



City of Palm Coast Agenda COUNCIL WORKSHOP

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 9, 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.

E PRESENTATIONS

- 1 RESOLUTION 2022-XX APPROVING THE INTERCONNECTION AND BULK WATER AND WASTEWATER TREATMENT UTILITY AGREEMENT WITH FLORIDA GOVERNMENTAL UTILITY AUTHORITY**
- 2 RESOLUTION 2022-XX APPROVING AN AMENDMENT TO THE INVESTMENT POLICY**
- 3 PRESENTATION – CAPITAL, INTERNAL SERVICES, SPECIAL REVENUE FUNDS, & PROPOSED BUDGET FOR ALL REMAINING FUNDS**
- 4 RESOLUTION 2022-XX APPROVING THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR**
- 5 RESOLUTION 2022-XX APPROVING THE FINAL NUISANCE ABATEMENT ASSESSMENT**
- 6 RESOLUTION 2022-XX APPROVING THE 2022-2026 CONSOLIDATED ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM**
- 7 RESOLUTION 2022-XX APPROVING THE SEMINOLE TRAILS LAND EXCHANGE AGREEMENT**
- 8 ORDINANCE 2022-XX ESTABLISHING THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION # 5110**

F PUBLIC PARTICIPATION

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

- G DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA**
 - H DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA**
 - I DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA**
 - J ADJOURNMENT**
- 9 AGENDA WORKSHEET AND CALENDAR**

City of Palm Coast, Florida Agenda Item

Agenda Date: August 9, 2022

Department	WATER AND WASTEWATER UTILITY	Amount	\$
Division		Account	#
Subject	RESOLUTION 2022-XX APPROVING AN AGREEMENT WITH THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY FOR BULK UTILITY TREATMENT		
Presenter : Steve Flanagan, Utility Director			
Background :			
<p>Twenty years ago, Flagler County (the “County”) and the City of Palm Coast (the “City”) were in conflict over territorial rights for water and sewer service. The territory in question was the area of Old Kings Road south of SR 100. By 2007, the County and the City, along with other utility owners, agreed to settle their various disputes in the Settlement Agreement. The Agreement defined which area of Old Kings Road each party would service. It also contained a clause the City would install a water main and meter to a specified point. At that specified point the County would connect and receive bulk water for resale to its customer base.</p> <p>In 2018, the City of Palm Coast and Flagler County were approached by property owners along the Old Kings Road Service Area with potential plans for future development. As such, the City and the County entered negotiations for a revised Interlocal Agreement, which would have laid the foundation to develop a cooperative effort to provide a regional approach to address water and sewer service along Old Kings Road South to properties in the City and in unincorporated County effectuating the terms of the 2007 agreement. That agreement would have provided that the parties would continue to work together and enter into a future Interlocal Agreement. However, an agreement was not reached.</p> <p>Since that time, the County has sold their utility to Florida Governmental Utility Authority (FGUA). Staff has negotiated an agreement with FGUA, which is being proposed to Council. The agreement specifies the City will provide bulk water and sewer services to the FGUA. This agreement also grants the City service rights for the territories annexed after the Settlement Agreement. The City would acquire the current property which FGUA utilizes for the treatment facility. This site would potentially become the City’s future WWTP#3 site and would enable future wastewater service in the southeastern portion of the City. The agreement would also allow for the reduction/elimination of small package treatment facilities in the area, a benefit that would reduce/eliminate the discharge of wastewater effluent into Bulow Creek.</p>			
Recommended Action :			
ADOPT RESOLUTION 2022-XX APPROVING AN AGREEMENT WITH THE FLORIDA GOVERNMENTAL UTILITY AUTHORITY FOR BULK UTILITY TREATMENT			

City of Palm Coast, Florida Agenda Item

Agenda Date : August 9, 2022

Department Division	FINANCIAL SERVICES	Amount Account #
Subject	RESOLUTION 2022-XX APPROVING AN AMENDMENT TO THE INVESTMENT POLICY	
Presenter : Helena Alves, Finance Director		
Background :		
<p>In 2003, City Council approved the Investment Policy, Resolution 2003-25, to guide and protect the monetary assets of the City while invested to generate additional revenue for public uses. Over the years, financial markets change and require periodic review of the current policy. Since adoption, the policy has been revised a couple of times. In 2012 Council adopted Resolution 2012-96. This revision included updates to terminology, clarification of staff responsibilities, and updates to allowable investment options. The most recent revision was in 2015, via Resolution 2015-44. This revision included updates to allowable investment options.</p> <p>The City's investment advisors, PFM, have recommended to revise the policy to increase the maximum allocation of funds from 25% to 50% for both Florida Prime funds and Intragovernmental Investment Pools. The maturity limitations will also increase from 5 to 5.5 years for supranational securities, corporate notes, and state/local government debt securities.</p>		
Recommended Action :		
ADOPT RESOLUTION 2022-XX APPROVING AN AMENDMENT TO THE INVESTMENT POLICY		

City of Palm Coast, Florida Agenda Item

Agenda Date : August 9, 2022

Department FINANCIAL SERVICES	Amount
Division	Account #
Subject PRESENTATION – CAPITAL, INTERNAL SERVICES, SPECIAL REVENUE FUNDS, & PROPOSED BUDGET FOR ALL REMAINING FUNDS	
Presenter : Helena Alves, Finance Director	
Background :	
<p>On September 22, 2021, City Council adopted Resolution 2021-136, approving the Fiscal Year 2022 Budget, in the amount of \$248,635,694.</p> <p>At the April 26, 2022, Special Budget Workshop, City Council was presented with the Year-to-Date Budget results for operating departments for Fiscal Year 2022, October through March.</p> <p>On May 3, 2022, City Council approved and adopted the Strategic Action Plan (SAP) for Fiscal Year 2022-2023.</p> <p>At the May 24, 2022, Workshop, staff presented to City Council on the fund accounting and revenue source restrictions to prepare for the upcoming Fiscal Year 2023 budget.</p> <p>On June 14, 2022, City Council was presented an overview of the process for adopting the Property Tax and TRIM rate in preparation to adopt the Fiscal Year 2023 TRIM rate in September.</p> <p>On July 12, 2022, Financial Services staff presented City Council with a presentation of the proposed General Fund budget for FY 2023. Staff proposed a maximum millage rate of 4.6100 mills, which is a 14.85 % increase from the rolled-back rate of 4.0138 mills, and the first budget hearing to be held at 5:15 p.m. on Thursday, September 8, 2022, at the Palm Coast City Hall Community Wing, located at 160 Lake Ave, Palm Coast.</p> <p>Local governments must conform to the maximum millage limitation requirements as outlined in Section 200.065(5), F.S. Within 35 days of the certification of value, the City of Palm Coast must inform the property appraiser of the current year’s proposed millage rate and the first budget hearing date and location which will be advertised on the Notice of Proposed Property Taxes (TRIM notice) that the property appraiser mails.</p> <p>On July 19, 2022, the Proposed Millage Rate & Proposed Budget for Fiscal Year 2023 was presented to City Council and Council adopted a resolution setting the Maximum Millage rate for FY 2023.</p>	

City of Palm Coast, Florida Agenda Item

Agenda Date : August 9, 2022

Department FINANCIAL SERVICES Division	Amount Account #
Subject RESOLUTION 2022-XX APPROVING THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR	
Presenter : Helena Alves, Finance Director	
Background : The Old Kings Road Special Assessment District was established by Ordinance 2005-10 in order to provide a funding mechanism, through special assessments, to fund four-laning improvements to Old Kings Road, based on the request and consent of affected property owners, from Palm Coast Parkway to SR 100. This Resolution provides for the annual assessment roll to be certified to the County Tax Collector so that the annual installments of the assessment can be included on the 2022 Property Tax Bills to be issued in October/November 2022. The assessments roll is substantially similar to the roll approved in the prior fiscal year.	
Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING THE OLD KINGS ROAD SPECIAL ASSESSMENT ROLL TO BE TRANSMITTED TO THE FLAGLER COUNTY TAX COLLECTOR	

City of Palm Coast, Florida Agenda Item

Agenda Date : August 9, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	CODE ENFORCEMENT	Account #
Subject	RESOLUTION 2022-XX APPROVING THE FINAL NUISANCE ABATEMENT ASSESSMENT	
Presenter : Barbara Grossman, Code Enforcement Manager		
<p>Background : On March 2, 2010, the City adopted Ordinance 2010-03 to provide for the creation of an Assessment Area and authorize the imposition of Nuisance Abatement Assessments to be attached to the annual ad valorem tax bill sent out by the County Tax Collector. December 21, 2010, the City adopted Resolution 2010-168 signifying its intent to use the uniform collection method to collect non-ad valorem assessments pursuant to Ordinance 2010-03.</p> <p>On July 16, 2022, City Council adopted the Initial Assessment Resolution 2022-90 relating to the Nuisance Abatement Special Assessment. Staff has prepared the Final Assessment Roll and Final Assessment Resolution for Council consideration. Pursuant to State Statutes, the notice of the public hearing was published in the newspaper of general circulation for Flagler County with the list of the affected property owners at least 20 days prior to the August 16, 2022.</p>		
<p>Recommended Action : ADOPT RESOLUTION 2022-XX APPROVING THE FINAL NUISANCE ABATEMENT ASSESSMENT</p>		

City of Palm Coast, Florida Agenda Item

Agenda Date : August 9, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	RESOLUTION 2022-XX APPROVING THE 2022-2026 CONSOLIDATED ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM	
Presenter : Jose Papa, AICP, Senior Planner		
Background:		
This is a legislative item that requires a public hearing.		
<p>The Community Development Block Grant (CDBG) Program started in 1974 to provide funding for housing and community development. Activities or Programs funded by CDBG funds must meet one of the following the National Objectives of the Program:</p> <ol style="list-style-type: none"> 1) Benefit low- and moderate-income persons (LMI) 2) Prevent or eliminate slum or blight 3) Address urgent community development needs (Emergency) <p>As an entitlement community, the City of Palm Coast will be eligible to receive an annual allocation from the Department of Housing and Urban Development (HUD). Historically, CDBG funds have been used for various community development activities such as:</p> <ul style="list-style-type: none"> • Housing Programs, • Public Services (Limited to 15% of Grant), • Public Infrastructure/Facilities (In Qualified Areas based on Census or benefits area 51% or greater LMI Area), • Economic Development, and • Planning/Administration/Monitoring of the Program (limited to 20% of allocation). <p>In the City of Palm Coast, CDBG funds have been used to fund the following activities:</p> <ul style="list-style-type: none"> • Housing rehabilitation of owner-occupied units, • Public Services, • Public Infrastructure (trails), and • Planning/Administration/Monitoring of the program. 		

City of Palm Coast, Florida Agenda Item

Agenda Date: August 9, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	RESOLUTION 2022-XX APPROVING THE SEMINOLE TRAILS LAND EXCHANGE AGREEMENT	
Presenter: Jordan Myers, CFM, Environmental Planner		
Background:		
<p>THIS IS A LEGISLATIVE ITEM</p> <p>In November 2021, City Council approved a FLUM and Zoning amendment for Seminole Trails from Mixed Use FLUM and MPD Zoning to Residential FLUM and SFR-1 Zoning.</p> <p>This proposal is to exchange 3.51 acres of City land with 0.75 acres of Palm Coast Land Opportunities, Inc. land and land currently owned by SG Flagler Holdings, which is 0.96 acres. The City will also be granted an easement, which is 2.4 acres.</p> <p>The intent of this land exchange is to create a 35-acre flood storage area call Dry Lake and the Developer will excavate it for the City. The creation of the lake will provide a much-needed flood water storage area, as well as improve the water quality in the area.</p>		
Recommended Action:		
<p>ADOPT RESOLUTION 2022-XX APPROVING THE SEMINOLE TRAILS LAND EXCHANGE AGREEMENT BETWEEN PALM COAST LAND OPPORTUNITIES, INC., AND THE CITY OF PALM COAST</p>		

City of Palm Coast, Florida Agenda Item

Agenda Date: August 9, 2022

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	ORDINANCE 2022- XX ESTABLISHING THE LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION # 5110	
Presenter: Jordan Myers, CFM, Environmental Planner		
Background:		
<p>On May 18, 2005, Flagler County approved The Grand Landings Planned Unit Development Agreement. The City of Palm Coast then annexed the project in March of 2007. Grand Landings is located on the west side of Seminole Woods Boulevard, south of the Flagler County Executive Airport and north of the new Sesame Boulevard. The Landings portion is on the south side of Citation Boulevard just east of Water Treatment Plant #2.</p> <p>In April 2022, the applicant submitted a petition to establish the Landings Community Development District (CDD) which is primarily a mechanism for funding the significant costs of providing infrastructure for a residential community. In this case, the applicant estimates there would be 399 homes in the Landings.</p> <p>Florida Statutes Chapter 190 – Community Development Districts sets forth the standards for a CDD, and more specifically, Section 190.005, Fla. Stat. provides the standards for a local government to adopt an ordinance establishing a CDD. The following six factors are to be used by the City in determining if the City Council will grant or deny the CDD petition:</p> <ol style="list-style-type: none"> 1. Whether all the statements within the petition have been found to be true and correct. 2. Whether the establishment of the district is inconsistent with any applicable element or portion of the State’s comprehensive plan or of the City’s comprehensive plan. 3. Whether the land area within the proposed district is of sufficient size, is sufficiently compact and is sufficiently contiguous to be developable as one functional interrelated community. 4. Whether the district is the best alternative available for delivering CDD services and facilities for the project. 5. Whether the CDD services and facilities of the district will be incompatible with the capacity and uses of existing local and regional community development services and facilities. 6. Whether the area that will be served by the district is amenable to separate special district government. <p>A CDD is a special purpose unit of government that is utilized to acquire, finance, operate and maintain the infrastructure within a planned development. A key advantage for the developer is that low cost financing can be obtained by issuing tax-exempt bonds to finance the infrastructure improvements. The City or County approving such ordinance establishing the CDD is not a party to the financing and does not incur any obligation for this infrastructure debt.</p>		