



# Flagler County Board of County Commissioners Meeting Agenda

March 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: Retirement of Lisa Funicello – 28 Years with the Flagler County Clerk’s Office**
  - 4b) **Proclamations:**
    - 1) **Tale Tellers 30th Anniversary** (*Requested by Sallie O’Hara*)
    - 2) **National County Government Month – April 2023** (*Requested by Holly Albanese, Chief of Special Projects/Library Director*)
  - 4c) **Presentations:**
    - 1) **National County Government Month – April 2023** (*Presented by Holly Albanese, Chief of Special Projects/Library Director*)
    - 2) **Airport Quarterly Update** (*Presented by Roy Sieger, Airport Director*)
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  - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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 17, 2023
    - 2) Disbursement Report for Week Ending February 24, 2023
    - 3) Disbursement Report for Week Ending March 3, 2023
  - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
    - 1) February 20, 2023 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) **Library Board of Trustees Advisory Board Appointment:** Request the Board approve the appointment of Ms. Bettencourt to the Library Board of Trustees Advisory Board for a three-year term. *(Requested by Holly Albanese, Chief of Special Projects/Library Director)*
- 7-c) **Consideration of a Space/Use Agreement between Flagler County and Roberts Aviation, LLC. for Hangar Space in a County facility located at 283 Old Moody Boulevard, Flagler Executive Airport:** Request the Board approve the Space/Use Agreement for the County facility located at 283 Old Moody Boulevard, Flagler Executive Airport to Roberts Aviation, LLC. *(Requested by Roy Sieger, Airport Director)*
- 7-d) **Application for Florida Local Government Cybersecurity Grant That Meets “Quality Fundamental Infrastructure” Initiatives:** Request the Board authorize the County CIO to submit the grant application. *(Requested by Matthew Rivera, CIO)*
- 7-e) **Execution of E911 Grant Agreements Awarded to Flagler County by the State of Florida E911 Board:** Request the Board authorize the Chair to execute the E911 grant agreements S22-23-01-20 (MEVO Phones), S22-23-01-21 (Region 3 GIS Repository), and S22-23-01-22 (Rapid SOS Unified Mapping); and approve the Unanticipated Revenue Resolution. *(Requested by Michael Tucker, Fire Chief/E911 Coordinator)*
- 7-f) **Hurricane Loss Mitigation Program (HLMP) Application in the Amount of \$194,000:** Approve the attached Resolution authorizing the County Administrator, or designee to apply for, receive, and expend HLMP funds, to include any related documents and agreements for SFY2024; as well as any future funds made available by the State of Florida pursuant to the Hurricane Loss Mitigation Program in this grant cycle, that do not require a local match. *(Requested by Joseph Hegedus, Director Health & Human Services)*
- 7-g) **Consideration of Resolution to Adopt Amended Local Housing Assistance Plan:** Request the Board adopt the revised Local Housing Assistance Plan. *(Requested by Joseph Hegedus, Director Health & Human Services)*
- 7-h) **Consideration of ElderSource Enhanced Home Care for the Elderly Agreement (E022-FCBCC):** Request the Board approve the County Administrator to sign the ElderSource Enhanced HCE: E022-FCBCC, for \$97,349.87 on behalf of the Flagler County Health and Human Services Department as approved to form by the County Attorney. Authorize the County Administrator to execute all necessary documents associated with accepting and implementing said contract, including any amendments approved as to form by the County Attorney, and approve the Unanticipated Revenue Resolution. *(Requested by Joseph Hegedus, Director Health & Human Services)*
- 7-i) **Consideration of Approval of a RSQ Agreement No. 23-008Q between Flagler County and Caregiver Services, Health Care Solutions, and Interim Healthcare to Provide Community Senior Care in the Amount of \$450,000:** Request the Board approve and authorize the Chair to execute this RSQ Agreement No. 23-008Q to all who bid, in the NTE \$450,000 for Community Senior Care as approved to form by the County Attorney, authorize the County Administrator to execute change orders and other related project documents as approved to form by the County Attorney. *(Requested by Winnie Costello, Senior Services Program Manager and Rob Rounds, Purchasing Manager)*

7-j) **Consideration of First Amendment to an Agreement for the Marineland Acres Drainage and Roadway Improvement Project Between Flagler County and CONSOR Engineers, LLC to provide CEI Services for additions to Roadway and Stormwater Drainage System, as well as modifications to Potable Water Facilities, in the Amount of \$219,795.15 for project CE00044:** Request the Board approve and authorize the Chair to execute the First Amendment to Contract Agreement between Flagler County and CONSOR Engineers, LLC, and approve the transfer of existing project contingency funds, the Contract Amendment will cover CEI services necessary to ensure the added improvements are installed to meet state grant funding, as well as project requirements in the Amount of \$219,795.15. (Requested by *Faith Alkhatib, P.E., County Engineer*)

7-k) **Resolution to Support the Friends of A1A and Heritage Crossroads Grant Application to the Federal Highway Administration National Scenic Byways Program for Establishing the Flagler County Visitor and Eco-Discovery Center:** Request the Board approve the Resolution and an additional \$500,000 to Support the Friends of A1A Scenic & Historic Coastal Byway and Heritage Crossroad's application for federal funding from the 2023 National Scenic Byways Program to specifically benefit the construction of a Flagler County Visitor and Eco-Discovery Center as referenced in the 2020-2022 Flagler County Tourism Development Office Strategic Plan and allow staff to provide assistance when needed for the duration of the project. (*Requested by Amy Lukasik, Tourism Development Director*)

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

8-a) **Consideration and Approval of the Following; 1) Third Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for Construction of the Hammock Dune Restoration Project in the Amount of \$3,279,922.16; and 2) Third Amendment to the Professional Services Agreement 21-009Q between Flagler County and Eisman and Russo for Construction Engineering and Inspection Services (CEI) for the Hammock Dune Restoration Project in the Amount of \$223,327.90:** Request the Board to approve 1) Third Amendment to the Construction Agreement 23-010B with Eastman Aggregate Enterprises, LLC in the amount of \$3,279,922.16; and 2) Third Amendment to the Professional Services Agreement 21-009Q with Eisman and Russo in the amount of \$223,327.90. 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. Also, authorize the County Administrator to execute amendment documents pertaining to the contractor's contract amendment if the unit price of sand is increased to the optional unit cost, as to not interfere with the construction schedule. (*Requested by Faith Alkhatib, P.E., County Engineer*)

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) LEGISLATIVE – Application #3337 – Future Land Use Map Amendment from Mixed Use: Low Intensity-Low/Medium Density to Residential: Low Density/Single Family for a 7.02+/- acre parcel located East of N. Oceanshore Boulevard; Parcel Numbers: 40-10-31-3280-00000-0010, 40-10-31-3280-00000-0020, 40-10-31-3280-00000-0030, 40-10-31-3280-00000-0050, 40-10-31-3280-00000-00A0, and 40-10-31-3280-00000-00B0. Owner: DBD Solutions, LLC, a Georgia Limited Liability Company, and Hammock Commercial Park Owners’ Association, Inc., a Florida Not for Profit Corporation/Applicant: Michael D. Chiumento, III, Esquire. (Project #2022110046): Options for the Boards 1) Approve; 2) Deny and 3) Continue. (*Requested by Adam Mengel, Growth Management Director*)**
- 9-b) QUASI-JUDICIAL – Application #3338 – Request to Rezone from R/C (Residential/limited commercial) to PUD (Planned Unit Development) District for The Hammock Park PUD located between North Oceanshore Boulevard (State Road A1A) and Hammock Dunes Parkway, lying South of Cinnamon Grove Village and North of Beachwalk; Parcel Numbers: 40-10-31-3280-00000-0010, 40-10-31-3280-00000-0020, 40-10-31-3280-00000-0030, 40-10-31-3280-00000-0050, 40-10-31-3280-00000-00A0, and 40-10-31-3280-00000-00B0. 7.02+/- acres, located at 101, 102, 201, 202, and 301 Hammock Park Lane. Owner: DBD Solutions, LLC, a Georgia Limited Liability Company, and Hammock Commercial Park Owners’ Association, Inc., a Florida Not for Profit Corporation/Applicant: Michael D. Chiumento, III, Esquire (Project # 2022110047): Options for the Boards 1) Approve; 2) Deny and 3) Continue. (*Requested by Adam Mengel, Growth Management Director*)**
- 9-c) QUASI-JUDICIAL – Application #3339 – Request to amend Special Exception for 14 Townhomes to allow 16 Single Family Detached Lots in the R/C (Residential/limited commercial) District at 6645 North Oceanshore Boulevard. Parcel #37-10-31-1550-00000-0220; 3.87+/- acres. Owner: Consolidated Capital Funding II, LLC/Applicant: Michael D. Chiumento, III, Esquire (Project # 2022120002) ): Options for the Boards 1) Approve; 2) Deny and 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.