

## City of Palm Coast Agenda COUNCIL MEETING

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

Mayor Milissa Holland Vice Mayor Nick Klufas Council Member Eddie Branquinho Council Member Robert G. Cuff Council Member Jack D. Howell, II

Tuesday, June 4, 2019 6:00 PM CITY HALL

City Staff
Matthew Morton, 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.
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- > City Council Meetings are streamed live on YouTube at https://www.youtube.com/user/PalmCoastGovTV/live.
- > 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 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

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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

MINUTES OF THE MAY 21, 2019 BUSINESS MEETING MINUTES OF THE MAY 28, 2019 WORKSHOP

- F. PRESENTATIONS
  - 2. PALM COAST CONNECT CITIZEN PORTAL
- G. ORDINANCES SECOND READ
  - 3. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 7.1 +/- ACRE PARCEL LOCATED 500' NORTHEAST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PARKWAY INTERSECTION FROM GREENBELT TO MIXED USE-MATANZAS RETAIL CENTER
  - 4. ORDINANCE 2019-XX ZONING MAP AMENDMENT FOR 29.61+/- ACRES ON THE WEST SIDE OF OLD KINGS ROAD AND NORTH OF MATANZAS WOODS PARKWAY FROM GENERAL COMMERCIAL (COM-2), PUBLIC/SEMI-PUBLIC (PSP), & RURAL ESTATES (EST-2) TO MPD-MATANZAS WOODS RETAIL CENTER
- H. RESOLUTIONS
  - 5. RESOLUTION 2019-XX PALM COAST REH SUBDIVISION FINAL PLAT
- I. RECESS CITY COUNCIL BUSINESS MEETING AND CONVENE THE SR 100 CRA BUSINESS MEETING
  - 6. STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY RESOLUTION 2019-XX APPROVING UPDATES TO THE INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM
- J. ADJOURN THE SR 100 CRA BUSINESS MEETING AND RECONVENE THE CITY COUNCIL
- K. CONSENT
  - 7. RESOLUTION 2019-XX APPROVING UPDATES TO THE INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM
  - 8. RESOLUTION 2019-XX AMENDMENT TO INTERLOCAL AGREEMENT WITH FLAGLER

#### COUNTY FOR THE OLD KINGS ROAD WATER AND WASTEWATER SERVICES

- 9. RESOLUTION 2019-XX APPROVING THE 2019 FIND GRANT FOR THE WATERWAY CLEANUP
- 10. RESOLUTION 2019-XX APPROVING WORK ORDERS WITH DRMP, INC., FOR ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS
- 11. RESOLUTION 2019-XX APPROVING A WORK ORDER WITH GAI CONSULTANTS, INC. FOR THE DESIGN AND CONSTRUCTION SERVICES FOR REPLACEMENT OF THE SURFACE WATER CONTROL STRUCTURES/ROAD CROSSING KNOWN AS K-6
- 12. RESOLUTION 2019-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF A NEW TRAFFIC SIGNAL AND TURN LANE AT BELLE TERRE AND MARKET AVE/EASTWOOD DR INTERSECTION
- 13. RESOLUTION 2019-XX APPROVING AN AMENDMENT TO THE WORK SQUAD CONTRACT #W1141 WITH THE FLORIDA DEPARTMENT OF CORRECTIONS
- L. OTHER BUSINESS
  - 14. PRESENTATION OF CERTIFICATES TO THE GRADUATING STUDENTS OF THE CITY OF PALM COAST'S 46TH CITIZENS ACADEMY CLASS
- M. PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

- N. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA
- O. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA
- P. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA
- Q. ADJOURNMENT
  - 15. CALENDAR/WORKSHEET

#### City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Departm Item Key	ent CITY CLERK	Amount Account
Subject	MINUTES MINUTES OF THE MAY 21, 2019 I MINUTES OF THE MAY 28, 2019 V	
Backgrou	ınd :	
	ended Action : he minutes of the May 21, 2019 Busir	ness Meeting and the May 28, 2019 Workshop.



# City of Palm Coast Minutes COUNCIL MEETING AMENDED

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

Mayor Milissa Holland Vice Mayor Nick Klufas Council Member Eddie Branquinho Council Member Robert G. Cuff Council Member Jack D. Howell, II

Tuesday, May 21, 2019 9:00 AM CITY HALL

City Staff
Matthew Morton, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk

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#### A. CALL TO ORDER

Mayor Holland called the meeting to order at 9:00 A.M.

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

#### C. ROLL CALL

Present and responding to roll call were the following:

Council: Robert Cuff

Nick Klufas Milissa Holland Jack D. Howell, II

Absent

Council: Eddie Branquinho

#### 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

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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.

Jack Carall asked are their consequences for the person administering the bribe to a Government officials?

Steve Carr-Florida Park Drive traffic study and quality of life of residents on Fl. Park Drive.

Mr. Nielebeck-Florida Park Drive traffic.

Mayor Holland requested Mr. Reischmann address Mr. Carall's concerns. Attorney Reischmann addressed Mr. Carall's concerns. Mr. Falgout advised of the policies and procedures that staff takes relating to an investigation of internal controls.

#### E. MINUTES

#### 1. MINUTES

MINUTES OF THE MAY 7, 2019 BUSINESS MEETING

#### **Pass**

Motion made to approve by Council Member Howell, II and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

#### F. PRESENTATIONS

2. PRESENTATION - OVERVIEW OF FUND ACCOUNTING AND REVENUE RESTRICTIONS

Mr. Falgout presented a brief overview to this item. Ms. Alves and Ms. Williams provided Council with a PowerPoint presentation, which is attached to the item.

#### G. ORDINANCES SECOND READ

3. ORDINANCE 2019-XX ZONING MAP AMENDMENT FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE TO CITY OF PALM COAST DESIGNATION OF

#### GENERAL COMMERCIAL (COM-2) AND PRESERVATION FOR A 7.1+/- ACRE PARCEL LOCATED ½ MILE SOUTH OF SR100 AND EAST OF OLD KINGS RD

#### O20190010

City Attorney Reischmann read the title into the record. Mr. Reischmann reminded Council this is a quasi-judicial item and called for any ex-parte communications. There were none.

Mr. Falgout gave a brief summary of the item.

Public Comments:

There were none.

#### **Pass**

Motion made to Adopted on second reading by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

City Attorney Reischmann read the title into the record. Mr. Reischmann reminded Council this is a quasi-judicial item and Mayor Holland called for any ex-parte communication. There were none.

Mr. Falgout gave a brief summary of the item.

Public Comments:

There were none.

4. ORDINANCE 2019-XX VOLUNTARY ANNEXATION OF 90.7+/- ACRES SOUTH OF STATE ROAD 100, EAST OF BELLE TERRE BLVD. AND WEST OF SEMINOLE WOODS BLVD. FOR PROPERTY OWNED BY JTL GRAND LANDINGS DEVELOPMENT, LLC

O20190011

#### **Pass**

Motion made to Adopted on second reading by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

City Attorney Reischmann read the title into the record.

Mr. Falgout gave a brief summary of the item.

Public Comment:

There were none.

City Attorney Reischmann read the title into the record.

Mr. Falgout gave a brief summary of the item.

Public Comment:

Jack Carall-Question on annexations.

#### H. ORDINANCES FIRST READ

5. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 119+/- ACRE PARCEL FROM RESIDENTIAL LOW DENSITY/RURAL ESTATE (COUNTY DESIGNATION) TO RESIDENTIAL (CITY DESIGNATION) AND AMENDING A FOOTNOTE ON THE FLUM-GRAND LANDINGS

#### **Pass**

Motion made to Approved on first reading by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

City Attorney Reischmann read the title into the record.

Mr. Falgout gave a brief summary of the item.

CM Howell had traffic concerns relating to ingress/egress.

Public Comment:

Robert Meyer-Traffic study; is it a forward thinking analysis? Maximum number of units set at 401-what assurances if any are provided to the existing property owners?

Mr. Papa provided a response to the maximum units allowed.

6. ORDINANCE 2019-XX AMENDMENT TO THE GRAND LANDINGS MASTER PLANNED DEVELOPMENT (MPD) REZONING TO EXPAND THE SIZE OF THE MPD BY 119.2 ACRES FROM 774.4 ACRES TO 893.6 ACRES

#### **Pass**

Motion made to approve Motion made by CM Howell, seconded by CM Cuff to continue this item to a date certain of June 18, 2019 at 9:00 am. by

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

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The applicant requested a continuance of this item to a date certain of June 18, 2019 at 9:00 a.m.

There were no public comments received due to this item being quasi-judicial in nature and the request for a continuance.

7. ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 7.1 +/- ACRE PARCEL LOCATED 500' NORTHEAST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PARKWAY INTERSECTION FROM GREENBELT TO MIXED USE-MATANZAS RETAIL CENTER

#### **Pass**

Motion made to Approved on first reading by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

This item was presented with Item 8. Mr. Reischmann reminded Council this is a quasi-judicial item and Mayor Holland called for any ex-parte communications. There were none.

City Attorney Reischmann read the title into the record for both items 7 and 8.

Mr. Falgout gave a brief summary of the items.

Mayor Holland had concerns with the traffic flow in Island Walk and the 195 intersections at Matanzas Woods Parkway and would like to see more staff involvement in the planning process of the flow of traffic-a more comprehensive look at the development in that entire area. Council echoed her concerns.

CM Cuff is comfortable approving with a potential "F" rating in traffic flow and Council echoed his concerns. Staff provided Council with additional information relating to the potential "F" rating with or without this development.

Kurt Limpee-Engineer for the project spoke on behalf of the applicant.

#### Public Comments:

Andy Pazzone-is a new resident to the Conservatory area and wanted to let Council know he has found his little piece of paradise in that area. Comes from central Florida where there is a Publix every five miles.

Steve Carr-concerned with traffic in that area and the related health safety concerns that come with traffic around the school for the children; also concerned with the impacts this will have on Florida Park Drive; can we restrict construction traffic from Florida Park Drive?

8. ORDINANCE 2019-XX ZONING MAP AMENDMENT FOR 29.61+/- ACRES ON THE WEST SIDE OF OLD KINGS ROAD AND NORTH OF MATANZAS WOODS PARKWAY FROM GENERAL COMMERCIAL (COM-2), PUBLIC/SEMI-PUBLIC (PSP), & RURAL ESTATES (EST-2) TO MPD-MATANZAS WOODS RETAIL CENTER

**Pass** 

Motion made to Approved on first reading by Council Member Cuff and seconded by Vice Mayor Klufas

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

This item was presented and heard with Item 7.

#### I. RESOLUTIONS

9. RESOLUTION 2019-XX APPROVING THE FINAL PLAT FOR AMERICAN VILLAGE

R20190051

**Pass** 

Motion made to approve by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

10. RESOLUTION 2019-XX APPROVING PIGGYBACKING THE NATIONAL IPA/OMNI PARTNERS CONTRACT WITH WILLIAMS SCOTSMAN, INC., FOR THE LEASING OF TWO (2) MODULAR BUILDINGS FOR STORMWATER AND PUBLIC WORKS FACILITIES.

R20190052

**Pass** 

Motion made to approve by Council Member Howell, II and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

11. RESOLUTION 2019-XX APPROVING CONTRACTS WITH PBM CONSTRUCTORS, EAU GALLIE ELECTRIC AND ZABATT ENGINE SERVICES, FOR THE CONSTRUCTION OF SIX FEMA GENERATORS PROJECTS

R20190050

**Pass** 

Motion made to approve by Council Member Howell, II and seconded by Vice Mayor Klufas

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

12. RESOLUTION 2019-XX APPROVING A CONTRACT WITH CHINCHOR ELECTRIC, INC. TO PROVIDE ELECTRICAL UPGRADES FOR THE WATER TREATMENT PLANT #1, 4 MOTOR CONTROL PANELS AND 3 MOTOR CONTROL CENTERS REPLACEMENT PROJECT

R20190049

**Pass** 

Motion made to approve by Council Member Howell, II and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

13. RESOLUTION 2019-XX APPROVING A WORK ORDER WITH JACOBS ENGINEERING GROUP, INC., FOR THE WASTE WATER TREATMENT PLANT NO.1, HEADWORKS BYPASS & DIFFUSED AIR IMPROVEMENTS PROJECT

R20190047

**Pass** 

Motion made to approve by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

14. RESOLUTION 2019-XX APPROVING A CONTRACT WITH PELLA WINDOWS AND DOORS FOR THE REPLACEMENT OF WINDOWS AT 2 UTILITY DRIVE

#### R20190048

#### **Pass**

Motion made to approve by Vice Mayor Klufas and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item.

Public Comments:

There were no public comments.

15. RESOLUTION 2019-XX APPROVING THE FIFTH AMENDMENT TO INCREASE FUNDS FOR A FEDERALLY-FUNDED SUBGRANT AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) RELATING TO HURRICANE IRMA EXPENSES

#### R20190053

#### **Pass**

Motion made to approve by Council Member Howell, II and seconded by Council Member Cuff

Approved - 4 - Council Member Robert Cuff, Vice Mayor Nick Klufas, Mayor Milissa Holland, Council Member Jack Howell, II

Mr. Falgout gave a brief overview to this item. CM Howell-When will the FEMA generators be on site? Ans: Mr. Cote-The lead time is 12 weeks and anticipated to be 8 months to completion.

Public Comments:

There were no public comments.

#### J. PUBLIC PARTICIPATION

Remainder of Public Comments is limited to three (3) minutes each.

Louis McCarthy-road resurfacing of Belle Terre Parkway from PC Pkwy to SR 100

Inaudible – The littering problem in Palm Coast; he volunteers to keep an area in the R section cleaned up; patrol in the area of Raintree stepped up.

Mr. Cote provided a quick timeline for resurfacing and that it is a budget item. CM Howell asked if we have a way of publishing the plan. Mayor Holland said we will through Palm Coast Connect.

#### K. DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

CM Howell-sent a letter to the Observer regarding Memorial Day and what it means to him.

VM Klufas-congratulated staff on winning the National Mayor's Water Challenge; thanked staff for the new basketball hoops at the parks.

CM Cuff-policing and liter-it would be a much nicer community if there were more that helped out with the clean-up of littering; thanked the community for their participation in Palm Coast-their community.

Mayor Holland-Island Walk ingress/egress to Walgreens cut through to the middle of IHop and Chase Bank.

#### L. DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Nothing at this time.

#### M. DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Falgout is covering for Mr. Morton who is traveling to the Kauffman Foundation Entrepreneurship conference.

Congratulations to Palm Coast for winning the water challenge.

Prepare for hurricane season. Mayor Holland is looking forward to handing out the Disaster Preparedness guides and requests the rest of Council join too and requested Mr. Forte advised of when they are ready.

Interns have started to arrive.

Events-Food Truck Tuesday will benefit the Family Life Center this evening.

Memorial Day Ceremony is Monday.

#### N. ADJOURNMENT

The meeting was adjourned at 11:05 a.m.

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



### City of Palm Coast Minutes COUNCIL WORKSHOP

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

Mayor Milissa Holland Vice Mayor Nick Klufas Council Member Eddie Branquinho Council Member Robert G. Cuff Council Member Jack D. Howell, II

Tuesday, May 28, 2019 9:00 AM CITY HALL

City Staff
Matthew Morton, City Manager
William Reischmann, City Attorney
Virginia A. Smith, City Clerk

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#### A CALL TO ORDER

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

#### B PLEDGE OF ALLEGIANCE TO THE FLAG

#### C ROLL CALL

Ms. Settle called the roll. Vice Mayor Klufas and Council Member Howell is absent.

#### D PUBLIC PARTICIPATION

Mr. Neilebeck expressed his concerns regarding Florida Park Drive.

Celia Pugliese spoke of her concerns regarding Florida Park Drive. She read Manley Koont's statement into the record.

#### **E PRESENTATIONS**

#### 1 PRESENTATION OF FLORIDA PARK DRIVE CORRIDOR STUDY

Mr Morton gave a brief overview of the item. Carl Cote, Austin Heitman and Sans Lassister gave a presentation to Council. Topics discussed included looking for active solutions; not an option to focus on past options; evaluate speed; restricting commercial truck through traffic; the road being a thorough fare; creative approaches need to be presented by staff; improving the quality of life of residents on Florida Park Drive; traffic calming solutions; working with the commercial entities to ensure that they are partnering with the City to suggest alternative routes away from Florida Park Drive; traffic calming can degrade air quality; whether landscaping can assist in road calming; the length of the road; landscape design and possibly doing it in phases each year; restriction of commercial traffic; air quality monitoring buying vs. renting; the need for a cost comparison and whether staff can be trained to use the quality monitoring; the calibration of the instruments and the use of a specific data platform; how to monitor the type of gasses in the air; the Air Sense data platform; Air Sense is self-correcting; and the sensors lasting about two years.

#### 2 RESOLUTION 2019-XX APPROVING WORK ORDERS WITH DRMP, INC., FOR ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS

Mr. Morton gave a brief overview of the item. Mr. Peel gave a presentation to Council. Items 2 and Item 3 were presented together. Topics discussed included the number of weirs that still need improvement; St. John's Water Management grants; funding cycles of the regulatory agencies coinciding with the grant process; four months modeling for the E Section project; FEMA grant dollars that can be applied for in advance of a storm; how surveying costs are being divided. This item will be continued at the next Business Meeting.

### 3 RESOLUTION 2019-XX APPROVING A WORK ORDER WITH GAI CONSULTANTS, INC. FOR THE DESIGN AND CONSTRUCTION SERVICES FOR REPLACEMENT OF THE SURFACE WATER CONTROL STRUCTURES/ROAD CROSSING KNOWN AS K-6

Mr. Morton gave an overview of the item. This item was heard with Item 4. This item will be continued at the next Business meeting.

#### 4 RESOLUTION 2019-XX APPROVING UPDATES TO THE INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM

Mr. Morton gave a brief overview of the item. Ms. Wynn Newingham gave a presentation to Council. Topics discussed included adding land above 21a; removing the restrictions for the type of housing to qualify for the program. This item will be continued at the next Business Meeting.

#### F WRITTEN ITEMS

5 RESOLUTION 2019-XX APPROVING THE 2019 FIND GRANT FOR THE WATERWAY CLEANUP

Mr. Morton gave an overview of the item. This item will be continued at the next Business Meeting.

6 RESOLUTION 2019-XX AMENDMENT TO INTERLOCAL AGREEMENT WITH FLAGLER COUNTY FOR THE OLD KINGS ROAD WATER AND WASTEWATER SERVICES

Mr. Morton gave a brief overview of the item. This item will be continued at the next Business Meeting.

7 RESOLUTION 2019-XX APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF A NEW TRAFFIC SIGNAL AND TURN LANE AT BELLE TERRE AND MARKET AVE/EASTWOOD DR INTERSECTION

Mr. Morton gave a brief overview of the item. This item was continued to the next Business Meeting.

8 RESOLUTION 2019-XX APPROVING PIGGYBACKING OF THE MARION COUNTY MASTER SUBSCIPTION AND LICENSE AGREEMENT WITH ESO SOLUTIONS, INC. TO SECURE RECORDS MANAGEMENT SOFTWARE FOR THE FIRE DEPARTMENT, COMPLIANT WITH STATE AND NATIONAL FIRE AND EMS REPORTING REQUIREMENTS

Mr. Morton gave a brief overview of the item. Topics discussed included the purchase of new software before receiving the Gartner Report until June 8th; software holding data in a silo; ESO software having to do with patient care; the program meeting all State requirements; the current system not being able to communicate with other local fire departments and medical departments; the timing and financial considerations. This item will be continued at the next Business Meeting.

9 RESOLUTION 2019-XX APPROVING AN AMENDMENT TO THE WORK SQUAD CONTRACT #W1141 WITH THE FLORIDA DEPARTMENT OF CORRECTIONS

Mr. Morton gave an overview of the item. Chief Forte was present to answer any questions regarding this item. This item will be continued at the next Business Meeting.

#### **G** PUBLIC PARTICIPATION

Lewis McCarthy expressed concern regarding the security of the City's software. Steve Carr thanked Council for their efforts in looking at Florida Park Drive.

#### H DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

Council Member Cuff thanked staff for their efforts for the Memorial Day Celebration.

#### I DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

No report.

#### J DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

Mr. Morton is looking into different approaches to using the CDBG monies. The balance is \$50,000 for a potential partnership for the homelessness. The Mayor thought it would be a good idea to post the heat index on the City's website.

Mr. Morton gave a presentation on possible changes to the Strategic Action Plan. Denise Bevan made a presentation to Council regarding past practices and possible changes to the current way to approach Council priorities. Topics included changing "transportation" to streets; seawalls and saltwater canals not broad enough of a category; timeframes for completion; budgetary items need to be identified and addressed before or during the budget process; possibility of having a special workshop to clarify direction to staff. It was the consensus of the Council to have staff come back with a different approach to Council priorities.

#### K ADJOURNMENT

Motion by Council Member Cuff to adjourn the meeting. The meeting adjourned at 11:24 a.m.

#### City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Department INFORMATON Amount

**TECHNOLOGY** 

Item Key Account

Subject PALM COAST CONNECT - CITIZEN PORTAL

#### Background:

Palm Coast Connect is the new Citizen Portal that keeps citizens connected to what's important to them at the City of Palm Coast.

#### **Recommended Action:**

For presentation and discussion.

# SALM COAST

## Your Friend at City Hall

- Citizen engagement platform – free to use
- Created in partnership with Coastal Cloud, using Salesforce software
- Transforming the way we connect with customers





# 24/7 Access to City Services & Information



- Use your smartphone, tablet or computer to:
  - Report concerns
  - Set up/change Utility services
- Be our eyes and ears in the community

# Directly to Customer Service & the Right Department









Tell us about potholes, code violations and broken equipment at City parks

Submit a photo

Track the progress of your report

2-way communication:

- email
- log in to the portal

Library of information

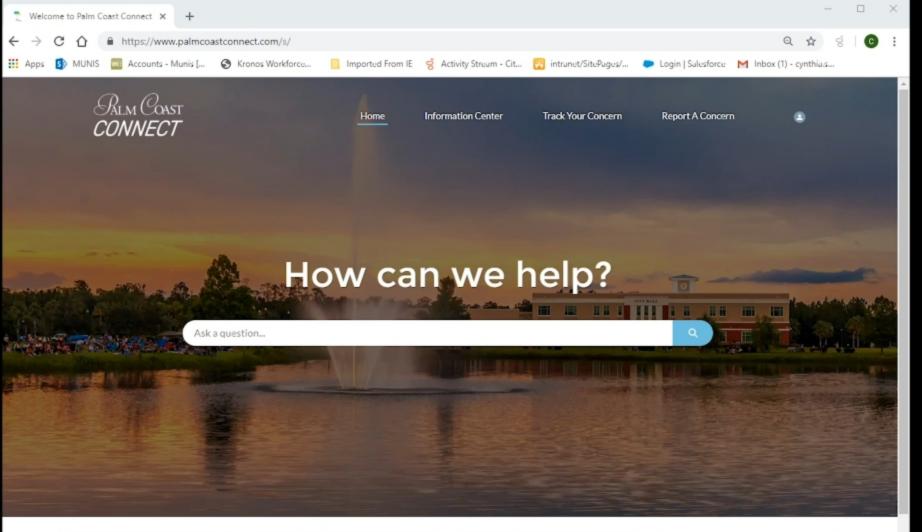
50+ articles and growing Commonly asked questions:

- Garbage and recycling
- Building permits
- Activities
- Swales and drainage

Access to Utility account

Immediate care and attention

Quick response from City crews





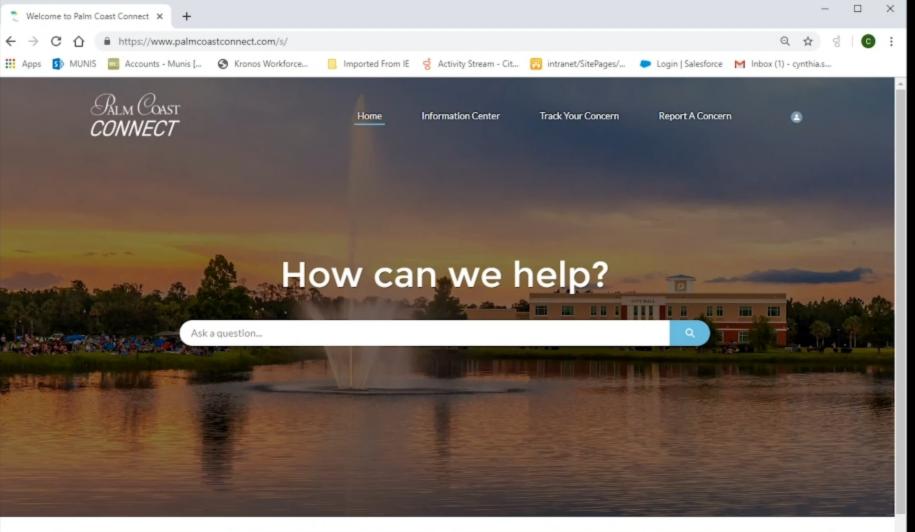






Palm Coast Connect is the easiest way to report concerns and request services from the City of Palm Coast. The portal lets you track and receive email notifications about your submitted requests. You can also find information on City services and programs. So create a free account today – and let's connect!







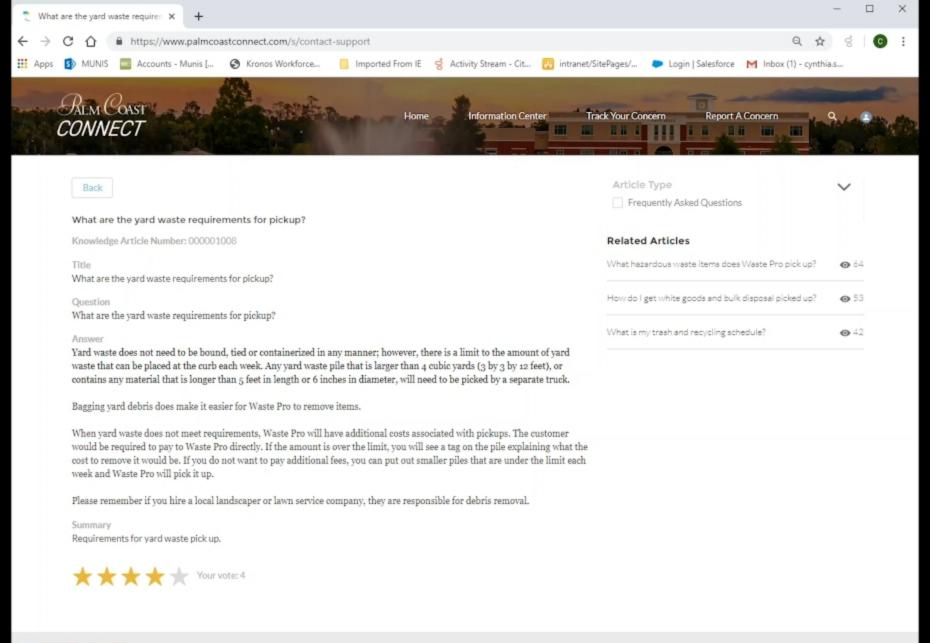






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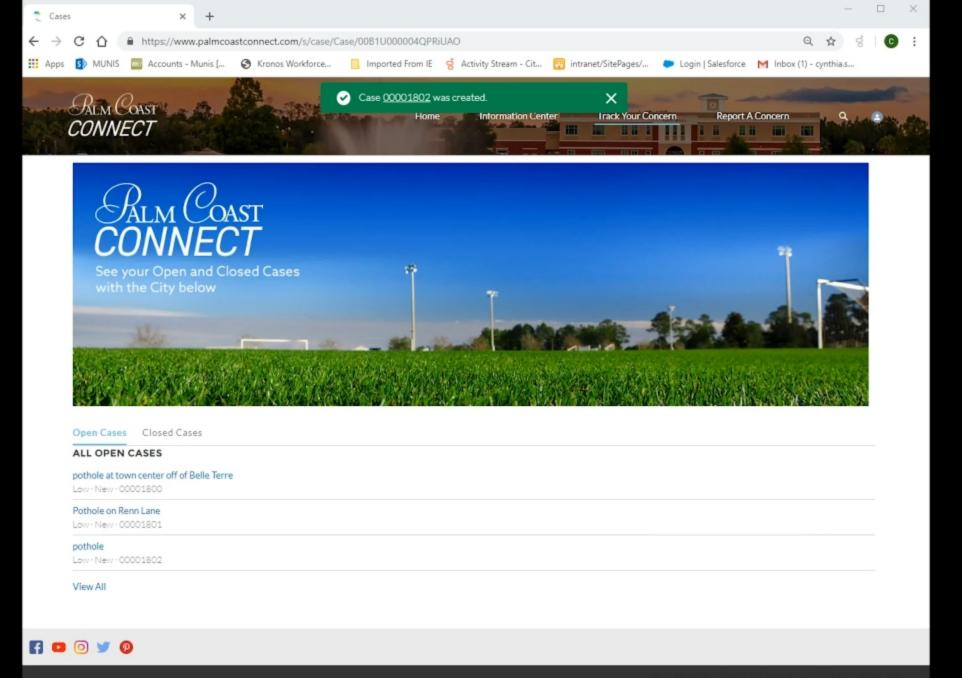












# Improving Customer Service

Automates work orders

Consolidates multiple software systems

Uses data to improve efficiency

- Faster response time
- Standardize internal processes
- Prioritize resources

Customer Survey with every interaction More efficient = saves time and money

# Marketing Plan



Newsletter – coming in Utility bills in June
Traditional media
Social media
E-blast
Website
Video
Paid advertising
Print collateral
Events and community outreach

Contest starts the week of June 17 Big kickoff at July 3 fireworks

# Let's Connect!



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### City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

DepartmentPLANNINGAmountItem Key6605Account

Subject ORDINANCE 2019-XX FUTURE LAND USE MAP AMENDMENT FOR 7.1 +/-

ACRE PARCEL LOCATED 500' NORTHEAST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PARKWAY INTERSECTION FROM

GREENBELT TO MIXED USE-MATANZAS RETAIL CENTER

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

The proposed comprehensive plan amendment is for a 7.1+/- acre parcel located approximately 500 feet northeast of the intersection of Old Kings Rd. extension and Matanzas Woods Pkwy. The proposed amendment will change the Future Land Use Map (FLUM) designation of the subject parcel from Greenbelt to Mixed Use.

In addition to the FLUM amendment, there is a companion application to change the zoning of the parcel from Public/Semipublic to Master Planned Development (MPD). The MPD zoning is proposed to cover an approximately 29 acre area.

The subject property is currently owned by the City of Palm Coast and is used as a stormwater pond. The parcel was part of an approved land swap with the City (Sept. 2018) to acquire the subject 7.1 acre parcel in exchange for approximately 9+/- acres.

The proposed amendment was reviewed for the following:

An analysis of the proposed amendment's impacts on public facilities and infrastructure does not indicate significant impacts to public facilities (i.e. the impacts do not exceed the accepted Level of Service). Furthermore, the impacts will be reviewed in greater detail during the site plan review process.

Review of the environmental impacts does not indicate a significant impact on the environmental resources since the amendment will not encroach into the wetland areas (designated Conservation on the Future Land Use Map) to the west.

Finally, the proposed amendment was reviewed for consistency with goals, objectives, and policies of the City's Comprehensive Plan and is found to be consistent with the following goals, objectives, and policies:

Mixed Use designation is consistent with the designation of the surrounding parcels and is appropriate at proposed location, promoting compact and contiguous development and a mixture of land uses, that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in

the Land Development Code (LDC) such as development phasing, programming, and appropriate sizing of public facilities, and that the development of employment centers are at close proximity to housing and transportation corridors for convenience to residents.

#### Neighborhood Meeting

Consistent with the requirements of the Land Development Code (LDC), a neighborhood meeting was held on January 22, 2019. Per previous City Council direction, City staff attended the neighborhood meeting as well.

On April 17, 2019, the Planning and Land Development Regulation Board (PLDRB) held a public hearing on this proposed amendment. The PLDRB had minimal comments and approved the item with a condition for the applicant to clean the site per FDEP guidelines. There were no comments from the public.

**Recommended Action:** Planning Staff and the Planning and Land Development Regulation Board (PLDRB) recommend that the City Council approve an amendment to the Future Land Use Map (FLUM) for 7.1 +/- acres from Greenbelt to Mixed Use.

#### ORDINANCE 2019-\_\_\_ MATANZAS WOODS RETAIL CENTER COMPREHENSIVE PLAN AMENDMENT APPLICATION # 3856

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 7.1+/- ACRE PARCEL OF LAND LOCATED 500 FEET NORTHEAST OF OLD KINGS ROAD EXTENSION AND MATANZAS WOODS PKWY. INTERSECTION AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A", FROM GREENBELT TO MIXED USE, 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 recommendation of staff, citizens, and all interested parties submitting written and oral comments regarding amending the Future Land Use Map (FLUM) for a 7.1+/- acre parcel of land identified as Flagler County Tax Parcel Identification Number 25-10-30-0000-01020-0050 described in Exhibit "A" from Future Land Use Map designation of Greenbelt to Mixed Use at a public hearing on April 17, 2019; 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 recommendation 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.

Ordinance 2019-\_\_\_\_ Page 1 of 5 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 7.1+/- acre parcel of land, identified as Flagler County Tax Parcel Identification Number 25-10-30-0000-01020-0050, generally located 500 feet northeast of Old Kings Rd. Extension/Matanzas Woods Pkwy. intersection, as legally described and shown in Exhibit "A", attached hereto, is hereby amended from the Future Land Use Map designation of Greenbelt to Mixed Use.

# 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.

Ordinance 2019-\_\_\_\_ Page **2** of **5** 

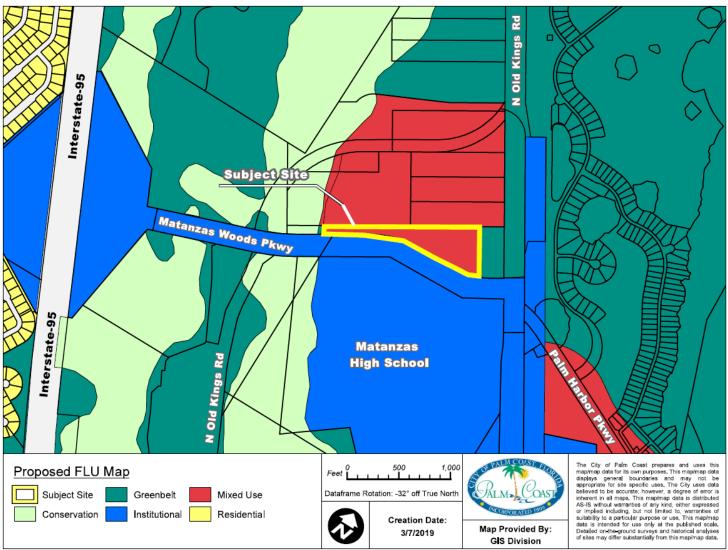
<b>APPROVED</b> on first reading after due public notice and public hearing the 21st day of May 2019.			
ADOPTED on second read day of 2019.	ling after due public notice and public hearing the		
ATTEST:	CITY OF PALM COAST, FLORIDA		
Virginia A. Smith, City Clerk	Milissa Holland, Mayor		
Attachments: Exhibit "A" – Legal Description of p Exhibit "B" – Revised FLUM.	property subject to FLUM amendment.		

#### EXHIBIT "A" LEGAL DESCRIPTION

A portion of Section 25 Township 10 South, Range 30 East, Flagler County, Florida and being more particularly described as follows: Commence at the intersection of the Easterly right of way line of Interstate 95 and the Northerly right of way line of Matanzas Woods Parkway per Florida Department of Transportation Right of Way Map Section 73001, Financial Project Number 411959-2; thence North 70°01'31" East along said Northerly right of way line, 986.76 feet to the point of curvature of a curve to the left being concave Northwesterly; thence continue along said right of way line and along and around the arc of said curve having a radius of 1899.89 feet, an arc distance of 387.19 feet, said arc being subtended by a chord bearing and distance of North 64°04'32" East 386.52 feet to the point of tangency of said curve; thence North 58°21'57" East along said Northerly right of way line, 235.89 feet to the Point of Beginning; thence continue North 58°21'57" East along said Northerly right of way line 510.93 feet to the point of curvature of a curve to the right; thence continue along said right of way line and along and around the arc of said curve an arc distance of 405.21 feet, said arc being subtended by a chord bearing and distance of North 72°52'24" East 400.89 feet to the point of tangency of said curve; thence continue along said right of way line North 87°23'01" East 466.80 feet to the point of curvature of a curve to the left; thence continue along said right of way line and along and around the arc of said curve being concave Northerly and having a radius of 700.00 feet, an arc distance of 233.07 feet, said arc being subtended by a chord bearing and distance of North 77°50'44" East 231.99 feet; thence departing said right of way line, North 31°38'15" West 488.31 feet; thence South 58°20'44" West 1506.13 feet; thence South 18°18'32" East 85.84 feet to the Point of Beginning.

Lands thus described contains 7.08 acres more or less.

#### EXHIBIT "B" ORDINANCE NO. 2019-



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# COMMUNITY DEVELOPMENT DEPARTMENT CITY COUNCIL STAFF REPORT April 26, 2019

## **OVERVIEW**

**Application #:** 3856

**Applicant:** David J. Heekin

**Property Description:** 

**Property Owner:** City of Palm Coast (proposed as part of a land

swap with Matanzas Holdings, LLC)

**Location:** 500 feet northeast of Old Kings Rd.

extension/Matanzas Woods Pkwy.

**Real Estate ID #:** 25-10-30-0000-01020-0050

**Current FLUM designation:** Greenbelt

Current Zoning designation: Public/Semipublic Stormwater pond Size of subject property: 7.1 +/- acres

Requested Action: Future Land Use Map (FLUM) amendment for 7.1+/- acre parcel from Greenbelt

to Mixed Use

Recommendation: Staff and the Planning and Land Development Regulation Board recommend

that City Council Approve the proposed Future Land Use Map (FLUM)

Amendment

Project Planner: José Papa, AICP, Senior Planner

## **ANALYSIS**

## **Background**

The subject parcel is currently owned by the City of Palm Coast and is used as a stormwater pond to serve Matanzas Woods Pkwy. An adjacent land owner Matanzas Holdings, LLC has proposed a land exchange that would result in Matanzas Holdings, LLC acquiring the subject parcel in exchange for 9+/- acres in the vicinity. The exchanged lands from Matanzas Holdings, LLC are currently vacant and designated as Mixed Use and Conservation on the FLUM.

There is a companion zoning map amendment for the remainder of the property to designate an approximately29 acre area as a Master Planned Development (MPD) for commercial uses.

Page 2 Application # 3856

To comply with this standard, the applicant notified neighboring property owners via regular mail on January 9, 2019, of an upcoming neighborhood information meeting that was held on January 22, 2019 at 6:00 p.m. in the Media Room at Matanzas High School. A total of three persons attended this meeting including Matanzas High School Principal Jeffrey Reaves, the applicant's engineer Curt Wimpee, PE of Alliant Engineering, Inc. and City Senior Planner Bill Hoover. Principal Jeffrey Reaves mentioned his concern about access points for the proposed shopping center and how those would work for students, teachers and visitors to the school. Curt Wimpee, PE showed each of the project's access points including those for pedestrians and bicyclists. Principal Reaves stated that he would request to have David Freeman of the Flagler County School Board follow up with the City and the developer as the project went through the development review processes.

## PLDRB Public Hearing - April 17, 2019

The Planning and Land Development Regulation Board held a public hearing to discuss the application for the FLUM amendment. The PLDRB did not have questions on the FLUM amendment and there were no speakers from the public.

## **DENSITY/INTENSITY AND POPULATION**

The proposed FLUM of Mixed Use permits a maximum Floor to Area Ratio (FAR) intensity of .55. and a maximum density of 15 dwelling units/acre. The current FLUM of Greenbelt permits a maximum density of 1 unit/acre and a maximum FAR of .30. The proposed FLUM will result in a net increase of 76,992 sq. ft. of non-residential development or a net increase of 99 dwelling units (See Table 1 and 1a).

TABLE 1 - FLUM DESIGNATION MAXIMUM DENSITY/INTENSITY ALLOWED (NON-RESIDENTIAL USE)									
# of Acres Maximum FAR Maximum									
Proposed FLUM: Mixed Use	7.07	0.55	169383						
Current FLUM: Greenbelt	7.07	0.30	92391						
NET CHANGE		Increase	76992						
Footnotes:  (1) Max Sq. Ft. = # of Acres X Max. FAR X 43560 sq.ft/acre									

TABLE 1a - FLUM DESIGNATION M (RESID	AXIMUM DEN ENTIAL USE)		LLOWED
	# of Acres	Maximum Density	Maximum # of units <sup>(1)</sup>
Proposed FLUM: Mixed Use	7.07	15 units/acre	106
Current FLUM: Greenbelt	7.07	1 unit/acre	7
NET CHANGE		Increase	99
Footnotes:  (1) Max. # of units = # of Acres X Maximum Density			

### PUBLIC FACILITIES AVAILABILITY/IMPACT ANALYSIS (MAXIMUM DEVELOPMENT POTENTIAL)

## Objective 1.1.3-Evaluation of Amendments to the FLUM

Page 3 Application # 3856

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.2 - At a minimum, infrastructure availability and capacity, specified as follows, shall be considered when evaluating proposed FLUM amendments:

- A. Existing and future capacity of roadways based on functional classifications and best available data for traffic modeling. For the purposes of evaluating capacity, roadway improvements programmed in the FDOT 5-year Work Plan or listed in either the City of the County 5-year Capital Improvement Program shall be considered.
- B. Large-scale, high-intensity commercial projects shall be concentrated at intersections of the following arterials...
- C. Existing and future availability and capacity of central utility systems.
- D. Availability and capacity of receiving watercourses and drainage systems to convey design storm events.

The current FLUM designation of Greenbelt permits a maximum residential density of 1 dwelling units/acre and a maximum FAR of .30 of Institutional Use. In comparison, the proposed Mixed Use designation allows a maximum .55 FAR of commercial use and/or 15 dwelling units/acre.

The public facility impact analysis based on the maximum non-residential and residential development potential is provided in below in Table 2.

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Table 2 Public Facilities Impact Analysis

Density <sup>(1)</sup> Proposed FLUM designation - Mix	development	(PHT) <sup>(2)</sup>	Potable Water (GPD) <sup>(3)</sup>	Sanitary Sewer (GPD) <sup>(4)</sup>	Solid Waste (lbs./day) <sup>(5)</sup>	Recreation and Parks (8 acres/ 1000 pop.) <sup>(6)</sup>		Stormwater Drainage <sup>(8)</sup>
Max Non-residential Use55 FAR Shopping Center	169,383	632	28,795	16,938	-			N/A
(minus) 34% pass-by trips for shop	ping center	215						
Max. Residential Use (15 units/acre)	106.05				2,191	2.0	26	
	Total	417	28795	16938	2191	2	26	N/A

Net Change		158	13.089	7.699	2.045	1.9	24.3	N/A
	Total	259	15706	9239	146	0.1	1.7	
Max. Residential Use (1 unit/acre)	7.1				146	0.1	1.7	
Max. Non-residential Use30 FAR Hospital	92,391	259	15,706	9,239	-			N/A
Current FLUM designation - Greenbe	elt (7.07 acres)							

#### Footnotes:

- (3) Potable Water: Residential = # of units\*2.4\*125 gallons/capita/day
- (3) Potable Water: Commercial = 17 gpd/100 sq. ft.
- (4) Wastewater: Residential = # of units\*2.4\*82 gallons/capita/day
- (4) Wastewater: Commercial = 10 gpd/100 sq. ft.
- (5) Solid Waste: Residential Demand = # of units\*2.40\*8.61 lbs/capita/day
- (5) Solid Waste: No Level of Service Requirement for Non-residential
- (6) Recreation and Parks: Residential Demand = # of units \* 2.40 \*8 acres/1000 persons
- (6) Recreation and Parks = No LOS Requirement for Non-residential
- (7) Public Education Residential: = Based on multiplier provided by Flagler County School District. See Table 3.
- (7) Public Education Non-Residential = No LOS Requirement for Non-residential

## **Public Facilities Impact Analysis**

## **Transportation**

The proposed FLUM amendment will have a maximum potential net increase of 158 peak hour trips. Matanzas Woods Parkway between US-1 and Palm Harbor Pkwy. currently operate at a Level of Service of "C". Old Kings Rd. between Matanzas Woods Pkwy. and Palm Coast Pkwy. currently operate at a Level of Service between "B" and "C". Further analysis of the traffic impact will be conducted at the time of site plan application.

## **Potable Water**

The proposed FLUM amendment will have a maximum potential net increase in demand for potable water of .013 MGD. Water Treatment Plants #1, 2, & 3 have a combined treatment capacity of 16.58 MGD and a current treatment demand of 11.49 MGD (based on Comprehensive Plan LOS standards).

## **Wastewater**

The proposed FLUM amendment will have a maximum potential net increase in demand for sanitary sewer treatment of .007 MGD. Wastewater Treatment Plants #1 and 2 currently have a treatment capacity of 8.83 MGD and a current treatment demand of 8.08 MGD (based on Comprehensive Plan LOS standards).

<sup>(1)</sup> Calculation of Density: Lot Size (acre)\*# of units/acre

<sup>(1)</sup> Calculation of Intensity: Lot Size (acre)\*43560\*FAR

<sup>(2)</sup> Transportation: Non-residential PM Peak Hour Trips (PHT), Mixed Use = ITE Code 820: Shopping Center = 3.73/1000 sq. ft. based on average rate in ITE Manual, 8th Edition

<sup>(2)</sup> Transportation: Non-residential PM Peak Hour Trips (PHT), Greenbelt Use = ITE Code 610: Hospital, based on trip generation per formula T=.78(x)+186.59 in ITETrip, Generation Manual, 8th Edition, X= 1000 sq. ft. Gross Floor Area

<sup>(8)</sup> Stormwater/Drainage: Stormwater Treatment will be reviewed for consistency with adopted LOS, during site plan approval process.

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## **Solid Waste**

The proposed FLUM amendment will have a maximum potential net increase of 2,045 lbs. of solid waste/day based on a comparison of residential development potential. The City currently has an agreement with Volusia County to accept solid waste until 2026.

### **Public Recreation and Open Space**

The proposed FLUM amendment will have a maximum potential net decrease in demand of 1.9 acres of park facilities. The City currently owns 955+/- acres of park lands, (580+/- acres for active, 375+/- acres for passive uses). Should the property be proposed for residential development an analysis of the project's impact on recreational facilities will be conducted during the site plan review process.

## **Public Schools**

The proposed FLUM amendment will have a potential net increase in demand for 24 student stations. Should the parcel be proposed for residential development a more in-depth analysis of the project's impact on school facilities will be conducted during the site plan review process.

### Stormwater

Stormwater systems are reviewed for consistency with LOS during site plan review.

### **ENVIRONMENTAL/CULTURAL RESOURCES ANALYSIS**

## Objective 1.1.3-Evaluation of Amendments to the FLUM

Review proposed amendments to the Future Land Use Map (FLUM) based upon environmental conditions, the availability of facilities and services, school capacity, compatibility with surrounding uses, and other generally accepted land use planning principles.

Policy 1.1.3.1- At a minimum, the following environmental factors shall be evaluated each time FLUM amendments are proposed:

- A. Topography and soil conditions including the presence of hydric soils.
- B. Location and extent of floodplains and the Coastal Planning Area, including areas subject to seasonal or periodic flooding.
- C. Location and extent of wetlands, certain vegetative communities, and protected wildlife species.
- D. Location and extent of other environmentally sensitive features.
- E. Proximity to wellfields and aquifer recharge areas.
- F. Impacts to potable water supply.

## A. TOPOGRAPHY AND SOIL CONDITIONS

The site is currently used as a stormwater pond. Any vertical development on the site (regardless of Greenbelt or Mixed Use designation) will require the stormwater pond to be filled and require the relocation of the stormwater pond to another location.

### **B. FLOODPLAIN**

Flood designation: The subject parcel is outside the Special Flood Hazard Area (SFHA) and lies within a "X" zone.

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### C. VEGETATIVE COMMUNITIES

As the site of an existing stormwater pond, the parcel has mainly been cleared to accommodate the pond. The proposed City FLUM change to Mixed Use (MU) will not significantly elevate the current level of development potential; any proposed improvements to the parcel area will require a technical site plan review to determine final compliance with the Unified Land Development Code such as requirements for preservation or mitigation for historic or specimen trees.

## D. PROTECTED SPECIES DISTRIBUTION/ WILDLIFE UTILIZATION

Listed species: A wildlife survey was conducted by the applicant's biologist. The upland and wetland habitat communities found on-site are considered common in Flagler County and east-central Florida. An osprey nest was observed in the wetlands in the southwestern corner of the property. Any effects on the nest or nest tree will require further permitting with USFWS and/or FWC.

### **E. ENVIRONMENTAL SENSITIVE FEATURES**

As stated in the applicant's habitat assessment, the upland and wetland habitat communities found onsite are considered common in Flagler County and east-central Florida.

### F. GROUNDWATER RESOURCE PROTECTION

According to City-maintained data, the nearest proposed and/or existing production well is greater than 1.0 mile west of the site. The proposed FLUM change is not anticipated to impact the potable water supply.

### **G. HISTORICAL RESOURCES**

Staff conducted a Geographic Information System (GIS) search of the Florida Department of State, Division of Historical Resources' Florida Master Site File to determine if any historical or archeological resources were located on the subject property or with the immediate vicinity. The search concluded the site area had been surveyed for historical resources in 2012; however, City staff does not have access to the findings and no additional information was provided by the Applicant. The GIS data did reflect a known site, Old King's Road (FL00186) on or within the property area. It cannot be concluded at this time that historical resources exist on the subject property due to lack of reference material and on-site investigations; however, City regulations exist to protect against impact to historical resources during development. The City requires developments during plan review to provide a qualified environmental professional assessment or State Historical Protection Officer (SHIPO) determination letter that details the potential for historical resources existing on the subject property. Based on the existing improved nature of the site, no impact is anticipated as a result of the land use change.

## LAND USE COMPATIBILITY ANALYSIS

Policy 1.1.3.3 – At a minimum, compatibility with proximate uses and development patterns shall be considered when evaluating proposed FLUM amendments.

- A. This policy shall not be construed to mean that different categories of uses are inherently incompatible; rather, it is intended to promote the use of transitional areas where densities and intensities can be appropriately scaled.
- B. Buffers are encouraged as an effective means of transition between areas where there is a greater degree of disparity in terms of densities and intensities.

Page 7 Application # 3856

C. Impacts to the health, safety, and welfare of surrounding residents shall be considered.

## Surrounding Future Land Use Map Designation:

North: Mixed Use South: Institutional East: Greenbelt West: Conservation

## **Surrounding Zoning Designation:**

North: General Commercial (COM-2)

South: Public/Semipublic East: Public/Semipublic West: Conservation

## **Surrounding Property Existing Uses:**

North: Vacant

South: Matanzas High School

East: Vacant (parcel owned by Flagler County)

West: Vacant (wetlands)

The proposal to designate the subject property as Mixed Use is generally consistent and compatible with the surrounding land use designations.

- 1) The proposed Mixed Use designation is consistent with the designation of the parcels to the north,
- 2) The proposed amendment does not encroach into the wetland areas to the west which are designated as Conservation,
- 3) The parcel to the east of the subject property is designated as Greenbelt but due to its location at the intersection of Palm Harbor Pkwy. and Matanzas Woods Pkwy. will likely have the potential for more intense development to serve a growing area of Palm Coast.
- 4) Finally, Matanzas Woods Parkway serves as a buffer between the subject property and the Institutional use (Matanzas High School) to the south. Through the site plan review process, special attention will need to be provided to ensure that the increase in traffic volumes from the development of the subject parcel will not negatively impact safety and traffic in and out of the high school property.

### **CONSISTENCY WITH COMPREHENSIVE PLAN**

The proposed amendment was evaluated for consistency with the following relevant goals, objectives, and policies from the City's Comprehensive Plan.

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.

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Analysis: 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. The site is located approximate to the junction of two roadway corridors (Matanzas Woods Pkwy. and Palm Harbor Pkwy.). The subject parcel's location can provide services (retail or office) to a large sector of the City which is currently lacking in such services. Additionally, utility lines (water and sewer) are available to serve the subject property.

Policy 1.3.1.1 - The City shall ensure that the location and timing of new development is coordinated with the provision of public facilities through the use of growth management measures being included in the LDC such as development phasing, programming, and appropriate sizing of public facilities.

Analysis: The proposed amendments are consistent with Policy 1.3.1.1, the public facilities impacts can be accommodated by the existing infrastructure capacity. Any need to extend water or wastewater mains to the facility will be the responsibility of the developer/property owner.

Objective 1.4.2 – Create Employment Centers and Jobs – Encourage the development of employment centers within close proximity to housing and transportation corridors to maximize accessibility, convenience for residents, and to improve the economic climate.

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.

Analysis: The proposed amendment expands the availability of land to provide services in the northeast section of the City. The subject parcel's location in proximity of two roadway corridors (Palm Harbor Pkwy. and Matanzas Woods Pkwy.) is consistent with Comprehensive Plan objective to develop employment centers at close proximity to housing and transportation corridors for convenience to residents.

Policy 5.1.3.2 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for potable water facilities and wastewater facilities where connection is available consistent with Policies 1.1.1.2 and 1.1.3.2. For the purposes of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Policy 5.2.2.3 – The City shall designate urban densities or intensities on the Future Land Use Map only in areas that have sufficient existing or planned capacity for sanitary sewer facilities and where connection is available as set forth in State law and City regulations. The City shall minimize the use of septic tanks in accordance with the provisions of Objective 5.2.3 and policies implementing that objective. For the purpose of this Plan, any residential density exceeding one (1) dwelling unit per acre shall be deemed to be an urban density.

Analysis: The proposed amendment to Mixed Use designation is consistent with Comprehensive Plan policy to create urban densities or intensities in areas that have sufficient existing or planned capacity for potable water and wastewater facilities.

## **PUBLIC PARTICIPATION**

Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers or property owners who are requesting to rezone property within the City to notify neighboring property owners within 300 feet of the subject property boundaries and hold a neighborhood information meeting (NIM).

To comply with the LDC, the applicant notified neighboring property owners via regular mail on January 9, 2019, of an upcoming neighborhood information meeting that was held on January 22, 2019 at 6:00 p.m. in the Media Room at Matanzas High School. A total of three persons attended this meeting including Matanzas High School Principal Jeffrey Reaves, the applicant's engineer Curt Wimpee, PE of Alliant

Page 9 Application # 3856

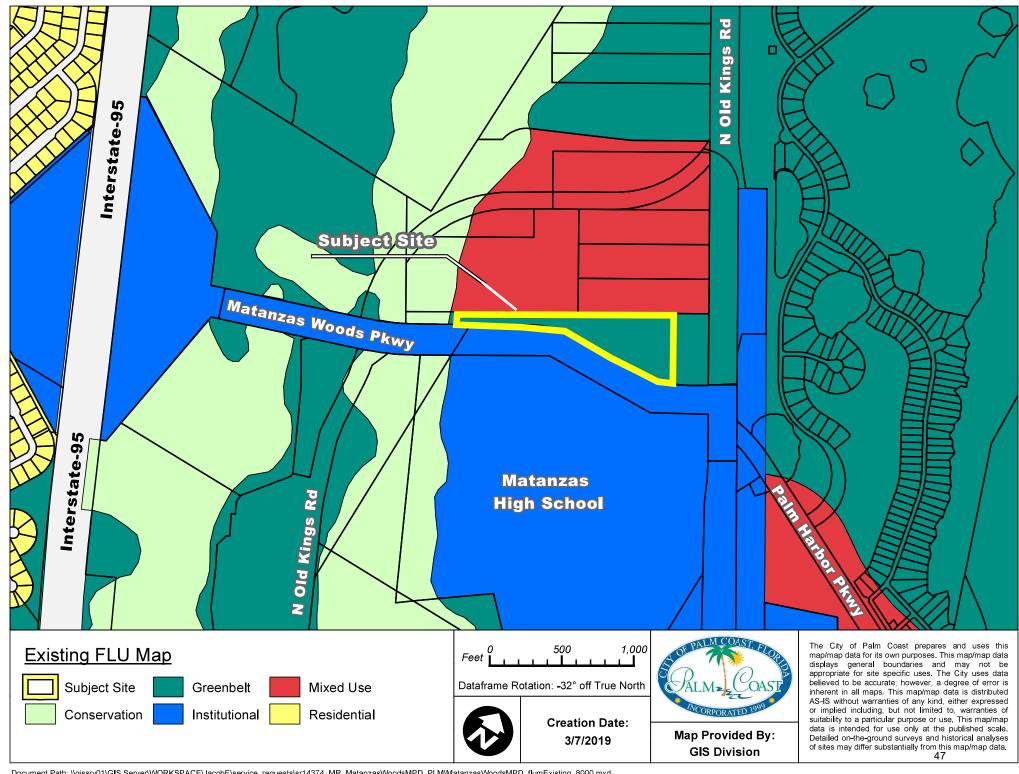
Engineering, Inc. and City Senior Planner Bill Hoover. Principal Jeffrey Reaves mentioned his concern about access points for the proposed shopping center and how those would work for students, teachers and visitors to the school. Curt Wimpee, PE showed each of the project's access points including those for pedestrians and bicyclists. Principal Reaves stated that he would request to have David Freeman of the Flagler County School Board follow up with the City and the developer as the project went through the development review processes.

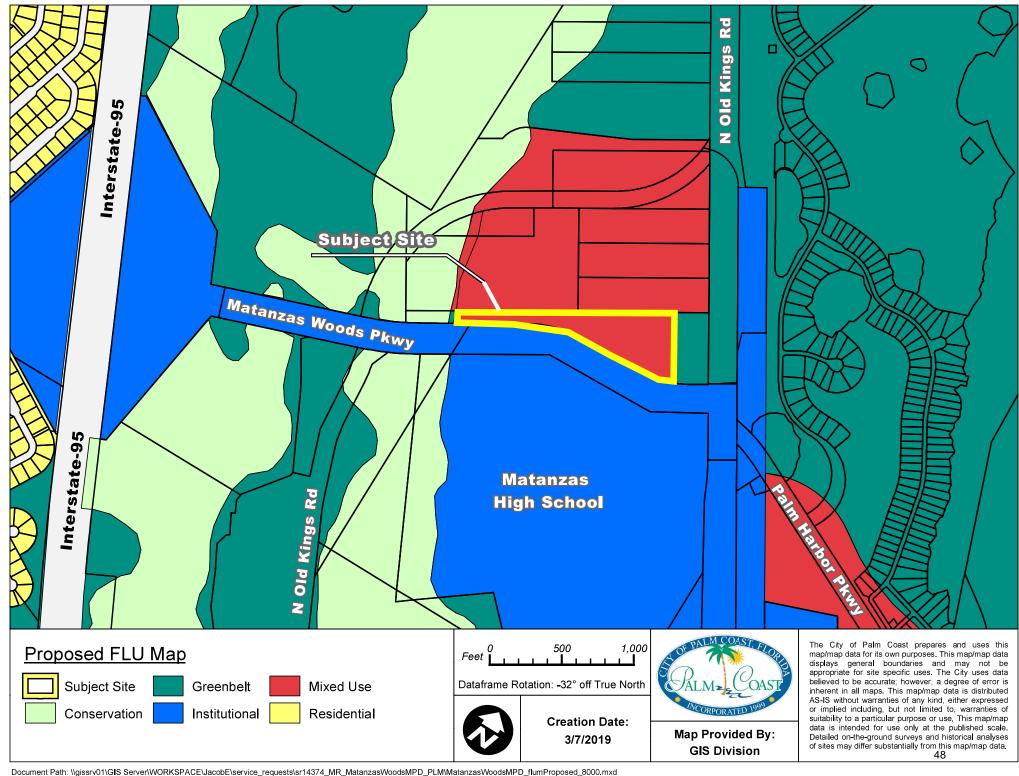
## **RECOMMENDATION**

Staff and the Planning and Land Development Regulation Board recommend that City Council Approve the proposed Future Land Use Map (FLUM) Amendment .

LOCATION MAP - Matanzas Woods Retail Center FLUM Amendment







## MATANZAS WOODS RETAIL CENTER

## FLUM AMENDMENT & MPD REZONING

City Council Public Hearing on May 21, 2019



# Subject Site Matanzas Woods Pkwy **Matanzas** High Schoo

## **LOCATION MAP**

The proposed Matanzas Woods **Retail Center** project is located across Matanzas **Woods Parkway** from Matanzas **High School** 

## Location Map (Small Scale)



Feet 0 500 1,000

Dataframe Rotation: -32° off True North



Creation Date: 3/7/2019



Map Provided By: GIS Division 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.





## **Aerial**

Project is 29.61 +/ - acres and proposed for a **FLUM** Amendment and MPD Rezoning to allow for General Commercial (COM -2) uses



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.

Map Provided By:

**GIS Division** 

3/7/2019

Document Path: \\gissrv01\GIS Server\WORKSPACE\JacobE\service\_requests\sr14374\_MR\_Matanzas\WoodsMPD\_PLM\Matanzas\WoodsMPD\_location\_4000.mxd

# Background

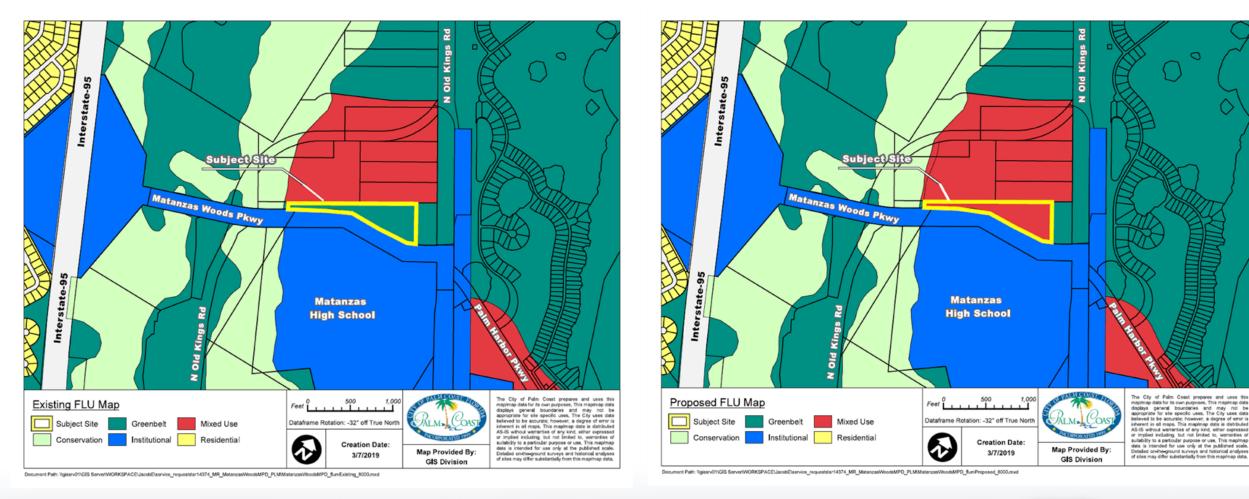
On Sept. 18, 2018, City Council approved a land exchange with Matanzas Holdings, LLC. Two parcels are being transferred each way. Matanzas Holdings will also provide stormwater storage for ROWs.





MATANZAS WOODS LAND SWAP
MATANZAS WOODS PARKWAY, PALM COAST, FLORIDA

ALLIANT



Applicant is requesting 7.1+/- acres to be redesignated from Greenbelt to Mixed Use.



Table 2 Public Facilities Impact Analysis

Density <sup>(1)</sup> Proposed FLUM designation - Mixe	development	(PHT) <sup>(2)</sup>	Potable Water (GPD) <sup>(3)</sup>	Sanitary Sewer (GPD) <sup>(4)</sup>	Solid Waste (lbs./day) <sup>(5)</sup>	Recreation and Parks (8 acres/ 1000 pop.) <sup>(6)</sup>	Public Education	Stormwater Drainage <sup>(8)</sup>
Max Non-residential Use-,55 FAR Shopping Center	169,383	632	28,795	16,938	-			N/A
(minus) 34% pass-by trips for shop	ping center	215						
Max. Residential Use (15 units/acre)	106.05				2,191	2.0	35	
	Total	417	28795	16938	2191	2	35	N/A

Net Change		158	13,089	7,699	2,045	1.9	32.7	N/A
	Total	259	15706	9239	146	0.1	2.3	
Max. Residential Use (1 unit/acre)	7.1				146	0.1	2	
Max. Non-residential Use30 FAR Hospital	92,391	259	15,706	9,239	_			N/A
Current FLUM designation - Greenbe	lt (7.07 acres)							

Review of the impact analysis does not indicate a significant impact on public facilities as the impacts will not exceed the adopted LOS.



## Consistent with the following Comprehensive Plan Policies

- Availability of Infrastructure to support the project
- Promotes land use patterns that do not increase cost of providing utilities
- Location of commercial and employment centers in close proximity to residential development



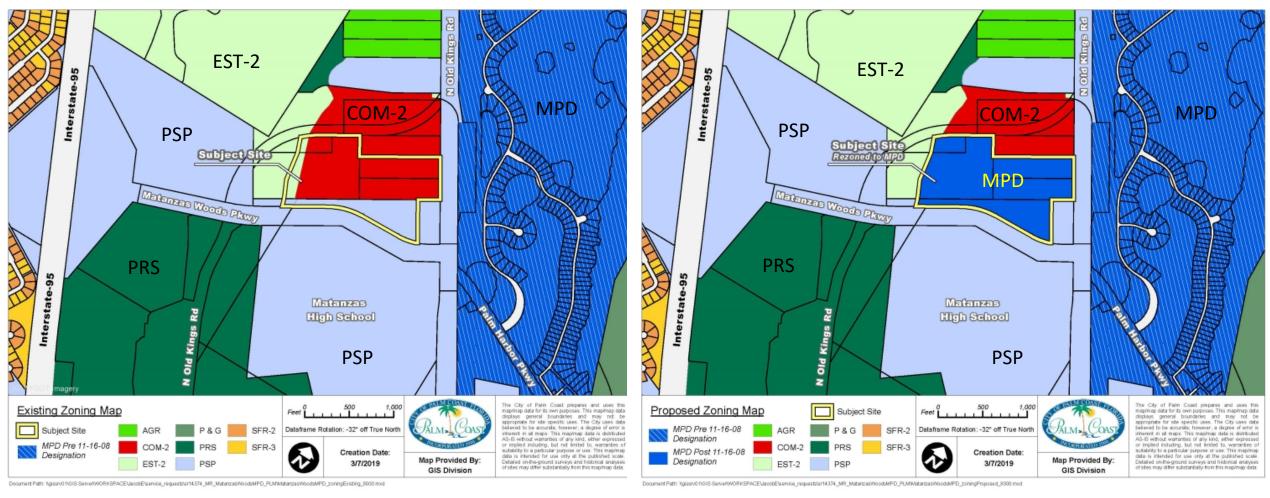
## **Findings**

- No significant impact on environmental factors
- Consistent with surrounding land uses
- Consistent with Comprehensive Plan
- No impact on Level of Service for public infrastructure



## **Existing Zoning Map**

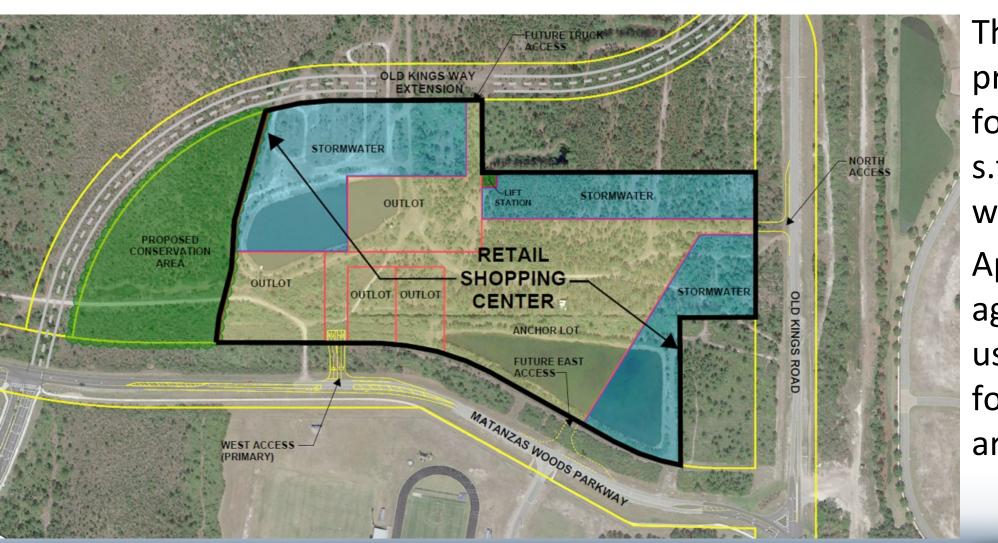
## **Proposed Zoning Map**



Proposed to rezone property from EST-2, COM-2 and PSP to MPD for General Commercial (COM-2) type uses



## Exhibit "B" - MPD Master Plan



The 29.61+/- acre proposed MPD is for up to a 150,000 s.f. shopping center with outparcels.

Applicant has agreed to develop it using one of the following three architectural styles.



# Exhibit "C-1" – Beach Village Shopping Center



# Exhibit "C-2" – Island Walk Shopping Center



# Exhibit "C-3" – Town Center Publix Center



## Other Review Data - Traffic

- The applicant's TIS for the MPD showed Phase 1 of the project, with 109,100 sq. ft. of retail uses, would generate per the ITE's Trip Generation Manual: 468 a.m. peak hour, 810 p.m. peak hour, and 9,656 daily trips.
- After adjustments for multi-use and pass-by traffic, the project's Phase 1 net new traffic was estimated at 302 a.m. peak hour trips, 556 p.m. peak hour trips and 6,552 daily trips.
- With submittal of a plat or technical site plan application, the developer will submit an updated TIS to analyze site access drives.



## Other Review Data - Traffic

- At build-out of Phase 1 in 2023, with the project's traffic included, all roadway segments and intersections within the study area will operate at LOS C or better except for the intersection of Matanzas Woods Parkway and Bird of Paradise Drive.
- At this un-signalized intersection, the north bound traffic on Bird of Paradise Drive would operate at LOS F during only the a.m. peak hour which is primarily due to a large volume of existing traffic heading to Matanzas High School and commuting traffic.



## Other Review Data - Environmental

- The site was used as a trap and skeet shooting range from about 1992 to 2004, which generated lead shot from spent shells.
- After a Phase 1 environmental assessment was done it was followed by a Phase 2 environmental audit to look further into this.
- The applicant had an environmental firm do soil and ground water testing to analyze potential issues from the lead shot.
- It was determined that four areas had lead particles above the maximum standards for commercial sites but found no ground water contamination above adopted standards. The applicant will remove the problem soils prior to any approval for Preliminary Plat or Technical Site Plan.

## Five Review Criteria from Sec. 2.05.05 of LDC

## Proposed changes in development:

- A) Must not be in conflict with public interest
- B) Must be consistent with LDC and Comprehensive Plan
- C) Must not impose a significant liability or hardship on City
- D) Must not create an unreasonable hazard or nuisance
- E) Must comply with all applicable government standards



# Staff Analysis Based on LDC Chapter 2, Sec. 2.05.05

- Planning staff reviewed the project for these five criteria and provided detailed findings in the staff report.
- The MPD Rezoning will not create a nuisance, hazard, or any compatibility issues as it meets all development standards and is in compliance with its new Mixed Use designation on FLUM.
- The development of the site is consistent with numerous policies of the FLUE and Transportation Element of Comp. Plan.
- Project will meet all applicable standards of the LDC.



# **Public Participation**

- Developer mailed out letters on Jan. 9<sup>th</sup> to all property owners within 300' inviting them to a NIM that was held on Jan. 22nd at 6:00 PM at Matanzas High School.
- Only one person from the public, Matanzas High School Principal Jeffrey Reaves attended the meeting besides the developer's engineer and City staff.
- Two signs were erected on the property notifying the public of the PLDRB and City Council public hearings.



# Planning and Land Development Regulation Board

- The PLDRB reviewed both applications at its April 17<sup>th</sup> public hearing
- No one in the public spoke for or against the project at this hearing
- Both were recommended for approval via separate 5 0 votes



## Recommendation

Planning staff and the PLDRB recommend approval for City Council to:

 Amend the FLUM (Application #3856) to change the land use designation on 7.1+/- acres from Greenbelt to Mixed Use

 Rezone 29.61 +/- acres from General Commercial (COM-2), Rural Estates (EST-2) and Public/Semi-Public (PSP) zoning to Matanzas Woods Retail Center MPD for retail and commercial uses (Application # 3855)

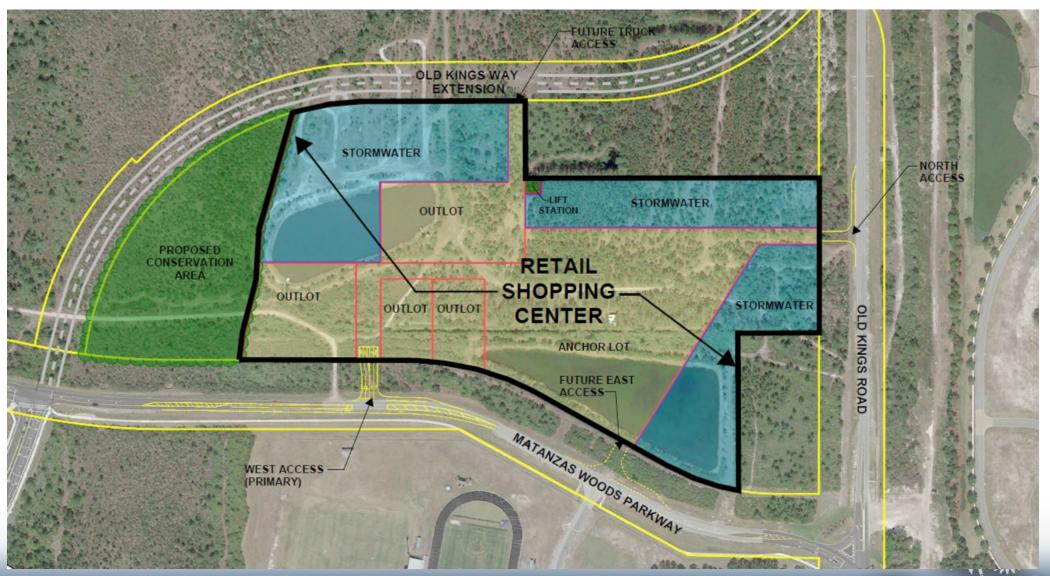


## Representatives for the Applicant are in Attendance

- David Heekin, Manager of Matanzas Holdings, LLC, Owner
- Curt Wimpee, PE of Alliance Engineering, Project Engineer

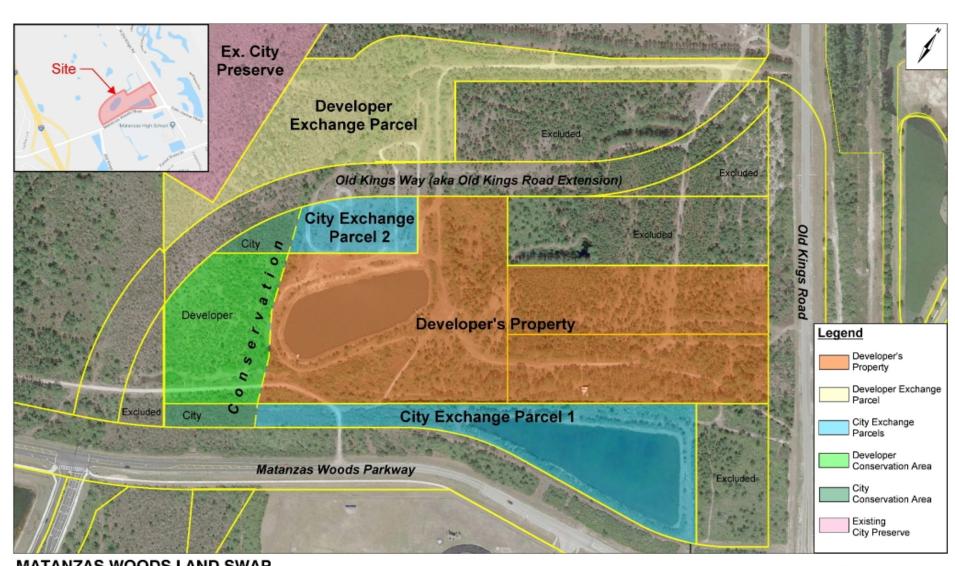


# Exhibit "B" - MPD Master Plan





# Land Exchange Map









# Questions



# City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Department<br/>Item KeyPLANNING<br/>6608Amount<br/>Account

#

Subject ORDINANCE 2019-XX ZONING MAP AMENDMENT FOR 29.61+/- ACRES ON

THE WEST SIDE OF OLD KINGS ROAD AND NORTH OF MATANZAS WOODS PARKWAY FROM GENERAL COMMERCIAL (COM-2), PUBLIC/SEMI-PUBLIC (PSP), & RURAL ESTATES (EST-2) TO MPD-MATANZAS WOODS RETAIL

CENTER

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

Matanzas Holdings, LLC as property owner of three properties and contracted purchaser of the two City owned properties, is proposing to rezone 29.61 +/- acres of vacant land with an existing stormwater pond and borrow pit located on the west side Old Kings Road and north of Matanzas Woods Parkway. The proposed rezoning is from General Commercial (COM-2), Public/Semi-Public (PSP) and Rural Estates (EST-2) to Matanzas Woods Retail Center Master Planned Development (MPD) for a shopping center with outparcels.

On September 18, 2018, the City Council approved an Agreement for Exchange of Real Estate, exchanging the portions of the two City owned properties located within this MPD Rezoning to Matanzas Holdings, LLC (see Resolution #2018-127) for property located north of the subject property and for Matanzas Holdings, LLC providing stormwater storage on its land for both Matanzas Woods Parkway and Old Kings Way rights-of-way. This agreement also requires Matanzas Holdings, LLC to rezone the subject property to an MPD.

The applicant (Matanzas Holdings, LLC) intends to develop the subject property into a shopping center, anchored by a grocery store, with perhaps a half-dozen outparcels. The project would not exceed 150,000 square feet of commercial building area. After adjustments for multi-use traffic and pass-by traffic the project's Phase 1 traffic consisting of 109,100 square feet of retail uses was estimated to generate net new traffic as follows: 302 a.m. peak hour trips, 556 p.m. peak hour trips and 6,552 daily trips.

To ensure high quality development for the project, the applicant has agreed to construct the shopping center in an architecturally style similar to either the Island Walk Shopping Center, Beach Village Shopping Center or the Town Center Publix Plaza. Photos representing these architectural styles are shown as Exhibits C-1, C-2, and C-3 respectively in the MPD Agreement.

On April 17, 2019, the Planning and Land Development Regulation Board held a public hearing

on the proposed MPD and recommended approval of it to the City Council by a 5-0 vote. Planning staff has received no communications from the public for or against the project. Additionally, no one from the public spoke for or against the project at the Planning and Land Development Board public hearing.

**Recommended Action:** Planning staff and the Planning and Land Development Regulation Board recommend that City Council approve the rezoning of 29.61 +/- acres from General Commercial (COM-2), Public/Semi-Public (PSP) and Rural Estates (EST-2) to Matanzas Woods Retail Center Master Planned Development (MPD) as shown in the attached Master Planned Development Agreement for retail and commercial uses, Application No. 3855.

### ORDINANCE 2019-REZONING APPLICATION NO. 3855 MATANZAS WOODS RETAIL CENTER 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 29.61 +/- ACRES OF CERTAIN REAL PROPERTY INCLUDING ALL OR PORTIONS OF TAX PARCEL IDENTIFICATION NUMBERS 25-10-30-4626-00000-00B0, 25-10-30-4626-00000-00C0, 25-10-30-4626-00000-00D1, 25-10-30-0000-01020-0050, AND 25-10-30-4626-00000-0Z03, GENERALLY LOCATED ON THE NORTH SIDE OF MATANZAS WOODS PARKWAY AND WEST OF OLD KINGS ROAD, AND BEING MORE PARTICULARLY DESCRIBED IN THE ATTACHED EXHIBIT A, FROM GENERAL COMMERCIAL (COM-PUBLIC/SEMI-PUBLIC (PSP) AND RURAL ESTATES (EST-2) ZONING DISTRICTS TO MASTER PLANNED DEVELOPMENT (MPD) ZONING DISTRICT; APPROVING THE MATANZAS WOODS RETAIL CENTER MASTER PLANNED DEVELOPMENT **AGREEMENT**; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Applicant is the owner of Parcel Numbers 25-10-30-4626-00000-00B0, 25-10-30-4626-00000-00C0, and 25-10-30-4626-00000-00D1, and Applicant is the contracted purchaser of portions of Parcel Numbers 25-10-30-0000-01020-0050 and 25-10-30-4626-00000-0Z03, which combined creates real property consisting of approximately 29.61 acres ("Property") located on the north side of Matanzas Woods Parkway and west of Old Kings Road in the City of Palm Coast, Flagler County, Florida, more particularly described in Exhibit "A"; and

**WHEREAS**, the Applicant desires to redevelop the Property with a mixture of commercial uses ("Project") to meet the retail and commercial demands of residents in north Palm Coast Palm Coast as it continues to grow and of motorists along I-95; and

**WHEREAS**, as a result, the Applicant requests approval for a Master Planned Development (MPD) on the Property per the conditions set forth in this Development Agreement; and

WHEREAS, the Applicant voluntarily agrees with the conditions, terms, and restrictions hereinafter recited, and has 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 Development Agreement (DA) has been properly conditioned with terms and restrictions to be consistent with the City's Comprehensive Plan (2035) (the "Comprehensive Plan") and Unified

Ordinance 2019-\_\_\_\_ Page **1** of **26**  Land Development Code (the "LDC") and that the conditions, terms, restrictions, and requirements set forth herein are necessary to ensure compliance with the Comprehensive 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 Development Agreement 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, this is 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 classify and develop the Property as a Master Planned Development (MPD) as set forth in a MPD Development Agreement (MPD DA); and

WHEREAS, the Applicant's application for a Master Plan Development is approved subject to the MPD Development Agreement'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 Comprehensive 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 5 - 0 to approve at the regularly scheduled meeting conducted on April 17, 2019, and after complete deliberation, the City Council hereby finds the requested change consistent with the City of Palm Coast Comprehensive 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:

Ordinance 2019-\_\_\_\_ Page **2** of **26**  <u>SECTION 1. LEGISLATIVE AND ADMINISTRATIVE FINDINGS.</u> The above recitals (whereas clauses) are hereby adopted as the legislative and administrative findings of the City Council.

#### SECTION 2. ZONING MAP AMENDMENT AND MPD AGREEMENT.

- (a) That the Official Zoning Map of the City of Palm Coast as described in City of Palm Coast Unified Land Development Code 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 Matanzas Woods Retail Center Master Planned Development Agreement ("Development Agreement") 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 Development Agreement shall be recorded in the Official Records of Flagler County, Florida, by the City Clerk.
- **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 5. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon its passage and adoption.

(THIS SPACE LEFT INTENTIONALLY BLANK)

Ordinance 2019-\_\_\_

Approved on first reading this 21st day of May, 2019.			
Adopted on the second reading after due pul 2019.	blic notice and hearing this day of		
	CITY OF PALM COAST, FLORIDA		
ATTEST:	MILISSA HOLLAND, MAYOR		
VIRGINIA SMITH, CITY CLERK	_		
APPROVED AS TO FORM AND LEGALITY			
WILLIAM E. REISCHMANN, JR., ESQ. CITY ATTORNEY			
Attachments:			
Exhibit "A" – Legal Description of property subject t Exhibit "B" – MPD Development Agreement	to Official Zoning Map amendment		

Ordinance 2019-\_\_\_\_ Page **4** of **26** 

#### EXHIBIT "A" LEGAL DESCRIPTION

A portion of Sections 25 and 26, Township 10 South, Range 30 East, Flagler County, Florida and being more particularly described as follows: Commence at the intersection of the Easterly right of way line of Interstate 95 and the Northerly right of way line of Matanzas Woods Parkway per Florida Department of Transportation Right of Way Map Section 73001, Financial Project Number 411959-2; thence North 70°01'31" East along said Northerly right of way line, 986.76 feet to the point of curvature of a curve to the left being concave Northwesterly; thence continue along said right of way line and along and around the arc of said curve having a radius of 1899.89 feet, an arc distance of 387.19 feet, said arc being subtended by a chord bearing and distance of North 64°04'32" East 386.52 feet to the point of tangency of said curve; thence North 58°21'57" East along said Northerly right of way line, 235.89 feet to the Point of Beginning; thence continue North 58°21'57" East along said Northerly right of way line 510.93 feet to the point of curvature of a curve to the right; thence continue along said right of way line and along and around the arc of said curve having a radius of 800.00 feet, an arc distance of 405.21 feet, said arc being subtended by a chord bearing and distance of North 72°52'24" East 400.89 feet to the point of tangency of said curve; thence continue along said right of way line North 87°23'01" East 466.80 feet to the point of curvature of a curve to the left; thence continue along said right of way line and along and around the arc of said curve being concave Northerly and having a radius of 700.00 feet, an arc distance of 233.07 feet, said arc being subtended by a chord bearing and distance of North 77°50'44" East 231.99 feet; thence departing said right of way line, North 31°38'15" West 488.31 feet to the Southerly line of those lands as described and recorded in Official Records Book 1056, page 1578 of the public records of said county; thence North 58°21'00" East along last said line 249.65 feet to the Southwesterly right of way line of Old Kings Road (a 200 foot right of way as now established); thence North 31°38'15" West along said right of way line 479.89 feet to the Northerly line of those lands as described and recorded in Official Records Book 1059, page 952 of the public records of said county; thence South 58°21'00" West along last said line 907.50 feet to the Westerly line of those lands as described and recorded in Official Records Book 1084, page 538 of the public records of said county; thence North 31°38'15" West along last said line 240.00 feet to a point on the Southerly right of way line of Old Kings Way (also known as Old Kings Road Extension, a 120 foot right of way as now established); thence South 58°21'00" West 461.52 feet along said right of way line to the point of curvature of a curve to the left; thence continuing along said right of way line and along and around the arc of said curve having a radius of 900.00 feet, an arc distance of 206.62 feet, said arc being subtended by a chord bearing and distance of South 51°46'23" West 206.17 feet; thence departing said right of way line South 21°31'42" East 176.29 feet; thence South 09°17'37" East 330.65 Feet; thence South 25°49'28" East 194.28 feet; thence South 18°18'32" East 110.29 feet to the Point of Beginning.

Lands thus described contain 29.61 acres more or less.

# EXHIBIT "B" MASTER PLANNED DEVELOPMENT AGREEMENT ORDINANCE No. 2019-

THIS MASTER PLAN DEVELOPMENT AGREEMENT (herein referred to as the "Development Agreement") is made and executed this \_\_\_\_\_day of \_\_\_\_\_\_\_, 2019, by and between the CITY OF PALM COAST, a Florida municipal corporation (herein referred to as the "City"), whose address is 160 Lake Avenue, Palm Coast, Florida, 32164, and the intended developer of the subject property, MATANZAS HOLDINGS, LLC, a Florida limited liability company (herein referred to from time-to-time as the "Developer" regardless of whether singular or plural ownership status) whose address is 4540 Southside Blvd., Suite 202, Jacksonville, Florida 32216.

#### WITNESSETH:

WHEREAS, the City and Matanzas Holdings, LLC, are the owners of a 29.61+/- acre site, as more particularly described on Exhibit "A" ("Property" or "Subject Property"); and

WHEREAS, Matanzas Holdings, LLC and the City have a land exchange agreement (herein referred to as the "Land Exchange Agreement") that would allow Matanzas Holdings, LLC to acquire and own all of the Subject Property as the City would be acquiring land outside of the Subject Property; and

WHEREAS, the Subject Property has a Future Land Use Map designation of Mixed Use; and WHEREAS, the Subject Property has General Commercial (COM-2), Public/Semi-Public (PSP) Zoning, and Rural Estates (EST-2); and

**WHEREAS**, the Developer is in voluntary agreement with the conditions, terms, and restrictions hereinafter recited, and has agreed voluntarily to their imposition as an incident to development of the Subject Property; and

WHEREAS, the City of Palm Coast Planning and Land Development Regulation Board ("PLDRB") and City of Palm Coast City Council find that this Development Agreement is consistent with the City's Comprehensive Plan (2035) and Land Development Code ("LDC") and

Ordinance 2019-\_

that the conditions, terms, restrictions, and requirements set forth herein are necessary for the protection of the public health, safety, and welfare of the citizens of the City; and

WHEREAS, the City of Palm Coast City Council further finds that this Development Agreement 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**, this is a non-statutory Development Agreement which is not subject to or enacted pursuant to the provisions of Sections 163.3220 -163.3243, *Florida Statutes*.

**NOW**, **THEREFORE**, it is hereby resolved and agreed by and between the City and the Developer that the Master Plan Development is approved subject to the following terms and conditions:

#### **SECTION 1. RECITALS**

The above recitals are true and correct and are incorporated herein by this reference and form a material part of this Development Agreement upon which the City and the Developer have relied.

#### **SECTION 2. REPRESENTATIONS OF DEVELOPER**

- (a). The Developer hereby represents and warrants to the City that it is the principal owner of the Subject Property in accordance with the title opinion or title certification provided by the Developer to the City issued by an attorney or title insurance company licensed to provide services in the State of Florida with said title opinion or certification showing all liens, mortgages, and other encumbrances not satisfied or released of record relative to the Subject Property.
- (b). The Developer represents and warrants to the City that it has the power and authority to enter into and consummate the terms and conditions of this Development Agreement; that all acts, approvals, procedures, and similar matters required in order to authorize this Development Agreement have been taken, obtained or followed, as the case may be; that this Development Agreement and the proposed performance of this Development Agreement by the

Ordinance 2019-

Developer is not an *ultra vires* act; and that, upon the execution of this Development Agreement by the parties, this Development Agreement shall be valid and binding upon the parties hereto and their successors in interest.

(c). The Developer hereby represents to the City that all required joinders and consents have been obtained and set forth in a properly executed form on this Development Agreement. Unless otherwise agreed to by the City, all liens, mortgages, and encumbrances not satisfied or released of record must be subordinated to the terms of this Development Agreement and joinders must be executed by any mortgagees. It is the responsibility of the Developer to ensure that said subordinations and joinders occur in a form and substance acceptable to the City Attorney prior to the City's execution of this Development Agreement. If the Developer fails to attain the joinder and consent, then the Developer shall lose all rights and benefits deriving hereunder.

#### SECTION 3. APPROVAL OF MASTER PLAN DEVELOPMENT

- (a). The City Council at its business meeting of \_\_\_\_\_\_\_\_,2019, approved a Master Plan Development for the Subject Property subject to the terms and conditions of this Development Agreement.
- (b). The Developer acknowledges that if this Development Agreement is ever terminated or if it expires, those land uses for which Development Orders and Permits have previously been issued shall remain in effect, and the land uses for the remainder of the Subject Property shall be limited to those then permitted by right under the General Commercial "COM-2" (or equivalent) zoning designation, subject to any special exceptions thereafter approved in accordance with the LDC.

The current provisions of the LDC, as may be amended from time-to-time, shall be applicable to the Subject Property unless otherwise specifically stated herein. Any City Code provision not specifically so identified will not be affected by the terms of this Development

Ordinance 2019-

Agreement, and will be subject to enforcement and change under the same criteria as if no Development Agreement were in effect.

#### **SECTION 4. PROJECT DESCRIPTION**

(a). Proposed Development. The Subject Property may be developed in one or more phases. The commercial project is expected to include up to 150,000 square feet of retail/commercial development but shall not exceed 175,000 square feet of retail/commercial development (the "Project") to include uses permitted (P) or uses only approved by Special Exception (S) as provided for in the LDC under the General Commercial "COM-2" zoning designation. A Special Exception shall comply with the process in accordance with Chapter 2 of the LDC. A request for a Special Exception shall not be deemed an amendment to this Development Agreement or change in zoning. Uses noted with (L) are noted to have additional limitations from the LDC specific to that use.

The development plan for Matanzas Woods Retail Center is generally outlined below and depicted on the MPD Master Plan which is attached hereto as **Exhibit "B" ("Master Plan")**. The Master Plan does not contain a level of detail satisfactory to permit the Subject Property to proceed directly to Preliminary Plat so a Subdivision Master Plan will be required. Technical Site Plans may be submitted simultaneously with Preliminary Plat(s) subject to review approval as provided for in the LDC.

- (b). <u>Temporary Construction Trailers</u> Temporary construction trailers may be located within the Subject Property, subject to review and approval at the time of site development plan approval in accordance with the LDC.
- (c). <u>Common Areas</u> Common areas are located throughout the Subject Property and include open space and landscape areas. The property may be subject to a property owners' association or another management mechanism, as determined by the Land Use Administrator (LUA), for management of the common areas.

#### **SECTION 5. DEVELOPMENT PLAN**

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- (a). The Master Plan depicts the general layout of the entire development. The exact location of structures, lot lines, roadways, internal landscape buffers, wetlands, drainage facilities and other improvements shown on the Master Plan may be modified during review of the site development plans and subdivision master plan and platting plans.
- (b). Adjustments to the Master Plan are anticipated to occur during the site development plan and subdivision plat review processes. Revisions which meet the intent and purpose of the City's Comprehensive Plan and LDC shall be approved by the Land Use Administrator (LUA), if the substantial integrity of the original Master Plan and the development standards contained herein are maintained. Any modification to the Master Plan that increases the intensity or types of development uses, increases building heights, reduces the total amount of open space, or decreases the size of any perimeter buffer within the Property shall require the approval of the City Council following the review and recommendation of the Planning and Land Development Regulation Board (PLDRB).
- (c). The MPD may be developed in multiple phases. All infrastructure necessary to support each phase of the MPD shall be constructed with that phase as a condition of site development plan or preliminary plat approval.

#### SECTION 6. LAND DEVELOPMENT CODE APPLICABILITY

- (a). The Land Development Code applies to the Property and development within it, unless expressly below or otherwise provided in this MPD.
- (b). The requirements of this Section supersede any inconsistent provisions of the LDC or other ordinances of the City.
- (1) <u>Common Architectural Theme</u>. The Project shall have a common architectural theme similar to or commensurate with the quality, type of design and aesthetical appeal of one of the following existing grocery-anchored shopping centers: **Island Walk**Shopping Center at 216 Palm Coast Parkway (see Exhibit "C-1"), Beach Village Shopping

  Center at 414 Beach Village Drive (see Exhibit "C-2"), or the Town Center Publix Plaza at 800 Ordinance 2019-

Belle Terre Parkway (see Exhibit "C-3"). During the Subdivision Master Plan review process, or during the Preliminary Plat review process and prior to its approval, the Developer shall establish the common architectural theme by designating one of the architectural styles depicted on Exhibits "C-1", "C-2", "C-3" or provide new building elevations that meet all of the above standards. The building elevations for the Out-lots as shown on the Master Plan shall have similar or complementary architectural features so the entire Project has a harmonious architectural theme which shall include building design, building colors, signage, and lighting.

- (2) Signage. All signage shall be regulated per the LDC except as outlined below. A master sign plan shall be developed during the Subdivision Master Plan review process, or during the review of the Preliminary Plat and prior to its approval. A multi-tenant sign is allowed at each of the four main entrances into the Project as shown on the Master Plan. Directional signage shall be uniform in design and may include the identity of the business and may be provided throughout the development. Out-lots having frontage on public roads shall be allowed individual monument signs consistent with the standards in Chapter 12 of the LDC. All signs will comply with the setbacks and sight clearance requirements of the LDC.
- (3) Developer removing contamination on the Subject Contamination. Property as outlined in Developer's environmental report dated March 30, 2019, consistent with FDEP guidelines and criteria prior to any approval of a Preliminary Plat or Technical Site Plan.
- Nothing herein shall be deemed a prohibited exaction under Fla. Stat. 70.45, and (c). Developer agrees it has not suffered any damages under that statute.

#### **SECTION 7. SITE DEVELOPMENT PLAN**

Emergency Services. Fire protection requirements for the Project will be met (a). through a system of fire hydrants installed on the site by the Developer in accordance with City standards. The locations of fire hydrants will be shown on the final site plans or Subdivision Plans. The water requirements for the fire system will be served by the City.

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- (b). <u>Maintenance.</u> The Common Areas and other lands that are owned or controlled by a property owners' association will be maintained by the property owners' association. The property owners' association shall also be responsible in perpetuity, for maintenance of the master stormwater system that includes stormwater from the Matanzas Woods Parkway and Old Kings Way Extension right-of-ways.
- (c). <u>Services.</u> All services for the Property, including utilities, fire protection, solid waste, telephone, electricity, cable, fiber optics, and stormwater management shall be provided by the responsible parties. All new utilities serving the project shall be installed underground except wells and pump stations. Water and wastewater services are to be provided by the City of Palm Coast.
- (d). <u>Utility Master Plan.</u> All lots within the Project shall be served by a master pump station and out-lots shall not be permitted to tie into the City's utility wastewater system individually or jointly, except via the master pump station.
- (e). Pedestrian/Bicyclist Access Ways. With submittal of the Subdivision Master Plan or Preliminary Plat the Developer shall submit a pedestrian/bicyclist access way plan that shall show crossings at signalized intersections along Matanzas Woods Parkway so pedestrians and bicyclists may travel from the south side of Matanzas Woods Parkway to the north side of Matanzas Woods Parkway and onto the Project. The Developer shall provide for these improvements and shall also provide internal access ways for pedestrians and bicyclists from all internal lots to all other internal lots within the Project as the lots are developed.
- (f). <u>Public Amenities.</u> On the Anchor Lot, as shown on the Master Plan, the developer shall provide at least two of the public amenities as listed in Section 4.15.03.D of the LDC, with the first technical site plan submitted on the Anchor Lot.
- (g). <u>Interior Landscape Buffers and Interior Setbacks.</u> Between internal lots within the Project no landscape buffers are required and minimum side and rear building setbacks along internal common lot lines shall be five (5) feet. Landscape screening around dumpsters, Ordinance 2019-

mechanical equipment, etc.; landscape buffers around the perimeter of the Project; and all other landscaping requirements shall still apply.

#### **SECTION 8. PLAT.**

Platting may be required during some phases of the Project. Based on Section 4(a) of this Development Agreement, the Master Plan does not provide sufficient detail for the project to skip the Subdivision Master Plan process and proceed directly to the Preliminary Plat. For any phase where platting is required, the Final Plat shall be recorded prior to the issuance of the first certificate of occupancy in such phase.

#### SECTION 9. BREACH; ENFORCEMENT; ALTERNATIVE DISPUTE RESOLUTION.

- (a). In the event of a breach hereof by either party hereto, the other party hereto shall have all rights and remedies allowed by law, including the right to specific performance of the provisions hereof.
- (b). In the event that a dispute arises under this Development Agreement, the parties shall attempt to resolve all disputes informally. In the event of a failure to informally resolve all disputes, the City and Developer agree to engage in mediation before a certified Circuit Court mediator selected by the parties. In the event that the parties fail to agree to a mediator, a certified mediator may be selected by mutual consent of the City and the Developer. The parties shall equally pay all costs of mediation. A party who unreasonably refuses to submit to mediation may not later object in Circuit Court that the other party failed to comply with this Section 9(b) by not participating in the mediation prior to filing suit.
- (c). Prior to the City filing any action to enforce this Development Agreement, the City shall first provide the Developer written notice of any alleged default. Upon receipt of said notice, the Developer shall be provided a thirty (30) day period in which to cure the alleged default to the reasonable satisfaction of the City prior to the City filing any action to enforce this Development Agreement. If thirty (30) days is not a reasonable period of time in which to cure the alleged default, the length of the cure period shall be extended for a time period reasonably acceptable Ordinance 2019-

to the City, but in no case shall the cure period exceed ninety (90) days from the initial notification

of an alleged default.

SECTION 10. NOTICES.

All notices required or permitted to be given under this Development Agreement (a).

must be in writing and must be delivered to the City or the Developer at its address set forth below

(or such other address as may be hereafter be designated in writing by such party).

(b). Any such notice must be personally delivered or sent by registered or certified mail,

overnight courier, facsimile, or telecopy.

(c). Any such notice will be deemed effective when received (if sent by hand delivery,

overnight courier, telecopy, or facsimile) or on that date which is three (3) days after such notice

is deposited in the United States mail (if sent by registered or certified mail).

(d). The parties' addresses for the delivery of all such notices are as follows:

As to the City:

City Manager

160 Lake Avenue

Palm Coast, Florida, 32164

As to the Developer: Matanzas Holdings, LLC

Attn: David J. Heekin

4540 Southside Blvd., Suite 202

Jacksonville, FL 32216

**SECTION 11. SEVERABILITY.** 

It is hereby declared to be the intention of the City Council that the sections, paragraphs,

sentences, clauses and phrases of this Development Agreement are severable, and if any phrase,

clause, sentence, paragraph or section of this Development Agreement 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 Development Agreement.

**SECTION 12. SUCCESSORS AND ASSIGNS.** 

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- (a). This Development Agreement and the terms and conditions hereof shall be binding upon and inure to the benefit of the City and Developer and their respective successors-in-interest. The terms and conditions of this Development Agreement similarly shall be binding upon the Subject Property and shall run with the land and the title to the same.
  - (b). This Development Agreement touches and concerns the Subject Property.
- (c). The Developer has expressly covenanted and agreed to this provision and all other terms and provisions of this Development Agreement.

#### SECTION 13. GOVERNING LAW/VENUE/COMPLIANCE WITH LAW.

- (a). This Development Agreement shall be governed by and construed in accordance with the laws of the State of Florida and the Code of Ordinances of the City of Palm Coast.
- (b). Venue for any dispute shall be in the Seventh Judicial Circuit Court in and for Flagler County, Florida.
- (c). The Developer shall fully comply with all applicable local, State, and Federal environmental regulations and all other laws of similar type or nature.
- (d). Without waiving the Developer's potential rights, remedies and protections or the City's defenses pursuant to Chapter 70 of the Florida Statutes, as may be amended, this Development Agreement shall not limit the future exercise of the police powers of the City to enact ordinances, standards, or rules regulating development generally applicable to the entire area of the City, such as requiring compliance with the City capital facilities plan; parks master plan, including parks and trail dedications; utility construction and connections; mandating utility capacities; requiring street development or other such similar land development regulations and requirements.
- (e). If state or federal laws are enacted after execution of this Development Agreement, which are applicable to and preclude the parties' compliance with this Development Agreement, this Development Agreement shall be modified or revoked as necessary to comply with the relevant law.

Ordinance 2019-\_\_\_\_ Page **15** of **26**  (f). This Development Agreement shall also not be construed to prohibit the City from

adopting lawful impact fees applicable to the Developer and the Master Plan Development

authorized hereunder.

**SECTION 14.** <u>TERM / EFFECTIVE DATE.</u>

This Development Agreement shall be effective upon adoption by the City Council of the

City of Palm Coast, Florida and execution of this Development Agreement by all parties.

SECTION 15. RECORDATION.

Upon adoption by the City Council of the City of Palm Coast, Florida and execution of this

Development Agreement by all parties, this Development Agreement and any and all

amendments hereto shall be recorded by the City with the Clerk of the Circuit Court of Flagler

County within thirty (30) days after its execution by the City and the Development Agreement shall

run with the land.

**SECTION 16. PERMITS.** 

(a). The failure of this Development Agreement to address any specific City, County,

State, or Federal permit, condition, term, or restriction shall not relieve the Developer or the City

of the requirement of complying with the law governing said permitting requirements, conditions,

terms, or restrictions.

(b). The terms and conditions of this Development Agreement determine concurrency

for the project.

(c) All development and impact fees charged by the City for construction or

development of subdivisions or site plans shall be paid by the Developer at the time the City

issues a building permit or a certificate of occupancy.

**SECTION 17. THIRD PARTY RIGHTS.** 

This Development Agreement is not a third party beneficiary contract, and shall not in any

way whatsoever create any rights on behalf of any third party.

**SECTION 18. TIME IS OF THE ESSENCE.** 

Ordinance 2019-

(a). Strict compliance shall be required with each and every provision of this Development Agreement.

(b). Time is of the essence to this Development Agreement and every right or responsibility required herein shall be performed within the times specified.

#### **SECTION 19. ATTORNEY'S FEES.**

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

#### SECTION 20. FORCE MAJEURE.

The parties agree that in the event that the failure by either party to accomplish any action required hereunder within a specific time period ("Time Period") constitutes a default under terms of this Development Agreement and, if any such failure is due to any unforeseeable or unpredictable event or condition beyond the control of such party including, but not limited to, acts of God, acts of government authority (other than the City's own acts), acts of public enemy or war, terrorism, riots, civil disturbances, power failure, shortages of labor or materials, injunction or other court proceedings beyond the control of such party, or severe adverse weather conditions ("Uncontrollable Event"), then notwithstanding any provision of this Development Agreement to the contrary, that failure shall not constitute a default under this Development Agreement and any Time Period prescribed hereunder shall be extended by the amount of time that such party was unable to perform solely due to the Uncontrollable Event.

#### **SECTION 21. CAPTIONS.**

Sections and other captions contained in this Development Agreement are for reference purposes only and are in no way intended to describe, interpret, define, or limit the scope, extent or intent of this Development Agreement, or any provision hereof.

#### **SECTION 22. INTERPRETATION.**

(a). The Developer and the City agree that all words, terms and conditions contained

herein are to be read in concert, each with the other, and that a provision contained under one

(1) heading may be considered to be equally applicable under another in the interpretation of this

Development Agreement.

(b). This Development Agreement shall not be construed more strictly against either

party on the basis of being the drafter thereof, and both parties have contributed to the drafting of

this Development Agreement subject, however, to the provisions of Section 20.

**SECTION 23. FURTHER ASSURANCES.** 

Each party agrees to sign any other and further instruments and documents consistent

herewith, as may be necessary and proper to give complete effect to the terms of this

Development Agreement.

**SECTION 24. COUNTERPARTS.** 

This Development Agreement may be executed in any number of counterparts, each of

which shall be deemed an original, but all of which, taken together, shall constitute one (1) and

the same document.

SECTION 25. MODIFICATIONS / AMENDMENTS/NON-WAIVER.

(a). Amendments to and waivers of the provisions herein shall be made by the parties

only in writing by formal amendment. This Development Agreement shall not be modified or

amended except by written agreement executed by all parties hereto and upon approval of the

City Council of the City of Palm Coast.

(b). Failure of any party hereto to exercise any right hereunder shall not be deemed a

waiver of any such right and shall not affect the right of such party to exercise at some future date

any such right or any other right it may have.

SECTION 26. ENTIRE AGREEMENT; EFFECT ON PRIOR AGREEMENTS.

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This Development Agreement constitutes the entire agreement between the parties and supersedes all previous oral discussions, understandings, and agreements of any kind and nature as between the parties relating to the subject matter of this Development Agreement.

(SIGNATURES AND NOTARY BLOCKS ON NEXT PAGE)

Ordinance 2019-\_

**IN WITNESS WHEREOF**, the City and Matanzas Holdings, LLC have caused this Development Agreement to be duly executed by his/her/its/their duly authorized representative(s) as of the date first above written.

#### **DEVELOPER'S/APPLICANT'S CONSENT AND COVENANT:**

**COMES NOW,** the Developer on behalf of itself and its successors, assigns and transferees of any nature whatsoever, and consents to and agrees with the covenants to perform and fully abide by the provisions, terms, conditions and commitments set forth in this Development Agreement.

WITNESSES:	MATANZAS HOLDINGS, LLC
(print)	By: David J. Heekin, Manager
(print)	
STATE OF FLORIDA COUNTY OF	
, 2019, by David J. Hee	s acknowledged before me this day of kin, as the Manager on behalf of of Matanzas Holdings, (check one)   who is personally known to me or  who as identification.
produced	Notary Public – State of Florida
	Print Name: My Commission expires:

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## CITY OF PALM COAST, FLORIDA

Milissa Holland, Mayor	
ATTEST:	
Virginia A. Smith, City Clerk	
APPROVED AS TO FORM AND LEGALITY:	
William E. Reischmann, Jr., City Attorney	-
STATE OF FLORIDA COUNTY OF FLAGLER	
The foregoing instrument was acknown, 2019, by Milissa Holland, Magnersonally known to me.	owledged before me this day of yor of the City of Palm Coast, Florida, who is
	Notary Public – State of Florida Print Name: My Commission expires:

#### **EXHIBIT "A"**

#### LEGAL DESCRIPTION OF PROPERTY

A portion of Sections 25 and 26, Township 10 South, Range 30 East, Flagler County, Florida and being more particularly described as follows: Commence at the intersection of the Easterly right of way line of Interstate 95 and the Northerly right of way line of Matanzas Woods Parkway per Florida Department of Transportation Right of Way Map Section 73001, Financial Project Number 411959-2; thence North 70°01'31" East along said Northerly right of way line, 986.76 feet to the point of curvature of a curve to the left being concave Northwesterly; thence continue along said right of way line and along and around the arc of said curve having a radius of 1899.89 feet, an arc distance of 387.19 feet, said arc being subtended by a chord bearing and distance of North 64°04'32" East 386.52 feet to the point of tangency of said curve; thence North 58°21'57" East along said Northerly right of way line, 235.89 feet to the Point of Beginning; thence continue North 58°21'57" East along said Northerly right of way line 510.93 feet to the point of curvature of a curve to the right; thence continue along said right of way line and along and around the arc of said curve having a radius of 800.00 feet, an arc distance of 405.21 feet, said arc being subtended by a chord bearing and distance of North 72°52'24" East 400.89 feet to the point of tangency of said curve; thence continue along said right of way line North 87°23'01" East 466.80 feet to the point of curvature of a curve to the left; thence continue along said right of way line and along and around the arc of said curve being concave Northerly and having a radius of 700.00 feet, an arc distance of 233.07 feet, said arc being subtended by a chord bearing and distance of North 77°50'44" East 231.99 feet; thence departing said right of way line, North 31°38'15" West 488.31 feet to the Southerly line of those lands as described and recorded in Official Records Book 1056, page 1578 of the public records of said county; thence North 58°21'00" East along last said line 249.65 feet to the Southwesterly right of way line of Old Kings Road (a 200 foot right of way as now established); thence North 31°38'15" West along said right of way line 479.89 feet to the Northerly line of those lands as described and recorded in Official Records Book 1059, page 952 of the public records of said county; thence South 58°21'00" West along last said line 907.50 feet to the Westerly line of those lands as described and recorded in Official Records Book 1084, page 538 of the public records of said county; thence North 31°38'15" West along last said line 240.00 feet to a point on the Southerly right of way line of Old Kings Way (also known as Old Kings Road Extension, a 120 foot right of way as now established); thence South 58°21'00" West 461.52 feet along said right of way line to the point of curvature of a curve to the left; thence continuing along said right of way line and along and around the arc of said curve having a radius of 900.00 feet, an arc distance of 206.62 feet, said arc being subtended by a chord bearing and distance of South 51°46'23" West 206.17 feet; thence departing said right of way line South 21°31'42" East 176.29 feet; thence South 09°17'37" East 330.65 Feet; thence South 25°49'28" East 194.28 feet; thence South 18°18'32" East 110.29 feet to the Point of Beginning.

Lands thus described contain 29.61 acres more or less.

# EXHIBIT "B"



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# EXHIBIT "C-1" BEACH VILLAGE SHOPPING CENTER



# EXHIBIT "C-2"

## ISLAND WALK SHOPPING CENTER



# EXHIBIT "C-3"

## TOWN CENTER PUBLIX PLAZA





#### COMMUNITY DEVELOPMENT DEPARTMENT STAFF REPORT FOR MATANZAS WOODS RETAIL CENTER MPD CITY COUNCIL ON MAY 21, 2019

**OVERVIEW** 

**Application Number:** 3855

**Applicant:** Matanzas Holdings, LLC

Property Description: 29.61 +/- acres of property located in the northwest quadrant of Matanzas

Woods Parkway and Old Kings Road

Property Owners: Matanzas Holdings, LLC (Matanzas) and City

of Palm Coast (City)

**Parcel ID #:** 25-10-30-4626-00000-00B0 Matanzas owned

25-10-30-4626-00000-00C0 Matanzas owned 25-10-30-4626-00000-00D1\* Matanzas owned 25-10-30-0000-01020-0050\* City owned 25-10-30-4626-00000-0702\* City owned

25-10-30-4626-00000-0Z03\* City owned

\*Westerly wetland areas are not included Current FLUM designation: Mixed Use

Current Zoning designation: General Commercial (COM-2) on most of site

except Public/Semi-Public (PSP) is along the southerly portion and Rural Estates (EST-2)

along westerly portion

Current Use: Vacant land with stormwater pond & borrow pit

Size of subject property: 29.61 +/- acres

Requested Action: Rezoning from General Commercial (COM-2), Public/Semi-Public (PSP) and

Rural Estates (EST-2) to Matanzas Woods Retail Center Master Planned

Development (MPD)

**Recommendation:** Approval

#### **ANALYSIS**

#### **REQUESTED ACTION**

Matanzas Holdings, LLC as property owner of three properties and contracted purchaser of the two City owned properties, is proposing to rezone 29.61 +/- acres of vacant land with an existing stormwater pond and borrow pit located on the west side Old Kings Road and north of Matanzas Woods Parkway. The proposed rezoning is from General Commercial (COM-2), Public/Semi-Public (PSP) and Rural Estates (EST-2) to Matanzas Woods Retail Center Master Planned Development (MPD) for a shopping center with outparcels.

#### **BACKGROUND/SITE HISTORY**

On September 18, 2018, the City Council approved an Agreement for Exchange of Real Estate, exchanging the portions of the two City owned properties located within this MPD Rezoning to Matanzas

Holdings, LLC (see Resolution #2018-127) for property located north of the subject property and for Matanzas Holdings, LLC providing stormwater storage on its land for both Matanzas Woods Parkway and Old Kings Way rights-of-way. This agreement also requires Matanzas Holdings, LLC to rezone the subject property to an MPD.

#### PROJECT DESCRIPTION

The applicant (Matanzas Holdings, LLC) intends to develop the subject property into a shopping center, anchored by a grocery store, with perhaps a half-dozen outparcels. The project would not exceed 150,000 square feet of commercial area. Outparcels are initially expected to be for a convenience store with gas pumps and a fast food restaurant due to existing demand for those services at this new I-95 Interchange. Thereafter, a hotel and a sit-down restaurant are expected to occupy other outparcels.

#### LAND USE AND ZONING INFORMATION

#### **USE SUMMARY TABLE:**

CATEGORY:	EXISTING:	PROPOSED:
Future Land Use Map (FLUM)	Mixed Use	Mixed Use
Zoning District	COM-2, EST-2 and PSP	Master Plan Development (MPD)
Use	Vacant land and ponds	Retail and general commercial
Acreage	29.61 +/- acres	29.61 +/- acres

#### **SURROUNDING LAND USES:**

NORTH: FLUM: Mixed Use

Zoning: General Commercial (COM-2)

SOUTH: FLUM: Institutional and Greenbelt to the SE

Zoning: Public/Semi-Public (PSP)

EAST: FLUM: Greenbelt

Zoning: Master Planned Development (MPD)

WEST: FLUM: Conservation

Zoning: Rural Estates (EST-2)

### ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.05.05

The Unified Land Development Code, Chapter 2, Part II, Section 2.05.05 states: When reviewing a development order application, the approval authority shall determine whether sufficient factual data was presented in order to render a decision. The decision to issue a development order shall be based upon the following, including but not limited to:

A. The proposed development must not be in conflict with or contrary to the public interest;

**Staff Finding**: The proposed development is not in conflict with, or contrary to, the public interest as the proposed MPD for general commercial and retail uses will be compatible with the surrounding properties having zoning of COM-2, PSP, EST-2 and MPD.

B. The proposed development must be consistent with the Comprehensive Plan and the provisions of this LDC:

**Staff Finding:** The request is consistent with the following objectives and policies of the Comprehensive Plan:

#### • Chapter 1 Future Land Use Element:

-Policy 1.1.1.2 – The future land use designations shall permit the zoning districts listed and generally described in the following table.

The FLUM designates the subject property as Mixed Use. Master Planned Development (MPD) and General Commercial (COM-2) are allowed zoning districts for the Mixed Use designation on this FLUM table. The subject property is proposed for a MPD rezoning utilizing the General Commercial (COM-2) District for the base zoning standards.

-Goal 1.1 – Preserve the character of residential communities, prevent urban sprawl and protect open space and environmental resources, while providing a mix of land uses, housing types, services, and job opportunities in mixed use centers and corridors.

The project will preserve the character of the nearby residential communities while providing commercial services and job opportunities within a commercial area that is located between residential neighborhoods to the south and east and Interstate 95. This location near Interstate 95, at the City's only interchange in northern Palm Coast, will allow nearby residents to obtain commercial services while they are on their way to or from Interstate 95. This will also allow those residents to potentially travel more efficiently by having the opportunity for multi-purpose trips.

-Policy 1.1.2.2 – Permitted densities and intensities within a MPD shall generally follow those allowed within the corresponding zoning districts associated with the land use designation assigned to the property. Deviations from these density and intensity standards may be permissible in order to promote and encourage creatively planned projects and in recognition of special geographical features, environmental conditions, economic issues, or other unique circumstances.

The proposed zoning reclassification is Master Planned Development (MPD) which uses the General Commercial (COM-2) Zoning District for its base development standards. No deviations of any significance have been requested for this development project by the applicant.

-Policy 1.1.4.1 – The Mixed Use land use designation is intended to provide opportunities for residents to work, shop, engage in recreational activities, and attend school and religious services in reasonably close proximity to residential dwellings.

The proposed project should provide retail shopping opportunities for numerous existing and future residential homes in the neighborhoods within three miles of the site, students attending Flagler Matanzas High School, and motorists along Matanzas Woods Parkway and Interstate 95. Once businesses open within the shopping center and on outparcels, job opportunities for nearby residents with only a short commute will be provided.

#### • Chapter 2 Transportation Element:

-Policy 2.2.1.1 – The City shall enforce regulations in the LDC requiring commercial development to provide roadway connections to adjacent commercial development and to provide for future connections, where feasible.

The developer will be constructing access drives onto all three roadways the project has frontage on including Matanzas Woods Parkway, Old Kings Road and the future planned Old Kings Way Extension. A cross-connection will not be required for the proposed project with the StorQuest Express self-storage site that is located directly to its NE, as the self-storage facility will be fully enclosed via walls, buildings and a gate so it can provide sufficient security for its customers.

C. The proposed development must not impose a significant financial liability or hardship for the City;

**Staff Finding**: Public roadways and public utilities are available to serve the site and the developer will construct a master lift station to serve all development within the project.

D. The proposed development must not create an unreasonable hazard, or nuisance, or constitute a threat to the general health, welfare, or safety of the City's inhabitants;

**Staff Finding**: The proposed standards in the MPD rezoning will allow for development of general commercial and retail uses that will be in harmony with the surrounding area of institutional uses, residential homes, and planned future commercial/medical/storage uses.

E. The proposed development must comply with all other applicable local, state and federal laws, statutes, ordinances, regulations, or codes.

**Staff Finding:** The subject property will be required to comply with the City's Land Development Code, Comprehensive Plan, and the requirements of all other applicable agencies throughout the development process.

#### ANALYSIS BASED ON UNIFIED LAND DEVELOPMENT CODE, CHAPTER 2, SECTION 2.06.03

The Unified Land Development Code, Chapter 2, Part II, Sec. 2.06.03 states: "The Planning and Land Development Regulation Board and City Council shall consider the following criteria, in addition to the findings listed in Subsection 2.05.05, when reviewing a rezoning application":

A. Whether it is consistent with all adopted elements of the Comprehensive Plan and whether it furthers the goals and objectives of the Comprehensive Plan;

**Staff Finding**: As noted previously in the analysis prepared for ULDC Chapter 2, Part II, Section 2.05.05 of this staff report, the requested rezoning is in compliance with the Comprehensive Plan elements and their goals, objectives and policies.

B. Its impact upon the environment and natural resources;

**Staff Finding**: The site will be developed in compliance with all environmental standards from Army Corps of Engineers, St. Johns River Water Management District, and the City of Palm Coast.

C. Its impact on the economy of any affected area;

**Staff Finding**: Impacts to the Palm Coast economy are anticipated to be positive since the project will be the only commercial development in north and northeast Palm Coast and will provide retail services and job opportunities for residents in this part of Palm Coast.

D. Its impact upon necessary governmental services such as schools, sewage disposal, potable water, drainage, fire and police protection, solid waste, or transportation;

**Staff Finding**: The impact on the necessary governmental services including schools, wastewater, potable water, drainage, fire and police protection, solid waste and transportation systems will be covered by concurrency regulations and impact fees paid by the developer.

E. Any changes in circumstances or conditions affecting the area;

**Staff Finding**: The new Interstate 95 and Matanzas Woods Parkway Interchange has significantly altered traffic patterns in north Palm Coast. Now most residents living north of Palm Coast Parkway that want to go northbound on Interstate 95 can utilize the I-95 and Matanzas Woods Parkway Interchange. The project's location about 1/3 mile east of the I-95 northbound exit and entrance roads will allow residents who live in north Palm Coast to utilize the project's retail services when they enter/exit Interstate 95 at this Interchange. Advent Health has recently announced a proposed medical center with emergency medical services between the subject project and the Interstate 95 Interchange. An approved StorQuest self-storage facility, located on the northeast corner of the subject property, has been approved and construction is expected to commence shortly.

F. Compatibility with proximate uses and development patterns, including impacts to the health, safety, and welfare of surrounding residents;

**Staff Finding**: The proposed MPD rezoning will allow the project to be developed in a manner compatible with neighboring properties and anticipated nearby future commercial development.

G. Whether it accomplishes a legitimate public purpose:

**Staff Finding:** Yes, the rezoning will allow this site to be developed where roads and utility services to serve the project are already in place. The project will also provide commercial services for nearby residents who now have to drive as much as five miles south to Palm Coast Parkway for those services.

#### OTHER REVIEW DATA

A Traffic Impact Study (TIS) was received from the applicant which showed Phase 1 of the project, with an estimated 109,100 sq. ft. of retail uses, would generate per the *ITE's Trip Generation Manual* 468 a.m. peak hour, 810 p.m. peak hour and 9,656 daily trips. After adjustments for multi-use traffic and pass-by traffic the project's Phase 1 was estimated to generate net new traffic as follows: 302 a.m. peak hour trips, 556 p.m. peak hour trips and 6,552 daily trips. The TIS showed that at build-out of Phase 1 in 2023, with the project's traffic included, that all roadway segments and intersections within the study area would operate at Level of Service (LOS) C or better except for the intersection of Matanzas Woods Parkway and Bird of Paradise Drive. At this un-signalized intersection, the north bound traffic would operate at LOS F during only the a.m. peak hour which is partially due to a large volume of traffic heading to Matanzas High School.

To ensure high quality development for the project, the applicant has agreed to construct the shopping center in an architecturally style similar to either the Island Walk Shopping Center, Beach Village Shopping Center or the Town Center Publix Plaza. Photos representing these architectural styles are shown as Exhibits C-1, C-2, and C-3 respectively in the MPD Agreement.

#### **PUBLIC PARTICIPATION**

Unified Land Development Code Chapter 2, Part II, Section 2.05.02 requires developers or property owners who are requesting to rezone property within the City to notify neighboring property owners within 300 feet of the subject property boundaries and hold a Neighborhood Information Meeting (NIM).

To comply with this standard, the applicant notified neighboring property owners via regular mail on January 9, 2019, of an upcoming neighborhood information meeting that was held on January 22, 2019 at 6:00 p.m. in the Media Room at Matanzas High School. A total of three persons attended this meeting including Matanzas High School Principal Jeffrey Reaves, the applicant's engineer Curt Wimpee, PE of Alliant Engineering, Inc. and City Senior Planner Bill Hoover. Principal Jeffrey Reaves mentioned his concern about access points for the proposed shopping center and how those would work for students, teachers and visitors to the school. Curt Wimpee, PE showed each of the project's access points including those for pedestrians and bicyclists. Principal Reaves stated that he would request to have

David Freeman of the Flagler County School Board follow up with the City and the developer as the project went through the development review processes.

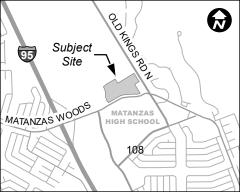
Two City provided signs were erected on the subject property on April 2, 2019 with one along the west side of Old Kings Road and the other along the north side of Matanzas Woods Parkway, to notify neighbors and the general public of the upcoming public hearings for the Planning and Land Development Regulation Board on April 17, 2019. Two additional signs were erected by City staff on May 7<sup>th</sup> notifying the public of the upcoming City Council meetings on May 21 and June 4, 2019.

#### PLANNING AND LAND DEVELOPMENT REGULATION BOARD

The Planning and Land Development Regulation Board held a public hearing on this project on April 17<sup>th</sup> at 5:30 PM. At this hearing no one from the public spoke for or against the project. The Planning and Land Development Regulation Board recommended approval to City Council of the MPD rezoning by a 5 – 0 vote.

#### **RECOMMENDATION**

Planning staff and the Planning and Land Development Regulation Board recommend to City Council approval to rezone 29.61 +/- acres from General Commercial (COM-2), Public/Semi-Public (PSP) and Rural Estates (EST-2) to Matanzas Woods Retail Center Master Planned Development (MPD) as shown in the attached Master Planned Development Agreement and Master Plan for retail and commercial uses, Application No. 3855.



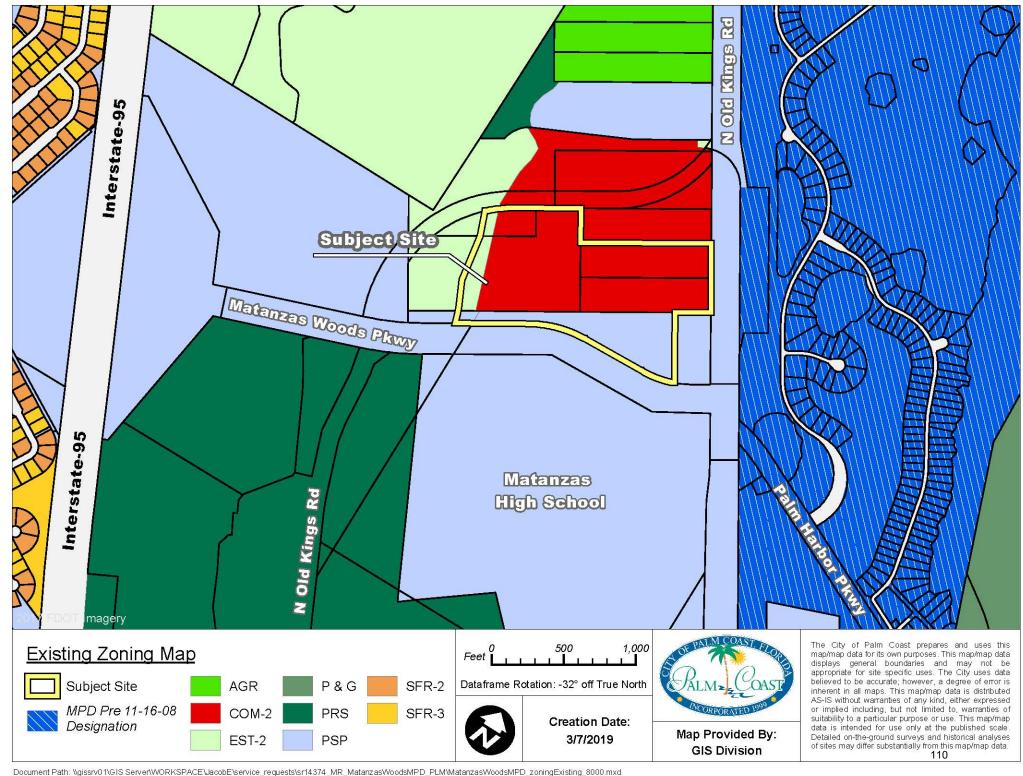


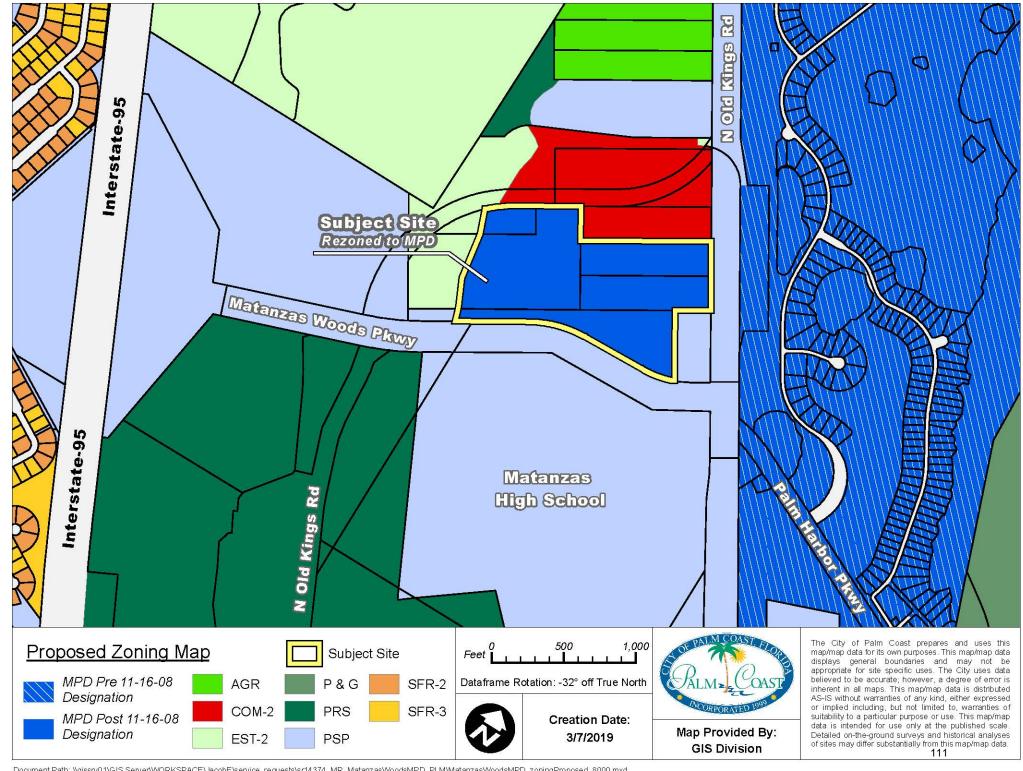
3/7/2019

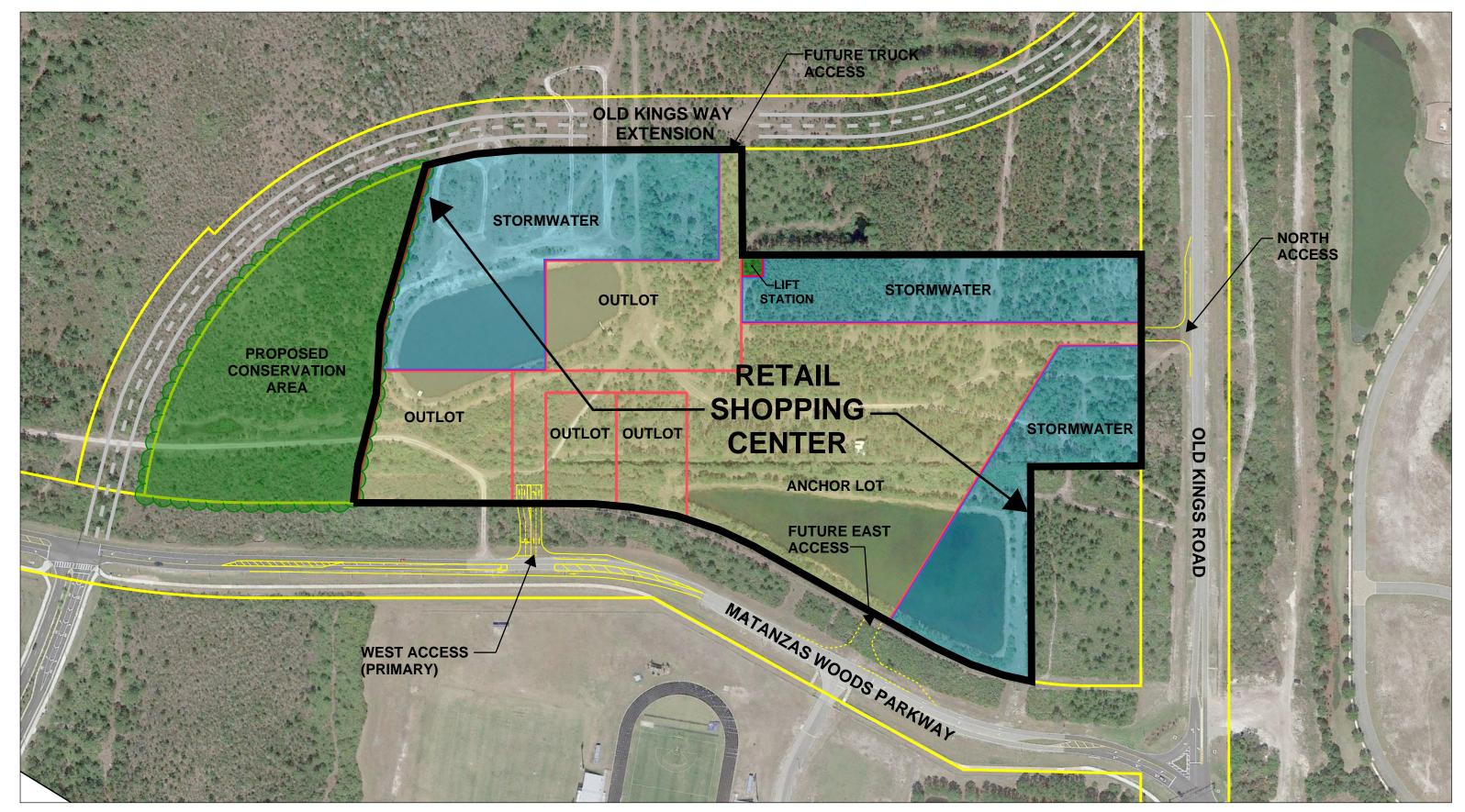
**GIS Division** 

Detailed on-the-ground surveys and historical analyses of sites may differ substantially from this map/map data.

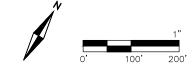
109







Matanzas Woods Retail Center - Master Planned Development Exhibit Matanzas Woods Parkway - Palm Coast, FL







# Memo

To:

Ray Tyner

From: Curt Wimpée, PE

Date:

January 28, 2019

Re:

Matanzas Woods Retail Center Neighborhood Meeting

A neighborhood meeting was held on Tuesday January 22<sup>nd</sup> at 6:00 PM at Matanzas High School. This meeting was held to comply with the policy and procedures of Section 2.05.02 of the Land Development Code.

Attached please find the following documents regarding this meeting.

- List of noticed parcel owners within 300 feet of the subject project.
- 2. Developer hand out.
- 3. Meeting Summary.

Thank you for your consideration and please feel free to call at 904-647-5383 should you have any questions.

Sincerely,

ALLIANT ENGINEERING, INC.

Southeast Regional Manager

CW/jb

y:\jacksonville office\projects\2017\170034\correspondence\fianal memo to ray tyner.docx

# <u>LIST OF PROPERTY OWNERS</u> <u>WITHIN 300 FEET OF MATANZAS</u> <u>WOODS RETAIL MPD</u>

**JANUARY 4, 2019** 

COUNTY OF FLAGLER %BOARD OF COUNTY COMMISSIONERS 1769 E MOODY BLVD BLDG 2 SUITE 302 BUNNELL, FL32110

SCHOOL BOARDOF FLAGLER COUNTY (MATANZAS HIGH SCHOOL) P O BOX 75 BUNNELL, FL32110

SCHOOL BOARD OF FLAGLER COUNTY P O BOX 755 BUNNELL, FL 32110

CARUSO GIOVANNI & NICOLA CARUSO & EMANUELA CARUSO JTWROS 4357 EISENHOWER DR BETHLEHEM, PA 18020

CONSER ROBERT W JR & ANNA M GALLO JTWROS 250 PALM COAST PKWY NE STE #607,193 PALM COAST, FL 32137

LRA HAMMOCK BEACH LLC 200 OCEAN CREST DRIVE PALM COAST, FL 32137

CITY OF PALM COAST ATTN: PLANNING DIVISION 160 LAKE AVENUE PALM COAST, FL 32164



January 8, 2019

«AddressBlock»

Re: Proposed Rezoning – 26-10-30-0000-01020-0050, 25-10-30-00000-00A0, 25-10-30-00000-00B0, 25-10-30-4626-00000-00C0, 25-10-30-4326-00000-00D1, and 25-10-30-4626-00000-0Z03.

# Adjacent Property Owner Notification of Neighborhood Meeting

Dear Adjacent Property Owner:

As required by City Code, we will be having a neighborhood meeting to discuss the rezoning of the following Parcels: 26-10-30-0000-01020-0050, 25-10-30-00000-00A0, 25-10-30-00000-00B0, 25-10-30-4626-00000-00C0, 25-10-30-4326-00000-00D1, and 25-10-30-4626-00000-0Z03. This meeting is scheduled for Tuesday, January 22, 2019 in the Media Center at Matanzas High School, 3535 Pirate Nation Way, Palm Coast, FL 32137 at 6:00 pm.

The proposal is to rezone the property from Public/Semi-Public (PSP) and General Commercial (COM-2) to a Master Planned Development (MPD) with its zoning standards primarily based on the General Commercial (COM-2) Zoning District. The rezoning is for the development of a retail shopping center. A Map of the subject property is attached for your reference.

If you have any questions, please do not hesitate to contact me at (904) 647-5383. We look forward to seeing you at the above referenced meeting.

Sincerely,

ALLIANT ENGINEERING, INC.

Curt M. Wimpée, P.E.

Southeast Regional Manager

CW/jb

c: File

V:\Jacksonville Office\Projects\2017\170034\correspondence

# Matanzas Woods Retail Center Neighborhood Meeting

January 22, 2019, 6:00 PM, Matanzas High School Media Center

Applicant: Matanzas Holdings, LLC

Representative:

Curt M. Wimpée, PE 4706 Fullerton Street, Suite 110 Jacksonville, FL 32256 904-647-5383 cwimpee@alliant-inc.com

Zoning Application: Amend the Zoning Map for the following Parcels: 25-10-30-0000-01020-0050, 25-10-30-4626-00000-00B0, 25-10-30-4626-00000-00C0, 25-10-30-4626-00000-00D1, 25-10-30-4626-00000-0Z03. Consisting of approximately 34.1 Acres.

This meeting is to discuss the rezoning to MPD.

# **Proposed Matanzas Woods Shopping Center**

The proposed rezoning application is to allow for the development of a neighborhood commercial center which may contain a grocery store anchor, fast food restaurants, a gas station/convenience store and other market appropriate neighborhood retail.

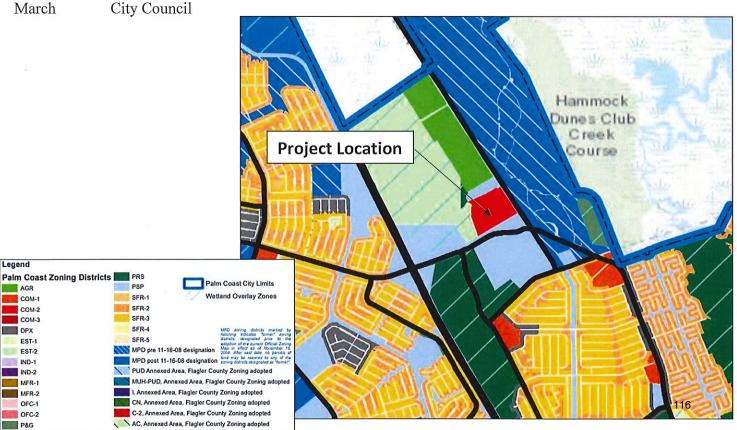
## Schedule:

January

Neighborhood Meeting

February

PLRB Board





#### SUMMARY OF MATANZAS WOODS RETAIL CENTER NEIGHBORHOOD INFORMATION MEETING

The meeting was held at the Media Room of Matanzas High School, 3535 Pirate Nation Way at 6:00 PM on Tuesday, January 22, 2019.

#### Attendees:

- Jeffrey Reaves, Principal of Matanzas High School, phone 386-447-1575, reavesi@flaglerschools.com,
- Curt Wimpée, PE, Alliant Engineering, Inc., applicant's representative and engineer, phone 904-647-5383
- Bill Hoover, AICP, Senior Planner, City of Palm Coast, phone 386-986-3744

The meeting was informal based on the limited number of attendees. Curt Wimpee provided aerial photos and drawings showing the project's location and its proposed relationship with Matanzas High School. He also mentioned the very limited development to the north of the project, and existing and future residential development west, southwest, south and southeast of the project. Curt Wimpée also pointed out the lack of commercial services for residents living in north Palm Coast and showed the location of the proposed medical facilities for Advent Health. Bill Hoover mentioned that a site plan was just approved for a Stor-Quest self-storage facility that would be located on the northeast side of the proposed shopping center and construction should commence shortly.

Curt Wimpée showed the conceptual site plan layout and said they expect to have a convenience store and a fast food restaurant develop on the two westerly outparcels rather soon based on conversations the developer has had. Curt added that the anchor tenant for the shopping center is expected to be a grocery store but none are under contract at this time. He showed a proposed lot at the NW corner of the project that would make a good hotel site.

Principal Jeffrey Reaves asked about access points for the shopping center and how those would work for students, teachers and visitors to the school? Curt Wimpée showed the approximate location of a proposed cross-walk across Matanzas Woods Parkway that would provide safe access for students. Principal Reaves said the school's northerly access onto Matanzas Woods Parkway is locked during the middle of the day and students are currently not allowed to leave the school grounds at lunchtime as there are no nearby places to eat. Principal Reaves stated he would work with David Freeman of the School Board on determining the best pedestrian and vehicular routes from the school to the shopping center. Bill Hoover mentioned that David Freeman attends the Planning and Land Development Regulation Board's meetings and that Senior Planner Jose Papa would be working on the access as well from the City's standpoint. Curt Wimpée said his office has discussed this with Andy Dance and would work with all parties involved so the best access routes can be determined and designed.

The meeting ended about 6:30 PM.

# City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Department<br/>Item KeyPLANNING<br/>6678Amount<br/>Account

#

Subject RESOLUTION 2019-XX APPROVING PALM COAST REH SUBDIVISION FINAL

**PLAT** 

# **Background:**

Palm Coast REH is 16.95+/- acres and is located at the southwest corner of US Highway 1 and Matanzas Woods Parkway. The site is zoned Palm Coast Park DRI/MPD and COM-3 land uses are allowed for this project. A Technical Site Plan for a convenience store with an accessory restaurant and gas pumps was approved in late January 2019, and the Preliminary Plat has also been approved but construction has not commenced.

Palm Coast REH is a replat of Lot 4 of Palm Coast Park, Tracts 18 and 20 Subdivision. Palm Coast REH will have four commercial parcels plus a stormwater tract. The subdivision and the site plan for the convenience store have both been designed to accommodate the round-about that FDOT is planning to construct at the intersection of US 1 and Matanzas Woods Parkway. The subdivision will have access points onto both of those roadways. A conservation easement is shown in the southwest corner of the subdivision with most of it located within the stormwater tract.

**Recommended Action:** Planning staff recommends that City Council adopt Resolution 2019-XX approving a final plat for Palm Coast REH and authorizing the Mayor to execute the plat and staff to issue a Final Plat Development Order for AR #3864.

# RESOLUTION 2019-\_\_\_ PALM COAST REH SUBDIVISION FINAL PLAT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING APPLICATION # 3864 FOR THE REPLAT OF LOT 4, PALM COAST PARK, TRACTS 18 AND 20 SUBDIVISION KNOWN AS PALM COAST REH; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** on January 8, 2019, Application 3864, (hereinafter "the application") was submitted by CPH, Inc. to the City of Palm Coast Community Development Department for approval of approximately 16.95 +/- acres of land into 4 commercial parcels and a stormwater tract within Lot 4, Palm Coast Park, Tracts 18 and 20 Subdivision; and

**WHEREAS**, the City has reviewed the development proposal and has determined that it is in accordance with the codes, ordinances and land development regulations of the City; and

**NOW, THEREFORE, BE IT RESOLVED** by the city of Palm Coast, Flagler County, Florida:

# **SECTION 1. APPROVAL APPLICATION/FINDINGS.**

- (a). The City Council hereby approves the application for approval of a replat of 4 commercial parcels and a stormwater tract within Lot 4, Palm Coast Park, Tracts 18 and 20 Subdivision and hereby authorizes the Mayor of the City of Palm Coast to execute the Plat.
- (b). The development approval sought under and pursuant to the application is consistent with the City of Palm Coast Comprehensive Plan and development of the property will be subject to and consistent with and in compliance with applicable land development regulations and all other applicable regulations and ordinances as set forth in the *Code of Ordinances of the City of Palm Coast*.

**SECTION 2. 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

Resolution 2019-\_\_\_\_ Page 1 of 2 jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.

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

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

**SECTION 5. EFFECTIVE DATE.** This Resolution shall become effective immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 4th day of June 2019.

# CITY OF PALM COAST, FLORIDA

ATTEST:	MILISSA HOLLAND, MAYOR
VIRGINIA A. SMITH, CITY CLERK	
A 1 4 C 11 12	
Approved as to form and legality	
William E. Reischmann, Jr., Esq.	
City Attorney	

Resolution 2019-\_\_\_\_ Page 2 of 2

# Palm Coast REH



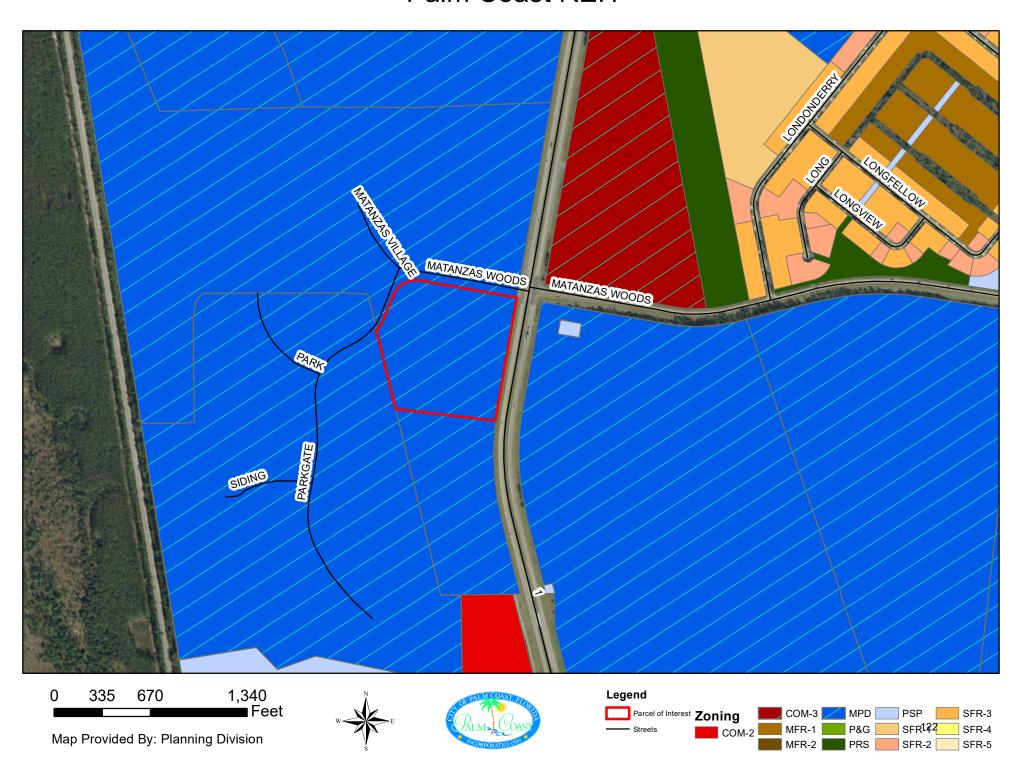
0 335 670 1,340 Feet







# Palm Coast REH



PLAT BOOK

PAGE

A REPLAT OF LOT 4, PALM COAST PARK, TRACTS 18 AND 20 AS RECORDED IN MAP BOOK 37, PAGES 32-35, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. LYING IN SECTION 28, TOWNSHIP 10 SOUTH. RANGE 30 EAST, CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA

CONTAINING 738.374 SQUARE FEET OR 16.950 ACRES MORE OR LESS.

# LEGAL DESCRIPTION

LOT 4, PALM COAST PARK, TRACTS 18 AND 20 ACCORDING TO THE MAP THEREOF AS RECORDED IN PLAT BOOK 37, PAGE(S) 32, OF THE PUBLIC RECORDS OF FLAGLER COUNTY,

# MATANZAS WOODS PKWY MATANZAS WOODS PKWY

VICINITY MAP

**GENERAL NOTES** 

THEREOF, PER FLORIDA STATUTES CHAPTER 177.09(19).

5. ALL UTILITIES SHALL BE LOCATED UNDERGROUND.

THE PUBLIC RECORDS OF THIS COUNTY.

RECORDS BOOK 1840, PAGE 1456.

THE TRANSFER OF ANY LOT.

09°59'31" WEST.

COMMISSION.

AT 5:00 P.M.

BEARINGS SHOWN HEREON ARE RELATIVE TO THE WESTERLY RIGHT-OF-WAY LINE OF US

PAGES 32-35 OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA, AS BEING SOUTH

2. HAVING CONSULTED THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP

(FIRM) COMMUNITY PANEL NO. 12035C00110E, CITY OF PALM COAST, MAP REVISED JUNE 6,

2018. THE SUBJECT PROPERTY APPEARS TO LIE IN ZONE X, WHICH ARE AREAS OF MINIMAL

OF SAID MAP AND NOT ON ACTUAL FIELD MEASUREMENTS. DO NOT USE THIS PLAT FOR

THE CURRENT APPROVED FIRM FOR COMMUNITY PANEL NUMBER, DATE AND FLOOD ZONE

DIMENSIONS ARE SHOWN RELATIVE TO UNITED STATES STANDARD FEET AND DECIMALS

4. PURSUANT TO FLORIDA STATUTES, SECTION 177.091(28), ALL PLATTED UTILITY EASEMENTS

FLOOD HAZARD (NAVD '88), THIS DETERMINATION WAS BASED ON A GRAPHIC INTERPOLATION

FLOOD ZONE DETERMINATION. THE FLOOD INSURANCE RATE MAP IS SUBJECT TO CHANGE, USE

SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC,

TELEPHONE, GAS OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY

DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE

OBTAINED BY A PARTICULAR ELECTRIC. TELEPHONE. GAS OR OTHER PUBLIC UTILITY. SUCH

CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE

6. PURSUANT TO FLORIDA STATUTES, SECTION 177.091(9), LOT CORNERS MUST BE SET BEFORE

7. NOTHING HEREIN SHALL BE CONSTRUED AS CREATING AN OBLIGATION UPON ANY GOVERNING BODY TO PERFORM ANY ACT OF CONSTRUCTION OR MAINTENANCE WITHIN SUCH DEDICATED

8. NOTICE THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE

THIS PLAT WAS PREPARED WITH THE BENEFIT OF A PROPERTY INFORMATION REPORT AS

10. THIS PLAT IS SUBJECT TO THE PALM COAST PARK MPD AGREEMENT RECORDED IN OFFICIAL

AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE

AREAS EXCEPT WHEN THE OBLIGATION IS VOLUNTARILY ASSUMED BY THE GOVERNING BODY.

SUBDIVISION LAND DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN

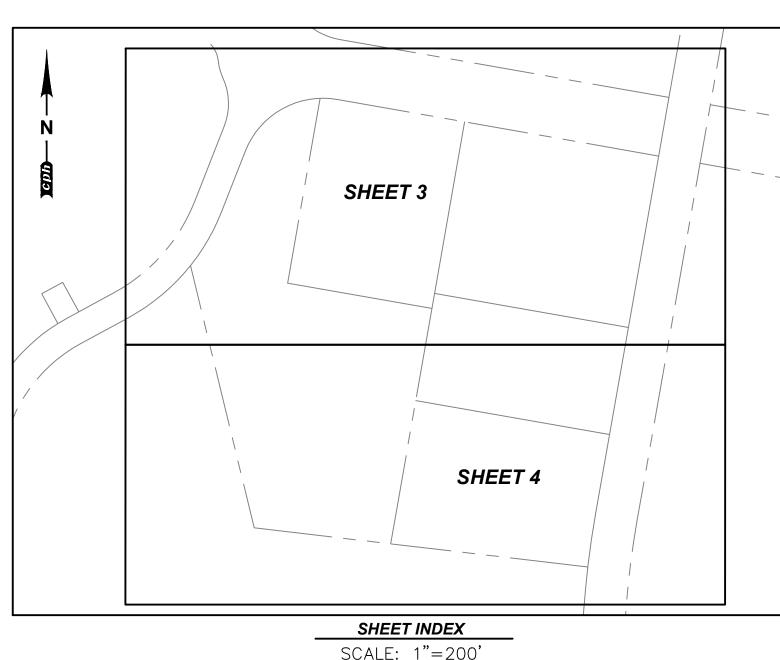
ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN

PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, DATED DECEMBER 19, 2018

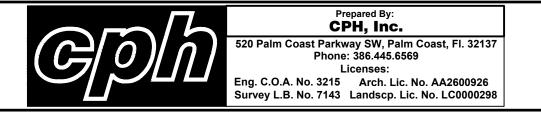
NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE

DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR

HIGHWAY 1, ACCORDING TO THE PLAT OF PALM COAST PARK AS RECORDED IN MAP BOOK 37,



NOTICE: This plat, as recorded in its graphic form, is the official depiction of the subdivided lands described herein and will in no circumstances be supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County.



# OWNER'S DEDICATION AND RESERVATION

KNOW ALL MEN BY THESE PRESENTS, THAT PALM COAST REH, LLC, A FLORIDA LIMITED LIABILITY COMPANY, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED ON THIS PLAT. HAS CAUSED THE LAND TO BE SURVEYED AND PLATTED AS SHOWN, AND HEREBY DEDICATES THE PLAT TO BE KNOW AS "PALM COAST REH", ADDITIONALLY, THE FOLLOWING DEDICATIONS ARE HEREBY GRANTED;

PARCELS 1, 2, 3 AND 4 AS SHOWN HEREON ARE HEREBY RESERVED TO THE "PALM COAST REH, LLC.", ITS SUCCESSORS AND ASSIGNS, AS FUTURE DEVELOPMENT. WITHOUT RECOURSE TO THE CITY OF PALM COAST.

TRACT A AS SHOWN HEREON IS HEREBY DEDICATED FOR THE "PALM COAST REH PROPERTY OWNER'S ASSOCIATION", ITS SUCCESSORS AND ASSIGNS, AS COMMON AREA FOR STORMWATER MANAGEMENT/DRAINAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM COAST.

THE 40.00 FOOT ACCESS AND UTILITY EASEMENT AS SHOWN HEREON IS DEDICATED TO THE "PALM COAST REH PROPERTY OWNER'S ASSOCIATION" AND TO THE CITY OF PALM COAST, ITS SUCCESSORS AND ASSIGNS, AND PRIVATE UTILITY PROVIDERS FOR THE PURPOSE OF ACCESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE 40 FOOT ACCESS AND UTILITY EASEMENT IS THE PERPETUAL OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS. WITHOUT RECOURSE TO THE CITY OF PALM COAST.

ALL DRAINAGE EASEMENTS AS SHOWN HEREON ARE HEREBY DEDICATED TO THE "PALM COAST REH PROPERTY OWNER'S ASSOCIATION", ITS SUCCESSORS AND ASSIGNS, FOR STORMWATER MANAGEMENT/DRAINAGE PURPOSES AND ARE THE PERPETUAL MAINTENANCE OBLIGATION OF SAID ASSOCIATION, ITS SUCCESSORS AND ASSIGNS, WITHOUT RECOURSE TO THE CITY OF PALM COAST.

ALL UTILITY EASEMENTS AS SHOWN HEREON IS DEDICATED TO THE "PALM COAST REH PROPERTY OWNER'S ASSOCIATION", ITS SUCCESSORS AND ASSIGNS, THE CITY OF PALM COAST AND PRIVATE UTILITY PROVIDERS FOR THE PURPOSE OF ACCESS AND THE INSTALLATION AND MAINTENANCE OF UTILITIES. THE EASEMENTS ARE THE PERPETUAL OBLIGATION OF SAID ASSOCIATION. ITS SUCCESSORS AND ASSIGNS. WITHOUT RECOURSE TO THE CITY OF PALM COAST.

CONSERVATION EASEMENTS AS SHOWN HEREON ARE GRANTED TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (SJRWMD), THE UNITED STATES ARMY CORPS OF ENGINEERS AND THE CITY OF PALM COAST, FLORIDA, FOR CONSERVATION PURPOSES IN ACCORDANCE WITH F.S. CH. 704.06.

NO AMENDMENT TO THE DECLARATION SHALL BE APPROVED WHICH CONFLICT WITH ANY LAND USE APPROVAL OR PERMITS GRANTED BY THE CITY OF PALM COAST, OR WHICH CONFLICTS WITH THE CODE OF ORDINANCES OR LAND DEVELOPMENT REGULATIONS OF THE CITY OF PALM COAST.

IN THE EVENT OF DISSOLUTION OF THE ASSOCIATION, IF SO REQUIRED BY THE CITY, A SPECIAL TAXING DISTRICT WILL BE FORMED TO ASSUME THE MAINTENACE RESPONSIBILITY OF THE DEVELOPMENT IMPROVEMENTS. IN THE EVENT A SPECIAL TAXING DISTRICE IS FORMED, TRACTS WILL BE SUBJECT TO ASSESSMENTS FOR THE COSTS OF SERVICES PERFORMED BY THE CITY. EACH OWNER, BY ACQUIRING A TRACT, AGREES TO PAY EACH AND EVERY ASSEMENT IMPOSED UP THE OWNER'S TRACT IN A TIMELY MANNER. FAILING WHICH SUCH ASSESSMENT SHALL BE A LIEN UPON THOSE LANDS.

IN WITNESS WHEREOF, PALM COAST REH, LLC, BY AND THROUGH ITS AUTHORIZED REPRESENTATIVE, HAS CAUSED THESE PRESENTS TO BE SIGNED IN ITS CAPACITY AND WITH ITS AUTHORITY. AS AUTHORIZED REPRESENTATIVE OF PALM COAST REH, LLC, AS ESTABLISHED BY WRITTEN ACTION OF PALM COAST REH, LLC, THIS \_\_\_ DAY OF \_\_\_\_, 2019.

BY:	
WITNESS:	WITNESS:
PRINTED NAME:	PRINTED NAME:

NOTARY PUBLIC:

STATE OF FLORIDA. COUNTY OF FLAGIER:

I HEREBY CERTIFY THAT ON THIS DAY BEFORE ME PERSONALLY APPEARED SANDEEP PATEL WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED PERSONAL IDENTIFICATION ESTABLISHING THEIR IDENTITY, AND WHO EXECUTED THE FORGOING INSTRUMENT AS AUTHORIZED REPRESENTATIVE OF PALM COAST REH, LLC, AND THEY ACKNOWLEDGED TO AND BEFORE ME THAT THEY EXECUTED SUCH INSTRUMENT AS AUTHORIZED BY PALM COAST REH, LLC, BY WAY OF THE WRITTEN ACTION RECORDED AT OFFICIAL RECORDS BOOK \_\_\_\_\_, PAGE \_\_\_\_ AND THE EXECUTION OF SAID INSTRUMENT IS THE FREE ACT AND DEED OF PALM COAST REH, LLC.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.

PRINTED NAME MY COMMISSION EXPIRES: \_\_\_\_\_ STATE OF FLORIDA

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JEFFREY W. PATTERSON ON APRIL 4, 2019 USING A DIGITAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Jeffery W. Patterson, PSM Professional Surveyor and Mapper Florida Registration No. 6384

PAGE

2018 the

# PALM COAST REH

A REPLAT OF LOT 4, PALM COAST PARK, TRACTS 18 AND 20 AS RECORDED IN MAP BOOK 37, PAGES 32-35, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. LYING IN SECTION 28, TOWNSHIP 10 SOUTH. RANGE 30 EAST, CITY OF PALM COAST, FLAGLER COUNTY, FLORIDA

CONTAINING 738.374 SQUARE FEET OR 16.950 ACRES MORE OR LESS.

# ADDITIONAL INFORMATION PER PROPERTY INFORMATION REPORT AS PREPARED BY COMMONWEALTH LAND TITLE INSURANCE COMPANY ORDER NO. 7384761 ORDER DATE DECEMBER 19, 2018 AT 5:00 P.M.

A. RESTRICTIONS, COVENANTS, CONDITIONS, EASEMENTS AND OTHER MATTERS AS CONTAINED ON THE PLAT OF PALM COAST PARK, TRACTS 18 AND 20, RECORDED IN MAP BOOK 37, PAGE 32 - 35, INCLUSIVE, OF THE PUBLIC RECORDS OF FLAGLER COUNTY, FLORIDA. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)

B. LEASE AGREEMENT BY AND BETWEEN FLORIDA EAST COAST RAILWAY, A FLORIDA CORPORATION, LESSOR, AND MCI TELECOMMUNICATIONS CORPORATION, A DELAWARE CORPORATION, LESSEE, DATED JANUARY 1, 1990, AS EVIDENCED BY THAT CERTAIN MEMORANDUM OF LEASE RECORDED APRIL 6, 1993, IN OFFICIAL RECORDS BOOK 485, PAGE 992, TOGETHER WITH MEMORANDUM OF AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 487, PAGE 392. (DOES NOT AFFECT SUBJECT PARCEL) (NOT PLOTTABLE)

C. DECLARATION OF COVENANTS AND ASSIGNMENT OF ENFORCEMENT RECORDED FEBRUARY 24, 1994, IN OFFICIAL RECORDS BOOK 506, PAGE 1487. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

D. DECLARATION OF RESTRICTIONS FOR FUTURE WELL SITES RECORDED DECEMBER 30, 2002, IN OFFICIAL RECORDS BOOK 879, PAGE 1536, PARTIALLY RELEASED IN OFFICIAL RECORDS BOOK 1311, PAGE 215 AND MODIFIED BY MODIFICATION RECORDED IN OFFICIAL RECORDS BOOK 1358, PAGE 1740. (DOES NOT AFFECT SUBJECT PARCEL) (NOT PLOTTABLE)

E. CITY OF PALM COAST DEVELOPMENT ORDER SUBDIVISION EXEMPTION RECORDED APRIL 21, 2005, IN OFFICIAL RECORDS BOOK 1234, PAGE 1028, AND CITY OF PALM COAST DEVELOPMENT ORDER SUBDIVISION EXEMPTION RECORDED APRIL 21, 2005 IN OFFICIAL RECORDS BOOK 1234, PAGE 1039. (DOES NOT AFFECT SUBJECT PARCEL) (NOT PLOTTABLE)

F. NOTICE OF ESTABLISHMENT OF THE PALM COAST PARK COMMUNITY DEVELOPMENT DISTRICT RECORDED FEBRUARY 3, 2006, IN OFFICIAL RECORDS BOOK 1389, PAGE 1214, TOGETHER WITH AMENDED NOTICE OF ESTABLISHMENT OF THE PALM COAST PARK COMMUNITY DEVELOPMENT DISTRICT RECORDED IN OFFICIAL RECORDS BOOK 1681, PAGE 379. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

G. DECLARATION OF CONSENT TO JURISDICTION OF COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION SPECIAL ASSESSMENTS RECORDED MAY 26, 2006, IN OFFICIAL RECORDS BOOK 1439, PAGE 1, AND DECLARATION OF CONSENT TO JURISDICTION OF COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION OF SPECIAL ASSESSMENTS RECORDED IN OFFICIAL RECORDS BOOK 1439 PAGE 10 AND DECLARATION OF CONSENT TO JURISDICTION OF COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION OF SPECIAL ASSESSMENTS RECORDED IN OFFICIAL RECORDS BOOK 1439, PAGE 20, ALL AS AMENDED BY AMENDMENT TO DECLARATION OF CONSENT TO JURISDICTION OF COMMUNITY DEVELOPMENT DISTRICT AND TO IMPOSITION OF SPECIAL ASSESSMENTS RECORDED IN OFFICIAL RECORDS BOOK 1681, PAGE 381. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

H. TRUE UP AGREEMENT RECORDED MAY 25, 2006, IN OFFICIAL RECORDS BOOK 1439, PAGE 28, TOGETHER WITH AMENDED TRUE UP AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1681, PAGE 384. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

I. NOTICE OF COLLECTION AGREEMENT FOR SPECIAL ASSESSMENTS RECORDED MAY 31, 2006, IN OFFICIAL RECORDS BOOK 1439, PAGE 1860. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

J. PERPETUAL MULTI-USE EASEMENT AGREEMENT RECORDED AUGUST 24, 2006, IN OFFICIAL RECORDS BOOK 1475, PAGE 1568, AS AFFECTED BY CORRECTIVE PERPETUAL MULTI-USE EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1570, PAGE 942 AND SECOND CORRECTIVE PERPETUAL MULTI-USE EASEMENT AGREEMENT RECORDED IN OFFICIAL RECORDS BOOK 1814, PAGE 1924. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)

K. UTILITY AGREEMENT FOR WATER AND WASTEWATER SERVICE RECORDED OCTOBER 12, 2006, IN OFFICIAL RECORDS BOOK 1494, PAGE 1362. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

L. CITY OF PALM COAST APPROVAL DEVELOPMENT ORDER RECORDED APRIL 10, 2007, IN OFFICIAL RECORDS BOOK 1559, PAGE 1985. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

M. CITY OF PALM COAST APPROVAL DEVELOPMENT ORDER SP-SVR-06-12 RECORDED APRIL 12, 2007, IN OFFICIAL RECORDS BOOK 1561, PAGE 27. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

N. NON-EXCLUSIVE UTILITY EASEMENT BY AND BETWEEN FLORIDA LANDMARK COMMUNITIES, INC.; ETAL, GRANTOR, AND FLORIDA POWER AND LIGHT COMPANY, GRANTEE, RECORDED FEBRUARY 20, 2008, IN OFFICIAL RECORDS BOOK 1645, PAGE 226. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)

O. CONSERVATION EASEMENT BY AND BETWEEN FLORIDA LANDMARK COMMUNITIES, INC.; ETAL, GRANTOR, AND ST. JOHNS RIVER WATER MANAGEMENT DISTRICT, GRANTEE, RECORDED JUNE 11, 2008, IN OFFICIAL RECORDS BOOK 1666, PAGE 374. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)

P. UTILITY AGREEMENT FOR WATER AND WASTEWATER SERVICE RECORDED JUNE 23, 2008, IN OFFICIAL RECORDS BOOK 1667, PAGE 1978. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

Q. CITY OF PALM COAST UTILITY EASEMENT BY AND BETWEEN FLORIDA LANDMARK COMMUNITIES, INC.; ETAL, GRANTOR, AND CITY OF PALM COAST, GRANTEE, RECORDED AUGUST 8, 2008, IN OFFICIAL RECORDS BOOK 1674, PAGE 1821. (DOES NOT AFFECT SUBJECT PARCEL) (NOT PLOTTABLE)

R. CITY OF PALM COAST DEVELOPMENT ORDER APPROVAL SDMFD, PALM COAST PARK (TRACT 18 8C 20) MODIFICATION RECORDED FEBRUARY 9, 2009, IN OFFICIAL RECORDS BOOK 1701, PAGE 363, TOGETHER WITH DEVELOPMENT ORDER APPROVAL SUBDIVISION MODIFICATION, PALM COAST PARK (TRACT 18 8C 20), RECORDED IN OFFICIAL RECORDS BOOK 1711 PAGE 83 AND DEVELOPMENT ORDER APPROVAL MODIFICATION NUMBER 1756, PALM COAST PARK (TRACT 18 8C 20), SUBDIVISION DEVELOPMENT ORDER #SD-PLP-06-15 RECORDED IN OFFICIAL RECORDS BOOK 1724 PAGE 567, AND DEVELOPMENT ORDER APPROVAL MODIFICATION NUMBER 1785, PALM COAST PARK (TRACT 18 8C 20), SUBDIVISION DEVELOPMENT ORDER #SD-PLP-06-15 RECORDED IN OFFICIAL RECORDS BOOK 1724, PAGE 1076. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

S. EASEMENT BY AND BETWEEN FLORIDA LANDMARK COMMUNITIES, INC., GRANTOR, AND FLORIDA POWER AND LIGHT COMPANY, GRANTEE, RECORDED JUNE 9, 2009, IN OFFICIAL RECORDS BOOK 1720. PAGE 490. (AFFECTS SUBJECT PARCEL) (AS SHOWN ON SURVEY)

T. COLLATERAL ASSIGNMENT OF DEVELOPMENT RIGHTS AND INTERESTS RECORDED MAY 31. 2011. IN OFFICIAL RECORDS BOOK 1818, PAGE 1669. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

U. SECOND AMENDED AND RESTATED PALM COAST PARK DEVELOPMENT OF REGIONAL IMPACT DEVELOPMENT ORDER RECORDED OCTOBER 20, 2011, IN OFFICIAL RECORDS BOOK 1838, PAGE 834. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

V. PALM COAST PARK MASTER PLAN DEVELOPMENT AGREEMENT RECORDED NOVEMBER 7, 2011, IN OFFICIAL RECORDS BOOK 1840, PAGE 1416. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

W. IRRIGATION EASEMENT AGREEMENT RECORDED FEBRUARY 10, 2017, IN OFFICIAL RECORDS BOOK 2186, PAGE 1391. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

X. ASSIGNMENT OF DEVELOPMENT RIGHTS AND DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR LAND LOCATED IN PALM COAST PARK, FLORIDA RECORDED JANUARY 3, 2018, IN OFFICIAL RECORDS BOOK 2250, PAGE 1527. (AFFECTS SUBJECT PARCEL) (BLANKET IN NATURE) (NOT PLOTTABLE)

# CONSENT AND JOINER OF MORTGAGEE

KNOW ALL MEN BY THESE PRESENTS, THAT PALM COAST LAND, LLC, A FLORIDA LIMITED LIABILITY COMPANY, ("THE MORTGAGEE"), THE OWNER AND HOLDER OF THE FOLLOWING DESCRIPTION LOAN DOCUMENT ("THE LOAN DOCUMENT")

REAL ESTATE MORTGAGE RECORDED JANUARY 3, 2019 IN O.R. BOOK 2250, PAGE 1539 OF THE PUBLIC RECORDS OF FLAGIER COUNTY, FLORIDA.

HEREBY JOINS IN AND CONSENTS TO THE TERMS AND CONDITIONS OF THIS PLAT OF PALM COAST REH ("THE PLAT") BY PALM COAST REH, A FLORIDA LIMITED LIABILITY COMPANY, FOR THE PURPOSE OF ACKNOWLEDGING ITS CONSENT TO THE SAME AND PALM COAST REH PROPERTY OWNER'S ASSOCIATION, INC. A FLORIDA NON-FOR-PROFIT CORPORATION, TO WHICH PLAT THIS JOINDER IS ATTACHED FOR THE PURPOSE OF ACKNOWLEDGING ITS CONSENT TO THE COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF THE PLAT AND THE IMPOSITION OF THE SAME UPON THE PROPERTY SUBJECT TO THE LOAN DOCUMENT.

SIGNED & SEALED IN THE PRESENCE OF:	PALM COAST LAND, LLC A FLORIDA LIMITED LIABILITY COMPANY
	BY
WITNESS SIGNATURE	NAME:
PRINTED NAME	TITLE:
WITNESS SIGNATURE	
PRINTED NAME	

THIS ITEM HAS BEEN ELECTRONICALLY SIGNED AND SEALED BY JEFFREY W. PATTERSON ON APRIL 4, 2019 USING A DIGITAL SIGNATURE.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Prepared By: CPH, Inc. 20 Palm Coast Parkway SW, Palm Coast, Fl. 3213 Phone: 386.445.6569 ng. C.O.A. No. 3215 Arch. Lic. No. AA2600926 rvey L.B. No. 7143 Landscp. Lic. No. LC0000298

NOTICE: This plat, as recorded in its graphic form, is the official depiction

of the subdivided lands described herein and will in no circumstances be

There may be additional restrictions that are not recorded on this plat that

supplanted in authority by any other graphic or digital form of the plat.

may be found in the public records of this County.

Jeffery W. Patterson, PSM Professional Surveyor and Mapper Florida Registration No. 6384

<b>CERTIFICATI</b>	E OF /	APPROVAL	BY 1	THE C	O YTK	E
PALM	COAS	T PLANNIN	IG MA	NAGE	<u>R</u>	

THIS IS T	O CEI	RTIFY,	That o	n thi	S		_day c	of	,	2018	the
foregoing	plat	was	approved	d by	the	Palm	Coast	City	Commission.		

Ray Tyner	
Plannina Manager	(Signature)

THIS IS TO CERTIFY That on this

County, Florida

Certificate of Authorization No. LB 7143

# CERTIFICATE OF APPROVAL BY THE CITY OF PALM COAST CITY COUNCIL

day of

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foregoing	plat	was	approved	bу	the	Palm	Coast	City Commission.		
5 5	•		1 1	,				,		

Millissa Holland	Virgina Smith
City Mayor (Signature)	Attest: City Clerk (Signature)

# CERTIFICATE OF CLERK

I HEREBY CERTIFY, that I	have examined the foregoing plat and find that it	
complies in form with all	the requirements of Chapter 177, Florida Statutes, ar	nd
was filed for record on _	2018,	
at Eila Na .		

CLERK OF THE COURT in and for Flagler	(Printed Name)

# REVIEWING SURVEYOR'S CERTIFICATION

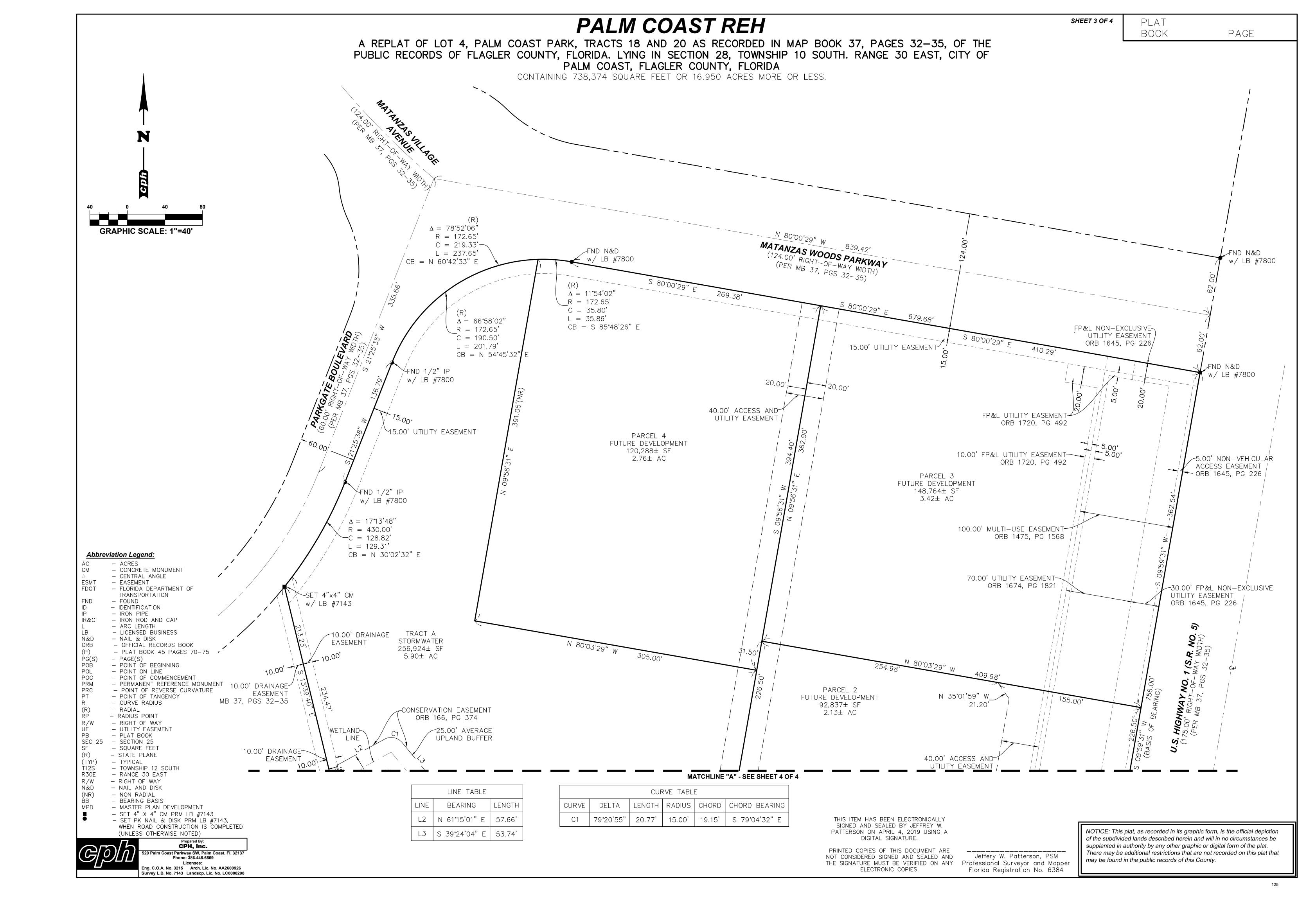
Pursuant to Section 177.081, Florida Statutes, I have reviewed this Plat for conformity to Chapter 177, Part I of the Florida Statutes and that said Plat complies with the Technical Requirements of the Chapter. Provided however, that my review does not include field verification of any of the coordinates, points or measurements, shown on this plat.

Reviewing Surveyor (Signature)	Date:
 Reviewing Surveyor (Printed Name)	 Reaistration Number

# SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being a Professional Surveyor and Mapper, fully licensed to practice in the State of Florida, does hereby certify that this plat was prepared under his supervision, and that this plat complies with all the provisions of Chapter 177, Part I Florida Statutes.

D	ated:
Jeffery W. Patterson, PSM	
Professional Surveyor and Mapper	
Florida Registration No. 6384	
CPH, Inc.	
520 Palm Coast Parkway SW — Palm Coa	st, Florida 32137
Telephone: (386) 445-6569 - Fax: (386)	) 447-8991



520 Palm Coast Parkway SW, Palm Coast, Fl. 32137 Phone: 386.445.6569 Eng. C.O.A. No. 3215 Arch. Lic. No. AA2600926 Survey L.B. No. 7143 Landscp. Lic. No. LC0000298

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

Jeffery W. Patterson, PSM Professional Surveyor and Mapper Florida Registration No. 6384

supplanted in authority by any other graphic or digital form of the plat. There may be additional restrictions that are not recorded on this plat that may be found in the public records of this County.

# Palm Coast REH Final Plat

# City Council Agenda items June 4, 2019

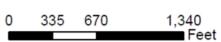


# Palm Coast REH



# **LOCATION MAP**

Palm Coast REH is 16.95 +/- acres and located at the SW corner of US Highway 1 and Matanzas Woods Parkway











# Palm Coast REH

# MATANZAS WOODS MATANZAS WOODS Map Provided By: Planning Division

# **ZONING MAP**

Project is part of the Palm Coast Park DRI/MPD, which allows COM-3 uses on this tract.



# ## 172 AND TOTAL PROPERTY | 1000 PARTY ENDOUGH | 10

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# Plat Layout

# **Breakdown:**

- 4 commercial parcels
- 1 stormwater tract



# Recommendation

Planning staff recommends that the City Council adopt Resolution 2019-xx approving Final Plat for Palm Coast REH and authorizing the Mayor to execute the plat and staff to issue a Final Plat Development Order for AR #3864.



# Questions



# City of Palm Coast, Florida Agenda Item

Agenda Date: 6/4/2019

**Department** ADMINISTRATIVE SERVICES **Amount Item Key** 6693 **Account** 

Subject STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

RESOLUTION 2019-XX APPROVING UPDATES TO THE INNOVATION

DISTRICT AND INNOVATION KICK START PROGRAM

# Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### **UPDATE FROM THE MAY 14, 2019 WORKSHOP**

This item was scheduled to be heard at the May 14, 2019 Workshop. The Workshop was cancelled and this item is now scheduled to be heard on May 28, 2019.

#### ORIGINAL BACKGROUND FROM THE MAY 14, 2019 WORKSHOP

On June 5, 2018, City Council approved the Innovation District and Innovation Kick Start Program to incentivize development in Town Center. City Council also approved the expansion of the Innovation District's north boundaries on October 16, 2018. With continued development in the District and overall interest of the Program, City staff and the Master Developer for Town Center are proposing to update the Innovation Kick Start Program and Innovation District to reflect an expanded boundary and added flexibility for residential developments. The expanded boundary proposed will include track 21b to the District for a potential residential development. For added flexibility for residential developments, City staff propose removing the restrictions of size and type to qualify for the Program. This is due to a variety of residential projects that have already been kick started in the District, and requests to continue to diversify residential developments in the District. With both changes, City staff propose the new track and flexibility for residential developments be added to the Innovation Kick Start Program and Innovation District to continue to encourage new development and meet the area's goals

**Recommended Action:** Adopt State Road 100 Corridor Community Redevelopment Agency Resolution 2019-XX Approving Updates to the Innovation District and Innovation Kick Start Program

# RESOLUTION 2019 - \_\_\_\_ SR 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY APPROVING UPDATES TO THE INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM

A RESOLUTION OF THE STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PALM COAST, FLORIDA APPROVING AN AMENDMENT TO THE STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCYMASTER REDEVELOPMENT PLAN; APPROVING AN ADDITIONAL PARCEL WITHIN THE INNOVATION KICK START PROGRAM; PROVIDING FOR DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Palm Coast has determined that the State 100 Corridor Redevelopment Area (the "Area") (as created and defined in Resolution No. 2004-22 and which legal description is ratified, affirmed, and adopted herein) is a blighted area appropriate for community redevelopment projects pursuant to Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act of 1969", as amended, or the "Act"); and

**WHEREAS**, the redevelopment of the Area is necessary in the interest of public health, safety, and welfare of the residents of the City of Palm Coast, and furthers and is in the interest of, revitalizing the Area economically and socially, improving the tax base, promoting sound growth, and providing improved conditions in the City of Palm and Flagler County; and

WHEREAS, the City Council has authorized, established, and is providing for the funding of a "State Road 100 Corridor Redevelopment Trust Fund" to finance a community project or projects within the Area as provided in Section 163.387 Florida Statutes, the act to be funded by tax increment revenues for the purposes of financing the diverse elements of the State Road 100 Corridor Community Redevelopment Plan (the "Plan"); and

**WHEREAS,** the City Council, upon recommendation of the State Road 100 Corridor Community Redevelopment Agency (the "Agency"), of the Area, in accordance with the provisions of Resolution No. 2004-22, approved and adopted the Plan on June 15, 2004 (Resolution No. 2004-31); and

WHEREAS, the City Council, upon recommendation of the Agency, of the Area, in accordance with the provisions of Resolution No. 2004-22, approved and amended the Plan on August 5, 2008 (Resolution No. 2008-136) in order to reflect changing economic conditions and redevelopment needs in the Area and June 5, 2018 (Resolution No. 2018-71) to include the Innovation District, and then expanded parcels of the Innovation District on October 16, 2018 (Resolution No. 2018-143); and

Resolution 2019-\_\_\_\_ Page 1 of 4 WHEREAS, the Plan encourages economic development and redevelopment to transform the character of the Area, increasing the diversity of residential opportunities and businesses; and

**WHEREAS**, the City of Palm Coast and the Agency desire to expand upon the Innovation District boundary again to include additional parcel of 21b; and

**WHEREAS,** the City of Palm Coast and Agency desire to amend the Plan to include the expanded boundary of the Innovation District in accordance with the provisions of Resolution No. 2004-22 and the Act; and

**WHEREAS**, the City of Palm Coast and Agency desire to included expanded boundary, as well as to the Innovation Kick Start Program; and

WHEREAS, the Innovation Kick Start Program encourages new development in the Innovation District by reducing development costs in the Area; and

**WHEREAS,** the expanded boundary of the Innovation Kick Start Program will increase the taxable real estate values in the Area, increase sales tax collections, and improve the conditions of the local economy of the Area and the City; and

WHEREAS, the City of Palm Coast and the Agency approves the expanded boundary of the Innovation District to be included in the Innovation Kick Start Program in furtherance of the municipal purpose of expanding economic activity within its jurisdictional borders under Section 166.021(9), Florida Statutes and in furtherance of revitalizing the Area economically, improving the tax base, promoting sound growth, and providing improved conditions in the Area pursuant to the Act; and

**WHEREAS**, the addition to the Innovation District is for the benefit of the public health, safety, welfare, and convenience of the City of Palm Coast, Florida; and

**WHEREAS,** the City Council and Agency find that the expansion of the Innovation District and new boundary to qualify for the Innovation Kick Start Program serve a public purpose, which includes promotion of economic development, job growth, and future expansion of the City's and Area's tax base.

NOW, THEREFORE, BE IT RESOLVED BY THE SR 100 CRA AGENCY OF PALM COAST, FLORIDA, AS FOLLOWS:

# <u>SECTION 1. RECITALS/ADOPTION AND APPROVAL OF PLAN AMENDMENT/LEGISLATIVE FINDINGS.</u>

- (a) The above recitals and the recitals set forth in Resolution 2004-22 and 2008-136 represent and are hereby ratified, adopted and incorporated as legislative findings of the Agency relative to the provisions of this Resolution.
- (b) The Agency recommends approval of the amendment to the State Road Corridor Community Redevelopment Plan to incorporate expanded parcel of 21b to the Innovation District and Innovation Kick Start Program, as dated as of \_\_\_\_\_\_\_, 2019, and

Resolution 2019-\_\_\_\_ Page 2 of 4 set forth in Exhibit "A" to this Resolution, said exhibit being adopted and incorporated herein by this reference thereto.

- (c) The Innovation District and Innovation Kick Start Program set forth in the amendment to the Plan are consistent with the requirements of Section 163.360 Florida Statutes, and the Agency further finds that:
  - (1) The amendment to the Plan confirms with the law as necessary in the interest of the public health, safety, and welfare of the residents of the City of Palm Coast, and will effectuate the purposes of the Plan by revitalizing the Area economically and socially, thereby increasing the tax base, promoting sound growth, improving conditions, and eliminating the conditions which the Florida Legislature found constitutes a menace which are injurious to public health, safety and welfare of the residents.
  - (2) The amendment to the Plan confirms to and is consistent with the City of Palm Coast Comprehensive Plan.
  - (3) The amendment to the Plan will afford maximum opportunity, consistent with the sound needs of the City of Palm Coast as a whole, for the redevelopment or rehabilitation by private enterprise and/or joint public/private partnership.
  - (4) Residential and non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City of Palm Coast in accordance with sound planning standards and local community objectives.
  - (5) The amendment to the Plan is necessary and appropriate to facilitate the proper growth and development of the City of Palm Coast in accordance with the Plan.
  - (6) In accordance with Section 163.345, Florida Statutes, the Agency have and will consider the encouragement of private enterprise to engage in community redevelopment activities.

<u>EXPANDED BOUNDARY</u>. The SR 100 Corridor CRA of the City of Palm Coast hereby approves the expanded parcel of 21b to the Innovation District and Innovation Kick Start Program as attached hereto and incorporated herein by reference as Exhibit "B."

**SECTION 3. DEFINITIONS.** The terms contained in this Resolution shall have the meaning set forth in the Act.

<u>SECTION 4. SEVERABILITY.</u> 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 5. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

<u>SECTION 6. IMPLEMENTING ACTIONS</u>. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution, including, but not limited to, executing agreements to implement the Innovation Kick Start Program.

**SECTION 7. EFFECTIVE DATE**. This Resolution shall take effect immediately upon adoption by the SR 100 Corridor CRA.

Resolution 2019-\_\_\_\_ Page 3 of 4 **DULY PASSED AND ADOPTED** by the SR 100 Corridor Community Redevelopment Agency of the City of Palm Coast, Florida, this 4<sup>th</sup> day of June 2019.

# SR 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY

ATTEST:	MILISSA HOLLAND, BOARD CHAIR
VIRGINIA A. SMITH, CITY CLERK	
Attachment: Exhibit A – State Road 100 C Exhibit B – Innovation Kick	Corridor Plan Amendment Start Program Application – Updated Map
Approved as to form and legality	
William E. Reischmann, Jr., Esq. City Attorney	_

#### Exhibit A

# State Road 100 Corridor Community Redevelopment Plan, Innovation District & Innovation Kick Start Program Update

Innovation District expanded boundaries added to section 7.6 and 7.7 under "Plan Update" in State Road 100 Corridor Community Redevelopment Plan

#### Additions in red

#### 7. 6 Innovation District

In 2018, the Community Redevelopment Agency reevaluated Palm Coast's Town Center, located in the Community Redevelopment Area (Resolution No. 2018-0071). The Area has been largely infrastructure-ready for several years, yet, the vision for Town Center had never fully been realized. In over a ten year period, Town Center had only reached a 17% developed threshold at the beginning of 2018. Yet, with a fresh look at the Area and new approach, the Agency made developing Town Center a high priority. Through research and analysis, the Agency found that an Innovation District would not only a great fit for growing Town Center, but also would be economically, socially, and culturally viable for the future for Palm Coast. Per Resolution 2018-71, Resolution No. 2018-143, and Resolution No. 2019-\_\_\_\_, Map 13 showcases the Innovation District being centrally-located in the urban core of Town Center. By specifically mapping out an Innovation District in the CRA, the Agency looks to kick start forward-thinking residential and non-residential developments to stimulate economic growth at a high-rate through specific guidelines, programs and incentives before 2034. One of these programs proposed in Resolution No. 2018-71 involves an "Innovation Kick Start Program" that ends in December 31, 2020.

#### 7.7 Innovation Kick Start Program

The Innovation Kick Start Program was designed to encourage forward-thinking residential and non-residential units that create a "live, work, play" environment to stimulate economic growth. The Program is limited to first 500,000 square feet of non-residential and 1,000 residential units.

Through the Program, development costs are reduced in the Innovation District for developers (see Map 13). For a developer to be eligible for the Innovation Kick Start Program, the proposed development:

- Must be located in targeted of Innovation District (see Map 13; Updated per Resolution No. 2018-143) Resolution No. 2019-XX).
- Must be under construction by December 31, 2020
- And if the development is residential, all units must be multi-family, townhome, condo, or single-family with smaller lots (50 feet or less)

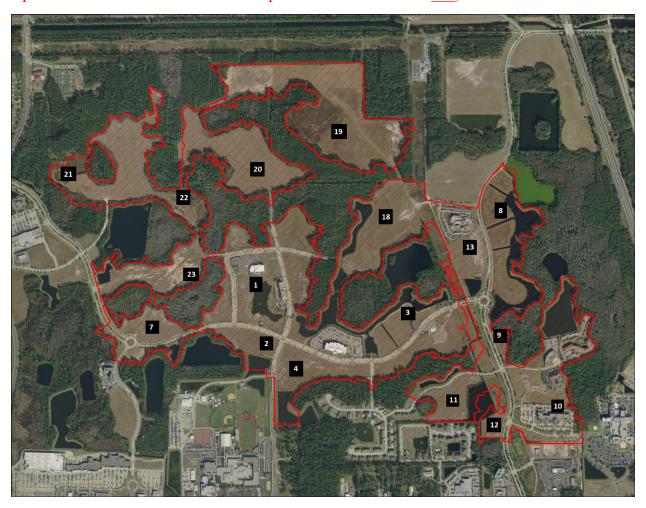
Eligible developments will be provided credit of \$5,000 per unit or per 1,000 s.f. per non-residential units. The credit(s) will be used towards payment of City utility impact fees. Per Resolution No. 2018-71, credits on behalf of the Agency will be paid through increased CRA

revenues. This was approved with in mind that proposed developments will increase CRA revenues, and outweighs the initial assistance of utility impact fees in the beginning.

# Innovation District Map updated in "List of Maps" – Map 13 in State Road 100 Corridor Community Redevelopment Plan

# **Innovation District in the CRA**

Updated INSERT RESOLTION DATE per Resolution No. 2019-\_\_\_)





# Innovation Kick Start Program

#### Introduction

This Program has been created to encourage new development projects and business in the defined Innovation District area located in Palm Coast's Town Center. The Program is designed to kick start development that will facilitate the creation and commercialization of new ideas and support our economy by growing jobs in ways that leverage proximity, density, authenticity and progress by the end of 2020. Through the Innovation Kick Start Program, the City of Palm Coast will provide assistance towards utility impact fees to property owners, developers and/or business owners.

#### **Program Objectives**

The primary objective of the Innovation Kick Start Program is to encourage forward-thinking residential and non-residential units that create a "live, work, play" environment to stimulate economic growth. Through the Program, development costs are reduced in the Innovation District to help attract new development (see Innovation District Map).

## **Program Guidelines**

- Developments must be under construction by December 31, 2020 and continue until completion
- Developments must be consistent with CRA Plan, Town Center Plan, City standards, ordinances, and overall vision for Innovation District

## **Eligibility Requirements**

- Must be located in the Innovation District (see Innovation District Map)
- Limited to first 500,000 square feet of non-residential and 1,000 residential units

#### **Funding Guidelines**

- Eligible developments will be provided credit of \$5,000 per unit or per 1,000 s.f. (non-residential)
- Credit(s) will be used towards payment of utility impact fees
- If development does not meet certain thresholds by stated deadlines and commitments listed above, then the City may revoke credit(s)

#### **Program Process**

- 1. The applicant obtains an impact fee estimate in writing based on initial site plan/plat from the City of Palm Coast's Planning Division. The Planning Division is located at City Hall (160 Lake Ave., Palm Coast, FL 32164).
- 2. Applicant may turn in application with City estimate to the Planning Division in City Hall via mail or in person. Only completed applications, including having all supporting documentation will be accepted.
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## **Innovation District Map**



#### **Additional Notes**

- Grantee of the Program is responsible for obtaining any permits required to do the project. Cost of permitting cannot be part of waived fees.
- Staff will be available to offer any assistance needed and may seek outside guidance on any project being considered for the Program.
- For questions or concerns, please contact Palm Coast's Planning Division at (386) 986-3736 or planningdivision@palmcoastgov.com.



# Innovation Kick Start Program Application

This application, along with all required information should be submitted to: Planning Division
City of Palm Coast
160 Lake Ave.
Palm Coast, FL 32164

Owner of Property/Applicant	
Name:	
Mailing Address:	
Telephone:	
Email:	
Developer/Agent (if same as applicant, go to next section III)  Name:	
Mailing Address:	
Telephone:	
Email:	
Property Description & Proposed Development	
Parcel ID Number(s):	
Address (if available):	
Is this development within the Innovation District (see map): Yes No	
Development Type: Residential Non-residential	
If residential, number of proposed residential units by type:	

	If non-residential, number of proposed non-residential s.f. by type and use:
	General description of development:
	Size of development:
	Include the sketch of property, boundary survey, etc.
	Include a site development scaled plan.
	Include the DRI Entitlement Monitoring Form – Town Center.
IV.	Satisfaction of Criteria  By filing this application, the applicant agrees and understands that the Innovation Kick Start Program is given at the sole discretion of the City of Palm Coast and these criteria are used solely to evaluate applicant's project and does not create an entitlement to funding.  In addition, the Kick Start Program is on a first come, first served basis. An application for utility impact fee assistance shall be in accordance with the established Kick Start Program criteria, CRA Plan, Town Center Plan, City standards, and overall vision for Innovation District.
٧.	Certification
	Applicant herby certifies under penalty of perjury, that all information provided is complete, current, accurate and truthful.
	Signature Date
	Print

If the application is from someone other than the owner, please include Letter of Permission from the Owner.

# INNOVATION DISTRICT & KICK START **PROGRAM** UPDATES



# **DISTRICT OVERVIEW**

- District & Program approved June 2018
- Updated October 2018
- First project in the District – the Palms
- Several other development projects in queue



# PROGRAM OVERVIEW

- Incentivizes residential and non-residential development in the District
- \$5,000 utility impact fee credits
  - Non-residential: 500,000 sq. ft.
  - Residential: 1,000 units
- Available until 2020
- Credits paid through CRA Fund



#### Innovation Kick Start Program

#### Introductio

This Program has been created to encourage new development projects and business in the defined innovation District area located in Palm Coast's Town Center. The Program is designed to kick start development that will facilitate the creation and commercialization of new ideas and support our economy by growing jobs in ways that leverage proximity, density, authericity and progress by the end of 2020. Through the innovation kick Start Program, the City of Palm Coast will provide assistance towards utility impact fees to property owners, developers and/or business owners.

#### Program Objective

The primary objective of the Innovation Rick Start Program is to encourage forward-thinking residential and non-residential units that create a "live, work, play" environment to stimulate economic growth. Through the Program, development costs are reduced in the Innovation District to help attract new development (see Innovation District Map).

#### Program Guidelines

- Developments must be under construction by December 31, 2020 and continue until completion
- Developments must be consistent with CRA Plan, Town Center Plan, City standards ordinances, and overall vision for innovation District

#### Eligibility Requirement:

- Must be located in the Innovation District (see Innovation District Map)
- Limited to first 500,000 square feet of non-residential and 1,000 residential units
- Residential units must be multi-family, townhome, condo, or single-family with smaller lots (50 feet or less)

#### Funding Guidelines

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- · Credit(s) will be used towards payment of utility impact fees
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2018 Taxable Added Value: \$9.6 million

CRA Increased Revenue Per Year: \$985/unit

**Brookhaven Apartments** 

117 Residential Project in Town Center

**Estimated** 

Total added revenue through 2034 of \$1.73 million or \$14,775/unit

# INNOVATION KICK START PROGRAM EXAMPLE

Based on Brookhaven (per unit)

Increased CRA Revenue = \$14,775



Impact Fee Assistance of \$5,000

# UPDATES TO DISTRICT &



- Adding parcel 21 b to Innovation District boundary
- Adding flexibility by unrestricting types and size of residential developments to qualify for Innovation Kick Start Program

# **NEXT STEPS**

### **May 21 Business Meeting – Consider Resolution To:**

#### Amend the CRA Plan - Exhibit A

- Innovation Kick Start Program Update to section 7.7 in "Plan Update"
- Innovation District Map added to "Lists of Maps"

### **Approve Kick Start Program - Exhibit B**

 Program remove restrictions for residential size and type to qualify for Program

# City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

DepartmentADMINISTRATIVE SERVICESAmountItem Key6615Account

Subject RESOLUTION 2019-XX APPROVING UPDATES TO THE INNOVATION

DISTRICT AND INNOVATION KICK START PROGRAM

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### **UPDATE FROM THE MAY 14, 2019 WORKSHOP**

This item was scheduled to be heard at the May 14, 2019 Workshop. The Workshop was cancelled and this item is now scheduled to be heard on May 28, 2019.

#### ORIGINAL BACKGROUND FROM THE MAY 14, 2019 WORKSHOP

On June 5, 2018, City Council approved the Innovation District and Innovation Kick Start Program to incentivize development in Town Center. City Council also approved the expansion of the Innovation District's north boundaries on October 16, 2018. With continued development in the District and overall interest of the Program, City staff and the Master Developer for Town Center are proposing to update the Innovation Kick Start Program and Innovation District to reflect an expanded boundary and added flexibility for residential developments. The expanded boundary proposed will include track 21b to the District for a potential residential development. For added flexibility for residential developments, City staff propose removing the restrictions of size and type to qualify for the Program. This is due to a variety of residential projects that have already been kick started in the District, and requests to continue to diversify residential developments in the District. With both changes, City staff propose the new track and flexibility for residential developments be added to the Innovation Kick Start Program and Innovation District to continue to encourage new development and meet the area's goals

#### **Recommended Action:**

Adopt Resolution 2019-XX approving updates to the Innovation District and Innovation Kick Start Program

# RESOLUTION 2019 - UPDATES TO THE INNOVATION DISTRICT AND INNOVATION KICK START PROGRAM

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING AN AMENDMENT TO THE STATE ROAD 100 CORRIDOR COMMUNITY REDEVELOPMENT AGENCY MASTER REDEVELOPMENT PLAN; APPROVING AN ADDITIONAL PARCEL WITHIN THE INNOVATION DISTRICT AND INNOVATION KICK **START PROGRAM: APPROVING** FLEXIBILITY BY UNRESTRICTING RESIDENTIAL **DEVELOPMENTS FOR** THE INNOVATION KICK **START** PROGRAM **PROVIDING FOR** DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Palm Coast has determined that the State 100 Corridor Redevelopment Area (the "Area") (as created and defined in Resolution No. 2004-22 and which legal description is ratified, affirmed, and adopted herein) is a blighted area appropriate for community redevelopment projects pursuant to Chapter 163, Part III, Florida Statutes (the "Community Redevelopment Act of 1969", as amended, or the "Act"); and

**WHEREAS,** the redevelopment of the Area is necessary in the interest of public health, safety, and welfare of the residents of the City of Palm Coast, and furthers and is in the interest of, revitalizing the Area economically and socially, improving the tax base, promoting sound growth, and providing improved conditions in the City of Palm and Flagler County; and

WHEREAS, the City Council has authorized, established, and providing for the funding of a "State Road 100 Corridor Redevelopment Trust Fund" to finance a community project or projects within the Area as provided in Section 163.387 Florida Statutes, the act to be funded by tax increment revenues for the purposes of financing the diverse elements of the State Road 100 Corridor Community Redevelopment Plan (the "Plan"); and

**WHEREAS,** the City Council, upon recommendation of the State Road 100 Corridor Community Redevelopment Agency (the "Agency"), of the Area, in accordance with the provisions of Resolution No. 2004-22, approved and adopted the Plan on June 15, 2004 (Resolution No. 2004-31); and

WHEREAS, the City Council, upon recommendation of the Agency, of the Area, in accordance with the provisions of Resolution No. 2004-22, approved and amended the Plan on August 5, 2008 (Resolution No. 2008-136) in order to reflect changing economic conditions and redevelopment needs in the Area and June 5, 2018 (Resolution No. 2018-71) to include the Innovation District and expanded parcels of the Innovation District on October 16, 2018 (Resolution No. 2018-143); and

Resolution 2019-\_\_\_\_ Page 1 of 4 WHEREAS, the Plan encourages economic development and redevelopment to transform the character of the Area, increasing the diversity of residential opportunities and businesses; and

**WHEREAS**, the City of Palm Coast and the Agency desire to expand upon the Innovation District boundaries to include the additional parcel of 21b; and

**WHEREAS,** the City of Palm Coast and Agency desire to amend the Plan to include the new expanded boundary of the Innovation District in accordance with the provisions of Resolution No. 2004-22 and the Act; and

**WHEREAS**, the City of Palm Coast and Agency also desire to include the expanded boundary of the Innovation District to the Innovation Kick Start Program; and

WHEREAS, the Innovation Kick Start Program was designed to encourage new development in the Innovation District by reducing development costs in the Area; and

WHEREAS, in addition to the new expanded boundary, the City of Palm Coast and Agency desire to add flexibility to the Innovation Kick Start Program by unrestricting residential type and size; and

WHEREAS, the expanded boundary of the Innovation District and added flexibility for residential developments to the Innovation Kick Start Program will increase the taxable real estate values in the Area, increase sales tax collections, and improve the conditions of the local economy of the Area and the City; and

WHEREAS, the City of Palm Coast and the Agency approves the expanded boundary of the Innovation District and added flexibility for residential developments to be included in the Innovation Kick Start Program in furtherance of the municipal purpose of expanding economic activity within its jurisdictional borders under Section 166.021(9), Florida Statutes and in furtherance of revitalizing the Area economically, improving the tax base, promoting sound growth, and providing improved conditions in the Area pursuant to the Act; and

**WHEREAS**, these additions and overall update to the Innovation District is for the benefit of the public health, safety, welfare, and convenience of the City of Palm Coast, Florida; and

WHEREAS, the City Council and Agency find that the expansion of the Innovation District and added flexibility for residential developments to the Innovation Kick Start Program serve a public purpose, which includes promotion of economic development, job growth, and future expansion of the City's and Area's tax base.

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

<u>SECTION 1. RECITALS/ADOPTION AND APPROVAL OF PLAN AMENDMENT/LEGISLATIVE FINDINGS.</u>

Resolution 2019-\_\_\_\_ Page 2 of 4

- (a) The above recitals and the recitals set forth in Resolution 2004-22 and 2008-136 represent and are hereby ratified, adopted and incorporated as legislative findings of the Agency relative to the provisions of this Resolution.
- (b) The Agency recommends approval of the amendment to the State Road Corridor Community Redevelopment Plan to incorporate the expanded parcel of 21b to the Innovation District, as dated as of \_\_\_\_\_\_\_\_, 2019, and set forth in Exhibit "A" to this Resolution, said exhibit being adopted and incorporated herein by this reference thereto.
- (c) The Agency recommends approval of the amendment to the State Road Corridor Community Redevelopment Plan to incorporate the added flexibility for residential developments in Innovation Kick Start Program overview and set forth in Exhibit "A" to this Resolution, said exhibit being adopted and incorporated herein by this reference thereto.
- (d) The Innovation District and Innovation Kick Start Program set forth in the amendment to the Plan are consistent with the requirements of Section 163.360 Florida Statutes, and the Agency further finds that:
  - (1) The amendment to the Plan confirms with the law as necessary in the interest of the public health, safety, and welfare of the residents of the City of Palm Coast, and will effectuate the purposes of the Plan by revitalizing the Area economically and socially, thereby increasing the tax base, promoting sound growth, improving conditions, and eliminating the conditions which the Florida Legislature found constitutes a menace which are injurious to public health, safety and welfare of the residents.
  - (2) The amendment to the Plan confirms to and is consistent with the City of Palm Coast Comprehensive Plan.
  - (3) The amendment to the Plan will afford maximum opportunity, consistent with the sound needs of the City of Palm Coast as a whole, for the redevelopment or rehabilitation by private enterprise and/or joint public/private partnership.
  - (4) Residential and non-residential uses are necessary and appropriate to facilitate the proper growth and development of the City of Palm Coast in accordance with sound planning standards and local community objectives.
  - (5) The amendment to the Plan is necessary and appropriate to facilitate the proper growth and development of the City of Palm Coast in accordance with the Plan.
  - (6) In accordance with Section 163.345, Florida Statutes, the Agency have and will consider the encouragement of private enterprise to engage in community redevelopment activities.

**SECTION 2. APPROVAL OF THE INNOVATION KICK START PROGRAM'S EXPANDED BOUNDARY AND UNRESTRICTED LOT SIZES**. The City Council of the City of Palm Coast hereby approves the expanded parcel of 21b to the Innovation District and added flexibility to the Innovation Kick Start Program by unrestricting residential type and size as attached hereto and incorporated herein by reference as Exhibit "B".

**SECTION 3. DEFINITIONS.** The terms contained in this Resolution shall have the meaning set forth in the Act.

Resolution 2019-\_\_\_\_ Page 3 of 4 <u>SECTION 4. SEVERABILITY.</u> 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 5. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

<u>SECTION 6. IMPLEMENTING ACTIONS</u>. The City Manager is hereby authorized to take any actions necessary to implement the action taken in this Resolution, including, but not limited to, executing agreements to implement the Innovation Kick Start Program.

**SECTION 7. 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 21st day of May 2019.

	CITY OF PALM COAST, FLORIDA
ATTEST:	MILISSA HOLLAND, MAYOR
VIRGINIA A. SMITH, CITY CLERK	
Attachments: Exhibit A – State Road 100 Corrice Exhibit B – Innovation Kick Start	e e e e e e e e e e e e e e e e e e e
Approved as to form and legality	
William E. Reischmann, Jr., Esq. City Attorney	

Resolution 2019-\_\_ Page 4 of 4

#### Exhibit A

## State Road 100 Corridor Community Redevelopment Plan, Innovation District & Innovation Kick Start Program Update

Innovation District expanded boundaries added to section 7.6 and 7.7 under "Plan Update" in State Road 100 Corridor Community Redevelopment Plan

#### Additions in red

#### 7. 6 Innovation District

In 2018, the Community Redevelopment Agency reevaluated Palm Coast's Town Center, located in the Community Redevelopment Area (Resolution No. 2018-0071). The Area has been largely infrastructure-ready for several years, yet, the vision for Town Center had never fully been realized. In over a ten year period, Town Center had only reached a 17% developed threshold at the beginning of 2018. Yet, with a fresh look at the Area and new approach, the Agency made developing Town Center a high priority. Through research and analysis, the Agency found that an Innovation District would not only a great fit for growing Town Center, but also would be economically, socially, and culturally viable for the future for Palm Coast. Per Resolution 2018-71, Resolution No. 2018-143, and Resolution No. 2019-\_\_\_\_, Map 13 showcases the Innovation District being centrally-located in the urban core of Town Center. By specifically mapping out an Innovation District in the CRA, the Agency looks to kick start forward-thinking residential and non-residential developments to stimulate economic growth at a high-rate through specific guidelines, programs and incentives before 2034. One of these programs proposed in Resolution No. 2018-71 involves an "Innovation Kick Start Program" that ends in December 31, 2020.

#### 7.7 Innovation Kick Start Program

The Innovation Kick Start Program was designed to encourage forward-thinking residential and non-residential units that create a "live, work, play" environment to stimulate economic growth. The Program is limited to first 500,000 square feet of non-residential and 1,000 residential units.

Through the Program, development costs are reduced in the Innovation District for developers (see Map 13). For a developer to be eligible for the Innovation Kick Start Program, the proposed development:

- Must be located in targeted of Innovation District (see Map 13; Updated per Resolution No. 2018-143) Resolution No. 2019-XX).
- Must be under construction by December 31, 2020
- And if the development is residential, all units must be multi-family, townhome, condo, or single-family with smaller lots (50 feet or less)

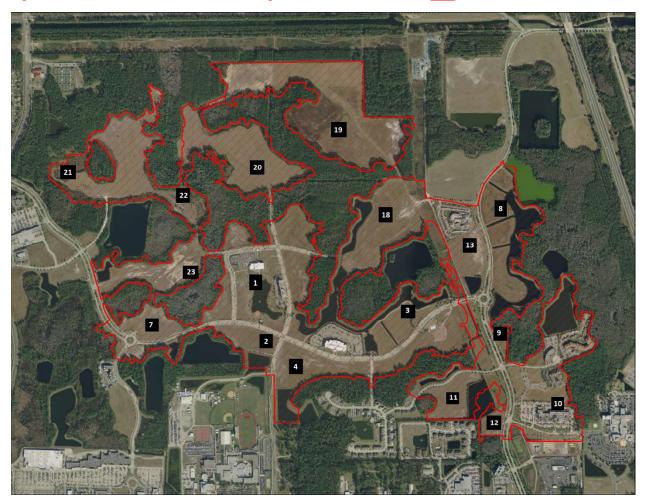
Eligible developments will be provided credit of \$5,000 per unit or per 1,000 s.f. per non-residential units. The credit(s) will be used towards payment of City utility impact fees. Per Resolution No. 2018-71, credits on behalf of the Agency will be paid through increased CRA

revenues. This was approved with in mind that proposed developments will increase CRA revenues, and outweighs the initial assistance of utility impact fees in the beginning.

## Innovation District Map updated in "List of Maps" – Map 13 in State Road 100 Corridor Community Redevelopment Plan

#### **Innovation District in the CRA**

Updated INSERT RESOLTION DATE per Resolution No. 2019-\_\_\_\_)



#### Exhibit A

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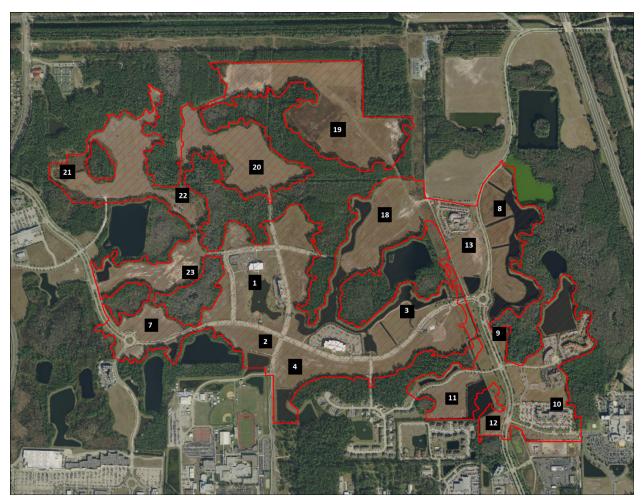
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# Innovation Kick Start Program

#### Introduction

This Program has been created to encourage new development projects and business in the defined Innovation District area located in Palm Coast's Town Center. The Program is designed to kick start development that will facilitate the creation and commercialization of new ideas and support our economy by growing jobs in ways that leverage proximity, density, authenticity and progress by the end of 2020. Through the Innovation Kick Start Program, the City of Palm Coast will provide assistance towards utility impact fees to property owners, developers and/or business owners.

#### **Program Objectives**

The primary objective of the Innovation Kick Start Program is to encourage forward-thinking residential and non-residential units that create a "live, work, play" environment to stimulate economic growth. Through the Program, development costs are reduced in the Innovation District to help attract new development (see Innovation District Map).

#### **Program Guidelines**

- Developments must be under construction by December 31, 2020 and continue until completion
- Developments must be consistent with CRA Plan, Town Center Plan, City standards, ordinances, and overall vision for Innovation District

#### **Eligibility Requirements**

- Must be located in the Innovation District (see Innovation District Map)
- Limited to first 500,000 square feet of non-residential and 1,000 residential units

#### **Funding Guidelines**

- Eligible developments will be provided credit of \$5,000 per unit or per 1,000 s.f. (non-residential)
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#### **Additional Notes**

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I.	Owner of Property/Applicant
	Name:
	Mailing Address:
	Telephone:
	Email:
II.	Developer/Agent (if same as applicant, go to next section III)
	Name:
	Mailing Address:
	Telephone:
	Email:
III.	Property Description & Proposed Development
	Parcel ID Number(s):
	Address (if available):
	Is this development within the Innovation District (see map): Yes No
	Development Type: Residential Non-residential
	If residential, number of proposed residential units by type:

	If non-residential, number of proposed non-residential s.f. by type and use:
	General description of development:
	Size of development:
	Include the sketch of property, boundary survey, etc.
	Include a site development scaled plan.
	Include the DRI Entitlement Monitoring Form – Town Center.
IV.	By filing this application, the applicant agrees and understands that the Innovation Kick Start Program is given at the sole discretion of the City of Palm Coast and these criteria are used solely to evaluate applicant's project and does not create an entitlement to funding.  In addition, the Kick Start Program is on a first come, first served basis. An application for utility impact fee assistance shall be in accordance with the established Kick Start Program criteria, CRA Plan, Town Center Plan, City standards, and overall vision for Innovation District.
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# INNOVATION DISTRICT & KICK START **PROGRAM** UPDATES



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### **Approve Kick Start Program - Exhibit B**

 Program remove restrictions for residential size and type to qualify for Program

## City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

DepartmentCITY CLERKAmountItem Key6676Account

#

Subject RESOLUTION 2019-XX AMENDMENT TO INTERLOCAL AGREEMENT WITH

FLAGLER COUNTY FOR THE OLD KINGS ROAD WATER AND WASTEWATER

**SERVICES** 

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

The City and County entered into an Interlocal Agreement for Old Kings Road Water and Wastewater Services in December 2018. The Agreement provides 6 months for the parties to develop a supplemental Interlocal Agreement to outline a regional approach to the provision of water and wastewater services along Old Kings Road in coordination with the property owners. The original concept was that the City would be provide bulk water and sewer service to the unincorporated portions of the area and the County would serve as the retail provider. Since that time, the concept has changed in that the City will become the retail provider to the unincorporated areas. With this change, the parties are requesting an additional 120 days to finalize the supplemental Interlocal Agreement.

#### **Recommended Action:**

Adopt Resolution 2019-XX amendment to the Interlocal Agreement with Flagler County for the Old Kings Road Water and Wastewater Services.

# RESOLUTION 2019-\_\_\_\_AMENDMENT INTERLOCAL AGREEMENT FOR WATER AND WASTEWATER SERVICES OLD KINGS ROAD S

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF AN AMENDMENT TO THE AGREEMENT WITH FLAGLER COUNTY FOR WATER AND WASTEWATER SERVICES IN THE OLD KINGS ROAD SOUTH AREA; AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS,** on December 18, 2018, Flagler County entered into an Interlocal Agreement with the City for water and wastewater services for the Old Kings Road South area; and

**WHEREAS,** Flagler County and the City desire to amend the Interlocal Agreement as referenced above.

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

SECTION 1. APPROVAL OF AN AMENDMENT TO AN INTERLOCAL AGREEMENT. The City Council hereby approves the terms and conditions of an amendment to the Interlocal Agreement with Flagler County for water and wastewater services in the Old Kings Road South area, as attached hereto and incorporated herein by reference as Exhibit "A."

**SECTION 2. AUTHORIZATION TO EXECUTE.** The Mayor is hereby authorized to execute the Interlocal Agreement as depicted in Exhibit "A."

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.

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**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 become effective immediately upon its passage and adoption.

**DULY PASSED AND ADOPTED** by the City Council of the City of Palm Coast, Florida, on this 4<sup>th</sup> day of June 2019.

	CITY OF PALM COAST, FLORIDA
ATTEST:	Milissa Holland, Mayor
VIRGINIA A. SMITH, CITY CLERK	
Attachment: Exhibit A – Interlocal Agreen services	nent with Flagler County for water and wastewater
Approved as to form and legality	
William E. Reischmann, Jr., Esq. City Attorney	_

# FIRST AMENDMENT TO THE FLAGLER COUNTY/CITY OF PALM COAST INTERLOCAL AGREEMENT FOR OLD KINGS ROAD WATER AND WASTEWATER SERVICES

	THIS	FIRST	<b>AMENDMENT</b>	ТО	INTERL	OCAL	AGREEMENT	Γ ("First
Amer	ndment"	) is made	and entered in	to this		day of		,
2019,	by and	between	the CITY OF I	PALM	COAST,	FLORII	DA ("City"), a	municipal
corpo	ration of	the Stat	e of Florida, wh	ose ad	ddress is	160 Lal	ke Avenue, Pa	lm Coast,
Florid	a 32164,	, and <b>FLA</b>	GLER COUNTY	, FLO	RIDA, ("C	ounty")	, a political sub	division of
the St	ate of Fl	orida, who	ose address is 17	769 Ea	st Moody	Bouleva	ard, Building 2,	Suite 302,
Bunne	ell, Floric	la, 32110	. The City and C	County	shall here	einafter o	collectively be r	eferred to
as the	"Partie	s "						

#### WITNESSETH:

WHEREAS, on December 10, 2018, the City and the County entered into Flagler County/City of Palm Coast Interlocal Agreement for Old Kings Road Water and Wastewater Services ("Interlocal Agreement") which is recorded in the Official Records of Flagler County (OR BK: 2323 PG: 1563); and

**WHEREAS**, Section 4 of the Interlocal Agreement gives the Parties six (6) months from the Effective Date of the Interlocal Agreement to enter into a "future interlocal agreement" or the Interlocal Agreement will automatically terminate; and

**WHEREAS**, the Effective Date is the date the Interlocal Agreement was recorded with the Clerk of the Circuit Court, December 10, 2018 and as such, the deadline to enter into a future interlocal agreement is June 10, 2019; and

**WHEREAS**, while the Parties have been working diligently, they have not finalized the terms of the future interlocal agreement and will not meet the June 10, 2019 deadline; and

**WHEREAS**, the Parties desire to amend the Interlocal Agreement to provide additional time to negotiate and finalize the future interlocal agreement.

**NOW, THEREFORE**, in consideration of the foregoing and for other good and valuable consideration, the receipt of which are hereby acknowledged, the Parties agree as follows:

**SECTION 1.** RECITALS. The above recitals are true and correct and forma a material part of this First Amendment.

**SECTION 2.** <u>AMENDMENT.</u> Section 4, *Condition Precedent/Future Interlocal Agreement*, of the Interlocal Agreement shall be amended as follows, deletions are shown in strikethrough, and additions are shown in underline:

In the event the Parties fail to successfully agree upon the above listed items and enter into the future interlocal agreement within 6 months from the Effective Date of this Agreement by October 8, 2019, this Agreement shall automatically terminate and become null and void without further effect on either Party.

**SECTION 3.** <u>EFFECTIVE DATE.</u> This First Amendment shall take effect upon full execution by both Parties.

**SECTION 4.** <u>COUNTERPARTS.</u> This First Amendment may be executed in any number of counterparts, each of which shall be deemed an original, but all of which, taken together, shall constitute one and the same document.

SECTION 5. RATIFICATION AND CONFLICT. To the extent not amended by this First Amendment, the remaining terms and provisions of the Interlocal Agreement are ratified and confirmed by the Parties. In the event of any direct conflict between the terms and provisions of the Interlocal Agreement and this First Amendment, the terms and provisions of this First Amendment shall control. To the extent that there shall be no such direct conflict, the Interlocal Agreement shall remain in full force and effect and the Parties hereby ratify same. Other than those amendments provided for in Section 2, above, the terms of Section 4 of the Initial Agreement are hereby confirmed by the Parties to be satisfied by the terms of this Amendment.

**SECTION 6. TERMINATION.** The Interlocal Agreement and this First Amendment

may be terminated, upon agreement by the Parties, if the Parties mutually determine that the Utility Systems' construction or operation is no longer feasible due to the inability to secure sufficient funding to complete the obligations set forth in the Interlocal Agreement and this First Amendment.

**IN WITNESS WHEREOF,** the Parties hereto have executed this First Amendment as of the day and year first above written.

ATTEST:	CITY OF PALM COAST, FLORIDA
Virginia A. Smith, City Clerk	Milissa Holland, Mayor
Date:	
Approved as to form and legality.	
William E. Reischmann, Jr., City Atto	- rney

ATTEST:		FLAGLER COUNTY
Tom Bexley, Clerk	 BY:	Donald T. O'Brien, Jr., Chair
Ex Officio Clerk to the Board		County Board of Commissioners
Date:		
Approved as to form and legality.		
Al Hadeed, County Attorney		

# City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

DepartmentPLANNINGAmountItem Key6341Account

Subject RESOLUTION 2019-XX APPROVING THE 2019 FIND GRANT FOR THE

WATERWAY CLEANUP

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

On March 13, 2019, the City petitioned the Florida Inland Navigation District (FIND) to award grant funds for a public waterway cleanup event in 2019. On April 22, 2019, the FIND Board approved the City's request for a \$5,000.00 grant to be utilized for, but not limited to, garbage bags, gloves, reusable water bottles, event bags, and t-shirts relating to the cleanup event. In order to receive the funding, an agreement must be approved between the City and FIND. The agreement provides provisions that the City is the "Project Sponsor" and will coordinate all associated work for the event. Terms are also provided to satisfy the requirements of the grant funding including payment of funds, records retention, incurred expense reporting, and associated liability.

The program scope mirrors the previous years of the Waterway Cleanup event, also partially funded by FIND, under the same terms as proposed herein. Over the course of the last eleven years, the Palm Coast Community has collected over 12.6 tons of material from the environment.

Note: The proposed agreement contains FIND language that may not be altered due to funding conditions.

#### **Recommended Action:**

Adopt Resolution 2019-XX approving the 2019 FIND Grant for the Waterway Cleanup.

#### RESOLUTION 2019 -\_\_\_\_ 2019 FIND GRANT FOR WATERWAY CLEAN-UP

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING GRANT AGREEMENT WITH THE FLORIDA INLAND NAVIGATION DISTRICT (FIND) FOR ONE WATERWAY CLEANUP EVENT IN 2019; PROVIDING FOR AUTHORIZATION TO EXECUTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Palm Coast has conducted successful Waterway Cleanup events annually since September 13, 2008 due to the generous contributions of the Florida Inland Navigation District (FIND); and

WHEREAS, the City of Palm Coast (the "Project Sponsor") has requested that FIND provide a portion of the assistance needed for the Waterway Cleanup event in the City of Palm Coast, Flagler County, including the Atlantic Intracoastal Waterway (the "Project"); and

**WHEREAS**, FIND is willing to provide such assistance for the volunteer cleanup of the Atlantic Intracoastal Waterway in the City of Palm Coast, Flagler County, subject to the terms and provisions of the Agreement (Exhibit "A").

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

**SECTION 1. APPROVAL OF AGREEMENT.** The City Council of the City of Palm Coast hereby approves the FIND Agreement, as attached hereto and incorporated herein by reference as Exhibit "A."

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

SECTION 3. 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 4. CONFLICTS.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

Resolution 2019-\_\_\_\_ Page 1 of 2 **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 21st day of May 2019.

#### CITY OF PALM COAST, FLORIDA

ATTEST:	MILISSA HOLLAND, MAYOR
VIRGINIA SMITH, CITY CLERK	<u> </u>
Attachment: Exhibit "A" – FIND	Agreement for Waterway Cleanup
Approved as to form and legal	lity
William E. Reischmann, Jr., 1	 Esq.

# Attachment A FIND Agreement for Waterway Cleanup

#### WATERWAY CLEANUP AGREEMENT

	This Agreement is entered into this day of											
and	between	the	FLORIDA	INLAND	NAVIGATION	DISTRICT	("FIND")	and	PALM			
COA	AST, FLO	RIDA	A (the "Proje	ct Sponsor'	").							

WHEREAS, Project Sponsor has requested that FIND provide a portion of the assistance needed for the Waterway Cleanup program in Flagler County including the Intracoastal Waterway (the "Project"); and

WHEREAS, FIND is willing to provide such assistance for the volunteer clean up of the Intracoastal Waterway in Flagler County subject to the terms and provisions of this Agreement.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereby agree as follows:

- 1. Nothing herein shall constitute a waiver by either party of Section 768.28 of the Florida Statutes.
- 2. Subject to the provisions of the Agreement, Project Sponsor shall coordinate the work for the Project. Project Sponsor agrees, with respect to the Project, that as between the parties to this Agreement, it shall be solely responsible for any claims for damages resulting therefrom. Project Sponsor agrees to indemnify FIND, its Commissioners, employees, and agents, from any and all liabilities, claims, costs, damages, and expenses (including court costs and attorneys' fees) arising from or related to Project Sponsor's actions regarding the Project.
- 3. FIND shall provide an amount not to exceed \$5,000 for the components of the project set forth on the attached Exhibit "A" (with FIND paying the Project Sponsor the amount actually spent for each component, up to the amount listed on Exhibit "A" for said component) which shall also in compliance with the District's policy on waterway clean up projects.
- 4. The funds to be provided by FIND to the Project Sponsor hereunder will be paid within thirty (30) days of receipt by FIND of a request for payment accompanied by supporting documentation showing expenditures equal or greater to the amount being sought from FIND.

5. Project Sponsor shall, upon request by FIND, provide a report of final expenses incurred on

the Project. The Project Sponsor shall also retain all records supporting costs of the Project

for three (3) years after the end of the fiscal year in which the Project is completed, except that

such records shall be retained by Project Sponsor until final resolution of matters resulting

from any litigation, claim, or special audit that starts prior to the expiration of the three-year

retention period.

6. If Project Sponsor shall fail to fulfill in a timely and proper manner the obligations under this

Agreement, or if Project Sponsor shall violate any of the covenants, terms, or stipulations of

this Agreement, FIND shall thereupon have the rights to terminate this Agreement.

Notwithstanding the above, Project Sponsor shall not be relieved of liability for damages or

expenses as contemplated herein sustained by FIND by virtue of any breach of the Agreement

by Project Sponsor.

7. Any notice or other written communications between Project Sponsor and FIND shall be

considered delivered when posted by certified mail or delivered in person to the respective

party at the address indicated below:

To FIND: Florida Inland Navigation District

1314 Marcinski Road Jupiter, Florida 33477

Attention: Executive Director

To the Project Sponsor: City of Palm Coast

Community Development Department

160 Lake Ave

Palm Coast, FL 32164

Attention: Waterway Cleanup Project Manager

8. This instrument embodies the entire agreement of the parties. There are no provisions, terms,

conditions or obligations other than those contained herein; and this Agreement shall supersede

all previous communication, representation or agreements, either verbal or written between the

parties hereto. This Agreement shall not be modified unless in writing and signed by both

parties hereto.

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- 9. This Agreement shall be interpreted and construed pursuant to the laws of the State of Florida. In the event of any litigation arising hereunder, the prevailing party shall be entitled to reasonable costs including attorney' fees, at the trial, appellate and post-judgment levels. The venue of any such litigation shall be had only in the courts of Palm Beach County, Florida.
- 10. The rights and duties arising under this Agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Neither party may assign this Agreement nor any interest hereunder without the express prior written consent of the other party.
- 11. Waiver of a breach of any provision of this Agreement shall not be deemed a waiver of any other breach of the same or different provision.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed as of the date first above written.

	FLORIDA INLAND NAVIGATION DISTRICT
	By:
	Title: Executive Director
	Date:
ATTEST:	By:
	Name:
	CITY OF PALM COAST
	By:
	Name:
	Title:
	Date:
ATTEST:	By:
	Name:

#### EXHIBIT A

To continue this annually recognized event, the City is looking to FIND for continued support for another stunning cleanup event. With that said, the City of Palm Coast is requesting \$5,000.00 FIND Grant dollars for the 2019 Intracoastal Waterway Cleanup scheduled for September 7, 2019.

Projected Budget			CO	ST
T-shirts (Group identification for clean-up event)			=\$2	,500
Reusable Water Bottles (minimize plastic waste)			=\$1	,500
Gusset Tote Bags (carry group supplies)			=\$	700
Garbage Bags (various types; trash & recyclables)			=\$	200
Gloves (variety to meet needs)			=\$	100
,	FIND	Total	\$5	,000

#### City Match:

Staff – coordination, organization, registration, volunteer recruitment, advertising, event support, garbage collection, disposal, etc.

Office – supplies, paper, printing, maps, phone, computer, etc. Volunteer Luncheon - food, drinks, snacks, paper products, etc.

To further facilitate the City's commitment to this event, budget documents have been attached for your consideration.

Thank you once again for your 2008 - 2018 event support and we hope to continue this stellar partnership in the future to keep our community clean.

Respectfully,

DiER

Denise Eagle Bevan, CFM City Administration Coordinator

Attachment(s)



#### **EXHIBIT B**

## FLORIDA INLAND NAVIGATION DISTRICT WATERWAY CLEAN UP PROGRAM RULES (66B-2.016 Waterways Cleanup Events)

Proposals shall be accepted for financial assistance for the organized removal of refuse within the District's waterways. The applicable provisions of Rule 66B-2 apply to these applications with the following additions or exceptions:

- (1) Application Procedure: Prior to the event, a request for funding shall be submitted to the District by means of a cover letter detailing the occurrence of the cleanup, contact information, a map of the cleanup locations and the general parameters of the event. In addition, the Applicant will submit a detailed budget clearly delineating the expenditure of all District funds, as well as the overall general budget of the event. Proposals may be submitted to the District and considered by the Board at any time during the year.
- (2) Availability: The District shall fund a maximum of one clean-up program per waterway, per year within a county, with exception to the provisions of items (8) through (10), below.
- (3) Applicant Eligibility: The clean-up program must be sponsored by a government agency or a registered not-for-profit corporation.
- (4) Funding: District funding shall be limited to \$5,000.00 per waterway, per county, except for the provisions of items (8) through (10), below.
- (5) The District shall be recognized in all written, on-line, audio or video advertising and promotions as a participating sponsor of the clean-up program.
- (6) Funding Eligibility: The funding provided by the District shall only be allocated to reimburse the applicant for out of pocket expenditures related to specific cleanup program expenses such as trash bags, trash collection, haul and landfill fees, gloves, advertising, T-shirts, and related expenses. The funding provided by the District shall not be allocated for parties, meetings, food or beverages.
- (7) The District Board shall make all final decisions concerning the provision of funding for a clean-up program.

In addition to the requirements stated above, a cleanup program implementing all of the following additional incentives will qualify for up to additional \$5,000 in clean up funds.

- (8) The clean-up program budget must provide equal or greater matching funds for all Navigation District funding.
- (9) The applicant shall tally and report the composition and location of the waterway-related debris, with the goal to show definitive progress in the amount of refuse collected, a reduction in the overall debris in the waterway, or an increase in the number of additional waterway areas included in the clean up.
- (10) For each additional \$1,000 in Navigation District funding, the applicant shall coordinate a minimum of one waterway collection point or clean up area, or an applicant can conduct an additional waterway cleanup program for the waterway areas.

## City of Palm Coast, Florida Agenda Item

Agenda Date: 5/28/2019

**Department** Stormwater & Engineering Amount \$320,826.58

**Item Key Account** #54205511-034000-55105

Subject RESOLUTION 2019-XX APPROVING WORK ORDERS WITH DRMP, INC., FOR

ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

In an effort to enhance our Stormwater Master Plan, the City intends to make drainage improvements to the following critical areas:

The City intends to perform dredging, canal, culvert, and ditch improvements to the Easthampton (7,700 linear feet) and Eisenhower Waterways (5,500 linear feet) and redirect drainage in a portion of the west area of the E-Section. These improvements will increase capacity and conveyance, and improve water quality, for both canals. The proposed improvements will also improve the level of performance for neighborhood swale systems. Quantities and construction cost estimates for these improvements will be sub-divided into several phases to provide the City with the flexibility of constructing portions of the work with inhouse forces and/or phasing the work for outside contractors.

The City plans to develop conceptual level plans to determine recommendations for improvements to existing ditches and culvert crossings within a 405-acre study area. A detailed surface water model will be created in order to analyze the existing drainage conditions develop conceptual improvements and construction cost estimates. This modeling effort will, also, be incorporated into the City-wide Master Drainage Plan. The recommendations resulting from this study will be used to develop plans for improvements to major outfalls and enhance the level of performance for the neighborhood drainage system. This information will also be used to help develop strategies for drainage improvements for wet swales.

The City intends to perform drainage improvements along the east end of Rymfire Drive by improving conveyance from four (4) cul-de-sac's on the north side of the road per recommendations from DRMP as documented in a technical memorandum dated February 20, 2019. The proposed improvements will address stormwater drainage issues within several neighborhood streets in R-Section immediately north of Rymfire. The recommendations include installation of a ditch bottom inlet system along the north side of Rymfire Drive with a piped connection under the road with an outfall into the Belle Terre Parkway roadside ditch that flows southward into the Royal Palms Waterway.

Staff negotiated a scope of services with DRMP, Inc., a continuing contract consultant for the City, to provide engineering services, for drainage improvements within the E section for a not-to-exceed amount of \$238,627.05, within the F section for a not-to-exceed amount of \$33,012 and Rymfire Drive for a not-to-exceed amount of \$49,187.53. Staff recommends retaining DRMP, Inc. for this project. Funds for this project are budgeted for out of FY 2019 Stormwater

fund.

#### SOURCE OF FUNDS WORKSHEET FY 19 STMWRT Ditch Rehab & Renewal 54205511-034000-55105

Total Expenses/Encumbered to date\$ 749,509.61Pending Work Orders/Contracts\$ 320,826.58Balance\$ 121,879.81

#### **Recommended Action:**

Adopt Resolution 2019-XX approving a work orders with DRMP, Inc., for engineering services related to drainage improvements.

\$1,192,216.00

#### RESOLUTION 2019-\_\_\_\_ DRAINAGE IMPROVEMENTS FOR THE E, F AND R SECTION

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A WORK ORDER WITH DRMP FOR ENGINEERING SERVICES RELATED TO DRAINAGE IMPROVEMENTS FOR THE E, F AND R SECTION; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS,** DRMP., has expressed a desire to provide engineering services for drainage improvements to the E, F and R section for the City of Palm Coast; and

WHEREAS, the City Council of the City of Palm Coast desires for DRMP, to complete the above referenced services.

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 the work order with DRMP for drainage improvements to the E, F and R section, 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 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.

Resolution 2019-\_\_\_ Page 1 of 2 **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 4<sup>th</sup> day of June 2019.

CITY OF PALM COAST, FLORIDA

ATTEST:	MILISSA HOLLAND, MAYOR
VIRGINIA A. SMITH, CITY CLERK	
Attachment: Exhibit "A" – WO with DRMP	
Approved as to form and legality	
William E. Reischmann, Jr., Esq.	
City Attorney	

This Work Order shall be incorporated in and become part of the Contract for Professional Stormwater and Environmental Engineering Services between City of Palm Coast (CITY) and DRMP, Inc. (DRMP), RFQ-SW-18-10 dated December 18, 2018 hereafter referred to as the Contract.

#### A. PROJECT BACKGROUND

The City intends to perform dredging, canal, culvert and ditch improvements to the entire Easthampton (7,700 linear feet) and Eisenhower (5,500 linear feet) Waterways and the West Area in the E-Section per recommendations from DRMP as documented in a technical memorandum dated December 21, 2018. The City will provide topographic and right-of-way survey with horizontal location of utilities based on designates.

The City requests for the construction plans, quantities and cost estimates to be sub-divided into up to five (5) sets labeled as Phases 1A, 1B, 1C, 2A and 2B on attached **Project Phasing Map** for flexibility with constructing portions of the work with in-house forces and/or phases of work with outside contractors. The following paragraphs describe in more detail the scope of services that are anticipated to be performed by DRMP.

#### **B. SCOPE OF WORK**

#### 1.0 <u>Data Collection</u>

#### 1.1 Subsurface Utilities Engineering (SUE)

DRMP will support City survey work with SUE as further described in the attached proposal included as **Exhibit A**. The SUE work is further sub-divided into Part A for utilities associated with the West Area and Part B for utilities associated with the canal crossings.

#### 1.2 Geotechnical Investigation

Universal Engineering Sciences will provide geotechnical investigation of the West Area to support design of the culverts/endwalls and enlargement of the ditch in Part A, and sampling of the material to be removed from the bottom of the existing canals to determine suitability for disposal or utilization in Part B. For scope and fee associated with this work, please refer to **Exhibit B**.

#### 1.3 Sketch and Legal Description for Drainage Easement

DRMP will provide a sketch and legal description for a drainage easement to be secured on the Cypress Knoll Golf Course to cover proposed ditch work and the associated pond. For scope and fee associated with this work, please refer to **Exhibit C**.

#### 2.0 Final Design with Report

DRMP perform final design for the proposed culvert, ditch upgrades, and dredging based on modeling performed in the study phase with adjustments as needed based on survey and utility information. The canal dredging approach will involve restoring the canal cross-sections back to the original design to the extent possible. DRMP will document the design in a brief report.

#### 3.0 Structural Design of Box Culverts and Endwalls

DRMP will design endwalls for the triple 72-inch culvert crossings on the Easthampton Waterway, as no FDOT standard details are available for triple barrel endwalls over 54-inch. For fee breakdown of the structural design, please refer to **Exhibit D**.

#### 4.0 Utility Coordination

DRMP will compile the listing of contact information for utility companies with facilities in the area. DRMP will provide the utility contacts with construction plans for review. DRMP will coordinate with the utility companies for confirmation of the locations and types of facilities present. DRMP will coordinate with the utility contacts to work out plans as necessary to relocate or maintain the utilities in order to construct the proposed drainage facilities. Utilities are anticipated to be located within the West Area and in the vicinity of four road crossings (Easthampton Boulevard, Easterly Place, and Eric Drive (2 crossings) and potentially at other locations along the canals. Actual construction plans for any utility relocations are not included in this work.

#### 5.0 Construction Plans

The construction plan set will consist of the following components with the estimated number of plan sheets in parentheses:

- Cover Sheet (2, for design phases 1 and 2)
- Summary of Quantities/Project Directory/General Notes
  - (5, for construction phases 1A, 1B, 1C, 2A and 2B)
- Project Layout/Survey Data (under separate cover provided by City)
- Canal Plan Sheet, Double Panel (1" = 40' scale)
  - (**13**, 5 for phase 1 and 8 for phase 2)
- Canal Profile Sheet, Double Panel (1" = 80' scale)
  - (**8**, 3 for phase 1 and 5 for phase 2)
- Canal Cross Section Sheets (70 sections at 200-foot spacing on **24** sheets)
- Disposal Sites (2, for design phases 1 and 2)
- West Area Plan/Profile Sheet (1" = 40' scale) (3) (with erosion control information)
- West area Ditch Cross Section Sheets (10 sections on 4 sheets)

- Structural Details Sheet (1)
- Miscellaneous Details (5, for construction phases 1A, 1B, 1C, 2A and 2B)
- Stormwater Pollution Prevention Plan (SWPPP)
   (5, for construction phases 1A, 1B, 1C, 2A and 2B)

#### Total of 72 sheets

It is anticipated that maintenance of traffic (MOT) will be handled by general notes and references to FDOT standards. Erosion control items for construction will be shown on the plan sheets.

Under this task, DRMP will compile a construction plan set (11" x 17" size) for utilization by a Contractor for construction of the proposed stormwater improvements. Construction plans will be submitted and reviewed by City personnel at the 90% and final levels of completion. DRMP will also provide estimates of construction cost with the plan submittals. DRMP will meet with City staff to discuss review comments and incorporate modifications into drawings at 90% completion.

DRMP will provide preliminary sets of the construction plans at 90% and final levels of completion to known utilities providers for the area. DRMP will coordinate with utility owners and incorporate additional information into the project design to accommodate protection or relocation of utilities by others.

#### 6.0 Permit Coordination

The proposed culvert and ditch improvements in the West Area are located partially within a permitted system associated with the Cypress Knoll Golf Course, SJRWMD Permit No. 4-035-0019. Canal dredging is considered a maintenance activity with SJRWMD. However, construction, reconstruction or lining of culvert crossings in the canals may not be covered under maintenance activities. Additionally, Army Corps of Engineers may view activities in the canal differently than SJRWMD.

Consequently, it is advised that a permit modification with SJRWMD and a Nationwide ACOE permit will likely be necessary to construct the project. Permitting activities will include wetland/surface water delineations for the canals, West Area and disposal areas. Field reviews may be conducted with SJRWMD and/or ACOE agency staff to confirm delineations. General wildlife surveys will also be conducted and documented in a brief memorandum. No wildlife species permitting is included in this scope. This task includes advance coordination with the SJRWMD and ACOE, preparation and submittal of a permit packages, and addressing up to one (1) Request for Additional Information (RAI) at each agency.

Note that no permit or exemption fees are included in this proposal.

Please note that based on the preliminary project limits, disturbed project area will exceed the one (1) acre threshold for needing an NPDES Construction General Permit for stormwater during construction. A stormwater pollution prevention plan (SWPPP) will be provided in the plan set, and the City will be responsible for submitting the Notice of Intent (NOI) to use the general permit and for following requirements under the permit.

#### 7.0 Project Management and QA/QC

DRMP will attend a kick-off, progress meetings as desired by the City, and a final meeting through the course of design. Progress meetings are anticipated to occur as needed to discuss progress and resolve issues. DRMP will keep the City informed about the progress of the design with regular email, telephone calls, and monthly written progress reports.

DRMP will perform QA/QC of the design and construction plans and ensure quality deliverables to the City.

#### C. DELIVERABLES

DRMP will provide to the City the following deliverables:

- 1. Electronic submittals of Construction Plan Sets at 90% and final completion
- 2. Electronic submittals of 90% and Final Design Report
- 3. Construction Cost Estimate at each level of completion
- 4. Mailed or e-mailed copy of all external correspondence related to the project

#### D. CITY RESPONSIBILITIES

In order to conduct the scope of work outlined above, the City will provide the following:

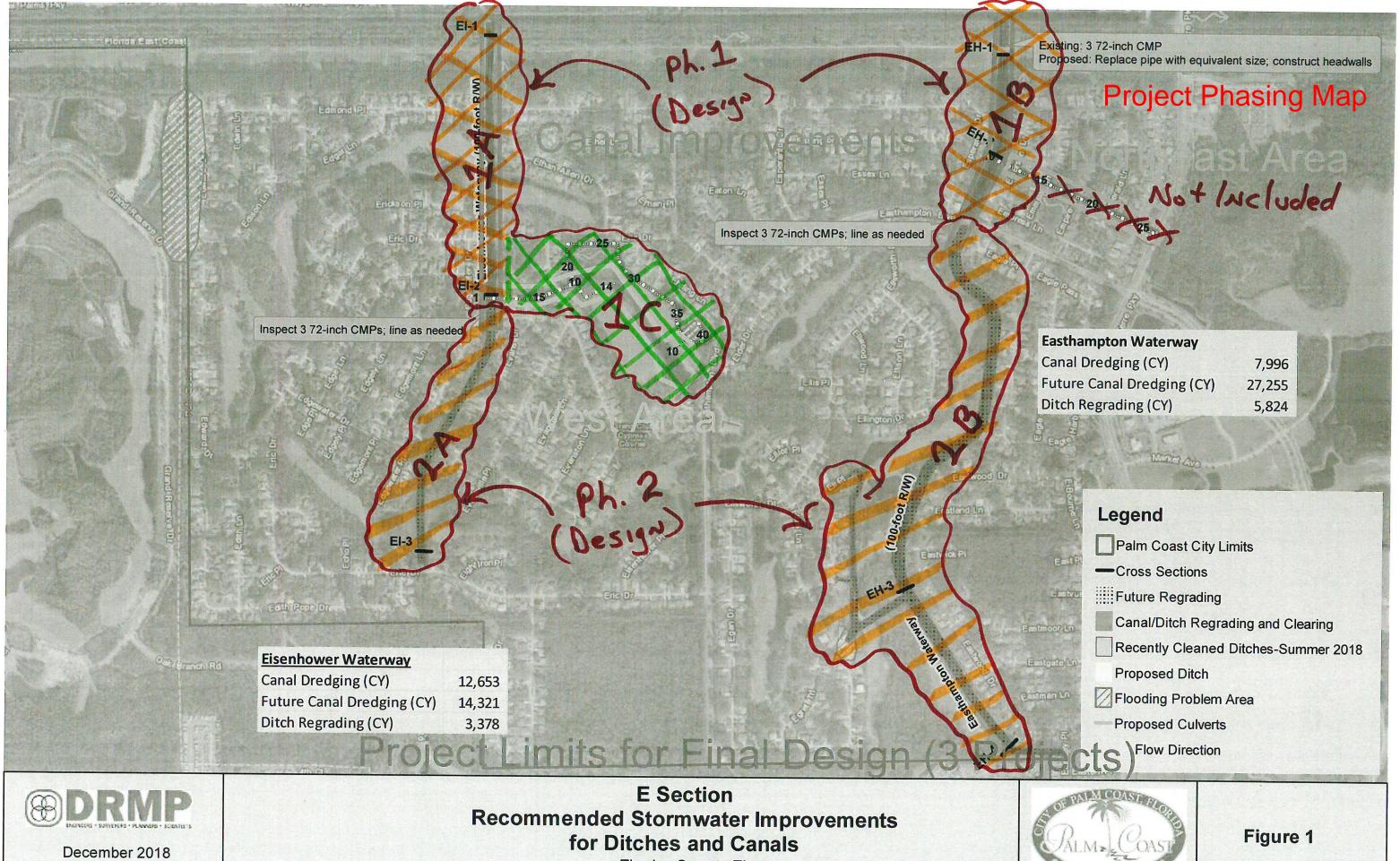
- 1. City to provide topographic survey (including utility locates) of the project area.
- 2. City to provide separate payment of any permitting or exemption fees.
- 3. City to coordinate submission of a Notice of Intent (NOI) to utilize the NPDES general permit for stormwater during construction.
- If needed, City to provide suitable disposal site for excavated material from canals, and to provide any associated details or information necessary to disposal operations.

#### E. SCHEDULE

DRMP is prepared to begin work upon approval of this proposal and receipt of the survey CAD files. Anticipated duration for submittal of project documents at 90% completion is **six (6) months** from notice to proceed (NTP) and receipt of the complete survey CAD files. The City will provide comments from the 90% review within **2 weeks**. Final project documents will be provided within **two (2) months** of receipt of the 90% review. Total duration of the project is estimated at **ten (10) months** in order to allow time to secure the SJRWMD and ACOE permits.

#### F. COMPENSATION

Compensation for this Scope of Work will be paid on a not-to-exceed basis, in the amount of \$238,627.05 as detailed in Exhibit E with estimated manhours for each task and hourly rates of staff. The project will be invoiced to the City on a monthly basis based on manhours spent at the time of billing. Note that an allowance for survey for up to \$100,000 is included in the fee total. A final NTE survey fee will be negotiated with City staff after further assessment of existing site conditions.



Flagler County FL



#### DRMP, INC.

**PRINCIPALS** 

Wayne D. Chalifoux Donaldson K. Barton, Jr. Glenn J. Lusink Jon S. Meadows Mark D. Prochak Mark E. Puckett Lawrence L. Smith, Jr.



Exhibit A - Part A

941 Lake Baldwin Lane, Orlando, Florida 32814

Phone: 407.896.0594 | Fax: 407.896.4836

Date: January 7, 2019

John L. Minton Jr, P.E. Project Manager DRMP. Inc. Water Resources 941 Lake Baldwin Lane Orlando, FL 32814

Subject: Subsurface Utility Engineering (SUE) services for the City of Palm Coast E-Section, Flagler County, Florida.

#### SERVICES TO BE PERFORMED

DRMP, Inc. is submitting the following proposal for Subsurface Utility Engineering(SUE) Services on the above subject location shown in attached exhibit area 2.

The following is our proposal:

#### SCOPE OF SERVICES

#### TASK 1 SUBSURFACE UTILITY ENGINEERING

DRMP will provide Subsurface Utility Engineering (SUE) services for the mapping effort of the subsurface utilities along the proposed road as requested by email received on 12/20/2018. The subsurface utility designating effort will be performed in accordance with the State of Florida Underground Facility Damage Prevention and Safety Act, Chapter 556, Florida Statutes. All work shall conform to ASCE C-1 38 -02 utilizing quality levels A and B.

DRMP will perform Underground Utility Designation of approximate four (4) 100 ft each side of ditch along Evans Dr at both crossings, with VVH's on each utility at each side of the ditch crossings (8 VVH's at 2 Crossings for a total of 16 VVH's). See attached exhibit showing the limits of work. DRMP will not be providing the survey of the utilities.

#### Quality Level B (QL B): Utility Designation

Our staff coordinates with utility owners and begins the subsurface utility designation utilizing electromagnetic (EM) and ground penetrating radar (GPR) techniques to mark (paint or flag) underground utilities. DRMP also "Sweeps" back through the project corridor using the same techniques to identify the existence of underground utilities that were not identified in the utility research phase. During the process of the field work, DRMP takes detailed notes regarding the type, and ownership of the utilities, if known. This information is documented utilizing field sketches on a subsurface utility form. DRMP can not be held responsible for any unforeseen utilities not known to us.

#### II. Quality Level A (QL A): Utility Location and Mapping (Vacuum Excavation)

DRMP exposes and records the vertical and horizontal location of the underground utility or structure. The test hole is performed using vacuum excavation equipment. It determines the depth of the utility from existing grade and its estimated size and material. Basic maintenance of traffic is provided, including traffic cones and lane closure(s). The test hole is backfilled with the material removed, and the surface's restored to its previous condition. In pavement, the test hole is repaired with cold patch

#### **OFFICES**

Boca Raton Florida Charlotte, North Carolina Chipley, Florida Fort Myers, Florida Gainesville, Florida Jacksonville, Florida Lakeland, Florida Melbourne Florida Orlando, Florida Panama City, Florida Pensacola, Florida Raleigh, North Carolina Tallahassee, Florida Tampa, Florida

> 1.833.811.3767 www.DRMP.com



bituminous material. A survey marker is installed directly over the centerline of the utility system at grade. Finally, a test-hole report is prepared summarizing the above information. DRMP will provide up to 16 VVH's at potential crossings.

#### **Consultant's Responsibilities (Designating)**

DRMP will designate the approximate horizontal location of existing utilities for this project by means of surface paint markings and flags. Locating underground utilities is not an exact science. DRMP, therefore, expresses no guarantees that using one or any of the aforementioned techniques will identify all utilities. Project owner and/or any of its sub-contractors shall hold harmless and indemnify DRMP against any losses as a result of limitations within the equipment, but not against negligence on the part of DRMP or its employees. Hand digging is required in all situations when excavating within 24" of DRMP's markings. DRMP by no means guarantees or warrants these markings to be exact for any utilities and accepts no responsibility for any utility damages, down-time, delays, etc., from use of our designating services. By signing this agreement, the client accepts all liability for any claims and damages.

#### **CONDITIONS – Locating of Underground Utilities for Pre-Excavation**

- Utility Locations are provided for design purposes only, in an attempt to prevent or reduce the likelihood of damage during excavation.
- Areas to be surveyed with GPR must be level and free of obstructions.
- Results are dependent upon field conditions at the time of locating services.
- DRMP's inability to complete the project due to conditions outside DRMP's control does not void this contract. APWA Standards are used for marking.
- DRMP is not responsible for moved, altered, or obliterated marks or for maintaining marks. If marks are destroyed, DRMP may impose an additional fee to relocate / remark facilities.
- If underground facilities are damaged, whether marked by DRMP or not, it is your obligation to notify a representative of DRMP within 48 hours of the damage.
- Prior to excavation, customer is responsible for securing locations of public utilities through Sunshine State One Call of Florida (800-432-4770 or 811).

If City of Palm Coast desires to change or expand upon these proposed services, an additional fee shall be negotiated. This renegotiation shall be accomplished prior to commencing the additional work.

Reimbursable such as overnight mailings, sending electronic files, copying charges, blueprinting costs, plotting of extra drawings not covered herein, delivery, shipping, or rush charges, etc. will be billed as an Extra cost on a Time, Materials and Expense basis.

It may be necessary for the Project Manager to call the client to receive verification and authorization for Extra Costs stated above in the preceding paragraph and may further require the client to sign an Additional Work Authorization Form for any out-of-scope requests.



The following summarizes the fees and billing terms as proposed by DRMP for the Scope of Services as presented herein. All application/impact and other fees will be paid directly to the appropriate agencies by the Client and are not included herein.

EST. PARTY DA	YS (10) HR	DAYS		DAILY	RATE		SURVEY (	COSTS						
0.7	TWO (2) N	/an	@	\$1,40	0.00		\$945	.00						
2.3	THREE (3)	Man	@	\$2,05	0.00		\$4,612	2.50						
	FOUR (4) I	OUR (4) Man		FOUR (4) Man @		\$2,42	1.90							
							SUBTOTAL	SURV	EY COSTS	=	\$5,5	57.50		
OFFICE	SUPPORT	:		HR R	ATE		OFFICE SU	JPPORT	COSTS					
0.5	Sr PLS			\$155	.00		\$75.	95						
2.6	Manhours	(Reg. Land S	urv.) @	\$135.00			\$351.00							
7.2	Manhours	(Technician)	@	\$95.	.00		\$684.00							
							SUBTOTAL	OFFIC	E SUPPORT	-	\$1,1	10.95		
						OVERNIGH	ΓTRAVEL/EX	PENSES	(See Itemizat	ion below)				
							1	TOTAL S	URVEY COS	TS	\$6,6	68.45		

We sincerely appreciate this opportunity to provide professional services for this project. DRMP will add this project to the field schedule immediately upon Notice to Proceed (NTP). If you have any questions regarding this proposal, please feel free to contact me.

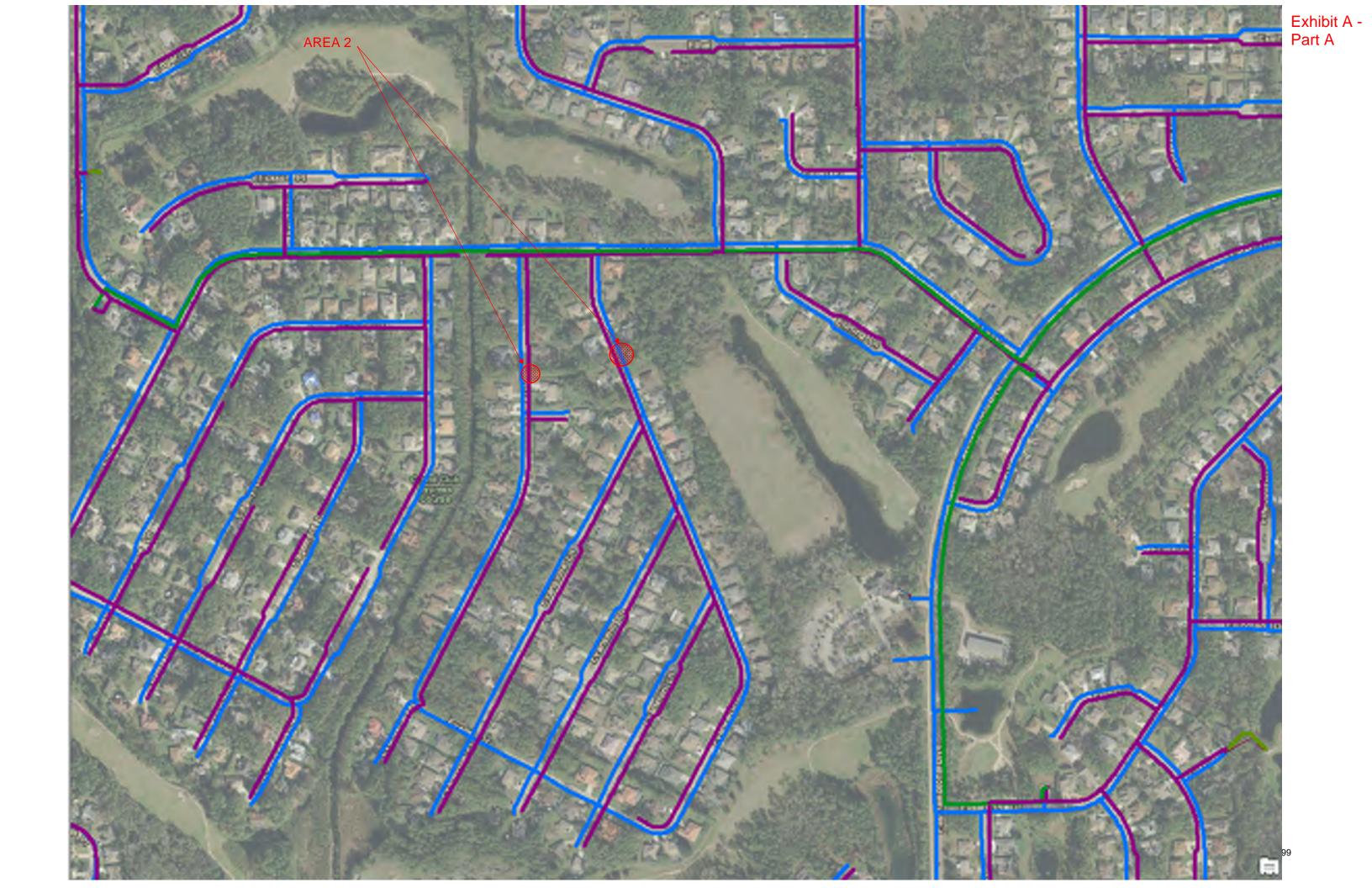
Sincerely, **DRMP**, **Inc.** 

01/07/2019

David Sullivan CST IV

SUE Manager

Date



#### DRMP, INC.

**PRINCIPALS** 

Wayne D. Chalifoux Donaldson K. Barton, Jr. Glenn J. Lusink Jon S. Meadows Mark D. Prochak Mark E. Puckett Lawrence L. Smith, Jr.



941 Lake Baldwin Lane, Orlando, Florida 32814 Phone: 407.896.0594 | Fax: 407.896.4836

Exhibit A - Part B

Date: May 15, 2019

John L. Minton Jr, P.E. Project Manager **DRMP, Inc.** Water Resources 941 Lake Baldwin Lane Orlando, FL 32814

Subject: Subsurface Utility Engineering (SUE) services for the City of Palm Coast E-Section, Flagler County, Florida.

#### SERVICES TO BE PERFORMED

DRMP, Inc. is submitting the following proposal for Subsurface Utility Engineering(SUE) Services on the above subject location shown in attached exhibit area 3.

The following is our proposal:

#### SCOPE OF SERVICES

#### TASK 1 SUBSURFACE UTILITY ENGINEERING

DRMP will provide Subsurface Utility Engineering (SUE) services for the mapping effort of the subsurface utilities along the proposed road as requested by email received on 12/20/2018. The subsurface utility designating effort will be performed in accordance with the State of Florida Underground Facility Damage Prevention and Safety Act, Chapter 556, Florida Statutes. All work shall conform to ASCE C-1 38 -02 utilizing quality levels A and B.

DRMP will perform Underground Utility Designating on approximately 5 utilities 100 ft each side of ditch at both Eric Dr locations. DRMP will also designate approximately 4 utilities 100 ft each side of ditch at the East Hampton Blvd crossing. In addition to the 3 road crossings listed above DRMP will identify any ditch crossings on both canals (north south direction). DRMP will also provide 4 VVHs at each of the 3 road crossings for a total of 12 VVH's. These VVH's are estimated on 2 utilities at each road crossing with at least 2 utilities crossing under the canal. A VVH will be provided on each side of the canal. See attached exhibit showing the limits of work. DRMP will not be providing the survey of the utilities.

#### I. Quality Level B (QL B): Utility Designation

Our staff coordinates with utility owners and begins the subsurface utility designation utilizing electromagnetic (EM) and ground penetrating radar (GPR) techniques to mark (paint or flag) underground utilities. DRMP also "Sweeps" back through the project corridor using the same techniques to identify the existence of underground utilities that were not identified in the utility research phase. During the process of the field work, DRMP takes detailed notes regarding the type, and ownership of the utilities, if known. This information is documented utilizing field sketches on a subsurface utility form. DRMP can not be held responsible for any unforeseen utilities not known to us.

#### II. Quality Level A (QL A): Utility Location and Mapping (Vacuum Excavation)

OFFICES
Boca Raton, Florida
Charlotte, North Carolina
Chipley, Florida
Fort Myers, Florida
Gainesville, Florida
Jacksonville, Florida
Lakeland, Florida
Melbourne, Florida
Orlando, Florida
Panama City, Florida
Pensacola, Florida
Raleigh, North Carolina
Tallahassee, Florida
Tampa, Florida

1.833.811.3767 www.DRMP.com



DRMP exposes and records the vertical and horizontal location of the underground utility or structure. The test hole is performed using vacuum excavation equipment. It determines the depth of the utility from existing grade and its estimated size and material. Basic maintenance of traffic is provided, including traffic cones and lane closure(s). The test hole is backfilled with the material removed, and the surface's restored to its previous condition. In pavement, the test hole is repaired with cold patch bituminous material. A survey marker is installed directly over the centerline of the utility system at grade. Finally, a test-hole report is prepared summarizing the above information. DRMP will provide up to 12 VVH's at potential crossings.

#### **Consultant's Responsibilities (Designating)**

DRMP will designate the approximate horizontal location of existing utilities for this project by means of surface paint markings and flags. Locating underground utilities is not an exact science. DRMP, therefore, expresses no guarantees that using one or any of the aforementioned techniques will identify all utilities. Project owner and/or any of its sub-contractors shall hold harmless and indemnify DRMP against any losses as a result of limitations within the equipment, but not against negligence on the part of DRMP or its employees. Hand digging is required in all situations when excavating within 24" of DRMP's markings. DRMP by no means guarantees or warrants these markings to be exact for any utilities and accepts no responsibility for any utility damages, down-time, delays, etc., from use of our designating services. By signing this agreement, the client accepts all liability for any claims and damages.

#### **CONDITIONS – Locating of Underground Utilities for Pre-Excavation**

- Utility Locations are provided for design purposes only, in an attempt to prevent or reduce the likelihood of damage during excavation.
- Areas to be surveyed with GPR must be level and free of obstructions.
- Results are dependent upon field conditions at the time of locating services.
- DRMP's inability to complete the project due to conditions outside DRMP's control does not void this contract. APWA Standards are used for marking.
- DRMP is not responsible for moved, altered, or obliterated marks or for maintaining marks. If marks are destroyed, DRMP may impose an additional fee to relocate / remark facilities.
- If underground facilities are damaged, whether marked by DRMP or not, it is your obligation to notify a representative of DRMP within 48 hours of the damage.
- Prior to excavation, customer is responsible for securing locations of public utilities through Sunshine State One Call of Florida (800-432-4770 or 811).

If City of Palm Coast desires to change or expand upon these proposed services, an additional fee shall be negotiated. This renegotiation shall be accomplished prior to commencing the additional work.

Reimbursable such as overnight mailings, sending electronic files, copying charges, blueprinting costs, plotting of extra drawings not covered herein, delivery, shipping, or rush charges, etc. will be billed as an Extra cost on a Time, Materials and Expense basis.

It may be necessary for the Project Manager to call the client to receive verification and authorization for Extra Costs stated above in the preceding paragraph and may further require the client to sign an Additional Work Authorization Form for any out-of-scope requests.



The following summarizes the fees and billing terms as proposed by DRMP for the Scope of Services as presented herein. All application/impact and other fees will be paid directly to the appropriate agencies by the Client and are not included herein.

IT. PARTY DA	YS (10) H	R DAYS	DAILY	RATE		SURVE	Y COST	S							
4.5	TVO (2)	Man	\$1,40	0.00		\$6,3	00.00								
	THREE	(3) Man	\$2,05	50.00											
	FOUR (4	f) Man	\$2,42	21.90											
						SUBTO	TALS	URVEY C	OSTS		\$6,300.00				
FFICE	SUPPOR	1	HR B	ATE		OFFICE	SUPPO	RT COST	Г						
0.6	Sr PLS		\$155	5.00		\$93	3.00								
2.0	Manhou	Manhours (Reg. Land Surv		Manhours (Reg. Land Surv		Manhours (Reg. Land Surv \$135.00		5.00		\$27	0.00				
10.0	Manhou	ırs (Technician	) \$95	.00		\$950.00									
						SUBTO	TAL OF	FICE SU	PORT	=	\$1,313.00				
					OVERNIGH	T TRAVEL	JEXPENS	FS (See Ite)	mization be	elou					
					C.E. IIdidi'i		TETT EIGO	Lo Joee Kei	THE GROWN DA						
							TOTAL	SURVEY	COSTS		<b>\$</b> 7,613.00				

We sincerely appreciate this opportunity to provide professional services for this project. DRMP will add this project to the field schedule immediately upon Notice to Proceed (NTP). If you have any questions regarding this proposal, please feel free to contact me.

Sincerely, **DRMP**, **Inc.** 

**David Sullivan CST IV** 

05/15/2019 **Date** 

SUE Manager



January 18, 2019

DRMP, Inc. 941 Lake Baldwin Lane Orlando, FL 32814

Attention: Mr. John L. Minton Jr., P.E.

Reference: Proposal for Geotechnical Exploration

E Section Drainage Improvements W Area Culverts – Parallel to Eric Drive Palm Coast, Flagler County, Florida UES Proposal No.: 2019D-069

UES Opportunity No.: 0430.0119.00021

Dear Mr. Minton:

Universal Engineering Sciences, Inc. (UES) is pleased to submit our proposal to conduct a Geotechnical Exploration for the above-referenced property in Palm Coast, Florida. Our understanding of this project, with our proposed scope of services and costs, is presented in the following paragraphs.

#### **PROJECT UNDERSTANDING**

We understand that this project will consist of the replacement of three (3) CMP roadway culverts to 4-foot wide box culverts and straight endwalls. We were provided with a copy of the Conceptual Site Plan showing the proposed improvements.

Universal Engineering Sciences (UES) has been asked to perform a geotechnical exploration to evaluate the subsurface conditions on the subject for the proposed site improvements. Our proposed scope of work does not include an environmental assessment of the proposed project.

This proposal assumes that the test boring locations will be readily accessible using an All-Terrain mounted drilling rig.

Our proposal does not include an allowance for horizontal and vertical survey control for the test boring locations. Our field crew will locate the test locations based upon estimated distances and relationships to obvious landmarks. Therefore, the test locations and depths should be considered accurate to the degree of the methodologies used.

Our scope of work has not been designed to evaluate of the deep subsurface soils with respect to the potential for sinkhole activity at the subject site. This requires a more thorough scope of work than proposed including geophysical studies (i.e. ground penetrating radar and electrical resistivity testing) and deep soil borings extending to the limestone bedrock formation. However, we will be glad to furnish you with a proposal for these services upon request.

UES will contact Sunshine State One Call (1-800-432-4770) for public utility clearance prior to the start of drilling activities. It is our experience that this service does not mark the locations of privately owned utilities. Our proposal requires that private utility lines and other subsurface appurtenances be located in the field by others prior to our mobilization. UES shall not be held responsible for service interruptions or damage to private utility lines or other buried structures. Further we have assumed that there is no hazardous materials contamination at the site and no major utility lines crossing the subject site. In the

#### Exhibit B - Part A

#### LOCATIONS:

- Atlanta
- Daytona Beach
- Fort Myers
- Fort Pierce
- Gainesville
- Jacksonville
- Miami
- Ocala
- Orlando (Headquarters)
- Palm Coast
- Panama City
- Pensacola
- Rockledge
- Sarasota
- St. PetersburgTampa
- Tifton
- Tifton
- West Palm Beach

Geotechnical Exploration – E Section Drainage Improvements W Area Culverts – Parallel to Eric Drive Palm Coast, Florida UES Proposal No.: 2019D-069

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January 18, 2019 Page 2

event they exist, please inform us so that we may make arrangements for taking adequate precautions and locating the utilities on the site, prior to the drilling operations.

Due to the nature of the equipment required to perform the test borings, some property disturbance should be expected. Our proposal does include limited site clean up including backfilling the boreholes with sand for safety considerations. No other restoration services (i.e. pressure washing, landscaping, repairing wheel ruts, etc.) are included in this proposal. We understand that rights of entry and access to the property will be provided to us prior to and at commencement of field activities.

Should any of the above information or assumptions made by UES be inconsistent with the planned development and construction, we request that you contact us immediately to allow us the opportunity to review the new information in conjunction with our proposal and revise or modify our scope of service and/or fee estimate accordingly, if needed.

#### **GEOTECHNICAL SCOPE OF SERVICES**

Based on our understanding of the project, the proposed scope will consist of:

 Performing three (3), 25-feet deep Standard Penetration Test (SPT) borings in the proposed culvert replacements/ endwall locations

Standard Penetration Test (SPT) borings will be performed continuously in the upper 10-feet of each boring and on 5-foot centers after that to the bottom of the borings. Each recovered soil sample will be visually classified in the field and a geologic log prepared for the soil borings. Groundwater depth and any unusual subsurface conditions will be recorded on the boring logs. Representative portions of the recovered soil samples from the borings will be sealed and packaged for transportation to our laboratory for a more detailed analysis, as required. All soil samples will be classified in general accordance with ASTM D 2487 (Standard Classification of Soils for Engineering Purposes Unified Soil Classification System) guidelines.

We have not made an allowance for surveying services or an environmental assessment of the property. However, we will be glad to furnish you with a proposal for these services upon request. Further we have assumed that there is no hazardous materials contamination at the site, that there are no major utility lines crossing the subject site and no existing septic systems in the vicinity of our borings. In the event they exist, please inform us so that we may make arrangement for taking adequate precautions and locating the utilities on the site, prior to the drilling operations.

#### Reporting

At the completion of the field and laboratory testing services, our project engineer will prepare a geotechnical report under the direction of a registered professional engineer who specializes in geotechnical engineering consulting. The report shall contain the following information at a minimum:

- Soil boring logs and classifications
- Existing groundwater levels and estimated seasonal high groundwater levels at the boring locations
- Recommendations for retaining wall design consisting of soil parameters.
- Recommendations for culvert installation and site preparation including excavation, and dewatering.

Geotechnical Exploration – E Section Drainage Improvements W Area Culverts – Parallel to Eric Drive Palm Coast, Florida UES Proposal No.: 2019D-069

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January 18, 2019 Page 3

#### **SCHEDULE**

Based upon our current backlog at the time of this proposal, we anticipate completing the field exploration and laboratory testing program and issuing a geotechnical report within 3 to 4 weeks upon receipt of written authorization to proceed. Preliminary findings can be provided via email prior to the release of the final report upon completion of the field and laboratory testing program to expedite your civil engineering design schedule.

#### **FEE & TERMS**

Universal Engineering Sciences will complete the Geotechnical scope of work outlined within this proposal for a LUMP SUM FEE of \$2,270.00. We will not exceed our budget unless the scope of work is varied or the soil or groundwater conditions encountered are significantly different from those anticipated, in which event you will be notified prior to any increase in costs.

Enclosed you will find our General Contract Conditions with a copy of our Work Authorization/Proposal Acceptance Form. If you would like to proceed, please sign and return an executed copy of the enclosed work authorization form to our office. We will initiate the field work upon receipt of the executed work authorization form.

#### **CLOSURE**

Universal Engineering Sciences, Inc. appreciates this opportunity to offer our services, and we are looking forward to the assignment. Please do not hesitate to contact the undersigned at 386-756-1105 if you have any questions.

Sincerely,

Universal Engineering Sciences, Inc.

Michael Mohney

Geotechnical Project Manager

mmohnev@universalengineering.com

Brian C. Pohl, P.E. Branch Manager

bpohl@universalengineering.com

Attachments

MM/BCP/cme

Enclosures: Exhibit I

**General Conditions** 

Work Authorization/Proposal Acceptance Form

Distribution: John L. Minton Jr., P.E.

#### UNIVERSAL ENGINEERING SCIENCES, INC.

Work Authorization / Proposal Acceptance Form

## IF PROPOSAL IS ACCEPTED, SIGN BOTH FORMS, RETURN ONE FORM TO UNIVERSAL AND RETAIN ONE FOR YOUR FILES.

Universal Engineering Sciences, Inc. (UES) is pleased to provide the services described below. The purpose of this document is to describe the terms under which the services will be provided and to obtain formal authorization.

PROJECT NAME: E Section Drainage Improvements

W Area Culverts - Parallel to Eric Drive

PROJECT LOCATION: Palm Coast, Florida

CLIENT NAME: DRMP, Inc.

CLIENT ADDRESS: 941 Lake Baldwin Lane, Orlando, FL 32814

**EMAIL:** jminton@drmp.com

1	Scope of Services and Understanding of Project (See attached proposal or as indicated below)	)
	Scope of del vices and officerstanding of Froject (dee attached proposal of as indicated below)	,

Geotechnical Exploration Program \$2,270.00 LUMP SUM

II.	Contract Documents. The following	ntract Documents. The following documents form part of this Agreement and are incorporated herein by referral:									
	A. <b>UES</b> General Conditions.	B. <b>UES</b> Proposal Dated:	January 18, 2019								
	C. Plans, reports, specifications a	nd other documents provided by the	he Client prior to this Agreement date.								
	In the event of any inconsistency of above shall govern.	or conflict among the Contract Do	cuments, the provision in the Contract Document first listed								
III.	Authority to proceed and for paymer	t. (To be completed by Client)									
	If the invoice is to be mailed for ap	proval to someone other than the acco	ount charged, please indicate where below:								
Fi	rm:		Social Security Number or Federal Identification No.:								
Ad	ddress:										
At	tention:		<u> </u>								
IN۱	WITNESS WHEREOF, the parties ha	ave caused this Agreement to be e	executed by their duty authorized representatives								
this		day of	2019.								
CL	IENT:		_ UNIVERSAL ENGINEERING SCIENCES, INC.								
вү	(signature):		BY (signature):								
NA	ME:		NAME: Brian C. Pohl								
TIT	LE:		TITLE: Branch Manager								

Return Executed Copy to:

<u>ceberhardt@universalengineering.com</u> Universal Engineering Sciences, Inc.



#### **EXHIBIT I**

Fee Proposal for Geotechnical Exploration
E Section Drainage Improvements
W Area Culverts – Parallel to Eric Drive Palm Coast, Flagler County, Florida UES Proposal No.: 2019D-069 UES Opportunity No.: 0430.0119.00021

TASK	QUANTITY	UNIT	UNIT COST	TOTAL COST
PROFESSIONAL SERVICES				
Professional Engineer	2	hrs	\$180.00	\$360.00
Project Engineer	5	hrs	\$95.00	\$475.00
Technical Secretary	2	hrs	\$55.00	\$110.00
			SUBTOTAL:	\$945.00
SUPPORT SERVICES				
Mobilization / Demobilization	1	l.s.	\$500.00	\$500.00
SPT Borings -3x25'	75	feet	\$11.00	\$825.00
			SUBTOTAL:	\$1,325.00
	GEO	OTECHN	NICAL TOTAL:	\$2,270.00

#### **PROPOSAL NOTES:**

Additional services, consultations, or meetings if requested, will be invoiced at Universal Engineering Sciences' standard rates.

This fee proposal will remain effective for 60 days. If you should require more than 60 days to formally authorize us to proceed, we request that you permit us to update our proposal to account for any changes in costs.

We have made a good faith effort to work with you to develop a work scope and fee estimate. Because of the possibility of unknown, discovered, underground conditions and/or the need for additional services that neither you nor we can currently foresee, we recommend that you budget a contingency equal to 15% of the total fee estimate. We will not use the contingency amount without first notifying you.

The Client will be responsible for all applicable taxes.



January 17, 2019

Mr. John L. Minton Jr., P.E., CFM DRMP Inc., 941 Lake Baldwin Lane Orlando, Florida 32814

Sent via E-mail: jminton@drmp.com

Reference: **E Section Drainage Improvements** 

Canal Dredging - Easthampton Waterway / Eisenhower Waterway

City of Palm Coast, Flagler County, Florida UES Opportunity No. 0440.0119.00007

UES Proposal No. 2019D-062

Dear Mr. Milton:

Universal Engineering Sciences, Inc. (UES) is pleased to submit our proposal to conduct dredge material sampling for the E Section Drainage Improvements – Canal Dredging – Easthampton Waterway / Eisenhower Waterway (hereafter "the site"). The purpose of the canal dredge material sampling is to determine suitability for disposal and utilization.

By executing the attached Work Authorization, the client confirms that the preceding is an accurate and complete description of the work to be performed.

#### **SCOPE OF WORK**

The scope of work proposed by UES to determine canal dredging material suitability for disposal and utilization includes the following tasks:

#### **Dredge Material Assessment:**

- Eight (8) canal sediment samples will be collected at the location of the Easthampton and Eisonhower Waterways.
- The soil samples will be collected in accordance with FDEP standard operating procedures. The sediment samples will be submitted to a NELAC-certified laboratory (Advanced Environmental Laboratories, Inc.) for analysis of volatile organic compounds (full list) via United States Environmental Protection Agency (USEPA) method 8260, polycyclic aromatic hydrocarbons (PAHs) (full list) via USEPA method 8270, organochlorine pesticides via USEPA method 8081, organophosphorous pesticides via USEPA method 8141, chorophenoxy herbicides via USEPA method 8151, polychlorinated biphenyls (PCBs) via USEPA method 8082, Resource Conservation and Recovery Act (RCRA-8) metals via USEPA method 200.8, and total recoverable petroleum hydrocarbons (TRPH) via method Florida petroleum residual organics (FL-PRO).

#### Reporting:

 Following the completion of the dredge sediment material sampling, UES will prepare a formal report documenting the findings of the analysis.

#### LOCATIONS:

- Atlanta
- Daytona Beach
- Fort MyersFort Pierce
- Gainesville
- Jacksonville
- Kissimmee
- LeesburgMiami
- Ocala
- Orlando (Headquarters)
- Palm Coast
- Panama City
- Pensacola
- Rockledge
- Sarasota
- Sarasot
- Tampa
- West Palm Beach

UES Proposal 2019D-062 January 17, 2019 Page 2

#### **SCHEDULE**

Upon the approval of the proposed scope of work and cost, UES will mobilize to the site within two (2) weeks. UES anticipates that the field work and laboratory analysis (at normal priority) will require approximately two (2) weeks. Preparation of dredge material sampling collection and analysis report can be completed in one (1) week from receipt of the final laboratory analytical results. Accordingly, UES will submit the finalized report within approximately one (1) month of a signed work authorization. This fee proposal is for normal priority; UES will revise for priority scheduling if the client requests.

#### **COST PROPOSAL**

UES proposes to perform the above scope of work for an estimated, not-to-exceed fee of \$14,720.00 to be billed monthly and at the completion of the project. Unit-priced items (e.g., laboratory analyses) will be billed only for the units actually used. Please see the attached cost breakdown in **Exhibit 1**, as well as our General Conditions.

Universal Engineering Sciences appreciates this opportunity to offer our services, and we are looking forward to the assignment. Please feel free to contact us at (386) 756-1105 with any questions or comments.

Respectfully submitted,

**UNIVERSAL ENGINEERING SCIENCES** 

Joseph R. Rommel II Senior Project Manger

Attachments:

Exhibit 1 – Cost Breakdown Work Authorization General Conditions

#### EXHIBIT 1

#### **Cost Breakdown**

E Section Drainage Improvements – Canal Dredging Easthampton Waterway / Eisonhower Waterway City of Palm Coast, Flagler County, Florida UES Opportunity No. 0440.0119.00007 UES Proposal No. 2019D-062

TASK	QUANTITY	UNIT	COST PER UNIT	TOTAL COST
Dredge Material Assessment and Pre-Site Reconn	aissance			
Pre-Site Reconnaissance	8	hours	\$85.00	\$680.00
Project Scientist	24	hours	\$85.00	\$2,040.00
Environmental Technician	24	hours	\$75.00	\$1,800.00
Environmental Equipment	1	l.s.	\$200.00	\$200.00
Watercraft	1	l.s.	\$400.00	\$400.00
Laboratory Analysis of Soil Samples:				
Volatile Organic Compounds (VOCs) – Full LIst (USEPA Method 8260)	8	each	\$140.00	\$1,120.00
Polycyclic Aromatic Hydrocarbons (PAHs) – Full List (USEPA Method 8270)	8	each	\$165.00	\$1,320.00
RCRA-8 Metals (USEPA Method 200.8)	8	each	\$120.00	\$960.00
TRPH FI-Pro	8	each	\$100.00	\$800.00
Organohlorine Pesticides (EPA Method 8081)	8	each	\$80.00	\$640.00
Organophosphorus Pesticides (USEPA Method 8141)	8	each	\$145.00	\$1,160.00
Chlorophenoxy Herbicides (USEPA Method 8151)	8	each	\$145.00	\$1,160.00
Polychlorinated Biphenols (PCBs) (EPA Method 8082)	8	each	\$85.00	\$680.00
Report Preparation				
Ditch Material Analysis Report	1	l.s.	\$1,500.00	\$1,500.00
Principal (Review)	1	hour	\$120.00	\$120.00
CADD Graphics	2	hours	\$50.00	\$100.00
Technical Secretary	1	hour	\$40.00	\$40.00
Not-to-Exceed Total				\$14,720.00

### Fee Sheet - Prime

Estimator: D.Brown

Name of Project: County: FPN: FAP No.:

Consultant Name: DRMP

Consultant No.:

Date: 1/31/2019
Estimator: J Haisch-Linn

FAP No.:													Estimator:	J Haisch-Linn		
Staff Clas	ssification	Total Staff Hours From "SH	Department Manager	Senior Project Manager III	Engineer VI	Engineer V	Engineer IV	Engineering Technician IV	Designer IV	Environmental Scientist III	Senior Ecologist	Administrative Support III		SH	Salary	Average
		Summary -												By	Cost By	Rate Per
		Firm"	\$220.00	\$170.00	\$115.00	\$105.00	\$95.00	\$85.00	\$115.00	\$100.00	\$120.00	\$70.00		Activity	Activity	Task
<ol><li>Project General and Project Common Ta</li></ol>	asks	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
4. Roadway Analysis		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
5. Roadway Plans		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
6. Drainage Analysis		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
7. Utilities																
8. Environmental Permits, Compliance & C	learances	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
9. Structures - Misc. Tasks, Dwgs, Non-Ted	ch.	11.00	0.00	3.00	8.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		11.00	\$1,430	\$130.00
10. Structures - Bridge Development Repor	rt															
11. Structures - Temporary Bridge																
12. Structures - Short Span Concrete Bridg	je															
13. Structures - Medium Span Concrete Bri	idge				0.00											
14. Structures - Structural Steel Bridge																
15. Structures - Segmental Concrete Bridge	е				0.00											
16. Structures - Movable Span					0.00											
17. Structures - Retaining Walls																
18. Structures - Miscellaneous		48.00	0.00	14.00	34.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		48.00	\$6,290	\$131.04
19. Signing & Pavement Marking Analysis		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
20. Signing & Pavement Marking Plans		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
21. Signalization Analysis		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
22. Signalization Plans		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		0.00	\$0	#DIV/0!
23. Lighting Analysis																
24. Lighting Plans																
25. Landscape Architecture Analysis																
26. Landscape Architecture Plans																
27. Survey (Field & Office Support)					56.00	configuration no	' it in Standard Pla	ns. (48 hrs). Se	cond plan sheet	for second headwall	with different he	eight and/or length (8	hrs).			
28. Photogrammetry						Ŭ						] ` ` `	·			
29. Mapping																
30. Geotechnical																
31. Architecture Development																
32. Noise Barriers Impact Design Assessmo	ent															
33. Intelligent Transportation Systems Anal																
34. Intelligent Transportation Systems Plan	-															
Total Staff Hours		59.00	0.00	17.00	98.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00		59.00		
Total Staff Cost		30.00	\$0.00	\$2,890.00	\$11,270.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	<del> </del>	33.00	\$7,720.00	\$130.85

Survey Field Days by Subconsultant 3 - Person Crew:

Notes:

1. This sheet to be used by Pri

0 2. Manually enter fee from each subconsultant. Unused subconsultant rows may be hidden.

\$7,720.00 SALARY RELATED COSTS: OVERHEAD: 0% \$0.00 OPERATING MARGIN: 0% \$0.00 FCCM (Facilities Capital Cost Money): 0.00% \$0.00 EXPENSES: \$0.00 SUBTOTAL #1 ESTIMATED FEE: \$7,720.00 Subconsultant: DRMP Survey \$0.00 Subconsultant: Universal Eng. SUBTOTAL #2 ESTIMATED FEE: \$0.00 **GRAND TOTAL ESTIMATED FEE:** \$7,720.00 Optional Services(R/W Mapping): \$0.00

Check = \$14,160.00

Page 1 of 1 1/31/2019

### 9. Structure Summary

Estimator: Jocelyn Haisch-Linn

NA

Task			Design	and Produ	ıction Sta	ffhours					NA	
No.	Task	Units	No. of Units	Hours per Unit	No. of Sheets	Total		Comments				
	General Drawings											
9.1	Index of Drawings	Sheet	0	0	0	0	N/A					
9.2	Project Layout	Sheet	0	0	0	0	N/A					
9.3	General Notes and Bid Item Notes	Sheet	0	0	0	0	N/A					
9.4	Miscellaneous Common Details	Sheet	0	0	0	0	N/A					
9.5	Incorporate Report of Core Borings	Sheet	0	0	0	0	N/A					
9.6	Existing Bridge Plans	LS	0	0		0	N/A					
9.7	Assemble Computation Book and Quantities	LS	1	2		2	Concrete and reinforcing steel in endwall					
9.8	Cost Estimate	LS	0	0		0						
9.9	Technical Special Provisions	LS	0	0		0						
Stru	ctures - Summary and Miscellaneous and Drawings S				0	2						
Task No.	Task	Total	Task 10	Task 11	Task 12	Task 13	Task 14	Task 15	Task 16	Task 17	Task 18	
10-16		0	0	0	0	0	0	0	0			
17	Retaining Walls	0								0		
18	Miscellaneous Structures	48									48	
	Structures Technical Subtotals	48	0	0	0	0	0	0	0	0	48	

### 9. Structure Summary

Task No.	Task	Units	No. of Units	Hours per Unit	Total	Comments
9.10	Field Reviews	LS	0	0	0	N/A
9.11	Technical Meetings	LS	0	0	0	Meetings are listed below
9.12	Quality Assurance/Quality Control	LS	%	5%	3	
9.13	Independent Peer Review	LS	%	0%	0	N/A
9.14	Supervision	LS	%	5%	3	
	Structures Nontechnical S		56	6		
9.15	Coordination	LS	%	5%	3	Roadway/Drainage, Geotechnical
	9. Structures - Summary and Miscella Tasks and Drawings Nontechni Coordinatio			11		

<b>Technical Meetings</b>					
		_			
BDR Coordination/Review	EA	0	0	0	
90/100% Comment Review	EΑ	0	0	0	
Aesthetics Coordination	EA	0	0	0	
Regulatory Agency	EA	0	0	0	
Local Governments (cities, counties)	EA	0	0	0	
Utility Companies	EA	0	0	0	
Other Meetings	EA	0	0	0	
Subtotal Technical Meetings		0	0	0	
Progress Meetings	EA	0	0	0	
Phase Review Meetings	EA	0	0	0	Assume 1 phase review with comment/response
Total Meetings				0	T
				Carries to	9.11

Note: Project Manager attendance at progress, phase and field review meetings are manually entered on General Task 3.

0 NA

### 18. Structures-Miscellaneous

Estimator: Jocelyn Haisch-Linn

Task No.	Task	Unit	No. of Units	Hours/ Unit	No. of Sheets	Total Hours	Comments					
	Concrete Box Culvert											
18.1	Concrete Box Culverts	EA	0	0	0	0						
18.2	Concrete Box Culverts Extensions	EA Extension	0	0	0	0						
	Strain Poles											
40.0	Steel Strain Poles	Initial Config	0	0	0	0						
18.3		EA Add'l Config	0	0	0	0						
	Concrete Strain Poles	Initial Config	0	0	0	0						
18.4		EA Add'l Config	0	0	0	0						
	Mast Arms											
18.5	Mast Arms	EA Pole	0	0	0	0						
	Overhead/Cantilever Sign Structures											
18.6	Cantilever Sign Structures	EA Design	0	0	0	0						
18.7	Overhead Span Sign Structures	EA Design	0	0	0	0						
18.8		EA Design	0	0	0	0						
18.9	Monotube Overhead Sign Structure	EA Design	0	0	0	0						
18.10	Bridge Mounted Signs (Attached to Superstr.)	EA Design	0	0	0	0						
	High Mast Lighting 0.00											
18.11	High Mast Lighting Structures	EA Design	0	0	0	0						

### 18. Structures-Miscellaneous

Task No.	Task	Unit	No. of Units	Hours/ Unit	No. of Sheets	Total Hours	Comments
	Sound Barrier Walls (Ground Mount)						
18.12	Horizontal Wall Geometry	EA Wall	0	0	0	0	
18.13	Vertical Wall Geometry	EA Wall	0	0	0	0	
18.14	Summary of Quantities - Aesthetic Requirements	Sheet	0	0	0	0	
18.15	Control Drawings	Sheet	0	0	0	0	
18.16	Design for Wall Height Covered by Standards	EA Design	0	0	0	0	
18.17	Design for Wall Height Not Covered by Standards	EA Design	0	0	0	0	
18.18	Aesthetic Details	LS	0	0	0	0	
	Special Structures						
18.19	Fender System	LS	0	0		0	
18.20	Fender System Access	LS	0	0		0	
18.21	Special Structures	LS	0	0		0	
18.22	Other Structures	LS	1	48	1	48	Worst case design special endwall for pipe configuration not in Standard Plans. Assumes second headwall is of similar length and height.
	18. Structures - Miscellaneous Total						

#### Exhibit E **City of Palm Coast** E-Section, Final Design of Canal and West Area Improvements **Compensation Breakdown**

#### **DRMP Design Cost**

Title/Job Description	Department Manager II Hours	Senior Project Manager Hours	GIS Analyst III Hours	Engineer II Hours	Administrative Support II Hours	Line Item Hours	Line Item Costs	
Personnel Hourly Rate	\$210.00	\$150.00	\$120.00	\$90.00	\$65.00			
Element and Task Descriptions								
1.0 Data Collection								
1.1A Subsurface Utilities Engineering (SUE) - West Area	See attached fee brea	akdown					\$6,668.4	
1.1B Subsurface Utilities Engineering (SUE) - Canals	See attached fee brea		\$7,613.0					
1.2A Geotechnical Investigation - West Area	See attached fee brea	See attached fee breakdown						
1.2B Geotechnical Investigation - Canals	See attached fee brea	akdown					\$14,720.0	
1.3 Sketch and Legal Description for Drainage Easement - Canals	5 sketch and legal des	scriptions at \$995 eac					\$4,975.0	
2.0 Final Design with Report	8	16	20	44	6	94	\$10,830.0	
3.0 Structural Design - Special Endwalls	See attached fee brea	akdown					\$7,720.0	
4.0 Utility Coordination	2	8	0	14	8	32	\$3,400.0	
5.0 Construction Plans	10	36	124	308	0	478	\$50,100.0	
6.0 Permit Coordination (with wetlands delineations)	8 14 40 84 8						\$16,660.0	
7.0 Project Management and QA/QC	34 34 0 0 0						\$12,355.2	
Total Hours	62	108	184	450	22			
Total Costs by Category	\$13,087.20	\$16,248.00	\$22,080.00	\$40,500.00	\$1,430.00			

DRMP Design Cost 827 \$137,311.65

#### **DRMP Reimbursables**

Description	Unit Cost	No.	Cost	Notes
Mileage	\$ 0.55	1,700	\$ 935.00	per mile, estimated 10 trips
Xerox - 11x17 Plans	\$ 0.45	432	\$ 194.40	estimated 6 sets (for miscellaneous use)
Xerox - 8.5x11 Color	\$ 0.31	600	\$ 186.00	estimated 6 sets (for miscellaneous use)

Reimbursable Cost \$ 1,315.40

### **Total Fee Computations**

DRMP Design NTE Cost	\$137,311.65
DRMP Survey NTE Allowance (See Note below)	\$100,000.00
Reimbursable Cost	\$1,315.40

**Total Cost** \$238,627.05

Note: Detailed scope and fee for survey to be negotiated with City staff after further assessment of existing site conditions.

5/17/2019 Google Maps

## Google Maps



Imagery ©2019 Google, Map data ©2019 Google 500 ft

Set a home address

Set a work address

#### Exhibit A - Scope of Work - Crandall Cove (F-Section) Conceptual Drainage Improvements

Develop conceptual-level plans to determine recommendations for improvements to existing ditches and culvert crossings at roadways. Improvements may include maintenance activities, regrading swales/ditches, replacing or upsizing roadway culverts, and reconfiguring drainage patterns for improved flood control. See **Exhibit B** for a detailed manhour estimate for this scope of work. See **Exhibit C** for additional information on study area and drainage features.

A detailed surface water model in ICPR (vs 4) will be developed for the 405-acre study area in order to analyze the existing drainage conditions and develop conceptual improvements. The model is anticipated to include up to 80 basins from review of the existing drainage features within the study area. Approximately one-quarter of the study area was previously modeled by Singhofen and Associates in ICPR (version 3) and this data will be incorporated into the new version 4 model. This model will be developed with basin boundaries and boundary interactions that are consistent with the primary systems model currently under development by DRMP, allowing for future insertion of this detailed model of the Crandall Cove area into the overall model.

Conceptual drainage improvements will be analyzed using this ICPR model with anticipated levels of flood protection. Supporting information may include typical proposed cross-sections and ditch profiles, recommendations for pipe improvements/replacements in plan exhibits, and estimated quantities and construction costs. At least three roadway culvert crossings will be evaluated for pipe lining. Anticipated permitting and stakeholder coordination will be researched and summarized.

Conceptual plans and estimates will be based on best available LiDAR information, field observations, City GIS stormwater data and information provided by City staff. City will provide additional survey information for ditches and pipe crossings located within City right-of-way and/or easements as necessary. An informal presentation will be conducted to City staff at conclusion of this work to share recommendations. Preliminary analysis and recommendations will be documented in a Technical Memorandum including conceptual plans and project cost estimate.

#### **Exhibit B** City of Palm Coast Crandall Cove (F-Section) Conceptual Drainage Improvements, **Compensation Breakdown**

### **DRMP Salary Cost**

Division Manager Hours \$210.00	Senior Project Manager Hours \$150.00	GIS Analyst III Hours \$120.00	Engineer II Hours \$90.00	Administrative Support II Hours \$65.00	Line Item Hours	Line Item Costs
	-	•	•			
1	2	0	6	0	8	\$912.00
2	7	0	13	0	22	\$2,640.00
0	3	41	66	0	110	\$11,267.55
1	6	14	49	0	70	\$7,224.00
0	2	14	20	4	40	\$4,040.00
4	4	0	7	0	14	\$1,890.00
9	20	0	0	0	29	\$4,834.20
17	43	69	161	4		
\$3,471.83	\$6,409.13	\$8,221.80	\$14,445.00	\$260.00		
	Hours \$210.00  \$210.00  1  2  0  1  0  4  9	Division Manager Hours  \$210.00 \$150.00  1 2 2 7 0 3 1 6 0 2 4 4 9 20	Division Manager Hours         Manager Hours         GIS Analyst III Hours           \$210.00         \$150.00         \$120.00           1         2         0           2         7         0           0         3         41           1         6         14           0         2         14           4         4         0           9         20         0	Division Manager Hours         Manager Hours         GIS Analyst III Hours         Engineer II Hours           \$210.00         \$150.00         \$120.00         \$90.00           1         2         0         6           2         7         0         13           0         3         41         66           1         6         14         49           0         2         14         20           4         4         0         7           9         20         0         0           17         43         69         161	Division Manager Hours         Manager Hours         GIS Analyst III Hours         Engineer II Hours         Support II Hours           \$210.00         \$150.00         \$120.00         \$90.00         \$65.00           1         2         0         6         0           2         7         0         13         0           0         3         41         66         0           1         6         14         49         0           0         2         14         20         4           4         4         0         7         0           9         20         0         0         0         0	Division Manager Hours         Manager Hours         GIS Analyst III Hours         Engineer II Hours         Support II Hours         Line Item Hours           \$210.00         \$150.00         \$120.00         \$90.00         \$65.00           1         2         0         6         0         8           2         7         0         13         0         22           0         3         41         66         0         110           1         6         14         49         0         70           0         2         14         20         4         40           4         4         0         7         0         14           9         20         0         0         0         29

DRMP Salary Cost 292 \$32,807.75

### **DRMP Reimbursables**

Description		Jnit Cost	No.	Cost		Notes
Mileage	\$	0.40	510	\$	204.00	per mile, estimated 3 trips
Xerox - 8.5x11 Color	\$	0.31	-	\$	-	
Color Plot on Heavy Paper (\$4.45 per sq.ft. for 24 x 36)	\$	26.70	-	\$	-	

Reimbursable Cost 204.00

#### **Total Fee Computations**

T. (-1.0)	MOO 044 75
Reimbursable Cost	\$204.00
DRMP Salary NTE Cost	\$32,807.75

\$33,011.75 **Total Cost** 

## Exhibit B, City of Palm Coast, Crandall Cove (F-Section) Conceptual Drainage Improvements, Manhours Breakdown

Tasks and Sub-Tasks	Unit of	Number	Hours per	Total	Summed	Notes
	Measure	of Units	Unit	Hours	Hours	
1.0 Desktop Data Collection					8	
Review data sources, including: LiDAR terrain, GIS stormwater inventory, SJRWMD ERP files, soils maps, land use maps, as-built drawings of drainage systems, existing modeling, and other historical drainage information.	LS	1	8	8		
2.0 Field Review					22	
Conduct field review with City maintenance staff to document past flooding and drainage maintenance problems, review current condition of swales, driveway culverts, roadways, ditches, cross-drains, and canals.	EA	2	g	16		
Document review with photographs and field review minutes.	LS	1	6	6		
3.0 Surface Water Modeling					109.5	;
Develop detailed model for study area as depicted on exhibit covering 405 acres.  Anticipate setting tailwater conditions at several discharge points based on results from primary systems model.						
Delineate drainage basins and determine hydrology parameters, estimate 80-20=60 basins (1/4 sub-divided by Singhofen in previous modeling) Set up nodes and hydraulics of model based on best available information (100-	EA Basin	60	0.4	24		
25=75).	EA Node	75	0.5	37.5		
Run existing conditions model for 5, 10, 25 year events and verify results.  Analyze proposed improvements for flood control benefit and present model results in	LS	1	24	24		
table(s).	LS	1	24	24		
4.0 Conceptual Project Development					70	
Develop recommended drainage improvements concepts that could include ditch and/or culvert upgrades	LS		30	30		
Draft exhibits including plan, typical sections, and swale/ditch profiles	LS		30	30		
Project Cost Estimates (Design, Permitting, Construction)	LS	1	10	10		
5.0 Technical Memorandum					40	
Develop technical memorandum to document preliminary work and recommendations including color exhibits and cost estimates.	LS	1	40	40		
6.0 Meetings					14	
Progress Meetings	EA	1	6	6		
Informal Presentation of Recommendations	EA	1	8	8		
7.0 Project Management					29	
Project Management	EA Month	4	4	16		Progress will be tracked by progress reports, e-mails, and teleconferences.
QA/QC	5% of Total	1	13	13		5% of total hours
				atal Haura	202	

Total Hours = 292

## Exhibit C





This Work Order shall be incorporated in and become part of the Contract for Professional Stormwater and Environmental Engineering Services between City of Palm Coast (CITY) and DRMP, Inc. (DRMP), RFQ-SW-18-10 dated December 18, 2018 hereafter referred to as the Contract.

#### A. PROJECT BACKGROUND

The City intends to perform drainage improvements along the east end of Rymfire Drive by improving conveyance from four (4) cul-de-sac's on the north side of the road per recommendations from DRMP as documented in a technical memorandum dated February 20, 2019. The recommendations include installation of a ditch bottom inlet system along the north side of Rymfire Drive with a piped connection under the road with an outfall into the Belle Terre Parkway roadside ditch that flows southward into the Royal Palms Waterway. The City will provide topographic and right-of-way survey with horizontal location of utilities based on designates. Please refer to **Exhibit A** for a map depiction of the project limits.

The following paragraphs describe in more detail the scope of services that are anticipated to be performed by DRMP.

#### **B. SCOPE OF WORK**

#### 1.0 <u>Data Collection</u>

#### 1.1 Subsurface Utilities Engineering (SUE)

DRMP will support City survey work with SUE as further described in the attached proposal included as **Exhibit B**.

#### 1.2 Geotechnical Investigation

Universal Engineering Sciences will provide field geotechnical investigation including estimation of seasonal high groundwater conditions, soil boring profiles and classifications, and pavement cores in Rymfire Drive for pavement reconstruction. For scope and fee associated with this work, please refer to **Exhibit C**.

#### 2.0 Final Design with Report

DRMP will perform final design for the proposed drainage improvements by updating the modeling based on survey and utility information collected for this project. Final design will include evaluation of whether to improve connection of the four (4) cul-de-sac's to the Rymfire system by regrading the swales or by installation of ditch bottom inlets and piping. DRMP will document the design in a brief report.

#### 3.0 Utility Coordination

DRMP will compile the listing of contact information for utility companies with facilities in the area. DRMP will provide the utility contacts with construction plans for review. DRMP will coordinate with the utility companies for confirmation of the locations and types of facilities present. DRMP will coordinate with the utility contacts to work out plans as necessary to relocate or maintain the utilities in order to construct the proposed drainage facilities. Utilities are anticipated to be located in the vicinity at the cul-de-sac's, and running along Rymfire Drive. Actual construction plans for any utility relocations are not included in this work.

#### 4.0 Construction Plans

The construction plan set will consist of the following components with the estimated number of plan sheets in parentheses:

- Cover Sheet (1)
- Summary of Quantities/Project Directory/General Notes (1)
- Project Layout/Survey Data (under separate cover provided by City)
- Plan Sheet (1" = 40' scale) (3)
- Profile Sheet, Double Panel (1" = 40' scale) (2)
- Miscellaneous Details (1)
- Stormwater Pollution Prevention Plan (SWPPP) (1)
- Maintenance of Traffic Sheet

#### Total of 10 sheets

It is anticipated that maintenance of traffic (MOT) may involve phasing of the construction with lane closures. A plan sheet will include phasing details supported by notes and references to FDOT standards. Erosion control items for construction will be shown on the plan sheets.

Under this task, DRMP will compile a construction plan set (11" x 17" size) for utilization by a Contractor for construction of the proposed stormwater improvements. Construction plans will be submitted and reviewed by City personnel at the 90% and final levels of completion. DRMP will also provide estimates of construction cost with the plan submittals. DRMP will meet with City staff to discuss review comments and incorporate modifications into drawings at 90% completion.

DRMP will provide preliminary sets of the construction plans at 90% and final levels of completion to known utilities providers for the area. DRMP will coordinate with utility owners and incorporate additional information into the project design to accommodate protection or relocation of utilities by others.

#### 5.0 Permit Coordination

Since this project involves diversion of stormwater between ditch systems, it is anticipated this project will require an Individual Environmental Resource Permit from the SJRWMD (for stormwater retrofit projects). This task includes advance coordination with SJRWMD, preparation and submittal of a permit package, and addressing up to one (1) Request for Additional Information (RAI). This task also includes the submittal of request for permit exemption from Army Corps of Engineers (ACOE). Note that no permit or exemption fees are included in this proposal.

Please note that based on the preliminary project limits, disturbed project area will exceed the one (1) acre threshold for needing an NPDES Construction General Permit for stormwater during construction. A stormwater pollution prevention plan (SWPPP) will be provided in the plan set, and the City will be responsible for submitting the Notice of Intent (NOI) to use the general permit and for following requirements under the permit.

#### 6.0 Project Management and QA/QC

DRMP will attend a kick-off, progress meetings as desired by the City, and a final meeting through the course of design. Progress meetings are anticipated to occur as needed to discuss progress and resolve issues. DRMP will keep the City informed about the progress of the design with regular email, telephone calls, and monthly written progress reports.

DRMP will perform QA/QC of the design and construction plans and ensure quality deliverables to the City.

#### C. DELIVERABLES

DRMP will provide to the City the following deliverables:

- 1. Five (5) sets of Construction Plan Sets at 90% and final completion
- 2. Two (2) sets of Final Design Report
- 3. One (1) copy of the Construction Cost Estimate at each level of completion
- 4. Mailed or e-mailed copy of all external correspondence related to the project

#### D. CITY RESPONSIBILITIES

In order to conduct the scope of work outlined above, the City will provide the following:

- 1. City to provide topographic survey (including utility locates) of the project area.
- 2. City to provide separate payment of any permitting or exemption fees.
- City to coordinate submission of a Notice of Intent (NOI) to utilize the NPDES general permit for stormwater during construction.

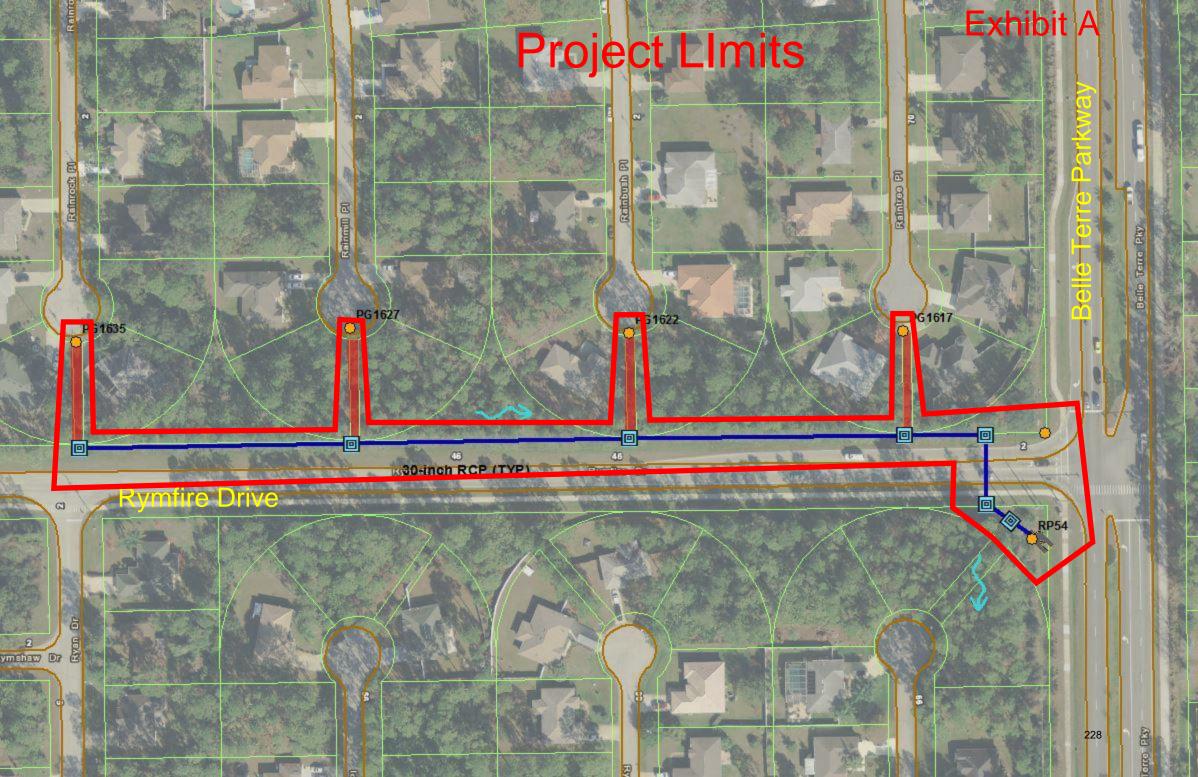
#### E. SCHEDULE

DRMP is prepared to begin work upon approval of this proposal and receipt of the survey CAD files. Anticipated duration for submittal of project documents at 90% completion is **four (4) months** from notice to proceed (NTP) and receipt of the complete survey CAD files. The City will provide comments from the 90% review within **10 days**. Final project documents will be provided within **two (2) months** of receipt of the 90% review. Total duration of the project is estimated at **eight (8) months** in order to allow time to secure the SJRWMD permit.

#### F. COMPENSATION

Compensation for this Scope of Work will be paid on a not-to-exceed basis, in the amount of **\$49,187.53** as detailed in **Exhibit D** with estimated manhours for each task and hourly rates of staff. The project will be invoiced to the City on a monthly basis based on manhours spent at the time of billing.

4/3/2019 Page 4 of 4



#### DRMP, INC.

**PRINCIPALS** 

Wayne D. Chalifoux Donaldson K. Barton, Jr. Glenn J. Lusink Jon S. Meadows Mark D. Prochak Mark E. Puckett Lawrence L. Smith, Jr.



941 Lake Baldwin Lane, Orlando, Florida 32814 Phone: 407.896.0594 | Fax: 407.896.4836

Exhibit B

Date: March 29, 2019

John L. Minton Jr, P.E. Project Manager DRMP, Inc. Water Resources 941 Lake Baldwin Lane Orlando, FL 32814

Subject: Subsurface Utility Engineering (SUE) services for the City of Palm Coast Rymfire Dr, Flagler County, Florida.

#### **SERVICES TO BE PERFORMED**

DRMP, Inc. is submitting the following proposal for Subsurface Utility Engineering (SUE) Services on the above subject location shown in attached exhibit.

The following is our proposal:

#### SCOPE OF SERVICES

#### TASK 1 SUBSURFACE UTILITY ENGINEERING

DRMP will provide Subsurface Utility Engineering (SUE) services for the mapping effort of the subsurface utilities along Rymfire Dr from Ryan Dr to Belle Terre Parkway. The subsurface utility designating effort will be performed in accordance with the State of Florida Underground Facility Damage Prevention and Safety Act, Chapter 556, Florida Statutes. All work shall conform to ASCE C-1 38 -02 utilizing quality levels A and B.

DRMP will perform Underground Utility Designation of approximately four (4) utilities along Rymfire Dr from Ryan Dr to Belle Terre Parkway. Also included is designation of the southern portions of 4 cul-de-sacs and ditch lines running south to Rymfire Dr. These cul-de-sacs include, Rainrock Pl, Rainmill Pl, Rainbush Pl and Raintree Pl. Quality level "A" VVH's will be performed on the north side of Rymfire Dr, 4 at each end of project for the existing utilities. This is a total of 8 VVH's. See attached exhibit showing the limits of work. DRMP will not be providing the survey of the utilities.

#### I. Quality Level B (QL B): Utility Designation

Our staff coordinates with utility owners and begins the subsurface utility designation utilizing electromagnetic (EM) and ground penetrating radar (GPR) techniques to mark (paint or flag) underground utilities. DRMP also "Sweeps" back through the project corridor using the same techniques to identify the existence of underground utilities that were not identified in the utility research phase. During the process of the field work, DRMP takes detailed notes regarding the type, and ownership of the utilities, if known. This information is documented utilizing field sketches on a subsurface utility form. DRMP can not be held responsible for any unforeseen utilities not known to us.

#### **OFFICES**

Boca Raton Florida Charlotte, North Carolina Chipley, Florida Fort Myers, Florida Gainesville, Florida Jacksonville, Florida Lakeland, Florida Melbourne Florida Orlando, Florida Panama City, Florida Pensacola, Florida Raleigh, North Carolina Tallahassee, Florida Tampa, Florida

> 1.833.811.3767 www.DRMP.com



#### II. Quality Level A (QL A): Utility Location and Mapping (Vacuum Excavation)

DRMP exposes and records the vertical and horizontal location of the underground utility or structure. The test hole is performed using vacuum excavation equipment. It determines the depth of the utility from existing grade and its estimated size and material. Basic maintenance of traffic is provided, including traffic cones and lane closure(s). The test hole is backfilled with the material removed, and the surface's restored to its previous condition. In pavement, the test hole is repaired with cold patch bituminous material. A survey marker is installed directly over the centerline of the utility system at grade. Finally, a test-hole report is prepared summarizing the above information. DRMP will provide up to 8 VVH's along Rymfire Dr.

#### **Consultant's Responsibilities (Designating)**

DRMP will designate the approximate horizontal location of existing utilities for this project by means of surface paint markings and flags. Locating underground utilities is not an exact science. DRMP, therefore, expresses no guarantees that using one or any of the aforementioned techniques will identify all utilities. Project owner and/or any of its sub-contractors shall hold harmless and indemnify DRMP against any losses as a result of limitations within the equipment, but not against negligence on the part of DRMP or its employees. Hand digging is required in all situations when excavating within 24" of DRMP's markings. DRMP by no means guarantees or warrants these markings to be exact for any utilities and accepts no responsibility for any utility damages, down-time, delays, etc., from use of our designating services. By signing this agreement, the client accepts all liability for any claims and damages.

#### **CONDITIONS – Locating of Underground Utilities for Pre-Excavation**

- Utility Locations are provided for design purposes only, in an attempt to prevent or reduce the likelihood of damage during excavation.
- Areas to be surveyed with GPR must be level and free of obstructions.
- Results are dependent upon field conditions at the time of locating services.
- DRMP's inability to complete the project due to conditions outside DRMP's control does not void this contract. APWA Standards are used for marking.
- DRMP is not responsible for moved, altered, or obliterated marks or for maintaining marks. If marks are destroyed, DRMP may impose an additional fee to relocate / remark facilities
- If underground facilities are damaged, whether marked by DRMP or not, it is your obligation to notify a representative of DRMP within 48 hours of the damage.
- Prior to excavation, customer is responsible for securing locations of public utilities through Sunshine State One Call of Florida (800-432-4770 or 811).

If City of Palm Coast desires to change or expand upon these proposed services, an additional fee shall be negotiated. This renegotiation shall be accomplished prior to commencing the additional work.

Reimbursable such as overnight mailings, sending electronic files, copying charges, blueprinting costs, plotting of extra drawings not covered herein, delivery, shipping, or rush charges, etc. will be billed as an Extra cost on a Time, Materials and Expense basis.

It may be necessary for the Project Manager to call the client to receive verification and authorization for Extra Costs stated above in the preceding paragraph and may further require the client to sign an Additional Work Authorization Form for any out-of-scope requests.



The following summarizes the fees and billing terms as proposed by DRMP for the Scope of Services as presented herein. All application/impact and other fees will be paid directly to the appropriate agencies by the Client and are not included herein.

ST. PARTY DA	YS (10) HR	DAYS		DAILY RAT		URVEY	COSTS				
1.7	TWO (2) M	lan	@	\$1,400.00		\$2,3	62.50				
1.1	THREE (3)	Man	@	\$2,050.00		\$2,3	06.25				
	FOUR (4) N	Man	@	\$2,421.90							
					S	UBTOT	ALSURVI	EY COSTS	=	\$4,6	68.75
OFFICE	SUPPORT:			HR RATE	0	FFICE	SUPPORT	COSTS			
0.4	Sr PLS			\$155.00		\$6	5.88				
2.5	Manhours	(Reg. Land Su	rv.) @	\$135.00		\$33	37.50				
6.0	Manhours	(Technician)	@	\$95.00		\$57	70.00				
					S	UBTOT	AL OFFIC	E SUPPOR	Γ =	\$97	3.38
					OVERNIGHT T	RAVEL/E	EXPENSES	(See Itemiza	tion below)		
							TOTAL	URVEY COS	T.C.	¢F.G	42.13

We sincerely appreciate this opportunity to provide professional services for this project. DRMP will add this project to the field schedule immediately upon Notice to Proceed (NTP). If you have any questions regarding this proposal, please feel free to contact me.

Sincerely, **DRMP**, **Inc.** 

**David Sullivan CST IV** 

Date

03/29/2019

SUE Manager

#### YOUR TICKET NUMBER IS 087911987.

RYMFIRE DR

Ticket: 087911987 Rev:000 Taken: 03/28/19 16:09ET State: FL Cnty: FLAGLER GeoPlace: PALM COAST CallerPlace: PALM COAST Subdivision: Address: Street : RYMFIRE DR Cross 1 : RYAN DR Within 1/4 mile: Y Cross 2 : BELLE TERRE PKWY Locat: DESIGN TICKET ONLY. LOOKING FOR INFO ON BURIED UTILITIES ALONG DR FROM RYAN DR TO BELLE TERRE PARKWAY Remarks: DESIGN TICKET ONLY. LOOKING FOR INFO ON BURIED UTILITIES ALONG RYMFIRE DR FROM RYAN DR TO BELLE TERRE PARKWAY IN RESPONSE TO RECEIPT OF A DESIGN TICKET, SSOCOF PROVIDES THE ORIGINATOR OF THE DESIGN TICKET WITH A LIST OF SSOCOF MEMBERS IN THE VICINITY OF THE DESIGN PROJECT. SSOCOF DOES NOT NOTIFY SSOCOF MEMBERS OF THE RECEIPT BY SSOCOF OF A DESIGN TICKET. IT IS THE SOLE RESPONSIBILITY OF THE DESIGN ENGINEER TO CONTACT SSOCOF MEMBERS TO REQUEST INFORMATION ABOUT THE LOCATION OF SSOCOF MEMBERS' UNDERGROUND FACILITIES. SUBMISSION OF A DESIGN TICKET WILL NOT SATISFY THE REQUIREMENT OF CHAPTER 556, FLORIDA STATUTES, TO NOTIFY SSOCOF OF AN INTENT TO EXCAVATE OR DEMOLISH. THAT INTENT MUST BE MADE KNOWN SPECIFICALLY TO SSOCOF IN THE MANNER REQUIRED BY LAW. IN AN EFFORT TO SAVE TIME ON FUTURE CALLS, SAVE YOUR DESIGN TICKET NUMBER IF YOU INTEND TO BEGIN EXCAVATION WITHIN 90 DAYS OF YOUR DESIGN REQUEST. THE DESIGN TICKET CAN BE REFERENCED , AND THE INFORMATION CAN BE USED TO SAVE TIME WHEN YOU CALL IN THE EXCAVATION REQUEST. \*\*\* LOOKUP BY BETWEEN \*\*\* Grids : 2930C8113A 2930C8113B 2930C8113C 2930C8113D 2930C8114D Work date: 03/28/19 Time: 16:13ET Hrs notc: 000 Category: 6 Duration: 02 DAYS Due Date: 04/01/19 Time: 23:59ET Exp Date: 04/29/19 Time: 23:59ET Work type: SURVEY Boring: N White-lined: N Ug/Oh/Both: U Machinery: N Depth: O Permits: N N/A Done for : CITY OF PALM COAST Company : DRMP INC Type: OTHR

Co addr : 941 LAKE BALDWIN LN

City : ORLANDO State: FL Zip: 32814
Caller : DAVE SULLIVAN Phone: 407-896-0594

BestTime: 8-5

Email : DSULLIVAN@DRMP.COM

Submitted: 03/28/19 16:09ET Oper: DAV Chan: WEB

Mbrs: FPLFLA PC1641 PCC833 PCU338 SB2186 SBF02 SL1086

Service Area Code	Service Area Name	Contact	Phone Numbers	Utility Type
FPLFLA	FLORIDA POWER & LIGHTFLAGLER	JOEL BRAY	Day: (386) 586 - 6403	ELECTRIC
PC1641	CITY OF PALM COAST	JAMES MAJCEN	Day: (386) 986 - 4752 Alt: (386) 931 - 4706	FIBER
PCC833	CHARTER COMMUNICATIONS	KEVIN GALBREATH	Day: (813) 684 - 6100	CATV
PCU338	CITY OF PALM COAST UTILITY DEPARTMENT	GEMSTONE CONTRACTORS INC	Day: (386) 864 - 0287 Alt: (386) 569 - 1832	WATER, SEWER
SBF02	A T & T/ DISTRIBUTION	DINO FARRUGGIO	Day: (561) 997 - 0240	TELEPHONE
SL1086	UNITI FIBER LLC	D J MCAULEY	Day: (251) 259 - 0807	FIBER





March 28, 2019

Mr. John Minton Jr., P.E., CFM DRMP, Inc. 941 Lake Baldwin Lane Orlando, Florida, 32814

Reference: PROPOSAL FOR GEOTECHNICAL EVALUATION

> Rymfire Drive Drainage Improvements Palm Coast, Flagler County, Florida UES Proposal No. 2019D-309

**UES Opportunity No. 0430.0319.00033** 

Dear Mr. Minton,

Universal Engineering Sciences (UES) appreciates the opportunity to submit a proposal for geotechnical engineering services for the above referenced project in Palm Coast, Florida.

#### PROJECT INFORMATION

Project information has been provided to us during correspondence with you. We were provided with a site plan indicating the project limits. It is our understanding the project will span approximately 1,100 linear feet along Rymfire Drive and will consist of installing underground utilities that are proposed to bear approximately 10 feet or less below existing grade. We also understand that the existing pavement will need to be evaluated.

#### **SCOPE OF SERVICES**

As requested, we will perform five (5) Standard Penetration Test (SPT) borings to approximately 15 feet each below existing grade within the proposed utility installation areas. We will also perform two (2) cores within the existing roadway. The SPT borings will be performed in accordance with ASTM D-1586.

The data obtained from our field and laboratory investigation will be evaluated to provide the following information and recommendations:

- General soil stratigraphy;
- Current water table and estimation of normal seasonal high groundwater level;
- Presence or lack of marginal soils:
- Roadway core analysis; and
- General underground utility design recommendations;

#### LOCATIONS:

- Atlanta
- Daytona Beach
- Fort Myers
- Fort Pierce Gainesville
- Jacksonville
- Kissimmee
- Leesburg
- Miami
- Ocala
- Orlando (Headquarters)
- Palm Coast
- Panama City
- Pensacola Rockledge
- Sarasota
- Tampa
- West Palm Beach

UES Proposal No. 2019D-309 March 28, 2019

#### **AUTHORIZATION AND FEES**

We would be able to begin field work within two weeks of authorization and a final report would be complete within the approximately two weeks of completed field.

We will perform the proposed work for a lump sum fee of \$2,400.00. To initiate our services, please sign and return a copy of the attached Proposal Acceptance/Work Authorization form.

We appreciate the opportunity to offer our services and look forward to working with you on this project. Please feel free to call us with any questions at your convenience at (386) 756-1105.

Respectfully submitted,

Calf within

#### **UNIVERSAL ENGINEERING SCIENCES**

Cody Wilson Project Manager Brian C. Pohl, P.E. Branch Manager

Pac Paul

Attachments

CW/BCP/cme

#### **Exhibit D** City of Palm Coast Rymfire Drive Drainage Improvements **Professional Engineering Services** Compensation Breakdown

## **DRMP Salary Cost**

Title/Job Description	Department Manager II Hours	Senior Project Manager Hours	GIS Analyst III Hours	Engineer II Hours	Administrative Support II Hours	Line Item Hours	Line Item Costs
Personnel Hourly Rate	\$210.00	\$150.00	\$120.00	\$90.00	\$65.00		
Element and Task Descriptions							
1.0 Data Collection							
1.1 Subsurface Utilities Engineering (SUE)	See attached fee brea		\$5,642.13				
1.2 Geotechnical Investigation	See attached fee brea	akdown					\$2,400.00
2.0 Final Design with Report	2	6	12	20	4	44	\$4,820.00
3.0 Utility Coordination	0	4	0	18	14	36	\$3,130.00
4.0 Construction Plans	4	12	20	98	0	134	\$13,860.00
5.0 Maintenance of Traffic Plan	0	2	0	22	0	24	\$2,280.00
6.0 Permit Coordination	4	16	0	56	4	80	\$8,540.00
7.0 Project Management and QA/QC	38 0 0 0 0						\$8,013.60
Total Hours	48	40	32	214	22		
Total Costs by Category	\$10,113.60	\$6,000.00	\$3,840.00	\$19,260.00	\$1,430.00		

DRMP Salary Cost 356 \$48,685.73

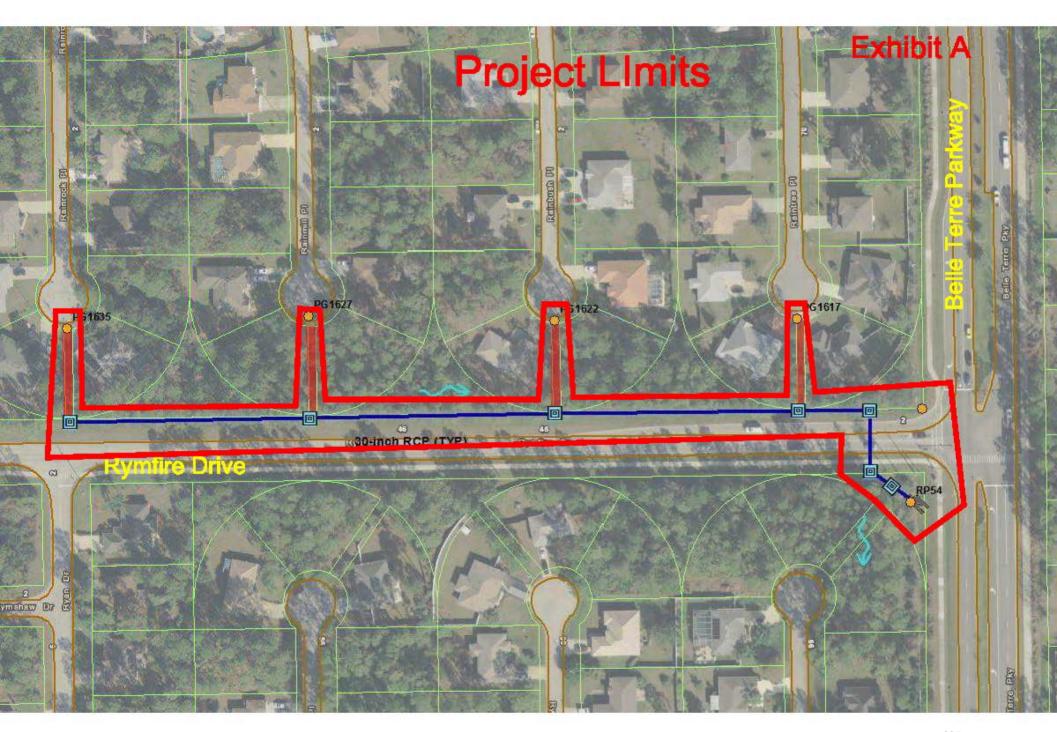
## **DRMP Reimbursables**

Description	Unit Cost	No.	Cost	Notes	
Mileage	\$ 0.55	680	\$ 374.00	per mile, estimated 4 trips	
Xerox - 11x17 Plans	\$ 0.45	160	\$ 72.00	estimated 16 sets	
Xerox - 8.5x11 Color	\$ 0.31	180	\$ 55.80	estimated 6 sets	

Reimbursable Cost 501.80

### **Total Fee Computations**

DRMP Salary NTE Cost	\$48,685.73
Reimbursable Cost	\$501.80
Total Cost	\$49,187.53



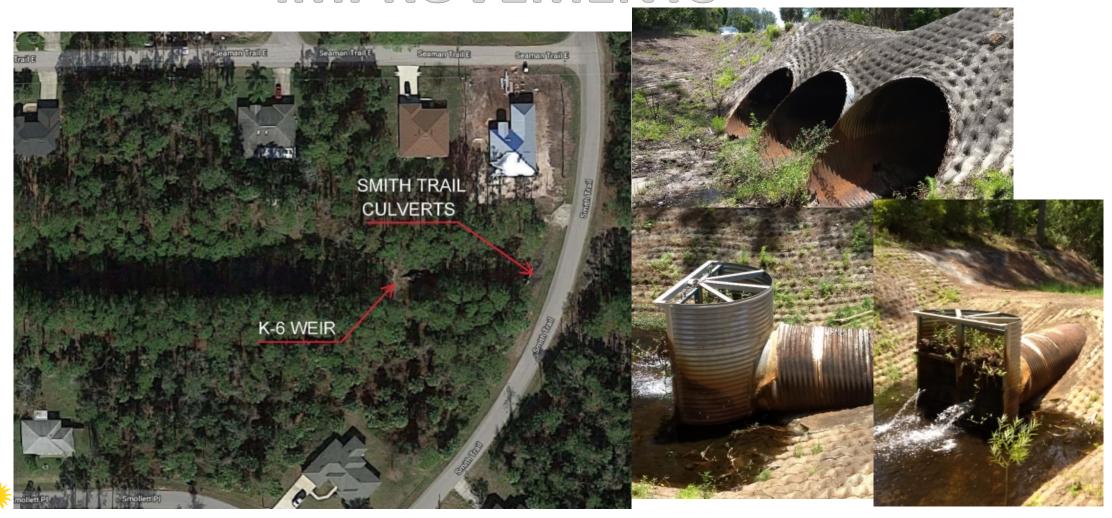


City Council Workshop Tuesday, May 28<sup>th</sup> 2019



Find Your Florids

# K-6 WEIR/SMITH TRAIL STORMWATER () () IMPROVEMENTS









- Replace existing infrastructure that is currently in disrepair and indicating signs of potential structural failure
- Improve conveyance
- Improve/increase potential for flood protection/control
- Harden infrastructure and increase design life by replacing existing metal pipes with reinforced concrete structures
- Provide remote monitoring and control capabilities (SCADA)



## E-SECTION STORMWATER IMPROVEMENTS





## **Project Objectives:**

- Improve conveyance, capacity, & water quality in Eisenhower and Easthampton Waterways
- Improve level of performance for swale system within E-Section Drainage Basin





## F-SECTION STORMWATER







## **Project Objectives:**

- Develop Surface water model for 405-acre drainage basin Determine recommendations for improvements to existing
  - ditches and culvert crossings
- Develop plans/recommendations for improving level of service for neighbourhood swales





# R-SECTION/RYMFIRE STORMWATER IMPROVEMENTS







Proposed Improvements





- Improve conveyance from four cul-de-sacs north side of Rymfire Drive
- Reduce potential for flooding in cul-de-sacs
- Improve conveyance for swale system on Rainrock, Rainmill, Rainbush, Raintree Drives
- Provide secondary/backup system in the event cul-de-sac and/or Rymfire swales become blocked by debris or vegetation



## Project Schedule & Budget

- Complete preparation of design, permitting, and construction documents for K-6 & Smith Trail in FY19

   Begin Construction January 2020
- Complete design, permitting, and construction documents for R-Section in Q1 of FY20 Solicit bids/begin construction in Q2 FY20
- Develop concepts, cost estimates, and strategies for improving drainage in F-Section during Q4 of FY19 and Q1 of FY20
- Complete design, permitting, and preparation of construction documents for E-Section Q2 of FY20 Issue for bids in Q3 of FY20
- Design and permitting costs are within FY19 approved stormwater budget
  - K-6/Smith Trail Design & Permitting: \$101,746
  - R-Section/Rymfire Design & Permitting: \$38,207
  - F-Section Conceptual Design: \$33,012
  - E-Section Design & Permitting: \$180,000



## **QUESTIONS?**



## City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

**Department** Stormwater & Engineering Amount \$128,234.00

**Item Key** Account 54205509-63000-55001

Subject RESOLUTION 2019-XX APPROVING A WORK ORDER WITH GAI

CONSULTANTS, INC. FOR THE DESIGN AND CONSTRUCTION SERVICES FOR REPLACEMENT OF THE SURFACE WATER CONTROL

STRUCTURES/ROAD CROSSING KNOWN AS K-6

#### Background:

#### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

#### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

The Surface Water Control Structure (SWCS) and Road Crossing both known as K-6 are located along Smith Trail near the intersection of Seaman Trail E and Smith Trail and are currently two separate facilities. The intent of the project is to combine the two structures to function as one. The SWCS K-6 weir itself has been repaired several times in the past and is relatively inaccessible for maintenance and construction activities. The nearby culvert crossing, also named K-6, consists of corrugated metal pipes that have received several repairs in the past... mainly due to the fact that they have been in the ground 40-50 years and are at the end of their expected life span. Reconstruction of these facilities will improve access for maintenance, reduce potential for flooding or overtopping of roadway during severe storm events, provide greater control of surface water elevations, protect downstream infrastructure, reduce erosion, and provide greater structural integrity.

City staff negotiated a scope and lump sum fee of \$101,746.00 for Design services, and an hourly-based fee not to exceed \$26,488.00 for Construction services with GAI Consultants, Inc. City staff has determined that the cost for the design services are reasonable and fair and are consistent with these types of services for a project of this size and scope. Funds for this project have been budgeted for out of FY 2019 control structure replacement account.

#### SOURCE OF FUNDS WORKSHEET FY 19

IMPR-Control Structure Replacement 54205509-063000-55001	\$ 720,000.00
Total Expended/Encumbered to Date	\$ 7,625.81
Pending Work Orders/Contracts	\$ 128,234.00
Balance	\$ 584,140.19

#### **Recommended Action:**

Adopt Resolution 2019-XX approving a work order with GAI Consultants, Inc. for design and construction services for replacement of the surface water control structures/road crossing known as K-6.

#### RESOLUTION 2019-\_\_\_\_ REPLACEMENT OF K/6 WATER CONTROL STRUCTURE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A WORK ORDER WITH GIA CONSULTANTS, INC., FOR DESIGN AND CONSTRUCTION SERVICES FOR THE REPLACEMENT OF THE SURFACE WATER CONTROL STRUCTURES/ROAD CROSSING KNOWN AS K-6; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, GIA Consultants, Inc., has expressed a desire to provide design and construction services for the City of Palm Coast; and

**WHEREAS**, the City Council of the City of Palm Coast desires for GIA Consultants Inc., to complete the above referenced services.

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 the work order with GIA Consultants 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 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.

Resolution 2019-\_\_\_ Page 1 of 2 **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 4<sup>th</sup> day of June 2019.

	CITY OF PALM COAST, FLORIDA
ATTEST:	MILISSA HOLLAND, MAYOR
VIRGINIA A. SMITH, CITY CLERK	
Attachment: Exhibit "A" – WO with GIA	. Consultants, Inc.
Approved as to form and legality	
William E. Reischmann, Jr., Esq. City Attorney	





Jacksonville Office 1301 Riverplace Boulevard Suite 900 Jacksonville, Florida 32207

April 26, 2019

GAI Project No. P181051.02

Mr. Carmelo Morales, P.E. Stormwater Engineer City of Palm Coast 160 Lake Avenue Palm Coast, FL 32164

#### Proposal for Professional Services K-6/Smith Trail Stormwater Control Structure Replacement – Bidding and Construction Services Palm Coast, Florida

Dear Mr. Morales:

Transmitted herewith is GAI's proposal for professional engineering services to provide bidding services and services during construction for the replacement of the existing K-6/Smith Trail stormwater control structure.

Please do not hesitate to contact me directly at 772-519-0660 if you have any questions or wish to discuss this Proposal. GAI's performance of this Scope of Services will be governed by the existing Terms and Conditions between GAI Consultants, Inc. and the City.

Sincerely,

**GAI Consultants, Inc.** 

Kathy Leo, P.E. Vice President

Jill Grimaldi, BCES Assistant Environmental Director

JG/JJA/KSL//jjl

cc: Mike Peel, City of Palm Coast Bob Baxter, GAI Consultants, Inc.

#### SCOPE OF WORK

The City of Palm Coast (City) previously authorized GAI Consultants, Inc. (GAI) to provide design services related to the replacement of surface water control structure (SWCS) K-6/ Smith Trail and the roadway crossing under the Smith Trail roadway. The previous authorization was intended to prepare a bid package for the replacement project, including:

- Removal of the existing triple 66-inch corrugated metal pipes (CMP) within the Seminole Waterway and replacement with a new concrete culvert;
- Replacement of road crossing under Smith Trail;
- Demolition of existing weir (K-6);
- Replacement of K-6 as standalone structure accessible from Smith Trail (or drop structure); and
- Roadway improvements/restoration including shoulder.

The following Scope of Services provides for assistance during bidding and oversight/construction administration during the construction phase.

#### **Scope of Services**

Based on GAI Consultants, Inc.'s (GAI) understanding of the project requirements/criteria provided to date by the City, GAI will perform the following described Scope of Services:

#### **Task 1 Bidding Services**

#### **Subtask 1.1 Pre-Bid Meeting**

GAI will prepare for and participate in a mandatory pre-bid meeting with potential bidders at the City's location of choice. GAI will also participate in a site visit immediately following the pre-bid meeting. Meeting minutes will be prepared and distributed via addendum within 2 days of the pre-bid meeting.

## Subtask 1.2 Response to Requests for Additional Information (RFI)/Clarification and Preparation of Addenda

During the advertisement period, GAI will address RFIs and/or requests for clarification at the request of the City's Purchasing Dept. As needed, GAI will prepare written responses to RFIs, prepare addenda (if needed), and generally support the Purchasing Dept., with needs prior to bid opening.

#### **Subtask 1.3 Review of Bids/Recommendation of Award**

Upon bid opening, GAI will review the bids received relative to the Engineer's Opinion of Probable Construction Cost (OPCC) prepared at the 60 percent design milestone, will evaluate the bids for completeness and accuracy, will verify references, and will prepare a recommendation of award based on the review. It is anticipated that City staff will prepare the agenda item for City Council approval and make presentation to the Council, if needed. No services are included for GAI to prepare or present City Council items. It is also anticipated that the City's purchasing agent will assemble conformed contract documents upon award of contract.

#### **Task 2 Services during Construction**

#### **Subtask 2.1 Construction Kickoff Meeting**

GAI will prepare for and participate in a construction kickoff meeting with the City and contractor to review contract expectations, schedule, procedures, communications, etc. GAI's project manager and project engineer will attend. GAI will prepare meeting minutes for distribution within five (5) business days of the kickoff meeting.

#### Subtask 2.2 Review Shop drawings, RFIs and Requests for Clarification

GAI will review shop drawings submitted by the contractor in accordance with the conformed contract documents and specifications. GAI will maintain a submittal log, a copy of which will be provided to the

City periodically during shop drawing reviews, to track review progress and expedite reviews. In addition, GAI will respond to up to four (4) requests for clarification/information (total) during construction.

#### **Subtask 2.3 Change Orders and Pay Applications**

GAI will address change order requests submitted by the contractor, if any, during construction. Responses to these requests will be coordinated with City staff prior to any final action that may affect project costs, schedule, overall intent or quality of the project.

GAI will also review monthly pay applications submitted by the contractor for alignment with construction progress, materials stored on site/installed, and any documented and approved delays. GAI will prepare a recommendation of payment for the City to accompany each pay application once reviewed. The contractor's final pay application, including release for retainage, will include review of documentation of releases of liens, punch list completion, and functional testing of the control equipment.

#### **Subtask 2.4 Construction Oversight**

GAI will provide construction oversight via a part-time resident project representative (RPR) for an average of 2 hours per week, as dictated by construction milestones, over the 12-week construction schedule. RPR will visually inspect all buried components prior to backfilling, witness any all compaction tests and any other components of the project that reasonably require visual confirmation/oversite during demolition. RPR will prepare daily field logs for record keeping purposes. The daily logs and regular communication with the RPR will assist with preparation of the permit certifications during project closeout. Copies of all daily field logs will be provided to City upon project completion. RPR will also maintain a photo log of construction activities.

GAI will prepare a punch list during the substantial completion inspection and will conduct one follow up inspection to confirm all items are addressed (at final completion). Upon final completion, GAI will review the as-built survey (to be provided by contractor) to serve as record drawings for the project.

#### **Subtask 2.4 Bi-Weekly Progress Meetings**

GAI will prepare for and participate in bi-weekly progress meetings (up to 6) with the contractor and the City throughout the 12-week duration of construction. Progress meetings will be held on site or in the City's office, depending on the agenda for the given month. GAI will prepare an agenda, schedule update (to be provided by contractor), submittal log update, a summary of work completed in the month prior as well as a forecast of upcoming work over the next 2-week period.

#### Schedule

GAI will begin work immediately upon receipt of the Notice-to-Proceed. The following are key milestone target completion dates:

Final Bid Package to City Procurement August 14, 2019 (completed under and

dependent on prior authorization)

City Procurement to Pre-Qualify August 21 through September 18, 2019

Advertise September 25, 2019
Bid Opening October 24, 2019

#### Award of Contract at October 29, 2019 Council Meeting

Notice of Award to Contractor

Commence Construction

Construction Complete (12 weeks)

Project Closeout

November 1, 2-019

January 6, 2020

March 27, 2019

April 24, 2020

### Compensation

GAI will provide the services described herein for a lump sum total fee of \$26,488, as detailed in **Table 1**, below. A breakdown of man-hours by task is provided in **Table 2**.

Table 1
Cost Detail by Task

Task	Description	Lum	p Sum Total
Task 1	Bidding Services	\$	4,340
Subtask 5.1	Pre-Bid Meeting	\$	1,755
Subtask 5.2	RFIs/Addenda	\$	2,135
Subtask 5.3	Review of Bids/Recommendation of Award	\$	450
Task 2	Services During Construction	\$	22,148
Subtask 2.1	Pre-Construction Kickoff Meeting	\$	2,473
Subtask 2.2	Shop Drawing Review	\$	3,916
Subtask 2.3	Change Orders and Pay Applications (3)	\$	3,139
Subtask 2.4	Construction Oversight (2 hrs/wk x 12)	\$	6,470
Subtask 2.5	Bi-weekly Progress Meetings (6)	\$	6,150
TOTAL		\$	26,488

Table 2 Labor Detail by Task

					Labor Category								
		Project ager	Senior Project Scientist		Senior Project Engineer	Se	nior Technical Leader	Project Administration					
Task	Description	\$ 203	\$ 225		\$ 150	\$	170	\$ 78		Total Labor	ODCs	Lump Sum	Total
Task 1	Bidding Services	4	1	10	4		4		0	\$ 4,340	\$ -	\$	4,340
Subtask 5.1	Pre-Bid Meeting	2		6	0		0		0	\$ 1,755	\$ -	\$	1,755
Subtask 5.2	RFIs/Addenda	2		2	4		4		0	\$ 2,135	\$ -	\$	2,135
										,	,	,	
Subtask 5.3	Review of Bids/Recommendation of Award	0		2	0		0		0	\$ 450	Ş -	\$	450
Task 2	Services During Construction	44	2	24	18		26		6	\$ 21,898.18	\$ 250	\$	22,148
Subtask 2.1	Pre-Construction Kickoff Meeting	2		6	2		2		1	\$ 2,473	\$ -	\$	2,473
Subtask 2.2	Shop Drawing Review	0		0	16		8		2	\$ 3,916	\$ -	\$	3,916
Subtask 2.3	Change Orders and Pay Applications (3)	6		6	0		2		3	\$ 3,139	\$ -	\$	3,139
Subtask 2.4	Construction Oversight (2 hrs/wk x 12)	24		0	0		8	·	0	\$ 6,220	\$ 250	\$	6,470
Subtask 2.5	Bi-weekly Progress Meetings (6)	12	1	12	0		6		0	\$ 6,150	\$ -	\$	6,150
TOTAL		48	Í	34	22		30		6	\$ 26,238	250	Ś	26,488

### **Payment**

GAI will prepare invoices monthly based on a percent complete and payment will be due within thirty (30) days of the date of the invoice. All other payment terms shall be in accordance with Master Contract.

### **Assumptions and Understandings**

GAI's Scope of Services, Schedule, and Compensation as set forth above have been prepared on the basis of the following assumptions and understandings:

- 1. Access to the project site(s) will be available to GAI personnel in a timely manner.
- 2. Client has provided all available information pertinent to GAI's scope of services.
- 3. Client will give GAI prompt notice whenever it observes or otherwise becomes aware of any development that affects the scope or timing of GAI's performance.
- 4. Construction services not to exceed 12 weeks without additional authorization (with construction oversight limited to 24 total hours).





Jacksonville Office 1301 Riverplace Boulevard Suite 900 Jacksonville, Florida 32207

April 29, 2019 GAI Project No. P181051.01

Mr. Carmelo Morales, P.E. Stormwater Engineer City of Palm Coast 160 Lake Avenue Palm Coast, FL 32164

Proposal for Professional Services K-6/Smith Trail Stormwater Control Structure Replacement Palm Coast, Florida

Dear Mr. Morales:

Transmitted herewith is GAI's proposal for professional engineering services related to the replacement of the existing K-6/Smith Trail stormwater control structure, including new remote controls, roadway crossing, and relocation of the structure closer to the Smith Trail roadway for ease of access and maintenance activities. The attached Scope of Services provides for design and permitting of the project, through preparation of a bid package. Bidding services and general services during construction will be provided under separate authorization.

Please do not hesitate to contact Jill Grimaldi directly at 772-519-0660 or Kathy Leo at 321-436-8175, if you have any questions or wish to discuss this Proposal. GAI's performance of this Scope of Services will be governed by the existing Terms and Conditions between GAI Consultants, Inc. and the City.

Sincerely,

**GAI Consultants, Inc.** 

Kathy Leo, P.E. Vice President

Jill Grimaldi, BCES Assistant Environmental Director

JG/JJA/KSL/snr/jjl

cc: Mike Peel, City of Palm Coast Bob Baxter, GAI Consultants, Inc.

### **SCOPE OF WORK**

The City of Palm Coast (City) has requested engineering services to replace surface water control structure (SWCS) K-6/ Smith Trail and the roadway crossing under the Smith Trail roadway. The project is located on the Seminole Waterway and consists of the following:

- Removal of the existing triple 66-inch corrugated metal pipes (CMP) and replacement with a new concrete culvert:
- Replacement of road crossing under Smith Trail;
- Demolition of existing weir (K-6);
- Replacement of K-6 as standalone structure accessible from Smith Trail (or drop structure);
- Roadway improvements/restoration including shoulder;
- Survey;
- Geotechnical evaluation;
- Review of historical stormwater modeling/design flow; and
- Project Management is included within each respective task below.

### **Scope of Services**

Based on GAI Consultants, Inc.'s (GAI) understanding of the project requirements/criteria provided to date by the City, GAI will perform the following described Scope of Services:

### Task 1 Kickoff Meeting

Within 5 days of receipt of the Notice to Proceed, GAI will prepare for and participate in a kickoff meeting with City staff to clearly establish the project objectives, detailed schedule, understanding and the basis of design. GAI will memorialize the discussions in meeting minutes to be distributed electronically within 2 days of kickoff meeting.

### Task 2 Data Collection/Evaluation and Field Investigation

GAI will review the information previously provided by the City, the additional information requested in Subtask 2.1, and the survey/geotechnical information collected in the field investigation (as detailed in Subtasks 2.2 and 2.3, below) for use in preparing the bid documents.

### **Task 2.1 Data Collection**

GAI will prepare a data request of information that is critical to the design of the replacement equipment. Information to be requested may include historical design documents/information, existing permit information, historical survey data (to be confirmed via new survey and LIDAR) and available drainage modeling. In addition, GAI will request data related to the upcoming water line and power line projects in the vicinity for coordination purposes. GAI understands that a stormwater model is currently being developed as part of the City's Master Plan project, and modeling information may be available for use by GAI on this project (even if not complete for the entire City). The City has already provided a copy of the original design model from the 1960s (estimated) that established the design base flow for the canal. GAI will utilize the design model and any information available from the Master Plan model to determine impacts, if any, for the changes to the weir structure. No new modeling is included in this scope of services.

#### Task 2.2 Geotechnical Evaluation

GAI will enlist a fully qualified geotechnical engineering subconsultant to perform the required geotechnical evaluation. Due to accessibility constraints, lane closure will be required for drilling operations. This evaluation will include performing two (2), 30-feet deep Standard Penetration Test (SPT) borings in the proposed culvert replacement headwall location. SPT will be performed continuously in the upper 10-feet of each boring and on 5-foot centers after that to the bottom of the borings. Each recovered soil sample will be visually classified in the field and a geologic log prepared for the soil borings.

Mr. Carmelo Morales, P.E. April 29, 2019 GAI Project No. A181051.01

Groundwater depth and any unusual subsurface conditions will be recorded on the boring logs. Representative portions of the recovered soil samples from the borings will be sealed and packaged for transportation to the subconsultant's laboratory for a more detailed analysis, as required. All soil samples will be classified in general accordance with ASTM D 2487 (Standard Classification of Soils for Engineering Purposes Unified Soil Classification System) guidelines.

This task assumes that there is no hazardous materials contamination at the site, that there are no major utility lines crossing the subject site and no existing septic systems in the vicinity of the borings.

Due to the nature of the equipment required to perform the test borings, some property disturbance should be expected. This task does include limited site clean-up including backfilling the boreholes with sand for safety considerations. Minimum restoration services (i.e. sod reparation, filling minor wheel ruts, etc.) will be included. Every effort will be made to minimize disturbances and damages; any repairs needed beyond those of minimal nature will be coordinated with City staff.

At the completion of the field and laboratory testing services, the subconsultant will prepare a geotechnical report under the direction of a registered professional engineer who specializes in geotechnical engineering consulting. The report shall contain the following information, at a minimum:

- Soil boring logs and classifications
- Existing groundwater levels and estimated seasonal high groundwater levels at the boring
- locations
- Recommendations for retaining wall design consisting of soil parameters.
- Recommendations for culvert installation and site preparation including excavation, and dewatering.

A PDF of the final geotechnical report will be provided to the City for record keeping purposes. The report will also be incorporated as an attachment to the bid package.

#### Task 2.3 Site Survey

GAI will utilize LIDAR and as-built survey data to determine side slope and top of bank restoration for the section of the canal where the existing structure is removed. GAI anticipates that additional survey will be required to confirm locations and elevations for the new structure. GAI will perform a survey of the proposed weir location (including firm bottom elevation, top of bank, cross section, etc.) for use a as basis of design, as well as survey of the roadway (crown, edge of pavement, profile (if needed), etc.). As-built survey of the restored canal section (post demolition of existing structure), the new weir, and the restored roadway will be the responsibility of the contractor upon completion of construction. Services related to post-construction survey are not included in this Scope of Services. This task assumes two days of field activities for a 2-man crew will be required, as well as a full day of drafting to produce the survey sheet(s) and review by GAI's Professional Surveyor and Mapper (PSM).

### **Task 3 Design Services**

GAI will utilize the information in Task 2 to serve as the basis of design for the K-6 replacement. The design of the new weir structure will include a primary spillway, electronically controlled gate structure (utilizing vendor drawings for inclusion in the submittal), concrete replacement structures (either as a standalone or drop structure, to be determined at kickoff meeting in Task 1), demolition of the existing structure, and design details for a new crossing under Smith Trail. The project design documents will be prepared in accordance with the Florida Department of Transportation manuals and guidelines, the City of Palm Coast Land Development Code and all applicable regulatory requirements. The structure will be designed for the 25-year, 24-hour storm event and the overflow structure will carry a 100-year, 24-hour storm event. The design documents will also address the Maintenance of Traffic (MOT) plan required for the temporary road closure during construction with general direction and actual MOT plans to be submitted by contractor.

It is our understanding there may be other on-going projects with utilities in the area that will not have any impact to the development of drawings for the K-6 project.

### Subtask 3.1 30% Design

GAI will prepare 30% design plans (30% deliverable will not include technical specifications or the City's front-end/Division 1 documents). GAI anticipates involvement from structural, geotechnical, and drainage engineering disciplines. The project specifications will utilize AIA Document A201-1997 General Conditions of the Contract for Construction, GAI will provide two hardcopies of the plan set for the 30 % review by the City, as well as an electronic (PDF) file. GAI will conduct a technical review committee (TRC) meeting with City staff to review comments. Meeting minutes will be prepared and distributed within 5 business days of the TRC.

### Subtask 3.2 60% Design

GAI will incorporate comments received during the 30% TRC meeting into an updated 60% set of design documents, including technical specifications (Division 1/front-end documents will not be included at this milestone). GAI will provide two hardcopies of the specifications and two full-sized sets of plans for the 60% review, as well as an electronic (PDF) file. GAI will conduct a TRC meeting with City staff to review comments. Meeting minutes will be prepared and distributed within 5 business days of the TRC. An engineer's opinion of probable construction cost (OPCC) will be provided at the 60% design milestone.

### Subtask 3.3 90% Design

GAI will incorporate comments received during the 60% TRC meeting into an updated 90% set of design documents, including technical specifications and Division 1/front-end documents (to be provided by City procurement department for GAI to tailor to project requirements). GAI will provide the 90% documents to the City via PDF for final review and approval prior to finalizing the bid set of plans.

### Subtask 3.4 100% Design and Bid Package

GAI will convert the 90% design documents to a final set of biddable plans and specifications. incorporating final review comments from the City on the 90% deliverable. GAI's project manager will coordinate with the City's purchasing agent to assist with final preparation of the Division 0 and Division 1 specification sections. GAI will provide a high-quality PDF file of plans and specifications suitable for advertisement (by the City) through the City's Bonfire purchasing portal.

### **Task 4 Permitting**

Based on the City's past experiences, this project is likely to require only minor ERP permitting. GAI will coordinate and participate in (via conference call) a SJRWMD pre-application meeting to discuss the details of the project. GAI will then prepare the permit application for obtaining an ERP from SJRWMD, including supporting documentation. This task will allow for response to up to 1 request for additional information (RAI). Additional RAI's, not directly related to insufficiencies in GAI's previous response, may require additional services via amendment or separate authorization. The permit application fee will be the responsibility of the City.

GAI will also provide a 100 percent plan and specification set for the City's use in routing through for the City's permit review process (no additional services are included for obtaining City permits).

#### Schedule

GAI will begin work immediately upon receipt of the Notice-to-Proceed. The following are key milestone target completion dates:

Award of Contract	May 15, 2019
Kickoff Meeting	May 17, 2019
30 % Plans to City for Review	June 14, 2019
60 % Plans and Specifications	July 12, 2019
90 % Plans and Specifications	July 26, 2019

Final Bid Package to City Procurement August 14, 2019

\*City Procurement to Pre-Qualify August 21 through September 18, 2019

\*Advertise September 25, 2019
\*Bid Opening October 24, 2019

\*Award of Contract at October 29, 2019 Council Meeting

\*Notice of Award to Contractor November 1, 2-019
\*Commence Construction January 6, 2020
\*Construction Complete (12 weeks) March 27, 2019
\*Project Closeout April 24, 2020

### Compensation

GAI will provide the services described herein for a lump sum total fee of \$101,746, as detailed in **Table 1**, below. A breakdown of man-hours by task is provided in **Table 2**.

<sup>\*</sup>Bidding and construction services not included in this Scope of Services; schedule included for informational purposes only.

Table 1
Cost Detail by Task

Task	Description	Lui	mp Sum Fee
Task 1	Kickoff Meeting	\$	2,033
Task 2	Data Collection/Evaluation and Field Investigation	\$	12,190
Subtask 2.1	Data Collection/Evaluation	\$	3,950
Subtask 2.2	Geotechnical Evaluation	\$	2,850
Subtask 2.3	Site Survey	\$	5,390
Task 3	Design Services	\$	80,790
Subtask 3.1	30% Design	\$	23,820
Subtask 3.2	60% Plans and Specifications	\$	30,008
Subtask 3.3	90% Plans and Specifications	\$	21,968
Subtask 3.4	100% Design and Bid Package	\$	4,794
Task 4	Permitting	\$	6,732
TOTAL		\$	101.746

Table 2 Labor Detail by Task

Task	Description	Sr. Engineering Director (QA/QC)	Senior Project Manager	Senior Project Scientist	Senior Project Engineer	Senior Lead Designer	Project Engineer (Storm)	Senior Technical Leader (Structural)	Project Engineer (Structural)	Designer (Structural)	Survey Crew (2-man)	Prof Surveyor	Senior CAD Operator	Project Administration	Labor Subtotal	Reimburs. Exp.	Subs	Total Fee
		\$ 265	\$ 203	\$ 225	\$ 150	\$ 115	\$ 127	\$ 170	\$ 127	\$ 90	\$ 160	\$ 190	\$ 90	\$ 78				
Task 1	Kickoff Meeting	0	2	2	0	0	0	0	0	0	0	0	0	1	\$ 1,833	\$ 200		\$ 2,033
Task 2	Data Collection/Evaluation and Field Investigation	0	8	8	8	2	0	0	0	0	18	6	8	0	\$ 9,590	\$ 200	\$ 2,400	\$ 12,190
Subtask 2.1	Data Collection/Evaluation	0	8	4	8	2	0	0	0	0	0	0	0	0	\$ 3,950	\$ -	\$ -	\$ 3,950
Subtask 2.2	Geotechnical Evaluation	0	0	2	0	0	0	0	0	0	0	0	0	0	\$ 450	\$ -	\$ 2,400	\$ 2,850
Subtask 2.3	Site Survey	0	0	2	0	0	0	0	0	0	18	6	8		\$ 5,190	\$ 200	\$ -	\$ 5,390
Task 3	Design Services	12	74	52	120	72	28	46	64	48	0	0	0	8	\$ 80,590	\$ 200	\$ -	\$ 80,790
Subtask 3.1	30 Percent Design	4	18	16	32	32	12	12	16	16	0	0	0	0	\$ 23,820	\$ -	\$ -	\$ 23,820
Subtask 3.2	60 Percent Plans and Specifications	4	34	16	56	16	8	16	24	16	0	0	0	0	\$ 30,008	\$ -	\$ -	\$ 30,008
Subtask 3.3	90 Percent Plans and Specifications	4	18	16	24	16	8	16	24	16	0	0	0	0	\$ 21,968	\$ -	\$ -	\$ 21,968
Subtask 3.4	100 Percent Design and Final Bid Package	0	4	4	8	8	0	2	0	0	0	0	0	8	\$ 4,794	\$ -	\$ -	\$ 4,794
Task 4	Permitting	0	0	12	16	0	0	0	0	0	0	0	0	4	\$6,732.12	\$ -	\$ -	\$ 6,732
TOTAL		12	84	74	144	74	28	46	64	48	18	6	8	13	98,746	600	2,400	101,746

### **Payment**

GAI will prepare invoices monthly based on a % complete and payment will be due within thirty (30) days of the date of the invoice. All other payment terms shall be in accordance with Master Contract.

### **Assumptions and Understandings**

GAI's Scope of Services, Schedule, and Compensation as set forth above have been prepared on the basis of the following assumptions and understandings:

- 1. Access to the project site(s) will be available to GAI personnel in a timely manner.
- 2. Client has provided all available information pertinent to GAI's scope of services.
- 3. Electrical and instrumentation design services are not included in this scope of services.
- 4. Client will give GAI prompt notice whenever it observes or otherwise becomes aware of any development that affects the scope or timing of GAI's performance.
- 5. Army Corps of Engineers permitting is not anticipated or included in this scope of services.
- 6. Permit fees not included (to be paid directly by City).
- 7. Environmental impact analysis is not anticipated for this project. City staff will handle any environmental needs, or request GAI's assistance under separate authorization.
- 8. Services do not include research, evaluations, or coordination regarding wetland mitigation alternatives should mitigation other than use of a mitigation bank be required by the agencies; quantitative population surveys for any on-site protected plant and/or animal species; or development/implementation of management plans to satisfy permitting requirements relevant to listed species impacts.
- 9. Bidding and construction services not included (to be provided in separate authorization).

### Administrative Services & Economic Development Central Services Division

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

### NOTICE OF INTENT TO AWARD

**Project:** Professional Services for SWCS K-6/Smith Trail Replacement Design

Services - LOI-CD-19-41

Date: 3/25/2019

**Appeal Deadline:** Appeals must be Filed by 5:00 PM on 3/27/2019

Firm	Points
GAI Consultants	93.67
Jacksonville, FL DRMP, Inc.	
Orlando, FL	91.67
CPH, Inc. Palm Coast, FL	80.67
Connelly & Wicker, Inc. Jacksonville, FL	78.67
Stone Engineering Group Jacksonville, FL	76.67

The intent of the City of Palm Coast is to award Professional Services for SWCS K-6/Smith Trail Replacement Design Services to GAI Consultants

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 Administrative Services and Economic Development Director, Beau Falgout (bfalgout@palmcoastgov.com) shall constitute a waiver of the protest proceedings.



# City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

**Department** Stormwater & Engineering Amount \$720,393.32

**Item Key Account** 21097011-063000-54405

Subject RESOLUTION 2019-XX APPROVING A CONTRACT WITH S.E. CLINE

CONSTRUCTION, INC., FOR THE CONSTRUCTION OF A NEW TRAFFIC SIGNAL AND TURN LANE AT BELLE TERRE AND MARKET AVE/EASTWOOD

DRIVE INTERSECTION

### Background:

### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes suggested to this item.

### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

The previous Traffic Engineer analyzed existing conditions and performed a traffic signal warrant study at the intersection of Belle Terre Pkwy and Market Ave/Eastwood Drive. The findings of the study determined that it met the requirements for a traffic signal per Signal Warrant 7 – Crash Experience. In addition to the new traffic signal, the improvements include a southbound right turn lane and pedestrian crosswalks. Both of these improvements will greatly improve traffic operations and safety for the area and increase roadway capacity. On January 16, 2018, City Council approved the contract for design services for this project.

### **Proposed Improvements**

- New Traffic Signal
- New Southbound Right Turn Lane
- Install new crosswalks with Pedestrian Signals
- Connection to City Signal Network

The City advertised the project (ITB-CD-19-40) and on February 27, 2019 received 3 bids for construction that were deemed to be responsive and responsible bidders.

City staff recommends award of the project to the low bidder, S.E. Cline Construction, Inc., for \$654,903.02. Based on past experience with similar construction projects, staff is requesting a 10% contingency (\$65,490.30) also be approved in case of unforeseen circumstances and/or unknown conditions, for a total project cost of \$720,393.32

This project is funded out of the FY 2019 Transportation Impact fund which can only be utilized for transportation capacity improvement projects. The project came in over the estimated cost of \$600,000.00. Contingency reserves in the Transportation Impact Fee Fund in the amount of \$120,393.22 will be utilized to cover the additional projects costs.

#### **SOURCE OF FUNDS WORKSHEET FY 2019**

Transportation Impact Fee Fund, 21097011-063000-54405\$780,000.00Total Expenses/Encumbered to date\$ 21,517.50Pending Work Orders/Contracts\$ (21,517.50)Current Contract\$ (720,393.32)Balance\$ 38,089.18

### **Recommended Action:**

Adopt Resolution 2019-XX approving a contract with S.E. Cline Construction, Inc., for the construction of a new traffic signal and turn lane at Belle Terre and Market Ave/Eastwood intersection.

### RESOLUTION 2019 -\_\_\_\_ S.E. CLINE

### TRAFFIC SIGNAL AND TURN LANE BELLE TERR PKWY AND MARKET AVE/EASTEWOOD DR

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING A CONTRACT WITH S.E. CLINE CONSTRUCTION, INC, FOR THE CONSTRUCTION OF A NEW TRAFFIC SIGNAL AND TURN LANE AT BELLE TERRE PARKWAY AND MARKET AVE/EASTWOOD DRIVE INTERSECTION; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONTRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS,** S.E. Cline Construction, Inc., desires to construct a new traffic signal turn lane at the Belle Terre Parkway and Market Ave/Eastwood Drive intersection; and

**WHEREAS,** the City Council of the City of Palm Coast desires to approve a contract with S.E. Cline, Inc. for the construction of a new traffic signal turn lane at Market Ave/Eastwood Drive intersection.

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

**SECTION 1. APPROVAL OF CONTRACT.** The City Council of the City of Palm Coast hereby approves the terms and conditions of the contract with S.E Cline, Inc., for the construction of a turn lane at the Belle Terre Parkway and Market Ave/Eastwood Drive intersection, 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 Contract 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.

Resolution 2019-\_\_\_\_ Page 1 of 2 **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 4<sup>th</sup> day June 2019.

CITY OF PALM COAST, FLORIDA

Milissa Holland, Mayor
Cline, Inc.



**Finance Department**Budget & Procurement Office

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

### NOTICE OF INTENT TO AWARD

**Project:** ITB-CD-19-40 - New Traffic Signal and Turn Lane at Belle Terre and Market Ave/Eastwood Dr.

Date: 5/20/2019

**Appeal Deadline:** Appeals must be filed by 5:00 PM on 5/22/2019

Firm	Bid		
S.E. Cline Construction, Inc. Palm Coast, FL	\$654,903.02		
P & S Paving, Inc.	\$720,670.20		
Daytona Beach, FL  Halifax Paving, Inc			
Ormond Beach, FL	\$745,570.00		

The intent of the City of Palm Coast is to award ITB-CD-19-40 to S.E. Cline Construction, Inc.

Cc: Contract Coordinator, Project Manager, ASED Director, Department Director, Finance Director

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





**Finance Department**Budget & Procurement Office

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

protest to the City's Administrative Services and Economic Development Director, Beau Falgout (bfalgout@palmcoastgov.com) shall constitute a waiver of the protest proceedings.



# RFSQ-CD-19-40 / ITB-CD-19-40 - New Traffic Signal and Turn Lane at Belle Terre and Market Ave/Eastwood Dr.

### **Project Overview**

Project Details	
Reference ID	RFSQ-CD-19-40 / ITB-CD-19-40
Project Name	New Traffic Signal and Turn Lane at Belle Terre and Market Ave/Eastwood Dr.
Project Owner	Kelly Downey
Project Type	ITB
Department	Procurement
Budget	\$0.00 - \$0.00
Project Description	The City of Palm Coast is seeking Bids for Construction of Belle Terre Pkwy right turn lane at Eastwood Dr. The contractor shall furnish all labor,



	materials, equipment, tools, supervision, and any other items required for constructing a Right Turn Lane at Eastwood Dr. in accordance with construction plans .The work consists of NEW Construction including but not limited to site work, filling, grading, drainage and construction of concrete landing pads, signals and crosswalks.
Open Date	Feb 27, 2019 8:00 AM EST
Intent to Bid Due	Mar 27, 2019 2:00 PM EDT
Close Date	Mar 27, 2019 2:00 PM EDT

Awarded Suppliers	Reason	Score
S.E. Cline Construction, Inc.		100 pts

### **Project Criteria**

Criteria	Points	Description
Qualification Forms A - M	Pass/Fail	Qualification Forms A - M



Qualification Forms Review	Pass/Fail	Qualification Forms Review
Financials Form N	Pass/Fail	Financials Form N
Addendum #1	Pass/Fail	Addendum #1
Completion of Form N	Pass/Fail	Completion of Form N
Section 00200 Bid Forms	Pass/Fail	Section 00200 Bid Forms
Pricing	100 pts	Pricing
Forms 5 & 6	Pass/Fail	Forms 5 & amp; 6
Section 00200 Technical Review	Pass/Fail	Section 00200 Technical Review
Addendum #2	Pass/Fail	Addendum #2
Total	100 pts	



### **Scoring Summary**

### **Active Submissions**

	Total	Qualification Forms A - M	Qualification Forms Review	Financials Form N	Addendum #1
Supplier	/ 100 pts	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail
S.E. Cline Construction, Inc.	100 pts	Pass	Pass	Pass	Pass
P & S Paving, Inc.	90.87 pts	Pass	Pass	Pass	Pass
Halifax Paving, Inc.	87.84 pts	Pass	Pass	Pass	Pass

	Completion of Form N	Section 00200 Bid Forms	Pricing	Forms 5 & amp; 6	Section 00200 Technical Review
Supplier	Pass/Fail	Pass/Fail	/ 100 pts	Pass/Fail	Pass/Fail



	Completion of Form N	Section 00200 Bid Forms	Pricing	Forms 5 & amp; 6	Section 00200 Technical Review
Supplier	Pass/Fail	Pass/Fail	/ 100 pts	Pass/Fail	Pass/Fail
S.E. Cline Construction, Inc.	Pass	Pass	100 pts (\$654,903.02)	Pass	Pass
P & S Paving, Inc.	Pass	Pass	90.87 pts (\$720,670.20)	Pass	Pass
Halifax Paving, Inc.	Pass	Pass	87.84 pts (\$745,570.00)	Pass	Pass

	Addendum #2
Supplier	Pass/Fail
S.E. Cline Construction, Inc.	Pass
P & S Paving, Inc.	Pass



	Addendum #2
Supplier	Pass/Fail
Halifax Paving, Inc.	Pass

### **Eliminated Submissions**

	Qualification Forms A - M	Qualification Forms Review	Financials Form N	Addendum #1	Completion of Form N
Supplier	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail	Pass/Fail
GPS Civil Construction, Inc	Fail	Mixed	Fail	Pass	Fail
Traffic Engineering and Management	Fail	Mixed	Fail	Pass	Fail

Section 00200 Bid Forms	Pricing	Forms 5 & amp; 6	Section 00200 Technical Review	Addendum #2
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Supplier	Pass/Fail	/ 100 pts	Pass/Fail	Pass/Fail	Pass/Fail
GPS Civil Construction, Inc	-	-	-	-	-
Traffic Engineering and Management	-	-	-	-	-



### Reason

Supplier	Disqualifed by	Reason
GPS Civil Construction, Inc	Kelly Downey	Was not Pre-Qualified
Traffic Engineering and Management	Kelly Downey	Was not Pre-Qualified

## City of Palm Coast, Florida Agenda Item

Agenda Date: 05/28/2019

Department<br/>Item KeyCITY CLERK<br/>6677Amount<br/>Account

#

Subject RESOLUTION 2019-XX APPROVING AN AMENDMENT TO THE WORK SQUAD CONTRACT #W1141 WITH THE FLORIDA DEPARTMENT OF CORRECTIONS

### Background:

### **UPDATE FROM THE MAY 28, 2019 WORKSHOP**

This item was heard by City Council at their May 28, 2019 workshop. There were no changes requested to this item.

### ORIGINAL BACKGROUND FROM THE MAY 28, 2019 WORKSHOP

The Public Works Streets and Drainage Division is responsible for the maintenance of roadways, swales and drainage ditches throughout the City of Palm Coast. Since January 2008, the Streets and Drainage Division has used an inmate labor crew of eight people provided through the Florida Department of Corrections to assist with the manual labor necessary to maintain a high level of service to the citizens of Palm Coast.

Our experience with these crews has been nothing but positive since the beginning of this program in 2009. They accomplish a great deal of work at very little cost to the City. While they are directly supervised by the officers from Tomoka Correctional Institute, they often work side-by-side with City crews. They have proven to be very effective with the drainage ditch clearing, roadside maintenance and other tasks.

In June 2018, City Council approved an additional inmate crew under contract #W1141 with the Florida Department of Corrections (FDOC). FDOC has proposed an amendment to their contract with the City, as shown in the attached proposed contract amendment.

### **Recommended Action:**

Adopt Resolution 2019-XX approving an amendment to the work squad contract #W1141 with the Florida Department of Corrections.

### RESOLUTION 2019-\_\_\_ AMENDMENT TO THE ADDITIONAL INMATE LABOR WORK CREW #W1141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM COAST, FLORIDA, APPROVING THE TERMS AND CONDITIONS OF THE AMENDMENT TO THE CONTRACT WITH THE FLORIDA DEPARTMENT OF CORRECTIONS FOR AN ADDITIONAL INMATE LABOR WORK CREWS WITHIN THE CITY OF PALM COAST; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE SAID CONTRACT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTING ACTIONS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of Corrections has expressed a desire to provide to the City of Palm Coast the use of inmate labor work crews within the City of Palm Coast; and

WHEREAS, Section 944.10(7) and Section 946.40, *Florida Statutes*, and Rules 33-601.201 and 33-601.202, *Florida Administrative Code*, provide for the use of inmate labor in work programs; and

WHEREAS, FDOC has proposed an amendment to Contract #W1141 relating to the additional inmate crew Council approved in June 2018; and

**WHEREAS**, the City Council of the City of Palm Coast desires to amend the contract with the Florida Department of Corrections for the use of the additional inmate labor work crews.

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

SECTION 1. APPROVAL OF CONTRACT AMENDMENT. The City Council of Palm Coast hereby approves the terms and conditions of the amendment to the contract with the Florida Department of Corrections #W1141, 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 amend and execute the contract amendment to #W1141 as depicted in Exhibit "A."

Resolution 2019-\_\_\_\_ Page 1 of 2 **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 ADDOPTED** by the City Council of the City of Palm Coast, Florida, on this 4<sup>th</sup> day of June 2019.

	CITY OF PALM COAST, FLORIDA
ATTEST:	MILISSA HOLLAND, MAYOR
ATTEST.	WILISSA HOLLAND, WATOK
VIRGINIA A. SMITH, CITY CLERK	
Approved as to form and legality	
William E. Reischmann, Jr., Esq.	

Attachment – Exhibit A –Florida Department of Corrections Contract Amendment #W1141



Governor

**RON DESANTIS** 

Secretary

MARK S. INCH

501 South Calhoun Street, Tallahassee, FL 32399-2500

http://www.dc.state.fl.us

May 23, 2019

Jim Landon City of Palm Coast 160 Lake Avenue Palm Coast, Florida 32164 Telephone: (386) 986-3796

RE: Work Squad Contract #W1141, Amendment #1

Dear Mr. Landon:

Attached for signature is original in PDF format of Work Squad Contract #W1141, Amendment #1 between the Department of Corrections and your organization. This Amendment will begin on August 24, 2019 or the date is it signed by all parties and will end on August 23, 2022.

To provide a seamless transition in contracting, please print two (2) copies of the attached original work squad contract amendment and have the two (2) originals signed and returned to this office, via Express Mail, as soon as possible. Once the Work Squad Contract has been executed by the Department, one (1) executed original of the Work Squad Contract will be returned to you by Express Mail.

The address to return the Contract via express mail is: Florida Department of Corrections

Bureau of Procurement Attention: Mrs. Cristy Martin 501 South Calhoun Street Tallahassee, Florida 32399-2500

As a reminder, please be advised:

• to include the Work Squad Contract number (W1141) on all associated invoices and correspondence;

• that changes to the scope of services or changes in pricing cannot be made except through a formal Contract amendment, executed by both parties, and issued by this office;

• that services may not be provided after the expiration date unless the Work Squad Contract has been renewed or extended through a formal renewal/extension, executed by both parties and issued by this office; and

• invoices may be submitted after the expiration date for services properly provided up to and including the expiration date of the Work Squad Contract.

If there are any questions, please call me at (850) 717-3661.

Sincerely,

Mrs. Cristy Martin
Mrs. Cristy Martin
Purchasing Analyst
Bureau of Procurement

### **CONTRACT BETWEEN**

### THE FLORIDA DEPARTMENT OF CORRECTIONS

#### **AND**

#### CITY OF PALM COAST

This is an Amendment to the Contract between the Florida Department of Corrections ("Department") and the City of Palm Coast ("Agency"), to provide for the use of inmate labor in work programs.

#### This Amendment:

- Renews the Contract for a three (3) year term pursuant to Section I., B., <u>Contract Renewal</u>, and revises Section I., A., <u>Contract Term</u>. The Department is exercising its final renewal option.
- Revises Section II., B., 3., Communications Equipment, third paragraph; and
- Revises Addendum A, third line.

Original Contract Term:

August 24, 2018 through August 23, 2019

In accordance with Section V., CONTRACT MODIFICATIONS, the following changes are hereby made:

- 1. Section I., A., Contract Term, is hereby revised to read:
  - I. A. Contract Term

This Contract began on August 24, 2018, and shall end at midnight on August 23, 2022.

- 2. Section II., B., 3., Communications Equipment, third paragraph, is hereby revised to read:
  - II. B. 3. Communications Equipment

At the end or termination of this Contract, the Department's Contract Manager will contact the Department's Utility Systems/Communications Engineer in the Office of Institutions to effectuate the deprogramming of radio communications equipment provided by the Agency.

3. Addendum A, third line, is hereby revised to read:

Interagency Contract Number W1141, Amendment #1 Effective August 24, 2019.

### REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

All other terms and conditions of the original Contract remain in full force and effect.

This Amendment shall begin on the last date of signature by all parties.

IN WITNESS THEREOF, the parties hereto have caused this Amendment to be executed by their undersigned officials as duly authorized.

AGENCY	: CITY OF PALM COAST		
SIGNED BY:		_	
NAME:		<u> </u>	
TITLE:		<u></u>	
DATE:			
FEIN:			
FLORIDA	DEPARTMENT OF CORRECTIONS	Approved execution.	as to form and legality, subject to
SIGNED BY:		SIGNED BY:	
NAME:	Kasey B. Faulk	NAME:	Kenneth S. Steely
TITLE:	Chief, Bureau of Procurement	TITLE:	General Counsel
DATE:		DATE:	

### **Revised Addendum A**

### **Inmate Work Squad Detail of Costs for City of Palm Coast**

Interagency Contract Number W1141 Amendment #1 Effective August 24, 2019

	nteragency Contract Numb				v <u>e A</u>	ugust 24,	<u>∠019</u>	
***ENTER MULTIPLIERS IN	SHADED BOXES <u>ONLY</u> IF TO E	BE INVOICED	TO AGENCY**	*		er Officer		Total
					Α	nnual Cost	A	nnual Cost
	SQUAD OFFICER SALARIES AI	ND POSITION	RELATED-EXI	PENSES				
TO BE REIMBURSED BY		# <b>O</b> ffice and	NA although a m	4	Φ.	5440400	** ^	5440400
	Officers Salary	# Officer	Multiplier	1	_ \$	54,194.00	-	54,194.00
	Salary Incentive Payment				\$	1,128.00	\$	1,128.00
	Repair and Maintenance				\$	121.00	\$	121.00
	State Personnel Assessment	.1 1 -			\$	354.00	\$	354.00
	Training/Criminal Justice Stand	aaras			\$	200.00	\$	200.00
	Uniform Purchase				\$	400.00	\$	400.00
	Uniform Maintenance	.l			\$	350.00	\$	350.00
	Training/Criminal Justice Stand	dards ^			\$	2,225.00		
	TOTAL - To Be Billed By Co	ontract To Aç	jency		\$	58,972.00	\$	56,747.00
IA	** Annual cost does not include  The Overtime Hourly Rate of Compensation shall include package provided by the department	ompensation to the compensation of the compens	or this Contract hourly rate of pa	y for a Corre	ection	al Officer and	the av	
	•					Number Squads		Total Annual Cost
II ADMINISTRATIVE COSTS	S TO BE REIMBURSED BY THE	E AGENCY:				oquaus		illiuai Cost
II. ADMINISTRATIVE GOSTO	Costs include but may not be I Rain coats, staff high visibility safety vest, fire extinguisher, fi cuffs, warning signs, handcuffs repellants, masks, vaccinations	imited to the for safety vest, in irst aid kit, per s, Igloo cooler	mate high visibil sonal protection s, portable toilet	kit, flex s, insect		1	\$	750.00
	TOTAL - To Be Billed By Cor	stract To Ago	nev				\$	750.00
	TOTAL - TO be billed by Col	illact 10 Age	ilcy				Ψ	730.00
III. ADDITIONAL AGENCY E	XPENSES:							
	Tools, equipment, materials ar are to be provided by the Ager	• •	t listed in Section	n II ahove				
	, , ,	, .	i listed ili Sectio	II II above				

### **Revised Addendum A**

### Inmate Work Squad Detail of Costs for City of Palm Coast Interagency Contract Number W1141 Amendment #1 Effective August 24, 2019

IV. OPERATING CAPITAL TO BE ADVANCED BY AGENCY: Hand Held Radio Vehicle Mounted Radio MACOM \$4969.00  MACOM \$5400.00  TOTAL Operating Capital To Be Advanced By Agency  Num of Use 1  TOTAL Operating Capital To Be Advanced By Agency		Total Bill Ager  \$ - \$ - \$ -	
<ul> <li>V. TOTAL COSTS TO BE ADVANCED BY AGENCY:</li> <li>1. Operating Capital - from Section IV.</li> <li>2. Grand Total - To Be Advanced By Agency At Contract Signing:</li> </ul>		Total Cost \$0.00 \$0.00	
VI. TOTAL COSTS TO BE BILLED TO AGENCY BY CONTRACT:		Total Cost	
<ol> <li>Correctional Officer Salaries and Position-Related Expenses - from Section I.</li> <li>Other Related Expenses and Security Supplies - from Section II.</li> <li>Grand Total - To Be Billed To Agency By Contract:</li> </ol>		\$56,747.00 \$750.00 \$57,497.00	
VII. TOTAL OF ALL COSTS ASSOCIATED WITH CONTRACT: (Total of Sections V. and VI.)	Year 1 Year 2 Year 3 TOTAL	\$57,497.00 \$57,497.00 \$57,497.00 <b>\$172,491.00</b>	

### VIII. OVERTIME COSTS:

If the contracting Agency requests overtime for the work squad which is approved by the Department, the contracting Agency agrees to pay such costs and will be billed separately by the Department for the cost of overtime.

## Revised Addendum A - INSTRUCTIONS Inmate Work Squad Detail of Costs for City of Palm Coast Interagency Contract Number W1141 Amendment #1 Effective August 24, 2019

**Section I.** Costs in this section are determined each fiscal year by the Budget and Management Evaluation Bureau and are fixed.

By entering the number of Officers required for this contract, the spreadsheet will automatically calculate the "Total Annual Cost"

column. If this Work Squad is beyond the first year of existence, enter a zero (0) in the "Total Annual Cost"

column for "Training/Criminal Justice Standards" after you have entered the "# Officers Multiplier".

**Section II.** Safety and environmental health procedures require safety measures such as the use of safety signs, vests, and clothing.

The Department's procedure for Outside Work Squads requires that all Work Squad Officers be responsible for ensuring their squad

is equipped with a first aid kit and a personal protection equipment (PPE) kit. Section II identifies such required equipment. A new squad must be sufficiently equipped and an on-going squad must be re-supplied when needed.

Type in the number of squads used for this contract and the spreadsheet will automatically calculate the fixed annual expense

of \$750.00 per squad and place the total in Section VI.

**Section III.** Check "Yes" or "No" to indicate whether a Cellular Phone with Service and/or an Enclosed Trailer is required by the Contract Manager.

**Section IV.** The Department's procedure for Outside Work Squads requires that they have at least one (1) primary means of direct

communication with the Institution's Control Room. Communication via radio and/or cellular phone is appropriate.

It is preferred that a backup, secondary means of communication also be available. It is the Agency's responsibility to provide them. If the Department purchases a radio(s), the Agency must fund the purchase at the time the Contract is signed. Check the box for the type of radio and fill in the Per Unit Cost for the type of radio, Number of Units, and Total Cost columns. Leave the Total Cost column blank if a radio(s) is not being purchased at this time. Check applicable boxes ("Bill to Agency", "Provided by Agency" and "Already Exists") for

each radio.

**NOTE**: All radio communication equipment owned or purchased by the Agency that is programmed to the Department's radio frequency and used by the work squad(s), whether purchased by the Department or the Agency, shall be IMMEDIATELY

deprogrammed by the Department at no cost to the Agency upon the end or termination of this Contract.

**Section V.** The total funds the Agency must provide at the time the contract is signed will be displayed here when the form is properly filled out.

**Section VI.** The total funds the Agency will owe contractually, and pay in equal guarterly payments, will be displayed here.

**Section VII.** The total funds associated with the Contract, to be paid by the Agency as indicated in Sections V. and VI., will be displayed here.

**Section VIII.** Any agreement in this area will be billed separately as charges are incurred.

## City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Department<br/>Item KeyCITY CLERK<br/>6690Amount<br/>Account

#

**Subject** PRESENTATION OF CERTIFICATES TO THE GRADUATING STUDENTS OF

THE CITY OF PALM COAST'S 46TH CITIZENS ACADEMY CLASS

### Background:

The members of the 46th Citizens' Academy Class are graduating today. The Citizens' Academy was created to educate residents about the operation of our City government during the last five Monday evenings from 6:00 p.m. to 9:00 p.m., at which time, City Departments discussed operations relating to their department. In order to fully understand the function of each department, as it relates to the City, students were encouraged to ask questions during these sessions. Students are required to attend all classes in order to graduate and receive a certificate.

#### **Recommended Action:**

Present the certificates to the graduates of the 46th Citizens' Academy.

### City of Palm Coast, Florida Agenda Item

Agenda Date: 06/04/2019

Department CITY CLERK Item Key	Amount Account
Subject CALENDAR/WORKSHEET	
Background :	
Recommended Action :	



### Meeting Calendar for 6/4/2019 through 7/6/2019

6/4/2019 10:00 AM Animal Control Hearing City Hall

6/4/2019 6:00 PM City Council City Hall

6/5/2019 10:00 AM Code Enforcement Board City Hall

6/11/2019 9:00 AM City Council Workshop City Hall

6/12/2019 5:30 PM Planning & Land Development Regulation Board City Hall

6/18/2019 9:00 AM City Council City Hall

6/25/2019 9:00 AM City Council Workshop City Hall

6/27/2019 5:00 PM
Beautification and Environmental Advisory Committee
City Hall



### Meeting Calendar for 6/4/2019 through 7/6/2019

7/2/2019 6:00 PM City Council City Hall

7/3/2019 10:00 AM Code Enforcement Board City Hall

	F11 . #		<b>-</b>	01.55
#	File #	Item	Title	Staff
4		Deschutien	Workshop 6/11/2019	A - I - 11 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -
1		Resolution	Price Agreement Contract - Replacement PEP Pumps	Adams/Ashburn
2		Resolution	IA FC Lease Program radios and service agreement	Falgout
3		Resolution	IA FC Service Agreement	Falgout
			Business 6/18/2019	
1		Presentation	Florida Department of Health Updates	Gretchen Smith/DOH
2		Appointment	Ratify Volunteer Firefighter Pension Board 5th Member	Smith
3		Appointment	PLDRB alternate members	Smith
			Business 6/25/2019	
1		Ordinance	WAWA - ROW lease - PC Parkway	Hoover
2		Ordinance	Animal Control amendment	Grossman
			Future	
1		Resolution	Hydrotech Discfilter Capacity Upgrades (Wastewater Treament Plant 1)	Adams/Ashburn
2		Resolution	IA Supplemental - OKR S	Adams/Flanagan
3		Resolution	Annual Fire Inspection Fees	Alves
4		Presentation	Budget-Property Tax and Other Revenue- 6/25	Alves/Williams
5		Presentation	Proposed General Fund and TRIM Rate 7/9	Alves/Williams
6		Resolution	Proposed Millage Rate 7/16	Alves/Williams
7		Presentation	Proposed Utility, Stormwater, IT & Bldg Funds 7/30	Alves/Williams
8		Presenation	5 yr CIP 8/13	Alves/Williams
9		Presentation	Proposed Budget for all remaining funds 8/13	Alves/Willaims
10		Presentation	Proposed Budget-all funds 8/27	Alves/Williams
11		Resolution	SAP adoption	Bevan
12		Presentation	SAP Evaluation 2	Bevan
13		Presentation	SAP Evaluation 3	Bevan
14		Resolution	Permit compliance with NECGA (MOU and Conservation easement)	Bevan
15		Presentation	Council Priority Update 7/9	Bevan
16		Presentation	October 15 Council Priority Update Presentation	Bevan
17		Resolution	Blare Castle-WWTP 1 Forcemain Design/Construct	Blake/Kronenberg
18		Resolution	Pine Lakes Pkwy Forcemain and Lift Station Improvements	Blake/Kronenberg
19		Resolution	Equip 3 Wells and Raw Water Main, PH 3	Blake/Kronenberg
20		Resolution	Park Month Proc	Boyer

22	Posolution	Project Price is Pight Incentive Agreement	Nowingham
	Resolution	Project Price is Right incentive Agreement	Newingham