



**City of Palm Coast**  
**Agenda**  
**City Council Business**  
**Meeting-AMENDED**  
**AGENDA**

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
[www.palmcoastgov.com](http://www.palmcoastgov.com)

*Mayor Milissa Holland*  
*Vice Mayor Steven Nobile*  
*Council Member Robert G. Cuff*  
*Council Member Nick Klufas*  
*Council Member Heidi Shipley*

---

**Tuesday, September 19, 2017**

**9:00 AM**

**Community Wing**

---

**City Staff**

**Jim Landon, City Manager**

**William Reischmann, City Attorney**

**Virginia A. Smith, City Clerk**

> Public Participation shall be in accordance with Section 286.0114 Florida Statutes.

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

> If you wish to obtain more information regarding the 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 Charter Spectrum Networks Channel 495 and on AT&T U-verse Channel 99.

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

**A. CALL TO ORDER**

**B. PLEDGE OF ALLEGIANCE TO THE FLAG**

**C. ROLL CALL**

**D. PUBLIC PARTICIPATION**

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on topics on the workshop agenda or any topic or proposition not on the agenda, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each 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.

**E. MINUTES**

**1 MINUTES OF THE CITY COUNCIL**

**G. ORDINANCES**

SECOND READ ORDINANCES

**2 ORDINANCE 2017-XX APPROVING AN AMENDMENT TO THE PALM COAST PARK MPD DEVELOPMENT AGREEMENT, APPLICATION NO. 3362**

**3 ORDINANCE 2017-XX AMENDING SECTION 2-36 MEETINGS OF THE CODE OF ORDINANCES OF THE CITY OF PALM COAST**

**4 ORDINANCE 2017-XX RELATING TO THE VOLUNTARY ANNEXATION OF THE PROPERTY KNOWN AS MARINA DEL PALMA**

**5 ORDINANCE 2017-XX FOR THE VOLUNTARY CONTRACTION (DEANNEXATION) OF THE CITY BOUNDARY BY DEANNEXING 116.23 ACRES MORE OR LESS OF REAL PROPERTY KNOWN AS AIRPORT EAST, GENERALLY LOCATED SOUTH OF STATE ROAD 100 AND WEST OF SEMINOLE WOODS PARKWAY**

**H. ORDINANCES**

FIRST READ ORDINANCES

**6 ORDINANCE 2017-XX A FUTURE LAND USE MAP AMENDMENT FOR 5+/- ACRE PARCEL LOCATED 1800' NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1 FROM AGRICULTURE & TIMBERLANDS (FLAGLER COUNTY DESIGNATION) TO MIXED USE (CITY OF PALM COAST DESIGNATION)**

**7 ORDINANCE 2017-XX ZONING MAP AMENDMENT FROM AGRICULTURE (FLAGLER COUNTY DESIGNATION) TO LIGHT INDUSTRIAL (IND-1) FOR A 5+/- ACRE PARCEL LOCATED 1800' NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1**

**8 ORDINANCE 2017-XX ANNEXING IN KORONA LANDS, LLC**

**I. RESOLUTIONS**

**9 RESOLUTION 2017-XX APPROVING A PREANNEXATION AGREEMENT WITH KORONA**



**LANDS, LLC**

- 10 RESOLUTION - 2017-XX APPROVING THE 2018 STATE LEGISLATIVE PRIORITIES**
- 11 RESOLUTION 2017-XX APPROVING PRICE AGREEMENT WITH CARMEUSE LIME AND STONE**
- 12 RESOLUTION 2017-XX PROPOSAL CONSTRUCTION AND TESTING TO CONNECT CONSULTING, INC.,FOR THE HYDROGEOLOGICAL SERVICES AND DRILLING OF SW-43R**
- 13 RESOLUTION 2018-XX APROVING A PRICE AGREEMENT WITH UNIVAR USA INCORPORATED FOR 25% SODIUM HYDROXIDE (MEMBRANE GRADE CAUSTIC).**

**J. OTHER**

- 14 DISCUSSION ON THE CITY MANAGER'S CONTRACT AND EXECUTIVE SEARCH FIRM RFP TIMELINE**
- 15 APPOINT THREE MEMBERS FOR THE CODE ENFORCEMENT BOARD**
- 16 DISCUSSION - STATE LOBBYIST RFP RANKING**

**K. PUBLIC PARTICIPATION-REMAINDER OF PUBLIC COMMENTS**

**L. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**

**M. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**

**N. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**

**O. ADJOURNMENT**

**P. CALENDAR/WORKSHEET**

- 17 CALENDAR/WORKSHEET**

# City of Palm Coast, Florida Agenda Item

Agenda Date : September 19, 2017

<b>Department</b> ASED	<b>Amount</b>
<b>Item Key</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> MINUTES OF THE CITY COUNCIL'S A. September 5, 2017 Special Budget Workshop B. September 5, 2017 Business Meeting C. September 6, 2017 Special Budget Meeting	
<b>Background :</b>	
<b>Recommended Action :</b> APPROVE MINUTES OF THE CITY COUNCIL'S: A. September 5, 2017 Special Budget Workshop B. September 5, 2017 Business Meeting C. September 6, 2017 Special Budget Meeting	



# City of Palm Coast

160 Lake Avenue  
Palm Coast, Florida 32164

## Meeting Minutes Special Council Workshop

---

Tuesday, September 5, 2017

4:00 PM

Council Conference Room

---

### BUDGET WORKSHOP

#### City Staff

**Jim Landon, City Manager**

**William Reischmann, City Attorney**

**Virginia A. Smith, City Clerk**

>Public Participation shall be in accordance with Section 286.0114 Florida Statutes.

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

>If you wish to obtain more information regarding the 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 Charter Spectrum Channel 495 and on AT&T U-verse Channel 99.

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

#### A. Call to Order

*Mayor Holland called the meeting to order at 4:00 p.m.*

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

#### C. Roll Call

*City Clerk Virginia Smith called the roll.*

#### D. PRESENTATIONS

##### 1. [17-352](#) PRESENTATION ON FISCAL YEAR 2017-2018 BUDGET

*Mr. Landon provided a brief overview to this item. Mr. Chris Quinn, Finance Director and Ms. Lina Williams, Budget Coordinator presented a PowerPoint presentation, which is attached to these minutes.*

*Mayor Holland- What is the the negative 3.8% attributed to? Ans: Mr. Quinn Some of these revenue items are not like regular revenue items. For example special*

exceptions revenue is only when someone requests one. So it is hard to budget for them. We look at them on an average. So some years when it actually comes in higher you will see this kind of effect on the budget.

Mayor Holland- What is a special exception? Ans: Mr. Quinn It is primarily related to planning fees, a special planning exception. Many of those come before City Council. .  
Ans: Mr. Landon: A land use exception

Mayor Holland -What is the average lifespan of our fleet)? Ans: Ms. Williams For our white fleet we estimate 7 years but the reality is we are getting closer to 9 or 10 years.

VM Nobile- We had a good year auctioning? Ans: Ms. Williams Yes, last year and this year?

Mayor Holland- How do we compare to other communities in permitting timeframes?  
Ans: Mr. Landon I do not hear complaints at this time except for those who have resubmittals; those who did not submit a full package in the beginning.

CM Cuff-Please provide a brief explanation of the reserves. Ans: Mr. Quinn : Sure that is basically the difference between what we estimate the revenues and the expenses to be. CM Cuff What is that balance estimated for the end of this year?  
Ans: Mr. Quinn The fund balance should be approximately \$2 mil.

VM Nobile Coming into 2017, we did not forecast as much of a growth? Ans: Mr. Quinn We are very conservative.

VM Nobile-Included in the budget the FPL easement, can you show that to us again please? Ans: Mr. Quinn Bottom of first column it is \$200K

VM Nobile-What about safety equipment? Do we need to add more? Ans: Mr. Landon There is always enough cushion in there if you all want to add.

CM Shipley-The \$600K is just for the splash pad? Ans: Mr. Quinn It is to accelerate the splash pad and the related playground. It is a bigger project than just a splash pad.

CM Shipley- That has already gone out to bid and we have prices on that? Ans: Mr. Quinn: No, that would not go out to bid until this budget is approved.

CM Klufus-Where you able to get a ball park figure on what just the splash pad would cost? Ans: Mr. Quinn: We did, it was over \$1 million dollars for a splash pad.

CM Shipley-The infrastructure is in there already we did that with the first part? Ans: Mr. Landon Mainly splash pad but you have filtering systems and things like that.

CM Cuff-I thought we had dollars included for park cameras? Ans: Mr. Quinn Yes, we have included it in the budget.

CM Klufas-The park cameras, will they include a plan for how we lay out the cameras and how we archive the footage? Ans: Mr. Quinn The first step is to do that study. Mr. Landon I call it design and set up a standard for the City. It will help us put together a 5 year capital plan for security in City parks.

VM Nobile-Can we spread the funding out for the 5 deputies? Ans: Mr. Quinn The Sheriff proposed funding options so you can break it up over multiple years.

VM Nobile-What are the odds of getting 5 deputies up and running? Ans: Sheriff Staly I am ready to hire October 1 and up and running within 3 months.

VM Nobile- Are we going to benefit across the board where there are problems? Ans: Sheriff Staly There are studies across the nation, that when you do traffic enforcement it has a positive impact on your other crime. The County is hiring 10 deputies, and quite frankly 90% are here in Palm Coast. I have asked the City of Palm Coast to focus on traffic and the County to focus on the criminal activity.

VM Nobile-Where does the money come from for the splash pad? Ans: Mr. Quinn Capital projects that do not affect operations.

CM Cuff-How much of that (\$600K) is design vs. construction? Ans: Mr. Landon-The answer to your question is design is almost finished because it was part of the overall project.

Mayor Holland-Anyone opposed to the 5 additional deputies? There were no objections.

Mayor Holland-Anyone opposed to the additional street lighting funding? VM Nobile Requested what that amount covers. Ans: Mr. Landon I think that included Belle Terre south from Palm Coast Pkwy. to SR 100, And Lakeview from Matanzas Woods Pkwy. to the northern terminus of Lakeview.

CM Klufas-That \$200,000 would there be a maintenance cost incurred going forward? Ans: Mr. Landon-Upfront costs and then the monthly electric bill; all of the maintenance associated with that is part of FPL's bill.

VM Nobile-How many lights does that include? Ans: Mr. Quinn That we do not know until design is complete.

Mayor Holland called for any objections to keeping in the costs for lighting? There were no objections.

Mayor Holland-Any objections to the Economic Development Coordinator? VM Nobile Would like to see this with the new City Manager we will be hiring.

Mayor Holland-\$600K any objections? VM Nobile Yes. CM Cuff No objections. CM Shipley Yes, keep the regular schedule. CM Klufas No objections. Majority is to keep it in and tomorrow we can vote on it.

Mayor Holland-Keep in the executive search firm.

Mr. Landon will put together the proposed budget and proposed millage for tomorrow evening for your consideration.

VM Nobile requested that tomorrow evening's meeting be corporate casual. All concurred.

**F. PUBLIC PARTICIPATION**

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on topics on the workshop agenda or any topic or proposition not on the agenda, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each 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.

*Jack Carall-Sheriff just said that he is using 90% for coverage in Palm Coast, why are we not getting 90% of the deputies? Economic Development-doesn't County have an Economic Development person?*

*Charles Ebert-Did we approve the extra five officers?*

*Responses to Public Comments:*

*Sheriff and Economic Development-Mayor Holland-Yes, Ms. Helga Van Eckert.*

*Deputies-We have a great resource to answer and speak with you on the additional deputies.*

*Five deputies-Mayor Holland-Yes, five deputies were approved.*

**J. ADJOURNMENT**

*The meeting was adjourned at 5:15 p.m.*

*Respectfully submitted,  
Virginia Smith, City Clerk*

[17-387](#)

**ATTACHMENTS TO MINUTES**

**Attachments:**    [Final Budget Presentation](#)  
[Millage Rate Options Worksheet](#)



# City of Palm Coast

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
palmcoastgov.com

## Meeting Minutes

### City Council

*Mayor Milissa Holland*  
*Vice Mayor Steven Nobile*  
*Council Member Robert G. Cuff*  
*Council Member Nick Klufas*  
*Council Member Heidi Shipley*

---

Tuesday, September 5, 2017

6:30 PM

City Hall Community Wing

---

#### 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 for each speaker.
- >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 Charter Spectrum Channel 495 and on AT&T U-verse Channel 99.
- >All cell phones are to remain OFF while City Council is in session.

#### A. Call to Order

*Mayor Holland called the meeting to order at 6:30 p.m.*

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

#### C. Roll Call

*City Clerk Virginia Smith called the roll.*

**Present:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

**Approval of Minutes**

- 1     [17-378](#)           MINUTES OF THE CITY COUNCIL'S:  
          A. August 15, 2017 City Council Business  
          B. August 29, 2017 City Council Workshop- Meeting cancelled

**Attachments:**     [August 15, 2017 Business Meeting](#)  
                          [August 29, 2017 Workshop-Meeting cancelled](#)

**The Minutes was approved as presented.**

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

**Proclamations and Presentations****PROCLAMATIONS**

- 2     [17-358](#)           PROCLAMATION RECOGNIZING SEPTEMBER 2017 AS PAINT THE TOWN PURPLE TO END ALZHEIMER'S MONTH

**Attachments:**     [Proclamation Alzheimer's Walk](#)

*CM Cuff presented this Proclamation.*

**The Proclamation was Received and Filed.**

- 3     [17-379](#)           PROCLAMATION RECOGNIZING SEPTEMBER 5, 2017 AS FLAGLER COUNTY SHERIFF'S DEPUTY RICHARD PETKOVSEK DAY

**Attachments:**     [Proclamation Deputy Petkovsek](#)

*CM Cuff presented this Proclamation.*

**The Proclamation was Received and Filed.**

- 4     [17-382](#)           PROCLAMATION RECOGNIZING SEPTEMBER 9, 2017 THROUGH SEPTEMBER 24, 2017 AS PALM COAST AND THE FLAGLER BEACHES SENIOR GAMES WEEKS

**Attachments:**     [Proclamation Sr Games 2017](#)

*VM Nobile presented this Proclamation.*

**The Proclamation was Received and Filed.**

- 5     [17-385](#)           PROCLAMATION RECOGNIZING SEPTEMBER 13, 2017 AS FLAGLER STEMI TEAM DAY

**Attachments:**     [Proclamation STEM](#)



*CM Shipley presented this Proclamation.*

**The Proclamation was Received and Filed.**

- 6**     [17-381](#)     PROCLAMATION RECOGNIZING SEPTEMBER 17, 2017 THROUGH SEPTEMBER 23, 2017 AS CONSTITUTION WEEK

**Attachments:**     [Proclamation Constitution Week](#)

*CM Klufas presented this Proclamation.*

**The Proclamation was Received and Filed.**

- 7**     [17-380](#)     PROCLAMATION RECOGNIZING OCTOBER 2017 AS RAISE THE PINK FLAG WITH THE PINK 5K MONTH

**Attachments:**     [Proclamation Pink 5K](#)

*CM Shipley presented this Proclamation.*

**The Proclamation 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

### **Second Reading**

- 8**     [17-350](#)     ORDINANCE 2017-XX EXTENDING THE MORATORIUM FOR MEDICAL MARIJUANA DISPENSARIES

**Attachments:**     [Ord extend temp Moratorium for Medical Marijuana](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*Public Comment:*

*There were no public comments.*

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: O2017-11

### First Reading

- 9     [17-59](#)     ORDINANCE 2017-XX COMPREHENSIVE PLAN AMENDMENT FOR A 145+/- ACRE PARCEL FROM GREENBELT, INDUSTRIAL, AND CONSERVATION TO RESIDENTIAL, INDUSTRIAL, AND CONSERVATION ALONG WITH A POLICY TO LIMIT DEVELOPMENT ON SUBJECT PARCEL TO 348 DWELLING UNITS AND 350,000 SQ. FT. OF NON-RESIDENTIAL USE

**Attachments:**     [Ordinance-Parcel 145-FLUM](#)  
                              [Proposed FLUM-Parcel 145](#)  
                              [Current FLUM-Parcel 145](#)  
                              [Current Zoning-Parcel 145](#)  
                              [Location Map-Parcel 145](#)  
                              [Staff Report-Parcel 145-FLUM-2-9-17-CC-1st Reading](#)

*City Attorney Reischmann read the title of the ordinance into the record.*

*Mr. Landon gave a brief summary of the item.*

*This item was heard with Item 9.*

*Attorney Reischmann reminded Council this is a quasi judicial item. Mayor Holland called for any ex parte communications since the last first read of the rezoning item. There were none.*

*Mr. Jose Papa, Community Development Department, provided a PowerPoint presentation, which is attached to these minutes.*

*David Blessing, PC 145, Applicant and Mike Bebe, Consultant for the project presented a PowerPoint presentation, which is attached to these minutes.*

*Vice Mayor Nobile to Mr. Blessing If approved, will the project employ 600 people? What are they doing? Ans: Mr. Blessing They are building Wal Mart, Publix, a nail salon, a doctor's office etc.*

*Vice Mayor Nobile What are you building first? Ans: Mr. Blessing We have not gotten that far into the process. We expect to start construction in a year and half – two years. The market will dictate what project will be the priority.*

*Council Member Shipley I did see the model that you are showing us here; it was beautiful. My only concern with it, is in each corner it is still Comm 3 and there are houses behind it. Could the corners be changed to single family?*

*Ans: Mr. Blessing I will not build houses or commercial there. Mr. Landon confirmed the red corners will change to open space or blue for a pond before 2nd reading.*

*Vice Mayor Nobile Comp plan and rezoning why are we doing a comp plan change? Mr. Papa Greenbelt designation has a different density requirement.*

*Public Comments:*

*Don Trammer Did we settle the rezoning of this property? If not, when are we settling that? Project disagrees with a lot of stuff in the project. He was not in favor of building multi-story rentals.*

*Tim O'Donnell Quality of units and what is being built? He was opposed to the project. He was not in favor of multi-family. Vote it down.*

*Virginia Royale – She asked the Council not to change the zoning.*

*Sharon Militano – Spoke of her experience in Chicago and hoped that Palm Coast would consider not having high density homes.*

*Les Gillman – Disappointed the City is building on what he understood to be conservation and wetlands.*

*Barbara McDevitt – She is concerned about flooding to her area due to the project.*

*Susan Johnson She provided photos to Council which is attached to these minutes and opposed the project.*

*Peter Protrovsky: He spoke of his concerns regarding stormwater and asked if passed, to please provide a big buffer between the subdivision and the project.*

*BJ Weckmann expressed her concerns regarding the increase in traffic and worried about the safety of the residents.*

*Toby Tobin lives in a multi family unit which has not increased crime in his area. Workforce housing is needed. Growth is here. Workforce housing is not Section 8 or HUD building. Favors this project.*

*Terry Howe – She was not in favor of such high density housing without amenities. She distributed information on Next Generation housing.*

*Ken DeLoach – Spoke of his experience in developing commercial buildings and felt the developer would do what would give his greatest return on investment.*

*Dorothy Sperber Felt the project met the state guidelines. Palm Coast needs smart growth development.*

*Jimmy Millhollin Favors the project and spoke of the rents for a single family home in the ara.*

*Len Dignard Opposes the project, more specifically the multi family units.*

*Charles Ebert Hidden Lakes started in 2007 and it is still being built. Opposes the project.*

*George Mayo Asked if the developer would be able to build on the outparcels that are currently designated conservation.*

*Responses to Public Participation**Crime*

*Mayor Holland referred to the City Manager Landon and asked if there is an increase in calls to the police from Multi family dwellings. Ans. Mr. Landon responded that there are no statistics to support that idea.*

*Drainage Ans: Mr. Landon That is why there are so many ponds on the conceptual plan.*

*State review Ans: Mayor Holland It is the State's process to review it. Mr. Papa provided an overview to all the State department reviews. Mr. Tyner listed the State Agencies the plan must go through for approval before the developer can proceed.*

*Outparcels Ans: Mr. Tyner They cannot be built upon as it is a conservation area.*

*Building standards Ans: Mayor Holland We would not have anything that would look like that the photos that were presented of the properties in unincorporated Flagler County; we have strict standards.*

*Council Member Klufas In this neighborhood there are only 2 houses for rent for \$1350 per month, the Pine Lakes apartment has one available at \$1100 per month. There is a shortage that has hyper-inflated our prices. There is a lack of housing inventory.*

*Council Member Shipley responded to a comment quoting her from the last meeting. I think what the Developer did was exactly what is needed. There is no commercial right behind your house. I do not think you should have the fears of crime and they are not Section 8, HUD housing.*

*Council Member Cuff I realize the plan we are being shown is not the actual site plan. Does it have off site drainage? Ans: Mr. Bebe Those are existing stormwater easements that are part of the existing City stormwater system.*

*Council Member Cuff: Applicant has done a very good job to address the neighborhood concerns. The City needs multi housing and rental housing. As a Council Member, I will do everything I can to hold the developer to their commitments.*

*Vice Mayor Nobile I do not recall saying if they put in single family homes that it would be ok. He clarified he had said that there were residents with known zoning in their area. I need to be justified in flipping the zoning in changing what these people invested in. I fear what will happen here is the multi family homes will be developed, the commercial won't be developed and the single family lots will not be developed for a long time. Does not agree with rezoning. He felt that Palm Coast is not the only place to build in Flagler County. The presentation given tonight does not justify me to go against the people who bought their homes. Building apartments does not build a workforce, jobs build the workforce. There are other multi unit developments in Flagler County where the crime is high. I am more concerned with the people around this development and their investments in this property.*

*Mayor Holland-Not an easy choice. I do have many friends who are in the workforce that are struggling for more affordable housing. They are struggling quite a bit. I think going back the developer has taken a tremendous amount of time listening to our concerns being contiguous to a neighborhood. Palm Coast is strict on aesthetics and felt the project accomplishes a few items of concern for our community.*

**A motion was made by Council Member Klufas, and seconded by Council**

**Member Shipley, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:**

**Approved:** 4 - Mayor Holland, Council Member Cuff, Council Member Klufas, and Council Member Shipley

**Denied:** 1 - Vice Mayor Nobile

10 [17-60](#)

ORDINANCE 2017-XX ZONING MAP AMENDMENT FOR 145+/- ACRE PARCEL FROM HIGH INTENSITY COMMERCIAL (COM-3), LIGHT INDUSTRIAL (IND-1), AND SUBURBAN ESTATE RESIDENTIAL (EST-1) TO MASTER PLANNED DEVELOPMENT (MPD)

**Attachments:** [Ordinance -Parcel 145-Rezoning](#)  
[Proposed Zoning - Parcel 145](#)  
[Current Zoning-Parcel 145](#)  
[Revised MPD Agreement-Palm Coast 145](#)  
[Revised Exhibit B-Palm Coast 145 LLC Conceptual Master Plan](#)  
[Revised Staff Report-Parcel 145-Rezoning](#)

*This item was heard with item 8.*

*Attorney Reischmann read the title of this item into the record.*

*There were no additional public comments.*

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

11 [17-256](#)

ORDINANCE 2017-XX RELATING TO THE VOLUNTARY ANNEXATION OF THE PROPERTY KNOWN AS MARINA DEL PALMA

**Attachments:** [Ordinance - Marina Del Palma](#)  
[Marina Del Palma Annexation Map](#)  
[Marina Del Palma Study](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*This item was heard with item 12.*

*Public Comment*

*Dennis Bayer, attorney representing the property owner. Available for questions.*

**A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:**

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

- 12     [17-255](#)                    RESOLUTION 2017-XX APPROVING THE PRE-ANNEXATION AGREEMENT WITH SUNBELT PALM COAST MARINA, LLC, AND WGA INVESTMENTS, LLC, FOR THE PROPERTY KNOWN AS MARINA DEL PALMA

**Attachments:**     [Resolution Pre Annexation Marina Del Palma](#)  
                                 [PRE- ANNEXATION MARINA DEL MAR WITH EXHIBITS](#)  
                                 [Marina Del Palma Annexation Area Map](#)

*This item was heard with item 11.*

*There were no public comments.*

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: R2017-99

- 13     [17-375](#)                    ORDINANCE 2017-XX APPROVING AN AMENDMENT TO THE PALM COAST PARK MPD DEVELOPMENT AGREEMENT, APPLICATION NO. 3362

**Attachments:**     [Ordinance PCP MPD Rezoning](#)  
                                 [1st amend PC Park MPD DA](#)  
                                 [PCP MPD Staff Report](#)  
                                 [PC Park MPD Ord \(Exhibit A - Legal\)](#)  
                                 [PC Park MPD Tract Map \(Ex B\)](#)  
                                 [PC Park MPD Uses Plan \(Ex C\)](#)  
                                 [PC Park Summary of MPD & DRI](#)  
                                 [Palm Coast Park DRI-MPD Aerial Map](#)

*City Attorney Reischmann read the title into the record. Attorney Reischmann reminded Council this is a quasi-judicial item. Mayor Holland called for any ex-parte communications since the last first read of the rezoning item. There were none.*

*This item was heard with Item 13.*

*Mr. Landon gave a brief summary of the item.*

*Mr. Hoover provided a PowerPoint presentation, which is attached to these minutes.*

*Michael Chiumento, attorney representing PC Land provided Council with an overview and is available for any questions.*

*CM Cuff-This includes the SawMill Estates property. Ans: Mr. Chiumento-Yes, it is*

*included.*

*There were no public comments.*

**A motion was made by Vice Mayor Nobile, and seconded by Council Member Cuff, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:**

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

**14**     [17-372](#)

RESOLUTION 2017-XX APPROVING THE 3RD AMENDED AND RESTATED PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT (DRI), APPLICATION NO. 3369

**Attachments:**     [Resolution PC Park 3rd Amended DRI](#)  
                                   [Palm Coast Park DRI-MPD Aerial Map](#)  
                                   [PC Park Summary of MPD & DRI Changes](#)  
                                   [PCP DRI 3rd Amended Staff Report](#)  
                                   [PC Park DRI 3rd Amended DO](#)  
                                   [PC Park DRI 3rd Master Dev. Plan \(Ex B\)](#)  
                                   [PC Park DRI 3rd Amended Tract Map \(Ex D\)](#)  
                                   [PC PARK DRI EXHIBIT H 3rd Revised](#)

*This item was heard with item 14.*

*There were no public comments.*

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: R2017-100

**15**     [17-366](#)

ORDINANCE 2017-XX AMENDING SECTION 2-36 MEETINGS OF THE CODE OF ORDINANCES OF THE CITY OF PALM COAST

**Attachments:**     [Ordinance Amending Council Meeting Times](#)

*City Attorney Reischmann read the title into the record.*

*Mr. Landon gave a brief summary of the item.*

*This item was heard with item 16.*

*Public Comment:*

*Jack Carall-Opening of public participation at the workshops. Will we still have comments after what is on the workshop agenda?*

*Responses to Public Comment:*

*Comments at workshop-Ans: Mayor Holland-The beginning of the workshop are so residents who want to speak and not stay through the whole meeting. If they want to wait, they will have an option at the end of the meeting still. More availability to speak. Also, can speak at the business meeting on those items as well.*

**A motion was made by Vice Mayor Nobile, and seconded by Council Member Shipley, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:**

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

16 [17-371](#)

RESOLUTION 2017-XX AMENDING CITY COUNCIL POLICIES AND PROCEDURES RELATING TO PUBLIC INPUT AT COUNCIL MEETINGS

**Attachments:** [Resolution Amending Council Policy and Procedures](#)  
[Council Policy and Procedures](#)

*This item was heard with item 15.*

*Public Comments were heard under item 15 as well.*

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: R2017-101

17 [17-364](#)

RESOLUTION 2017-XX MASTER SOLAR LEASE AGREEMENTS WITH FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION OF SOLAR CANOPY DEVICES AT CITY HALL, HOLLAND PARK AND COMMUNITY CENTER AND FOR THE INSTALLATION OF SOLAR TREE DEVICES AT CENTRAL PARK IN TOWN CENTER

**Attachments:** [Resolution FPL Master Solar Lease Agreement](#)  
[Solar Lease Agreements](#)  
[Town Center ARC Approval](#)

*Mr. Landon provided a brief overview to this item. Ms. Denise Bevan and representatives from FPL provide a PowerPoint presentation, which is attached to these minutes.*

*VM Nobile-The trees in the park will have outlets, what will the canopies be powering?  
Ans: Mr. Anuj Chokshi -The power goes back to the grid.*

*CM Klufas-9:25 If I throw a tennis ball at it will it brake? Ans: Mr. Chokshi*

*CM Cuff-How tall are the solar trees? Ans: Mr. Chokshi-18feet or so.*



*Public Comments*

Jon Netts-No disrespect to Denise-paraphrased a poem by Joyce Kilmer-I think that I shall never see a solar panel as lovely as a tree. I wish for a better looking solar tree.

Jack Carall-Are these things vandalizing proof?

Robert MacDonald-What will the City gain from this?

*Responses to Public Comments:*

Vandalized proof-The height of the panel is 18 ft up. The lowest is around 14 ft high.

Hurricane proof, it is a steel structure.

Cost is zero to the City. The lease payment is to the City. \$18 per kilowatt.

Approximately \$1800 per year.

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: R2017-102

18 [17-351](#)

RESOLUTION 2017-XX RELATING TO THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR

**Attachments:** [Resolution - OKR Special Assessment](#)  
[OKR 2017 Assessment for Tax Collector](#)

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

*Public Comments:*

*There were none.*

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

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

Enactment No: R2017-103

19 [17-365](#)

RESOLUTION 2017-XX APPROVING FINAL NUISANCE ABATEMENT ASSESSMENT

**Attachments:** [Resolution 2017 Final Nuisance Abatement](#)  
[2017 Tax Assessments Roll](#)

*Mr. Landon provided an overview to this item.*

*Public Comments:*

*There were none.*

**The Resolution was Continued.**

**Consent**

**A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Items be Considered as reported on the Consent Agenda.. They were approved by the following vote:**

**Approved:** 5 - Mayor Holland, Vice Mayor Nobile, Council Member Cuff, Council Member Klufas, and Council Member Shipley

- 20    [17-383](#)            RESOLUTION 2017-XX APPROVING INTERLOCAL AGREEMENT BETWEEN THE CITY OF BUNNELL AND THE CITY OF PALM COAST TO TEMPORARILY PROVIDE UTILITIES TO PITTS GLASS, INC.

**Attachments:**    [Resolution Interlocal Agreement City of Bunnell](#)  
[Interlocal Agreement Bunnell](#)  
[Site Map - Pitts Glass](#)

Enactment No: R2017-104

- 21    [17-367](#)            RESOLUTION 2017-XX APPROVING THE WAGE ARTICLE BETWEEN THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS LOCAL 4807

**Attachments:**    [Resolution Fire Local 4807](#)  
[IAFF 4807 2017 Wage Article](#)

**A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-105

- 22    [17-369](#)            RESOLUTION 2017-XX APPROVING INTERLOCAL AGREEMENT FOR CONTRACTION BETWEEN THE CITY OF PALM COAST AND FLAGLER COUNTY

**Attachments:**    [Resolution - ILA with Flagler County](#)  
[ILA Contraction with Flagler County](#)  
[Map-Contraction Area](#)

**A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-106

- 23    [17-370](#)            RESOLUTION 2017-XX APPROVING THE 5TH AMENDMENT TO THE CONTRACT FOR THE SALE OF CITY PROPERTY WITH PALM TOWN CENTER, LLC

**Attachments:**     [Resolution 5th Amendment Unicorp](#)  
[Unicorp 5th Amendment](#)  
[Conceptual Plan - Draft](#)

**A motion was made by Vice Mayor Nobile, seconded by Council Member Shipley, that the Consent Agenda be Adopted on Consent. The motion was Approved unanimously.**

Enactment No: R2017-107

**D. Public Participation**

**Public Participation shall be held 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 and state their name. Each speaker will have up to three (3) minutes each 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.**

*William Venne expressed his concerns regarding the Contraction Agreement with the County.*

*Charles Ebert asked what Waste Pro's plan for emergency preparedness was. He asked that there be more maintenance on South Old Kings. Mr. Ebert would like to see it cut more often. There is a piping at Graham Trail that is an eyesore. He thanked the road crew for adding more asphalt at Old Kings and Town Center.*

*Robert MacDonald addressed Vice Mayor Nobile who is the representative for the R Section. Mr. MacDonald reported that the area is starting to look like the hood; overgrown grass, garbage cans, etc. There is 67 miles within the R Section and he requested that Code Enforcement take one section at a time. He also requested that a meeting to include a member from Code Enforcement staff, Vice Mayor Nobile and himself.*

*George Mayo expressed his concerns regarding the drop-off and pick-up of the students at Imagine Schools. He also reported that he is having a difficult time watching the meetings at home. He was not clear as to whether the problem was with the City's IT Department or with his TV provider. He also noted that Council Member O'Brien from the County has been in attendance at the City's meetings and hoped that the members of the City Council would attend county meetings as well.*

*Responses to Public Comments:*

*County Contraction Mr. Landon gave an overview to the contraction of land issue.*

*Maintenance issues The people in the back will take note and take care of it.*

*R Section Code enforcement Ans: Mr. Landon We get beat up all the time. Code is too strict, code is not strict enough. I can almost guarantee that what Mr. MacDonald described those residents have been written up.*

*Imagine School That is a very serious issue. We will give them a one week break when school first starts and we will work with the Superintendent and the Sherriff's office to ensure that traffic flows smoothly.*

*Ans: Mr. Landon first we heard of the audio issues.*

*Ans: Mayor Holland address the comment regarding attendance at County meetings and has noted attendance should be reciprocated.*

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

*Vice Mayor Noble asked to make a statement and a motion. Attorney Reischmann clarified the procedure. Vice Mayor Nobile reported after attending the Florida League of Cities and discussions with various members that it should not take more than six months to hire a City Manager. He expressed his concerns with the timing of hiring a new city manager with new elected officials. Vice Mayor Nobile requested for Council to take action under Council comments to terminate the City Manager contract within 30 days.*

*CM Shipley agrees to allow Vice Member Nobile to make a motion.*

*Mayor Holland, CM Klufas, and CM Cuff would like this item to be on the next agenda.*

*Vice Member Nobile agreed to put the item on the next agenda.*

*CM Klufas-The roads here are so much better than those up north; appreciated driving back to nice roads.*

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

*Clarified the process for how Council puts items on the agenda.*

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

*Mr. Landon-First of all, everyone knows there is a hurricane out there. We are preparing for the worst. We asked the Mayor declare a State of Emergency and she has declared.*

*There are a number of events this weekend. Those events will most likely need to be rescheduled.*

*Employment-Mr. Landon addressed his employment issue and felt the issue had been settled at the workshop. He did hope that the Council will make a decision one way or the other so he would be able to make appropriate plans.*

#### **H. Adjournment**

*The meeting was adjourned at*

10:15p.m. Respectfully submitted,  
Virginia Smith, City Clerk

### Calendar and Worksheet

[17-384](#) MEETINGS CALENDAR AND AGENDA WORKSHEET

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

[17-388](#) ATTACHMENTS TO MINUTES

**Attachments:** [Item 9 and 10 Palm Coast 145 FLUM and Rezoning](#)  
[tem 9 and 10 Palm Coast 145 LLC City Council Presentation](#)  
[Item 11 and 12 Marina Del Palma Annexation Map](#)  
[Item 13 and 14 PC Park DRI & MPD PP](#)  
[Item 17-FPL Solar](#)  
[Item 22 Contraction Maps](#)  
[Item 23-Conceptual Site Plan - Wawa](#)



**City of Palm Coast  
Minutes  
City Council**

City Hall  
160 Lake Avenue  
Palm Coast, FL 32164  
www.palmcoastgov.com

**Mayor Milissa Holland  
Vice Mayor Steven Nobile  
Council Member Robert G. Cuff  
Council Member Nick Klufas  
Council Member Heidi Shipley**

---

**Wednesday, September 6, 2017**

**5:05 PM**

**Community Wing**

---

**City Staff**

**Jim Landon, City Manager  
William Reischmann, City Attorney  
Virginia A. Smith, City Clerk**

- > Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- > Other matters of concern may be discussed as determined by City Council.
- > If you wish to obtain more information regarding the 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 Charter Spectrum Networks Channel 495 and on AT&T U-verse Channel 99.
- > All pagers and cell phones are to remain OFF while City Council is in session.

**A CALL TO ORDER**

*Mayor Holland called the meeting to order at 5:05 p.m.*

**B PLEDGE OF ALLEGIANCE TO THE FLAG**

**C ROLL CALL**

*City Clerk Virginia Smith called the roll.*

**D PRESENTATIONS**

**1 PRESENTATION ON FISCAL YEAR 2017-2018 BUDGET**

*Mr. Landon provided a brief overview to this item. Mr. Chris Quinn and Ms. Lina Williams presented a PowerPoint presentation, which is attached to these minutes for all items on this agenda.*

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

**2 SR 100 CORRIDOR CRA RESOLUTION 2017-XX ESTABLISHING THE TENTATIVE BUDGET FOR FISCAL YEAR 2017-2018 AND AMENDING THE SR 100 CORRIDOR CRA BUDGET FOR FISCAL YEAR 2016-2017**

**Enactment No: R2017-108**

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

*There were no public comments.*

**Pass**

**Motion made to Approve made by Council Member District 4 (Vice Mayor) Nobile and seconded by Council Member District 2 Shipley**

**Approved - 5 - Council Member District 1 Robert Cuff, Council Member District 3 Nick Klufas, Council Member District 4 (Vice Mayor) Steven Nobile, Council Member District 2 Heidi Shipley, Mayor Milissa Holland**

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

**E RESOLUTIONS**

**3 RESOLUTION 2017-XX SETTING THE TENTATIVE MILLAGE RATE FOR FISCAL YEAR 2017-2018**

**Enactment No: R2017-109**

**Pass**

**Motion made to Approve made by Council Member District 1 Cuff and seconded by Council Member District 3 Klufas**

*Mayor Holland read the directions into the record.*

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

*Public Comment:*

*Jack Carall-How much are we losing in the golf course and tennis courts this year?*

*Ans: Mayor Holland-We took it in-house this year. Is there a budgetary item this year for golf and tennis? Ans: Mr. Quinn \$1.5 MIL for golf and \$200K for tennis. for golf and \$200K for tennis.*

*VM Nobile-What is the average increase for our residents? Ans: Mr. Quinn-It is about \$25 per year. Percentage is approximately 13.83 percent that we looked at yesterday.*

**Approved - 5 - Council Member District 1 Robert Cuff, Council Member District 3 Nick Klufas, Council Member District 4 (Vice Mayor) Steven Nobile, Council Member District 2 Heidi Shipley, Mayor Milissa Holland**

**4 RESOLUTION 2017-XX ESTABLISHING THE TENTATIVE BUDGET FOR FISCAL YEAR 2017-2018 AND AMENDING THE FISCAL YEAR 2016-2017 BUDGET**

**Enactment No: R2017-110**

*Public Comments:*

*Jack Carall-How much do we have in reserves? Ans: Mayor Holland-I spoke with Chris about this last week. We have about 20%, which is our ceiling, in reserves.*

*Mayor Holland announced the public hearing date for the final adoption of the Millage and Budget as September 20, 2017 5:05 p.m.*

**Pass**

**Motion made to Approve made by Council Member District 4 (Vice Mayor) Nobile and seconded by Council Member District 2 Shipley**

**Approved - 5 - Council Member District 1 Robert Cuff, Council Member District 3 Nick Klufas, Council Member District 4 (Vice Mayor) Steven Nobile, Council Member District 2 Heidi Shipley, Mayor Milissa Holland**

**F ADJOURNMENT**

*The meeting was adjourned at 5:18 p.m.*

*Respectfully submitted by: Virginia A. Smith, MMC  
City Clerk*

**ATTACHMENTS TO MINUTES**

**ATTACHMENTS TO MINUTES**



# City of Palm Coast, Florida

## Agenda Item

Agenda Date : September 19, 2017

<p><b>Department</b> PLANNING</p> <p><b>Item Key</b></p>	<p><b>Amount</b></p> <p><b>Account</b></p> <p><b>#</b></p>
<p><b>Subject</b> ORDINANCE 2017-XX APPROVING AN AMENDMENT TO THE PALM COAST PARK MPD DEVELOPMENT AGREEMENT, APPLICATION NO. 3362</p>	
<p><b><u>UPDATE FROM THE SEPTEMBER 5, 2017 BUSINESS MEETING.</u></b></p> <p>This item was heard by City Council at their September 5, 2017 Business Meeting. There were no changes suggested to this item.</p>	
<p><b><u>ORIGINAL BACKGROUND FROM THE SEPTEMBER 5, 2017 BUSINESS MEETING:</u></b></p> <p>On December 7, 2004, the Palm Coast City Council approved the Palm Coast Park Development of Regional Impact Development Order encompassing 4677 +/- acres by Resolution 2004-48. In April 2007, the northwest portion of the DRI, generally located west of US Highway 1 and north of Matanzas Woods Parkway was rezoned to the Sawmill PUD. In 2008, another substantial portion of the DRI was rezoned to MPD. Eventually on October 19, 2011, the City Council approved rezoning all of the lands within the DRI, except for about 92 +/- acres, into a new MPD called the Palm Coast Park MPD Development Agreement.</p> <p>Palm Coast Land, LLC and Carter-Sawmill Creek, LLLP (applicants) as the majority property owners of the 4,585 +/- acre Palm Coast Park Master Planned Development (MPD) are requesting a modification to the zoning on Tracts 1, 2, 6, 7, 18, 19, and 20 as shown on the Palm Coast Park MPD Uses Map. All of these tracts are located west of US Highway 1, between Palm Coast Parkway on the south and Old Kings Road on the north. The applicants own not only the tracts that are the subject of the modification but all of the other tracts of the Palm Coast Park MPD located west of US Highway 1. The applicants are proposing to relocate some of the already approved land uses from one tract to another within the modification area and to add additional flexibility regarding the types of homes on the residential tracts within the rezoning project area.</p> <p><u>Analysis:</u></p> <p>Since the Palm Coast Park MPD was previously approved in 2011, for only multi-family uses on many of the residential tracts, the major economic and housing downturn continued, which was followed by a steady upturn over the last several years. The current developers believe some of the tracts may now be better suited for narrow lot (50', 55', or 60' wide) single-family development using "SFR-1" Single-Family Residential standards and having common amenities for residents rather than for a higher density multi-family project. The site is also conveniently located close to the recently opened I-95 and Matanzas Wood Parkway Interchange. Staff finds this request consistent with the Unified Land Development Code, the City's Comprehensive Plan and the 3<sup>rd</sup> Amended and Restated Palm Coast Park DRI Development Order.</p> <p><u>Planning and Land Development Regulation Board (PLDRB) Action:</u></p> <p>After hearing concerns from one PLDRB member that the DRI still allowed multi-family uses, the PLDRB voted 4 - 1 to recommend that the City Council approve this amendment to the</p>	

Palm Coast Park MPD Development Agreement, Application No. 3362 at its August 16, 2016 public hearing.

**Recommended Action :** Approve Ordinance 2017-XX amending the Palm Coast Park MPD Development Agreement, Application No. 3362.

**ORDINANCE 2017-\_\_\_\_\_**  
**APPLICATION NO. 3362**  
**PALM COAST PARK MPD**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP FOR 4,585+/- ACRES OF CERTAIN REAL PROPERTY GENERALLY LOCATED ALONG BOTH SIDES OF U.S. HWY. 1, EXTENDING FROM PALM COAST PARKWAY TO OLD KINGS ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, MODIFYING THE PALM COAST PARK (MPD) DEVELOPMENT AGREEMENT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Applicants are the majority owners of real property consisting of approximately 4,585+/- acres (“Property”) with property generally located along both sides of U.S. Hwy. 1, extending from Palm Coast Parkway to Old Kings Road, more particularly described in Exhibit “A”; and

**WHEREAS**, in October of 2011, the City approved the Master Planned Development Agreement (MPD DA) on the Property, as recorded in O.R. Book 1840, page 1416, of the Public Records of Flagler County; and

**WHEREAS**, the Applicants desire to relocate some already permitted uses from one tract to another tract within the Property and to add more flexibility to the types of residential uses on the Property (“Project”) to meet the shopping and residential demands of Palm Coast as it continues to grow; and

**WHEREAS**, as a result, the Applicants request approval of an amendment to the Master Planned Development (MPD) zoning on the Property per the conditions set forth in this Amendment to the MPD DA (Amendment) attached as Exhibit “B”; and

**WHEREAS**, the Applicants voluntarily agree with the conditions, terms, and restrictions in the Amendment, and have agreed voluntarily to their imposition as an incident to development of the Property; and

**WHEREAS**, the City of Palm Coast City Council (“City Council”) finds that this Amendment has been properly conditioned with terms and restrictions to be consistent with the City’s Comprehensive Plan (2035) (“Comp Plan”) and Unified Land Development Code (“LDC”) and that the conditions, terms, restrictions, and requirements set forth herein are necessary to ensure compliance with the Comp Plan and LDC and the protection of the public health, safety, and welfare of the citizens of the City; and

**WHEREAS**, the City Council further finds that this Amendment is consistent with and an exercise of the City's powers under the Municipal Home Rule Powers Act; Article VIII, Section 2(b) of the Constitution of the State of Florida; Chapter 166, Florida Statutes; the City of Palm Coast City Charter; other controlling law; and the City's police powers; and

**WHEREAS**, additional conditions of approval may also be included within the minutes of relevant meetings of the Planning & Land Development Regulation Board and City Council. Furthermore, any representations or promises made by the Applicant during the zoning review and approval process for the Project (whether oral or in writing) shall also be additional conditions of approval if deemed appropriate by the City; and

**WHEREAS**, as required by code, this Amendment is part of a non-statutory Development Agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 -163.3243, Florida Statutes; and

**WHEREAS**, the Applicant intends to maintain the classification of MPD with this Amendment, and to develop the Property as an MPD as set forth in the MPD DA and this Amendment; and

**WHEREAS**, the Applicant's application for a Master Plan Development is approved subject to the MPD DA's and the Amendment's terms and conditions; and

**WHEREAS**, the Planning and Land Development Regulation Board and City Staff of the City of Palm Coast have recommended approval of this Ordinance, and the Planning and Land Development Regulation Board has found this requested change and recommended conditions of approval consistent with the City of Palm Coast Comp Plan; and

**WHEREAS**, the City Council of the City of Palm Coast held a duly noticed public hearing on the proposed zoning change set forth hereunder and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and the recommendation of the Planning and Land Development Regulation Board which voted 4 - 1 to approve at the regularly scheduled meeting conducted on August 16, 2017, and after complete deliberation, the City Council hereby finds the requested change consistent with the City of Palm Coast Comp Plan, and that sufficient, competent, and substantial evidence supports the zoning change set forth hereunder, and

**WHEREAS**, the City Council of the City of Palm Coast hereby finds that this Ordinance serves a legitimate government purpose and is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast, Florida.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. Recitals.** The foregoing recitals are true and correct and are fully incorporated herein by this reference.

**SECTION 2. Zoning Map Amendment and MPD Agreement Amendment.**

(a) That the Official Zoning Map of the City of Palm Coast as described in City of Palm Coast LDC Section 3.01.02. is hereby amended to include a change of classification to City of Palm Coast Master Planned Development District (MPD) for the property legally described on Exhibit "A," which is attached and incorporated herein by this reference. City Staff is hereby directed to promptly amend the Official Zoning Map upon the effective date of this Ordinance.

(b) The MPD DA Amendment and its exhibits attached hereto as Exhibit "B", with all appropriate signatures and joinders, is hereby adopted and approved by the City Council of the City of Palm Coast and shall constitute the regulations for the specific MPD District. The Amendment shall be recorded in the Official Records of Flagler County, Florida, by the City Clerk.

**SECTION 3. Conflicts.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 4. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 5. Effective Date.** This Ordinance shall become effective immediately upon its passage and adoption.

Approved on first reading this 5th day of September 2017.

Adopted on the second reading after due public notice and hearing this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK

Attachments:

Exhibit “A” – Legal Description of property subject to Official Zoning Map amendment

Exhibit “B” – MPD Development Agreement Amendment

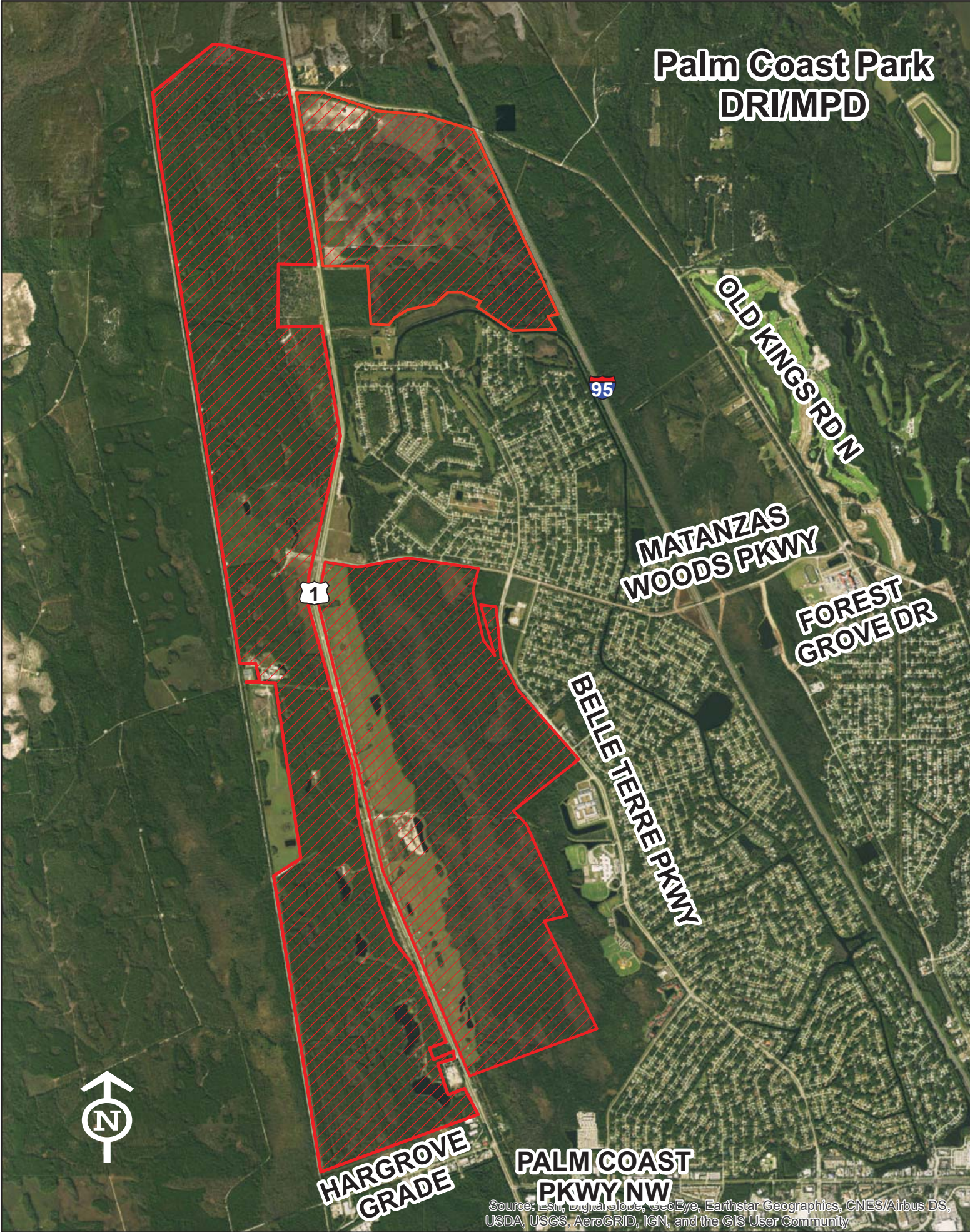
G:\Docs\Cities\Palm Coast\Agreements\Development Agreements\Palm Coast Park\Ameded MPD\MPD Rezoning Ordinance\_ 8-2-17.doc

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**EXHIBIT “B”**  
**MASTER PLANNED DEVELOPMENT AGREEMENT**  
**ORDINANCE No. 2017-\_\_\_\_\_**



# Palm Coast Park DR/MPD



11

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW

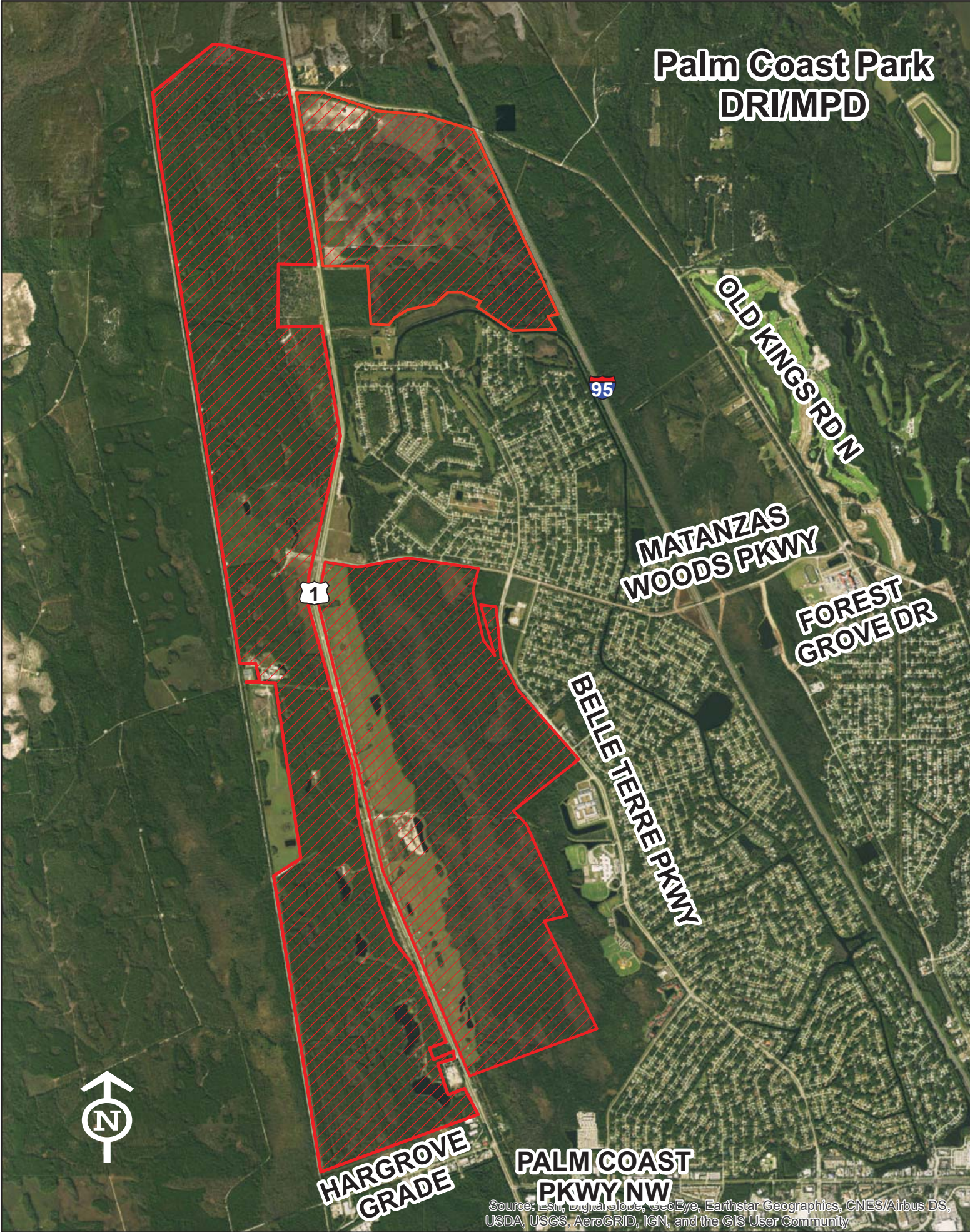


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# Palm Coast Park DR/MPD



11

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW

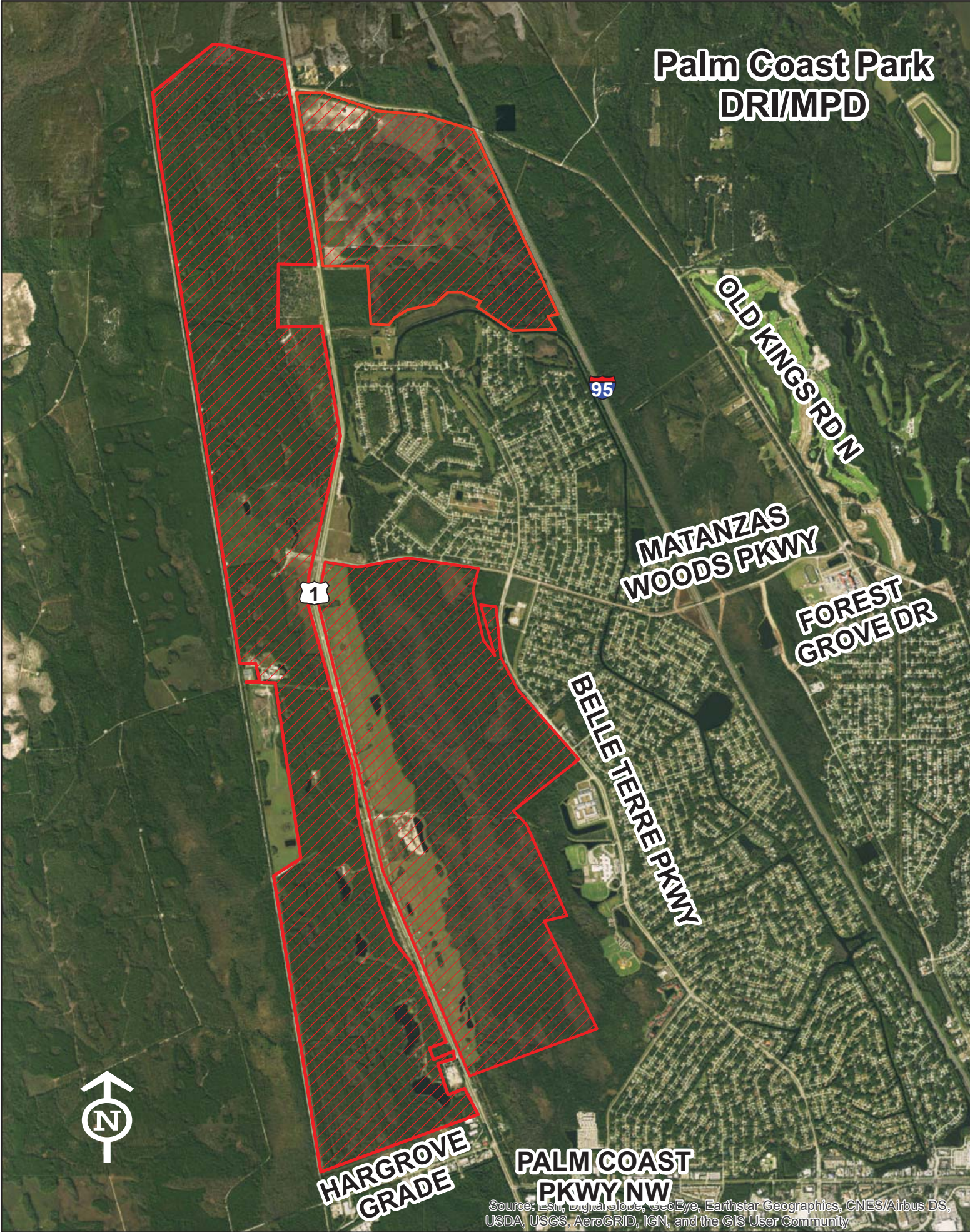


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# Palm Coast Park DR/MPD



11

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW

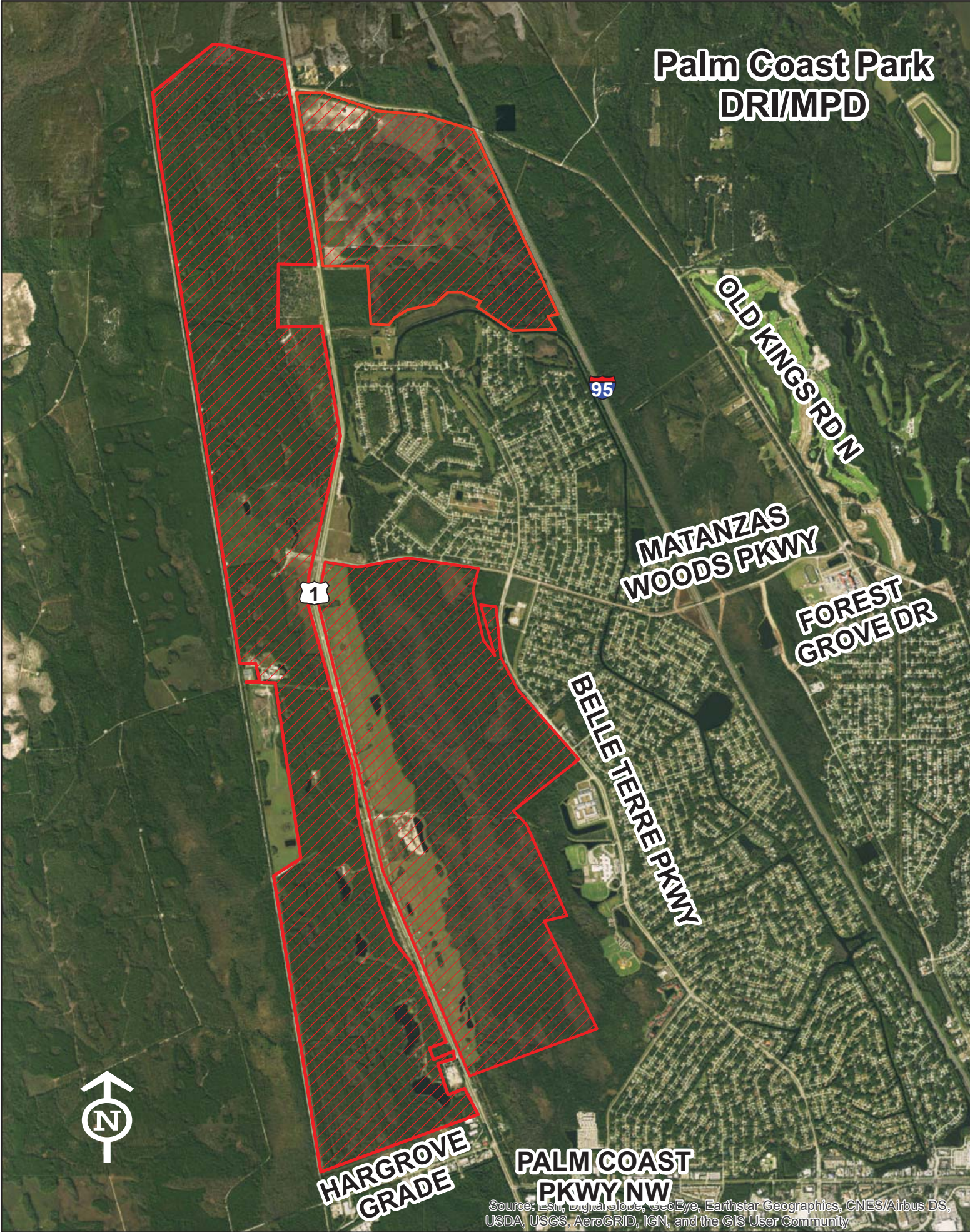


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# Palm Coast Park DR/MPD



11

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW

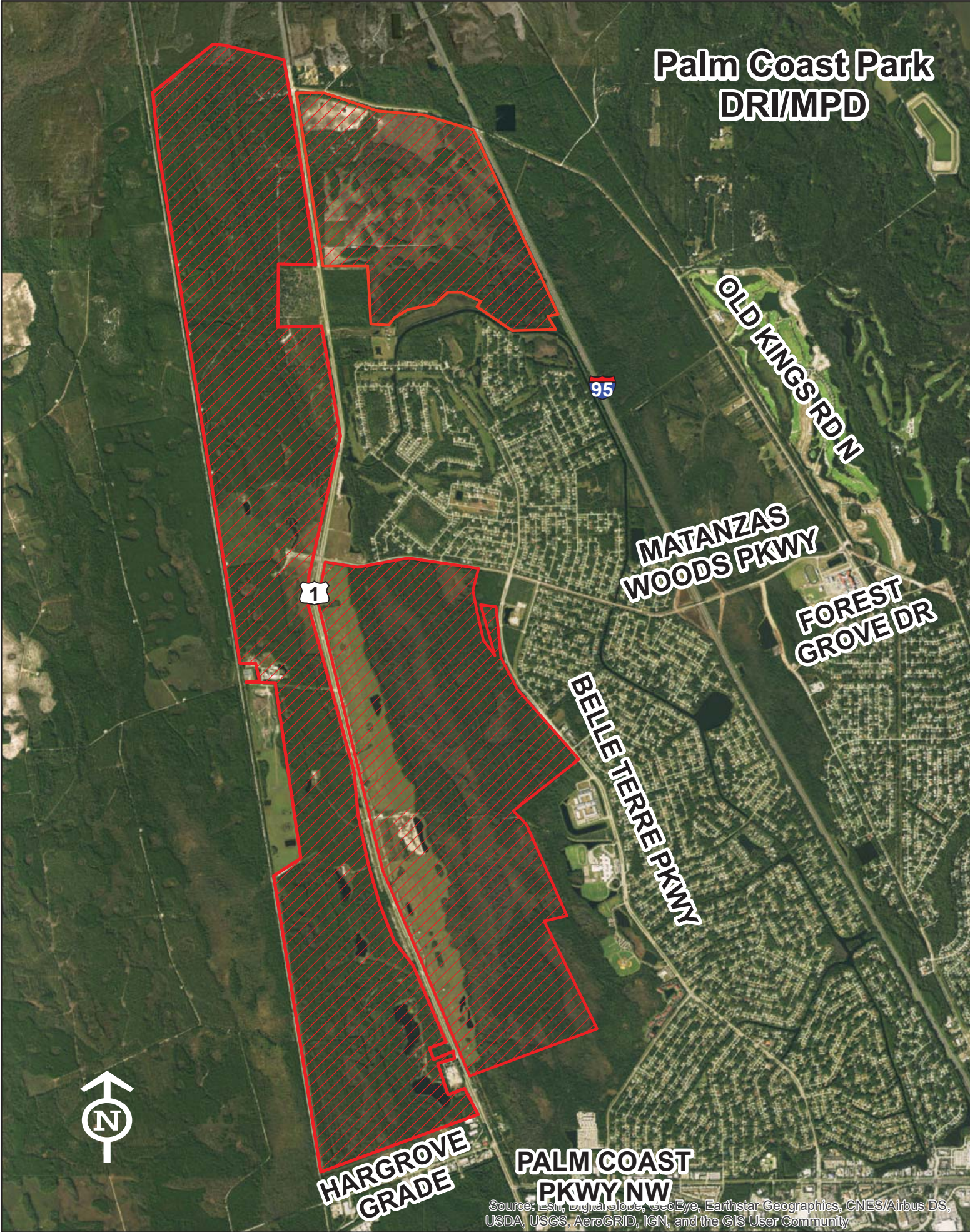


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# Palm Coast Park DR/MPD



17

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW

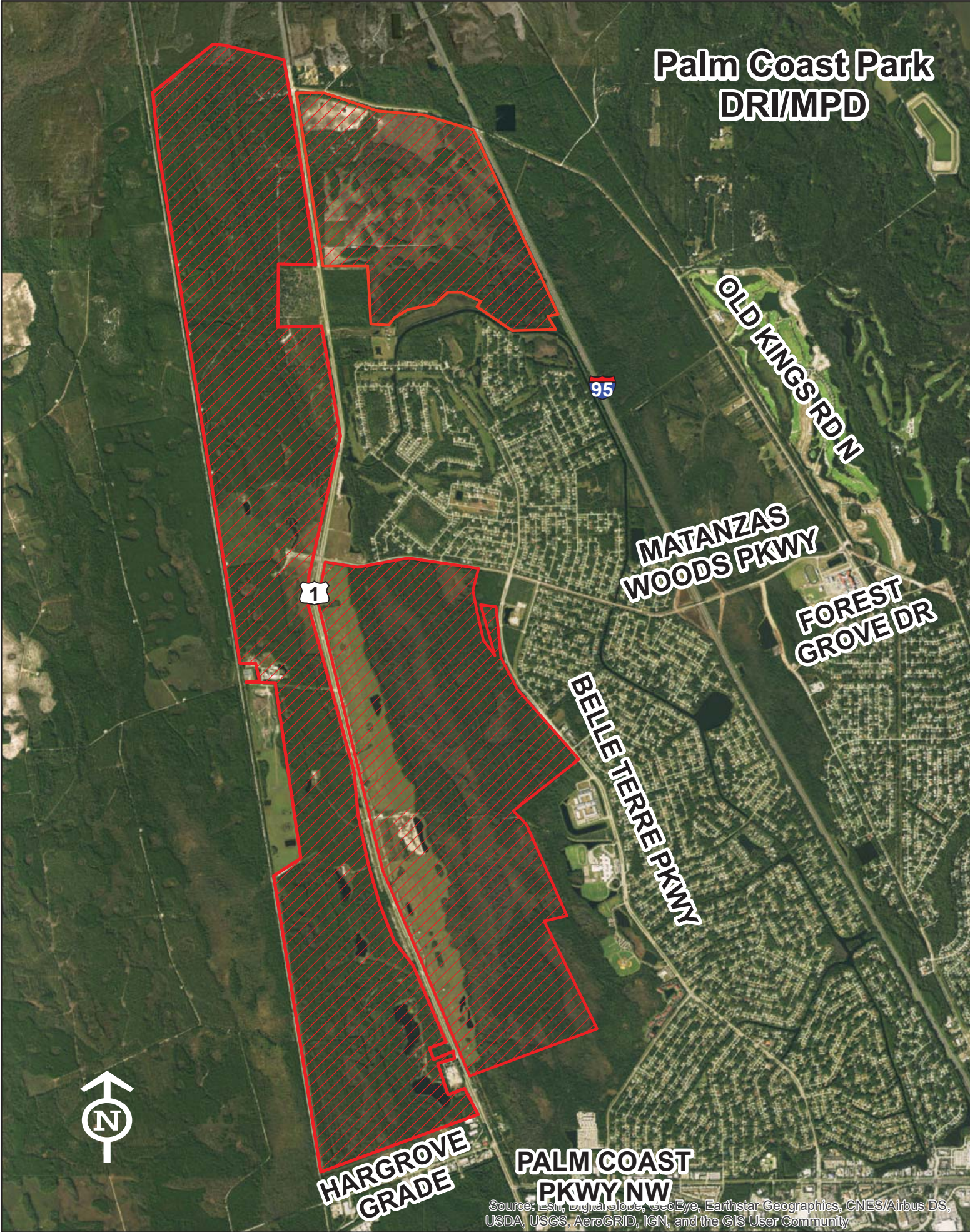


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# Palm Coast Park DR/MPD



17

95

OLD KINGS RD N

MATANZAS  
WOODS PKWY

FOREST  
GROVE DR

BELLE TERRE PKWY

HARGROVE  
GRADE

PALM COAST  
PKWY NW



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.



# City of Palm Coast, Florida Agenda Item

Agenda Date :

Department Item Key	Amount Account #
<b>Subject</b> ORDINANCE 2017-XX AMENDING SECTION 2-36 MEETINGS OF THE <i>CODE OF ORDINANCES</i> OF THE CITY OF PALM COAST	
<b>Background :</b> <b><u>Update from the September 5, 2017 Business Meeting.</u></b> This item was heard by City Council at their September 5, 2017 Business Meeting. There were no changes suggested to this item.  <b><u>Update from August 29, 2017 Workshop</u></b> This item was scheduled to be heard at the August 29, 2017 Workshop. City Council did not have a quorum and the meeting was cancelled. No further changes have been made and this item is ready for action.  <b><u>Original Background from August 29, 2017 Workshop Agenda Item</u></b> City Council requested that additional public comment opportunities be provided at the beginning of all City Council meetings. In addition, City Council requested that the start time of the night meeting be moved up from 6:30 PM to 6:00 PM in order to accommodate the additional public comment opportunity. The start time for the other business meeting and workshops would remain at 9:00 AM.  Per City Council's direction, City Council have drafted changes to the Council Meeting Policies and Procedures and the Code of Ordinances to effectuate the request changes.	
<b>Recommended Action :</b>  Approve Ordinance 2017-XX amending section 2-36 meetings of the <i>Code of Ordinances</i> of the City of Palm Coast	

**ORDINANCE 2017-\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA AMENDING SECTION 2-36, MEETINGS, OF THE *CODE OF ORDINANCES OF THE CITY OF PALM COAST*; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in 1999 City Council adopted Ordinance 99-1 establishing Council meeting times, which Ordinance was subsequently amended by Ordinances 2000-4 and 2007-18; and

**WHEREAS**, the City Council desires to amend its meeting times and its Policies and Procedures relating to meeting times, and to allow Public Input at the beginning of each Council meeting.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.** The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

**SECTION 2. AMENDMENT TO SECTION 2-36 MEETINGS, OF THE *CODIFIED CODE OF CITY ORDINANCES*.** Section 2-36 of the *Code of Ordinances* of the City of Palm Coast is hereby amended to include:

A. \*\*\*\*

B. The City Council of the City of Palm Coast, Florida, shall meet in regular session on the first and third Tuesday of every month. The first Tuesday monthly meeting shall begin at 6:00 p.m. and the subsequent Tuesday monthly meeting(the third Tuesday) shall begin at 9:00 a.m..

**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.



**SECTION 4. CODIFICATION.** It is the intention of the City Council of the City of Palm Coast, Florida, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Palm Coast, Florida; that the Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention; that the word, “Ordinance” may be changed to “Section,” “Article,” or other appropriate word.

**SECTION 5. CONFLICTS.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

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

Approved on first reading this 5th day of September 2017.

Adopted on second reading after due public notice and hearing this 19th day of September 2017.

**CITY OF PALM COAST, FLORIDA**

ATTEST:

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Approved as to form and legality

\_\_\_\_\_  
William Reischmann Jr. Esq.  
City Attorney

# City of Palm Coast, Florida Agenda Item

Agenda Date : September 19, 2017

<b>Department</b> Planning	<b>Amount</b>
<b>Item Key</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> ORDINANCE 2017-XX RELATING TO THE VOLUNTARY ANNEXATION OF THE PROPERTY KNOWN AS MARINA DEL PALMA	
<b>Background :</b> <b><u>Update from the September 5, 2017 Business Meeting</u></b> This item was heard by City Council at their September 5, 2017 Business Meeting. There were no changes suggested to this item.  <b><u>Update from the June 13, 2017 Workshop</u></b> This item was heard by City Council at their June 13, 2017 Workshop. The applicant requested additional time to review the Pre-annexation Agreement with their attorney prior to City Council consideration. There were no changes to this item. This item is now ready for Council consideration and/or action.  <b><u>Original Background from the June 13, 2017 Workshop Agenda Item</u></b> Sunbelt Palm Coast Marina, LLC, and WGA Investments, LLC, owners of approximately 109.04 acres of property known as "Marina Del Palma" which is located east of Colbert Lane, north of State Road 100 and south of the development known as Palm Coast Plantation, are requesting annexation into the City of Palm Coast. In addition, the City of Palm Coast owns two small sites within and adjacent to this area, totaling approximately 0.11 acres, which will be included in this annexation as well. The total area of the proposed annexation is approximately 109.15 acres.  The annexation of the Sunbelt Palm Coast Marina, LLC, and WGA Investments, LLC, land is being accomplished in accordance with Florida Statutes, Chapter 171. The proposed annexation meets the criteria set forth in Subsection 171.043, Florida Statutes.  Character of the area to be annexed: <ul style="list-style-type: none"><li>• The property's western and northern boundary is contiguous to the City's boundary;</li><li>• The property is reasonably compact, is not part of another incorporated municipality and will be used for urban purposes;</li><li>• The proposed annexation will not create an enclave</li></ul>	
<b>Recommended Action :</b> Approve Ordinance 2017-XX relating to the voluntary annexation of the property known as Marina Del Palma	

**ORDINANCE 2017-\_\_\_\_\_**  
**MARINA DEL PALMA**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, TO ANNEX PROPERTY TO BE INCLUDED WITHIN THE CORPORATE AREA AND CITY LIMITS OF THE CITY OF PALM COAST, UPON ADOPTION OF THIS ORDINANCE; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 109.15 ACRES OF PROPERTY DESCRIBED IN EXHIBIT “A” TO THIS ORDINANCE AND LYING IN THE AREAS PROXIMATE TO THE EXISTING CITY LIMITS OF THE CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA; PROVIDING FOR ANNEXATION IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*; PROVIDING FOR ANNEXATION OF REAL PROPERTY/AMENDMENT OF CORPORATE/CITY LIMITS; PROVIDING FOR RIGHTS AND PRIVILEGES RESULTING FROM ANNEXATION/EFFECT OF ANNEXATION UPON LAND USES; PROVIDING FOR EFFECT ON AD VALOREM TAXES; PROVIDING FOR EFFECT ON BUSINESSES AND OCCUPATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, a Petition for Annexation has been filed with the City Clerk of the City of Palm Coast, Florida, which petition contains the name of the property owner in the area described in this Ordinance and requests annexation into the incorporated area and City Limits of the City of Palm Coast, Florida; and

**WHEREAS**, the City’s staff has certified that the property owner of the area to be annexed has signed the Petition for Annexation; and

**WHEREAS**, the City Council hereby finds that the property described hereinafter is reasonably compact and contiguous to the corporate areas of the City of Palm Coast, Florida, and it is further determined that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

**WHEREAS**, the City of Palm Coast, Florida, is in a position to provide municipal services to the property described herein, and the City Council of the City of Palm Coast, Florida, deems it in the best interest of the City to accept said Petition for Annexation and to annex said property; and

**WHEREAS**, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Palm Coast; and

**WHEREAS**, the provisions of this Ordinance and the actions taken herein are consistent with the City's Comprehensive Plan and State law; and

**WHEREAS**, public hearings were held pursuant to the requirements of State law and in conformity with the published notice described above at which hearings the parties in interest and all others had an opportunity to be, and were in fact, heard; and

**WHEREAS**, it is in the City's best interest to annex property which provides economic and other benefits to the City wherever possible.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.**

(a) The property that is the subject of this Ordinance and the Petition for Annexation is described in Section 2 of this Ordinance.

(b) The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast. The City Council of the City of Palm Coast finds and determines that there is competent substantial evidence to support the findings and determinations made in this Section.

(c) The City Council of the City of Palm Coast adopts as legislative and administrative findings the fact that the land area described in Section 2 of this Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the present Corporate Limits of the City of Palm Coast, and that no part of the Area is within the boundary of another municipality or the County in any manner or configuration that would contravene the provisions of Florida law or be contrary to sound and generally accepted land use planning practices and principles. The City Council of the City of Palm Coast finds that the annexation of the Area does not create an enclave and that the Area otherwise fully meets the criteria established in Chapter 171, *Florida Statutes*.

(d) The City Council of the City of Palm Coast has applied the laws of the State of Florida, Chapter 171, *Florida Statutes*, as well as the case law analyzing, construing and applying

said statutory provisions, and the legislative intent pertaining to said statutory provisions as set forth in legislative staff reports.

(e) The City Council of the City of Palm Coast finds and determines that there is competent substantial evidence to support the findings and determinations made in this Section and that no other action of the City is required to fully implement an annexation of the Area as set forth herein.

**SECTION 2. ANNEXATION OF PROPERTY/AMENDMENT OF CORPORATE/CITY LIMITS.**

(a) The lands described in Exhibits “A” and shown on the map in Exhibit “B,” attached hereto, be and the same are hereby annexed to, and included within, the corporate limits of the City of Palm Coast, Florida.

**SECTION 3. RIGHTS AND PRIVILEGES RESULTING FROM ANNEXATION/EFFECT OF ANNEXATION UPON LAND USES.**

(a) Upon this Ordinance becoming effective, the property owner shall be entitled to all the rights and privileges and immunities as are from time to time granted to property owners of the City of Palm Coast, Florida, as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time to time be determined by the City Council of the City of Palm Coast, Florida, and the provisions of Chapter 171, *Florida Statutes*

(b) Upon annexation, the Area shall retain a zoning classification established by the Land Development Code of Flagler County, specifically the existing Planned Unit Development Ordinance, 2017-02 as recorded at OR Book 2196, pages 1327-1348 of the Official Records in and for Flagler County, Florida and the land use designation as assigned by the Flagler County Comprehensive Plan in accordance with the provisions of Section 171.062, *Florida Statutes*. Development shall be governed by the terms of the Pre-Annexation Agreement entered into by the respective parties and attached hereto as Exhibit “B” until otherwise changed or amended by an appropriate ordinance or by a number of ordinances as may be enacted by the City Council of the City of Palm Coast, Florida, if necessary.

**SECTION 4. EFFECT ON AD VALOREM TAXES.** All property lying within the boundaries of the Corporate/City Limits of the City of Palm Coast, Florida, as hereby revised, shall hereafter be assessed for payment of municipal ad valorem taxes pursuant to law.

**SECTION 5. EFFECT ON BUSINESSES AND OCCUPATIONS.** All persons who are lawfully engaged in any occupation, business, trade or profession, within the Area upon the effective date of this Ordinance, under a valid license or permit issued by Flagler County, Florida, shall have rights to continue such occupation, business, trade or profession within the corporate limits of the City of Palm Coast, as revised, upon the securing of a valid business tax receipt from the City of Palm Coast, which receipt shall be issued upon payment of the appropriate fee, without the necessity of taking or passing any additional examination or test relating to the qualifications of such licenses.

**SECTION 6. CONFLICTS.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 7. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

**APPROVED** on first reading the 20th day of June 2017.

**ADOPTED** on second reading after due public notice and public hearing the \_\_\_\_ day of \_\_\_\_\_ 2017.

*ATTEST:*

**City of Palm Coast, Florida**

\_\_\_\_\_  
Virginia A. Smith, City Clerk

\_\_\_\_\_  
Milissa Holland, Mayor

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney

**Exhibit A**

**MARINA DEL PALMA PROPERTY**

A PART OF SECTIONS 34 AND 35, TOWNSHIP 11 SOUTH, RANGE 31 EAST, AND SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHWEST CORNER OF PALM COAST PLANTATION PUD UNIT 2, AS RECORDED IN PLAT BOOK [33, PAGES 54](#) THROUGH 61 OF THE PUBLIC RECORDS OF SAID COUNTY, SAID CORNER ALSO LYING ON THE EAST RIGHT OF WAY LINE OF COLBERT LANE (A 200 FOOT WIDE RIGHT OF WAY, AS NOW ESTABLISHED) THENCE NORTH 71°35'39" EAST ALONG THE SOUTHERLY LINE OF SAID PALM COAST PLANTATION PUD UNIT 2, A DISTANCE OF 219.53 FEET TO THE NORTHWEST CORNER OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORD BOOK [569, PAGE 759](#) OF SAID PUBLIC RECORDS; THENCE SOUTH 18°24'03" EAST ALONG THE WESTERLY LINE OF SAID LANDS, A DISTANCE OF 700.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTH 18°24'03" EAST ALONG SAID LINE, A DISTANCE OF 716.28 FEET TO THE SOUTHWEST CORNER OF SAID LANDS; THENCE NORTH 80°54'30" EAST ALONG THE SOUTHERLY LINE OF SAID LANDS, A DISTANCE OF 1097.79 FEET TO THE SOUTHEAST CORNER OF SAID LANDS; THENCE NORTH 18°24'16" WEST ALONG THE EASTERLY LINE OF SAID LANDS, A DISTANCE OF 60.80 FEET TO THE SOUTHWEST CORNER OF TRACT I, PALM COAST PLANTATION PUD UNIT 4 AS RECORDED IN PLAT BOOK PAGES 5 THROUGH 11, INCLUSIVELY, THENCE EASTERLY AND SOUTHERLY ALONG THE SOUTHERLY AND WESTERLY LINES OF SAID PALM COAST PLANTATION PUD UNIT 4 THE FOLLOWING FOUR COURSES; NORTH 80°54'30" EAST, A DISTANCE OF 726.45 FEET; THENCE SOUTH 51°44'16" EAST, A DISTANCE OF 425.31 FEET; THENCE NORTH 80°54'30" EAST, A DISTANCE OF 1101.40 FEET; THENCE SOUTH 19°11'49" EAST, A DISTANCE OF 1358.39 FEET; THENCE WESTERLY ALONG THE NORTHERLY LINES OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK [554, PAGE 832](#) AND RECORDED IN SAID PUBLIC RECORDS THE FOLLOWING NINE COURSE, SOUTH 79°29'51" WEST, A DISTANCE OF 304.73 FEET; THENCE SOUTH 70°14'27" WEST, A DISTANCE OF 92.41 FEET; THENCE NORTH 83°02'12" WEST, A DISTANCE OF 51.54 FEET; THENCE SOUTH 77°10'19" WEST, A DISTANCE OF 619.14 FEET; THENCE NORTH 89°14'51" WEST, A DISTANCE OF 475.82 FEET; THENCE NORTH 73°01'14" WEST, A DISTANCE OF 142.83 FEET; THENCE NORTH 75°05'25" WEST, A DISTANCE OF 97.11 FEET; THENCE SOUTH 71°00'23" WEST, A DISTANCE OF 69.80 FEET; THENCE NORTH 55°45'02" WEST, A DISTANCE OF 70.36 FEET; THENCE SOUTH 00°16'47" EAST, ALONG THE WESTERLY LINE OF SAID LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK [554, PAGE 832](#), A DISTANCE OF 52.58 FEET; THENCE NORTH 25°14'03" WEST, A DISTANCE OF 156.53 FEET; THENCE WESTERLY ALONG THE SOUTHERLY LINE AND ITS EASTERLY PROLONGATION OF THOSE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK [678, PAGE 1352](#), SOUTH 89°10'59" WEST, A DISTANCE OF 1717.09 FEET TO THE INTERSECTION OF AFOREMENTIONED EASTERLY RIGHT OF WAY LINE OF COLBERT LANE, SAID RIGHT OF WAY LINE ALSO BEING A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 7734.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE AN ARC DISTANCE OF 1.62 FEET AND SUBTENDED BY A CHORD BEARING OF NORTH 07°55'11" WEST AND A CHORD DISTANCE OF 1.62 FEET TO A POINT ON SAID CURVE; THENCE NORTH 82°08'24" EAST, A DISTANCE OF 50.24 FEET; THENCE NORTH 07°51'36" WEST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 82°08'24" WEST, A DISTANCE OF 50.54 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF AFOREMENTIONED COLBERT LANE, SAID RIGHT

OF WAY LINE BEING A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 7734.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID RIGHT OF WAY LINE AN ARC DISTANCE OF 1354.22 FEET AND SUBTENDED BY A CHORD BEARING OF NORTH 13°23'11" WEST AND A CHORD DISTANCE OF 1352.49 FEET TO THE POINT OF TANGENCY OF SAID CURVE AND SAID RIGHT OF WAY LINE; THENCE NORTH 18°24'09" WEST, CONTINUING ALONG SAID RIGHT OF WAY LINE, A DISTANCE OF 340.96 FEET; THENCE NORTH 71°35'57" EAST, DEPARTING FROM SAID RIGHT OF WAY LINE, A DISTANCE OF 219.50 FEET TO THE POINT OF BEGINNING.

### **CITY OF PALM COAST PROPERTIES**

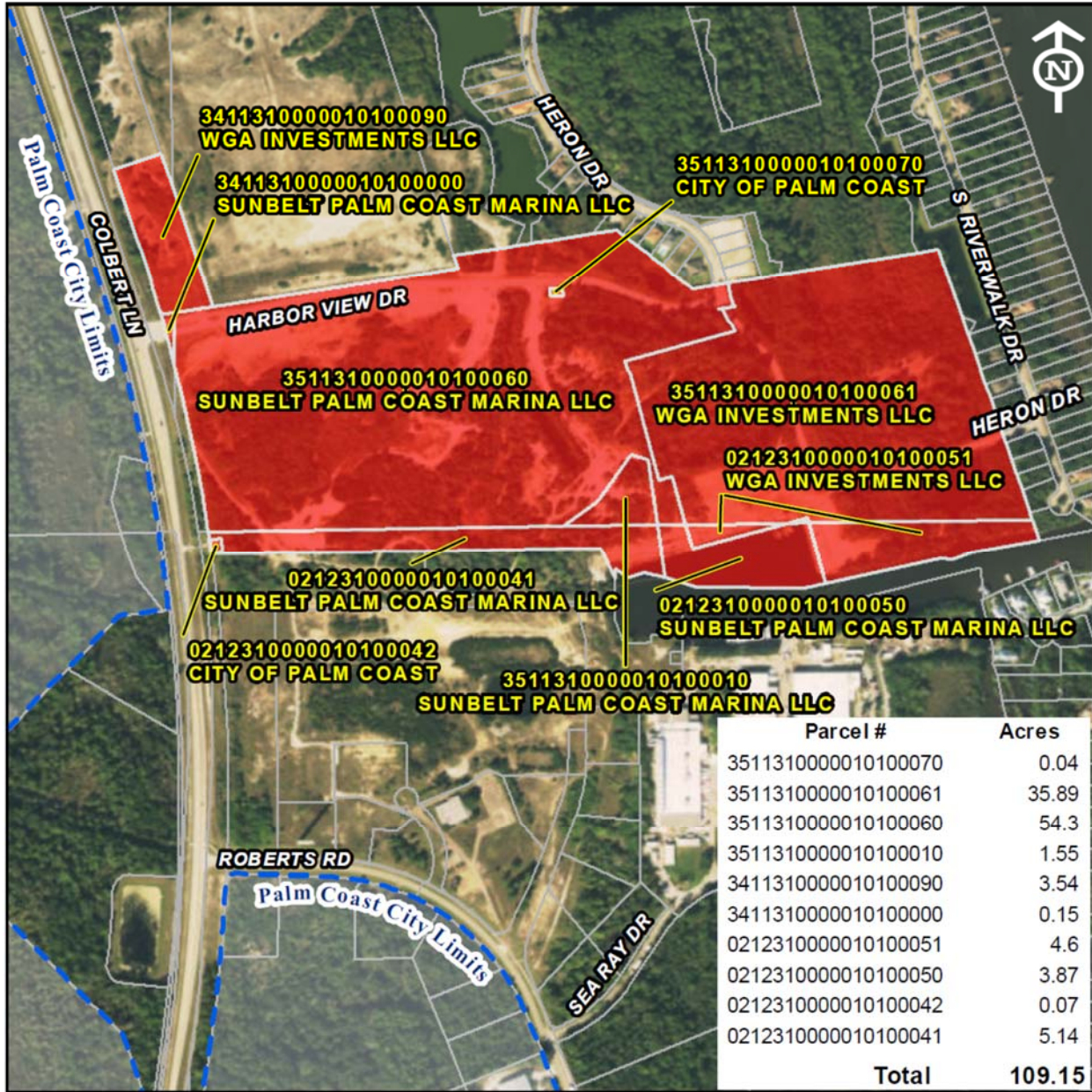
A PART OF SECTION 2, TOWNSHIP 12 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE INTERSECTION OF THE SOUTH RIGHT OF WAY LINE OF SOUTH PARK ROAD (RIGHT OF WAY VARIES) WITH THE EASTERLY RIGHT OF WAY LINE OF COLBERT LANE (A 200' RIGHT OF WAY) THENCE SOUTHERLY ALONG SAID EASTERLY RIGHT OF WAY LINE THE FOLLOWING FOUR COURSES: SOUTH 53°15'58" EAST, A DISTANCE OF 173.87 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE SOUTHWESTERLY AND HAVING A RADIUS OF 2387.00 FEET, AN ARC DISTANCE OF 1452.45 FEET AND SUBTENDED BY A CHORD BEARING OF SOUTH 35°50'04" EAST AND A CHORD DISTANCE OF 1430.14 FEET TO THE POINT OF TANGENCY OF SAID CURVE; THENCE SOUTH 18°24'09" EAST, DISTANCE OF 5484.12 FEET TO THE POINT OF CURVE OF A CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 7734.00 FEET, AN ARC DISTANCE OF 1354.23 FEET AND SUBTENDED BY A CHORD BEARING OF SOUTH 13°23'11" EAST AND A CHORD DISTANCE OF 1352.50 FEET TO A POINT ON SAID CURVE AND THE POINT OF BEGINNING; THENCE NORTH 82°08'24" EAST, A DISTANCE OF 50.54 FEET; THENCE SOUTH 07°51'36" EAST, A DISTANCE OF 60.00 FEET; THENCE SOUTH 82°08'24" WEST, A DISTANCE OF 50.24 FEET TO THE INTERSECTION WITH SAID EASTERLY RIGHT OF WAY LINE OF COLBERT LANE AND SAID CURVE CONCAVE WESTERLY AND HAVING A RADIUS OF 7734.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND RIGHT OF WAY LINE AN ARC DISTANCE OF 60.00 FEET AND SUBTENDED BY A CHORD BEARING OF NORTH 08°08'52" WEST AND A CHORD DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.

And

A PART OF SECTION 55, TOWNSHIP 11 SOUTH, RANGE 31 EAST, FLAGLER COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: FOR A POINT OF REFERENCE COMMENCE AT THE SOUTHEAST CORNER OF THE SPOIL DEPOSIT PARCEL FL-12 AS DESCRIBED IN OFFICIAL RECORDS BOOK 569, PAGES 734-761 OF THE CURRENT PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 18°24'16" WEST ALONG THE EASTERLY LINE OF SAID PARCEL, A DISTANCE OF 60.80 FEET; THENCE NORTH 80°54'30" EAST ALONG THE NORTHERLY LINE OF THE 60 FOOT WIDE PIPELINE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 569, PAGES 768 THROUGH 770 OF SAID PUBLIC RECORDS, A DISTANCE OF 396.21 FEET, THENCE SOUTH 09°05'29" EAST DEPARTING SAID NORTHERLY LINE, A DISTANCE OF 214.24 FEET TO THE POINT OF BEGINNING, THENCE NORTH 89°10'59" EAST, A DISTANCE OF 55.00', THENCE SOUTH 00°44'01" EAST, A DISTANCE OF 35.00 FEET, THENCE SOUTH 89°10'09" WEST, A DISTANCE OF 55.00 FEET, THENCE NORTH 00°49'01" WEST, A DISTANCE OF 35.00 FEET TO THE POINT OF BEGINNING.



EXHIBIT "B"



# City of Palm Coast, Florida Agenda Item

Agenda Date :

<b>Department Item Key</b>	ASED	<b>Amount Account #</b>	
<b>Subject</b>	ORDINANCE 2017-XX FOR THE VOLUNTARY CONTRACTION (DEANNEXATION) OF THE CITY BOUNDARY BY DEANNEXING 116.23 ACRES MORE OR LESS OF REAL PROPERTY KNOWN AS AIRPORT EAST, GENERALLY LOCATED SOUTH OF STATE ROAD 100 AND WEST OF SEMINOLE WOODS PARKWAY		
<b>Background :</b>			
<b>Update from the May 2, 2017 Business Meeting</b>			
This item was heard by City Council at their May 2, 2017 Business Meeting. Council requested that Flagler County and the City enter into an Interlocal Agreement prior to approving the contraction of County property. The Interlocal Agreement is to ensure that should the County improve the property or transfer the property, that the property would be improved in accordance with Palm Coast building standards to be consistent with the immediate neighborhood. The Interlocal Agreement was approved by Flagler County and City Council.			
<b>Update from April 25, 2017 Workshop</b>			
This item was heard by City Council at their April 25, 2017 Workshop. There were no changes requested to this item. Please note, although not required, the City Attorney has drafted an opinion memo to Council, which is attached to this item.			
<b>Original Background from April 25, 2017 Workshop Agenda Item</b>			
Flagler County has requested a voluntary contraction (deannexation) of the City boundary by deannexing 116.23 acres more or less of real property known as airport east, generally located south of State Road 100 and west of Seminole Woods Parkway.			
The County recently acquired the area that was formerly slated for industrial development and has stated their intent to use the property for expansion of Airport operations. While County staff indicate that vertical development is unlikely, there is no guarantee that more intensive development could occur in the future. If the contraction ordinance is adopted, the City of Palm Coast land use regulations would no longer govern how the subject area develops in the future.			
The contraction of this area meets the requirements of Chapter 171 of the Florida Statutes. Ultimately, the contraction of this area is a City Council policy decision; whether or not City land use regulations govern the study area or allow Flagler County to regulate this area similar to the Flagler County Airport.			
<b>Recommended Action :</b>			
Adopt Ordinance 2017-XX for the voluntary contraction (deannexation) of the City boundary by deannexing 116.23 acres more or less of real property known as airport east, generally located south of State Road 100 and west of Seminole Woods Parkway			



**ORDINANCE 2017-\_\_\_\_\_**  
**CONTRACTION/DEANNEXATION**  
**AIRPORT EAST**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, FOR THE VOLUNTARY CONTRACTION (DEANNEXATION) OF THE CITY BOUNDARY BY DEANNEXING 116.23 ACRES MORE OR LESS OF REAL PROPERTY KNOWN AS AIRPORT EAST, GENERALLY LOCATED SOUTH OF STATE ROAD 100 AND WEST OF SEMINOLE WOODS PARKWAY, MORE PARTICULARLY AND LEGALLY DESCRIBED ON EXHIBIT A, ATTACHED HERETO AND FULLY INCORPORATED HEREIN BY THIS REFERENCE; PROVIDING FOR THE AMENDMENT OF CITY BOUNDARIES TO CONTRACT THE SUBJECT PROPERTIES FROM THE CITY BOUNDARIES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 171, *Florida Statutes*, provides the exclusive method of municipal annexation or contraction in order to ensure sound urban development and efficient provision of urban services; and

**WHEREAS**, FLAGLER COUNTY, hereinafter OWNER, owns certain property identified in Exhibit "A" as attached hereto and hereinafter referred to as Subject Property, contiguous to the corporate limits of the City of Palm Coast; and

**WHEREAS**, the OWNER has requested that the City deannex the Subject Property; and

**WHEREAS**, the City wishes to deannex the Subject Property consistent with Chapter 171.052, F.S. Criteria for Contraction of Municipal Boundaries; and

**WHEREAS**, the Subject Property is not developed for urban purposes; and

**WHEREAS**, the contraction of the Subject Property will not result in a portion of the City becoming noncontiguous with the rest of the municipality; and

**WHEREAS**, in the best interest of the public health, safety, and welfare of the citizens of Palm Coast, the City Council of the City of Palm Coast desires to contract the Subject Property from the municipal boundaries of the City of Palm Coast; and

**WHEREAS**, upon adoption of this Ordinance, the municipal boundary lines of the City of Palm Coast, contained in Palm Coast Charter, Part I, Section 9(1), shall be redefined to exclude the subject real property.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.** The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

**SECTION 2. CONTRACTION OF SUBJECT PROPERTY.** The Subject Property, as described and illustrated in Exhibit “A,” shall be, and is hereby deannexed from the City of Palm Coast, Florida. The Subject Property shall be excluded from the existing boundaries of the City of Palm Coast, Florida, from the effective date of this Ordinance.

**SECTION 3. CITY BOUNDARIES REDEFINED; PALM COAST CHARTER AMENDED.** Pursuant to Section 166.031(3), *Florida Statutes*, and Section 171.091, *Florida Statutes*, the City of Palm Coast Charter, is hereby amended to redefine the corporate boundaries of the City of Palm Coast to exclude the Subject Property described in Section 2 of this Ordinance as shown and illustrated in Exhibit A. The City Clerk shall file the revised Palm Coast Charter, Part I, Section 9(1), with the Department of State within thirty (30) days from the effective date of this Ordinance. The City Clerk shall also file this Ordinance with the Clerk of the Circuit Court of Flagler County, the Chief Administrator of Flagler County, and the Department of State within seven (7) days of the effective date.

**SECTION 4. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 5. CONFLICTS.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

**APPROVED** on first reading this 2<sup>nd</sup> day of May 2017.

**ADOPTED** on the second reading after due public notice and hearing this 19th day of September 2017.

**CITY OF PALM COAST**

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

ATTEST:

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney



# EXHIBIT A-Page 1

A portion of Tract "D", AIRPORT COMMERCE CENTER, as recorded in Map Book 36, Pages 88 through 91, of the Public Records of Flagler County, Florida, being further described as follows: Commence at the Northeast corner right of said Tract "D", said point being located on the Westerly right of way line of Seminole Woods Boulevard for the POINT OF BEGINNING of this description: From said Point of Beginning, thence along said Westerly right of way line South 21 degrees 33' 05" East for a distance of 88.76 feet; thence departing said right of way line along said Tract "D" boundary the following eight (8) courses. (1) thence South 68 degrees 26' 55" West for a distance of 263.33 feet; (2); thence South 29 degrees 00' 13" West for a distance of 461.46 feet; (3) thence South 18 degrees 14' 30" East for a distance of 170.80 feet; (4) thence South 62 degrees 26' 24" East for a distance of 299.30 feet; (5) thence North 66 degrees 03' 20" East for a distance of 434.01 feet; (6) thence South 21 degrees 33' 05" East for a distance of 170.92 feet; (7) thence South 68 degrees 26' 55" West for a distance of 203.27 feet; (8) thence South 35 degrees 14' 55" West for a distance of 682.59 feet to a point hereafter referred to as Point "A" for convenience, thence departing said Tract "D" boundary North 15 degrees 43' 34" East for a distance of 585.96 feet; thence North 74 degrees 16' 26" West for a distance of 851.57 feet to the Westerly boundary line of said Tract "D"; thence along said line North 00 degrees 14' 34" West for a distance of 403.38 feet; thence departing said line North 78 degrees 48' 00" East for a distance of 316.00 feet; thence North 30 degrees 17' 57" East for a distance of 265.00 feet to the Northerly boundary of said Tract "D"; thence along said line North 88 degrees 44' 05" East for a distance of 460.00 feet to the aforementioned Point of Beginning. TOGETHER WITH:

A portion of Tract "D", AIRPORT COMMERCE CENTER, as recorded in Map Book 36, Pages 88 through 91, of the Public Records of Flagler County, Florida, being further described as follows: Commence at the aforementioned Point "A" for a POINT OF BEGINNING; thence South 35 degrees 14' 59" West for a distance of 227.09 feet to the POINT OF BEGINNING of this description; thence along said Tract "D" boundary the following courses; thence South 35 degrees 14' 59" West for a distance of 110.81 feet; thence South 06 degrees 38' 34" East for a distance of 570.36 feet; thence South 84 degrees 33' 56" East for a distance of 594.22 feet; thence North 25 degrees 15' 02" East for a distance of 383.41 feet; thence North 59 degrees 49' 41" West for a distance of 223.42 feet; thence North 35 degrees 40' 03" East for a distance of 193.53 feet; thence North 80 degrees 45' 23" East for a distance of 379.31 feet; thence South 21 degrees 33' 05" East for a distance of 37.97 feet; thence South 46 degrees 54' 36" West for a distance of 312.03 feet; thence South 19 degrees 15' 24" West for a distance of 489.79 feet; thence North 68 degrees 26' 55" East for a distance of 60.27 feet; thence South 21 degrees 33' 05" East for a distance of 90.00 feet; thence South 33 degrees 31' 29" West for a distance of 53.56 feet; thence South 33 degrees 25' 09" West for a distance of 90.54 feet; thence South 10 degrees 54' 01" West for a distance of 31.13 feet; thence South 89 degrees 11' 43" West for a distance of 547.49 feet; thence South 00 degrees 43' 36" East for a distance of 328.94 feet; thence North 89 degrees 10' 40" East for a distance of 666.05 feet; thence North 00 degrees 50' 01" West for a distance of 191.51 feet; thence South 39 degrees 52' 57" East for a distance of 484.72 feet; thence South 68 degrees 26' 55" West for a distance of 1516.45 feet; thence South 21 degrees 33' 05" East for a distance of 613.16 feet; thence South 44 degrees 58' 16" East for a distance of 325.35 feet to a non-tangent curve; thence along said curve to the left having a radius of 645.60, an arc length of 245.22; a central angle of 21 degrees 45' 45", a chord bearing of South 34 degrees 08' 56" West and a chord distance of 243.75 feet to a non-tangent line; thence departing said curve, along said line North 50 degrees 20' 54" West for a distance of 1140.57 feet; thence North 00 degrees 27' 05" West for a distance of 794.04 feet; thence North 31 degrees 44' 29" East for a distance of 624.90 feet; thence North 00 degrees 14' 34" West for a distance of 1124.52 feet; thence departing said Tract "D" line South 74 degrees 16' 26" East for a distance of 546.76 feet to the aforementioned Point of Beginning of this description.

Lot 2, AIRPORT COMMERCE CENTER, according to the plat thereof, as recorded in Map Book 36, Pages 88 through 91, of the Public Records of Flagler County, Florida.

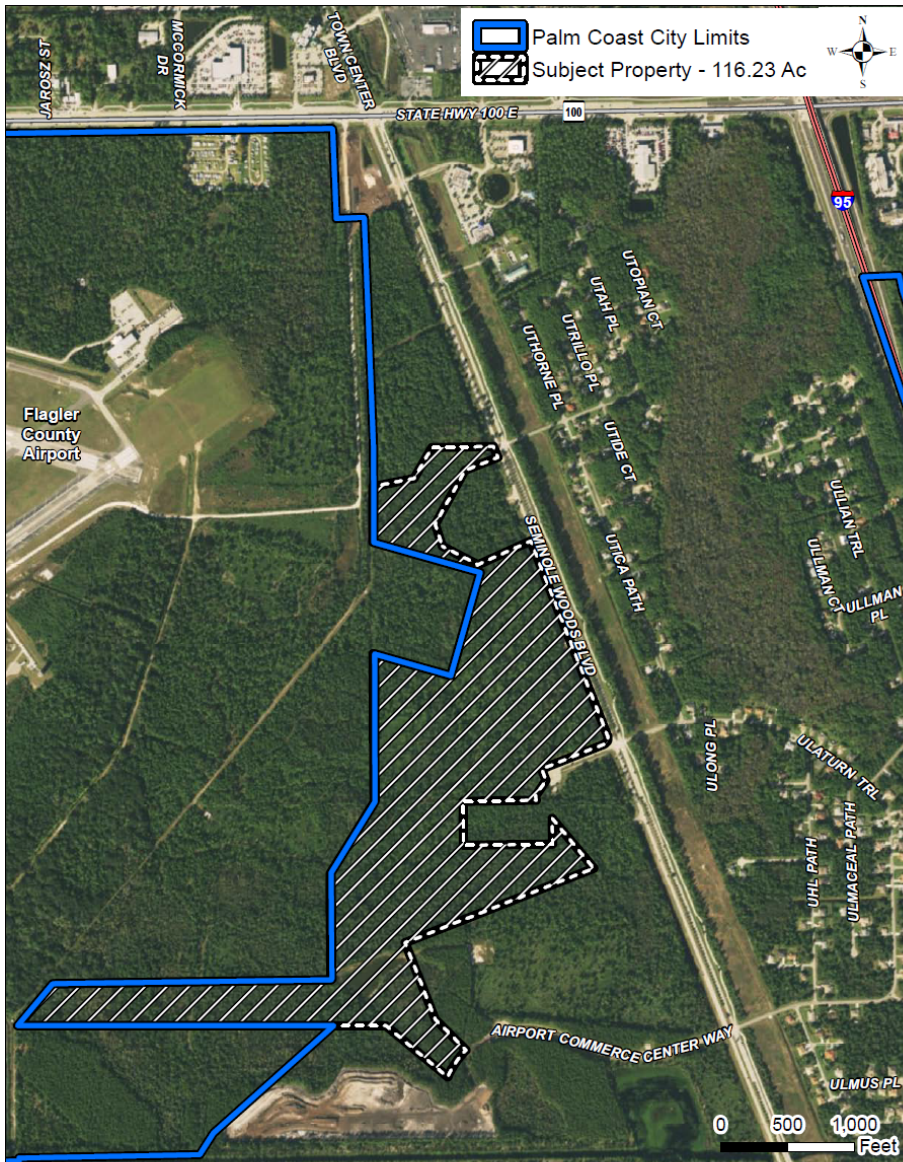
Lot 3, AIRPORT COMMERCE CENTER, according to the plat thereof, as recorded in Map Book 36, Pages 88 through 91, of the Public Records of Flagler County, Florida, LESS AND EXCEPT the following parcel: Commence at the Westerly most corner of said Lot 3, for a Point of Reference; thence along the Westerly line of said Lot 3, North 35 degrees 14' 55" East for a distance of 97.95 feet to the Southerly line of an "object free zone", per Official Records Book 2064, Pages 1024 through 1028 (Exhibit A-3) Public Records of Flagler County, Florida and the POINT OF BEGINNING of this description; thence departing said Southerly line of said Lot 3 line South 74 degrees 16' 26" East for a distance of 64.12 feet to the Southeast corner of said "object free zone" lands; thence departing said Southerly line along the Easterly line of said lands North 15 degrees 43' 34" East for a distance of 180.85 feet to said Westerly line of said Lot 3; thence along said Westerly line South 35 degrees 14' 55" West for a distance of 191.89 feet to the aforementioned Point of Beginning of this Less and Except parcel.

Lot 4, AIRPORT COMMERCE CENTER, according to the plat thereof, as recorded in Map Book 36, Pages 88 through 91, of the Public Records of Flagler County, Florida.

A parcel of land lying in Government Section 17, Township 12 South, Range 31 East, being a portion of land described in Official Records Book 601, page 1989 through 2026, public records of Flagler County, Florida, being more particularly described as follows: A point of reference being the Southerly most corner of Tract "D" Reserve Parcel, Airport Commerce Center, Map Book 36, Pages 88 through 91, public records of Flagler County, Florida; thence North 50°20'54" West along the Southwesterly line of said Tract "D" for a distance of 684.04 to the point of beginning of this description; thence South 90°00'00" West departing said Tract "D" boundary for a distance of 2752.24 feet; thence North 39°47'12" East for a distance of 407.59 feet; thence North 89°06'45" East for a distance of 1069.37 feet; thence North 89°20'26" East for a distance of 1010.30 feet to the Westerly line of said Tract "D"; thence along said Westerly line South 50°20'54" East for a distance of 535.01 feet to the aforementioned Point of Beginning of this description.



# EXHIBIT A-Page 2



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate, however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

GARGANESE, WEISS & D'AGRESTA, P.A.

---

*Attorneys at Law*

**MEMORANDUM**

To: The Honorable Mayor Milissa Holland  
Jim Landon, City Manager  
Heidi Shipley, Council Member  
Steven Nobile, Council Member  
Robert G. Cuff, Council Member  
Nick Klufas, Council Member

From: William E. Reischmann, Esquire, City Attorney

Date: April 27, 2017

Re: **Ordinance – Contraction 116 Acres Airport East**

cc: Virginia Smith, MMC, CP

---

Flagler County's request for contraction (*sic* de-annexation) of the City boundary is pursuant to the process in §171.051, Florida Statutes, which requires findings how the original annexation no longer meets the statutory requirements (§171.043, Fla. Stat.) for annexations. Because the circumstances supporting the original annexation have not changed, the statutory basis for deannexation fails to exist.



GARGANESE, WEISS & D'AGRESTA, P.A.

---

*Attorneys at Law*

**MEMORANDUM**

To: The Honorable Mayor Milissa Holland  
Jim Landon, City Manager  
Heidi Shipley, Council Member  
Steven Nobile, Council Member  
Robert G. Cuff, Council Member  
Nick Klufas, Council Member

From: William E. Reischmann, Esquire, City Attorney

Date: April 27, 2017

Re: **Ordinance – Contraction 116 Acres Airport East**

cc: Virginia Smith, MMC, CP

---

Flagler County's request for contraction (*sic* de-annexation) of the City boundary is pursuant to the process in §171.051, Florida Statutes, which requires findings how the original annexation no longer meets the statutory requirements (§171.043, Fla. Stat.) for annexations. Because the circumstances supporting the original annexation have not changed, the statutory basis for deannexation fails to exist.

# City of Palm Coast, Florida Agenda Item

Agenda Date :

<b>Department Item Key</b>	COMMUNITY DEVELOPMENT	<b>Amount Account #</b>
<b>Subject</b>	ORDINANCE 2017-XX A FUTURE LAND USE MAP AMENDMENT FOR 5+/- ACRE PARCEL LOCATED 1800' NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1 FROM AGRICULTURE & TIMBERLANDS (FLAGLER COUNTY DESIGNATION) TO MIXED USE (CITY OF PALM COAST DESIGNATION)	

**Background:**

The proposed comprehensive plan amendment is for a 5+/- acre parcel generally located 1800' north of Whiteview Pkwy. on the eastside of US-1. The proposed amendment will change the FLUM designation of the subject parcel from Agriculture & Timberlands (Flagler County designation) to Mixed Use (City of Palm Coast designation).

In addition to the FLUM amendment, there is a companion application to change the zoning of the parcel from Agriculture (Flagler County Designation) to Light Industrial (IND-1) (City of Palm Coast designation)

The subject property was annexed into the City in 2006 and has remained undeveloped since its annexation. A proposed development plan consistent with the adjacent property (commonly known as the Alamo) has necessitated the proposed the FLUM amendment and companion zoning map amendment.

An analysis of the proposed amendment's impacts on public facilities and infrastructure indicates that the adopted Levels of Service for facilities and infrastructure will be maintained.

Additionally, any proposed development on the subject property will be required to meet the environmental regulations established in the City's Land Development Code as well as other agencies.

Finally, the proposed amendment is consistent with the following comprehensive plan policies:

- *Policy 1.1.1.1 (C) - Mixed Use - This FLUM designation represents existing and future commercial corridors and commercial centers throughout the City that provide general retail, professional services, and offices. A blending of residential and institutional uses is also allowed in this land use designation . . .*

The proposed amendment is consistent with the Mixed Use designation description contained in Policy 1.1.1.1, because the subject property is within an existing commercial corridor.

- *Policy 1.4.2.1 -The City shall provide an appropriate balance of commercial, retail, office, and industrial land uses on the FLUM to balance jobs and housing.*

The proposed amendment is consistent with Policy 1.4.2.1 since the development of commercial/industrial uses will provide the appropriate balance of land uses and create

jobs.

- *Objective 1.1.4 - Promote compact and contiguous development, a mixture of land uses, and discourage urban sprawl*
- *Policy 1.1.4.5 - Land use patterns will be required to be efficient and not disproportionately increase the cost of providing and maintaining public facilities, as well as providing housing and transportation strategies that will foster energy conservation.*

Consistent with Objective 1.1.4 and Policy 1.1.4.5, the subject parcel is contiguous to the developing areas of the City and does not promote urban sprawl. Utility lines (water and sewer) are available adjacent to the site and additionally, the proposed development on the parcel will appropriately occur on a parcel with direct access to a major arterial (US-1) and therefore, will have minimal impacts on the local roads.

**Neighborhood Meeting**

Consistent with the requirements of the Land Development Code, a neighborhood meeting was held on August 9, 2017.

**Recommended Action** : Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend to the City Council approval of application number 3357 to amend the Future Land Use Map (FLUM) for 5 +/- acres from Agriculture & Timberlands (Flagler County designation) to Mixed Use (City of Palm Coast designation).

**ORDINANCE NO. 2017-\_\_\_\_**  
**FUTURE LAND USE MAP AMENDMENT # 3357**  
**TEAROC OF FLORIDA**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE CITY OF PALM COAST 2035 COMPREHENSIVE PLAN, AS PREVIOUSLY AMENDED, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; AMENDING THE FUTURE LAND USE MAP (FLUM) DESIGNATION FOR A 5.0+/- ACRE PARCEL OF LAND MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", AND LOCATED 1800 FEET NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1 FROM AGRICULTURE & TIMBERLANDS (FLAGLER COUNTY DESIGNATION) TO MIXED USE (CITY OF PALM COAST DESIGNATION) PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE**

**WHEREAS**, the City Council of the City of Palm Coast enacted Ordinance 2010-07, adopting the *City of Palm Coast 2035 Comprehensive Plan* which includes the City of Palm Coast Future Land Use Map (FLUM), which Plan and FLUM have been amended from time-to-time; and

**WHEREAS**, this future land use amendment is a small scale amendment, and Section 163.3187, *Florida Statutes*, relates to the amendment of adopted local government comprehensive plans and sets forth certain requirements relating to small scale amendments, and this Future Land Use Map Amendment meets the defined criteria of a small scale amendment as defined by Section 163.3187(1), *Florida Statutes*; and

**WHEREAS**, the Palm Coast Planning and Land Development Regulation Board (PLDRB) considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments regarding amending the Future Land Use Map (FLUM) for a 5+/- acre parcel of land identified as Flagler County Tax Parcel Identification Number 22-11-30-5545-00000-0020 described in Exhibit "A" from Future Land Use Map designation Agriculture & Timberlands (Flagler County designation) to Future Land Use Map designation Mixed Use (City of Palm Coast designation) at a public hearing on August 16, 2017; and

**WHEREAS**, the City Council of the City of Palm Coast held a duly noticed public hearing on the proposed amendment and considered findings and advice of staff, citizens, and all interested parties submitting written and oral comments and supporting data and analysis, and after complete deliberation, hereby approves and adopts the Comprehensive Plan Amendment; and

**WHEREAS**, the City Council of the City of Palm Coast hereby finds that this Ordinance is in the best interests of the public health, safety, and welfare of the citizens of Palm Coast.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PALM COAST, FLORIDA, THAT THE FUTURE LAND USE MAP IS AMENDED AS FOLLOWS:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.**

(a). The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast.

(b). The City Council of the City of Palm Coast hereby adopts and incorporates into this Ordinance the City staff report and City Council agenda memorandum and packet relating to the application relating to the proposed amendment to the *City of Palm Coast Comprehensive Plan* relating to the subject property. The exhibits to this Ordinance are incorporated herein as if fully set forth herein verbatim.

(c). The City of Palm Coast has complied with all requirements and procedures of Florida law in processing and advertising this Ordinance.

(d). This Ordinance is internally consistent with the goals, objectives and policies of the *Comprehensive Plan of the City of Palm Coast*.

**SECTION 2. FUTURE LAND USE MAP AMENDED.** The 5+/- acre parcel of land, identified as Flagler County Tax Parcel Identification Number 22-11-30-5545-00000-0020, generally located 1800' north of Whiteview Pkwy. on the eastside of US-1, as legally described in "Exhibit A" and as shown on "Exhibit B", attached hereto, is hereby amended from the Future Land Use Map designation Agriculture & Timberlands (Flagler County designation) to Future Land Use Map designation Mixed Use (City of Palm Coast designation).

**SECTION 3. CODIFICATION/INSTRUCTIONS TO CODE CODIFIER.**

Upon the effective date of the Comprehensive Plan Amendment adopted by this Ordinance, said Amendment shall be incorporated into the City of Palm Cost Comprehensive Plan and any section or paragraph number or letter and any heading may be changed or modified as necessary to effectuate the foregoing.

**SECTION 4. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 5. EFFECTIVE DATE.** This Ordinance shall become effective thirty-one (31) days after enactment by the City Council. If challenged under the controlling provisions of State law within thirty (30) days after enactment, this small

scale development amendment shall not become effective until the State land planning agency (the Florida Department of Economic Opportunity) or the Administration Commission, respectively, issues a final order determining this small scale development amendment is in compliance.

**APPROVED** on first reading after due public notice and public hearing the 5th day of September 2017.

**ADOPTED** on second reading after due public notice and public hearing the \_\_\_\_\_ day of \_\_\_\_\_ 2017.

***ATTEST:***

**CITY OF PALM COAST, FLORIDA**

\_\_\_\_\_  
Virginia A. Smith, City Clerk

\_\_\_\_\_  
Milissa Holland, Mayor

Attachments:

Exhibit "A" – Legal Description of property subject to FLUM amendment.

Exhibit "B" – Revised FLUM.

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**SANDLAKE SUBD LOT 2 5.00 AC OR 965 PG 984 OR 976 PG 481,482**  
**ANNEXED INTO CITY 2006-09 OR 1469 PG 817**

# EXHIBIT "B"

## ORDINANCE No. 2017-\_\_\_\_\_

SUBDIVISION MAP  
of  
Subject Property  
in  
PALM COAST  
SITUATED IN  
FLAGLER COUNTY

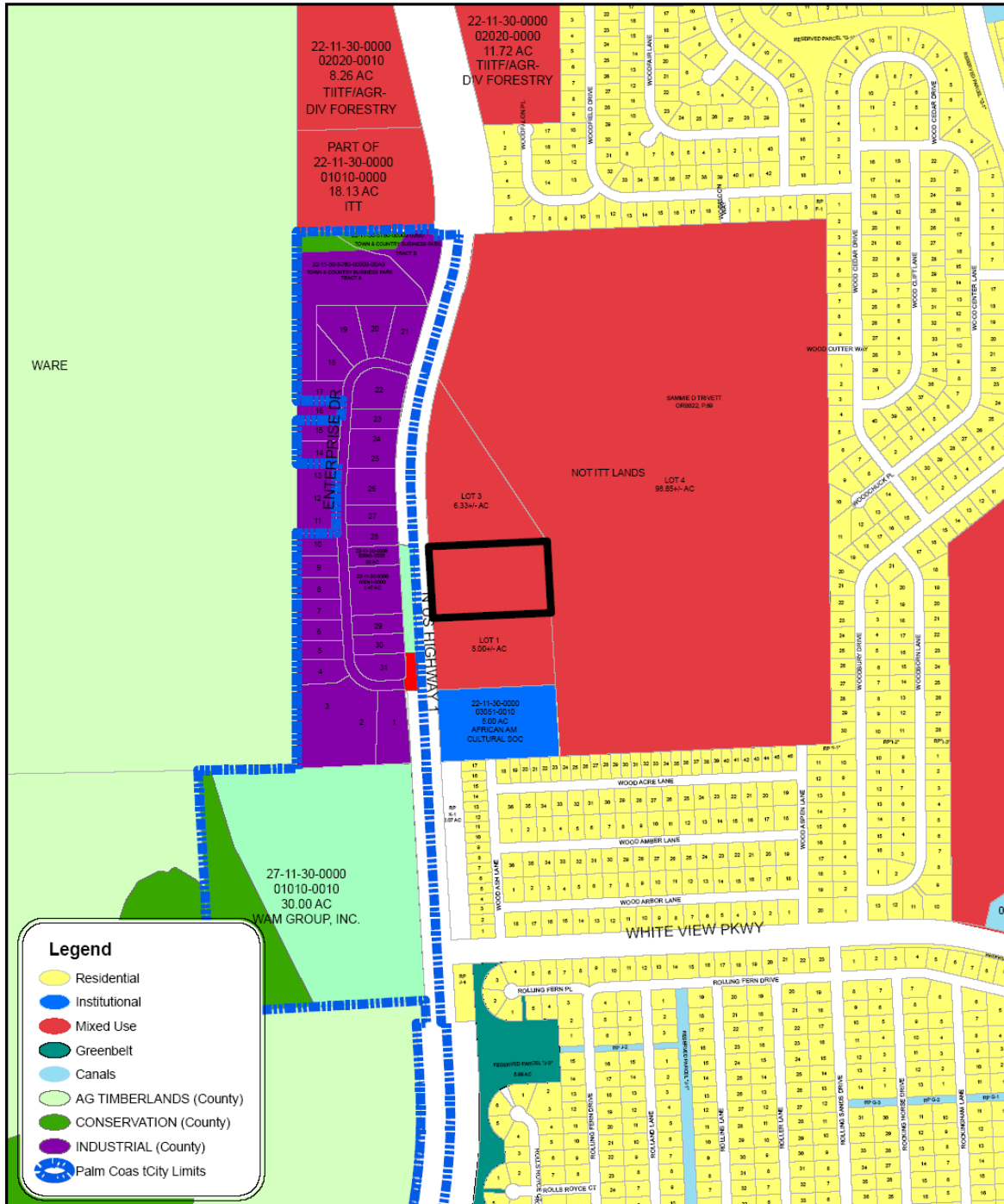
**Subject  
Property**



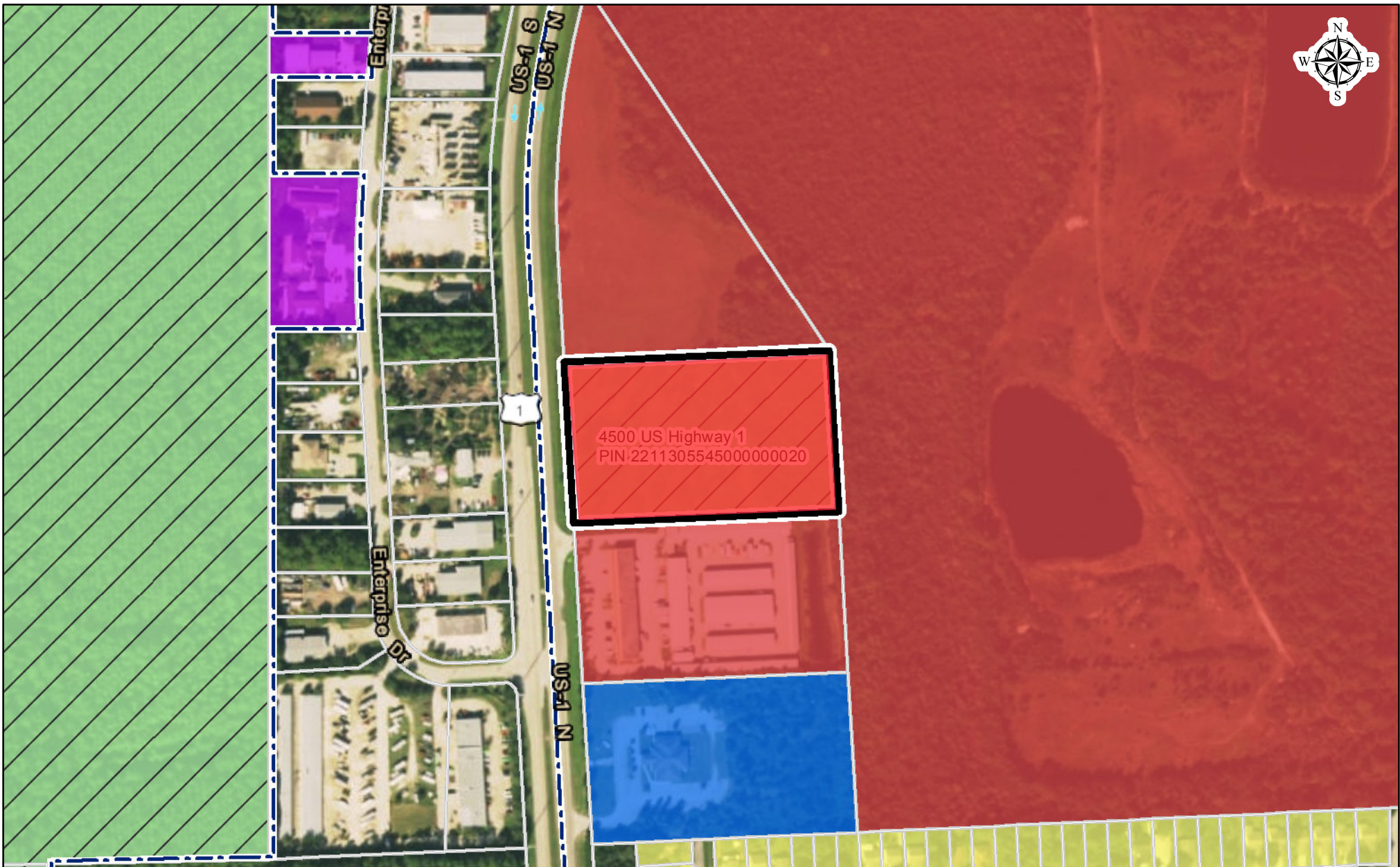
**LU-MAJ-08-03**



### PROPOSED FLUM MAP Provided by the GIS Division



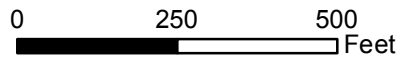




### Future Land Use Map

- Palm Coast City Limits
- 4500 US Highway 1

Imagery: NAIP 2015



- Palm Coast FLUM Classifications**
- Industrial
  - Institutional
  - Mixed Use
  - Residential
  - AGRICULTURE & TIMBERLANDS,Annexed Area, Flagler County FLUM adopted

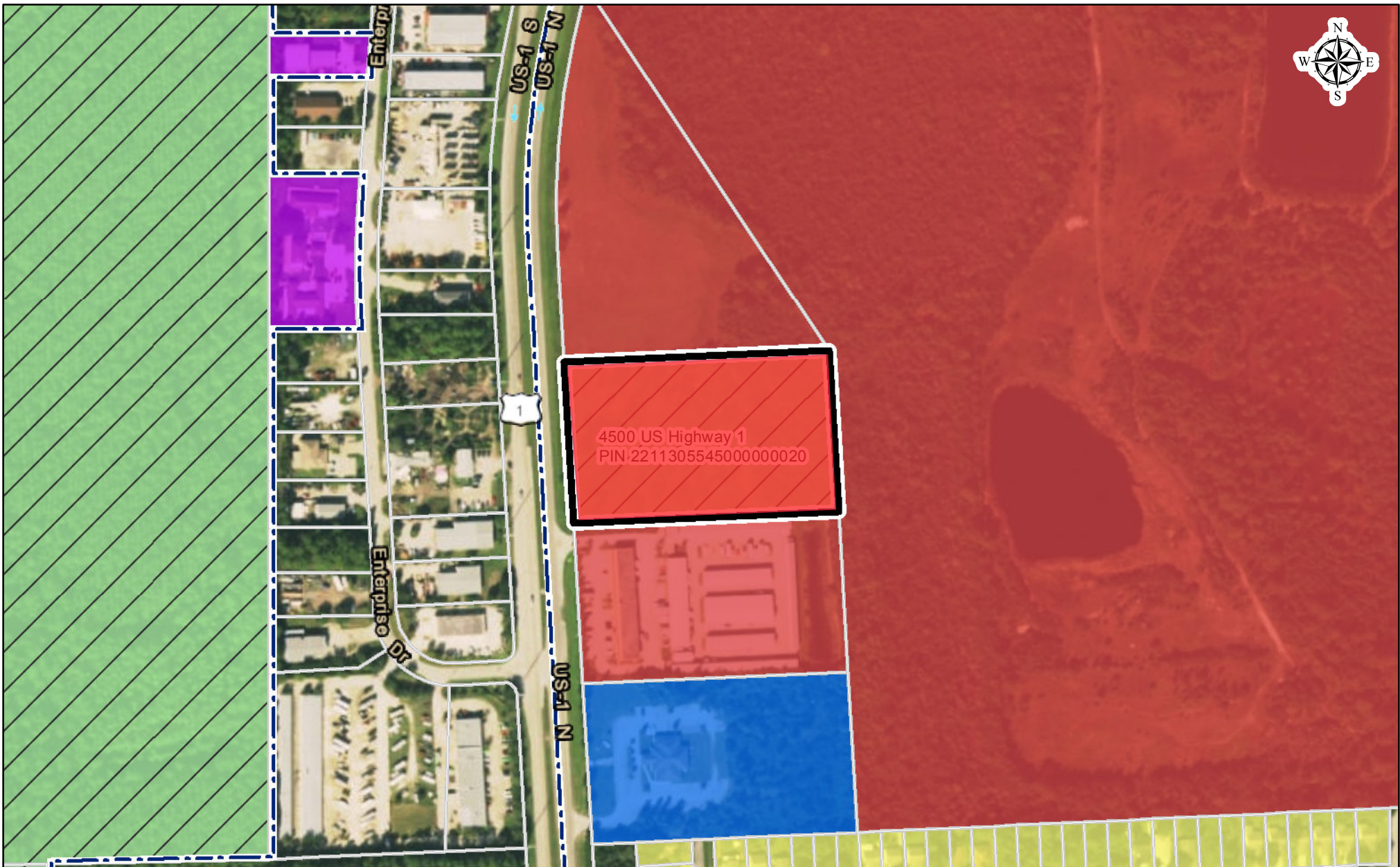


**Map Provided by the GIS Division**

**Date: 7/24/2017**

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

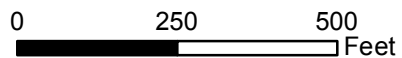




### Future Land Use Map

- Palm Coast City Limits
- 4500 US Highway 1

Imagery: NAIP 2015



### Palm Coast FLUM Classifications

- Industrial
- Institutional

- Mixed Use
- Residential
- AGRICULTURE & TIMBERLANDS,Annexed Area, Flagler County FLUM adopted

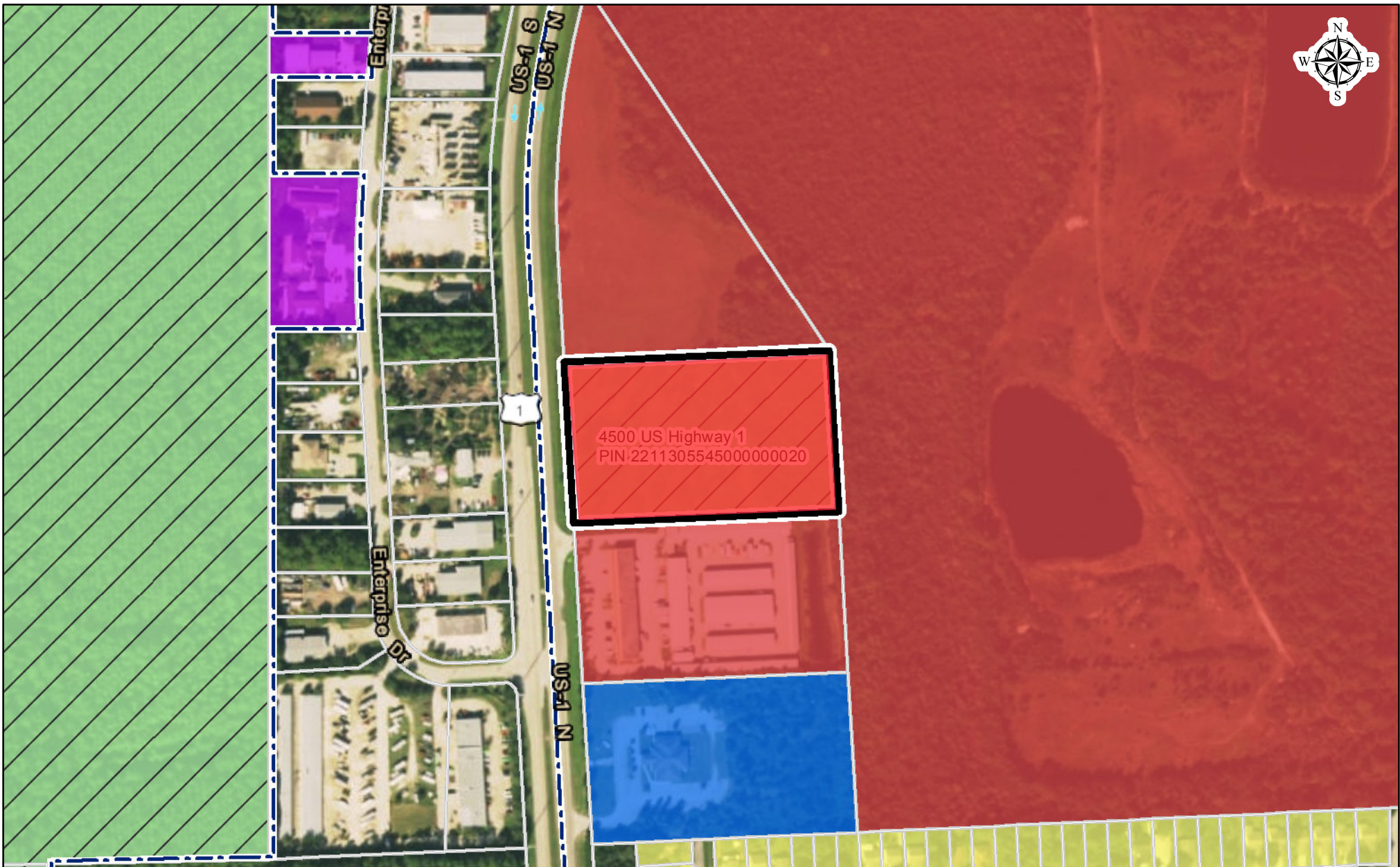


**Map Provided by the GIS Division**

**Date: 7/24/2017**

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

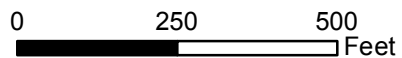




### Future Land Use Map

- Palm Coast City Limits
- 4500 US Highway 1

Imagery: NAIP 2015



### Palm Coast FLUM Classifications

- Industrial
- Institutional
- Mixed Use
- Residential
- AGRICULTURE & TIMBERLANDS,Annexed Area, Flagler County FLUM adopted

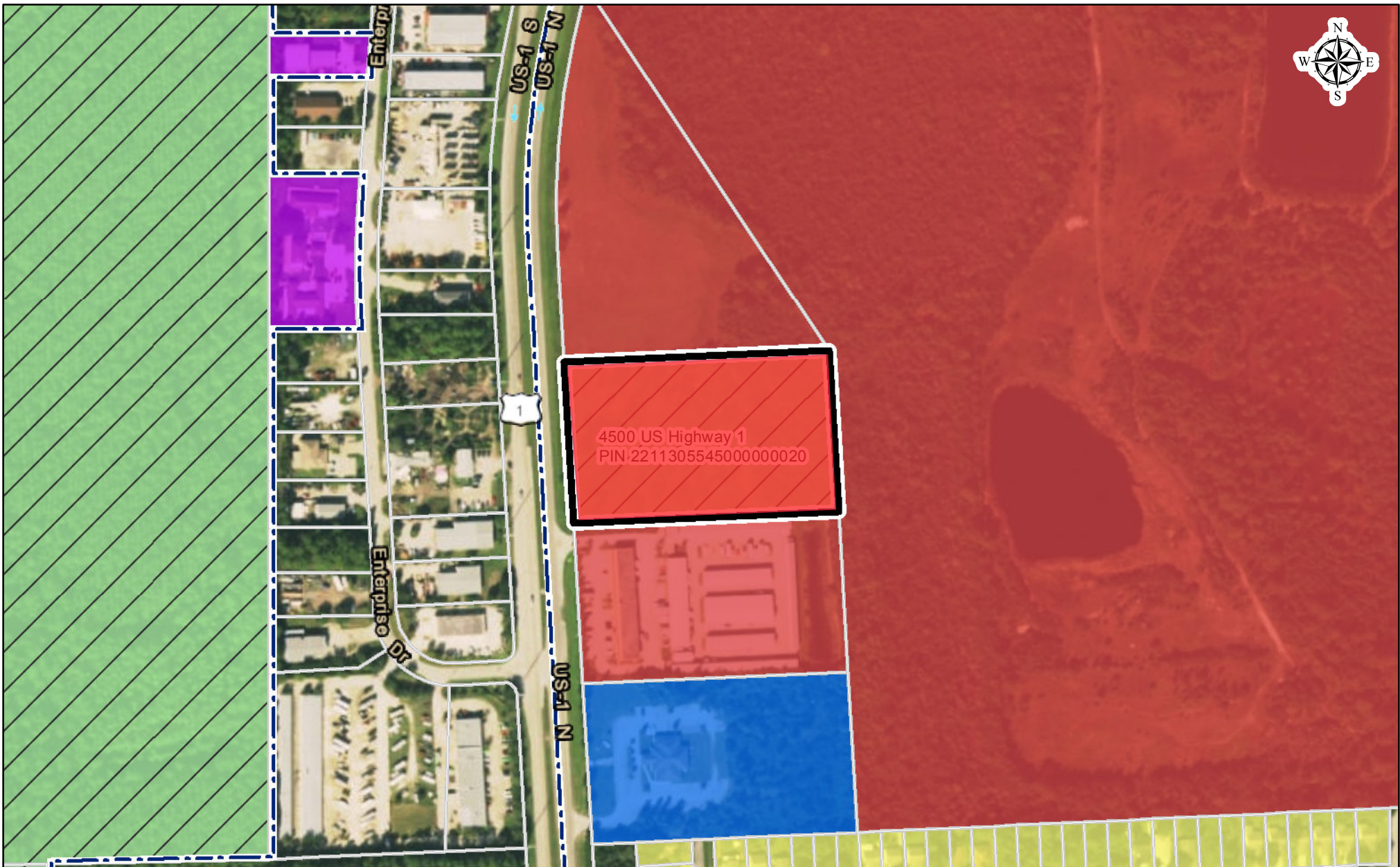


**Map Provided by the GIS Division**

**Date: 7/24/2017**

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

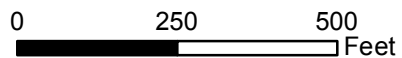




### Future Land Use Map

- Palm Coast City Limits
- 4500 US Highway 1

Imagery: NAIP 2015



### Palm Coast FLUM Classifications

- Industrial
- Institutional
- Mixed Use
- Residential
- AGRICULTURE & TIMBERLANDS,Annexed Area, Flagler County FLUM adopted



**Map Provided by the GIS Division**

**Date: 7/24/2017**

The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

# City of Palm Coast, Florida

## Agenda Item

Agenda Date :

<b>Department Item Key</b>	COMMUNITY DEVELOPMENT	<b>Amount Account #</b>
<b>Subject</b>	ORDINANCE 2017-XX ZONING MAP AMENDMENT FROM AGRICULTURE (FLAGLER COUNTY DESIGNATION) TO LIGHT INDUSTRIAL (IND-1) FOR A 5+/- ACRE PARCEL LOCATED 1800' NORTH OF WHITEVIEW PARKWAY ON THE EASTSIDE OF US-1	
<b>Background :</b>	<p>The proposed rezoning of the subject property is a companion application to a proposed Future Land Use Map amendment for the subject property. The subject property is 5 ± acres and generally located 1800' north of Whiteview Parkway on the eastside of US-1. The proposed rezoning will amend the zoning designation for the subject property from Agriculture (Flagler County designation) to Light Industrial (IND-1).</p> <p>The intent of the proposed rezoning is to accommodate a proposed commercial/industrial development which will be similar to the development to the adjacent parcel to the south (better known as the Alamo).</p> <p>Staff analyzed the proposed rezoning based on the criteria established in the City of Palm Coast Land Development Code. In summary, staff makes the following findings:</p> <ul style="list-style-type: none"> <li>- the proposed rezoning is consistent with the Comprehensive Plan,</li> <li>- the proposed rezoning does not negatively impact the existing public facilities, and</li> <li>- the proposed rezoning is consistent with the surrounding land uses and is in an area appropriate for expansion of commercial/industrial uses and does not cause a nuisance or threat to the general welfare and safety of the public.</li> </ul>	
<b>Recommended Action :</b>	Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend to the City Council, approval of application number 3356 to rezone 5 +/- acres from Agriculture (Flagler County designation) to Light Industrial (IND-1) (City of Palm Coast designation).	

**ORDINANCE 2017-\_\_\_**  
**REZONING APPLICATION NO. 3356**  
**TEAROC OF FLORIDA**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP AS ESTABLISHED IN SECTION 2.06 OF THE CITY OF PALM COAST UNIFIED LAND DEVELOPMENT CODE; AMENDING THE OFFICIAL ZONING MAP FOR 5.0+ ACRES OF CERTAIN REAL PROPERTY DESCRIBED AS TAX PARCEL IDENTIFICATION NUMBER 22-11-30-5545-00000-0020, GENERALLY LOCATED 1,800 FEET NORTH OF WHITEVIEW PKWY. ON THE EASTSIDE OF US-1 BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, FROM AGRICULTURE (FLAGLER COUNTY DESIGNATION) TO LIGHT INDUSTRIAL (IND-1) (CITY OF PALM COAST DESIGNATION) ZONING DISTRICT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Palm Coast, as the governing body of the City, pursuant to the authority vested in Chapter 163 and Chapter 166, Florida Statutes and the City of Palm Coast Unified Land Development Code, is authorized and empowered to consider applications relating to zoning; and

**WHEREAS**, the notice and public hearing requirements, as provided for in Chapter 2 (Review Authority, Enforcement, and Procedures) of the City of Palm Coast Unified Land Development Code have been satisfied; and

**WHEREAS**, the City Council of the City of Palm Coast has considered the evidence and testimony presented by the applicant and other interested parties, the recommendations of the various City reviewing departments, and the recommendation of the Planning and Land Development Regulation Board (PLDRB); and

**WHEREAS**, the City Council has considered the findings in the staff report and the following findings of fact:

1. The rezoning is consistent with the purposes, goals, objectives, and policies of the City of Palm Coast Comprehensive Plan;
2. The rezoning is compatible as defined in the Unified Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for rezoning;
3. The rezoning will result in a logical, timely and orderly development pattern;

4. The staff report has demonstrated sufficient justification that there are changed circumstances, which would require the rezoning request.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. Legislative and Administrative Findings.** The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

**SECTION 2. Official Zoning Map Amended.** The 5.0 ± acres of land, identified as tax parcel identification number 22-11-30-5545-00000-0020, located 1,800 feet north of Whiteview Pkwy. on the eastside of US-1, legally described in “Exhibit A” and as depicted in “Exhibit B,” attached hereto, is hereby amended from the Agriculture (Flagler County) zoning district to Light Industrial (IND-1) (City of Palm Coast) zoning district.

**SECTION 3. Severability.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 4. Conflicts.** All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 6. Effective Date.** This Ordinance shall become effective immediately upon the effective date of Ordinance No. \_\_\_\_\_ as adopted by the City Council of the city of Palm Coast, Florida, and pursuant to the City Charter. If Ordinance No. \_\_\_\_\_ does not become effective, then this Ordinance shall become null and void.

Approved on first reading this 19<sup>th</sup> day of September 2017.

Adopted on the second reading after due public notice and hearing City of Palm Coast this \_\_\_\_ day of \_\_\_\_\_ 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

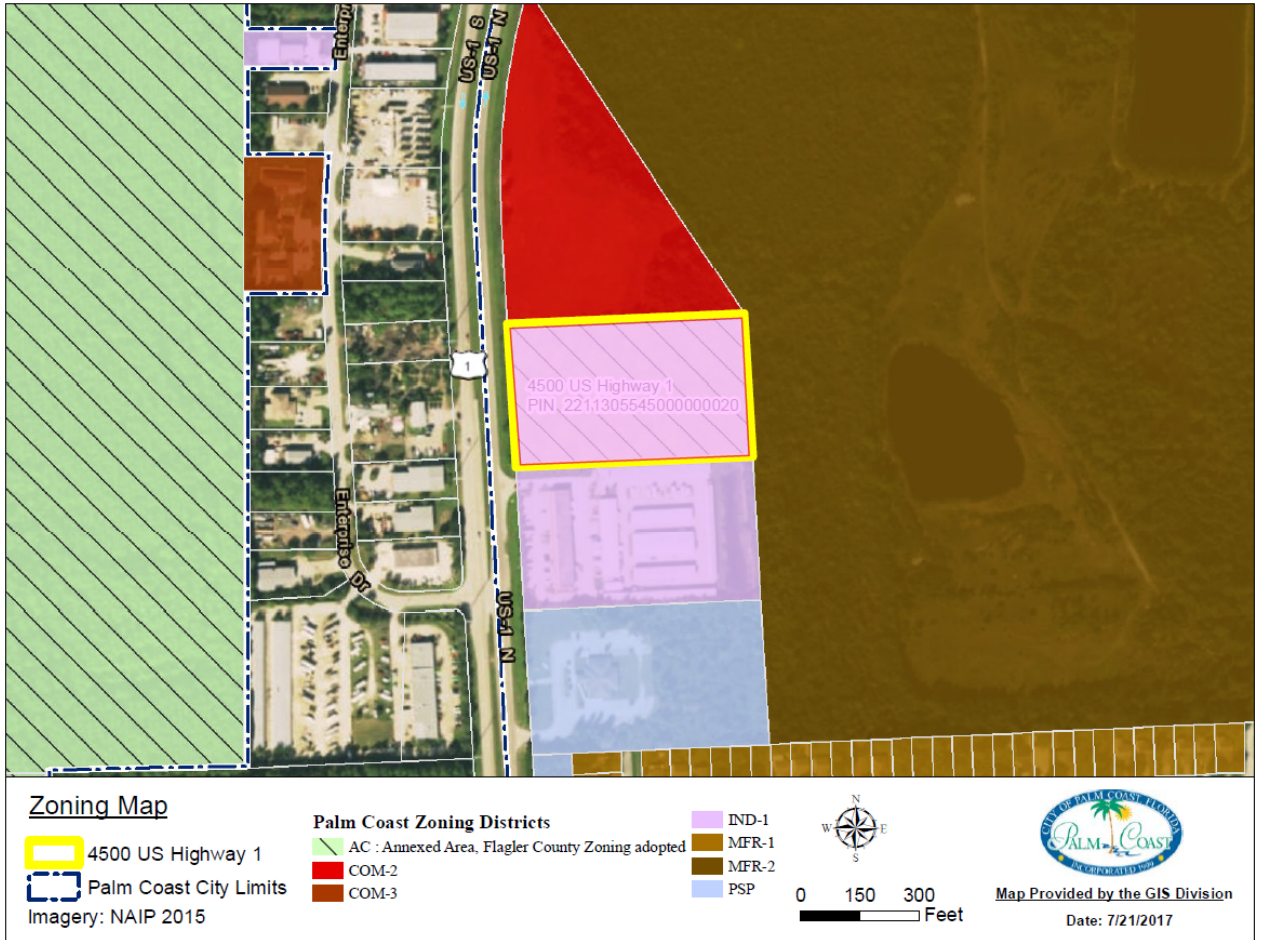
\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK  
Attachments: Exhibit “A” – Legal Description of property  
Exhibit “B” – Revised Official Zoning Map

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

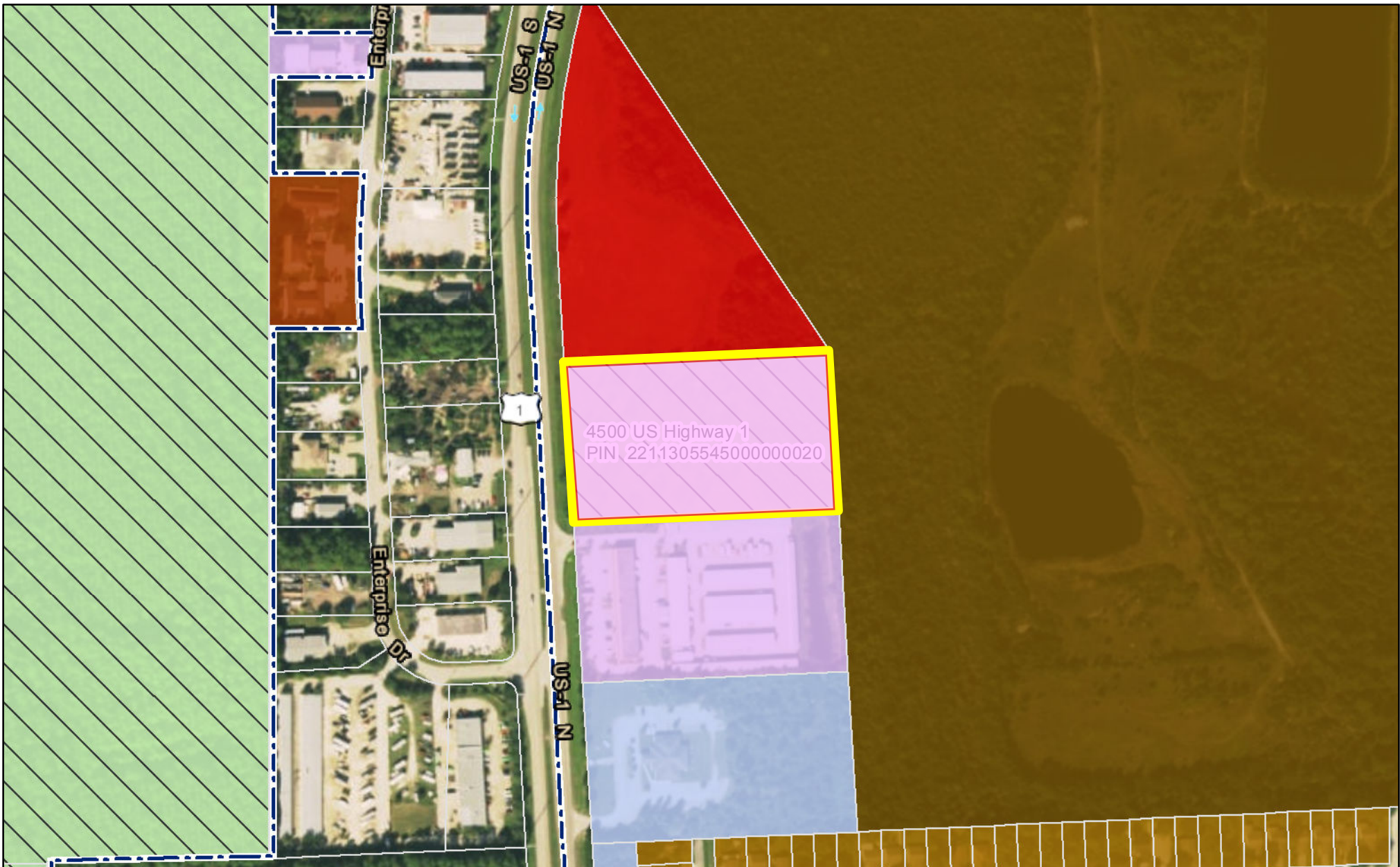
**SANDLAKE SUBD LOT 2 5.00 AC OR 965 PG 984 OR 976 PG 481,482 ANNEXED  
INTO CITY 2006-09 OR 1469 PG 817**





**EXHIBIT "B"**  
**ORDINANCE No. 2017-\_\_\_\_\_**  
**Revised Official Zoning Map**



The City of Palm Coast prepares and uses this map/map data for its own purposes. This map/map data displays general boundaries and may not be appropriate for site specific uses. The City uses data believed to be accurate; however, a degree of error is inherent in all maps. This map/map data is distributed AS-IS without warranties of any kind, either expressed or implied including, but not limited to, warranties of suitability to a particular purpose or use. This map/map data is intended for use only at the published scale. Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.










## Zoning Map


-  4500 US Highway 1
-  Palm Coast City Limits

Imagery: NAIP 2015

### Palm Coast Zoning Districts

-  AC : Annexed Area, Flagler County Zoning adopted
-  COM-2
-  COM-3
-  IND-1
-  MFR-1
-  MFR-2
-  PSP



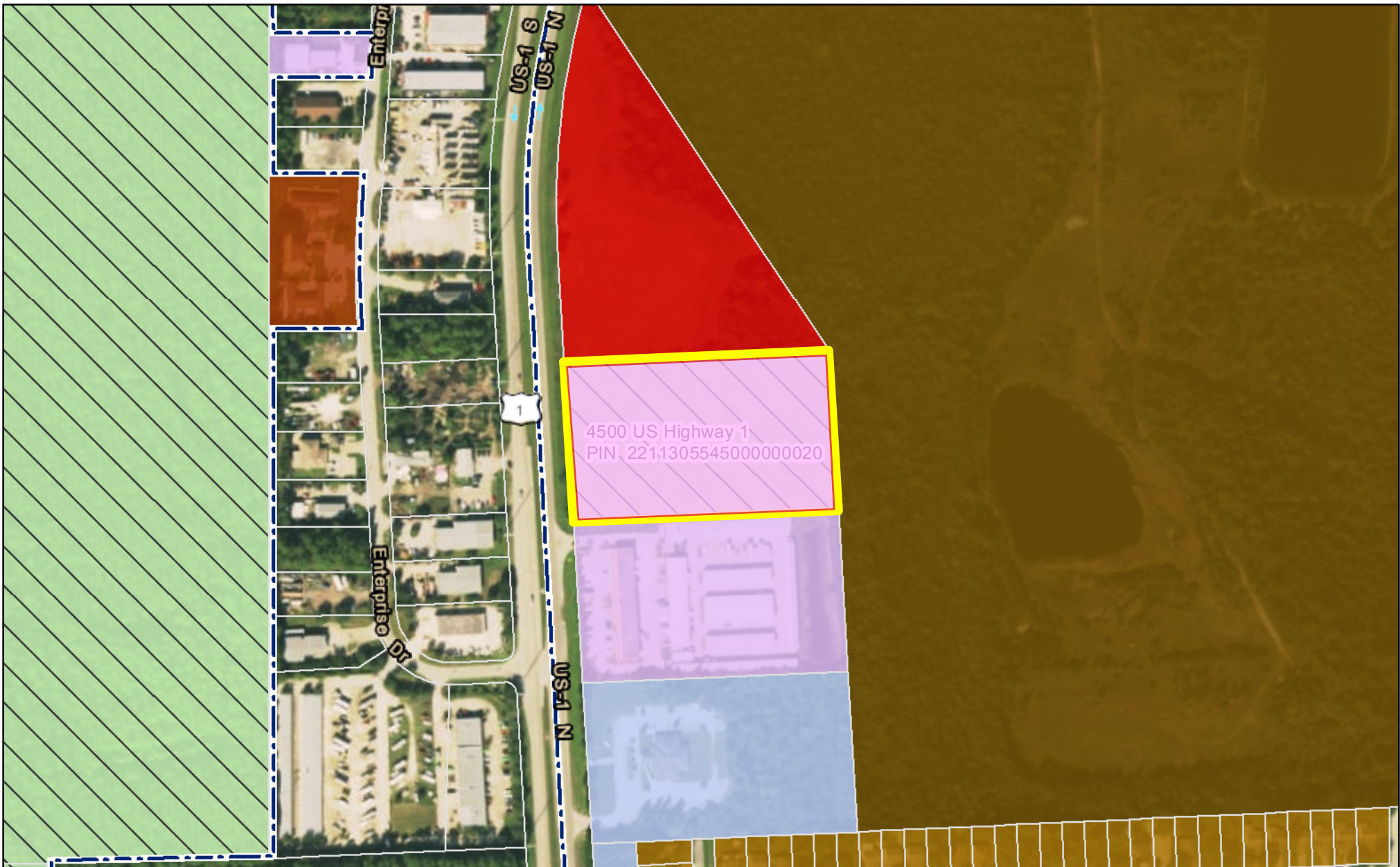
0 150 300  
 Feet





Map Provided by the GIS Division

Date: 7/21/2017












## Zoning Map


-  4500 US Highway 1
-  Palm Coast City Limits

Imagery: NAIP 2015

### Palm Coast Zoning Districts

-  AC : Annexed Area, Flagler County Zoning adopted
-  COM-2
-  COM-3
-  IND-1
-  MFR-1
-  MFR-2
-  PSP



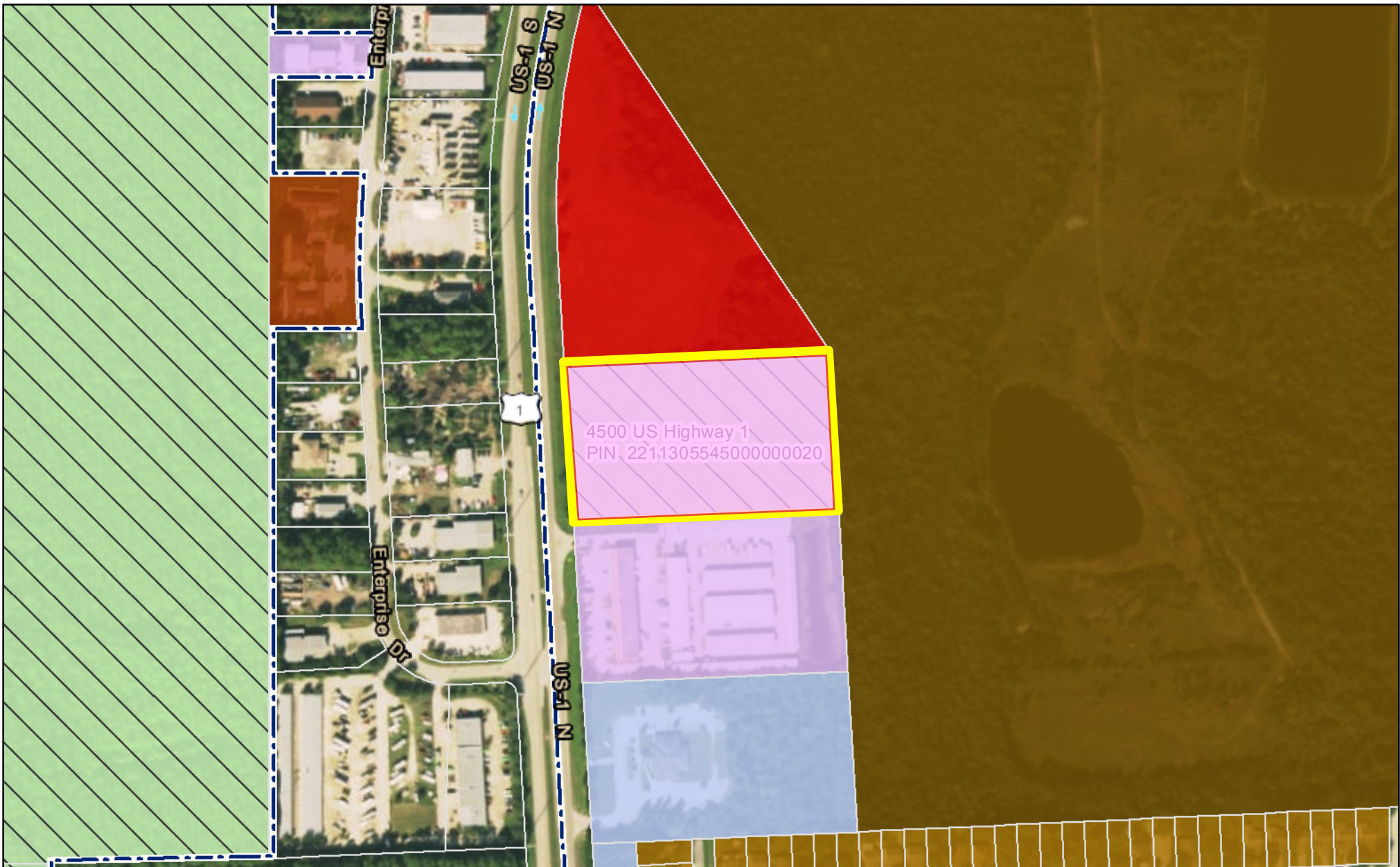
0 150 300  
 Feet





Map Provided by the GIS Division

Date: 7/21/2017












## Zoning Map


-  4500 US Highway 1
-  Palm Coast City Limits

Imagery: NAIP 2015

### Palm Coast Zoning Districts

-  AC : Annexed Area, Flagler County Zoning adopted
-  COM-2
-  COM-3
-  IND-1
-  MFR-1
-  MFR-2
-  PSP



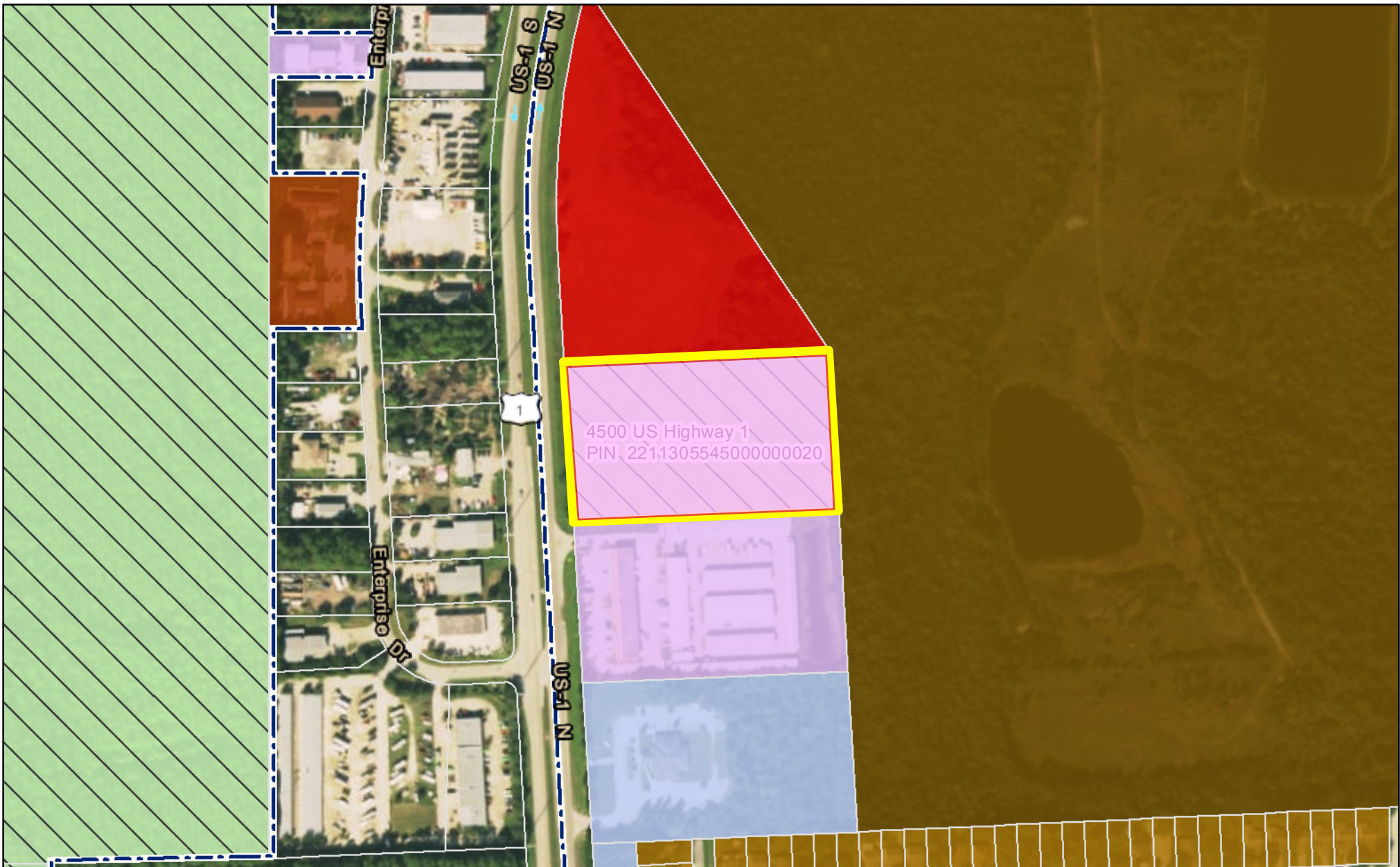
0 150 300  
 Feet





Map Provided by the GIS Division

Date: 7/21/2017












## Zoning Map


-  4500 US Highway 1
-  Palm Coast City Limits

Imagery: NAIP 2015

### Palm Coast Zoning Districts

-  AC : Annexed Area, Flagler County Zoning adopted
-  COM-2
-  COM-3
-  IND-1
-  MFR-1
-  MFR-2
-  PSP



0 150 300  
 Feet



Map Provided by the GIS Division

Date: 7/21/2017

# City of Palm Coast, Florida Agenda Item

Agenda Date :

<b>Department Item Key</b>	ASED	<b>Amount Account #</b>	
<b>Subject</b>	ORDINANCE 2017-XX RELATING TO THE VOLUNTARY ANNEXATION OF THE PROPERTY KNOWN AS KORONA LANDS		
<b>Background :</b>	<p>Korona Lands LLC, owners of approximately 9.94 acres of property which is located north of U.S. Highway No. 1 and south of Seminole Woods Boulevard are requesting annexation into the City of Palm Coast.</p> <p>The annexation of the Korona Lands LLC land is being accomplished in accordance with Florida Statutes, Chapter 171. The proposed annexation meets the criteria set forth in Subsection 171.043, Florida Statutes.</p> <p>Character of the area to be annexed:</p> <ul style="list-style-type: none"><li>· The property's northern boundary is contiguous to the City's boundary;</li><li>· The property is reasonably compact, is not part of another incorporated municipality and will be used for urban purposes;</li><li>· The proposed annexation will not create an enclave.</li></ul>		
<b>Recommended Action :</b>	ADOPT ORDINANCE 2017-XX RELATING TO THE VOLUNTARY ANNEXATION OF THE PROPERTY KNOWN AS KORONA LANDS		

**ORDINANCE 2017-\_\_\_\_\_**  
**KORONA LANDS LLC**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, TO ANNEX PROPERTY TO BE INCLUDED WITHIN THE CORPORATE AREA AND CITY LIMITS OF THE CITY OF PALM COAST, UPON ADOPTION OF THIS ORDINANCE; PROVIDING FOR THE ANNEXATION OF APPROXIMATELY 9.94 ACRES OF PROPERTY DESCRIBED IN EXHIBIT “A” TO THIS ORDINANCE AND LYING IN THE AREAS PROXIMATE TO THE EXISTING CITY LIMITS OF THE CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA; PROVIDING FOR ANNEXATION IN ACCORDANCE WITH THE VOLUNTARY ANNEXATION PROVISIONS OF SECTION 171.044, *FLORIDA STATUTES*; PROVIDING FOR ANNEXATION OF REAL PROPERTY/AMENDMENT OF CORPORATE/CITY LIMITS; PROVIDING FOR RIGHTS AND PRIVILEGES RESULTING FROM ANNEXATION/EFFECT OF ANNEXATION UPON LAND USES; PROVIDING FOR EFFECT ON AD VALOREM TAXES; PROVIDING FOR EFFECT ON BUSINESSES AND OCCUPATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a Petition for Annexation has been filed with the City Clerk of the City of Palm Coast, Florida, which petition contains the name of the property owners in the area described in this Ordinance and requests annexation into the incorporated area and City Limits of the City of Palm Coast, Florida; and

**WHEREAS**, the City’s staff has certified that the property owners in the area to be annexed have signed the petition for Annexation; and

**WHEREAS**, the City Council hereby finds that the property described hereinafter is reasonably compact and contiguous to the corporate areas of the City of Palm Coast, Florida, and it is further determined that the annexation of said property will not result in the creation of any enclaves, and it is further determined that the property otherwise fully complies with the requirements of State law; and

**WHEREAS**, the City of Palm Coast, Florida, is in a position to provide municipal services to the property described herein, and the City Council of the City of Palm Coast, Florida, deems it in the best interest of the City to accept said Petition for Annexation and to annex said property; and

**WHEREAS**, pursuant to, and in compliance with the law, notice has been given by publication once a week for two consecutive weeks in a newspaper of general circulation notifying the public of this proposed Ordinance and of public hearings to be held at City Hall in the City of Palm Coast; and

**WHEREAS**, the provisions of this ordinance and the actions taken herein are consistent with the City's Comprehensive Plan and State law; and

**WHEREAS**, public hearings were held pursuant to the requirements of State law and in conformity with the published notice described above at which hearings the parties in interest and all others had an opportunity to be, and were in fact, heard; and

**WHEREAS**, it is the City's best interest to annex property which provides economic and other benefits to the City wherever possible.

**NOW, THEREFORE, IT IS HEREBY ORDAINED BY THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.**

(a) The property that is the subject of this Ordinance and the Petition for Annexation is described in Section 2 of this Ordinance.

(b) The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council of the City of Palm Coast. The City Council of the City of Palm Coast finds and determines that there is competent substantial evidence to support the findings and determinations made in this Section.

(c) The City Council of the City of Palm Coast adopts as legislative and administrative findings the fact that the land area described in Section 2 of this Ordinance (hereinafter referred to as the "Area") is reasonably compact and contiguous to the present Corporate Limits of the City of Palm Coast, and that no part of the Area is within the boundary of another municipality or the County in any manner or configuration that would contravene the provisions of Florida law or be contrary to sound and generally accepted land use planning practices and principles. The City Council of the City of Palm Coast finds that the annexation of the Area does not create an enclave and that the Area otherwise fully meets the criteria established in Chapter 171, *Florida Statutes*.

(d) The City Council of the City of Palm Coast has applied the laws of the State of Florida, Chapter 171, *Florida Statutes*, as well as the case law analyzing, construing and applying



said statutory provisions, and the legislative intent pertaining to said statutory provisions as set forth in legislative staff reports.

(e) The City Council of the City of Palm Coast finds and determines that there is competent substantial evidence to support the findings and determinations made in this Section and that no other action of the City is required to fully implement an annexation of the Area as set forth herein.

**SECTION 2. ANNEXATION OF PROPERTY/AMENDMENT OF CORPORATE/CITY LIMITS.** The lands described in Exhibits “A” and shown on the map in Exhibit “B”, attached hereto, be and they are hereby annexed to and included within the corporate limits of the City of Palm Coast, Florida.

**SECTION 3. RIGHTS AND PRIVILEGES RESULTING FROM ANNEXATION/EFFECT OF ANNEXATION UPON LAND USES.**

(a) Upon this Ordinance becoming effective, the property owner shall be entitled to all the rights and privileges and immunities as are from time to time granted to property owners of the City of Palm Coast, Florida, as further provided in Chapter 171, *Florida Statutes*, and shall further be subject to the responsibilities of ownership as may from time to time be determined by the City Council of the City of Palm Coast, Florida, and the provisions of Chapter 171, *Florida Statutes*

(b) Upon annexation, the Area shall retain a zoning classification established by the Land Development Code of Flagler County and a land use designation as assigned by the Flagler County Comprehensive Plan in accordance with the provisions of Section 171.062, *Florida Statutes*, until otherwise changed or amended by an appropriate ordinance or by a number of ordinances as may be enacted by the City Council of the City of Palm Coast, Florida.

**SECTION 4. EFFECT ON AD VALOREM TAXES.** All property lying within the boundaries of the Corporate/City Limits of the City of Palm Coast, Florida, as hereby revised, shall hereafter be assessed for payment of municipal ad valorem taxes pursuant to law.

**SECTION 5. EFFECT ON BUSINESSES AND OCCUPATIONS.** All persons who are lawfully engaged in any occupation, business, trade or profession, within the Area upon the effective date of this Ordinance, under a valid license or permit issued by Flagler County, Florida, shall have right to continue such occupation, business, trade or profession within the corporate limits of the City of Palm Coast, as revised, upon the securing of a valid business tax receipt from

the City of Palm Coast, which receipt shall be issued upon payment of the appropriate fee there, without the necessity of taking or passing any additional examination or test relating to the qualifications of such licenses.

**SECTION 6. CONFLICTS.** All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

**SECTION 7. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Code.

**SECTION 8. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

**APPROVED** on first reading the 19<sup>th</sup> day of September 2017.

**ADOPTED** on second reading after due public notice and public hearing the 3<sup>rd</sup> day of October 2017.

*ATTEST:*

**City of Palm Coast, Florida**

\_\_\_\_\_  
Virginia A. Smith, City Clerk

\_\_\_\_\_  
Milissa Holland, Mayor

Approved as to form and legality

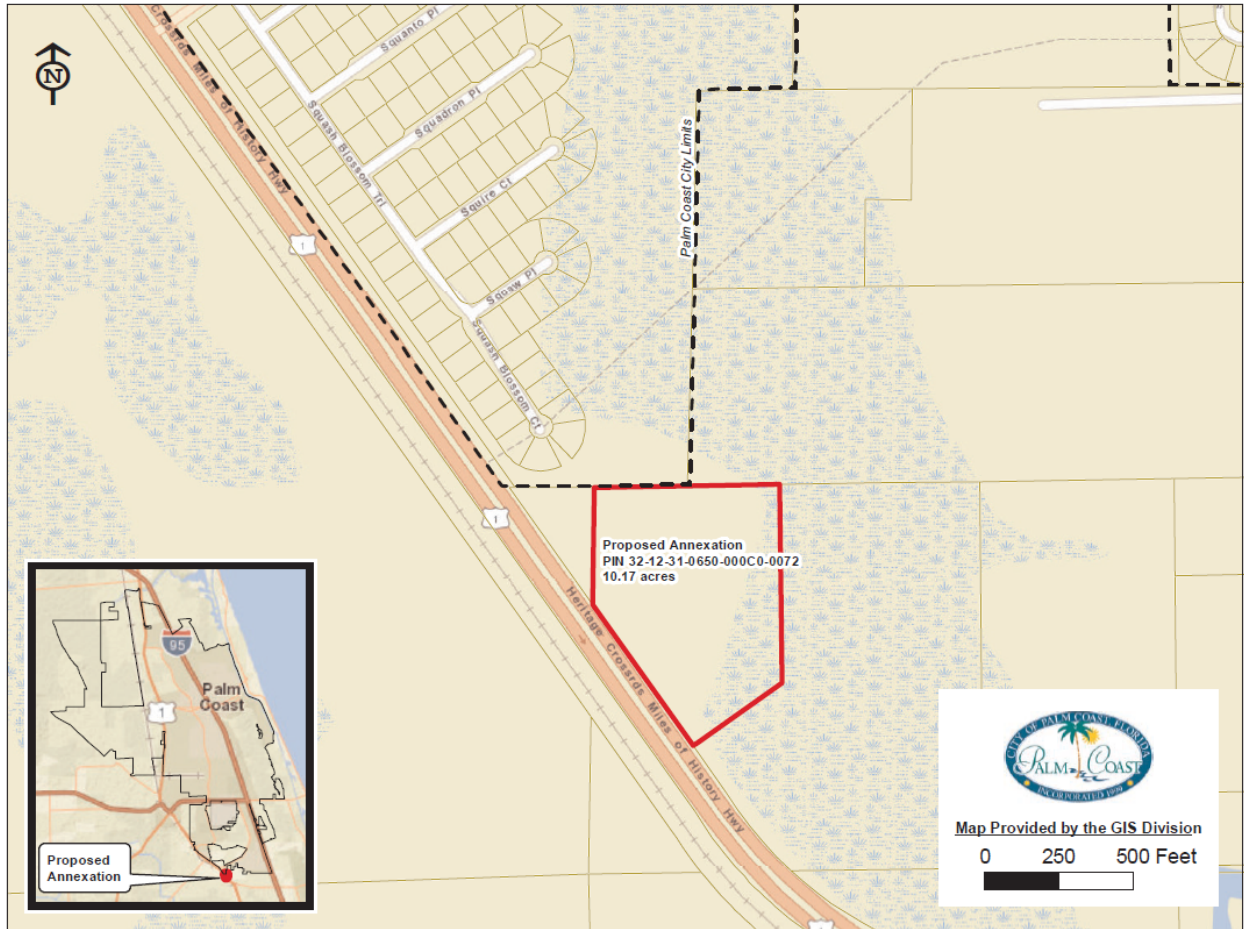
\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney

Exhibit A

**KORONA LANDS LLC PROPERTY**

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF GOVERNMENT SECTION 32, TOWNSHIP 12 SOUTH, RANGE 31 EAST, LOCATED NORTH OF U.S. HIGHWAY NO. 1 AND BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 AND THE WESTERLY LINE OF SAID SW 1/4 OF THE SW 1/4 OF SAID SECTION 32 FOR A POINT OF BEGINNING; THENCE N00°51'07"E ALONG THE WESTERLY LINE FOR A DISTANCE OF 379.49 FEET; THENCE DEPARTING SAID LINE N89°10'32"E FOR A DISTANCE OF 625.13 FEET; THENCE S00°00'00"E FOR A DISTANCE OF 666.80 FEET; THENCE S54°30'55"W FOR A DISTANCE OF 351.99 FEET TO THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE ALONG SAID RIGHT-OF-WAY LINE N35°29'05"W FOR A DISTANCE OF 592.77 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION. THE ABOVE DESCRIBED PARCEL CONTAINS 9.94 ACRES, MORE OR LESS.

EXHIBIT "B"



# **Korona Lands LLC**

## **ANNEXATION REPORT**

This report will establish that the proposed annexation of the Korona Lands LLC Annexation Study Area, as depicted in the attached map, meets the requirements for annexation as outlined in Chapter 171 of the Florida Statutes. The annexation area consists of approximately **9.94** acres of primarily vacant developable land, as depicted in Exhibit A and B of this report. Because there are no registered electors living within the proposed annexation area, no referendum on annexation is required under Florida Statutes. However, subsection 171.042 of the Florida Statutes requires, as a prerequisite to annexation, that the City prepare a report showing that the City is able to provide the needed public facilities.

The annexation of the study area will be accomplished in accordance with Section 171.0413 (5) and (6), Florida Statutes which applies to areas without registered electors. These sections provide that:

"If more than 70 percent of the land in an area proposed to be annexed is owned by individuals, corporations, or legal entities which are not registered electors of such area, such shall not be annexed unless the owners of more than 50 percent of the land in such area consent to such annexation. Such consent shall be obtained by the parties proposing the annexation prior to the referendum to be held on the annexation." and

"...if the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a vote of electors of the area proposed to be annexed is not required. In addition to the requirements of subsection (5), the area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation."

### **Introduction**

The annexation area considered in this study is located in unincorporated Flagler County, primarily north of U.S. Highway No. 1 and south of Seminole Woods Boulevard. The area is located in Flagler County Commission District 3, which is currently represented by Commissioner David Sullivan. If annexed into the City of Palm Coast, the area would be in City Council District # 3, which is now represented by City Council Member Nick Klufas.

The development pattern within and surrounding the annexation area is urban and suburban in form and intensity. The annexation study area is surrounded by residential development to the north and vacant land to the south with residential development further north on Seminole Woods Boulevard and vacant land to the southwest of U.S. Highway No. 1.

The proposed annexation meets the criteria set forth in Subsection 171.043, Florida Statutes, Character of the area to be annexed:

- \* The property's northern boundary is contiguous to the City's boundary.
- \* The property is reasonably compact, is not part of another incorporated municipality and will be used for urban purposes.
- \* The proposed annexation will not create an enclave.

### **Current and Proposed Future Land Use and Zoning**

Following annexation, the City of Palm Coast will initiate comprehensive plan amendments to assign the appropriate City future land use designations for the annexed properties. The proposed future land use designations and zoning classifications presented in this annexation study report are preliminary; they may be

modified once a more detailed land use analysis occurs when initiating the necessary comprehensive plan amendments.

Preliminarily, Flagler County's and Palm Coast's proposed future land use designations are generally consistent. The existing land use is vacant agricultural. The City will assign the most logical and compatible future land use designations and appropriate zoning classifications. Pursuant to Section 171.062 Florida Statutes, Flagler County land use plan and zoning or subdivision regulations will remain in effect until the City of Palm Coast adopts a comprehensive plan amendment for the annexed area.

**Provision of Public Facilities and Services**

The table below gives the current service providers and the potential providers that would serve the community if the annexation ordinance were adopted.

**Current and Potential Service Providers**

<b>Service</b>	<b>Current Service Provider</b>	<b>Potential Service Provider</b>
	<b><u>(Flagler County)</u></b>	<b><u>(City of Palm Coast)</u></b>
Potable Water	City of Palm Coast	City of Palm Coast
Wastewater/ Reclaimed Water	Private Septic Systems and City of Palm Coast	City of Palm Coast
Electric Service	Florida Power and Light	Florida Power and Light
Solid Waste	Flagler County/Private haulers	City of Palm Coast/Private hauler
Stormwater	Flagler County	City of Palm Coast
Police	Flagler County Sheriffs Office	Flagler County Sheriffs Office
Fire	Flagler County Fire Department	City of Palm Coast

**Summary:**

The Korona Lands LLC Annexation Study area is contiguous and compact. Annexation would provide a logical extension of City boundaries.

The annexation of the Korona Lands LLC Annexation Study area meets the requirements of Chapter 171 of the Florida Statutes. More specifically, this report entitled "Korona Lands LLC Annexation Report" satisfies the requirements of Section 171.042 of the Florida Statutes entitled, "Prerequisites to Annexation". In addition, the urban character of the annexation area meets the requirements set forth in Section 171.043 of the Florida Statutes entitled "Character of the Area to be Annexed."

The City of Palm Coast has, and can provide, the necessary public facilities and services to serve the Korona Lands LLC Annexation Study area.

## **EXHIBIT A**

### **Legal Description**

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF GOVERNMENT SECTION 32, TOWNSHIP 12 SOUTH, RANGE 31 EAST, LOCATED NORTH OF U.S. HIGHWAY NO. 1 AND BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S HIGHWAY NO. 1 AND THE WESTERLY LINE OF SAID SW 1/4 OF THE SW 1/4 OF SAID SECTION 32 FOR A POINT OF BEGINNING; THENCE N00°51'07"E ALONG THE WESTERLY LINE FOR A DISTANCE OF 379.49 FEET; THENCE DEPARTING SAID LINE N89°10'32"E FOR A DISTANCE OF 625.13 FEET; THENCE S00°00'00"E FOR A DISTANCE OF 666.80 FEET; THENCE S54°30'55"W FOR A DISTANCE OF 351.99 FEET TO THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE ALONG SAID RIGHT-OF-WAY LINE N35°29'05"W FOR A DISTANCE OF 592.77 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL CONTAINS 9.94 ACRES, MORE OR LESS.

# EXHIBIT B





# City of Palm Coast, Florida Agenda Item

Agenda Date :

<b>Department</b> ASED <b>Item Key</b>	<b>Amount</b> <b>Account</b> <b>#</b>
<b>Subject</b> RESOLUTION 2017-XX APPROVING A PREANNEXATION AGREEMENT WITH KORONA LANDS, LLC	
<b>Background :</b> Korona Lands LLC, owners of approximately 9.94 acres of property which is located north of U.S. Highway No. 1 and south of Seminole Woods Boulevard are requesting annexation into the City of Palm Coast.  The attached Pre-Annexation and Economic Development Agreement serves as Korona Lands LLC's voluntary petition to annex into the City of Palm Coast. This agreement outlines the provision of public facilities, as well as the conceptual land use classifications and zoning designations.	
<b>Recommended Action :</b> APPROVE RESOLUTION 2017-XX A PREANNEXATION AGREEMENT WITH KORONA LANDS, LLC	

**RESOLUTION 2017 - \_\_\_\_\_**  
**KORONA LANDS, LLC, PRE-ANNEXATION**  
**AND ECONOMIC DEVELOPMENT AGREEMENT**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE PRE-ANNEXATION AND ECONOMIC DEVELOPMENT AGREEMENT WITH KORONA LANDS, LLC; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Korona Lands, LLC, is requesting annexation of their property into the City of Palm Coast; and

**WHEREAS**, the City of Palm Coast desires to approve the Pre-Annexation and Economic Development Agreement with Korona Lands LLC, for their property.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF THE PRE-ANNEXATION AND ECONOMIC DEVELOPMENT AGREEMENT.** The City Council of the City of Palm Coast hereby approves the terms and conditions of the Pre-Annexation and Economic Development Agreement with Korona Lands, LLC, for the property, as attached hereto and incorporated herein as Exhibit "A."

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the necessary documents.

**SECTION 3. SEVERABILITY.** It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Resolution are severable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 19<sup>th</sup> day of September 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Pre-Annexation and Economic Development Agreement with Korona Lands, LLC

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney

This instrument prepared by:  
Beau Falgout  
City of Palm Coast  
160 Lake Avenue  
Palm Coast, Florida 32164

## PRE-ANNEXATION AND ECONOMIC DEVELOPMENT AGREEMENT

THIS PRE-ANNEXATION AND ECONOMIC DEVELOPMENT AGREEMENT made this \_\_\_ day of \_\_\_\_\_, 2017, by and between the **City of Palm Coast**, a municipal corporation organized and existing under the laws of the State of Florida (the "City"), whose address is 160 Lake Avenue, Palm Coast, Florida 32164, and **Korona Lands, LLC**, a Florida limited liability company ("Korona Lands"), whose address is 1120 Lambert Ave., Flagler Beach, Florida 32136.

### RECITALS

A. Korona Lands owns certain real property in the unincorporated area of Flagler County, Florida, which is described on **Exhibits "A"** hereto (individually the "Property").

B. Korona Lands is empowered to enter into this Agreement.

C. The Property is contiguous to an existing boundary of the City.

D. Korona Lands has requested that the City annex the Property into the City.

E. The provisions of Section 171.062(2), *Florida Statutes*, provide that:

"[i]f the area annexed was subject to a county land use plan and county zoning or subdivision regulations, these regulations remain in full force and effect until the municipality adopts a comprehensive plan amendment that includes the annexed area."

F. Section 171.062(1), *Florida Statutes*, provides as follows:

"An area annexed to a municipality shall be subject to all laws, ordinances and regulations in force in that municipality and shall be entitled to the same privileges and benefits as other parts of that municipality upon the effective date of the annexation."

G. The City has determined that further high quality development of the Property consistent with appropriate protections of natural resources will be of substantial economic benefit to the City and its citizens; and

H. Section 166.021 (b) and (c), *Florida Statutes*, specifically states, with regard to economic development, that:



"(b) The governing body of a municipality may expend public funds to attract and retain business enterprises, and the use of public funds toward the achievement of such economic development goals constitutes a public purpose. The provisions of this chapter which confer powers and duties on the governing body of a municipality, including any powers not specifically prohibited by law which can be exercised by the governing body of a municipality, shall be liberally construed in order to effectively carry out the purposes of this subsection."

and

"(c) For the purposes of this subsection, it constitutes a public purpose to expend public funds for economic development activities, including, but not limited to, developing or improving local infrastructure, issuing bonds to finance or refinance the cost of capital projects for industrial or manufacturing plants, leasing or conveying real property, and making grants to private enterprises for expansion of businesses existing in the community or the attraction of new businesses to the community."

I. The City desires to insure that the development of the Property and adjacent City land uses are compatible with surrounding land uses, that adequate public facilities exist concurrent with the impact of such development and that such development and the City's Comprehensive Plan are or will be consistent.

J. On Flagler County's Future Land Use Map ("County FLUM"), the Property is designated Agriculture and Timberlands, and Conservation. On Flagler County's Official Zoning Map, the Property is classified AC, Agriculture and Agriculture.

K. The purpose of this Agreement is to set forth the understandings and agreements of the parties with respect to the foregoing, and other matters as set forth herein.

L. This Agreement is authorized by, permitted by, and consistent with the provisions of the City's Home Rule Charter; the City's Comprehensive Plan, Chapter 163, *Florida Statutes*; Chapter 166, *Florida Statutes*; the State Comprehensive Plan (Chapter 187, *Florida Statutes*); Article VIII, Section 2(b), *Constitution of the State of Florida*, and other applicable law and serves and advances a vital public purpose.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements contained herein, and other good and valuable consideration each to the other provided, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Recitals.

(a) The above Recitals are adopted as the findings of the City Council.

(b) The above Recitals are true and correct, are incorporated into this Agreement by reference thereto, and form a material part of this Agreement upon which the parties have

relied, including but not limited to, the assertions that Korona Lands owns the Property and is empowered to enter into this Agreement and make binding commitments to the City.

2. Petition for Voluntary Annexation.

Korona Lands hereby petitions for voluntary annexation of the Property into the City pursuant to Chapter 171.044, *Florida Statutes* (the "Annexation Petition"). The City will consider adopting an ordinance in accordance with Chapter 171.044, *Florida Statutes*, thereby annexing the Property to the City and redefining the boundaries to the City to include the Property. A proposed draft of the annexation ordinance is attached as **Exhibit "B"** hereto.

No fees, costs or expenses will be charged to or become due from Korona Lands to the City or any other governmental authority, private individual or entity on account of or in connection with the City's review and processing of the Annexation Petition or the annexation of the Property into the corporate limits of the City; provided, however, that Korona Lands will pay its own attorney fees and consulting fees.

3. Public Facilities.

(a) Solid waste collection services are available to serve the demands generated by the Property and will be provided as it is to any other owner of land within the City and will be available concurrent with the impacts of the development of the Property.

(b) All drainage issues will be appropriately addressed in the development approvals pertaining to the Property and the impacts of stormwater drainage will be addressed in accordance with state law and other applicable regulatory requirements.

(c) The City will provide fire, and EMS facilities, equipment and services as necessary to serve the Property. All such public services will be available to support the development of the Property.

(d) Except as otherwise provided herein, the City will provide water and sewer services to the Property, subject to standard requirements relating to Korona Lands contributions-in-aid-of-construction, payment of connection fees, dedication of lift stations and other sites, granting of appropriate easements, and dedication of other facilities as necessary or appropriate. Korona Lands will execute the necessary standard City Utility Agreement at the appropriate time and connect to water and sewer as soon as it is available.

4. Land Use and Development Approvals.

(a) The conditions of any Flagler County development approval(s) set forth on the County FLUM, Official Zoning Map, development orders and development permits, relating to the Property, will continue to be in full force and effect upon and after annexation of the Property to the City and the development rights and entitlements relating to such approvals will carry forward as approvals for the Property.

(b) The City has evaluated Korona Lands proposed land use, intensity and other land use planning matters for the Property and the City will expediently process any

applications for the proposed land uses, densities/intensities and other aspects of the proposed uses for the Property.

(c) The City acknowledges that it will process an application to provide that the Property, upon annexation into the City, is located within the Utility Service Area.

(d) The parties acknowledge that the City cannot contract to approve specific comprehensive plan or zoning amendments. The City's only obligation with respect to comprehensive plan and rezoning amendments is to initiate and process the applications expeditiously, consistent with Korona Lands proposed uses for the Property, consider all evidence presented in support of and in opposition to the amendments and make decisions to approve or deny the amendments based upon the legal standards that govern actions by local governments when considering comprehensive plan and zoning amendments. In partial consideration for Korona Lands entering into this Agreement, the City will initiate and process applications for a comprehensive plan amendment and rezoning consistent with Korona Lands proposed use for the Property at no cost to Korona Lands; provided, however, Korona Lands will cooperate with the City by providing the City with all necessary and desirable data and analysis in connection with the comprehensive plan amendments and rezonings.

(e) Korona Lands will submit to the City such applications and such other documentation and support data and analysis and comply with all procedures set forth in the City's Land Development Regulations as may be normally and customarily required by the City for platting parcels, site plan applications and applications for any and all other development approvals, orders and permits. Korona Lands acknowledges and agrees that the City will not be responsible for any fees, costs, expenses or other financial expenses resulting to Korona Lands if applications are denied in accordance with the provisions of the City's Land Development Regulations or state law.

(f) The City and Korona Lands will cooperate at all times in good faith in the implementation and exercise of Korona Lands development rights and entitlements in the Property and with regard to sound developmental practices and procedures. This good faith cooperation by the City and Korona Lands will extend to the acquisition by Korona Lands of all necessary local, state and federal permits, development orders, licenses, easements and other approvals or rights in connection with the development of the Property in accordance with all applicable land use, zoning, land development, building and construction regulations; provided, however, the City will incur no costs relative to such matters and Korona Lands will bear any and all costs.

## 5. Conflicts.

All building codes, zoning ordinances and other land development regulations of the City, including, without limitation, any concurrency management requirements and the City Comprehensive Plan and/or any similar plans adopted by the City as may be amended from time to time, will be applicable to the Property.

## 6. Further Assurances.

In addition to the acts recited in or set forth in this Agreement, the City and Korona Lands will perform or cause to be performed, in a timely manner, any and all further acts as may be reasonably necessary to implement the provisions of this Agreement including, but not limited to, the execution and or recordation of further instruments; provided, however, that the City's obligations will be subject to such limitations of law as may be applicable to municipalities.

7. Limitations of Remedies.

The parties will not pursue an award of monetary damages for a breach of or non-performance under this Agreement. The only remedies available against the non-performing party will be either to withhold further performance under this Agreement until the non-performing party cures the non-performance or seek a court order from the Circuit Court of the Seventh Judicial Circuit in and for Flagler County, Florida requiring the non-performing party to fulfill its obligations under this Agreement. The City will not be deemed to have waived sovereign immunity in any manner or respect.

8. Disclaimer of Third Party Beneficiaries.

This Agreement is solely for the benefit of the City and Korona Lands and no right or cause of action will accrue by reason hereof to or for the benefit of any third party not a formal party hereto. Nothing in this Agreement, expressed or implied, is intended or will be construed to confer upon or give any person or entity any right, remedy or claim under or by reason of this Agreement or any provisions or conditions hereof, other than the parties hereto and their respective representatives, successors and assigns.

9. Effectiveness of Agreement.

This Agreement will become effective upon its being duly executed by both of the parties hereto. If, for any reason, the City does not annex the Property by **December 31, 2017**, then either party may terminate this Agreement by notice to the other party in which event this Agreement will terminate and be of no further force or effect, and Korona Lands will be entitled to record, at the City's expense, a Notice of Termination of this Agreement in the Public Records of Flagler County, Florida.

10. Time Of The Essence.

Time is of the essence of the lawful performance of the duties and obligations contained in this Agreement. The parties covenant and agree that they will diligently and expeditiously pursue their respective obligations set forth in this Agreement.

11. Successors and Assigns.

This Agreement will be binding upon and inure to the benefit of the City and Korona Lands and their respective successors in interest.

12. Applicable Law.

This Agreement will be construed, controlled and interpreted according to the laws of the State of Florida. Further, to the extent permissible under the laws of the State of Florida, if there is a conflict between this Agreement and the terms of the City's land development regulations, the terms of this Agreement will control.

13. Binding Effects.

Each party hereto represents to the other that it has undertaken all necessary actions to execute this Agreement, and that it has the legal authority to enter into this Agreement and to undertake all obligations imposed on it.

14. Recording.

The City will, within five (5) business days following full execution of this Agreement, at the City's sole cost and expense, record a fully executed counterpart of this Agreement in the Public Records of Flagler County, Florida.

15. Choice of Law and Venue.

Florida law will govern the interpretation and enforcement of this Agreement. In any action or proceeding required to enforce or interpret the terms of this Agreement, venue will be in Flagler County, Florida and Orlando Middle District for federal actions.

16. Effect of Change in Law.

If state or federal laws are enacted after execution of this Agreement which are applicable to and preclude the party's compliance with the terms of this Agreement, this Agreement will be modified or revoked as is necessary to comply with the relevant state or federal laws and the intent of the parties hereto; provided, however, that the City will not modify this Agreement in any manner which would in any way be inconsistent with the intent of the parties to provide for development of the Property in accordance with the terms and conditions hereof.

17. Construction or Interpretation of the Agreement.

This Agreement is the result of *bona fide* arms length negotiations between the City and Korona Lands. Both parties have contributed substantially and materially to the preparation of the Agreement. Accordingly, this Agreement will not be construed or interpreted more strictly against any one party than against any other party.

18. Attorneys' Fees and Costs.

In the event of any action to enforce the terms of this Agreement, the prevailing party will be entitled to recover reasonable attorneys' fees, paralegals' fees, and costs incurred, whether the same be incurred in pre-litigation negotiation, litigation at the trial level, or upon appeal.



19. Captions/Exhibits.

(a) The headings or captions of the sections and subsections contained in this Agreement are used for convenience and reference only, and do not, in themselves, have any legal significance and will not be afforded any.

(b) The exhibits to this Agreement are hereby incorporated into this Agreement and are an integral part of this Agreement.

20. Parties Bound.

Following the recordation of this Agreement, the benefits and burdens of this Agreement will become a covenant running with the title to the Property, and all parts and parcels thereof, and this Agreement will be binding upon and inure to the benefit of both the City, Korona Lands and their assigns and successors in interest to the Property, and all parts and parcels thereof.

21. Severability.

If any provision of this Agreement, the deletion of which would not adversely affect the receipt of any material benefits by either party to the Agreement or substantially increase the burden of either party to the Agreement, is held to be unconstitutional, invalid or unenforceable to any extent by a court of competent jurisdiction, such portion will be deemed a separate, distinct, and independent provision and the same will not affect in any respect whatsoever the validity or enforceability of the remainder of this Agreement.


22. Notices.

Any notice that is to be delivered hereunder will be in writing and will be deemed to be delivered (whether or not actually received) when (i) hand delivered to the official hereinafter designated, or (ii) upon receipt of such notice when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, addressed to the parties as follows (facsimile transmittal is not acceptable as a form of notice in this Agreement):

To the City:

Mr. Jim Landon, City Manager  
City of Palm Coast  
160 Cypress Point Parkway, Suite B-106  
Palm Coast, Florida 32164

To Korona Lands:

  
Korona Lands, LLC  
1120 Lambert Avenue  
Flagler Beach, FL 32136

23. Entire Agreement.

This Agreement constitutes the complete and entire agreement between the City and Korona Lands with respect to the subject matter hereof, and supersedes any and all prior agreements, arrangements or understandings, whether oral or written, between the parties relating thereto, all of which have been integrated herein.

24. Modification.

This Agreement may not be amended, changed, or modified, and material provisions hereunder may not be waived, except by a written document, of equal dignity herewith, approved by the City Council and Korona Lands, and signed by all parties to this Agreement.

25. Counterparts.

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, taken together, will constitute one and the same document.

*[signatures to follow]*

WHEREFORE, the parties hereto have caused these presents to be signed all as of the date and year first above written.

**Attest:**

**City of Palm Coast**

\_\_\_\_\_  
Virginia Smith, City Clerk

\_\_\_\_\_  
Milissa Holland, Mayor

STATE OF FLORIDA     )  
COUNTY OF FLAGLER    )

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 2017, by **Virginia Smith** and **Milissa Holland**, the Clerk and Mayor respectively, for and on behalf of the City of Palm Coast, Florida, who are personally known to me and who did not take an oath.

WITNESS my hand and official seal this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Notary Public, State of  
My Commission Expires:

Korona Lands, LLC,  
a Florida limited liability company

\_\_\_\_\_  
Gus Simos

By: *[Signature]* (*[Agent]*)

\_\_\_\_\_  
STATE OF FLORIDA  
COUNTY OF FLAGLER

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of August, 2017, by Gus Simos as Authorized Agent, for and on behalf of Korona Lands, LLC, who is personally known to me and did not take an oath.



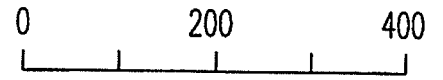
Jennifer Linn Flesch  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# FF978267  
Expires 4/4/2020

*Jennifer Linn Flesch*  
Notary Public, State of Florida  
My Commission Expires: 4/4/2020

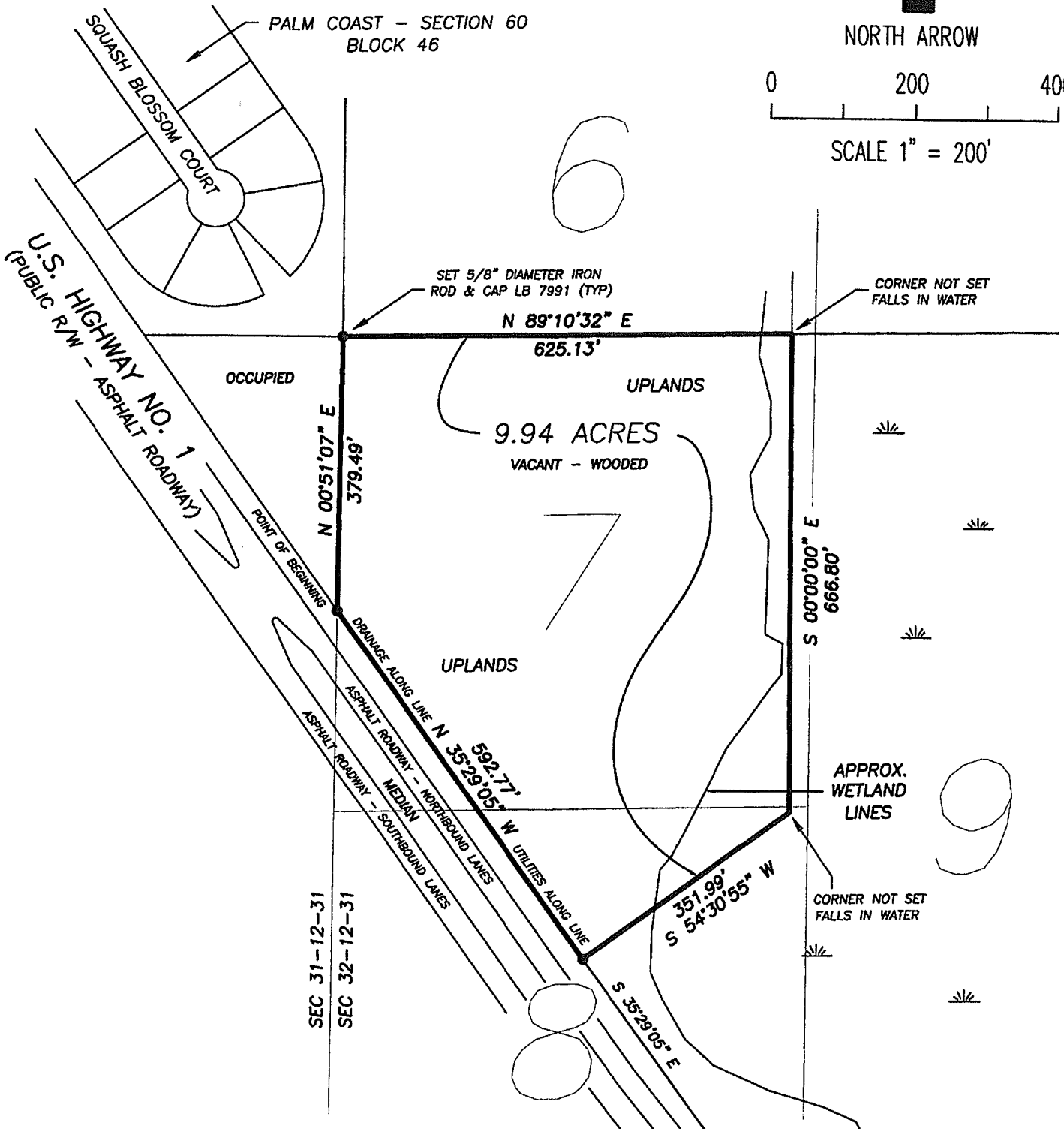
# SPECIFIC PURPOSE SURVEY



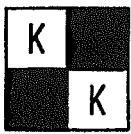
NORTH ARROW



SCALE 1" = 200'



SEE SHEET 2 OF 2 FOR LEGAL DESCRIPTION, LEGEND, NOTES AND CERTIFICATION



LB #7991

## KUHAR SURVEYING & MAPPING, LLC

112 OCEAN GROVE DRIVE, ORMOND BEACH, FLORIDA 32176  
 Phone: 386-295-8051    WWW.KUHARSURVEYING.COM

SPECIFIC PURPOSE SURVEY

DATE: 07/11/2017

SHEET 1 OF 2

1" = 200'



## SURVEYED LEGAL DESCRIPTION

THAT PART OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF GOVERNMENT SECTION 32, TOWNSHIP 12 SOUTH, RANGE 31 EAST, LOCATED NORTH OF U.S. HIGHWAY NO. 1 AND BEING FURTHER DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1 AND THE WESTERLY LINE OF SAID SW 1/4 OF THE SW 1/4 OF SAID SECTION 32 FOR A POINT OF BEGINNING; THENCE N00°51'07"E ALONG THE WESTERLY LINE FOR A DISTANCE OF 379.49 FEET; THENCE DEPARTING SAID LINE N89°10'32"E FOR A DISTANCE OF 625.13 FEET; THENCE S00°00'00"E FOR A DISTANCE OF 666.80 FEET; THENCE S54°30'55"W FOR A DISTANCE OF 351.99 FEET TO THE AFOREMENTIONED NORTHEASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 1; THENCE ALONG SAID RIGHT-OF-WAY LINE N35°29'05"W FOR A DISTANCE OF 592.77 FEET TO THE AFOREMENTIONED POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE DESCRIBED PARCEL CONTAINS 9.94 ACRES, MORE OR LESS.

NOTE: THE ABOVE DESCRIBED LEGAL DESCRIPTION WAS WRITTEN BY THE UNDERSIGNED AND MAKES NO REFERENCE TO AN UNDERLYING PLAT (BUNNELL DEVCO SUB) AS THIS ANCIENT PLAT HAS LITTLE, IF ANY, LEGITIMATE GEOMETRY SHOWN AND THEREFORE MAKES THE LOCATION OF THE PLATTED LOTS NON-DETERMINABLE IN THE FIELD.

GRAPHIC REFERENCE TO BUNNELL DEVCO TRACTS SHOWN FOR INFO PURPOSES ONLY.

## HISTORICAL LEGAL DESCRIPTION - PARENT TRACT

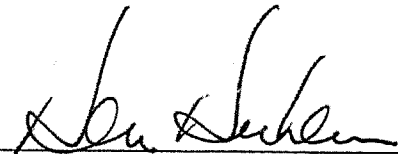
TRACTS 7, 8 AND 9, BUNNELL DEVELOPMENT COMPANY SUBDIVISION  
LESS TRACT 8 SOUTH AND WEST OF THE FLORIDA EAST COAST  
RAILROAD, CITY OF BUNNELL, FLAGLER COUNTY, FLORIDA.

## SURVEYOR'S NOTES

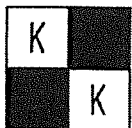
1. BEARING BASE - FIELD GENERATED GPS, WITH THE NORTHEASTERLY R/W LINE OF US HWY 1, AS SHOWN, BEING N35°29'05"W.
2. THERE MAY BE ADDITIONAL EASEMENTS, RESTRICTIONS AND/OR OTHER MATTERS NOT SHOWN ON THIS SURVEY WHICH MAY BE FOUND IN THE COUNTY PUBLIC RECORDS. NO TITLE WORK PROVIDED TO THE UNDERSIGNED FOR THIS OR ADJACENT PROPERTIES.
3. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR/MAPPER. THIS IS NOT A BOUNDARY SURVEY.
4. NOT SHOWN - APPROVED WETLANDS, TOPO, TREES, UTILITY INFORMATION, UNDERGROUND FOUNDATIONS.
5. THIS SURVEY WAS MADE IN ACCORDANCE WITH FLORIDA MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYS, AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS, CHAPTER 5J-17.050-.052, FLORIDA ADMINISTRATIVE CODE.

## LEGEND/ABBREVIATIONS

ORB=OFFICIAL RECORD BOOK  
OHL=OVERHEAD UTILITY LINE  
R/W=RIGHT-OF-WAY  
CL= CENTER LINE  
O/A = OVERALL  
SEC=SECTION  
RGE=RANGE  
TWP=TOWNSHIP



KENNETH J. KUHAR  
FLORIDA PROFESSIONAL SURVEYOR/MAPPER #6105



LB #7991

## KUHAR SURVEYING & MAPPING, LLC

112 OCEAN GROVE DRIVE, ORMOND BEACH, FLORIDA 32176  
Phone: 386-295-8051 WWW.KUHARSURVEYING.COM

SPECIFIC PURPOSE SURVEY

DATE: 07/11/2017

SHEET 2 OF 2

1" = 200'

# City of Palm Coast, Florida Agenda Item

Agenda Date : 9/19/2017

<b>Department Item Key</b>	ASED	<b>Amount Account #</b>
<b>Subject</b>	RESOLUTION - 2017-XX APPROVING THE 2018 STATE LEGISLATIVE PRIORITIES	
<b>Background :</b>	<p>The Northeast Florida Regional Council (NEFRC) has requested that each city and county submit its top legislative priorities for inclusion in NEFRC's 2018 Legislative Priorities publication by September 29, 2017. City staff have drafted priorities based on previous City Council discussions, previous years' priorities, consultation with our State lobbyists, and consultation with other cities to ensure a unified message. Please note City priorities, including funding requests, will be communicated directly with our legislative delegation and the proposed priorities are more statewide and regional in nature.</p>	
<b>Recommended Action:</b>	Adopt Resolution 2017-XX approving the 2018 State Legislative Priorities.	

**RESOLUTION 2017 - \_\_\_\_**  
**2018 STATE LEGISLATIVE PRIORITIES**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE 2018 STATE LEGISLATIVE PRIORITIES; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the Northeast Florida Regional Council (NEFRC) requests legislative priorities from Cities and Counties for inclusion in their publication; and

**WHEREAS**, Flagler County has requested legislative priorities from the City of Palm Coast for transmittal to NEFRC; and

**WHEREAS**, the City Council of the City of Palm Coast each year evaluates and develops a list of legislative priorities for transmittal to Flagler County, NEFRC, our state legislative delegation, and the City's state lobbyist.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA:**

**SECTION 1. APPROVAL OF LEGISLATIVE PRIORITIES.** The City Council of the City of Palm Coast hereby approves the 2018 State Legislative Priorities as attached hereto and incorporated herein by reference as Exhibit "A."

**SECTION 2. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this Resolution is determined to be invalid, unlawful, or unconstitutional, said determination shall not be held to invalidate or impair the validity, force, or effect of any other section, sentence phrase, word, or portion of this Resolution not otherwise determined to be invalid, unlawful, or unconstitutional.

**SECTION 3. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 4. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 5. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 19th day of September 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK

Attachment: Exhibit "A" – 2018 State Legislative Priorities

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.



## **CITY OF PALM COAST LEGISLATIVE PRIORITIES**

### **PROTECT HOME RULE**

**Background:** In 1968, Florida voters amended the state constitution to confer broad “home rule” powers on municipal government. This change was an unequivocal expression of support for local self-government by the people of the State of Florida and the right of the people to access government to address local needs and problems. Unfortunately, each session bills are proposed that contradict the will of the people and usurp local control, where the elected local elected officials are more accountable and responsive to their concerns.

**Request Action:** Oppose legislation and initiatives that eliminate municipal home rule powers.

**Effect:** Allow local government to operate without interference from state government and provide its citizens with better access and response from local elected officials.

### **ENHANCE WATER AND WASTEWATER FUNDING**

**Background:** The City of Palm Coast doubled in population from 2000 to 2010. By 2035, our population is expected to once again double. In addition, the amount of regulatory requirements from both the State and Federal government has increased in order to provide safe drinking water and properly treat wastewater. In the last few years, the City has and will continue to spend millions of dollars on projects directly related to State and Federal regulatory requirements (e.g. Zero Liquid Discharge \$11.4 million, wellfield expansion projects \$2.75 million).

**Request Action:** Enhance and provide additional funding for water and wastewater infrastructure projects.

**Effect:** Ensure safe drinking water and proper treatment of wastewater in a cost-effective manner.

### **PROVIDE BEACH RENOURISHMENT FUNDING**

**Background:** Tourism and its economic impact helps diversify the economy on Palm Coast. Tourists visit Palm Coast not only for our outdoor activities, sporting events, and cultural activities, but also to enjoy the wonderful beaches in Flagler Beach and Flagler County.

**Request Action:** Promote and provide funding of beach renourishment programs through partnerships with state agencies and local governments.

**Effect:** Ensure that the City’s economy is vibrant and diverse through continued visitor spending.



# City of Palm Coast, Florida Agenda Item

Agenda Date: September 12, 2017

<b>Department</b>	Utility Department	<b>Amount</b>	\$400,000 54019086-052030
<b>Item Key</b>			\$150,000 54019087-052030

**Subject** RESOLUTION 2017-XX APPROVING A PRICE AGREEMENT WITH CARMEUSE LIME AND STONE FOR HIGH CALCIUM BULK QUICKLIME

**Background :**

The City's Utility Department / Water Quality Division utilizes High Calcium Bulk Quicklime at Water Treatment Plant #1 and Water Treatment Plant #2 in the treatment process. City staff advertised and solicited bids for High Calcium Bulk Quicklime in accordance with the City's Purchasing Policy. The lowest responsive and responsible bidder was Carmeuse Lime and Stone.

City staff recommends that the City approve a one-year price agreement with Carmeuse Lime and Stone for High Calcium Bulk Quicklime. Since these are master price agreement, City staff will purchase lime on an-as needed basis using budgeted funds appropriated by City Council. For Fiscal Year 2017-2018, City staff estimates that the City will spend approximately \$550,000.00 annually under this contract with the City Council approved budgets. The project bid overview and notice of intent to award are attached to this agenda item.

Funds are appropriated in the Operating Budget of the Utility Enterprise Fund.

**SOURCE OF FUNDS WORKSHEET PROPOSED BUDGET FY 2017-2018**

**FY 2018 Budget high Calcium Bulk Quicklime**

Utility Fund 54019086 - 052030	\$400,000.00
54019087 - 052030	\$150,000.00
<b>Total</b>	<b>\$550,000.00</b>

**Total Budget Chemicals/Division**

**FY 2018**

Utility Fund	
54029086 – 052030	\$521,600.00
54019087 - 052030	\$462,000.00
<b>Total</b>	<b>\$983,000.00</b>

**Recommended Action :**

Adopt Resolution 2017-XX approving a one-year price agreement with Carmeuse Lime and Stone for High Calcium Bulk Quicklime.

**RESOLUTION 2017-\_\_\_\_**  
**CALCIUM BULK QUICKLIME**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A PRICE AGREEMENT TO PURCHASE HIGH CALCIUM BULK QUICKLIME, PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Carmeuse Lime and Stone has expressed a desire to provide high calcium bulk quicklime of Palm Coast; and

**WHEREAS**, the City Council of the City of Palm Coast desires to purchase the above referenced chemical from Carmeuse Lime and Stone.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF PRICE AGREEMENTS.** The City Council of the City of Palm Coast, hereby approves the terms and conditions of the price agreement relating to the purchase of the annual supply of High Calcium Bulk Quicklime for the Utility Department, which is attached hereto and incorporated herein by reference as Exhibit "A."

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the necessary documents.

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

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 19th day of September 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK

Attachment:  
Exhibit "A" – Price Agreement with Carmeuse Lime and Stone.

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney



# City of PALM COAST

**Administrative Services & Economic Development**  
Central Services Division

160 Lake Avenue  
Palm Coast, FL 32164  
386-986-3730

## NOTICE OF INTENT TO AWARD

**Project:** ITB-PW-U-17-55 High Calcium Bulk Quicklime

**Date:** August 3, 2017

**Appeal Deadline:** Appeals must be Filed by 5:00 PM on August 8, 2017

Firm	Price
<b>Carmeuse Lime &amp; Stone</b> Pittsburgh, PA	\$214.21
<b>Lhoist North America of Alabama, LLC</b> Lakeland, FL	\$311.69

The intent of the City of Palm Coast is to award ITB-PW-U-17-55 to Carmeuse Lime & Stone.

*Bid protests arising under City Bidding Documents or Procedures shall be resolved under the City of Palm Coast Central Service Division's Bid Protest procedures.*

*A proposer may protest matters involving the award of this Bid within three (3) business days from the posting of this recommendation to award. Failure to protest to the City's Acting Purchasing Manager, Beau Falgout (bfaulgout@palmcoastgov.com) shall constitute a waiver of the protest proceedings.*

*Any decision of the Acting Purchasing Manager may be appealed to the City Manager by filing a written appeal to the City Manager within seven (7) days of the Acting Purchasing Manager's decision. Any decision of the City Manager may be appealed to the City Council by filing a written appeal to the City Clerk within seven (7) days of the City Manager's decision. The same procedures as above shall apply to contest the award of the contract.*





# ITB-PW-U-17-55 - High Calcium Bulk Quicklime

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	ITB-PW-U-17-55
<b>Project Name</b>	High Calcium Bulk Quicklime
<b>Project Owner</b>	Kelly Downey
<b>Project Type</b>	ITB
<b>Department</b>	Procurement
<b>Budget</b>	\$0.00 - \$0.00
<b>Project Description</b>	The City of Palm Coast Utility Department is seeking a firm price per ton (delivered) for the purchase of 90% available Calcium Oxide to be used at the Lime Softening Water Treatment Plant, located at 4 Corporate Dr. North, Palm Coast, Florida 32137 and Water Treatment Plant # 2, located at 50 Citation Blvd, Palm Coast, FL 32164.
<b>Open Date</b>	Jul 05, 2017 8:00 AM EDT
<b>Close Date</b>	Aug 03, 2017 2:00 PM EDT

<b>Awarded Suppliers</b>	<b>Reason</b>	<b>Score</b>
<b>Carmeuse Lime &amp; Stone</b>	Lowest price	<b>100 pts</b>

## Seal status





Requested Information	Unsealed on	Unsealed by
Required Forms (A, B, C, D, 1-10)	Aug 03, 2017 2:17 PM EDT	Kelly Downey

## Conflict of Interest

### Declaration of Conflict of Interest

You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee.

### Code of Conduct

All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members.

### Conflict of Interest

No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family:

- has direct or indirect financial interest in the award of the contract to any proponent;
- is currently employed by, or is a consultant to or under contract to a proponent;
- is negotiating or has an arrangement concerning future employment or contracting with any proponent; or,
- has an ownership interest in, or is an officer or director of, any proponent.

Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict.

I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.



Name	Date Signed	Has a Conflict of Interest?
Kelly Downey	Aug 03, 2017 2:19 PM EDT	No
Donald Holcomb	Aug 07, 2017 3:44 PM EDT	No
Rose Conceicao	Aug 04, 2017 10:07 AM EDT	No



## Project Criteria

Criteria	Points	Description
Required Forms	Pass/Fail	All required forms were submitted
Pricing	100 pts	Pricing Evaluation
<b>Total</b>	<b>100 pts</b>	



## Scoring Summary

### Active Submissions

	<b>Total</b>	<b>Required Forms</b>	<b>Pricing</b>
<b>Supplier</b>	<b>/ 100 pts</b>	<b>Pass/Fail</b>	<b>/ 100 pts</b>
Carmeuse Lime & Stone	100 pts	Pass	100 pts (\$214.21)
Lhoist North America of Alabama, LLC	68.73 pts	Pass	68.73 pts (\$311.69)

# City of Palm Coast, Florida Agenda Item

Agenda Date: September 19, 2017

<p><b>Department</b>    Utility</p> <p><b>Item Key</b></p>	<p><b>Amount</b>    \$135,000.00</p> <p><b>Account</b>    54029088-063000-81019</p> <p><b>#</b></p>									
<p><b>Subject</b>    RESOLUTION 2017-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC. FOR THE HYDROGEOLOGICAL SERVICES AND DRILLING OF SW-43R</p>										
<p><b>Background :</b></p> <p>SW-43 is an existing water supply well, which feeds raw water to Water Treatment Plant Number # 1. The site that SW-43 is on has been transferred to Palm Coast Holdings, LLC, and Palm Coast Holdings, LLC (PCH) transferred property for two new well sites in return. One new well site which is approximately 1,000 feet east of the current site, will contain the well site SW-43R. "R" in the well name refers to the well, being a replacement. Part of the agreement on the exchange of property includes that when PCH requests the property, the city would abandon the well within 180 days. SW-43R drilling needs several components which includes, securing a Consumptive Use Permit (CUP) from the St Johns River Water Management District (SJRWMD), clearing the site for the well construction of SW-43R, drilling the replacement well, conducting pumping test and collection of necessary water quality samples.</p> <p>Staff proposes to enlist the services of Connect Consulting, Inc. under their existing Continuing Services Contract with the City. This project will include the professional hydrogeological services necessary to obtain the CUP modification, apply for and obtain the Well Construction Permit for SW-43R, clear the property to drill the well, and in accordance with the St Johns River Water Management District permit and drill the well. This work is required to provide the necessary source water to the treatment facility to meet the demand. The cost of this project is \$135,000.00. Funds for the well replacement permitting and drilling work are budgeted in the Utility Capital Improvement Fund.</p> <p><b>SOURCE OF FUNDS WORKSHEET FY 2018</b></p> <p><b>Utility Capital Projects Fund</b></p> <p>Capital Improvement Plan</p> <p><b>54029088-063000-81019</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 80%;">Total Expenses/Encumbered to date</td> <td style="text-align: right;">\$ 2,880,000.00</td> </tr> <tr> <td>Pending Work Orders/Contracts</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Current Work Order</td> <td style="text-align: right;">\$ 135,000.00</td> </tr> <tr> <td><b>Balance</b></td> <td style="text-align: right;"><b>\$ 2,745,000.00</b></td> </tr> </table>			Total Expenses/Encumbered to date	\$ 2,880,000.00	Pending Work Orders/Contracts	\$	Current Work Order	\$ 135,000.00	<b>Balance</b>	<b>\$ 2,745,000.00</b>
Total Expenses/Encumbered to date	\$ 2,880,000.00									
Pending Work Orders/Contracts	\$									
Current Work Order	\$ 135,000.00									
<b>Balance</b>	<b>\$ 2,745,000.00</b>									
<p><b>Recommended Action :</b></p> <p>Adopt Resolution 2017-xx approving a Work Order with Connect Consulting, Inc. for hydrogeological services and drilling of SW-43R.</p>										



**RESOLUTION 2017-\_\_\_\_**  
**HYDROLOGICAL SERVICES AND DRILLING OF SW-43R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF A WORK ORDER ISSUED TO CONNECT CONSULTING, INC., FOR HYDROGEOLOGICAL SERVICES AND DRILLING OF WELL SW-43R; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE WORK ORDER; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Connect Consulting, Inc., is engaged in a continuing services contract to provide hydrogeological services to the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast desires to issue a work order under said contract to Connect Consulting, Inc., for the above referenced hydrogeological services and drilling of replacement well SW-43R

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF WORK ORDER.** The City Council of the City of Palm Coast hereby approves the terms and conditions of a work order to Connect Consulting, Inc., as attached hereto and incorporated herein by reference as Exhibit “A.”

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the work order as depicted in Exhibit “A.”

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

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida,  
on this 19<sup>th</sup> day of September 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA A. SMITH, CITY CLERK

Attachment: Exhibit "A" – Proposal with Connect Consulting, Inc.

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney



**WORK ORDER-**  
**City of Palm Coast (Buyer)**

Purchase Order #: \_\_\_\_\_

<b>Vendor Name:</b> Connect Consulting, Inc.	<b>Date:</b> 9/13/2017
<b>Address:</b> 19505 N.W. 184th Terrace	<b>Bid #:</b> RFQ-PW-U-15-12
<b>City, State &amp; Zip:</b> High Springs, FL 32643	<b>Project:</b> CONSTRUCTION AND TESTING TO CONNECT CONSULTING, INC., FOR THE HYDROGEOLOGICAL SERVICES <b>Council Approval Date:</b> AND DRILLING OF SW-43R

**Email Invoices to:**

AP@Palmcoastgov.com

**Total Cost:** \$ 135,000

**ATTACHMENTS TO THIS WORK ORDER:**

- Description of Services
- Drawings/Plans/Specifications
- Special Conditions
- Rate Schedule

**METHOD OF COMPENSATION:**

- Fixed Fee Basis
- Not To Exceed
- Unit Price

**TIME FOR COMPLETION:** The obligation of the Vendor to provide services to the City shall commence upon execution of this Work Order (WO) by the parties and services shall be completed by within 120 days. Failure to meet the completion date may be grounds for termination of this WO and the underlying contract for default. Time is of the essence.

(THIS SECTION TO BE COMPLETED BY THE CITY)

**WITNESS WHEREOF**, the parties hereto have made and executed this Work Order on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, for the purposes stated herein.

**VENDOR APPROVAL**

Officer with Corporate Signatory Authority \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name \_\_\_\_\_ Title \_\_\_\_\_

**WITNESS:**

Signature \_\_\_\_\_ Printed Name \_\_\_\_\_

**CITY OF PALM COAST APPROVAL**

Authorized Signatory: \_\_\_\_\_ Date: \_\_\_\_\_  
 ASSED DIRECTOR OR DESIGNEE

## **WORK ORDERS TERMS AND CONDITIONS**

- Execution of this Work Order (WO) by the City shall serve as authorization for the Vendor to provide for the stated services as set out in this WO. It is expressly understood by the Vendor that this WO, until executed by the City, does not authorize the Vendor to perform any services for the City.
- This WO shall take effect on the date of its execution by the City and expires upon final completion, inspection and payment unless terminated earlier in accordance with the termination provisions herein. The Vendor shall sign this WO first and the City second. This WO will be forwarded to the Vendor upon execution by the City.
- The Vendor shall provide services pursuant to this WO, its attachments, and the underlying Agreement (as amended, if applicable) which is incorporated herein by reference as if it had been set out in its entirety. In the event that the terms and conditions of this WO are inconsistent with the terms and conditions of an underlying contract which is implemented, in whole or part, by this WO; then the terms and conditions of the underlying contract shall apply.
- Compensation is based on the method indicated on the first page of this WO.
- Payments to the Vendor shall be made by the City in strict accordance with the payment terms and conditions listed below or in the underlying contract.
- By accepting this WO, the Vendor accepts all the terms and conditions included herein.
- The City reserves the right, without liability of any type, to cancel this WO as to any services not yet performed or tendered, and to purchase substitute services and to charge the Vendor for any loss incurred.
- The City may cancel this WO, any outstanding services hereunder, or reschedule in whole or in part, for cause or no cause, upon written notice to the Vendor sent at least fourteen (14) days prior to the completion date specified. The City may cancel this WO in whole or in part at any time for default by written notice to the Vendor.
- The City shall have no liability to the Vendor beyond payment of any balance owing for services completed hereunder and accepted by the City prior to the Vendor's receipt of the notice of termination.
- Prices stated on this WO are firm, all inclusive and consistent with applicable negotiations, bid(s) and/or quotations. The City is exempt from the Florida sales and use taxes and will furnish the Vendor with proof of tax exemption upon written request.
- The City reserves the right to conduct any inspection or investigation to verify compliance of the services with the requirements of this purchase and to reject any delivery not in compliance and, if the deficiency is not visible at the time of acceptance, to take and require appropriate corrective action.
- The Vendor agrees to comply with all Federal, State of Florida, Flagler County and City laws, ordinances, regulations, authority and codes and authority having jurisdiction over the purchase. This WO shall be governed by and interpreted in accordance with the laws of the State of Florida. In any action or proceeding required to enforce or interpret the terms of this Agreement, venue shall be of the Seventh Judicial Circuit in and for Flagler County, Florida.
- The Vendor shall indemnify and hold harmless the City, and its officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by the negligence, recklessness, or intentional wrongful conduct of the Vendor and other persons employed by the Vendor in the performance of the contract. Nothing herein shall

be deemed to affect the rights, privileges, and immunities of the CITY as set forth in Section 768.28, Florida Statutes.

- The Vendor shall not assign this WO, any rights under this WO or any monies due or to become due hereunder, nor delegate or subcontract any obligations or work hereunder without the prior written consent of the City.
- The Vendor shall perform the obligations of this WO as an independent contractor and under no circumstances shall it be considered as agent or employee of the City.
- The Vendor ensures that its personnel shall comply with reasonable conduct guidelines and City policies and procedures. A person or affiliate who has been placed on the convicted vendor list may not submit a bid or transact business with the City in excess of Category Two for a period of thirty-six (36) months from the date of being placed on the convicted vendor list. In compliance with 8 U.S.C. Section 1324a(e) [Section 274A(e) of the Immigration and Nationality Act (INA)], the City will not intentionally make an award or upon discovery of a violation will unilaterally cancel this WO with any vendor who knowingly employs unauthorized alien workers.
- If this WO involves the Vendor's performance on the City's premises or at any place where the City conducts operations, the Vendor shall request information from the Purchasing Manager regarding insurance coverage requirements. Noncompliance with this item shall place the Vendor in default and subject to disbarment from the City's Vendor List.
- The failure of the City to enforce any provision of this WO, exercise any right or privilege granted to the City hereunder shall not constitute or be construed as a waiver of any such provision or right and the same shall continue in force.





**Water Resource Consultants**

Corporate Office  
19505 NW 184th Terrace  
High Springs, FL 32643  
Tel: 561.479.8031  
Email: [geichler@ix.netcom.com](mailto:geichler@ix.netcom.com)

August 18, 2017

Donald Holcomb  
WTP No. 1 Lead Operator  
City of Palm Coast  
2 Utility Drive  
Palm Coast, FL 32164

**RE: Proposal – Construction and Testing of SW-43R**  
**CCI Project No: 100.41**

**Figures**

1. Well Location Map
2. Original Well Completion Report
3. Conceptual Subsurface Well Construction Details

**Tables**

1. Well Construction and Performance Details

Dear Mr. Holcomb:

Connect Consulting, Inc. (CCI) is pleased to submit this proposal to replace Public Water Supply (PWS) well SW-43, a screened gravel packed well originally constructed in 1979, with a new Confined Surficial aquifer (CSA) screened, gravel-packed well, referred to as SW-43R (R=replacement). Towards that end, we have developed a scope of work to complete the project as requested by the City. SW-43 is located at 10020 US Highway 1 North as is SW-43R, as shown on **Figure 1**.

**Discussion**

SW-43 was originally constructed in April 1979 by Freeman Well Drillers (FWD) as a test/production well for ITT Community Development Corporation (ICDC). However, the well was not equipped and put into service until 2002. The well was constructed as a 16 x 10-inch screened gravel packed, CSA well. As shown in the original well completion report (see **Figure 2**), SW-43 was constructed by setting and cementing 16-inch diameter steel casing to ~70, followed by installing a 10-inch diameter steel casing and stainless steel well screen from 70 to 100 feet. After the initial construction was completed, the well was test pumped at

360 gallons per minute (GPM) and had a specific capacity of 17 GPM/ft. The original well construction details for SW-43 are listed below in **Table 1**.

**Table 1 – Well Construction Details**

Well No.	District ID	Casing Diameter (in.)	Casing Depth (ft.)	Total Depth (ft.)	Source	Capacity (GPM)
SW-43	6620	10	70	105	CSA	300

Notes: in. – inches      ft. – feet      TBD – To be determined  
 CSA – Confined Surficial aquifer      GPM – Gallons per minute

In 2008, CCI drilled a test boring, named TBA-1, approximately 600 feet east of SW-43 for Allete Properties. The purpose of this preliminary investigation was to determine the feasibility of constructing a new PWS well at a site located approximately 600 feet east of the present location of SW-43. The field investigation was limited to drilling and testing one (1) test boring. Although a test boring is not able to provide quantitative information on aquifer performance nor water quality, by comparing the information obtained from the boring to similar information collected at SW-43, it is possible to make a preliminary determination as to whether or not this site could be used to develop a PWS which would have similar well yield and quality to SW-43. The findings from the test boring suggest that the proposed location appears to have good potential for the development of a PWS well. In comparing the geologic logs and geophysical logs between TBA-1 and SW-43, there appears to be some clay steaks at TBA-1 that did not appear at SW-43. Also, there appears to be a thicker sequence of shell, the primary water producing zone of the CSA at SW-43. From this, we can assume that the specific capacity and well yield of properly designed, constructed and developed well at TBA-1 would likely be 10-20% lower than SW-43. The well would be expected to have similar water quality as SW-43.

Pump repairs were performed in 2004, 2007, and 2010 by CCI. The repairs were associated with repeated corrosion issues with the steel pump column due to an issue with the power supply to the site. More specifically, the neutral leg of the three-phase power supply continually had a stray current which caused corrosion of the steel column pipe. In 2013, the vertical turbine pump was removed from SW-43 and replaced with a stainless steel submersible pump. Most recently, the submersible pump motor was replaced in 2016 after the previous motor failed.

The current site that SW-43 is located on is owned by Palm Coast Land, LLC (PCL) and the City holds an easement to operate SW-43 until such time that PCL gives the City written notice to terminate its operation of SW-43. In preparation for the planned termination of SW-43, the City wants to proceed with the construction and testing of SW-43R.

## Scope of Work

The following scope of work has been developed to implement the construction and testing of SW-43R:

### A. Hydrogeologic Services:

1. Apply for and secure a Consumptive Use Permit (CUP) modification from the St. Johns River Water Management District (SJRWMD) adding SW-43R as a replacement well for SW-43.
2. Project management
3. Well design and technical specifications
4. Services during construction and testing
5. Data collection during testing
6. Reporting

### B. Well Field Services:

1. Conduct a site visit with Palm Coast staff to select a new location on site for SW-43R.
2. Apply for and secure a Well Construction Permit for SW-43R from the SJRWMD.
3. Install a temporary 20-inch diameter culvert pipe and fill to provide temporary access to the site (City to negotiate access with land owner).
4. Clear an access path to the site and an area around the staked well location as needed. Efforts will be made to keep clearing to a minimum and within site boundaries. All debris cleared from the access path and well site will be removed and properly disposed.
5. Install a silt fence around the site at the boundaries of the cleared area.
6. Mobilize a mud-rotary drilling rig to the well location and drill a 6-inch pilot hole to a target depth of up to 120 feet. Identify and log the cuttings every 10-feet and condition the bore hole before removing the drilling tools. Conduct geophysical logs (electric & gamma ray) on the pilot hole. Based on the cuttings (lithologic log) and the geophysical logs, finalize the well design by selecting the depth setting for the outer 16-inch casing and the screened interval for the inner 10-inch casing, screen, and potential blank sections.
7. Once the well design has been finalized, ream the 6-inch pilot hole to a nominal diameter of 20-inches to the depth selected for the outer 16-inch surface casing, estimated from existing data at ~70-feet.
8. Install new 16-inch diameter, 0.375-inch wall, steel casing.
9. Equip the steel outer casing with an air tight cement header. Install a tremie line through the air tight header to within 5 feet of the bottom of the casing. Then pressure grout the outer casing, bottom to top with neat Type I/II Portland cement.

10. After allowing the cement to cure for at least 8-hours, drill out a nominal 16-inch bore hole to the target total depth to accommodate a 10-inch inner, stainless steel casing, a 10-inch stainless steel (50 slot) well screen and a 10-inch stainless steel blank (5-foot) on the bottom of the screen.
11. Install the 10-inch inner casing, screen and blank section to the target total depth, estimated from existing data at ~105 feet.
12. Once the inner casing and screen have been installed, immediately fill the annulus using a tremie line with new, clean, well rounded silica gravel pack, from bottom to top, by "washing" in the gravel using clean, fresh potable water with disinfectant added periodically during the installation.
13. After the gravel pack has been installed to a point ~10-feet below the top of casing, air lift the well to remove the majority of the drilling mud followed by treating the well with a solution of a mud thinning agent placed in the screen section (~600 gallons) and leave in the well over night.
14. After the mud thinning agent treatment, begin well development, which will consist of a combination of simultaneous high pressure (+600 PSI) horizontal jetting and eductor reverse air development.
15. Following the jetting and air lift development, install a test pump into the well and raw hide develop the well at the maximum sustainable rate. Raw hide development will consist of surging and pumping the well until the well no longer produces sediment at the maximum pumping rate. Development should proceed until the well is fully developed, the discharge is sand free, and turbidity is <1.0 NTU at the design rate. Up to 100 hours of well development may be required.
16. After the well is completely developed, conduct a step-drawdown pumping test at three (3) increasing rates, estimated at 200-400-600 GPM (or as directed by Hydrogeologist).
17. Once the step-drawdown pumping test has been completed, conduct a constant rate pumping test (4-8-hours) at the recommended design rate, which will be determined from the analysis of the step-drawdown pumping test. Assist the City in the collection of a water quality sample for analysis by the City's contract environmental laboratory.
18. Disinfect the well in accordance with AWWA C654-13.
19. Equip the well with a secure, temporary cap.
20. Remove culvert and fill at site and restore storm water drainage ditch to original condition.
21. Clean up and restore the site.
22. Demobilize equipment and materials.

**Figure 3** illustrates the conceptual subsurface design for the new well.

## Cost and Schedule

We propose to team with FWD and will complete the scope of work described above on a lump sum/fixed fee basis as follows:

Construction and Testing of SW-43R: \$135,000.00

Time of Completion 120 Days

We appreciate the opportunity to assist the City with this project.

Please review this proposal and contact us with any questions.

Sincerely:

***Connect Consulting, Inc.***

*Gary E. Eichler*

Gary E. Eichler, P.G.  
Principal Hydrogeologist

*David S. Robertson*

David S. Robertson, P.G.  
Principal Hydrogeologist

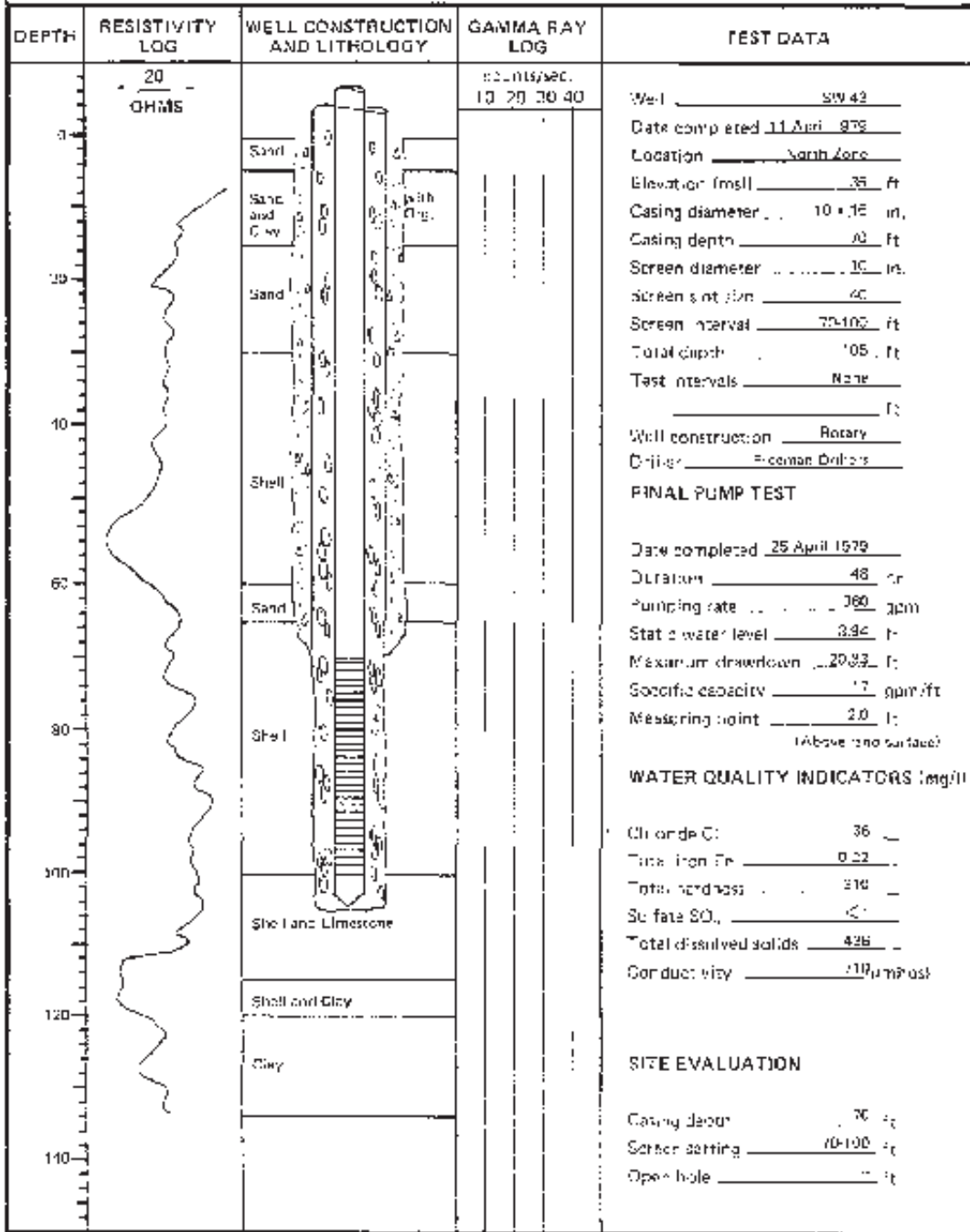
Cc: Richard Adams  
Jim Hogan  
Thomas Freeman

## **FIGURES**





**ITT COMMUNITY DEVELOPMENT CORPORATION  
FLAGLER COUNTY, FLORIDA  
WELL COMPLETION REPORT**



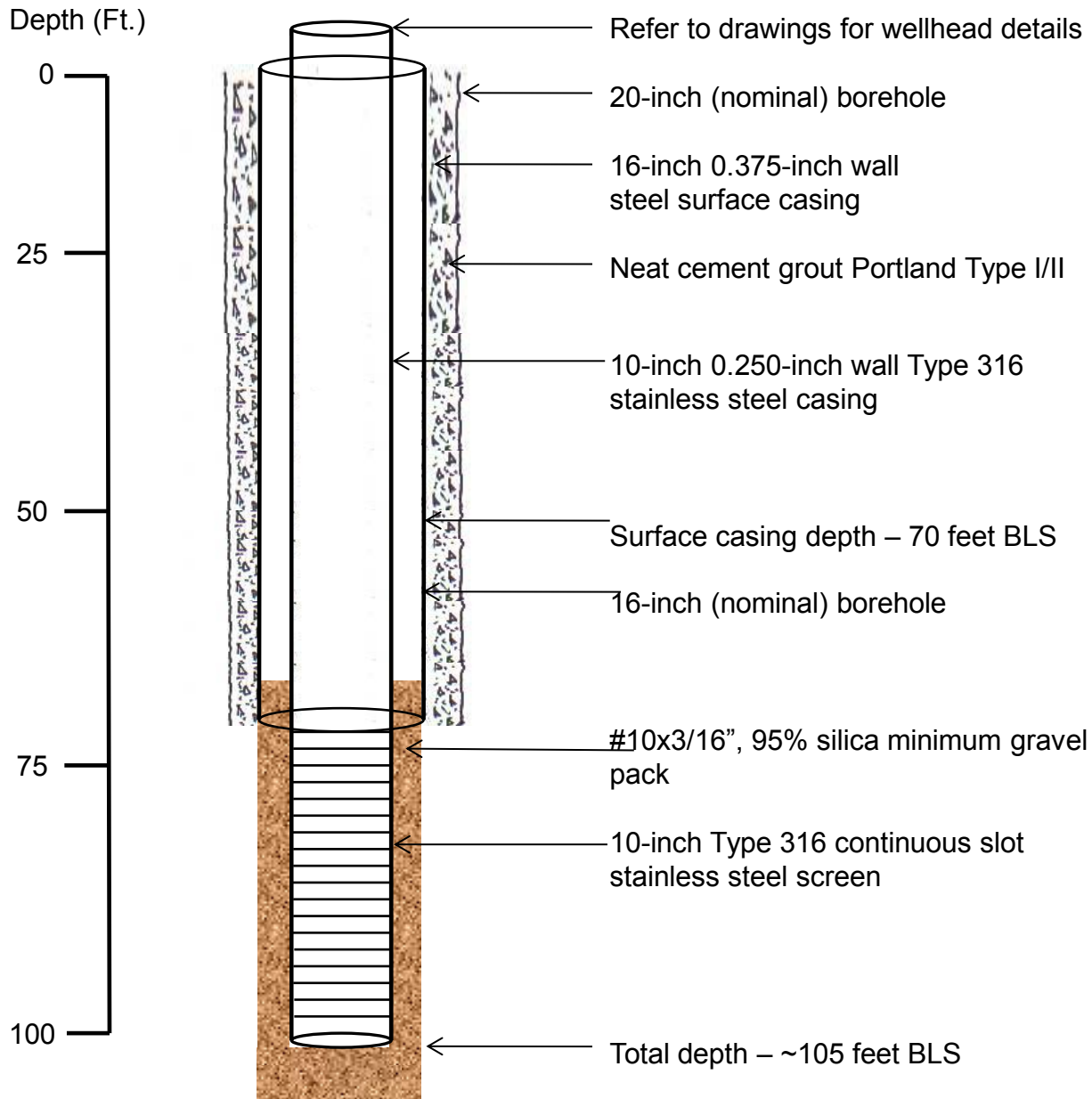
Project No. GN10401.20



City of Palm Coast  
Construction and Testing of SW-43R  
Palm Coast, Flagler County, Florida

**Original Well Completion  
Report**

Figure 2



Not To Scale

Notes:

1. Pit casing not shown.
2. Actual depths to be determined in the field based on subsurface conditions and pilot hole data.

# City of Palm Coast, Florida Agenda Item

Agenda Date: SEPTEMBER 19, 2017

<b>Department</b>	UTILITY DEPARTMENT	<b>Amount</b>	\$45,000.00 54019085-052030 \$35,000.00 54019087-052030
<b>Item Key</b>			
<b>Subject</b>	RESOLUTION 2017-XX APPROVING A ONE-YEAR MASTER PRICE AGREEMENT WITH UNIVAR USA INC. FOR 25% SODIUM HYDROXIDE (MEMBRANE GRADE CAUSTIC)		
<b>Background :</b>	<p>The City's Utility Department / Water Operations Division utilizes Sodium Hydroxide (25% Membrane grade) at both Water Treatment Plant #2 and Water Treatment Plant #3 in the treatment process. City staff advertised and solicited bids for Sodium Hydroxide (25% Membrane grade) in accordance with the City's Purchasing Policy. The lowest responsive and responsible bidder was Univar USA Inc.</p> <p>City staff recommends that the City approve a one-year price agreement with Univar USA Inc. for 25% Sodium Hydroxide (Membrane Grade Caustic). Since these are master price agreement, City staff will purchase Sodium Hydroxide on an-as needed basis using budgeted funds appropriated by City Council. For Fiscal Year 2017-2018, City staff estimates that the City will spend approximately \$80,000.00 annually under this contract with the City Council approved budgets. The project bid overview and notice of intent to award are attached to this agenda item.</p> <p>Funds are appropriated in the operating budget of the Utility Enterprise Fund.</p>		
<b>SOURCE OF FUNDS WORKSHEET PROPOSED BUDGET FY 2017-2018</b>			
<b>FY 2018 Budget 25% Sodium Hydroxide (Membrane Grade)</b>			
	Utility Fund 54019085 - 052030		\$45,000.00
	54019087 - 052030		\$35,000.00
	<b>Total</b>		<b>\$80,000.00</b>
<b>Total Budget Chemicals/Division</b>		<b>FY 2018</b>	
	Utility Fund		
	54029085 – 052030		\$132,000.00
	54019087 - 052030		\$462,000.00
	<b>Total</b>		<b>\$594,000.00</b>
<b>Recommended Action :</b>	Adopt Resolution 2017-XX approving a one-year Master Price Agreement With Univar USA Inc. for 25% Sodium Hydroxide (Membrane Grade Caustic).		





# City of PALM COAST

**Administrative Services & Economic Development**  
Central Services Division

160 Lake Avenue  
Palm Coast, FL 32164  
386-986-3730

## NOTICE OF INTENT TO AWARD

**Project:** ITB-PW-U-17-52 Sodium Hydroxide (25% - Rayon or Membrane Grade Caustic)

**Date:** August 4, 2017

**Appeal Deadline:** Appeals must be Filed by 5:00 PM on August 8, 2017

Firm	Price
<b>Univar USA Inc.</b> Morristown, PA	\$146.25
<b>Allied Universal Corp</b> Miami, FL	\$166.04
<b>Brenntag Mid South Inc.</b> Orlando, FL	\$178.00
<b>JCI Jones Chemicals Inc</b> Jacksonville, FL	\$193.00
<b>Hawkins, Inc.</b> Miami, FL	\$199.00

The intent of the City of Palm Coast is to award ITB-PW-U-17-52 to Univar USA Inc.

*Bid protests arising under City Bidding Documents or Procedures shall be resolved under the City of Palm Coast Central Service Division's Bid Protest procedures.*

*A proposer may protest matters involving the award of this Bid within three (3) business days from the posting of this recommendation to award. Failure to protest to the City's Acting Purchasing Manager, Beau Falgout ([bfalgout@palmcoastgov.com](mailto:bfalgout@palmcoastgov.com)) shall constitute a waiver of the protest proceedings.*

*Any decision of the Acting Purchasing Manager may be appealed to the City Manager by filing a written appeal to the City Manager within seven (7) days of the Acting Purchasing Manager's decision. Any decision of the City Manager may be appealed to the City Council by filing a written*



please recycle

[palmcoastgov.com](http://palmcoastgov.com)

*appeal to the City Clerk within seven (7) days of the City Manager's decision. The same procedures as above shall apply to contest the award of the contract.*



**RESOLUTION 2017-\_\_\_\_**  
**SODIUM HYDROXIDE (MEMBRANE GRADE)**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A PRICE AGREEMENT TO PURCHASE 25% SODIUM HYDROXIDE (MEMBRANE GRADE), FOR THE UTILITY DEPARTMENT; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID AGREEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Univar USA, Incorporated has expressed a desire to provide 25% Sodium Hydroxide (Membrane Grade) to the City of Palm Coast; and

**WHEREAS**, the City Council of the City of Palm Coast desires to purchase the above referenced chemical from Univar USA Incorporated.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, AS FOLLOWS:**

**SECTION 1. APPROVAL OF PRICE AGREEMENTS.** The City Council of the City of Palm Coast hereby approves the terms and conditions of the Price Agreement relating to the purchase of the annual supply of 25% Sodium Hydroxide (Membrane Grade) for the Utility Department, which is attached hereto and incorporated herein by reference as Composite Exhibit "A."

**SECTION 2. AUTHORIZATION TO EXECUTE.** The City Manager, or designee, is hereby authorized to execute the necessary documents.

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

**SECTION 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 5. IMPLEMENTING ACTIONS.** The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution.

**SECTION 6. EFFECTIVE DATE.** This Resolution shall take effect immediately upon adoption by the City Council.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 19th day of September 2017.

**CITY OF PALM COAST, FLORIDA**

*ATTEST:*

\_\_\_\_\_  
MILISSA HOLLAND, MAYOR

\_\_\_\_\_  
VIRGINIA SMITH, CITY CLERK

Attachment:

Composite Exhibit "A" – Price Agreement with Univar USA Incorporated.

Approved as to form and legality

\_\_\_\_\_  
William E. Reischmann, Jr., Esq.  
City Attorney



# ITB-PW-U-17-52 - Sodium Hydroxide (25% - Rayon or Membrane Grade Caustic)

## Project Overview

<b>Project Details</b>	
<b>Reference ID</b>	ITB-PW-U-17-52
<b>Project Name</b>	Sodium Hydroxide (25% - Rayon or Membrane Grade Caustic)
<b>Project Owner</b>	Kelly Downey
<b>Project Type</b>	ITB
<b>Department</b>	Procurement
<b>Budget</b>	\$0.00 - \$0.00
<b>Project Description</b>	The City of Palm Coast Utility Department is seeking a firm price per wet ton (delivered) for the purchase of Sodium Hydroxide to be used at the Membrane Softening Water Treatment Plant No. 2, located at: 50 Citation Blvd., Palm Coast, Florida 32164 and Water Treatment Plant No. 3, located at: 400 Peavy Grade, Palm Coast FL 32137.
<b>Open Date</b>	Jul 05, 2017 8:00 AM EDT
<b>Close Date</b>	Aug 03, 2017 2:00 PM EDT

<b>Awarded Suppliers</b>	<b>Reason</b>	<b>Score</b>
<b>Univar USA Inc.</b>	LOWEST PRICE	<b>100 pts</b>

## Seal status



Requested Information	Unsealed on	Unsealed by
Required Forms (A, B, C, D, 1-10)	Aug 03, 2017 2:01 PM EDT	Kelly Downey
Certificate of Compliance	Aug 03, 2017 2:01 PM EDT	Kelly Downey
Certified Analysis	Aug 03, 2017 2:01 PM EDT	Kelly Downey

## Conflict of Interest

### Declaration of Conflict of Interest

You have been chosen as a Committee member for this Evaluation. Please read the following information on conflict of interest to see if you have any problem or potential problem in serving on this committee.

### Code of Conduct

All information related to submissions received from Suppliers or Service Providers must be kept confidential by Committee members.

### Conflict of Interest

No member of a Committee shall participate in the evaluation if that Committee member or any member of his or her immediate family:

- has direct or indirect financial interest in the award of the contract to any proponent;
- is currently employed by, or is a consultant to or under contract to a proponent;
- is negotiating or has an arrangement concerning future employment or contracting with any proponent; or,
- has an ownership interest in, or is an officer or director of, any proponent.

Please sign below acknowledging that you have received and read this information. If you have a conflict or potential conflict, please indicate your conflict on this acknowledgment form with information regarding the conflict.



I have read and understood the provisions related to the conflict of interest when serving on the Evaluation Committee. If any such conflict of interest arises during the Committee's review of this project, I will immediately report it to the Purchasing Director.

Name	Date Signed	Has a Conflict of Interest?
Kelly Downey	Aug 03, 2017 2:03 PM EDT	No
Donald Holcomb	Aug 03, 2017 3:46 PM EDT	No
Jim Hogan	Aug 03, 2017 2:17 PM EDT	No
Rose Conceicao	Aug 04, 2017 11:43 AM EDT	No



## Project Criteria

Criteria	Points	Description
Required Forms	Pass/Fail	All required forms were submitted
Certificate of Compliance	Pass/Fail	Certificate of Compliance has been submitted/meets requirements
Certified Analysis	Pass/Fail	Certified Analysis has been submitted/meets requirements
Pricing	100 pts	Pricing Evaluation
<b>Total</b>	<b>100 pts</b>	





# Scoring Summary

## Active Submissions

	<b>Total</b>	<b>Required Forms</b>	<b>Certificate of Compliance</b>	<b>Certified Analysis</b>	<b>Pricing</b>
<b>Supplier</b>	<b>/ 100 pts</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>Pass/Fail</b>	<b>/ 100 pts</b>
Univar USA Inc.	100 pts	Pass	Pass	Pass	100 pts (\$146.25)
Allied Universal Corporation	88.08 pts	Pass	Pass	Pass	88.08 pts (\$166.04)
Brenntag Mid South Inc	82.16 pts	Pass	Pass	Pass	82.16 pts (\$178)
JCI JONES CHEMICALS INC	75.78 pts	Pass	Pass	Pass	75.78 pts (\$193)
Hawkins, Inc,	73.49 pts	Pass	Pass	Pass	73.49 pts (\$199)

# City of Palm Coast, Florida Agenda Item

Agenda Date :

<b>Department Item Key</b>	<b>Amount Account #</b>
<b>Subject</b> CITY MANAGER CONTRACT AND EXECUTIVE SEARCH FIRM RFP TIMELINE	
<b>Background :</b> At the August 3rd Special City Council Workshop, City Council directed the City Attorney in consultation with City staff to develop a timeline for a Request for Proposal for Executive Search Firms. City Council further directed the City Attorney to develop the timeline around a target date for the RFP release in mid-January. The draft timeline is attached to this agenda item.  Subsequently, at the September 5th City Council Meeting, Vice Mayor Nobile requested that an agenda item to terminate the City Manager's Contract be placed on the next City Council Meeting. At the September 15, 2017 Special Meeting, the Mayor requested and City Council agreed to delay this agenda item, since the Mayor would be traveling for work and would be absent. The Mayor has informed City staff that the work conflict no longer exists and she will be present for this meeting. Therefore, City staff is bringing this item forward consistent with previous City Council direction.	
<b>Recommended Action :</b> For Council discussion, consideration, and/or action.	

# Executive Search Firm RFP

September 19, 2017	Council Workshop   RFP Timeline, Sample RFPs
September 2017	Budget
October/November 2017	Charter Review
November/December 2017	Individual Council 1-on-1 Meetings Team
December 12, 2017	Council Workshop   1-on-1 Summary & Direction
January 9, 2018	Council Workshop   Draft RFP
January 16, 2018	Council Meeting   Final RFP
January 24, 2018	RFP Ad Published, RFP Released
February 23, 2018	RFP Submission Deadline
March 9, 2018	Initial Scoring Due
March 20, 2018	Council Meeting   Shortlist Firms
March 27, 2018	Council Workshop   Presentations
April 3, 2018	Council Meeting   Final Ranking
April 10, 2018	Council Workshop   Draft Contract
April 17, 2018	Council Meeting   Final Contract

# City of Palm Coast, Florida

## Agenda Item

Agenda Date : 9/19/2017

<b>Department Item Key</b>	ASED	<b>Amount Account #</b>
<b>Subject</b> APPOINT THREE MEMBERS FOR THE CODE ENFORCEMENT BOARD		
<p><b>Background :</b> The terms of three Code Enforcement Board members expire at the end of September - Regular Members: Robert Branin, Neil Copeland, and Kimble Medley. None of those members wish to be reappointed. Mr. Charles Dean Roberts expressed an interest in becoming a regular member on the Code Enforcement Board instead of being an alternate member. Applications were also received from Genarro Arcamone, Andrew J. Dodzik, Robert J. Demaria, Frank R. Massello, Jon Netts, Larry Pulos, and Charles Dean Roberts. There are a few applicants who are exempt under the Public Records Law, therefore all applications have been provided to Council via email and are available in the City Clerk's office.</p> <p><u>Code of Ordinances</u> Section 2-202 - Intent. It is the intent of this division (Code Enforcement Board), to promote, protect and improve the health, safety and welfare of the citizens of the City by authorizing the creation of administrative boards with authority to impose administrative fines and other noncriminal penalties to provide an equitable, expeditious, effective and inexpensive method of enforcing any codes and ordinances in force in the City, where a pending or repeated violation continues to exist.</p> <p>Section 2-205 - Code Enforcement Board Organization. (a) <i>Members; qualifications.</i> The City Council shall appoint a Code Enforcement Board with seven regular members and two alternate members who shall vote only when a regular member is unable to attend a meeting or hear a particular case or does not sit during a particular time of a meeting, which alternate members may attend meetings and sit without participating or voting with regard to other hearings. Each member shall be confirmed by the entire City Council. Members of the Enforcement Board shall be residents of the City and appointments shall be made on the basis of experience or interest in the subject matter jurisdiction of the Code Enforcement Board in the sole discretion of the City Council. The composition of the Enforcement Board shall, whenever possible, include an architect, a business person, an engineer, a general contractor, a subcontractor and a realtor.</p> <p>Section 2-2(a)(1) says, "All appointees shall be limited to two consecutive terms of office on the same body unless the City Council by a four-fifths vote determines that it is in the best interests of the City to appoint a person to a term of office exceeding that limitation." *</p> <p>Under Florida Statute 162.05(3)(b)(3), Code Enforcement Board terms are for three years.</p> <p>Advertisements were published in the Flagler News-Tribune on July 5, and July 26, 2017 and posted on the City's website.</p>		

<b><u>Continuing Members</u></b>	<b><u>District</u></b>	<b><u>Term Expires</u></b>	<b><u>Occupation</u></b>
Kenneth Carruth	2	9/30/2019 (First Term)	Retired Real Estate
Richard LaPadula	4	9/30/2019 (First Term)	Semi-Retired-Security;
Tameka McDowell	3	9/30/2018 (Second Term)	Business Owner
Norman Mugford	2	9/30/2015 (Third Term)	Pres. AlarmPro

<b><u>Positions for Appointment</u></b>	<b><u>District</u></b>	<b><u>Term Expires</u></b>	<b><u>Occupation</u></b>
Robert Branin	1	9/30/2017 (First Term)	Ret. Design Engineer
Neil Copeland	2	9/30/2017 (Second Term)	Banking Financial Consult.
Kimble Medley	2	9/30/2017	Student-Masters Program

**Applications have been received from the following people:**

<b><u>Applicants</u></b>	<b><u>District</u></b>	<b><u>Occupation</u></b>
Gennaro Arcamone	2	Retired Construction Supervisor
Larry Dulas	1	Business Owner
Andrew Doziak	4	Civil Engineer
Robert J. DeMaria	3	Law Enforcement
Frank Massello	2	Retired Kitchen Cabinet Sales
Jon Netts	2	Retired School Administration
Charles Dean Roberts*	2	Retired Building Mat'l Sales & Mgmt.

District information has been verified by the City Clerk's Office. Staff has also performed the necessary background screenings for all applicants. The results have been placed in the Mayor/City Council's office for your review.

\*Mr. Roberts currently serves as an alternate.

**Recommended Action :**  
APPOINT THREE MEMBERS FOR THE CODE ENFORCEMENT BOARD

# City of Palm Coast, Florida Agenda Item

Agenda Date : 9/19/2017

<b>Department</b> ASED	<b>Amount</b>
<b>Item Key</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> DISCUSSION - STATE LOBBYIST RFP RANKING	
<b>Background :</b> At the July 6, 2017 City Council Workshop, City Council directed City staff to solicit proposals for state lobbyist services. In addition, City Council decided to serve as the Evaluation Committee for this solicitation, since the City's lobbyist works closely with City Council on legislative priorities.  City staff advertised and solicited proposals in accordance with the City's Purchasing Policy. The City received four (4) proposals and City Council individually scored the proposals. The purpose of this agenda item is to provide an opportunity for City Council to discuss the proposals, scoring, and provide direction to City staff on next steps. City Council can either finalize scoring and/or ranking, or request presentations from all, or some of the responding firms.  The responding firms have been notified to be ready to provide presentations to City Council at their September 26, 2017 workshop should they requested by City Council.	
<b>Recommended Action :</b> Discuss and provide direction to City staff.	





**Meeting Calendar for 9/20/2017 through 10/31/2017**

**9/20/2017 5:05 PM**

**CITY COUNCIL SPECIAL MEETING - BUDGET**

City Hall

**9/26/2017 9:00 AM**

**City Council Workshop**

City Hall

**9/27/2017 6:00 PM**

**Special Charter Workshop**

Matanzas High School

**9/28/2017 5:00 PM**

**Beautification and Environmental Advisory Committee**

City Hall

**10/3/2017 10:00 AM**

**Animal Control Hearing**

City Hall

**10/3/2017 6:30 PM**

**City Council**

City Hall

**10/4/2017 10:00 AM**

**Code Enforcement Board**

City Hall

**10/4/2017 6:00 PM**

**Special Charter Workshop**

Indian Trails Middle School



**Meeting Calendar for 9/20/2017 through 10/31/2017**

**10/10/2017 9:00 AM**

City Council Workshop  
City Hall

**10/17/2017 9:00 AM**

City Council  
City Hall

**10/18/2017 5:30 PM**

Planning & Land Development Regulation Board  
City Hall

**10/26/2017 5:00 PM**

Beautification and Environmental Advisory Committee  
City Hall

**10/26/2017 6:00 PM**

Special Charter Workshop  
Flagler Palm Coast High School

**10/26/2017 6:00 PM**

S  
Flagler Palm Coast High School

#	File #	Item	Title	Staff
			<b>Business Meeting 9/20/2017 5:05PM-SPECIAL MEETING BUDGET</b>	
1		Resolution	Fleet purchases	Abreu/LaChance
2		Resolution	Final Millage and Budget	Quinn
3		Resolution	CRA Budget	Quinn
			<b>Workshop 9/26/2017</b>	
1		Resolution	Purchase Property - Utility Drive	Adams/Smith
2		Presentation	State Lobbyists RFP presentations	Council
3		Resolution	OKR ROW Purchase	Cote/Peel
4	322	Resolution	Design & Construction Srvcs. Southern Wellfield Expansion LW 83, LW 84, LW 85 and New Raw Water Main Project	Flanagan/Kronenberg
5		Ordinance	Medical Marijuana	Meehan
6		Discussion	FiberNet Business Plan RFP	Viscardi
			<b>Business Meeting 10/03/2017</b>	
1		Resolution	Purchase Property - Utility Drive	Adams/Smith
2		Discussion	State Lobbyists RFP Final Ranking	Council
3		Resolution	Master Service Agreement State Lobbyists	Council
4		Resolution	OKR ROW Purchase	Cote/Peel
5	322	Resolution	Design & Construction Srvcs. Southern Wellfield Expansion LW 83, LW 84, LW 85 and New Raw Water Main Project	Flanagan/Kronenberg
6		Presentation	Senior Games Winners recognition	Lane
7		Ordinance 1st	Medical Marijuana	Meehan
8		Ordinance 2nd	Tearrock Rezoning	Papa
9		Ordinance 2nd	Tearrock FLUM	Papa
			<b>Workshop 10/10/2017</b>	
1		Resolution	Master Service Agreement State Lobbyists	Council
7		Presentation	Road Impact Fees	Papa
			<b>Business Meeting 10/17/2017</b>	
1		Ordinance 2nd	Medical Marijuana	Meehan
2		Ordinance 2nd	Tearrock Rezoning	Papa
3		Ordinance 2nd	Tearrock FLUM	Papa
4		Ordinance 1st	Marina Del Palma FLUM	Papa
5		Ordinance 1st	Marina Del Palma Rezoning	Papa
			<b>Future</b>	

<b>1</b>		Resolution	ValveTurn	Adam/Jarvis
<b>2</b>		Resolution	Permit compliance with NECGA (MOU and Conservation easement)	Bevan
<b>3</b>		Resolution	Property Exchange NECGA	Falgout
<b>4</b>		Resolution	Reconstruction of Surface Water Control Structures L-1 & K-1	Flanagan/Brennan
<b>5</b>		Proclamation	World Diabetes Day	Lane (11/7)
<b>6</b>		Presentation	Citizen's Academy 41st class	Lane (10/17)
<b>7</b>		Ordinance	FLUM Annexation-Roberts Road	Papa
<b>8</b>		Ordinance 1st	Coastal Trace FLUM	Papa
<b>9</b>		Ordinance 1st	Coastal Trace Rezoning	Papa
		Ordinance 2nd	PC 145 LLC FLUM	Papa
		Ordinance 2nd	PC 145 LLC Rezoning	Papa
<b>10</b>		Resolution	Annual Fire Inspection Fees	Quinn
<b>11</b>	261	Resolution	InLine Fiber Contract	Viscardi