



Flagler County Board of County Commissioners Meeting Agenda

June 17, 2024 • 5:00 p.m.

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

View the meeting broadcast live on cable television: Spectrum Channel 492

View the meeting streamed live on the County's YouTube Channel: www.YouTube.com/FlaglerCounty

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: None**
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 - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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) Revenue Collected for April 2024
 - 2) Disbursement Report for Week Ending May 24, 2024
 - 3) Disbursement Report for Week Ending May 31, 2024
 - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
 - 1) May 20, 2024 Workshop
 - 2) May 20, 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) **Board Ratification of Local State of Emergency Due to Drought and Threat of Wildfire and Emergency Administrative Order Prohibiting Certain Outdoor Activities that May Cause Wildfire:** Request the Board ratify the State of Local Emergency and Emergency

Administrative Orders executed by the Chair. *(Requested by Jonathan Lord, Emergency Management Director and Michael Tucker, Fire Rescue Chief)* **Added Emergency Order**

- 7-c) Consideration to Amend Sub-Grant Agreement with Flagler County Schools, Flagler County Sheriff's Office, and Flagler Cares, Inc. for the Criminal Justice, Mental Health, and Substance Abuse Expansion Grant with the Department of Children & Families:** Request the Board authorize the amendment to the Sub-Grant Agreement to allow Flagler Cares, Inc. to replace Halifax Health for the remainder of the existing agreement. *(Requested by E. John Brower, Financial Services Director and Michael Catalano, OMB Analyst)*
- 7-d) Consideration to Approve Change Order for Blanket Purchase Order with Healthcare Solutions Services LLC:** Request the Board authorize a change order and increase BPO in the amount of \$160,000, to a total of \$280,000. *(Requested by Joseph Hegedus, Health & Human Services Director)*
- 7-e) Adoption of a Resolution Establishing the Auditor Selection Committee to Assist the Board of County Commissioners (BOCC) in Selecting an Auditor to Conduct the County's Annual Financial Audit and Serve other Audit Oversight Purposes as Determined by the Board as Provided in Section 218.391 Florida Statute:** Request the Board adopt the resolution establishing the audit selection committee as provided in Section 218.391 Florida Statutes. *(Requested by E. John Brower, Financial Services Director and Michael Catalano, OMB Analyst)*
- 7-f) Ratification of The Second Amendment to the Construction Agreement 22-034B between Halifax Paving, Inc and Flagler County for the Construction of the Roadway Improvements of First Ave., Apache St., & Osceola Ave:** Request the Board: 1) Ratify the Second Amendment to the construction Agreement 22-034B between Halifax Paving, Inc and Flagler County for the construction of the Roadway Improvements of First Ave., Apache St., & Osceola Ave., Project in the amount of \$34,860.45; 2) Amend the project budget in the amount of \$21,111.90. *(Requested by Hamid Tabassian, County Engineer and Richard Zion, Assistant County Engineer)*
- 7-g) Consideration and Approval of the Following; 1) the Local Agency Program (LAP) Agreement and the Authorizing Resolution between Flagler County and the Florida Department of Transportation (FDOT) for the Planning and Design of the Bulow Creek Headwaters Regional Park Project with the FDOT Funding Participation to the Total Maximum Amount of \$1,579,662.00, FDOT Financial Project No. 452550-1-18-01, Planning Phase in the amount of \$569,189.00 and 452550-1-38-01, Design Phase for the Maximum Amount of \$1,010,473.00; 2) Professional Services Agreement between Flagler County and Kimley-Horn and Associates, Inc. to Provide Services related to Planning and Design of Bulow Creek Headwaters Regional Park Project under Request for Statement of Qualifications (RSQ) 23-028Q in the Amount of \$569,188.17 for the Planning Phase of the Project:** Request the Board: 1) Approve the Local Agency Program (LAP) Agreement and the Authorizing Resolution between Flagler County and the Florida Department of Transportation to complete the Planning and Design of the Bulow Creek Headwaters Regional Park project with the FDOT funding participation to the maximum amount of \$1,579,662.00; 2) Approve and authorize the Chair to execute the Professional Services Agreement between Flagler County and Kimley-Horn and Associates, Inc. to Provide Services related to Planning and Design of Bulow Creek Headquarters Regional Park Project under Request for Statement of Qualifications (RSQ) 23-028Q in the Amount of \$569,188.17 for the Planning Phase of the Project; 3) Approve

the Budget Transfer and 3) Approve the Unanticipated Revenue Resolution. *(Requested by Hamid Tabassian, County Engineer)*

7-h) Consideration to Amend the Library Impact Fee Fund 1159 FY 2023-24 Budget: Request the Board approve the Unanticipated Revenue Resolution. *(Requested by E. John Brower, Financial Services Director)*

7-i) Consideration of the Resolution and a First Amendment to the Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the Amount of \$500,000 to Assist with Funding for the Construction of a General Aviation Terminal Facility at the Flagler Executive Airport: Request the Board approve the FDOT PTGA authorizing the Chair to execute the agreement as approved to form by the County Attorney. *(Requested by Roy Sieger, Airport Director)* **Attachments Added**

7-j) Consideration of FY24/25 Application to the Commission for the Transportation Disadvantaged (CTD) for the Annual Trip and Equipment Grant in the Amount of \$697,082.00 for Public Transportation Operating Funds. **Added 06-12-2024**

8. General Business: *Presentations limited to 15 minutes with public comments limited to 3 minutes per speaker.*

8-a) Adoption of a Resolution to Vacate a Portion of the Plat of the Town of Espanola Subdivision in the MH-1 (Rural Mobile Home) Zoning District – Kyle R. Hall, Kevin S. Hunter, Jr., Kevin S. Hunter, Sr., Manuel Marcal, Curtis Lee Weaver, and Shirley Leto, Petitioners: Options for the Board: Approve; Approve; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*

8-b) Consideration of the Adoption of a Resolution to Create an Economic Development Impact Fee Grant Program: Staff recommends the approval of a Resolution to create an Economic Development Impact Fee Grant Program. *(Requested by Amy Lukasik, Tourism Director and Dolores Key, Economic Development Manager)*

8-c) Consideration of the Adoption of a Resolution to Create a Recaptured Enhanced Value Grant Program: Staff recommends the approval of Resolution 2024-XX to create a Recaptured Enhance Value Grant Program. *(Requested by Amy Lukasik, Tourism Director and Dolores Key, Economic Development Manager)*

8-d) Consideration to Endorse New Legislation Regarding PACE Program: Endorse PACE Legislation (CS/CS/SB770) with a letter to the Governor with a copy to the Florida Association of Counties. *(Requested by Al Hadeed, County Attorney)*

8-e) Determine Appointment or Appointment Process for Florida PACE Agency Seat: Request the Board appoint a successor to Commissioner Revels or determine a process for appointing a successor. *(Requested by Al Hadeed, County Attorney)*

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. 2024020065 – Request for an Appeal of the Planning Director’s Decision Denying Zoning Approval related to Required Replacement Index Tree Planting for a New Single Family Dwelling at 6 Sanchez Avenue. Parcel No. 40-10-31-0010-00080-0140; 5,000+/- square feet. Owners: Felisberto “Phil” Portal and Galyna Zvarych, JTWROS/Applicant: Joe Portal d/b/a Sweetwater Custom Homes, Inc: Options for the Board: Approve; Approve in part; Deny; or Continue. *(Requested by Adam Mengel, Growth Management Director)*

9-b) QUASI-JUDICIAL – Project No. 2023090012 – Request for Approval of a Preliminary Plat in the C-2 (General Commercial and Shopping Center) and R-3b (Multifamily Residential) Districts for Flagler Landing; Parcel Number: 08-12-31-0650-000B0-0070; 38.77+/- acres. Owner: Flagler Pines Properties, LLC; Applicant: Alann Engineering Group, Inc: Options for the Board: Approve subject to conditions; 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.