



**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 Ed Danko**  
**Council Member Theresa Carli Pontieri**  
**Council Member Cathy Heigher**  
**Council Member Nick Klufas**

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**Tuesday, January 17, 2023**

**9:00 AM**

**COMMUNITY WING**

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**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:  
DECEMBER 13, 2022 WORKSHOP  
DECEMBER 13, 2022 BUSINESS MEETING  
JANUARY 10, 2023 WORKSHOP**

**F. PROCLAMATIONS**

- 2. PROCLAMATION - JANUARY AS STALKING AWARENESS MONTH**
- 3. PROCLAMATION - JANUARY AS HUMAN TRAFFICKING AWARENESS MONTH**

**G. ORDINANCES FIRST READ**

- 4. ORDINANCE 2023-XX HARBORSIDE MPD – APPLICATION # 5132**

**H. RESOLUTIONS**

- 5. RESOLUTION 2023-XX APPROVING THE FINAL PLAT FOR SAWMILL BRANCH AT PALM COAST PARK PHASE 2A (AR #5105)**
- 6. RESOLUTION 2023-XX APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT**

**AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM)  
RELATING TO HURRICANE IAN EXPENSES**

- 7. RESOLUTION 2023-XX APPROVING THE ACCEPTANCE OF THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT**
- 8. RESOLUTION 2023-XX APPROVING A CONTRACT WITH TAYLOR ENGINEERING FOR THE SALTWATER CANAL STUDY PHASE I**

**I. CONSENT**

- 9. RESOLUTION 2023-XX APPROVING THE THIRD AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT WITH METROPCS, FLORIDA, INC., AT RALPH CARTER PARK**
- 10. RESOLUTION 2023-XX APPROVING AMENDMENTS TO THE FEDERAL FISCAL YEAR (FFY) 2017, 2018, 2019, & 2020 CDBG ANNUAL ACTION PLANS**
- 11. RESOLUTION 2023-XX APPROVING THE AFFORDABLE HOUSING INCENTIVES REPORT-2023 FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM AND THE (LHAP) PLAN**
- 12. RESOLUTION 2023-XX APPROVING A WORK ORDER INCREASE FOR ADDITIONAL COSTS RELATED TO E-SECTION WEST DRAINAGE REHABILITATION PROJECT**
- 13. RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT WITH PBM CONSTRUCTORS, INC., FOR THE UPGRADES OF TWO AGING PUMP STATIONS**
- 14. RESOLUTION 2023-XX APPROVING PIGGYBACKING THE ORANGE COUNTY CONTRACT WITH ENVIRONMENTAL OPERATING SOLUTIONS, INC., FOR THE PURCHASE OF MICROC 2000**

**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**

- 15. REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR DECEMBER 2022**

**N. ADJOURNMENT**

**16. AGENDA WORKSHEET AND CALENDAR**

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> CITY ADMINISTRATION	<b>Amount</b>
<b>Division</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> MINUTES OF THE CITY COUNCIL: DECEMBER 13, 2022 WORKSHOP DECEMBER 13, 2022 BUSINESS MEETING JANUARY 10, 2023 WORKSHOP	
<b>Presenter : Virginia Smith, City Clerk</b>	
<b>Background :</b>	
<b>Recommended Action :</b> <b>APPROVE MINUTES OF THE CITY COUNCIL:</b> <b>DECEMBER 13, 2022 WORKSHOP</b> <b>DECEMBER 13, 2022 BUSINESS MEETING</b> <b>JANUARY 10, 2023 WORKSHOP</b>	

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> CITY ADMINISTRATION	<b>Amount</b>
<b>Division</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> PROCLAMATION - JANUARY AS STALKING AWARENESS MONTH	
<b>Presenter : Brittany Kershaw, Director of Communications &amp; Marketing</b>	
<b>Background :</b> The Family Life Center has requested that the City of Palm Coast proclaim January as Stalking Awareness Month.	
<b>Recommended Action :</b> <b>PROCLAIM JANUARY AS “STALKING AWARENESS MONTH”</b>	

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> CITY ADMINISTRATION	<b>Amount</b>
<b>Division</b>	<b>Account</b>
	<b>#</b>
<b>Subject</b> PROCLAMATION - JANUARY AS HUMAN TRAFFICKING AWARENESS MONTH	
<b>Presenter : Brittany Kershaw, Director of Communications &amp; Marketing</b>	
<b>Background :</b> The Family Life Center has requested that the City of Palm Coast proclaim January as Human Trafficking Awareness Month.	
<b>Recommended Action :</b> <b>PROCLAIM JANUARY AS “HUMAN TRAFFICKING AWARENESS MONTH”</b>	

# City of Palm Coast, Florida Agenda Item

Agenda Date: January 17, 2023

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>
<b>Division</b>		<b>Account #</b>
<b>Subject</b>	ORDINANCE 2023-XX HARBORSIDE MPD – APPLICATION # 5132	
<b>Presenter: Ray Tyner, Deputy Chief Development Officer, Bill Hoover, Senior Planner, AICP</b>		
<p><b>Background :</b>  <b>Note: This item was scheduled to be heard on November 15, 2022. However, the Applicant requested a continuance. Council continued this item. This item is now ready to be heard on first read by City Council.</b></p> <p>JDI Palm Coast, LLC, as the applicant, is proposing to rezone 17.64 +/- acres with an existing marina, ship's store, 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, 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 &amp; Marina PUD to Harborside Master Planned Development (MPD) for a multi-family/marina project with 432 multi-family units (360 new, 72 existing) with the potential for additional General Commercial (COM-2) uses such as a restaurant or hotel.</p> <p><u>First 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 also 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 "date certain" 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 Between the September 20<sup>th</sup> and October 19<sup>th</sup> Planning and Land Development Regulation Board Meetings:</u> The applicant and staff held several meetings discussing the issues between the two parties which resulted in agreement on a majority of the outstanding items. However, the major issue that remained and remains to this time, is the maximum project density. The applicant is seeking 25.5+ units/per acre. Staff and the applicant differ on the interpretation of the Comprehensive Plan and applicable sections of the LDC that determine maximum project densities.</p> <p>On October 6<sup>th</sup>, City Staff initiated and sent the applicant a proposed new Section 10 to be included within the MPD Development Agreement, which outlines the standards required for the project to obtain additional density over the allowable 15 units per acre in the Mixed-Use District. Staff in their professional planning opinion suggested that if these standards were</p>		



implemented within the project, the project could obtain a maximum of 18.3 units/acre, and staff could consider the project consistent with the Comprehensive Plan and the LDC; specifically, with Comprehensive Plan Policy 1.1.2.2. Staff's proposed eight development standards are attached 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 if Lot 3 was developed for a hotel and/or restaurant then 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.

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 the suggested eight standards would make the project consistent with Policy 1.1.2.2 and the previous MPD standards that were used to increase the Floor Area Ratio intensity. These eight standards, if met, 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+ units per acre is an increase of 70% over the base density and not close to 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 10<sup>th</sup>, the applicant provided a written response that is attached as Exhibit "B." The applicant suggested that much of staff's proposed text should be deleted and proposed seemingly more lenient standards with alternative text be included (see Exhibit "B"). The applicant proposed it only needed to meet some of staff's eight standards to be entitled to 432 units and a density of 25.5+ units/per acre.

Continued 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 still recommended "denial" of the project due to the proposed very high density and compatibility issues with neighboring properties which also did not meet various goals and policies of the Comprehensive Plan and sections of the LDC. After a lengthy meeting the PLDRB voted 7-0 to recommend "denial" of the project to the City Council.

Applicant's Modified MPD Proposals Since the October 19, 2022, Planning and Land Development Regulation Board Meeting: Since the PLDRB recommended "denial" to the City Council at its October 19, 2022, public hearing, staff has received three revised proposed MPD Development Agreements from the applicant dated October 28, November 11, and December 16, 2022. Staff has reviewed these draft MPD Development Agreements and discussed them with the applicant. However, staff does not find any of these proposals rectifying the issues on why the staff and the PLDRB have both recommended "denial." Staff has attached the applicant's latest MPD Development Agreement (DA) dated December 16, 2022, to the City Council agenda package.

Public Participation: A neighborhood information meeting was held at 11:00 AM on September 8, 2022, at the 3<sup>rd</sup> floor of the on-site parking garage. A letter was sent out previously to all neighbors living within 300 feet of the boundaries of the project inviting them to this meeting. 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, notifying the general public at least 14 days prior to each of the PLDRB meetings. The City ran a news advertisement 20 days prior to the September 20, 2022, PLDRB meeting and since the project was continued (“date certain” to October 19<sup>th</sup>) by the PLDRB no additional newspaper advertisement was required. Two new signs have been erected and a newspaper advertisement ran prior to this City Council meeting.

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 noticed only 2-3 persons speaking at both hearings as the City Attorney announced that 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 issues and lack of specific development plans by the developer.

**Recommended Action :**

**THE PLANNING AND LAND DEVELOPMENT REGULATION BOARD RECOMMENDED DENIAL TO CITY COUNCIL TO REZONE 17.64 +/- ACRES FROM HARBORSIDE INN & MARINA PUD TO HARBORSIDE MPD.**

**IN ADDITION TO THE PLDRB’S RECOMMENDATION OF DENIAL, THE PLANNING STAFF RECOMMENDS THAT THE CITY COUNCIL DENY THE PROPOSED MPD APPLICATION NO. 5132 TO REZONE 17.64 +/- ACRES FROM HARBORSIDE INN & MARINA PUD TO HARBORSIDE MPD FOR THE REASONS PROVIDED IN THE STAFF REPORT AND PRESENTATION AND BECAUSE IT IS NOT IN COMPLIANCE WITH THE FOLLOWING REQUIRED PROVISIONS:**

- **COMPREHENSIVE PLAN GOAL 1.1 AND POLICIES 1.1.1.2 AND 1.1.2.2**
- **LAND DEVELOPMENT CODE SECTIONS 3.03.04, 3.03.04.B.2, AND 3.03.04.D**

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>
<b>Division</b>	PLANNING	<b>Account #</b>
<b>Subject</b>	RESOLUTION 2023-XX APPROVING THE FINAL PLAT FOR SAWMILL BRANCH AT PALM COAST PARK PHASE 2A (AR #5105)	
<b>Presenter: Estelle Lens, A.I.C.P Planner and Dennis R. Leap, P.E. Site Development Manager</b>		
<b>Background:</b>  <b>THIS IS A QUASI-JUDICIAL ITEM. PLEASE REMEMBER TO DISCLOSE ANY EX-PARTE COMMUNICATIONS.</b>  The application submitted by Forestar (USA) Real Estate Group, Inc., proposes to plat and subdivide approximately 187.061 acres of land into 243 single family residential lots and 21 tracts.  Sawmill Branch at Palm Coast Park Phase 2A is located west of the US 1 and Matanzas Woods Parkway roundabout. The Future Land Use is DRI Mixed-Use, and the Official Zoning is MPD (Palm Coast Park MPD).  The fourth amendment for Palm Coast Park MPD was approved in 2020 by City Council. A site development permit was issued on November 1, 2021, in accordance with the approved construction plans filed with the approved preliminary plat.  Prior to plat execution, the applicant will be required to provide a performance surety bond of 120% of the infrastructure cost in the amount of \$103,434.24.  The project meets the technical requirements of the City Code and Florida Statute Chapter 177.		
<b>Recommended Action:</b> <b>ADOPT RESOLUTION 2023-XX APPROVING THE FINAL PLAT FOR SAWMILL BRANCH AT PALM COAST PARK PHASE 2A (AR #5105)</b>		

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> FINANCIAL SERVICES <b>Division</b>	<b>Amount</b> <b>Account</b> <b>#</b>
<b>Subject</b> RESOLUTION 2023-XX APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) RELATING TO HURRICANE IAN EXPENSES	
<b>Presenter : Helena Alves, Director of Financial Services</b>	
<b>Background :</b>  The Department of Homeland Security Federal Emergency Management Agency has made available to the City, through the Florida Division of Emergency Management (FDEM), a grant for debris removal, emergency protective measures, and repair or replacement of damaged facilities related to the effects of Hurricane Ian in September 2022.  The City Council is being requested to approve the terms and conditions of the federally funded subgrant agreement with the FDEM and authorize the Mayor to execute the agreement and any subsequent amendments relating to Hurricane Ian.	
<b>Recommended Action :</b> <b>ADOPT RESOLUTION 2023-XX APPROVING A FEDERALLY FUNDED SUBAWARD AND GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT (FDEM) RELATING TO HURRICANE IAN EXPENSES</b>	

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> PUBLIC SAFETY <b>Division</b>	<b>Amount</b> \$4,545.27 match dollars <b>Account</b> 10014000-064000 49030 <b>#</b>
<b>Subject</b> RESOLUTION 2023-XX APPROVING THE ACCEPTANCE OF THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT	
<b>Presenter : Kyle Berryhill, Fire Chief</b>	
<b>Background :</b> The U.S. Fire Administration offers various grant funding opportunities for local fire departments. The Palm Coast Fire Department regularly applies for grants under three grant opportunities: Assistance to Firefighters Grant (AFG), Staffing for Adequate Fire and Emergency Response (SAFER), and Fire Prevention and Safety Grant programs.  On December 20, 2022, the U.S. Fire Administration notified the City of Palm Coast, the City's application qualified for funding. The grant award includes \$45,453.63 from the U.S. Fire Administration and requires that the City contribute \$4,545.37 in matching funds.  If approved by Council, the grant money will be used for the purchase of a STAR 70 DELUXE Mobile Breathing Air Trailer. The 12-foot by 7-foot enclosed Cascade Trailer System contains nine (9) 4500 PSI (pounds per square inch) storage cylinders. The mobile cascade trailer system provides for use at the incident scene and for quick and clean on-the-spot refills.	
<b>Recommended Action :</b> <b>RESOLUTION 2023-XX APPROVING THE ACCEPTANCE OF THE U.S. DEPARTMENT OF HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT</b>	

# City of Palm Coast, Florida Agenda Item

Agenda Date: January 17, 2023

<b>Department</b>	CONSTRUCTION MANAGEMENT & ENGINEERING	<b>Amount</b>	\$175,952.48
<b>Division</b>		<b>Account</b>	43000099-034000
<b>Subject</b>	RESOLUTION 2023-XX APPROVING A CONTRACT WITH TAYLOR ENGINEERING FOR THE SALTWATER CANAL STUDY PHASE I		
<b>Presenter : Don Schragar, Deputy Director of Stormwater &amp; Engineering</b>			
<b>Background :</b>			
<b><u>UPDATE FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
This item was heard by City Council at their January 10, 2023, Workshop. There were no changes suggested to this item.			
<b><u>ORIGINAL BACKGROUND FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
<b>COUNCIL PRIORITY:</b>			
<b>D. Sustainable Environment and Infrastructure</b>			
5) Develop a plan for maintenance of the saltwater canals.			
On February 15, 2022, staff presented an overview of the consultant selection process for the saltwater canal dredging study.			
The proposed work is for the evaluation, design, permitting, and engineering services to dredge approximately 26 miles of the saltwater canal system. The scope of service will include data collection, preliminary design, permit application assistance, final design, technical specifications, preparation of bid documents, bid assistance, and construction phase services.			
On February 16, 2022, staff advertised a request for statements of qualifications for professional engineer services (RFSQ-SWE-22-33) and received three (3) bids that were deemed responsive and responsible. Staff recommends awarding the contract to the highest ranked bidder, in the amount of \$175,952.48, Taylor Engineering, Inc., for the stormwater canal dredging study.			
Taylor Engineering, Inc., has proposed a three (3) phased approach to the project:			
Phase I – Initial Investigation			
1. Permit and Design Review			
2. Data Collection			
3. Identify and Evaluate Potential Funding Sources			
Phase II – Design and Permitting			
Phase III – Construction Administration			
On May 10, 2022, staff presented the scope and fee to the saltwater canal dredging study for Council direction. Staff received permission to move forward with Phase I of the study.			

Funds for this assessment are budgeted out of the Capital Improvement Projects Fund and are included in the 5-Year Capital Improvement Plan.

The City Attorney's Office reviewed the title work relating to the saltwater canals within the boundaries of the City of Palm Coast. Attached is a summary of Ms. Borkert's review highlighting items to note.

**SOURCE OF FUNDS WORKSHEET FY 23**

Capital Projects – Professional Services 43000099-034000.....	\$	180,000.00
Total Expended/Encumbered to Date.....	\$	0.00
Pending Work Orders/Contracts.....	\$	0.00
Current (WO/Contract).....	\$	<u>175,952.48</u>
<b>Balance</b> .....	\$	<b>4,047.52</b>

**Recommended Action :**

**ADOPT RESOLUTION 2023-XX APPROVING A CONTRACT WITH TAYLOR ENGINEERING FOR THE SALTWATER CANAL STUDY PHASE I**

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	Information Technology	<b>Amount</b>
<b>Division</b>	Information Technology	<b>Account #</b>
<b>Subject</b>	RESOLUTION 2023-XX APPROVING THE THIRD AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT WITH METROPCS, FLORIDA, INC., AT RALPH CARTER PARK	
<b>Presenter : Doug Akins, Director of Information Technology</b>		
<b>Background :</b>		
<b><u>UPDATE FROM THE JANUARY 10, 2023, WORKSHOP</u></b>		
This item was heard by City Council at their January 10, 2023, Workshop. There were no changes suggested to this item.		
<b><u>ORIGINAL BACKGROUND FROM THE JANUARY 10, 2023, WORKSHOP</u></b>		
In April 2008, the City Council approved a Communications Site Lease Agreement with MetroPCS, Florida, LLC, for a wireless communication facility at Ralph Carter Park. Also, there were two previous amendments to this agreement. The first amendment was in December 2008, relating to rental amounts, and the second amendment in September 2012, related to direct rental payments to be made to the City of Palm Coast.		
The City of Palm Coast owns the Flagpole Cell Tower located at 1385 Rymfire Drive in Ralph Carter Park. Currently, T-Mobile is the sole carrier on the tower and would like to perform upgrades to their equipment located on the tower. Therefore, these upgrades necessitate a third amendment to the agreement in order to update the locations being occupied by the carrier both on the tower and the ground, and to revise outdated language related to third parties mentioned in the agreement.		
The City Attorney along with staff drafted the third amendment, which is attached to this item.		
<b>Recommended Action :</b>		
<b>ADOPT RESOLUTION 2023-XX APPROVING THE THIRD AMENDMENT TO THE COMMUNICATIONS SITE LEASE AGREEMENT WITH METROPCS, FLORIDA, INC., AT RALPH CARTER PARK</b>		



# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>	
<b>Division</b>		<b>Account</b>	21000000-331501 21000000-331502 21000000-334403 21000000-380100
<b>Subject</b>	RESOLUTION 2023-XX APPROVING AMENDMENTS TO THE FEDERAL FISCAL YEAR (FFY) 2017, 2018, 2019, & 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLANS		
<b>Presenter : Jose Papa, AICP, Senior Planner</b>			
<b>Background :</b>			
<b><u>UPDATE FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
This item was heard by City Council at their January 10, 2023, Workshop. There were no changes suggested to this item.			
<b><u>ORIGINAL BACKGROUND FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
The proposed amendments to the Federal Fiscal Year (FFY) 2017, 2018, 2019, and 2020 Annual Action Plans are housekeeping in nature. The intent of the amendments are to align the City's records in HUD's Integrated Disbursement and Information System (IDIS) with the City's grant records.			
These amendments will account for the use of available obligated funds from previous years to cover activities which have been completed. Other than for General Planning/Administration activity (this action will result in an increase of \$25,000 for housing activity while reducing the funds available for General Planning/Admin activity), the amendment does not change the amount of funding dedicated for any activity. The only difference will be that when the City completes a reimbursement request for completion of an activity, it will be with funds from a different funding year.			
As shown on the tables below, unobligated funds from the 2017, 2018, 2019 were drawn to pay for housing activities (see Table 1). In return a similar amount from the 2020 allocation will now be dedicated for the activities previously identified in 2017, 2018, 2019 Annual Action Plan (Table 2).			

**Table 1**

<b>FUNDING YEAR</b>	<b>ACTIVITY</b>			<b>TOTAL AMOUNT OF FUNDS</b>
	<b>From General Planning/Admin Activity to Housing Activity</b>	<b>From Public Service Grant Activity to Housing Activity</b>	<b>From Public Service – Youth Activities to Housing Activity</b>	
<b>2017</b>	\$10,000	\$30,000		<b>\$40,000</b>
<b>2018</b>	\$5,000	\$15,200	\$43,800	<b>\$64,000</b>
<b>2019</b>	\$10,000	\$18,184	\$1,436.65	<b>\$29,620.65</b>
<b>TOTAL</b>	<b>\$25,000</b>	<b>\$63,384</b>	<b>\$45,236.65</b>	<b>\$133,620.65</b>

**Table 2**

<b>FUNDING YEAR</b>	<b>ACTIVITY</b>			<b>TOTAL AMOUNT OF FUNDS</b>
	<b>From Housing Activity to General Planning/Admin Activity</b>	<b>From Housing Activity to Public Service Grant Activity</b>	<b>From Housing Activity to Public Service - Youth Activity</b>	
<b>2020</b>	No transfer. Additional \$25,000 of funds are allocated for Housing Activities.	\$63,384	\$45,236.65	<b>\$108,620.65</b>

**Recommended Action:**

**ADOPT RESOLUTION 2023-XX APPROVING THE AMENDMENTS TO THE FEDERAL FISCAL YEAR (FFY) 2017, 2018, 2019, & 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLANS**

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	COMMUNITY DEVELOPMENT	<b>Amount</b>
<b>Division</b>	PLANNING	<b>Account</b>
<b>Subject</b>	RESOLUTION 2023-XX APPROVING THE AFFORDABLE HOUSING INCENTIVES REPORT-2023 FOR THE STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) PROGRAM	
<b>Presenter : Jose Papa, AICP, Senior Planner</b>		
<b>Background:</b>		
<b><u>UPDATE FROM THE JANUARY 10, 2023, WORKSHOP</u></b>		
This item was heard by City Council at their January 10, 2023, Workshop. There were no changes suggested to this item.		
<b><u>ORIGINAL BACKGROUND FROM THE JANUARY 10, 2023, WORKSHOP</u></b>		
<p>In April 2009, the City Council approved an Interlocal Agreement (ILA) with Flagler County to implement a Joint Housing Assistance Program. One of the programs administered by Flagler County is the State Housing Initiatives Partnership (SHIP) program. The SHIP program is funded by a portion of the documentary stamps collected on the recordation of deeds.</p> <p>As required by State statutes, the Affordable Housing Advisory Committee (AHAC), who serves as the advisory board for the SHIP program, shall annually review and recommend incentive strategies to promote affordable housing as required by Florida Statutes Chapter 420.9076. After the preparation of a report on the local housing incentives, the local government shall incorporate the local housing incentive strategies into the Local Housing Assistance Plan (LHAP) for the SHIP Program.</p> <p>On November 15, 2022, the Affordable Housing Advisory Committee (AHAC) reviewed the above-mentioned incentives at a public hearing and made a recommendation to the County Commission and City Council to accept the report and incorporate the recommendations into the LHAP.</p> <p>Since the LHAP is part of a Joint Housing Program between Flagler County and the City of Palm Coast, both the Board of County Commissioners (BOCC) and City Council review and approve the proposed amendment to the LHAP.</p> <p>The AHAC report recommends the following potential actions for the City of Palm Coast.</p> <ul style="list-style-type: none"> <li>• Develop a Planned Affordable Development ordinance consistent with the county's ordinance. Such an ordinance would lay out a definition and conditions which defines an affordable housing project.</li> <li>• Publish the inventory of surplus lands suitable for housing development on the City's web page.</li> <li>• Consider the adoption of an affordable housing trust fund for the purpose of funding affordable housing development incentives. Potential implementation of this recommendation will require additional research of examples/ordinances to create a program that may work for the City of Palm Coast.</li> </ul>		

**Recommended Action:**

**THE AFFORDABLE HOUSING ADVISORY COMMITTEE RECOMMENDS CITY COUNCIL  
APPROVE THE ANNUAL AFFORDABLE HOUSING INCENTIVE REPORT-2023**

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	CONSTRUCTION MANAGEMENT & ENGINEERING	<b>Amount</b>	\$11,165.00
<b>Division</b>		<b>Account</b>	# 54205509-063000-55003
<b>Subject</b>	RESOLUTION 2023-XX APPROVING A WORK ORDER INCREASE FOR ADDITIONAL COSTS RELATED TO E-SECTION WEST DRAINAGE REHABILITATION PROJECT		
<b>Presenter: Carmelo Morales, Stormwater Engineer III</b>			
<b>Background :</b>			
<b><u>UPDATE FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
This item was heard by City Council at their January 10, 2023, Workshop. There were no changes suggested to this item.			
<b><u>ORIGINAL BACKGROUND FROM THE JANUARY 10, 2023, WORKSHOP</u></b>			
<b>This item is for standard operations.</b>			
The E-Section West Project is a continuation of the Eisenhower and Easthampton Canal Dredging Project that was completed in June of 2022. This in-house enhancement project entails a ditch modification and upsizing of pipes to improve drainage flow. In November of 2022 Staff completed swale/ditch regrading, vegetation removal, and a smaller stormwater pipe installation in the Ehrly/Evans vicinity. Utility work is needed before the larger stormwater pipe can be lowered to increase drainage at Evans Drive.			
A work order in the amount of \$42,945 was created under the existing contract with B&B Underground & Drilling (ITB-UT-19-96) for directional drilling to install stormwater pipes. It was determined that a longer pipe length is needed which will increase the original proposal by \$11,165.			
This item is to request council approval of an increase to the work order in the amount of \$11,165 above the City Manager's allotted approval of \$49,999.			
Funds for this project have been budgeted in the Stormwater Engineering FY 23 Budget.			
<b>SOURCE OF FUNDS WORKSHEET FY 2023</b>			
<b>Ditch&amp;Pipe R&amp;R-54205509-063000-55003</b>		<b>\$</b>	<b>90,000.00</b>
Total Expenses/Encumbered to date		\$	60,689.00
Pending Work Orders/Contracts		\$	0
Current Contract		\$	11,165.00
			18,146.00
<b>Recommended Action :</b>			
<b>RESOLUTION 2023-XX APPROVING A WORK ORDER INCREASE FOR ADDITIONAL COSTS RELATED TO E-SECTION WEST DRAINAGE REHABILITATION PROJECT</b>			



# City of Palm Coast, Florida Agenda Item

Agenda Date: January 17, 2023

<b>Department</b>	WATER AND WASTEWATER UTILITY	<b>Amount</b>	\$265,000.00
<b>Division</b>		<b>Account</b>	54029082 063000 85003
<b>Subject</b>	RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT WITH PBM CONSTRUCTORS, INC., FOR THE UPGRADES OF TWO AGING PUMP STATIONS		
<b>Presenter: James Melley, Utility Systems Manager</b>			
<p><b>Background :</b>  <b>CITY COUNCIL-RELATED PRIORITIES:</b>  D. Service Delivery and Efficiency:  4) Continue to implement water and wastewater utility improvements to harden facilities to mitigate the impacts of flooding and other hazards.</p> <p>As part of City Council's goals to ensure that all infrastructure maintenance and performance is a priority, City staff is recommending approving a Master Services Agreement with PBM Constructors, Inc., for upgrades to Pump Stations 13-1 and 4-2. The pump stations were recently inspected and evaluated by staff and were determined to require upgrades to their internal and external structural integrity. The modifications will include top slabs and hatches, internal piping, and lining of internal concrete. It is estimated that the work under this contract will add twenty years to the life expectancy of the stations.</p> <p>In accordance with the City's purchasing policy, City staff advertised and solicited bids for construction services to rehab two (2) aging pump stations. The City received two (2) bids which were responsive and responsible, and staff recommends approving a Master Services Agreement with PBM Constructors, Inc. This contract (ITB-UT-22-82) will be a one-time services agreement to provide construction services. The project bid overview and Notice of Intent to Award are attached.</p> <p>The contract amount for these services is \$265,000.00. The Fiscal Year 2023 budget includes \$300,000.00 within Utility to purchase these services.</p>			
<b>SOURCE OF FUNDS WORKSHEET FY 2023</b>			
	IMPR-LIFT STATION REPLACEMENT		\$ 4,130,000.00
	Total Expended/Encumbered to Date.....		579,616.96
	Current (WO/Contract).....		265,000.00
	<b>Balance</b> .....		<b>\$3,285,383.04</b>
<p><b>Recommended Action :</b>  <b>ADOPT RESOLUTION 2023-XX APPROVING A MASTER SERVICES AGREEMENT WITH PBM CONSTRUCTORS, INC., FOR THE UPGRADES OF TWO AGING PUMP STATIONS</b></p>			

# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b>	WATER AND WASTEWATER UTILITY	<b>Amount</b>	\$250,000.00
<b>Division</b>		<b>Account</b>	54019084 052030
<b>Subject</b>	RESOLUTION 2023-XX APPROVING PIGGYBACKING THE ORANGE COUNTY CONTRACT WITH ENVIRONMENTAL OPERATING SOLUTIONS INC., FOR THE PURCHASE OF MICROC 2000		
<b>Presenter : Danny Ashburn, Utility Systems Manager</b>			
<p><b>Background :</b>  <b>This item is for standard operations.</b></p> <p>As part of the standard operations at Wastewater Treatment Plants, the city utilizes MicroC 2000 for the biological process. Staff desires to purchase MicroC 2000 from Environmental Operating Solutions, Inc., to be used at Wastewater Treatment Plant 2 on an as needed basis. This chemical is used as a supplementary carbon source necessary to regulate the total nitrogen in the plant process to meet permit limits and protect the health and safety of the residents. Estimated usage of this chemical in 2023 is 100,000 gallons at \$3.35 per gallon. We currently have a purchase order with Environmental Operating Solutions, Inc., at a higher price per gallon with a remaining balance of \$260,741.25. The current purchase order will be closed when the new contract is approved.</p> <p>City staff is recommending piggybacking the Orange County Contract (Y22-170) with Environmental Operating Solutions, Inc., through (9/11/2023) for the purchase of MicroC 2000 for use at Wastewater Treatment Plant 2. Piggybacking existing competitively bid contracts is advantageous as the pricing is generally better than what the City could obtain on its own, and the City does not incur the expense or delay of soliciting a bid. This contract is renewable as listed in the Invitation to Bid.</p> <p>Since the underlying contract is an agreement on a per unit price basis, City staff will make purchases on an as needed basis using budgeted funds appropriated by City Council. The Fiscal Year 2023 budget includes available funding in the City's Wastewater Treatment Plant 2 operating budget under chemicals. City staff estimates that the City will expend approximately \$250,000.00 annually under this piggyback contract.</p>			
<b>SOURCE OF FUNDS WORKSHEET FY 2023</b>			
	Chemicals 54019084-052030		\$ 570,050.00
	Total Expended/Encumbered to Date.....		527,606.94
	Pending Work Orders/Contracts.....		-250,000.00
	Current (WO/Contract).....		250,000.00
	<b>Balance</b> .....		<b>\$ 42,443.06</b>
<p><b>Recommended Action :</b>  <b>ADOPT RESOLUTION 2023-XX APPROVING PIGGYBACKING THE ORANGE COUNTY CONTRACT WITH ENVIRONMENTAL OPERATING SOLUTIONS INC., FOR THE PURCHASE OF MICROC 2000</b></p>			



# City of Palm Coast, Florida Agenda Item

Agenda Date : January 17, 2023

<b>Department</b> FINANCIAL SERVICES <b>Division</b>	<b>Amount</b> <b>Account</b> <b>#</b>
<b>Subject</b> REPORTING OF EMERGENCY AND SOLE SOURCE PURCHASES FOR DECEMBER 2022	
<b>Presenter : Denise Bevan, City Manager</b>	
<b>Background :</b> Attached is a list of all emergency and sole source purchases for the month of December 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).	
<b>Recommended Action :</b> <b>FOR REPORTING ONLY - VIA CITY MANAGER COMMENTS</b>	