



Flagler County Board of County Commissioners Meeting Agenda

March 18, 2024 • 5:00 p.m.

Government Services Building 2, Board Chambers, 1769 E. Moody Blvd., Bunnell, FL 32110

1. **Pledge to the Flag and Moment of Silence**
2. **Additions, Deletions and Modifications to the Agenda**
3. **Announcements by the Chair**
4. **Recognitions, Proclamations and Presentations:**
 - 4a) **Recognitions:** None
 - 4b) **Proclamations: National County Government Month – April 2024** (*Requested by Administration*)
 - 4c) **Presentations** (3-5 Minutes):
 - 1) **Transparency Dashboard Update** (*Requested by Administration*)
 - 2) **Annual Report Presentation** (*Requested by Administration*)
5. **Community and Board Comments:**
 - 5a) **Community Outreach:** *This thirty-minute time period has been allocated for public comment on any consent agenda item or topic not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.*
 - 5b) **Board Comments on Consent Items**
6. **Consent: Constitutional Officers:**
 - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of Section 136.06, Florida Statute as listed below:
 - 1) Disbursement Report for Week Ending February 23, 2024
 - 2) Disbursement Report for Week Ending March 1, 2024
 - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
 - 1) February 2, 2024 Regular Meeting
7. **Consent: BOCC Departments:**
 - 7-a) **Ratification of Flagler County Emergency Proclamations Extending the State of Local Emergency Due to Severe Coastal Erosion and Vulnerability:** Request the Board ratify the Proclamations Extending the State of Local Emergency for Hurricanes Matthew, Ian and Nicole. (*Requested by Jonathan Lord, Emergency Management Director*)
 - 7-b) **Consideration of a Resolution and FDOT Public Transportation Grant Agreement (PTGA) in the Amount of \$100,000 for Additional Funding for the Security Fence/Gate**

- at the Flagler Executive Airport:** Request the Board: 1) approve the FDOT PTGA authorizing the Chair to execute the agreement as approved to form by the County Attorney; 2) approve the Unanticipated Revenue Resolution; and 3) approve the Budget Transfer from Reserves. *(Requested by Roy Sieger, Airport Director)*
- 7-c) Consideration to Amend the FY 2023-24 Budget with an Interfund Transfer from the General Capital Projects Fund (Fund 1316) to General Fund IT Operating:** Request the Board approve the Unanticipated Revenue Resolution. *(Requested by E. John Brower, Financial Services Director)*
- 7-d) Amendment to and Restatement of Interlocal Agreement between the Flagler County Board of County Commissioners (BOCC) and the City of Flagler Beach for Enhanced 911 Addressing:** Request the Board authorize the Chair to execute the Amended and Restated Interlocal Agreement between Flagler County BOCC and the City of Flagler Beach for 911 addressing and street naming responsibilities as approved to form by the County Attorney. *(Requested by Michael Tucker, Fire Chief/E911 Coordinator)*
- 7-e) Consideration of Approval of Supplemental Agreement No.1 to the State Funded Grant Agreement (SFGA) between the Florida Department of Transportation (FDOT) and Flagler County for the Flagler Central Commerce Parkway Connector – Bunnell (Commerce Parkway) Project, FDOT Financial Project No. 450921-1-54-01. Supplemental Agreement No. 1 Provides a Time Extension to the Construction Schedule and SFGA Scope Revision for a Turn Lane Addition:** Request the Board approve the Supplemental Agreement No. 1 and adopt the Resolution authorizing the Chair to execute the Supplemental Agreement. *(Requested by Hamid Tabassian, P.E., County Engineer and Richard Zion, P.E., P.G, Assistant County Engineer)*
- 7-f) Consideration to Purchase a 2025 Freightliner M2 106 Cab & Chassis with 12YD Dump for Road & Bridge Maintenance Activities:** Request the Board authorize the County Administrator to execute the contract and purchase of one (1) 2025 Freightliner M2 106 Cab & Chassis with 12YD Dump at the price of \$118,155.00. *(Requested by Mike Dickson, General Services Director)*
- 7-g) Request for Approval of Amendment #RP21-FCBCC A1 American Rescue Plan Act Between Flagler County and the Northeast Florida Area Agency on Aging, Inc., d/b/a ElderSource for the Purpose of Providing Support Services, Congregate Meals, Home Delivered Meals and Caregiver Support Services in the Amount of \$120,000.01:** Request the Board approve Contract Amendment #RP21-FCBCC.A1 Older Americans Act Title III between Flagler County and the Northeast Florida Area Agency on Aging, Inc., d/b/a ElderSource, increasing award amount \$120,000.01, authorize the County Administrator to execute all necessary documents associated with accepting and implementing said contract approved as to form by the County Attorney and approve the Unanticipated Revenue Resolution. *(Requested by Joseph Hegedus, Director, Health & Human Services Director)*
- 7-h) Consideration and Approval of the Following; 1) Supplemental Agreement No. 2 to State Funded Grant Agreement (SFGA) between the Florida Department of Transportation (FDOT) and Flagler County for the Roadway Stabilization Construction of County Road 90 from Hickory Street to County Road 75 to increase agreement by ~~\$1,212,121~~ \$1,876,243; FDOT Financial Project No. 448759-1-54-01/02; 2) Second Amendment to the Construction Agreement 22-0387B between Flagler County and Halifax Paving, Inc. for Construction of Roadway Stabilization from County Road 305 to County Road 75 (Phase 2) in the Amount of \$1,781,660.00; 3)**

First Amendment to WA-06 for the County Road 90 Stabilization Project between Flagler County and DRMP to Provide CEI Services for Phase 2 of Roadway Stabilization and Storm Drainage Improvements, in the Amount of \$94,582.25; 4) First Amendment to WA-03 for the County Road 90 Stabilization Project between Flagler County and CPWG to Provide Professional Services for Phase 2 of Roadway Stabilization and Storm Drainage Improvements, in the Amount of \$22,500.00; 5) Amending the Budget to Include the Budget Transfer from the Constitutional Gas Tax Fund 1112 Reserves in the amount of \$22,500; 6) Amending the Budget for Unanticipated Revenue for the Constitutional Gas Tax Fund in the amount of ~~\$1,212,124~~ **\$1,876,243:** Request the Board: 1) approve the FDOT SFGA Supplemental Agreement No. 2 and adopt the Resolution authorizing the Chair to execute the Supplemental Agreement; 2) approve and authorize the Chair to execute the Second Amendment to a Contract Agreement between Flagler County and Halifax Paving, Inc.; 3) approve and authorize the Chair to execute the First Amendment to a Work Authorization between Flagler County and DRMP; 4) approve and authorize the Chair to execute the First Amendment to a Work Authorization between Flagler County and CPWG; 4) Amending the budget to include the Budget Transfer in the amount of \$22,500 from the Constitutional Gas Tax Fund 1112 Reserves; 5) approve the Unanticipated Revenue Resolution; 6) authorizing the County Administrator to approve change orders or other project related documents, as approved by the County Attorney within the overall project budget. *(Requested by Hamid Tabassian, P.E., County Engineer)* ***Updated 03/18/2024**

- 7-i) Amendment to Pricing Exhibit A of the NFP Rx Solutions Coalition Management and Consulting Agreement:** Request the Board approve, and authorize the County Administrator to execute, the Amendment to Pricing Exhibit A of the NFP Rx Solutions Coalition Management and Consulting Agreement which now includes paragraph 2, Transparency. *(Requested by Pamela Wu, Human Resources Director)*
- 7-j) Request the Board Declare Items as Surplus, Removal from the County Fixed Assets and Authorize Purchasing to Dispose of Surplus Property Pursuant to the Fixed Asset Policy:** Request the Board declare items as surplus, removal from the County's fixed asset inventory and authorize Purchasing to dispose of surplus property pursuant to the Fixed Asset policy. *(Requested by Robert Rounds, Purchasing Manager and Richard Zufelt, Property Control Agent)*
- 7-k) Consideration and Approval the Branding, Creative and Media Buying Contract for Tourism Development:** Approval to Award the Branding Creative and Media Buying Contract to Aqua Marketing & Communication, Inc. and authorize the Chair to execute the Contract as approved to form by the County Attorney. *(Requested by Amy Lukasik, Tourism Development Director)*
- 7-l) Consideration to Ratify the Florida Department of Environmental Protection (FDEP) Recreational Trails Program (RTP) Grant Application submittal that requires 20% Local Match of \$87,500:** Request the Board approve ratification of the FDEP RTP grant application submittal and local match funding commitment of \$87,500. *(Requested by Hamid Tabassian, P.E., County Engineer)*
- 7-m) Consideration and Approval of the Following:** 1) The Seventh Amendment to the Construction Agreement 20-033B between Besch & Smith Civil Group, Inc and Flagler County for the Construction of the Marineland Acres Drainage and Roadway Improvement Project in the Amount of \$78,897.33; 2) Authorizing the County Administrator to Approve Change Orders or Other Project Related Documents, as

Approved by the County Attorney within the Overall Project Budget: Request the Board approve: 1) The Sixth Amendment to the construction Agreement 20-033B between Besch & Smith Civil Group, Inc and Flagler County for the construction of the Marineland Acres Drainage and Roadway Improvement Project in the amount of \$78,897.33; 2) Authorizing the County Administrator to approve change orders or other project related documents, as approved by the County Attorney within the overall project budget. *(Requested by Hamid Tabassian, P.E., County Engineer)*

7-n) Consideration to Amend the FY 2024-2028 5-Year CIP to include an Increase in the Amount of \$1,220,483 for the Replacement of the Bull Creek Facility and Dock Replacement: Request the Board approve the Amended FY 2024-2028 5-Year CIP and authorize staff to perform the necessary budget transfers. *(Requested by Michael Dickson, General Services Director)*

7-o) Utility Easement and Temporary Construction Agreement with the Radiance Community Development District and the City of Palm Coast for the Extension of Water and Sewer Utilities within County Parcels Adjoining the Old Kings Road Right-of-Way: Approve the Permanent Non-exclusive Utilities Easement and Temporary Construction Agreement with the Radiance CDD and City of Palm Coast and authorize the Chair to sign the Agreement on behalf of the Board. *(Requested by Adam Mengel, Growth Management Director and County Attorney's Office)*

7-p) Consideration to Amend the Plan for American Rescue Plan Act (ARPA) Project Funding: Request the changes to the ARPA project funding as presented and authorize staff to complete the necessary Budget Transfers. *(Requested by E. John Brower, Financial Services Director)*

8. General Business: None

9. Public Hearings: *Public Hearings will be heard after 5:30 p.m.*

Quasi-Judicial Process: *The audience should refrain from clapping, booing or shouts of approval or disagreement. To avoid potential legal ramification and possible overturning of a decision by the Courts, a public hearing must be fair in three respects: form, substance and appearance.*

Time limits will be observed:

- *Staff – 10 minute presentation.*
- *Applicant – 15 minute presentation (unless time extended by consensus of Board).*
- *Public Comment – 3 minutes per speaker, 5 minutes if speaking on behalf of a group.*
- *Applicant Rebuttal and Closing Staff Comments – 10 minutes each.*

9-a) QUASI-JUDICIAL – Project No. 2023100039 – Request for Approval of a PUD (Planned Unit Development) Site Development Plan and Development Agreement for Gardenside at Ormond Station, Phase II. Parcel No. 21-14-31-0000-01010-0030, 22-14-31-0000-01010-0070, and 22-14-31-0000-01010-0080; 33.01+/- acres. Owner: US Capital Alliance, LLC; Applicant: Alann Engineering Group, LLC.: The Board of County Commissioners may: Approve; Deny or Continue. *(Requested by Adam Mengel, Growth Management Director)*

10. Additional Reports and Comments:

10-a) County Administrator Report/Comments

10-b) County Attorney Report/Comments

10-c) Community Outreach: *This thirty-minute time period has been allocated for public comment for items not on the agenda. Each speaker will be allowed up to three (3) minutes to address the Commission. Speakers should approach the podium, identify themselves and direct comments to the Chair.*

10-d) Commission Reports/Comments/Action

11. Adjournment

Section 286.0105, Florida Statutes states that if a person decides to appeal any decision made by a board agency, or commission with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he may need 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.

In accordance with the Americans with Disabilities Act, persons needing assistance to participate in this meeting should contact the (386) 313-4001 at least 48 hours prior to the meeting.