



**City of Palm Coast
Agenda
COUNCIL BUSINESS
MEETING
AMENDED AGENDA**

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

***Mayor David Alfin
Vice Mayor Eddie Branquinho
Council Member Ed Danko
Council Member John Fanelli III
Council Member Nick Klufas***

Tuesday, November 15, 2022

9:00 AM

COMMUNITY WING

City Staff

Denise Bevan, City Manager

Neysa Borkert, City Attorney

Virginia A. Smith, City Clerk

- Public Participation shall be in accordance with Section 286.0114 Florida Statutes.
- Other matters of concern may be discussed as determined by City Council.
- If you wish to obtain more information regarding the City Council's agenda, please contact the City Clerk's Office at 386-986-3713.
- In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons needing a reasonable accommodation to participate in any of these proceedings or meeting should contact the City Clerk at 386-986-3713, at least 48 hours prior to the meeting.
- City Council Meetings are streamed live on YouTube at <https://www.youtube.com/user/PalmCoastGovTV/live>.
- It is proper meeting etiquette to silence all electronic devices, including cell phones while Council is in session.
- Any person who decides to appeal any decision of the City Council with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose, may need to hire a court reporter to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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. And pursuant to the City Council's Meeting Policies and Procedures:

- (1) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (2) The Public may provide comments to the City Council relative to matters not on the

agenda at the times indicated in this Agenda. Following any comments from the public, there may be discussion by the City Council.

(3) When addressing the City Council on specific, enumerated Agenda items, speakers shall:

(a) direct all comments to the Mayor;

(b) make their comments concise and to the point;

(c) not speak more than once on the same subject;

(d) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;

(e) obey the orders of the Mayor or the City Council; and

(f) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.

(4) Any person who becomes disorderly or who fails to confine his or her comments to the identified subject or business, shall be cautioned by the Mayor and thereafter must conclude his or her remarks on the subject within the remaining designated time limit.

Any speaker failing to comply, as cautioned, shall be barred from making any additional comments during the meeting and may be removed, as necessary, for the remainder of the meeting.

Members of the public may make comments during the public comment portion of the meeting. Please be advised that public comment will only be permitted during the public comment portions of the agenda at the times indicated by the Chair during the meeting.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
NOVEMBER 1, 2022 BUSINESS MEETING**

F. PRESENTATIONS AND PROCLAMATIONS

- 2. PRESENTATION OF AWARD FOR THE 2022 FMIT PARTNERSHIP**
- 3. PROCLAMATION - PALM COAST HOLIDAY BOAT PARADE DAY**
- 4. PROCLAMATION - NOVEMBER AS BE LOCAL, BUY LOCAL MONTH**

G. ORDINANCES SECOND READ

- 5. ORDINANCE 2022-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 30+/- ACRES OF PROPERTY FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE & TIMBERLANDS AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF MIXED USE AND CONSERVATION - US 1 AND WHITEVIEW**
- 6. ORDINANCE 2022-XX AMENDING THE ZONING MAP DESIGNATION FOR A 30+/- ACRE**

PARCEL FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE TO CITY OF PALM COAST DESIGNATION OF HIGH INTENSITY COMMERCIAL (COM-3) AND PRESERVATION (PRS) - US 1 AND WHITEVIEW

H. ORDINANCES FIRST READ

- 7. ORDINANCE 2022-XX HARBORSIDE MASTER PLANNED DEVELOPMENT**

I. RESOLUTIONS

- 8. RESOLUTION 2022-XX PROVIDING AUTHORIZATION TO INITIATE LEGAL PROCEEDINGS FOR THE HOLLAND PARK SPLASH PAD**
- 9. RESOLUTION 2022-XX APPROVING A BUDGET AMENDMENT FOR FISCAL YEAR 2021/2022 RELATING TO THE DISASTER RESERVE FUND**
- 10. RESOLUTION 2022-XX APPROVING A COST-SHARE AGREEMENT WITH ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE LONDON WATERWAY EXPANSION PROJECT**

J. CONSENT

- 11. RESOLUTION 2022-XX APPROVING PIGGYBACKING THE LAKE COUNTY CONTRACT WITH TEN-8 FIRE & SAFETY, LLC FOR TWENTY (20) NEW BUNKER GEAR JACKETS AND TWENTY (20) NEW BUNKER GEAR PANTS FOR FIRE OPERATIONS**
- 12. RESOLUTION 2022-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR THE REHAB AND PUMP REPLACEMENT FOR WELL SW-38 AND REPLACEMENT OF WELL SW-7**

K. PUBLIC PARTICIPATION

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

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

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

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

- 13. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR OCTOBER 2022**

O. ADJOURNMENT

- 14. AGENDA WORKSHEET AND CALENDAR**

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department CITY ADMINISTRATION Division	Amount Account #
Subject MINUTES OF THE CITY COUNCIL: NOVEMBER 1, 2022 BUSINESS MEETING	
Presenter : Virginia Smith, City Clerk	
Background :	
Recommended Action : ADOPT THE MINUTES OF THE CITY COUNCIL: NOVEMBER 1, 2022 BUSINESS MEETING	

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department	HUMAN RESOURCES	Amount
Division	RISK AND SAFETY	Account
		#
Subject	PRESENTATION OF AWARD FOR THE 2022 FMIT PARTNERSHIP FOR RISK AND SAFETY	
Presenter : Tim Wilsey, Human Resource Manager		
Background :		
<p>The City of Palm Coast has been selected as the winner of the 2022 FMIT Partnership Award for Risk and Safety.</p> <p>FMIT Partnership Award The Florida Municipal Insurance Trust (FMIT), administrated by the Florida League of Cities (FLC), is recognizing its valued partners with a new award. The FMIT Partnership Award is designed to recognize members' successful insurance processes, risk management efforts, and other proactive measures that improve the quality of life in their community and working environment.</p> <p>The FMIT is a partnership of local governments in Florida, so these efforts should align with the FLC's mission to serve the needs of Florida's cities. All members with at least one line of related coverage through the FMIT are eligible for this award.</p> <p>The award selection criteria:.</p> <p>Award Categories</p> <ul style="list-style-type: none"> • Innovation Award - Recognizing creative processes that turn problems into progress, reduce costs, and keep staff and the community safe. • Risk & Safety Award - Recognizing the implementation of FMIT Risk & Safety Management frameworks with proven results. • Insurance Leader Award – Honoring long-term support of FMIT services and improved insurance processes that meet specific needs of public entities. <p>Members who receive this award are publicly recognized on the FMIT website, in the League's Quality Cities magazine, and at the FMIT booth in the Exhibit Hall at the FLC Annual Conference. Awards are presented at council meetings, regional league meetings, or FLC Annual Conference breakfast events.</p>		

**City of Palm Coast – Risk & Safety Award
Human Resources and Risk & Safety Management Processes**

After several years of elevated workers' compensation claims frequency and related experience mod increases, the City of Palm Coast's Human Resources and Risk Management team, led by Tim Wilsey and Renina Fuller, partnered with the Florida Municipal Insurance Trust (FMIT) Risk and Safety Management department to implement needed changes. Focus areas included:

- A renewed emphasis on employee safety and a concentrated effort on return-to-work policies and programs.
- An increase in the City's employee safety training.
- A renewed and more narrowly focused Safety Committee.

These changes brought about a significant reduction in employee-related injuries (both frequency and severity) over three years, lower financial costs associated with those claims, and a continuing decrease in the City's workers' compensation experience mod (elevated experience mods often result in increased premiums). Palm Coast has also been a strong advocate of all services and programs provided by the FMIT and the Florida League of Cities (FLC).

**Recommended Action :
FOR PRESENTATION ONLY.**

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department CITY ADMINISTRATION Division	Amount Account #
Subject PROCLAMATION - PALM COAST HOLIDAY BOAT PARADE DAY	
Presenter : Mayor and City Council	
Background : The Palm Coast Yacht Club requested the City of Palm Coast proclaim December 3, 2022, as "Palm Coast Holiday Boat Parade Day."	
Recommended Action : PROCLAIM DECEMBER 3, 2022 AS PALM COAST HOLIDAY BOAT PARADE DAY	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department	CITY ADMINISTRATION	Amount	
Division		Account	
		#	
Subject	PROCLAMATION - NOVEMBER AS BE LOCAL, BUY LOCAL MONTH		
Presenter:	Brittany Kershaw, Director of Communications & Marketing		
Background:	<p>“Be Local Buy Local” is an annual effort on the Saturday after Thanksgiving that promotes local, small businesses that have contributed to the financial success of the City of Palm Coast by contributing close to \$9 million last year alone in sales tax collections.</p> <p>The funds generated to the City by our small businesses have contributed to our spacious Community Center and similar projects, as well as street and sidewalk improvements.</p> <p>Small businesses have created 65.1 percent of net new jobs since the turn of the century, and 2022 marks the 13th annual Small Business Saturday. The City of Palm Coast appreciates and honors small businesses with this Proclamation.</p>		
Recommended Action:	PROCLAIM NOVEMBER 2022 AS “BE LOCAL, BUY LOCAL” MONTH		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division		Account #
Subject	ORDINANCE 2022-XX AMENDING THE FUTURE LAND USE MAP DESIGNATION FOR 30+/- ACRES OF PROPERTY FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE & TIMBERLANDS AND CONSERVATION TO CITY OF PALM COAST DESIGNATION OF MIXED USE AND CONSERVATION – US 1 AND WHITEVIEW	
Presenter : Jose Papa, AICP, Senior Planner		
<p>Background: <u>UPDATE FROM THE NOVEMBER 1, 2022 BUSINESS MEETING</u> This item was heard by City Council at their November 1, 2022 Business Meeting. There were no changes suggested to this item.</p> <p><u>ORIGINAL BACKGROUND FROM THE NOVEMBER 1, 2022 BUSINESS METTING</u> The subject area is an approximately 30-acre site located on the westside of US-1 at the terminus of Whiteview Pkwy. The application is a proposed FLUM amendment to change the current Flagler County designation of Agriculture & Timberlands and Conservation to City of Palm Coast designation of Mixed Use and Conservation. There is a companion zoning map amendment for the subject parcel to change the current zoning designation from Flagler County Agriculture to City of Palm Coast High Intensity Commercial (COM-3) and Preservation (PRS).</p> <p>The proposed amendment was reviewed for the following:</p> <ul style="list-style-type: none"> • Analysis of the proposed amendment’s impacts on public facilities and infrastructure. Consistent with the required analysis to compare the proposed land use designation with the existing land use designation, staff conducted a maximum potential development analysis for public facilities and infrastructure. The proposed amendment will result in higher demand on water and sewer facilities but should have a lower impact on transportation facilities. • Impacts on the environmental/cultural resources. There are no significant impact on the environmental attributes on the subject parcel since the parcel is mainly composed of planted pine. The amendment does propose to protect a 5.4 acre wetland area which is interconnected to a larger wetland system. • Compatibility with surrounding land uses. The proposed FLUM designations are generally consistent with the surrounding properties. 		

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

- Directing development where existing infrastructure is available.

Public Process

Neighborhood Meeting

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on October 4, 2022. Other than the applicants and City staff, there were no attendees from the surrounding community.

Planning and Land Development Regulation Board (PLDRB) Public Hearing

The PLDRB held a public hearing on October 19, 2022 to review and hear public comments on the proposed amendment. There were no public comments and the Board voted 6-1 to recommend approval.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB) FINDS APPLICATION #5190 CONSISTENT WITH THE COMPREHENSIVE PLAN AND RECOMMENDS THAT CITY COUNCIL APPROVE THE FLUM AMENDMENT FROM AGRICULTURE & TIMBERLANDS, AND CONSERVATION (FLAGLER COUNTY DESIGNATIONS) TO MIXED USE AND CONSERVATION (CITY OF PALM COAST DESIGNATION) – US 1 AND WHITEVIEW

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	ORDINANCE 2022-XX AMENDING THE ZONING MAP DESIGNATION FOR A 30+/- ACRE PARCEL FROM FLAGLER COUNTY DESIGNATION OF AGRICULTURE TO CITY OF PALM COAST DESIGNATION OF HIGH INTENSITY COMMERCIAL (COM-3) AND PRESERVATION (PRS) - US 1 AND WHITEVIEW	
Presenter : Jose Papa, AICP, Senior Planner		
Background :		
THIS IS A QUASI-JUDICIAL ITEM. PLEASE REMEMBER TO DISCLOSE ANY EX-PARTE COMMUNICATION.		
<u>UPDATE FROM THE NOVEMBER 1, 2022 BUSINESS MEETING</u>		
This item was heard by City Council at their November 1, 2022 Business Meeting. There were no changes suggested to this item.		
<u>ORIGINAL BACKGROUND FROM THE NOVEMBER 1, 2022 BUSINESS METTING</u>		
<p>The subject area is an approximately 30 acre site located on the westside of US-1 at the terminus of Whiteview Pkwy. The zoning map amendment application proposes to change the current designation from Flagler County designation of Agriculture to City of Palm Coast designation of High Intensity Commercial (COM-3) and Preservation. There is a companion Future Land Use Map (FLUM) amendment to change the current designation from the Flagler County designations of Agriculture & Timberlands, and Conservation to City of Palm Coast designation of Mixed Use and Conservation.</p> <p>The proposed High Intensity Commercial (COM-3) zoning mainly permits a variety of commercial/retail uses along with office uses related to the building industry, as well as warehouse and distribution facilities.</p> <p>Staff analyzed the proposed rezoning based on the criteria in the City of Palm Coast Land Development Code. In summary, staff makes the following findings:</p> <ul style="list-style-type: none"> - the proposed rezoning is consistent with the Comprehensive Plan including a policy to protect large, interconnected wetlands, - the proposed rezoning is consistent with the surrounding land uses and does not cause a nuisance or threat to the general welfare and safety of the public. The proposed COM-3 zoning is generally consistent with the development pattern found to the north (light industrial, storage, and building industry uses), 		

- the proposed amendment will not cause undue hardship or liability to the City since public infrastructure (water, sewer, roadways) are adjacent to the site and any extension will be the responsibility of the property owner.

Public Process

Neighborhood Meeting

As required by the Land Development Code, a neighborhood meeting was hosted by the applicant on October 4, 2022. Other than the applicants and City staff, there were no attendees from the surrounding community.

Planning and Land Development Regulation Board (PLDRB) Public Hearing

The PLDRB held a public hearing on October 19, 2022 to review and hear public comments on the proposed amendment. There were no public comments and the Board voted 7-0 to recommend approval.

Recommended Action:

THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD (PLDRB) FINDS APPLICATION #5192 CONSISTENT WITH THE COMPREHENSIVE PLAN AND RECOMMENDS THAT CITY COUNCIL APPROVE THE ZONING MAP AMENDMENT FROM AGRICULTURE (FLAGLER COUNTY DESIGNATION) TO HIGH INTENSITY COMMERCIAL (COM-3) AND PRESERVATION (PRS) (CITY OF PALM COAST DESIGNATION) – US 1 AND WHITEVIEW

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	ORDINANCE 2022-XX HARBORSIDE MASTER PLANNED DEVELOPMENT	
Presenter: Ray Tyner, Deputy Chief Development Officer and Bill Hoover, Senior Planner, AICP		
<p>Background: JDI Palm Coast, LLC, as the applicant is proposing to rezone 17.64 +/- acres that has an existing marina with 84 wet slips, a 72-unit residential condominium building, a 525-space parking garage, infrastructure, and vacant cleared land. The property is located on the east and northeast sides of the intersection between Palm Harbor Parkway and Clubhouse Drive. It is also located adjacent to the south side of the Clubhouse Waterway and along the west side of the Intracoastal Waterway. The proposed rezoning is from Harborside Inn & Marina PUD to Harborside Master Planned Development (MPD) for a potential mixed-use project that is intended to include a marina with ship's store, townhouses, multi-family units and possibly a restaurant and/or hotel.</p> <p>The applicant is requesting two options for the development, one primarily adding residential units and the second primarily adding residential units and a hotel. Per LDC Section 3.05.03.C, residential density calculations cannot include lands being used for commercial purposes so in scenario one 0.7 +/- acre of commercial land area for Lots 1 and 2 are subtracted from the project size while on scenario two, 2.7 +/- acres of commercial land area for Lots 1 - 3 are subtracted from the project size. (Note that hotels and commercial uses are governed by intensity limits, typically using maximum floor area ratios, rather than density limitations.) In scenario one, the proposed 432 units would have an overall project density on the 16.94 +/- acres of 25.5 units/per acre. In scenario two, the proposed 432 units would have an overall project density on the 14.94 +/- acres of 28.9 units/per acre.</p> <p><u>Planning and Land Development Regulation Board (PLDRB) Meeting on September 20, 2022:</u> This project was heard by the PLDRB on September 20, 2022. Planning staff recommended "denial" of the project due to the proposed very high density and compatibility issues with neighboring properties which did not meet various goals and policies of the Comprehensive Plan and sections of the Land Development Code (LDC). After a very lengthy meeting the PLDRB voted 6-0 to continue the project until the October 19, 2022, PLDRB meeting and requested that the applicant and Planning staff get together to see if they could minimize their differences in the MPD Development Agreement.</p> <p><u>Updated Information:</u> The applicant and staff held several meetings discussing the issues between the two parties which resulted in agreement on most all items. However, the major issue that remains is the maximum project density. The applicant is seeking 25.5 or 28.9</p>		

units/per acre depending on the applicant's choice of two development options. Staff and the applicant differ on the interpretation of the Comprehensive Plan and applicable sections of the LDC that determine maximum project densities.

On October 6th, City Staff initiated and sent the applicant a proposed new Section 10 to be included within the MPD Development Agreement. Staff's professional planning opinion suggested that if eight development standards were implemented within the project, and the project was limited to 18.3 units/acre, Staff could consider the project consistent with the Comprehensive Plan and the LDC; and specifically, with Comprehensive Plan Policy 1.1.2.2. Staff's proposed eight development standards are attached in the Staff report as Exhibit "A."

Staff opines that 18.3 units/acre would be consistent with the Comprehensive Plan and the LDC if the applicant implemented all eight items listed in Exhibit "A." At 18.3 units/per acre this would yield a maximum of either 310 units on 16.94 acres or 273 units on 14.94 acres. This is an increase of 22% over the maximum 15 units/per acre allowed in the Mixed Use District, absent the inclusion of the types of changes allowed in Policy 1.1.2.2 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 22% increase in density is consistent with the previous PUD approval which permitted a 22% increase in base intensity which increased the Floor Area Ratio from 55% to 67%. Staff believes their suggested eight development items would make the project equivalent in nature to the previous project regarding Policy 1.1.2.2. These eight standards would allow staff to support a 22% increase for density and is based on consistency with the Comprehensive Plan and LDC. Staff believes the eight standards listed in Exhibit "A", would make the 18.3 units/ per acre project compatible with the surrounding neighborhood. In staff's professional opinion the applicant's proposal of 25.5 to 28.9 units per acre is not compatible with neighboring properties, as required by several sections in the LDC.

The applicant reviewed staff's proposal for 18.3 units/acre with the eight standards, and on October 10th, the applicant provided a written response that is attached in the Staff Report as Exhibit "B". The applicant suggested that much of staff's proposed text should be deleted, and suggested alternative text be included with approximately the same development standards (one standard was dropped by the applicant). (Note applicant's proposed MPD DA includes their proposed alternative standards.) The applicant argued that if they met even some of staff's eight standards, the project would be entitled to 432 units and a density of 25.5 or 28.9 units/per acre.

Planning and Land Development Regulation Board (PLDRB) Meeting on October 19, 2022

This project was heard again by the PLDRB on October 19, 2022. Planning staff recommended "denial" of the project due to the proposed very high density and compatibility issues with neighboring properties which did not meet various goals and policies of the Comprehensive Plan and sections of the Land Development Code (LDC). After a lengthy meeting, the PLDRB voted 7-0 to recommend denial of the project to the City Council.

Public Participation: A neighborhood information meeting was held at 11:00 a.m. on September 8, 2022, at the 3rd floor of the on-site parking garage. By staff's count 48 persons attended this meeting including three persons representing the developer and one City staff member. The developer erected two City provided signs along Palm Harbor Parkway at least 14 days prior to each of the PLDRB meetings and will do so again 14 days prior to each City Council public

hearings. The City ran a news ad 20 days prior to the September 20, 2022, PLDRB meeting and since the project was continued (“date certain” to October 19, 2022) by the PLDRB no additional news ad was required. News ads are being run 13 days prior to each City Council public hearing.

A total of 29 persons from the public spoke at the two PLDRB meetings with 11 speaking at the first PLDRB meeting and 18 speaking at the second PLDRB meeting. Staff did not notice anyone speaking at both hearings as the City Attorney announced those speaking at the first hearing were already on the record and there was no need to speak again. All or nearly all speakers had concerns with the project and their concerns primarily involved: project density and number of units, building height, traffic, stormwater and flooding issues, utility concerns, and lack of specific development plans by the developer.

Recommended Action:

The Planning and Land Development Regulation Board found, by a vote of 7 to 0, the proposed MPD Application No. 5132 not in compliance with the Comprehensive Plan’s Goal 1.1 and Policies 1.1.1.2 and 1.1.2.2 and not in compliance with the Land Development Code’s Sections 3.03.04, 3.03.04.B.2, and 3.03.04.D and recommended denial to City Council to rezone 17.64 +/- acres from Harborside Inn & Marina PUD to Harborside MPD.

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department CITY ADMINISTRATION	Amount
Division	Account #
Subject RESOLUTION 2022-XX PROVIDING AUTHORIZATION TO INITIATE LEGAL PROCEEDINGS FOR THE HOLLAND PARK SPLASH PAD	
Presenter : Carl Cote, Director and Trevor Arnold, Attorney	
<p>Background : On April 12, 2022, City staff specialized legal representative, Mr. Trevor B. Arnold of Gray Robinson, P.A. presented Council with an update on the Splash Pad located at Holland Park.</p> <p>On June 7, 2022, City staff and Mr. Arnold provided City Council with another update regarding the Splash Pad located at Holland Park. In addition, City Council approved piggybacking the Collier County Contract (#18-7432-Aq) with Martin Aquatic Design & Engineering, through June 4, 2025, for professional aquatic design and engineering services.</p> <p>City staff negotiated a scope and fee per Florida Statute 287.055 'Consultants' Competitive Negotiation Act' (CCNA) to complete an assessment of the splash pad. This initial analysis had been completed and a report identifying the deficiencies is contained within the report. During the assessment, it was determined that complete removal of the splash pad surfacing material that has failed be removed, so that further analysis could be conducted. This would be to determine if there were any concrete deck or drainage issues. The removal occurred the week of August 22, 2022, and survey work was conducted the week of August 29th. A revised report was issued in September.</p> <p>On September 6, 2022, an update was provided to City Council. Council approved a not-to-exceed amount of \$92,470, with Martin Aquatic Design & Engineering contract. This contract was to complete the design to correct the deficiencies and prepare a bid package to be issued for construction.</p> <p>On October 5, 2022, legal mediation with involved parties was conducted with no settlement reached. This item to provide City Council with an update on the legal process and to obtain authorization for legal proceedings for the Holland Park Splash Pad.</p>	
<p>Recommended Action : ADOPT RESOLUTION 2022-XX PROVIDING AUTHORIZATION TO INITIATE LEGAL PROCEEDINGS FOR THE HOLLAND PARK SPLASH PAD</p>	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department FINANCE Item Key	Amount Account: 2103 – Disaster Reserve
Subject: RESOLUTION 2022-XX APPROVING A BUDGET AMENDMENT FOR FISCAL YEAR 2021/2022 RELATING TO THE DISASTER RESERVE FUND	
Presenter: Helena Alves, Financial Services Director	
Background: As a result from Hurricane Ian, the Disaster Reserve Fund expenditures have exceeded the projected budget for Fiscal Year 2021-2022 by approximately \$500,000 which requires City Council to amend the Fiscal Year 2021-2022 budget accordingly.	
Recommended Action: ADOPT RESOLUTION 2022-XX APPROVING A BUDGET AMENDMENT FOR FISCAL YEAR 2021-2022 RELATING TO THE DISASTER RESERVE FUND	

City of Palm Coast, Florida Agenda Item

Agenda Date: November 8, 2022

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount
Division	ENGINEERING	Account
Subject	RESOLUTION 2022-XX APPROVING A COST-SHARE AGREEMENT WITH ST. JOHNS RIVER WATER MANAGEMENT DISTRICT FOR THE LONDON WATERWAY EXPANSION PROJECT	
Presenter : Carmelo Morales, Stormwater Engineer III		
<p>Background : In an effort to enhance and stay consistent with the Stormwater Master Plan and to address drainage related issues, the City wishes to expand the stormwater attenuation and treatment capacity of the London Waterway. The project objective is to increase the flood storage capacity within London Waterway to reduce peak elevations, improve water quality in receiving waters with additional stormwater treatment, enhance the environment to support native fauna and flora, and deliver an aesthetic project that can serve the immediate neighborhood as a passive park. The project consists of construction an 11-acre lake along with corresponding storm sewer for inflow and outflow structures and 4.2 acres of littoral zone.</p> <p>The St. Johns River Water Management District (SJRWMD) cost-share program is designed to fund the construction of local stormwater management and alternative water supply projects as well as conservation implementation projects.</p> <p>Staff requested grant funding for the London Waterway Expansion project, in an amount not to exceed \$904,500, towards the estimated construction cost of \$3,618,000. The district has determined that providing cost-share funding to recipient will benefit the water resources and one or more of the district’s missions and initiatives. This request was approved by the Governing Board (contract#37938).</p> <p>This item is to approve the cost-share grant agreement with SJRWMD.</p>		
<p>Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING A COST-SHARE AGREEMENT WITH ST. JOHNS RIVER WATER MANAGERMENT DISTRICT FOR THE LONDON WATERWAY EXPANSION PROJECT</p>		

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department	PUBLIC SAFETY	Amount	\$53,073.80								
Division	FIRE	Account #	10014000-052000								
Subject	RESOLUTION 2022-XX APPROVING PIGGYBACKING THE LAKE COUNTY CONTRACT WITH TEN-8 FIRE & SAFETY, LLC FOR TWENTY (20) NEW BUNKER GEAR JACKETS AND TWENTY (20) NEW BUNKER GEAR PANTS FOR FIRE OPERATIONS										
Presenter:	Fire Chief Berryhill										
Background :	<p>The current budget for our Fire Department includes the replacement of aging bunker gear (protective firefighting equipment). According to the NFPA guidelines, bunker gear has a life expectancy of approximately ten years, and we are beyond that with some of our older equipment. The Fire Department's plan is to consistently replace 20 sets per year to ensure we have upgraded equipment for our employees.</p> <p>This year we are requesting 20 replacement sets. The Fire Department formed a committee to set standards for bunker gear that the firemen are to use.</p> <p>The Fiscal Year 2023 budget includes \$53,073.80 in available funding in the City's Fire Department operating budget for the purchase of Fire Equipment – Personal Protective Equipment (Bunker Gear).</p> <p>Staff recommends approving a piggyback contract with Lake County and Ten-8 Fire & Safety, LLC to purchase the Fire Equipment – Personal Protective Equipment (Bunker Gear).</p>										
SOURCE OF FUNDS WORKSHEET FY 2023	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 80%;">Improvements – Fire Operating Supplies 10014000...052000.....</td> <td style="width: 20%; text-align: right;">\$317,029.00</td> </tr> <tr> <td>Total Expended/Encumbered to Date.....</td> <td style="text-align: right;">\$74,030.42</td> </tr> <tr> <td>Current (WO/Contract).....</td> <td style="text-align: right;">\$53,073.80</td> </tr> <tr> <td>Balance.....</td> <td style="text-align: right;">\$189,924.78</td> </tr> </table>			Improvements – Fire Operating Supplies 10014000...052000.....	\$317,029.00	Total Expended/Encumbered to Date.....	\$74,030.42	Current (WO/Contract).....	\$53,073.80	Balance.....	\$189,924.78
Improvements – Fire Operating Supplies 10014000...052000.....	\$317,029.00										
Total Expended/Encumbered to Date.....	\$74,030.42										
Current (WO/Contract).....	\$53,073.80										
Balance.....	\$189,924.78										
Recommended Action :	<p>ADOPT RESOLUTION 2022-XX APPROVING PIGGYBACKING THE LAKE COUNTY CONTRACT WITH TEN-8 FIRE & SAFETY, LLC FOR TWENTY (20) NEW BUNKER GEAR JACKETS AND TWENTY (20) NEW BUNKER GEAR PANTS FOR FIRE OPERATIONS</p>										

City of Palm Coast, Florida Agenda Item

Agenda Date: November 15, 2022

Department	WATER AND WASTEWATER UTILITY	Amount	\$312,000.00
Division		Account #	54029088 063000 81019
Subject	RESOLUTION 2022-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR THE REHAB AND PUMP REPLACEMENT FOR WELL SW-38 AND REPLACEMENT OF WELL SW-7		
Presenter: Peter Roussell, Deputy Utility Director			
<p>Background : This item is for standard operations.</p> <p>The Utility Department has identified the need to rehab and replace the pump for SW-7 well and replace the pump for SW-38 well. These well sites are Public Water Supply Wells that supply raw water to Water Treatment Plant #1. SW-7 was originally constructed in 1973 and has a production rate of 150 gallons per minute (GPM) with a specific capacity of 7.3 GPM/ft. of drawdown. The specific capacity has declined to less than 2 with a production rate of approximately 40 GPM. Connect Consulting, Inc. (CCI) will provide hydrogeological services and engage in several field duties associated with the rehabilitation and relocation to complete SW-7. City staff noticed a large amount of sand in the pipeline for SW-38. CCI evaluated SW-38 in September 2022 and determined that the sand was coming from the uppermost portion of the screen. CCI recommended rehabilitating SW-38 to reduce/eliminate sand production and improve the specific capacity. The well was originally constructed in 2006 as a screen filter packed into the confined surficial aquifer. The specific capacity was 12 GPM/ft. of drawdown when SW-38 was originally constructed.</p> <p>Under the existing contract RFSQ-CD-20-31, staff negotiated a scope and fee not-to-exceed \$65,000.00 with CCI, for the rehab and pump replacement of well SW-38 and \$247,000.00 for the replacement of well SW-7. City staff has determined that the cost for the services is 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 in the FY 2023 Utility Capital Projects-Improvements-Wellfield and Wells fund.</p>			
SOURCE OF FUNDS WORKSHEET FY 2023			
	Improvements – Wellfield and Wells 54029088 063000 81019.....		\$2,600,000.00
	Total Expended/Encumbered to Date.....		74,780.00
	Current (WO/Contract).....		312,000.00
	Balance		\$2,213,220.00
<p>Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING A WORK ORDER WITH CONNECT CONSULTING, INC., FOR THE REHAB AND PUMP REPLACEMENT FOR WELL SW-38 AND THE REPLACEMENT OF WELL SW-7</p>			

City of Palm Coast, Florida Agenda Item

Agenda Date : November 15, 2022

Department	FINANCIAL SERVICES	Amount
Division	FINANCE	Account #
Subject	REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR OCTOBER 2022	
Presenter : Denise Bevan, City Manager		
Background : Attached is a list of all emergency and sole source purchases for the month of October 2022, in accordance with Sec 2.25 of Chapter 2, Article 1 Division 3 of the Code of Ordinances of the City of Palm Coast (Procurement Policy).		
Recommended Action : FOR REPORTING ONLY - VIA CITY MANAGER COMMENTS		