



# Flagler County Board of County Commissioners Meeting Agenda

February 20, 2023 • 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:** Flagler Reads Together – March 2023 (*Requested by the Friends of the Library*)
  - 4c) **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  - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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) Disbursement Report for Week Ending January 20, 2023
    - 2) Disbursement Report for Week Ending January 27, 2023
  - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
    - 1) January 17, 2023 Workshop
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) **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-c) Consideration of a Resolution to Allow Florida Development Finance Corporation to Issue Advantageous Revenue Bond Financing to Waste Pro USA, Inc. for the Flagler County Portion of the Issuance of the Series 2023 Bonds and to the Use of a Portion of the Proceeds to Finance the Improvements to Waste Pro's Flagler County Facility in an Aggregate Principal Amount Not to Exceed \$4,000,000** Recommend the Board Approve the Resolution consenting to the Florida Development Finance Corporation issuing revenue bonds to WastePro for improvements to its facility in Bunnell. *(Requested by E. John Brower, Financial Services Director)*
- 7-d) Consideration of an Amendment to the Fiscal Year 2022-23 Budget for Impacts of Hurricane Nicole** Request the Board approve the Unanticipated Revenue Resolution, Budget Transfer, and Interfund Loan I. *(Requested by E. John Brower, Financial Services Director)*
- 7-e) Consideration of FEMA Reimbursement for Hurricane Ian through Federal Disaster Grant Assistance:** Request the Board approve the grant agreement and resolution authorizing the County Administrator to execute the grant agreement as approved to form by the County Attorney. *(Requested by E. John Brower, Financial Services Director and Michael Catalano, Financial Analyst)*
- 7-f) Adoption of a Resolution to Designate by Map that Ownership and Maintenance in Opossum Lane (County Road 14) is Vested in Flagler County:** Request the Board adopt the resolution vesting the County's ownership and maintenance in Opossum Lane (also known as County Road 14). *(Requested by Adam Mengel, Growth Management Director)*
- 7-g) Consideration of Approval of the First Amendment to the Standard Grant Agreement #23FL1 between the Florida Department of Environmental Protection (FDEP) and Flagler County Board of County Commissioners for the 2022 Hurricane Ian and Nicole Emergency Recovery Project:** Request the Board to approve the First Amendment to the Standard Agreement #23FL1 between the Florida Department of Environmental Protection (FDEP) and Flagler County Board of County Commissioners. *(Requested by Faith Alkhatib, County Engineer)*
- 7-h) Consideration and approval of the following; 1) Standard Grant Agreement #23FL3 between the Florida Department of Environmental Protection (FDEP) and Flagler County Board of County Commissioners for implementation of the Washington Oaks Garden State Park (WOGSP) Dune Restoration Project in the amount of \$1,867,699.80; 2) First Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for construction of the WOGSP Dune Restoration Project in the amount of \$1,726,809.60; 3) First Amendment to the Professional Services Agreement 21-009Q between Flagler County and Eisman and Russo for Construction Engineering and Inspection Services (CEI) for the WOGSP Dune Restoration Project in the amount of \$140,890.20; and 4) Amending the FY 2022-23 Budget for Unanticipated Grant Revenue:** Request the Board to approve 1) the Standard Grant Agreement Number 23FL3 and the Authorizing Resolution between Flagler County and the FDEP for implementation of the WOGSP Dune Restoration Project in the amount of \$1,867,699.80; 2) First Amendment to the Construction Agreement 23-010B with Eastman Aggregate Enterprises, LLC in the amount of \$1,726,809.60; 3) First Amendment to the Professional Services Agreement 21-009Q with Eisman and Russo in the amount of \$140,890.20; and 4) approve

the Unanticipated Revenue Resolution. Upon receipt of the Amendment documents executed by Eastman Aggregate Enterprises and Eisman and Russo, authorize the Chair to execute the Amendment documents as approved as to form by the County Attorney and to authorize the County through the County Administrator and County Engineer to apply for advance payment as deemed appropriate. *(Requested by Faith Alkhatib, County Engineer)*

**7-i) Consideration and approval of the following; 1) Second Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for construction of Dune Restoration Project in the amount of \$3,240,397.13; and 2) Second Amendment to the Professional Services Agreement 21-009Q between Flagler County and Eisman and Russo for Construction Engineering and Inspection Services (CEI) for the Painter's Hill Dune Restoration Project in the amount of \$149,077.43:** Request the Board to approve 1) Second Amendment to the Construction Agreement 23-010B with Eastman Aggregate Enterprises, LLC in the amount of \$3,240,397.13; and 2) Second Amendment to the Professional Services Agreement 21-009Q with Eisman and Russo in the amount of \$149,077.43. Upon receipt of the Amendment documents executed by Eastman Aggregate Enterprises and Eisman and Russo, authorize the Chair to execute the Amendment documents as approved as to form by the County Attorney. *(Requested by Faith Alkhatib, County Engineer)*

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

**8-a) Consideration of the Final Authorization to Award Request for Proposals Number 22-047, Inmate Facility Camera and Access Control System:** Request the Board consider the final Black Creek proposal of Request for Proposals Number 22-047P, Inmate Facility Camera and Access Control System, approve staff to award the contract to Black Creek Integrated Systems Corp; approve the budget transfer; and approve the Unanticipated Revenue Resolution. *(Requested by Matthew Rivera, Chief Information Officer and Robert Rounds, Purchasing Manager)*

**8-b) Adoption of a Resolution to Vacate a Portion of the Plat of the St. Johns Park Subdivision in the AC (Agriculture) Zoning District – Johnathan Dias and Elisabeth Dias, Husband and Wife – 3122 County Road 2006 West; Parcel #25-12-28-5600-000L0-0030:** Request the Board adopt the resolution for the vacation of the portion of the St. Johns Park Subdivision described as Lots 3 and 4, Block L, and Lot 2, Block M, and all that portion of Stewart Boulevard (60 foot right-of-way) lying south of Lot 3, Block L, and North of Lot 2, Block M, St. Johns Park Subdivision according to the plat thereof, recorded in Plat Book 1, Page 16, Public Records of St. Johns County, Florida, and also in Plat Book 29, Page 67, Public Records of Flagler County, Florida; said subdivision now being a part of Flagler County, Florida. *(Requested by Adam Mengel, Growth Management Director)*

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

*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) LEGISLATIVE – Seventh Amendment to the Hunter’s Ridge Development of Regional Impact. Applicant/Owner: Glen Fishman, President, U.S. Capital Alliance, LLC/Agent: Kim C. Booker, Booker & Associates, P.A.:** Options for the Board: 1) Approve; 2) Deny; or 3) 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 of 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.