

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, MAY 25, 2023, 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.
 - Proclamation National Preservation Month
 - Certificates of Recognition to Officers Tripp, Scherr and Jones for their 1st Responder efforts
 - Presentation of a Northeast Florida League of Cities Grant Award of \$500 to Flagler Strong
4. Deletions and changes to the agenda.
5. Public comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes. *A thirty-minute allocation of time for public comment on items not on the agenda. Each speaker has up to three-minutes to address the Chair, and one opportunity to speak, no time can be allotted to another speaker.*

CONSENT AGENDA

6. Approve the regular meeting minutes of May 11, 2023, the workshop meeting minutes of May 03, 2023 and the special meeting minutes of May 04, 2023.

GENERAL BUSINESS

7. Consider appointments to the Flagler Beach Police Pension Board for the "Commission Appointed Seats" in which the terms are scheduled to expire.
8. Consider appointments to the Flagler Beach Fire Pension Board for the "Commission Appointed Seats" in which the terms are scheduled to expire.
9. Discussion and direction to staff regarding the Ronan's shed – Attorney Smith.
10. Stormwater maintenance plan update – Jennifer Crews, Public Works Supervisor.
11. Quarterly Budget Report for period ending March 31st, 2023 – Rhonda Allen, Finance Director.
12. Approve the revised First Friday Management Contract – Caryn Miller, CRA Director.
13. Approve a contract with Brooks & Dunn Grant Consulting for preparation of Grants Management Policy – Mike Abels, Interim City Manager.

14. Update: City meeting with Flagler County local governments regarding quality of life – Mike Abels, Interim City Manager.

PUBLIC HEARINGS

15. Ordinance 2023-01, an ordinance of the City of Flagler Beach, Florida, amending the Flagler Beach Land Development Regulations to create a new Article IX relating to Engineering Design Development, creating provisions for Development Review Submittal, Platting, Construction and Inspection Requirements, Stormwater Management Requirements, Land Modification of Platted Residential Lots, and Grading and Permitting; providing for severability; providing for codification, conflicts, and effective date, final reading.
16. Staff Reports.
 - City Attorney:
 - City Manager:
 - City Clerk: Dune Walkover Project Status Update.

COMMISSION COMMENTS

17. Commission comments, including reports from meetings attended.
18. Public comments regarding items not on the agenda. Citizens are encouraged to speak. However, comments should be limited to three minutes. *A thirty-minute allocation of time for public comment on items not on the agenda. Each speaker has up to three-minutes to address the Chair, and one opportunity to speak, no time can be allotted to another speaker.*
19. 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.

MINUTES

PRESENT: Mayor Suzie Johnston, Chair Eric Cooley, Vice-Chair Rick Belhumeur, Commissioners Jane Mealy, James Sherman and Scott Spradley, City Attorney D. Andrew Smith, III, Interim City Manager Mike Abels, and City Clerk Penny Overstreet.

1. CALL THE MEETING TO ORDER: Chair Cooley called the meeting to order at 9:00 am.
 2. PLEDGE OF ALLEGIANCE: Mayor Johnston led the pledge to the flag.
 3. FISCAL YEAR 23/24 DEPARTMENT BUDGET PREVIEWS: Chair Cooley reviewed the process that will be followed for today's meeting.
- 9:00-9:25 POLICE PRESENTATION & COMMISSION QUESTIONS: Chief Doughney reviewed his department presentation. The proposed changes to the FY 23/24 Budget were: the CRA officer to a part-time community officer, pay scale currently starting pay is \$2.00 less than Bunnell, and pay increase for Captain Blanchette and Chief Doughney, 1 additional officer, 12-hour shifts, and addition of a second detective. The officials posed questions to Chief related to the proposal's he recommended.
- 9:25-9:50 FIRE DEPARTMENT PRESENTATION & COMMISSION QUESTIONS: Chief Pace reviewed his department presentation. The proposed changes to the FY 23/24 Budget were: addition of two part-time (no additional budget cost), implement a Paramedic Incentive Program, to transition to Advanced Life Support as requested by the Medical Director, increase in overtime budget funding, fire shelters, rescue board, a Zoll Rescue CPR compression device, and the 100k contribution to the fire truck reserve. The officials posed questions to Chief Pace related to the proposed budget requests.
- 9:50-10:15 CRA: Ms. Miller reviewed her presentation. The proposed changes to the FY 23/24 budget were: maintenance the items installed in previous CRA grants.
- 10:15-10:35 MAINTENANCE: Mr. Clemence reviewed his FY 23/24 budget proposals. The proposed budget changes were: a lead position for the grounds crew, a new zero turn mower, edger's, weed whackers, additional hand tools, and additional monies for A/C units. The Commission posed questions regarding the budget requests. Commissioner Belhumeur asked to budget more time or if needed material for clean-up of the intersections for sight-line.
- 10:35-10:45 BREAK: Chair Cooley recessed the meeting at 10:36 am. Chair Cooley resumed the meeting at 10:45 am.
- 10:45-11:05 SANITATION: Mr. Smith reviewed his FY 23/24 proposed budgets changes. The proposed changes for the FY 23/24 budget year are: Addition of another full-time person for recycling, with the minimum wage mandate beginning next year it will be less expensive to hire a starting rate than to pay for another Labor Force, another scheduled truck order, and a fork lift. The officials posed questions related to the budget proposals. The Officials suggested the fork lift shared with other departments. Commissioner Cooley feels the sale price of the glass and sand is too high, and suggested two price points, residents and non-residents.

- 11:05-11:25 RECREATION & BEACH: Mr. Gillin reviewed the FY 23/24 budget proposals for the Recreation and Beach Department. The changes proposed for the FY 23/24 Recreation budget year were: restart the Movies in the Park program, increase enrollment allocation for the Junior Life Guard Program, increase the Brazilian pepper eradication program, maintenance and improvements to the S. 4th Street building (bay doors), movie equipment, seasonal pepper picker staff. The changes proposed for the FY 23/24 Beach Services budget are: extend lifeguard protection beyond the summer season, increase the protected area during summer season (current 8th to 8th go back to 10th to 10th), and a beach emergency response station. Discussion ensued regarding contributions from the County, Palm Coast, and Bunnell.
- 11:25-11:45 LIBRARY: Melissa Parish reviewed the proposals for the 23/24 FY budget. The proposals are: increase the selection of Audio E Books, update the Youth non-fiction, correct the water infiltration issue on the north and east walls of the building.
- 11:45-12:00 PUBLIC COMMENTS: Bob Cunningham suggested improvements to Veterans Park, including artificial turf.
- 12:00-12:45 LUNCH: Chair Cooley recessed the meeting at 11:53 am. Chair Cooley resumed the meeting at 12:35 pm, and announced Mayor Johnston left meeting for a previous engagement and will return later in the day.
- 12:45-1:05 HR: Ms. Mathis reviewed her department requests for the FY 23/24. The requested items are: adding a full time HR assistant, HR software, and citywide life scan assessments for employees.
- 1:05-1:25 PUBLIC WORKS: Ms. Crews reviewed the FY 23/24 proposals for the departments T&D and Streets. The recommended budget increases are: increased material costs, engineering study for gravity sewer on Oak Street, purchase of a Vac-con Truck, fill the two vacant positions, street sign replacement, and installation of shut off valves. The Commission reached a consensus to move forward with the installation of sewer to the two residents on Oak Street. Discussion ensued regarding the Vac-con truck, cost is approximately 350k, in comparison to the Vac trailer which is in need of repairs, the suction hose would go from 2" to 6" reducing maintenance for clogs, and dumping time, etc. additionally, the Vac-con truck would be used for sewer mains, water line breaks, and stormwater clean outs and maintenance.
- 1:25-1:45 WASTEWATER UTILITIES: Mr. Mahadeo reviewed the department requests for the FY 23/24. Those budget increases included: Vac-con Truck (shared cost with T&D), 50 new manhole ring and cover replacements, rehab of 6 manholes, and addition of a new wastewater utility mechanic.
- 1:45-2:05 WATER TREATMENT: Mr. Ramer reviewed the proposed changes for the 23/24 FY. The proposals included: three (3) full time operators to fill vacant positions, make the part-time operator a full-time position, and purchase a portion of land adjacent to the water plant. The Commission made inquiries regarding the presentation, discussion ensued and included building a million-gallon storage tank on the plant property due to growth for water storage.
- 2:05-2:25 WASTEWATER TREATMENT: Mr. Lynn and Ben Fries reviewed the FY 23/24 Budget requests: increase the chemical and operating cost, sludge haul cost increase due to fuel and labor cost increases, delete trainee positions, add Keith Jones as Operator B, and include special and incentive pay to department budget.
- 2:25-2:35 Break: Chair Cooley recessed the meeting at 2:12 pm. Chair Cooley resumed the meeting at 2:30 pm.
- 2:35-2:55 BUILDING: Mr. McFadden reviewed the department proposals for the FY 23/24. The proposal included: outsourcing large commercial plan review, renovate the Wickline interior bathrooms, vehicle for new inspector, and an increase in travel and training budget for the new inspector. The officials posed questions related to the budget proposals, suggestions included not purchasing a full-size vehicle.

- 2:55-3:25 Engineering-Stormwater: Mr. Richards reviewed his proposal for the FY 23/24 budget. Mayor Johnston returned to the meeting at 2:36 p.m. The proposed projects expenditures included: additional back flow preventers, operating and capital purchases, new software program (Forerunner), sidewalk on S. Flagler between SR 100 and S. 7th, new vehicle (small car), road repair to fuel depot, and 50 new manhole cover and rings, in addition to those proposed in T&D budget.
- 3:25-4:25 City Clerk and City Commission: Ms. Overstreet reviewed her proposed increases to the FY 23/24 budget for the City Commission. The proposal included iPad's in place of paper agenda packets, new high-definition cameras for streaming, increase funding in the Travel and Training line for the officials, and increase to the Election line item. The Officials reached a consensus to not move forward with the budget request for the iPad's. Ms. Overstreet reviewed the proposal for the City Clerk budget for the FY 23/24. The proposal included upgrading the end point protection software for the network, new platform for Laserfiche, increasing licenses and cloud-based product, and upgrades to the web site, including possible modules for the report a concern feature including work orders and GIS.
- 4:25-4:45 Finance: Ms. Allen reviewed her proposal and spoke to previous comments regarding the meter readers and a 6 hour per month job. Ms. Allen stated we still have manual reads, re-reads, data logs, and diagnose customer issues. Proposed increases to the Finance Department budget for the FY 23/24 include a grant writer/administrator, Engineering and Construction services, purchase of ClearGov software, and a new contract with Invoice Cloud or upgrade the Point & Pay solution.
- 4:45-5:00 City Manager: Mr. Abels reviewed his presentation. Mr. Abels spoke of the deficiencies that will not adequately allow staff to manage programs and services. His proposed changes to the FY 23/24 budget are: additional positions: Assistant City Manager, Human Resource Assistant, Engineer, PE, and hire a Grants Administration Consultant. Mr. Abels spoke of the issues we as a small city are facing with a small staff, big problems that need new solutions because the old ones are no longer realistic or viable. Sea level rise, increasing storm activity, and the issues that are brought by storms. Discussion ensued. Commission questions: The officials agreed the positions are needed; however, funding is the issue, and the need to first establish a current employee review system to determine if employees are performing.
- 5:00-5:15 Public Comments: Donna Schneider suggested dissolving the fire department and have the county take over, and asked the Officials to add it to an agenda for a vote. Bob Cunningham is glad a project tracker and web site redesign are forthcoming. Mr. Abels advised regarding the suggestion from Mrs. Schneider speaking about what a huge research and negotiation project it would be, adding the City does not have the resources to do that. The Commission reached a consensus not to have a conversation about fire department dissolution.
- 5:15-6:15 Break: Chair Cooley recessed the meeting at 4:59 pm. Chair Cooley resumed the meeting at 5:20 pm.
- 6:15-6:30 Commission Discussion: Commissioner Mealy, Spradley, Belhumeur and Sherman thanked Mr. Abels and Staff for today's meeting, commenting they hope this saves us time in discussion when we actually do the budget workshops. Commissioner Cooley liked not starting the budget with a disconnect.
- 6:30-7:00 Bait Shop/TPO Project Priority List:
 Mr. Abels advised this discussion is follow-up to the commission's request on the options to consider for the Pier Bait Shop operation: put out an RFP for a tenant, do nothing, wait until the pier reopens. Discussion ensued and included: table issue until we know more about the pier, people reaching out wanting to open a business in the location, needing to close the location when we have to shut the A-Frame down due to construction, having the Flagler County Tourism office open a small history of their pier display in that building, and returning the location to something similar to what it was. The Commission reached a consensus not to distribute and RFP and to have the City Manager speak to Tourism to see if there's any interest.
 TPO Project Priority List:

Commissioner Belhumeur suggested a request to add to the project list replacement of the old boardwalk. Discussion ensued regarding the pier project and damage that may be done to the boardwalk during the rebuilding of the pier. It was suggested the Lambert Avenue sidewalk project be added back to the project priority list, and incorporate money in next year's budget to have an engineered conceptual design.

4. ADJOURNMENT: Commissioner Mealy put forth a motion to adjourn the meeting at 6:06 pm.

Attest:

Eric Cooley, Chair

Penny Overstreet, City Clerk

SPECIAL MEETING OF THE FLAGLER BEACH CITY COMMISSION, THURSDAY, MAY 4, 2023, 5:00 P.M. IN THE COMMISSION CHAMBERS AT 105 SOUTH SECOND STREET, FLAGLER BEACH, FLORIDA 32136



MINUTES

PRESENT: Chair Eric Cooley, Vice-Chair Rick Belhumeur, Commissioners Jane Mealy and James Sherman, City Manager Mike Abels, and Deputy City Clerk Jeanelle Jarrah.

ABSENT: Mayor Suzie Johnston, Commissioner Scott Spradley, and City Attorney D. Andrew Smith, III.

1. CALL THE MEETING TO ORDER: Chair Cooley called the meeting to order at 5:01 p.m.
2. APPROVE THE PROFILE DOCUMENTS FOR CITY MANAGER SEARCH – INTERIM CITY MANAGER MIKE ABELS: Mr. Abels introduced Ron Williams from Colin Baenzinger & Associates to discuss the brochure with the commission. Mr. Williams expressed wanting to get this brochure to the commission’s expectations to allow for the best possible candidates for the City Manager position.
Commissioner Mealy began by addressing the pictures throughout the profile. Discussion ensued and consensus that pictures of Pier need to be updated to incorporate the A frame, but give a more accurate representation of what the pier currently looks like. Commissioner Mealy will work with City Staff to find pictures.
Page 1: Consensus to take out “in 2013” from “In fact, it was named in 2013 as one of the “Coolest Small Towns in America” by Budget Travel Magazine.”
Page 2: Commissioner Mealy asked if we can just say in the area there are campgrounds and opportunities for experiences. Mr. Williams feels like the amenities close by are important to recognize. Discussion ensued. Consensus for the firm to change the wording to make sure that the listed amenities are outside of the City of Flagler Beach limits.
Page 2: Take out “If you want to stay along the beach”
Page 2: The museum’s motto has changed. Take that sentence out and name the actual astronaut, Mark Kelly, who is now a US Senator.
Page 3: Discussion about businesses outside of the 6-blocks of the CRA area being mentioned ensued. Consensus to replace “For those who like to shop, the six-block area in downtown Flagler Beach along Central Avenue should not be missed.” with “For those who like to shop, there are many opportunities in Flagler Beach from one end of town to the other.”
Page 3: Consensus was reached to adjust the third and fourth paragraphs that address art and sports, to clarify that the opportunities are not within Flagler Beach, but are “nearby” or “just minutes away”.
Page 3: Consensus was reached to add to the second to last paragraph that describes airports, “In addition to these options, there is a local Executive Airport that is five minutes west of the City limits.”
Page 3: There was a consensus to add information about nearby medical facilities near the section that addresses schools, to include AdventHealth, and other local area hospitals.

Page 4: change “canal” to “Intracoastal waterway”

Page 5: Add Advent Health under commerce

Page 5: Change “their” to “his” first year.

Page 5: Take out with the exception of a municipal cemetery and senior services.

Page 7: Jane asked to add preference for a candidate who has worked in a coastal community. Discussion ensued. No action was taken.

Page 8: Take revenue sources out of the first paragraph.

Page 8: Change to federal and state agencies in the 5th paragraph.

Page 9: Under “Other Important Information”- Add that we do not discriminate based on “sexual orientation.”

Interim City Manager Mr. Abels suggested that the Elected Officials discuss amongst themselves without his input and to refer to the recommendation by Mr. Williams to set the salary consideration.

Commissioner Mealy suggested 125K to 155K and moving expenses. Discussion ensued. Liz Mathis, HR Director, approached the podium and suggested adding a sentence after the range about a starting range if the Commission wanted to find a solution. Discussion continued. There was a consensus for the salary range to be \$125k to \$165K.

Commissioner Belhumeur motioned that they approve this (the brochure) as amended. Seconded by Commissioner Sherman. Chair Cooley opened up public comment. No comments were offered. Chair Cooley closed public comment. The motion passed unanimously.

3. ADJOURNMENT: Motion to adjourn the meeting by Commissioner Belhumeur at 6:06 p.m. Seconded by Commissioner Sherman.

Attest:

Chair Eric Cooley

Jeanelle Jarrah, Deputy City Clerk

#6

REGULAR MEETING OF THE FLAGLER BEACH CITY COMMISSION THURSDAY, MAY 11, 2023, AT 5:30 P.M. AND TO BE CONTINUED UNTIL ITEMS ARE COMPLETE. CITY COMMISSION CHAMBERS, 105 S. SECOND STREET, FLAGLER BEACH, FLORIDA 32136

MINUTES

PRESENT: Mayor Suzie Johnston, Chair Eric Cooley, Vice-Chair Rick Belhumeur, Commissioners Jane Mealy, James Sherman, and Scott Spradley, City Attorney D. Andrew Smith, III, Interim City Manager Mike Abels, and City Clerk Penny Overstreet.

1. CALL THE MEETING TO ORDER: Chair Cooley called the meeting to order at 5:31 p.m.
2. PLEDGE OF ALLEGIANCE FOLLOWED BY A MOMENT OF SILENCE TO HONOR OUR VETERANS, MEMBERS OF THE ARMED FORCES AND FIRST RESPONDERS: Mayor Johnston led the pledge.
3. PROCLAMATIONS AND AWARDS.
 - A. PROCLAMATIONS RECOGNIZING THE CITY OF FLAGLER BEACH PIER BAIT SHOP EMPLOYEES: Mayor Johnston presented the proclamations to William "Buz" Sawyer, and thanked him for his service to the city.
4. DELETIONS AND CHANGES TO THE AGENDA: The Commission reached a consensus to move Item 9 to the General Business portion of the agenda.
5. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES. *A THIRTY-MINUTE ALLOCATION OF TIME FOR PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA. EACH SPEAKER HAS UP TO THREE-MINUTES TO ADDRESS THE CHAIR, AND ONE OPPORTUNITY TO SPEAK, NO TIME CAN BE ALLOTTED TO ANOTHER SPEAKER:* Donna Schneider posed questions about the Valve replacement project and offered her volunteer services in CAD. Erica Rivera spoke of the upcoming Pride Festival in Palm Coast on June 10th and the Pulse Vigil will be held in Veterans Park on June 11th. Mr. Abels responded in regards to the valve installed on the wrong pipe; the original that was installed wrong has already been corrected. Mr. Abels reported the valves ordered were the wrong size and they are working to correct that. Commissioner Sherman inquired if the project completion date is still on target? Mr. Abels responded he cannot answer that question until the valves arrive and are determined to be the correct size. One valve is being added and the we will evaluate if they are working as we expect, or if we need to adjust. Mayor Johnston suggested Mr. Abels speak to Lee Richards to see if Ms. Schneider could be of assistance.

Commissioner Mealy put forth a motion to adjourn the regular meeting and convene the Community Redevelopment Agency meeting at 5:59 p.m. Commissioner Sherman seconded the motion. The motion carried unanimously.

Chair Cooley reconvened the meeting at 6:16 p.m.

CONSENT AGENDA

6. APPROVE THE REGULAR MEETING MINUTES OF APRIL 27, 2023.
7. APPROVE A ONE-YEAR INSURANCE RENEWAL PROPOSAL FOR THE PIER STRUCTURE - LIZ MATHIS, HR.
8. AWARD BID FB-23-0305 CLUBHOUSE INTERIOR REBUILD TO PAUL CULVER CONSTRUCTION IN THE AMOUNT NOT TO EXCEED \$53,508.00 – PENNY OVERSTREET, CITY CLERK.

Commissioner Belhumeur pulled item eight for discussion. Motion by Commissioner Mealy to approve item six and seven on the consent agenda. Commissioner Spradley seconded the motion. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. The motion carried unanimously.

ITEM 8: Commissioner Belhumeur questioned if the costs of the bids exceed the funds received from insurance claims. Clerk Overstreet responded she did not have that information to respond. Ms. Overstreet stated if the repair cost exceeds the claim received, staff will submit to FEMA for reimbursement. Clerk Overstreet advised she would obtain the information and report in the Summary of Action. Motion by Commissioner Mealy to approve the contract to Paul Culver Construction in the amount of \$53,508.00. Commissioner Belhumeur seconded the motion. The motion carried unanimously.

ITEM 9: This item was moved to general business.

GENERAL BUSINESS

9. DISCUSSION OF APPROACH TO ACQUIRE COUNTYWIDE COOPERATION FOR THE TOURISM IMPACT ON FLAGLER BEACH – INTERIM CITY MANAGER MIKE ABELS: Mr. Abels reported to the Commission the other local Administrators willingness to participate in a workshop meeting to participate in a meeting to discuss tourism impact on Flagler Beach. Mr. Abels suggested a letter be signed by the Mayor to each entity asking them to appoint two members of their counsel to participate in the meeting. Mr. Abels advised we need to receive an affirmative response back from each entity. Mr. Abels anticipated having the responses back by the first meeting in June, then this Commission can select two representatives. Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. The Commission reached a consensus to have the City Manager draft the letter for the mayor’s signature, and report back to the Commission the response from each entity at their June 8, 2023 meeting, for further direction and appointment of meeting representatives.

10. CONSIDER APPLICATIONS TO APPOINT A CITIZEN REPRESENTATIVE AND ALTERNATE CITIZEN REPRESENTATIVE FROM FLAGLER BEACH TO SERVE ON THE RIVER TO SEA TRANSPORTATION PLANNING ORGANIZATION (TPO) BICYCLE/PEDESTRIAN ADVISORY COMMITTEE (BPAC) – PENNY OVERSTREET, CITY CLERK: Motion by Commissioner Belhumeur to appoint Candice Cornelssen as the primary and Jauxniece Palmer as the alternate representative. Commissioner Mealy seconded the motion. The motion carried unanimously.
11. CONSIDER APPLICATIONS TO FILL THREE PLANNING AND ARCHITECTURAL REVIEW BOARD SEATS THAT HAVE REACHED THEIR TERM – PENNY OVERSTREET, CITY CLERK: Paul Chestnut reviewed his desire to remain on the PARB. Bob Cunningham and Lisa Smith reviewed their desire to serve on the board and their professional history that they feel would make them a good candidate for the seat. Chair Cooley reported the appointments as: Paul Chestnut, Joseph Pozzuoli, and Lisa Smith. Suggested the Clerk contact one of the applicants with Fire Services background to see if he is interested in serving the Fire Pension Board.
12. DISCUSSION OF OFFERED LAY-DOWN YARD LEASE – DREW SMITH, CITY ATTORNEY: No action was taken. The Commission provided direction to the City Attorney to advise the property owner of their appreciation of the offer, and advise he is welcome to work directly with the hotel property owner for a lease agreement.

PUBLIC HEARINGS

APPLICATION SP#23-04-01: APPROVE A FINAL SITE PLAN TO DEVELOP A MULTI-FAMILY APARTMENT COMPLEX CONSISTING OF THIRTY-NINE (39) UNITS ON 3.16 ACRES ON LESLIE STREET – APPLICANT: ALT HOMES, LLC - LARRY TORINO FOR THE CITY OF FLAGLER BEACH: Applicant not present. Motion by Commission Belhumeur to table the item. Commissioner Mealy seconded the motion. The motion carried unanimously.

13. STAFF REPORTS.
 - CITY ATTORNEY: Attorney Smith spoke of the new legislation requiring Local government officials to now complete Form 6's in place of Form 1's.
 - CITY MANAGER: Spoke of a 30 day lease he approved for the T & D Department for a Vac Truck which will also be utilized by the Sewer Lift Station Department. Mr. Abels advised he would bring to the Officials at the next meeting parameters of the stormwater street and basin clean out maintenance schedule.
Reported his conversations with Florida Power and Light regarding the lights in Veterans Park and the push to improve them to a decorative style light, improving the aesthetics of the park. Mr. Abels additionally sought consensus to remove a light in the park directly opposite of the City Hall front entry. The Commission provided the consensus.

COMMISSION COMMENTS

14. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: Mayor Johnston reported bike helmets will be fitted and given out at the Tax Collector's office. The Mayor also inquired to the Manager regarding the grant for the sand fencing. Mr. Abels to provide report at the end of the month.
Commissioner Sherman commented regarding the 2700 Block of S. Daytona Avenue. Commissioner Sherman thanked Mr. Richards and Ms. Overstreet for communicating with the residents in the 2700 hundred block of South Daytona Avenue. Commissioner Belhumeur inquired if the stop bars will be painted just in the newly asphalted areas or city wide? Mr. Abels responded he would report back to the officials. Commissioner Belhumeur advised the Farmers Market promoters are now using two of the pavilions. Attorney Smith advised staff should contact the promotor and advise them that use of the pavilions was not included in the application the Commission approved, and if they desire to continue use, they need to submit a new site plan application to the Commission for consideration. Commissioner Belhumeur requested an update on the dune walkover project. City Clerk stated she was not prepared to respond and she would provide an update in the weekly report to the City Manager and include an update on the next agenda under staff reports. Commissioner Spradley reported the Judge will be signing a formal conclusion to the Army Corps easement issue, allowing the County to record the easement for access to proceed with the beach project. Commissioner Cooley reported the special events that will be held on the beach in the coming weeks, including May Day Memorial Surf Contest and the Hang 8 event. Commissioner Mealy advised the Memorial Day Observation is scheduled for Monday, May 29, 2023 at 1:00 pm in Veterans Park. Commissioner Mealy spoke of Chair Cooley's actions toward her at the last meeting, she stated he should not be denigrating anyone in anyway. Chair Cooley responded.
15. PUBLIC COMMENTS REGARDING ITEMS NOT ON THE AGENDA. CITIZENS ARE ENCOURAGED TO SPEAK. HOWEVER, COMMENTS SHOULD BE LIMITED TO THREE MINUTES. *A THIRTY-MINUTE ALLOCATION OF TIME FOR PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA. EACH SPEAKER HAS UP TO THREE-MINUTES TO ADDRESS THE CHAIR, AND ONE OPPORTUNITY TO SPEAK, NO TIME CAN BE ALLOTTED TO ANOTHER SPEAKER:* None.
16. ADJOURNMENT: Commissioner Belhumeur put forth a motion to adjourn the meeting at 7:54 pm.

Attest:

Eric Cooley, Chair

Penny Overstreet, City Clerk



FLAGLER BEACH CITY COMMISSION

Item No. 7

Meeting Date: May 25, 2023

Issue Consider appointments to the Flagler Beach Police Pension Board for the “Commission Appointed Seats” in which the terms are scheduled to expire.

From: Summary provide by Penny Overstreet, City Clerk

Organization: COFB

RECOMMENDATION: Motion to appoint both to the Police Pension Board for the set terms.

BACKGROUND: The two (2) year terms for the Commission appointed seats are expiring on May 31, 2023. Commissioner Belhumeur and Ms. Hackett have both expressed interest in serving another term.

BUDGETARY IMPACT: None.

LEGAL CONSIDERATIONS/SIGN-OFF:

PERSONNEL: City Clerk

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to appoint Rick Belhumeur and Laura Hackett, to the Commission appointed seats on the Police Pension Board for the term 06/01/2023 through 05/31/2025.

IMPLEMENTATION/COORDINATION:

Attachments

- Membership Roster

City of Flagler Beach Police Officers' Retirement System

Caleb Hynson, HYN Consulting, Plan Administrator
13141 66th street North • Largo, FL 33773
Phone: 727-559-7333 • caleb@hynconsulting.com

12/28/22

PENSION BOARD OF TRUSTEE'S CONTACT INFORMATION

Lance Blanchette, Chairman

Member Elected
Current Term
8/1/21 - 7/31/23

Work 386-517-2020
Cell 386-986-9199
lblanchette@fbpd.org

David Blank

Member Elected
Current Term
8/1/21 - 7/31/23

Work
Cell (386) 517-2023
DBlank@fbpd.org

Richard Belhumeur

1015 S. Flagler Ave
Flagler Beach, FL 32136
Resident
Current Term
6/1/21 - 5/31/23

Work 386-503-5030
Cell
rrsofc@att.net

Laura Hackett, Secretary

Resident
Current Term
6/1/21 - 5/31/23

Work
Cell
tuff2beme@icloud.com

Quentin Parker

2215 S Flagler Ave
Flagler Beach, FL 32136
5th Member
Current Term
8/1/22 - 7/31/24

Work
Cell 703-843-5962
quent-222@hotmail.com

Two Year Teams



FLAGLER BEACH CITY COMMISSION

Item No. 8

Meeting Date: May 25, 2023

Issue Consider appointments to the Flagler Beach Fire Pension Board for the "Commission Appointed Seats" in which the terms are scheduled to expire.

From: Summary provide by Penny Overstreet, City Clerk

Organization: COFB

RECOMMENDATION:

BACKGROUND: The two (2) year terms for the Commission appointed seats are expiring on May 31, 2023. Commissioner Mealy has expressed her interest in serving another term. Robbie Creal has indicated he no longer wishes to serve on the Board. At the May 11, 2023 Commission meeting I received direction to contact Alex Garrett, to see if he was interested in serving on the Fire Pension Board. I have contacted Mr. Garrett he is interested in serving on the board, he indicated he may not be able to attend the Commission meeting on the 25th, in light of this I copied you on our communication and provided him your contact info if you wish to reach out to him. I would ask that if you do you disclose the communication at your May 25th meeting.

BUDGETARY IMPACT: None.

LEGAL CONSIDERATIONS/SIGN-OFF:

PERSONNEL: City Clerk

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to appoint Jane Mealy and Alex Garrett, to the Commission appointed seats on the Fire Pension Board for the term 06/01/2023 through 05/31/2025.

IMPLEMENTATION/COORDINATION:

Attachments

- Membership Roster

City of Flagler Beach Firefighters' Retirement System

*Caleb Hynson, HYN Consulting, Plan Administrator
13141 66th street North • Largo, FL 33773
Phone: 727-559-7333 • caleb@hynconsulting.com*

12/28/22

PENSION BOARD OF TRUSTEE'S CONTACT INFORMATION

Neal Ecker, Chairman

5th Member
Current Term
8/1/22 - 8/1/24

Work 386-439-3378
Cell 386-739-9376
necker@eckerins.com

Jane Mealy, Secretary

PO Box 70
Flagler Beach, FL 32316
Resident
Current Term
6/1/21 - 5/31/23

Work 386-439-4811
Cell
jmealy@cityofflaglerbeach.com

Trey Poeira

PO Box 70
Flagler Beach, FL 32316
(replaced Anthony Forte)
Member Elected
Current Term
8/1/21 - 7/31/23

Work 386-517-2010
Cell 386-585-2303
tpoeira@gmail.com

Morgan Rainey

† Member Elected
Current Term
8/1/21 - 7/31/23

Work 386-517-2010
Cell
mwalden1116@gmail.com

Robbie Creal

Resident
Current Term
6/1/21 5/31/23

Work
Cell
robertcreal@gmail.com

Two Year Terms for all Trustee

Penny Overstreet

From: Penny Overstreet
Sent: Tuesday, May 9, 2023 4:39 PM
To: Caleb Hynson
Subject: RE: Police Appointed Board of Trustee's Seat Expiring

Thank you for the information Caleb
Have a great evening.
Penny

From: Caleb Hynson <Caleb@hynconsulting.com>
Sent: Tuesday, May 9, 2023 4:21 PM
To: Penny Overstreet <POverstreet@CityofFlaglerBeach.com>
Subject: RE: Police Appointed Board of Trustee's Seat Expiring

Penny,

After further discussion with Robert Creal, he does not wish to continue on with the board. The city will need to find his replacement.

Thanks,



Caleb

Caleb Hynson | Administrative Director, CPPT
HYN Consulting | Pension Consulting & Administration
13141 66th St.
Largo, FL 33773
P: (727) 559 – 7333
F: (727) 645 – 4235
www.hynconsulting.com



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Penny Overstreet

From: Penny Overstreet
Sent: Friday, May 19, 2023 3:12 PM
To: Alex Garrett
Cc: Jeanelle Jarrah; Caleb Hynson
Subject: RE: Consider appointment to the Flagler Beach Fire Pension Board
Attachments: Flagler Beach Elected Officials 2023.docx

Hello Alex,

That's great. I will email the Board Administrator for the schedule and will forward it on once received. I have also blind copied the Elected Officials on this email as well as attached their email contact list. So they may reach out to you if they wish or you may write them individually, they will just need to disclose they met or communicated with you at the meeting when considering appointment.

Have a great day,

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 broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. The City of Flagler Beach's policy does not differentiate between personal and business emails. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the City system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose identifying information is exempt under 119.071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes

From: Alex Garrett <al.alexgarrett@gmail.com>
Sent: Friday, May 19, 2023 12:21 PM
To: Penny Overstreet <POverstreet@CityofFlaglerBeach.com>
Subject: Re: Consider appointment to the Flagler Beach Fire Pension Board

Good afternoon Penny. I received your voicemail from yesterday and I left one as well. You must've been out of the office. I am interested in the position to be on the fire pension board. I am unable to attend next weeks commission meeting due to being on shift again, but I am trying to get the day off so that I can attend. If I am unable to attend the meeting is there anyway I can meet one of the commissioners or anybody in that case on another day to introduce myself for the opportunity to be on the board? Also, what are the meeting dates and times for this board when they do meet? Thank you for your time.

-Alex Garrett

On Wed, May 17, 2023 at 3:57 PM Penny Overstreet <POverstreet@cityofflaglerbeach.com> wrote:

Hello Mr. Garrett,


You recently submitted application to be considered for a vacant seat on the City's Planning and Architectural Review Board. Unfortunately, the Commission did not select you to serve in that position. However, there is a vacancy coming up on the Fire Pension Board and the Commission asked that I reach out to you to see if you were interested since you listed previous service to the Daytona Beach Fire Union Board. The Commission will be appointing that seat at their May 25, 2023 meeting. Please advise if you are interested and if you would be able to attend the May 25th Commission Meeting so the Commission can put a face with your name.


Sincerely,

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 broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. The City of Flagler Beach's policy does not differentiate between personal and business emails. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the City system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose identifying information is exempt under 119 071, Florida Statutes, please so indicate in your email or other communication. If you have any questions about the Florida public records law refer to Chapter 119 Florida Statutes

Penny Overstreet

From: noreply@civicplus.com
Sent: Tuesday, May 9, 2023 8:13 PM
To: Jeanelle Jarrah; Penny Overstreet
Subject: Online Form Submittal: Advisory Board and Committee Application Form

Advisory Board and Committee Application Form

First Name	Alex
Last Name	Garrett
Street Number	
Street Name	
Street Type	Street
P.O. Box	<i>Field not completed.</i>
City	Flagler Beach
State	FL
Zip	32136
Phone Number	
Cell Phone	<i>Field not completed.</i>
Email Address	al.alexgarrett@gmail.com
Occupation	Firefighter
Number of Years as a Resident	29
Are you registered to vote in Flagler County	Yes
Please describe your professional and/or volunteer experience which best qualifies you for your selection to the board(s) or committee(s).	Coming off a two year term on the Daytona Beach Fire Union Board, this is my first attempt to serve on one of the city's boards.
Please check all boxes of the Committees you would like to serve.	

Boards and Committees Planning and Architectural Review Board

Have you served on a No
City Board or Committee
in the past?

Email not displaying correctly? [View it in your browser.](#)



FLAGLER BEACH CITY COMMISSION

Item No. 9

Meeting Date: May 25, 2023

Issue Discussion and direction to staff regarding the Ronan's shed – Attorney Smith

From: Summary provide by Penny Overstreet, City Clerk

Organization: COFB

RECOMMENDATION: Provide direction to staff regarding reimbursement.

BACKGROUND: The Commission at their February 23, 2023 meeting provided direction to staff: "The Commission reached a consensus to have staff work with the Ronan's to move the shed to a compliant location, at a minimal elevation to allow it to be accessible, and keep it from flooding, and for the Ronan's to provide the City with an invoice for the cost of relocation. If this cannot be done then apply for another variance that would meet the criteria to approve." Mr. Richards has worked with the Ronan's and the placement they would like is in compliance with the Land Development Regulations. Staff and the Ronan's are seeking clarification of the expenses that will be reimbursed by the City. The new proposed location will require a restructure of the existing driveway (see attached site plan).

BUDGETARY IMPACT: Not know at this time

LEGAL CONSIDERATIONS/SIGN-OFF:

PERSONNEL:

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to provide staff direction. If cost estimate is not available, recommend a monetary specific amount to be included in the motion.

IMPLEMENTATION/COORDINATION:

Attachments

- Email Communication
- Site Plan
- February 23, 2023 Minutes

#9

Penny Overstreet

From: Penny Overstreet
Sent: Friday, April 21, 2023 11:43 AM
To: Lee Richards
Cc: Rick McFadden; Katie Dockhorn; Larry Torino; Suzie Johnston; Michael Abels; dsmith@shepardfirm.com
Subject: RE: 212 Lambert Avenue Ronan Shed Issue
Attachments: RE: 212 Lambert Avenue Ronan Shed Issue; 02232023.pdf

I attached the site plan sent earlier, in case you need image to visualize the new proposed placement. The direction was to reimburse the Ronan's for the new placement. There was not a cap on the amount, nor did the direction specify if it was just to move the shed or to include cost of reconfiguration of the driveway. (minutes attached) I am not throwing this out to create an issue, I just want Finance to have clear direction when processing the reimbursement of costs. Has anyone asked the Ronan's for an estimate of cost? The process on Admin side would be for the Ronan's to submit their expenses (paid invoice from their contractor or if the Ronan's did the work the cost of material with receipts to support) Finance would create a purchase order and have the check cut to the Ronan's.

Penny

From: Jeffrey Ronan <jeffr@meta.com>
Sent: Friday, April 21, 2023 9:29 AM
To: Lee Richards <LRichards@cityofflaglerbeach.com>
Cc: Rick McFadden <RMcFadden@CityofFlaglerBeach.com>; Katie Dockhorn <KDockhorn@cityofflaglerbeach.com>; Larry Torino <LTorino@CityofFlaglerBeach.com>; Tara Ronan <tararonan14@yahoo.com>; Penny Overstreet <POverstreet@CityofFlaglerBeach.com>; Suzie Johnston <SJohnston@CityofFlaglerBeach.com>; Michael Abels <MAbels@cityofflaglerbeach.com>; dsmith@shepardfirm.com
Subject: RE: 212 Lambert Avenue Ronan Shed Issue

Some people who received this message don't often get email from jeffr@meta.com. [Learn why this is important](#)

Hi Suzie,

Can you help me understand what the next steps are here please?

I just reviewed the hearing video on YouTube to ensure I was in alignment with what was directed at the end of the hearing. It was pretty clear that the city would send someone out to evaluate all possibilities. The updated survey with new shed location is what I described in the hearing as the only potential alternative solution. However, as expected, it requires a great deal of excavation as well as driveway relocation.

At the end of the hearing, it was also pretty clear, based on the findings of the subject matter expert sent out, the variance request might be reevaluated.

We have another date with the magistrate again, I think next week, I'm not sure what to do here.

Any guidance would be appreciated.

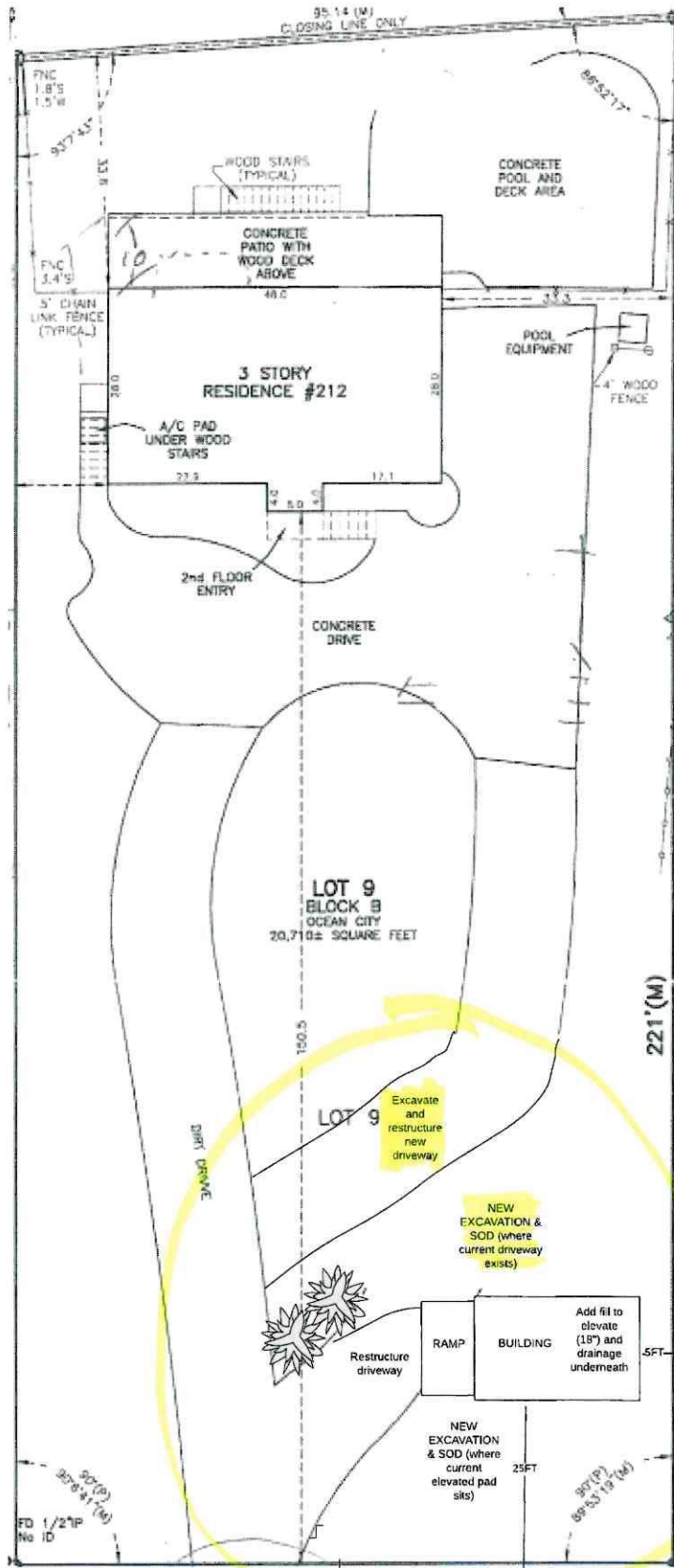
Thanks and enjoy your weekend!

 Meta

Jeff Ronan

BMS Program and Technical Strategy Lead | Center of Excellence

[Meta](#) | 8283055205



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Chair Bryan opened public comments. No comments were offered. Chair Bryan closed public comments. Motion by Commissioner Mealy to approve Resolution 2023-04. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.

16. RESOLUTION 2023-05, A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF FLAGLER BEACH, FLORIDA DECLARING CERTAIN ITEMS AS SURPLUS, PROVIDING FOR CONFLICT AND AN EFFECTIVE DATE – PENNY OVERSTREET, CITY CLERK: Attorney Smith read the title of the resolution into the record. Chair Bryan opened public comments. No comments were offered. Chair Bryan closed public comments. Motion by Commissioner Mealy to approve Resolution 2023-05. Commissioner Cooley seconded the motion. The motion carried unanimously, after a roll call vote.

The agenda moved to Item 18 Staff Reports (City Attorney and Acting Manager)

PUBLIC HEARINGS

17. APPLICATION VAR#23-01-01-212 – A VARIANCE APPLICATION REQUESTING TO RETAIN THE LOCATION OF AN EXISTING STORAGE SHED SETBACK FIVE (5) FEET FROM THE FRONT YARD PROPERTY LINE AS OPPOSED TO THE REQUIRED TWENTY-FIVE (25) FEET AS ESTABLISHED IN THE CITY OF FLAGLER BEACH LAND DEVELOPMENT REGULATIONS, SECTION 2.05.05 – MINIMUM YARD REGULATIONS FOR ACCESSORY STRUCTURES. PROPERTY ADDRESS 212 LAMBERT AVENUE, APPLICANTS MR. & MRS. JEFFERY RONAN.
- DISCLOSURE OF EX PARTE COMMUNICATIONS
 - PROOF OF NOTICE
 - IDENTIFICATION OF PERSONS TO OFFER TESTIMONY OR EVIDENCE
 - SWEARING IN OF PERSONS TO OFFER TESTIMONY
 - PRESENTATION OF STAFF REPORT
 - PRESENTATION BY APPLICANT
 - TESTIMONY OF ANY OTHER SWORN PARTIES
 - PUBLIC COMMENT
 - APPLICANT REBUTTAL
 - MOTION AND VOTE (NOTE: ANY MOTION SHOULD INCLUDE SPECIFIC FINDINGS OF FACT; THE MOTION SHOULD INCLUDE THE FINDING THAT THE PROPOSED ACTION IS CONSISTENT WITH THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE; IF A MOTION IS MADE TO DENY AN APPLICATION, THE MOTION SHOULD STATE WITH SPECIFICITY ANY CRITERIA FOR APPROVAL FOUND TO NOT BE SATISFIED;

Commissioner Mealy filed a Form 8b Voting Conflict for the reason the variance may financially impact her property value. The Elected Officials disclosed their ex-parte communications. Attorney Smith swore in the people providing testimony. Planner Larry Torino read from the Land Development Regulations regarding the responsibilities of the Planning & Architectural Review Board (PARB) members. Mr. Torino spoke of the six criteria that must be met to grant a variance. Mr. Torino spoke of past permit applications that were submitted by the applicants. Mr. Torino spoke of negligence from both parties, the city and the applicant. Mr. Torino stated an incomplete copy of a survey was submitted with the permit application, a zoning review performed and approved, and a building permit issued. The final inspection was failed because it did not meet the setback. Mr. Torino spoke of the compromise he offered at the PARB review. Attorney Dennis Bayer, representing the applicants, feels there is now a change of position by the Planner, and that there are ambiguities. Attorney Bayer referred to the "incomplete survey" stating the property line was cut off by the owner making a copy of it in a copy machine, the other permits referred to were submitted by Contractors, and no false intent was there. Attorney Bayer continued adding the clamor of the crowd should not be considered in the Commission's decision. Jeff Ronan, Applicant, feels that Mr. Torino's revised report is a complete 180 from the staff report provided for the PARB hearing. Mr. Ronan stated the PARB unanimously recommended approval of the variance. Mr. Ronan commented that notices went out to the surrounding properties for the PARB hearing and no one showed up to contest it, now residents who

live 1 mile down the road are complaining, before that there were no concerns. Chair Bryan opened public comments. Harold Marine, 208 Lambert Ave., stated the shed was there when they bought property, and they have no issues with it remaining in the current location. Marvin Howell, 1516 Lambert Ave., feels there is no hardship and wants the variance denied. Don Deal, 1580 Lambert Ave., is surprised this was recommended for approval by the PARB. Cathy Feind, PARB member not present at the variance hearing before the PARB, commented that four of the required criteria were not met. Chair Bryan closed public comments. Attorney Bayer provided closing arguments. Staff provided false information, they told his clients the setback was 30 feet from the road. Mr. Bayer stated his client is presumed to know what the rules are, but when staff advises, that is what you go on. Rick McFadden suggested the officials hear testimony from Tim Maguire, part-time Permit Technician at the City. Mr. Maguire stated he remembers speaking with the Ronan's at the counter. Mr. Maguire stated he advised 25 feet set back from property line. Mr. Maguire further commented he does not issue permits. Mr. Ronan rebutted stating Mr. Maguire told him 30 feet from road and 8 feet from neighbor, and later a member of staff called them, and said 5 feet from the side. Attorney Smith advised the Officials. Discussion ensued and included culpability on each side, and options for a compromise. Attorney Smith advised every variance stands on its own facts, precedent would be only if same set of facts were entered. Commissioner Cooley, the applicant had surveys showing where the property line was, Criteria No. 2 cannot be met, and you could argue others as well. Commissioner Mealy agreed adding the process at the PARB meeting was wrong, and the 6 criteria were not met. Mayor Johnston offered solution of the City covering the cost to move the shed. Motion by Commissioner Cooley to deny application VAR #23- 01-01-212, for the fact that criteria No. 2 has not been met. Commissioner Phillips seconded the motion. The motion carried four to zero with Commissioner Mealy refraining from voting and filing a Form 8b. The Commission reached a consensus to have staff work with the Ronan's to move the shed to a compliant location, at a minimal elevation to allow it to be accessible, and keep it from flooding, and for the Ronan's to provide the City with an invoice for the cost of relocation. If this cannot be done then apply for another variance that would meet the criteria to approve.

The agenda moved to Item 19 (City Clerk Item related to Planner position).

18. Staff Reports.

➤ City Attorney:

- Attorney Smith reported the boat issue will go to code enforcement.
- Attorney Smith advised of new case law requiring new noticing for public hearings that are not heard as advertised, and referenced the tabling of the variance at the January 26th meeting as an example.
- Attorney Smith sought direction regarding a separation agreement for former manager Whitson. The Commission reached a consensus for the Attorney to draft the separation agreement and place it on a future agenda for consideration.

➤ Acting City Manager:

- Reported the vendor advised of supply chain shortages of poles in reference to the bridge light replacement.
- Reported the architectural reviews for the hotel are complete.

➤ Police Chief:

- Reported crime down 77% in Flagler Beach and the clearance rate is 44.4 %, adding the national average is 24%.

The agenda moved to City Clerk report; discussion regarding fireworks.

➤ City Clerk

Penny Overstreet

From: Rick McFadden
Sent: Friday, April 21, 2023 9:10 PM
To: Lee Richards; Jeffrey Ronan
Cc: Katie Dockhorn; Larry Torino; Tara Ronan; Penny Overstreet; Suzie Johnston; Michael Abels; dsmith@shepardfirm.com
Subject: RE: 212 Lambert Avenue Ronan Shed Issue

The plan attached would meet the requirements for Building and zoning.

From: Lee Richards <LRichards@cityofflaglerbeach.com>
Sent: Thursday, April 20, 2023 4:05 PM
To: Jeffrey Ronan <jeffr@meta.com>
Cc: Rick McFadden <RMcFadden@CityofFlaglerBeach.com>; Katie Dockhorn <KDockhorn@cityofflaglerbeach.com>; Larry Torino <LTorino@CityofFlaglerBeach.com>; Tara Ronan <tararonan14@yahoo.com>; Penny Overstreet <POverstreet@CityofFlaglerBeach.com>; Suzie Johnston <SJohnston@CityofFlaglerBeach.com>; Michael Abels <MAbels@cityofflaglerbeach.com>; dsmith@shepardfirm.com
Subject: RE: 212 Lambert Avenue Ronan Shed Issue

Mr. Ronan.

It was my impression that the plan attached is what you and your wife want. My suggestion was to locate the shed in a different location; but it was only a suggestion. As I said in an earlier email, it is your property and, in my opinion, so long as the shed's location satisfies the needs of the Land Development Code, from an engineering standpoint, it is acceptable. If you recall, I also suggested some screening landscaping – that is entirely up to you.

The relocation costs or any other financial issues are beyond my purview.

As far as the nearby adjacent swale is concerned, it is my observation that it is not shaped properly and that concern will be shared with the Chief Building Official and the Interim City Manager, who are cc'd above. I will proceed with any action deemed appropriate by them.

Lee Richards

Dr. Lee Richards, Ph.D.



**Program Coordinator for
Engineering Services**
Office: 386-517-2000 ext. 248
Cell: 386-283-1054
800 S. Daytona Ave
Flagler Beach, FL 32136

lrichards@cityofflaglerbeach.com

From: Jeffrey Ronan <jeffr@meta.com>
Sent: Thursday, April 20, 2023 12:02 PM
To: Lee Richards <LRichards@cityofflaglerbeach.com>
Cc: Rick McFadden <RMcFadden@CityofFlaglerBeach.com>; Katie Dockhorn <KDockhorn@cityofflaglerbeach.com>; Larry Torino <LTorino@CityofFlaglerBeach.com>; Tara Ronan <tararonan14@yahoo.com>; Penny Overstreet <POverstreet@CityofFlaglerBeach.com>; Suzie Johnston <SJohnston@CityofFlaglerBeach.com>
Subject: RE: 212 Lambert Avenue Ronan Shed Issue

Hi Lee,

Based on closing conversations in the city commission hearing on FEB23, it was my understanding that the city would assign a subject matter expert to come to my property and evaluate if the current location met the criteria described in item 2 of the variance, while also evaluating if a better location existed to move the outbuilding; taking into consideration how high the grade may have to be raised, associated draining requirement and impacts to accessibility. This would help the city leaders understand if variance conditions are met as well as potential cost impacts to the city for all that is involved in relocating this building.

I am attaching the document I created describing the only reasonable re-relocation in my front yard. This requires a large amount of fill and drainage, driveway relocation and new sod, as well as relocation of the outbuilding once all excavation scope is complete.

As you have indicated in our correspondence, this does nothing to appease the neighborhood concerns of aesthetics as it actually moves the building away from the natural canopies of the large Oak trees that surround it now. But I think what we are really trying to accomplish here is meeting the city ordinance, this does it.

Also, as the swales are the main contributor to flooding during our wet season, what is the cities approach to mitigate flooding of my yard caused by swale backflow?

I eagerly await your response.

Best Regards,

 Meta

Jeff Ronan

BMS Program and Technical Strategy Lead | Center of Excellence

[Meta](https://www.meta.com) | 8283055205

From: Lee Richards <LRichards@cityofflaglerbeach.com>
Sent: Friday, April 14, 2023 11:37 AM
To: Jeffrey Ronan <jeffr@meta.com>
Cc: Rick McFadden <RMcFadden@CityofFlaglerBeach.com>; Katie Dockhorn <KDockhorn@cityofflaglerbeach.com>; Larry Torino <LTorino@CityofFlaglerBeach.com>
Subject: RE: 212 Lambert Avenue Ronan Shed Issue

**This
Message
Is From
an
External
Sender**

Hello Jeffrey.

Here is how to proceed:

1. Since you want to bring in some fill (which I presume is to level the ground under the shed), I will need you to apply for a change of grade permit. That needs to show exactly where the fill is going, the quantity (in cubic yards), and how the fill will affect the grades around the shed. Do this at the Building Department please, not through my office.
2. Also show how the shed will be supported. Hopefully it will be off the ground; that way, no impervious calculations need to be done. If you intend to put it on the ground, it will be considered impervious coverage and you will have to calculate your property's total coverage which cannot exceed 50%.
3. I already talked to Rick McFadden about this and as long as you locate the shed as shown on your drawing, he is okay with it.
4. I still recommend some landscaping to screen the shed but that is not a requirement of the LDC – merely a suggestion on my part to placate your neighbors.

If you have any questions, please reach out to me.

Best,
Lee

Dr. Lee Richards, Ph.D.



**Program Coordinator for
Engineering Services**

Office: 386-517-2000 ext. 248

Cell: 386-283-1054

800 S. Daytona Ave

Flagler Beach, FL 32136

lrichards@cityofflaglerbeach.com

From: Jeffrey Ronan <jeffr@meta.com>

Sent: Thursday, April 13, 2023 5:00 PM

To: Lee Richards <LRichards@cityofflaglerbeach.com>; Penny Overstreet <POverstreet@CityofFlaglerBeach.com>

Cc: Tara Ronan <tararonan14@yahoo.com>

Subject: RE: 212 Lambert Avenue Ronan Shed Issue

Some people who received this message don't often get email from jeffr@meta.com. [Learn why this is important](#)

Hi Lee, thanks for the quick response here. If the shed is within ordinance, would there be a requirement for any type of screening or landscaping? I didn't see this when reviewing ordinances, but also never saw where it had to be 25' off a street side property line so I might have missed something. I read the intent of the 25' feet from property, combined with the 37' easement, for a total of 62' from the road, is to alleviate potential "eye sore" concerns.

Regards,

Meta

Jeff Ronan

BMS Program and Technical Strategy Lead | Center of Excellence

[Meta](#) | 8283055205

From: Lee Richards <LRichards@cityofflaglerbeach.com>

Sent: Thursday, April 13, 2023 4:45 PM

To: Jeffrey Ronan <jeffr@meta.com>; Penny Overstreet <POverstreet@CityofFlaglerBeach.com>

Cc: Tara Ronan <tararonan14@yahoo.com>

Subject: RE: 212 Lambert Avenue Ronan Shed Issue

**This
Message
Is From an
Untrusted
Sender**

You have not
previously
corresponded
with this
sender.

I was writing a report but now you flipped on me.

If you are really dead set on this location, I might suggest some screening landscaping on the west side of the shed.

Dr. Lee Richards, Ph.D.



**Program Coordinator for
Engineering Services**

Office: 386-517-2000 ext. 248

Cell: 386-283-1054

800 S. Daytona Ave

Flagler Beach, FL 32136

lrichards@cityofflaglerbeach.com

From: Jeffrey Ronan <jeffr@meta.com>

Sent: Thursday, April 13, 2023 4:17 PM

To: Penny Overstreet <POverstreet@CityofFlaglerBeach.com>

Cc: Lee Richards <LRichards@cityofflaglerbeach.com>; Tara Ronan <tararonan14@yahoo.com>

Subject: RE: 212 Lambert Avenue Ronan Shed Issue

Some people who received this message don't often get email from jeffr@meta.com. [Learn why this is important](#)

Good afternoon,

I am submitting this location for consideration. I know Lee's recommendation was to move this further east up the driveway and locate it 5' off of the southern boundary fence. Either location would require significant property and driveway rework, as well as drainage as either location would be in yard low points.

What I have attached conforms to the current city ordinance requirement of 25' from street property boundary and 5' from the southern property boundary.

If the shed has to be relocated, this is the only acceptable location from my perspective.

Please let me know next steps here.

Thanks,



Jeff Ronan

BMS Program and Technical Strategy Lead | Center of Excellence

[Meta](#) | 8283055205

From: Tara Ronan <tararonan14@yahoo.com>

Sent: Thursday, April 13, 2023 11:42 AM

To: Jeffrey Ronan <jeffr@meta.com>

Subject: Fw: 212 Lambert Avenue Ronan Shed Issue

**This
Message
Is From
an
External
Sender**

His response

Sent from Yahoo Mail for iPhone

Begin forwarded message:

On Thursday, April 13, 2023, 11:41 AM, Lee Richards <LRichards@cityofflaglerbeach.com> wrote:

It is on my long list of things I need to do. I've already been to the site and started a report but...

Thank you for reminding me. I shall make every effort to get it done in time for their magistrate meeting.

Dr. Lee Richards, Ph.D.



**Program Coordinator for
Engineering Services**
Office: 386-517-2000 ext. 248
Cell: 386-283-1054
800 S. Daytona Ave
Flagler Beach, FL 32136

lrichards@cityofflaglerbeach.com

From: Penny Overstreet <POverstreet@CityofFlaglerBeach.com>
Sent: Thursday, April 13, 2023 11:24 AM
To: Lee Richards <LRichards@cityofflaglerbeach.com>
Cc: Tara Ronan <tararonan14@yahoo.com>; Drew Smith <dsmith@shepardfirm.com>
Subject: 212 Lambert Avenue Ronan Shed Issue

Hello Lee,

I just received a call from Mrs. Ronan. She said she and her husband had spoken with you on April 4th, and that you were going to draft a proposal regarding movement of the shed that meets setbacks, and the City reimbursing for that move. I advised you have been up against deadlines for a few grants you were directed to apply for, and numerous other assignments. She is concerned because they are scheduled to go before the Magistrate on April 26th. She is asking that you either email and update or call (386-931-2799 or tararonan14@yahoo.com). I copied Drew so if the issue has not been resolved by the Magistrate date, he can advise Magistrate Popp that the Ronan's are actively trying to resolve the situation.

Thank you in advance,

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
6386-517-2008

Florida has a very broad Public Records Law. Virtually all written communications to or from State and Local Officials and employees are public records available to the public and media upon request. The City of Flagler Beach's policy does not differentiate between personal and business emails. This means email messages, including your e-mail address and any attachments and information we receive online might be disclosed to any person or media making a public records request. E-mail sent on the City system will be considered public and will only be withheld from disclosure if deemed confidential or exempt pursuant to State Law. If you are an individual whose identifying information is exempt under



FLAGLER BEACH CITY COMMISSION

Item No. 10

Meeting Date: March 23, 2023

Issue: Plan for Stormwater Maintenance

From: Mike Abels, Interim City Manager

RECOMMENDATION: Review Stormwater Basin Maintenance Plan

BACKGROUND: At the April 20, 2023 meeting of the City Commission Staff was asked to develop a plan to clean city stormwater basins. Concurrent with this request staff was evaluating a new vacuum truck from Texas Underground that could be used to clean the stormwater basins as well as lift stations. The test made with the vacuum truck was successful. Based on that evaluation and Commission direction the truck has been rented for one month at a cost of \$10,000. The truck will be received on Monday May 22, 2023.

Staff has developed the following schedule to clean sludge from the stormwater basins using the vacuum truck.

South Daytona 28rd to 25th (May 22nd-May 24th)

South Flagler 22nd to 23rd- (May 22nd-May 24th)

Corner 5th & South Daytona (May 25th-May 26th)

N 10th, 11th, 12th - (May 29th-Jun 1)

North Flagler 2nd to 10th, roads under bridge, Palm Circle-(May 29th-Jun 4th)

North Daytona 14-17th, 20th, (Jun 1-Jun 8th)

Staff believes the truck may also be effective in cleaning retention ponds. During this period we will try to clean the retention ponds at: Moody & N. Flagler and Palm Ave & Connecticut.

BUDGETARY IMPACT: \$10,000 per month for vacuum truck. Current plan is to lease for one month and evaluate at end of month for desirability of continuing the lease. A truck can be purchased for \$280,000. There is a possibility the city could receive credit for 50% of the lease cost as a credit against the purchase price of the truck. This would have to be negotiated in purchase agreement.

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: Public Works

POLICY/REQUIREMENT FOR BOARD ACTION: Staff will evaluate the effectiveness of the vacuum truck and recommend whether a purchase would be cost beneficial.

IMPLEMENTATION/COORDINATION:

#11

NOTES TO THE QUARTERLY BUDGET QUARTER ENDED MARCH 31, 2023

GENERAL FUND

March 31st marks the end of the second quarter, 50% of our fiscal year. For the six months ended March 31, 2023, revenues in the General Fund exceeded expenditures by \$2.2 million even though hurricane related expenses are \$82,526, net of insurance proceeds. Ad Valorem, Sales and Use Taxes make up 84% of the YTD total General Fund Revenues; through March 31st we have received 93% of our Ad Valorem Revenue, \$4.4 million.

Other Revenue Stream:

License and Permits which includes revenues such as LBTR's, Reviews on Permits (related to Zoning) and Golf Cart Registrations is at 54% of the budgeted amount. This revenue is on track to meet/exceed budget.

Intergovernmental collections are at 34%. Revenues in this category include State Taxes (VOCA, Revenue Sharing, ½ Cent Sales Tax, Motor Fuel Rebate). State revenues are paid two months in arrears, so what is reflected in this report only represents YTD thru January.

Charges for Services, Special Events and Jr. Lifeguard Fees make up 82% of this budgeted revenue stream. The current trend is 21% and has increased in the current quarter and will pick up and increase over the summer months.

Fines & Forfeitures, fees include parking tickets, court fines. The City has collected 52% of these revenues, mainly due to parking tickets, which is expected to increase over the summer months and should meet/exceed the budget.

Miscellaneous Revenue, is currently at 197%. \$287,599 of this revenue is the collection of insurance proceeds from Hurricane Ian and increased interest on investment accounts. As noted on the Investment Report, Interest has actually increased over the last six months. This trend should continue the rest of the year so that we regain some of the losses we experienced in 21/22.

Capital improvements for the quarter, work continues on hurricane related damages such as Dune Walkovers; repairs at the golf course and various roof and building repairs. Work continues on Well #16 as well, which will be funded by ARPA dollars and the Waste Water Treatment is moving along in the process. Wickline windows and doors will be completed in Q3 along with street lighting and pavement projects.

CRA FUND

Revenues for the CRA are generated by TIF (Tax Increment Funding). The City, Flagler County and East Coast Mosquito Control contribute a portion of the ad valorem they earn to the CRA District. This year the CRA was budgeted to receive \$468,462; which is a 23.6% increase over the amount of revenue received for 2021-22. YTD revenue received is \$466,266 or 99.5%. Revenue is exceeding expenses by \$262,789.

The City did budget some major projects in the CRA for the 2022- 2023 Budget Year. The projects are: decorative street lighting; small and large redevelopment grants and small business beautification grants.

NOTES TO THE QUARTERLY BUDGET QUARTER ENDED MARCH 31, 2023

BUILDING CODE INSPECTION FUND

As of March 31st, revenues exceeded expenses by \$153,170. The department has collected 72% of the anticipated \$444,000 budgeted for licenses and permitting fees.

PIER ENTERPRISE FUND

The Pier currently operates 6:00 a.m. to 5:00 p.m., seven days per week but it will be closing on June 1st. Due to the damage from the two hurricanes, the revenue stream from pier has been drastically impacted. However, we have received insurance proceeds of \$485,750 for the loss of the pier.

Expenditures exceed Revenues by \$459,686 at the end of the second quarter. This is mainly due to the pier design, the Funky Pelican dumpster pad and hurricane expenses of \$176,505.

Fees for Pier admissions are negative due to pier pass refunds. Total refunds issued \$2,459.

UTILITY FUND

Utility Revenues are at 18.25% compared to the 50% threshold. This is due to the fact that grant revenue has not been recognized yet as well as the proceeds from the WWTP loan. If the grant revenue and WWTP loan proceeds are not included, the utility service revenue is at 45%. This is slightly behind trend due to missing one month of rate increases and one month in arrears.

Revenues are exceeding expenditures by \$712,674, even though there is \$289,107 of hurricane expenses included. The city did receive, in Q3, \$130k of insurance proceeds for the lift station at Snack Jack's.

SANITATION FUND

Sanitation Revenues are slightly under the 50% threshold at 47% due to mainly missing one month of rate increase revenue and one month in arrears.

Expenditures are exceeding Revenues by \$174,599. This is due to hurricanes Ian and Nicole expenses of \$186,190.

STORMWATER FUND

Revenues are currently at 40%. However, charges for service are at 45%, just slightly below the 50% mark. This due to mainly missing one month of rate increase revenue and one month in arrears. Fund revenues are exceeding expenses by \$250,405.

NOTES TO THE QUARTERLY BUDGET QUARTER ENDED MARCH 31, 2023

ENCUMBERED, RESTRICTED AND AVAILABLE CASH BALANCES

This report is provided to show cash position on March 31, 2023.

Cash and Investment Section shows reconciled balance of cash in each fund. Remaining Salary and Operational budgets for each fund are averaged and deducted from the totals.

Restricted Funds Section, gives the balances as of March 31st of each restricted fund.

Debt Service Section, lists the unpaid annual debt service for those funds with debt.

Budgeted Projects Section, is capital projects and equipment budgeted for the year, less any invoices paid.

INVESTMENT REPORT

This report is provided to show interest earned on investments and the percentage of funds in each type of investment.

BUDGET LINE TRANSFERS

Report attached.

March 2023

General Fund

		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
REVENUES								
Total Dept 3100-	AD VALOREM, SALES AND USE TAXES	6,237,927	6,237,927	5,089,942		81.60%	50.00%	31.60%
Total Dept 3200-	LICENSE & PERMITS	187,700	188,209	101,938		54.16%	50.00%	4.16%
Total Dept 3300-	INTERGOVERNMENTAL	1,059,392	1,045,358	352,938		33.76%	50.00%	-16.24%
	ARPA FUNDING		454,745			0.00%	50.00%	-50.00%
Total Dept 3400-	CHARGES FOR SERVICE	13,922	16,422	3,419		20.82%	50.00%	-29.18%
Total Dept 3500-	FINES & FORFEITURES	59,250	59,250	30,554		51.57%	50.00%	1.57%
Total Dept 3600-	MISCELLANEOUS REVENUE	55,500	253,430	499,604		197.14%	50.00%	147.14%
TOTAL Revenues		7,613,691	8,255,341	6,078,395	0	73.63%	50.00%	23.63%

		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
EXPENDITURES								
Total Dept 5111-	COMMISSION	103,791	105,476	44,982	14,462	42.65%	50.00%	-7.35%
Total Dept 5122-	EXECUTIVE	182,897	183,590	107,496	1,437	58.55%	50.00%	8.55%
Total Dept 5123-	CITY CLERK	355,957	363,602	160,281	6,981	44.08%	50.00%	-5.92%
Total Dept 5124-	HUMAN RESOURCES	119,475	119,780	49,647	8,595	41.45%	50.00%	-8.55%
Total Dept 5131-	FINANCE	329,876	331,082	135,384	9,899	40.89%	50.00%	-9.11%
Total Dept 5141-	LEGAL	190,800	190,800	71,875	76,125	37.67%	50.00%	-12.33%
Total Dept 5191-	MAINTENANCE	996,377	1,119,898	335,400	367,584	29.95%	50.00%	-20.05%
Total Dept 5192-	GENERAL GOVERNMENT	631,356	1,834,234	891,022	938,424	48.58%	50.00%	-1.42%
Total Dept 5214-	POLICE DEPARTMENT	2,261,485	2,436,228	1,079,112	216,925	44.29%	50.00%	-5.71%
Total Dept 5215-	VICTIM'S ADVOCATE	133,963	134,233	62,102	1,742	46.26%	50.00%	-3.74%
Total Dept 5221-	FIRE DEPARTMENT	1,295,943	1,297,681	562,346	55,453	43.33%	50.00%	-6.67%
Total Dept 5241-	PLANNING & ZONING	247,938	341,878	102,503	87,553	29.98%	50.00%	-20.02%
Total Dept 5411-	ROADS & STREETS	462,808	484,075	69,560	133,226	14.37%	50.00%	-35.63%
Total Dept 5711-	LIBRARY	186,583	190,015	77,906	10,286	41.00%	50.00%	-9.00%
Total Dept 5712-	MUSEUM	10,340	10,340	1,537	2,303	14.86%	50.00%	-35.14%
Total Dept 5722-	BEACH DEPARTMENT	365,027	366,237	66,144	25,138	18.06%	50.00%	-31.94%
Total Dept 5800-	RECREATION	118,035	136,070	28,659	15,565	21.06%	50.00%	-28.94%
TOTAL Expenditures		7,992,651	9,645,223	3,845,956	1,971,699	39.87%	50.00%	-10.13%

GENERAL FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	7,613,691	8,255,341	6,078,395
TRANSFERS IN RESTRICTED RESERVES	610,355	610,355	
TRANSFERS IN UNRESTRICTED RESERVES	0	0	
USE (RETURN) OF Unrestricted FUND BALANCE RESERVES	(26,095)	716,008	
TRANSFERS OUT (ISX Funds)	(205,300)	(205,300)	
ENCUMBERED FROM PRIOR YEAR (Use of Unrestricted Funds)	0	268,819	
TOTAL EXPENDITURES	7,992,651	9,645,223	3,845,956
NET OF REVENUES & EXPENDITURES	0	0	2,232,440

March 2023

CRA Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3100-	AD VALOREM TAXES	468,462	468,462	466,266		99.53%	50.00%	49.53%
Total Dept 3300-	INTERGOVERNMENTAL	170,000	170,000	-		0.00%	50.00%	-50.00%
Total Dept 3400	CHARGES FOR SERVICES	2,500	2,500	-				
TOTAL Revenues		640,962	640,962	466,266	0	72.74%	50.00%	22.74%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5391-	FUND EXPENSE	343,746	318,746	72,674	32,523	22.80%	50.00%	-27.20%
	REDEVELOPMENT GRANTS	60,000	85,000	5,255	52,947			
Total Dept 5392-	DEBT SERVICE	74,536	74,536	5,996	68,996	8.04%	50.00%	-41.96%
Total Dept 5392-	CAPITAL IMPROVEMENTS	678,250	714,086	119,552	128,204	16.74%	50.00%	-33.26%
TOTAL Expenditures		1,156,532	1,192,368	203,477	282,670	17.06%	50.00%	-32.94%

CRA FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	640,962	640,962	466,266
USE (RETURN) OF FUND BALANCE RESERVES	515,570	515,570	
ENCUMBERED FROM PRIOR YEAR (Use of Unrestricted Funds)		35,836	
TOTAL EXPENDITURES	1,156,532	1,192,368	203,477
NET OF REVENUES & EXPENDITURES	-	-	262,789

Building Code Inspection Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3200-	LICENSE & PERMITS	444,000	444,000	321,118		72.32%	50.00%	22.32%
	ARPA FUNDING		888			0.00%	50.00%	-50.00%
Total Dept 3600-	MISC REVENUE (PASS THRU REVENUE)	0	0	15,250		#DIV/0!	50.00%	#DIV/0!
TOTAL Revenues		444,000	444,888	336,368	0	75.61%	50.00%	25.61%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5242-	BUILDING CODE INSPECTION	517,642	518,530	183,197	16,312	35.33%	50.00%	-14.67%
TOTAL Expenditures		517,642	518,530	183,197	16,312	35.33%	50.00%	-14.67%

BUILDING CODE INSPECTION FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	444,000	444,888	336,368
USE (RETURN) OF FUND BALANCE RESERVES	92,642	92,642	
TRANSFERS OUT (EDUCATION FEES)	(19,000)	(19,000)	
ENCUMBERED FROM PRIOR YEAR			
TOTAL EXPENDITURES	517,642	518,530	183,197
NET OF REVENUES & EXPENDITURES	-	0	153,170

March 2023

Pier Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3400-	CHARGES FOR SERVICE	152,000	152,000	8,942		5.88%	50.00%	-44.12%
	INTERGOVERNMENTAL	831,250	1,001,597	0				
	ARPA FUNDING		1,762			0.00%	50.00%	-50.00%
Total Dept 3600-	MISCELLANEOUS REVENUE	120,000	120,000	530,662		442.22%	50.00%	392.22%
TOTAL Revenues		1,103,250	1,275,359	539,604	0	42.31%	50.00%	-7.69%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5725-	PIER BAIT SHOP	235,847	238,905	160,724	14,171	67.28%	50.00%	17.28%
	CAPITAL IMPROVEMENTS	952,350	1,435,310	838,567	598,457	58.42%	50.00%	8.42%
TOTAL Expenditures		1,188,197	1,674,215	999,290	612,629	59.69%	50.00%	9.69%

PIER FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	1,103,250	1,275,359	539,604
USE (RETURN) OF FUND BALANCE RESERVES (Due to General Fund)	84,947	84,947	
ENCUMBERED FROM PRIOR YEAR		313,909	
TOTAL EXPENDITURES	1,188,197	1,674,215	999,290
NET OF REVENUES & EXPENDITURES	-	-	(459,686)

March 2023

Utility Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO				
				DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3300	GRANT REVENUE	1,917,500	1,436,524	0		0.00%	50.00%	-50.00%
	ARPA FUNDING		1,640,765			0.00%	50.00%	-50.00%
Total Dept 3400	CHARGES FOR SERVICE (WATER FLOW)	1,300,000	1,385,816	580,307		41.87%	50.00%	-8.13%
Total Dept 3400	CHARGES FOR SERVICE (SEWER FLOW)	970,000	1,034,032	517,011		50.00%	50.00%	0.00%
Total Dept 3400	CHARGES FOR SERVICE (WATER BASE FEES)	1,840,000	1,961,463	898,930		45.83%	50.00%	-4.17%
Total Dept 3400	CHARGES FOR SERVICE (SEWER BASE FEES)	1,263,400	1,346,374	588,389		43.70%	50.00%	-6.30%
Total Dept 3400	CHARGES FOR SERVICE (MISC Fees)	101,000	101,000	40,815		40.41%	50.00%	-9.59%
Total Dept 3500	FINES & FORFEITURES	37,000	37,000	30,260		81.78%	50.00%	31.78%
	WATER SEWER IMPACT FEES	340,000	348,496	229,812		65.94%	50.00%	15.94%
	PROCEEDS FROM SRF LOAN FOR WWTP	8,200,000	8,200,000	0				
Total Dept 3600	MISCELLANEOUS REVENUE	27,000	178,160	77,327		43.40%	50.00%	-6.60%
TOTAL Revenues		15,995,900	16,233,106	2,962,852	0	18.25%	50.00%	-31.75%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO				
				DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5331-	WATER TREATMENT PLANT	2,029,993	2,411,484	468,813	547,548	19.44%	50.00%	-30.56%
Total Dept 5332-	T&D - WATER TRANSMISSION & DISTRIBUTION	809,111	1,040,340	210,165	181,147	20.20%	50.00%	-29.80%
Total Dept 5351-	WASTE WATER TREATMENT PLANT	8,863,561	10,566,777	341,811	191,896	3.23%	50.00%	-46.77%
Total Dept 5352-	SEWER COLLECTION	1,139,236	1,197,446	85,205	93,542	7.12%	50.00%	-42.88%
Total Dept 5353-	LIFT STATION MAINTENANCE	1,431,564	1,842,557	437,833	348,840	23.76%	50.00%	-26.24%
Total Dept 5391-	FUND EXPENSE	676,804	690,706	449,333	56,298	65.05%	50.00%	15.05%
Total Dept 5391-	DEBT SERVICE	514,506	514,506	257,020	0	49.95%	50.00%	-0.05%
TOTAL Expenditures		15,464,775	18,263,816	2,250,178	1,419,272	12.32%	50.00%	-37.68%

UTILITY FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	15,995,900	16,233,106	2,962,852
USE (RETURN) OF FUND BALANCE RESERVES	(191,125)	900,748	
TRANSFERS IN (RESTRICTED IMPACT FEES)	0	0	
TRANSFERS OUT (RESTRICTED IMPACT FEES)	(340,000)	(340,000)	
ENCUMBERED FROM PRIOR YEAR		1,469,961	
TOTAL EXPENDITURES	15,464,775	18,263,816	2,250,178
NET OF REVENUES & EXPENDITURES	-	(0)	712,674

March 2023

Sanitation Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3300	INTERGOVERNMENTAL	0	80,863	0		0.00%	50.00%	-50.00%
	ARPA FUNDING		2,070			0.00%	50.00%	-50.00%
Total Dept 3400	CHARGES FOR SERVICE	1,380,000	1,450,050	693,800		47.85%	50.00%	-2.15%
Total Dept 3500	FINES & FORFEITURES	9,000	9,000	6,774		75.27%	50.00%	25.27%
Total Dept 3600	MISCELLANEOUS REVENUE	19,300	19,300	29,412		152.39%	50.00%	102.39%
TOTAL Revenues		1,408,300	1,561,283	729,986	0	46.76%	50.00%	-3.24%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5341	REFUSE COLLECTION	1,333,861	1,612,244	780,529	645,098	48.41%	50.00%	-1.59%
	DEBT SERVICE	103,607	103,607	34,535	34,536	33.33%	50.00%	-16.67%
Total Dept 5391	FUND EXPENSE	176,268	176,885	89,521	15,052	50.61%	50.00%	0.61%
TOTAL Expenditures		1,613,736	1,892,736	904,585	694,686	47.79%	50.00%	-2.21%

SANITATION FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	1,408,300	1,561,283	729,986
USE (RETURN) OF FUND BALANCE RESERVES	205,436	136,003	
ENCUMBERED FROM PRIOR YEAR		195,450	
TOTAL EXPENDITURES	1,613,736	1,892,736	904,585
NET OF REVENUES & EXPENDITURES	-	0	(174,599)

Stormwater Fund

REVENUES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 3300	INTERGOVERNMENTAL (GRANTS)	100,000	101,238	0		0.00%	50.00%	-50.00%
	ARPA FUNDING		0			#DIV/0!	50.00%	#DIV/0!
Total Dept 3400	CHARGES FOR SERVICE	735,000	735,000	333,184		45.33%	50.00%	-4.67%
Total Dept 3500	FINES & FORFEITURES	4,000	4,000	3,386		84.65%	50.00%	34.65%
Total Dept 3600	MISCELLANEOUS REVENUE	500	500	2,535		506.93%	50.00%	456.93%
TOTAL Revenues		839,500	840,738	339,104	0	40.33%	50.00%	-9.67%

EXPENDITURES		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE	ENCUMBERED	PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
Total Dept 5391-	FUND EXPENSE	706,133	729,173	78,384	607,749	10.75%	50.00%	-39.25%
Total Dept 5391-	DEBT SERVICE	123,431	123,431	10,316	112,661	8.36%	50.00%	-41.64%
TOTAL Expenditures		829,564	852,604	88,700	720,410	10.40%	50.00%	-39.60%

STORMWATER FUND SUMMARY			
	ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO DATE
TOTAL REVENUES	839,500	840,738	339,104
USE (RETURN) OF FUND BALANCE RESERVES	(9,936)	(9,936)	
ENCUMBERED FROM PRIOR YEAR		21,802	
TOTAL EXPENDITURES	829,564	852,604	88,700
NET OF REVENUES & EXPENDITURES	-	-	250,405

March 2023

All Funds Budget Report

REVENUES

FUND		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO		PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
				DATE	ENCUMBERED			
001	GENERAL FUND	7,610,191	8,255,341	6,078,395		73.63%	50.00%	23.63%
101	CRA FUND	640,962	640,962	466,266		72.74%	50.00%	22.74%
102	BUILDING CODE INSPECTION FUND	444,000	444,888	336,368		75.61%	50.00%	25.61%
103	PIER FUND	1,103,250	1,275,359	539,604		42.31%	50.00%	-7.69%
401	UTILITY FUND	15,995,900	16,233,106	2,962,852		18.25%	50.00%	-31.75%
403	SANITATION FUND	1,408,300	1,561,283	729,986		46.76%	50.00%	-3.24%
405	STORMWATER FUND	839,500	840,738	339,104		40.33%	50.00%	-9.67%
TOTAL REVENUES		28,042,103	29,251,677	11,452,575		39.15%	50.00%	-10.85%

EXPENDITURES

FUND		ORIGINAL BUDGET	AMENDED BUDGET	ACTUAL YEAR TO		PERCENT REALIZED	PERCENT OF YEAR	VARIANCE
				DATE	ENCUMBERED			
001	GENERAL FUND	7,992,651	9,645,223	3,845,956	1,971,699	39.87%	50.00%	-10.13%
101	CRA FUND	1,156,532	1,192,368	203,477.08	282,669.71	17.06%	50.00%	-32.94%
102	BUILDING CODE INSPECTION FUND	517,642	518,530	183,197	16,312	35.33%	50.00%	-14.67%
103	PIER FUND	1,188,197	1,674,215	999,290	612,629	59.69%	50.00%	9.69%
401	UTILITY FUND	15,464,775	18,603,819	2,250,178	1,419,272	12.10%	50.00%	-37.90%
403	SANITATION FUND	1,613,736	1,892,736	904,585	694,686	47.79%	50.00%	-2.21%
405	STORMWATER FUND	829,564	852,604	88,700	720,410	10.40%	50.00%	-39.60%
TOTAL EXPENDITURES		28,763,097	34,379,493	8,475,383	5,717,677	24.65%	50.00%	-25.35%

REVENUES LESS EXPENDITURES

FUND		ACTUAL YEAR TO	
		DATE	
001	GENERAL FUND	2,232,440	
101	CRA FUND	262,789	
102	BUILDING CODE INSPECTION FUND	153,170	
103	PIER FUND	(459,686)	
401	UTILITY FUND	712,674	
403	SANITATION FUND	(174,377)	
405	STORMWATER FUND	250,405	
TOTAL REVENUES LESS EXPENDITURES		2,977,192	

Encumbered, Restricted and Available Cash Balances

Friday, March 31, 2023

FUND	Total Cash Balances	Restricted Funds	Debt Service	Budgeted Projects	Unrestricted Cash Balance
<i>General</i>	9,152,869	2,213,702	-	824,563	6,114,604
<i>American Rescue Plan Act</i>	1,763,665	-	-	1,742,495	21,170
<i>Building Code Inspection</i>	394,758	78,274	-	42,100	274,384
<i>Pier Enterprise</i>	111,634	-	-	598,457	(486,823)
<i>Utility Fund</i>	12,280,693	6,225,704	257,020	3,380,375	2,417,594
<i>Sanitation</i>	706,934	-	34,536	213,251	459,147
<i>Stormwater</i>	1,076,594	-	112,161	485,895	478,538
<i>CRA</i>	815,381	-	68,996	593,151	153,234
Totals	26,302,528	8,517,680	472,713	7,880,287	9,431,848

ARPA Funds Report

PROJECT	BUDGET	EXPENDITURES	REMAINING BALANCE
➤ City-wide Fiber Optic Loop Phase 1 - \$359,000	352,725	(119,503)	233,222
➤ Premium Pay for Essential Workers - \$82,000	93,371	(92,615)	756
➤ New Well Planning & Construction - \$1,000,000 (Well #16 Project 209)	1,000,000	(2,501)	997,499
➤ Pump Station Rebuilds - \$710,000	710,000	(178,807)	531,193
➤ Aeroclave - \$40,000	33,455	(32,460)	995
➤ Drone	7,497	(7,497)	-
Small Business Projects:			-
➤ Economic Gardening Research Support Contract - \$68,000	68,000		68,000
➤ Small Business Mini Grants- \$305,000	305,000	(373,000)	(68,000)
<i>Completed Projects (net of Budget over/under)</i>			(21,170)
TOTALS	2,570,048	(806,383)	1,742,495

Quarterly Cash Investment Report
As of 03/31/2023

<u>Account</u>	<u>Rate of Return on</u> <u>03/31/23</u>	<u>10/1/22</u>	<u>03/31/23</u>	<u>% of Investment</u>
Florida Prime	4.84%	9,107,596	10,043,355	38%
Florida Municipal Investment	4.16%	7,788,541	7,956,820	30%
Truist Operating Accounts	0.19%	6,537,027	8,742,716	33%
Total All Accounts		23,433,164	26,742,891	
<u>Florida Prime</u>				
For the quarter ended 03/31/23, the Florida Prime accounts earned \$115,607 in interest.				
<u>Florida Municipal Investment</u>				
For the quarter ended 03/31/23, the FL Municipal Investment gained \$109,822.				
<u>Truist Operating Accounts</u>				
The City earns .19% on monthly balances in the Operating Account, this is used to offset banking fees.				

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
13337 POSTED BY RALLEN	11/08/2022	BA	SILVER LAKE PARK TREES	RALLEN		
001.5800.606300	IMPROVEMENTS					3,000.00
001.3600.384000	Other Funding Sources				3,000.00	
					3,000.00	3,000.00
13357 POSTED BY RALLEN	11/16/2022	BA	PLAQUES FOR VETERAN'S PARK BENCHES	RALLEN		
001.3600.384000	Other Funding Sources				483.45	
001.5111.304800	PROMOTIONAL ACTIVITIES					483.45
					483.45	483.45
13380 POSTED BY RALLEN	11/22/2022	BA	RESOLUTION 2022-23 ENCUMBERANCES	RALLEN		
001.5192.303100	PROFESSIONAL SERVICES					850.00
001.5192.303400	CONTRACTUAL SERVICES					1,197.00
001.5241.303100.226	THE PRESERVE					21,020.00
001.5241.303100.247	CALIBER CAR WASH					5,143.00
001.5241.303100.257	FLAGLER BEACH DENTAL PRACTICE					6,657.00
001.5241.303100.227	BEACH PARK VILLAGE					29,976.00
001.5192.606300.240	ARPA FIBER OPTIC LOOP					254,211.00
001.5192.303100.246	ARPA MINI GRANTS					186,500.00
001.5192.303100	PROFESSIONAL SERVICES					3,727.00
001.5192.303100.245	OCEAN PALMS GOLF COURSE					5,700.00
001.5192.303100	PROFESSIONAL SERVICES					9,443.00
001.5214.606401	EQUIPMENT LESS THAN \$5000					3,057.00
001.5214.606400.095	POLICE VEHICLES					129,083.00
001.5800.606300	IMPROVEMENTS					8,191.00
001.5241.303100.227	BEACH PARK VILLAGE					2,731.00
001.5241.303100.226	THE PRESERVE					167.00
001.5241.303100.239	COMPASS HOTEL PROF SERVICES					7,688.00
001.5241.303100.233	VERANDA BAY PROF SERVICES					19,962.00
001.5214.606400	CAPITALIZED EQUIPMENT					14,227.00
001.3300.331108.240	ARPA FUNDS SPENT				254,211.00	
001.3300.331108.246	ARPA FUNDS SPENT				186,500.00	
001.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR				268,819.00	
103.5725.606200.201	FUNKY PELICAN DUMPSTER AREA					319,762.00
103.5725.303100.260	PROFESSIONAL SERVICES					20,485.00
103.3300.331101.260	FEDERAL/STATE GRANT-FEMA				26,338.00	
103.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR				313,909.00	
403.5341.606402	SANITATION TRUCKS					195,450.00
403.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR				195,450.00	
405.5391.303100	PROFESSIONAL SERVICES					15,089.00
405.5391.303100.233	VERANDA BAY/THE GARDENS					919.00
405.5391.303100.234	CUSTER'S PALM HARBOR					1,823.00
405.5391.303100.235	PALM HARBOR PROF SERV					3,472.00
405.5391.303100	PROFESSIONAL SERVICES					499.00
405.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR				21,802.00	
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					3,450.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					1,680.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					1,677.00
101.5391.606400	CAPITALIZED EQUIPMENT					15,065.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					5,000.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					2,464.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					1,500.00
101.5391.606303	SMALL BUSINESS BEAUTIFICATION					5,000.00
101.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR				35,836.00	
401.5332.303100	PROFESSIONAL SERVICES					11,895.00
401.5332.606300.176	METER RADIO READ REPLACEMENT					41,840.00
401.5391.303100	PROFESSIONAL SERVICES					9,443.00
401.5332.304600	REPAIRS & MAINTENANCE					6,969.00
401.5332.606300.204	WATER SYSTEM REHAB/REPLACE					1,194.00
401.5332.606300.204	WATER SYSTEM REHAB/REPLACE					138,813.00
401.5391.303100.254	ROBERTS ROAD WATER MAIN					8,496.00
401.5353.606300.170	LS-11 OCEAN MARINA					839.00
401.5353.606300.262	IMPROVEMENTS					50,540.00
401.5353.606300.171	IMPROVEMENTS					46,356.00
401.5353.304600.263	REPAIRS & MAINTENANCE					8,659.00
401.5353.304600	REPAIRS & MAINTENANCE					7,350.00
401.5353.304600.132	LS-03 20TH ST SOUTH					750.00
401.5351.304600	REPAIRS & MAINTENANCE					9,750.00
401.5351.304400.261	RENTALS & LEASES					26,800.00
401.5331.606300	IMPROVEMENTS					13,595.00
401.5331.606401	EQUIPMENT LESS THAN \$5000					3,281.00
401.5331.606300	IMPROVEMENTS					8,996.00
401.5331.606300	IMPROVEMENTS					41,538.00

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
401.5331.606300	IMPROVEMENTS					7,029.00
401.5331.606400.208	WTP HIGH SERVICE PUMPS					47,260.00
401.5331.606300.203	WELL #15 CONSTRUCTION					138,912.00
401.5331.303100.203	WELL #15 DESIGN					4,131.00
401.5332.606300.204	WATER SYSTEM REHAB/REPLACE					12,042.00
401.5351.606300.238	WWTP SCREW PRESS					1,666,083.00
401.3300.331102.238	GRANT WWTP SCREW PRESS			850,000.00		
401.5353.606400	CAPITALIZED EQUIPMENT					7,400.00
401.5331.303100.209	WELL #16					115,000.00
401.3300.331108.209	ARPA FUNDS SPENT			115,000.00		
401.3800.389101	ENCUMBERED TO FUND BAL FROM PRIOR YEAR			1,469,961.00		
				3,737,826.00	3,737,826.00	
13390 POSTED BY RALLEN	11/23/2022	BA	THANKSGIVING MEALS	RALLEN		
001.5111.304800	PROMOTIONAL ACTIVITIES					425.00
001.3600.384000	Other Funding Sources			425.00		
				425.00	425.00	
13405 POSTED BY RALLEN	11/29/2022	BA	THANKSGIVING FOOD	RALLEN		
001.5111.304800	PROMOTIONAL ACTIVITIES					74.85
001.3600.384000	Other Funding Sources			74.85		
				74.85	74.85	
13572 POSTED BY RALLEN	01/24/2023	BA	PLAQUES FOR VETERAN'S PARK BENCHES	RALLEN		
001.3600.384000	Other Funding Sources			701.95		
001.5111.304800	PROMOTIONAL ACTIVITIES					701.95
				701.95	701.95	
13595 POSTED BY RALLEN	02/02/2023	BA	CHALLENGE COIN PURCHASE	RALLEN		
001.5214.305200	OPERATING SUPPLIES					283.36
001.3600.384000	Other Funding Sources			283.36		
				283.36	283.36	
13655 POSTED BY RALLEN	02/21/2023	BA	BUDGET AMENDMENT CRA	RALLEN		
101.5391.304800	PROMOTIONAL ACTIVITIES			10,000.00		
101.5391.808204	LARGE REDEVELOPMENT INCENTIVE GRANT					10,000.00
101.5391.304600	REPAIRS & MAINTENANCE			15,000.00		
101.5391.808204	LARGE REDEVELOPMENT INCENTIVE GRANT					15,000.00
				25,000.00	25,000.00	
13871 POSTED BY RALLEN	02/27/2023	BA	RESOLUTION 2023-03	RALLEN		
401.3600.369200	INSURANCE PROCEEDS			499.98		
401.5353.464100	VEHICLE REPAIRS & MAINTENANCE					499.98
001.3600.369200	INSURANCE PROCEEDS			605.50		
001.5221.464100	VEHICLE REPAIRS & MAINTENANCE					605.50
001.3600.369200.264	INSURANCE PROCEEDS			192,355.90		
001.5191.304600.264	REPAIRS & MAINTENANCE					41,201.30
001.5191.304602.264	DUNE WALKOVER REPAIRS & MAINTENANCE					55,707.05
001.5192.304600.264	REPAIRS & MAINTENANCE					67,986.94
001.5192.303100.264	HURR IAN - PROFESSIONAL SERVICES					27,460.61
001.5214.606400.095	POLICE VEHICLES					19,220.25
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE			19,220.25		
001.5191.304400.107	RENTALS/LEASES XMAS DECORATIONS					230.00
001.5191.606401	EQUIPMENT LESS THAN \$5000			230.00		
401.5332.304600.048	FIRE HYDRANTS R&M					54,470.73
401.5332.909306	INFRASTRUCTURE RESERVE			54,470.73		
401.5353.304600.268	REPAIRS & MAINTENANCE					41,750.00
401.5353.304600	REPAIRS & MAINTENANCE			41,750.00		
405.5391.606300.217	S FLAGLER 9TH -13TH					96,000.00
405.5391.606300	IMPROVEMENTS			96,000.00		
405.5391.606300.218	PALM VISTA SUBDIVISION			210,760.00		
405.5391.606300.217	S FLAGLER 9TH -13TH					161,796.00
405.5391.304600	REPAIRS & MAINTENANCE					48,844.00
405.5391.606300.217	S FLAGLER 9TH -13TH					120.00
001.5122.303100	PROFESSIONAL SERVICES					37.80
001.5123.303100	PROFESSIONAL SERVICES					241.50

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
001.5124.303100	PROFESSIONAL SERVICES					69.30
001.5131.303100	PROFESSIONAL SERVICES					394.80
001.5191.303100	PROFESSIONAL SERVICES					163.80
001.5214.303100	PROFESSIONAL SERVICES					4,291.35
001.5221.303100	PROFESSIONAL SERVICES					1,587.60
001.5241.303100	PROFESSIONAL SERVICES					298.20
001.5411.303100	PROFESSIONAL SERVICES					53.55
001.5711.303100	PROFESSIONAL SERVICES					245.70
001.5722.303100	PROFESSIONAL SERVICES					90.30
001.5800.303100	PROFESSIONAL SERVICES					22.05
401.5331.303100	PROFESSIONAL SERVICES					785.40
401.5331.303100	PROFESSIONAL SERVICES					430.50
401.5351.303100	PROFESSIONAL SERVICES					451.50
401.5352.303100	PROFESSIONAL SERVICES					58.80
401.5353.303100	PROFESSIONAL SERVICES					193.20
401.5391.303100	PROFESSIONAL SERVICES					354.90
403.5341.303100	PROFESSIONAL SERVICES					601.65
403.5391.303100	PROFESSIONAL SERVICES					128.10
001.5122.101200	SALARY				37.80	
001.5123.101200	SALARY				241.50	
001.5124.101200	SALARY				69.30	
001.5131.101200	SALARY				394.80	
001.5191.101200	SALARY				163.80	
001.5214.101200	SALARY				4,291.35	
001.5221.101200	SALARY				1,587.60	
001.5241.101200	SALARY				298.20	
001.5411.101200	SALARY				53.55	
001.5711.101200	SALARY				245.70	
001.5722.101200	SALARY				90.30	
001.5800.101200	SALARY				22.05	
401.5331.101200	SALARY				785.40	
401.5331.101200	SALARY				430.50	
401.5351.101200	SALARY				451.50	
401.5352.101200	SALARY				58.80	
401.5353.101200	SALARY				193.20	
401.5391.101200	SALARY				354.90	
403.5341.101200	SALARY				601.65	
403.5391.101200	SALARY				128.10	
001.5192.304500	INSURANCE					2,698.55
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE			2,698.55		
401.5391.304500	INSURANCE					4,458.52
401.3800.389102	AMENDED APPROPRIATED FUND BALANCE			4,458.52		
403.5391.304500	INSURANCE					616.65
403.3800.389102	AMENDED APPROPRIATED FUND BALANCE			616.65		
001.3400.347501	SPECIAL EVENT FEES/SPONSORSHIPS			2,500.00		
001.5191.303400	CONTRACTUAL SERVICES					5,000.00
001.5192.304300	UTILITY SERVICES					20,000.00
001.5411.304600	REPAIRS & MAINTENANCE ROADWAYS					15,000.00
001.5192.304800	PROMOTIONAL ACTIVITIES					10,000.00
001.5192.304800	PROMOTIONAL ACTIVITIES					3,000.00
001.5191.606400	CAPITALIZED EQUIPMENT					10,000.00
001.5800.305200	OPERATING SUPPLIES					6,553.00
001.5191.305200	OPERATING SUPPLIES					700.00
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE			67,753.00		
001.5122.101200.228	SALARY- ARPA BONUS					270.70
001.5122.102100.228	FICA/MEDICARE - ARPA BONUS					20.70
001.5123.101200.228	SALARY - ARPA BONUS					270.72
001.5123.102100.228	FICA/MEDICARE - ARPA BONUS					20.72
001.5124.101200.228	SALARY					283.26
001.5124.102100.228	FICA/MEDICARE					21.66
001.5131.101200.228	SALARY- ARPA BONUS					1,120.53
001.5131.102100.228	FICA/MEDICARE - ARPA BONUS					85.73
001.5191.101200.228	SALARY - ARPA BONUS					553.99
001.5191.102100.228	FICA/MEDICARE - ARPA BONUS					42.39
001.5214.101200.228	SALARY - ARPA BONUS					812.11
001.5214.102100.228	FICA/MEDICARE - ARPA BONUS					62.11
001.5215.101200.228	SALARY - ARPA BONUS					270.71
001.5214.102100.228	FICA/MEDICARE - ARPA BONUS					20.71
001.5241.101200.228	SALARY - ARPA BONUS					553.96
001.5241.102100.228	FICA/MEDICARE - ARPA BONUS					42.36
001.5711.101200.228	SALARY - ARPA BONUS					541.41
001.5711.102100.228	FICA/MEDICARE - ARPA BONUS					41.41
001.5722.101200.228	SALARY - ARPA BONUS					1,098.34
001.5722.102100.228	FICA/MEDICARE - ARPA BONUS					84.03
001.5722.102200.228	RETIREMENT					27.73
001.5800.101200.228	SALARY - ARPA BONUS					270.71
001.5800.102100.228	FICA/MEDICARE - ARPA BONUS					20.71
001.3300.331108.228	ARPA FUNDS SPENT			6,536.70		

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
102.5242.101200.228	SALARY - ARPA BONUS					824.68
102.5242.102100.228	FICA/MEDICARE - ARPA BONUS					63.08
102.3300.331108.228	ARPA FUNDS SPENT			887.76		
103.5725.101200.228	SALARY - ARPA BONUS					1,636.80
103.5725.102100.228	FICA/MEDICARE - ARPA BONUS					125.20
103.3300.331108.228	ARPA FUNDS SPENT			1,762.00		
401.5331.101200.228	SALARY - ARPA BONUS					1,624.25
401.5331.102100.228	FICA/MEDICARE - ARPA BONUS					124.25
401.5332.101200.228	SALARY - ARPA BONUS					1,378.65
401.5332.102100.228	FICA/MEDICARE - ARPA BONUS					105.46
401.5351.101200.228	SALARY - ARPA BONUS					541.42
401.5351.102100.228	FICA/MEDICARE - ARPA BONUS					41.42
401.3300.331108.228	ARPA FUNDS SPENT			3,815.45		
403.5341.101200.228	SALARY - ARPA BONUS					1,922.73
403.5341.102100.228	FICA/MEDICARE - ARPA BONUS					147.10
403.3300.331108.228	ARPA FUNDS SPENT			2,069.83		
402.5391.303100.254	PROFESSIONAL SERVICES					8,496.24
402.3600.363204	WATER IMPACT FEES			8,496.24		
103.5725.303100.260	PROFESSIONAL SERVICES					950,000.00
103.5725.303100	PROFESSIONAL SERVICES			950,000.00		
					1,677,987.06	1,677,987.06
13672	02/27/2023	BA	RESOLUTION 2023-03 II	RALLEN		
POSTED BY RALLEN						
001.5214.606400.267	CAPITALIZED EQUIPMENT					7,497.21
001.3300.331108.267	ARPA FUNDS SPENT			7,497.21		
401.5353.303100.268	PROFESSIONAL SERVICES					182,700.00
401.5353.304600	REPAIRS & MAINTENANCE			78,250.00		
401.3300.331108.268	ARPA FUNDS SPENT			104,450.00		
					190,197.21	190,197.21
13673	02/28/2023	BA	RESOLUTION 2023-03 III	RALLEN		
POSTED BY RALLEN						
001.5122.304800.264	PROMOTIONAL ACTIVITIES					225.00
001.5122.305200.264	OPERATING SUPPLIES					86.97
001.5191.303400.264	CONTRACTUAL SERVICES					5,670.00
001.5191.304600.264	REPAIRS & MAINTENANCE					192.00
001.5191.304600.264	REPAIRS & MAINTENANCE					860.16
001.5191.304602.264	DUNE WALKOVER REPAIRS & MAINTENANCE					1,320.92
001.5191.304602.264	DUNE WALKOVER REPAIRS & MAINTENANCE					2,273.20
001.5192.303100.264	HURR IAN - PROFESSIONAL SERVICES					11,375.00
001.5192.303100.264	HURR IAN - PROFESSIONAL SERVICES					75,000.00
001.5192.303100.127	PROFESSIONAL SERVICES					137,297.18
001.5192.303100.264	HURR IAN - PROFESSIONAL SERVICES					320,098.67
001.5192.305200.264	OPERATING SUPPLIES					550.00
001.5214.305200.264	OPERATING SUPPLIES					480.55
001.5221.464100.264	VEHICLE REPAIRS & MAINTENANCE					1,132.76
001.5411.303400.264	CONTRACTUAL SERVICES					5,670.00
001.5411.304600.264	REPAIRS & MAINTENANCE ROADWAYS					597.44
001.5711.304600.264	REPAIRS & MAINTENANCE					2,849.28
001.3300.331101.127	FEDERAL/STATE GRANT-FEMA			137,297.18		
001.3300.331101.264	FEDERAL/STATE GRANT-FEMA			428,381.95		
103.5725.303100.264	PROFESSIONAL SERVICES					50,494.82
103.5725.303100.264	PROFESSIONAL SERVICES					54,055.00
103.5725.303100.264	PROFESSIONAL SERVICES					38,163.14
103.5725.304600.264	REPAIRS & MAINTENANCE					1,296.00
103.3300.331101.264	FEDERAL/STATE GRANT-FEMA			144,008.96		
401.5352.303100.264	PROFESSIONAL SERVICES					17,432.14
401.5352.303100.264	PROFESSIONAL SERVICES					18,801.56
401.3300.331101.264	FEDERAL/STATE GRANT-FEMA			36,233.70		
401.5353.305200.264	OPERATING SUPPLIES					239.50
401.5353.303100.264	PROFESSIONAL SERVICES					50,050.00
401.3300.331101.264	FEDERAL/STATE GRANT-FEMA			50,289.50		
401.3600.369200.264	INSURANCE PROCEEDS			133,860.00		
401.5353.606300.264	IMPROVEMENTS					133,860.00
403.5341.303100.264	PROFESSIONAL SERVICES					25,367.85
403.5341.303100.264	PROFESSIONAL SERVICES					45,847.25
403.5341.303402.264	LANDFILL FEES					1,968.20
403.5341.305200.264	OPERATING SUPPLIES					7,680.00
403.3300.331101.264	FEDERAL/STATE GRANT-FEMA			80,863.30		
405.5391.303100.264	PROFESSIONAL SERVICES					1,237.50
405.3300.331101.264	FEDERAL/STATE GRANT-FEMA			1,237.50		
001.5192.303100.264	HURR IAN - PROFESSIONAL SERVICES					1,625.00
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE			1,625.00		
401.5352.303100.264	PROFESSIONAL SERVICES					2,490.31
401.5352.303100.264	PROFESSIONAL SERVICES					2,685.94

Journal Number GL Number	Date Description	JNL	Description	User	DR	CR
401.3800.389102	AMENDED APPROPRIATED FUND BALANCE				5,176.25	
001.5123.606400	CAPITALIZED EQUIPMENT					7,353.71
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE				7,353.71	
001.5191.606300.103	SENIOR CENTER IMPROVEMENTS ROOF					83,830.83
001.5191.606300.236	WICKLINE WINDOWS/DOORS					333,354.89
001.5191.606300.106	WICKLINE BLDG IMPROVEMENTS				417,185.72	
001.5192.303100	PROFESSIONAL SERVICES					35,000.00
001.5192.303100	PROFESSIONAL SERVICES					13,400.00
001.5192.303100	PROFESSIONAL SERVICES					8,520.00
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE				56,920.00	
001.5192.304900.245	OTHER CURRENT CHARGES					7,238.35
001.3800.389102	AMENDED APPROPRIATED FUND BALANCE				7,238.35	
401.5352.303100	PROFESSIONAL SERVICES					16,800.00
401.3600.369102	PASS THROUGH REVENUE				16,800.00	
401.3400.343301	WATER SALES				85,816.00	
401.3400.343302	WATER SERVICE BASE CHARGE				121,463.00	
401.3400.343501	SEWAGE SERVICE				64,032.00	
401.3400.343511	SEWER BASE FEES				82,974.00	
401.3800.389102	AMENDED APPROPRIATED FUND BALANCE					354,285.00
403.3400.343401	GARBAGE FEES				70,050.00	
403.3800.389102	AMENDED APPROPRIATED FUND BALANCE					70,050.00
					<hr/>	<hr/>
					1,948,806.12	1,948,806.12
13676	02/28/2023	BA	RESOLUTION 2023-03 IV	RALLEN		
POSTED BY RALLEN						
401.3600.363206	SEWER IMPACT FEES					190,000.00
401.3600.363204	WATER IMPACT FEES					150,000.00
401.3800.389100	APPROPRIATED FUND BALANCE				340,000.00	
402.3600.363206	SEWER IMPACT FEES				190,000.00	
402.3600.363204	WATER IMPACT FEES				150,000.00	
402.3800.389100	APPROPRIATED FUND BALANCE					340,000.00
					<hr/>	<hr/>
					680,000.00	680,000.00
13704	03/14/2023	BA	MOVE FUNDS TO COVER ATV TIRES	RALLEN		
POSTED BY RALLEN						
401.5351.464100	VEHICLE REPAIRS & MAINTENANCE					827.00
401.5351.304601	R&M MACHINERY & EQUIPMENT				827.00	
					<hr/>	<hr/>
					827.00	827.00
13744	03/29/2023	BA	LIBRARY BLINDS BA	RALLEN		
POSTED BY RALLEN						
001.5711.606401	EQUIPMENT LESS THAN \$5000				369.95	
001.5711.304600	REPAIRS & MAINTENANCE					369.95
					<hr/>	<hr/>
					369.95	369.95
13747	03/29/2023	BA	RECLASS FROM FUND 401 TO FUND 402	RALLEN		
POSTED BY RALLEN						
401.5391.303100.254	ROBERTS ROAD WATER MAIN				8,496.00	
402.5391.303100.254	PROFESSIONAL SERVICES					8,496.00
401.3800.389100	APPROPRIATED FUND BALANCE					8,496.00
402.3800.389100	APPROPRIATED FUND BALANCE				8,496.00	
					<hr/>	<hr/>
					16,992.00	16,992.00
					<hr/>	<hr/>
Total:					8,282,973.95	8,282,973.95

#12

FIRST FRIDAY EVENT MANAGEMENT AGREEMENT

This agreement is made and entered into this 1st Day of October, 2022, by and between the City of Flagler Beach-, whose mailing address is 105 S. 2nd Street, Flagler Beach, Florida 32136 (hereinafter referred to as the ("CITY")) and Laverne McNeil Shank, Jr., d/b/a "Surf 97.3 FM," whose mailing address is P.O. Box 1226, Flagler Beach, Florida 32136 (hereinafter referred to as the "Event Manager").

WHEREAS, the CITY and the Event Manager desire to enter into an agreement for the management of the CITY's monthly First Friday Event; and

WHEREAS, the purpose and objective of the First Friday Event is to enhance the Flagler Beach Community Redevelopment Area by conducting monthly events of an appropriate scale that generate community engagement and pedestrian foot traffic that enhance and support the business community located within the Community Redevelopment Area; and

WHEREAS, the Event Manager desires to assist the CITY in managing the First Friday Event and has the necessary skills to do so; and

WHEREAS, the City of Flagler Beach has approved this Agreement at a duly noticed public meeting and authorized its execution.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions set forth herein, IT IS AGREED AS FOLLOWS:

1. The purpose of this agreement is to provide a framework for a partnership between the CITY and the Event Manager to manage the City First Friday Events. The First Friday Events will be conducted in Veteran's Park and upon Central Avenue, and other rights-of-way located near Veteran's Park approved in advance by the City Manager of the City of Flagler Beach or his or her designee (hereinafter referred to as the "City Manager").

2. This Agreement shall be effective upon execution by all parties hereto and shall run annually at each anniversary unless either part requests the Agreement be cancelled upon 90 day written notice to the other party..

3. All activities conducted by the Event Manager shall be coordinated with the City Manager or designee.

4. The Event Manager shall be responsible for securing vendors, sponsors, staffing, and entertainment for all First Friday Events during the term of this Agreement. The Event Manager shall be responsible for ensuring all vendors and sponsors abide by all laws,

regulations, codes, and rules established by any government with jurisdiction.

5. The Event Manager shall be responsible for payment for all services provided to the First Friday Event with exception of the City funded assistance specified below:

~~CITY will support the event a pay for costs related to:~~

- ~~1.~~ a. Police and Maintenance personnel, payroll,
- ~~2.~~ b. The amount of \$500.00 per event to assist with band costs. This amount will be billable to the CITY when a recap of costs is presented to the CITY on a monthly basis.

6. The Event Manager shall indemnify and hold the CITY harmless from any debt or claim of any debt for any service rendered to a First Friday Event.

7. The CITY and the Event Manager agree that the stage area for entertainment shall typically be conducted using a tent and concrete slab; however, upon approval in advance by the City Manager, in the City Manager's sole discretion, the Event Manager may use a larger stage, the cost of which shall be borne by the Event Manager.

8. All proceeds from vendor fees and event sponsorships collected by the Event Manager shall be applied first to cover all costs of the First Friday Event, including direct and in-kind service costs paid or supplied by the City. Any excess proceeds from vendor fees and event sponsorships remaining after payment of costs ("Net Proceeds") shall go to the Event Manager. The Event Manager shall maintain books and records consistent with Generally Accepted Accounting Principles and shall provide an accounting to the City Manager for each First Friday Event.

9. In addition to the vendor and sponsorship opportunities contemplated by the Event Manager, the Event Manager shall make available two separate tables, each provided gratis for a non-profit charitable organization (the "Gratis Tables"). The Event Manager shall be responsible for maintaining a list and schedule for the Gratis Tables. The Gratis Tables shall be available on a "first-come, first-served" basis except as otherwise specifically provided below. Any request for a Gratis Table that is not able to be fulfilled in the month made shall be added to a wait list. No organization that has already used a Gratis Table during the Term of this Agreement shall be allowed to use another Gratis Table until all waitlisted organizations have been offered the opportunity for a Gratis Table, inclusive of requests that may have been received later in time than a subsequent request by an organization that has already used a Gratis Table. A list of all Gratis Tables shall be provided to CITY after each event.

10. In addition to the vendor and sponsorship opportunities contemplated by the Event Manager, the Event Manager shall make available up to two tables for any other non-vendor individual, group, or organization other than non-profit charitable organizations (the

"Open Tables"). The Event Manager shall be responsible for maintaining a list and schedule for the Open Tables. The Open Tables shall be available on a "first-come, first-served" basis except as otherwise specifically provided below.

Any request for an Open Table that is not able to be fulfilled in the month made shall be added to a wait list. No individual, group, or organization that has already used an Open Table during the Term of this Agreement shall be allowed to use another Open Table until all waitlisted parties have been offered the opportunity for an Open Table, inclusive of requests that may have been received later in time than a subsequent request by a party that has already used an Open Table.

11. The Event Manager shall not allow "food trucks" at any First Friday Event. For the purpose of this Agreement, "food truck" shall mean any motorized self-propelled vehicle with cooking facilities and/or serving facilities located inside or attached to the vehicle. "Foodtruck" shall also mean any trailer longer than eight feet from the front most point to the rear most point containing cooking facilities and/or serving facilities located inside or attached to the trailer.

12. The Event Manager shall have broad latitude regarding the placement of tables, vendors, and activities within the boundaries of the First Friday Events. At least seventy-two (72) hours prior to each event, the Event Manager shall provide to the City Manager for final approval a proposed staging plan showing each vendor, sponsor table, and Gratis Table. The final approval of the City Manager shall not be unreasonably withheld.

13. The Event Manager shall be responsible for arranging and setting up all necessary services and infrastructure for each First Friday Event. Set up may begin twenty-four (24) hours prior to each First Friday Event.

13. The Event Manager shall be responsible for breaking down and removing all infrastructure placed or erected for each First Friday Event. Break down and removal shall be completed no later than forty-eight (48) hours after each First Friday Event.

15. The Event Manager shall be responsible for returning or restoring all property owned by the City of Flagler Beach to the condition in which it existed prior to each First Friday Event.

16. In the event the Event Manager has more requests for vendor spaces than are available at any First Friday Event, the Event Manager shall prioritize requests in the following order: 1) vendors with a location within the Community Redevelopment Area; 2) vendors with a location within the City of Flagler Beach; 3) vendors with a location within Flagler County; 4) all other vendors. Selection of vendors shall be made using this priority order at each First Friday Event.

17. The Event Manager is an independent contractor. Neither party is or shall purport to be an agent, employee, partner, joint venture or associate of the other. An employee or agent of one party shall not be deemed an employer or agent of the other party for any purpose. The Event Manager shall be responsible for all taxes or regulatory payments due.

18. The Event Manager shall not assign, convey or transfer any right or interest in this Agreement to any other party.

19. The parties recognize that as an outdoor event the First Friday Event is affected by weather and other naturally occurring disruptions. The parties also appreciate that the CITY's foremost concern is the safety of all participants. Therefore, the CITY, either by its Board or by its City Manager, may reschedule or cancel any First Friday Event due to inclement weather or the threat of inclement weather or other circumstances beyond the City's control. Under no circumstances shall the City be responsible for any cost, payment, claim, or loss suffered or incurred by the Event Manager if a First Friday Event is rescheduled or cancelled.

20. By execution of this Agreement, the Event Manager, on behalf of himself and his agents, employees, heirs, and assigns, hereby releases the CITY, the City of Flagler Beach, and their agents, employees, officers, and assigns from any or all loss, injury, damage, liability, or claim, or expense related to the Event Manager's performance pursuant to this Agreement; provided, however, the Event Manager does not release the CITY or the City of Flagler Beach from any liability or claim arising out of the sole negligence or intentionally wrongful act of the CITY, the City of Flagler Beach, or their agents, employees, officers, or assigns.

21. The City shall provide general liability insurance coverage for the First Friday Events at no charge to the Event Manager. The Event Manager shall be responsible for any other insurance required by law or that it deems appropriate.

22. The parties recognize and acknowledge the Event Manager shall be subject to Florida's public records laws contained with Chapter 119, Florida Statutes, with regard to records received or created related to the performance of this Agreement. The Event Manager shall keep and maintain all records received or created which are in any way related to its performance of this Agreement and shall provide such records to the City of Flagler Beach without delay upon a request for same. Furthermore, the Event Manager recognizes it could receive direct requests for public records from members of the public and agrees it shall be responsible for complying to such requests in accordance with law after consultation with the City of Flagler Beach. **IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE**

CUSTODIAN OF PUBLIC RECORDS AT (386) 517-2000, poverstreet@cityofflaglerbeach.com, 105 S. 2nd Street, Flagler Beach, Florida 32136. The City Clerk shall assist the Event Manager to comply.

23. Either party may terminate this Agreement for cause for any breach of this Agreement upon written notice stating the nature of the breach and giving five business days' opportunity to cure. If the breach is not cured within the five business days' allowed, this Agreement shall be deemed terminated without further act or notice at midnight on the fifth (5th) business day after the mailing, emailing, or hand delivery of the notice.

24. This Agreement may be terminated for convenience by either party upon ninety (90) calendar days' written notice. If either party serves the other notice of termination for convenience this Agreement shall be deemed terminated without further act or notice at midnight on the ninetieth (90th) calendar day after the mailing, emailing, or hand delivery of the notice.

25. Any notice to be served pursuant to this agreement may be mailed to the address provided in the introductory paragraph, emailed to an address provided by either party, or hand delivered to the signatories below or any other person or address provided in writing by the party to receive notice.

26. This Agreement, in conjunction with Exhibit "A," represents the full and complete agreement of the parties. This Agreement shall only be amended in writing signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement ~~this 1st day of~~
~~October 2022~~

CITY OF FLAGLER BEACH

City Manager

EVENT MANAGER

Laverne McNeil Shank, Jr., d/b/a "Surf97.3 FM,"

Current Contract

FIRST FRIDAY EVENT MANAGEMENT AGREEMENT

This agreement is made and entered into this 19TH day of August, 2021, by and between the City of Flagler Beach Community Redevelopment Agency, a community redevelopment agency established by Florida law, whose mailing address is 105 S. 2nd Street, Flagler Beach, Florida 32136 (hereinafter referred to as the "CRA") and Laverne McNeil Shank, Jr., d/b/a "Surf 97.3 FM," whose mailing address is P.O. Box 1226, Flagler Beach, Florida 32136 (hereinafter referred to as the "Event Manager").

WHEREAS, the CRA and the Event Manager desire to enter into an agreement for the management of the CRA's monthly First Friday Event; and

WHEREAS, the purpose and objective of the First Friday Event is to enhance the Flagler Beach Community Redevelopment Area by conducting monthly events of an appropriate scale that generate community engagement and pedestrian foot traffic that enhance and support the business community located within the Community Redevelopment Area; and

WHEREAS, the Event Manager desires to assist the CRA in managing the First Friday Event and has the necessary skills to do so; and

WHEREAS, the City of Flagler Beach Community Redevelopment Agency has approved this Agreement at a duly noticed public meeting and authorized its execution.

NOW, THEREFORE, in consideration of the mutual promises, covenants, and conditions set forth herein, IT IS AGREED AS FOLLOWS:

1. The purpose of this agreement is to provide a framework for a partnership between the CRA and the Event Manager to manage the CRA's First Friday Events. The First Friday Events will be conducted in Veteran's Park and upon Central Avenue, and other rights-of-way located near Veteran's Park approved in advance by the City Manager of the City of Flagler Beach or his or her designee (hereinafter referred to as the "City Manager").

2. This Agreement shall be effective upon execution by all parties hereto and shall run until the last day of the twelfth month after the first First Friday Event managed by the Event Manager, the date of which shall be recorded by the Event Manager and City Manager.

3. All activities conducted by the Event Manager shall be in accordance with the Proposal for Services attached hereto as Exhibit "A" (the "Proposal") unless specifically provided otherwise in this Agreement. In the event of any conflict between the Proposal and this Agreement, this Agreement shall control.

4. All activities conducted by the Event Manager shall be coordinated with the City Manager.

5. The Event Manager shall be responsible for securing vendors, sponsors, staffing, and entertainment for all First Friday Events during the term of this Agreement. The Event Manager shall be responsible for ensuring all vendors and sponsors abide by all laws, regulations, codes, and rules established by any government with jurisdiction.

6. The Event Manager shall be responsible for payment for all services provided to the First Friday Event. The Event Manager shall indemnify and hold the CRA and the City of Flagler Beach harmless from any debt or claim of any debt for any service rendered to a First Friday Event.

7. The CRA and the Event Manager agree that the stage area for entertainment shall typically be conducted using a tent and concrete slab as provided in the Proposal; however, upon approval in advance by the City Manager, in the City Manager's sole discretion, the Event Manager may use a larger stage, the cost of which shall be borne by the Event Manager.

8. All proceeds from vendor fees and event sponsorships collected by the Event Manager shall be applied first to cover all costs of the First Friday Event, including direct and in-kind service costs paid or supplied by the City. Any excess proceeds from vendor fees and event sponsorships remaining after payment of costs ("Net Proceeds") shall be shared between the CRA and the Event Manager with 25% of Net Proceeds being paid to the CRA and 75% being retained by the Event Manager. The Event Manager shall maintain books and records consistent with Generally Accepted Accounting Principles and shall provide an accounting to the City Manager for each First Friday Event.

9. In addition to the vendor and sponsorship opportunities contemplated by the Event Manager in the Proposal, the Event Manager shall make available two separate tables, each provided gratis for a non-profit charitable organization (the "Gratis Tables"). The Event Manager shall be responsible for maintaining a list and schedule for the Gratis Tables. The Gratis Tables shall be available on a "first-come, first-served" basis except as otherwise specifically provided below. Any request for a Gratis Table that is not able to be fulfilled in the month made shall be added to a wait list. No organization that has already used a Gratis Table during the Term of this Agreement shall be allowed to use another Gratis Table until all waitlisted organizations have been offered the opportunity for a Gratis Table, inclusive of requests that may have been received later in time than a subsequent request by an organization that has already used a Gratis Table.

10. In addition to the vendor and sponsorship opportunities contemplated by the Event Manager in the Proposal, the Event Manager shall make available up to two tables for any other non-vendor individual, group, or organization other than non-profit charitable organizations (the "Open Tables"). The Event Manager shall be responsible for maintaining a list and schedule for the Open Tables. The Open Tables shall be available on a "first-come, first-served" basis except as otherwise specifically provided

below. Any request for an Open Table that is not able to be fulfilled in the month made shall be added to a wait list. No individual, group, or organization that has already used an Open Table during the Term of this Agreement shall be allowed to use another Open Table until all waitlisted parties have been offered the opportunity for an Open Table, inclusive of requests that may have been received later in time than a subsequent request by a party that has already used an Open Table.

11. The Event Manager shall not allow "food trucks" at any First Friday Event. For the purpose of this Agreement, "food truck" shall mean any motorized self-propelled vehicle with cooking facilities and/or serving facilities located inside or attached to the vehicle. "Food truck" shall also mean any trailer longer than eight feet from the front most point to the rear most point containing cooking facilities and/or serving facilities located inside or attached to the trailer.

12. The Event Manager shall have broad latitude regarding the placement of tables, vendors, and activities within the boundaries of the First Friday Events. At least seventy-two (72) hours prior to each event, the Event Manager shall provide to the City Manager for final approval a proposed staging plan showing each vendor, sponsor table, and Gratis Table. The final approval of the City Manager shall not be unreasonably withheld.

13. The Event Manager shall be responsible for arranging and setting up all necessary services and infrastructure for each First Friday Event. Set up may begin twenty-four (24) hours prior to each First Friday Event.

13. The Event Manager shall be responsible for breaking down and removing all infrastructure placed or erected for each First Friday Event. Break down and removal shall be completed no later than forty-eight (48) hours after each First Friday Event.

15. The Event Manager shall be responsible for returning or restoring all property owned by the City of Flagler Beach to the condition in which it existed prior to each First Friday Event.

16. In the event the Event Manager has more requests for vendor spaces than are available at any First Friday Event, the Event Manager shall prioritize requests in the following order: 1) vendors with a location within the Community Redevelopment Area; 2) vendors with a location within the City of Flagler Beach; 3) vendors with a location within Flagler County; 4) all other vendors. Selection of vendors shall be made using this priority order at each First Friday Event.

17. The Event Manager is an independent contractor. Neither party is or shall purport to be an agent, employee, partner, joint venture or associate of the other. An employee or agent of one party shall not be deemed an employer or agent of the other party for any purpose. The Event Manager shall be responsible for all taxes or regulatory payments due.

18. The Event Manager shall not assign, convey or transfer any right or interest in this Agreement to any other party.

19. The parties recognize that as an outdoor event the First Friday Event is affected by weather and other naturally occurring disruptions. The parties also appreciate that the CRA's foremost concern is the safety of all participants. Therefore, the CRA, either by its Board or by its City Manager, may reschedule or cancel any First Friday Event due to inclement weather or the threat of inclement weather or other circumstances beyond the City's control. Under no circumstances shall the City be responsible for any cost, payment, claim, or loss suffered or incurred by the Event Manager if a First Friday Event is rescheduled or cancelled.

20. By execution of this Agreement, the Event Manager, on behalf of himself and his agents, employees, heirs, and assigns, hereby releases the CRA, the City of Flagler Beach, and their agents, employees, officers, and assigns from any or all loss, injury, damage, liability, or claim, or expense related to the Event Manager's performance pursuant to this Agreement; provided, however, the Event Manager does not release the CRA or the City of Flagler Beach from any liability or claim arising out of the sole negligence or intentionally wrongful act of the CRA, the City of Flagler Beach, or their agents, employees, officers, or assigns.

21. The City shall provide general liability insurance coverage for the First Friday Events at no charge to the Event Manager. The Event Manager shall be responsible for any other insurance required by law or that it deems appropriate.

22. The parties recognize and acknowledge the Event Manager shall be subject to Florida's public records laws contained with Chapter 119, Florida Statutes, with regard to records received or created related to the performance of this Agreement. The Event Manager shall keep and maintain all records received or created which are in any way related to its performance of this Agreement and shall provide such records to the City of Flagler Beach without delay upon a request for same. Furthermore, the Event Manager recognizes it could receive direct requests for public records from members of the public and agrees it shall be responsible for complying to such requests in accordance with law after consultation with the City of Flagler Beach. IF THE CONTRACTOR HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS AT (386) 517-2000, poverstreet@cityofflaglerbeach.com, 105 S. 2nd Street, Flagler Beach, Florida 32136. The City Clerk shall assist the Event Manager to comply.

23. Either party may terminate this Agreement for cause for any breach of this Agreement upon written notice stating the nature of the breach and giving five business days' opportunity to cure. If the breach is not cured within the five business days' allowed,

this Agreement shall be deemed terminated without further act or notice at midnight on the fifth (5th) business day after the mailing, emailing, or hand delivery of the notice.

24. This Agreement may be terminated for convenience by either party upon sixty (60) calendar days' written notice. If either party serves the other notice of termination for convenience this Agreement shall be deemed terminated without further act or notice at midnight on the sixtieth (60th) calendar day after the mailing, emailing, or hand delivery of the notice.

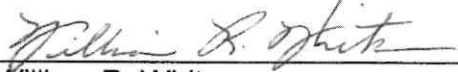
25. Any notice to be served pursuant to this agreement may be mailed to the address provided in the introductory paragraph, emailed to an address provided by either party, or hand delivered to the signatories below or any other person or address provided in writing by the party to receive notice.

26. This Agreement, in conjunction with Exhibit "A," represents the full and complete agreement of the parties. This Agreement shall only be amended in writing signed by both parties.

IN WITNESS WHEREOF, the parties have executed this Agreement this 19TH day of AUGUST, 2021.



**City of Flagler Beach Community
Redevelopment Agency**

By 
William R. Whitson
CRA Director/City Manager

EVENT MANAGER

By 
Laverne McNeil Shank, Jr.
d/b/a Surf 97.3 FM

EXHIBIT "A"



P.O. Box 1226 - Flagler Beach, FL. 32136

Office Line: 386.449.8355 / Studio Request Line: 386.643.4732

www.flaglerbeachradio.com / flaglerbeachradio@gmail.com

Proposal for Services For First Friday in Flagler Beach, FL. Beginning 9/3/21

OVERVIEW

Surf 97.3 FM in Flagler Beach, FL. is pleased to submit this proposal for services to support the City of Flagler Beach in achieving the goals for the new hometown direction vision for the First Friday events in Veterans Park.

OBJECTIVE

- Need #1: To build a more local feel for First Friday by having the majority of the businesses set up be local sponsors within the city of Flagler Beach
- Need #2: To bring attention to the CRA district and Flagler Beach businesses within our city
- Need #3: To draw in the attendees while encouraging them to visit the town itself during First Friday and to not just stay in one spot all the time.
- Need #4: To utilize our local musicians, artists and entertainers first that are from within our city or that have direct ties to our community.

GOALS

- Goal #1: To align our vision of the event with the needs and wishes of the commission, our mayor, city personnel, our local businesses and the people who live in this town.
- Goal #2: To increase opportunities for our local merchants who have their Flagler Beach business licenses and insurance requirements and have an actual business entity within the city. Our goal is to provide opportunities to those who have paid these fees and/or have vested themselves in this town and run their businesses directly from here. This is in alignment of what the CRA is really intended for.
- Goal #3: Get feedback of general sales volume, return rates, and overall satisfaction of the event for the key businesses who wish to participate. We would like to follow up with them afterwards to hear feedback on how the event went for them and to keep a good repertoire with them, while also providing them updates and overall future opportunities, as well as listening to some suggestions for any improvements we may be able to make. We want to listen to our city's merchants.

OUR PROPOSAL

Surf 97.3 FM has been in the heart of the city on the Flagler Beach pier locally since 2013. We really care about our town that we work, live and play in. The new direction is to provide more of a local roots feeling to this event by spotlighting the local Flagler Beach businesses, artists, musicians and establishments within the CRA district and the surrounding in-town Flagler Beach based entities. We wish the event to have more of a "hometown" feel the way we believe it was intended to be from when it first began. The focus should be to help our local restaurants, real estate offices, gift shops, and our other businesses get attention and thrive from being visited and utilized during First Fridays which would lead to other visits throughout the month by locals and visitors. Attendees will be encouraged to bring lawn chairs and blankets for seating, no chair rentals will be at event. Local restaurants businesses that are sponsors of the event will be allowed to set up tables and or tents in the park and on the side streets (2nd & central). NO FOOD TRUCKS ALLOWED as we want the attendees to visit the restaurants. Restaurants that cannot set up in person at the event will be allowed to participate by having a treasure hunt/ poker run style of event where the attendees can order their food from the restaurants at a designated table that is there in the park and the restaurants from that table will offer some form of a small discount once the attendee goes to their restaurant to pick it up or dine-in. These businesses that become sponsors of this event will pay a minimal pre established sponsor fee to offset the costs of holding this event. Our hopes are that each Flagler Beach business will share this very same vision in keeping this event a grass roots hometown celebration and keep our town spotlighted here directly for the city of Flagler Beach,

TECHNICAL / PROJECT APPROACH

Surf 97.3 FM already has built in local sponsors / advertisers on our radio station that are within the City of Flagler Beach, We air their spots on the station throughout our radio programming. We will be reaching out to each of them and offer them the opportunity to be a sponsor of the First Friday events. We have an ad / sponsor rep who then will **also** be reaching out to **all** our local Flagler Beach businesses for First Friday sponsorship opportunities. The prices for sponsorship will be exactly in line with our radio station packages that we currently have in place and are outlined in the **PRICING** section of this proposal and it will also outline what they will receive for each sponsor package for First Friday.

RESOURCES/ OTHER PARTICIPANTS

Surf 97.3 FM plans on utilizing just a few additional personnel to add some necessary or fun resources to the event. These are outlined below:

- ⑩ Sound & Lighting Company – Victor Stockwell Sound & Lighting in conjunction with Pyramid Music & Disc Jockeys (Vern's other company)
- ⑩ Tent For Band – We're asking for the City of Flagler Beach to use the tent that was supplied and set up in the old location by the concrete slab. We would like to move it back to that location, the way it used to be before and to not utilize the big rolling stage in the other corner from HT Productions. This would give things that more hometown feel we were looking for.
- ⑩ Bounce house company for inflatable slides or bounce houses for kids. (Offered free)
- ⑩ Face painter, character artist and/or henna tats / kids activities (Offered free)
- ⑩ All other family friendly games will be run by Surf 97.3 FM / Pyramid Disc Jockeys staff such as limbo, hula hoop, water balloon toss, potato sack races, etc.(Offered free)
- ⑩ Bands – Local area bands or one's that have direct ties to the community.

The following personnel would be asked to be supplied by the city for these events.. We are not 100% sure of the costs associated with this but was hoping for this to be supplied in the usual manner as previous First Fridays.

Personnel to be supplied by City	Dates*
⑩ Police officer at event from Chief Doughney (Supplied by city)	Every First Friday
⑩ Sanitation /Maintenance person or personnel from Rob Smith from Sanitation Department for routine trash & cleanups	Every First Friday
⑩ Fire Dept personnel from Chief Bobby Pace and/or EMT officer <i>on stand-by</i> for event (Supplied by city)	Every First Friday

Timeline for Execution

To have all resources, personnel, sponsors for the start of the return of First Friday for September 3, 2021 and for a contract with the city for a period of one year with a possible renewal period after that.

EXPECTED RESULTS

We expect our proposal to provide the following results:

Benefits

- Result #1: Bring more revenue to the local area businesses
- Result #2: Re-align the original mission of the CRA
- Result #3: New benefits and opportunities to the participating local sponsors
- Result #4: Increased morale or improved business satisfaction by offering the local establishments to be more participating and engaging by focusing this event back on to the local merchants.

PRICING

The following table details are documented to be transparent in the costs and sponsor packages / pricing for the services outlined in this proposal. These are in line with our Surf 97.3 FM advertising/ sponsor packages we use at our radio station. Each sponsor / participant must fill out a City of Flagler Beach Itinerant Merchant Application, meet the insurance requirements and pay their sponsor fees in advance in order to have a space to set up at.

*** Also see our attachments which include letter to the possible future sponsors, their merchant application that will accompany the letter and their insurance requirements.

Projected Income from Sponsors	Price
Sponsor Package Level 1 (Includes Central Avenue table and/or tent space, logo on poster and some on-air business promotion on Surf 97.3 FM radio station)	\$100.00
Sponsor Package Level 2 (Includes Veterans Park outer area of grass table/tent space, logo on poster and on-air business promotion on Surf 97.3 FM station)	\$200.00
Sponsor Package Level 3 (Includes Veterans Park inner area first choice of grass table/tent space, logo on poster and EXTRA BUSINESS INTERVIEWS AT STATION with on-air business promotion on Surf 97.3 FM station)	\$300.00
Political Sponsor (Includes 2 nd street in front of city hall table/tent space) A separate section for them on street by themselves	\$100.00 minimum
Not For Profit Sponsor (Includes Central Avenue table and/or tent space, logo on poster and some on-air business promotion on Surf 97.3 FM radio station)	\$50.00 minimum
Projected Costs for Services Associated	
Band	\$1000.00 but local bands at \$600 max
Sound & Lighting – For Band sound equipment	\$500.00
Advertising/ Marketing/ Posters	\$350.00
Police, Fire, EMT	TBD (City has that data) \$150?
Total Services Costs	\$2000.00 projected costs
Total	

Disclaimer: The prices listed in the preceding table are an estimate for the services discussed. This summary is not a warranty of final price. Estimates are subject to change if project specifications are changed or costs for outsourced services change. If any remaining excess revenues are produced they will be accounted for each month and shared with the city. We are asking for a 75/25 split with 75% going to the station and 25% to the city of Flagler Beach for taking on the responsibilities of this event.

QUALIFICATIONS

Our radio station is continually striving to spotlight Flagler Beach from our local approach of radio broadcasting that is on the airwaves 24/7 at 97.3 FM locally and streamed around the world to listeners in almost every state online at www.flaglerbeachradio.com, spreading the goodwill of our town to listeners here in Flagler and around the globe. Our programming is almost 100% about our town, it's businesses, our local "islanders", happenings in our area and promotions for restaurants, local realtors, other business establishments and charity events. We do this simply for the love of this town.

Vern Shank owner / manager started this radio station in order to get involved in the town that he is vested in. He is also a musician and understands that aspect of the local and national entertainment scene. He also owns and operates a successful DJ company since 1988 and has participated, been a part of, planned or been involved in well over 10,000 events in the last 33 plus years. We have a reputation for quality customer service and have won numerous awards on the local level for our work. All of our radio station personnel and DJ team are committed to making this event a success. Our company wants nothing more than to see the local businesses here in our town directly benefit and thrive from this wonderful First Friday event.

CONCLUSION

We look forward to working with the City Of Flagler Beach and supporting your efforts to bring the vision of what the CRA, stands for; to get back to it's original intentions. We are confident that we can meet the challenges ahead, and stand ready to partner with you in delivering a fun, family friendly and cost effective solution to this wonderful event that has been a part of our city of Flagler Beach for many years as we look forward to being a part of it's continued success for many more years to come.

If you have questions on this proposal, feel free to contact me at your convenience by email at flaglerbeachradio.com or by phone at our office at 386-449-8355 or the station directly at 386-643-4732. Reach out to us if you also may have any questions or concerns on the proposal.

Thank you for your consideration.

Warmest Regards,

Vern Shank

Owner/ President - Surf 97.3 FM

Hello Surf 97.3 Sponsors!

We have some very exciting and exclusive news that we want to share with you.

First, we just want to say how we value and appreciate you for partnering and supporting not-for profit community radio Surf 97.3 FM.

We hope that you are seeing the value of sponsoring/advertising with us from your spots being heard locally and world wide via the Live Stream from our website www.FlaglerBeachRadio.com and on the free TuneIn app for smartphones.

Here's the exciting news... First Friday is back in at Veteran's Park in Flagler Beach and Surf 97.3 FM will be producing and hosting for the next year....and hopefully more!

In conjunction with the City of Flagler Beach our goal is to bring back First Fridays back to it's original roots... a "home town community event to support all our local businesses, the Arts, and musicians and entertainers" from Flagler Beach.

Surf 97.3 FM is giving our current sponsors exclusive first shot at becoming a sponsor / partner of the First Friday event. Sponsor rates are on a sliding scale starting at \$100.00, then \$200.00 and lastly at \$300.00 per month.

Sponsorship will cover all costs to promote, hire talent and cover any cost to produce each and every First Friday event from September 2021 through August 2022. We want to spotlight you there.

All those that decide to partner in producing each First Friday by sponsoring the event will benefit by getting more air time spots, live on-air time and/or interviews to talk about your business, exposure on all our social media platforms, etc. and of course the opportunity to set up a table / tent at each first Friday event to spotlight and promote your business.

From now on all First Friday events will be highlighting / spotlighting the local Flagler Beach community. Let's keep it local and in the community!

With much respect,

Vern Shank - Owner / President

Audie Colon - Sponsor Ad Rep and Treasurer



FLAGLER BEACH CITY COMMISSION

Item No.

13

Meeting Date: May 25, 2023

Issue: Approve Contract with Brooks & Dunn Grant Consulting for Preparation of Grants Management Policy

From: Mike Abels, Interim City Manager

RECOMMENDATION: Approve Contract with Brooks & Dunn Consulting for preparation of grants management policy.

BACKGROUND: As a result of the several hurricanes experienced, as well as normal grant applications, the city is managing over sixteen active grants that are currently administered through the departments of the city. However, the city does not have centralized control over the grant writing, administration, or accountability for grant outcomes. Lack of central administrative control means that the city lacks adequate coordination and grant oversight and especially over compliance with grant requirements. Most grants require reporting, accountability, and compliance with grant conditions for several years after the grant has been expended and its purpose accomplished. City failure to meet the requirement of a grant could result in the city being obligated to reimburse the funding agency for the partial or full cost of the grant.

The company being recommended is excellent and has grants management as its primary mission. I have worked with the firm and have found their work to be excellent. Brooks & Dunn is currently providing grants management services and/or writing to the Cities of DeLand, Orange City, Port Orange, Bunnell, Ponce Inlet and DeBary.

As pointed out in my budget presentation to the Commission I believe it is very important for the city to adopt a grants management process that will establish procedures for the city to manage and perform oversight with the numerous grants it has and will continue to receive. Development of a grants management policy will establish a defined grants administration and oversight process with clear guidelines for accountability and grant development.

BUDGETARY IMPACT: Cost for contract is \$22,500. Revenues for contract cost have been identified in General Fund, Utility, and Stormwater. A larger potential budgetary impact could result if the city is found to be in non-compliance with one or more of the grants received by the city.

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: A city grants committee has been formed. This committee has met with a representative of Brooks & Dunn to review the development of a city-wide grants management policy. This committee will remain in place to serve as a liaison with the consultant developing the policy.



ENGAGEMENT LETTER AND AGREEMENT

On behalf of Brooks & Dun Grant Consulting (“Brooks & Dun”), I thank you for your confidence. We take pride in our work and will do our best to assist you. This agreement is intended to set forth our business and contractual relationship through which we will assist you.

Our opinions, writings and conclusions will be limited by the information provided to us. It is important that you provide us with all requested information and that you identify all potential sources of information or assistance. Call us immediately if you are unsure whether or not something is relevant to our work.

This agreement contains the entire agreement of the parties and supersedes all prior oral or written representations and statements between the parties. In order to prevent any misunderstandings, any requests by you for changes in the work requested shall be made in a writing signed by both parties. To the maximum extent permitted by law, we disclaim all warranties relating to the work we do for you, whether expressed or implied.

Brooks & Dun will perform work as outlined below:

1. Communicate with the City of Flagler Beach staff to develop a Grants Management Procedure/Policy (“Policy”). The City of Flagler Beach will provide all current processes, grant applications and grant awards to Brooks & Dun through in-person, email and telephone communications. Based on the meetings with City staff, the topics that will be incorporated into the Policy include, but may not be limited to the following:

- a. Purpose - goal and intention of the Policy
- b. Roles/Definitions - identify positions and relative responsibilities. Provide definition of grant terminology.
- c. Research - Process for researching funding opportunities, distributing the information and decision to move forward.
- d. Preparation of Applications - role assignments for projects and process for completing an application.
- e. Award - review award documents, set-up timeline for reporting and completion of project.
- f. Expenditures - process of review and approval of all grant expenditures, including compliance with guidelines.
- g. Program Reporting - monitor progress and document for programmatic reporting, including compliance with guidelines.
- h. Monitoring - develop process for ongoing monitoring.
- i. Close-out - completing agency close-out.

Compile, from information provided to us, a City of Flagler Beach Grants Management Procedure/Policy. The scope of the project is to be provided to Brooks & Dun by continued meetings and working in tandem with the City of Flagler Beach staff. The fee for preparation of this Policy, including drafting, review and revisions and submittal of a final Policy to the City, is \$22,500.

The undersigned acknowledge that they have read this agreement, that they understand its contents, that this document is a binding contract, and that they have the authority to execute this agreement.

AGREED BY:

Print Name: _____
Title: _____, duly authorized
Company: _____
Address: _____

Signature: _____
Date: _____

Grant Professionals, Inc.
d/b/a Brooks & Dun Grant Consulting

By: Theresa E Brooks

Name/Title: Theresa E Brooks, President

Date: 5/15/23

City of Flagler Beach Grant Status as of (05/17/2023)

Grant Name	Agency	Date Applied	Amount of Grant	Cost Share	Current Status
HMGP 4399(031) Michael Lambert Ave. Swales Phase 2	HMGP FEMA	8/19/2021	\$940,851	75% Federal 25% City	Did not make cut.
HMGP 4564(068) Sally Lambert Ave. Swales Phase 2	HMGP FEMA	3/7/2022	\$940,851	90% Federal 10% Local	Tier 3 in Review
HMGP 4468(034) Dorian Wickline Complex Hardening	HMGP FEMA	10/19/2022	\$417,200	75% Federal 25% City	Windows and Doors being installed. Front entry vestibule being finished. Work about 75% complete.
Slip Lining Phase 3 Sewer Laterals	SJRWMD	2/16/2022	\$500,000 SJRWMD Share	\$250,000 City Share	Project is being re-bid due to default of selected contractor.
HMGP 4486(016) COVID Flood Mitigation S. Flagler Ave. Rte. 100 - S. 7th St.	HMGP FEMA	11/16/2021	\$105,000	90% Federal 10% Local	Approved by FEMA for phase 1 Design/Bid Phases. Project is in progress and about 25% complete.
Resilient Florida Grant Program Sea Level Rise	FDEP	2/14/2022	\$100,000	100% State	In Progress. About 10% complete.
Florida Recreation Assistance Program (FRDAP)	DEP (pass through monies from Federal)	8/25/2022	\$170,000 (total project \$340,000)	50%/50% (City and DEP share is \$170,000)	Did not make cut.
Land and Recreation Grants Program	DEP (pass through monies from Federal)	1/31/2023	\$170,000 (total project \$340,000)	50%/50% (City and DEP share is \$170,000)	Withdrawn on 03/19/23
VOCA (Victim's of Crime Act)	State	Feb-22	\$103,638	75% State 25% City	In Progress
ARPA	Federal		\$2,565,873	100% Federal	In Progress; \$565,520.81 spent as of 12/31/2022.
FEMA - Hurricane Matthew (Pier Replacement)	Federal	10/6/2016	\$10,000,000	75% Federal 25% State/Local	In Progress
Hurricane Matthew Pier Replacement	State		4.5 million	State	Legislature appropriated 4.5 million pending State budget approval by Governor.
SRF - 180130 WWTF Loan			\$16,000,000		In Progress
WWTF: Sludge dewatering screw press system	State (FDEP)	Appropriation during 2021 Session	\$850,000	State	Awarded in May/June 2021 through the Legislature. Screw press was ordered in July, 2022, and is currently being built by TW Tech. Should be ready in May 2023 for install by Sawcross Inc.
REDI Grant: Flagler Beach WWTF- Phase 1 Reclaimed Water System Improvements	SJRWMD	1/31/2023	\$1,000,000	60% City cost share of \$1,500,000 from SRF & Reserves for total project cost of 2.5 million	Did not make cut as a REDI Grant. SJWMD added to State AWS list for DEP funds pending State budget approval by Governor.
REDI Grant: Slip Lining Phase 4 Sewer Laterals	SJRWMD	1/17/2023	\$1,000,000	SJRWMD \$750,000 City \$250,000	Did not make cut.
Hurricane Stormwater and Wastewater Assistance Grant: Lift Station Rehabilitation/Raising, Manhole Cover Retrofits, and WWTF Improvements	FDEP	3/31/2023	Est. \$4.5 M	100% FDEP	Approved for grant in the amount of \$4.5 million on 4/28/23. \$2.26M will go toward building four new lift stations and twenty manholes receiving rings and covers. \$2.24M will go toward a master lift station at the WWTP. The grant is at FDEP- they are putting together a work plan through which the work will be performed.

<p>2023 National Coastal Resilience Fund- Sand Fencing</p>	<p>National Fish and Wildlife Foundation (NFWF)</p>	<p>TBD (Pre-Proposal submitted 4/12/23)</p>	<p>\$210,860</p>	<p>City cost share of \$60,000 (FY22/23 budget) FDOT in-kind contribution (approx. \$50,000 value). Total project cost: \$320,860</p>	<p>Pre-proposal submitted 4/12/23. Will receive notice if approved to apply end of May 2023.</p>
<p>Flood Mitigation Assistance (FMA) Program Grant to elevate resident homes</p>	<p>FEMA</p>	<p>TBD</p>	<p>TBD</p>	<p>No Cost to City</p>	<p>Quality Engineering & Surveying is now working with interested residents on grant preparation. Grant submittals due in September 2023.</p>
<p>HMGP Grant to elevate resident homes</p>	<p>HMGP FEMA</p>	<p>TBD</p>	<p>\$10,000,000</p>	<p>75% FEMA and 25% local (City, homeowner, or combination)</p>	<p>LMS approved project for \$10,000,000. Grant writing in progress.</p>



FLAGLER BEACH CITY COMMISSION

Item No. 14

Meeting Date: May 19, 2023

Issue: Meeting with Flagler County & Cities in Flagler County about Quality of Life.

From: Mike Abels, Interim City Manager

RECOMMENDATION: Designate Wednesday June 21 at 6 p.m. as date to meet with Flagler County and cities within Flagler County, appoint (2) two representatives from the City of Flagler Beach City Commission. Designate one Commissioner as the lead representative to chair the meeting.

BACKGROUND: At the Commission meeting on May 11th the City Commission directed staff to contact Flagler County, City of Palm Coast, Bunnell, and Beverly Beach about attending a joint meeting to discuss quality of life issues. A notice was sent to managers with dates for a possible meeting. The best time designated was 6 p.m. on Wednesday June 21.

The meeting will be held in the Flagler Beach Commission Chamber. Staff looked at other centrally located sites but found that they were not available

Upon Commission approval of the meeting date Mayor Johnston will send a letter to the participating jurisdictions inviting representatives to attend. Draft is attached.

BUDGETARY IMPACT: None

LEGAL CONSIDERATIONS/SIGN-OFF: N/A

PERSONNEL: N/A

POLICY/REQUIREMENT FOR BOARD ACTION: N/A

IMPLEMENTATION/COORDINATION: N/A

Chair Flagler County
Mayor Palm Coast
Mayor Bunnell
Mayor Beverly Beach

Dear

As we look to the future and strive to build a high quality of life for our citizens, we face many challenges that must be addressed collaboratively. One of those challenges will be the growth Flagler County is projected to experience, and, how that growth will impact the ability of our local governments to build a high quality of life for our citizens.

In our strategic planning process the City of Flagler Beach has identified that future growth could have a significant impact on our city. We also recognize the impact of this growth as well as many other issues affecting the future cannot be adequately addressed solely by our individual governments. Instead, we believe they must be addressed collectively by all governments within Flagler County.

To develop a process where a collective approach for ensuring our future quality of life can be discussed the City of Flagler Beach would like to invite elected representatives from Flagler County, Palm Coast, Bunnell, and Beverly Beach to join with representatives from the Flagler Beach Commission where issues can be presented, and possible solutions discussed.

We suggest that this meeting be set for Wednesday June 21 at 6:00p.m. and be held in the Flagler Beach Commission Chambers, 105 S. Second Street, Flagler Beach. Please appoint two (2) representatives to represent (Flagler County),(Palm Coast), (Bunnell). The City of Flagler Beach will prepare the agenda and chair the meeting. To set the agenda I would ask that by Friday June 21, each unit of government submit to City Clerk Penny Overstreet (poverstreet@flaglerbeach.com) one agenda item that you would like discussed. Please also tell her the names of the elected officials that will represent your jurisdiction.

The City of Flagler Beach is eager to meet with you to discuss issues impacting our communities and to begin a collective approach for addressing the challenges we will face in the future.

Suzie Johnston
Mayor

Cc Managers
Clerks



FLAGLER BEACH CITY COMMISSION

Item No. 15

Meeting Date: May 25, 2023

Issue ORDINANCE 2023-01, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE FLAGLER BEACH LAND DEVELOPMENT REGULATIONS TO CREATE A NEW ARTICLE IX RELATING TO ENGINEERING DESIGN DEVELOPMENT, CREATING PROVISIONS FOR DEVELOPMENT REVIEW SUBMITTAL, PLATTING, CONSTRUCTION AND INSPECTION REQUIREMENTS, STORMWATER MANAGEMENT REQUIREMENTS, LAND MODIFICATION OF PLATTED RESIDENTIAL LOTS, AND GRADING AND PERMITTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE, FINAL READING

From: Summary provide by Penny Overstreet, City Clerk

Organization: COFB

RECOMMENDATION: Approve Ordinance 2023-01 on final reading.

BACKGROUND: The Commission reviewed the ordinance on first reading at their April 13, 2023 meeting. Minor amendments were approved and are incorporated into the version before you. The ordinance was then reviewed by the Planning and Architectural Review Board at their May 2, 2023 meeting. Recommendations were approved and they too are incorporated into the version before you for consideration. Mr. Richards advised you at your April 13, 2023 meeting that these regulations are necessary for the City to retain its MS4 permit.

BUDGETARY IMPACT: Codification cost of the ordinance are included in the Clerk's 2022/2023 budget.

LEGAL CONSIDERATIONS/SIGN-OFF: Attorney Smith has reviewed the ordinance at both the Commission and PARB meetings, and has advised on the recommendations and discussions held at each meeting.

PERSONNEL: City Attorney, City Clerk and Engineering Project Manager

POLICY/REQUIREMENT FOR BOARD ACTION: Motion to approve Ordinance 2023-01 on final reading.

IMPLEMENTATION/COORDINATION: City Clerk to send to Municode for codification. Advise Building /Planning/Engineer Departments of new regulations and provide copy until codified.

Attachments

- **Ordinance 2023-01 with comments and underline/strike through**
- **Section from the April 13, 2023 Commission Meeting Minutes**
- **Section from the May 02, 2023 Planning & Architectural Review Board Meeting Draft Minutes**
- **Proof of Publication**

PUBLIC HEARINGS

12. ORDINANCE 2023-01, AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE FLAGLER BEACH LAND DEVELOPMENT REGULATIONS TO CREATE A NEW ARTICLE IX RELATING TO ENGINEERING DESIGN DEVELOPMENT, CREATING PROVISIONS FOR DEVELOPMENT REVIEW SUBMITTAL, PLATTING, CONSTRUCTION AND INSPECTION REQUIREMENTS, STORMWATER MANAGEMENT REQUIREMENTS, LAND MODIFICATION OF PLATTED RESIDENTIAL LOTS, AND GRADING AND PERMITTING; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE, FIRST READING: Attorney Smith read the title of the Ordinance into the record. Penny Overstreet, City Clerk advised this ordinance is first reading, if approved it will go to a review by the Planning and Architectural Review Board, then return to the Commission in late May or early June for final reading. Dr. Lee Richards, Engineering Program Coordinator, reviewed the proposed ordinance that will apply regulations for stormwater and illicit discharge. The Commission reviewed the ordinance and reached consensus to amend the following items: line 191, change from 14 days to 30 days, line 296 and 281 change from Section 8 to Section 9, line 703 typo change "of" to "or". Chair Cooley opened public comments. No comments were offered. Chair Cooley closed public comments. Motion by Commissioner Belhumeur that we approve Ordinance 2023-01 as amended. Commissioner Sherman seconded the motion. The motion carried unanimously, after a roll call vote.

13. STAFF REPORTS.

CITY ATTORNEY: Attorney Smith advised he has been working with the Code Enforcement Officer regarding the Pine Tree St. canal issue. Attorney Smith, requested a Commission representative to attend the April 27th mediation on the golf Course. Commissioner Spradley will represent, along with Attorney Smith and HR Director Liz Mathis.

CITY MANAGER: None

CITY CLERK: Clerk requested a volunteer to draft the Welcome letter for the Destination Flagler Beach Magazine. Mayor Johnston volunteered to draft the letter. The Commission reached a consensus to have the Mayor draft the welcome letter.

Clerk requested a commission representative for the School Board ILA Committee, Commissioner Sherman volunteered to serve along with Commissioner Mealy.

ENGINEERING PROJECT COORDINATOR: Dr. Richards reported FEMA approved the request to fund the additional cost to the Wickline Improvements. Dr. Richards advised Quality Engineering and Surveying will hold two public Workshops at 3:00 pm. and 6:00 pm. in the Commission Chambers on May 1, 2023 to provide residents information on the Flood Mitigation Grants.

COMMISSION COMMENTS

14. COMMISSION COMMENTS, INCLUDING REPORTS FROM MEETINGS ATTENDED: The officials reported their attendance at meetings, gatherings, and events since the last regular meeting. Mayor Johnston asked the City Manager to direct staff to have a table at First Fridays to provide community information. Commissioner Sherman thanked the Commission for the opportunity to travel to the capitol and meet with the legislatures. Commissioner Belhumeur asked the City Manager to have staff work to place the weekly highlights on the website. Commissioner

Chairman Pozzuoli –

1. Concern with safety of perimeter fencing.
2. Gate will protect from crossing deck to water area?
3. Concerns with emergency vehicle access.

- Applicants responses:

Pond decorative rail fencing with ability to see through will be installed and will go along the West and borders the sidewalk. Fencing then comes around the North and ties into the railing along retaining wall. Gate will protect from crossing deck to the water area.

- Would like to know if there would be optional discussions what the city and developer are willing to do together?

Attorney Smith replied it would be his expectation, if developer is making outside improvements paving a road that is not on your site, developer should be getting impact fee credits.

Chairman Pozzuoli opened public discussion. There being no comments, public discussion was closed.

Joann Soman motion to recommend approval of Final Site Plan Application SP#23-04-01 with the following conditions:

1. Continue discussion regarding paving of Joyce Street.
2. Relocation of fire hydrant located on Leslie Street
3. Discuss installing sidewalk along Leslie Street

Marshall Shupe seconded the motion. Motion passed with Brenda Wotherspoon opposing motion.

B. ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE FLAGLER BEACH LAND DEVELOPMENT REGULATIONS TO CREATE A NEW ARTICLE IX RELATING TO ENGINEERING DESIGN AND DEVELOPMENT, CREATING PROVISIONS FOR DEVELOPMENT REVIEW SUBMITTAL, PLATTING, CONSTRUCTION AND INSPECTION REQUIREMENTS, AND STORMWATER MANAGEMENT REQUIREMENTS,; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE. (Staff, Lee Richards)

Lee Richards stated reason for implementing Ordinance 2023-1 is to satisfy the Municipal Separate Storm/Sewer System (MS4) requirements for FDEP regarding stormwater run off and incorporate it into the Land Development Code. The illicit discharge language was changed from the original Chapter in the Code. Ordinance describes how the illicit discharge is handled, how site maintenance is handled and illicit discharge detection and elimination.

May 2, 2023
PARB
Draft minutes

Board Comments:

Brenda Wotherspoon –

Concern with language written in Section 904 erosion control, line number 816 gutters and downspouts. Mrs. Wotherspoon shared an experience reading a letter regarding swells and water run off drainage issues. Questioned language regarding Paragraph 3.

Mr. Richards stated the current Code language requires no water be shed to a neighboring property to the left or to the right and water needs to be directed to the front and to the rear of property. Mr. Richards spoke about detention facility capturing run off water from certain areas on the island. A more aggressive approach will be taken addressing the entrance ways with water runoff to the alleys and the paved streets.

Mr. Richards stated he has been studying the issue and is going to attempt an entire City wide Stormwater Management Plan. The issues with elevation changes and roads will be addressed and mitigate water from affecting other properties.

Line 702 Pesticides not applied or stored correction. Chairman Pozzuoli – Consider adding an asterisk before Paragraph 3. Line 314 Parameters. Add to gutter section for solution (wording).

Drew Smith, City Attorney – can language be changed to “Gutters and Downspouts are recommended for all new houses but required on new houses that meet all the following criteria”.

Mr. Richards suggested changing the Land Use Administrator in the Ordinance language to Stormwater Manager or Flood Plain Manager.

Attorney Smith - Add after first sentence in Paragraph 3, Line 828 “after side yard swell, subject to any other requirements of this Code.

Larry Torino commented he takes a different position regarding the language of the Land pertaining to Land Use Administrator. There is not a Land Use Administrator within the City and most municipalities designate the City Manager as the Land Use Administrator. Mr. Torino recommended using language as Land Use Administrator or Designee. Rather than naming a staff position that can be changed or eliminated. Should this occur you would need to amend Land Development Codes. Use a general term and it leaves it open to flexibility should staff changes occur.

Mr. Smith stated State is very specific and the terminology used for the positions not to use Designee. State requires knowing who the point of contact is with the MS4. An internal designation will happen, as it is not a job title but a job function.

Mr. Smith read a compilation from board’s recommendation:


- 1). Line 816 adding after recommended for all new houses, sentence to read – gutters and downspouts are recommended for new houses but required for new houses that meet the following criteria.
- 2). Line 828 adding to end of first sentence subparagraph 3- subject to any additional requirements of this Code.
- 3). Global change of replacing Land Use Administrator to Flood Plains Manager

Chairman Joseph Pozzuoli opened public discussion. Comments were received from the following:

Jane Mealy, Flagler Beach – Commission viewed Ordinance on 1st reading and Ms. Mealy asked if Commission changes were incorporated into the Ordinance.

Attorney Smith said it is the same draft that was brought before the commission.

Joann Soman motioned to recommend approval of changes as Attorney Smith read into record.

- 
1. Line 816 adding after recommended for all new houses, sentence to read – gutters downspouts are recommended for new houses but required for new houses that meet the following criteria.
 2. Line 828 adding to end of first sentence subparagraph.
 3. Subject to any additional requires of this code.
 4. Global change of replacing Land Use Administrator to Flood Plains Manager.

Catherine Feind seconded the motion. Motion passed unanimously.

6. Board Comments

Catherine Feind stated this is her last meeting and thanked all staff.

7. Adjournment

Meeting adjourned at 7:15 pm

Ad Preview

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

ORDINANCE NO. 2023-01

AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING THE FLAGLER BEACH LAND DEVELOPMENT REGULATIONS TO CREATE A NEW ARTICLE IX RELATING TO ENGINEERING DESIGN AND DEVELOPMENT, CREATING PROVISIONS FOR DEVELOPMENT REVIEW SUBMITTAL, PLATTING, CONSTRUCTION AND INSPECTION REQUIREMENTS, AND STORMWATER MANAGEMENT REQUIREMENTS; PROVIDING FOR SERVABILITY; PROVIDING FOR CODIFICATION, CONFLICTS, AND EFFECTIVE DATE.

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

City Commission:

Second Reading: May 25, 2023 @ 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 386-517-2000 Ext. 233 at least 48 hours prior to the meeting.
L#8835344

1 **ORDINANCE NO. 2023-01**

2
3 **AN ORDINANCE OF THE CITY OF FLAGLER BEACH, FLORIDA, AMENDING**
4 **THE FLAGLER BEACH LAND DEVELOPMENT REGULATIONS TO CREATE A**
5 **NEW ARTICLE IX RELATING TO ENGINEERING DESIGN AND**
6 **DEVELOPMENT, CREATING PROVISIONS FOR DEVELOPMENT REVIEW**
7 **SUBMITTAL, PLATTING, CONSTRUCTION AND INSPECTION**
8 **REQUIREMENTS, AND STORMWATER MANAGEMENT REQUIREMENTS;;**
9 **PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION,**
10 **CONFLICTS, AND EFFECTIVE DATE.**

11
12
13 **WHEREAS,** city staff has determined the need to codify regulations for
14 Engineering Design and Development, Stormwater Management, and illicit discharge
15 to ensure compliance with the National Pollutant Discharge Elimination System (NPDES)
16 permit process to provide protection of the health, safety and welfare of the citizens of
17 the City through the regulation of non-stormwater discharges into drainage system; and

18 **WHEREAS,** to effectuate this purpose, the City Commission desires to establish
19 theses regulations; and

20 **WHEREAS,** the City Commission finds and determines that adoption of this
21 Ordinance is in the best interest of the residents of Flagler Beach.

22 **NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF**
23 **FLAGLER BEACH, FLORIDA, AS FOLLOWS:**

24 **SECTION ONE.** The findings set forth in the recitals above are hereby adopted as
25 legislative findings of the City Commission pertaining to this Ordinance.

26
27 **SECTION TWO.** Article IX, "Engineering Design and Development," of the City of Flagler
28 Beach Land Development Regulations is hereby created as follows:

29
30 * * *

31 **ARTICLE IX ENGINEERING DESIGN AND DEVELOPMENT**

32
33 **SECTION 9.01.00. – GENERAL PROVISIONS**

34 **SECTION 9.01.01. – PURPOSE AND INTENT**

35 The purpose of this section is to set forth engineering design regulations for residential
36 and nonresidential uses as required in this Land Development Code. This section sets
37 forth uniform regulations, requirements, and procedures to protect the health, safety, and
38 welfare of the citizens and to assure quality of life to the citizens of the City. The Land
39 Use Administrator–Flood Plains Manager may adopt technical manuals that relate to

Commented [PO1]: Recommended at the May 2, 2023 PARB
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40 technical requirements pertaining to the City's water, wastewater, reclaimed water,
41 drainage, street, and other systems.

42 SECTION 9.01.02. – APPLICABILITY

43 *The design and construction requirements shall apply to:*

- 44 A. Nonresidential and residential subdivision projects (applies to subdivisions with
- 45 private or public roadway dedications);
- 46 B. Nonresidential and residential construction projects; and
- 47 C. City and other public agency owned projects.

48 SECTION 9.01.03. – GENERAL REQUIREMENTS

49 A. *Utility lines.*

- 50 1. Utility lines for all new development projects shall be installed underground.
- 51 Switchgear, pumps, transformers, and other appurtenances shall be allowed
- 52 aboveground, but shall be shielded with landscaping as required in this Land
- 53 Development Code. Connections from distribution lines, mains, and
- 54 collectors in the public or utility rights-of-way or easements shall be placed
- 55 underground.
- 56 2. All redevelopment projects shall relocate existing on-site overhead utility lines
- 57 underground, within project limits. The ~~Land Use Administrator~~ Flood Plains
- 58 Manager may allow exceptions to this requirement if it is determined that
- 59 such relocation is not feasible based upon the unique configuration of the
- 60 real property.
- 61 3. For all new private and public development projects, underground
- 62 communications conduit(s) shall be installed in accordance with City
- 63 standards.

- 64 B. *Traffic control devices.* All traffic control devices shall meet the more stringent
- 65 requirements of all of the following: 1) the latest edition of the Manual of Uniform
- 66 Traffic Control Devices, 2) Florida Department of Transportation Design
- 67 Standards Road and Bridge Technical Specifications, 3) Florida Highway
- 68 Administration Standard Highway Signs, and 4) Florida Department of
- 69 Transportation Traffic Engineering and Operations Manuals.

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70 SECTION 9.01.04. – CONSTRUCTION PLANS SUBMITTAL REQUIREMENTS

- 71 A. Construction Plans and Calculations shall be prepared, signed, and sealed by a
72 Florida Licensed Professional Engineer or other Licensed Professional qualified
73 in the appropriate field for which the Construction Plans and Calculations are
74 prepared. Plans and calculations shall be submitted for review in accordance
75 with the City's Development Review Process.
- 76 B. The City shall establish submittal checklists relating to the required contents of all
77 Development Review submittals. The checklists shall establish minimum
78 requirements for the contents of Construction Plan and Design Document
79 submittals. Additional information may be requested if the City believes the
80 information is reasonably necessary in support of drainage analysis; including
81 maps, charts, tables, graphs, photographs, narrative descriptions, additional
82 calculations, explanations, and citations to support references as deemed
83 appropriate to communicate the required information for reasonable evaluation of
84 the site.
- 85 C. Grading and drainage plans shall include existing and proposed contours at one-
86 foot (min.) intervals with spot elevations as needed for clarity and to adequately
87 depict drainage patterns.
- 88 D. Topographic survey for half of right-of-way adjacent to project for full length of
89 frontage, including existing driveways and right-of-way intersections within 100
90 feet of site, showing drainage structures, signage, and utilities.
- 91 E. Section views of all proposed retention/detention ponds, swales, berms, etc.
92 showing 25-year stormwater elevation and top of bank elevation.
- 93 F. Construction details for all proposed manholes, inlets, and other stormwater
94 control structures.
- 95 G. Location, size, length, and elevations of all proposed piping systems and related
96 control structures.
- 97 H. Erosion control plans shall be on a separate sheet with existing and proposed
98 contours.
- 99 I. Legends shown with all abbreviations and symbols identified.
- 100 J. Copies of permits from all regulatory agencies having jurisdiction over the project
101 (prior to commencement of construction).
- 102 K. Phasing of development. The phasing of development is allowed as part of
103 approval of a site plan or a Subdivision Preliminary Plat in accordance with the
104 following standards:

- 105 1. Phasing of approved development shall be in keeping with an approved
106 phasing plat that shows phase boundaries and describes included development
107 and improvements.
- 108 2. Each phase shall be designed and constructed to include all improvements
109 and other aspects of development necessary to meet all requirements of the
110 Code and all other applicable regulations.

111 SECTION 9.02.00. – PLATTING REQUIREMENTS

112 9.02.01. *Purpose.* The purpose of this section is to establish requirements for the
113 subdivision of land in the City and to ensure compliance with F.S. ch. 177.

114 9.02.02. *Subdivision design standards.* In addition to the requirements stated in other
115 sections of this Code, subdivisions shall be designed according to the following:

116 A. *Lots.* All lots shall conform to the dimensional, yard, and building setback
117 requirements of the applicable zoning district development standards. In addition,
118 the following requirements shall apply:

119 1. *Width.* All lots shall have a minimum street frontage of 20 feet, and those
120 fronting on a curve shall meet the minimum lot width measured at the front
121 setback line.

122 2. *Depth.*

123 a. Lots along arterial streets shall be deep enough to accommodate the two
124 required front yard setbacks.

125 b. Flag lots are prohibited unless approved as part of a Master Planned
126 Development.

127 3. *Orientation.* Residential lots shall be designed so vehicular ingress and
128 egress to/from those individual lots is not provided from abutting limited
129 access roadways or arterials.

130 B. *Permanent reference markers.* A registered land surveyor shall install permanent
131 reference monuments, permanent control points, and state plane coordinates in
132 accordance with State laws and professional standards. These must be
133 inspected by the second party surveyor to certify they have been set in the field
134 prior to final plat approval or recording of the mylar.

135 9.02.03. *Easements.*

136 A. *Drainage easements.*

137 1. Drainage easements of a width required for conveying and maintaining an
138 adequate storm drainage system shall be provided. Minimum width for piped
139 systems shall be 15 feet plus the pipe diameter, and 15 feet for open channels
140 plus channel width, measured from top of bank to top of bank. Where deemed
141 necessary by the ~~Land Use Administrator~~ Flood Plains Manager, additional
142 easements and increased width may be required along waterways, natural
143 watercourses, canals, and drainage ways.

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- 144 2. Whenever a subdivision lies wholly or partly in any area for which the City has
145 adopted a drainage plan, and is traversed by a natural or designed watercourse
146 for which such plan requires a drainage easement or right-of-way, such
147 easement or right-of-way shall be set forth on the preliminary and final plat and
148 shall be dedicated to the City for public use.
- 149 B. [*Stormwater storage facilities.*] Stormwater storage facilities shall be constructed
150 to provide adequate access for maintenance. An access and maintenance
151 easement of ten feet around the perimeter of wet ponds and five feet around the
152 perimeter of dry ponds, measured from top of bank, shall be provided for
153 detention facilities. Maximum grade for maintenance easement shall be ten
154 percent.
- 155 C. [*Stormwater management systems.*] Stormwater management systems must be
156 designed to accommodate maintenance equipment access and to facilitate
157 regular operational maintenance (such as underdrain replacement, unclogging
158 filters, sediment removal, mowing, and vegetation control).
- 159 D. *Utility easements.* Utility easements for both underground and aboveground
160 facilities shall be provided where required by the City Manager or designee. Such
161 easements shall have a minimum width of ten feet and shall normally be laid out
162 on property lines. In all cases, such easements shall be dedicated to the
163 perpetual use of the public. Where lots abut along a common property line, the
164 easement may be centered along said common property line.
- 165 E. *Pedestrian paths and sidewalk easements.* Pedestrian easements or walkways
166 shall be provided through the interior of lots where such easements are required
167 by the City Manager or designee. Pedestrian easements shall be at least eight
168 feet wide, or walkway width plus two feet, whichever is greater, and shall be laid
169 out along the side or rear property lines. In all cases, such easements shall be
170 dedicated to the perpetual use of the public.
- 171 F. *Private easements.* Private easements (or spite strips) between the road and the
172 subdivision boundary or between subdivision boundaries shall not be permitted
173 unless conditions are established under which the adjacent parcel can be
174 connected to the road or adjacent property.
- 175 G. *Easements and right-of-way maintenance.* The City will maintain only those
176 easements, rights-of-way, and public sites which it accepts for maintenance.
- 177 H. *Vacation of easements.* An easement may be vacated by a replat of the plat in
178 which the easement was dedicated, or via a resolution of the City Commission,
179 based on the best interests of the public. The only easements eligible for
180 vacation by resolution are easements which have been previously dedicated and
181 accepted, such as with the approval of a plat. The applicant must submit
182 recommendation letters from utility companies; and a survey and legal
183 description of the area to be vacated; and must show that the easement should
184 be vacated due to utility reroute, non-use of the easement, or that the easement
185 is no longer needed for public purposes. The City can vacate only "public"
186 easements located within the City which are dedicated to the City or to the public.

187 Upon receipt of a vacation request, the City Clerk will publish a notice of public
188 hearing, and shall notify property owners within the block where the easement is
189 located of the public hearing by certified mail, return receipt requested. In
190 addition, the applicant must post the notice at each end of the easement to be
191 vacated, not less than ~~44~~ 30 days prior to the public hearing. An affidavit of proof
192 of posting must be submitted to the City Clerk not less than seven days prior to
193 the hearing.

Commented [PO4]: Amended at the April 13th CC Mtg

194 9.02.04. *Plat approval.* Prior to the City Commission hearing for approval of a plat, the
195 developer must submit all required documents, recording costs and fees, and:

196 A. If infrastructure improvements have not been commenced, a surety bond
197 guaranteeing funds to construct all subdivision public improvements must be
198 provided for City Commission. After approval, the mylar can be processed for
199 recording; or

200 B. If infrastructure improvements have commenced and are continuing in good faith,
201 the final plat can go to City Commission without a bond but the mylar will not be
202 processed for recording until all infrastructure is complete, based on City
203 approval of all final inspections in the site development permit, and the submittal
204 of a maintenance bond.

205 9.02.05. *Performance surety for subdivisions and site plan construction projects.* At
206 such time as the City agrees to accept the dedication of any public
207 improvements, a performance guarantee in accordance with the standards in this
208 section shall be required. To ensure completion of public infrastructure
209 improvements that are required as part of an approved site plan or final plat
210 (E.g., streets, sidewalks, stormwater management facilities, potable water
211 facilities, wastewater facilities, and streetlights), the developer shall execute
212 performance and maintenance sureties that guarantee the required
213 improvements against all defects in workmanship and materials, including failure
214 to construct or to continue to construct in accordance with approved plans and
215 specifications.

216 A. *Performance surety.*

217 1. *Plat and site plan performance surety amount.* A plat or site plan surety must
218 be in the form of a cash bond, performance bond, or letter of credit. The cost
219 estimate amount of the surety shall be based on 120 percent of the sum of the
220 following costs, as certified under seal by the project engineer of record:

221 a. Required subdivision public infrastructure improvements costs.

222 b. Costs of all required improvements relating to public road right-of-way.

223 c. Costs of all required off-site public infrastructure improvements.

224 The amount of surety is subject to approval by the ~~Land Use Administrator~~ Flood
225 Plains Manager.

Commented [POS]: Recommended at the May 2, 2023 PARB Mtg

226 2. *Performance surety release.* Upon completion of all performance surety
227 guaranteed improvements, applicable inspections, and acceptance by the

228 City, performance sureties shall be released by the ~~Land Use Administrator~~
229 Flood Plains Manager.

Commented [P06]: Recommended at the May 2, 2023 PARB Mtg.

230 B. *Maintenance surety.*

231 1. *Plats and site plans with public improvements maintenance surety.* A
232 maintenance surety for public improvements shall be submitted upon
233 release of the performance surety. The maintenance surety provides a
234 guarantee that the required improvements were completed without defects
235 in workmanship and materials. The term of this guarantee shall be one year
236 from the date of acceptance, unless the ~~Land Use Administrator~~ Flood
237 Plains Manager specifies a longer time frame.

Commented [P07]: Recommended at the May 2, 2023 PARB Mtg.

238 2. *Maintenance surety amount.* The amount of the maintenance surety shall be
239 based on 20 percent of the entire actual/present day costs of construction,
240 including the costs of materials and labor for installing the required public
241 infrastructure improvements. Actual costs for installing required public
242 infrastructure improvements shall be itemized by improvement type as
243 certified under seal by the project engineer of record, and subject to
244 approval by the ~~Land Use Administrator~~ Flood Plains Manager.

Commented [P08]: Recommended at the May 2, 2023 PARB Mtg.

245 3. *Maintenance surety release.* The maintenance surety may be released no
246 earlier than one year from the date of acceptance of the required
247 improvements by the ~~Land Use Administrator~~ Flood Plains Manager. This
248 action must be initiated, in writing, by the developer.

Commented [P09]: Recommended at the May 2, 2023 PARB Mtg.

249 9.02.06. *Compliance with design requirements.* All land development improvements
250 shall comply with all the requirements of this Land Development Code,
251 including those which contain design and construction information for the
252 following:

- 253 A. Horizontal and vertical dimensional design requirements.
- 254 B. Roadway, parking, and vehicle access ways.
- 255 C. Pedestrian pathways, sidewalks, and recreational trails.
- 256 D. Storm drainage, potable water, reclaimed water, and sanitary sewer
257 infrastructure improvements.
- 258 E. Clearing, earthwork, and grading.

259
260
261

262 SECTION 9.03.00. – CONSTRUCTION AND INSPECTION REQUIREMENTS

263 9.03.01. *Purpose.*

264 A. The purpose of this section is to establish requirements for the inspection of the
265 construction of all site development improvements on both residential and non-
266 residential projects. The construction inspection procedures set forth in this chapter
267 and in the City Technical Standards Manual ensure conformity of construction with

268 approved development orders, this Land Development Code, and any conditions of
269 approval.

270 B. Separate construction inspection requirements for water and sewer
271 improvements are established in Part II of this chapter. Inspections shall be
272 performed as required by the ~~Land Use Administrator~~ Flood Plains Manager.

Commented [PO10]: Recommended at the May 2, 2023 PARB Mtg

274 9.03.02. *Commencement of construction.* Commencement of construction or
275 disturbance of land of any type is prohibited unless:

276 A. A final development order is issued in conjunction with a site development permit
277 or applicable building permits;

278 B. All requisite federal, state, county, and City site work permits for the project are
279 obtained. Certification by the engineer of record, along with copies of all required
280 permits, may be required by the ~~Land Use Administrator~~ Flood Plains Manager.

Commented [PO11]: Recommended at the May 2, 2023 PARB Mtg

281 C. A preconstruction meeting for the project is scheduled and held with the City,
282 unless deemed unnecessary by the ~~Land Use Administrator~~ Flood Plains Manager.

Commented [PO12]: Recommended at the May 2, 2023 PARB Mtg

283 ~~9.03.03.~~ *Types of inspections.*

284 A. The following construction inspections shall be held during the course of the
285 construction of the project infrastructure:

Commented [PO13]: Amended at the April 13th CC Mtg

- 286 1. Scheduled mandatory key checkpoint inspections.
- 287 2. Scheduled or requested minor inspections and field conferences.
- 288 3. Unscheduled site visits and inspections.
- 289 4. Stormwater Pollution Prevention Plan (SWPPP) Inspections.
- 290 5. All other inspections required by the governing contract for a specific project.
- 291 6. Scheduled final inspection for punch list work.
- 292 7. Scheduled re-inspection of punch list work.
- 293 8. Scheduled final inspection walkthrough, as required prior to the developer
294 submitting a request for the following:
 - 295 a. Release of surety and acceptance by City of a maintenance bond.
 - 296 b. Acknowledgement of completion of required subdivision improvements to allow
297 final plat recordation.
 - 298 c. Acceptance of roadways dedicated to the City.

299 ~~9.03.04.~~ *Privately owned bridges.* Privately owned bridges shall meet the design,
300 construction, inspection, maintenance, and reporting criteria in accordance with
301 the Florida Department of Transportation and federal standards.

Commented [PO14]: Amended at the April 13th CC Mtg.

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303

304 SECTION 9.04.00. – STORMWATER MANAGEMENT REQUIREMENTS

305
306

307 SECTION 9.04.01. – PURPOSE AND INTENT

308 The purpose of this section is to manage stormwater drainage within the City of
309 Flagler Beach in order to maintain and enhance the public health, safety, and
310 welfare through the control of runoff volume and treatment of stormwater runoff
311 for the protection of surface water and groundwater quality, and the control and
prevention of erosion, sedimentation, and flooding by providing standards for the

312 design, construction, and operation of stormwater management systems in
313 conformance with best overall management practices. This section is intended to
314 enforce the goals, objectives, and policies of the comprehensive plan, and to be
315 consistent with the applicable policies and regulations of regional, state and federal
316 agencies regarding stormwater management.

317 The City of Flagler Beach will always consider reasonable alternatives to the design
318 parameters specified in this Chapter and as implemented by the City Engineering
319 office so long as it utilizes good engineering judgement, best practices, and is put
320 forth by a licensed professional engineer licensed in the State of Florida.

321

322 **SECTION 9.04.02. – STORMWATER DESIGN CRITERIA**

323 The design concepts of a drainage system shall be consistent with sound engineering
324 principles and practices and shall be consistent with applicable rules, regulations and
325 policies of the St. Johns River Water Management District (SJRWMD) and the Florida
326 Department of Environmental Protection (FDEP). In all instances, the drainage
327 design calculations shall be submitted along with the engineering plans, preferably
328 overlain on the Site Survey submitted at the permit application step. These drainage
329 calculations shall consider all relevant information that would affect the stormwater
330 management system including, but not limited to, the following: drainage basin
331 characteristics, system hydraulics, operating conditions and other external
332 influences upstream and downstream from the stormwater system that may impact
333 or be impacted by the proposed system.

334 The design and construction of detention facilities shall be in accordance with the
335 criteria set forth herein. Detention is the concept of capturing stormwater and/or to
336 slow the intensity of runoff so as to mitigate flooding. Water should be allowed to
337 percolate into the ground so that all standing water is fully absorbed within a 72-
338 hour period after the rain event. Detention, in combination with appropriate
339 grading, also helps to control runoff water from any one property flowing onto any
340 adjacent property.

341

342 **SECTION 9.04.03. – DETENTION**

343 A. Detention is defined as a constructed or natural structure, either raised or
344 depressed, used to deter or slow down runoff water so that percolation into the
345 ground is enhanced. Detention is required on all lots as is practical especially for
346 single family and duplex residential uses lying within the Special Flood Hazard
347 Area (SFHA). Good judgement and standard professional engineering best
348 practices shall be used to determine what is or is not practical.

349 B. Within applicable areas, residential single family and two family residences are
350 required to detain stormwater over the entire portion of the property area. This
351 includes protected areas such as wetlands, wetland buffer zones, utility
352 easements, City rights-of-way, etc. This may be accomplished by natural or
353 artificial drainage systems including but not limited to, swales, berms, pipes,
354 French drains, other approved structures, or any combination of the above.

- 355 C. Where practical, all development is required to have retention swales
356 constructed within the Rights-Of-Way (R-O-W) along the property lines adjoining
357 paved roadways. These swales shall be 0.75 feet (9 inches) deep with the center
358 line of the swale located approximately 7 feet from the edge of pavement (EOP).
359 They shall be finished with a suitable, 100% pervious material.
360

361 **SECTION 9.04.04. – FILL**

- 362 A. Proposed fill shall be limited to the minimum amount of fill necessary to provide
363 positive drainage flow and to abide by any applicable floodplain protection or
364 building code regulations. Positive drainage shall be established on the grading
365 plan. The city shall consider a 33% maximum grade (1:3) or elevation of six (6)
366 inches above side lot or front swale as the standards for positive drainage unless
367 the existing grades dictate otherwise. At no point shall a lot or parcel be filled
368 higher than the final average grade of any adjacent developed properties if
369 original natural grade was not already higher than the adjacent developed
370 properties. No fill shall be permitted on right-of-way areas except as required for
371 driveway and culvert installation. Fill shall be defined as imported soil or material
372 used to raise the grade of existing lands, excluding sod, gravel and other
373 permeable materials used as ground cover.

374 **B. AE SFHA Flood Zone**

- 375 1. Fill is limited to the compacted amount needed inside the perimeter of a
376 stem wall foundation in order to achieve a solid subsurface to pour a
377 concrete slab to the elevation of the approved FFE.
378 2. Additional fill is permissible to bring driveways and/or sidewalks to the
379 approved elevations proposed on the site plan.
380 3. Any additional fill is then limited to 50 Cubic Yards outside the building,
381 driveway and sidewalk footprints, generally, not to exceed 6 inches in
382 overall grade change and with slopes constructed no greater than 3:1
383 slopes to meet adjacent property grades.
384 4. Detention is required to keep runoff due to the development contained
385 on the property.

386 **C. X Flood Zone**

- 387 1. Fill is limited to the compacted amount needed inside the perimeter of a
388 stem wall foundation in order to achieve a solid subsurface to pour a
389 concrete slab to the elevation of the approved FFE.
390 2. Fill is permitted, not necessarily limited to 50 Cubic Yards, outside the
391 building footprint, under the driveway(s), walkways, and other flatwork,
392 sufficient to provide proper drainage away from structures and into
393 onsite detention areas and R-O-W swales.
394 3. Final grades generally shall not exceed 6 inches in overall elevation
395 change and constructed at no greater than 3:1 slopes to meet adjacent
396 property grades.
397

398 **SECTION 9.04.05. ILLICIT DISCHARGE, DETECTION AND ELIMINATION**

399 A. The purpose of this section is to provide for the health, safety, and general
400 welfare of the citizens of Flagler Beach through the regulation of non-
401 stormwater discharges to the storm drainage system to the maximum extent
402 practicable as required by federal and state law. This section establishes
403 minimum standards and methods for controlling the introduction of pollutants
404 into the Municipal Separate Storm Sewer System (MS4) in order to comply with
405 requirements of the National Pollutant Discharge Elimination System (NPDES)
406 permit process.
407

408 B. Prohibition of Illegal Discharges. No commercial business, resident or any other
409 person shall discharge or cause to be discharged into the municipal storm drain
410 system or watercourses any materials, including but not limited to pollutants or
411 waters containing any pollutants that cause or contribute to a violation of
412 applicable water quality standards, other than stormwater. The commencement,
413 conduct or continuance of any illicit discharge to the storm drain system is
414 prohibited except as described as follows:
415 1. Discharges specified in writing by the City as being necessary to protect public
416 health and safety.
417 2. Dye testing is an allowable discharge, but requires a written notification to the
418 City 48 hours prior to the time of the test.
419 3. The prohibition shall not apply to any non-stormwater discharge permitted under
420 an NPDES permit, waiver, or waste discharge order issued to the discharger and
421 administered under the authority of the Federal Environmental Protection Agency
422 (EPA), provided that the discharger is in full compliance with all requirements of the
423 permit, waiver, or order and other applicable laws and regulations, and provided
424 that written approval has been granted for any discharge to the storm drain system.
425

426 C. Prohibition of illicit connections. This prohibition expressly includes, without
427 limitation, illicit connections made in the past, regardless of whether the
428 connection was permissible under law or practices applicable or prevailing at the
429 time of connection.
430

431 1. The construction, use, maintenance or continued existence of illicit connections
432 to the storm drain system is prohibited.
433

434 2. A commercial business, resident or any other person is considered to be in
435 violation of this section if the entity connects a line conveying sewage to the
436 MS4, or allows such a connection to continue.
437

438 3. A commercial business, resident or any other person commits an offense if that
439 person reinstates MS4 access to premises terminated pursuant to this section
440 without the prior approval by the City.
441

- 442 D. Suspension of access to a municipal storm sewer system. The city may suspend
443 access to the municipal storm sewer system if either one of the following
444 situations occurs:
445
- 446 1. Suspension due to Illicit Discharges in Emergency Situations. The City, without
447 prior notice, may suspend MS4 discharge access to a person when such
448 suspension is necessary to stop an actual or threatened discharge which
449 presents or may present imminent and substantial danger to the environment,
450 or to the health or welfare of persons, or to the MS4 or Waters of the United
451 States. If the violator fails to comply with a suspension order issued in an
452 emergency, the City may enter the property and take such steps as deemed
453 necessary to prevent or minimize damage to the MS4 or Waters of the United
454 States, or to minimize danger to persons. The person / violator shall be
455 responsible to reimburse the City of their agent for all costs incurred from the
456 corrective action.
457
 - 458 2. Suspension due to the Detection of Illicit Discharge. Any commercial business,
459 resident or any other person discharging to the MS4 in violation of this section
460 may have their MS4 access terminated if such termination would abate or
461 reduce an illicit discharge.
462
- 463 E. Industrial or construction activity discharges. Any person subject to an industrial
464 or construction activity NPDES stormwater discharge permit shall comply with all
465 provisions of such permit. Proof of compliance with said permit may be required
466 in a form acceptable to the City of Flagler Beach prior to the allowing of
467 discharges to the MS4.
468
- 469 F. Monitoring of discharges. The following regulations apply to all facilities that
470 have stormwater discharges associated with industrial activity, including
471 construction activity:
472
- 473 1. The City shall be permitted to enter and inspect facilities subject to regulation
474 under this section as often as may be necessary to determine compliance with
475 this section. If a discharger has security measure in force which requires proper
476 identification and clearance before entry into its premises, the discharger shall
477 make the necessary arrangements to allow access to representatives of the
478 City.
479
 - 480 2. Facility operators shall allow the City access to all parts of the premises for the
481 purposes of inspection, sampling, examination and copying of records that must
482 be kept under the conditions of an NPDES permit to discharge stormwater, and
483 the performance of any additional duties as defined by state and federal law.
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3. The City has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy.
 4. The City shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the City to conduct monitoring and/or sampling of the facility's stormwater discharge.
 5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City and shall not be replaced. The costs of clearing such access shall be borne by the operator.
 6. Unreasonable delays in allowing the City access to a permitted facility is a violation of a stormwater discharge permit and of this section. An operator of a facility with a NPDES permit to discharge stormwater associated with industrial activity commits an offense if the operator denies the City reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this section.
 7. If the City has been refused access to any part of the premises from which stormwater is discharged, and the City is able to demonstrate probable cause to believe that there may be a violation of this section, or that there is a need to inspect and / or sample as part of a routine inspection and sampling program designed to verify compliance with this section or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City may seek issuance of a search warrant from any court of competent jurisdiction.
 - G. Requirement to prevent, control, and reduce stormwater pollutants by the use of Best Management Practices (BMP's). The City of Flagler Beach has adopted requirements identifying BMP's for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the MS4 or watercourses through the use of these structural and non-structural BMP's. Further, any person responsible for a property or premise, which is, or may be the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMP's to prevent the further discharge of pollutants into the MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater

529 associated with industrial activity, to the extent practicable, shall be deemed
530 compliance with the provisions of this section. These BMP's shall be part of a
531 Stormwater Pollution Prevention Plan (SWPPP) as necessary for compliance with
532 requirements of the NPDES permit.
533

534 H. Watercourse Protection. Persons owning property through which a watercourse
535 passes, or such person's lessee, shall keep and maintain that part of the
536 watercourse within the property free of trash, debris, excessive vegetation, and
537 other obstacles that would pollute, contaminate, or significantly reduce the flow
538 of water through the watercourse. In addition, the owner or lessee shall
539 maintain existing privately owned structures within or adjacent to a
540 watercourse, so that such structures will not become a hazard to the use,
541 function, or physical integrity of the watercourse.
542

543 I. Notification of spills. Notwithstanding other requirements of law, as soon as any
544 person responsible for a facility or operation, or responsible for emergency
545 response for a facility or operation has information of any known or suspected
546 release of materials which are resulting or may result in illegal discharges or
547 pollutants discharging into stormwater, the storm drain system, or water of the
548 Florida, said person shall take all necessary steps to ensure the discovery,
549 containment, and cleanup of such release. In the event of such a release of
550 hazardous materials said person shall immediately notify emergency response
551 agencies of the occurrence via emergency dispatch services. In the event of a
552 release of non-hazardous materials, said person shall notify the City in person or
553 by phone or facsimile no later than the next business day. Notifications in person
554 or by phone all be confirmed by written notice addressed and mailed to the City
555 within three business days of the phone notice. If the discharge of prohibited
556 materials emanates from a commercial or industrial establishment, the owner or
557 operator of such establishment shall also retain an on-site written record of the
558 discharge and the actions taken to prevent its recurrence. Such records shall be
559 retained for at least five years.
560

561 J. Enforcement. Whenever the City finds that an owner/operator has violated a
562 prohibition or failed to meet a requirement of this section, the City may order
563 compliance by written notice of violation to the responsible owner/operator.
564 Such notice may require without limitation:
565

- 566 1. The performance of monitoring, analyses, and reporting;
- 567
- 568 2. The elimination of illicit connections or discharges;
- 569
- 570 3. That violating discharges, practices, or operations shall cease and desist;
- 571

- 572 4. The abatement or remediation of storm water pollution or contamination
573 hazards and the restoration of any affected property;
574
- 575 5. Payment of a fine to cover administrative and remediation costs; and
576
- 577 6. The implementation of source control or treatment BMPs.
578 If abatement of a violation and/or restoration of affected property is required, the
579 notice shall set forth a deadline within which such remediation or restoration must
580 be completed. Said notice shall further advise that, should the violator fail to
581 remediate or restore within the established deadline, the work will be done by the
582 City or the City's designee and the expense thereof shall be charged to the violator.
583
- 584 K. Appeal of notice of violation. Any person receiving a Notice of Violation may
585 appeal the determination of the City. Any person aggrieved by such Notice of
586 Violation shall file an appeal application in accordance with the regulations
587 stated in the Land Development Code.
588
- 589 L. Enforcement measures after appeal. In the event of an appeal where the Notice
590 of Violation has been upheld, the affected person has thirty (30) calendar days
591 from the date the Notice of Violation was upheld to correct the violation as
592 stated under the terms of the Notice of Violation. Failure to correct the violation
593 as stated under the terms of the Notice of Violation within the previously state
594 thirty (30) calendar days shall cause the City or representatives of the City to
595 take any and all measures necessary to abate the violation and/or restore the
596 property. It shall be unlawful for any person, owner, agent or person in
597 possession of any premises to refuse to allow the City or representatives of the
598 City to enter upon the premises for the purposes set forth above.
599
- 600 M. Cost of Abatement of the Violation. Within fourteen (14) calendar days after
601 abatement of the violation, the owner of the property will be notified of the cost
602 of abatement, including administrative costs. The property owner may file a
603 written protest objecting to the amount of the assessment within fourteen (14)
604 calendar days. If the amount due is not paid within a timely manner as
605 determined by the decision of the municipal authority or by the expiration of the
606 time in which to file an appeal, the charges shall become a special assessment
607 against the property and shall constitute a lien on the property for the amount of
608 the assessment. Any person violating any of the provisions of this article shall
609 become liable to the city.
610
- 611 N. Material management. The purpose of this section is to promote good
612 housekeeping practices that are designed to significantly reduce and control
613 stormwater runoff pollution which runs into storm drains, treatment facilities
614 and local waterways.
615

616 **SECTION 9.04.06. MATERIAL AND WASTE MANAGEMENT**

617 A. The purpose of this section is to promote good housekeeping practices that are
618 designed to significantly reduce and control stormwater runoff pollution which
619 runs into storm drains, treatment facilities and local waterways during
620 construction operations.

621
622 B. Construction Sites:

- 623 1. Never dispose of any waste material into storm drains or sanitary sewers.
- 624 2. Portable waste receptacles must be on the construction site and must be
625 serviced on a regular basis.
- 626 3. Ensure the disposal of scraps, waste, recyclables and surplus materials is in
627 accordance with Federal regulations and local codes.
- 628 4. Paint/solvent storage shall not be within fifty (50) feet of an Environmentally
629 Sensitive Area (ESA) and shall be enclosed in weather/leak proof storage facility.
630 Frequently schedule the safe collection and removal of combustible waste.
- 631 5. Fuel storage tanks shall be located seventy five (75) feet or more from an ESA or
632 storm drain and shall be in a State approved leak proof container.
- 633 6. All above ground tanks for fueling shall be secondarily contained.
- 634 7. Construction site driveways can be installed with or without wheel washing
635 stations, but must prevent construction site vehicle wheels from transporting
636 soil and sediment off of construction site and onto roadways.
- 637 8. All hazardous waste material will be disposed of in a manner specified by
638 Federal, State, local regulations and manufacturer's specifications.
- 639 9. All on-site vehicles and tanks will be monitored for leaks and receive regular
640 preventative maintenance to reduce the chance of leakage. Petroleum products
641 shall be stored in tightly sealed containers, which are clearly labeled. Storage
642 shall be at least seventy-five (75) feet from an ESA or storm drain.
- 643 10. Any pesticide and herbicide usage shall be applied by a State licensed
644 applicator.
- 645 11. Fertilizers used shall be applied only in the minimum amount recommended by
646 the manufacturer. If stored on-site, covered storage shall be provided. Any
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659 contents of any partially used bags of fertilizers shall be transferred to a
660 sealable container.

661

662 C. Private Property or Residential Property

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664 1. Herbicides shall not be applied within a minimum of twenty-five (25) feet
665 from an ESA or stormwater drains, inlets or infiltration structures that
666 have connection to a waterway.

667

668 2. Pesticides shall not be applied or stored within a minimum of twenty-five
669 (25) feet of an ESA or stormwater drains, inlets or infiltration structures
670 that have connection to a waterway.

671

672 3. Fertilizer shall not be applied or stored within a minimum of twenty-five
673 (25) feet of an ESA or stormwater drains, inlets or infiltration structures
674 that have connection to a waterway.

675

676 4. Fuel and paint storage shall be in a weather and leak proof storage
677 container not less than twenty-five (25) feet from an ESA or stormwater
678 drains, inlets or infiltration structures that have connection to a
679 waterway.

680

681 5. Never pour toxic chemicals down any drain – this includes the drains
682 inside of a house or other building as well as storm drains or gutters that
683 lead to storm drains. Also never pour toxic chemicals on the ground
684 where they can seep into the water table and eventually the aquifer or a
685 stream. Some household chemicals that need to be disposed of properly
686 include but not limited to:

687

- 688 a. Metal Polish Solvent;
- 689 b. Kitchen and Bathroom Cleaners;
- 690 c. Furniture Polish;
- 691 d. Battery Acid or Batteries;
- 692 e. Automatic Transmission Fluid;
- 693 f. Brake Fluid;
- 694 g. Car Wax with solvent;
- 695 h. Paint (Oil-Based)
- 696 i. Paint Thinner;
- 697 j. Turpentine and Varnish;
- 698 k. Illicit Discharge Ordinance.

699

700 D. Public Property

701 1. Herbicides shall not be applied within a minimum of twenty-five (25) feet
702 from an ESA or stormwater drains, inlets or infiltration structures that

703 have connection to a waterway.

704

705 2. Pesticides shall not be applied or stored within a minimum of twenty-five
706 (25) feet ~~of~~ for an ESA of stormwater drains, inlets or infiltration structures
707 that have connection to a waterway.

Commented [PO15]: Amended at the April 13th CC Mtg.

708

709 3. Fertilizer shall not be applied or stored within a minimum of twenty-five
710 (25) feet of an ESA or stormwater drains, inlets or infiltration structures
711 that have connection to a waterway.

712

713 4. Any pesticide and herbicide usage shall be applied by a State licensed
714 applicator.

715

716 5. Fuel and paint storage shall be contained in a weather proof and leak
717 proof storage facility not less than twenty-five (25) feet from an ESA or
718 stormwater drains, inlets or infiltration structures that have connection
719 to a waterway.

720

721 **SECTION 9.04.07. – EROSION CONTROL**

722 A. All technical requirements are covered in Detail M-16B, Contractor
723 Requirements for Site Clearing, Grading, and Erosion Control Design and
724 Construction Notes of the COFB Standard Details, Resolution 2018-30.

725

726 B. Erosion control is required for all construction projects and may be achieved by a
727 variety of methods using one or a combination of the following:

728

1. Silt Fence

729

a. A silt fence is a temporary sediment control device used on construction sites to
730 prevent the transport of materials off-site and to protect water quality in nearby
731 streams, rivers, and lakes from loose soil in stormwater runoff. A typical fence
732 consists of a piece of synthetic filter fabric (also called a geotextile) stretched
733 between a series of wooden or metal fence stakes along a horizontal contour
734 level. The stakes are installed on the downhill side of the fence, and the bottom
735 edge of the fabric shall be trenched a minimum of 4" into the soil and backfilled
736 on the uphill side. The silt fence is not designed to concentrate or channel
737 stormwater. The silt fence is installed on a site before soil disturbance begins,
738 and is placed down-slope from the disturbance area.

739

b. Silt Fencing must be installed to prevent silt exfiltration. It shall be placed around
740 the perimeter of any and all disturbed areas of construction.

741

c. The fence may be dismantled temporarily from time to time to allow for delivery
742 of materials and equipment but must be put back in place and maintained each
743 day until the site is ready for final grading and sodding. Failure to diligently
744 maintain this fence in good condition will result in a warning and followed up by
745 a stop work order until the silt fence is properly re-installed.

- 746 d. The height of the silt fence shall be between 2 feet and 3 feet above grade. A
747 minimum of 4 inches shall be either buried below grade or have the bottom flap
748 folded over above grade covered with dirt to hold it in place. An extra strength
749 filter fabric shall be attached to fence posts spaced no wider than 10 feet apart
750 and driven at least 1 foot into the ground. [See COFB Standard Construction
751 Details].
752
- 753 2. Berm
754 a. A berm is a level space, shelf, or raised barrier, typically made of compacted
755 soil, separating two areas. They are used to control erosion and
756 sedimentation by reducing the rate of surface runoff – they typically either
757 reduce the velocity of the water, or direct water to areas that are less
758 susceptible to erosion.
759 b. A typical berm is 1 foot – 2 feet high, a minimum shelf of 1 foot wide, and has
760 sides sloped at 3:1 (horizontal to vertical) maximum.
- 761 3. Swale
762 a. A swale is a shallow channel with gently sloping sides. It can be natural or
763 man-made. Artificial swales are often infiltration basins, designed to manage
764 water runoff, filter pollutants, and increase rainwater infiltration.
765 b. Swales are largely used either for managing water runoff from one property
766 to another or to collect rain runoff water from road surfaces that helps
767 mitigate flooding onto street-front properties.
768 c. Swales vary in size, width, and depth depending on their function.
769 d. Typical City of Flagler Beach street roadside swales have been established to
770 be 9 inches in depth. [See COFB Standard Construction Details].
- 771 4. French Drain
772 a. A French Drain is a trench filled with gravel or rock that may also contain
773 a perforated pipe that redirects surface water and groundwater away
774 from an area. A French drain can have perforated hollow pipes along the
775 bottom to quickly vent water that seeps down through the upper gravel
776 or rock. They are a good alternative to open ditches.
777 b. French drains may be very useful to help manage surface water in
778 constricted areas like the narrow 5' side setbacks on many of the City's
779 properties. [See COFB Standard Construction Details].
- 780 5. Hay Bales
781 a. A temporary sediment barrier consisting of a row of entrenched and
782 anchored straw bales. Used to intercept and detain small amounts of
783 sediment from disturbed areas of limited extent to prevent sediment from
784 leaving the site. Decreases the intensity of sheet flows and low-to-moderate
785 level channel flows.
786 b. Bales should be placed in a single- or staggered-row, lengthwise on the
787 contour, with ends of adjacent bales tightly abutting one another.
788 c. All bales should be either wire-bound or string-tied. Straw bales should be
789 installed so that bindings are oriented around the sides rather than along the

790 tops and bottoms of the bales in order to prevent deterioration of the
791 bindings.

792 d. The barrier should be entrenched and backfilled. A trench should be
793 excavated the width of a bale and the length of the proposed barrier to a
794 minimum depth of 4 inches. The trench must be deep enough to remove all
795 grass and other material which might allow underflow. After the bales are
796 staked and chinked (filled by wedging), the excavated soil should be
797 backfilled against the barrier. Backfill soil should conform to the ground level
798 on the downhill side and should be built up to 4 inches against the uphill side
799 of the barrier. [See COFB Standard Construction Details]

800 C. Where a cleared vacant lot is created through demolition, the owner must
801 screen the property from adjacent streets, alleys, and public improvement areas by
802 landscaping a perimeter buffer of three (3) feet with the exception of intersection
803 visibility standards which are 2.5 feet high maximum. All cleared vacant lots shall be
804 covered with sod, grass, or other suitable pervious material approved for the
805 property by the City designee. The ground cover shall be maintained and the
806 property kept free of trash and debris. All improvements shall be completed within
807 sixty (60) days of demolition.

808 D. Where a lot or a portion of a lot has been improved by new construction, an
809 addition, or some other activity that clears the lot of existing vegetation, at the end
810 of such construction or improvements, all disturbed land shall be permanently
811 stabilized by adding sod, grass, or other suitable pervious materials as described
812 herein. All other elements of the construction notwithstanding, no certificate of
813 occupancy shall be granted until such time as the above has been accomplished and
814 passes the final site inspection.

815 E. GUTTERS AND DOWNSPOUTS

816 1. All roofs and existing gutters and downspouts shall be maintained to
817 prevent damage to the structure and adjoining properties and public rights-of-
818 way.

819 2. Gutters and downspouts are recommended ~~but required on~~ for new
820 houses but required for new houses that meet ~~all of~~ the following criteria:

821 a. Have sloped roofs with a pitch greater than 3:12 (vertical to
822 horizontal) or 14 degrees;

823 b. Has a neighboring house on either side yard where the facing
824 walls are within (10) feet of each other;

825 c. The roof surface of the gable(s) or hip(s) slopes toward the side
826 yard; and,

827 d. The eave of the roof is greater than one (1) foot.

828 3. New houses that are constructed with gutters and downspouts, whether
829 by choice or by virtue of the above conditions, must point all downspout outlets
830 toward the front or rear yards and, at a minimum, discharge onto a splash block
831 or into a side yard swale, subject to any additional requirements of this Code.

832 No configuration of the downspout outlets shall cause stormwater to be directed

Commented [PO16]: Recommended at the May 2, 2022 PARB Meeting

Commented [PO17]: Recommended at the May 2, 2022 PARB Meeting

833 toward a neighboring side property where the facing walls are within (10) feet of
834 each other.

835 4. It is recommended that all downspout outlets be connected to a
836 perforated corrugated plastic pipe that is:

- 837 a. Buried from 8" to 24" below the finished grade;
- 838 b. Wrapped with a porous filter fabric;
- 839 c. Embedded in aggregate – pea gravel to larger pieces of river rock;
- 840 d. Positively sloped, minimum 2%, away from the downspout outlet.

841 SECTION 9.04.08. – PROHIBITIONS AND EXEMPTIONS FOR STORMWATER
842 MANAGEMENT

843 A. PROHIBITIONS

844 No person may develop or make any change in the use of land or construct a
845 structure or change the size of a structure, except as exempted herein, without
846 submission and approval of a stormwater management plan as provided herein. For
847 the purpose of this section, the development may potentially alter or disrupt
848 existing stormwater runoff patterns, and as such, will require the submission and
849 approval of a stormwater management plan prior to the commencement of
850 construction unless exempted in Paragraph B below. This includes, but is not limited
851 to:

- 852 1. Clearing and/or drainage of land as an adjunct to construction.
- 853 2. Subdividing land.
- 854 3. Re-platting recorded subdivisions and the development of recorded and
855 unrecorded subdivisions.
- 856 4. Changing the use of land and/or the construction of a structure or a
857 change in the size of one or more structures.
- 858 5. Altering the shoreline or bank of any surface water body.
- 859 6. The permanent (long period) lowering of the water table.
- 860 7. Addition of impervious or pre-approved semi-impervious construction.
- 861 8. Direct deposition of stormwater runoff into rights-of-way and/or
862 alleyways.

863 B. EXEMPTIONS

864 The following activities shall be exempt from this section (Section 8.00) unless as
865 hereinafter required by the land development regulations:

- 866 1. Any maintenance, alteration, renewal, use or improvement to an existing
867 structure not changing or affecting the rate or volume of stormwater
868 runoff and not disturbing existing ground surfaces.
- 869 2. Maintenance work performed on existing drainage canals for the purpose
870 of public health and welfare.
- 871 3. Maintenance work on utility or transportation systems, provided such
872 maintenance work does not alter the purpose and intent of the drainage
873 system as constructed.

874 SECTION 8.04.09. – STORMWATER MANAGEMENT DESIGN STANDARDS

875 Table VIII-01 establishes categories of development and corresponding impervious
876 area thresholds. The review of stormwater management plans for all development

877 projects shall be based upon the net increase in impervious surface area resulting
 878 from the development and any cumulative increase due to development that has
 879 occurred within the previous two (2) years.

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TABLE VIII-01

CATEGORY THRESHOLDS FOR THE VARIOUS LIMITS OF DEVELOPMENTS	
CATEGORY	NET INCREASE OF IMPERVIOUS AREA
Category I	Up to five hundred square feet (<500 sf)
Category II	Between five hundred one square feet and four thousand square feet of surfaces subject to vehicular traffic and/or (501 sf – 4,000 sf) Between five hundred one square feet and five thousand square feet of building or other surfaces (501 sf – 5,000 sf)
Category III	Exceeds four thousand square feet of surfaces subject to vehicular traffic (>4,000 sf) Exceeds five thousand square feet of building or other surfaces (>5,000 sf)

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883 A. STANDARDS FOR CATEGORY 1

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All categories of development shall require the preparation of a stormwater plan that shows the intended direction of runoff flow. Stormwater management system designs shall conform to the following performance standards:

1. Stormwater runoff shall be subjected to best management practices prior to discharge into natural or artificial drainage systems. Best management practice shall mean a practice or combination of practices determined by the City to be the most effective, practical means of preventing or reducing the amount of pollution generated by the project to a level compatible with Florida water quality standards found in the St. Johns River Water Management District, the Florida Department of Environmental Protection, and Chapter 17-3, Florida Administrative Code.
2. Additional detention on lots is not required in developments that have a master stormwater/retention system constructed except to contain runoff from flowing onto adjacent properties.

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3. No site alteration shall cause siltation of wetlands, pollution of downstream wetlands or reduce the natural retention or filtering capabilities of wetlands.
 4. Silt fences or other approved erosion control methods shall be required at the perimeter of all proposed disturbed areas and shall be properly maintained until the final site construction is approved.
 5. No site alteration shall allow water to become a health hazard or contribute to the breeding of mosquitoes.
 6. All site alteration activities shall provide for such water detention and settling structures and flow attenuation devices as may be necessary to ensure that the foregoing standards and requirements are met. No site alteration shall result in any net reduction of available floodplain storage.
 7. Design of water detention structures and flow attenuation devices shall be subject to the approval of the City Engineering office pursuant to the standards hereof. Detention structures shall be designed to release runoff to the downstream drainage system over a period of time so as not to exceed the capacity of the existing downstream system. The design of water detention structures and flow attenuation devices shall be in compliance with the standard construction details found in the City of Flagler Beach Standard Construction Details.
 8. A positive drainage system shall be provided which will not adversely impact downstream owners or adjacent lands.
 9. Where possible, natural vegetation shall be used as a component of the drainage system. The water table should not be manipulated so as to endanger natural vegetation beneficial to water quality unless natural vegetation can be replanted and survive with a lowered water table condition.
 10. Runoff from higher adjacent lands shall be considered and provisions for conveyance of such runoff shall be included in the drainage plan.
 11. Runoff shall be treated to remove oil and floatable solids before discharge from the site in a manner approved by the City.
 12. Erosion by wind or water shall be prevented by the developer throughout the construction process.
 13. Direct discharge to Class II waters (Shellfish Propagation or Harvesting) is prohibited. A workable filter system approved by the City must be provided prior to any discharge to Class II waters.
 14. For the purpose of this section, it is presumed that the lowering of the water table for the purpose of constructing detention barriers and/or permanently protecting road construction does not conflict with the stated objectives of this section if all of the following are met:
 - a. Based on data collected and interpreted by the U.S. Geological Survey, the St. Johns River Water Management District (SJRWMD), the City and other professional investigators, as important to recharge or to prevent discharge into the Floridian aquifer;

- 942 b. With separate special approval by the City, the proposed lowering of the water
943 table shall be over no more than fifteen (15) percent of the site to a depth of five
944 (5) feet below the surface of the existing undisturbed ground, or an equivalent
945 volume; said area to be measured at the overflow elevation of the detention
946 barrier(s);
- 947 c. With separate special approval by the City, the high water table may be lowered
948 up to two (2) feet below the undisturbed ground in the vicinity of roads for the
949 purpose of protecting the sub-base and base of the roadway and/or for the
950 purpose of preventing mosquito breeding in the roadside swales;
- 951 d. The lowering of the water table has no adverse effect on wetlands off site
952 vegetation as defined herein; and
- 953 e. The lowering of the water table does not increase flows to the detriment of
954 neighboring lands.
- 955 15. For project sizes greater than one (1) acre of disturbed area, the
956 applicant shall acquire permit coverage from the SJRWMD, National
957 Pollutant Discharge Elimination System program and provide proof of
958 such to the City prior to construction.
- 959 B. STANDARDS FOR CATEGORY II
- 960 1. Meet all conditions of Category I plus: For certain soil conditions or
961 ground water table conditions which do not permit the percolation of
962 this volume within 72 hours following a storm event, the City shall
963 approve detention with filtration.
- 964 C. STANDARDS FOR CATEGORY III
- 965 1. Meet all conditions of Categories I and II plus: The City shall defer to
966 permitting by St. Johns River Water Management District.
- 967 2. Stormwater management plans shall be prepared by a professional
968 engineer or landscape architect licensed in the State of Florida and shall
969 conform to:
- 970 a. The discharge hydrograph produced for the developed or
971 redeveloped site shall not exceed, in terms of peak flow and total
972 volume, the hydrograph produced by conditions existing before
973 development or redevelopment for a twenty-four-hour, twenty-
974 five-year frequency storm, if this provision will be met through
975 detention of the difference between said volumes, said volume
976 difference shall be released over not less than a twenty-four-
977 hours nor greater than a seventy-two-hours period of time.
978 Runoff rates and volumes resulting from the project, in excess of
979 existing amounts, shall be accommodated on-site. Off-site
980 retention may be permitted if, in the opinion of the City, the
981 recharge requirements of this section are met.
- 982 b. The peak discharge resulting from a twenty-four-hour,
983 one-hundred-year frequency storm on the developed or
984 redeveloped site shall not exceed the peak discharge resulting
985 from a one-hundred-year frequency storm for pre-

986 construction/development conditions on the site for flood prone
987 areas as determined by the City.
988 c. Runoff computations shall be based on the most critical situation
989 (rainfall duration, distribution and antecedent soil moisture
990 condition) and conform to the methods described in the Florida
991 Department of Transportation Drainage Manual, latest edition,
992 and the St. Johns River Water Management District Regulation of
993 Stormwater Management Systems.
994

995 **D. MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES**

996 The installed system(s) required by this section shall be maintained by the owner
997 except where the City specifically accepts a certain system for maintenance. All
998 areas and/or structures planned to be maintained by the City must be conveyed to
999 the City by plat or separate instrument and accepted by the City Commission. The
1000 owner shall provide adequate easements for approval with respect to system(s) to
1001 be maintained by the owner to permit the City to inspect and, if necessary, to take
1002 corrective action should the owner fail to maintain the system(s).
1003

1004 **E. ALTERNATIVE STORMWATER MANAGEMENT DESIGNS**

1005 Alternative designs and construction methods, such as perforated pipe systems,
1006 above and below ground water storage tanks and cisterns, rain barrels, and similar
1007 techniques, may be approved for use at the discretion of the City Engineering
1008 department if they are consistent with professional best practices.
1009

1010 * * *

1011 **SECTION THREE. Codification.** It is the intent of the City Commission of the City of
1012 Flagler Beach that the provisions of this Ordinance shall be codified. The codifier is
1013 granted broad and liberal authority in codifying the provisions of this Ordinance.
1014

1015 **SECTION FOUR. Conflicts.** In any case where a provision of this Ordinance is found to be
1016 in conflict with provisions of any other ordinance of this City, the conflicting provisions
1017 of the previous ordinance shall be repealed and superseded by this Ordinance.
1018

1019 **SECTION FIVE. Effective date.** This Ordinance shall take effect immediately upon
1020 adoption as provided by the Charter of the City of Flagler Beach.
1021

1022 PASSED ON FIRST READING THIS 13TH DAY OF APRIL, 2023.

1023
1024 PASSED AND ADOPTED THIS _____ DAY OF _____, 2023.
1025

1026
1027 CITY OF FLAGLER BEACH, FLORIDA
1028 CITY COMMISSION

1029

1030

1031

1032 ATTEST:

1033

1034 Penny Overstreet, City Clerk

Suzie Johnston, Mayor

Item

16

Staff

Reports

Beach/Parks/Recreation

Weekly Highlights May 10, 2023

- We continued beach training with our new recruit class this past weekend. Topics included basic lifesaving approaches, defenses and escapes at the Belle Terre Swim and Racquet club in Palm Coast along with advanced ocean rescue techniques at Flagler Beach. The training will continue through the next two weekends. We will also be providing lifeguard protection on the beach only on weekends until Memorial Day weekend at which time we will provide lifeguard protection seven days per week through Labor Day. During the times where there are no lifeguard services on the beach, Flagler Beach Fire Department will be the primary responders to all beach emergencies.
- On May 20, ocean rescue lifeguards will be participating at the annual WaterSafe event at the Belle Terre Swim and Racquet Club pool in Palm Coast from 9:00am to 12:00pm. The event is free to everyone and will provide information about water safety at pools and the beach environment.
- Formal registration for the 2023 summer Junior Lifeguard summer camp is scheduled for May 18 and 19, 4:00pm to 6:00pm at Flagler Beach City Hall. Application packet and information handbook are also currently available on the City website.
- May is Water Safety Awareness Month. I participated in a water safety discussion on WNZF Radio on May 9. We were able to pass along a lot of important beach safety information to the local community. We are also scheduled to do a Junior Lifeguard water safety presentation at Wadsworth Elementary School on May 19.
- ATVs and Jet skis are still being operated on a regular basis in order to keep all of our summer rescue vehicles and vessels properly maintained.
- Lifeguard towers from last season are being repaired and repainted as necessary in preparation for the summer season.

Beach/Parks/Recreation

Weekly Highlights May 17, 2023

- This past weekend, we continued beach training with our new recruit class. Topics included advanced first aid and team rescues. The training will continue through next weekend. We will also be providing lifeguard protection on the beach only on weekends until Memorial Day weekend at which time we will provide lifeguard protection seven days per week through Labor Day. During the times where there are no lifeguard services on the beach, Flagler Beach Fire Department will be the primary responders to all beach emergencies.
- Returning lifeguards will be completing their rehire packets during the next upcoming week so that we will have full staff processed by Memorial Day weekend.
- On May 20, ocean rescue lifeguards will be participating at the annual WaterSafe event at the Belle Terre Swim and Racquet Club pool in Palm Coast from 9:00am to 12:00pm. The event is free to everyone and will provide information about water safety at pools and the beach environment.
- Community water safety awareness education will continue with a school presentation at Wadsworth Elementary School on Friday, May 19.
- Lifeguard towers from last season are being repaired and repainted as necessary in preparation for the summer season.
- ATVs and Jet skis are still being operated on a regular basis in order to keep all of our summer rescue vehicles and vessels properly maintained.
- Formal registration for the 2023 summer Junior Lifeguard summer camp is scheduled for May 18 and 19, 4:00pm to 6:00pm at Flagler Beach City Hall. Application packet and information handbook are also currently available on the City website.

Penny Overstreet

From: Robert Pace
Sent: Thursday, May 11, 2023 12:52 PM
To: Michael Abels
Cc: Penny Overstreet; Katie Dockhorn
Subject: Weekly Highlights

Mr. Abels,

The following are the weekly highlights;

- The Return of Larry Wolfe

Sometimes you do not completely realize someone's value, until they are not around for a while. Larry Wolfe (Volunteer Assistant to the Chief) was on a four-month cruise around the world. Fortunately, Larry is back and the entire department could not be happier. Captain Cox and I have been working on getting every department member outfitted with Class A uniforms. When going through every member to identify required items and sizing is a huge undertaking. Right out the gate, Larry stated that he would be happy to assume this project. He is identifying missing items, utilizing a spreadsheet, and communicating with the vendor. Once all members receive their full uniform, I will be requesting that there be a presentation for department members at a Commission Meeting. It is nice to have Larry back

- Electronic Pre-Plans (Fire Marshal Gocke)

I stated in last week's report that Fire Marshal Gocke has updated all the pre-plans for city businesses. Initially, Fire Marshal Gocke delivered the plans electronically to fire crews through the laptops on Engine 11 and Ladder 11. The Captain and I were still in need of the pre-plans electronically. Fire Marshal Gocke has since delivered the plans to both of us and created a backup on a thumb drive. This vital information for line staff and administration. Fire Marshal Gocke also completed some additional information requested by the ISO Inspector on the Risk Management/Fire Prevention Survey

- Medical Advisory Review Board

This board typically meets once a month to discuss any EMS issues or upgrades. Captain Cox and Lieutenant Rainey are the representatives for FBFD. At Monday's meeting the group discussed sharing EMS data with each agency to formulate performance measures. The other agencies in the county are approaching their COPCN renewal; a date for submission was also discussed. Before closing the meeting, the opening of the new Advent Hospital was reviewed and what impacts this will have on the two Advent facilities within the county

- Paramedic Scholarship

I have spoken many times on the importance on a higher level of training in EMS. It cannot be clear if and when the department would transfer to ALS status. However, the commitment to sending willing staff to Paramedic School will remain. At just shy of \$7,000 per student, funding is always an issue. FF/EMT Christian Carre is planning on attending Paramedic School in August and I have some exciting news concerning a scholarship. The Flagler Beach Rotary Club is anticipating paying the entire tuition. The club is also considering making this annual scholarship offered to the department

- Monthly Chief's Meeting

This afternoon, the Monthly Chief's Meeting will take place at the EOC. The meetings are held at varying locations to include Station 11, Station 25, and the EOC. Participants typically include the three executive chiefs, deputy chiefs, battalion chiefs, and captains. Items to be discussed today is a follow-up to the hurricane approach, upcoming training, and pooling equipment per the Interlocal Agreement. The hurricane review will address hours of non-response and communication. The three departments recognize the need for upcoming multi-agency training, a tentative schedule will be reviewed. Transporting, loans, and specific use of units in natural disasters will be discussed. I will deliver a complete narrative in next week's report

- Continual Education Unit

Staff was assigned a continual education unit called Heat Illness and Emergencies. Upon successful completion, the firefighters were expected to accomplish several objectives. Understand the mechanics of temperature regulation in the human body. Define and recognize the signs and symptoms of various heat illnesses. Differentiate between the different types of heat illness including heat stroke, heat cramps, and heat exhaustion. Describe assessment, treatment, and management procedures for heat illnesses. Finally, explain unique considerations for elderly and pediatric patients

- Impact Issues

There are a couple events taking place this weekend. The Hang 8 Surf Competition is on Saturday 0800-1400. Also on Saturday, the Flagler Strong Family Fun Day will be Veterans Park 0900-1400. As always, the department is expecting the beach to be very busy and hundreds of visitors in town

I look forward to talking to you soon.

Thanks,

Robert Pace

Fire Chief

Flagler Beach Fire Rescue

320 S. Flagler Ave

Flagler Beach, Florida 32136

Office-386-517-2010

Cell-386-276-0405



FBFD Operational Response Report

This weekly report conducted by the Flagler Beach Fire Department contains the following data:

- Number of incidents responded to over the dates listed below.
- Incident types.
- Total number of incidents for 2023.

Report Conducted: May 4 - May 7

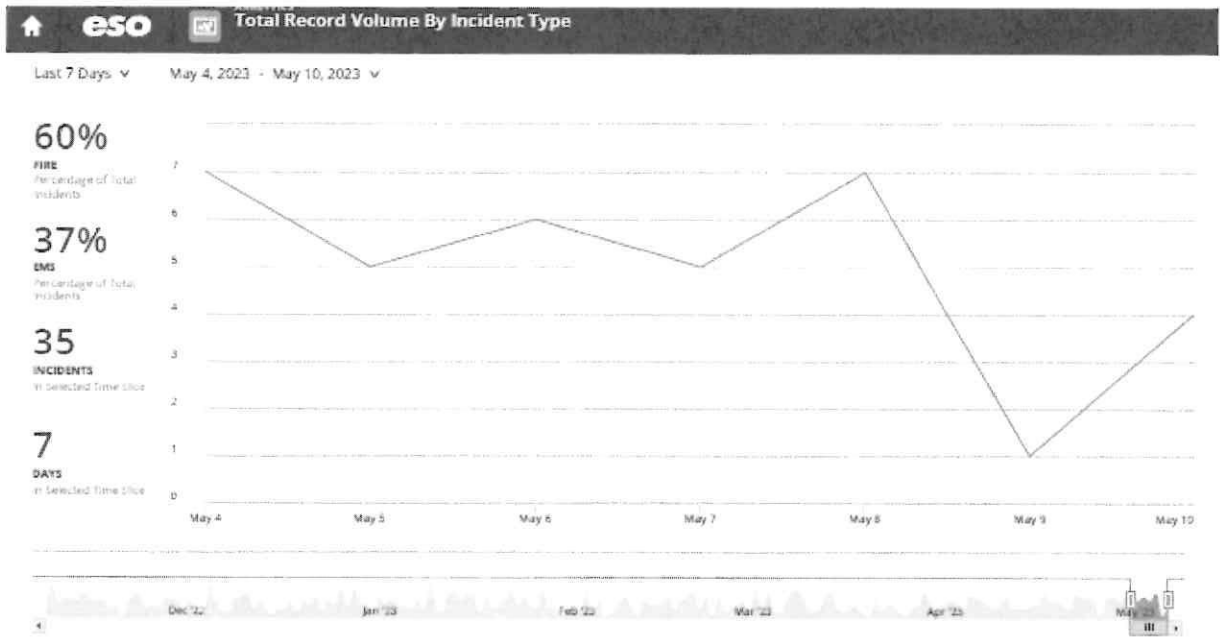
Flagler Beach Fire Department

Captain Stephen Cox

Scox@Fbfire.org



Weekly Incident Response Data



	5/4/23	5/5/23	5/6/23	5/7/23	5/8/23	5/9/23	5/10/23	5/11/23	5/12/23	5/13/23	5/14/23	5/15/23	5/16/23	Total
(11) Structure Fire					1									1
(32) Emergency medical service (EMS) incident	2	3	2	2	2		2							13
(51) Person in distress	1													1
(55) Public service assistance	2	1	2				1							6
(61) Dispatched and canceled en route		1	2	2	2	1	1							9
(62) Wrong location, no emergency found	2													2
(74) Unintentional system/detect... operation (no fire)				1	1									2
NULL					1									1
Total	7	5	6	5	7	1	4							35

Total Number of Incident for 2023

577

Penny Overstreet

From: Robert Pace
Sent: Thursday, May 18, 2023 10:12 AM
To: Michael Abels
Cc: Penny Overstreet; Katie Dockhorn
Subject: Weekly Highlights

Mr. Abels,

The following are the weekly highlights;

- Pension Board Meeting

There was Pension Board Meeting at the firehouse for both the Police and Fire Departments. The meeting started with an Open Forum and trustees are to keep their comments to a maximum of five minutes. The minutes from the 02/21/2023 meeting and the accounting report were approved in Consent Agenda. New Business covered the appointment of Mr. Belhumeur and Ms. Hackett as Police Trustees. Ms. Mealy and Mr. Creal retained their positions as Fire Trustees. The SPD update and the annual valuation by Foster & Foster were also reviewed. Before closing the meeting, reports were delivered by the investment consultant and pension attorney

- Follow-up on Monthly Chiefs' Meeting

There were several other items addressed other than the agenda in the Monthly Chiefs' Meeting. New developments in the county will be required to submit preliminary plats to the E-911 System. Follow-up inspections will be conducted on hydrant locations. All new addressing in the county must adhere to federal guidelines. There will be no changes to current addresses. CAD updates are tentatively scheduled for completion July 11, 2023. Future station locations for both FCFR and PCFD were discussed. Jurisdictional lines between the current and new hospital were reviewed for transport

- Completion of Course Delivery (C Shift)

C Shift (Lt. Oberst, D/E Mullen, & FF Adams) were all successful in passing Course Delivery. This was a 45-hour course and students were to be logged in for 32 hours. Additional hours were given for presentations and time spent on other coursework outside of the online leaning platform. Students were also required to be involved in discussion boards. C Shift members delivered their presentations to co-workers. The next and last class for C Shift in the Fire Officer 1 Series will be Tactics and Strategies. That class will begin on the week of May 22nd

- Alzheimer's Educational Series

The department has been working with Halifax Health Continuing Care on offering a 3-part Alzheimer's Series in the city. The lectures are taking place in the library and this afternoon the last portion of the 3-part series will be delivered. The Alzheimer's Association in partnership with Halifax Health Continuing Care presents the education program series. The information is geared towards exploring how communication changes when someone is living with Alzheimer's and how to identify strategies to connect and communicate at each stage of the disease

- CPR Certification for FBPD

Recently a few of our Flagler Beach Police Officers assisted on a medical call by performing CPR. The interventions performed were before FBFD arrived on scene. The actions of the officers were critical towards the success of this call. Shortly after the incident, I was contacted by Captain Blanchette requesting that his entire department be certified in CPR. I scheduled a meeting with Captain Blanchette and Director Gillin. Captain Blanchette and Director Gillin are now working through the logistics of scheduling all of the FBPD for the training. Director Gillin is prepared to conduct 3-4 session if necessary

- The Mental Hygiene Project

Staff is working on modules for the Mental Hygiene Project. The most recent module is called Mental Health Injuries Part 1. The module reviews cumulative and chronic stress. The information addresses the effect on the Mental Health Continuum. The continuum involves four stages, healthy, reacting, injured, and ill. There were some basic recommendations provided in dealing with stress. This includes spending quality time with family, disconnect from TV/social media, brain challenging games, and physical exercise

- Impact Issues

I made a mistake and got my dates confused when looking at the calendar last week. Last Saturday the May Day Memorial Surf Competition took place. The event was conducted without incident. This coming Saturday, the Hang 8 Surf Competition will be held from 0800-1400. The Flagler Strong Family Fun Day will take place in Veterans Park 0900-1400. The events coupled with many beachgoers, the department is expecting several hundred visitors in town. There are no scheduled events for May 27th & 28th

I will be taking vacation 05/19/2023 and return 05/29/2023. I will incorporate the highlights that take place in my next report 06/01/2023. I look forward to talking to you soon.

Thanks,

Robert Pace

Fire Chief

Flagler Beach Fire Rescue

320 S. Flagler Ave

Flagler Beach, Florida 32136

Office-386-517-2010

Cell-386-276-0405



FBFD Operational Response Report

This weekly report conducted by the Flagler Beach Fire Department contains the following data:

- Number of incidents responded to over the dates listed below.
- Incident types.
- Total number of incidents for 2023.

Report Conducted: May 11 - May 17

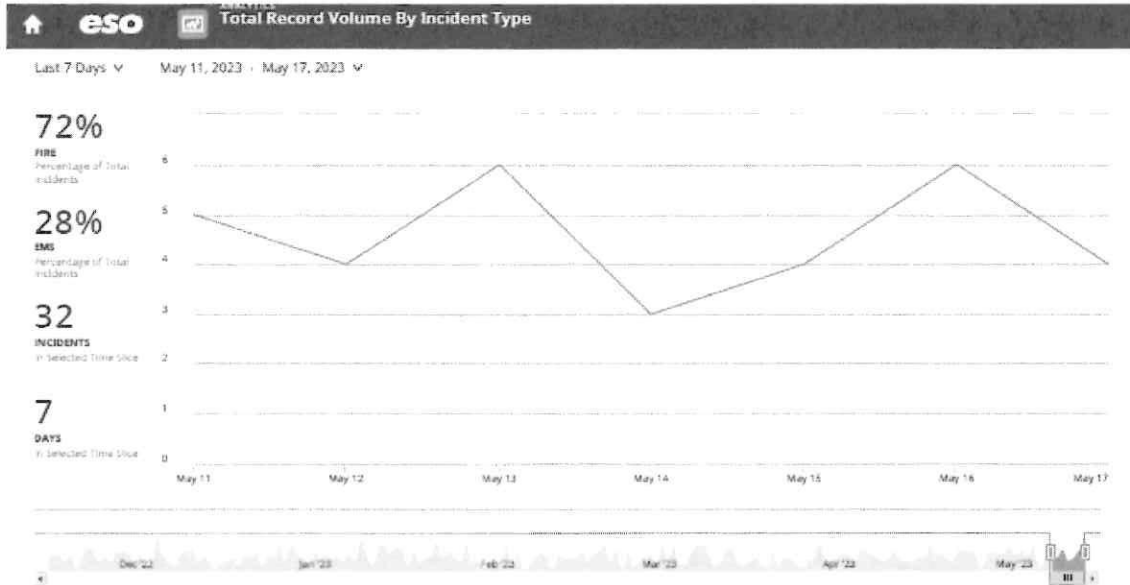
Flagler Beach Fire Department

Captain Stephen Cox

Scox@Fbfire.org



Weekly Incident Response Data



	5/11/23	5/12/23	5/13/23	5/14/23	5/15/23	5/16/23	5/17/23	5/18/23	5/19/23	5/20/23	5/21/23	5/22/23	5/23/23	Total
(11) Structure Fire		1												1
(32) Emergency medical service (EMS) incident	2		2	1	1	2	1							9
(36) Water or ice-related rescue						1								1
(41) Combustible/f... spills & leaks	1													1
(44) Electrical wiring/equipm. problem			1			1								2
(55) Public service assistance	1	1	1			1								4
(61) Dispatched and canceled en route	1	2	1	1	3	1	1							10
(62) Wrong location, no emergency found			1											1
(70) False alarm and false call, other							1							1
(74) Unintentional system/detect... operation (no fire)				1		1								2
Total	5	4	6	3	4	6	4							32

Total Number of Incident for 2023

610



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		5/5/2023		To: Thursday		5/11/2023	
Calls For Service	86	Felony Arrest	0	Reports Written	15	Citations Issued	32
Self-Initiated	49	Misd. Arrest	1	Comm. Policing	5	Warnings (Written/Verbal)	56
Traffic Stops	39	City Ordinance	4	Security Checks	332		

Chief's Weekly Summary

Friday: 5/5/23 @ 10:24 a.m. / Traffic Stop / 400 Block of John Anderson Highway: A Patrol Officer conducted a traffic stop on a 2015 black Nissan in reference to unlawful speed. The Officer conducted a probable cause search of the vehicle due to the smell of marijuana emitting from the vehicle. A small amount of marijuana was subsequently located inside a backpack. The small amount of recovered marijuana was and submitted into Property & Evidence for destruction. A Police report was completed.

Friday: Officers responded to six (6) separate "911" investigation calls.

Friday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:
 2300 block of South Oceanshore Boulevard, from 7:16 a.m. to 8:16 a.m. No violations.
 2100 block of North Oceanshore Boulevard, from 6:39 a.m. to 7:04 a.m. No violations.

Friday: 5/5/23 @ 8:16 p.m. / Marchman Act / 100 Block of South Daytona Avenue: A Patrol Officer stopped to check on a male subject that appeared to be asleep in his truck. The ensuing investigation resulted in the male subject being placed into protective custody under the Marchman Act. The male subject was taken to the Flagler County Inmate Facility without incident. A Police report was completed.

Friday: 5/5/23 @ 10:38 p.m. / Trespassing / 302 Moody Boulevard (Poor Walt): Officers responded to the business in reference to a male subject causing a disturbance within the business and refusing to leave. Officers contacted the male subject in question, and the reporting wanted the subject trespassed. The male was trespassed from the business, and departed the scene without incident.

Saturday: 5/6/23 @ 12:24 a.m. / Warrant Arrest / 300 Block of North Flagler Avenue: Officers responded in reference to a male subject with an active arrest warrant. Contact was made with the subject's spouse, who first said that the fugitive wasn't home. The spouse allowed Officers inside the home to check, and the subject was located in a bedroom. The subject was taken into custody without incident. The warrant for Violation of Probation re; Driving Under Influence was confirmed, and the subject was transported to the Flagler County Inmate Facility. A Police report was completed. **Good Job!**

Saturday: 5/6/23 @ 12:53 a.m. / Disturbance Physical / 101 North Oceanshore Boulevard (Finns): Officers responded to the business in reference to a physical disturbance. Upon our Officers arrival, contact was made with the reporting party, who advised two (2) male subjects got into a fight over a spilled beer. The involved male subjects refused to press charges against one another, and they completed prosecution waivers. The males departed the business, going their separate ways; without incident. A Police report was completed.

Saturday: 5/6/23 @ 6:07 a.m. / Found Property / 204 South Flagler Avenue: A Patrol Officer was approached by a male subject in the Police Department parking lot in reference to a black tri fold wallet that he found in Veterans Park. The wallet contained a Driver's License and ATM bank card. The Officer was not able to make contact with the owner of the wallet and it was placed it into evidence for safekeeping. A Police report completed. **Update:** Our Property & Evidence Custodian made contact with the owner of the wallet, who will pick it up at his convenience.

Saturday: 5/6/23 @ 7:25 a.m. / Trespass / 100 Block of 4th Street North: Officers were dispatched to a residence in reference to a female subject that would not leave, after being allowed to stay for one (1) night. Upon arrival, contact was made with the subject in question, who was subsequently trespassed from the residence per the owner's request. No further action taken.

Saturday: Dayshift Officers conducted proactive traffic enforcement at the following location and times:
2300 block of South Oceanshore Boulevard, from 9:02 a.m. to 10:23 a.m. No violations.

Saturday: 5/6/23 @ 8:42 p.m. / Assist Outside Agency / 1400 Block North Oceanshore Boulevard: Officers responded in reference to a Florida Highway Patrol Trooper requesting backup on a traffic stop. Our Officers assisted the Trooper with a vehicle search and the arrest of a subject for narcotics. A Police report was completed.

Saturday: 5/6/23 @ 11:04 p.m. / Assist Outside Agency / 3900 Block South Oceanshore Boulevard: Officers responded to the area of South Oceanshore Boulevard in reference to a "Be On the Lookout" (BOLO) for a Hit-and-Run vehicle. Our Officers located the vehicle in question in the 3600 Block of South Oceanshore Boulevard. A Florida Highway Patrol Trooper responded and completed the Crash investigation. Our Officers assisted the Trooper with the vehicle and arrest of the Driver. A Police report was completed.

Sunday: 5/7/23 @ 1:13 p.m. / Crash - No Injuries / 414 Beach Village Drive: A Patrol Officer responded in reference to a minor two (2) vehicle crash that occurred in the Publix parking lot. Due to the minor amount of damage and no injuries, a Drivers Exchange of Information report was completed. A copy of the report was provided to the involved parties involved. No further action taken.

Sunday: 5/7/23 @ 3:04 p.m. / Crash - No Injuries / 300 Block of North Oceanshore Boulevard: Officers responded in reference to a minor rear-end collision. Upon our Officers arrival, contact was made with both involved parties, who advised that they were just going to exchange information; and no longer needed Law Enforcement assistance. No further action taken.

Sunday: Officers responded to three (3) separate "911" investigations during dayshift.

Sunday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:

2300 block of South Ocean Shore Boulevard, from 9:31 a.m. to 10:16 a.m. No violations.

North Flagler Avenue at 8th Street North, from 9:50 a.m. to 10:50 a.m. No violations.

North Flagler Avenue at 8th Street North, from 11:51 a.m. to 12:25 p.m. No violations.

Sunday: 5/7/23 @ 11:49 p.m. / Larceny / 215 South Oceanshore Boulevard (Pier): A male victim came to the Police Department last night to report that he thought he had lost his wallet in the area of the Pier. On Monday, May 8th the victim observed that someone had attempted to use his debit card, but it was declined due to him closing the account. A Police report was completed. **Update:** Detective Vinci has developed a suspect in this case and is following up with the victim.

Monday: Chief Doughney participated, via Microsoft Teams, in a meeting with FDOT in reference to the A1A roadway safety improvements from just North of Ocean Marina Drive in our City, to South of Westmayer Place in Beverly Beach. The meeting started at 1:30 p.m. and concluded at 1:45 p.m.

Monday: 5/8/23 @ 7:17 a.m. / Fuel Spill / 2500 Block of Moody Boulevard: Officers responded to a large diesel spill located in the outside westbound lane of Moody Boulevard, for approximately five-hundred (500) yards. Our Officers assisted with traffic control for approximately three (3) hours while the spill was cleaned up. FDOT was notified, as was Ms. Joyce Rebar, our City's Stormwater and Floodplain Manager.

Monday: 5/8/23 @ 7:38 a.m. / Baker Act / 1400 Block of South Flagler Avenue: Officers responded to a residence in reference to an intoxicated male subject that stated he wished to harm himself, and that he no longer wanted to live. The subject was taken into protective custody under the Baker Act, and was transported to Advent Health for medical clearance. Once the subject was medically cleared, he was transported to Stewart-Marchman's facility in Bunnell. Stewart-Marchman's personnel transported the subject to Halifax Hospital in Daytona Beach. A Police report was completed.

Monday: 5/8/23 @ 10:31 a.m. / Fraud / 200 Block of Ocean Palm Drive: An elderly female came into the Police Department stating that \$90,000.00 had been taken from one (1) of her accounts. There are no suspects at this time, and a Police report was completed.

Monday: 5/8/23 @ 3:12 p.m. / Fraud / 100 Block of Palm Drive: The victim reported that his Chase bank account was compromised by an unknown subject who made numerous unauthorized charges to his checking account, then created a fraudulent business account using the victim's personal information. There are no suspects at this time, and a Police report was completed.

Tuesday: Chief Doughney attended a meeting, via Microsoft Teams, from 12:00 p.m. to 12:35 p.m. in reference to impact fees. At 1:30 p.m. Chief Doughney met with Ms. Haley Watson Stephens and our Public Work Supervisor, Ms. Jennifer Crews, with regards to this coming Saturday's 13th annual "MayDay Surf Classic". Traffic materials supplied by our Public Works Staff will be dropped off this Friday afternoon, and our Nightshift Officers will capture parking for the event after bar closing on Friday. Social media posts were created and published, alerting our community about the event and possible traffic congestion downtown on Saturday. The posts also requested attendees to please stay off the sea dune, and advertised the three (3) free City parking lots located south of SR100. Chief Doughney participated, via Zoom, in a meeting with Tobacco Free Flagler from 3:00 p.m. to 4:00 p.m. Captain Blanchette attended a Police pension meeting at the Fire Department from 4:00 p.m. to 5:20 p.m.

Tuesday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:
400 block of John Anderson Highway, from 10:45 a.m. to 11:15 a.m. No violations.
400 block of Roberts Road, from 1:30 p.m. to 2:00 p.m. No violations.

Wednesday: Chief Doughney and Chief Pace participated in "Wellness Walk Wednesday" from 8:00 a.m. to 8:55 a.m. At 10:00 a.m., a Public Service Announcement (PSA) with information with regards to the upcoming 2023 Atlantic Hurricane season, which begins on June 1st, was published on our Facebook page. The PSA was posted on our City's website. A copy of the PSA was emailed to all City Staff. Captain Blanchette participated, via Zoom, in a Family Life Center (FLC) Board of Directors meeting from 10:00 a.m. to 12:00 p.m.

Wednesday: 5/10/23 @ 1:13 p.m. / Notification - Welfare Check / 215 South Oceanshore Boulevard (Pier): Officers responded to conduct a welfare check on a female subject at the request of her adult son. Upon making contact with the female, she was talking a lot about God and religion. The female was evaluated for Baker Act but did not meet the criteria at this time. During the contact with the female, it was determined that on 5/9/23 she went to Stewart Marchman voluntarily, where she was evaluated and released earlier today. No further action taken at this time.

Wednesday: Officers responded to five (5) separate "911" call investigations during dayshift.

Wednesday: Dayshift Officers conducted proactive traffic enforcement at the following location and times:
2300 block of South Oceanshore Boulevard, from 7:00 a.m. to 8:00 a.m. No violations.

Thursday: Dayshift Officers conducted proactive traffic enforcement at the following location and times:
2300 block of South Oceanshore Boulevard, from 6:56 a.m. to 8:23 a.m. No violations.
1300 block of South Oceanshore Boulevard, from 9:00 a.m. to 9:20 a.m. No violations.
600 block of John Anderson Highway, from 12:20 p.m. 1:00 p.m. No violations.

Thursday: 5/11/23 @ 6:14 p.m. / Death / 100 Block of Oak Lane: Officers were dispatched to a residence, in reference to the reporting party finding her son unresponsive in the garage. Staff from the Flagler Beach Fire Department pronounced the male subject deceased. Detective Vinci responded to the scene, along with Victim Advocates from our Department, as well as the Flagler County Sheriff's Office. Staff from the Medical Examiner's Office responded and took possession of the deceased. A Police report was completed and the investigation is on-going.

Thursday: Detective Vinci attended the final week of the Flagler Leadership Academy presented by the Flagler County Tax Collectors Office. Graduation from the Academy will occur at 4:30 p.m. on Thursday, May 18, 2023, at the Flagler County Sheriff's Office. We're looking forward to Detective Vinci's graduation and we're proud of her accomplishment!

Active Shooter Policy: The Department's Active Assailant policy, which was updated last week by our Property & Evidence, was reviewed by Captain Blanchette and Chief Doughney. The updated policy has been uploaded to PowerDMS for review by our Officers.

Patrol Rifle Training: Captain Blanchette worked on scheduling patrol rifle qualifications at the Flagler County Gun and Archery Club. Rifle qualifications for sworn members of the Department will take place on May 16th and May 17th.

Stop Sticks: Twelve (12) sets of stop sticks, one (1) for each member of Patrol, were ordered this week. The new equipment should be delivered within the next two (2) to four (4) weeks. The training for the newly purchased equipment has been set for May 18th and 19th and May 30th and 31st. Our City's Code Enforcement Officer, Mr. John Gifford, will be assisting with the training, as he is a certified Stop Stick Instructor. The Department policy for the new equipment has been completed and has been uploaded to PowerDMS for review by our Officers.

Background Investigations: Detective Vinci and Officer Guerrero are currently working on two (2) background investigations.

National Sniper Competition: **Officer Dylan Sylvester** is a member of the Flagler County Sheriff's Office S.W.A.T. as a Sniper, and he along with Commander Finn from the Flagler County Sheriff's Office finished 9th out of forty-eight (48) Teams at the **National Sniper Competition**, recently held in St. Petersburg/Clearwater, Florida. Congratulations to Officer Sylvester and the entire FCSO Sniper Team for all your hard work and commitment to keeping Flagler safe! Congratulations on a **"Job Well Done!"**.

Kiwanis Club – Officer of the Year: On Wednesday, May 10th, the Kiwanis Club of Flagler/Palm Coast recognized local Law Enforcement Officers from the City of Bunnell, the Flagler County Sheriff's Office and the Flagler Beach Police Department at an awards luncheon held at the Elks Lodge in Palm Coast. This year's recipient from our Department was **Officer Dylan Coffman**. While Officer Coffman has been with the Department for less than a year, his proactive work, coupled with his compassion and calm demeanor made him this year's selection.

Congratulations Officer Coffman, and keep up the great work!

Police Academy Graduation: Captain Blanchette attended a Daytona State College (DSC) Police Academy Graduation at the News-Journal Center in Daytona Beach from 6:00 p.m. to 7:30 p.m. Captain Blanchette and Chief Doughney were both Instructors for the "Legal" portion of the Police Academy and we wish the Graduates a long, safe and fulfilling career in public service.

Job Descriptions/Titles: Chief Doughney worked on updating the job description and titles of the Police Captain and the Property & Evidence Custodian.

Property & Evidence: Three (3) found property wallets were returned to their rightful owners this week, after our Property & Evidence Custodian followed up on each of the cases. One (1) of the wallets that was returned was done so before a Police report was filed.
Good Job Jamie Z.!

Monthly Training: All Sworn Officers continued to work on completing their May 2023 online monthly training through Police Law Institute. This month's topic; **Lawful Use of Force and Deadly Force.**



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		5/12/2023		To: Thursday		5/18/2023	
Calls For Service	95	Felony Arrest	1	Reports Written	16	Citations Issued	35
Self-Initiated	37	Misd. Arrest	0	Comm. Policing	21	Warnings (Written/Verbal)	65
Traffic Stops	31	City Ordinance	1	Security Checks	335		

Chief's Weekly Summary

Friday: At 8:00 a.m. Chief Doughney, along with Jennifer Crews and Vinny met with Staff from Chinchor Electric Inc. with regards to the upcoming project of replacing inoperable light on the SR100/Moody Bridge. The project will take place at night, to alleviate traffic concerns, and will begin on Monday, May 15th. The project is scheduled to be completed by the morning hours of Friday, May 19th. Chief Doughney assisted patrol with parking enforcement during lunchtime, issuing two (2) City parking citations to vehicles parked the wrong direction on SRA1A.

Friday: 5/12/23 @ 12:51 p.m. / Criminal Mischief - Arrest / 319 Moody Boulevard (Johnny D's): Officers responded in reference to an ex-boyfriend and girlfriend arguing. When the male subject was leaving the business, he deliberately "keyed" the female's vehicle that was in the business parking lot; causing extensive damage. The subject was taken into custody for Felony Criminal Mischief (more than \$1,000 damage) without incident, and he was transported to the Flagler County Inmate Facility. A Police report was completed.

Friday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:
 1700 block of North Oceanshore Boulevard, from 9:30 a.m. to 10:00 a.m. No violations.
 1000 block of South Oceanshore Boulevard, from 11:00 a.m. to 11:30 a.m. No violations.

Friday: Nightshift Officers secured parking on SRA1A from 5th Street South to 6th Street South for tomorrow's 13th annual MayDay Surf Classic.

Saturday: 5/13/23 @ 1:36 p.m. / Hit & Run Crash - No Injury / 500 Block of North Oceanshore Boulevard: Officers responded to a crash involving two (2) motor vehicles; with no injuries reported. One (1) of the vehicles involved fled the area prior to Law Enforcement arrival. A State Crash report was completed.

Saturday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:

1300 block of South Oceanshore Boulevard, from 9:30 a.m. to 10:00 a.m. No violations.

7th Street South and South Flagler Avenue, from 3:15 p.m. to 3:45 p.m. Two (2) traffic stops, with two (2) written warnings issued.

Sunday: 5/14/23 @ 11:29 p.m. / Burglary Vehicle / 1000 Block North Oceanshore Boulevard: A male suspect was found inside the victims vehicle as she was approaching it. The male exited the vehicle as the victim was approaching and he ran to a waiting vehicle that fled the area northbound on SRA1A. The victim was able to get photographs of one (1) of the suspects, as well as the vehicle tag. The victim had numerous charges on her debit/credit cards within minutes of the burglary. The tag was hot-listed in the License Plate Reader (LPR) system, and a "Be On the Lookout" (BOLO) was issued for our County and surrounding Counties. A suspect has identified, and all information received was passed along to Detective Vinci, who is following up. A Police report was completed.

Sunday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:

1700 block of North Oceanshore Boulevard, from 10:15 a.m. to 10:45 a.m. No violations.

North Flagler Avenue and Palm Circle, from 9:00 a.m. to 11:00 a.m. Three (3) traffic stops, with one (1) State citation and two (2) written warnings issued.

Sunday: 5/14/22 @ 8:01 p.m. / Marchman Act / 101 North Oceanshore Boulevard (Finn's): A Patrol Officer responded to the business in reference to a verbal disturbance reference an intoxicated male arguing with a female over wanting to drive. The male subject was highly intoxicated and uncooperative with Officers and their efforts to assist him. The subject was subsequently taken into protective custody under the Marchman Act. The subject was transported to Advent Health in Palm Coast for medical clearance, and once cleared he was transported to the Flagler County Inmate Facility without incident.

Monday: Chief Doughney assisted patrol with parking enforcement during lunchtime, issuing two (2) City parking citations and one (1) written warning; all to vehicles parked the wrong direction.

Monday: Dayshift Officers conducted proactive traffic enforcement at the following location and times:

2400 block of South Oceanshore Boulevard, from 7:39 a.m. to 8:40 a.m. No violations.

Monday: 5/15/23 @ 8:25 p.m. / Traffic Stop (LPR) / 2200 Moody Boulevard: Officers received an alert from a License Plate Reader (LPR) in reference to a vehicle with a seize tag order. The vehicle in question was observed and stopped, and the Driver was confirmed to have a Financial Responsibility suspension on his Driver's License; along with the seized tag order. Rogers Towing responded and took possession of the vehicle, and the Driver was issued a State traffic citation for the suspension. A Police report was completed.

Two Wheel Tuesday: Chief Doughney, along with Mr. Bob Cunningham, patrolled the barrier island on bicycles from 9:00 a.m. to 1:00 p.m. The four (4) hour ride toured the island from the Beverly Beach City limits, to the Volusia County line and encompassed residential neighborhoods (Central, Daytona and Flagler Avenues) as well as SRA1A. Continued on next page...

Continued: During the ride, one (1) written warning was issued for a parking violation, and there was interaction with numerous residents and business owners. An additional parking violation was located after the ride, and it was addressed with a City parking citation; for wrong direction parking.

Tuesday: 5/16/23 @ 12:40 p.m. / Community Policing / 1104 South Oceanshore Boulevard (Golden Magnolia): A Patrol Officer proactively spoke with Lisa from Hotel Management and advised her of how frequently our Officers are coming into contact with her clients in reference to parking issues and other City Ordinance violations. The Officer provided management with four (4) separate informational flyers/informational cards for Hotel guests to be aware of while staying within Flagler Beach. The informational materials included cards for Sea Dune Protection, Pets on the Beach, Sea Turtles and Gopher Tortoises. Management was thankful and advised they would provide the information to their guests. **Outstanding proactive effort!**

Tuesday: 5/16/23 @ 12:41 p.m. / Water Rescue / 600 Block North Oceanshore Boulevard: Officers responded to the beach in reference to a male subject that was caught in a rip current and could not make it back to shore on his body board. Upon our Officers arrival, the male had made it to the shoreline, and he was assisted up onto the beach. The male was treated by Paramedics on scene and he refused further medical attention. No further action taken. **Good Job Officer Coffman!**

Tuesday: 5/16/23 @ 1:25 p.m. / Found Property / 302 Moody Boulevard (Poor Wait's): A Patrol Officer was dispatched in reference to a wallet that was found at the bar. The owner of the wallet was located in the City, and his wallet was returned. No further action required.

Tuesday: 5/16/23 @ 1:54 p.m. / Disturbance Physical / 100 Block of Oak Lane: A female subject called 911 to report a delayed physical disturbance that occurred earlier in the day. Officers responded and made contact with the female who advised that this morning her housemate (friend) hit her several times; because she ate his food. The male subject then left for work and the female went back to bed. The female victim was transported to Advent Health in Palm Coast in reference to her side hurting. A Police report was completed and charges have been forwarded to the State Attorney's Office for review.

Tuesday: 5/16/23 @ 4:54 p.m. / Marchman Act / 2200 Block South Oceanshore Boulevard: Officers were dispatched in reference to a male subject bothering people walking on the sidewalk. Upon our Officers contacting the subject, he was highly intoxicated and uncooperative. The male subject was taken into protective custody under the Marchman Act, and he was transported to the Flagler County Inmate Facility without incident. A Police report was completed.

Tuesday: Dayshift Officers conducted proactive traffic enforcement at the following location and times:
2400 block of South Oceanshore Boulevard, from 7:50 a.m. to 8:22 a.m. No violations.

Tuesday: 5/16/23 @ 6:36 p.m. / Road Obstruction / 400 Block South Daytona Avenue: Officers responded in reference to a report of a hole in the southbound traffic lane. Officers observed a small hole in the street, with an open cavity inside. Staff from Public Works was notified, and the 400 block of South Daytona Avenue was closed to traffic until Public Works could assess the roadway in the morning. A post was published on our Facebook page to alert residents about the road closure.

Wednesday: Our Administrative Assistant Dee participated in a webinar with Florida Power & Light (FP&L) from 10:00 a.m. to 11:00 a.m. The presentation was titled "Responding to Life, Death and Personal Injury Emergencies Police and Fire".

Wednesday: Sergeant Yelvington attended the City Department Head Staff meeting at City Hall with Mr. Abels from 9:00 a.m. to 10:30 a.m.

Thursday: 5/18/23 @ 12:01 p.m. / Crash - No Injury / 400 Beach Village Drive (Publix Plaza): Officers responded to a crash in the plaza parking lot, involving two (2) motor vehicles; with minor damage and no injuries. The involved vehicles were removed from the scene by their respective Drivers. A Drivers Exchange of Information was completed.

Thursday: 5/18/23 @ 1:06 p.m. / Crash - No Injury / 300 South Daytona Avenue (Post Office): Officers responded to a crash in the Post Office parking lot, involving two (2) motor vehicles; with minor damage and no injuries. The involved vehicles were removed from the scene by their respective Drivers. A Drivers Exchange of Information was completed.

Thursday: Dayshift Officers conducted proactive traffic enforcement at the following locations and times:
2200 block of North Oceanshore Boulevard, from 9:00 a.m. to 9:30 a.m. No violations.
400 block of John Anderson Highway, from 2:00 p.m. to 2:30 p.m. No violations.

Thursday: Chief Doughney assisted patrol with parking enforcement during lunchtime, issuing two (2) City parking citations to vehicles parked the wrong direction on South Central Avenue, along with one (1) written warning to a vehicle parked in the roadway on North 5th Street.

Thursday: Detective Vinci graduated from the Flagler Leadership Academy presented by the Flagler County Tax Collectors Office. The graduation ceremony was held at the new Operations Center for the Flagler County Sheriff's Office, from 4:30 p.m. to 6:00 p.m. Detective Vinci is the first member from the Flagler Beach Police Department to attend this prestigious Leadership Academy, and we're looking forward to additional members attending in the future. Congratulations Detective Vinci!

Evidence Purge: On Friday, May 12th, our Property & Evidence Custodian met with the Honorable Judge Perkins from Flagler County with regards to a Court Order allowing us to have narcotics evidence destroyed from cases that have been resolved/closed. In addition to the resolved cases, the Court Order allows us to destroy evidence narcotics cases where narcotics were located and tagged for destruction. The Court Order was signed by Judge Perkins and thanks to our City Attorney, Mr. Drew Smith, for his assistance with getting the Court Order prepared.

Patrol Rifle Training: Captain Blanchette was assigned as the Range Master for patrol rifle qualifications at the Flagler County Gun and Archery Club. Rifle qualifications for on-duty sworn members of the Department were conducted from 8:30 a.m. to 12:30 p.m. on May 16th and May 17th.

Stop Stick Training: On Thursday, May 18th, our Police Officers started “stop stick” training at Santa Maria Del Mar Catholic Church. The newly purchased equipment has been delivered, the policy for the equipment has been approved (and issued), and the training will continue over the new couple of weeks. A big thanks to our City Commission for their support of this equipment, and to our Code Enforcement Officer, Mr. John Gifford, for his assistance with the training.

Moody Bridge Lighting Replacement Project: This week, Chinchor Electric Inc. will be installing new lighting fixtures on the Moody Bridge, beginning on Monday, May 15th and continuing nightly until the early morning hours of Friday, May 18th. A post was published on our Facebook page on Monday at noon to alert the public about the project.

Background Investigations: Detective Vinci and Officer Guerrero are currently working on two (2) background investigations.

Daytona State College Graduation: On Tuesday, May 16th, Detective Vinci participated in Daytona State College’s (DSC) graduation ceremony, which was held at the Ocean Center in Daytona Beach. Detective Vinci successfully completed her Bachelor’s Degree in Supervision & Management. Congratulations Detective Vinci on achieving this well-earned milestone in your career!

Decision Modules: Chief Doughney worked on decision modules for the upcoming budget, requesting two (2) additional Police Officer positions, as well as a Community Service Officer (CSO) position.

Monthly Training: All Sworn Officers continued to work on completing their May 2023 online monthly training through Police Law Institute. This month’s topic; **Lawful Use of Force and Deadly Force.**