



# City of Palm Coast

Palm Coast  
Community Center  
305 Palm Coast Pkwy., NE  
Palm Coast, FL 32137  
palmcoastgov.com

## Meeting Minutes

### City Council

**Mayor Jon Netts**  
**Vice Mayor Jason DeLorenzo**  
**Council Member David Ferguson**  
**Council Member William Lewis**  
**Council Member Bill McGuire**

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**Tuesday, January 21, 2014**

**9:00 AM**

**Palm Coast Community Center**

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### *AMENDED AGENDA*

#### **City Staff**

**Jim Landon, City Manager**

**William Reischmann, City Attorney**

**Virginia A. Smith, City Clerk**

>Public comment on issues on the agenda or public participation shall be limited to 3 minutes.

>If any person decides to appeal a decision made by the City Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

>The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

>Other matters of concern may be discussed as determined by City Council.

>If you wish to obtain more information regarding City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

>In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at 386-986-3713 at least 48 hours prior to the meeting.

>City Council Meetings are televised on Brighthouse Networks Channel 199.

>All pagers and cell phones are to remain OFF while City Council is in session.

#### **A. Call to Order**

*Mayor Netts called the meeting to order at 9:00 a.m.*

#### **B. Pledge of Allegiance to the Flag**

#### **C. Roll Call**

*City Clerk Virginia Smith called the roll. All members were present.*

**Present:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

### Approval of Minutes

- 1      [14-23](#)      MINUTES OF THE CITY COUNCIL'S:  
                 A. December 17, 2013 City Council Business  
                 B. January 14, 2014 City Council Workshop

**Attachments:**      [December 17, 2013 Business Meeting](#)  
                                 [January 14, 2014 Workshop](#)

**The Minutes were adopted.**

### Proclamations and Presentations

- 2      [14-21](#)      PRESENTATION ON THE 2013 STARLIGHT TORNADO

*Representatives of the City team for the Starlight Tornado provided a PowerPoint presentation, which is attached to these minutes.*

*VM DeLorenzo-The debris numbers, does that include the tipping fees? Ans: Mr. Quinn-Yes, this was the final bill from Waste Pro. VM DeLorenzo-But from what we know of our contract, tipping fees are included. Ans: Mr. Quinn-Yes.*

*CM Ferguson-Why is the Sheriff's total almost half the expenses of the event? Ans: Ms. Stagg, Flagler County Emergency Management-In this case the Sheriff's office gave us their total amount for their response, that includes their equipment and personnel, where the others we are still calculating their totals. Commander Carmen-provided a summary as to the expenses.*

*CM Lewis-During and after the initial blast of the tornado, sure there were people who were stunned and shocked, did the Red Cross offer any sort of public assistance to the residents? Ans: Chief Beadle-Yes, they were on hand and believes there was one or two who received assistance.*

*CM Ferguson-County threshold is \$334K, is it anticipated we will reach that level? Ans: Ms. Stagg-Yes, it is anticipated. While we will meet the threshold for the local level, we will not meet the state level of \$26 million.*

*Mayor Netts-We had \$2.2 million in our emergency reserve fund, what is the plan to reestablish that? Ans: Mr. Quinn-Right now, the bulk of our costs, other than labor costs we would have paid anyway, relates to overtime, the hard costs and what our plan is to see what the departmental budgets look like at quarterly reviews as most hard costs were overtime costs in the public works budget.*

**The Presentation was Received and Filed.**

- 3      [14-28](#)      PRESENTATION BY CENTER FOR BUSINESS EXCELLENCE

*Ms. Robin King, President and CEO of the Center for Business Excellence provided Council a handout, which is attached to these minutes.*

*CM Lewis-How does this name change impact what you have been doing in the*

past? Ans: Ms. King-There is no change as to how we will do business locally.

Added to the agenda as 3a: Ms. Rebecca DeLorenzo from the Flagler County Chamber of Commerce introduced the new VP of Tourism Development, Mr. Matthew Dunn.

**The Presentation was received and filed.**

**4**      [14-20](#)

**PRESENTATION ON THE 2014 CHRISTMAS TREE RECYCLING EVENT**

Ms. Mini provided a PowerPoint presentation, which is attached to these minutes.

CM Lewis-Is it possible to have a permanent Christmas Tree planted for the City?

Ans: Ms. Mini-We have tried this but we need to find a better location for it as it is very wet in the area we chose.

**The Presentation was received and filed.**

**ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS**

Order of Business for Public Hearings (Council may make inquiries at any stage):

Open Hearing

Staff Presentation

Applicant Presentation (if applicable)

Council Questions of Applicant (if applicable)

Public Comments/ Presentations

Rebuttal by Applicant (if applicable)

Close Hearing

Council Discussion

Council Action

**First Reading**

**5**      [14-24](#)

**ORDINANCE 2014-XX AMENDING THE OFFICIAL ZONING MAP RELATING TO ISLAND WALK (F.K.A. PALM HARBOR SHOPPING CENTER) CONTAINING 28.69 +/- ACRES FROM COM-2 TO MASTER PLANNED DEVELOPMENT**

**Attachments:**      [Ordinance Island Walk fka Palm Harbor Shopping Center MPD](#)

[Palm Harbor Development Agreement FINAL](#)

Exhibit 4 - Traffic Report (Available in City Clerk's Office)

[FLUM Map](#)

[Zoning Map](#)

[Staff Report](#)

City Attorney Reischmann read the title into the record. Mr. Landon requested a continuance on behalf of the applicant to time certain of February 4, 2014 at 6:30 pm.

CM McGuire-Why a continuance since it has been heard by our Planning and Land Development Board? Ans: Mr. Landon-The applicant requested the continuance in order to make sure all their legal documents are in order.

CM McGuire declared an ex-parte communication by attending the PLDRB Hearing on January 18, 2014.

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member Lewis, that the Ordinance be Continued. This motion was approved by the following vote:**

**Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

6      [14-02](#)

**ORDINANCE 2014-XX AMENDING CHAPTER 2, ARTICLE II, CITY COUNCIL, TO ADD A NEW SECTION ENTITLED "ELECTION PROCEDURES" IN THE CITY CODE OF ORDINANCES**

**Attachments:**      [Ordinance Election Procedures](#)

City Attorney Reischmann read the title into the record. Mr. Reischmann gave a brief overview to this item and item 7.

CM McGuire-Has the SOE indicated that these changes will cancel out her fears and objections? Ans: Mr. Reischmann-Last week I reached out by telephone to the SOE that very point and what the City was doing, but we did not receive a response from the SOE. Corresponded with her yesterday and of course I did not receive a response as it was a federal holiday. We are trying to work with her and confirm with her that should Council adopt these Ordinances to address her concerns so we can meet and prepare for the elections. We hope to hear a positive response from her.

CM McGuire-To confirm, your office has reached out to the SOE to sweep out her concerns and she has chosen not to discuss it with you? Ans: Mr. Reischmann-We have been doing that for months now. As you are all aware, I have provided two written communications to the Supervisor directly responding to her stated concerns, providing her case law, providing her Attorney General opinions, providing her information from the Attorney General's office, Division of Elections, and so on, but my recent involvement was more raised out of concerns because of efforts by your City Clerk, who had been trying on repeated occasions to create a timeframe where she as the Clerk for the City could meet with the Supervisor to begin the normal process of their team, the two of them, their two offices, working together as they have in the past and hopefully will do this year to continue to conduct and get ready for our elections. And because the City Clerk's efforts to meet with the Supervisor were rebuffed, I got involved and reach out last week by phone and hearing no response, sent the more explicit explanation of the City's position to the SOE in the email that all of you were copied on. Hopefully upon her review we will hear a positive response.

CM Lewis-Is it true the County attorney is in agreement with the action that was taken regarding the referendum? Ans: Mr. Reischmann-I can only infer from my reading, as I am sure you all have read as well, from a correspondence memorandum that the County Attorney had prepared, that memorandum the attorney had prepared in December that correspondence was to Ms. Weeks and the memorandum was to his bosses the County Commission, and he reached the conclusion that this City taking actions as I would submit or before you today as well as necessary an interlocal would address her concerns. He clarified for her purposes that he is not her attorney but would welcome the opportunity, as I would welcome the opportunity to sit down with her attorney should she have anymore legal concerns and I would welcome the opportunity to sit down and address those with any attorney should she be working with.

CM McGuire-Has not the City through the auspices through your office contacted legal opinions from the State of Florida other than the Attorney General herself as to the validity of the 2011 referendum and the ability of the City to conduct an election in 2014? Ans: Mr. Reischmann-Let's be very specific, the objection the SOE raised is only as to the validity of the 2011 election referendum is only yes to one specific charge and that is her contention there was an issue in regard to the type of election or type of vote where the voter's approved the referendum by more than 80%. It is her contention that is part of some language in Chapter 166 that says these types of elections are to be conducted at a General or Special elections called for that purpose and since this was done in conjunction with a primary election in 2011 that that violated the requirements of the section in Chapter 166. Now, we have responded to her on multiple occasions that is not consistent with Florida law. Indeed the Attorney General has specifically opined that a special election can be conducted at the discretion of the entity, in this case the City of Palm Coast, that the discretion and desire of the City of Palm Coast at a primary election. That is an existing attorney general opinion. And we have communicated that with her. I certainly cannot imagine that if we were to submit back to the Attorney General seeking an opinion that the AG would change her mind, furthermore as I communicated with the SOE yesterday, the type of issue she is raising is and would not in this situation be the type of issue that this AG would respond to. This AG would likely say that it is the policy of the AG, which is standard stated on her website and in her policies that the AG's office does not get involved in these types of disputes and does not render opinions on mixed questions of fact and law which is what really has been raised over these last several months. Having said that again I would repeat, the prior opinion of the AG as to the law on this issue is very clear and I attached that to my email yesterday and that is that the AG has opined and that is not contradicted in any later AG opinion that these type of elections that were conducted by the City in 2011 may be conducted legally in a primary. This was a special election called by the City Council of Palm Coast for that purpose and there is no requirement, there would have to be a stand alone special election, importantly it was conducted at an election where all of the voters, the non partisan electors were entitled to participate. So, hopefully by this discussion today, we will hear back from the SOE this week.

*Public Comments:*

*There were no public comments.*

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member McGuire, that the Ordinance be approved on First Reading. This motion was approved by the following vote:**

**Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

7 [14-01](#)

ORDINANCE 2014-XX AMENDING SECTION 5, CITY COUNCIL, (1) (b), QUALIFICATION FOR OFFICE, SECTION 8 ELECTIONS, (3), QUALIFYING FOR OFFICE, AND (4) SCHEDULE FOR REGULAR ELECTIONS AND PRIMARIES, OF THE CITY CHARTER

**Attachments:**

[Ordinance Amending Sec 5 Qualifying for Office](#)

[Ordinance 2011-3 - SUBMIT TO ELECTORS PROPOSED AMENDMENTS 1](#)

[Ordinance 2011-21 - CORRECTION OF SCRIVENERS ERROR SEC 8 ELE](#)

*City Attorney Reischmann read the title into the record. Mr. Reischmann provided comments under the previous item.*

*CM McGuire-How does this Ordinance differ from the 2011 referendum language?*

*Ans: Mr. Reischmann-The referendum language and the language in this Ordinance*

are identical.

CM McGuire-By passing these two ordinances relative to the elections, are we in any way shape or form stating that we may not have done things right in 2011? Ans: Mr. Reischmann-I am telling you, from a legal standpoint that is not the case.

*Public Comment:*

Louis McCarthy-thanked CM Ferguson, he struck a cord that Jack Carall would appreciate, the voters said yes, in high numbers, and look to the expense and tell us "why are you spending money on all this?" The voters voted for it, pass this and move on to bigger and better things for the City.

**A motion was made by Council Member McGuire, and seconded by Vice Mayor DeLorenzo, that the Ordinance be approved on First Reading. This motion was approved by the following vote:**

**Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

## Second Reading

8 [13-386](#)

### ORDINANCE 2014-XX RELATING TO AMENDING CHAPTER 29 IMPACT FEES, ARTICLE III PARK SYSTEM IMPACT FEES

**Attachments:** [Ordinance Park Impact Fees](#)  
[Parks and Recreation Impact Fee Report](#)

City Attorney Reischmann read the title into the record.

Mr. Landon gave a brief summary of this item and item 8.

Jose Papa and Henry Thomas of PRMG, City's Consultant provided a PowerPoint presentation for this item and item 9, which is attached to these minutes.

CM Lewis-Is it proper or correct at the time of a DRI application to tax the then taxpayers for revenue that could have been saved according to the revised fee and not the alternatives? Ans: Mr. Thomas-Technically, the questions is will the DRI's move forward and when. ... If we included them because they are entitled, then there is a driving need for the facilities associated with the DRI's, particularly the neighborhood parks. So, you are correct that there would be a loss of funding until you add it back in, whether that is 5, 6, 20 years into the future, then when you add those fees back in, obviously the charge would go up. Whether it is proper to shift that funding to the tax payer or to some other source that is not future growth related from development, I think that is really your call because I think all three fees would be valid and legally acceptable and Mr. Reischmann can weigh in on that.

CM Lewis-Is it proper for this Council to impose the obligation to impose taxes on future Councils on taxpayers?

I think it will put stress on future Councils. Ans: Mr. Thomas-I don't think the tax portion of the funding need is solved today. All three fees (choices) are valid.

CM McGuire-Within the past year we have heard various population predictions to the tune of 200K residents, we have less than half that now, so if these forecasts have any validity to them, alternative 1 states it won't happen and alternative 2 states it probably won't happen, is my assumption correct? Ans: Mr. Thomas-I believe you are. I believe that is the essence of the difference. Whether or not the DRI's will occur

*and should they be put in the funding equation today.*

*CM DeLorenzo-To what CM McGuire was stating, if one of the alternatives is chosen and development occurs then those projects will be added in to the formula and the fee will be readjusted, is that true for any other project that may not be on our list currently? Ans: Mr. Thomas-Absolutely, the approach we have taken is an improvement based approach.*

*CM McGuire-clarified that staff can bring another review to Council at anytime but it is required for Council to review every three years.*

*Public Comment:*

*Eric Phillips-will wait for the resolution portion of the public comments.*

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member Lewis, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:**

**Approved:** 5 - Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

## Resolutions

9

[13-387](#)

RESOLUTION 2014-XX APPROVING THE FEE SCHEDULE FOR PARK IMPACT FEES AND ASSOCIATED ADMINISTRATIVE CHARGES

**Attachments:**    [Resolution Option 1 Park Impact Fee \\$1013](#)  
                              [Resolution Option 2 Park Impact Fee \\$784](#)  
                              [Resolution Option 3 Park Impact Fee \\$849](#)

*This item was presented under the previous item.*

*CM McGuire-What is the downside of not having a trigger point in Option 1? Ans: Mr. Reischmann-The trigger point in option 1 is when you have more dwelling units that receive entitlements.*

*Public Comments:*

*Eric Phillips-represents the Flagler Home Builders Association-thanked Council for looking at this further and hopes for either Alternative 1 or 2 being adopted.*

*VM DeLorenzo favors Option 3 (Alternative 2) and requested to add the word "residential" to Section 3 of both Alternative 1 and 2.*

*A motion was made by VM DeLorenzo and seconded by CM Ferguson to approve Option 3 (alternative 2). Motion failed 2-3. Passing were VM DeLorenzo and CM Ferguson; dissenting were CM Lewis, CM McGuire, and Mayor Netts.*

*A motion was made by CM Lewis and seconded by CM McGuire to approve option 1. Mayor Netts requested a Motion to reconsider. Discussion held on Roberts Rules of Procedures. Mayor Netts was on the prevailing side of the Motion and therefore a Motion to reconsider was acceptable and can be debated. The Motion was seconded by CM Ferguson. Motion to reconsider passed 3 to 2-Passing were VM DeLorenzo, CM Ferguson, and Mayor Netts; dissenting were CM Lewis and CM McGuire.*

*VM DeLorenzo made a motion, seconded by CM Ferguson to approve Option 3.*



*Motion was approved 3 to 2. Passing-VM DeLorenzo, CM Ferguson and Mayor Netts; dissenting were CM Lewis and CM McGuire.*

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member Ferguson, that the Resolution be adopted. The motion was adopted by the following vote:**

**Approved:** 3 - Mayor Netts, Vice Mayor DeLorenzo, and Council Member Ferguson

**Denied:** 2 - Council Member Lewis, and Council Member McGuire

### **Recess City Council Meeting and Convene CRA Board Meeting**

*Vice Mayor DeLorenzo made a motion which was seconded by Council Member Ferguson to recess City Council and open the CRA Board Meeting. All members concurred.*

10

[14-11](#)

STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY RESOLUTION 2014-XX APPROVING THE REFINANCING OF THE INTER-FUND LOANS FROM THE CITY GENERAL FUND TO THE SR100 CRA

**Attachments:**     [Resolution SR 100 CRA Refy](#)  
                                 [Ltr FirstSouthwest CRA Refy](#)

*Mr. Landon gave a brief introduction to this item. Chris Quinn introduced Mark Galvin, First Southwest, City's financial consultant, who gave an overview to this item.*

*Public Comments:  
There were no public comments.*

*BM Lewis-on Exhibit A-Prosperity is crossed out and Ameris is added, please explain? Ans: Mr. Galvin-That is a name change for Prosperity.*

*BM Ferguson-What is the principal balance at the end? Ans: Mr. Quinn-The principal payments each year will be around \$200K on average during the ten year period so it will be \$2million in principal paid off and the balance of the principal over the last 5 years if we do not pay it off sooner based on available funds.*

*BM Ferguson-So roughly 3.8 after 10 years. Ans: Mr. Quinn-Correct*

**A motion was made by Board Member DeLorenzo, and seconded by Board Member McGuire, that the Resolution be adopted. This motion was approved unanimously.**

11

[14-05](#)

STATE ROAD 100 COMMUNITY REDEVELOPMENT AGENCY RESOLUTION 2014-XX APPROVING EXPENSES RELATED TO THE BULLDOG DRIVE IMPROVEMENT PROJECT

**Attachments:**     [Resolution - SR100 CRA Bulldog Dr Improvement Project](#)

*Mr. Landon gave a brief overview to this item.*

*Public Comments:  
There were no public comments.*



A motion was made by Board Member Lewis, and seconded by Board Member McGuire, that the Resolution be adopted. This motion was approved unanimously.

**Adjourn CRA Board Meeting and Reconvene City Council Meeting.**

*Motion made by BM McGuire which was seconded by BM DeLorenzo to adjourn CRA Board and reconvene as Council. All members concurred.*

**Additional Resolutions**

- 12      [14-10](#)      RESOLUTION 2014-XX APPROVING THE REFINANCING OF THE INTER-FUND LOANS FROM THE CITY GENERAL FUND TO THE STATE ROAD 100 COMMUNITY REDEVELOPMENT AGENCY
- Attachments:**      [Resolution Council CRA Refinance](#)  
                                 [Ltr FirstSouthwest CRA Refy](#)
- Mr. Landon gave a brief overview to this item.*
- Public Comments:*  
*There were no public comments.*
- A motion was made by Council Member McGuire, and seconded by Vice Mayor DeLorenzo, that the Resolution be adopted. This motion was approved by the following vote:**
- Approved:**    5 -    Mayor Netts, Vice Mayor DeLorenzo, Council Member Ferguson, Council Member Lewis, and Council Member McGuire

**Consent Agenda**

**In accordance with Section 286.0114 Florida Statutes, any member of the public interested in speaking on any item on the Consent Agenda, shall come to the podium, state their name and will have up to three (3) minutes to speak.**

**A motion was made by Vice Mayor DeLorenzo, and seconded by Council Member McGuire, to approve the Consent Agenda. The motion was approved by the following vote:**This motion passed unanimously

- 13      [14-15](#)      RESOLUTION 2014-XX APPROVING PIGGYBACKING THE CONTRACT BETWEEN LIFE EXTENSION CLINICS, INC., AND POLK COUNTY FOR FIRE DEPARTMENT EMPLOYEE ANNUAL PHYSICAL EXAMINATIONS
- Attachments:**      [Resolution Piggybacking Contract-Life Extension Clinics and Polk](#)  
                                 [Engagement Letter - Life Extension Clinics](#)  
                                 [Contract - Life Extension Clinics and Polk County](#)
- The Resolution was adopted on Consent.**
- 14      [14-06](#)      RESOLUTION 2014-XX CONTRACT WITH KW CONTROLS, INC.,

FOR SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SOFTWARE AND THE PURCHASE OF THE REQUIRED HARDWARE THROUGH THE STATE CONTRACT WITH DELL COMPUTER FOR THE WATER AND WASTEWATER TREATMENT PLANTS

**Attachments:**     [Resolution - SCADA System Upgrade Water and Wastewater Plants](#)  
[Contract Summary - KW Controls, Inc](#)  
[Intent to Award SCADA Conversion KW Controls, Inc](#)

The Resolution was adopted on Consent.

- 15     [14-08](#)     RESOLUTION 2014-XX APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT HOUSING ASSISTANCE PLAN

**Attachments:**     [Resolution - CDBG Housing Assistance Plan](#)  
[City of Palm Coast CDBG HAP DRAFT 12-3-13 2 CLEAN \(2\)](#)

The Resolution was adopted on Consent.

- 16     [13-389](#)     RESOLUTION 2014-XX APPROVING BUDGETED PURCHASES FOR TECHNOLOGY AND COMMUNICATIONS SUPPLIES AND MAINTENANCE FOR FISCAL YEAR 2014

**Attachments:**     [Resolution IT Supplies and Support for FY 2014](#)  
[Engagement Letter - CDW](#)  
[Engagement Letter - Empire Consulting](#)  
[IPA Contract Pricing](#)

The Resolution was adopted on Consent.

- 17     [14-09](#)     RESOLUTION 2014-XX APPROVING THREE-YEAR LEASE WITH DELL FOR NEW STORAGE AREA NETWORK

**Attachments:**     [Resolution - Dell SAN Lease Agreement](#)  
[Dell Master Agreement](#)  
[Dell SAN Quote](#)

The Resolution was adopted on Consent.

- 18     [13-443](#)     RESOLUTION 2014-XX APPROVING PRICE AGREEMENTS WITH HOWARD FERTILIZER & CHEMICAL COMPANY, INC., JOHN DEERE LANDSCAPES, AND UNIVAR ENVIRONMENTAL SCIENCES FOR VARIOUS LANDSCAPE CHEMICALS FOR MEDIANS AND PARK ATHLETIC FIELDS

**Attachments:**    [Resolution Price Agreements for Landscape Chemicals](#)  
[Contract Summary - Howard Fertilizer & Chemical Company, Inc](#)  
[Contract Summary - John Deere Landscapes](#)  
[Contract Summary - Univar Environmental sciences](#)  
[Intent to Award and Price Comparison](#)

The Resolution was adopted on Consent.

- 19      [14-03](#)      RESOLUTION 2014-XX APPROVING CONTRACTS WITH S.E. CLINE CONSTRUCTION AND PBM CONSTRUCTORS, INC., FOR WATER AND WASTEWATER EMERGENCY CONSTRUCTION SERVICES

**Attachments:**    [Resolution - Water and Wastewater Emergency Construction Services](#)  
[Contract Summary SE Cline](#)  
[Contract Summary PBM Constructors](#)  
[RFQ Evaluation](#)  
[Bids - Emergency Construction Services](#)

The Resolution was adopted on Consent.

- 20      [14-04](#)      RESOLUTION 2014-XX CONTRACT RENEWAL WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR RIGHT-OF-WAY MAINTENANCE BY THE CITY ALONG PORTIONS OF U.S. HIGHWAY 1 AND STATE ROAD 100

**Attachments:**    [Resolution - FDOT ROW Maintenance Agreement](#)  
[FDOT Contract Renewal](#)  
[FDOT 2011 Memo of Agreement](#)  
[Map of FDOT MOA](#)

The Resolution was adopted on Consent.

**D.      Public Participation**

In accordance with Section 286.0114 Florida Statutes, after the Mayor calls for Public Participation, each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium, state their name and will have up to three (3) minutes to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

*Louis McCarthy-City meeting calendar is not on website this year.*

*Response:*

*Mr. Landon-Requested Ms. Lane get with Mr. McCarthy and provide him the calendar.*

**E. Discussion by CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

*CM McGuire-What is the status of the Sheriff's contract? Ans: Mr. Landon-It is on the schedule for next week's workshop. Ms. Smith-Mr. Nowell will be providing his draft to me this week.*

*CM Lewis-thanked Tony Capela and staff for their hard work regarding Palm Coast Parkway West. It is looking very nice.*

**F. Discussion by CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

*Update from Washington DC-US Supreme Court-there are several first amendment cases but non that would affect the City of Palm Coast.*

**G. Discussion by CITY MANAGER OF MATTERS NOT ON THE AGENDA**

*I am required to let you know I approved an expenditure for hauling our sewer sludge away last week, above and beyond what we would normally do. Our normal hauler, the final solid product coming out of our sewer plant after we have tried to dry it as much as possible, it has to be hauled to a specific site under certain conditions and they have to mix it with fly ash and the hauler, supplier of fly ash said they were done, they do not have anymore fly ash, so it cannot be legally hauled by our contracted hauler. Staff had to go find an alternative to haul our sewer sludge and the prices is slightly higher but this is on a temporary basis. Authorized a purchase order of \$40K, so that is above my signature authority, our purchasing department will be going out to bid and we will then have an actual competitive bidding process.*

*CM McGuire-Where do we haul it to? Ans: Mr. Adams-Obviously this is a regulated disposal of the bi-product from the wastewater plant, the current process is the vendor hauls it down to Volusia County landfill, that is where it is treated with the fly ash and basically they produce a fertilizer. They lost their supply ash supplier, so we have arranged for this other hauler called Sweetwaters to haul to their treatment facility in Ocala.*

*Mayor Netts-Do we anticipate a resurrection of the fly ash? Ans: Mr. Adams-There is a couple of things that come into play relative to that but they also have issues with their treatment facility in Volusia County. They have lost their lease on the Volusia County landfill, so when that expires they were going to have to relocate anyway and they are in the process of doing that and they are looking at sites in Flagler County for their treatment facility.*

*Professional Tennis Tournament is this week and next. Next weekend is our adult Flag Football League tournament coming to town.*

*Lastly, the Palm Coast Historical Society is having their open house today and Council has been invited. Stop by and say hello.*

**H. Adjournment**

*The meeting was adjourned at 11:40a.m.*

*Respectfully submitted,  
Virginia Smith, City Clerk*

**21**      [14-22](#)      MEETINGS CALENDAR AND AGENDA WORKSHEET

**Attachments:**      [City Calendar](#)  
                                 [Agenda Worksheet](#)

[14-29](#)      ATTACHMENTS TO MINUTES

**Attachments:**      [Item 2 Starlight Tornado](#)  
                                 [Item 2 TORNADO](#)  
                                 [Item 4 Christmas Tree Presentation 2014](#)  
                                 [Item 8 and 9 Park Impact Fee Study](#)