



Flagler County Board of County Commissioners Meeting Agenda

June 5, 2023 • 9:00 a.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:** None
 - 4c) **Presentations: A1A Strike Force & FDOT Flagler County Projects Update** (*Presented by Florida Department of Transportation, District 5*)
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 - 6a) **Clerk: Bills and Related Reports:** Request the Board approve the report(s) of funds withdrawn from County depositories by the Flagler County Clerk of the Circuit Court and the Revenue Collected Report presented in compliance with the provisions of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 May 5, 2023
 - 2) Disbursement Report for Week Ending May 12, 2023
 - 6b) **Clerk: Approval of Board Meeting Minutes:** Request the Board approve the minutes from the following Meetings:
 - 1) May 1, 2023 Regular Meeting
 - 2) May 15, 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) **Consideration to Transfer Funds Between Departments for Necessary Repairs to Various County Infrastructure:** Request the Board approve the Budget Transfer. (*Requested by Mike Dickson, General Services Director*)

- 7-c) **Consideration of the Designation of Crime Stoppers of Northeast Florida, Inc. for Flagler County's Crime Stoppers Funding:** Request the Board approve designating Crime Stoppers of Northeast Florida, Inc. for Flagler County's Crime Stoppers Funding and authorize the Chair to execute the Letter of Agreement. *(Requested by E John Bower, Financial Services Director and Michael Catalano OMB Analyst)*
- 7-d) **Consideration of a Space/Use Agreement between Flagler County and Red Rooster Rental, LLC for a Hangar Facility located at 17 Old Moody Boulevard, Flagler Executive Airport:** Request the Board approve the Space/Use Agreement for the County facility located at 17 Old Moody Boulevard, Flagler Executive Airport to Red Rooster Rental, LLC. *(Requested by Roy Sieger, Airport Director)*
- 7-e) **Consideration of a Space/Use Agreement between Flagler County and Rock Harbor, LLC. for Office Space in a County facility located at 120 Airport Road, Suite 1B, Flagler Executive Airport:** Request the Board approve the Space/Use Agreement for the County facility located at 120 Airport Road, Suite 1B, Flagler Executive Airport to Rock Harbor, LLC. *(Requested by Roy Sieger, Airport Director)*
- 7-f) **Consideration of a Resolution and a Second Amendment to a Public Transportation Grant Agreement (PTGA) with the Florida Department of Transportation (FDOT) in the Amount of \$20,365 to Assist with Funding to Replace Air Traffic Control Tower (ATCT) Equipment at the Flagler Executive Airport:** Request the Board approve the Second Amendment to the FDOT PTGA, approve the Unanticipated Revenue Resolution, and adopt the Resolution authorizing the Chair to execute the amendment and authorize the County Administrator to execute all necessary documents associated with accepting and implementing said agreement, approved as to form by the County Attorney. *(Requested by Roy Sieger, Airport Director)*
- 7-g) **Consideration of Adopting No-Show Cancellation Fee for Adult Daycare Center:** Request the Board approve the adoption of the "No-Show Cancellation Fee" for Adult Daycare Center. *(Requested by Joseph Hegedus, Health & Human Services Director)*
- 7-h) **Consideration of an Amendment to the Fiscal Year 2022-23 Budget to Recognize Hurricane Housing Recovery Program (HHRP) Unanticipated Revenue from the Florida Housing Finance Corporation:** Request the Board approve the HHRP Unanticipated Revenue Resolution. *(Requested by Joseph Hegedus, Health & Human Services Director)*
- 7-i) **Consideration to Amend the FY 2022-23 Budget to Recognize Grant Revenue from the Hurricane Loss Mitigation Program (HLMP) for the Department of Health and Human Services' Housing Services Division:** Request the Board approve the Unanticipated Revenue Resolution. *(Requested by Joseph Hegedus, Health & Human Services Director)*
- 7-j) **Consideration of Approval to Execute the Neighborly Software As A Service (SAAS) Agreement on behalf of Flagler County Department of Health and Human Services:** Request the Board approve and authorize the County Administrator to sign the Neighborly Software as A Service Agreement on behalf of the Flagler County Health and Human Services Department. *(Requested by Joseph Hegedus, Health & Human Services Director)*
- 7-k) **Approval of Selection of Inspire Placemaking Collective, Inc., of Orlando as the Comprehensive Plan Update Consultant under RFP #23-001P:** Request the Board approve the contract for RFP #23-001P to Inspire Placemaking Collective, Inc., for the

Comprehensive Plan update in an amount not to exceed \$239,273. *(Requested by E John Bower, Financial Services Director and Robert Rounds, Purchasing Manager)*

- 7-l) Consideration of Approval of Professional Services Agreement between Flagler County and CONSOR Engineers, LLC, to provide Construction Engineering and Inspection (CEI) Services for the Flagler Central Commerce Parkway Connector – Bunnell Project under Request for Statement of Qualifications (RSQ) 23-009Q in the Not To Exceed Amount of \$1,313,424.14, Project #CE23001:** Request the Board approve and authorize the Chair to execute Professional Services Agreement under RSQ# 23-009Q to CONSOR Engineers, LLC, in the Not To Exceed amount of \$1,313,424.14 to provide Construction Engineering and Inspection (CEI) Services for the Flagler Central Commerce Parkway Connector – Bunnell project as approved to form by the County Attorney and authorize the County Administrator to execute change orders within the project budget and other project related documents as approved to form by the County Attorney. *(Requested by Faith Alkhatib, County Engineer and Robert Rounds, Purchasing Manager)*
- 7-m) Consideration of Approval of Work Authorization No. WA-06 under Request for Statement of Qualifications (RSQ) 21-012Q to DRMP in the Amount of \$59,587.75 for Construction Engineering and Inspection (CEI) Services for the Stabilization and Paving of County Road 90 from Hickory Street to County Road 305, Project #CE22002. FDOT Financial Project No. 448579-1-54-01:** Request the Board 1) Approve and authorize the execution of Work Authorization WA-06 under RSQ# 21-012Q to DRMP, in the not to exceed amount of \$59,587.75 for Construction Engineering and Inspection (CEI) services for the County Road 90 Stabilization project as approved to form by the County Attorney; 2) Authorize the County Administrator to execute any change orders and other project related documents within the overall project budget as approved to form by the County Attorney. *(Requested by Faith Alkhatib, County Engineer)*
- 7-n) Consideration of Approval of Supplemental Agreement No. 1 to Small County Road Assistance Program (SCRAP) Agreement between the Florida Department of Transportation (FDOT) and Flagler County for the Stabilization and Paving of County Road 90 from Hickory Street to County Road 305; FDOT Financial Project No. 448759-1-54-01; County Project #CE22002:** Request the Board: (i) approve Supplemental Agreement No. 1 to the Small County Road Assistance Program (SCRAP) Agreement, revising the project limits, accepting additional \$51,397.00 in Grant Funding; (ii) adopt the Resolution authorizing the Chairman to execute the Supplemental Agreement and authorizing the County Administrator to execute any other instruments necessary to implement the project, as to approved to form by the County Attorney; (iii) approve the Unanticipated Revenue Resolution; and (iv) approve the Budget Transfer. *(Requested by Faith Alkhatib, County Engineer)*
- 7-o) Approval of FDOT’s Flagler County Functional Classification Map:** Recommend the Board approve FDOT’s Flagler County Functional Classification Map. *(Requested by Adam Mengel, Growth Management Director and Faith Alkhatib, County Engineer)*
- 7-p) Consideration and Approval of The Third Amendment to an Agreement between Besch & Smith Civil Group, Inc. and Flagler County in the Amount of \$333,521, Financial Project No. 435633-1-54-01, to Construct the Seascape Drive Storm Drainage Improvements and Install Street Name Signage as part of the Marineland Acres Drainage and Roadway Improvement Project #CE00044:** Request the Board approve and authorize the Chair to execute the Third Amendment to an agreement

between Flagler County and Besch & Smith Civil Group, Inc. in the amount of \$333,521 and approve the budget transfer for additional project budget in the amount of \$266,574 to allow completion of Seascape drainage improvements within the Marineland Acres project. Available project balance of \$66,947.67 will be used to complete the amendment requirement of \$333,521. *(Requested by Faith Alkhatib, County Engineer)*

7-q) Consideration and Ratification of the following Agreements; 1) Sixth Amendment to the Construction Agreement 23-010B between Flagler County and Eastman Aggregate Enterprises, LLC for construction of the Federal Emergency Management Agency (FEMA) Category B – Emergency Berm Project in the Amount of \$8,779,308.12; 2) Fifth Amendment to the Professional Services Agreement 21-009Q between Flagler County and Eisman and Russo for Construction Engineering and Inspection Services (CEI) for the FEMA Category B – Emergency Berm Project in the Amount of \$374,820.80; and (3) Thirteenth Amendment to the Professional Services Agreement 17-0032Q between Flagler County and Olsen Associates Inc. for the FEMA Category B – Emergency Berm Project in the Amount of \$74,020.00: Request the Board ratify the approval of: 1) Sixth Amendment to the Construction Agreement 23-010B with Eastman Aggregate Enterprises, LLC in the amount of \$8,779,308.12; 2) Fifth Amendment to the Professional Services Agreement 21-009Q with Eisman and Russo in the amount of \$374,820.80; 3) Thirteenth Amendment to the Professional Services Agreement 17-032Q between Flagler County and Olsen Associates, Inc in the amount of \$74,020.00; and 4) Approve the Unanticipated Revenue Resolution and Budget Transfer. 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 a new amendment document pertaining to the contractor by amending the contract for the adjusted unit price of sand. This is to avoid the delays mid-construction in an ongoing beach restoration project, maintaining the construction schedule. *(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) Update to Flagler County Board of County Commissioners Rules of Procedure: Approve the updated Rules of Procedure. *(County Administration and County Attorney)*

8-b) Changing Street Name from Hotel Trace to Osprey Way within the Ocean Ridge Subdivision. Applicant: Jim Ulsamer on behalf of the Ocean Hammock Property Owners Association, Inc: Recommend the Board approve the street name change from Hotel Trace to Osprey Way as shown on the plat of the Ocean Ridge subdivision, Map Book 30, Pages 91-95, Public Records of Flagler County, Florida. *(Requested by Taylor Phillips, GIS and Adam Mengel, Growth Management Director)*

8-c) Adoption of a Resolution to Vacate a Portion of the Plat of the Armand Beach East Subdivision – Owner: John Beem – 4 Rosemary Place; Parcel #20-10-31-0300-01490-0000: Request the Board adopt the resolution for the vacation of the portion of the plat described as part of the seven and one-half foot wide utility and drainage easement lying on the left (South) side lot line of Lot 149, Armand Beach East subdivision, as recorded in Map Book 8, Pages 21 and 22, Public Records of Flagler County, Florida. *(Requested by Adam Mengel, Growth Management Director)*

8-d) Consideration to Partner with the City of Palm Coast to Pursue the Department of Transportation’s Charging and Fueling Infrastructure Discretionary Grant Program with our Municipal Partners and to Provide a Letter of Support to the City of Palm Coast: Request the Board approve the request to pursue the grant and provide a letter of support to the City of Palm Coast. *(Requested by Holly Albanese, Chief of Special Projects/Library Director)*

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

9-a) LEGISLATIVE—Second Reading and Adoption of Amendments to Chapter 27 of the County Code Related to Solid Waste: Request the Board approve and adopt the ordinance on second reading. *(Requested by County Attorney’s Office)*

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.