



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

Tuesday, March 7, 2023

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 AND A MOMENT OF SILENCE

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 APPROVE MINUTES OF THE CITY COUNCIL: FEBRUARY 21, 2023, BUSINESS MEETING

F PROCLAMATIONS

2 PROCLAMATION - THE WEEK OF MARCH 6, 2023, AS FLOOD AWARENESS WEEK

3 PROCLAMATION - MARCH 2023 AS MULTIPLE MYELOMA AWARENESS MONTH

G ORDINANCES SECOND READ

4 ORDINANCE 2023-XX ESTABLISHING THE COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION #5308

H RESOLUTIONS

5 RESOLUTION 2023-XX APPROVING A MASTER PRICE AGREEMENT WITH ARGOS USA, LLC FOR 4000 PSI CONCRETE WITH FIBER MESH

6 RESOLUTION 2023-XX APPROVING FUND AGREEMENTS WITH FLORIDA DEPARTMENT

**OF TRANSPORTATION (FDOT) FOR STATE ROAD 100 PROJECTS FROM NORTH
PALMETTO STREET TO EAST OF OLD KINGS ROAD SOUTH**

I PUBLIC PARTICIPATION

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

J DISCUSSION BY CITY COUNCIL OF MATTERS NOT ON THE AGENDA

K DISCUSSION BY CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

L DISCUSSION BY CITY MANAGER OF MATTERS NOT ON THE AGENDA

M ADJOURNMENT

7 AGENDA WORKSHEET AND CALENDAR

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	CITY ADMINISTRATION	Amount
Division	CITY CLERK	Account
		#
Subject	APPROVE MINUTES OF THE CITY COUNCIL: FEBRUARY 21, 2023, BUSINESS MEETING	
Presenter :	Virginia Smith, City Clerk	
Background :		
Recommended Action :	APPROVE MINUTES OF THE CITY COUNCIL: FEBRUARY 21, 2023, BUSINESS MEETING	

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	CITY ADMINISTRATION	Amount
Division	CITY CLERK	Account
		#
Subject	PROCLAMATION - THE WEEK OF MARCH 6, 2023, AS FLOOD AWARENESS WEEK	
Presenter :	Mayor and City Council	
Background :	The City of Palm Coast would like to proclaim the week of March 6, 2023, as "Flood Awareness Week."	
Recommended Action :	PROCLAIM THE WEEK OF MARCH 6, 2023, AS "FLOOD AWARENESS WEEK"	

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	CITY ADMINISTRATION	Amount
Division	CITY CLERK	Account
		#
Subject	PROCLAMATION - MARCH 2023 AS MULTIPLE MYELOMA AWARENESS MONTH	
Presenter :	Mayor and City Council	
Background :	The Palm Coast Multiple Myeloma Support Group has requested that the City proclaim March 2023 as "Multiple Myeloma Awareness" month.	
Recommended Action :	PROCLAIM MARCH 2023 AS "MULTIPLE MYELOMA AWARENESS MONTH"	

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject	ORDINANCE 2023-XX ESTABLISHING THE COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT - APPLICATION #5308	
Presenter : Jordan Myers, CFM, Environmental Planner		
Background :		
<u>UPDATE FROM THE FEBRUARY 21, 2023, BUSINESS MEETING</u>		
This item was heard by City Council at their February 21, 2023, Business Meeting. There were no changes suggested to this item.		
<u>ORIGINAL BACKGROUND FROM THE FEBRUARY 21, 2023, BUSINESS MEETING</u>		
In March 2021, City Council approved a rezoning for this project from a Master Planned Development and Single Family Residential (SFR)-1 to SFR-1 and Preservation. On August 18, 2021, the Planning and Land Development Regulation Board (PLDRB) approved a Subdivision Master Plan for this project for 482 single-family residential lots. On May 6, 2022, Staff approved the preliminary plat for the project. In December 2022, the applicant submitted a petition to establish the Colbert Landings Community Development District (CDD) which is primarily a mechanism for funding the significant costs of providing infrastructure for a residential community.		
Florida Statutes Chapter 190, Community Development Districts, sets forth the standards for a CDD and more specifically Section 190.005 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:		
<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.

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.

Once the infrastructure is completed, the CDD is managed by a five (5) member Board of Supervisors. Florida law requires the Board of Supervisors to operate under public record laws and provide annual audits. Additionally, Florida laws require that potential property owners within the CDD be notified upfront in writing of the infrastructure costs and annual payments associated with the applicable property. These payments would be made to the Flagler County Tax Collector's office as an assessment.

Public Participation: Newspaper ads are required to be run approximately two weeks prior to each of the two City Council public hearings. The applicant is also required to run four consecutive weekly newspaper ads advising the public of the second City Council public hearing.

Recommended Action :

PLANNING STAFF RECOMMENDS THAT THE CITY COUNCIL DETERMINE THE COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT PETITION IS IN COMPLIANCE WITH FLORIDA STATUTES CHAPTER 190 AND THE CITY'S COMPREHENSIVE PLAN AND APPROVE THE ORDINANCE ESTABLISHING THE COLBERT LANDINGS COMMUNITY DEVELOPMENT DISTRICT, APPLICATION #5308

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	STORMWATER & ENGINEERING	Amount	AS NEEDED
Division	MANAGEMENT UTILITY	Account #	MULTIPLE
Subject	RESOLUTION 2023-XX APPROVING A MASTER PRICE AGREEMENT WITH ARGOS USA, LLC FOR 4000 PSI CONCRETE WITH FIBER MESH		
Presenter : Andy Hyatt, Stormwater Maintenance Manager			
Background :			
Council Priority:			
D. Sustainable Environment and Infrastructure			
<p>The Stormwater & Engineering Department is responsible for the maintenance and repair of sidewalks, driveways, paths, headways, spillways, and other stormwater structures at various locations throughout the City. City staff will need to purchase 4,000 pounds per square inch (PSI) concrete on an as-needed basis.</p> <p>City staff advertised and solicited bids (ITB-SWE-23-23) for 4,000 PSI concrete with mesh fiber in accordance with the City's purchasing policy. City staff received one bid that was deemed responsive and responsible and recommends that City Council approve a Master Price Agreement with Argos USA, LLC of Bunnell, FL. The Notice of Intent to Award and Project Bid Overview are attached to this agenda item.</p>			
Recommended Action :			
ADOPT RESOLUTION 2023-XX APPROVING A MASTER PRICE AGREEMENT WITH ARGOS USA, LLC FOR 4000 PSI CONCRETE WITH FIBER MESH			

City of Palm Coast, Florida Agenda Item

Agenda Date : March 7, 2023

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	Up to \$150,000.00
Division		Account #	21055011-063000-54405 21055011-034000-54405
Subject	RESOLUTION 2023-XX APPROVING FUND AGREEMENTS WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR STATE ROAD 100 PROJECTS FROM NORTH PALMETTO STREET TO EAST OF OLD KINGS ROAD SOUTH		
Presenter : Mike Grunewald, Traffic Engineer			
Background :			
Council Priority:			
D. Sustainable Environment and Infrastructure			
<p>The Florida Department of Transportation (FDOT) has a roadway construction project scheduled for State Road (SR) 100 (aka Moody Boulevard) from the County Courthouse to the entrance to Popeye’s Chicken on the east side of Old Kings Road. The plans have been assembled with a technical review conducted by City staff. City staff made the request for the following add-on items for the corridor improvements that are outside of FDOT’s normal scope. FDOT is asking for confirmation from the City that the City will pay the add-on costs for the following items:</p> <ol style="list-style-type: none"> 1. City logo on illuminated street name signs (no cost). 2. Black paint on traffic signal mast arms (six mast arms) (\$29,500). 3. Colored and patterned sidewalk (north side) under the I-95 bridge. This is a replacement for the existing patterned sidewalk which is delaminating (\$55,935 – estimate). 4. Colored and patterned sidewalk (south side) under the I-95 bridge. This is a new sidewalk (\$46,530 – estimate). <p>The estimated price for the sidewalks will be determined when FDOT receives the project bids. The City will be assessed the actual contract pricing, which may be higher or lower than the project bid.</p> <p>FDOT will draft the agreements with the City once FDOT receives affirmation that the City agrees to the proposed add-on amounts.</p> <p>The time frame of when City staff will receive the completed agreements has not been determined. However, FDOT will require remission of the total estimated add-on amount of \$131,965 by the first week of May 2023 for FDOT to put the contract out for bid around October 2023. City funds will be stored in an escrow account until they are used on the project.</p>			

SOURCE OF FUNDS WORKSHEET FY 2023-24

TRAFFIC SIGNALS 21055011-063000/034000-54405	\$ 665,000.00
Total Expended/Encumbered to Date.....	\$32,139.40
Pending Work Orders/Contracts.....	0.00
Current (WO/Contract).....	\$150,000.00
Balance.....	\$ \$482,860.60

Recommended Action :

ADOPT RESOLUTION 2023-XX APPROVING FUND AGREEMENTS WITH FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FOR STATE ROAD 100 PROJECTS FROM NORTH PALMETTO STREET TO EAST OF OLD KINGS ROAD SOUTH