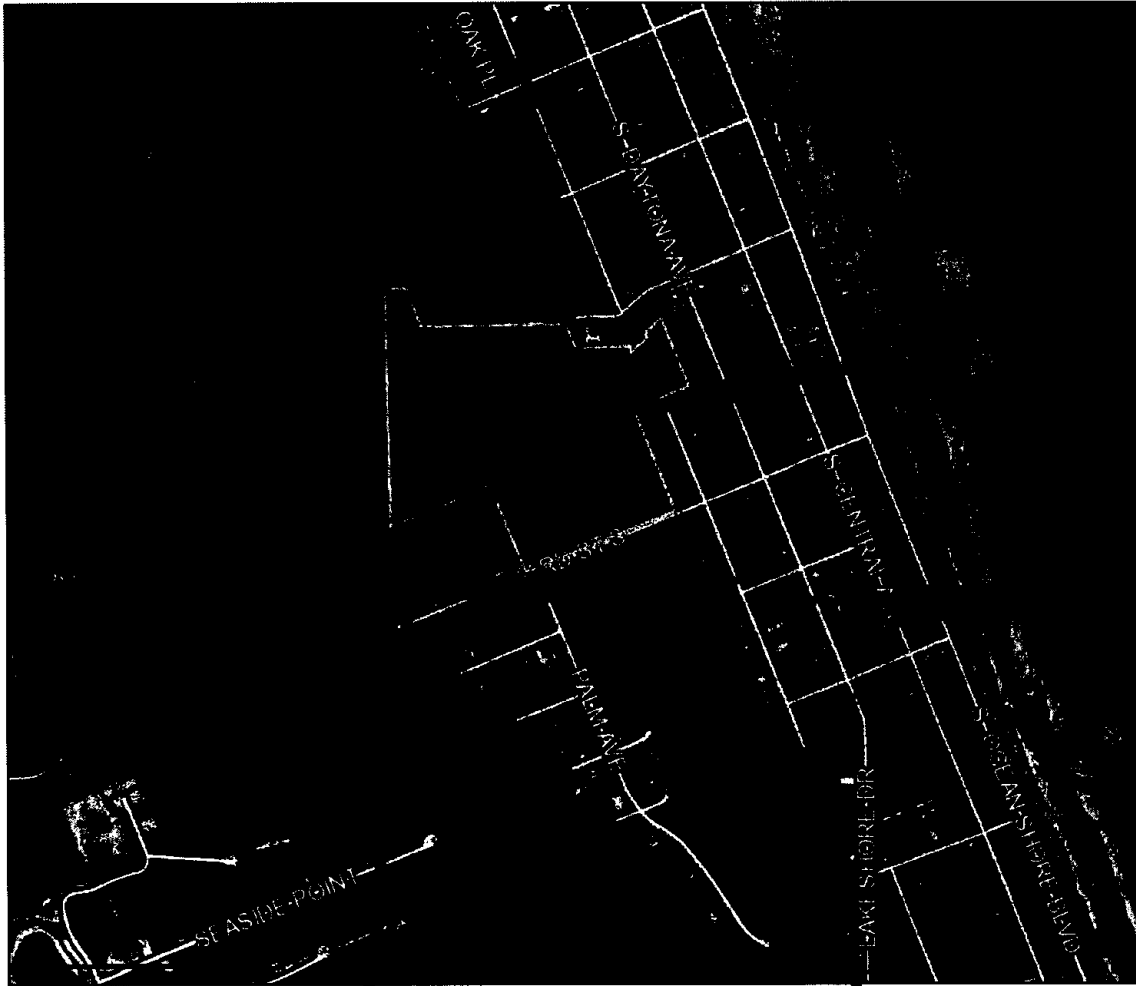
- Request, and aerial pictures of roadway
- Aerial print out

Alternate access points



qPublic.net™

Flagler County, FL Property Appraisers Office



Overview



- Parcels
- Yearly Sales
 - 2015
 - 2016
 - 2017
- Streams and River

alternate access point

subject road

Parcel ID	19-12-32-0000-04010-0010	Owner	BOARD OF TRUSTEES (TIITF) C/O FL DEP DIV. OF STATE LANDS 3900 COMMONWEALTH BLVD MAIL STATION 115 TALLAHASSEE, FL 323993000	Land Value	\$9,432	Last 2 Sales Date	10/22/2008	Price	\$790000	Reason	QUAL/DEED EXAMINATION	Qual	U
Class Code	STATE OF F	Physical Address	n/a	Ag Land Value	\$0	Building Value	n/a	Misc Value	\$0	Just Value	\$9,432	Assessed Value	\$9,432
Taxing District	21 FLAGLER BEACH			Exempt Value	\$9,432	Taxable Value	\$0						
Approx. Acreage (GIS)	38.33			Value	\$0								

Applicant

Alternate access

Date created: 9/8/2017
Last Data Uploaded: 9/8/2017 9:46:14 AM

Developed by
The Schneider Corporation

City of Flagler Beach



Agenda Application

INDIVIDUAL'S NAME: John Lulgjuraj

BUSINESS NAME: TJ's Family Properties
(If Applicable)

STREET ADDRESS: 634 S 23rd Street
(If within City of Flagler Beach)

MAILING ADDRESS: po box 1600 Flagler Beach
(Please provide City & Zip Code)

PHONE NUMBER: 386-986-0029

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

Vacate 25ft of ride away
to have access to garage

BACKGROUND INFORMATION REGARDING THE SUBJECT:

(OVER)





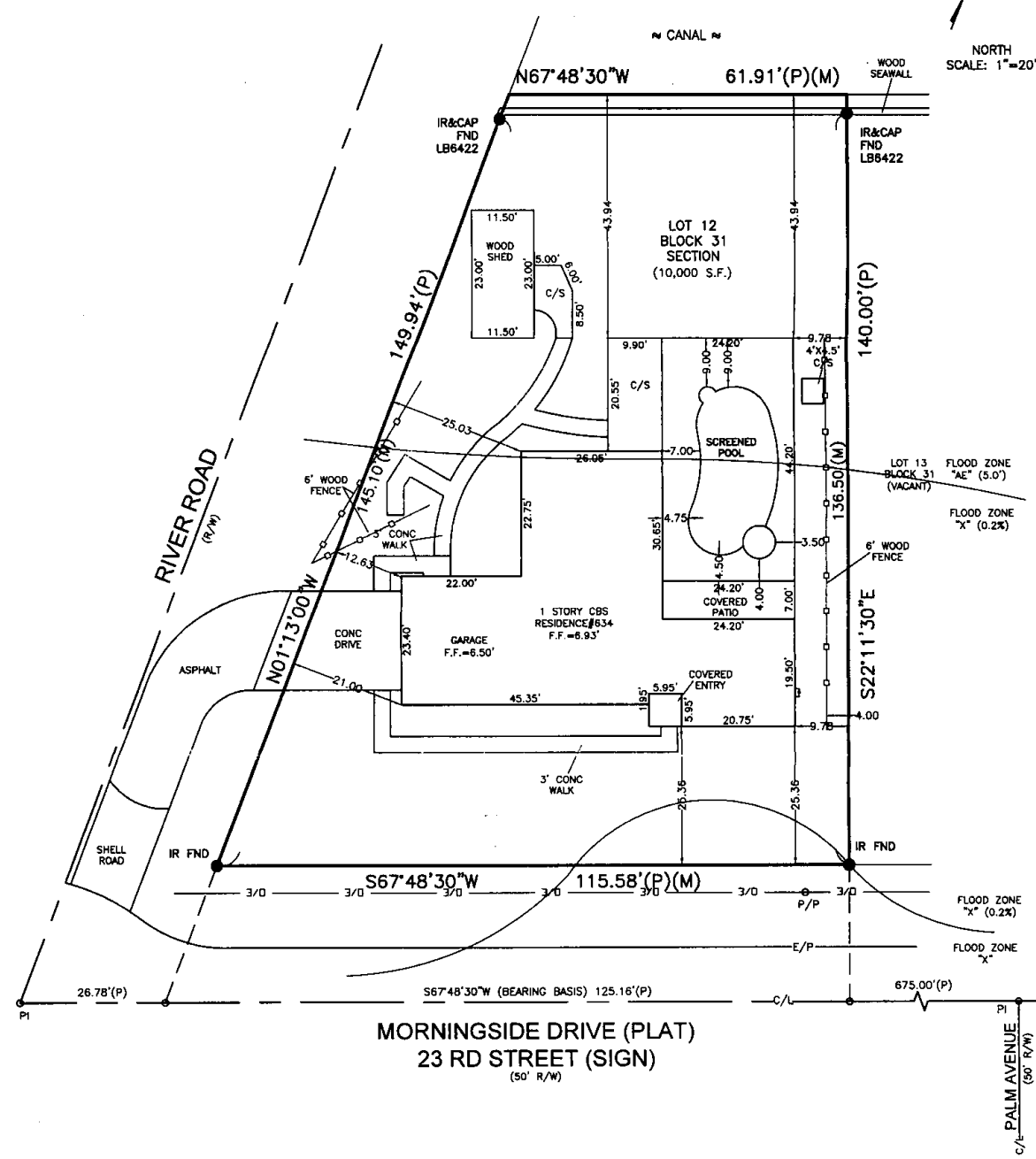
City ROW 50ft

City Vacate 25ft

DRIVEWAY

23RD ST-S

NORTH SCALE: 1"=20'



TYPE OF SURVEY: BOUNDARY / LOCATION

NOTE: PURSUANT TO FLORIDA STATE LAW, THIS SURVEY IS VALID NO MORE THAN 90 DAYS FROM DATE OF LAST FIELD WORK.

DESCRIPTION: LOT 12, BLOCK 31, MORINGSIDE SUBDIVISION UNIT 3, AS RECORDED IN MAP BOOK 5, PAGE 19, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

LEGEND:	
○ IR&C 5/8" Iron Rod & Cap set	Δ Delta
● IR&C 5/8" Iron Rod & Cap found	R Radius
⊕ 1/2" Iron Pipe	L Length
⊖ N/D Nail and Disk set	CB Chord Bearing
⊙ N/D Nail and Disk found	CD Chord Distance
⊕ PCP Permanent Control Point	PC Point of Curvature
⊙ CM 4"x4" Concrete Monument set	PI Point of Intersection
⊙ CM 4"x4" Concrete Monument found	MSL Mean Sea Level
⊕ FND Found	C.M.P. Corrugated Metal Pipe
⊕ C/L Center Line	C.B.S. Concrete Block & Stucco
⊕ E/P Edge of Pavement	O.R. Official Records Book & Page
⊕ R/W Right of Way	N.G.V.D. National Geodetic Vertical Datum
	N.A.V.D. North American Vertical Datum
	B.M. Bench Mark
	T.B.M. Temporary Bench Mark
	TOB Top of Bank
	TOE Top of Slope
	O/E Overhead Electric
	P/P Power Pole
	PT PEP Tank
	M Manhole
	TR Telephone Riser
	CR Cable Television Riser
	WM Water Meter
	EM Electric Meter
	FD Fire Hydrant
	WV Water Valve
	CC Concrete Slab
	C/S Concrete Slab
	A/C Air Conditioner Pad
	LB Licensed Business
	LS Licensed Surveyor
	F.F. Finish Floor Elevation
	N.R. Non-Radial to Curve
	(D) Dead
	(P) Plot Bearing & Distance
	(M) Measured Bearing & Distance

NOTES

- The entire map encompassing this survey is recorded in Map Book 5, Pages 16-19.
- Elevation refer to NOD 1928 and reference local datum.
- Underground improvements and utilities not located.
- Bearings refer to plot datum and to the centerline of MORINGSIDE DRIVE as being S67°48'30"W.
- Property lies in Flood Zone "X", "Y", (0.2% ANNUAL CHANCE FLOOD), "AC", (Base Flood Elevation = 5.0') with reference to Map No. 120350023D, Effective Date: July 11, 2008. This location is based on maps prepared by the Federal Emergency Management Agency. Final location and flood zone determination rest with said agency and based on N.G.V.D. 1928 datum.
- Description provided by client.
- No search for encumbering instruments was made by surveyor.
- Error of closure meets or exceeds 1:7500 feet.

PREPARED FOR: **TONY LULGIARAJ**
634 SOUTH 23RD STREET
FLAGLER BEACH, FL 32136

swa **STEPHENSON, WILCOX & ASSOCIATES, INC.** 204 N. Railroad Street PO Box 186 Bunnell FL 32110
Phone: 386.437.2363 Fax: 386.437.0030
Email: info.swa@gmail.com

CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

TYPE SURVEY:	FIELD DATE	OFFICE DATE	JOB NO.	BY:
Boundary	04/03/17	04/10/17	17-0953	CJB
Formboard				
Foundation				
Final				

I hereby certify that the survey represented hereon meets or exceeds the minimum standards established pursuant to Section 492.027, Florida Statutes, and adopted in Chapter SJ-17 Florida Administrative Code.

(Signature) 4-12-2017

DAN A. WILCOX, P.S.M. No. 5749, PE No. 57633 **DAVID T. WILCOX, P.S.M. No. 5871**
Not valid without the signature and the original raised seal of a Florida Licensed surveyor and planner.

SHEET
1 of 1



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 14

Meeting Date: September 14, 2017

Issue: Consider an application for appointment to the Personnel Advisory Review Board.

From: Penny Overstreet, City Clerk

Organization: City of Flagler Beach

RECOMMENDATION: Remove this item for consideration. I believed I had an application when I did not.

BACKGROUND:

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

•

PUBLIC NOTICE

THE CITY OF FLAGLER BEACH NEEDS VOLUNTEER RESIDENTS TO SERVE ON VARIOUS BOARDS AND COMMITTEES. APPLICATIONS MUST BE OBTAINED FROM CITY HALL, 105 SOUTH SECOND STREET, FLAGLER BEACH, FLORIDA 32136; ON THE CITY WEB SITE: WWW.CITYOFFLAGLERBEACH.COM (CITY SERVICES/PERMITS FORMS/CITY CLERK FORMS) OR AT THE CITY LIBRARY.

OPENINGS

**River to Sea Transportation Planning
Organization (TPO) Citizens' Advisory
Council (CAC)**

1 Vacancy

The Citizens' Advisory Committee (CAC) is responsible for providing citizen input and provide recommendations to the TPO concerning transportation planning and programming; for review of all transportation studies, reports, and plans and/or programs; and for making recommendations to the TPO that are pertinent to the subject document. Subcommittees, Task Forces and Working Groups shall be designated by the CAC as necessary to investigate and report on specific subject areas of interest to the CAC.

Investment Committee

1 Vacancy for an Attorney

1 Vacancy for an Investment Broker/Counselor

Personnel Advisory Review Board

1 Vacancy

FOR ADDITIONAL INFORMATION CONTACT CITY CLERK,
Penny Overstreet,
(386)-517-2000 EXT 233



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 1.5

Meeting Date: September 14, 2017

Issue: Consider an application for appointment to the Economic Development Task Force.

From: Penny Overstreet, City Clerk

Organization: City of Flagler Beach

RECOMMENDATION:

BACKGROUND: The Commission adopted Resolution 2016-22 in April of 2016 amending the membership requirements for the Task Force. Currently there are three vacancies.

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

- Resolution 2016-22
- Application from Patrick Quinn

RESOLUTION 2016-22

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, TO AMEND RESOLUTION 2007-42, WHICH CREATED THE [REDACTED] DEVELOPMENT TASK FORCE; PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE.

WHEREAS the City Commission of the City of Flagler Beach wishes to amend Section 2 – Membership, Section 4 – Term of Appointments and Section 9 - Committee Operations of Resolution 2007-47 which created the Task Force.

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

SECTION 1 Resolution 2007-42 Section 2 Membership is hereby as amended follows:

SECTION 2 – Membership

1. The Task Force shall consist of seven (7) voting members appointed by the Flagler Beach City Commission who have an interest in the need to increase the City's tax base and enhance the business climate throughout the City.
2. The Task Force shall invite three (3) *ex-officio* members to participate in the discussions in an advisory capacity:
 - a. a Flagler Beach City Commissioner
 - b. a representative from the Flagler County Department of Economic Development
 - c. Flagler Beach City Manager

Ex officio members shall serve at the pleasure of the entity they represent.

SECTION 2 Resolution 2007-42 Section 4 Term of Appointments is amended as follows.

Section 4 – Term of Appointments

1. Appointments shall be made in accordance with Section 2-64 of the Code of Ordinance.
2. Appointments to the Task Force shall be for a period of two years.
3. Ex-Officio members will serve at the discretion of the organizations they represent.

SECTION 3 Resolution 2007-42 Section 9 – Committee Operations is amended as follows.

Section 9 – Committee Operations

1. The Task Force shall meet a minimum of once quarterly, the day and time to be decided by the membership.
2. The presence of five (5) Task Force members constitutes a quorum.
3. The rules of operation shall be in accordance with Section 2-69 of the Code of Ordinance.
4. Either the Task Force or the City Commission may call for joint meetings or workshops as determined necessary or desirable.
5. The Task Force shall report to the City Commission quarterly.


SECTION 4 – All resolutions or parts thereof that are in conflict herewith be and the same are hereby repealed.

SECTION 5 – This Resolution shall become effective immediately upon passage as provided by law.

PASSED AND ADOPTED THIS 28th DAY OF APRIL, 2016.

ATTEST:

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION



Penny Overstreet, City Clerk



Linda Provencher, Mayor

CITY OF FLAGLER BEACH
ADVISORY BOARD AND COMMITTEE APPLICATION FORM
(Please fill out form completely)

Name: Patrick Quinn Date: 8/21/17
Physical address: 1844 S. Daytona Ave Flagler Beach FL 32136
Mailing address: 1844 S. Daytona Ave Flagler Beach FL 32136
Home phone: 904-377-1877 Daytime phone: _____
Fax: _____ E-Mail: pat.quinn@abuyerschoiice.com
Occupation: Retired Union Carpenter / own home inspection business
Number of years of City residence: 11 yrs. Own: Rent: _____
Are you registered to vote in Flagler County? Yes No _____

Identify the board(s) or committee(s) to which you request appointment:
Economic Development Task Force

Please describe your professional and/or volunteer experience or background which best qualifies you for selection to the board(s) or committee(s): Union carpenter for 26 years / shop steward and foreman. Volunteer fire fighter for 42 years and volunteered on the Yaphank Tax Association.

How many City Commission/board meetings have you attended in the last 2 years? 5

Have you ever served on a City advisory board or committee in the past? Yes _____ No

If yes, please describe: _____


Signature

Please return this application to the City Clerk, P.O. Box 70, 105 S. 2nd Street, Flagler Beach, Florida 32136



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 1.6

Meeting Date: September 14, 2017

Issue: Resolution 2017-29, a resolution by the City Commission of the City of Flagler Beach, Florida, establishing the speed limit on John Anderson Highway between State Road 100 (SR 100) and the municipal limits of the City of Flagler Beach; providing for an effective date

From: Larry Newsom, City Manager

Organization: City of Flagler Beach

RECOMMENDATION: Staff recommends the Commission adopt Resolution 2017-29.

BACKGROUND: Flagler County has adopted a resolution in compliance with Florida Statutes 316.006; 3126.008(1) (j) and 316.789 (2) (a) to establish the speed limit. However, the City has not established this in the portion of the road that lies within our municipal limits.

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

- Resolution 2017-29

RESOLUTION 2017- 29

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA, ESTABLISHING THE SPEED LIMIT ON JOHN ANDERSON HIGHWAY BETWEEN STATE ROAD 100 (SR 100) AND THE MUNICIPAL LIMITS OF THE CITY OF FLAGLER BEACH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS; The Flagler Beach City Commission is authorized under sections 316.006; 316.008 (1) (j), and 316.189(2) (a), Florida Statutes, to establish speed limit regulations after conducting an investigation by the city; and

WHEREAS; The City of Flagler Beach is establishing a speed limit on the collector roadway known as John Anderson (roadway) Highway to have an enforced speed limit of 35 mph (thirty-five miles per hour) between SR 100 and the southerly city boundary.

WHEREAS; The City of Flagler Beach shall place or ensure the place of the correct traffic control devices (signs) to advise the motoring public of the correct established safe speed.

WHEREAS; the investigation conducted by the city has determined that the best safe speed is 35 mph (thirty-five miles per hour) due to the increase of residential activity accessing the roadway.

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

SECTION 1: The above recitals are true and correct and incorporated herein by reference.

SECTION 2: That the installation of speed limitations established on the roadway known as John Anderson Highway requires a speed reduction within the identified limits from 55 mph (fifty-five miles per hour) to 35 mph (thirty-five miles per hour) is justified.

SECTION 3: The City will place signs in a conspicuous location entering Flagler Beach in the above described locations, which reflect the limitations herein established.

SECTION 4: That these new limitations shall take effect immediately upon adoption of this Resolution by the Flagler Beach City Commission.

ADOPTED this _____ day of _____ 2017

Attest:

FLAGLER BEACH, FLORIDA CITY COMMISSION

Penny Overstreet, City Clerk

Linda Provencher, Mayor of Flagler Beach



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 17

Meeting Date: September 14, 2017

Issue: Discussion and direction to City Attorney regarding a proposed ordinance related to design standards, registration and adopting fees for communications facilities in public rights-of-way – Drew Smith, City Attorney.

From: Summary provided by Penny Overstreet

Organization: City of Flagler Beach

RECOMMENDATION: Provide direction to staff.

BACKGROUND: As you are aware the Legislation adopted and Governor Scott signed into law the Advanced Wireless Infrastructure Deployment Act, which limits cities authority to regulate wireless communications facilities in our public rights of way. What you may not know is that the same firm that spoke to you at the league of cities annual conference offering assistance is the same firm that lobbied for the wireless companies against cities retaining their right to regulate those wireless companies (creative way to make money on both ends).

The City has already received a request to install booster equipment for 5G service around S. 19th Street. This will be a great benefit to residents, however the city must protect its property and ensure standard regulations are adopted and codified to preserve safety, liability and aesthetic issues.

BUDGETARY IMPACT:

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

IMPLEMENTATION/COORDINATION:

Attachments

- Draft Ordinance

#17

ORDINANCE NO. _____

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AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, RELATING TO TELECOMMUNICATION TOWERS, ANTENNAS AND COMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY; IMPLEMENTING THE ADVANCED WIRELESS INFRASTRUCTURE DEPLOYMENT ACT; MAKING FACTUAL AND LEGISLATIVE FINDINGS; ADOPTING CITY REGULATIONS RELATED TO, WITHOUT LIMITATION, PLACEMENT, MAINTENANCE, AND REPLACEMENT OF WIRELESS AND OTHER COMMUNICATIONS FACILITIES IN THE CITY’S RIGHTS-OF-WAY, COLLOCATION OF SMALL WIRELESS FACILITIES ON EXISTING UTILITY POLES, PLACEMENT OF NEW UTILITY POLES, INSURANCE AND SURETY BOND REQUIREMENTS, PERMITTING PROCEDURES AND REQUIREMENTS, APPEALS, SAFETY REQUIREMENTS, WAIVERS, REVIEW DEADLINES, DEFINITIONS, REGISTRATION OF COMMUNICATIONS SERVICE PROVIDERS, AND FEES; PROVIDING OBJECTIVE DESIGN STANDARDS; PROVIDING AND INCORPORATING EXHIBITS; PROVIDING FOR CITY COMMISSION AUTHORITY, CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature has adopted, and on June 23, 2017 the governor signed into law, effective July 1, 2017, the Advanced Wireless Infrastructure Deployment Act (the “Act”), codified at F.S. § 337.401, which places certain limitations on local government authority to regulate wireless communications facilities within the public rights-of-way; and

WHEREAS, the Act authorizes cities to adopt objective design standards that may require wireless facilities in the rights-of-way to meet reasonable location context, color, stealth, and concealment requirements, and spacing and location requirements for ground-mounted equipment (F.S. 337.401(7)(b)2.); and

WHEREAS, the Act largely preserves local government authority to adopt “rules or regulations governing the placement of utility poles in the public rights-of-way,” subject to certain limitations; and

WHEREAS, the Act authorizes cities to adopt by ordinance reasonable and non-discriminatory provisions for insurance coverage, indemnification, performance bonds, security funds, force majeure, abandonment, authority liability, authority warranties, and other requirements with respect to wireless facilities in the public rights-of-way; and

WHEREAS, passage of the Act necessitates that the City create Chapter 20, Article I, of the City Code in order to implement the Act and to implement new regulations as are consistent with the Act; and

45 **WHEREAS**, the City finds that this Ordinance and the regulations adopted hereby will advance
46 the public health, safety, and welfare and help protect the unique aesthetic qualities of the City while
47 complying with the Act and all other state and federal laws and regulations governing communications
48 facilities.

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

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53 **SECTION 1. Recitals.** The foregoing recitals are hereby ratified and confirmed as being true
54 and correct and are hereby made a part of this Ordinance.

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56 **SECTION 2. Amendment of City Code.** Chapter 20, Article I of the City Code is hereby
57 created as follows:

58
59 CHAPTER 20 - TELECOMMUNICATION TOWERS, ANTENNAS AND FACILITIES
60 REGULATION

61
62 ARTICLE I. - COMMUNICATIONS FACILITIES IN PUBLIC RIGHTS-OF-WAY

63
64 Sec. 20-1. - Title.

65
66 This article shall be known and may be cited as the Flagler Beach Communications Rights-of-Way
67 Ordinance.

68
69 Sec. 20-2. – Intent and purpose; applicability to state-controlled rights-of-way.

70
71 (a) *Intent and purpose.* It is the intent of the city to promote the public health, safety and general
72 welfare by: (i) providing for the placement or maintenance of communications facilities in the
73 public rights-of-way within the city; (ii) adopting and administering reasonable rules and
74 regulations not inconsistent with state and federal law, including F.S. § 337.401 as amended by the
75 Advanced Wireless Deployment Act, the city's home-rule authority, and in accordance with the
76 provisions of the Federal Telecommunications Act of 1996 and other federal and state law; (iii)
77 establishing reasonable rules and regulations necessary to manage the placement or maintenance of
78 communications facilities in the public rights-of-way by all communications services providers;
79 (iv) protecting the city's aesthetic qualities; and (v) minimizing disruption to the public rights-of-
80 way. In regulating its public rights-of-way, the city shall be governed by and shall comply with all
81 applicable federal and state laws.

82
83 (b) *State-controlled rights-of-way.* This article shall apply to wireless and communications
84 facilities in public rights-of-way under the control and jurisdiction of the city. This article shall
85 also apply to wireless and communications facilities in public rights-of-way under the control and
86 jurisdiction of the Florida Department of Transportation, provided that the City is authorized to
87 apply this article under a permit-delegation agreement between the city and Department in
88 accordance with F.S. § 337.401(1)(a), or as otherwise provided by law.

89
90 Sec. 20-3. - Definitions.

91 For purposes of this article, the following terms, phrases, words and their derivations shall have
92 the meanings given. Where not inconsistent with the context, words used in the present tense
93 include the future tense, words in the plural number include the singular number, and words in the
94 singular number include the plural number. The words "shall" and "will" are mandatory, and
95 "may" is permissive. Words and phrases not otherwise defined in this article shall be interpreted
96 in accordance with state and federal laws governing communications facilities, including F.S. §
97 337.401 except where the context clearly indicates a different meaning, and shall otherwise be
98 construed to mean the common and ordinary meaning.

99 *Abandonment* shall mean the permanent cessation of all uses of a communications facility;
100 provided that this term shall not include cessation of all use of a facility within a physical
101 structure where the physical structure continues to be used. By way of example, and not
102 limitation, cessation of all use of a cable within a conduit, where the conduit continues to be used,
103 shall not be "abandonment" of a facility in public rights-of-way.

104 *Antenna* means any transmitting or receiving device mounted on, within, or incorporated into a
105 tower, building or structure and used in communications that radiate or capture electromagnetic
106 waves, digital signals, analog signals, radio frequencies (excluding radar signals), light, wireless
107 telecommunications signals or other communication signals. For the purposes of this article, the
108 term "antenna" does not include any device designed for over-the-air reception of radio or
109 television broadcast signals, or multi-channel multi-point distribution service.

110 *Applicable codes* means uniform building, fire, electrical, plumbing, or mechanical codes adopted
111 by a recognized national code organization and the Florida Building Code and the Florida Fire
112 Prevention Code and or local amendments to those codes enacted to address building,
113 accessibility and fire code standards and threats of destruction of property or injury to persons, or
114 local codes or ordinances adopted to implement this subsection. The term includes objective
115 design standards adopted by ordinance that may require a new utility pole that replaces an
116 existing utility pole to be of substantially similar design, material, and color or that may require
117 reasonable spacing requirements concerning the location of ground-mounted equipment. The
118 term includes objective design standards adopted by ordinance that may require a small wireless
119 facility to meet reasonable location context, color, stealth, and concealment requirements.

120 *Applicant* means the person registering and applying to locate wireless facilities in the right-of-
121 way of the city and includes the applicant's successors-in-interest and anyone owning and
122 maintaining the wireless facilities.

123 *City* means the City of Flagler Beach, Florida. Where appropriate, the word "city" may refer to
124 the city commission or the relevant city officer or board considering an application under this
125 article.

126 *City-owned real property* means real property to which the city holds title, easement, or a
127 leasehold interest, but does not include the public rights-of-way.

128 City-owned facility or city-owned structure means any facility, structure or infrastructure to which
129 the city holds title, easement, or a leasehold interest, including, but not limited to,
130 communications facilities, utility poles, towers, buildings, and communications infrastructure,
131 regardless of whether located within or outside the public rights-of-way.

132 Cluttered shall mean placement in a confused, disordered, disorganized, or jumbled or crowded
133 state, which can occur when too much is located in too small of an area given the reasonable
134 location context.

135 Communications facility(ies) or system(s) means any permanent or temporary physical plant,
136 equipment and property, including, but not limited to, cables, wires, conduits, ducts, fiber optics,
137 poles, antennae, converters, splice boxes, cabinets, hand holes, manholes, vaults, drains, surface
138 location markers, appurtenances, and other equipment or pathway placed or maintained or to be
139 placed or maintained and used or capable of being used to transmit, convey, route, receive,
140 distribute, provide or offer communications services. The term includes wireless facilities.

141 Communications services shall mean the transmission, conveyance or routing of voice, data,
142 audio, video, or any other information or signals to a point, or between or among points, by or
143 through any electronic, radio, satellite, cable, optical, microwave, or other medium or method
144 now in existence or hereafter devised, regardless of the protocol used for such transmission or
145 conveyance. Notwithstanding the foregoing, for purposes of this article, "cable service", as
146 defined in F.S. § 202.11(2), as it may be amended, is not included in the definition of
147 "communications services," and cable service providers may be subject to other ordinances of the
148 city.

149 Communications services provider shall mean any person, including a municipality or county,
150 providing communications services through the placement or maintenance of a communications
151 facility in public rights-of-way. "Communications services provider" shall also include any
152 person, including a municipality or county, that places or maintains a communications facility in
153 public rights-of-way but does not provide communications services.

154 Communications tower or tower means a building-mounted or ground-mounted tower, pole-type,
155 lattice or other structure that has the sole or primary purpose of supporting communication
156 (transmission and/or receiving) equipment for telephone, radio, television, microwave, cellular
157 and/or similar other communication purposes. Towers may include self-supporting lattice towers,
158 guyed towers, or monopole towers. The term includes radio and television transmission towers,
159 microwave towers, common-carrier towers, cellular telephone towers, alternative tower
160 structures, and the like. The term includes the structure and any support thereto.

161 Concealed means a tower, ancillary structure, equipment compound, or communications facility
162 or area (collectively "physical improvements") that is not readily identifiable as such, and is
163 designed to be aesthetically compatible with existing and proposed building(s) and uses on and
164 adjacent to the proposed location of such physical improvements.

165 Collocation means to install, mount, maintain, modify, operate, or replace one or more wireless
166 facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term
167 does not include the installation of a new utility pole or wireless support structure in the public
168 rights-of-way.

169 FCC shall mean the Federal Communications Commission.

170 In public rights-of-way or in the public rights-of-way shall mean in, on, over, under or across the
171 public rights-of-way.

172 Micro wireless facility means a small wireless facility having dimensions no larger than 24 inches
173 in length, 15 inches in width, and 12 inches in height and an exterior antenna, if any, no longer
174 than 11 inches.

175 Ordinance shall mean this ordinance.

176 Pass-through provider means any person who, upon registering with the city, places or maintains
177 a communications facility in the city's rights-of-way and that does not remit communications
178 service taxes as imposed by the city pursuant to F.S. ch. 202.

179 Person shall include any individual, children, firm, association, joint venture, partnership, estate,
180 trust, business trust, syndicate, fiduciary, corporation, organization or legal entity of any kind,
181 successor, assignee, transferee, personal representative, and all other groups or combinations, and
182 shall include the city to the extent the city acts as a communications services provider.

183 Place or maintain or placement or maintenance or placing or maintaining shall mean to erect,
184 construct, install, maintain, place, repair, extend, expand, remove, occupy, locate or relocate. A
185 communications services provider that owns or exercises physical control over communications
186 facilities in public rights-of-way, such as the physical control to maintain and repair, is "placing
187 or maintaining" the facilities. A person providing service only through resale or only through use
188 of a third party's unbundled network elements is not "placing or maintaining" the communications
189 facilities through which such service is provided. The transmission and receipt of radio frequency
190 signals through the airspace of the public rights-of-way does not constitute "placing or
191 maintaining" facilities in the public rights-of-way.

192 Public rights-of-way or rights-of-way shall mean a public right-of-way, public utility easement,
193 highway, street, bridge, tunnel or alley, regardless of which governmental entity has jurisdiction
194 and control over such, and includes the surface, the air space over the surface and the area below
195 the surface. "Public rights-of-way" shall not include private property. "Public Rights-of-way"
196 shall not include any real or personal city property except as described above and shall not
197 include city buildings, fixtures, poles, conduits, facilities or other structures or improvements,
198 regardless of whether they are situated in the public rights-of-way.

199 Registrant shall mean a communications services provider that has registered with the city in
200 accordance with the provisions of this article.

201 Registration or register shall mean the process described in this article whereby a
202 communications services provider provides certain information to the city.

203 Small wireless facility or small wireless facilities means a wireless facility that meets the following
204 qualifications:

205 (a) Each antenna associated with the facility is located inside an enclosure of no more than 6
206 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and
207 all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in
208 volume; and

209 (b) All other wireless equipment associated with the facility is cumulatively no more than 28
210 cubic feet in volume. The following types of associated ancillary equipment are not included
211 in the calculation of equipment volume: electric meters, concealment elements,
212 telecommunications demarcation boxes, ground-based enclosures, grounding equipment,
213 power transfer switches, cutoff switches, vertical cable runs for the connection of power and
214 other services, and utility poles or other support structures.

215 Stealth design means a method of camouflaging any tower, antenna, wireless facilities, or other
216 ancillary supporting communications facility, including, but not limited to, supporting electrical,
217 optical, or mechanical, or other equipment, which enhances compatibility with adjacent land uses
218 and which is visually and aurally unobtrusive. Stealth design may include a repurposed structure.
219 Stealth design includes any method of camouflaging wireless facilities adopted by the city
220 commission through resolution as authorized by Sec 20-6(j)(4).

221 Utility pole means a pole or similar structure that is used in whole or in part to provide
222 communications services or for electric distribution, street lights or other lighting, cable
223 television, traffic control, signage, or a similar function. The term includes the vertical support
224 structure for traffic lights but does not include a horizontal structure to which signal lights or
225 other traffic control devices are attached and does not include a pole or similar structure 15 feet in
226 height or less unless an authority grants a waiver for such pole.

227 Wireless facility or wireless facilities means equipment at a fixed location which enables wireless
228 communications between user equipment and a communications network, including radio
229 transceivers, antennas, distributed antenna systems (“DAS”), wires, coaxial or fiber-optic cable or
230 other cables, regular and backup power supplies, and comparable equipment, regardless of
231 technological configuration, and equipment associated with wireless communications. The term
232 includes small wireless facilities and micro wireless facilities. The term does not include:

233 (a) The structure or improvements on, under, within, or adjacent to the structure on which the
234 equipment is collocated;

235 (b) Wireline backhaul facilities; or

236 (c) Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is
237 otherwise not immediately adjacent to or directly associated with a particular antenna.

238 Wireless infrastructure provider means a person who has been certificated to provide
239 telecommunications service in the state and who builds or installs wireless communication
240 transmission equipment, wireless facilities, or wireless support structures but is not a wireless
241 services provider.

242 Wireless provider means a wireless infrastructure provider or a wireless services provider.

243 Wireless services means any services provided using licensed or unlicensed spectrum, whether at
244 a fixed location or mobile, using wireless facilities.

245 Wireless services provider means a person who provides wireless services.

246 Wireless support structure means a freestanding structure, such as a monopole, a guyed or self
247 supporting tower, or another existing or proposed structure designed to support or capable of
248 supporting wireless facilities. The term does not include a utility pole.

249 Sec. 20-4. - Registration for placing or maintaining communications facilities in public rights-of-
250 way.

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252 (a) A communications services provider that desires to place or maintain a communications facility
253 in public rights-of-way in the city shall first register with the city in accordance with this article.
254 Registration may be made by mail or in person to:

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256 City of Flagler Beach
257 105 S Second Street
258 Flagler Beach, FL 32136

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260 Subject to the terms and conditions prescribed in this article, a registrant may place or maintain a
261 communications facility in public rights-of-way.

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263 (b) A registration shall not convey any title, equitable or legal, to the registrant in the public rights-
264 of-way. Registration under this article governs only the placement or maintenance of
265 communications facilities in public rights-of-way. Other ordinances, codes or regulations may
266 apply to the placement or maintenance in the public rights-of-way of facilities that are not
267 communications facilities. Registration does not excuse a communications services provider from
268 obtaining appropriate access or pole attachment agreements before locating its facilities on the
269 city's or another person's facilities. Registration does not excuse a communications services
270 provider from complying with all applicable city ordinances, codes or regulations, including this
271 article.

272

273 (c) Each communications services provider that desires to place or maintain a communications
274 facility in public rights-of-way in the city shall file a single registration with the city, which shall
275 include the following information:

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277 (1) Name of the applicant, including a contact person;

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(2) Name, address, email address, and telephone number of the applicant's primary contact person in connection with the registration, and the person to contact in case of an emergency;

(3) Evidence of insurance coverage and surety bond required under this article.

(4) Acknowledgment that registrant has received and reviewed a copy of this article, which acknowledgment shall not be deemed an agreement; and

(5) A copy of the applicant's certificate of authorization or license to provide communications services issued by the Florida Public Service Commission, the Federal Communications Commission, or other federal or state authority, if any;

(6) For an applicant that does not have a Florida Public Service Commission certificate of authorization number, if the applicant is a corporation, proof of authority to do business in the state, such as the number of the certificate from or filing with the Florida Department of State.

(d) The city manager or designee shall review the information submitted by the applicant for registration. If the applicant submits information in accordance with subsection (c) of this section, the registration shall be effective and the city shall notify the applicant of the effectiveness of registration in writing. If the city determines that the information has not been submitted in accordance with subsection (c) of this section, the city shall notify the applicant of the noneffectiveness of registration, and reasons for the noneffectiveness, in writing. The city shall so reply to an applicant within 30 days after receipt of registration information from the applicant. Noneffectiveness of registration shall not preclude an applicant from filing subsequent applications for registration under the provisions of this section. An applicant has 30 days after receipt of a notice of noneffectiveness of registration to appeal the decision as provided in section 20-8.

(e) A registrant may cancel a registration upon written notice to the city stating that it will no longer place or maintain any communications facilities in public rights-of-way within the city and will no longer need to obtain permits to perform work in public rights-of-way. A registrant cannot cancel a registration if the registrant continues to place or maintain any communications facilities in public rights-of-way.

(f) Registration does not in and of itself establish a right to place or maintain or priority for the placement or maintenance of a communications facility in public rights-of-way within the city but shall establish for the registrant a right to apply for a permit, if permitting is required by the city. Registrations are expressly subject to any future amendment to or replacement of this article and further subject to any additional city ordinances, as well as any state or federal laws that may be enacted.

(g) A registrant shall renew its registration with the city by April 1 of even numbered years in accordance with the registration requirements in this article, except that a registrant that initially registers during the even numbered year when renewal would be due or the odd numbered year

322 immediately preceding such even numbered year shall not be required to renew until the next even
323 numbered year. Within 30 days of any change in the information required to be submitted pursuant
324 to subsection (c) of this section, a registrant shall provide updated information to the city. If no
325 information in the then-existing registration has changed, the renewal may state that no
326 information has changed. Failure to renew a registration may result in the city restricting the
327 issuance of additional permits until the communications services provider has complied with the
328 registration requirements of this article.

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330 (h) In accordance with applicable city ordinances, codes or regulations, a permit shall be required
331 of a communications services provider that desires to place or maintain a communications facility
332 in public rights-of-way. An effective registration shall be a condition of obtaining a permit.
333 Notwithstanding an effective registration, permitting requirements shall apply. A permit may be
334 obtained by or on behalf of a registrant having an effective registration if all permitting
335 requirements are met.

336
337 Sec. 20-5. - Notice of transfer, sale or assignment of assets in public rights-of-way.

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339 If a registrant transfers, sells or assigns its assets located in public rights-of-way incident to a
340 transfer, sale or assignment of the registrant's assets, the transferee, buyer or assignee shall be
341 obligated to comply with the terms of this article. Written notice of any such transfer, sale or
342 assignment shall be provided by such registrant to the city within 20 days after the effective date of
343 the transfer, sale or assignment. If the transferee, buyer or assignee is a current registrant, then the
344 transferee, buyer or assignee is not required to re-register. If the transferee, buyer or assignee is not
345 a current registrant, then the transferee, buyer or assignee shall register as provided in section 20-4
346 within 60 days of the transfer, sale or assignment. If permit applications are pending in the
347 registrant's name, the transferee, buyer or assignee shall notify the city that the transferee, buyer or
348 assignee is the new applicant.

349
350 Sec. 20-6. - Placement and maintenance of a communication facility in public rights-of-way.

351 (a) *Prohibitions.*

352
353 (1) No wireless facilities or other communications facilities shall be installed in the City's
354 rights-of-way without a permit.

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356 (2) Wireless facilities, other than small wireless facilities and micro wireless facilities, are
357 prohibited within the public rights-of-way, unless a waiver is granted by the City.

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359 (3) No wireless facility or other communications facility shall materially interfere with the
360 safe operation of traffic control equipment.

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362 (4) No wireless facility or other communications facility shall materially interfere with sight
363 lines or clear zones for transportation, pedestrians, or public safety purposes.

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365 (5) No wireless facility or other communications facility shall materially interfere with
366 compliance with the Americans with Disabilities Act or similar federal or state standards
367 regarding pedestrian access or movement.

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369 (6) No wireless facility shall materially fail to comply with the 2010 edition of the Florida
370 Department of Transportation Utility Accommodation Manual, as it may be amended.

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372 (7) No wireless facility shall fail to comply with the applicable codes.

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374 (8) To comply with clear zone requirements, no wireless facilities or other communications
375 facilities shall be closer than 8 feet from the street curb or edge of pavement if no curb is
376 present.

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378 (9) Wireless facilities are prohibited on utility poles owned by a municipal electric utility,
379 and utility poles used to support municipally owned or operated electric distribution facilities,
380 unless the City grants a waiver.

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382 (10) Wireless facilities are prohibited on arms or any horizontal structure used to support or
383 mount traffic control signals and other traffic control devices.

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385 (11) Wireless facilities are prohibited on poles or similar structures 15 feet or less in height
386 unless the city grants a waiver for such structure.

387
388 (12) Wireless facilities shall not interfere with electrical lines, cable lines, or their associated
389 equipment. Wireless facilities shall be at least 20 feet away from energized electrical
390 distribution lines. Wireless facilities may not be hung from energized lines or mounted on
391 poles suspending energized lines or on poles to be removed in conjunction with the City's
392 undergrounding of electric utilities.

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394 (13) Wireless facilities may not block or materially interfere with the view of signs of
395 commercial businesses or street signs.

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397 (b) The applicant or applicant's successor must remove the wireless facilities at any time if
398 warranted by public health or safety as determined by the City.

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400 (c) For the safety of electrical utility workers and members of the public:

401
402 (1) Wireless facilities collocated, if allowed, on the same utility pole as a street light shall be
403 on the same disconnect as the street light;

404
405 (2) Wireless facilities shall be grounded and otherwise comply fully with all applicable
406 electrical codes.

407

408 (3) Whenever conduit of the wireless facilities crosses telephone or electric power wires,
409 wires shall cross and be maintained in accordance with the National Electrical Code, the
410 National Electrical Safety Code and the "Safety Rules for the Installation and Maintenance
411 of Electrical Supply and Communication Lines" established by the Department of
412 Commerce, Bureau of Standards of the United States in force at the time of the effective
413 date of this article, and as amended.

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415 (4) Wireless facilities shall comply with all applicable structural requirements with respect to
416 wind speed under the Florida Building Code and under the City Code.

417 (d) A registrant or applicant shall at all times comply with and abide by all applicable provisions
418 of the state and federal law and city ordinances, codes and regulations in placing or maintaining a
419 communication facility in public rights-of-way. The burden of proof shall at all times be on a
420 registrant or applicant to establish compliance with requirements under this article and state and
421 federal law.

422 (e) A registrant shall not place, commence to place or maintain a wireless or other communication
423 facility in public rights-of-way until all applicable permits, if any, have been issued by the city or
424 other appropriate authority, except in the case of an emergency. No wireless or other
425 communications facility shall operate unless the City has conducted a final inspection and issued
426 a Certificate of Completion pursuant to the Florida Building Code as adopted and amended by
427 this Code.

428 (1) The term "emergency" shall mean a condition that affects the public's health, safety or
429 welfare, which includes an unplanned out-of-service condition of a pre-existing service.

430 (2) Registrant shall provide prompt notice to the city of the placement or maintenance of a
431 wireless or other communication facility in public rights-of-way in the event of an
432 emergency, and shall be required to apply for an after-the-fact permit within 30 days if a
433 permit would have originally been required to perform the work undertaken in public rights-
434 of-way in connection with the emergency.

435 (3) Further, once the emergency is abated, the wireless or other communications facility
436 placed in the public right-of-way during the emergency shall be removed unless permitted
437 without the emergency as a basis.

438 (f) *Application review; decisions; time-frames; permit duration*

439 (1) Pre-application Meeting – To the extent permitted by F.S. § 337.401 and applicable law,
440 an applicant shall schedule and conduct a pre-application meeting with the city manager and
441 staff to discuss the prospective application and submittals.

442 (2) *Notification of Completeness.* Within 14 days after receiving an application, the city shall
443 determine and notify the applicant by electronic mail to the email address provided in the
444 application as to whether the application is complete. If an application is deemed incomplete,

445 the city shall specifically identify the missing information. An application is deemed
446 complete if the city does not provide notification to the applicant within 14 days.

447 (3) Application Review Period. The city shall approve or deny an application within 60 days
448 after receipt of the complete application, or it is deemed approved in accordance with F.S. §
449 337.401. If the city does not use the 30-day negotiation period provided in subparagraph (7),
450 the parties may mutually agree to extend the 60-day application review period. The city shall
451 grant or deny the application at the end of the extended period.

452 (4) Permit Duration. A permit issued pursuant to an approved application shall remain in
453 effect for 1 year unless extended by the city.

454 (5) Notification Procedure.

455 a. The city shall notify the applicant of approval or denial by electronic mail. The city
456 shall approve a complete application unless it does not meet the applicable codes.

457 b. If the application is denied, the city will specify in writing the basis for denial,
458 including the specific code provisions on which the denial was based, and send the
459 documentation to the applicant by electronic mail on the day the city denies the
460 application.

461 (6) Opportunity to Cure Deficiencies. The applicant may cure the deficiencies identified by
462 the city and resubmit the application within 30 days after notice of the denial is sent to the
463 applicant. If the curative information is not provided within such time frame, the application
464 will be considered withdrawn or closed. The city shall approve or deny the revised
465 application within 30 days after receipt or the application is deemed approved. Any
466 subsequent review shall be limited to the deficiencies cited in the denial.

467 (7) Consolidated Applications. An applicant may file a consolidated application and receive
468 a single permit for the collocation of up to 30 small wireless facilities. If the application
469 includes multiple small wireless facilities, the city may separately address small wireless
470 facility and micro wireless facility collocations for which incomplete information has been
471 received or which are denied.

472 (8) Alternative Collocations.

473 a. If an applicant seeks to place a wireless facility upon a city utility pole or seeks to
474 install a new utility pole, the city may, within 14 days after the date that a wireless
475 facility application is filed, request that the proposed location of the wireless facility be
476 moved to another location in the right-of-way and placed on an alternative city utility
477 pole or support structure or may place a new utility pole.

478 b. The city and the applicant may negotiate the alternative location, including any
479 objective design standards and reasonable spacing requirements for ground-based
480 equipment, for 30 days after the date of the request. At the conclusion of the negotiation

481 period, if the alternative location is accepted by the applicant, the applicant must notify
482 the city of such acceptance and the application shall be deemed granted for any new
483 location for which there is agreement and all other locations in the application. If an
484 agreement is not reached, the applicant must notify the city of such non-agreement and
485 the city shall grant or deny the original application within 90 days after the date the
486 application was filed.

487 c. A request for an alternative location, an acceptance of an alternative location, or a
488 rejection of an alternative location shall be in writing and provided by electronic mail.

489 (g) *Application requirements.* Except as otherwise provided, a permit to construct or install
490 wireless facilities or other communications facilities shall not be granted under this article except
491 upon approval of the city commission, or such city board as the city commission has designated
492 by resolution or ordinance to consider applications under this article, after a public hearing. To
493 the extent permitted by F.S. § 337.401 and applicable law, prior to filing an application for a
494 permit, applicant shall conduct a pre-application meeting with city staff in accordance with s. 20-
495 6(f)(1) of this Article. Each application for a permit to place or replace a wireless facility or other
496 communications facility in the right-of-way shall include:

497 (1) *Plans submittal.*

498 a. For each proposed wireless facility location, submit plans prepared by, approved,
499 and signed by a qualified professional engineer showing:

- 500 i. The location of each proposed communications facility;
- 501 ii. True-to-scale site plan depicting all physical improvements including property
502 lines within a 20 foot radius;
- 503 iii. A graphical depiction of each proposed communications facility to be installed;
- 504 iv. The size of each proposed communications facility;
- 505 v. The specifications for each communications facility; and
- 506 vi. Existing utilities in the immediate vicinity.

507 b. Plans shall be in a hard copy format and an electronic format specified by the
508 city, provided such electronic format is maintained by the registrant. Such plans in a
509 format maintained by the registrant shall be provided at no cost to the city.

510 c. If the actual installation deviates or will deviate from the submitted plans due to
511 unforeseen conditions or any other reason, the registrant shall promptly provide revised
512 plans.

- 513 (2) A description of the manner in which the communications facility will be installed (i.e.
514 anticipated construction methods or techniques);
- 515 (3) A description of the stealth design techniques proposed to minimize the visual impact of
516 the wireless communications facility;
- 517 (4) A maintenance of traffic plan for any disruption of the public rights-of-way;
- 518 (5) Information on the ability of the public rights-of-way to accommodate the proposed
519 facility, if available (such information shall be provided without certification as to
520 correctness, to the extent obtained from other persons);
- 521 (6) If appropriate given the facility proposed, an estimate of the cost of restoration to the
522 public rights-of-way;
- 523 (7) The timetable for construction of the project or each phase thereof, and the areas of the
524 city which will be affected;
- 525 (8) *Photographs and Graphic or Simulated Renderings.*
- 526 a. Photographs from four equally separated directions (north, south, east, and west)
527 a. clearly showing the nature and location of the site where each wireless or other
528 a. communications facility is proposed to be located;
- 529 b. Photographs showing the location and condition of properties adjacent to the site
530 b. of each proposed wireless or other communications facility; and
- 531 c. True-to-scale graphic depictions or simulated renderings accurately representing
532 c. the visual impact of the wireless communications facilities when viewed from the street
533 c. and from adjacent properties from 4 equally separated directions (north, south, east, and
534 c. west).
- 535 (9) All applicable permit fees; and
- 536 (11) Such additional information as the city finds reasonably necessary with respect to the
537 placement or maintenance of the communications facility that is the subject of the permit
538 application to review such permit application.
- 539 (i) *Non-interference; encouraged technology; additional regulations.* All communications
540 facilities shall be placed or maintained so as not to unreasonably interfere with the use of the
541 public rights-of-way by the public and with the rights and convenience of property owners who
542 adjoin any of the public rights-of-way. The use of trenchless technology (i.e., directional bore
543 method) for the installation of facilities in the public rights-of-way as well as joint trenching or
544 the co-location of facilities in existing conduit is strongly encouraged, and shall be employed
545 wherever feasible. The city manager may promulgate additional reasonable rules and regulations

546 concerning the placement or maintenance of a communication facility in public rights-of-way
547 consistent with this article and other applicable law.

548 (j) *Objective design standards; other requirements.* Wireless and other communications
549 facilities shall meet the following requirements, including reasonable location, context, color,
550 stealth, and concealment requirements. Design standards may be waived by city if the city
551 determines that the design standards are not reasonably compatible for the particular location of a
552 wireless facility or that the design standards impose excessive expense in relation to the aesthetic
553 concerns of the City. The waiver shall be granted or denied within 45 days after the date of the
554 request.

555 (1) Any above-ground wireless or other communications facilities shall be concealed and
556 utilize stealth design. Such stealth design and concealment shall eliminate the need to locate
557 any ground or elevated equipment on the exterior of a pole, tower, or other structure, unless
558 an exemption is granted as provided below.

559
560 (2) Any application or proposal to locate equipment at ground level on or adjacent to a pole
561 or tower and any application or proposal to locate elevated equipment (other than antennas)
562 on or adjacent to the exterior of a tower or pole that asserts that such cannot be accomplished
563 by undergrounding such, and if not undergrounded then in accordance with the concealment
564 and stealth design requirements of this article, may request an exemption to such
565 requirements, and such application or proposal shall include Florida professional engineering
566 certified documentation demonstrating to the satisfaction of the city engineer that the
567 proposed equipment cannot employ stealth design and cannot be concealed as required by
568 this article, and that the proposed equipment, and location and configuration of such,
569 constitute the minimum equipment necessary and are the least obtrusive as is possible to
570 achieve needed function. In order to avoid the clustering of multiple items of approved
571 ground equipment or elevated equipment in a single area, only one equipment box may be
572 located in any single location. Where a registrant demonstrates that undergrounding and
573 stealth design and concealment cannot be employed under this subsection and the city agrees
574 with such demonstration, the individual approved exterior equipment boxes or containment
575 devices shall not exceed 12 cubic feet in volume and the configuration and dimensions of
576 such shall be the least visually obtrusive as possible. The use of foliage and vegetation or
577 other concealment method around any approved equipment may be required by the city based
578 on conditions of the specific area where the equipment is to be located.

579
580 (3) Insofar as wireless facilities are constructed underground, the wireless infrastructure
581 provider shall become a member of, and maintain membership in Florida utility notification
582 one call system. Wireless facilities shall have five-foot horizontal clearance from other
583 underground utilities and their appurtenances.

584
585 (4) The city commission by resolution may adopt standards for the types or style of
586 concealment and stealth design that are required within the city or parts thereof in order to
587 preserve and promote the unique aesthetic character of the city.
588

- 589 (5) Wireless facilities may increase the height of a metal street light pole only if the antenna
590 is top-mounted and not wider than the pole or if the antenna is hidden in a cylinder that
591 appears like an original part of the pole. A cellular antenna shall not extend more than ten
592 (10) feet above the utility pole or structure upon which the wireless facility is to be
593 collocated, and shall be shorter if the height of the utility pole requires a shorter antenna
594 height so that the structure as a whole is proportionate.
595
- 596 (6) A new utility pole that replaces an existing utility pole shall be of substantially similar
597 design, material, and color as the existing utility pole unless the existing pole is made of
598 wood, which is no longer permitted.
- 599 (7) The antennas and related equipment shall be in a color that will provide the most
600 camouflage, as determined by the Building Official. Ground based wireless facilities shall be
601 painted forest green, unless determined otherwise by the Building Official. When on a black
602 pole, wireless facilities shall be painted black, unless determined otherwise by the Building
603 Official.
604
- 605 (8) Antennas must be hidden within the utility pole or appear like an original part of the
606 utility pole.
607
- 608 (9) All wireless facilities and related equipment, other than antennas, shall be placed
609 underground in order, without limitation, to avoid impeding pedestrian travel, to avoid
610 providing a target for graffiti or a mounting place for unauthorized signs, to minimize danger
611 to the public, and to preserve and enhance the aesthetic qualities of the City.
612
- 613 (10) Wires serving the wireless facilities must be concealed within or flush mounted
614 to the pole on which the facilities are collocated and insulated in accordance with applicable
615 codes.
616
- 617 (11) The City Commission is authorized to identify by resolution forms of acceptable
618 wireless facilities that are consistent and compatible with the aesthetic, safety, and other
619 standards set forth in this article as well as prohibited wireless facilities.
620
- 621 (12) Antennas placed upon structures within the rights-of-way must meet the
622 following additional requirements if stealth design, concealment, and this article's
623 requirements regarding such cannot be met:
- 624 a. Top mounted antennas and their enclosures must not extend the diameter of the
625 supporting structure at the level of antenna attachment; and
- 626 b. Side-mounted antennas and their enclosures must be flush-mounted to the
627 supporting structure at the level of antenna attachment. Under no circumstances shall
628 antennas be mounted less than 12 feet above ground level.
- 629 (13) Street light fixtures with stealth wireless facilities.

- 630 a. On street lights, luminaires and bases should be roughly equal in size and volume for a
631 balanced appearance.
- 632 b. The decorative base of a street light should be between 10-25% of the pole height.
- 633 c. The length of arms extending from the base should be between 20-25% of pole height;
- 634 d. Arms should extend from the pole at a location within 20% of pole height from the top
635 of the pole.
- 636 e. Street light fixtures must meet AASHTO structural guidelines for roadway application
637 and ANSI requirements for vibrations.
- 638 f. Pole height shall be measured from the ground to the top of the utility pole, which
639 measurement shall include any antennas built into or appended to the utility pole.
- 640 (14) New or replacement poles that support wireless or communications facilities shall match
641 the style, design, and color of the utility poles in the surrounding area.
- 642 (15) The size and height of new wireless or communications facilities in the rights-of-way
643 shall be no greater than the maximum size and height of any other utility or light poles
644 located in the same portion of the right-of-way within the city other than a utility pole for
645 which a waiver has previously been granted, measured from grade in place within 500 feet of
646 the proposed location of the small wireless facility. If there is no utility pole within 500 feet,
647 the height of the utility pole shall be limited to 50 feet, unless the city determines that a lower
648 height is warranted given the location context for compatibility with existing or planned
649 development within the vicinity of the proposed location or other provision of this article
650 warrants such; provided however, that registrants proposing wireless or communications
651 facilities with antennas to be located on existing poles or other structures may increase the
652 height of the existing pole or other structure up to six feet, if necessary, to avoid adversely
653 affecting existing pole attachments; and provided further that the overall height above ground
654 of any wireless or communications facility shall not exceed 40 feet or exceed the existing
655 height of other utility or light poles located in the same portion of the right-of-way,
656 whichever height is less.
- 657 (16) Wireless and communications facilities shall be located at least ten feet from a driveway,
658 at least ten feet from the edge of existing trees 12 inches or greater in diameter, at least 25
659 feet from a traffic signal pole unless mounted upon such traffic signal pole, and at least 15
660 feet from any pedestrian ramp and 8 feet from the street curb. The city may require greater
661 setbacks from these and other fixtures in the right-of-way to ensure proper sight lines for
662 public safety purposes and in other cases as deemed necessary to advance the purposes of this
663 article.
- 664 (17) If the right-of-way is within or abuts a residential zoning district, wireless and other
665 communication facilities must be located where the shared property line between two

666 residential parcels intersects the right-of-way, whenever possible unless an unsafe condition,
667 cluttered appearance, or other violation of this article would result.

668 (18) If the right-of-way is within or abuts a nonresidential district, wireless and
669 communications facilities must be located between tenant spaces or adjoining properties
670 where their shared property lines intersect the right-of-way, whenever possible, unless an
671 unsafe condition, cluttered appearance, or other violation of this article would result.

672 (19) The city, in consultation with the city engineer where appropriate, may waive any
673 requirement under this section if the city determines that such requirement is not reasonably
674 compatible for the particular location of a wireless or other communications facility or that
675 such requirement imposes an excessive expense, or where the waiver serves the intent or
676 purposes of this article. The waiver shall be granted or denied within 45 days after the date of
677 the request.

678 (k) *New structures; availability of alternatives.* No new utility pole, pole-type structure, or
679 other freestanding structure shall be allowed in the rights-of-way unless the applicant
680 demonstrates and staff and the city commission determines that no existing structure or
681 alternative technology that does not require the placement of a new structure in a right-of-way
682 can accommodate the applicant's proposed antenna or other communications facility. Such a
683 demonstration by the applicant shall not give rise to a right to locate the proposed facility within
684 the rights-of-way or in any way guarantee city approval of such. An applicant shall submit
685 information requested by the city commission related to the availability of suitable existing
686 structures or alternative technology. Evidence submitted to demonstrate that no existing structure
687 or alternative technology can accommodate the applicant's proposed communications facility may
688 consist of, but is not limited to, the following factors to be considered by the city commission:

689 (1) No existing structures are located within the geographic area which would meet
690 applicant's engineering requirements.

691 (2) Existing structures are not of sufficient height to meet applicant's engineering
692 requirements, which shall be demonstrated by, at minimum, propagation and coverage maps.

693 (3) Existing structures do not have sufficient structural strength to support applicant's
694 proposed antenna or other communications facility and related equipment.

695 (4) The applicant's proposed antenna would cause electromagnetic interference with the
696 antenna on the existing structures, or the antenna on the existing structures would cause
697 interference with the applicant's proposed antenna.

698 (5) The fees, costs, or contractual provisions required by the owner in order to share an
699 existing structure or to adapt an existing structure for sharing are unreasonable.

700 (6) The applicant demonstrates that there are other limiting factors that render existing
701 structures unsuitable.

702 (7) The applicant demonstrates that an alternative technology that does not require the use of
703 new structures, such as cable microcell network using multiple low-powered
704 transmitters/receivers attached to wireline system, is unsuitable. Costs of alternative
705 technology that exceed new structure or antenna development shall not be presumed to render
706 the technology unsuitable.

707 (l) *Waivers and exemptions.* The city commission may waive or reduce the burden of any
708 requirement of this section where doing so serves the intent or purposes of this article.

709 (m) *Limitations; no property right.* A permit from the city constitutes authorization to
710 undertake only certain activities in public rights-of-way in accordance with this article, and does
711 not create a property right or grant authority to impinge upon the rights of others who may have
712 an interest in the public rights-of-way.

713 (n) *Construction; maintenance; safety; inspection; and restoration.*

714 (1) A registrant shall maintain its communication facility in public rights-of-way in a manner
715 consistent with accepted industry practice and applicable law.

716 (2) All safety practices required by applicable law or accepted industry practices and
717 standards shall be used during the construction, installation, or maintenance of
718 communications facilities.

719 (3) After the completion of any placement or maintenance of a communication facility in
720 public rights-of-way or each phase thereof, a registrant shall, at its own expense, restore the
721 public rights-of-way to its original condition before such work. If the registrant fails to make
722 such restoration within 30 days, or such longer period of time as may be reasonably required
723 under the circumstances, following the completion of such placement or maintenance, the
724 city may perform restoration and charge the costs of the restoration against the registrant in
725 accordance with F.S. § 337.402, as it may be amended. For 12 months following the original
726 completion of the work, the registrant shall guarantee its restoration work and shall correct
727 any restoration work that does not satisfy the requirements of this article at its own expense.

728 (4) In connection with excavation in the public rights-of-way, a registrant shall, where
729 applicable, comply with the Underground Facility Damage Prevention and Safety Act set
730 forth in F.S. ch. 556, as it may be amended.

731 (5) Registrant shall use and exercise due caution, care and skill in performing work in the
732 public rights-of-way and shall take all reasonable steps to safeguard work site areas. The
733 person constructing, installing, and maintaining wireless facilities must be a licensed
734 electrician, certified to work as a lineworker, or successfully complete an accredited
735 lineworker apprenticeship program.

736 (6) A registrant shall not place or maintain its communications facilities so as to interfere
737 with, displace, damage or destroy any utilities, including but not limited to, sewers, gas or

738 water mains, storm drains, pipes, cables or conduits of the city or any other person's facilities
739 lawfully occupying the public rights-of-way of the city.

740 (7) The city shall have the right to make such inspections of communications facilities placed
741 or maintained in public rights-of-way as it finds necessary to ensure compliance with this
742 article.

743 (o) Removal and relocation.

744 (1) The grant of a permit under this article shall not limit the authority and discretion of the
745 city to regulate and control the public rights-of-way, and the city may at any time require the
746 removal or relocation of a wireless or other communications facility within the rights-of-way
747 in the interests of the public welfare, health, or safety, or as otherwise authorized by law. The
748 registrant must remove its wireless facilities within 30 days notice that the City will remove a
749 utility pole.

750 (2) Removal or relocation at the direction of the city of a registrant's communications facility
751 in public rights-of-way shall be governed by applicable requirements of F.S. §§ 337.403 and
752 337.404, as they may be amended, in addition to any other applicable city regulations or
753 provisions of law. Unless otherwise provided by law, this City Code, or agreement, a
754 registrant shall bear all costs of any removal or relocation of its facilities.

755 (p) Coordination of work; work schedule. Upon request of the city, and as notified by the
756 city of the other work, construction, installation or repairs referenced below, a registrant may be
757 required to coordinate placement or maintenance activities under a permit with any other work,
758 construction, installation or repairs that may be occurring or scheduled to occur within a
759 reasonable time frame in the subject public rights-of-way, and registrant may be required to
760 reasonably alter its placement or maintenance schedule as necessary so as to minimize
761 disruptions.

762 (q) No warranties; vacation of rights-of-way. The city makes no warranties or
763 representations regarding the fitness, suitability, or availability of the city's public rights-of-way,
764 city-owned structures, and city-owned real property for the registrant's communications facilities
765 and any performance of work, costs incurred or services provided by registrant shall be at
766 registrant's sole risk. Nothing in this article shall affect the city's authority to add to, vacate or
767 abandon public rights-of-way, or add vehicular travel lanes, and the city makes no warranties or
768 representations regarding the availability of any added, vacated or abandoned public rights-of-
769 way for communications facilities.

770 (r) Alteration of rights-of-way; other work and facilities in rights-of-way.

771 (1) The city reserves the right to place and maintain, and permit to be placed or maintained,
772 sewer, gas, water, electric, storm drainage, communications, and other types of facilities,
773 cables or conduit, and to do, and to permit to be done, any underground and overhead
774 installation or improvement that may be deemed necessary or proper by the city in public
775 rights-of-way occupied by the registrant. The city further reserves without limitation the right

776 to alter, change, or cause to be changed, the grading, installation, relocation, or width of the
777 public rights-of-way within the limits of the city and within said limits as same may from
778 time to time be altered.

779 (2) A registrant shall, on the request of any person holding a permit issued by the city,
780 temporarily raise or lower its wireless or other communications facilities to permit the work
781 authorized by the permit. The expense of temporarily raising or lowering facilities shall be
782 paid by the person requesting the same, and the registrant shall have the authority to require
783 such payment in advance. The registrant shall be given not less than 30 days advance written
784 notice to arrange for such temporary relocation.

785 (3) *Replacement and maintenance of wireless facilities.* The city shall not require approval or
786 require fees or other charges for:

787 a. Routine maintenance;

788 b. Replacement of existing wireless facilities with wireless facilities that are substantially
789 similar or of the same or smaller size; or

790 c. a communications service provider authorized to occupy the rights-of-way and who is
791 remitting taxes under chapter 202.

792 Notwithstanding this paragraph, for public safety, the wireless provider must give reasonable
793 notice to the city's public works department before undertaking these activities and a right-of-
794 way permit shall be required for work that involves excavation, closure of a sidewalk, or
795 closure of a vehicular lane.

796 (4) The City may charge an annual connection fee for each small wireless facility collocated
797 upon a city utility pole in the amount of \$150.00.

798 (s) *Additional authority; permit conditions.* To the extent not otherwise prohibited by state or
799 federal law and this chapter, the city shall have the power to prohibit or limit the placement of
800 new or additional communications facilities within all or parts of the public rights-of-way. The
801 city may impose reasonable conditions upon the grant of a permit, in addition to the specific
802 requirements of this code, as deemed appropriate to advance the intent or purposes of this article
803 and as is consistent with the law.

804 (t) The approval of the installation, placement, maintenance, or operation of a small wireless
805 facility or other communications facility pursuant to this article does not authorize the
806 installation, placement, maintenance, or operation of any facility other than that approved.

807 (u) *Make-Ready for Collocation.*

808 (1) For a city utility pole that does not support an aerial facility used to provide
809 communications services or electric service, the applicant seeking to collocate a small
810 wireless facility shall provide a make-ready estimate at the applicant's expense for the work

811 necessary to support the small wireless facility, including pole replacement, and perform the
812 make-ready work. If pole replacement is required, the scope of the make-ready estimate is
813 limited to the design, fabrication, and installation of a utility pole that is substantially similar
814 in color and composition. The city shall not condition or restrict the manner in which the
815 applicant obtains, develops, or provides the estimate or conducts the make-ready work
816 subject to usual construction restoration standards for work in the right-of-way. The replaced
817 or altered utility pole shall remain the property of the city.

818 (2) The city shall not require more make-ready work than is required to meet applicable codes
819 or industry standards.

820 (3) Fees for make-ready work shall not include costs related to preexisting damage or prior
821 noncompliance. Fees for make-ready work, including any pole replacement, shall not exceed
822 actual costs or the amount charged to communications service providers other than wireless
823 services providers for similar work and shall not include any consultant fee or expense.

824 (4) Fees for make-ready work must be paid to the City, even if they exceed the applicant's
825 estimate, before the wireless facilities may be operational.

826 Sec. 20-7. - Suspension of permits.

827
828 (a) The city may suspend a permit for work in the public rights-of-way for one or more of the
829 following reasons:

830
831 (1) Violation of permit conditions, including conditions set forth in the permit, this article or
832 other applicable city ordinances, codes or regulations governing placement or maintenance of
833 communications facilities in public rights-of-way;

834
835 (2) Misrepresentation or fraud by registrant in a registration or permit application to the city;

836
837 (3) Failure to properly renew or ineffectiveness of registration; or

838
839 (4) Failure to relocate or remove facilities as may be lawfully required by the city.

840
841 (b) The city manager or designee shall provide notice and an opportunity to cure any violation of
842 subsections (a)(1) through (a)(4) of this section, each of which shall be reasonable under the
843 circumstances.

844
845 Sec. 20-8. - Appeals.

846
847 Any final decision by a City official or board other than the City Commission may be appealed to
848 the City Commission by filing a written notice of appeal with the city manager or designee within
849 30 days of the date of the decision. Any appeal not timely filed as set forth above shall be waived.
850 A timely filed appeal shall be heard within a reasonable time in light of the circumstances. Any
851 final decision by the City Commission is subject to review as provided by law.

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Sec. 20-9. - Involuntary termination of registration.

(a) The city may terminate a registration if:

(1) A federal or state authority suspends, denies, or revokes a registrant's certification or license to provide communications services;

(2) The registrant's placement or maintenance of a communications facility in the public rights-of-way presents an extraordinary danger to the general public or other users of the public rights-of-way and the registrant fails to remedy the danger promptly after receipt of written notice; or

(3) The registrant ceases to use all of its communications facilities in public rights-of-way and has not complied with section 20-16.

(b) Prior to termination, the registrant shall be notified by the city manager or designee with a written notice setting forth all matters pertinent to the proposed termination action, including which of subsections (a)(1) through (a)(3) of this section is applicable as the reason therefor, and describing the proposed action of the city with respect thereto. The registrant shall have 60 days after receipt of such notice within which to address or eliminate the reason or within which to present a plan, satisfactory to the city manager or designee, to accomplish the same. If the plan is rejected, the city manager or designee shall provide written notice of such rejection to the registrant and shall make a recommendation to the city commission regarding a decision as to termination of registration. A decision by the city to terminate a registration may only be accomplished by an action of the city commission. A registrant shall be notified by written notice of any decision by the city commission to terminate its registration. Such written notice shall be sent within seven days after the decision.

(c) In the event of termination, the former registrant shall: (i) notify the city of the assumption or anticipated assumption by another registrant of ownership of the registrant's communications facilities in public rights-of-way; or (ii) provide the city with an acceptable plan for disposition of its communications facilities in public rights-of-way. If a registrant fails to comply with this subsection, the city may exercise any remedies or rights it has at law or in equity, including but not limited to taking possession of the facilities where another person has not assumed the ownership or physical control of the facilities or requiring the registrant within 90 days of the termination, or such longer period as may be agreed to by the registrant, to remove some or all of the facilities from the public rights-of-way and restore the public rights-of-way to its original condition before the removal.

(d) In any event, a terminated registrant shall take such steps as are necessary to render safe every portion of the communications facilities remaining in the public rights-of-way of the city.

(e) In the event of termination of a registration, this section does not authorize the city to cause the removal of communications facilities used to provide another service for which the registrant or another person who owns or exercises physical control over the facilities holds a valid certification or license with the governing federal or state agency, if required for provision of such service, and is registered with the city if required.

901 Sec. 20-10. - Existing communications facilities in public rights-of-way.

902

903 A communications services provider with an existing communications facility in the public
904 rights-of-way of the city has 60 days from the effective date of the ordinance from which this
905 article is derived to comply with the terms of this article, including, but not limited to,
906 registration, or be in violation thereof.

907

908 Sec. 20-11. - Insurance.

909 (a) A registrant shall provide, pay for and maintain satisfactory to the city an acceptable
910 policy or policies of liability insurance, including comprehensive general liability insurance,
911 products/completed operations liability, personal injury liability, owners and contractors
912 protective liability, broad form property damage, contractual liability, automobile liability
913 (owned, non-owned and hired automobiles), workers' compensation and employee liability.

914 (b) Policies of liability insurance shall be in the minimum single limit amount of
915 \$5,000,000.00 per occurrence.

916 (c) The insurance policy or policies shall contain contractual liability insurance naming the
917 city as an insured, and shall also insure against the types of liabilities covered by the
918 indemnification and hold harmless provisions of this article.

919 (d) All insurance shall be from responsible companies duly authorized to do business in the
920 state and having a rating reasonably acceptable to the city.

921 (e) All liability policies shall provide that the city is an additional insured as to the activities
922 under this article. The required coverages must be evidenced by properly executed certificates of
923 insurance forms. The certificates must be signed by the authorized representative of the insurance
924 company and shall be filed and maintained with the city annually.

925 (f) Thirty days' advance written notice by registered, certified or regular mail as determined
926 by the city must be given to the city of any cancellation, intent not to renew or reduction in the
927 policy coverages.

928 (g) The insurance requirements may be satisfied by evidence of self-insurance with sufficient
929 financial strength and reserves or other types of insurance acceptable to the city.

930 Sec. 20-12. - Indemnification.

931 (a) A registrant shall, at its sole cost and expense, indemnify, hold harmless, and defend the
932 city, its officials, boards, members, agents, and employees, against any and all claims, suits,
933 causes of action, proceedings, judgments for damages or equitable relief, and costs and expenses
934 incurred by the city arising out of the placement or maintenance of its wireless or other
935 communications facilities in public rights-of-way, regardless of whether the act or omission
936 complained of is authorized, allowed or prohibited by this article, provided, however, that a
937 registrant's obligation hereunder shall not extend to any claims caused by the negligence, gross

938 negligence or wanton or willful acts of the city. This provision includes, but is not limited to, the
939 city's reasonable attorneys' fees and costs incurred in defending against any such claim, suit or
940 proceedings. The city agrees to notify the registrant, in writing, within a reasonable time of the
941 city receiving notice, of any issue it determines may require indemnification. Nothing in this
942 section shall prohibit the city from participating in the defense of any litigation by its own counsel
943 and at its own cost if in the city's reasonable belief there exists or may exist a conflict, potential
944 conflict or appearance of a conflict. Nothing contained in this section shall be construed or
945 interpreted:

946 (1) As denying to either party any remedy or defense available to such party under the laws
947 of the state; or

948 (2) As a waiver of sovereign immunity beyond the waiver provided in F.S. § 768.28, as it
949 may be amended.

950 (b) The indemnification requirements shall survive and be in effect after the termination,
951 suspension or cancellation of a registration.

952 Sec. 20-13. - Construction bond.

953 (a) Prior to issuing a permit, the city may require a construction bond to secure the
954 restoration of the public rights-of-way and removal of abandoned equipment or equipment not
955 removed after termination of registration or non-renewal of the annual permit. Notwithstanding
956 the foregoing, a construction bond hereunder may only be required to the extent that the cost of
957 the restoration exceeds the amount recoverable against the security fund as provided in this
958 article. Twelve months after the completion of the restoration in public rights-of-way in
959 accordance with the bond and removal of wireless facilities, the registrant may eliminate the
960 bond. However, the city may subsequently require a new bond for any subsequent work in the
961 public rights-of-way.

962 (b) The construction bond shall be issued by a surety having a rating reasonably acceptable to the
963 city; shall be subject to the approval of the city manager; and shall provide that: "For twelve (12)
964 months after issuance of this bond, this bond may not be canceled, or allowed to lapse, until sixty
965 (60) days after receipt by the city, by certified mail, return receipt requested, of a written notice
966 from the issuer of the bond of intent to cancel or not to renew."

967 (c) The rights reserved by the city with respect to any construction bond established pursuant to
968 this section are in addition to all other rights and remedies the city may have under this article, or
969 at law or equity.

970 (d) The rights reserved to the city under this section are in addition to all other rights of the city,
971 whether reserved in this article, or authorized by other law, and no action, proceeding or exercise
972 of a right with respect to the construction bond will affect any other right the city may have.

973 Sec. 20-14. - Security fund.

974 At or prior to the time a registrant receives its first permit to place or maintain a communication
975 facility in public rights-of-way after the effective date of the ordinance from which this article
976 derives, the registrant may be required to file with the city, for city approval, an annual bond,
977 cash deposit or irrevocable letter of credit in the sum of \$25,000.00 or other appropriate amount
978 having as a surety a company qualified to do business in the state, and acceptable to the city
979 manager, which shall be referred to as the "security fund." The security fund shall be maintained
980 from such time through the earlier of: (i) transfer, sale or assignment to another registrant who
981 shall comply with this provision or removal of all communications facilities in public rights-of-
982 way; or (ii) twelve months after the termination or cancellation of any registration. The security
983 fund shall be conditioned on the full and faithful performance by the registrant of all
984 requirements, duties and obligations imposed upon registrant by the provisions of this article. The
985 security fund shall be furnished annually or as frequently as necessary to provide a continuing
986 guarantee of the registrant's full and faithful performance at all times. In the event a registrant
987 fails to perform its duties and obligations imposed upon the registrant by the provisions of this
988 article, there shall be recoverable, jointly and severally from the principal and surety of the
989 security fund, any damages or loss suffered by the city as a result, including the full amount of
990 any compensation, indemnification or cost of removal, relocation or abandonment of any
991 facilities of the registrant in public rights-of-way, plus a reasonable allowance for attorneys' fees,
992 up to the full amount of the security fund. Notwithstanding the foregoing, the city may in its
993 sound discretion accept a corporate guarantee of the registrant's parent company.

994 Sec. 20-15. - Enforcement remedies.

995 (a) A registrant's failure to comply with provisions of this article shall constitute a violation
996 of this article and shall subject the registrant to the code enforcement provisions and procedures
997 as provided in the applicable code of the city.

998 (b) In addition, violation of this article may be punishable as provided in F.S. § 162.22, as it
999 may be amended.

1000 (c) Before imposing a fine pursuant to this section, the city manager or the city manager's
1001 designee shall give written notice of the violation and its intention to assess such penalties, which
1002 notice shall contain a description of the alleged violation. Following receipt of such notice, the
1003 registrant shall have 30 days to either: (a) cure the violation to the city's satisfaction and the city
1004 shall make good faith reasonable efforts to assist in resolving the violation; or (b) file an appeal
1005 with the city to contest the alleged violation. If no appeal is filed and if the violation is not cured
1006 within the 30-day period, the city may collect all fines owed, beginning with the first day of the
1007 violation, through any means allowed by law.

1008 (d) In determining which remedy is appropriate, the city shall take into consideration the
1009 nature of the violation, the person bearing the impact of the violation, the nature of the remedy
1010 required in order to prevent further violations, and such other matters as the city determines are
1011 appropriate to the public interest. In any proceeding before the city where there exists an issue
1012 with respect to a registrant's performance of its obligations pursuant to this article, the registrant
1013 shall be given the opportunity to provide such information as it may have concerning its

1014 compliance with the terms and conditions of this article. The city may find a registrant that does
1015 not demonstrate compliance with the terms and conditions of this article in default and apply any
1016 remedy as authorized by this article or other applicable laws, ordinances, regulations or city
1017 codes. The city manager or a designee shall be responsible for administration and enforcement of
1018 this article, and is authorized to give any notice required by law. Failure of the city to enforce any
1019 requirements of this article shall not constitute a waiver of the city's right to enforce that violation
1020 or subsequent violations of the same type or to seek appropriate enforcement remedies.

1021 Sec. 20-16. - Abandonment.

1022 (a) Upon abandonment of a communications facility owned by a registrant in public rights-
1023 of-way, the registrant shall notify the city within 90 days.

1024 (b) The city may direct the registrant by written notice to remove all or any portion of such
1025 abandoned communications facility at the registrant's sole expense if the city determines that the
1026 abandoned facility's presence interferes with the public health, safety or welfare, which shall
1027 include, but shall not be limited to, a determination that such facility: (a) compromises safety at
1028 any time for any public rights-of-way user or during construction or maintenance in public rights-
1029 of-way; (b) prevents another person from locating facilities in the area of public rights-of-way
1030 where the abandoned facility is located when other alternative locations are not reasonably
1031 available; (c) creates a maintenance condition that is disruptive to the public rights-of-way's use;
1032 or (d) removal of the communications facility would improve or enhance the city's aesthetics. In
1033 the event of (b), the city may require the third person to coordinate with the registrant that owns
1034 the existing facility for joint removal and placement, where agreed to by the registrant.

1035 (c) In the event that the city does not direct the removal of the abandoned facility, the
1036 registrant, by its notice of abandonment to the city, shall be deemed to consent to the alteration or
1037 removal of all or any portion of the facility by the city or another person at such third party's cost.

1038 (d) If the registrant fails to remove all or any portion of an abandoned facility as directed by
1039 the city within a reasonable time period as may be required by the city under the circumstances,
1040 the city may perform such removal and charge the cost of the removal against the registrant or
1041 any successor in interest to the registrant.

1042 Sec. 20-17. - Force majeure.

1043 (a) In the event a registrant's performance of or compliance with any of the provisions of this
1044 article is prevented by a cause or event not within the registrant's control, such inability to
1045 perform or comply shall be deemed excused and no penalties or sanctions shall be imposed as a
1046 result; provided, however, that such registrant uses all practicable means to expeditiously cure or
1047 correct any such inability to perform or comply. For purposes of this article, causes or events not
1048 within a registrant's control shall include, without limitation, acts of God, floods, earthquakes,
1049 landslides, hurricanes, fires and other natural disasters, acts of public enemies, riots or civil
1050 disturbances, sabotage, strikes and restraints imposed by order of a governmental agency or court.

1051 (b) Causes or events within registrant's control, and thus not falling within this section, shall
1052 include, without limitation, registrant's financial inability to perform or comply, economic
1053 hardship, and misfeasance, malfeasance or nonfeasance by any of registrant's directors, officers,
1054 employees, contractors or agents.

1055 Sec. 20-18. - Reservation of rights and remedies.

1056 (a) The city reserves the right to amend this article as it shall find necessary in the lawful
1057 exercise of its police powers.

1058 (b) This article shall be applicable to all communications facilities placed in the public
1059 rights-of-way on or after the effective date of the ordinance and shall apply to all existing
1060 communications facilities in the public rights-of-way prior to the effective date of the ordinance,
1061 to the full extent permitted by state and federal law.

1062 (c) The adoption of this article is not intended to affect any rights or defenses of the city or a
1063 communications service provider under any existing franchise, license or other agreements with a
1064 communications services provider.

1065 (d) Nothing in this article shall affect the remedies the city or the registrant has available
1066 under applicable law.

1067 (e) Any person who uses the communications facilities of a registrant, other than the
1068 registrant that owns the facilities, shall not be entitled to any rights to place or maintain such
1069 facilities in excess of the rights of the registrant that places or maintains the facilities.

1070 Sec. 20-19. - Pass-through provider fees and charges.

1071 (a) Pass-through providers shall pay to the city on an annual basis an amount equal to
1072 \$500.00 per linear mile or portion thereof of communications facilities placed and/or maintained
1073 in the city's rights-of-way. For purposes of this section, the city's rights-of-way do not include
1074 rights-of-way that extend in or through the city but are state, county or another authority's roads
1075 or rights-of-way.

1076 (b) The amounts charged pursuant to this section shall be based on the linear miles of rights-
1077 of-way where a wireless communications facility is placed, not based on a summation of the
1078 lengths of individual cables, conduits, strands or fibers. Multiple cables, conduits, strands, or
1079 fibers located within the same conduit shall be considered one communications facility for
1080 purposes of this subsection.

1081 (c) Any annual amount charged shall be reduced for a prorated portion of any 12-month
1082 period during which the pass-through provider remits taxes imposed by the city pursuant to F.S.
1083 ch. 202.

1084 (d) Fees for Non-Collocated Communications Facilities.

1085 (1) Fees for non-collocated communications facilities may be charged to any person not a
1086 dealer of communications services as defined by Florida Statutes § 202.11.

1087 (2) Annual payments shall be due and payable on April 1 of each year. Fees not paid within
1088 ten days after the due date shall bear interest at the rate of one percent per month from the
1089 date due until paid. The acceptance of any payment required hereunder by the city shall not
1090 be construed as an acknowledgement that the amount paid is the correct amount due, nor
1091 shall such acceptance of payment be construed as a release of any claim which the city may
1092 have for additional sums due and payable. All fee payments shall be subject to audit by the
1093 city, and assessment or refund if any payment is found to be in error. If such audit results in
1094 an assessment by and an additional payment to the city, such additional payment shall be
1095 subject to interest at the rate of one percent per month until the date payment is made.

1096 (e) Collocation Fees.

1097 (1) The wireless infrastructure provider shall remit a \$150.00 collocation fee per wireless
1098 facility to the City with the application to pay for the first year's fee for collocating small
1099 wireless facilities on a city utility pole.

1100 (2) The wireless infrastructure provider shall remit a \$150.00 collocation fee per wireless
1101 facility to the City within thirty (30) days of the anniversary of the approval of the
1102 collocation. Failure to timely pay the Collocation Fee shall result in the immediate forfeiture
1103 of all rights to collocate on the city utility pole and any wireless equipment collocated on the
1104 utility pole shall be removed within thirty (30) days.

1105 (f) Fees for City Connections. The City reserves the right to assess pole connection fees or other
1106 fees for the use of city employees and contractors as well as fees for access to any fiber network
1107 the city may construct.

1108 (g) Permit Fees. The wireless infrastructure provider shall remit with its application all
1109 appropriate fees, including a right-of-way utilization permit fee and building permit and plan
1110 review fees.

1111 (h) If the payments required by this section are not timely made by the due date, the city may
1112 withhold the issuance of any permits, including for other wireless facilities, to the registrant until
1113 the amount past due is paid in full.

1114 **SECTION 3. Codification.** This Ordinance shall be incorporated into the Flagler Beach City
1115 Code. Any section, paragraph number, letter and/or any heading may be changed or modified as
1116 necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be
1117 corrected, and additions, alterations, and omissions not affecting the construction or meaning of this
1118 ordinance or the City Code may be freely made.

1119
1120 **SECTION 4. Severability.** If any section, subsection, sentence, clause, phrase, word or
1121 provision of this Ordinance is for any reason held invalid or unconstitutional by any court of
1122 competent jurisdiction, whether for substantive, procedural, or any other reason, such portion shall be

1123 deemed a separate, distinct and independent provision, and such holding shall not affect the validity of
1124 the remaining portions of this Ordinance.

1125
1126 **SECTION 5. Conflicts.** In the event of a conflict or conflicts between this Ordinance and any
1127 other ordinance or provision of law, this Ordinance controls to the extent of the conflict, as allowable under
1128 the law.

1129
1130 **SECTION 6. Effective date.** This Ordinance shall become effective immediately upon
1131 adoption by the City Commission of the City of Flagler Beach, Florida.

1132
1133 **DULY ADOPTED** by the City Commission of the City of Flagler Beach, Florida, this _____
1134 day of _____, 2017.

1135
1136 CITY COMMISSION OF FLAGLER BEACH, FLORIDA

1137
1138 By: _____
1139 Linda Provencher, Mayor
1140

1141 ATTEST:

1142
1143 By: _____
1144 Penny Overstreet, City Clerk
1145

1146

#18

PREPARED BY AND RETURN TO:
Albert J. Hadeed
Flagler County Attorney
1769 East Moody Blvd., Suite 303
Bunnell, FL 32110

**INTERLOCAL AGREEMENT
BETWEEN FLAGLER COUNTY, FLORIDA AND
THE CITY OF FLAGLER BEACH, FLORIDA
FOR JOINT USE OF THE
MOODY-WICKLINE SENIOR SERVICES CENTER**

THIS INTERLOCAL AGREEMENT, is entered into between the City of Flagler Beach ("City"), and the Flagler County Board of County Commissioners ("County") to provide for joint use of the Moody-Wickline Senior Services Center ("Center") located at 800 S. Daytona Avenue, Flagler Beach, Florida.

WHEREAS, the parties have agreed to joint use of the Center that will benefit the public and protect public resources; and

WHEREAS, the parties wish to enter into an Interlocal Agreement to define their respective responsibilities and terms of use for the Center.

NOW, THEREFORE, for and in consideration of the mutual covenants, conditions and provisions contained herein, and the benefits flowing to each party, the parties hereto mutually agree as follows:

SECTION 1.

1. The Center shall be used for the provision of Senior Services programs and activities under the auspices of the County. The County shall have exclusive use and occupancy of the Center, Monday through Friday, from the hours of 8:00 a.m. to 5:00 p.m. and during other times as scheduled and coordinated in advance with the City.

2. The County agrees to indemnify the City and its employees and agents from and against any and all claims, suits, demands or causes of action, arising out of, or in connection with the County's use of the site caused by any act or omission of the County causing injury to any person or to property. This indemnity is subject to the limits of § 768.28, Fla. Stat., and shall not benefit third parties.



3. Both parties agree to abide by the rules and regulations for use of the Center which are attached hereto as Exhibit "A."
4. The County will assume two-thirds (2/3) of the building maintenance, janitorial services, repair, and utility costs; the City will assume the remaining one-third (1/3) of said costs. Cooperative payment of utilities will be coordinated between City and County staff.
5. The County shall continue to provide the janitorial services for the facility subject to the cost sharing provisions of Section 1, paragraph 4, of this Agreement.
6. The City will add the facility to its grounds maintenance schedule and will be responsible for maintaining the exterior grounds.
7. The City and County agree to coordinate all other scheduled uses of the Center ensuring that the additional uses will not conflict with or compromise the ongoing and regular use of the Center for the Senior Services programs and activities as indicated in Section 1, paragraph 1 of this Agreement.
8. Each party may retain the respective revenues derived from its individual use and occupancy of the Center.
9. The County will not physically alter the Center absent prior written consent of the City. Likewise, the City shall not make any improvements that will impair the operation or function of the Center without prior written consent of the County.
10. In the event that any disputes arise regarding the operation, use or maintenance of the Center, the matter shall be referred to the City Manager and County Administrator for informal resolution.
11. The City agrees to maintain building, equipment and liability insurance for the Center and grounds.
12. The City and County agree to provide a copy of Exhibit "A" to all additional scheduled users of the facility.
13. At the conclusion of each party's use, both the City and the County will leave the building in an operational state in compliance with the rules and regulations set forth in Exhibit "A."
14. It is the City's responsibility to collect for any damages and to replace the Center's equipment with like equipment, so as not to interfere with the daily operations of the Center.



SECTION 2. Prior Agreements.

The terms and conditions of this Interlocal Agreement are intended to supersede all prior lease agreements or actions thereon regarding the use of the Center. Specifically, the lease dated August 18, 1982, between Flagler County and the City of Flagler Beach is hereby canceled; and furthermore, the lease dated December 19, 1991, between the City of Flagler Beach and the Flagler County Council on Aging and Community Services, Inc., the entity to which Flagler County succeeded, is also canceled.

SECTION 3. Controlling Law. The laws of the State of Florida shall govern this Agreement.

SECTION 4. Termination and/or Modification. Amendments to and waivers of the provisions of this Agreement shall be made by the parties only in writing and must be agreed to by both parties jointly. This Agreement shall continue in effect unless both parties are in agreement to terminate the same.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed in their names by their proper Officers the day and year below written and forwarded to the Flagler County Attorney's Office for filing of this Interlocal Agreement with the Clerk of the Circuit Court of Flagler County, Florida.

APPROVED this ^{4TH} ~~2ND~~ day of FEBRUARY, 2008, by the Flagler County Board of County Commissioners.

BY THE COUNTY
FLAGLER COUNTY BOARD OF COUNTY
COMMISSIONERS

ATTEST:

James M. O'Connell
James M. O'Connell, Chairman

Date: 2-6-08

Gail Wadsworth, D.C.
Gail Wadsworth, Clerk and Ex Officio
Clerk to the Board

APPROVED AS TO FORM:

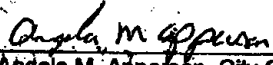
Albert J. Heideed
Albert J. Heideed, County Attorney

Handwritten initials

APPROVED this 27th day of December, 2007, by the City of
Flagler Beach, Florida.

BY THE CITY
CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

ATTEST:


Angela M. Apperson, City Clerk


Alice M. Baker, Mayor

APPROVED AS TO FORM:


Charles J. Cino, City Attorney



EXHIBIT "A"

SENIOR SERVICES CENTER FACILITY (WICKLINE CAFETORIUM)

RULES AND REGULATIONS FOR ADDITIONAL NON-SENIOR SERVICES PROGRAMS AND ACTIVITIES

1. BUILDING USE IS RESTRICTED TO THE MAIN DINING AREA ONLY.
 2. The kitchen and offices are off limits under all circumstances.
 3. The computer and bingo game equipment located in the main area is off limits in all circumstances. It shall not be accessed or moved.
 4. Under no circumstances will the pool table be moved. It will be the City's responsibility to provide for any required rebalancing which will be scheduled at the earliest possible time to avoid any extended lapse of use by the Center participants.
 5. An application for the use of Center from the City shall be completed and the required fees shall be paid to the City at the time the application is accepted for use of the Center prior to any use of the Center. The same shall apply if the use of the Center is from the County.
 6. Maximum Occupant Load for the facility is 128 persons during utilization of tables and chairs. Maximum occupant Load is 200 persons when using chairs arranged in rows.
 7. There are a minimum number of tables and chairs that are available on site (15 tables/seating for six at each table and a total of 106 chairs). Any additional tables or chairs brought into the facility are the sole responsibility of the User. City will oversee User's delivery and removal of all additional equipment to assure no interruption of services at the site during normal hours of operation which are Monday through Friday from 8:00 a.m. - 3:30 p.m. No onsite storage will be provided. All additional equipment must be removed upon event termination.
 8. The User acknowledges that it will be responsible for the cost of any damaged equipment and is subject to liability to the full extent of the law. A security deposit in the amount of two hundred fifty (\$250.00) dollars shall be paid to the City. It will be the City's responsibility to collect for all damages and to replace the Center's equipment with like equipment, so as not to interfere with the Center's daily operations. The senior dining program cannot be hindered due to lack of tables and chairs.
 9. The building will not be defaced in any manner, either in or outside. Nails and tacks will not be used on the walls or ceilings. The User shall be responsible for any/all losses or damages and is subject to liability to the full extent of the law.
 10. The undersigned User will be present at all times during the occupancy of the facility event. The use of the facility must end by 11:00 p.m. and the facility must be vacated by 11:30 p.m., unless previously authorized by the City Manager or the Manager's designee.
-

11. User acknowledges that authorized City personnel will be on the premises during the scheduled rental. Any violation of the listed rules and regulations may result in immediate termination of the use and all persons being removed from the property and forfeiture of their entire deposit. The City staff will hold the key for all events and will open and close building for users. No key will be provided to the User.
12. All Users must provide proof of current liability insurance and are required to obtain and provide a certificate of insurance in the amount of one million dollars (\$1,000,000.00) with the city named as an additional insured.
13. No alcoholic beverages of any kind are permitted inside or outside of the facility at any time.
14. No smoking is permitted in this facility.
15. Before leaving the building the User will:
 - a. Bag all trash and place it in the proper receptacle.
 - b. Return all furniture to its original location. This will include all tables and chairs (six chairs to each table) and all other furnishings.
 - c. Prepare floors for cleaning by sweeping or dust mopping the area. Brooms and dust mops will be accessible for this purpose.
 - d. Inspect restroom facilities making sure that all faucets are turned off.
 - e. All doors and windows will be secured.
 - f. Turn off all the lights.
16. Deposits are refunded after City personnel inspect the facility. Deposits take 2-4 weeks to be returned. Any and all deposit decisions are in the sole determination of the City.
17. The City's Recreation Director must be given no less than 24-hour notice if an event is canceled. If a 24-hour notice is not given, User will be held responsible for the rental fee.

EACH USER UNDERSTANDS THAT SETUP AND BREAKDOWN IS INCLUDED IN THE RENTAL TIME. USER IS NOT PERMITTED TO ENTER THE FACILITY EARLY OR LEAVE AFTER THE EXPIRATION OF THE RENTAL PERIOD. IN CASE OF EMERGENCY - PLEASE CALL THE FLAGLER BEACH POLICE DEPARTMENT AT 386-517-2020.

I agree to follow the above Rules and Regulations.

User Signature

User Name Printed

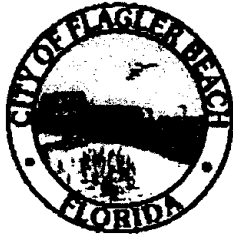
Date _____

City Employee Signature

Date _____

City Employee Printed

#20



City of Flagler Beach

TO: Don Deal, Chairperson, Planning and Architectural Review Board
Planning and Architectural Review Board Members

FROM: Larry Torino, City Planner

RE: #SE 17-09-01 – Request for Special Exception to permit a single family residence in the Tourist Commercial District. The property is located at Lot 9, Block 21, Fuquay Subdivision also known as 2032 South Ocean Shore Blvd., Flagler Beach. Applicant: Keystone Homes

DATE: August 29, 2017

Applicant: Keystone Homes
1339 West Granada Blvd.
Ormond Beach, Florida 32174

Property Owner: Howard and Lori Williams
407 Secretariat Place
Chuluota, Florida, 32766

Property Location: 2032 South Ocean Shore Blvd.

Parcel I.D. No. : 18-12-32-2750-00210-0090

Future Land Use: Commercial

Zoning District: Tourist Commercial

Applicant Submittal: (See Attachment #1)

Background:

The applicant requests a Special Exception to construct a single family residence in the Tourist Commercial zoning district as provided for in the:

1. Land Development Regulations, SCHEDULE ONE ZONING SCHEDULE OF USE CONTROLS;
2. Special Exception Uses; All principal uses permitted in MDR District which permits single family dwellings.

LOCATION/PHYSICAL CHARACTERISTICS

The application is made specific to Lot 9, Block 21, Fuquay Subdivision also known as 2032 South Ocean Shore Blvd. (**See Attachment #2**). The property is a lot of record, the dimensions of which are 50 ft. x 130 ft. (6500 sq. ft.). The property to the south of the proposed residence, at one time, housed a business use. The property to the north is vacant.

Analysis:

Special exception uses, as enumerated in Schedule One, Zoning Schedule of Use Controls, shall be permitted only upon authorization of the City Commission after review by the Planning and

Planning and Building Department

Agenda Item A

Architectural Review Board. In recommending approval or denial of the use, the reviewing boards shall provide findings and recommendations on whether the requirements of Section 2.06.01 (1. through 7.) are met as well as other comments such board feel will assist the City Commission in the determination of whether to grant the use. The *applicant* has provided responses to each of the prescribed criteria enumerated below (**See Attachment #3**).

Special Exception Standards

1. *The use is a permitted special use as set forth on Schedule One, Appendix A. Meets the Schedule One criteria for Single Family Dwelling.*
2. *That the use is so designed, located and proposed to be operated that the health, safety, welfare and convenience will be protected.*
3. *That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.*
4. *That the use will be compatible with adjoining development and the proposed character of the district where it is to be located*
5. *That adequate landscaping and screening is provided as required herein, or otherwise required.*
6. *That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on*
7. *That the use conforms with all applicable regulations governing the district where located.*

Staff Comments:

Recommendation: The Planning and Architectural Review Board recommend approval to City Commission.

Enclosures:

- Attachment #1 – Special Exception Application
- Attachment #2 – Location Map
- Attachment #3 – Applicant Response: Special Exception Standards
- Attachment #4 – Building Elevations



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

Special Exception – (SPEX)

PETITION NO.: _____

DATE: 8/16/17

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

PURPOSE FOR THE SPECIAL EXCEPTION PETITION: Build SFR

PETITIONER: Keystone Homes

PROJECT ADDRESS: 2032 S. Oceanshore Blvd. PHONE NO.: _____

OWNER OF SUBJECT PROPERTY: Howard & Lori Williams

ADDRESS: 1407 Secretariat Place PHONE NO.: 407-416-0872

PETITIONER'S RELATION TO SUBJECT PROPERTY: Builder

ADDRESS/LEGAL DESCRIPTION: Attached -

LOT: 9 BLOCK: 21 SUBDIVISION: Fuquay ZONING DISTRICT: _____

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

TO BE COMPLETED BY THE PLANNING & ZONING DEPARTMENT

ACCEPTED BY: _____ DATE: _____

PETITION #: _____

Authorization

Owner/Applicant

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

SIGNATURE OF PETITIONER: Robert W. Zink

SIGNATURE OF OWNER: Howard Williams

DATE: 8/16/17

Owner- Designating Agent on his/her behalf

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

NAME: Keystone Homes - Robbie Richmond

ADDRESS: 1339 West Granada Blvd.

PHONE: 386-672-6101 / 386-931-0913

STATE OF FLORIDA,
County of Flagler Volusia

Subscribed and Sworn to (or affirmed) before me by

Howard Williams

SIGNATURE OF OWNER

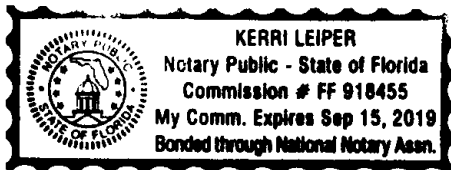
Howard Williams Lon Williams

OWNER'S NAME (Print/Type)

1407 Secretariat Place

ADDRESS (Street, City) & Phone Number

Chuluota, FL 32766
407-416-0872



This 16th day of August, 2017. Who is personally known to me or has produced Howard Williams as identification.

09-15-2019 FF918455
Commission Number & Expiration

Kerri Leiper
Notary Public



Owner Information

Primary Owner
Williams Howard A & Lori A
H&W
1407 Secretariat Place
Chuluota, FL 32766

Parcel Summary

Parcel ID 18-12-32-2750-00210-0090
Location Address 2032 OCEAN SHORE BLVD S
FLAGLER BEACH 32136
Brief FUQUAY SUB DIV BL-21 LOT 9 OR BOOK 114 PAGE 59 OR 263 PG 814 OR 602 PG 1017-DC OR 664 PG 1102-ACM OR 664 PG 1101 OR
Tax Description* 1827/1509 OR 1925/421 OR 2019/786 OR 2191/1459
*The Description above is not to be used on legal documents.
Property Use Code VACANT (000000)
District FLAGLER BEACH AREA (District 21)
Millage Rate 21.3537
Acreage 0.121
Homestead N
Acreage (GIS) 0.12
Feet (GIS) 5249.18

[View Map](#)

Valuation

	2017 Working Values	2016 Certified Values	2015 Certified Values	2014 Certified Values	2013 Certified Values
Building Value	\$0	\$0	\$0	\$0	\$0
Extra Features Value	\$0	\$0	\$0	\$0	\$0
Land Value	\$160,000	\$160,000	\$130,000	\$116,000	\$105,000
Land Agricultural Value	\$0	\$0	\$0	\$0	\$0
Agricultural (Market) Value	\$0	\$0	\$0	\$0	\$0
Just (Market) Value	\$160,000	\$160,000	\$130,000	\$116,000	\$105,000
Assessed Value	\$157,300	\$143,000	\$130,000	\$116,000	\$105,000
Exempt Value	\$0	\$0	\$0	\$0	\$0
Taxable Value	\$157,300	\$143,000	\$130,000	\$116,000	\$105,000
Protected Value	\$0	\$17,000	\$0	\$0	\$0

"Just (Market) Value" description - This is the value established by the Property Appraiser for ad valorem purposes. This value does not represent anticipated selling price.

Sales

Multi Parcel	Sale Date	Sale Price	Instrument	Book	Page	Qualification	Vacant/Improved	Grantor	Grantee
N	03/03/2017	\$206,000	WD	2191	1459	Qualified (Q)	Vacant	NESTING LEGACY LLC	
N	08/11/2014	\$160,000	WD	2019	786	Qualified (Q)	Vacant	MICHAEL CARLSON	
N	02/14/2013	\$144,000	WD	1925	421	Qualified (Q)	Vacant	CARBONELL ERIC	
N	07/27/2011	\$110,000	WD	1827	1509	Qualified (Q)	Vacant	LOURENCO DEOLINDA V	
N	08/01/1999	\$58,000		664	1101	Qualified (Q)	Vacant	CHINNERY DON & LORRAINE	
N	09/01/1985	\$50,000		263	814	Qualified (Q)	Vacant		
N	01/01/1900	\$184,000		0	0	Qualified (Q)	Vacant	CONVERSION	

No data available for the following modules: Property Information, Residential Buildings, Commercial Buildings, Sketches, Building Area Types, Extra Features, Photos.

The Property Appraiser makes every effort to produce the most accurate information possible. No warranties, expressed or implied are provided for the data herein, its use or interpretation. The assessment information is from the last certified tax roll. If you feel that any information contained herein is incorrect, please contact our office at (386)313-4150.

Last Data Upload: 7/9/2017 9:50:23 PM






Developed by
The Schneider
Corporation



Overview

Legend

- Parcels
- Yearly Sales
 -  2015
 -  2016
 -  2017
-  Streams and River

<p>Parcel ID 18-12-32-2750-00210-0090</p> <p>Class Code VACANT</p> <p>Taxing 21</p> <p>District FLAGLER BEACH</p> <p>Approx. Acreage (GIS) 0.12</p>	<p>Owner WILLIAMS HOWARD A & LORIA H&W 1407 SECRETARIAT PLACE CHULUOTA, FL 32766</p> <p>Physical Address 2032 OCEAN SHORE BLVDS</p>	<p>Land Value \$160,000</p> <p>Ag Land Value \$0</p> <p>Building Value \$0</p> <p>Misc Value \$0</p> <p>Just Value \$160,000</p> <p>Assessed Value \$157,300</p> <p>Exempt Value \$0</p> <p>Taxable Value \$157,300</p>	<p>Last 2 Sales</p> <table border="0"> <tr> <th>Date</th> <th>Price</th> <th>Reason</th> <th>Qual</th> </tr> <tr> <td>3/3/2017</td> <td>\$206000</td> <td>QUAL/DEED EXAMINATION</td> <td>Q</td> </tr> <tr> <td>8/11/2014</td> <td>\$160000</td> <td>QUAL/DEED EXAMINATION</td> <td>Q</td> </tr> </table> <p>MLS</p>	Date	Price	Reason	Qual	3/3/2017	\$206000	QUAL/DEED EXAMINATION	Q	8/11/2014	\$160000	QUAL/DEED EXAMINATION	Q
Date	Price	Reason	Qual												
3/3/2017	\$206000	QUAL/DEED EXAMINATION	Q												
8/11/2014	\$160000	QUAL/DEED EXAMINATION	Q												

Date created: 8/17/2017
Last Data Uploaded: 8/17/2017 2:45:51 AM

This instrument prepared by:
Name: Jon C. Hobbs
Flagler County Abstract Company
300 N 2nd Street
Flagler Beach, Florida 32136
FILE NO. S3718
Property Appraisers Parcel Identification Number(s):
18-12-32-2750-00210-0090

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED made the 3 day of March, 2017 by

Nesting Legacy, LLC, a Florida Limited Liability Company

whose street address is 211 North West 5th Avenue, Boca Raton, FL 33432

hereinafter called the grantor*, to

Howard A. Williams and Lori A. Williams, husband and wife

whose street address is 1407 Secretariat Place, Chuluota, FL 32766

hereinafter called the grantee*:

(*Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH, that the grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other valuable considerations to said grantors in hand paid by said grantees, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, remised, released, conveyed and confirmed unto the grantee and grantee's heirs forever the following described land situate in County of Flagler, State of Florida, to wit:

Lot 9, Block 21, Fuquay Subdivision, as shown on map of Flagler Beach, Development in D.F. Fuquay and L.O. Upson's Subdivision, as recorded in Plat Book 1, Page 26, of the Public Records of Flagler County, Florida.

GRANTOR WARRANTS THAT THIS IS NOT HOMESTEAD PROPERTY.

Together, with all the tenements, hereditaments and appurtenances thereto belonging or in otherwise appertaining. To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with the grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31st, 2016. **FURTHER SUBJECT TO** Restrictions, Reservations, Covenants, Dedications, Resolutions, Conditions and Easements of record. If any, however this reference shall not operate to reimpose same.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Deborah P. Pugham
Witness 1 Signature
Deborah P. Pugham
Printed or Typed Name

M. Esquin
Witness 2 Signature
Maria Esquin
Printed or Typed Name

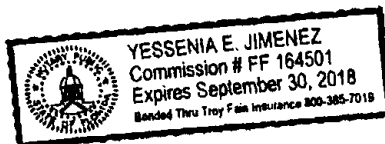
Gregory Grzywna
Nesting Legacy LLC, by Gregory Grzywna, Manager

STATE OF FLORIDA
COUNTY OF Flagler

The foregoing instrument was acknowledged before me this 3 day of March, 2017, by Nesting Legacy, LLC, a Florida Limited Liability Company, by Gregory Grzywna, Manager who is personally known to me or who produced _____ as identification and who did/did not take an oath.

[Signature]
Notary Public
My Commission Expires:

[seal]

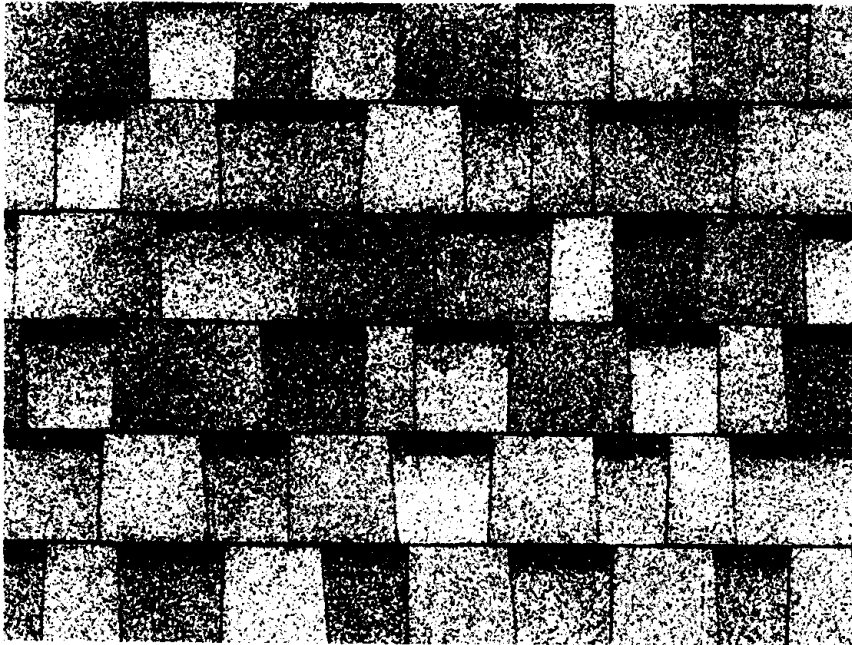


UD 3/8/17

Howard & Lori Williams
2032 S Oceanshore Blvd

Please review all documents provided in order to build a new Single Family residence for Mr. & Mrs. Williams.

Roof: Color Amber- Owens Corning Shingles



Stucco finish

Main Body Paint color: SW6106 Kilim Beige

FN107
SW 6106

Kilim Beige

Trim Paint Color: SW7005 Pure White

Porch Ceilings and Exterior Doors: SW6485 Rain Drops

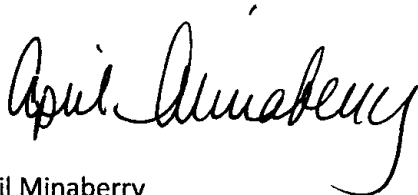
B-G/B/49

SW 6485

Raindrop

Soffit/Drip Edge/ Fascia will all be White

Thank you,

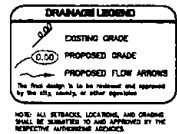
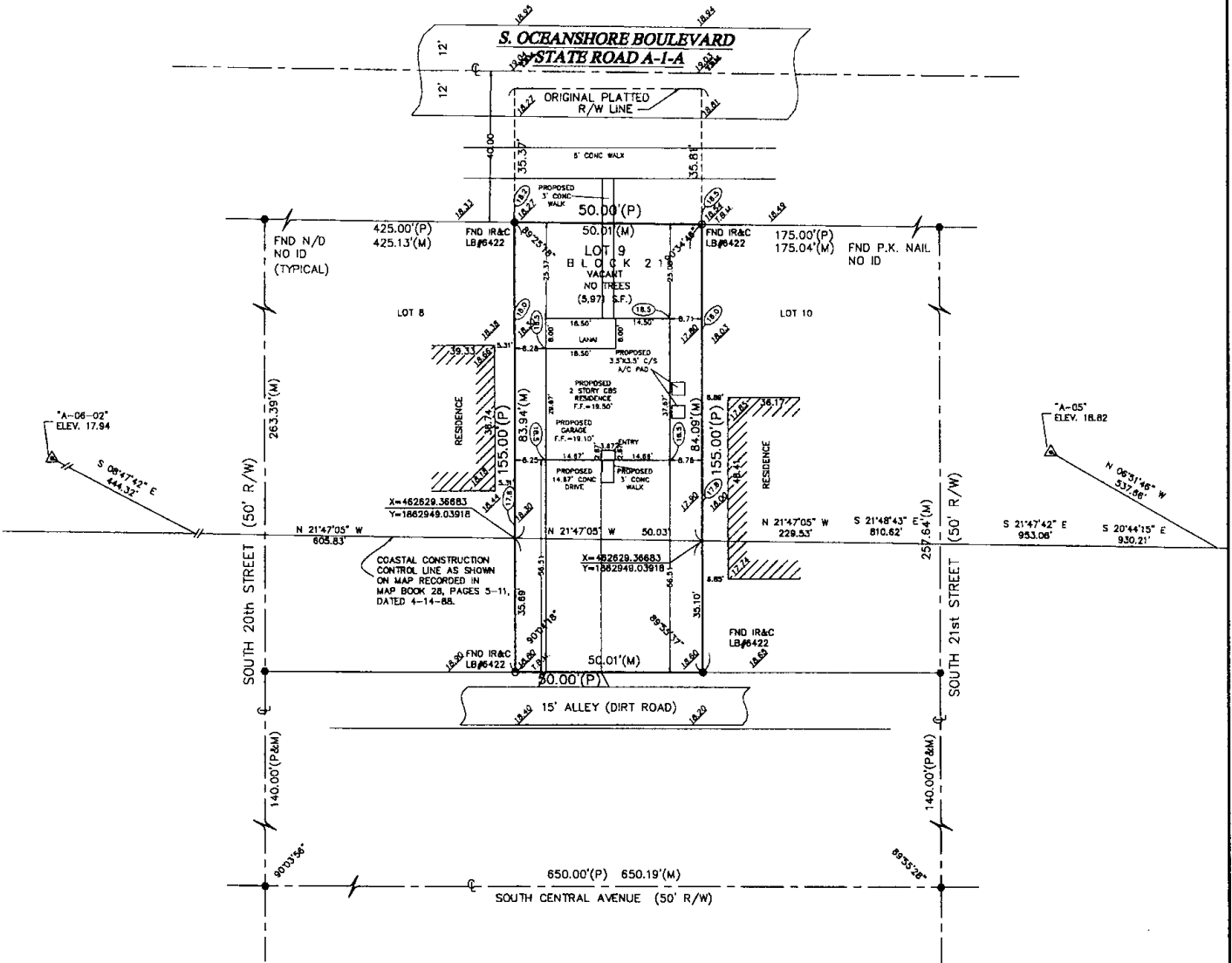
A handwritten signature in black ink that reads "April Minaberry". The signature is written in a cursive, flowing style.

April Minaberry
Keystone Homes
1339 West Granada Blvd
Ormond Beach, FL 32174
386-672-6101

ADDRESS: 2032 SOUTH OCEANSHORE BLVD
 CERTIFICATIONS:
 1. FIRST GREEN BANK
 2. FLAGLER COUNTY ABSTRACT COMPANY

JOB #17-0997

SCALE: 1"=20'



NOTE: FDEP 100-YEAR STORM ELEVATIONS SET BY RANGE MONUMENTS (REVIEWED BY OTHERS) TO ESTABLISH FINISHED FLOOR.

DESCRIPTION: LOT 9, BLOCK 21, FUDQUAY SUBDIVISION, AS RECORDED IN MAP BOOK 1, PAGE 26, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA.

ENGINEERED BETA PLAN WITH DRAINAGE
 TYPE OF SURVEY: BOUNDARY / TOPOGRAPHIC / TREE LOCATION / COCL / PLOT PLAN / DRAINAGE PLAN
 NOTE: PURSUANT TO FLORIDA STATE LAW, THIS SURVEY IS VALID NO MORE THAN 90 DAYS FROM DATE OF LAST FIELD WORK.

TYPE SURVEY	FDD DATE	OFFICE DATE	JOB NO.	BY:
Boundary	04/14/17	04/24/17	17-0997	CJB
Formboard				
Foundation				
Final				

SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
1	1/4" IRAC 1/2" Iron Rod & Cap set	1	1" x 4" Concrete Monument
2	1/4" IRAC 1/2" Iron Rod & Cap Found	2	1" x 4" Concrete Monument Found
3	1/4" IRAC 1/2" Iron Rod & Cap Found	3	1" x 4" Concrete Monument Found
4	1/4" IRAC 1/2" Iron Rod & Cap Found	4	1" x 4" Concrete Monument Found
5	1/4" IRAC 1/2" Iron Rod & Cap Found	5	1" x 4" Concrete Monument Found
6	1/4" IRAC 1/2" Iron Rod & Cap Found	6	1" x 4" Concrete Monument Found
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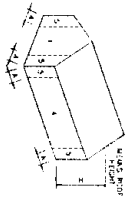
swa STEPHENSON, WILCOX & ASSOCIATES, INC. CIVIL ENGINEERS • LAND SURVEYORS • CONSULTANTS • PLANNERS

204 N. Railroad Street PO Box 186 Orlando FL 32110
 Phone: 386.437.2343 Fax: 386.437.0300
 Email: swa@swainc.com

I hereby certify that the survey represented herein meets or exceeds the minimum standards established pursuant to Section 472.027, Florida Statutes, and adopted in Chapter 31-17 Florida Administrative Code.

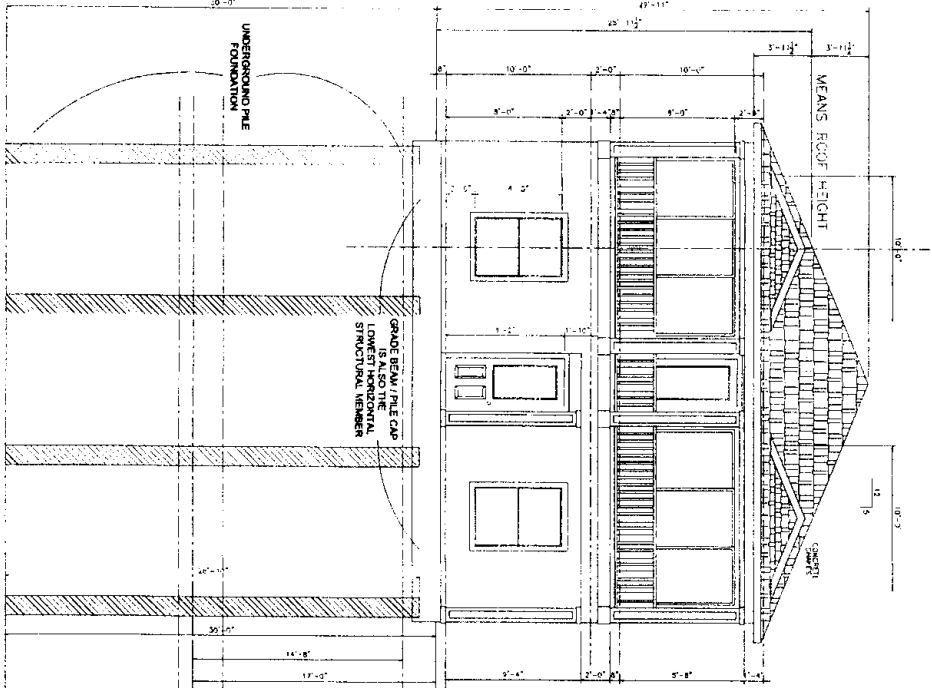
DAN A. WILCOX, P.E., PSM No. 5749, PLS No. 5763 DAVID T. WILCOX, PSM No. 5871
 Not valid without the signature and the original colored seal of a Florida Licensed Surveyor and Mapper.

SHEET
 1 of 1

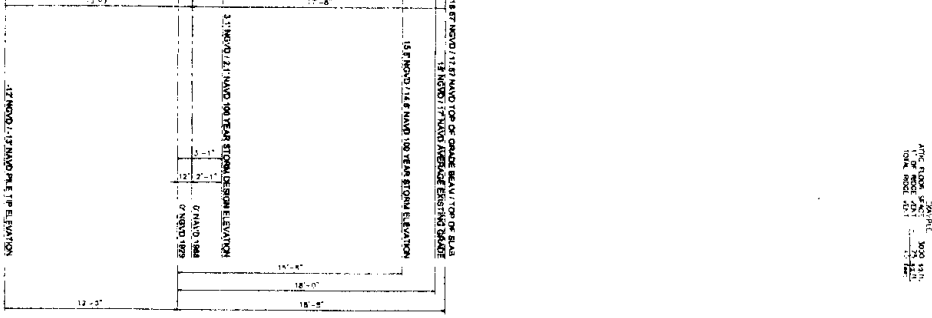


DEPENDENT AND CLASSES
 BUILDING PERMITS
 COMMERCIAL RESIDENTIAL
 AREA
 PROJECT NO.
 DATE
 DRAWN BY
 CHECKED BY
 DATE

FLAGLER CO
 RANGE MARKER 1-88
 15.8' NAVD = 150 YEAR STORM ELEVATION
 2.1' NAVD = SCALE LEVEL

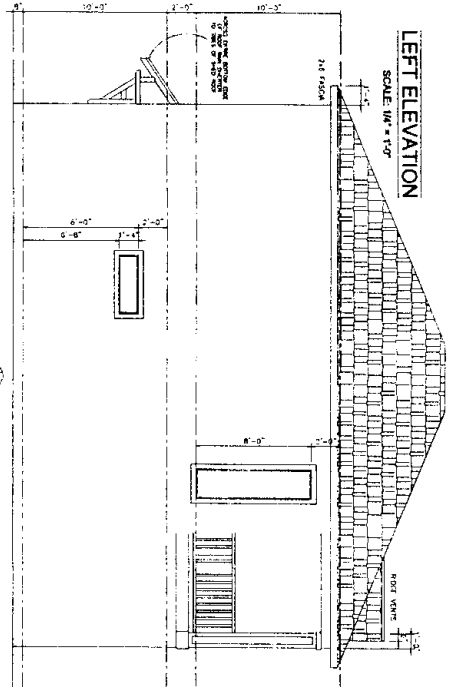


FRONT ELEVATION
 SCALE 1/4" = 1'-0"

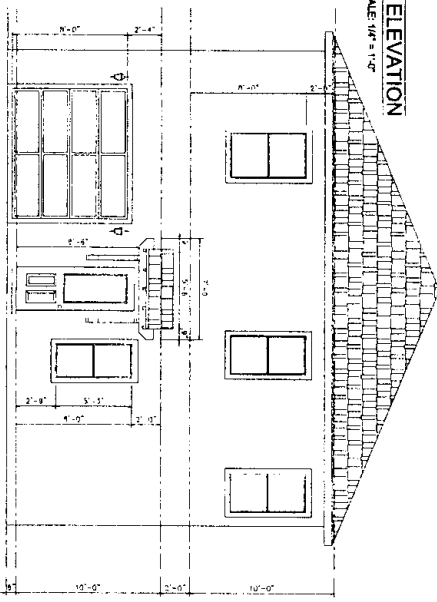


RIGHT 1929 & NAVD 1988 ELEVATIONS
 SCALE 1/4" = 1'-0"

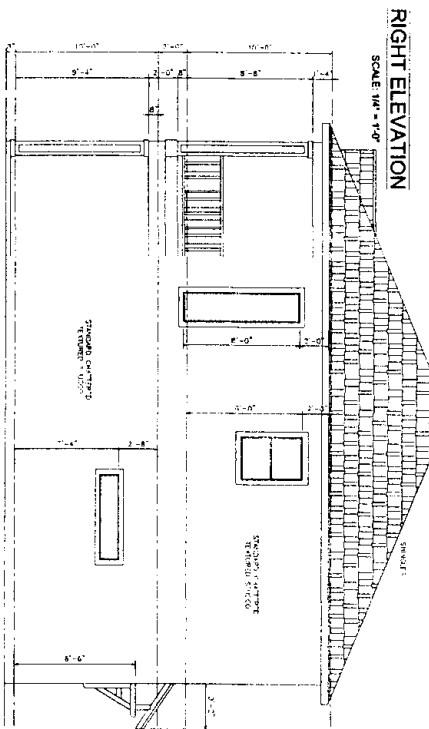
ROOF VENTILATION
 BALCONY
 TO 1/2" DIA. AND EQUIVALENT TO A MIN. OF 4" DIA. VENTILATION FOR EACH 100 SQ. FT. OF FLOOR SPACE. VENTILATION SHALL BE PROVIDED FOR EACH ROOM AND BATH. VENTILATION SHALL BE PROVIDED FOR EACH ROOM AND BATH. VENTILATION SHALL BE PROVIDED FOR EACH ROOM AND BATH.



LEFT ELEVATION
 SCALE 1/4" = 1'-0"



REAR ELEVATION
 SCALE 1/4" = 1'-0"



RIGHT ELEVATION
 SCALE 1/4" = 1'-0"

<p>Building of North American 1114 Broadway Drive Ocean City, FL 32817 Phone: 407-329-1234</p>	<p>30 MENABERRY FRENCH 180-206-4033 ROBBIE RICHMOND VICE PRESIDENT 1140-112-1961</p>	<p>KEYSTONE WILLIAMS - 2032 OCEANSHORE BLVD S</p>	<p>OFFICE - MIDLAND BEACH, FLA 131 W. MIDLAND BLVD 32952-2001 PHONE: 321-438-8888 FAX: 321-438-8888 WWW.KEYSTONEFL.COM REPS/INSTRUMENT.COM</p> <p>JOB NUMBER 2554 SUBSTATE PLAIN DATE 8/11/17</p> <p>PLAN DATE 8/11/17</p> <p>DATE 8/11/17</p> <p>THIS ELEVATION IS FOR THE 2012 OCEANSHORE BLVD SOUTH FLAGLER CO. FLORIDA ELEVATIONS SHEET</p>
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SPECIAL EXCEPTION STANDARDS - ATTACHMENT A

The Planning and Architectural Review Board may grant Special Exceptions only upon finding that the request meets the criteria set forth in Appendix A, Land Development Regulations, Section 2.06.01. Describe how your request meets each requirement.

1. That the use is a permitted Special Exception use as set forth in Schedule One hereof.
SFR is an allowed use in Tourist Commercial Zoning
2. That the use is so designed located and proposed to be operated that the public health, safety, welfare and convenience will be protected. The design meets all zoning and building requirements
3. That the use will not cause substantial injury to the value of other property in the neighborhood where it is to be located.
The use will increase the value of the neighborhood.
4. That the use will be compatible with adjoining development and the proposed character of the district where it is to be located.
The use is compatible to surrounding neighborhood. There are other
5. That the adequate landscaping and screening is provided as required herein, or otherwise required. Names in this area
The landscaping will be in compliance with the LDR's For Flagler Beach
6. That adequate off-street parking and loading is provided and ingress and egress is so designed as to cause minimum interference with traffic on abutting streets.
there will be parking provided in accordance to the LDR's.
7. That the use conforms with all applicable regulations governing the district where located.
As a special exception the SFR will be conforming.

In advocating any Special Exception, the Planning and Architectural Review Board may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the Special Exception is advocated, shall be deemed a violation of this ordinance. The Planning and Architectural Review Board may prescribe a reasonable time limit within which the action for which the Special Exception is required shall be begun or completed or both. Under no circumstances except as permitted above shall the Planning and Architectural Review Board advocate a Special Exception to permit use not generally permitted in the zoning district involved or any use expressly or by implication prohibited by the terms of this ordinance in the zoning district. No nonconforming use of neighboring lands, structures or buildings in the same zoning district and no permitted use of lands, structures or buildings in other zoning districts shall be considered grounds for the advocacy of a Special Exception.

KEYSTONE
 ARCHITECTS
 1201 GARDNER BLVD., SUITE 200
 TAMPA, FLORIDA 33604
 TEL: 813-288-1111
 FAX: 813-288-1112
 WWW.KEYSTONEARCHITECTS.COM

PROJECT: 2554
 DATE: 8/11/17
 SHEET: 1 OF 1

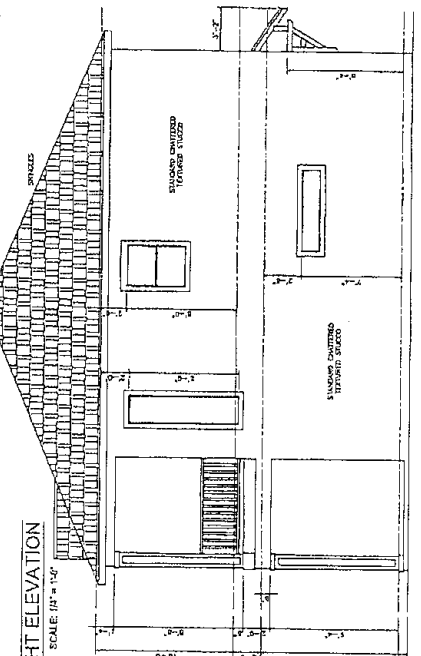
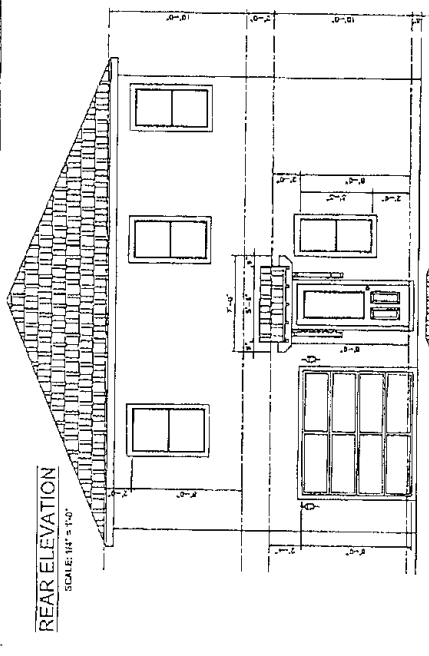
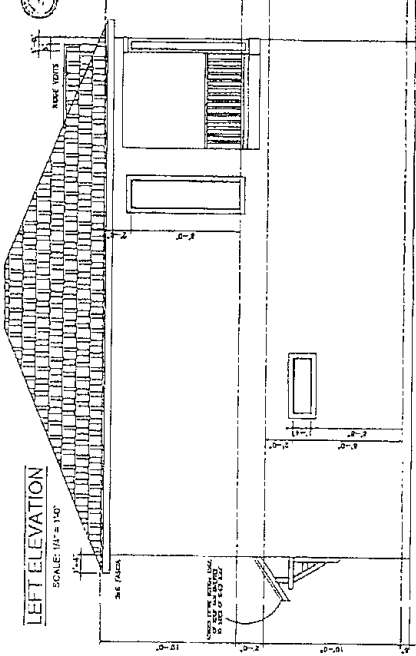
JOB NUMBER: 2554
 SUBSTATE: TAMPA

OFFICE: TAMPA
 PROJECT: 2554
 DATE: 8/11/17

WILLIAMS - 2032 OCEANSHORE BLVD S

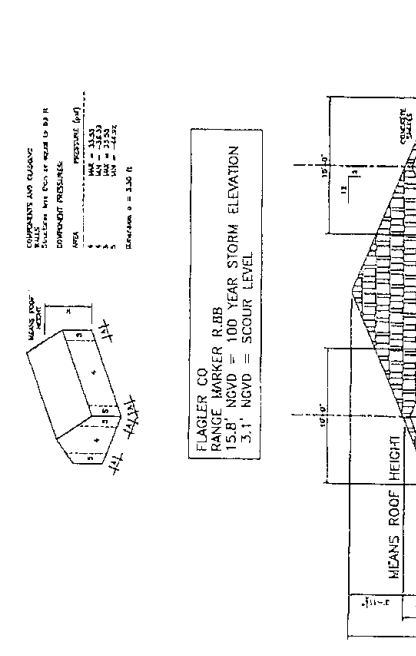
LOT:
 2032 OCEANSHORE
 BLVD SOUTH
 FLAGLER CO. FLORIDA

ELEVATIONS
 SHEET 1



LIVING AREA
ROOF VENTILATION
 15.8' NGVD = 100 YEAR STORM ELEVATION
 3.1' NGVD = SCOUR LEVEL

BALCONY
ROOF VENTILATION
 15.8' NGVD = 100 YEAR STORM ELEVATION
 3.1' NGVD = SCOUR LEVEL



COMMENTS AND CLARIFICATIONS:
 1. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
 2. FINISH FLOOR FINISH TO BE DETERMINED BY ARCHITECT.
 3. FINISH FLOOR FINISH TO BE DETERMINED BY ARCHITECT.
 4. FINISH FLOOR FINISH TO BE DETERMINED BY ARCHITECT.
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 9. FINISH FLOOR FINISH TO BE DETERMINED BY ARCHITECT.
 10. FINISH FLOOR FINISH TO BE DETERMINED BY ARCHITECT.

MEANS ROOF HEIGHT
 GRADE BEAT/PILE CAP IS ALSO THE FOUNDATIONAL STRUCTURAL MEMBER
 UNDERGROUND PILE FOUNDATION

NGVD 1929 & NAVD 1988 ELEVATIONS
 SCALE: 1/4" = 1'-0"



ORDINANCE NO.: 2017-07

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA RELATING TO BOARDS AND COMMITTEES; AMENDING THE PROCEDURES FOR FORMATION AND OPERATION OF BOARDS AND COMMITTEES ESTABLISHED BY THE CITY COMMISSION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Boards and committees serve an important role in the conduct of local government; and

WHEREAS, the City Commission finds it appropriate to amend certain provisions in the Code of Ordinances related to the formation and operation of boards and committees in order to ensure continued participation of citizens on boards and committees.

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

SECTION 1. Chapter 2, Article IV, Division 1, of the Code of Ordinances is hereby amended as follows (note: strikethrough text indicates deletions and underline text indicates additions):

Sec. 2-61. - Creation.

(a) Boards and committees (hereinafter referred to as committees), will be established by ordinance or resolution by of the city commission.

(b) The ordinance or resolution will adopt shall include the mission statement, term of existence and any other special provisions.

Sec. 2-62. - Membership.

Members. The eCommittees shall have no less than three (3) members, one (1) of whom may be a member of the city commission. Committee members will be selected by the city commission based on their qualifications and willingness to serve. Members will be selected without regard to race, creed, national origin, age, sex or the presence of a disability. As much as possible, the committees will be made up of an equitable representation of city residents based on race and sex according to the demographic ratio of the city. In consideration of the Americans with Disabilities Act, efforts should be made to include members with disabilities.

Sec. 2-63. - Eligibility.

39 Subject to any other restrictions placed on membership in the creating ordinance or resolution,
40 the members of the committees and boards shall be residents, city property owners or city
41 business owners who do not have direct financial interests in city business. Members who are
42 not city residents may be appointed to provide appropriate expertise or when deemed in the
43 best interest of the committee.

44 **Sec. 2-64. — Appointments.**

45 ~~The members of the committee shall be appointed by the city commission for terms of up to~~
46 ~~two (2) years; however, any member of the city commission appointed as a member of the~~
47 ~~committee shall serve a one year term with no limitation as to reappointment for additional~~
48 ~~consecutive terms. A list of current members will be written in the minutes, listing those~~
49 ~~present and absent.~~

50 **Sec. 2-65. - Vacancies.**

51 (a) Membership on ~~the~~ a committee shall ~~be~~ terminated automatically when:

52 (1) A member is absent without a valid excuse based on unavoidable circumstances
53 submitted prior to the absence and approved by the committee at the meeting at which
54 the absence occurs from ~~two (2)~~ three (3) consecutive regularly scheduled meetings of
55 the committee during a calendar year; ~~regardless if such absence is excused or~~
56 ~~unexcused~~. All absences will be duly recorded in the meeting minutes. Absences from
57 emergency or special meetings will not be recorded against a member in calculating the
58 percent number of absences. ~~Special exceptions on the removal of members for~~
59 ~~absences may be made by the chair when the absences are due to health or time limited~~
60 ~~extenuating circumstances and the absences do not affect the ability of the committee to~~
61 ~~maintain a quorum; or~~

62 (2) A member submits a written resignations; or

63 (3) A member no longer meets the eligibility requirements; or

64 (4) A member's term expires.

65 ~~(5) — A member conducts themselves in a manner unbecoming a city~~
66 ~~employee/representative of the city.~~

67

68 (b) ~~The chair shall immediately, uUpon~~ receipt of a resignation or when advised of a
69 vacancy, ~~notify the city manager/city clerk; and~~ the city commission shall be requested to
70 appoint a person to fill the unexpired term of the member. The commission shall designate
71 who should fill the vacancy.

72

73 (c) Should a resignation be submitted to staff, they will immediately notify the chair and the
74 city manager/city clerk.

75 **Sec. 2-66. — Sunset provision.**

76 ~~The city commission will review the activities and accomplishments of the committee every~~
77 ~~two (2) years based on a formal review by the city to determine if the committee has completed~~
78 ~~its original objectives. The committee shall cease existence upon successful accomplishment of~~
79 ~~the mission as determined by the commission, or at the discretion of the commission after~~
80 ~~review of the activities/accomplishments every two (2) years.~~

81 [RESERVED]

82 **Sec. 2-67. - Officers.**

83 (a) *Chair*: Shall be voted by the membership for a one-year term. Shall preside over
84 meetings and other activities as deemed appropriate. Shall report committee activities at the
85 commission meetings.

86
87 (b) *Vice-chair*: Shall be voted by the membership for a one-year term. Shall take
88 over duties in the absence of the chair.

89
90 (c) *Secretary*: ~~Shall be voted by the membership for a one-year term. Shall publish~~
91 ~~agendas and minutes to all meetings of the committee and subcommittee. Shall furnish~~
92 ~~information to the city manager/city clerk for availability to the public staff support shall be~~
93 ~~provided at the discretion of the city commission.~~

94 **Sec. 2-68. - Chair duties.**

95 (a) ~~The chair shall preside over meetings of the committee, shall represent the committee~~
96 ~~before the city commission, and shall otherwise serve to facilitate conduct of business by the~~
97 ~~committee.~~

98
99 (b) ~~The chair shall appoint chairs of all subcommittees, standing and special.~~

100
101 (c) ~~The chair shall monitor compliance with sections 2-61 through 2-69. The chair will~~
102 ~~notify members of removal from the committee for noncompliance. Specific questions of~~
103 ~~conflict of interest will be addressed by the city attorney or his designee.~~

104
105 (d) ~~The chair shall immediately, upon receipt of a resignation or when advised of a vacancy,~~
106 ~~notify the city clerk to begin the advertising and appointment process.~~

107
108 (e) ~~The chair may approve special exceptions on the removal of members for absences at~~
109 ~~regularly scheduled meetings when the absences are due to health or time limited~~
110 ~~extenuating circumstances and the absences do not affect the ability of the committee to~~
111 ~~maintain a quorum.~~

112 **Sec. 2-69. - Committee operations.**

113 (a) The commission shall determine how often ~~the~~ a committee shall meet, however the day
114 and time shall be decided by majority vote of the membership of the committee.

115

116 (b) Regular meetings of the committee or subcommittee shall be held in public at a day, time
117 and place set by the members and the chair. The meeting date may be changed by the chair
118 with notification to the committee members. Special meetings of the committee may be
119 called as needed by the chair or, if the chair is unavailable, the vice-chair, or a majority total
120 ~~membership of the committee.~~ A summary of each committee ~~or subcommittee~~ meeting
121 shall be prepared by the recording secretary for approval by the committee, and distributed
122 to all elected officials and members of the committee. The official copy of the minutes,
123 packets, etc., shall be maintained by the city clerk.

124

125 (c) All meetings will be open to the public. For advertising purposes, the committee will
126 provide the city clerk with information and a schedule of their meetings and ensure agendas
127 and minutes are available to the public, all agendas will be posted a minimum of seventy-
128 two (72) hours prior to the meeting.

129

130 (d) All meetings shall be guided by ~~conducted in accordance with~~ Roberts Rules of Order.

131

132 (e) The committee shall have no authority other than as stipulated by the mission defined
133 and approved by the city commission.

134

135 (f) A report of committee activities shall be presented at the city commission meetings when
136 requested.

137

138 (g) Expenditures of funds shall only be made as authorized by the city manager ~~by city staff~~
139 ~~members,~~ provided funds are available.

140

141 **SECTION 2.** Appendix "A," Article VIII, Section 8.04.04 is hereby deleted:

142 ~~Sec. 8.04.04. Transition.~~

143 ~~For the purposes of the transition period, all regular members of the current two (2)~~
144 ~~boards shall become members of the new board and shall retain their current term. No~~
145 ~~members shall be replaced or reappointed until the membership of the board reaches seven (7)~~
146 ~~members. If a regular member misses three (3) consecutive meetings, or five (5) total regular~~
147 ~~meetings in any twelve-month period, with or without cause, they shall be automatically~~
148 ~~removed from the board.~~

149 [RESERVED]

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

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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.

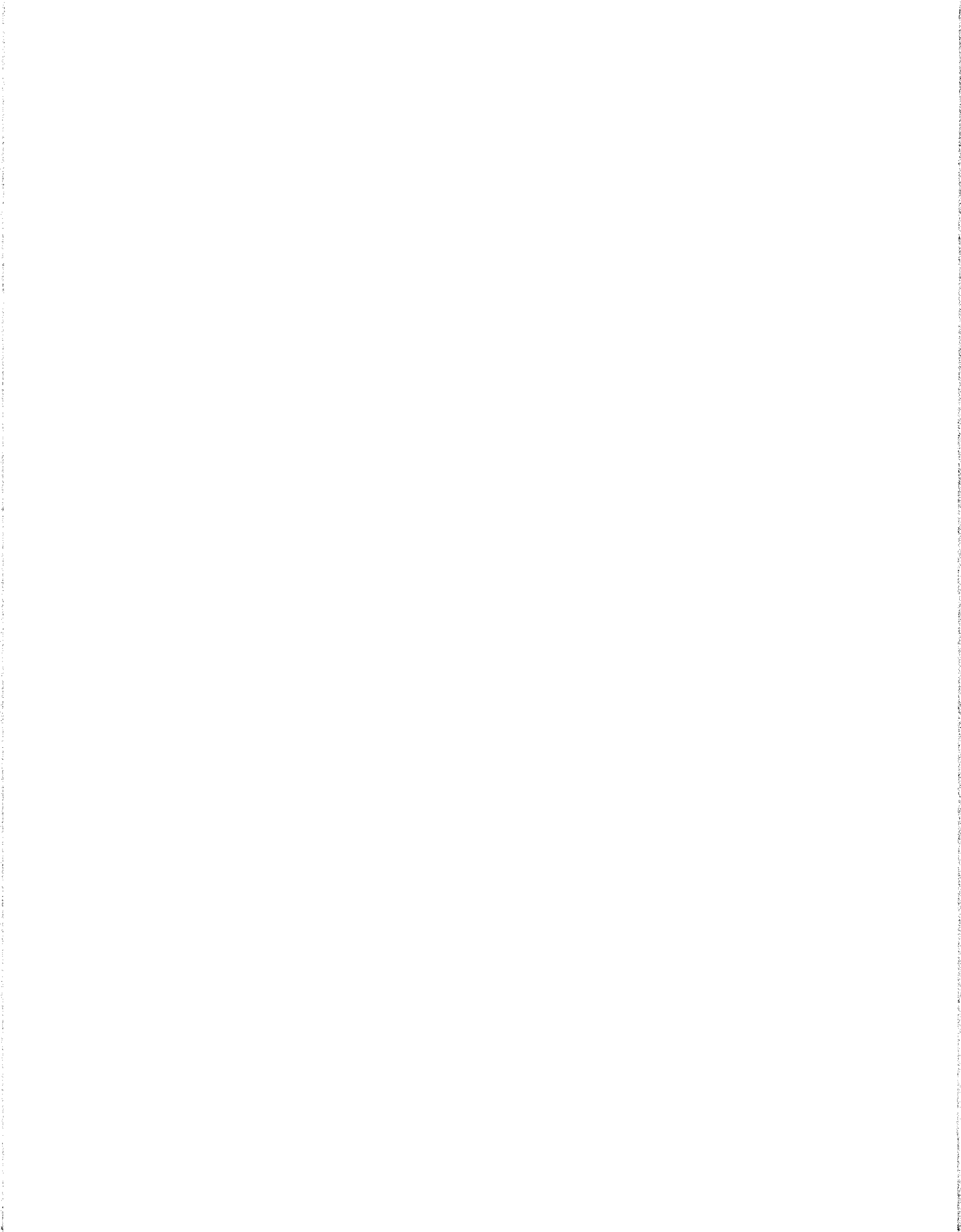
Passed first reading at the August 10, 2017 meeting.

ADOPTED by the City Commission of the City of Flagler Beach, Florida, this ____ day of _____, 2017.

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk



ORDINANCE 2017-08

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING SECTION 5.00.01 OF APPENDIX "A," LAND DEVELOPMENT REGULATIONS TO REMOVE THE INCORPORATION OF THE STANDARD HOUSING; ADOPTING THE 2015 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE PUBLISHED BY THE INTERNATIONAL CODE COMMISSION, WITH CERTAIN AMENDMENTS THERETO TO CONFORM TO FLORIDA LAW AND THE CITY'S EXISTING CODE OF ORDINANCES; REGULATING AND GOVERNING THE ENFORCEMENT, CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS, AND STRUCTURES TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY, AND FIT FOR OCCUPANCY AND USE; PROVIDING FOR LEGISLATIVE FINDINGS AND CODIFICATION; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City of Flagler Beach actively participates in the enforcement of regulations relevant to safe, sanitary, and habitable property maintenance and structures.

WHEREAS, under its home rule powers, the City of Flagler Beach may regulate and govern property maintenance to ensure the well-being of its citizens, property owners, and occupants.

WHEREAS, the City of Flagler Beach has determined that it is in the best interest of the health, safety, and welfare of the citizens, businesses within the City, and patrons of such businesses, to adopt the 2015 International Property Maintenance Code as published by the International Code Commission for the maintenance and control of buildings and structures, with amendments thereto to comply with Chapter 162, Florida Statutes, the Florida Building Code, and the City's Code of Ordinances.

NOTE: Underlined words constitute additions to the City of Flagler Beach Code of Ordinances, strikethrough constitutes deletions from the original Code of Ordinances, and asterisks (***) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Flagler Beach, Florida, as follows:

SECTION 1. Legislative Findings. The findings set forth in the recitals above are hereby adopted as legislative findings pertaining to this Ordinance.

SECTION 2. Appendix "A," Land Development Regulations, Article V, Section 5.00.01, is amended as follows:

43 **Sec. 5.00.01. - Codes adopted.**

44 (a) *Codes adopted by reference.* The following codes are hereby adopted by reference as
45 though copied herein fully except as the various codes relate to provisions for a board
46 of adjustments and appeals:

47 *General Codes*

48 *Florida Building Code*, the current edition adopted by the state as the
49 building code, as it may be amended from time to time by the state.

50 *National Electric Code ®*, the current edition adopted by the state, as it may be
51 amended from time to time by the National Fire Protection Association.

52 ~~*Standard Housing Code, 1997 edition.*~~

53 *Florida Fire Protection Code*, the current edition adopted by the state, as may be
54 amended from time to time by the state.

55 (b) *Wind speed.* A wind speed demarcation line designation is hereby adopted to include
56 the entire city limits and established as one hundred thirty-five (135) miles per hour.

57 **SECTION 3.** Chapter 7, Article I, of the City of Flagler Beach Code of Ordinances is
58 hereby created and shall be amended to read as follows:

59 **ARTICLE I. - PROPERTY MAINTENANCE**

60 **Sec. 7-1. - Statement of intent.**

61 (a) It is the intent of the City Commission to set minimum maintenance standards for basic
62 equipment, light, ventilation, heating, sanitation and fire safety which are considered
63 practical, desirable, and acceptable for existing structures and which will benefit the general
64 health, safety, and social and economic welfare of the citizens, property owners, and
65 occupants and to protect the community interests at large by encouraging residents and
66 property owners to maintain property in accordance with the characteristics of the City and
67 in accordance with the City's codes.

68
69 (b) It is not the intent of the City Commission to establish any type of housing agency or
70 housing authority; to displace residents; and to provide financial assistance to residents or
71 property owners who may be unwilling or incapable of meeting minimum accepted housing
72 standards.

73 **Sec. 7-2. International Property Maintenance Code Adopted.**

74 (a) The City hereby adopts the 2015 edition of the International Property Maintenance
75 Code (IPMC) published by the International Code Commission, and incorporates the same by
76 reference as if fully set forth herein, including the City's amendments thereto to comply with

77 Chapter 162, Florida Statutes, the Florida Building Code, and the City’s Code of Ordinances. At
78 least one copy of the International Property Maintenance Code, 2015 edition with the City’s
79 amendments thereto, together with this Ordinance, are on file with the City Clerk.

80 (b) The following sections and subsections of the 2015 edition of the International
81 Property Maintenance Code are hereby amended as follows:

82
83 (1) Subsection 101.1. These regulations shall be known as the Property Maintenance
84 Code of the City of Flagler Beach, hereinafter referred to as “this Code.”

85
86 (2) Subsection 102.3 entitled “Application of other codes,” shall read as follows:
87 Repairs, additions or alterations to a structure, or changes in occupancy, shall be done in
88 accordance with the provisions of the Florida Building Code and amendments thereto.

89
90 (3) Subsection 103.1 entitled “General,” shall read as follows: The City of Flagler
91 Beach Code Enforcement Department, is hereby charged with the primary responsibility of
92 enforcing this Code.

93
94 (4) Subsection 103.2, entitled “Appointment,” shall read as follows: The code
95 inspector shall be appointed by the City Manager.

96
97 (5) Subsection 103.5, entitled “Fees,” is hereby deleted in its entirety.

98
99 (6) Subsection 104.1, entitled “General,” shall read as follows: The code official is
100 hereby authorized and directed to enforce the provisions of this code. The code official shall
101 have the authority to render interpretations of this code and to adopt policies and procedures in
102 order to clarify the application of its provisions. Such interpretations, policies and procedures
103 shall be in compliance with the intent and purpose of this code. Such policies and procedures
104 shall not have the effect of waiving requirements specifically provided for in this code.

105
106 (7) Subsection 106.2, entitled “Notice of Violation,” is hereby deleted in its entirety.

107
108 (8) Subsection 106.3, entitled “Prosecution of Violation,” is hereby deleted in its
109 entirety.

110
111 (9) Section 107, entitled “Notices and Order,” is hereby deleted in its entirety.

112
113 (10) Subsection 108.3, entitled “Notice,” shall read as follows: Whenever the code
114 inspector has condemned a structure or equipment under the provisions of this section, notice
115 shall be protected from the weather and posted in a conspicuous place on or about the structure
116 affected by such notice and served on the owner or the person or persons responsible for the
117 structure or equipment in accordance with Chapter 162, Florida Statutes. If the notice pertains to
118 equipment, it shall also be placed on the condemned equipment.

119
120 (11) Subsection 109.5, entitled “Costs of emergency repairs,” shall read as follows:
121 Costs incurred in the performance of emergency work shall be paid by the owner or agent

122 responsible for the property, or the City may thereafter file a lien on the property for such costs.

123

124 (12) Subsection 109.6, entitled "Hearing," shall read as follows: Any person ordered to
125 take emergency measures shall comply with such order forthwith. Any adversely affected person
126 shall thereafter, upon application directed to the city council, be afforded an appeal from the
127 code inspector's decision upon payment of appeal fees as set by resolution of council.

128

129 (13) Section 111, entitled "Means of Appeal," of this Code is hereby deleted in its
130 entirety.

131

132 (14) Section 112.4, entitled "Failure to Comply," shall read as follows: Any person
133 who shall continue any work after having been served with a stop work order, except such work
134 as that person is directed to perform to remove a violation or unsafe condition, shall be subject to
135 a fine in accordance with limits established by Florida Statutes.

136

137 (15) Subsection 302.4, entitled "Weeds," is hereby deleted in its entirety.

138

139 (14) Subsection 302.8, entitled "Motor vehicles," is hereby deleted in its entirety.

140

141 (16) Subsection 304.14, entitled "Insect Screens," shall read as follows: Year-round,
142 every door, window and other outside opening required for ventilation of habitable rooms, food
143 preparation areas, food service areas or any areas where products to be included or utilized in
144 food for human consumption are processed, manufactured, packaged, or stored, shall be supplied
145 with approved, tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm), and
146 every screen door used for insect control shall have a self-closing device in good working
147 condition.

148

149 (17) Subsection 602.3, entitled "Heat Supply," shall read as follows: Every owner and
150 operator of any building who rents, leases, or lets one or more dwelling units or sleeping units on
151 terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat
152 during the period from November 15th to April 15th to maintain a temperature of not less than
153 68 degrees Fahrenheit in all habitable rooms, bathrooms, and toilet rooms.

154

155 (18) Subsection 602.4, entitled "Occupiable Work Spaces," shall read as follows:
156 Indoor occupiable work spaces shall be supplied with heat during the period from November 15th
157 to April 15th during the period the spaces are occupied.

158

159 (19) References in this Code to the International Plumbing Code shall be replaced with
160 the Plumbing Code of the Florida Building Code.

161

162 (20) References throughout this Code to the ICC Electrical Code shall be replaced with
163 the Florida Building Code.

164

165 (21) Supplemental Code. The provisions of this Code shall be supplemental to all
166 other codes and other ordinances of the City.

167

SECTION 4. 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 5. 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 6. 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 provisions of this Ordinance shall prevail to the extent that the provisions adopted herein establish the higher standards for the promotion and protection of the health and safety of the people. Provisions of the International Property Maintenance Code shall be considered supplemental to, cumulative and not superseding any other ordinance adopted by the City.

SECTION 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

First reading of this Ordinance approved at the September ____, 2017 meeting.

ADOPTED by the City Commission of the City of Flagler Beach, Florida, this ____ day of _____, 2017.

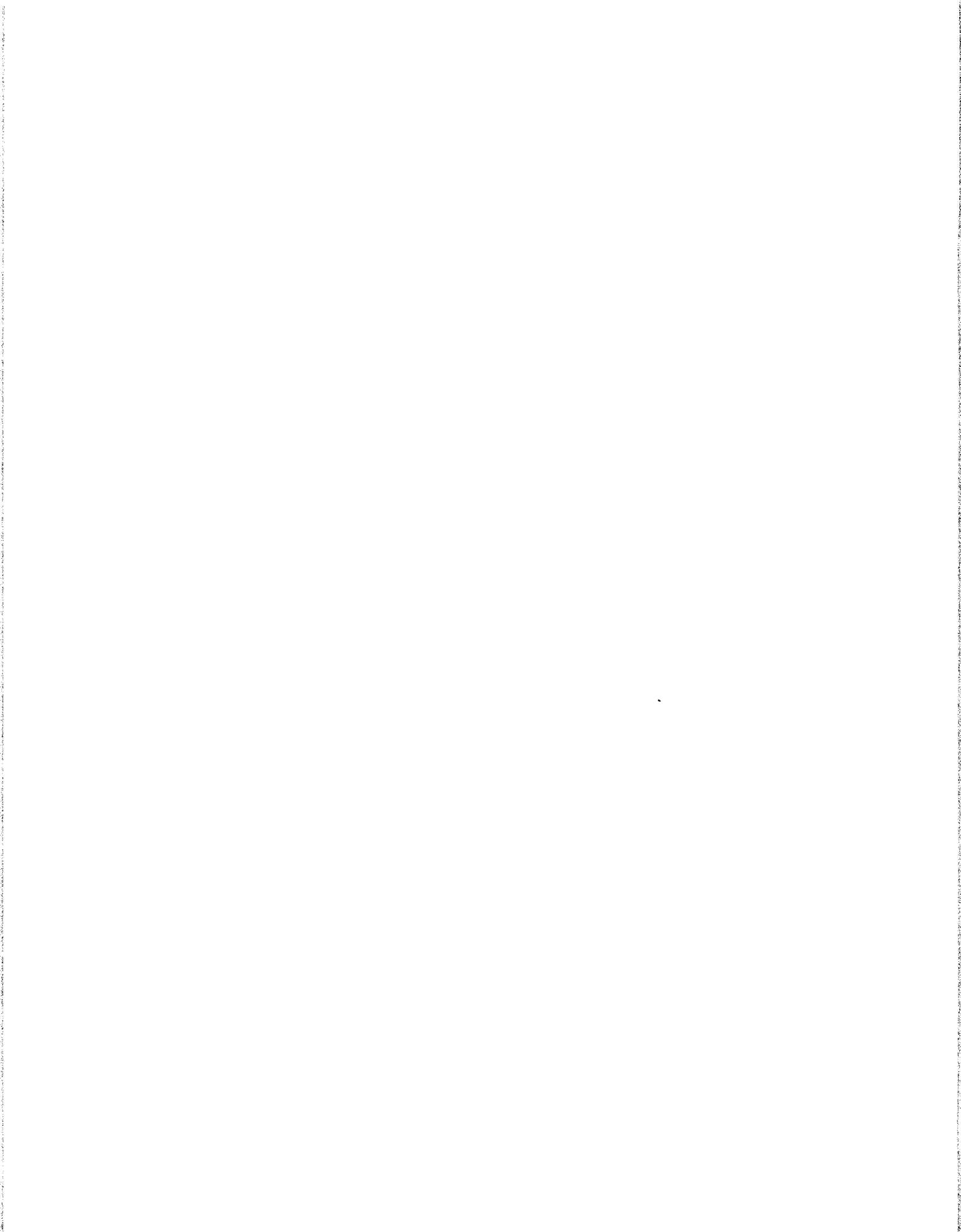
FLORIDA

CITY OF FLAGLER BEACH,

LINDA PROVENCHER, MAYOR

ATTEST:

PENNY OVERSTREET, CITY CLERK



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ORDINANCE 2017-11

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, ENACTING TEMPORARY ADMINISTRATIVE PROCEDURES TO PROVIDE FOR THE EXPEDITIOUS AND COORDINATED MANAGEMENT OF BUILDING PERMIT APPLICATIONS AND FEES; WAIVING SPECIFIC PERMITS AND FEES ISSUED FOR THE REMOVAL OF CERTAIN TREES; ESTABLISHING A METHOD OF ENFORCEMENT OF THE FLORIDA BUILDING CODE SUCH THAT ON-SITE PERMITS MAY BE ISSUED BY APPROPRIATE CITY STAFF FOR REPAIR OF DAMAGE CAUSED BY HURRICANE IRMA; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTING ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, residents and businesses throughout the City of Flagler Beach sustained severe damage as a result of Hurricane Irma; and

WHEREAS, the Federal and State governments have declared Flagler County, including Flagler Beach, as a disaster area; and

WHEREAS, the State Emergency Act, Chapter 252 Florida Statutes, provides a municipality with the power and authority to take every prudent action necessary to ensure the health, safety, and welfare of the community in response to a natural disaster; and

WHEREAS, Chapter 166.041, Florida Statutes, authorizes the governing body of a municipality to enact an emergency ordinance by a two-thirds vote; and

WHEREAS, Appendix A, Article V of the City of Flagler Beach Land Development Regulations, includes requirements for the appropriate applications, forms and plans for the issuance of building permits to home owners, acting as owner contractors, or to appropriately licensed contractors to ensure compliance with the Florida Building Code (FBC); and

WHEREAS, Appendix A, Article 2 of the City of Flagler Beach Land Development Regulations includes specific requirements for the review, approval, and inspection of all removal of trees in the City; and

WHEREAS, the emergency situation created by Hurricane Irma has resulted in a unique situation wherein emergency repairs and tree removal require immediate response and repair in order to ensure the protection of the health, safety, and welfare of the citizens and business of the City of Flagler Beach, Florida.

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

38 **SECTION 1.** The City’s Chief Building Official and Building Inspectors are hereby
39 authorized to issue permits immediately to residents for improvements needed to secure the
40 residential structures that do not require detailed drawings that are prepared by a licensed
41 architect or engineer. This shall apply to, but not be limited to, roofing repairs for shingles,
42 drywall removal and replacement, broken windows and/or doors, fences that fell down or other
43 similar repairs resulting from damage caused by Hurricane Irma. All fees associated with these
44 improvements are hereby waived.

45 **SECTION 2.** City staff is hereby directed to expedite tree removal permits and to waive
46 any permit fees for the removal of trees threatening the life, safety, or welfare of the City
47 residents or businesses. The removal of trees must be related to damages resulting from
48 Hurricane Irma.

49 **SECTION 3.** The City of Flagler Beach Commission reiterates its desire to protect the
50 public by not allowing unauthorized contractors to carry out various types of construction
51 improvements, and directs the appropriate City staff to canvass the City during this time of
52 emergency to ensure that there are not unlicensed contractors performing work within the City.

53 **SECTION 4.** If any section, paragraph, sentence, clause and phrase of this Ordinance is
54 severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be
55 declared unconstitutional, invalid or unenforceable by the valid judgment or decree of any court
56 of competent jurisdiction, such unconstitutionality, invalidity or unenforceability shall not affect
57 any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

58 **SECTION 5.** All ordinances in conflict herewith are hereby repealed to the extent of
59 such conflict.

60 **SECTION 6.** This Ordinance shall become effective retroactively from September 12,
61 2017 and remain in effect for a period of one hundred eighty (180) days therefrom, at which it
62 shall have no further force or effect.

63 PASSED AND ADOPTED THIS _____ DAY OF _____, 2017.

64 ATTEST:

65 _____
66
67 Penny Overstreet, City Clerk

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

68 _____
69 Linda Provencher, Mayor
70

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Item

24

Staff

Reports

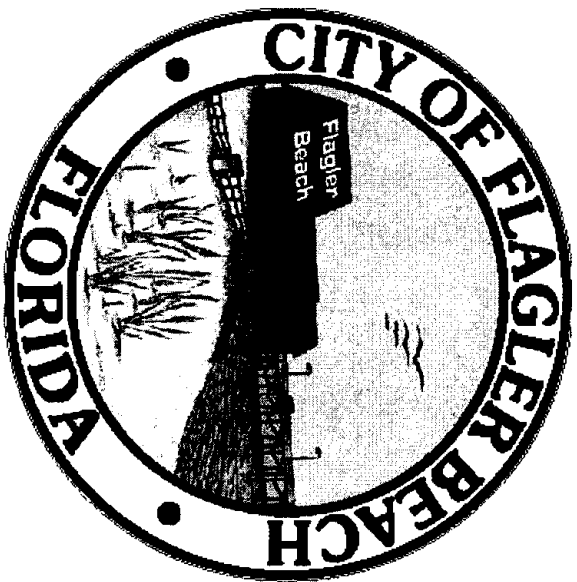


CITY OF FLAGLER BEACH

Budget Report

AS OF

August 31, 2017



August 2017

General Fund

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3100- AD VALOREM, SALES AND USE TAXES	3,961,809	3,961,809	3,818,361	96.38%	91.67%	4.71%
Total Dept 3200- LICENSE & PERMITS	125,350	125,350	179,045	142.84%	91.67%	51.17%
Total Dept 3300- INTERGOVERNMENTAL	739,682	929,736	619,340	66.61%	91.67%	-25.05%
Total Dept 3400- CHARGES FOR SERVICE	42,133	42,133	37,215	88.33%	91.67%	-3.34%
Total Dept 3500- FINES & FORFEITURES	42,550	42,550	60,116	141.28%	91.67%	49.62%
Total Dept 3600- MISCELLANEOUS REVENUE	49,020	71,064	127,894	179.97%	91.67%	88.30%
TOTAL Revenues	4,960,544	5,172,642	4,841,971	93.61%	91.67%	1.94%

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5111- COMMISSION	75,892	81,128	64,271	79.22%	91.67%	-12.44%
Total Dept 5122- EXECUTIVE	123,393	123,393	116,614	94.51%	91.67%	2.84%
Total Dept 5123- CITY CLERK	267,674	267,674	224,436	83.85%	91.67%	-7.82%
Total Dept 5124- HUMAN RESOURCES	78,631	79,191	64,711	81.72%	91.67%	-9.95%
Total Dept 5131- FINANCE	184,564	184,564	160,114	86.75%	91.67%	-4.91%
Total Dept 5141- LEGAL	158,400	158,400	111,777	70.57%	91.67%	-21.10%
Total Dept 5191- MAINTENANCE	525,307	558,374	385,746	69.08%	91.67%	-22.58%
Total Dept 5192- GENERAL GOVERNMENT	569,897	759,951	847,667	111.54%	91.67%	19.88%
Total Dept 5214- POLICE DEPARTMENT	1,384,605	1,396,358	1,278,881	91.59%	91.67%	-0.08%
Total Dept 5215- VICTIM'S ADVOCATE	122,005	127,465	108,915	85.45%	91.67%	-6.22%
Total Dept 5221- FIRE DEPARTMENT	788,524	792,224	690,710	87.19%	91.67%	-4.48%
Total Dept 5241- BUILDING & ZONING	138,744	162,579	115,567	71.08%	91.67%	-20.58%
Total Dept 5411- ROADS & STREETS	289,194	448,209	323,231	72.12%	91.67%	-19.55%
Total Dept 5711- LIBRARY	125,988	127,099	123,051	96.82%	91.67%	5.15%
Total Dept 5712- MUSEUM	14,280	14,280	9,053	63.40%	91.67%	-28.27%
Total Dept 5722- BEACH DEPARTMENT	315,396	320,896	269,902	84.11%	91.67%	-7.56%
Total Dept 5800- RECREATION	107,698	109,248	73,525	67.30%	91.67%	-24.37%
TOTAL Expenditures	5,270,192	5,711,033	4,968,171	86.99%	91.67%	-4.67%

GENERAL FUND SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	4,960,544	5,172,642	4,841,971
TRANSFERS OUT (INFRASTRUCTURE SURTAX)	(159,900)	(159,900)	
USE (RETURN) OF FUND BALANCE RESERVES	469,548	616,709	
ENCUMBERED FROM PRIOR YEAR		81,582	
TOTAL EXPENDITURES	5,270,192	5,711,033	4,968,171
NET OF REVENUES & EXPENDITURES	-	-	(126,200)

August 2017

CRA Fund

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE	
Total Dept 3100-	TAX INCREMENT FUNDING	183,794	183,794	184,999	100.66%	91.67%	8,99%
TOTAL Revenues		183,794	183,794	184,999	100.66%	91.67%	8,99%

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE	
Total Dept 5391-	FUND EXPENSE	70,500	70,500	48,847	69.29%	91.67%	-22.38%
Total Dept 5392-	DEBT SERVICE	104,979	104,979	40,606	38.68%	91.67%	-52.99%
TOTAL Expenditures		175,479	175,479	89,453	50.98%	91.67%	-40.69%

CRA FUND SUMMARY			ACTUAL YEAR TO DATE
ORIGINAL BUDGET	AMENDED BUDGET		DATE
TOTAL REVENUES	183,794	183,794	184,999
USE (RETURN) OF FUND BALANCE RESERVES	(8,315)	(8,315)	0
ENCUMBERED FROM PRIOR YEAR		0	
TOTAL EXPENDITURES	175,479	175,479	89,453
NET OF REVENUES & EXPENDITURES			95,546

Building Code Inspection Fund

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE	
Total Dept 3200-	LICENSE & PERMITS	203,400	223,075	256,034	114.77%	91.67%	23.11%
Total Dept 3600-	MISC REVENUE	0	22,692	14,085	62.07%	91.67%	-29.60%
TOTAL Revenues		203,400	245,767	270,119	109.91%	91.67%	18.24%

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE	
Total Dept 5242-	BUILDING CODE INSPECTION	194,640	237,007	176,494	74.47%	91.67%	-17.20%
TOTAL Expenditures		194,640	237,007	176,494	74.47%	91.67%	-17.20%

BUILDING CODE INSPECTION FUND SUMMARY			ACTUAL YEAR TO DATE
ORIGINAL BUDGET	AMENDED BUDGET		DATE
TOTAL REVENUES	203,400	245,767	270,119
USE (RETURN) OF FUND BALANCE RESERVES	(360)	(360)	(15,115)
TRANSFERS OUT (EDUCATION FEES)	(8,400)	(8,400)	176,494
TOTAL EXPENDITURES	194,640	237,007	78,510
NET OF REVENUES & EXPENDITURES			

August 2017

Pier Fund

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3400-	289,000	289,000	81,316	28.14%	91.67%	-63,533%
Total Dept 3600-	130,129	130,129	1,531,062	1176.57%	91.67%	1084.91%
TOTAL Revenues	419,129	419,129	1,612,378	384.70%	91.67%	293.03%

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5725-	426,786	426,786	1,392,695	326.32%	91.67%	234.65%
TOTAL Expenditures	426,786	426,786	1,392,695	326.32%	91.67%	234.65%

PIER FUND SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	419,129	419,129	1,612,378
USE (RETURN) OF FUND BALANCE RESERVES	7,657	7,657	1,392,695
TOTAL EXPENDITURES	426,786	426,786	219,683
NET OF REVENUES & EXPENDITURES	-	-	219,683

NOTE: \$1,410,171 of Misc Revenue is Insurance Proceeds

August 2017

Utility Fund

REVENUES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3400	960,000	960,000	896,172	93.35%	91.67%	1.68%
Total Dept 3400	810,320	810,320	789,256	97.40%	91.67%	5.73%
Total Dept 3400	808,500	808,500	797,049	98.58%	91.67%	6.92%
Total Dept 3400	450,000	450,000	419,527	93.23%	91.67%	1.56%
Total Dept 3400	44,850	44,850	52,745	117.60%	91.67%	25.94%
Total Dept 3500	35,000	35,000	35,503	101.44%	91.67%	9.77%
Total Dept 3600	233,500	460,500	252,987	54.94%	91.67%	-36.73%
TOTAL Revenues	3,342,170	3,569,170	3,243,239	90.87%	91.67%	-0.80%

EXPENDITURES	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5331-	1,516,873	1,606,154	713,973	44.45%	91.67%	-47.21%
Total Dept 5332-	313,907	373,907	287,433	76.87%	91.67%	-14.79%
Total Dept 5351-	1,293,722	2,104,486	577,988	27.46%	91.67%	-64.20%
Total Dept 5352-	362,373	425,391	402,417	94.60%	91.67%	2.93%
Total Dept 5391-	424,373	448,923	314,671	70.09%	91.67%	-21.57%
Total Dept 5392-	465,750	465,750	465,750	100.00%	91.67%	8.33%
TOTAL Expenditures	4,376,998	5,886,568	3,022,100	51.34%	91.67%	-40.33%

UTILITY FUND SUMMARY			ACTUAL YEAR TO DATE	PERCENT OF YEAR	VARIANCE
	ORIGINAL BUDGET	AMENDED BUDGET	DATE		
TOTAL REVENUES	3,342,170	3,569,170	3,243,239		1,216,576
USE (RETURN) OF FUND BALANCE RESERVES	699,828	943,829			1,282,490
TRANSFERS IN (RESTRICTED IMPACT FEES)	500,000	727,000			
TRANSFERS OUT (RESTRICTED IMPACT FEES)	(165,000)	(165,000)	(191,235)		(65,914)
ENCUMBERED FROM PRIOR YEAR	0	811,569			
TOTAL EXPENDITURES	4,376,998	5,886,568	3,022,100		
NET OF REVENUES & EXPENDITURES	-	-	29,904		29,904

Base Fees vs. Capital Costs (Revenues & Expenses to date)	Base Fees Collected	Capital Expenditures/Debt Service
	\$ 1,216,576	\$ 1,282,490
	\$	\$ (65,914)

August 2017

Sanitation Fund

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
REVENUES						
Total Dept 3400	1,111,800	1,111,800	927,919	83.46%	91.67%	-8,211
Total Dept 3500	10,500	10,500	9,485	90.33%	91.67%	-1,333
Total Dept 3600	9,500	9,500	12,458	131.14%	91.67%	39,474
TOTAL Revenues	1,131,800	1,131,800	949,862	83.92%	91.67%	-7,744
EXPENDITURES						
Total Dept 5341	1,177,949	1,177,949	1,184,778	100.58%	91.67%	8,911
Total Dept 5391	101,219	101,219	82,949	81.95%	91.67%	-9,722
TOTAL Expenditures	1,279,168	1,279,168	1,267,727	99.11%	91.67%	7,441

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
REVENUES						
Total Dept 3400	1,111,800	1,111,800	927,919	83.46%	91.67%	-8,211
Total Dept 3500	10,500	10,500	9,485	90.33%	91.67%	-1,333
Total Dept 3600	9,500	9,500	12,458	131.14%	91.67%	39,474
TOTAL Revenues	1,131,800	1,131,800	949,862	83.92%	91.67%	-7,744
EXPENDITURES						
Total Dept 5341	1,177,949	1,177,949	1,184,778	100.58%	91.67%	8,911
Total Dept 5391	101,219	101,219	82,949	81.95%	91.67%	-9,722
TOTAL Expenditures	1,279,168	1,279,168	1,267,727	99.11%	91.67%	7,441

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
SANITATION FUND SUMMARY			
TOTAL REVENUES	1,131,800	1,131,800	949,862
USE (RETURN) OF FUND BALANCE RESERVES	147,368	147,368	0
ENCUMBERED FROM PRIOR YEAR	0	0	0
TOTAL EXPENDITURES	1,279,168	1,279,168	1,267,727
NET OF REVENUES & EXPENDITURES	-	-	(317,865)

Stormwater Fund

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
REVENUES						
Total Dept 3300	763,000	875,430	47,754	5.45%	91.67%	-86,211
Total Dept 3400	273,420	273,420	241,466	88.31%	91.67%	-3,351
Total Dept 3500	2,800	2,800	2,592	92.57%	91.67%	0.90%
Total Dept 3600	600	600	1,182	197.00%	91.67%	105.33%
TOTAL Revenues	1,039,820	1,152,250	292,994	25.43%	91.67%	-66,241
EXPENDITURES						
Total Dept 5391-	1,030,474	1,030,474	272,735	26.47%	91.67%	-65,201
Total Dept 5391-	117,764	117,764	16,401	13.93%	91.67%	-77,741
Total Dept 5392-	-	167,656	104,233	62.17%	91.67%	-29,501
TOTAL Expenditures	1,148,238	1,315,894	393,369	29.89%	91.67%	-61,771

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
STORMWATER FUND SUMMARY						
TOTAL REVENUES	1,039,820	1,152,250	292,994	26.47%	91.67%	-65,201
USE (RETURN) OF FUND BALANCE RESERVES	108,418	108,418	0	0%	91.67%	-108,418
ENCUMBERED FROM PRIOR YEAR	55,226	55,226	0	0%	91.67%	-55,226
TOTAL EXPENDITURES	1,148,238	1,315,894	393,369	29.89%	91.67%	-61,771
NET OF REVENUES & EXPENDITURES	-	-	(100,375)	-	-	(100,375)

	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
STORMWATER FUND SUMMARY			
TOTAL REVENUES	1,039,820	1,152,250	292,994
USE (RETURN) OF FUND BALANCE RESERVES	108,418	108,418	0
ENCUMBERED FROM PRIOR YEAR	55,226	55,226	0
TOTAL EXPENDITURES	1,148,238	1,315,894	393,369
NET OF REVENUES & EXPENDITURES	-	-	(100,375)

August 2017

All Funds Budget Report

REVENUES

FUND	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO		PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
			DATE				
001	4,957,044	5,172,642	4,841,971		93.61%	91.67%	1.94%
101	183,794	183,794	184,999		100.66%	91.67%	8.99%
102	203,400	245,767	270,119		109.91%	91.67%	18.24%
103	419,129	419,129	1,612,378		384.70%	91.67%	293.03%
401	3,342,170	3,569,170	3,243,238		90.87%	91.67%	-0.80%
403	1,131,800	1,131,800	949,862		83.92%	91.67%	-7.74%
405	1,039,820	1,152,250	292,994		25.43%	91.67%	-66.24%
TOTAL REVENUES	11,277,157	11,874,552	11,395,561		95.97%	91.67%	4.30%

EXPENDITURES

FUND	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO		PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
			DATE				
001	5,270,192	5,711,033	4,968,171		86.99%	91.67%	-4.67%
101	175,479	175,479	89,453.00		50.98%	91.67%	-40.69%
102	194,640	237,007	176,494		74.47%	91.67%	-17.20%
103	426,786	426,786	1,392,695		326.32%	91.67%	234.65%
401	4,376,998	6,051,571	3,022,100		49.94%	91.67%	-41.73%
403	1,279,168	1,279,168	1,267,727		99.11%	91.67%	7.44%
405	1,148,238	1,315,894	393,369		29.89%	91.67%	-61.77%
TOTAL EXPENDITURES	12,871,501	15,196,938	11,310,009		74.42%	91.67%	-17.24%

REVENUES LESS EXPENDITURES

FUND	ACTUAL YEAR TO	DATE
001	GENERAL FUND	(126,200)
101	GRA FUND	95,546
102	BUILDING CODE INSPECTION FUND	78,510
103	PIER FUND	219,683
401	UTILITY FUND	29,903
403	SANITATION FUND	(317,865)
405	STORMWATER FUND	(100,375)
TOTAL REVENUES LESS EXPENDITURES		(120,798)

Encumbered, Restricted and Available Cash Balances
Tuesday, September 19, 2017

Cash & Investments	Building							CRA
	General	Code Inspection	Pier Enterprise	Utility	Sanitation	Stormwater		
Operating Accounts	485,160	193,721	326,630	829,453	(41,230)	172,898	252,699	
Inter Fund Transfers Pending Monthly	2,556,967			1,684,219	508,603	96,345		
SBA Accounts	2,782,557			4,063,551	505,920			
FL Municipal								
Total Cash & Investments	5,824,684	193,721	326,630	6,577,223	973,293	269,243	252,699	
Encumbrances:								
<i>Debt Service</i>								
Revenue Bond Note						117,764	64,373	
SRF Loan							30,233	
InterFund Loan								
<i>Capital Projects</i>								
Improvements to Facilities	135,758			798,560	80,000			
Improvements to Infrastructure	40,000			542,104		746,986		
Capitalized Equipment	66,675	42,510		107,948	190,000			
<i>HURRICANE RELATED PROJECTS (unpaid portion)</i>	75,000	5,000	75,000	350,000	350,000			
Total Encumbered Funds	317,433	47,510	75,000	1,798,612	620,000	746,986	94,606	
Restricted For Projects & Purchases funded by:								
Infrastructure (ISX)	687,635							
Reserve for Fire Truck (Transferred from ISX)	81,579							
Radio Reserve (ISX Reserve)	233,334							
Support Equipment Reserve - Fire Department	23,031							
Computer Hardware Reserve	17,046							
Police Training	3,904							
Law Enforcement Automation	4,154							
A1A Land Purchases	18,490							
Beach Management Reserve	25,334							
Reserve for Contingencies Reserved for Paving	828							
Restricted Education Fund - Bldg Code Inspection		34,442						
Restricted Technology Fund - Bldg Code Inspection		7,824						
Restricted Admin Fund - Bldg Code Inspection		4,200						
Sewer Impact				1,674,661				
Water Impact				1,578,665				
Utility Deposits				201,717				
Reserve for Water Department				62,848				
Reserve for Wastewater Department				285,157				
Total Restricted Funds	1,095,355	46,467	-	3,783,027	-	-	-	
Total Encumbered and Restricted Funds	1,412,768	93,977	75,000	5,581,639	620,000	746,986	94,606	
Unencumbered, Unrestricted Funds (Cash Balance)	4,411,916	99,744	251,630	995,584	353,293	(477,743)	158,093	
Total All Funds	5,824,684	193,721	326,630	6,577,223	973,293	269,243	252,699	
Total Available Funds (after Encumbrances)	5,507,251	146,211	251,630	4,778,611	353,293	(477,743)	158,093	

Budget Line Transfers

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
6867 POSTED BY KDoyle	07/06/2017	BA	NEED TO REPLACE COMPUTER IN FINANCE	KDoyle		
001.5131.304000	TRAVEL/TRAINING				1,700.00	
001.5131.606401	EQUIPMENT LESS THAN \$5000					1,700.00
					1,700.00	1,700.00
6901 POSTED BY KDoyle	07/11/2017	BA	INCREASE LINES IN WWTP	KDoyle		
401.5351.304400	RENTALS & LEASES					3,902.00
401.5351.305200	OPERATING SUPPLIES					400.00
401.5351.304600	REPAIRS & MAINTENANCE					1,500.00
401.5351.304601	R&M MACHINERY & EQUIPMENT			1,500.00		
401.5351.303005	SLUDGE REMOVAL			4,302.00		
					5,802.00	5,802.00
6894 POSTED BY KDoyle	07/15/2017	BA	FOR BACKHOE LEASE	KDoyle		
001.5411.606400	CAPITALIZED EQUIPMENT					1,506.00
001.5411.304600.081	REP & MAINT STREET LIGHTING FDOT			1,506.00		
401.5332.606400	CAPITALIZED EQUIPMENT					1,506.00
401.5332.606300	IMPROVEMENTS			1,506.00		
405.5391.606400	CAPITALIZED EQUIPMENT					1,506.00
405.5391.304600	REPAIRS & MAINTENANCE			1,506.00		
					4,518.00	4,518.00
6902 POSTED BY KDoyle	07/18/2017	BA	GREASE TRAP BUDGETED IN MAINTENANCE	KDoyle		
103.5725.304600	REPAIRS & MAINTENANCE					7,000.00
103.5725.304600.134	GREASE TRAP FUNKY PELICAN			6,600.00		
103.5725.304500	INSURANCE			400.00		
					7,000.00	7,000.00
6905 POSTED BY KDoyle	07/20/2017	BA	INCREASE FOR FLIGHT ACADEMU	KDoyle		
001.5111.304800	PROMOTIONAL ACTIVITIES					3,500.00
001.5111.305500	ELECTION EXPENSES			3,500.00		
					3,500.00	3,500.00
6907 POSTED BY KDoyle	07/21/2017	BA	USE BEACH MANAGEMENT FUNDS	KDoyle		
001.5800.305200.043	OPERATING SUPPLIES					500.00
001.5800.606300.043	BEACH MGMNT IMPROVEMENTS			500.00		
					500.00	500.00
6908 POSTED BY KDoyle	07/21/2017	BA	USE OF TELESCOPE FUNDS	KDoyle		
001.3600.384000	Other Funding Sources			800.00		
001.5800.305200	OPERATING SUPPLIES					800.00
					800.00	800.00
6948 POSTED BY KDoyle	07/27/2017	BA	RES 2017-25	KDoyle		
001.5123.606400.093	EQUIP RESERVE - NEW SERVERS 2018-19					10,000.00
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE			10,000.00		
103.3600.369200	INSURANCE PROCEEDS			1,410,171.00		
103.5725.303100.130	PROFESSIONAL SERVICES					125,000.00
103.5725.606200.130	BUILDING CONSTRUCTION-PIER					908,049.00
103.5725.304600.127	REPAIRS & MAINTENANCE					354.00
103.5725.303100.127	PROFESSIONAL SERVICES					43,129.00
103.3800.389102	AMENDED APPROPRIATED FUND BALANCE					333,639.00
403.5341.464100	VEHICLE REPAIRS & MAINTENANCE					45,000.00
403.3800.389102	AMENDED APPROPRIATED FUND BALANCE			45,000.00		
					1,465,171.00	1,465,171.00
6936 POSTED BY KDoyle	07/29/2017	BA	UNEXPECTED ROOF REPAIR AT WWTP	KDoyle		
401.5351.606400	CAPITALIZED EQUIPMENT			15,400.00		
401.5351.606300	IMPROVEMENTS					15,400.00
					15,400.00	15,400.00

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
6950 POSTED BY KDoyle	08/05/2017	BA	USE BEACH MANAGEMENT FUNDS	KDoyle		
001.5800.305200.043	OPERATING SUPPLIES					250.00
001.5800.606300.043	BEACH MGMNT IMPROVEMENTS				250.00	
					250.00	250.00
6985 POSTED BY KDoyle	08/25/2017	BA	INCREASE FBFD VEHICLE REPAIRS	KDoyle		
001.5221.464100	VEHICLE REPAIRS & MAINTENANCE					7,000.00
001.5221.606401	EQUIPMENT LESS THAN \$5000				7,000.00	
					7,000.00	7,000.00
6986 POSTED BY KDoyle	08/25/2017	BA	WTP INCREASE R&M	KDoyle		
401.5331.304600	REPAIRS & MAINTENANCE					3,000.00
401.5331.305200	OPERATING SUPPLIES				3,000.00	
					3,000.00	3,000.00
6987 POSTED BY KDoyle	08/25/2017	BA	INCREASE FOR PIER AC	KDoyle		
103.5725.606401	EQUIPMENT LESS THAN \$5000					250.00
103.5725.305200	OPERATING SUPPLIES				250.00	
					250.00	250.00
6988 POSTED BY KDoyle	08/25/2017	BA	INCREASE FOR SIDEWALK PROJECT	KDoyle		
001.5411.304600.090	RESTRICTED FOR PAVING					1,433.00
001.5411.304600.090	RESTRICTED FOR PAVING				1,433.00	
					1,433.00	1,433.00
6989 POSTED BY KDoyle	08/25/2017	BA	INCREASE FOR MEDIQUICK	KDoyle		
001.5124.303100	PROFESSIONAL SERVICES					675.00
001.5124.304000	TRAVEL/TRAINING				675.00	
					675.00	675.00
6992 POSTED BY KDoyle	08/28/2017	BA	BCI TRAINING INCREASE	KDoyle		
102.5242.304000	TRAVEL/TRAINING					260.00
102.3600.384000	OTHER FUNDING SOURCES-EDUCATION FUND				260.00	
					260.00	260.00
6994 POSTED BY KDoyle	08/28/2017	BA	INCREASE FOR UNIFORM PURCHASE	KDoyle		
001.5241.305200	OPERATING SUPPLIES					100.00
001.5241.304000	TRAVEL/TRAINING				100.00	
					100.00	100.00
6997 POSTED BY KDoyle	08/28/2017	BA	INCREASE WWTP OVERTIME & OPER SUPPLIES	KDoyle		
401.5351.101200	SALARY				14,000.00	
401.5351.101400	OVERTIME					10,000.00
401.5351.305200	OPERATING SUPPLIES					4,000.00
					14,000.00	14,000.00
7002 POSTED BY KDoyle	08/28/2017	BA	INCREASE FOR TRAINING FBFD	KDoyle		
001.5221.303100	PROFESSIONAL SERVICES				1,000.00	
001.5221.304000	TRAVEL/TRAINING					1,000.00
					1,000.00	1,000.00
7011 POSTED BY KDoyle	08/31/2017	BA	TRANSFER TO UPDATE WEBSITE	KDoyle		
001.5192.303100	PROFESSIONAL SERVICES					8,950.00
001.5192.304901	LEGAL & PERSONAL NOTICES				8,950.00	
					8,950.00	8,950.00

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
7043 POSTED BY KDoyle	08/31/2017	BA	INCREASE FOR PARKS BUILDING	KDoyle		
001.5191.606300.104	PARKS BLDG IMPROVEMENTS					3,000.00
001.5191.606300.109	MAINTENANCE BLDG IMPROVEMENTS				3,000.00	
					<hr/>	<hr/>
					3,000.00	3,000.00
					<hr/>	<hr/>
				Total:	1,544,309.00	1,544,309.00

The Beach House Times



STATION 11



Established 1926

Quarterly Newsletter

April 1st, 2017– June 30th, 2017

320 S Flagler Ave
Flagler Beach, FL 32136

(386)517-2010
www.fbfire.org

By: FF Jason Feldman

The Numbers Page

This quarter, Flagler Beach Fire Department was dispatched to the following calls for service:

Medical Emergencies: 183

Service Calls*: 74

Vehicle Accidents: 44

Fire Alarms: 26

Hazardous Conditions: 15**

Structure Fires: 9

HazMat: 2

Brush Fires: 10

Animal Rescues: 4

Vehicle Fires: 3

Water Rescues: 4

Boat Fire: 0

*Service Calls include, but are not limited to, installing smoke detectors, invalid assists, unlocking children/pets from vehicles, unauthorized camp/bon fires, assisting law enforcement, etc.

**Hazardous Conditions include, but are not limited to, arcing/downed power lines, large/excessive road debris, damaged/leaking hydrants, collapsed dune walkovers, etc.

Summer Safety Tips

Fire Safety 10 Simple Steps

1. Take fire safety seriously
2. Make your "family escape plan"
3. Practice fire safety
4. Keep your home safe!
5. Install smoke detectors
 - a. One in every room
 - b. Test them
 - c. Not sure? Replace them
6. Change batteries twice a year
7. Know the sound of the detector
8. Keep a look out for hazards in the home
9. Be careful when cooking
10. Every home should have a fire extinguisher



Residential Home Fire Statistics



Leading Causes of Home Fires



Summer Safety Tips



BURNS

- Keep children and pets away from outdoor grills and at a safe distance from campfires and fire pits.

Watch them carefully.

- Set up the grill, fire pit or campfire in an open area away from walls, fences and other structures.



LOYOLA
MEDICINE

Summer Safety

Loyola Medicine shares a few tips on how to enjoy summer fun without getting hurt.

- Use an insect repellent that contains citronella or DEET. Repellents with up to 30 percent DEET provide the longest protection, up to five hours.
- Change clothes and wash off repellent when you come inside.
- Choose a product approved by the Environmental Protection Agency.



BUGS

SUN

- Use sunscreen of at least 15 SPV (30 SPV for better protection), whether dark- or light-skinned, even on cloudy days.
- Apply sunscreen every 2 hours, more frequently when swimming or sweating.

- Keep babies out of direct sun as much as possible.

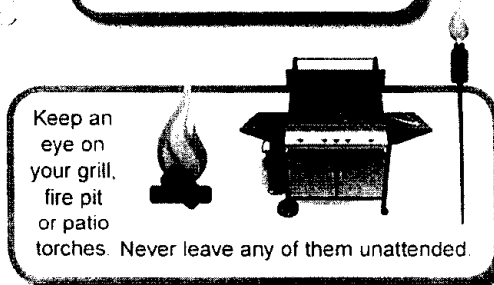
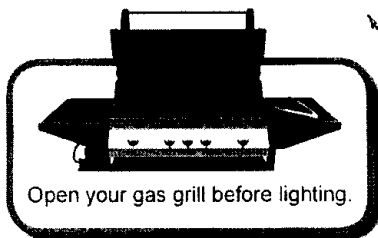
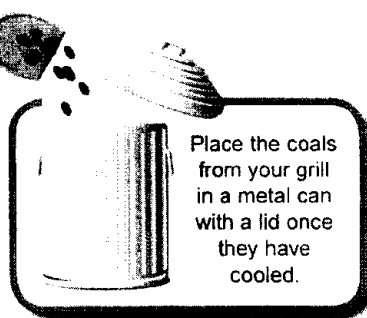
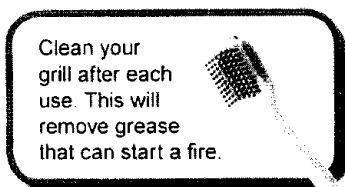
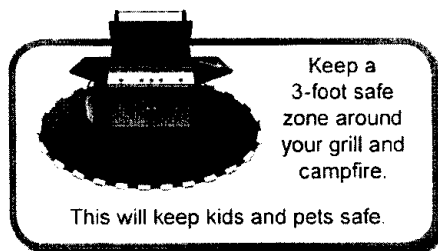
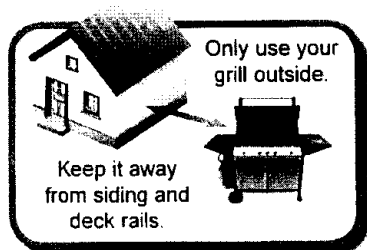
Sunscreen is safe to use after age 6 months; protect younger babies with hats and light clothing.

- On hot days, take a break every 20 to 30 minutes to drink water or an electrolyte sports drink.
- Watch for heat exhaustion: dizziness, nausea, fatigue, headache, confusion and dark-colored urine. Get out of the sun and cool off.

HEAT



Safety, Continued...



**STAY FIRE-SAFE
THIS SUMMER!**

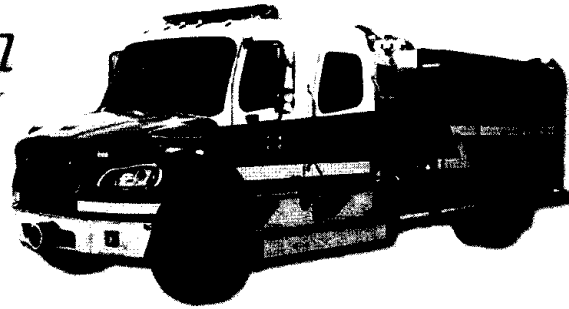
For more information and resources, visit
www.usfa.fema.gov and www.nfpa.org.



Personnel Spotlight



Timothy Conroy Jr. is from Ormond Beach, Florida. Since the day he could remember, he wanted to be a firefighter. Growing up he was an explorer with the Ormond Beach Fire Department and later on attended Daytona State College for EMT and Fire academy. Prior to attending the academy, Conroy spent a year working for Carnival cruise lines traveling internationally as a DJ and being in charge of entertainment for cruise guests. He was well established in that career but wanted more in life and to do the one thing he always dreamed of. Conroy had the opportunity to join the Flagler Beach Fire Department as a volunteer and jumped at it. Through showing what he was capable of and his desire to be everything this department needed and wanted, he was able to earn a position as a FF/EMT in November of 2016. To this day he remains a valuable asset and a true brother of the Flagler Beach Fire Department. Thank you for your service!



Flagler Beach Fire Department

Weekly Run Report from 8/03/17-8/10/17

CALLS BY INCIDENT TYPE

EMS

10

FIRE

4

Hazardous Condition (No Fire)

0

Service Call

5

Motor Vehicle Accident

0

Fire Alarm

1

Total Calls

20

08/10/2017

Mr. Newsom,

The following are the weekly highlights;

- The week started by attending an 4th of July After Action Review at the EOC. I compiled several pros and cons assessing the event. The concerns included scheduling additional units for coverage on the west side of the bridge between the hours of 8PM – 11PM, incorporating registration for outside agencies at the command post, and implementing a crosswalk with a light tower on S. 13th St./A1A in the evening hours. These issues will be addressed in next year's IAP, but overall I felt the event ran very smoothly
- There were some issues with primer on engine 11's fire pump. The repair was made by Fire – Tech which was a faulty wiring, the solenoid, and a worn gasket. The truck was placed back in service on Saturday
- I reported to you on a few occasions the amount sandbags (5000) department members filled pre-Hurricane Mathew. Considering we are in the midst of hurricane season, the fact that sand bags can no longer be obtained from Emergency Management, and that the department's supply is low, another 2000 bags were delivered to the station earlier this week
- A Pension Board Meeting for both police and fire took place at the station on Wednesday. The main topic of conversation was the progression of the fund and members elected to the trustee positions
- FBFD is participating in the Firefighters for Kids Educational Drive. There are several departments in the area that are collecting school supplies for needy children. There is a banquet taking place next weekend in Daytona which several department members will attend and the Volunteer Association has donated \$100 to support this worthy cause
- Although it is a little delayed July's Quarterly Newsletter will be posted on both the department's and the city's websites tomorrow. Topics covered include the run numbers for the quarter, grilling safety tips, personal profile of FF/EMT T. Conroy

I look forward to talking to you soon.

Thanks,

Bobby



Flagler Beach Fire Department

Weekly Run Report from 8/10/17-8/16/17

CALLS BY INCIDENT TYPE

EMS

16

Fire

2

Water Rescue

1

Service Call

8

Motor Vehicle Accident

2

Fire Alarm

2

Total Calls

31

Penny Overstreet

From: Robert Pace
Sent: Thursday, August 17, 2017 2:04 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: Weekly Highlights
Attachments: Weekly Report 8-16-17.docx

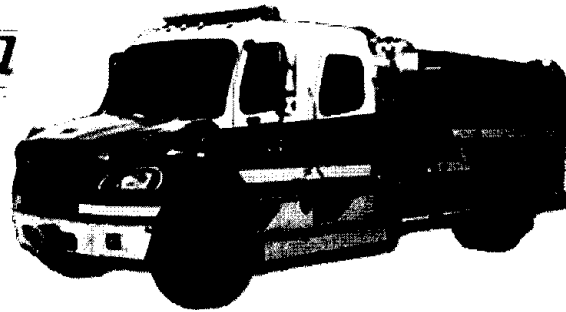
Mr. Newsom,

The following are the weekly highlights;

- The week began by A Shift's crew attending the ribbon cutting ceremony at the newly renovated McDonalds located on SR 100. The department was recognized for commitment and dedicated service to the residents of Flagler Beach. The crew thoroughly enjoyed the ceremony and the opportunity to visit with Mayor Provencher
- After some concerns had been raised over the standpipe system outside the Funky Pelican, the equipment was inspected by both Allen Watts and FBFD staff. It has been determined there is some hardware and components in need of replacement. I've been in contact with the supervisor from R&M Solutions and he assured me his company will be in town in the next two weeks to complete the repair
- We have had a few conversations concerning the proposed landing zones within the city. In addition to sharing all the information with Allen Watts, I also e-mailed Ron Meade as you requested. Mr. Meade received the proposed sites on A1A, numbering/lettering to be used, and the dimensions of the zone. I am currently waiting for feedback from Mr. Meade
- When I am out of the office I receive notifications of significant calls a few different ways. Obviously the 800 MHZ radio, phone calls, and pagers are utilized. The easiest to use and the most informative are text alerts sent out by Flagler County Dispatch. Lieutenant Snyder has been working to implement this system for FBFD's volunteers. As of this week the text alerts are sent out to volunteers and have been received very well. The information contained in the alerts includes call types, location, and units responding. Sometimes this information is not clearly delivered in a radio transmission
- Yesterday I attended another Public Safety Communication Network Meeting at the EOC. All agencies throughout the county have been formulating a future needs and inventory list. This was the main topic of conversation in yesterday's meeting. Now that the inventory requests have been submitted, I expect a buy-in or a lease program to be readdressed in the upcoming meetings
- FF/EMT J. Feldman has successfully completed the second Semester of Paramedic School. While on break he is currently studying for his Fire Officer 1 State Exam. FF/EMT Feldman will begin his third semester in Paramedic School on August 28th

Look forward to talking with you soon.

Bobby Pace
Fire Chief
Flagler Beach Fire Department
www.FBFire.org



Flagler Beach Fire Department

Weekly Run Report from 8/17/2017 – 8/24/2017

CALLS BY INCIDENT TYPE

EMS

11

FIRE

2

Hazardous Condition (No Fire)

1

Service Call

3

Good Intent Call

0

False Alarm & False Call

0

Total Calls

17

Bobby Pace
Fire Chief
Flagler Beach Fire Department
www.FBFire.org

Penny Overstreet

From: Robert Pace
Sent: Thursday, August 24, 2017 9:37 AM
To: Larry Newsom
Cc: Penny Overstreet
Subject: Weekly highlight.

08/24/2017

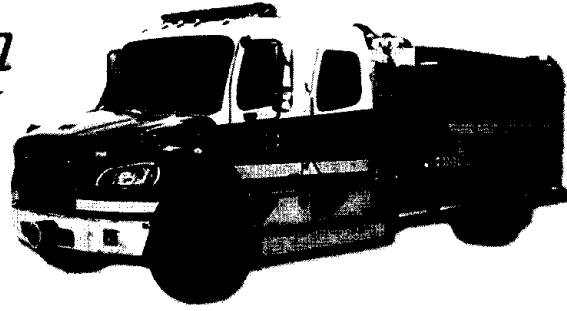
Mr. Newsom,

The following are the weekly highlights;

- The week began by Lieutenant Snyder attending a Communication Policy Group Meeting. The main topic of conversation was if FBFD is going to continue to respond MVAs non-injury. Months ago I spoke with the Lieutenants concerning these types of calls and considering law enforcement officers are not trained to make medical assessments and the fact there may be fuel/oil spills that would require clean-up, fire crews would be expected to respond. Lieutenant Snyder spoke to this during the meeting and the dispatch supervisor advised him the fire crews will be toned for these calls
- On Saturday several department members participated in another Surfers for Autism Event. Department members always enjoy working with the children and were honored to take part this year
- On Sunday FBFD responded to the plane crash on the bridge. C Shift's crew worked with FBPD and FCFR to bring this potentially very dangerous call to a safe end. The passengers self-extricated and the crew quickly extinguished the fire. I am proud of the job performed by all
- As requested I have been in contact with Steve Garten and Liz concerning department heads attending the ICS 100/700 classes offered at the EOC. The classes are offered the 3rd Wednesday of every month and Liz is currently working on registering staff. Upon completion of 100/700, department heads can continue the ICS core classes by completing ICS 200/800 on-line
- A Shift's crew completed the flow testing on the hydrants located on John Anderson and the hydrants located within the Seaside Landing Subdivision. The max flow capacity was established through 2.5 inch discharge port and reached 48-50 PSI/1312-1314 GPM. All of the hardware and components were found to be in good repair
- All this week Lieutenant Cox and FCFR's Lieutenant Castaneda conducted MAY-DAY training at the old Food Lion Grocery Store. This type of training is critical considering fire crews can face hazardous environments with possible entrapment on any given shift. Staff from each agency within the county participated and I have received nothing but positive feedback

I look forward to talking with you soon.

Thanks,
Bobby



Flagler Beach Fire Department

Weekly Run Report from 8/23/2017 – 8/30/2017

CALLS BY INCIDENT TYPE

EMS

18

FIRE

2

Hazardous Condition (No Fire)

3

Service Call

3

Good Intent Call

1

False Alarm & False Call

3

08/31/2017

Mr. Newsom,

The following are the weekly highlights;

- Obviously FBFD responds to many falls involving the city's elderly residents. The department has been in contact with a group (A MATTER OF BALANCE) and they are of great assistance in dealing with this issue. A MATTER OF BALANCE offers an award-winning program designed to manage falls and increase activity levels. The group is speaking at the Senior Center this week and will return for another session 09/05
- One of the department's newer volunteer members (Mike Rhoades) has completed EMT school and passed his state exam. Mike is also a State certified firefighter. FF/EMT Rhoades typically covers 1-2 shifts a week. On those days the truck is staffed with 4 fully certified members
- As requested Brush Attack 11's A/C unit is being inspected this week. BA11 is currently at Flagler County Diagnostic Center and will be delivered to McGee Commercial services later this week. Once the quotes have been gathered and reviewed, I anticipate the repair to take place early next week
- The tech from R&M Solutions was in town earlier this week and met with Allen Watts and I concerning the FDC at the pier. It was determined the system required hangers, 90 % elbows, and flanges to be replaced. The FDC will also be scrapped and painted. The total repair is estimated to be completed in the next two weeks
- The 64th Fire Mitigation project was finally completed this week. This project was located between an undeveloped lot, the golf course, and a residence on S. Central. There were several people involved making the project lengthy, but as mention it has been completed. Currently there are no other open Fire Mitigation projects
- Tonight the International Overdose Awareness Day Event will take place in Veteran's Park. There will be many people in recovery, support groups, and FBFD staff in attendance. Lieutenant Kennedy and D/E Rainey will speak on what the lay person should do in an overdose situation, immediate contact with 911, and early interventions

I look forward to talking to you soon;

Thanks,

Bobby

Penny Overstreet

From: Robert Pace
Sent: Thursday, September 07, 2017 3:44 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: Weekly

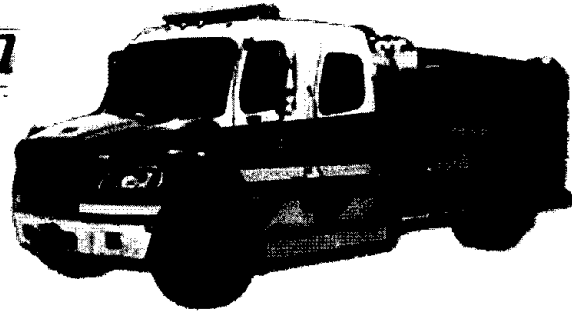
Mr. Newsom,

The following are the weekly highlights;

- I attended a meeting at the TDC office addressing the possibility of Flagler Beach hosting the Pan American Games next summer. The proposed timeframe would be around Labor Day on Fri. /Sat. or Sat. /Sun. Representatives did not have an exact number of participants/visitors. The proposed competitions would include synchronized swimming, water polo, and an open water swim
- Lieutenant Cox returned to shift this week after his trip to Houston. He was selected by a task force deployed from Orlando to assist the victims of Hurricane Harvey. Lieutenant Cox spent a total of eight days providing aid for those affected by the disaster and he used his vacation time to accomplish this
- Lieutenant Cox met with a representative from the State Fire Marshal's office to review department practices. For the most part the department did very well during the evaluation, but there were few issues requiring attention. Some of the points addressed included a more depth inspection sheet for SCBSAs, A no smoking sign posted, and there were several revisions suggested for SOPs/SOGs. Lieutenant Cox is currently addressing all issues
- D/E M. Rainey has begun her final semester for the BAS in Supervision Management. She has worked very hard over the last couple years to get to this point. I find this to be impressive especially considering she has completed her Aerial Operator Certification, Driver Engineer State Certification, Fire Officer 2 classes, and Paramedic school over the time period
- As you know the repair and paint job has been completed on the FDC located under the A frame on the pier. All the equipment was scrapped and wire brushed before receiving a fresh coat of paint. In addition the exterior bolts and flanges were all replaced
- Obviously much of the week has been dedicated to hurricane preparations. Several of these duties included designating a sand fill station; distribution of sand bags, placing staff on alert for a mandatory recall, daily conference calls with Emergency Management, phone calls to all residents on the special needs list, moving some support equipment to off-site locations, and securing the facility. FBFD is committed to all public safety responsibilities for the duration of the event

I look forward to talking to you soon.

Thanks,
Bobby



Flagler Beach Fire Department

Weekly Run Report from 8/31/2017 – 9/7/2017

CALLS BY INCIDENT TYPE

EMS

23

FIRE

5

Hazardous Condition (No Fire)

2

Service Call

7

Good Intent Call

0

False Alarm & False Call

0

Total Calls

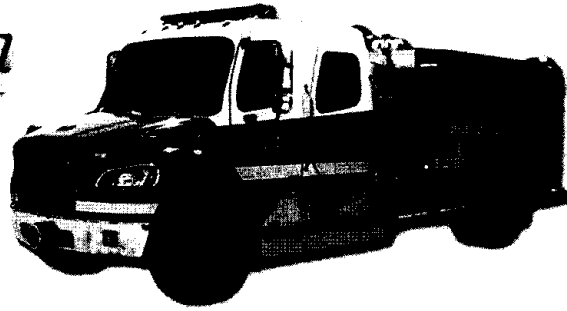
37

Bobby Pace

Fire Chief

Flagler Beach Fire Department

www.FBFire.org



Flagler Beach Fire Department

Weekly Run Report from 9/14/2017 – 9/20/2017

CALLS BY INCIDENT TYPE

EMS

11

FIRE

Hazardous Condition (No Fire)

8

Service Call

7

Good Intent Call

4

False Alarm & False Call

4

08/21/2017

Mr. Newsom,

The main focus over the last two weeks has been Hurricane Irma. The following highlights are an account of the storm and a few additional activities that have taken place over the time period.

- As mentioned the department became somewhat one dimensional while dealing with the storm. In preparation, staff was busy securing/distributing sandbags and checking equipment. Post storm the initial activities included rescuing residents from their homes, responding to multiple structure fires, and assisting local residents in any way we can. Currently staff is gathering all invoices for purchases made during the storm, completing ICS 214 Activity Logs, and most importantly remaining available for any needs of our local residents
- On Monday D/E M. Rainey attended the Medical Advisory Review Board Meeting. The main topic of conversation was COPCN renewal for Century Ambulance Service. This is the group contracted to conduct long-range transports for county residents
- I attended a Public Safety Communication Network Meeting on Wednesday. Although some activity has been delayed due to the storm, the consultant firm hired to determine the best radio provider has narrowed the suppliers down to three companies. I expect a final decision to be reached by the next meeting
- Also on Wednesday Lieutenant Snyder attended the Communication Policy Group Meeting. Duplication of services being an issue and clarity within the paging system was addressed during the meeting
- Tomorrow Lieutenant Snyder will be attending a workshop dealing with some upgrades within the CAD system. The upgrades involve fire pre-plans for local businesses installed in CAD. This will allow the officer in charge to access vital information of a structure before arriving on scene

I look forward to talking to you soon.

Thanks,

Bobby



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
 Flagler Beach, FL 32136
 386.517.2023

Chief's Weekly Report

From: Friday		8/4/2017		To: Thursday		8/10/2017	
Calls For Service	75	Felony Arrest	0	Reports Written	20	Citations Issued	119
Self-Initiated	24	Misd. Arrest	4	Comm. Policing	36	Warnings (Written/Verbal)	32
Traffic Stops	61	City Ordinance	2	Security Checks	333		

Chief's Weekly Summary

Friday: Officer Guerrero followed up on two (2) recent "Hit & Run" traffic crash cases and she cleared/closed them both with the issuance of three (3) traffic citations. Fantastic follow up!

1st Friday: "Soul Fire" was this month's musical guest and rain at approximately 8:00 p.m. put a damper on this month's event. Chief Doughney patrolled the event on a Police bicycle and Patrol Officers supplemented the event with additional Police presence.

Saturday: Chief Doughney assisted the Flagler Beach All-Stars with their monthly 9:00 a.m. beach cleanup. A small but enthusiastic crowd cleaned up the beach from 9:00 a.m. to 10:30 a.m.

Saturday: 8/5/17 @ 11:49 a.m. / Missing Person (Juvenile) / 200 Block of Ocean Palm Drive: Officers responded to the Police Department in reference to a runaway juvenile. Contact was made with the reporting party who advised that the missing juvenile was located in Saint Augustine and refused to return home. Officers in Saint Augustine located the juvenile and the youth's Father responded to take custody. Good Job!

Sunday: 8/6/17 @ 1:49 p.m. / Traffic Stop & Injunction Arrest / 2200 Block of Moody Boulevard: A motor vehicle was stopped for a stop sign violation. A teletype check revealed that the Driver had a No Contact Order issued from a prior Domestic Violence arrest and the victim was located inside the stopped vehicle. The Driver was taken into custody for Violation of the No Contact Order and transported to the Flagler County Inmate Facility without incident. Good Job!

Sunday: 8/6/17 @ 1:36 p.m. / Traffic Stop & Arrest / 2000 South Oceanshore Boulevard: A vehicle was stopped for unlawful speed. A teletype check could not locate a Driver's License for the vehicle's Driver. The Driver was arrested for No Valid Driver's License without incident and transported to the Flagler County Inmate Facility.

Sunday: 8/6/17 @ 6:24 p.m. / Disorderly Intoxication / North Ocean Shore Boulevard & 3rd Street North: Officers responded in reference to a female subject walking in and out of traffic and hitting cars on North Oceanshore Boulevard. The female was highly intoxicated and when contacted by Law enforcement she became confrontational. The female was subsequently arrested for Disorderly Intoxication and transported without incident to the Flagler County Inmate Facility.

Sunday: 8/6/17 @ 7:52 p.m. / Disturbance Physical / 1200 Block South Ocean Shore Boulevard (Topaz): Officers responded in reference to a disturbance between a male and a female. Upon Officers arrival contact was made with both parties. Through investigation it was determined that the married couple were arguing and it escalated when the male subject punched and bit the female. The male was arrested for Domestic Battery without incident and transported to the Flagler County Inmate Facility. The Department of Children and Families were notified due to two (2) children being present during the altercation.

Sunday: 8/6/17 @ 10:52 p.m. / Missing Juvenile Recovered / 500 Block of John Anderson Highway: Officers were notified that a missing juvenile out of our jurisdiction was recovered by the Flagler County Sheriff's Office. The juvenile was located and in good health at her Mother's house in Palm Coast and her information was removed from teletype.

Tuesday: 8/9/17 @ 1:12 a.m. / Marchman Act / 2400 South Oceanshore Boulevard: Officers were dispatched in reference to a suspicious female walking in the neighborhood. The female was located and she was highly intoxicated. Based on the Officers on scene observations the female was taken into protective custody under the Marchman Act.

Training: Officers Vinci and Yelvington attended a free, forty (40) hour training course at Daytona State College. The training course, "Interviews & Interrogations" provided instruction on legal issues, preparing for an interview, techniques for witnesses, suspects and victims. The course also provided an understanding of kinesics, the use of lie detection instruments and interpersonal communication skills.



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
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Chief's Weekly Report

From: Friday		8/11/2017		To: Thursday		8/17/2017	
Calls For Service	54	Felony Arrest	0	Reports Written	8	Citations Issued	88
Self-Initiated	37	Misd. Arrest	4	Comm. Policing	36	Warnings (Written/Verbal)	42
Traffic Stops	39	City Ordinance	2	Security Checks	364		

Chief's Weekly Summary

Friday: 8/11/17 @ 8:29 a.m. / Warrant Arrest / 204 South Flagler Avenue: Officers were dispatched to the Police Department in reference to a subject wanting to turn himself in on an active arrest warrant. A teletype check revealed that the subject did in fact have a local warrant out of Flagler County for Failure to Appear in re: to Obstructing an Officer Without Violence. The subject was arrested without incident and transported to the Flagler County Inmate Facility.

Friday: 8/11/17 @ 8:00 p.m. / Baker Act / 215 South Oceanshore Boulevard (Boardwalk): Officers were dispatched in reference to a disturbance involving two (2) male subjects. Upon arrival contact was made with both subjects, a father and his adult son. The son made statements regarding ending his life and not wanting to live and he was taken into protective custody under the Baker Act. The adult son was transported to Halifax Hospital in Daytona Beach for evaluation.

Saturday: 8/12/17 @ 6:39 p.m. / Domestic Disturbance (Arrest) / 2100 Block of South Flagler Avenue: Officers responded to a disturbance at a residence. Upon arrival it was determined that a male and a female had been in a physical altercation. The investigation revealed the female was the primary aggressor and she was subsequently arrested without incident and charged with Domestic Battery. The female was transported to the Flagler County Inmate Facility.

Wednesday: Chief Doughney patrolled the City on a Police Bicycle from 10:00 a.m. to 2:00 p.m. During the ride, SRA1A was patrolled from the north City limits to the South City limits and the residential roadways west of SRA1A were patrolled as well. One (1) written warning was issued to a vehicle parked the wrong direction in front of the Golden Lion and a verbal warning was issued to a resident who left her vehicle running and unoccupied while she was inside the 7-11.

Wednesday: 8/16/17 @ 5:46 p.m. / Domestic Disturbance (Arrest) / 800 South Daytona Avenue (Montessori School): The victim came to the Police Department to report being struck by her soon to be ex-husband while picking up her children from school. An Officer along with a Deputy made contact with the suspect at his address in Palm Coast and he was taken into custody for Domestic Battery. The subject was transported to the Flagler Inmate Facility without incident.

Thursday: 8/17/17 @ 3:02 p.m. / Domestic Violence / 414 Beach Village Drive (Publix Plaza): Officers responded to a physical disturbance in the Publix Parking lot between a boyfriend and a girlfriend. The investigation revealed that the female was the aggressor and she was arrested for Domestic Battery without incident and transported to the Flagler County Inmate Facility.

Thursday: Lieutenant Doyle and Chief Doughney supplemented Patrol staffing today. During the shift they issued two (2) City parking citations.

Training: Detective Williams attended a three (3) day Drug Court training in Orlando, Florida. The training course, Florida Behavioral Health Conference was hosted by the Florida Alcohol & Drug Abuse Association.

Sea Dune Parking: Officers issued two (2) City parking citations for Sea Dune violations this week.



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
 Flagler Beach, FL 32136
 386.517.2023

Chief's Weekly Report

From: Friday		8/18/2017		To: Thursday		8/24/2017	
Calls For Service	63	Felony Arrest	0	Reports Written	6	Citations Issued	118
Self-Initiated	22	Misd. Arrest	0	Comm. Policing	40	Warnings (Written/Verbal)	54
Traffic Stops	70	City Ordinance	3	Security Checks	408		

Chief's Weekly Summary

Saturday: 8/19/17 @ 3:42 p.m. / Overdose / 500 Block of South Daytona Avenue: Officers responded to a residence in reference to a drug overdose. Upon arrival, CPR was administered until Fire/Rescue arrived. The victim was revived and transported to Florida Hospital Flagler for treatment. On 8/20/17 @ 10:25 a.m. a follow up was conducted at the Hospital. The victim was conscious and able to speak with the investigating Officer. The victim advised he accidentally took too many of his prescription medications. Case closed.

Sunday: 8/20/17 @ 7:49 p.m. / Aircraft Emergency / 2200 block Moody Boulevard: Officers responded to a report of a small aircraft that made an emergency landing on Moody Boulevard. Upon arrival, the plane was located on the west side of the SR100/Moody Bridge in the eastbound traffic lanes. The pilot just left the Flagler Airport, lost all engine power, and had to make an emergency landing. After the plane landed safely in caught on fire. The pilot and passenger were not injured and they refused medical treatment. The Bridge was closed to all vehicular traffic at 7:53 p.m. and the westbound lanes were re-opened at 10:45 p.m. The eastbound traffic lanes were re-opened at 12:44 a.m. The Florida Highway Patrol (FHP) responded and the plane was taken to the Flagler County Airport per the Federal Aviation Administration (FAA).

Monday: 8/21/17 @ 2:27 a.m. / Missing Person (Recovered) / 1500 Block of South Ocean Shore Boulevard: A Patrol Officer was dispatched in reference to a follow-up of an adult that was reported missing on 8/16/17. The adult was located by a Putnam County Deputy during a traffic stop. The Deputy made contact with the missing person's daughter who reported the adult missing. A supplement report was made and the missing adult's pertinent information was removed from Teletype.

Wednesday: Chief Doughney attended the monthly Focus on Flagler Youth meeting from 10:00 a.m. to 11:00 a.m. at the Government Services Building in Bunnell. Lieutenant Doyle worked in Patrol today so that Officers Jones and McCraney could attend Police Motorcycle Training in St. John's County. Chief Doughney patrolled the City on a Police bicycle from 12:30 p.m. to 3:30 p.m. The barrier island was patrolled from the North City limits to the South City limit.

Training: Officers Guerrero and Vinci completed a free, eighty (80) hour training course this week at Daytona State College. The Officers attended "Field Training Officer" at Daytona State College. The course provided instruction on the necessary tools and information to become a good one-on-one instructor of new Police Officers.

Sea Dune Parking: Officers issued three (3) City parking citations for Sea Dune violations this week.



FLAGLER BEACH POLICE DEPARTMENT
 Matthew P. Doughney, Chief of Police
 204 South Flagler Avenue
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Chief's Weekly Report

From: Friday		9/1/2017		To: Thursday		9/7/2017	
Calls For Service	61	Felony Arrest	1	Reports Written	24	Citations Issued	87
Self-Initiated	51	Misd. Arrest	4	Comm. Policing	30	Warnings (Written/Verbal)	50
Traffic Stops	56	City Ordinance	3	Security Checks	389		

Chief's Weekly Summary

Saturday: 9/2/17 @ 1:31 p.m. / Criminal Mischief / 1700 Block of North Oceanshore Boulevard: Officers made contact with the reporting party who advised that on 9/1/17 she notices a black spray can mark on the common area pool wall to her condo complex. The reporting party then noticed that there was a can of white spray paint in the front garden area of her unit. The reporting party did not think anything of it until she heard that there was some Criminal Mischief in the area. The spray paint cans were retrieved and submitted into evidence for printing.

Saturday: 9/2/17 @ 11:04 a.m. / Property Found / 1500 Block of Lambert Avenue: Officer made contact with a resident who found two (2) kayaks floating in the Intra-coastal waterway on 9/1/17. A door to door canvas of Lambert Avenue was conducted and the owners of the kayaks were located. The recovered kayaks were submitted into evidence until the owners return from vacation.

Sunday: 9/3/17 @ 3:07 p.m. / Burglary / 1300 Block of North Central Avenue: Officers responded in reference to a delayed burglary of a vehicle parked in the owner's garage. The owner advised that the incident occurred between 4:00 p.m. and 9:00 p.m. on 9/2/17. The owner advised that she parked in her garage at 4:00 p.m. and forgot to close the garage door. The only items taken out of the vehicle were a pair of Prada prescription sunglasses, a flashlight and a set of keys. The total value of the stolen items was \$850.00. No suspect(s) at this time and the neighborhood was canvassed for video surveillance, to no avail.

Sunday: 9/3/17 @ 12:17 p.m. / Disturbance Domestic (Arrest) / 900 Block of North Central Avenue: Officers were dispatched in reference to delayed disturbance between a boyfriend and girlfriend. The couple have a child in common. The male advised that he and his girlfriend were in their vehicle arguing when he asked her to stop the vehicle so he could walk home. After the male subject exited the vehicle the female swerved off the road striking the male in the arm with the mirror of the vehicle. There were two (2) independent witness who completed written statements. The male refused medical treatment and the female was arrested without incident and she was charged with Aggravated Domestic Battery. The Department of Children and Families (DCF) was notified due to the couple's one (1) year old daughter being in the vehicle at the time the offense occurred. The female subject was transported to the Flagler County Inmate Facility.

Monday: 9/4/17 @ 1:57 a.m. / Disturbance Physical (Arrest) / 300 Block of 10th Street North: Officers responded in reference a physical disturbance between roommates. Upon Officers arrival it was apparent that both subjects had drinking and neither wished to pursue charges. While Officers were on-scene, one (1) of the subjects (a 20 year old) went to the refrigerator, opened a beer then began to consume it. The male in question taken into custody without incident for Possession of Alcohol by a person under 21 years of age. The male subject was transported to the Flagler County Inmate Facility.

Monday: 9/4/17 @ 7:47 p.m. / Narcotics (Arrest) / 2300 Block of Moody Boulevard: Officers were dispatched to Wadsworth Park in reference to a female that appeared to be passed near the restrooms. Post investigation the female and a male subject were issued Notices to Appear in Court for Possession of Drug Paraphernalia.

Tuesday: 9/5/17 @ 1:30 a.m. / Marchman Act / 500 Block of South Oceanshore Boulevard: Officers were conducting a security check of the Pier and Boardwalk area. Officers observed a car parked in the 500 Block of South Oceanshore Boulevard with an individual passed out in the passenger seat. The subject was highly intoxicated and was ultimately taken into protective custody under the Marchman Act and transported to Halifax Hospital for evaluation.

Tuesday: 9/5/17 @ 6:33 a.m. / Burglary Vehicle / 302 27th Street South: Officers were dispatched reference the victim's wallet and glasses being stolen from his unlocked vehicle. While on scene it was determined that the victim's credit card was used at 408 South Oceanshore Boulevard (7-11) at approximately 2:45 a.m. Security footage of the suspect was obtained from the 7-11 and an Intelligence Bulletin was issued to surrounding Law Enforcement agencies.

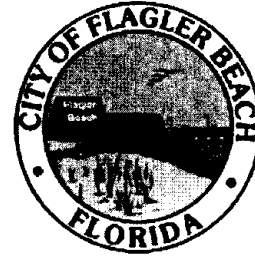
Tuesday: 9/5/17 @ 8:24 a.m. / Larceny Shoplifting (Arrest) / 408 South Oceanshore Boulevard (7-11): While Officers were collecting video footage in reference to the case above, it was determined there had been an unrelated shoplifting case that was not reported. A report was taken and within a few hours the suspect was identified and arrested without incident. Great job!

Sea Dune Parking: Officers issued three (3) City parking citations for Sea Dune violations this week.



City of Flagler Beach

Water Treatment Plant



To: Fred Griffith, City Engineer
From: Jim Ramer, Water Plant Superintendent
Subject: Monthly Report for August 2017

September 6, 2017

In August we produced 18,275,000 gallons of drinking water. This amount was 1,730,000 gallons less than the amount we treated in July. Rainfall for the month of August was 9.95 inches. We used 4,800 Gallons at the plant and used 4,266 Gallons on irrigation. The fire department used 4,000 gallons. We used 509,300 gallons on flushing this month. We lost around 20,000 gallons on the John Anderson project on Wednesday.

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 August 8th.

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

We cleaned both Degasifiers.

We repaired leaks at the Million Gallon Tank telemetry room and outside hose bib. We repaired lights at the Million Gallon Tank.

We changed the oil in the F-250.

We caulked cracks on the clearwell.

We installed repaired meter and loop isolator on well 10.

We repaired light on south tank.

Allen and the T & D Department and the water plant recharged the line going to Seaside Landings mess.

We repaired water supply line on our refrigerator.

Ehab and I attended the FRWA Annual Conference in Daytona Beach for our license CEU's.

We pressure washed piping to raw and finished water lines. We started painted the high service pumps and raw water line and the handles.

We collected our quarterly well samples for St Johns River Water Management District.

Genset did their yearly generator preventative maintenance program changing the oil and a 20 point check list on our generators. Genset wanted \$538 to change the air filter to the generator at the plant. We are going to do the work our self for \$110. They wanted \$625 to change the air filter and hose to the heater block to Well 13 generator. We are going to do the repairs for \$94. We saved the city \$959.