

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, OCTOBER 24, 2019, 2019 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. Swearing in of Officer Brian Wood – Chief Doughney.
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 October 10, 2019.

GENERAL BUSINESS

7. Award the South Flagler Swale Project No. FB-2019-2607 to W. Gardner, LLC, the lowest responsive bidder in an amount not to exceed \$463,739.15 – Fred Griffith, City Engineer.
8. Consider request for Staff direction to meet & coordinate plan to repair/replace the dumpster pad at Pier Restaurant – Ray Barshay, Tenant.
9. Resolution 2019-22, a resolution by the City Commission of the City of Flagler Beach Florida, for Water, Sewer and Stormwater Fee increases to provide revenues that will be sufficient to operate financially self-supporting utilities; repealing Resolution 2018-33, providing for conflict and an effective date – Kathleen Doyle, Finance Director.
10. Discussion and possible direction to staff regarding additional proposed Charter Amendment – Commissioner Marshall D. Shupe.

COMMISSION COMMENTS

11. Commission comments, including reports from meetings attended.

PUBLIC HEARINGS

12. Ordinance 2019-12, an ordinance of the City of Flagler Beach, Florida, amending Chapter 14, Offenses and Miscellaneous Provisions, of the Code of Ordinances, to create Article VI, "Aggressive Panhandling" to prohibit aggressive panhandling; providing Legislative findings, providing penalties for violations; providing for severability, conflicts, codification and effective date – second and final reading.

13. Ordinance 2019-17 an ordinance of the City of Flagler Beach, Florida, approving the first amendment to the Collective Bargaining Agreement between the City of Flagler Beach and the International Union of Police Associations for the period October 1, 2018 through September 30, 2021; providing for conflicts; providing for severability and providing for an effective date – first reading.

STAFF REPORTS

14. Staff Reports.

15. Adjournment.

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

#6

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, OCTOBER 10, 2019, 2019 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: Chair Kim M. Carney, Vice-Chair Marshall D. Shupe, Commissioners Rick Belhumeur, Eric Cooley and Jane Mealy, City Attorney Jacob Schumer, City Manager Larry M. Newsom and City Clerk Penny Overstreet.

ABSENT: Mayor Linda Provencher, City Attorney D. Andrew Smith, III.

1. CALL THE MEETING TO ORDER: Chair Carney called the meeting to order at 5:32 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Commissioner Mealy led the pledge to the flag.
3. PROCLAMATIONS AND AWARDS.
 - a. PROCLAMATION DECLARING OCTOBER 2019 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN FLAGLER BEACH: Police Captain Lance Blanchette presented the proclamation to Gary Perkins, Community Relations Advocate, Family Life Center.
4. DELETIONS AND CHANGES TO THE AGENDA: None.
5. COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES: Donald O'Brien, Flagler County Commissioner spoke of the Census Complete 2020 Count Committee and urged the Officials to get the word out about the importance of a complete count.

CONSENT AGENDA

6. APPROVE THE MINUTES OF THE REGULAR AND SPECIAL MEETINGS OF SEPTEMBER 26, 2019: Chair Carney opened public comments. No comments were received. Chair Carney closed public comment. Motion by Commissioner Mealy to approve the regular and special meeting minutes of September 26th. Commissioner Shupe seconded the motion. The motion carried unanimously.

GENERAL BUSINESS

7. QUARTERLY REVIEW STRATEGIC PLAN - LARRY NEWSOM, CITY MANAGER: Mr. Newsom briefly reviewed the actions taken to date. Discussion ensued regarding the Pier and financial strategies to cover the expense and the 12½% portion that the Florida Department

of Emergency Services will not fund. Commissioner Belhumeur inquired if legislative assistance is possible regarding funding.

The agenda moved to Item 10.

COMMISSION COMMENTS

8. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: Commissioner Cooley spoke about a recent beach clean-up and reported two baby turtles were rescued and are being rehabbed at Marineland and they will be released after they regain their strength. Commissioner Belhumeur reported over a dozen hogs were trapped and relocated to St. Johns County. Commissioner Belhumeur participated in the Brazilian Pepper removal project in Wickline Park. Commissioner Belhumeur inquired if a message could be included on the utility bills regarding the ability for residents to sign up to receive emails notifying them of meetings, events, and road closures. Commissioner Shupe commented that the recent First Friday event was well attended. Commissioner Mealy reported Hero's First Home Loan Group donated \$13k for firefighter safety vests. Commissioner Carney reported on the recent activity of the Beach Management Committee.

PUBLIC HEARINGS

9. CONSIDER APPLICATION VAR#19-09-01 – 1628 S. OCEAN SHORE BLVD. – A VARIANCE APPLICATION HAS BEEN SUBMITTED TO REDUCE THE REQUIRED REAR YARD SETBACK OF AN EXISTING SINGLE FAMILY RESIDENTIAL STRUCTURE FROM THREE (3) FEET TO SEVEN (7) FEET AS OPPOSED TO THE REQUIRED TEN (10) FEET AS PROVIDED FOR IN THE CITY OF FLAGLER BEACH LAND DEVELOPMENT REGULATIONS, SECTION 2.04.02.9. ZONING SCHEDULE TWO, LOT, YARD, HEIGHT, AND BULK REGULATIONS. THE PARCEL ID NO. 18-12-32-2750-00020-0080; AKA FUQUAY SUB DIV BL-2 LOT 8; APPLICANT: MR. DENNIS BAYER, ATTORNEY: City Planner, Larry Torino reviewed the history of the property and the previous request from the owner that were denied. Mr. Torino recommends approval and the Planning & Architectural Review Board recommended approval at their September 24, 2019 meeting. Mr. Torino reviewed a power point detailing the proposed location of the structure. Commissioner Shupe feels this additional separation is in the spirit of the current code, in a neighborhood of older non-conforming residences. Commissioner Cooley supports any resident repairing a hurricane damaged home. Mr. Bazinet thanked the Commission for their support and he thanked Mr. Torino and the Building Department Staff. Chair Carney opened public comment. Carol Fisher thanked Staff and the Commission for making this work. Chair Carney closed public comment. Motion by Commissioner Belhumeur that we approve Variance Application VAR19-09-01. Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved to item 11.

10. APPLICATION SP#19-09-01: CONSIDER A REQUEST FOR FINAL SITE PLAN APPROVAL FOR CONSTRUCTION OF A DETACHED MODULAR BUILDING AS AN ADDITION TO AN EXISTING NON-RESIDENTIAL BUILDING IN THE GENERAL COMMERCIAL ZONING DISTRICT. THE PROPERTY RECORD IS AS FOLLOWS, GEORGE MOODY SUBDIVISION LOT 6 & 7, 400 S. DAYTONA AVE., PARCEL ID#12-12-31-4500-00510-0060. OWNER: SOCIETY OF ST VINCENT DE PAUL, INC., JACKSONVILLE DISTRICT COUNCIL. APPLICANT: SOCIETY OF ST VINCENT DE PAUL, INC., SANTA MARIA DEL MAR CONFERENCE. STAFF ASSIGNED: LARRY TORINO, CITY PLANNER: Mr. Torino reviewed the recommendation from the Planning & Architectural Review Board and noted the engineering concerns would be addressed during the building permit process. Commissioner Shupe inquired if the handicap spaces will both be in the front of the building. Mr. Torino responded one would be on the side of the building. Chair Carney opened public comment. Jim Morello, Treasurer, St. Vincent DePaul, spoke of the assistance the group provides to the residents of the County. Chair Carney closed public comment. Motion by Commissioner Shupe to approve Application SP19-09-01, including the staff summary with recommendations as posted October 2, 2019. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved to Item 9.

11. ORDINANCE 2019-15 AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA SUBMITTING TO THE ELECTORS OF FLAGLER BEACH PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF FLAGLER BEACH; PROVIDING BALLOT TITLES, SUMMARIES AND TEXT FOR THE PROPOSED AMENDMENTS; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE FOR APPROVED AMENDMENTS; PROVIDING FOR AN EFFECTIVE DATE FOR THE ORDINANCE. SECOND & FINAL READING: Attorney Schumer read the title of the ordinance into the record. Attorney Schumer advised of the need for an amendment to the body of the ordinance to change "Yes for Approval & No for Rejection" to simply "yes or no" based on a recommendation from the Flagler County Supervisor of Elections. Chair Carney opened public comments. No comments were received. Chair Carney closed public comment. Motion by Commissioner Belhumeur we approve Ordinance 2019-15 as amended. Commissioner Mealy seconded the motion. The motion carried unanimously, after a roll call vote. Commissioner Shupe inquired on the process of submitting Charter amendments, not originating from the Charter review Committee. City Clerk Overstreet advised an amendment can be submitted at any time, it is the decision of the Commission to hold the ordinance until an upcoming election or pay for the expense of a special election. City Clerk Overstreet advised Commissioner Shupe, to contact Attorney Smith, and that, in theory, there was enough time to have two public hearings before the January 17, 2020 deadline to submit ballot items to the Supervisor of Elections for inclusion on the ballot for the primary election on March 17, 2020.
12. ORDINANCE 2019-16 AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING CHAPTER 2 ADMINISTRATION, ARTICLE V, EMPLOYEE BENEFITS, DIVISION 1,

SECTION 2-101, FIREFIGHTERS' RETIREMENT SYSTEM, OF THE CODE OF ORDINANCES OF THE CITY OF FLAGLER BEACH; AMENDING SECTION 7, PRE-RETIREMENT DEATH; AMENDING SECTION 8 DISABILITY; PROVIDING FOR COMPLIANCE WITH CHAPTER 2019-21 LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE – FIRST READING: Attorney Schumer read the title of the ordinance into the record. Chair Carney opened public comments. No comments were received. Chair Carney closed public comment. Motion by Commissioner Mealy to approve Ordinance 2019-16. Commissioner Shupe seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved to Item 8.

STAFF REPORTS

13. STAFF REPORTS: City Manager Newsom spoke of the FDOT project and the blowing sand we have received complaints about. Mr. Newsom stated FDOT committed to doing something about it, with the first action being control. City Clerk Overstreet spoke of upcoming events in the City and progress on the parade details.
14. ADJOURNMENT: Motion by Commissioner Mealy to adjourn the meeting at 7:02 p.m. Commissioner Shupe seconded the motion. The motion carried unanimously.

Attest:

Kim M. Carney Commission Chair

Penny Overstreet, City Clerk



FLAGLER BEACH CITY COMMISSION

City Manager's Report

Item No. 7

Meeting Date: October 24, 2019

Issue: South Flagler Beach Swales Improvement Project - Bid Award - Bid No. FB-2019-2609

From: Fred W. Griffith

Organization: City of Flagler Beach

RECOMMENDATION: Award the South Flagler Beach Swales Improvement Project, Bid No. FB-2019-2609, construction bid, to the lowest responsive bidder, W. Gardner L.L.C. for the contract amount of \$ 463,739.15.

BACKGROUND:

The South Flagler Beach Swales Improvement Project was recently advertised with bids being publicly opened on October 10, 2019 with three (3) bidders submitting sealed bids. The two lowest bids were within 4% of each other with the low bid being slightly below our engineering estimate and the allowable grant amount of \$500,000.00.

Please note that this construction project activity is now to be fully grant funded from a SJRWMD Redi Grant award received late last year. The design and bid documents were developed by Kimley Horn Engineering out of Jacksonville, Florida with significant input from City staff. We believe that we now have an outstanding storm water improvement project designed which will assist us in attenuating storm water flows and reducing the amount of storm water run-off down into the Flagler Avenue right-of-way and the alleyways between South 9th Street and South 26th Street. In addition it also includes the reconstruction of swales in several other poorly drained streets on both sides of the Intracoastal Waterway. These city streets have been experiencing similar situations of excess storm water run-off that is adversely affecting these residential neighborhoods from time to time. We remain hopeful that this project will in addition to reducing minor flooding or standing water in roadways will also serve to increase aquifer recharge, protecting our future wellfields, and reduce storm water run-off from being deposited into our saltwater estuaries of our area which are so valuable to our ecosystem in which we live and work.

Please refer to the attached letter and bid tabulation from our design consultant who is familiar with the lowest bid contractor and their ability complete similar projects such as this. Note: This project was estimated by our consultant to cost approximately \$450,000 - \$500,000. Please see our consultant's recommendation letter attached with their bid summary and analysis included. We request your approval at this time of the contract bid award of \$463,739.15 to W. Gardner, LLC so that the construction contract may be signed by our Mayor, and the construction of this 100% grant funded project may now go forward.

BUDGETARY IMPACT : This project has been previously budgeted under Storm water Improvements Central and Daytona Storm Water Improvements, GL # 405.5391.606300.190 thru a Redi Grant funded from the St. Johns River Water Management District.

LEGAL CONSIDERATIONS/SIGN-OFF:

PERSONNEL: Engineering, Clerk, Finance

POLICY/REQUIREMENT FOR BOARD ACTION: N/A

IMPLEMENTATION/COORDINATION: Kimley Horn Engineering

Attachments

- Consultant Recommendation Letter
- Bid Tabulation Sheet

Kimley»Horn

October 15, 2019

Penny Overstreet
City Clerk
City of Flagler Beach
City Hall
105 South Second Street
Flagler Beach, FL 32136

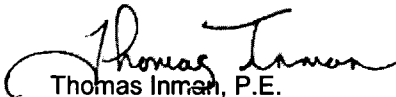
**RE: South Flagler Beach Swale Improvements / Bid Results
Kimley-Horn Project No. 045516002**

Dear Ms. Overstreet:

We have reviewed the construction bids received for the above referenced project. As of the deadline on September 26, 2019 at 2:00 PM, three (3) bids were received and were opened at 2:00 PM. All bids received were responsive bids. Attached is the bid tabulation summary showing the submitted base bids, along with tracking of responsiveness documents. *Please note in accordance with the invitation to bid package page 5, Subtitled General, Para 1. "Contractor shall submit the following items to the Project Manager within seven (7) days of the notice to award, and prior to issuance of Notice to Proceed (NTP)."*

Based upon our review of the documents submitted, W. Gardner, LLC, Inc. appears to be the lowest responsive bidder with a bid in the amount of \$463,739.15.

Sincerely,


Thomas Inman, P.E.

Attachment: Bid Tabulation Summary

SOUTH FLAGLER BEACH SWALE IMPROVEMENTS
SUMMARY

<u>Item No. and Description</u>	<u>W. GARDNER, LLC</u>	<u>DB CIVIL CONSTRUCTION, LLC</u>	<u>S.E. CLINE CONSTRUCTION, INC.</u>
PHASE 1			
GENERAL CONDITIONS	\$ 44,708.68	\$ 67,000.00	\$ 24,045.00
DAYTONA AVENUE	\$ 155,051.82	\$ 118,350.00	\$ 273,528.00
CUMBERLAND DRIVE	\$ 4,409.81	\$ 9,092.00	\$ 12,141.14
PALM AVENUE	\$ 8,816.71	\$ 16,477.00	\$ 24,278.34
PALM DRIVE	\$ 5,509.35	\$ 10,958.00	\$ 15,556.86
OAK LANE	\$ 6,611.80	\$ 13,831.00	\$ 18,176.52
SEDIMENT AND EROSION CONTROL	\$ 28,836.00	\$ 19,175.00	\$ 16,278.00
PHASE 1 SUBTOTAL	\$ 253,944.17	\$ 254,883.00	\$ 384,003.86
PHASE 2			
GENERAL CONDITIONS	\$ 46,066.49	\$ 67,000.00	\$ 24,045.00
CENTRAL AVENUE	\$ 131,228.49	\$ 136,523.00	\$ 316,968.66
SEDIMENT AND EROSION CONTROL	\$ 32,500.00	\$ 21,575.00	\$ 15,975.00
PHASE 2 SUBTOTAL	\$ 209,794.98	\$ 225,098.00	\$ 356,988.66
TOTAL	\$ 463,739.15	\$ 479,981.00	\$ 740,992.52

RESPONSIVENESS DOCUMENTS

	<u>W. GARDNER, LLC</u>	<u>DB CIVIL CONSTRUCTION, LLC</u>	<u>S.E. CLINE CONSTRUCTION, INC.</u>
Drug-Free/Tie Preference Statement	<u>X</u>	<u>X</u>	<u>X</u>
Insurance Requirements	<u>X</u>	<u>X</u>	<u>X</u>
Work Write-Up/Bid Form	<u>X</u>	<u>X</u>	<u>X</u>
Signature Page	<u>X</u>	<u>X</u>	<u>X</u>
Contractor's Statement of Experience	<u>X</u>	<u>X</u>	<u>X</u>
Subcontractor List	<u>X</u>	<u>X</u>	<u>X</u>
Addendum Acknowledgement	<u>X</u>	<u>X</u>	<u>X</u>
Bidder's Certification	<u>X</u>	<u>X</u>	<u>X</u>
Affidavit of Non-Collusion	<u>X</u>	<u>X</u>	<u>X</u>
Sworn Statement on Entity Crimes	<u>X</u>	<u>X</u>	<u>X</u>

SOUTH FLAGLER BEACH SWALE IMPROVEMENTS
PHASE 1

<u>Item No. and Description</u>	<u>W. GARDNER, LLC</u>	<u>DB CIVIL CONSTRUCTION, LLC</u>	<u>S.E. CLINE CONSTRUCTION, INC.</u>
GENERAL SITE CONDITIONS			
1.0 MOBILIZATION	\$ 30,073.45	\$ 40,000.00	\$ 11,920.00
2.0 MAINTENANCE OF TRAFFIC	\$ 13,177.35	\$ 22,000.00	\$ 10,625.00
3.0 WORK ZONE SIGNAGE	\$ 1,457.88	\$ 5,000.00	\$ 1,500.00
SUBTOTAL	\$ 44,708.68	\$ 67,000.00	\$ 24,045.00
DAYTONA AVENUE - SWALE CONSTRUCTION			
4.0 SITE PREPARATION AND SUPERVISION	\$ 8,630.82	\$ 10,000.00	\$ 5,425.00
5.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ 75,735.00	\$ 44,550.00	\$ 224,631.00
6.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ 45,078.00	\$ 19,800.00	\$ 8,800.00
7.0 SOD AND STABILIZATION	\$ 25,608.00	\$ 44,000.00	\$ 34,672.00
SUBTOTAL	\$ 155,051.82	\$ 118,350.00	\$ 273,528.00
CUMBERLAND DRIVE - SWALE CONSTRUCTION			
8.0 SITE PREPARATION AND SUPERVISION	\$ 313.85	\$ 1,600.00	\$ 1,662.50
9.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ 3,060.00	\$ 5,000.00	\$ 9,076.00
10.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ 0.00	\$ 0.00	\$ 0.00
11.0 SOD AND STABILIZATION	\$ 1,035.96	\$ 2,492.00	\$ 1,402.64
SUBTOTAL	\$ 4,409.81	\$ 9,092.00	\$ 12,141.14
PALM AVENUE - SWALE CONSTRUCTION			
12.0 SITE PREPARATION AND SUPERVISION	\$ 627.70	\$ 1,500.00	\$ 3,325.00
13.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ 6,120.00	\$ 10,000.00	\$ 18,152.00
14.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ 0.00	\$ 0.00	\$ 0.00
15.0 SOD AND STABILIZATION	\$ 2,069.01	\$ 4,977.00	\$ 2,801.34
SUBTOTAL	\$ 8,816.71	\$ 16,477.00	\$ 24,278.34
PALM DRIVE - SWALE CONSTRUCTION			
16.0 SITE PREPARATION AND SUPERVISION	\$ 392.31	\$ 1,600.00	\$ 2,462.50
17.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ 3,825.00	\$ 6,250.00	\$ 11,345.00
18.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ 0.00	\$ 0.00	\$ 0.00
19.0 SOD AND STABILIZATION	\$ 1,292.04	\$ 3,108.00	\$ 1,749.36
SUBTOTAL	\$ 5,509.35	\$ 10,958.00	\$ 15,556.86
OAK LANE - SWALE CONSTRUCTION			
20.0 SITE PREPARATION AND SUPERVISION	\$ 470.77	\$ 2,600.00	\$ 2,462.50
21.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ 4,590.00	\$ 7,500.00	\$ 13,614.00
22.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ 0.00	\$ 0.00	\$ 0.00
23.0 SOD AND STABILIZATION	\$ 1,551.03	\$ 3,731.00	\$ 2,100.02
SUBTOTAL	\$ 6,611.80	\$ 13,831.00	\$ 18,176.52
SEDIMENT AND EROSION CONTROL			
24.0 SILT FENCE	\$ 28,336.00	\$ 17,600.00	\$ 13,728.00
25.0 INLET PROTECTION	\$ 500.00	\$ 1,575.00	\$ 2,550.00
SUBTOTAL	\$ 28,836.00	\$ 19,175.00	\$ 16,278.00
PHASE 1 TOTAL	\$ 253,944.17	\$ 254,883.00	\$ 384,003.86

SOUTH FLAGLER BEACH SWALE IMPROVEMENTS
PHASE 2

<u>Item No. and Description</u>	<u>W. GARDNER, LLC</u>	<u>DB CIVIL CONSTRUCTION, LLC</u>	<u>S.E. CLINE CONSTRUCTION, INC.</u>
GENERAL SITE CONDITIONS			
1.0 MOBILIZATION	\$ <u>29,967.11</u>	\$ <u>40,000.00</u>	\$ <u>11,920.00</u>
2.0 MAINTENANCE OF TRAFFIC	\$ <u>14,641.50</u>	\$ <u>22,000.00</u>	\$ <u>10,625.00</u>
3.0 WORK ZONE SIGNAGE	\$ <u>1,457.88</u>	\$ <u>5,000.00</u>	\$ <u>1,500.00</u>
SUBTOTAL	\$ <u>46,066.49</u>	\$ <u>67,000.00</u>	\$ <u>24,045.00</u>
CENTRAL AVENUE - SWALE CONSTRUCTION			
4.0 SITE PREPARATION AND SUPERVISION	\$ <u>10,435.50</u>	\$ <u>10,000.00</u>	\$ <u>7,900.00</u>
5.0 EXCAVATION, GRADING AND DRESSING SWALES	\$ <u>90,270.00</u>	\$ <u>53,100.00</u>	\$ <u>267,742.00</u>
6.0 OVEREXCAVATION AND REPLACEMENT OF STONE	\$ <u>0.00</u>	\$ <u>0.00</u>	\$ <u>0.00</u>
7.0 SOD AND STABILIZATION	\$ <u>30,522.99</u>	\$ <u>73,423.00</u>	\$ <u>41,326.66</u>
SUBTOTAL	\$ <u>131,228.49</u>	\$ <u>136,523.00</u>	\$ <u>316,968.66</u>
SEDIMENT AND EROSION CONTROL			
8.0 SILT FENCE	\$ <u>32,000.00</u>	\$ <u>20,000.00</u>	\$ <u>15,600.00</u>
9.0 INLET PROTECTION	\$ <u>500.00</u>	\$ <u>1,575.00</u>	\$ <u>375.00</u>
SUBTOTAL	\$ <u>32,500.00</u>	\$ <u>21,575.00</u>	\$ <u>15,975.00</u>
PHASE 2 TOTAL	\$ <u>209,794.98</u>	\$ <u>225,098.00</u>	\$ <u>356,988.66</u>



WDGARDN-01

AEVANS

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
10/2/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Cecil W. Powell & Company 219 N. Newnan Street Jacksonville, FL 32202	CONTACT NAME: Annette Evans		
	PHONE (A/C, No, Ext): (904) 353-3181	FAX (A/C, No): (904) 353-5722	
E-MAIL ADDRESS: aevans@cwpowellins.com			
INSURED W. Gardner, LLC 6206 Atlantic Blvd., Suite 3 Jacksonville, FL 32211	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Travelers Cas & Sur Co of Am		19046
	INSURER B : Travelers Prop Cas Co of Am		25674
	INSURER C : American Builders Insurance Company		11240
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CO9N444072	9/12/2019	9/12/2020	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS - COMP/OP AGG	\$ 2,000,000
								\$
B	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY			8109N439025	9/12/2019	9/12/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION \$			CUP9N551455	9/12/2019	9/12/2020	EACH OCCURRENCE	\$ 2,000,000
							AGGREGATE	\$ 2,000,000
								\$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> If yes, describe under DESCRIPTION OF OPERATIONS below		Y/N N/A	WCV-0254653-01	4/1/2019	4/1/2020	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER	
							E.L. EACH ACCIDENT	\$ 1,000,000
							E.L. DISEASE - EA EMPLOYEE	\$ 1,000,000
							E.L. DISEASE - POLICY LIMIT	\$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

Sample for Bid Purposes

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Ben Powell



W. Gardner, LLC

6206 Atlantic Boulevard, Suite 3

Jacksonville, Florida 32211

CUC1225422 FPC18-000004

October 17, 2019

Flagler Beach City Hall

City Clerk

105 South Second Street

Flagler Beach, FL 32136

Re: **South Flagler Beach Swale Improvements Bid Number FB-2019-2609**

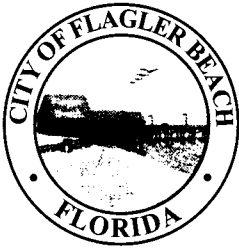
City Clerk,

W. Gardner does not intend to use any subcontractors for the above referenced project.

Sincerely,

Carson Jones

Senior Estimator

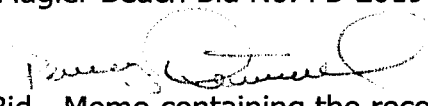


City of Flagler Beach

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

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

MEMO

DATE: October 18, 2019
TO: Bid Package Holders City of Flagler Beach Bid No. FB-2019-2609, South Flagler Beach Swale Improvements
FROM: Penny Overstreet, City Clerk 
SUBJECT: Recommendation to award Bid - Memo containing the recommendation of award for the South Flagler Beach Swale Improvements, Bid No. FB-2019-2609

The advertisement for the Invitation to Bid on the above referenced project ran as a legal ad one time in a newspaper of general circulation, the Daytona Beach News Journal, on Friday, August 23, 2019, as well as on the City's web-site, and listed on Demand Star a privately held company that provides online procurement and purchasing services for government agencies. The number of vendors the bid package was directed to was eighteen, of those recipients three (3) responded with bids. After a review by Staff of the respondents bid packages and supporting documents, staff recommends the City Commission award the Bid of the Project to W. Gardner, L.L.C., the lowest responsive bidder in the amount of \$463,739.15.

THE NEWS-JOURNAL

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

**State of Florida,
County of Volusia**

Before the undersigned authority personally appeared

Irene Zucker

who, on oath says that she is

LEGAL COORDINATOR

of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida; the
attached copy of advertisement, being a
.....

PUBLIC NOTICE

L 2337866

in the Court,
was published in said newspaper in the issues.....

AUGUST 23, 2019

Affiant further says that The News-Journal is a newspaper
published at Daytona Beach, in said Volusia County, Florida,
and that the said newspaper has heretofore been continuously
published in said Volusia County, Florida, each day and
Sunday and has been entered as second-class mail matter at
the post office in Daytona Beach, in said Volusia County,
Florida, for a period of one year next preceding the first
publication of the attached copy of advertisement; and affiant
further says that he has neither paid nor promised any person,
firm or corporation any discount, rebate, commission or
refund for the purpose of securing this advertisement for
publication in the said newspaper

Irene Zucker

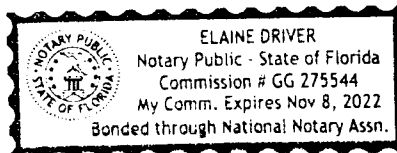
Sworn to and subscribed before me

This 23RD of AUGUST

A.D. 2019

[Signature]

**City of Flagler Beach Public Works
Department Advertisement for Bids
South Flagler Beach Swale
Improvements Bid No. FB-2019-2609**
The City of Flagler Beach is accepting sealed bids for the mobilization, labor, materials, tools and equipment necessary for the South Flagler Beach Swale improvements with the aim of reducing the negative impact of stormwater flow. The design of the Construction Plans produced by Kimley-Horn and Associates, Inc., dated August 19, 2019, are to be followed. The Construction Plans, specifications, bid forms and all other pertinent information are available by visiting the website: www.cityofflaglerbeach.com and DemandStar.com. Hard copies of the Construction Plans are available for viewing at City Hall, Office of the City Engineer. Questions specific to the Scope of Work should be addressed to City Clerk, Penny Overstreet at poverstreet@cityofflaglerbeach.com (preferred method) or (386) 517-2000, extension 243. A Pre-bid meeting is scheduled for Tuesday, September 17, 2019, 2:00 PM, at City Hall, 105 South 2nd St., Flagler Beach, FL, 32136. Attendance is not mandatory, but advisable. For further information, contact: Penny Overstreet, City Clerk (386) 517-2000, ext 233 or Fred Griffith, City Engineer (386) 517-2000 ext 243. Bids must be addressed to the attention of Penny Overstreet, City Clerk. Bids must be received on or before Thursday, September 26, 2019, 2:00 PM. L2337866 Aug. 23, 2019 M



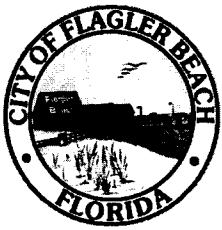
Penny Overstreet

From: Penny Overstreet
Sent: Friday, October 18, 2019 11:02 AM
To: 'estimating@gardnerland.com'; 'dbaylor@dbcivilconstruction.com';
'info@clineconstruction.net'
Cc: Fred Griffith; Thomas Inman (thomas.inman@kimley-horn.com)
Subject: Notice of Intent to Award Bid South Flagler beach Swale Improvements Bid #
FB-2019-2609
Attachments: Notice of Intent to Award FB-2019-2609.pdf

Tracking:	Recipient	Delivery
	'estimating@gardnerland.com'	
	'dbaylor@dbcivilconstruction.com'	
	'info@clineconstruction.net'	
	Fred Griffith	Delivered: 10/18/2019 11:02 AM
	Thomas Inman (thomas.inman@kimley-horn.com)	

Hello,
Attached is the Notice of Intent to Award Bid No. FB-2019-2609 South Flagler Beach Swale Improvements.

Best Regards,



Penny Overstreet, CMC
City Clerk
City of Flagler Beach
105 S. 2nd Street
Flagler Beach, FL 32136
www.cityofflaglerbeach.com
☎ 386-517-2000 ext. 233
📠 386-517-2008

Florida has a very robust Freedom of Access to Clinic Decision-Making Act (FACDAMA). Virtually all communications to or from State officials, officials and employees and public records available through any media upon request. The City of Flagler Beach is committed to facilitating communication between citizens and business entities. This includes email messages, including attachments, and any attachments and information we receive from citizens. The purpose for our policies is to ensure making a public record available. Emails sent on the City's email system are considered public and will not be withheld from a request. However, confidential or otherwise exempt from State law. If you are an individual whose identifying information is exempt under 119.07 Florida Statutes, please submit the information in a separate communication. If you have any questions about the Florida public records law, Florida Chapter 119 Florida Statutes.

Penny Overstreet

From: Microsoft Outlook
To: estimating@gardnerland.com; dbaylor@dbcivilconstruction.com;
info@clineconstruction.net; Thomas Inman (thomas.inman@kimley-horn.com)
Sent: Friday, October 18, 2019 11:02 AM
Subject: Relayed: Notice of Intent to Award Bid South Flagler beach Swale Improvements Bid #
FB-2019-2609

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:

estimating@gardnerland.com (estimating@gardnerland.com)

dbaylor@dbcivilconstruction.com (dbaylor@dbcivilconstruction.com)

info@clineconstruction.net (info@clineconstruction.net)

[Thomas Inman \(thomas.inman@kimley-horn.com\)](mailto:Thomas.Inman@kimley-horn.com) (thomas.inman@kimley-horn.com)

Subject: Notice of Intent to Award Bid South Flagler beach Swale Improvements Bid # FB-2019-2609

Penny Overstreet

From: Microsoft Outlook
To: Fred Griffith
Sent: Friday, October 18, 2019 11:02 AM
Subject: Delivered: Notice of Intent to Award Bid South Flagler beach Swale Improvements Bid # FB-2019-2609

Your message has been delivered to the following recipients:

[Fred Griffith \(fgriffith@cityofflaglerbeach.com\)](mailto:fgriffith@cityofflaglerbeach.com)

Subject: Notice of Intent to Award Bid South Flagler beach Swale Improvements Bid # FB-2019-2609

#8

City of Flagler Beach Agenda Application

INDIVIDUAL'S NAME: Ray Barshay, Alex Barshay

BUSINESS NAME: Funky Pelican
(If Applicable)

STREET ADDRESS: 215 S Ocean Shore Blvd
(If within City of Flagler Beach)

MAILING ADDRESS: 930 N US1, Ormond Beach, FL 32174
(Please provide City & Zip Code)

PHONE NUMBER: 386-295-8345

EMAIL: Raybar10@aol.com

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

Repair and replacement of the Dumpster Pad area of the Funky Pelican
Restaurant

BACKGROUND INFORMATION REGARDING THE SUBJECT:

Have met several times over the past few years regarding the structural issues.
Currently have State DEP permit. As evidenced by the attached photos the
structure continues to degrade and could pose issues and needs to be
addressed.

(OVER)

City of Flagler Beach

Agenda Application Continued


REQUESTED ACTION SOUGHT FROM THE COMMISSION:

Direct City staff to meet and coordinate a plan to repair/replace the dumpster
pad and bring the facility to proper standards.

ATTACHMENTS:

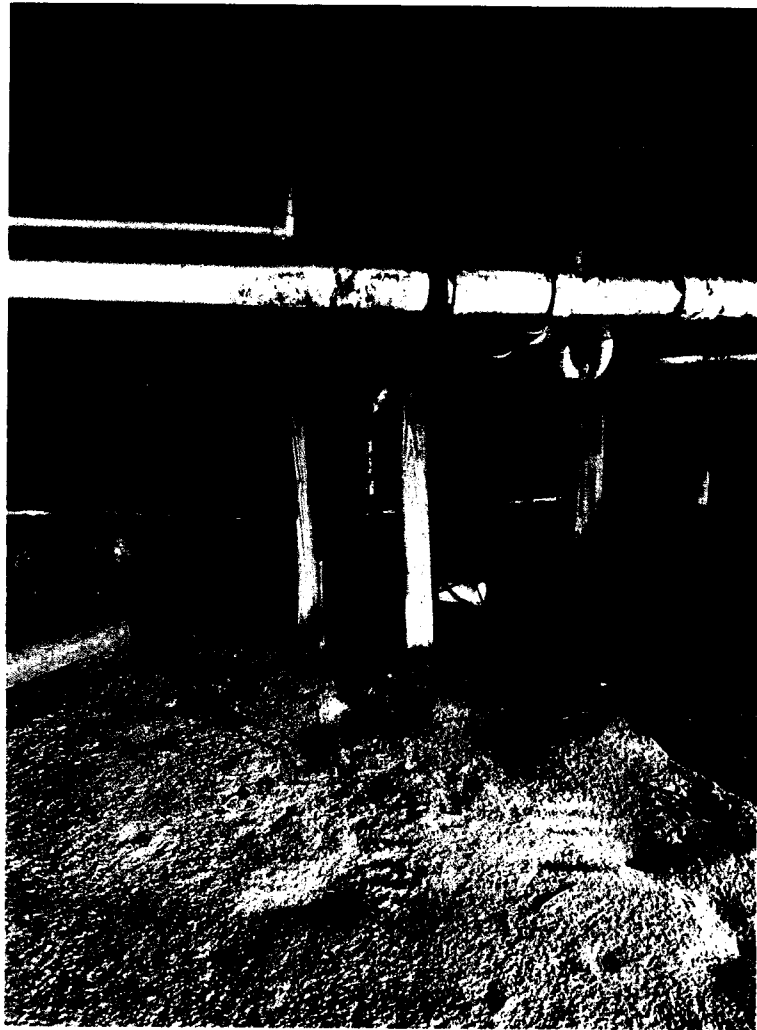
Please note the City Commission's Rules of Procedures require all supporting documents to be provided at the time the agenda application is submitted. Please refrain from handing out material at the Commission Meetings.

The maximum time allowed for each request is 10 minutes.



SIGNATURE OF APPLICANT

10/14/2019
DATE







FLAGLER BEACH CITY COMMISSION

Item No. 9

Meeting Date: 10-24-2019

Issue: A Resolution by The City Commission Of The City Of Flagler Beach, For Water, Sewer and Stormwater Fee Increases To Provide Revenues That Will Be Sufficient To Operate Financially Self Supporting Utilities; Repealing Resolution 2018-33. Providing For Conflict and an Effective Date.

From: Kathleen Doyle, Finance Director

Organization: City Staff

RECOMMENDATION: Approve Resolution 2019-22

BACKGROUND: During the Budget Workshop and Budget Hearings, staff discussed with City Commission, the need for an increase to the base fees for the **Utility, Sanitation and Stormwater Funds**. For the Resolution, staff is proposing an increase to revenues for the 2019-20 Budget Year only. The analysis will be reviewed annually and adjusted as needed.

Water & Sewer Base Fees

The 5 Year Capital Plan adopted with the 2019/20 Budget for Water and Sewer rates revealed the need for an increase in Base Fees to provide monies for Capital Improvements of **\$2,253,600** that were approved for the 2019/20 Budget. City staff anticipates an additional \$1,540,000 to be encumbered from the 2018/19 budget for projects that were underway but not completed by September 30th. The total amount of expenditures will be \$3,793,600.

The adopted budget included a 12.5% increase to the Water Base Fee and a 12.5% increase to the Sewer Base Fee. The Draft Budget included a 25% increase as was approved with Resolution 2018-33, Exhibit A (Utility Budget Forecast).

An amount over **\$16 million dollars** will be necessary to fund the scheduled Water & Sewer Items and pay 5 years of debt service as shown on The Five Year Capital Improvement Plan. ***The Capital Improvement Plan encompasses October 1, 2019 through September 30 2024.*** Staff continues to obtain alternate funding sources, such as Grants and SRF Loans, but City needs to maintain adequate reserves to secure these types of revenues. The City entered into a Utility Service Area agreement in 2007 establishing the district that we provide Water and Sewer Services to. Future growth in this area will financially impact our Facilities, Infrastructure and Customer Service needs.

City Staff worked with consultants to submit an application for a loan through the State Revolving Fund for the completion of the Waste Water Plant. This loan will be similar in structure to the current SRF loan for the Water Plant. The water plant loan will be completely paid off in 2027. Depending on the actual cost of the WWTP, loan payments could exceed \$550,000 annually. The City's distribution system also needs to be addressed. In the last 12 years, we have only completed minimal work on our sewer and water lines, mostly on an as needed basis. Our CUP (Consumptive Use Permit) addresses the need to build a Reclaimed Water Plant by 2027, which is only 7 years away.

The City of Flagler Beach imposes Base Fees to provide reserves for Capital Items such as Infrastructure and Facility Improvements and Equipment. **The increase of 12.5% to Water/Sewer Impact Fees equates to approximately \$265,000 annually.** Exhibit A to Resolution 2019-22, showing Water and Sewer Forecasted Revenues and Expenditures shows even with that 12.5% increase to base fees,

Expenses will exceed Revenues by \$1.6 million if all projects are completed in the current year. The Attachment also shows maintaining an increase of 12.5% to base fees is not feasible.

The year-end close out is currently in process, but currently the Unrestricted Utility Reserves Cash Balance is projected to be \$2.5 Million at 9/30/19. This is the amount of savings we could use towards next years' budget shortfall of \$1.6 Million. This would mean that when we get to the end of 2020 we would only have \$900,000 left in unrestricted reserves. This should be seriously considered when assessing the increase to Utility Base Fees; last years' resolution suggested staying at 25% increase for 2019/20 and 2020/21 budget year.

Alternatives could be to continue to push capital projects out to future years. However, this may jeopardize the level of service City Staff strives to provide for our Citizens.

Debt Service

The unpaid amount, principal plus interest, on the SRF loan for Utility Fund, which continues through 2027 is \$3,148,156. The State Revolving Loan was issued in 2007 to build the Water Treatment Plant and requires annual payments of \$465,750. An additional SRF loan for the design and completion of improvements to the Waste Water Plant is being reviewed; if we are eligible for this low interest loan and depending on the cost of the plant The City would face another 20 years of debt service of \$600,000 per year. Depending on the timing of completion of the plant, the City could have to pay both loans simultaneously, or close to \$1 million per year in debt service. The City may have the option to defer payments on the SRF loan for the WWTP; but of course we would accrue interest on the time of deferral.

Water & Sewer Flow Rates

Ordinance 2008-01 provides for water and sewer rate increases based on the percentage change in the Gross Domestic Product Implicit Price Deflator as adopted by the Florida Public Service Commission. This information can be found at www.psc.state.fl.us. The result of their analysis is a **2.36%** increase over 2018-19 figures. Water and Sewer Flow rates are an established fee to balance the costs of water production. The increase of 2.36% provided by the index is **not sufficient to cover the daily operations** of the Water Plant and the Wastewater Plant for the 2019/20 Budget Year based on our current water and sewer flows. Operations Cost is budgeted at \$2.6 million; Water/Sewer flow revenues are budgeted at \$1.7 million. City Staff will monitor expenses for operations closely. Water Consumption has decreased over the past years.

Water/Sewer Connection Fees

The Fees for new service connection on new construction, charged on Building Permits, are being increased due to increased costs for labor and materials. This is the first increase in many years.

Stormwater

The 3 Year Analysis for the Stormwater Fund shows the Revenues and Reserves are sufficient to provide reserves for uncompleted and future Stormwater projects, Debt Service, as well as maintenance on existing infrastructure. An increase in the monthly charges will be necessary.

The \$4.00 monthly fee per ERU (Equivalent Residential Unit) was first imposed during the 2004/05 budget year; a Stormwater Master Plan was also approved. The Stormwater Fund Reserves, along with Federal Grants and a \$1,800,000 loan have provided the City with the eight designed systems from the 2009 Stormwater Master Plan. **The City is currently working on improvements for South Daytona and South Central Avenues, this is project is funded with a \$500,000 grant from St. John's River Water Management District and the remainder from Stormwater Funds.**

Staff recommends a **\$1 per month** increase for the **2019/20** year, to maintain the completed infrastructure, **repay the debt service** and begin building reserves to finish the Stormwater Master Plan and maintain a positive fund balance as matching funds for future grants.

Sanitation

Ordinance 2008-03 provides for solid waste collection fees to be adjusted annually based on the percentage change in the Gross Domestic Product Implicit Price Deflator as adopted by the Florida Public Service Commission.

At this time the City will keep the current rates for Sanitation which were last increased in 2017/18 fiscal year. City Staff is conducting a Sanitation Study to determine a new fee schedule for residents and commercial accounts based on our current Sanitation needs and costs.

Once the Sanitation Study is complete all Commercial Accounts will be assessed a fee for Recycling.

For many years, Tipping Fees for Recycling were free of charge to the City. To encourage recycling, the City decided to pick up all recycling for residents and commercial accounts at no charge to the Customer. Recycling is now billed at the same rate as regular trash; the City can no longer absorb the high costs associated with recycling.

All Sanitation Customers, (Residential and Commercial) will be notified of the meeting that will address the results of the study and changes to fees on their Utility Bills.

How the increase to all Utilities affects our residents

The total increase to base fees for a residential account are **\$6.91** per month; **\$82.87** annually.

Regular increases to base fees were never followed, even when it was clear that they were needed back in 2005 when the City began work on the Water Treatment Plant. If the City had imposed 10% increases to Water and Sewer Base fees for the last 12 years, the increase would have not been so severe and the city would have unrestricted reserves in excess of \$3 million as indicated on the attached Rate Increase 15 Year History.

The City can no longer put off the improvements needed at the Waste Water Plant, Infrastructure Needs, New Wells and Projects to improve the efficiency of our service.

If approved, the rates will be in place for the November billing cycle.

BUDGETARY IMPACT: Utility increases are necessary to maintain normal operations, provide for capital improvements, debt service and maintain an adequate reserve balance. The increase of 12.5% to Water/Sewer Base Fees will not be enough to accomplish these goals; as indicated by Exhibit A to Resolution 2019-22.

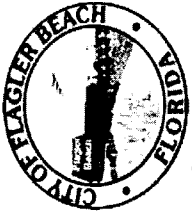
LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: N/A

IMPLEMENTATION/COORDINATION: New rates if adopted will begin with the November 30th Billing.

Attachments: Resolution 2019-22, Exhibit A to Resolution 2019-22(Utility Forecast), Exhibit B to Resolution 2019-22(Stormwater Forecast), Exhibit C to Resolution 2019-22(Water/Sewer Rate Table), Exhibit D to Resolution 2019-22 (Sanitation Forcast), Exhibit E to Resolution 2019-22 (Sanitation Rates), Area Comparison of Sewer Water Base Fees, Proposed Residential Base Fees, Rate Increase 15 Year History



PROPOSED INCREASE FOR 2019-20

Utility Bill BASE Fee Increases

	Current Rate	2019/20
<u>Water Base Fees (12.5%)</u>	27.04	30.42
<u>Sewer Base Fees (12.5%)</u>	17.50	19.69
<u>Stormwater Fee (12.77%)</u>	7.83	8.83
<u>Refuse Fee</u>	19.80	19.80
<u>Utility Tax</u>	2.70	3.04
Total	74.87	81.78

Monthly Amount of Increase \$ **6.91**
Annual Increase \$ **82.87**

<u>\$ increase per fee</u>	<u>% increase per fee</u>
\$ 3.38	12.50%
\$ 2.19	12.50%
\$ 1.00	12.77%
\$ -	0.00%
\$ 0.34	

9.22% INCREASE TO ALL BILLED BASE FEES

Actual 2005-2020 Rate Increases on Base Fees

Increase each year	PROPOSED FOR																	
	0%	0%	38%	2.57%	0%	1.22%	0%	3.62%	1.67%	7.00%	13.31%	19.96%	33.80%	25.01%	2019	2020		
2005	4.57	4.57	9.14	9.39	9.60	11.63	12.25	13.11	14.42	17.30	21.63	17.50	19.69	17.50	19.69	30.42	30.42	
2006	7.60	7.60	15.20	15.52	15.84	19.56	20.18	21.04	22.76	28.16	34.36	34.36	38.80	34.36	38.80	50.11	50.11	
2007	12.17	12.17	24.34	24.89	25.38	32.72	33.51	34.50	36.63	44.59	53.23	53.23	59.56	53.23	59.56	77.67	77.67	
Total Monthly Base Fees for the Year																		
Monthly Amount of Increase	\$ -	\$ -	\$ 4.57	\$ 0.43	\$ -	\$ 0.21	\$ -	\$ 0.63	\$ 0.30	\$ 1.28	\$ 2.61	\$ 4.43	\$ 9.00	\$ 8.91	\$ 5.57	\$ 37.94	\$ 37.94	

Rate Increase if City had followed 10% Increase Plan

Increase each year	PROPOSED FOR																	
	0%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	10%	
2005	4.57	5.03	5.53	6.08	6.69	7.36	8.10	8.91	9.80	10.78	11.85	13.04	14.34	15.78	17.35	19.09	20.99	
2006	7.60	8.36	9.20	10.12	11.13	12.24	13.46	14.81	16.29	17.92	19.71	21.68	23.85	26.24	28.86	31.75	34.87	
2007	12.17	13.39	14.73	16.20	17.82	19.60	21.56	23.72	26.09	28.70	31.57	34.72	38.19	42.01	46.22	50.84	55.77	
Total Monthly Base Fees for the Year																		
Monthly Amount of Increase	\$ 1.22	\$ 1.34	\$ 1.47	\$ 1.62	\$ 1.78	\$ 1.96	\$ 2.16	\$ 2.37	\$ 2.61	\$ 2.87	\$ 3.16	\$ 3.47	\$ 3.82	\$ 4.20	\$ 4.62	\$ 5.10	\$ 5.67	

Actual Billed
Billed if City had increased 10% per year
Revenue lost without steady increase

Year	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Actual Billed	474,993	486,610	700,126	699,851	710,673	832,119	822,573	900,155	943,482	1,032,982	1,169,250	1,384,721	1,819,079	2,233,908
Billed if City had increased 10% per year	546,190	600,809	660,889	833,887	917,276	1,009,003	1,109,904	1,220,894	1,347,983	1,477,282	1,625,010	1,787,511	1,966,262	2,273,805
Revenue lost without steady increase	(71,196)	(114,198)	39,237	(134,036)	(206,603)	(176,884)	(287,330)	(320,739)	(399,502)	(444,299)	(455,760)	(405,790)	(147,182)	(99,898)

Base Fees Collected 2006-2019
With 10% Annual Increase
Revenues that could have been in reserves

14,207,524	Rate Proposed for 2019/20
17,371,703	Rate at 2019/20 with steady 10% Increase
3,164,179	

If the City had increased 10% annually since 2006, we would have had \$3 million in unrestricted reserves that would have been used to maintain and rehabilitate our plants and infrastructure and plan for future improvements. Now that ACTUAL Residential Rates (\$50.11) are close to where they would have been if the City had consistently increased our rates by 10%, (\$50.84) can we switch to just 10% per year?

Unfortunately no; a 10% increase for the 2020/21 year would generate less than a \$250,000 increase to revenues; the years of neglect to our Water and Sewer System due to lack of funds has compounded into millions of dollars of capital needs. City Staff strives to find outside funding sources but recommends 25% increase resumes 2020/21 to insure we have adequate reserves to secure the low interest SRF Loan for the WWTP and also have reserves for grant match requirements.

RESOLUTION 2019-22

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FOR WATER & SEWER, STORMWATER AND SANITATION FEE INCREASES TO PROVIDE REVENUES THAT WILL BE SUFFICIENT TO OPERATE FINANCIALLY SELF SUPPORTING UTILITIES; REPEALING RESOLUTION 2018-33; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, Section 5.03.39 and 5.03.56 of the Land Development Regulations require the rate schedules for Water and Sewer Services be adopted by resolution.

WHEREAS, Chapter 11, Section 11-13 requires the fees for solid waste collection be adopted by resolution of the City Commission.

WHEREAS, Section 5.03.123 (8) of the Land Development Regulations directs the city to analyze the Stormwater Fund for the cost of services and benefits provided, and the system and structure of fees, charges, fines and other revenues of the utility annually to ensure an equitable, adequate and stable utility rate and fee structure and to achieve a stable financial position for the utility.

WHEREAS, Section 5.03.126 of the Land Development Regulations set the initial fee for the Stormwater Rate at \$4.00 in budget year 2004/05.

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

SECTION 1. The Water and Sewer Base Fees should support the Capital Expenditures and Debt Service for the Utility Fund; the current rates are insufficient. The Water and Sewer Flows should support the operations of the Water and Wastewater Plants; the current rates are insufficient.

The Revenues that need to be generated for the operation and maintenance, replacement, capital expenditures and debt service of the Water and Sewer System for the budget years beginning October 1, 2019 and ending September 30, 2022 are shown in "Exhibit A" attached hereto and made a part hereof

SECTION 2. The Stormwater Fees should support the expenses of the utility and provide for future infrastructure; the current rates are insufficient.

The Revenues needed to be generated for the operation and maintenance, replacement, capital expenditures and debt service of the Stormwater Fund for the budget years beginning October 1, 2019 and ending September 30, 2022 are shown in "Exhibit B" hereto and made a part hereof

SECTION 3 That the rates to be paid for Water and Sewer Services and Stormwater Fees shall be

in accordance with "Exhibit C", attached hereto and made a part hereof.

SECTION 4 The Sanitation Fees should support the expenses of the utility and provide for capital purchases; the current rates are insufficient.

The Revenues needed to be generated for the operation and maintenance and capital replacement expenditures of the Sanitation Fund for the budget years beginning October 1, 2019 and ending September 30, 2022 are shown in "Exhibit D" hereto and made a part hereof

SECTION 5 That the rates to be paid for Water and Sewer Services, Stormwater Rates and Solid Waste Collection Fees shall be in accordance with Exhibit C and Exhibit D, attached hereto and made a part hereof.

SECTION 6 All Resolutions or parts thereof in conflict herewith be and the same are hereby repealed.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

ATTEST:

Linda Provencher, Mayor

Penny Overstreet, City Clerk

WATER AND SEWER FORCASTED REVENUES AND EXPENSES * 12.5% Increase to Base Fees			
	FISCAL YEAR	FISCAL YEAR	FISCAL YEAR
	2019-2020	2020-2021	2021-2022
WATER SALES	\$ 922,000	\$ 943,759	\$ 966,032
WATER SERVICE BASE CHARGE	\$ 1,519,875	\$ 1,899,844	\$ 2,374,805
SEWAGE SERVICE	\$ 843,000	\$ 862,895	\$ 883,259
SEWER BASE FEES	\$ 972,000	\$ 1,215,000	\$ 1,518,750
	\$ 4,256,875	\$ 4,921,498	\$ 5,742,846
Legislative Grant WWTP(from 2018/19)	\$ 425,000		
Projects qualified for Restricted Impact Fees	\$ 465,000	\$ 1,000,000	\$ 750,000
OTHER REVENUE	\$ 206,000	\$ 212,180	\$ 220,667
Total Revenues	\$ 5,352,875	\$ 6,133,678	\$ 6,713,513
Operating Expense	\$ 2,687,866	\$ 2,768,502	\$ 2,851,557
ENCUMBRANCE FROM 2018/19	\$ 1,540,000		
5-Year Capital Plan	\$ 2,253,600	\$ 4,378,000	\$ 4,278,000
Debt Service	\$ 475,846	\$ 475,846	\$ 475,846
Total Expenses	\$ 6,957,312	\$ 7,622,348	\$ 7,605,403
Revenues Less Expenditures**	\$ (1,604,437)	\$ (1,488,670)	\$ (891,890)

***FOR 2019-20**

Water and Sewer Base Charges include a 12.5% Increase to Water Base Fees and 12.5% Increase to Sewer Base Fees
Water and Sewer Flows are increased by the
Gross Domestic Product Implicit Price Deflator 2.36% in this forecast

***FOR 2020-21 & 2021-22**

Water and Sewer Base Charges include a 25% Increase to Water Base Fees and 25% Increase to Sewer Base Fees
Water and Sewer Flows are increased by the
Gross Domestic Product Implicit Price Deflator 2.36% in this forecast

**** REVENUES LESS EXPENDITURES**

The negative numbers indicate the shortfall in funding to accomplish the Operations and Capital Projects in the forecast. The total deficit for the forecasted three years is close to \$4 million even with 25% increases to base fees and use of restricted impact fees for those qualified projects. IF we can secure the SRF loan there will be a decrease of roughly \$2.8 million of expense for the WWTP since we will have a funding source, the loan, to offset. That still leaves \$1.2 million in projects that need to be moved out to the future years, if possible.

STORMWATER FUND FORCASTED REVENUES AND EXPENSES			
	FISCAL YEAR	FISCAL YEAR	FISCAL YEAR
	2018-2019	2019-2020	2020-2021
Monthly Fee per ERU	\$8.83	\$9.83	\$10.83
STORMWATER FEES	\$465,000	\$525,512	\$584,820
OTHER REVENUES	5,700	5,871	6,047
GRANT REVENUE			
Total Revenues	\$470,700	\$531,383	\$590,867
Operating Expense	\$117,865	\$121,401	\$125,043
5-Year Capital Plan	\$205,048	\$250,000	\$150,000
Debt Service	<u>\$118,110</u>	<u>\$119,000</u>	<u>\$120,000</u>
Total Expenses	\$441,023	\$490,401	\$395,043
Revenues Less Expenditures	29,677	38,645	129,015

Rate schedules for water as required by Appendix "A" Land Development Regulations, Section 5.03.39 shall be as follows:

SCHEDULE W1. CONNECTION CHARGES

Meter Size (inches)	Charge Inside City Limits	<i>Proposed 2019-20</i>	Charge when Developer-Installed Tap/Connection*	Proposed 2019-20	Charge Outside City Limits	Proposed 2019-20
5/8 x 3/4	\$ 515.00	\$ 615.00	\$ 330.00	399.75	\$ 772.50	922.50
3/4	\$ 570.00	\$ 670.00	\$ 385.00	435.50	\$ 855.00	1,005.00
1	\$ 665.00	\$ 765.00	\$ 420.00	497.25	\$ 997.50	1,147.50
1 1/2	\$ 850.00	\$ 950.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection
2	\$ 1,885.00	\$ 1,985.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection
3	\$ 4,375.00	\$ 4,475.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection
4	\$ 7,820.00	\$ 7,920.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection
6	\$ 11,975.00	\$ 12,075.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection
8	\$ 17,915.00	\$ 18,015.00	Determined at time of connection	Determined at time of connection	Determined at time of connection	Determined at time of connection

* For property in Rio Mar, Pebble Beach, Custers Palm Harbor Subdivision and Palma Vista Subdivision only on N. 12th Street, Water Connection = \$265.00, as per development agreement. For property in Cedar Island Subdivision there are no water connection charges.

SCHEDULE W2. METER DEPOSITS

Meter Size (inches)	Owner's Deposit	Tenant's Deposit
5/8× 3/4	\$35.00	\$150.00
3/4	\$35.00	200.00
1	\$45.00	200.00
1 1/2	\$75.00	200.00
2	\$125.00	200.00
3	\$325.00	200.00
4	\$425.00	200.00
6	\$460.00	200.00
8	\$510.00	200.00

SCHEDULE W3. MONTHLY CHARGES FOR WATER--RESIDENTIAL GALLONS USED

Charge	Charges Inside City Limits		Charges Outside the City Limits	
	Current Rate	Proposed Rate	Current Rate	Proposed Rate
Water Base	27.04	30.42	40.56	45.63
*Gallons 0-2000	4.84	4.95	7.27	7.43
*2001-8001	7.55	7.73	11.33	11.59
*8001-up	9.12	9.34	13.68	14.00

***Note:** Rates are per 1000 gallons with first rate increase at 2001 gallons, second rate increase at 8001 gallons.

In circumstances whereby one water meter serves both residential and commercial activities, that meter shall be charged at the COMMERCIAL rate detailed below.

SCHEDULE W4. MONTHLY CHARGES FOR WATER--COMMERCIAL WITH VALID LOCAL BUSINESS TAX RECEIPT

Charge with LBTR	Charges Inside City Limits		Charges Outside the City Limits	
	Current Rate	Proposed Rate	Current Rate	Proposed Rate
Water Base	27.04	30.42	40.56	45.63
<i>Plus</i> Flow Charge per 1000 Gallons	9.67	9.90	14.50	14.85

A base unit is defined as a distinct assigned space whose primary function is to provide income to the business owner. In motels, hotels, and/or bed and breakfast facilities, each room designed to be available for rent and/or the business office associated with that activity is considered a base unit.

Exhibit C to Resolution 2019-22

SCHEDULE W5. MONTHLY CHARGES FOR IRRIGATION METERS

Charge	Charges Inside City Limits	
	Current Rate	Proposed Rate
Water Base	27.04	30.42
*Gallons 0-2000	4.84	4.95
*2001-8001	7.54	7.72
*8001-up	9.12	9.34

***Note:** Rates are per 1000 gallons with first rate increase at 2001 gallons, second rate increase at 8001 gallons

SCHEDULE W6. RESERVED

SCHEDULE W7. MONTHLY PRIVATE FIRE PROTECTION (FIRE SPRINKLER SYSTEM) CHARGE PER CONNECTION TO CITY SYSTEM

Fire Line Size (inches)	Rate
4..	\$42.00
6..	\$84.00
8.	\$135.00
10....	\$194.00
12....	\$363.00

SCHEDULE W8. CHARGES AND FEES

Account maintenance fee....	\$15.00
Service turn-on....	\$25.00
Service turnoff....	\$25.00
Service turn-on before 7 a.m. or after 4 p.m. M-F or on Sat. or Sun.	\$35.00
Remove meter....	\$25.00
Reconnect charge....	\$100.00
Meter exchange (customer request) 3/4"	\$150.00
Meter exchange (customer request) 1"	\$185.00
Meter exchange (customer request) Larger than 1"	\$40.00 + Cost of meter
Return check fee....	In accordance with FSS
Clearing around water meters	\$25.00
Meter Re-Read Service Charge	\$10.00

SCHEDULE W9. INTEREST

Compounded monthly....	1.5% per month
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SCHEDULE W10. DELINQUENT BILLS AND PENALTIES

These fees are a part of a consolidated statement for utility customers, which is generally paid by a single payment. If a partial payment is received, the payment shall be applied pro rata to each account billed on the consolidated statement in the proportion that an individual account bears to the total consolidated statement of all current charges for all accounts. Section 5.03.35 of the Land Development Regulations shall apply to all charges on this rate schedule.

Rate schedules for sewer as required by Appendix “A” Land Development Regulations, Section 5.03.56 shall be as follows:

SCHEDULE S1. CONNECTION CHARGES

System Type	Charge Inside City Limits	Charge when Developer-Installed Tap/Connection*	Charge Outside City Limits
Gravity	\$950.00	\$950.00	\$1425.00
Low Pressure	\$950.00	\$950.00	\$1425.00
Low Pressure Lambert Avenue	\$950.00	N/A	\$1625.00

* For property in Cedar Island and Palma Vista Subdivision only on N. 12th Street, there is no sewer connection fee.

SCHEDULE S2. MONTHLY CHARGES FOR SEWER--RESIDENTIAL

System Type	Charges Inside City Limits		Charges Outside the City Limits	
	Current Rate	Proposed Rate	Current Rate	Proposed Rate
<u>Single Meter</u>				
Sewer Base	17.50	19.69	26.25	29.53
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58	9.65	9.87
<u>Multiple Users on Single Meter</u>				
Sewer Base	17.50	19.69	26.25	29.53
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58	9.65	9.87
<u>Low Pressure</u>				
Sewer Base	29.35	33.02	44.03	49.53
<i>Plus</i> Flow Charge per 1000 Gallons	9.64	9.87	14.46	14.80

In circumstances whereby one water meter serves both residential and commercial activities, that meter shall be charged at the COMMERCIAL rate detailed below.

*Utility Agreements for Cedar Island and Stonebridge Subdivisions require maintenance by home owners. Charges will be single meter rate.

SCHEDULE S3. MONTHLY CHARGES FOR SEWER—COMMERCIAL

The minimum monthly charge detailed immediately above applies to each water meter connection.

Meter Size (Inches)	Current Rate	Proposed Rate
5/8" Sewer Base	42.68	48.02
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
3/4" Sewer Base	42.68	48.02
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
1" Sewer Base	61.76	69.48
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
1 1/2" Sewer Base	121.28	136.44
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
2" Sewer Base	218.93	246.30
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
3" Sewer Base	609.60	685.80
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
4" Sewer Base	805.00	905.63
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
6" Sewer Base	872.99	982.11
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58
8" Sewer Base	970.64	1,091.97
<i>Plus</i> Flow Charge per 1000 Gallons	6.43	6.58

SCHEDULE S4. INTEREST

Compounded monthly....	1.5% per month
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SCHEDULE S5. DELINQUENT BILLS AND PENALTIES

These fees are a part of a consolidated statement for utility customers, which is generally paid by a single payment. If a partial payment is received, the payment shall be applied pro rata to each account billed on the consolidated statement in the proportion that an individual account bears to the total consolidated statement of all current charges for all accounts. Sections 5.03.35 and 5.03.64 of the Land Development Regulations shall apply to all charges on this rate schedule.

<p style="text-align: center;">STORMWATER FEE SCHEDULE Fees are based on ERU (Equivalent Residential Unit) of 2,049 square feet Current Rate per ERU: \$7.83 Proposed Rate per ERU: \$8.83</p>

The Fee Schedule for Solid Waste Collection Shall Be:

Residential Service

Per single family residential unit \$19.80

Per single family residential unit with a Home Business Tax Receipt \$30.70

Commercial Can Service

Number of Cans (Cans must be less than 32-gallons in size and weigh less than 50 pounds)	Weekly Pickup	
	2	3
1 to 2	30.70	47.00
2 to 3	63.30	95.90

Tote Service

Number of Totes (65-gallons)	Weekly Pickup		
	2	3	4
1	30.70	47.00	63.30
2	63.30	95.90	128.49
3	95.90	144.79	193.68
4	128.49	193.68	258.88
5	161.09	242.61	324.07

Commercial Container

Container Sizes (Cubic Yards)	Weekly Pickup					Special Pickup Each
	2	3	4	5	6	
2	132.66	199.93	267.20	334.48	401.75	65.38
4	267.20	413.73	560.18	688.76	859.13	132.66
6	401.75	615.51	829.31	1,043.04	1,256.80	199.93
8	536.26	817.33	1,098.37	1,379.44	1,660.44	267.20

Special Pickup Service

The cost for a special pickup service for garbage or recycling shall be in accordance with the commercial container special pickup fee schedule.

The cost for a special pickup service for yard waste shall be \$160 for a full load and \$80 for a partial load, per pick up.

Applying to all Service

1. In the event of vacancies or nonpayment of fees, rules and policies existinf for nonpayment of water or sewer bills will apply.
2. All fees due the city shall be included in the city utility bill which is rendered montly. No discounts shall be allowed for prompt payment thereof.
3. The fact that any place of abode or any place of business is occupied shall be prima facie evidence that garbage, yard waste, or recycling is being produced and accumulated upon such premises, and the fees for collection and disposal thereof are due to the City. No credit shall be given when a home or business is vacant
4. All solid waste collection fees shall constitute, and are hereby imposed as a special assessment lien against the real property aforesaid; and, until fully paid and discharged, shall remain liens equally in rank and dignity with city ad valorem taxes, and superior in rank and dignity to all other liens, encumbrances, titles and claims in, to or against the real property involved. Such special assessment liens for service charges shall be enforced by any of the methods provided for by law.
5. There shall be an annual adjustment of solid waste collection fees. Such adjustment shall be calculated by using the annual indexing factor based on the Public Service Commission published percentage change in the Gross Domestic Product Implicit Price Deflator. The resulting fee will become effective each October 1, Starting October 1, 2007 and will be valid for the new fiscal year.

#10

City of Flagler Beach

Agenda Application

INDIVIDUAL'S NAME: MARSHALL SHUPPE

BUSINESS NAME: CITY OF FLAGLER BEACH
(If Applicable)

STREET ADDRESS: 102 S 2nd
(If within City of Flagler Beach)

MAILING ADDRESS: il
(Please provide City & Zip Code)

PHONE NUMBER: 386-439-5705

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

Discussion and possible direction to staff
regarding possible addition to Charter (City)
Review ballot

BACKGROUND INFORMATION REGARDING THE SUBJECT:

Addition of direction from Comm.
regarding residency of city manager
& term of employment

(OVER)

City of Flagler Beach
Agenda Application Continued

REQUESTED ACTION SOUGHT FROM THE COMMISSION:

discussion & divestion

ATTACHMENTS:

§ Section 3.01
OF ARTICLE III of City Charter

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.

Marcus D. Sturge
SIGNATURE OF APPLICANT

10-15-2019
DATE

Acts other than those referred to in this section may be executed either by ordinance or by resolution, or as required by State law.

(Ord. No. 99-28, § 1, 8-12-99; Ord. No. 2008-18, § 2, 1-9-09; Ord. No. 2010-17, § 1(Attach. A), 3-18-10)

Section 2.11. Codes of technical regulations.

The Commission may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances.

(Ord. No. 99-28, § 1, 8-12-99)

Section 2.12. Authentication and recording; codification; printing.

(a) *Authentication and recording.* The City Clerk shall authenticate by his/her signature and record in full in a properly indexed book, kept for the purpose, all ordinances and resolutions adopted by the Commission.

(b) *Codification and printing of Ordinances and Charter Amendments.* Each quarter the City Clerk shall submit for codification and inclusion in the Code all City ordinances, specified for inclusion in the Code, and each amendment to this Charter. These updates shall be published at the earliest possible time on electronic media and the internet, if available. Printed media shall be published yearly in substantially the same style as the Code currently in effect and shall be suitable in form for integration therein. This compilation shall be known and cited officially as the Flagler Beach City Code. Copies of the Code shall be furnished to City Officers, placed in libraries and public offices for free public reference. All documents will be sold to the public at the cost established by state law.

(Ord. No. 99-28, § 1, 8-12-99)

ARTICLE III. CITY MANAGER

Section 3.01. Appointment; qualifications; compensation.

The Commission shall appoint a City Manager for a ~~designated term~~ and fix the City Manager's compensation. The City Manager shall be appointed solely on the basis of the City Manager's executive and administrative qualifications. The City Manager need not be a resident of the City or State at the time of the City Manager's appointment ~~but must reside within the City while in office within ninety (90) days following appointment by the Commission.~~ Under special circumstances the Commission shall have the ability to extend the time to establish a residence within the City limits by a majority vote of the Commission.

(Ord. No. 2008-18, § 2, 1-9-09; Ord. No. 2009-21, § 1(Exh. A), 12-3-09)

#12

ORDINANCE NO. 2019-12

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING CHAPTER 14, "OFFENSES AND MISCELLANEOUS PROVISIONS," OF THE CODE OF ORDINANCES, TO CREATE ARTICLE VI, "AGGRESSIVE PANHANDLING," TO PROHIBIT AGGRESSIVE PANHANDLING; PROVIDING LEGISLATIVE FINDINGS, PROVIDING PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Flagler Beach finds that aggressive panhandling has become a growing concern with the City; and

WHEREAS, the City Commission appreciates existing jurisprudence that recognizes a constitutional right to panhandle; and

WHEREAS, the City Commission also understands that the right to panhandle does not include the right to aggressively do so; and

WHEREAS, the City Commission finds that aggressive panhandling can have negative impacts on the City, including but not limited to creating threats or perceived threats to the safety of residents, guests, and those who engage in panhandling; and

WHEREAS, the City Commission finds that aggressive panhandling can also have a negative impact on business and tourism within the City; and

WHEREAS, the City Commission intends, through this Ordinance, to prohibit the act of aggressive panhandling through narrowly tailored time, place, and manner restrictions while preserving the ability for individuals to exercise their constitutional right to panhandle; and

WHEREAS, words with underlined text shall constitute additions to the original text and ~~strike through~~ shall constitute deletions to the original text, and asterisks (* * *) indicate that text shall remain unchanged from the language existing prior to adoption of this Ordinance.

NOW, THEREFORE, BE IT ENACTED by the City Commission of the City of Flagler Beach, Florida:

SECTION 1. Chapter 14, "Offenses and Miscellaneous Provisions," Article VI, "Aggressive Panhandling," is hereby created as follows:

ARTICLE VI. – AGGRESSIVE PANHANDLING.

Sec. 14-95. - Panhandling, begging and solicitation.

(a) Intent. The purpose and intent of this article is to recognize the constitutional right of persons to panhandle, including but not limited to solicit and beg, in a peaceful and non-

threatening manner. Aggressive panhandling and begging usually includes approaching or following pedestrians, repetitive requests for donations of money despite refusals, the use of abusive or profane language, unwanted physical contact, and the intentional, or as incident to the aggressive panhandling and begging, blocking of pedestrian and vehicular traffic. This Article is not intended to limit any persons from exercising their constitutional right to panhandle, including but not limited to beg, or solicit funds, or engage in any other constitutionally protected activity, when conducted in a legal manner. The goal of this Article is instead to ensure the foregoing constitutional rights while, through regulation, acting to protect citizens from the fear and intimidation accompanying aggressive panhandling by prohibiting aggressive panhandling and begging throughout the city. The restrictions contained in this article are narrowly tailored to serve a compelling and substantial governmental interest, and preserve ample alternative areas for the valid exercise of constitutional rights.

(b) *Definitions.* For purposes of this article, the following words and phrases shall have the meanings ascribed to them as follows:

Aggressive panhandling means:

- (1) To approach, hold a sign or speak to a person and demand, request or beg for money or a donation of valuable property in such a manner as would cause a reasonable person to believe that said person is being threatened with imminent harm, to include becoming a victim of a criminal act upon the person approached or another person in the solicited person's company, or upon property in the person's immediate possession (for example, placing oneself within two (2) feet of a solicited person and/or using abusive or profane language in a loud voice while demanding or requesting money); or
- (2) To maintain contact with a solicited person and continue demanding, requesting or begging for money or a donation of valuable property after the solicited person has made a negative response to an initial demand or request for money or a donation (for example, walking in front of, next to, or behind a solicited person while continuing to demand, request or beg for money from that person after that person has refused to donate or give money); or
- (3) To obstruct, block or impede, either individually or as part of a group of persons, the passage or free movement of a solicited person or a person in the company of a solicited person, including persons on foot, on bicycles, in wheelchairs or operating motor vehicles or persons attempting to enter or exit motor vehicles (for example, walking, standing, sitting, lying, or placing an object in such a manner as to block passage of another person or vehicle, or to require another person or driver of a vehicle to take evasive action to avoid physical contact); or
- (4) To unlawfully touch or cause physical contact to a solicited person or a person in the company of a solicited person, or to touch any vehicle occupied by a solicited person or by a person in the company of the solicited person, without the person's express consent.

Panhandle means to beg or make any demand or request made in person for an immediate donation of money or some other article of value from another person for the use of one's self or others, including but not limited to for a charitable or sponsor purpose or that will benefit a charitable organization or sponsor. As used in this article, the word "solicit" and its forms are included in this definition. Panhandling is considered as having taken place regardless of whether the person making the solicitation received any contribution. Any purchase of an item for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is in substance a donation, constitutes a donation as contemplated in this definition. Begging is included in this definition of panhandling. Soliciting is including in this definition of panhandling.

(c) Prohibited conduct, proximity and location restrictions.

- (1) It shall be unlawful for any person to engage in aggressive panhandling on any sidewalk, highway, street, roadway, right-of-way, alleyway, parking lot, park, or other public or semi-public area or in any public building lobby, entranceway, plaza or common area, public forum or limited public forum within the city limits.
- (2) It shall be unlawful for any person to engage in aggressive panhandling on private property if the owner, tenant or lawful occupant has asked the person not to solicit on the property, or has posted a sign clearly indicating that solicitations are not welcome on the property.

(d) Penalty. Any person found guilty of violating the provisions of this section shall be subject to a civil citation as provided by Chapter 162, Florida Statutes, in addition to any other legal remedy available.

SECTION 2. This Ordinance shall be incorporated into the City of Flagler Beach Code of Ordinances. Any section, paragraph number, letter and/or any heading may be changed or modified as necessary to effectuate the foregoing. Grammatical, typographical and similar or like errors may be corrected, and additions, alterations, and omissions not affecting the construction or meaning of this ordinance or the City Code may be freely made.

SECTION 3. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 4. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 5. This Ordinance shall become effective immediately upon its passage and adoption as provided by law.

PASSED ON FIRST READING THIS 26TH DAY OF SEPTEMBER, 2019.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

CITY OF FLAGLER BEACH, FLORIDA
CITY COMMISSION

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

THE NEWS-JOURNAL

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

**State of Florida,
County of Volusia**

Before the undersigned authority personally appeared

Cynthia Anderson

who, on oath says that she is

LEGAL COORDINATOR

of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida; the
attached copy of advertisement, being a
.....

PUBLIC NOTICE

L 2342324

in the Court,
was published in said newspaper in the issues.....

OCTOBER 14, 2019

Affiant further says that The News-Journal is a newspaper
published at Daytona Beach, in said Volusia County, Florida,
and that the said newspaper has heretofore been continuously
published in said Volusia County, Florida, each day and
Sunday and has been entered as second-class mail matter at
the post office in Daytona Beach, in said Volusia County,
Florida, for a period of one year next preceding the first
publication of the attached copy of advertisement; and affiant
further says that he has neither paid nor promised any person,
firm or corporation any discount, rebate, commission or
refund for the purpose of securing this advertisement for
publication in the said newspaper

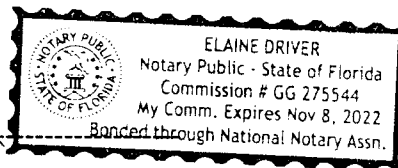
Cynthia Anderson.....

Sworn to and subscribed before me

This 14TH of **OCTOBER**

A.D. 2019

[Handwritten Signature]



The City of Flagler Beach proposes to
adopt the following ordinance:

ORDINANCE NO. 2019-12

**AN ORDINANCE OF THE CITY OF
FLAGLER BEACH, FLORIDA, AMENDING
CHAPTER 14, "OFFENSES AND
MISCELLANEOUS PROVISIONS," OF
THE CODE OF ORDINANCES, TO
CREATE ARTICLE VI, "AGGRESSIVE
PANHANDLING," TO PROHIBIT
AGGRESSIVE PANHANDLING;
PROVIDING LEGISLATIVE FINDINGS,
PROVIDING PENALTIES FOR
VIOLATIONS; PROVIDING FOR
SEVERABILITY, CONFLICTS,
CODIFICATION AND EFFECTIVE DATE.**

Public Hearings will be conducted to
consider the amendments as follows:

City Commission:
Second Reading: October 24, 2019 @
6:00 p.m. or soon thereafter

The public hearings may be continued to
a future date or dates. The times and
dates of any continuances of a public
hearing shall be announced during the
public hearing without any further
published notice. The request will be
heard at 6:00 PM, or as soon thereafter
as possible, in the City Commission
Chambers located at 105 South Second
Street, Flagler Beach, Florida.

If a person decides to appeal any
decision made with respect to any
matter considered at the above
referenced hearings, he/she will need a
record of the proceedings. For such
purposes, it may be necessary to ensure
that a verbatim record of the
proceedings is made, which record
includes the testimony and evidence
upon which the appeal is to be based.

In accordance with the Americans with
Disabilities Act, persons needing
assistance to participate in any of these
proceedings, should contact the City
Clerk's Office at 386-257-2800 Ext. 233
at least 48 hours prior to the meeting.
L2342324 Oct. 14, 2019 It

ORDINANCE 2019- 17

#13

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, APPROVING THE FIRST AMENDMENT THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF FLAGLER BEACH, FLORIDA AND THE INTERNATIONAL UNION OF POLICE ASSOCIATIONS, FOR THE PERIOD OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2021; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Flagler Beach and the International Union of Police Associations have entered a collective bargaining agreement for the period from October 1, 2018 through September 30, 2021 (the "Collective Bargaining Agreement"); and

WHEREAS, the City of Flagler Beach, Florida and the International Union of Police Associations have negotiated in good faith negotiated amended terms of the Collective Bargaining Agreement; and

WHEREAS, the City Commission of the City of Flagler Beach, Florida, finds that approval of the First Amendment to the Collective Bargaining Agreement attached hereto as Exhibit "A" are in the best interest of the City of Flagler Beach.

NOW THEREFORE, be it ordained by the City Commission of the City of Flagler Beach, Florida as follows:

SECTION 1. That the First Amendment to the Collective Bargaining Agreement between the City of Flagler Beach, Florida and the International Union of Police Associations, attached hereto as Exhibit "A," is hereby approved by the City Commission.

SECTION 2. If any Section or portion of a Section of this Ordinance proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

SECTION 3. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

SECTION 4. This Ordinance shall become effective immediately upon its passage and adoption as provided by law.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2019.

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

Linda Provencher, Mayor

ATTEST:

Penny Overstreet, City Clerk

**FIRST AMENDMENT TO THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN THE CITY OF FLAGLER BEACH, FLORIDA, AND THE
INTERNATIONAL UNION OF POLICE ASSOCIATIONS**

This First Amendment to the Collective Bargaining Agreement between the City of Flagler Beach, Florida, and the International Union of Police Associations is entered by and between the City of Flagler Beach and International Union of Police Associations.

WHEREAS, the City of Flagler Beach (the "City") and the International Union of Police Associations ("IUPA") entered a collective bargaining agreement for the period from October 1, 2018 through September 30, 2021 (the "Collective Bargaining Agreement"); and

WHEREAS, as provided within the Collective Bargaining Agreement, the parties reopened certain provisions for further negotiation during the term of the Collective Bargaining Agreement; and

WHEREAS, pursuant to such negotiations the parties have agreed to amend Sections _____ and _____ as set forth herein.

NOW THEREFORE, the undersigned parties hereby agree to amend the Collective Bargaining as follows (Note: deletions are indicated by ~~strikethrough~~, additions are indicated by underline and portions of the Collective Bargaining that remain unchanged which are not reprinted here are indicated by elipses (***)):

* * *

ARTICLE 12

WORKER'S COMPENSATION BENEFITS

- 12.1 Employees disabled because of an injury arising out of and in the course of performing their duties will be governed by the Florida State Workers' Compensation Law.
- 12.2 Effective upon the ratification date of this collective bargaining agreement, any bargaining unit member who, while acting within the course of employment as provided by Chapter 440, Florida Statutes and thereby sustains a job related injury or illness as deemed compensable under Chapter 440 shall not be required to use sick, vacation, or other leave for the first seven (7) days of their injury, so long as they have at least forty-eight (48) hours of sick time banked at the time of the injury. Employees opting not to use sick, vacation, or other leaves for the first seven days of their injury as provided herein shall be compensated by the City at the rate ~~where the after tax payment from the City is equal to~~ the current Workers' Compensation rate for up to seven (7) days prior to Workers' Compensation benefits beginning (if less than twenty-one (21) days).
- ~~12.3 This article shall be reopened during the 2018/2019 fiscal year.~~

* * *

ARTICLE 36

COMPENSATION

- 36.1 ~~Except as provided in paragraph 36.6 below, a~~All permanent employees will receive a two dollar (\$2.00) ~~point seven five percent (2.75%)~~ adjustment to his/her base salary, effective 1 October 2018~~9~~ for fiscal year 2018~~9~~/2019~~20~~.
- 36.2 This article shall be reopened during the 2018~~9~~/2019~~20~~ fiscal year and the parties shall negotiate base salary adjustments for the 2019/2020 ~~and~~ 2020/2021 fiscal years.
- 36.3 Longevity Pay: Employees who have completed two (2) years of continuous, active service will receive a two percent (2%) pay adjustment upon the anniversary of their employment with the Flagler Beach PD. Once so established, longevity pay will then be applied every two (2) years of active, continuous service at the same rate.
- 36.4 When an employee is promoted to the next higher rank, the employee will receive a minimum of a five percent (5%) increase to their base salary.
- 36.5 Beginning salary for new hires will be \$15~~7~~.70 an hour beginning 1 October, 2015~~9~~. After satisfactorily completing a one (1) year probation period, he/she will receive an additional 3.5% percent increase to their hourly wage.
- 36.6 Detective On-Call: Any Detective who is required to be on call for at least forty (40) hours during any pay period shall receive \$25.00 on-call pay for that pay period.

* * *

IN WITNESS WHEREOF, the parties have executed this First Amendment to the Collective Bargaining Agreement Between the City of Flagler Beach, Florida, and the International Union of Police Associations on the date stated below their signature.

City of Flagler Beach, Florida

International Union of Police Associations.

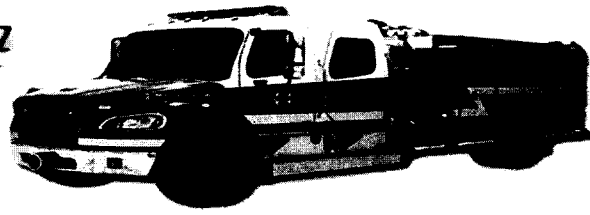
Linda Provencher, Mayor

By:

Date: _____

Date: _____

Item 14 Staff Reports



Flagler Beach Fire Department

Weekly Run Report from 10/3/19– 10/9/19

EMS

16

Hazardous Condition (No Fire)

2

Fire Alarm

1

Fire

1

Service Call

6

Motor Vehicle Accident

-

Total

26

Penny Overstreet

From: Robert Pace
Sent: Thursday, October 10, 2019 2:35 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: Weekly Highlights

Mr. Newsom,

The following are the weekly highlights;

- In a recent report I addressed the issue for improvements in priorities within the EMD system. Agency heads making-up this committee reviewed a few options involving priorities. This included (Alpha Bravo Charlie Delta), (Red green yellow), and (Priority 1, 2, & 3). The group has unanimously decided to utilize Priorities 1, 2, & 3 within EMD. The trial run will be monitored for approximately 60 days beginning in November to January. An operations group including Captain Cox will meet in early February to access the new priorities
- Lieutenant Conroy is enrolled in a class to become a nationally certified passenger safety (CPS) technician. As a CPS he will be able to install car seats to the public as an extra service to our community. CPS technicians and instructors use their considerable knowledge and expertise at a variety of community based activities such as child safety seat checks and where parents and caregivers receive education and hands-on assistance. CPS technician and instructors also keep up-to-date on the latest information about child passenger safety through seminars and other continuing education opportunities
- The post-disaster volunteer group now has a name (Flagler Strong) and they met early this week. As you know the group was mobilized during Hurricane Dorian, but there is still much more work required in defining the organization. The group is meeting roughly once a month and they reviewed several issues at the recent meeting. Topics include conex box placement at Avenue A, mitigation strategies for the city, IC responsibilities, and contacts/communications. D/E Evans will schedule a time to tour Avenue A with you
- As reported recently, Fire Marshal Gocke has completed all the annual inspections. For the last two years this includes every business in the city. There were 240 inspections completed with approximately 60% found to have safety violations. With this many infractions documented and resolved, Fire Marshal Gocke is only making it safer for our local residents and business owners. He also recently completed 6 more fire mitigation projects. Completed fire mitigation projects within the city is now 78 to date
- A and C shifts both installed smoke detectors/batteries upon request this week. C shift responded to home located on N. Ocean shore to install 3 detectors. There was an elderly resident living in the home and she was very appreciative of the assistance. A shift was requested by resident living on S. Central Avenue. The resident stated she needed 2 new detectors as the existing ones were not operating. Upon further investigation 1 detector just needed batteries, the other detector was replaced. Fire safety inspections were conducted in both homes
- The firefighters always get excited for the Firefighter of the Year Ceremony sponsored by the Kiwanis. I wanted to thank Commissioners Mealy and Shupe for attending yesterday. FF/EMT Jamal Prince worked very hard this year and he was more than worthy of this recognition. To have his family, senior fire officers, and city administration in attendance meant a lot to him. I hope all of you can make next year

I look forward to talking to you soon.

Thanks,

Penny Overstreet

From: Robert Pace
Sent: Thursday, October 17, 2019 12:02 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: weekly Highlights

Mr. Newsom,

The following are the weekly highlights;

- Captain Petkovsek has completed the PowerPoint presentation that will be delivered to the Water-Safe Committee. There were several topics covered in the presentation including drowning information, beach hazards, agency outline for FBOR, and what can the private citizen do in an ocean rescue. Drowning information contained statistics and a pool vs. the ocean environment. Beach hazards included rip currents and how to react if caught in a current. The agency outline addressed tower locations, dates for the lifeguard season, and standard practices/equipment used. A rescue approach for private citizen reviewed calling 911, not approaching a victim w/o proper training, and using a flotation device (reach/throw/don't go) if possible. Captain Petkovsek plans to give the presentation at the next Water-Safe meeting
- Captain Cox attended an FTO Meeting at Advent Health. LVO stroke changes for Flagler County were addressed. The medical director advised the group to revise the stroke guidelines in the county over the next couple of months. Medical direction is looking into utilizing the RACE stroke assessment. The group will also be adding a new H2 histamine blocker as well as carrying D10 instead of D50
- There was also a monthly QA meeting also held at Advent Health. Neither Dr. McCabe nor Dr. Blue was available for the meeting, PA Dennis filled to instruct the training. There was much time spent on a medical assessment review. A specific call that occurred in 22's zone was used as an example in the conversation. The remainder of the training was dedicated to intubation and the use of accessory equipment when intubating a patient
- Community Paramedic Caryn Prather has been working with the department on organizing a Health & Wellness Fair here at Station 11. Local residents attending the event can learn more about the Flagler County Community Paramedic Program and services available from the local agencies. In addition, residents in attendance can receive a free Flu shot, register for Alert Flagler Beach notifications, and register for the Emergency/Disaster Special-Needs-Shelter Program. The event will take place next week on October 23rd from 6:00-8:00 PM
- Not much, but it has starting cooling down a bit and the department purposely schedules a lot of our annual testing this time of year. This week was hose testing which involves testing every length of hose in stock under pressure for a specified amount of time. The inventory is divided between each shift and the testing is completed over a 3 day period. All hose passed testing with the exception of one hand line taken out of service
- Unfortunately the department has lost a few of our members who are certified as Marine Rescue Operators due to turn-over. St. Johns County Fire Rescue is the agency that offers the training and issues certification. They are allowing 4 members of FBFD to attend the upcoming class November 18th-22nd

I look forward to talking to you soon.

Thanks,

Bobby Pace
Fire Chief

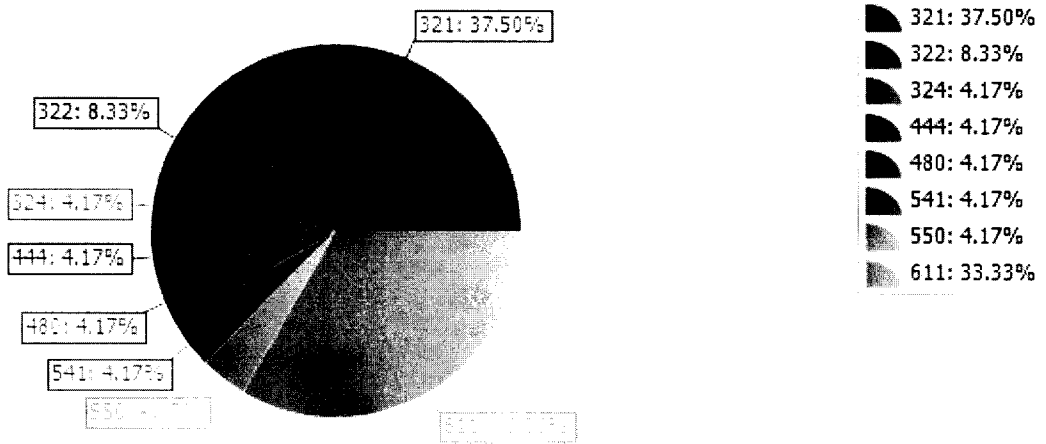
Penny Overstreet

From: Robert Pace
Sent: Thursday, October 17, 2019 12:02 PM
To: Larry Newsom
Cc: Penny Overstreet
Subject: FW: Flagler Beach Fire Department Response Summary

From: Stephen Cox
Sent: Thursday, October 17, 2019 10:37 AM
To: Anthony Forte; Bobby Wu; Brian Eaves; Gregory Evans; Jamal Prince; Morgan Rainey; Timothy Conroy; Trey Poeira
Cc: Robert Pace
Subject: Flagler Beach Fire Department Response Summary

Flagler Beach Fire Department Response Summary for:
October 9th – October 16th
2019

Incident Reports By Incident Type, Summary



Incident Type	Total Incidents	Percent
321 - EMS call, excluding vehicle accident with injury	9	37.50%
322 - Motor vehicle accident with injuries	2	8.33%
324 - Motor vehicle accident with no injuries.	1	4.17%
444 - Power line down	1	4.17%
480 - Attempted burning, illegal action, other	1	4.17%
541 - Animal problem	1	4.17%
550 - Public service assistance, other	1	4.17%
611 - Dispatched & canceled en route	8	33.33%

Total Number of Incidents: 24

Total Number of Incident Types: 8

Report Filter Settings

Report File Name: Incident Reports by Incident Type, Summary

Filter Name: Date Range

Filter Expression: [AlarmDateTime] is between '10/9/2019 00:00' and '10/16/2019 00:00'

Department Turnout Time by Date

Department Average Turnout: 00:56

October 9, 2019

Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
1901002	10/09/19 10:38:55	10/09/2019 10:40:15	01:20
1901003	10/09/19 10:41:40	10/09/2019 10:42:55	01:15

October 10, 2019

Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
1901007	10/10/19 18:00:13	10/10/2019 18:01:18	01:05
1901006	10/10/19 15:32:29	10/10/2019 15:33:29	01:00
1901004	10/10/19 10:38:02	10/10/2019 10:39:02	01:00
1901008	10/10/19 19:01:01	10/10/2019 19:02:01	01:00
1901009	10/10/19 20:14:22	10/10/2019 20:15:20	00:58
1901005	10/10/19 14:18:57	10/10/2019 14:19:44	00:47

October 11, 2019

Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
1901011	10/11/19 17:30:23	10/11/2019 17:32:40	02:17
1901010	10/11/19 05:38:34	10/11/2019 05:40:00	01:26
1901012	10/11/19 18:41:42	10/11/2019 18:42:34	00:52

October 12, 2019

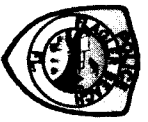
Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
1901015	10/12/19 22:11:36	10/12/2019 22:13:02	01:26
1901014	10/12/19 20:20:36	10/12/2019 20:20:36	00:00
1901013	10/12/19 11:17:17	10/12/2019 11:17:17	00:00

October 13, 2019

Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
1901016	10/13/19 13:41:36	10/13/2019 13:43:23	01:47
1901017	10/13/19 16:36:58	10/13/2019 16:38:19	01:21

October 14, 2019

Incident Number	Alarm Time	Enroute Time	Turnout Time (min:sec)
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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	9/27/2019	To: Thursday	10/3/2019				
Calls For Service	72	Reports Written	6	Citations Issued	35		
Self-Initiated	44	Misd. Arrest	0	Comm. Policing	12	Warnings (Written/Verbal)	56
Traffic Stops	51	City Ordinance	5	Security Checks	358		

Chief's Weekly Summary

Friday: Chief Doughney attended the monthly Volusia/Flagler Police Chief's Association meeting which was held this month at the Daytona Beach Police Department from 10:00 a.m. to 11:00 a.m.

Saturday: 9/28/19 @ 10:19 am / Assault & Battery / 215 South Ocean Shore Boulevard: Officers responded in reference to a disturbance between a surfer and a fisherman on the Pier. Upon arrival, contact was made with both parties. Through investigation it was found that the fisherman threw his line towards the surfer, who had to get off his board to avoid getting struck by the hook and sinker. The fisherman advised that he was not throwing the line to hit the surfer but the surfer drifted into his line. The fisherman also threatened to beat the surfer up after exiting the Pier. Charges on the fisherman were completed and forwarded to the States Attorney's Office for review. The fisherman was trespassed from the Pier.

Saturday: Officers and Deputies from the Flagler County Sheriff's Office conducted radar operations in the 2000 Block of North Oceanshore Boulevard from 8:53 a.m. to 11:10 a.m. A total of fifteen (15) traffic stops were conducted in reference to speed during the aforementioned timeframe.

Monday: Chief Doughney attended a meeting at the Vince Carter Sanctuary from 11:30 a.m. to 1:00 p.m. in re; to Mental Health response for Law Enforcement, Baker Acts and Marchman Acts. The meeting was attended by Staff from Stewart-Macrchman-Act Healthcare and Advent Hospital.



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	10/4/2019	To: Thursday	10/10/2019				
Calls For Service	75	Felony Arrest	1	Reports Written	7	Citations Issued	18
Self-Initiated	46	Misd. Arrest	1	Comm. Policing	18	Warnings (Written/Verbal)	74
Traffic Stops	67	City Ordinance	4	Security Checks	338		

Chief's Weekly Summary

Friday: On September 7, 2019, a victim in our City filed a Police report in reference to Identity Theft and Credit Card Fraud. Detective Vinci was assigned the case and she discovered that a subject residing in Putnam County. The suspect had opened seven (7) credit cards in the victim's name and was using said cards in both Putnam and St. John's Counties. Detective Vinci worked diligently on this case with Investigators from Putnam County, St. John's County and the State Attorney's Office. On Friday, October 4, 2019, an arrest warrant was issued for the suspects arrest with a \$55,000 bond. Detective Vinci was on hand Friday morning when the Putnam County Sheriff's Office SWAT Team served a search warrant at the suspects residence. The suspect was home and he was taken into custody without incident. Evidence inside the suspects home linked him to our victim and to numerous items that he'd purchased with the fraudulent credit cards issued in the victim's name. Putnam County Investigators and St. John's County Investigators will be adding additional Felony charges of Grand Theft and Dealing in Stolen Property. Detective Vinci's Felony charges for the suspect were Fraudulent Use of Personal Identification and three (3) counts of Grand Theft. This case is a great example of outstanding Police Work and multi-agency Teamwork. Congratulations on a **"Job Well Done"** to all involved!

Friday: 10/4/19 @ 11:10 a.m. / Death /2300 Block of South Flagler Avenue: An employee with a tree trimming company was carrying debris across the yard of a residence when he collapsed and hit his head on a basketball hoop stand. Responding units performed CPR until Rescue 11 arrived on scene and transported the male to Advent Health in Palm Coast. The male was later pronounced deceased by Medical Staff at Advent Health. The Medical Examiner's Office has jurisdiction in this case and Detective Vinci will follow up as needed.

Monday: 10/7/2019 @ 6:08 p.m. / Stolen & Recovered Vehicle / 414 Beach Village Drive (Publix): Officers responded in reference to a stolen vehicle. The reporting person stated that the vehicle was left unlocked with the keys inside. Officers were able to locate the vehicle via GPS and Flagler County Sherriff Deputies responded to the "F" section of Palm Coast. The vehicle was located and occupied. The investigation resulted in the arrest of one (1) subject for Grand Theft, as well as three (3) Felony Drug charges. This case is closed with an arrest! **Great Teamwork!**

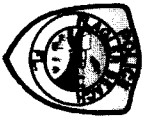
Tuesday: Chief Doughney attended the Flagler Sheriff's Police Athletic League's Board of Directors meeting at Flagler Palm Coast High School from 6:00 p.m. to 8:00 p.m.

Tuesday: In between rain showers that were prevalent throughout the day, Officers conducted radar operations on the following roadways; John Anderson Highway, North Oceanshore Boulevard & Moody Boulevard. A total of twelve (12) traffic stops were conducted, resulting in the issuance of one (1) State Traffic Citation and fourteen (14) warnings.

Wednesday: Chief Doughney attended SMA Healthcare's Quarterly Adolescent Advisory Committee meeting in Daytona Beach from 12:00 p.m. to 1:00 p.m. Chief Doughney and Captain Blanchette attended a Police Academy Graduation at the News-Journal Center in Daytona Beach from 3:00 p.m. to 4:00 p.m.

Wednesday: Officers conducted radar operation in the 2000 block of North Oceanshore Boulevard between 10:50 a.m. and 11:30 a.m. Two (2) traffic stops were conducted for unlawful speed; and two (2) warnings issued.

Wednesday: 10/9/19 @ 8:02 p.m. / Larceny / 116 Moody Boulevard (Jiffy Store): The victim reported that as he exited the store he was approached by an unknown subject in the parking lot; who followed him to his car. There was a brief conversation between the two (2) and the subject made the victim uncomfortable. The victim began to back out of the parking lot in his vehicle and the subject rode away on a bicycle. It was at this time the victim realized that he was missing his wallet. Officer Raines is working on identifying the possible suspect.



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	10/11/2019	To: Thursday	10/17/2019				
Calls For Service	72	Felony Arrest	2	Reports Written	20	Citations Issued	30
Self-Initiated	52	Misd. Arrest	0	Comm. Policing	13	Warnings (Written/Verbal)	57
Traffic Stops	39	City Ordinance	8	Security Checks	297		

Chief's Weekly Summary

Friday: 10/13/19 @ 4:35 p.m. / Disturbance Physical / 215 South Ocean Shore Boulevard (under the Pier): Officers responded in reference to a disturbance at the Pier involving multiple young females. The suspects had fled the scene prior to Officers arrival and the victim was a juvenile female. This investigation was worked by multiple Patrol shifts, along with Detective Vinci, over multiple days this week. The investigation revealed that the victim was pepper sprayed and then beaten under the Pier by two (2) adult females and a juvenile female. The collaborative effort of those involved in this case resulted in the Felony arrest of the two (2) adult females, as well as the filing of a charging affidavit with the State Attorney's Office on the juvenile suspect. **Great Teamwork on this investigation!**

Sunday: A Patrol Officer was assigned to the Flagler County Sheriff's Office under mutual aid with regards to a weapons complaint at Advent Health from 12:27 p.m. to 5:57 p.m. The suspect in this incident was eventually located and arrested without incident by Deputies from the Flagler County Sheriff's Office.

Sunday: An off-duty Officer was assigned to the area of Veteran's Park from 8:00 a.m. to 3:30 p.m. for the annual "Corvettes at the Beach" car show. The weather was beautiful and there was a great crowd on hand for this year's event. There were no problems associated with the event.

Monday: Chief Doughney patrolled the barrier island of a Police bicycle from 11:00 a.m. to 1:00 p.m.

Tuesday: Captain Blanchette attended a Family Life Center Board of Directors meeting today from 12:00 p.m. to 1:00 p.m. Chief Doughney attended a planning meeting for this year's Holiday at the Beach Parade. The meeting was held at City Hall from 1:30 p.m. to 2:30 p.m. The next scheduled planning meeting for the Parade is November 12, 2019 at 8:30 a.m.

Tuesday: 10/15/19 @ 11:24 a.m. / Burglary Residential / 1400 Block of North Daytona Avenue: The victims advised that they'd left their residence for approximately one (1) hour and had accidentally left their garage door up/open. Upon returning to their residence, the victims discovered a black in color Trek bicycle had been taken from within the garage. Patrol Officers are working with residents in the area to locate surveillance video that hopefully will capture the suspect leaving the area on the stolen bicycle.

Tuesday: 10/15/19 @ 1:29 p.m. / Baker Act / 600 Block of North Daytona Avenue: Officers responded to a residence in reference to an elderly male that had made statements to family members that he wished to harm himself. The male was transported to SMA Healthcare's facility in Bunnell without incident.

Wednesday: Chief Doughney and Captain Blanchette attended the bi-monthly meeting with Atkins, FDOT and Superior Construction. The meeting started at 10:00 a.m. and concluded at 12:20 p.m. Captain Blanchette attended the weekly Crime Maps meeting at the Emergency Operations Center along with Staff from the Flagler County Sheriff's Office. The meeting started at 4:00 p.m. and ended at 5:00 p.m.

Thursday: Chief Doughney attended Sheriff Staly's "**Domestic Violence Summit**" at the Flagler County Courthouse from 10:00 a.m. to 11:00 a.m. After the summit concluded, Chief Doughney supplemented Patrol for a few hours due to the increase in Bikertoberfest traffic. A City parking citation was issued on SRA1A and a written warning was issued on the South Central detour route for a stop sign violation.

Beach/Parks/Recreation

Weekly Highlights Oct. 2 - 9, 2019

- Lifeguards continued to guard the beach weekends only until the end of October. Offshore weather conditions have caused a high risk of rip currents and the weekends continue to be busy.
- Received newly ordered medical supplies from QuadMed. David P. is working on new advanced medical protocols for the lifeguards.
- We completed Brazilian Pepper removal at North 15th Street. We hope to complete removal of any smaller areas of Brazilian Peppers along North A1A before the winter season.
- First Friday on October 4th was very well attended. We estimate a crowd of about 2,000 people.
- Completed blanket purchase orders for the new budget year. We are hopeful that we can get all of our medical supplies and lifeguard uniforms ordered prior to the beginning of the new year.
- Continued to run and maintain the Polaris, ATV's, jet skis, and Jeep.
- Continued working on the summer Junior Lifeguard summer schedule for 2020. Confirmed Junior Lifeguard swim testing days at the Belle Terre Swim and Racquet Club in Palm Coast.
- Continued to confirm entertainment for December First Friday. Salty Church will once again assist with "Pictures with Santa". Old Kings Elementary School will be providing risers for the school choirs. The Parade application website is up and running at: www.FlaglerBeachParade.com. Beach 92.7 is planning to provide a large screen Jumbo Tron in Veterans Park for live viewing of the parade.
- Ocean rescue is preparing for the Tommy Tant lifeguard competition in November. Lifeguards will be on duty throughout the event.

Beach/Parks/Recreation

Weekly Highlights Oct. 9 - 16, 2019

- Weekend surf conditions were very rough. Lifeguards monitored two strong rip currents, one on the north side of the pier and one on the south side of the pier. A total of eight rescues were made over the course of the weekend. Surf conditions are expected to calm down as the week progresses.
- Flagler Beach Ocean has registered for an information booth at the Flagler County Home Show in January. We will be providing information about ocean safety and our summer junior lifeguard program.
- We completed Brazilian Pepper removal on the north end of A1A. We hope to complete removal of any smaller areas of Brazilian Peppers along North A1A before the winter season.
- Met with the parade committee to discuss logistics of December First Friday and the Holiday at the Beach parade. The parade will be on December 7th beginning at 1:00pm.
- Continued to run and maintain the Polaris, ATV's, jet skis, and Jeep.
- Continued working on the summer Junior Lifeguard summer schedule for 2020. We are working on completing the 2020 Junior Lifeguard Parent Handbook and Summer Camp Application packet so that they can be ready for the home show on January 25th and 26th.
- Continued to confirm entertainment for December First Friday. Salty Church will once again assist with "Pictures with Santa". Old Kings Elementary School will be providing risers for the school choirs. The Parade application website is up and running at: www.FlaglerBeachParade.com. Beach 92.7 is planning to provide a large screen Jumbo Tron in Veterans Park for live viewing of the parade.
- Ocean rescue is preparing for the Tommy Tant lifeguard competition in November. Lifeguards will be on duty throughout the event.