



City of Palm Coast Agenda City Council Business Meeting

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

Mayor Michael Norris
Vice Mayor Theresa Pontieri
Council Member Charles Gambaro
Council Member Ty Miller
Council Member Ray Stevens

Tuesday, February 4, 2025

6:00 PM

City Hall - Community Wing

City Staff

Lauren Johnston, Acting City Manager

Marcus Duffy, City Attorney

Kaley Cook, 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/@PalmCoastFL>.
- 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. PROCLAMATIONS - 5:30 P.M.

- 1. PROCLAMATION - JANUARY 2025 AS HUMAN TRAFFICKING AWARENESS MONTH**
- 2. PROCLAMATION - JANUARY 2025 AS STALKING AWARENESS MONTH**
- 3. PROCLAMATION - FEBRUARY 2025 AS TEEN DATING VIOLENCE AWARENESS MONTH**
- 4. PROCLAMATION - FEBRUARY 28, 2025, AS RARE DISEASE DAY**

B. CALL TO ORDER CITY COUNCIL BUSINESS MEETING - 6 P.M.

C. PLEDGE OF ALLEGIANCE TO THE FLAG AND A MOMENT OF SILENCE

D. ROLL CALL

E. 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) This agenda item has a thirty (30) minute limit.
- (2) Each speaker shall at the podium, provide their name and may speak for up to 3 minutes.
- (3) 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.
- (4) Public speakers may address their comments to the Council as a whole, the Mayor, or to an individual Council Member
- (5) When addressing the City Council on specific, enumerated Agenda items, speakers shall:
 - (a) make their comments concise and to the point;
 - (b) not speak more than once on the same subject;
 - (c) not, by speech or otherwise, delay or interrupt the proceedings or the peace of the City Council;
 - (d) obey the orders of the Mayor or the City Council; and
 - (e) not make any irrelevant, impertinent or slanderous comments while addressing the City Council; which pursuant to Council rules, shall be considered disorderly.
- (6) 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

F. MINUTES

- 5. MINUTES OF THE CITY COUNCIL:**
JANUARY 21, 2025, BUSINESS MEETING
JANUARY 28, 2025, WORKSHOP MEETING

G. ORDINANCES FIRST READ

- 6. ORDINANCE 2025-XX AMEND AND RESTATE FAIR HOUSING ORDINANCE**

H. RESOLUTIONS

- 7. RESOLUTION 2025-XX APPROVING A DESIGN CONTRACT WITH CPH, INC., FOR THE DESIGN OF OLD KINGS ROAD SOUTH PHASE II PROJECT**

I. CONSENT

- 8. RESOLUTION 2025-XX APPROVAL OF A FLORIDA POWER AND LIGHT DEPOSIT FOR SERVICES FOR THE RELOCATION OF TRANSMISSION POLES FOR THE OLD KINGS ROAD NORTH WIDENING PHASE II PROJECT**
- 9. RESOLUTION 2025-XX THE PALM COAST HEROES ACT REGARDING CITY EMPLOYEES ENTERING INTO CERTAIN MILITARY SERVICE**
- 10. RESOLUTION 2025-XX APPROVING A LEASE AND SERVICE AGREEMENT WITH SAFE HAVEN BABY BOXES, INC AND A MEMORANDUM OF UNDERSTANDING WITH KNIGHTS OF COLUMBUS NOTRE DAME COUNCIL #10514**
- 11. RESOLUTION 2025-XX APPROVING PIGGYBACKING THE SOURCEWELL RFP 031622 CONTRACT WITH FOREVERLAWN, INC., FOR CITYWIDE PURCHASES OF AGIRCULTURAL TURF & TRACKS WITH INSTALLATION AND RELEATED EQUIPMENT AND SUPPLIES ON AN AS-NEEDED BASIS**
- 12. RESOLUTION 2025-XX APPROVING PIGGYBACKING THE HILLSBOROUGH COUNTY, FLORIDA, CONTRACT WITH DESIGN LAB, INC., FOR THE PURCHASE OF FIRE RESCUE UNIFORMS AND ACCESSORIES AS NEEDED**

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

- 13. AGENDA WORKSHEET AND CALENDAR**

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: PROCLAMATION - JANUARY 2025 AS HUMAN TRAFFICKING AWARENESS MONTH	
Presenter: Mayor and City Council	
Attachments: 1. Proclamation	
Background: The City of Palm Coast would like to recognize January 2025 As Human Trafficking Awareness Month.	
Recommended Action: PROCLAIM JANUARY 2025 AS HUMAN TRAFFICKING AWARENESS MONTH	

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: PROCLAMATION - JANUARY 2025 AS STALKING AWARENESS MONTH	
Presenter: Mayor and City Council	
Attachments: 1. Proclamation	
Background: The City of Palm Coast would like to recognize January 2025 as Stalking Awareness Month.	
Recommended Action: PROCLAIM JANUARY 2025 AS STALKING AWARENESS MONTH	

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: PROCLAMATION - FEBRUARY 2025 AS TEEN DATING VIOLENCE AWARENESS MONTH	
Presenter: Mayor and City Council	
Attachments: 1. Proclamation	
Background: The City of Palm Coast would like to recognize February 2025 as Teen Dating Violence Awareness Month.	
Recommended Action: PROCLAIM FEBRUARY 2025 AS TEEN DATING VIOLENCE AWARENESS MONTH	

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: PROCLAMATION - FEBRUARY 28, 2025, AS RARE DISEASE DAY	
Presenter: Mayor and City Council	
Attachments: 1. Proclamation	
Background: The City of Palm Coast would like to recognize February 28, 2025, as Rare Disease Day.	
Recommended Action: PROCLAIM FEBRUARY 28, 2025, AS RARE DISEASE DAY	

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: MINUTES OF THE CITY COUNCIL: JANUARY 21, 2025, BUSINESS MEETING JANUARY 28, 2025, WORKSHOP MEETING	
Presenter: Kaley Cook, City Clerk	
Attachments: 1. Minutes (2)	
Background:	
Recommended Action: APPROVE MINUTES OF THE CITY COUNCIL: JANUARY 21, 2025, BUSINESS MEETING JANUARY 28, 2025, WORKSHOP MEETING	

City of Palm Coast, Florida

Agenda Item

Agenda Date: February 4, 2025

Department	COMMUNITY DEVELOPMENT	Amount
Division	PLANNING	Account #
Subject: ORDINANCE 2025-XX AMEND AND RESTATE FAIR HOUSING ORDINANCE		
Presenter: Jacqueline Gonzalez, Site Development Coordinator I		
Attachments: 1. Presentation 2. Ordinance (Redline and Clean Copy) 3. Business Impact Estimate		
Background: This is a legislative item. <u>UPDATED BACKGROUND FROM THE JANUARY 21, 2025, BUSINESS MEETING:</u> At the January 21, 2025, Business Meeting, City Council asked for a redline version of the Ordinance which has been attached to the item. <u>UPDATED BACKGROUND FROM THE JANUARY 14, 2025, WORKSHOP MEETING:</u> City Council received a presentation on the item at their January 14, 2025, Workshop Meeting. No changes have been made to the item. <u>ORIGINAL BACKGROUND FROM THE JANUARY 14, 2025, WORKSHOP MEETING:</u> The Community Development Block Grant (CDBG) Program started in 1974 in order 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: 1) Benefit low- and moderate-income persons (LMI) 2) Prevent or eliminate slum or blight 3) Address urgent community development needs (Emergency) 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: • 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). In the City of Palm Coast, CDBG funds have been used to fund the following activities:		

- Housing rehabilitation of owner-occupied units
- Public Services,
- Public Infrastructure (trails), and
- Planning/Administration/Monitoring of the

It was recommended by our CDBG Program Consultant Guardian CRM that the City review and update the required HUD Policy regulations considering recent compliance changes made to some of HUD policies. To receive CDBG Funds, an entitlement community is required to adopt and maintain these HUD policies. The amendment and restatement of Fair Housing Ordinance was one of those policies. The following updates were made to Fair Housing ordinance:

- Section headers titles changes and renumbered.
- Addition of 9 new definitions.
- New section added Unlawful Housing Practices which incorporate discrimination sales or rental advertising, discrimination in financing, and discrimination in brokerage services.
- Expanded on accordance with federal law Exemptions and Exceptions section.
- New section added Complaint and Processing Complaints defining claims, the policy, and process on handling them in accordance with HUD.
- New sections added Additional Remedies regarding the procedures prescribed by this ordinance they effect other state and federal constitutions or laws.
- New section Report to Florida Real Estate Commission regarding the city's responsibility report realtor's violations to the commission.
- New section Education and Public information enabling the city to promote the policies in this ordinance.
- New section Untruthful Complaints or Testimony explaining this is a unlawful.
- New sections Penalty which describes fine which can be inquired for violations of this policy. Fine is 5% of the federal penalties to be issued.

Recommended Action:

CITIZEN ADVISORY TASK FORCE (CATF) RECOMMEND BY 6-0 VOTE THAT CITY COUNCIL APPROVE ORDINANCE 2025-XX TO AMEND AND RESTATE FAIR HOUSING CODE

City of Palm Coast, Florida

Agenda Item

Agenda Date: February 4, 2025

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	\$5,967,210.00
Division		Account #	540209082-54527 54209083-54527 54029090-54527 21397011-54527 21107011/54527 21097011/54527 54205509-55110
Subject: RESOLUTION 2025-XX APPROVING A DESIGN CONTRACT WITH CPH, INC., FOR THE DESIGN OF OLD KINGS ROAD SOUTH PHASE II PROJECT			
Presenter: Carl Cote, Director of Stormwater & Engineering			
Attachments: 1. Resolution 2. Presentation 3. Scope of Work 4. Notice of Intent to Award 5. Project Overview 6. Master Services Agreement			
Background: Council Priority: D. Sustainable Environment and Infrastructure The proposed design roadway improvements include widening within the project limits from 2 to 4 lanes. Drainage and stormwater modifications are proposed within the project limits along with Pedestrian/bicycle paths. The limits on Old Kings Road are from south of Town Center Boulevard to Brighton Circle. The limits on Town Center Boulevard are from Royal Palms Parkway to Old Kings Road. The project is approximately 4.25 miles in length. Town Center Boulevard goes underneath Interstate 95. The project will include but not limited to landscaping, street lighting, intersection analysis, signing, and pavement marking. On May 7, 2024, Council approved a Florida Department of Transportation (FDOT) (#453232-1-34-01) State-Funded Grant Agreement for the design of Old Kings Road South Phase II in a not to exceed amount of \$500,000. The project (RFSQ-SWE-23-13), for design services was advertised and three (3) bids were received on January 19, 2023. City staff recommends awarding the Design contract to CPH, Inc, in the amount of \$5,967,210.00. City staff has determined that the cost for the design services is reasonable and fair and are consistent with these types of services for a project of this size and scope. The Notice of Intent to Award and Project Overview are attached.			

Funding for this project will come from the following: FDOT Grand, Utility fund, Stormwater Fund, Special Assessment District Fund and the Town Center Transportation Impact Fee.

Source of Funds Worksheet FY 2025

UtilCap WW Coll 542029082-063000-54527	\$335,000.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current (WO/Contract)	<u>\$335,000.00</u>
Balance	\$0.00

Source of Funds Worksheet FY 2025

UtilCap WsteWtr 542029083-063000-54527	\$335,000.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current (WO/Contract)	<u>\$335,000.00</u>
Balance	\$0.00

Source of Funds Worksheet FY 2025

UtilCap Water 542029090-063000-54527	\$650,000.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current (WO/Contract)	<u>\$242,401.00</u>
Balance	\$407,599.00

Source of Funds Worksheet FY 2025

OKR SPASMT 21397011-063000-54527	\$1,250,000.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current (WO/Contract)	<u>\$873,702.00</u>
Balance	\$376,298.00

Source of Funds Worksheet FY 2025/26

TCIMP Fee 21107011-063000-54527	\$960,354.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current FY 25(WO/Contract)	\$900,000.00
FY 26 (WO/Contract)	<u>\$60,354.00</u>
Balance	\$0.00

Source of Funds Worksheet FY 2025/26

TransImp Fee 21097011-063000-54527	\$1,886,913.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current FY 25 (WO/Contract)	\$700,000.00
FY 26 (WO/Contract)	<u>\$1,186,913.00</u>
Balance	\$0.00

Source of Funds Worksheet FY 2025

SW Eng Lehigh 54205509-063000-55110	\$850,000.00
Total Expended/Encumberred to Date	\$0.00
Pending Work Orders/Contracts	\$0.00
Current FY 25 (WO/Contract)	<u>\$833,840.00</u>
Balance	\$16,160.00

Recommended Action:

**ADOPT RESOLUTION 2025-XX APPROVING A DESIGN CONTRACT WITH CPH, INC.,
FOR THE DESIGN OF OLD KINGS ROAD SOUTH PHASE II PROJECT**

City of Palm Coast, Florida

Agenda Item

Agenda Date: February 4, 2025

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	\$229,732.00
Division		Account #	21097011-063000- 54507
Subject:	RESOLUTION 2025-XX APPROVAL OF A FLORIDA POWER AND LIGHT AGREEMENT AND COST FOR THE RELOCATION OF TRANSMISSION POLES FOR THE OLD KINGS ROAD NORTH WIDENING PHASE II PROJECT		
Presenter:	Carl Cote, Director of Stormwater & Engineering		
Attachments:	1. Resolution 2. FPL Deposit Agreement		
Background: Council Priority: D. Sustainable Environment and Infrastructure	FPL will need to relocate transmission poles as part of the construction phase for Old Kings Road North Widening phase II. This pole must be moved for the roadway widening to be constructed. FPL has an existing easement for this pole to be placed within the right of way. The non-binding preliminary estimate to accommodate this potential overhead relocation is \$1,297,920.00. The scope of work to accomplish this relocation includes replacing/installing potentially 3 transmission poles to support relocating structure 66H7 to avoid conflicts with a new roadway project. The deposit amount required is \$229,792.00 enabling FPL to commence the detailed design and estimating process. The Deposit Amount is required due to the complexity and time required to create a Detailed Estimate for such a project and will be applied towards the estimated amount owed to FPL for the project, should you decide to proceed with the work, and enter into a Relocation agreement for that work with FPL. City Staff is requesting approval of a deposit in the amount of \$229,732 for the relocation of transmission poles for the Old Kings Road North Widening phase II project. Funds for this cost are budgeted out of the Transportation Impact fund for FY 25.		

Source of Funds Worksheet FY 25**TransImpa 21097011-063000-54507****\$8,677,000.00**

Total Expended/Encumnered to Date

\$301,287.50

Pending Work Orders/Contracts

\$0.00

Current (WO/Contract)

\$229,792.00

Balance**\$8,145,920.50****Recommended Action:****ADOPT RESOLUTION 2025-XX APPROVAL OF A FLORIDA POWER AND LIGHT
AGREEMENT AND COST FOR THE RELOCATION OF TRANSMISSION POLES FOR THE
OLD KINGS ROAD NORTH WIDENING PHASE II PROJECT**

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department CITY ADMINISTRATION Division	Amount Account #
Subject: RESOLUTION 2025-XX ADOPTING THE PALM COAST HEROES ACT REGARDING CITY EMPLOYEES ENTERING INTO CERTAIN MILITARY SERVICE	
Presenter: Marcus Duffy, City Attorney	
Attachments: 1. Resolution 2. Policy (Redline)	
Background: <u>UPDATED BACKGROUND FROM THE JANUARY 28, 2025, WORKSHOP MEETING:</u> City Council discussed this item at their January 28, 2025, Workshop Meeting. A redline copy of the policy has been included to this item. <u>ORIGINAL BACKGROUND FROM THE JANUARY 28, 2025 WORKSHOP MEETING:</u> City Council requested to enhance the policies for City employees who serve in the Military Reserves, National Guard and Florida State Guard. The attached Resolution extends additional benefits to such employees.	
Recommended Action: FOR COUNCIL CONSIDERATION	

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department	PUBLIC SAFETY	Amount
Division	FIRE	Account #
Subject: RESOLUTION 2025-XX APPROVING A LEASE AND SERVICE AGREEMENT WITH SAFE HAVEN BABY BOXES, INC AND A MEMORANDUM OF UNDERSTANDING WITH KNIGHTS OF COLUMBUS NOTRE DAME COUNCIL #10514		
Presenter: Kyle Berryhill, Fire Chief		
Attachments: 1. Resolution 2. Agreements		
Background: Council Priority: B. Safe and Reliable Services <u>UPDATED BACKGROUND FROM THE DECEMBER 10, 2024, WORKSHOP MEETING:</u> This item has been updated to include the lease and service agreement memorandum of understanding, and exhibits. <u>ORIGINAL BACKGROUND FROM THE DECEMBER 10, 2024, WORKSHOP MEETING:</u> The Knights of Columbus, Notre Dame Council #10514 wishes to award the City of Palm Coast a donation for the purchase, installation, and maintenance of a Safe Haven Baby Box; The City of Palm Coast desires to accept the public safety grant for a total of \$40,956.		
Recommended Action: ADOPT RESOLUTION 2025-XX APPROVING A LEASE AND SERVICE AGREEMENT WITH SAFE HAVEN BABY BOXES, INC AND A MEMORANDUM OF UNDERSTANDING WITH KNIGHTS OF COLUMBUS NOTRE DAME COUNCIL #10514		

City of Palm Coast, Florida

Agenda Item

Agenda Date: February 4, 2025

Department	CONSTRUCTION MANAGEMENT & ENGINEERING	Amount	AS NEEDED PER APPROVED BUDGET
Division	ENGINEERING	Account #	MULTIPLE USE CITYWIDE
Subject:	RESOLUTION 2025-XX APPROVING PIGGYBACKING THE SOURCEWELL RFP 031622 CONTRACT WITH FOREVERLAWN, INC., FOR CITYWIDE PURCHASES OF AGRICULTURAL TURF & TRACKS WITH INSTALLATION AND RELEATED EQUIPMENT AND SUPPLIES ON AN AS-NEEDED BASIS		
Presenter:	Eric Gebo, Architect III		
Attachments:	1. Resolution 2. Piggyback Contract		
Background:			
Council Priority:			
D. Sustainable Environment and Infrastructure			
	City staff is recommending piggybacking the Sourcewell Contract (RFP 031622) with Foreverlawn, Inc. Piggybacking existing competitively bid contracts is advantageous since the pricing is generally better than what the City could obtain on its own, and the City does not incur the expense and delay of soliciting a bid. 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.		
Recommended Action:			
	ADOPT RESOLUTION 2025-XX APPROVING PIGGYBACKING THE SOURCEWELL RFP 031622 CONTRACT WITH FOREVERLAWN, INC., FOR CITYWIDE PURCHASES OF AGRICULTURAL TURF & TRACKS WITH INSTALLATION AND RELEATED EQUIPMENT AND SUPPLIES ON AN AS-NEEDED BASIS		

City of Palm Coast, Florida Agenda Item

Agenda Date: February 4, 2025

Department PUBLIC SAFETY Division	Amount Account # 10014000-034000
Subject: RESOLUTION 2025-XX APPROVING PIGGYBACKING THE HILLSBOROUGH COUNTY, FLORIDA, CONTRACT WITH DESIGN LAB, INC., FOR THE PURCHASE OF FIRE RESCUE UNIFORMS AND ACCESSORIES AS NEEDED	
Presenter: Kyle Berryhill, Fire Chief	
Attachments: 1. Resolution 2. Contract	
Background: Council Priority: B, Safe and Reliable Services Design Lab, Inc., provides the City of Palm Coast Fire Department with all uniform items not related to turnout fire gear. We are requesting the approval of the piggyback contract with Hillsborough County, Florida to continue utilizing their services.	
Recommended Action: ADOPT RESOLUTION 2025-XX APPROVING PIGGYBACKING THE HILLSBOROUGH COUNTY, FLORIDA, CONTRACT WITH DESIGN LAB, INC., FOR THE PURCHASE OF FIRE RESCUE UNIFORMS AND ACCESSORIES AS NEEDED	