



City of Palm Coast
Agenda
COUNCIL BUSINESS
MEETING

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, August 2, 2022

6:00 PM

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.

E. MINUTES

- 1. MINUTES OF THE CITY COUNCIL:
July 19, 2022 Business Meeting
July 26, 2022 Special Budget Meeting**

F. PROCLAMATIONS

- 2. PROCLAMATION - AUGUST 7, 2022 AS PURPLE HEART DAY**

G. ORDINANCES SECOND READ

- 3. ORDINANCE 2022-XX REZONING SEMINOLE POINTE - APPLICATION #5064**

H. RESOLUTIONS

- 4. RESOLUTION 2022-XX APPROVING AMENDING RESOLUTION 2021-98 RELATED TO BUILDING AND INSPECTION FEES**

I. CONSENT

- 5. RESOLUTION 2022-XX APPROVING A CONTRACT WITH PAUL CULVER CONSTRUCTION, INC., A CONTRACT WITH DRMP, INC., A WORK ORDER WITH CPH ENGINEERS, AND A 10.11% PROJECT CONTINGENCY FOR THE LEHIGH TRAILHEAD PROJECT**
- 6. RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH HAWKINS, INC., FOR THE PURCHASE OF VARIOUS CHEMICALS**

7. RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH UNIVAR SOLUTIONS USA, INC., FOR SODIUM HYDROXIDE

8. RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH ALLIED UNIVERSAL CORPORATION FOR SODIUM HYPOCHLORITE

J. PUBLIC PARTICIPATION

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

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

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

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

N. ADJOURNMENT

9. COUNCIL WORKSHEET AND CALENDAR

City of Palm Coast, Florida Agenda Item

Agenda Date : August 2, 2022

Department	CITY ADMINISTRATION	Amount
Division	CITY CLERK	Account
		#
Subject	MINUTES OF THE CITY COUNCIL: July 19, 2022 Business Meeting July 26, 2022 Special Budget Meeting	
Presenter :	Virginia Smith, City Clerk	
Background :		
Recommended Action :	APPROVE MINUTES OF THE CITY COUNCIL: July 19, 2022 Business Meeting July 26, 2022 Special Budget Meeting	

City of Palm Coast, Florida Agenda Item

Agenda Date : AUGUST 2, 2022

Department	CITY ADMINISTRATION	Amount
Division	CITY CLERK	Account
		#
Subject	PROCLAMATION - AUGUST 7, 2022 AS PURPLE HEART DAY	
Presenter :	Mayor and City Council	
Background :	A request to proclaim August 7, 2022 as "Purple Heart Day", honoring those that sacrificed in defending our freedoms.	
Recommended Action :	PROCLAIM AUGUST 7, 2022 AS "PURPLE HEART DAY"	

City of Palm Coast, Florida Agenda Item

Agenda Date: August 2, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	ORDINANCE 2022-XX REZONING SEMINOLE POINTE - APPLICATION #5064	
Presenter: Jordan Myers, CFM, Environmental Planner		
Background: THIS IS A QUASI-JUDICIAL ITEM. PLEASE REMEMBER TO DISCLOSE ANY EX-PARTE COMMUNICATIONS.		
<u>UPDATE FROM THE JULY 17, 2022 BUSINESS MEETING</u> This item was heard by City Council at their July 17, 2022 Business Meeting. There were no changes suggested to the item.		
<u>ORIGINAL BACKGROUND FROM THE JULY 17, 2022 BUSINESS MEETING</u> This is an application to amend the zoning map designation for 67.69 +/- acres of real property to reconfigure the existing High Intensity Commercial (COM-3) and Multifamily Residential (MFR-2) zoning districts on the property. The project is located at the intersection of US-1 and Seminole Woods Boulevard. A previous rezoning was approved on September 21, 2021 to change from Master Planned Development (MPD) to the existing COM-3 and MFR-2 zoning districts. The developer notified the neighboring property owners via standard USPS mail of an upcoming neighborhood meeting that was held on June 8, 2022 at 6:00 p.m. at the Hilton Garden Inn, 55 Town Center Boulevard. The developer erected City provided signs, by June 1 st as required, on US 1 and Seminole Woods Boulevard. This was to notify the public of the upcoming public hearing for the Planning and Land Development Regulation Board. In addition, newspaper ads are placed in accordance with State Statutes for each public hearing. Staff has reviewed this project in accordance with 2.05.05 & 2.06.03 of the Land Development Code and find that it is in compliance. The project is not contrary to the public interest, it is consistent with the Comprehensive Plan, and it has compatibility with proximate uses. The Planning and Land Development Regulation Board voted 6-0 to recommend approval to City Council.		
Recommended Action: The Planning and Land Development Regulation Board determine the proposed rezoning of Seminole Pointe (Application No. 5064) is consistent with the Comprehensive Plan and recommend approval to City Council to reconfigure the existing High Intensity Commercial (COM-3) and Multifamily Residential (MFR-2) zoning districts on the property		

City of Palm Coast, Florida Agenda Item

Agenda Date : August 2, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	BUILDING	Account #
Subject	RESOLUTION 2022-XX APPROVING AMENDING RESOLUTION 2021-98 RELATED TO BUILDING AND INPECTION FEES	
Presenter : Jason DeLorenzo, Chief Development Officer and Patrick Buckley, Chief Building Official		
Background : <p>The Building Division operates as an enterprise fund deriving all revenue from permit fees for services related solely to enforcing the Florida Building Code. Florida statutes regulate the funds which cannot be expended for any other purpose.</p> <p>In the current fiscal year, from October 1, 2021, to June 30, 2022, the division has processed applications for 13,301 permits and collected associated revenue of over \$2.64 million from this high volume. Expenses over the same period are approximately \$1.82 million. Several factors have contributed to a reduction in budgeted expenses, including unfilled positions and the success of the internship program, which has contributed to reduced contractual services for plan review by \$350,000.</p> <p>F.S. 553.80(7)(a) states in part: A local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous four fiscal years.</p> <p>As of June 30, 2022, the Building Fund balance stands at 89% of the last 4-year operating budget average of \$2,949,355.50 and is at risk of exceeding the maximum allowed by the end of the fiscal year.</p> <p>Evaluations by the Finance Department have determined an immediate 50% reduction is necessary. The reduction will extend into FY23 to reduce the fund balance below \$2,000,000.</p>		
Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING AMENDING RESOLUTION 2021-98 RELATED TO BUILDING AND INPECTION FEES		

City of Palm Coast, Florida Agenda Item

Agenda Date: August 2, 2022

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	\$2,522,945.00
Division		Account	21066015 063000 61010
Subject	ADOPT RESOLUTION 2022-XX APPROVING A CONTRACT WITH PAUL CULVER CONSTRUCTION, INC., A CONTRACT WITH DRMP, INC., A WORK ORDER WITH CPH ENGINEERS, AND A 10.11% PROJECT CONTINGENCY FOR THE LEHIGH TRAILHEAD PROJECT		
Presenter: Carl Cote, Director of Stormwater & Engineering			
Background : <u>UPDATE FROM THE JULY 12, 2022, WORKSHOP</u> This item was heard by the City Council at their July 12, 2022, Workshop. There were no changes suggested to this item. <u>ORIGINAL BACKGROUND FROM THE JULY 12, 2022, WORKSHOP</u> City staff completed the design of a trailhead that will provide paved parking and restroom facilities for users of Lehigh Trail. The trailhead will be located adjacent to the Lehigh Trail along Belle Terre Parkway. On October 30, 2018, City Staff requested the approval of a work order with CPH for the Lehigh Trail head project. This proposed project was for the design of additional parking areas to replace current ad hoc parking. The original design was to include a parking lot, signage, pavement markings, sidewalks, drainage improvements, a wet retention pond, a water fountain, bike rack, restrooms, and basic landscaping. This City owned land was identified as a site to be utilized to serve the central area of the community, and the Master Plan efforts should include community functions associated with proposed development. City Council directed staff to include additional designs for a dog park and community gardens; those changes were made and approved during the November 6, 2018, City Council meeting. On November 6, 2018, City Council approved a Florida Department of Transportation (FDOT) Local Agency Program (LAP) Agreement, for FDOT grant funding in the amount of \$90,000.00 to assist in the funding of the design services for the project. On April 7, 2020, City Council approved a sublease agreement to utilize a portion of the State owned lands. This sublease agreement was necessary due to the limitations on vertical development; it was necessary to locate the restroom building on property owned by the State of Florida. The State has delegated the authority to control the property, including granting easements and leases on behalf of the State, to Flagler County. On July 14, 2020, City Council approved a Right-of-Way Consent Agreement with Florida Power & Light for the Lehigh Trailhead Project. City staff requested the use of land by approval of a Right-of-Way Consent Agreement, for the sole purpose of additional parking, lighting, community gardens, and a dog park.			

On April 20, 2021, City Council approved a FDOT LAP Agreement (#436473-1-58/68-07) for grant funding in the amount of \$1,583,738.00 for the construction phase of this project. This amount is to cover the FDOT eligible items (trailhead) portion of the project. The City will provide the required 10% match by funding the construction engineering and inspection services (CEI). The bid package includes alternates for the community gardens and dog park.

The construction project, ITB-SWE-21-13, was advertised on July 14, 2021, and the City received one (1) bid on September 10, 2021. There were six (6) bidders that completed the Intent to Bid, however the City only received one (1) bid. The other bidders indicated that they had too heavy a workload take on additional projects. The City extended the bid due date twice to seek additional bidders. The City sent out 261 invitations to General Contractors that have a Business Tax receipt with the City, and General Contractors that have pulled permits with the City. Due to discrepancies with the bid and upon review with FDOT it was determined that the bid should be cancelled, and the project rebid.

On May 18, 2022, the City rebid the project ITB-SWE-22-48 and two (2) bids were received. The City reviewed the bids and determined the low bidder, Paul Culver Construction is the responsible and responsive bidder, and is requesting City Council approval to award a contract for the Base Bid and all Alternates for an amount of \$1,880,000. The City has sought and received FDOT concurrence to award the contract by the City.

Construction, Engineering, and Inspection (CEI) services are a requirement of the LAP Agreement. The CEI services bid, ITB-SWE-21-13, was advertised on April 28, 2021. The City received three (3) qualification proposals on May 28, 2021. City Staff evaluated the proposals, selected DRMP, Inc. as the most qualified proposer, and negotiated a scope and fee with DRMP, Inc. to provide CEI services in the amount of \$307,436.61.

Post design services will be provided for environmental and other miscellaneous tasks, including but not limited to design revisions, contractor’s revision reviews, review and responses to RFIs, attending construction progress meetings, and other on-call services to assist the City during construction. CPH will provide responses to issues related to changes or questions regarding design and will provide revised plans or exhibits to document revisions. Any revisions will be provided to the City as an addendum to the conformed plans and specifications. The City negotiated a scope and fee to be billed for actual hours required in the amount of \$80,463.00.

In addition, based on past experience with similar construction projects, staff is requesting a 10.11% project contingency in the amount of \$255,046.39 to address unforeseen circumstances and/or unknown conditions.

This item is seeking approval of the contracts and expenses for a total project cost of \$2,522,945. This project is in the Recreation Impact Fee Fund 5-Year Capital Improvement Plan. The project’s construction is budgeted for Fiscal Year 2022.

SOURCE OF FUNDS WORKSHEET FY 2022

Recreation Impact Fee 21066015-063000-61010	\$ 2,750,000.00
Total Expended/Encumbered to Date.....	\$ 29,091.26
Pending Work Orders/Contracts.....	\$ 00.0
Current (WO/Contract).....	<u>\$ 2,522,945.00</u>
Balance	\$ 197,963.74

Recommended Action :

ADOPT RESOLUTION 2022-XX APPROVING A CONTRACT WITH PAUL CULVER CONSTRUCTION, INC., A CONTRACT WITH DRMP, INC., A WORK ORDER WITH CPH ENGINEERS, AND A 10.11% PROJECT CONTINGENCY FOR THE LEHIGH TRAILHEAD PROJECT

City of Palm Coast, Florida Agenda Item

Agenda Date: August 2, 2022

Department	UTILITY	Amount	AS NEEDED
Division	WATER	Account	# 54019086 – 052030
			# 54019087 – 052030
			# 54019085 – 052030
Subject	RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH HAWKINS, INC., FOR THE PURCHASE OF VARIOUS CHEMICALS		
Presenter : Peter Roussel, Utility Deputy Director			
Background: This item is for standard operations.			
<p>The City of Palm Coast’s Utility Department/Water Treatment Plants #1, #2, and #3 utilize various chemicals during the treatment process. The City of Palm Coast bid the annual supply of various chemicals through ITB-UT-22-45. The contract term will be one (1) year and will allow for two (2) renewals.</p> <p>The chemicals included in this bid are:</p> <ul style="list-style-type: none"> • Liquid Sulfuric Acid 50%, NSF Certified • Liquid Corrosion Inhibitor (30% polyphosphate and 70% orthophosphate), minimum 35% active ingredients (Total PO4), NSF Certified • Ammonium Sulfate Solution <p>City Staff recommends that Council approves a master price agreement with Hawkins, Inc., for various chemicals based on ITB-UT-22-45. The Notice of Intent to Award and project bid overview are attached to this agenda item.</p> <p>City staff will purchase the chemicals using budgeted funds appropriated by Council. The Fiscal Year 2022 Budget includes available funding within Utility Fund-Chemicals. These chemicals will be purchased on an as needed basis.</p>			
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019086 052030			\$739,152.00
Total Expended/Encumbered to Date.....			622,003.30
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$117,148.70
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019087 052030			\$649,945.00
Total Expended/Encumbered to Date.....			648,252.00
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$ 1,693.00

SOURCE OF FUNDS WORKSHEET FY 2022

UTILITYFND Chemicals 54019085 052030	\$129,000.00
Total Expended/Encumbered to Date.....	117,931.50
Pending Work Orders/Contracts.....	0.00
Current (WO/Contract).....	0.00
Balance	\$11,068.50

Recommended Action :
ADOPT RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH HAWKINS, INC., FOR VARIOUS CHEMICALS

City of Palm Coast, Florida Agenda Item

Agenda Date: August 2, 2022

Department	UTILITY	Amount	AS NEEDED
Division	WATER	Account	# 54019085 052030 # 54019087 052030
Subject	RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH UNIVAR SOLUTIONS USA, INC., FOR SODIUM HYDROXIDE		
Presenter : Peter Roussel, Utility Deputy Director			
Background : This item is for standard operations.			
<p>The City of Palm Coast’s Utility Department/Water Operations Division utilizes 25% Sodium Hydroxide (Membrane Grade Caustic) in the treatment process at Water Treatment Plant #2 and Water Treatment Plant #3. The City of Palm Coast bid the supply of Sodium Hydroxide through ITB-UT-22-39. The length of the contract term will be six (6) months with no renewals.</p> <p>City Staff recommends approval a master price agreement with Univar Solutions USA, Inc., to supply 25% Sodium Hydroxide (Membrane Grade Caustic) based on ITB-UT-22-39. The Notice of Intent to Award and project bid overview are attached to this agenda item.</p> <p>City Staff will purchase this chemical using budgeted funds appropriated by Council. The Fiscal Year 2022 Budget includes available funding within Utility Fund-Chemicals. This chemical will be purchased on an as needed basis.</p>			
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019085 052030			\$129,000.00
Total Expended/Encumbered to Date.....			117,931.50
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$11,068.50
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019087 052030			\$649,945.00
Total Expended/Encumbered to Date.....			648,252.00
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$ 1,693.00
Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH UNIVAR SOLUTIONS USA, INC., FOR SODIUM HYDROXIDE			

City of Palm Coast, Florida Agenda Item

Agenda Date: August 2, 2022

Department	UTILITY	Amount	AS NEEDED
Division	WATER & WASTEWATER	Account	# 54019086 052030
			# 54019087 052030
			# 54019085 052030
			# 54019083 052030
			# 54019084 052030
Subject RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH ALLIED UNIVERSAL CORPORATION FOR SODIUM HYPOCHLORITE			
Presenter : Peter Roussel, Utility Deputy Director			
Background : This item is for standard operations.			
<p>The City of Palm Coast’s Utility Department/Water and Wastewater Operations utilizes Sodium Hypochlorite in the disinfection process. The City of Palm Coast bid the annual supply of Sodium Hypochlorite through ITB-UT-22-44. The contract term will be one (1) year and allow for two (2) renewals.</p> <p>City Staff recommends that Council approves a master price agreement with Allied Universal Corporation to supply Sodium Hypochlorite based on ITB-UT-22-44. The Notice of Intent to Award and project bid overview are attached to this agenda item.</p> <p>City staff will purchase this chemical using budgeted funds appropriated by Council. The Fiscal Year 2022 Budget includes available funding within Utility Fund-Chemicals. This chemical will be purchased on an as needed basis.</p>			
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019086 052030			\$739,152.00
Total Expended/Encumbered to Date.....			622,003.30
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$117,148.70
SOURCE OF FUNDS WORKSHEET FY 2022			
UTILITYFND Chemicals 54019087 052030			\$649,945.00
Total Expended/Encumbered to Date.....			648,252.00
Pending Work Orders/Contracts.....			0.00
Current (WO/Contract).....			0.00
Balance			\$ 1,693.00

SOURCE OF FUNDS WORKSHEET FY 2022

UTILITYFND Chemicals 54019085 052030	\$129,000.00
Total Expended/Encumbered to Date.....	117,931.50
Pending Work Orders/Contracts.....	0.00
Current (WO/Contract).....	0.00
Balance	\$11,068.50

SOURCE OF FUNDS WORKSHEET FY 2022

UTILITYFND Chemicals 54019083 052030	\$262,060.00
Total Expended/Encumbered to Date.....	246,050.06
Pending Work Orders/Contracts.....	0.00
Current (WO/Contract).....	0.00
Balance	\$16,000.94

SOURCE OF FUNDS WORKSHEET FY 2022

UTILITYFND Chemicals 54019084 052030	\$478,750.00
Total Expended/Encumbered to Date.....	481,538.10
Pending Work Orders/Contracts.....	0.00
Current (WO/Contract).....	0.00
Balance	\$ 2,788.10

Recommended Action :
ADOPT RESOLUTION 2022-XX APPROVING A MASTER PRICE AGREEMENT WITH ALLIED UNIVERSAL CORPORATION FOR SODIUM HYPOCHLORITE